New G.N. Sets 44 at Chicago Sales Meeting

Additional 24 Westerns Are Contemplated

CHICAGO, Oct. 2.—The newly organized Grand National Pictures, Inc., formally went into operation Saturday with a sales conference in Chicago presided over by Edward L. Alperson, general manager of distribution. The conference was attended by sales executives from the middle and far west, and will be followed by a meeting of sales and production executives in New York next Saturday.

The first official announcement of the company's product for the 1938-39 season showed that Grand National will release 44 feature pictures, to which they contemplate adding two or three two-reel productions; 24 westerns, divided into four groups of six each, and 44 short subjects from Educational Pictures, 18 of which will be two-reel star comedies and the balance one-reel subjects.

Mr. Alperson announced a number of important appointments (Continued on page 3).

Early Decision on RKO Plan Expected

The Federal court's indicated disapproval of a minority creditor's petition to bring the S.E.C. into the RKO reorganization proceedings, together with the emergence of the European situation and its attendant stabilizing of the American securities market, will make possible an early decision by reorganization factors on the management and board of directors of the new company, it was indicated yesterday.

Both the petition for S.E.C. intervention and the unsettled European (Continued on page 3).

Two Marquee Bills Await City Action

With the reopening of the Municipal Assembly's fall session, two pending bills for the regulation of marques will come up. Bill C-121, which was passed June 14 by the City Council and now awaits action by the Board of Estimate, permits signs nine feet wide to be placed on the face of the marquee. Present restrictions limit such signs to two feet, but the regulation is not being enforced.

Another bill, C-273, attempts to extend the ban against marques which now exist on a number of New York (Continued on page 3).

Comrades
Budapest, Oct. 2.—Over in effete New York disturbed producers toss bare knuckles in the direction of critics on rating Kirkland with Richard Watts. Here they use sabers.

They, in this case, were Bela Pasztor, film producer, and Zoltan Egyed, scenarist and critic. Pasztor didn't like a criticism by Egyed and challenged him to a duel. Egyed chose the sabers, in accordance with ancient custom—and he made a mistake. He may not have known about Kirkland's simple technique.

Egyed received slight injuries and Pasztor was seriously cut on the head and chest.

Film Lawyers May See Arnold Again Later This Week

The second meeting of counsel for the principal defendants in the Government anti-trust suit with Department of Justice officials was held in Washington late this week, it was indicated yesterday.

The date for the resumption of conferences will be set following a meeting today of counsel for all eight major company defendants. At the initial meeting with department officials only the five companies having theatre affiliates were represented. However, due to the fact that several of the subjects touched upon at last week's meeting, such as trade practices (Continued on page 7).

'MPTO Invites Producers to Product Talks

Hope for an Exchange of Opinion at Convention

A national exhibitor forum on new season product, in which the heads of all major studios will be asked to participate, is planned for one of the sessions of the M.P.T.O.A. national convention at Oklahoma City, Oct. 9 to Nov. 2.

Invitations to attend the session were sent out Saturday by M.P.T.-O.A. manager to Harry Cohn, Columbia; Adolph Zukor, Paramount; Samuel Goldwyn, United Artists; Louis B. Mayer, M-G-M; Pandro S. Berman, RKO; David O. Selznick, Selznick International; Darryl F. Zanuck, 20th Century-Fox; Cliff Work, Universal, and Jack L. Warner, Warners.

The forum is designed to give exhibitors an opportunity to provide a cross section of national opinion on various types of product, casts and ad (Continued on page 5).

Republic Aims for 2,000 New Accounts

Hollywood, Oct. 2.—Here for a week of conferences with local exchange men and with Moe J. Siegel over production plans, J. R. Grainger, president of Republic Pictures, declared Saturday that Republic sales are $1,000,000 ahead this year over last year at this time, and that prospects are hopeful for selling 9,000 domestic accounts for the new season (Continued on page 5).

'Twas an Ill Wind

"It's an ill wind that blows nobody good," and "he who laughs last laughs best" are ancient cliches indeed, yet no other more modern expressions serve quite so beautifully as introductions to a tale which4 Monroe Greenthal of United Artists submits is the truth, the whole truth and nothing but the truth, so help him.

At any rate, prior to the opening of "Hurricane" in Boston some six months ago, Mr. Greenthal sent exploitation man Art Caitlin to that city to cull up some publicity. And what did Mr. Caitlin do, my hearties, but purchase a year's hurricane insurance covering the Metropolitan Theatre, following which he attempted to plant the yarn with the newspapers. But they clucked sadly at his speech and refused to run the story. For Boston doesn't have hurricanes. Wherefore, they inquired, why hurricane insurance? Came the hurricane of two weeks ago, the expensive marquee of the Metropolitan was blown down, and a new one is being put up by the insurance company with the policy.

For a fitting close to this yarn, cast eyes upward to the cliches.
Critics Here Find ‘Drums’ And ‘Too Hot’ Entertaining

New York's daily paper reviewers found “Drums” entertaining, beautifully photographed and effective drama, and “Too Hot To Handle” exciting, fast-paced melodrama with more than a little comedy. Excerpts from their reviews follow:

“Drums”
Herald Tribune—A colorful, exciting picture ... engrossing entertainment ... a generous spectacle.

Journal American—Essentially one of the best of the British imports ... an absorbing spectacle ... stirring entertainment.

Mirror—Distinushed by beauty of color, vigor of action, drama of plot.

A superior production.

“Too Hot To Handle”
Herald Tribune—High class screen treatment ... handsomely directed. Terrific pace, suspense and excitement.

Journal American—Not since the old times serials has so much action been stuffed into one picture.

Bangup adventure yarn.

Mirror—Will provoke screams of delight and laughter.

New—Has both quality and quantity. ... Everything that goes to make up a first class comedy. ... Thrilling and funny entertainment.

Post—A rambad and stimulating cinema concoction.

Sun—A tough, melodramatic comedy ... cleverly directed ... Moves at a machine gun pace.

Times—Entertaining melodrama.

World Telegram—As bright and entertaining a complete package than could hope to see. ... It moves with the speed of a machine gun bullet.

Purely Personal

SIDNEY R. KENT, president of 20th Century-Fox, and Charles E. McCarthy, advertising and publicity director, are due to studio conferences today.

JOHN MARX, Paramount story editor in London, will arrive today on the Queen Mary and will return Wednesday on the same ship. Merely a vacation.

DOUGLAS Fairbanks accompanied by his wife are due on the Queen Mary today. Also June Lang and Henry Oscar, studio producer.

WALTER Selznick, manager of the Criterion, is the composer of a song, “My Heart Went Walking,” which is being featured in night club.

STUART EDMUND arrived from the coast over the weekend to start the film William K. Howard will produce at Eastern Screen Service Studios.

MARC LACHMANN, recently appointed exploitation director for 20th Century-Fox, is due here in about a week, the home office reports.

AL SHERMAN of Columbia was the recipient of numerous gifts from friends before he sailed Saturday for London on the Britannic.

Contest Winners End Their New York Stay

A theatre party to see “I Married an Angel,” climax by a visit backstage with Zorina, star of the show, on Monday, and the New England Moser race on Saturday, ended the formal program of entertainment arranged for the winners in the July Contest of Met Life Insurance, Round Table of Motion Picture Heroes.

Mr. Freedman, winner of three prizes, left New York by train on Tuesday morning, and left for his homes Sunday.

Ohio Houses Adding Tax to Admissions

COLUMBUS, Oct. 2—A movement is on foot to increase admissions tax in Ohio. The secretary of the Ohio ticket tax as a result of suggestions made some time ago by P. J. Wood, secretary of the Independent Theatre Owners of Ohio.

Licensing Units to Meet

LONDON, Oct. 2—An annual conference of licensing units covering the territory in which the London and Home County Branch operates, is planned under the leadership of the London Coroner. The conference will meet every year to consider the general questions raised by the licensing of film houses.

Tri-National Starts Soon

Tri-National, foreign film distribution organization owned by John E. Grant, has的各项 operations to start operations in about two weeks, says Carroll Trowbridge, a company official. The company plans to release about a dozen picture.
The Age of Plenty is
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
MPTO Invites Producers to Product Talks

(Continued from page 1)

Writing, and the producers an opportunity of hearing and answering such views.

Independent distribution executives and independent exhibitor leaders also are urged to attend the M. P. T. O. national convention in letters sent out early in the week. Initiatives went to W. Y. Johnston, president; Edward Golden, vice-president, and George W. Monogram; James R. Grainger, Republican president and distribution head; Edward L. Alpiner, Grand National, sales manager; and B. Cohen, president, and Charles Kranz, Mamaroneck Pictures.

They have also been sent to Abram F. Myers, board chairman; Nathan Yamin, president; W. A. Steffes, H. A. Cole and H. M. Richey, directors, Allied Artists Corp.; Mr. I. T. O, of Ohio; Frank Durkee and Louis Rome, Maryland and District of Columbia exhibitors; Mr. Cohen, president of New York Allied, and Harry Brandt, president of the I. T. O.

Invitations to general sales managers of all major distribution companies were sent out earlier.

Moss Drops Plan for French Film Theatre

B. S. Moss has dropped plans for a French film show by Empire of Pictures, which has a distribution program of eight French films. The decision was made because it was found that the advantages of the deal could be affected with theatres already showing French pictures and because with several exceptions the latter have not made the French policy a success. In one of these exceptions, the distribution of pictures, there is a shortage of worthwhile product.

Empress, now concentrating on "Carret de Bal," and reports numerous orders on the film from theatres throughout the country. All deals are on percentage.

Mr. Moss and his son, Charles, are supervising sales, with Irving Gumbler, formerly with B. S., as sales manager, Allen Chase, formerly with Aminko, is handling general publicity.

More Houses Open in Local Territory

Several additional reopenings are reported for the metropolitan area. Louis Meyers, formerly of the Left Meyers circuit, has formed the Castello Theatre Corp. and has taken over the Castello from RKO which he will rejig as the Castello. The theatre is dark all summer.

Irving Margolies will reopen the Broadway Theatre, and Thomas Loew-Poll here, believes every cloud has a silver lining. The recent hurricane gave him the idea for a test tieup with the Times-Star asking readers to send in their theater experiences and win free tickets to see "Too Hot to Handle." The paper featured the stunt daily on page one.

Early Decision on RKO Plan Expected

(Continued from page 1)

situation last week, tended to discourage plans for an immediate reopening of the organization. The one reason being, that because of the involuntary delay in the consummation of the plan which would result from granting the petition, the other because of the problems it would inject into the disposition of the new RKO securities in an unsettled market.

With both potentially disturbing factors apparently resolved and with indications that hearings on the plan before the Supreme Court on Oct. 24 will be concluded today without the appearance of any major creditor opposition, the reorganizers are encouraged to make final decisions on management.

Ernest W. Stinnett, holder of 1,243 shares of Class A stock, on Friday filed objections to the plan and to the report of Special Master George W. Alger, recommending adoption. The hearing on Stinnett's case will be held Oct. 23 against the Altai Corp., including an allegation that Altai made an unlawful practice of buying up securities from the Irving Trust, trustee of RKO, to share a portion of the profits with him in payment for his assistance and advice.

Washington, Oct. 2—Sources close to the Securities and Exchange Commission emphasize that the commission had not sought to enter into the reorganization proceedings before Federal Judge William Jones of New York in the reorganization of RKO, and that the request for its participation has been made by the stockholders on the stockholder's initiative. The Commission officials have indicated complete agreement with Judge Bondy that the RKO case, which began long before the adoption of the Chaplin Act, which grants the Commission control over reorganizations, has reached a point where it may be closed soon.

Republic Aims for 2,000 New Accounts

(Continued from page 1)

Last year the company sold 7,000 accounts. "Our greatest surge of new business," he said, "has been with circuits. We have closed or are closing with circuits such as virtually all of Warner Metro in New York, RKO in many situations, Great States Interstate of Texas, Interstate of Boston, Packard and others and New England and Butterfield." Grainger said he was closing new deals with Republic theatres in all parts of the country. For two years the company has been collecting money from a virtual all of 17 franchise holders, he declared.

Delay Assault Hearing

Hearing has been postponed to Oct. 7 on the felonious assault charges against two striking employees of D. Art Film Laboratorie who are alleged to have attacked two men who refused to strike. The defendants have furnished $500 bail each.

Silver Lining Stuff

Bridgeport, Oct. 2—Matt Seltzer of the New York Times-Star here, believes every cloud has a silver lining. The recent hurricane gave him the idea for a test tieup with the Times-Star asking readers to send in their theater experiences and win free tickets to see "Too Hot to Handle." The paper featured the stunt daily on page one.

Give Warning Before Dec. 1

(Continued from page 1)

deposing their debentures under the plan but have delayed doing so, and others, for various reasons, have thus far deferred depositing their debentures," Mr. Warner stated.

"We believe it is to the best interest of the producers of pictures and the company that all debentures be deposited as soon as possible in order that the date of exchange may become effective and thus remove the uncertainty in regard to the debentures."

Douglas W. Webster, secretary of a protective committee formed to represent holders of the issue protesting the plan of exchange, said yesterday that his committee had opened negotiations with the company for suggested amendments. This group maintains that Warners should "offer some substantial benefit as an inducement" for granting the nine-year extension.

Capitol Argument on "Lynott" Up Oct. 11

The final hearing before Special Master Kenneth A. Brewer of the New York Supreme Court on the infringement suit brought by Margaret Ayer Barnes and Edward Sheldon against the M-G-M-Pathé Corp. over copyright of the film "Lynott," has been set for Oct. 11. The hearings, which have been going on for months, are being held to determine the ownership of the film as well as the validity of the M-G-M-Pathé's distribution of "Lynott." The suit, which was filed in July, has recently returned from its vacation.

In the action against the Capitol, the defense contends that a large portion of the profits is derived from domestic shows, advertising and general good will.

Wadsworth Sues De Luxe

A suit for $100,000 damages against De Luxe Laboratories Inc., in the N. Y. Supreme Court was revealed when Mason Wadsworth, the plaintiff, filed papers seeking permission to amend his complaint. He is plaintiff, who produces commercial pictures, contends in his complaint that in April, 1937, Wadsworth delivered the negative of "Courage of Kay" and in March, 1937, the negative of "The House That Jack Built" to De Luxe for storage.

Without the consent of the plaintiff, the suit continued, the defendant removed the negatives and stored them on Jersey, where they were destroyed by fire. The suit seeks $40,000 for loss of the negatives, plus $30,000 for loss of profits on contracts and leases.

Lecture Series To Start

The first of a series of 15 lectures on "The Cinema" will be given to night at the New School for Social Research. The course is being conducted by Sidney Kunitz.
Short Subjects

March of Time, No. 2 (RKO)

So strikingly timely is the latest March of Time release that it must certainly merit top marque attention from the exhibitor. Of the two episodes in the issue, the vital one is titled, "The British Bengal," and outlines, with pictorial effectiveness, the British foreign policy which led Hitler to believe England would not interfere when he undertook his most recent territorial grab. Pictured is the method of operation of Hitler's war psychology bureau, designed to test foreign public feeling concerning German conquests. At peace in any previous attitude Hitler had counted upon suddenly changed to one of determination to fight, which was coupled with hopes for peace. In the light of the peace moves initiated, the subject is highly interesting.

The second episode, "U. S. Fire Fighters," pictures the work of the National Fire Prevention Bureau in helping to cut down the American fire hazard by preventive measures. Running time, 18 mins. "G."

"Football Thrills" (MG-M)

Porky's is the engaging guiding voice of this "loookin" on a handful of the most thrilling plays of the 1937 football season. The subject, of course, is timed extremely tightly, and did not fail to attract the multitude of football fans to the box-office if properly billed. Running time, 10 mins. "G."

"Beaux and Errors" (RKO)

Edgar Kennedy undertakes to cure his wife of her affection for her first sweetheart by inviting him for a weekend. By error, he invites the wrong man, and instead of her now portly ex-beloved, a genuine physical specimen arrives. The ensuing confusion is good for several hearty chuckles. Running time, 18 mins. "G."

"Submarine Circus" (RKO)

This Reelism is set in Silver Springs, Fla., and brings a trick underwater circus to the screen. The audience shown how the props are set up and how the camera work is done below the surface. The circus includes submarine snake charmers, tight rope artists, an alligator fight, bridal dancers and acrobats. This unusual reel should entertain the audience. Running time, 10 mins. "G."

"Fisticuffs" (MG-M)

A Pete Smith subject, in which Max Baer, erstwhile heavyweight champion, demonstrates a few plain and fancy tricks as a film starlet's boyfriend. But Baer, real champion, while Pete Smith provides an amusing commentary as usual, gets a "pug" spell on the sidelines. Running time, 10 mins. "G."

"Little Pancho Vanille" (Warner)

The Mexican youngster goes off to join the bull fighters in this color cartoon, and succeeds in winning the grand prize. The cartoon rates as fair. Running time, 7 mins. "G."

Hollywood Previews

"Mr. Wong, Detective" (Monogram)

Hollywood, Oct. 2—This is the first of four films from Monogram featuring Boris Karloff as the Americanized Chinese detective of Wylie's "Callier" magazine stories and there is plenty about the picture to suggest that the initial series may turn out to be merely the start of a flow of "Wong" features. Mr. Karloff's characterization is inhibited by no allegiance to the late Warner Oland's pattern nor to any screen Chinee patron saint of hokum. His is a modest, serious, commonsense type of sleuth more interested in apprehending criminals than in coming philosophical wisecracks or kidding policemen, a credible, durable and highly merchandisable personality. The screenplay by Houston Branch is a straightforward composition directed strictly for melodramatic values by William Nigh. It has to do with the mysterious murders of three partners engaged in the poison gas trade. Ways and means by which the patient Mr. Wong solves the mystery are normal, logical and of compelling interest. The solution, of course, is not a thing to be divulged save in the picture. Grant Withers as seen in the police courtroom and by the proceedings, Maxine Jennings as his girl friend, Evelyn Brent as a foreign-lish lady who turns out to be no such thing, Lucien Preval, John S. Polis, William Gould, Hooper Atchely and John Hamilton as gentlemen variously involved and suspected. A power gas range is of timely interest and Associate Producer William T. Lackey has been careful to keep the film strictly neutral. The time is now, the city New York. Running time, 67 minutes. "G."

"King of Alcatraz" (Paramount)

Hollywood, Oct. 2—"King of Alcatraz" hews to the line of straight melodrama. Although a large cast participates, there is carried almost exclusively by Lloyd Nolan, J. Carroll Naish, Robert Preston and Gail Patrick. Produced by William C. Thomas, the film is based on an exciting screenplay written by Irving Reis. Robert Florey's direction stresses the excitement content of all the story phases. There are a few -cops and -robbers' goings-on, but the center of interest is in the character of the Central's best man, played by Nolan, and his antagonists, a woman and her henchmen. As an exciting drama for the audience to see, "King of Alcatraz" is a modest success. A few of the more recent pictures have this old woman and her mobsters, a foreman, operators Nolan and Preston, romantic rivals, preside over the radio room. Miss Patrick, loved by both, is ship's nurse. In Chinese pirate style, Naish and his minions take command of the boat. Ensues a welter of exciting goings-on, with Naish and his mob getting the better of Nolan's orders. Comes a coup in which Nolan is seriously wounded and Preston only slightly so. To save Nolan's life, Miss Patrick operates on him, receiving instructions as to procedure from a doctor aboard another vessel via radio. The climax has Nolan and Miss Patrick setting down the police as the ringleader of the mob. Accommodations have been reserved for Preston. Audiences are left to guess Naish's fate.

Running time, 55 minutes. "A"—M. C. C.

"A Man to Remember" (RKO)

Hollywood, Oct. 2—"A Man To Remember" is a fine human interest picture. It indulge in no sensationalism either in dialogue, situations, characterizations or production effects. It merely tells the simple story of a simple old fashioned country doctor. In sequences (told in retrospect during the doctor's funeral) it exerts a potent impact upon the emotions. In natural ways that make witnesses feel that they are participants in its action rather than spectators, it tells the story of a man who put aside his own welfare to minister to the needs of his patients and his community. He has to conquer many prejudices and overcome many obstacles before he has the opportunity to enjoy the recognition and honors which a grateful citizenry belatedly tends him. Edward Ellis creates a memorable character in the title role. Granville Williams, Harlan Briggs and Frank McHugh are three avuncular characters who examine the paper that are the doctor's sole estate. The minor romantic content is capably handled by Anne Shirley and Lee Bowman, and William Henry, John Wray and Gilbert Emery co-operate in convincing fashion.

Adapted from Katherine Haviland-Taylor's novel "Failure," Dalto Trumbo's screenplay is an expert example of writing as it concentrates on believable human interest and eschews anything that would try audience credulity. Similarly Garson Kanin in his first feature direction effort succeeded in keeping the story within the realm of understanding and appreciation without resorting to any artificiality.

Running time, 80 minutes. "G." M. C.

"Youth Marches On" (Regal)

Two members of the Oxford Group, the international religious movement which has for its aim the reformation of the world by a change in human conduct, turned to the screen to portray the ideals of the group. The subject, made in England, features Cicil Broadhurst as a young Canadian, now, and the accompanying "business" is executed in good style. Worthwhile. Running time, 7 mins. "G."

"Hollywood Graduation" (Columbia)

Color cartoon shenanigans of high entertainment caliber. The plot good-naturedly burlesques prominent film colony personalities. The animation is clever and the accompanying "business" is executed in good style. Worthwhile. Running time, 11 mins. "G."

"The Man on the Rock" (MG-M)

An interesting subject, enhanced by expert production and performances, this is one of the "Historical Mysteries" series. It pictures the story of Napoleon's double, who took the Emperor's place whenever necessary, and who it is believed may have died on St. Helena, rather than the Emperor, who is pictured as having been left in the plot. A real show of interest. Running time, 11 mins. "G."

"The Practical Pig" (Disney-RKO)

Here they are again, ladies and gentlemen, the three little pigs, the big bad wolf, his little white wolves, and here again the practical pig is the hero, this time by reason of a lie detector test which both detects fabrications and punishes the fabricators; including its inventor. This bird neverches the apparatus, as full of laughs as of gadgets, and the story is as good and as entertaining as ever. One song, the immortal for the possible trio in 1933. The subject is a natural for exploitation purposes and will back up the best of a show. A good promise for it. Running time, 8 1/2 mins. "G."

"Party Fever" (M-G-M)

When the "Our Gang" kids go in for politics, the result is really amusing kid comedy, well executed. Two of the youngsters steal a leaf from "The Front Page," compete for election as "boy mayor" and the honor of taking the girl to a party, but the kid whose uncle is the mayor is the real winner. Running time, 10 mins. "G."

"The Early Bird" (Mint-Columbia)

Scrappy tells a little bird that an early bird gets the worm. A worm appears to challenge the proverb and the ensuing chase is amusing. The worm wins and the bird is left in the dust, typical animalism. Running time, 6 1/2 mins. "G."
**Paramount in Trip With Arkansas Band**

**LITTLE ROCK, Oct. 2.—Paramount has made a trip with the University of Arkansas and will finance a trip of the university's 60-piece band to San Francisco to be at the Arkansas "Razzambangi," a new band at Santa Clara, Nov. 22.**

**Back home in the Arkansas delegation and the train will be called "The Arkansas Traveler." The picture will open here Thursday. The band will be made up of Dallas, Abilene, El Paso, Phoenix and Tucson and the band will play at the theaters showing the picture. On Oct. 20 the band will be the guests of Bob Burns at the Paramount studio.**

Cliff Lewis handled the arrangements here.

**Nely Bill Support Jersey Allied Topic**

Plans for the support by Allied units of a campaign to push the Neil anti-block bill have been decided. The next session of Congress will be outlined at the eastern regional conference of exhibitors sponsored by Allied of New Jersey at the Ritz-Carlton, Atlantic City, Oct. 19-21. Abram F. Myers, national counsel, and Van Phillips, national president, will be the principal speakers, and other national officers and directors will be on hand. Mr. Myers will speak on the Government's anti-trust suit, the North Dakota "divorcement" law which is being appealed to the Supreme Court and legislation generally. The Motion Pictures' Greatest Year campaign will also be discussed.

One session will be devoted to a survey of theaters represented at the convention on the terms of their 1938-39 agreements and an analysis of new product. Another session will be given over to discussing exhibitors' complaints.

The meeting will be the 19th annual convention of the New Jersey group, and in conjunction the New York unit will hold a dinner and a party at the Hotel Astor. Max A. Cohen, president of the New York group, expects 100 of its members to attend.

The total attendance is expected to be about 300, with representatives also from Massachusetts, eastern Pennsylvania, Maryland, Indiana, Ohio, and the other points.

The entire third floor of the Ritz-Carlton has been reserved for the convention. The trade show of equipment and accessories will be larger than usual, according to the committee, which is headed by Irving Dollinger, president. The social program includes a dinner at the New York Club on the first night and a banquet at the hotel the second night. A program has been arranged for the ladies.

**Film Lawyers May See Arnold Again Later This Week**

(Continued from page 1) and the department's views on a basic approach to a consent decree, involve the three other major company defendants as well. Both the RKO and the theater owning companies, subsequent conferences in Washington are expected to include counsel for all eight companies. Development of the doctrine of consent of counsel, however, will determine this. Counsel for the three companies not represented at the initial Washington meeting — Columbia, United Artists and Universal — will report back to their principals after today's meeting and upon ascertaining their views of the subjects included in the Washington discussions, arrangements for a new meeting will be made.

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**British Production Not Changed—Goetz**

Outside acquisitions of British films by M-G-M will have no effect on the company's production program in England, nor will the political situation. It was said yesterday by Ben Goetz, chief of M-G-M's British production.

The company recently arranged to acquire three Gainborough pictures and Gabriel Pascal's "Pygmalion." Mr. Goetz, who arrived Friday from the coast after conferences with Louis B. Mayer, may sail Wednesday for London to put "Good Bye Mr. Chips" in work. This will be the third of the big pictures M-G-M will make in England.

Five other films are planned, including "National Velvet," "So Victoria," "Busman's Honeymoon," "Death on the Table" and the recently purchased "Kindling." All are plays or novels.

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**Jenkins in Hollywood**

Hollywood, Oct. 2.—Col. J. C. Jenkins of Neligh, Neb., Motion Picture Herald columnist for the past 15 years, arrived here to spend his winter vacation.
New G.N. Sets 44 at Chicago

Sales Meeting

(Continued from page 1)

of appointments, including six district sales managers, and stated that the sales percentage would be more than doubled as the first step in building the new Grand National sales office, one of the largest in the industry.

E. W. Hammons, president of Great Northern Wireless, presided at the meeting, but will be present at the New York meeting as will Jack Skirball.

The program at the meeting included brief addresses by Sam Berkowitz, representing Fine Arts Pictures, and George S. White, advertising and publicity director, as well as the screening of two of seven pictures already completed. The pictures screened were "Operation Over Shanghi" and "Frontier Scout." Both Fine Arts productions.

District Managers Appointed

District sales managers announced include Harry Balser, treasurer, formerly assistant to Mr. Alperton in Los Angeles, to head the West Coast district, including Los Angeles, San Francisco, Portland, Salt Lake City, Denver and Butte; James Winn, former San Francisco manager, to head the Middle West district including Chicago, Minneapolis, Omaha, St. Louis, Kansas City, Des Moines and Milwaukee; Ralph Kinsler, former Cleveland manager, to the Middle Eastern district, including Cincinnati, Cleveland, Detroit and Indianapolis; Job Lapidus, former Pittsburgh manager, to the Middle Atlantic district, including Pittsburgh and Washington; Jack Lassom, former Atlanta manager, to the Eastern district, including Atlanta, Dallas, New Orleans, Charlotte, Memphis and Oklahoma City, and Ralph Walsh, former New England manager, to the Eastern district, including Boston, Buffalo, New Haven and Alabama.

Sol Edwards, formerly New York branch manager, was appointed circuit sales manager, and Peter Roslan has been moved from Cleveland to head the New York branch.

Of the six new district managers appointed three attended the Chicago meeting—Winn, Safier and Kinsler. Others in attendance included the following branch managers, salesmen and bookers: William Benjamins, Edward Brichetto, Harry Denny, George Taff, Vic Bernstein, Chicago; Lou Patz, Milwaukee; Glenn Gregory, Minneapolis; Lou Levy, Des Moines, Bradley Fish, Salt Lake City; Russell Borg, Kansas City; Tom Tohin, St. Louis; Al Merz, Dallas; Cleve Adams, New Orleans; Ralph Beckham, Detroit; Had Hull, Indianapolis; Bill York, Asheville, Kenova, Ohio; Bill Nyter, Los Angeles.

Nylander Sets I.A. Meet

Hollywood, Oct. 2—Dr. Towne Nylander, president of the National Relations Board, has set Oct. 14 as the date for a conference between the board, I. A. T. S. E. officials, and the major studio representatives named in the complaint filed some time ago by Jeff Kibbe.

Report Allied Here Has 22 Complaints

A total of 22 complaints have been received by Allied of New York in response to its call to independent exhibitors in the state to submit statements of facts and grievances which can be used by the Department of Justice in prosecuting the anti-trust suit of Harry G. Koscak, counsel for the unit.

Mr. Koch said that the grievances concern chiefly clearance and zoning practices of the New York office. The majority of complaints are from upstate where it is understood.

The fact of the complaint are submitted to the grievance committee of the local unit, if on investigation they are found to be meritorious. The committee then, after hearings to determine the differences, if the investigation is unsuccessful, the statements are then sent to Thurman Arnold, as is said to be the case of "all kinds," Mr. Koch says. His investigation, the department finds that the facts are as represented, the complaining exhibitor is then asked to show cause why an affirmative

Warners Get Behind "Independence" Film

Warners are planning an extensive campaign on "The Directors' Guild's Concept of Independence," the latest in the series of two-reel Technicolor subjects on American patriotic themes. As a preliminary, Norman H. MacKaye, Vitaphone sales manager, will be host to the press next Thursday at a luncheon for the New York directors.

"We sincerely believe this series is an important one, particularly so in these troublesome times when the nation is in such demand," Mr. MacKaye says. "Give Me Liberty," one of the series, won the Academy Award. Another, "Lincoln in the White House," is in work.

Production Budgets Told at SDG Hearing

Hollywood, Oct. 2—To present a picture of the motion picture industry’s salary to Hollywood and Los Angeles in National Labor Relations Board records, board attorney William Walsh on Saturday introduced in evidence Secretaries’ Guild hearses which were filled out by M-G-M and Universal showing expenditures of $3,200,000 here during the last fiscal year.

M-G-M declared it made 39 features and 67 shorts for $3,200,000 and Universal 37 features and 29 shorts for $2,800,000.

Quits Universal Branch

Seattle, Oct. 2—Al Bloom has resigned his position as the Universal Exchange and is establishing a film booking service for independent theaters. He will operate under the name of Exhibitors’ Service Bureau.

Westland Takes 2 Houses

Denver, Oct. 2—J. B. Melton has disposed of his two Victory theaters—the New Victory and Victory—now to Westland Theatres, Inc. Melton will retire from the theater business and will move to Florida.

Hollywood Previews

"Youth Takes a Fling" (Universal)

Hollywood, Oct. 2—There is, and always has been, a wide demand—perhaps the widest of all demands—for this type of picture, a realistic steadily entertaining account of how two young people meet, court and marry. The two young people in this case are Joel McCrea and Andrea Leeds, the place is New York, the time is now, and what goes on between and around them is just what goes on between and around such a pair at that or any place now or any time. The story is the sort of unroutine yet unspectacular and still somehow strangely rare comedy drama that keep the multi-million circulation fiction magazines prosperous but meets the readers’ eyes all too infrequently on the screen.

Myles Connolly wrote "Youth Takes a Fling" and Archie Mayo did direct it, both gentlemen as if they were living it. Mr. McCrea plays a lanky Kansas farmer who has come to New York determined to ship out as a sailor but compelled to take a job as truck driver for a smart store where Andrea Leeds and Dorothy Kent are employed as sales girls, unsophisticated and sophisticated, respectively, Frank Jenks plays the wisecracking truckman who works and rooms with the would-be sailor and conducts his own flippant courtship of Miss Kent while she and Miss Leeds negotiate the romantic entrapment of Mr. McCrea. The ways and means of this undertaking are normal, intelligent, amusing because the setting is New York and the people are seen in their proper place, and the results timed to be in the new branch. The picture is a Joe Pasternak production brilliantly executed by all hands. Mr. McCrea is at his best, Miss Leeds is strikingly effective as the girl in love with him, Mr. Jenks has had no more congenial assignment in easy memory and Mr. Mayo turns in a spooking portrayal of the lively young lady who knows all the answers. It’s a natural for any kind of audience any place anytime.

Running time, 80 minutes. "G." ROSE WILLLIAMS

"Down in Arkansas" (Republic)

Hollywood, Oct. 2—Humor, music, romance and melodrama are mixed in "Down In Arkansas," a hillbilly story. The Weaver Brothers and Elviry, repeating a routine which they made familiar to the stage and radio and in other pictures are featured. They also participate in the straight story in which Ralph Byrd, June Storey, Pinky Tomlin, Berton Churchill and Guinn Williams are the principals.

The Government wants to build the mountain community in order to build a dam. The settlers are promised modern new homes. Romantic rivalry crops up between Byrd, a Government agent, and Williams, a mountain yodel, over Miss Storey. To forestall the Government, a private power company, desiring to protect its vested interests, hires gangsters to start mountainites feuding among themselves and fighting Byrd. There is much excitement and fun until Elviry and Miss Storey alike themselves with Byrd. The power company is bested and the hillbillies enter upon a more abundant life. Byrd also wins the girl away from Williams.

Dorrell and Stuart McGowan wrote the original screenplay. Walter Kent and Eddie Cherkese composed the musical number. Nick Grinde directed.

Running time, 65 minutes. "G." G. McC.

N. O. Exchange Wins

NEW ORLEANS, Oct. 2—The New Orleans exchange of Grand National has just been advised that it was the winner of the nationwide cash collection drive extending over 10 weeks, conducted by Grand National. Cleve Adams, branch manager, will attend a reception and will inspect the newest product in Chicago Oct. 1 and 2.

Reelet John Kastmann

SHEBOYGAN, Wis., Oct. 2—John Kastmann, jr., Sheboygan, an official of the Wisconsin Association of Stage Employes and Projectionists, together with the other officials as follows: Ralph Perfield, Beaver Dam, vice-president; S. J. Thomas, Racine, secretary, and Stanley Pralomski, Kenowa, treasurer.

Murphy Calls Off Deal

SEATTLE, Oct. 2—Marcus Murphy has reconsidered his deal with Elden Pollock for the operation of the New Mission in Mount Vernon, and will continue to operate the house himself. Pollock will retain the management of the Roxy and Liberty.
Alton Cook, World-Telegram radio editor, paid $800 for a boat, and along came the hurricane, doing damage to the Cook boat to the extent of $750.

At Rath, NBC bandleader, discovered his car stolen the other morning and inserted the following ad in the newspapers: Will the person who stole my car kindly check the battery and have the oil changed tomorrow.

In an NBC elevator the other day one young lady asked her companion what she thought of the European situation. The reply: "I don't know, but H. V. Kallenborn says—"

Alonzo G. Madden, the gentleman in the lift, disgustedly muttered something at the mention of the CBS news analyst's name. The gentleman was Bill Hedges, NBC vice-president.

Clamoring for the coverage of the European crisis, both NBC and Mutual scored important scoops. NBC was first on the air with the official text of the declaration signed by Premiers Chamberlain, Daladier, Mussolini and Hitler, beating its earliest competitor by 46 minutes, and the next easiest by more than that.

A pickup from BBC, was the only network to report Mr. Chamberlain's return to England at the Heston Airport following the peace conference, and to carry his words that there shall never be a war between the German and Great Britain.

Set New Mutual Serial

A new daytime radio serial titled, "Two on a Shoestring," will begin over Mutual, Oct. 10, Mondays through Fridays from 2 to 2:15 P. M. The Oakland Chemical Co. will sponsor.

The program will be broadcast over WGN, WAAB, WCAE, WHL and WOR, originating from thestudios of the latter station. Henry Dean and Eleanor Phelps will be featured.

Chorus to "Town Hall"

The Lyn Murray Chorus, directed by the CBS orchestra leader and arranger, has been signed as a regular feature of the Fred Allen "Town Hall" series, which will return to the air Wednesday.

WASHINGTON, Oct. 2.—Ed Kirby, National Association of Broadcasters general director in charge of the recent picture campaign, expressed concern here Saturday that the round-robin query sent to radio stations throughout the country was "in no way to be construed as an attempt to antagonize the motion picture industry."

"Rather than bring about an unpleasant situation which might very easily have precipitated a foolish war between the two industries, we merely wish to handle the subject in a calm and sensible fashion," said Kirby.

"A certain number of those who have felt that the query had missed the boat—that the matter should have been handled in some other way—were on one station. Otherwise the replies were as one in stating that radio had been slighted."

Agreement Reached to Broadcast Games

Through an agreement reached last Friday between the National Football League and the provisions of the agreement will be carried also by a majority of the local New York stations. The games, as in previous years, will be broadcast from each of the 11 stadiums.

The series begins Oct. 5. NBC, for the first time, will offer separate broadcasts of all games of both the Red and Blue networks. The games will be covered for NBC by Red Barber of WLW, Cincinnati; Tom Manning, Cleveland; George Higgin and Paul Douglas on the Red, Allen Russell, KDKA, Pittsburgh; John O'Hara, NBC; and Bill Dyer, WCAU Philadelphia, will handle the games.

Arrange 35 Broadcasts


WASHINGTON, Oct. 2.—The National Broadcasting Co., which last December was subjected to an official Federal Communications Commission report on indecency and indecent language, has again been found in violation of the communications, "profane and indecent lines," of Eugene O'Neill's play, "Beyond the Horizon."

Stations Must Defend "Morality"

By a vote of four to one at a recent commission meeting, all radio stations in the country were ruled that the play on the NBC-blue network July 28 must now defend the morality of their stations. "Beyond the Horizon" is the only play in which a person is shown going to bed after having sex.

The one dissenting vote at the commission meeting was cast by Commissioner T. A. M. Craven, who said the commission, by its action, was attempting to "censor the air."

List Objectionable Words

The other commissioners held, however, that O'Neill's "damn," "hell" and "for God's sake" was a violation of the law banning indecent and indecent language from the air.

The members who found the lines "in decent to be Judgment O. S. Viles, Paul A. Walker, George Henry Payne and Thad Brown. Commissioner Norman Chase and Chairman Frank R. McNinch were absent, but it is understood, is prepared to make a decision on the censorship powers of the Federal Communications Commission."

"NBC, it is understood, is prepared to make a decision on the censorship powers of the Federal Communications Commission."

The offer to the Federal Communications Commission to present programs of an educational nature.

Australia Joins in Canada Talent Loans

MONTRAL, Oct. 2.—Canadian Broadcasting Corp. has announced an agreement with WCKY, Chicago, to arrange producer's of the shows for an exchange, to be sent to Canada, for a few months, for Frank Willis, who is in charge of CBC in the Maritime provinces.

George Young has been appointed acting program director of the Maritime provinces. He will have as assistant producer W. E. S. Briggs of CBC, Ottawa, R. E. Anderson, who has been with Frank Willis at Hallifax, N.S., as general manager.

Lance Siekewicz of the BBC will sail for Canada Oct. 8 on six months' exchange for Royden Pettler of CBC, Montreal, who reached Lon don this week.

Set "Lone Ranger" All Over

CINCINNATI, Oct. 2.—"Lone Ranger" team with the Cincinnati Enquirer has been affected by L. B. Wilson, president and general manager of WCKY, who has just started running the new "Lone Ranger" comic strip, in connection with which the paper calls attention to the WCKY broadcasts. Conversely WCKY reminds listeners on Mondays, Wednesdays and Fridays to listen for the "Lone Ranger" radio programs.

The broadcasts are sponsored by the local Schulz Baking Co.

Renew Golden Serenaders

The Golden Serenaders, Dwight Latham, Guy Botham and Wamp Carlson, have been renewed by the same sponsor and will be heard twice weekly at 6:30 P. M. Wednesdays and Fridays over WIZ, Peg La Centra, will continue with the show.
To be truly versatile, a negative film must have speed, fine grain, and wide latitude.

Actual experience establishes that Du Pont Superior Pan effectively combines these qualities. They make this film the natural choice for good pictures.

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BETTER THINGS for BETTER LIVING through CHEMISTRY
20th-Fox Has
2 Million in
Its Ad Budget
$100,000 Listed To Be
Spent on "Suez"

The investment of 20th Century-Fox in the world wide exploitation of some 52 feature releases this season will run about $3,000,000, including some $750,000 to be spent on newspaper and fan magazine ads on the bigger percentage specials, according to the home office.

The total takes in also cooperative newspaper ads, press books, exploitation tie-ups and maintenance of the New York and studio publicity departments.

An expenditure of more than $100,000 has been budgeted for the campaign on "Suez," the company's next big special, which will have a national release Oct. 28. As outlined yesterday by Charles E. McCarthy, advertising and publicity head, four-color ads on full bleed pages will be used in national magazines for the first time by any film company. Also, a big newspaper campaign is being prepared.

A campaign comparable to that given roadshows will be devoted to the pre-release opening of "Suez" at the Roxy on Oct. 14, with heavy newspaper space breaking here. The Sunday previous, a full showing of New York billboards and American Express delivery trucks.

J. J. O'Connor Guest At RKO Staff Dinner

John J. O'Connor was honor guest at a beefsteak dinner in the College Room of the Astor, tendered last night by company officials and about 50 RKO theatre managers of the metropolitan district.

Among those present were Leo Spitz, RKO president; E. D. Deuxiet, vice-president; Major L. E. Thompson, Malcolm Kingsberg, A. H. McCausland, Leon Goldberg, W. G. (Continued on page 4)

See Delay in B. & K. Action on Thursday

CRICACE, Oct. 3—It is understood in exhibitor circles here that attorneys for the defendants in the independents suit against B. & K. will ask for another extension when the case comes up for trial on Thursday.

The lawyers are reported to require more time for the preparation of a defense.

Trade Practice Course May Be Decided Soon, Says Kent

The distributors' trade practice committee may decide this week whether to continue its efforts on a program of self-regulation or drop them entirely, depending on the decision of company attorneys, it was indicated with the arrival yesterday of S. R. Kent, president of 20th Century-Fox and a committee chairman, from two weeks of coast conferences.

Mr. Kent said the lawyers have not as yet stated their position, but that he expects to meet with them tomorrow or Thursday to determine if they have arrived at a decision.

He indicated that the lawyers' position may be influenced by the attitude of Thurman Arnold, assistant U. S. Attorney General, as expressed at the Washington conference last week. He also said he understands that additional meetings with Mr. Arnold may be necessary.

When the committee suspended its activities early in August, Mr. Kent declared that the Government's anti-trust suit placed a new complexion on the situation and that the problems facing the various companies must be studied carefully before anything is done. He indicated that the tendency (Continued on page 4)

U. A. Due to Elect Silverstone Friday

The election of Maurice Silverstone to the presidency of United Artists, which was deferred by the company's board of directors at the September meeting, is scheduled to take place at a board meeting to be held here Friday.

Samuel Goldwyn may come on from the coast for the meeting unless pro- (Continued on page 4)

Hal Roach Is U. A.'s Guest at Luncheon

Hal Roach was guest of honor yesterday at a luncheon given RKO’s studio executives at the RCA Building.

The occasion was given to celebrate the delivery of Mr. Roach's first print to United Artists—"There Goes My Crop." (Continued on page 4)

Pioneers to Join Tablet Ceremonies

Industry pioneers will join with its present-day representatives in the program dedicated the site of the first commercial showing of motion pictures at the 34th St. side of R. H. Macy & Co., today.

Among those who will be present at the dedication of a Bronx tablet marking the site of the old Koster & Bial (Continued on page 5)

Briskin, Schneider, Montague Re-Signed

New employment contracts and stock purchase options for Samuel J. Briskin, Columbia studio executive; A. Schneider, treasurer, and A. Montague, general sales manager, were approved yesterday at the annual meeting (Continued on page 5)

Paris Industry Back to Normal As Film Staffs Are Demobilized

By PIERRE AUTRE

Paris, Oct. 3—Normal work was resumed in French studios today with the gradual return to work of those of the production staffs who were called to the colors.

A combination of happy relief that war was averted and the more prosaic fact that the weather was rainy gave Paris first run houses, newsreel theatres and houses in the neighborhoods a record business day yesterday. Raymond Lussiez, president of the Exhibitors' Association, has asked distributors to reduce their film rental prices and minimum guarantees for theatres which were affected during the past two weeks by the international crisis. In addition to bad business, some theatres had to close because the managers and staffs were mobilized, or because the theatres were requisitioned to house soldiers. A joint distribution committee of exhibitors and distributors has been formed to study the situation of theatres most affected by events.

Expect Court Approval for New RKO Plan

Decision Is Reserved as Hearings Are Ended

Acceptance of the proposed plan of reorganization for RKO virtually was assured yesterday when Federal Judge William Bondy reserved decision at the conclusion of the hearings. Judge Bondy indicated that he would not disturb the findings of Special Master George W. Algus, and there was no evidence to support the special master's ruling that the plan is "fair, equitable and feasible." All major creditors and stockholder interests united in approval of the plan, although some asked for minor modifications.

The court also reserved decision on the request of Ernest W. Strin, holder of 1,324 shares of unconverted Class (Continued on page 4)

Film Cases Are Up Before High Court

WASHINGTON, Oct. 3—Facing a record-breaking docket of more than 400 cases, the U.S. Supreme Court met today for its 1938-39 term, during which it is expected to render decisions in a number of suits involving motion pictures.

Several film cases already have been filed, and the first suit on the docket—probably to be heard Oct. 10—when the (Continued on page 4)

London Reports

Hope Williams, London manager, Quigley Publications, reports:

By the time you receive this Herr Hitler will either have climbed down a bit or we shall be at war. It is the one and only topic of conversation among all classes of people; we are all reading the newspapers every day. John Barnes* was called from the office this morning to report for duty with the Air Force. I am glad to report that en route to the Aerodrome he called on Gab- 

*Advertising representative, QPI, London.
GN to Finish Its New Sales Setup Shortly

With an initial group of new pictures already completed and several in work or being prepared, Grand National has thrown down the gauntlet to begin distribution immediately.

The new sales organization will be completed with the appointment of men in New York on Monday. The first sales meeting will be held at the St. Moritz next Saturday and Sunday, at which the final appointments will be announced. The first appointments were made at the Chicago meeting.

Grand National has five completed pictures ready for release with the formal start of operations. Four additional features are in work and several more in preparation. All completed features are "Shadows Over Shanghai," with James Dunn and Ralph Morgan; "Frontier Scout," with John Hodiak and George Cypher; "Danger Bureau," a spy story with Leon Ames and Joan Woodbury; "Sunset Strip Case," with Sally Rand, and "Tales of the Bees," based on the bathysphere expeditions of William Beebe and Otis Barton.

"Seven Seas" In Production

In production are "Seven Seas," "Never Mind the Guard," "Empire of the Stars," and "Forbidden Stockade." Among the pictures in preparation is "Exile Express," the first of two starring Ann Sothern.


On the short subject list of 44 are 18 two-reelers, a new one-reeler series of "Turtle Chest" productions in number, and another series of 13 one-reelers featuring stage, radio and screen personalities.

Alpersen East Today

CHICAGO, Oct. 3.—Edward L. Alpersen concluded the New Grand National sales meet here with individual conferences. He will leave for New York tomorrow. Mr. Alpersen said the sale staff was enthused over the new setup and the product schedule.

"The Sisters" (Walters)

Out of the newly found entertainment vein which Warners discovered in the brilliant "Four Daughters" has come "The Sisters," from the same source. Its cast is brilliant; its production values of the highest. Above all, its story is one of virtually universal appeal.

The three sisters are three distinctive, with wide-apart characteristics which color their actions and reactions to love and life. In the background is the calm tranquility of a home at Silver Bow, Mont., of the quiet father who is the town's druggist, the understanding mother who watches her daughters face their problems, fight their battles.

It is essentially a sound human story, one whose counterpart might well be found in any home, anywhere, in the 1904-08 of the film's setting, or the 1937-38 of today. And there is drama to stir the pulses, the crashing, terrifying San Francisco earthquake, minor to the sequence of the picture's story, but fiercely impressive in its roaring kaleidoscope of terror.

The exhibitor has here a strong property to sell to his patrons, a brilliant filming of the well known novel by Myron Brinig of the same title. Anatole Litvak has welded the components of the story with skill and distinction, aided measurably by a more than competent cast.

Milton Krims wrote the screenplay.

Errol Flynn and Bette Davis share the lead, Miss Davis being especially effective as the elder sister who finds happiness, then loneliness, despair and happiness again at last with the restless, irresponsible Flynn. San Francisco newspaper man who courts Silver Bow, sweeps her off with him, then leads her an unhappy life, despite her unswooning loyalty.

Anita Louise and Jane Bryan are her sisters, one the flighty, selfish, preferring comfort to love; the other staid and anxious for security. Jonah Bond is as good as the mother, but for Henry Travers, as the father, there must surely come more demand from film patrons. It was he who contributed so much to the stage success of "You Can't Take It With You" in New York, and his quiet, almost humble way is one of vast appeal. Dick Foran, Ian Hunter, Donald Crisp and Alan Hale all contribute more than adequate support.

Compounded of human elements, expertly stirred, the picture is a distinct offering of merit as real entertainment. Running time, 94 minutes. "G.

Charles S. Aaronson

Fairbanks to Make Film on the Coast

Douglas Fairbanks, Sr., will produce his planned picture for United Artists release in Hollywood next winter. According to his present plans, he is reported yesterday on his arrival in New York from England on the Queen Mary. The picture will be based on "The Arkanzas Traveller," a novel by Henry Albee, completed in time for release on this season's schedule.

Mr. Fairbanks will be in New York for about two weeks before leaving for the coast. He plans to spend the entire winter in this country.

Hold Tarcell Services

HOLLYWOOD, Oct. 3.—Private funeral services were held here today at 2 P.M., for Conway Tarcell, who died over the weekend. Mr. Tarcell was 68 years old and had been ill for two months. He is survived by his widow, professionally known as Adele Rowland.

Para. Wagon in Capital

WASHINGTON, Oct. 3.—Bill Langford and Charles Mooshian arrived here over the weekend driving a covered wagon as advance party for Paramount's "The Arkansas Traveller." The vehicle is due in Baltimore tomorrow.

Yom Kippur Tomorrow

Yom Kippur, the Jewish Day of Atonement, will begin at sundown tomorrow and will continue through sundown tomorrow.

Hotel Astor Plans Club

The Hotel Astor is planning a club and dining room for the film industry. The Aampa may hold its meetings there this season.

John Cecil Graham Leaves Paramount

John Cecil Graham, Paramount managing director for Great Britain for the past 20 years, resigned yesterday. No successor has been designated. Indications are that John W. Hickson, Paramount vice-president and foreign head, who is now in London, will make the appointment.

Mr. Graham's resignation cabled to Barney Balaban, Paramount president, from London yesterday. Mr. Balaban assures and appreciation of Mr. Graham's long service with the company. Prior to taking up his present position early in 1919, Mr. Graham served for two years in the company's home office here as a special representative.

Golf Winners Are Named

Ira Genet, Vitaphone script writer, won first prize for the low net score at the National golf tournament held by the studio, at the Wildcrest Golf Course, Jamaica, L.I., over the weekend. Other prizes went to Sam Sax, Richard Simmons, Samm Cahn, Roy Mack, Dick Willis, Stuart Karpf, Cy Wood, Sr., Cy Wood, Jr., Lee Stewart, Norman Moray, Ed Schenk, Mervin Sumner, Milton Cohen, Gerald Marfleet, Irving Hyland, Harold Bauman, Jack Henley and Eddie Forman.

Buddy Rogers Is Injured

Buddy Rogers, husband of Mary Pickford, suffered a sprained shoul-der and a broken ankle in a motocycle accident near Columbus yesterday. Miss Pickford left New York last night with her husband, who was reported here as resting comfortably in a Columbus hospital. Miss Pickford is expected back in New York by the end of the week.
CORRECTION!

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 PLAINSMA" and "WELLS FARGO" both of which played New Year's week

It is the BIGGEST crowd in Paramount theatre history!
Expect Court Approval for New RKO Plan
(Continued from page 1)
A stock, to have the provisions of the newly enacted Chandler Act applied to the present situation, but there is little likelihood that the petition will be granted. Mr. Stürm's request that hearings be reopened to cover this phase and surrounding the 1931 reorganization was also taken under advisement, but Judge Bondy pointed to Mr. Stürm's counsel that he "would have to be shown why seven years were permitted to elapse." The opponents to the plan were given 10 days to file briefs, and proponents will have five days thereafter to reply. A technical adjournment was taken until Oct. 25, but the court did not permit the court to retain jurisdiction.

During the course of the argument, Judge Bondy remarked that he expected the Trustee of Atlantic, the trustee, to report to the court in the event the trustee regarded the plan as unfair, but reported that the matter of Irving Trust being present in the courtroom indicated that they did not expect to file any report attacking the plan.

Mr. Stover Attacks Atlas Group
John S. Stover, Mr. Stürm's attorney, attacked the Atlas group, proponents of the plan, as "outsiders" and urged that the trustee be called upon to form an Independent Advisory Committee, that is, a committee to which Mr. Stürm, Mr. A. H. Yalesworth, former president of RKO, was now acting as consultant to Atlas although he is still a director of Irving Trust. Mr. Stover also pointed out that Leo Spitz, the present head of RKO, receives additional compensation from Atlas. Mr. Stover contended that both Atlas and Irving Trust had violated a fiduciary relationship.

He asked that the court reopen the hearing to take additional testimony on the "good faith" of the proponents, and urged that all profits earned by Atlas be turned over to the debtor corporation. He also raised the question of the constitutionality of the reorganized company incorporating under Delaware laws although it is now a Maryland corporation.

Assets "Written Down"
Joseph M. Cohen, attorney for the Independent Stockholders' Protective Committee, declared that RKO assets had been "written down" from $88,000,000 to $41,000,000 in 1932 and that the revaluation had greatly reduced the stockholders' participation in the plan. He urged acceptance of the plan but asked that present common stock be exchanged at the rate of four for one instead of six for one, as was proposed by Mr. Cohen pointed to the $1 valuation placed on four subsidiaries which had a net worth of $102,000,000 at the time of the reorganization in 1931 and that actually earned $173,000. Abraham K. Weber, who also represents common stockholders, asked that Atlas be compelled to present an underwriting plan before the plan is confirmed.

Hamiton C. Rickaby, attorney for
Milkman Matinee
Toronto, Oct. 3.—For the first time in Canada a theatre has adopted a milkman's matinee starting at 9:30 A.M. The morning admission price of 50 cents is maintained until 1 P.M.

To Decide Soon on Practices—Kent
(Continued from page 1)
the district court. The court is expected to appoint a referee to hold meetings with exhibitor representatives on an industry trade practice program.

Mr. Kent said that with the lifting of the European tension, business is back to normal and theatre business will be slightly increased by the reduction of rate. In a special message to the sales force late last week he pointed out that when budgets were completed for the coming autumn and aggressive selling was considered, that the disturbed condition abroad makes it impossible to promote the domestic organization to keep revenue at a maximum, "so that no part of our plans is placed in jeopardy."

Payment Ordered for Orpheum's Creditors
Payment of allowances and a distribution to creditors of the balance of the assets of Orpheum Circuit, Inc., was ordered yesterday by Federal Judge David H. Thoretz. A decision which confirmed, with some modifications, the report of Referee Oscar W. Ethorr, Judge Mandelbaum reduced an allowance of $7,172 awarded to Marcus Heiman, trustee, to $5,550, and allowed of distribution of $24,250 to Joseph W. Black, attorney for the trustee, to $20,000 and disbursements of $213.

To Avoid Franchising Law
Teller & Sons, special counsel in California to the trustee, were awarded $200. The report of the referee, which recommends allowing the balance of $6,400 which was claimed, was confirmed in all other respects.

According to the report, $104,398 is on hand as payments of allowances for final distribution to creditors, aggregating $2,152,523. Two dividends of 27.5 per cent, totaling $91,041 have previously been paid to creditors, and the referee's report recommended a final dividend of 5.2 per cent, which will result in total reductions in allowances made by Judge Mandelbaum.

The trustees for the had originally petitioned for a $50,000 allowance. Orpheum Circuit, Inc., had filed a voluntary petition in bankruptcy on Jan. 27, 1933.

Atlas, answered each objection in turn. He stated that all questions had been raised as legitimate ones and that his determination should not be disturbed. Carlos Israel, for the Unsecured Creditors' Committee, and William T. Caldwell, for the Bondholders' Protective Committee, explained that they had worked for greater participation for their respective groups but were now convinced that the proposed plan represented the best compromise that could be effected.

U. A. Due to Elect Silverstone Friday
(Continued from page 1)
duction affairs prohibit. He will be represented by James Malvoney at the hearing. Judge W. D. Gregory, the referee, will attend himself. Mary Pickford and Douglas Fairbanks will attend the meeting, with Charles Schwartz and Alexander Korda by Emanuel Silverstone.

The condominium board meeting voted Mr. Silverstone all of the administrative powers of the office but deferred a formal election to the company presidency, due it was reported, to a lack of unanimity on the action arising from the absence of several of the owners at that time. This unanimity is understood to have resulted within the past week.

Hal Roach Is U-A's Guest at Luncheon
(Continued from page 1)
Heart." The locomotive whistle blew and the train stopped occasionally. It stopped finally when it collided with the spurs of Fancy Cookies. There were no speeches.


J. J. O'Connor Guest At RKO Staff Dinner

Pick Steiner Orchestra
Herb Steiner's orchestra has been signed to play at the Motion Picture Theatre for an annual dinner-dance on the Astor Nov. 26. The committee is making further preparations and reports that many of its members are attending the annual dinner. A meeting will be held in two weeks.

Cleveland Scales Cut 10%
Cleveland, Oct. 3—l. A. T. S. E. Local 160 has granted Cleveland independent theatres a 10 per cent cut in wage scales for a 10-week period from Sept. 26 to Dec. 4.

Film Cases Are Up Before High Court
(Continued from page 1)
court gets down to business—is the rehearing of the General Talking Pictures case, in which last spring the court held that the company was guilty of patent infringement in the use in television of a large number of copyrighted films. The defendants bearing license notice restrict their use to radio reception.

In that case, President Roosevelt's first Associate Justice Hugo L. Black, rendered a dissenting opinion, on the basis of which the company afterwards secured a rehearing, which was granted. The rehearing will cover the two major points of the case, brought by Western Electric Co., Electrical Research Products, et al: whether the owner of a patent may restrict the use made of his invention either out of his hands and into those of a purchaser, and whether a patent owner, by mere license notice attached to a device sold in the ordinary channels of trade, can place an enforceable restriction as to the use to be made thereby of the purchaser.

Dallas Case Coming Up
Another case to come before the court in connection with the Government's Dallas suit charging that the major distributors and two Texas theatre chains engage in a conspiracy to restrain trade by prohibiting double features and setting minimum admission charges to be adopted by all other theatres. The Supreme Court last term returned the case to the District Court at Dallas for a determination of the facts and whether to grant the Government's motion for a judgment of permanent injunction and separate its conclusions of law, which it had failed to do.

Double features also are involved in Vitagraph v. Perelman, in which the distributors contended that the company's policies were designed to avoid a situation which would re advantagiously upon both producers and exhibitors. The case is now in the Philadelphia public hearings, charged that the rule was part of a scheme to maintain high profits and as a protection to affiliated houses.

Constitutionality of the application of the West Virginia occupation tax without an out-of-state distributor is under fire in a case involving United Artists, while the first of several expected Ascap cases is presented in an appeal by the Florida authorities against an injunction by the Federal District Court against enforcement of a state statute regulating the licensing of copyright songs.

A number of other cases of interest to the industry are expected to be presented in the near future, among them the Washington Ascap case and the many North Dakota divorce law litigation.

Reorganize Bronx Farm
Bronx Monterey Theatre Corp., operator of a house at 1942 Trenton Ave., has petitioned in the bankruptcy court for a reorganization in the U. S. District Court.

The petition, which was signed by Bernard Zimelman, as president, listed assets totalling $22,224 and liabilities totaling $29,421. The petition attributes an operating difficulty to a poor summer season.

MOTION PICTURE DAILY
Tuesday, October 4, 1938
Pioneers to Join Tablet Ceremonies

(Continued from page 1)

music hall where the first motion picture program took place in 1896, will be presided over by Motion Picture Patents Co.; Frank J. Marion, former president of the Kalem Co.; W. S. Witney, secretary of the E. M. Kosciusko Pioneers; and Mrs. J. Leon Lascott, first cousin of the late Albert Blais, who was present at the original performance.

Speeches will be made by Will H. Hays and Jack L. Straus, the latter, vice-president and general sales manager of John E. Sloan, daughter of the late Thomas A. Edison, will unveil the tablet. Others who will attend are Hal Roach, Jules Brulatour, Mae Murray, Nino Martini and Walter Stiezak. Howard Dietz will be master of ceremonies.

The program has been made a part of the Motion Pictures' Greatest Year campaign.

Washington Features “Go to Movies” Week

WASHINGTON, Oct. 3.—“Go To The Movies Week,” officially designated by every first-run theatre in the city, will continue here through Thursday.

Part of the national campaign, it is being featured locally by the presence of extensive advertising in local houses in the various dailies. Most of the ads are of the institutional variety with emphasis placed on the in-store advertising plug rather than the individual picture. Papers are cooperating with editorials.

Crisis Boosts Reel Costs 20%—Talley

European developments of the last month have increased the cost of importing Movietone News more than 20 per cent, according to Truman H. Talley, producer.

The movement has quadrupled its staff, with camera crews in about 85 vital situations throughout Europe with the exception of Russia. An emergency lab has been established in Marseilles, in addition to the one in Paris.

Set Film Music Week

The week of Oct. 31 to Nov. 5 has been designated as “Film Music Week of Motion Pictures’ Greatest Year.” Orchestra leaders, musical artists, music publishers and dealers will join in the observance of the week, featuring motion picture songs and music.

Storm Benefit

Hartford, Oct. 3.—Hartford exhibitors sponsored a joint benefit for flood and hurricane disaster victims at the State Theatre on its reopening after it suffering considerable flood damage. Paul Whitmer, who headed the theatre, and the theatre, additional radio talent and opera tours and stagehands’ services were contributed gratis.

MOTION PICTURE DAILY

Tuesday, October 4, 1938

Hollywood Letter

Hollywood, Oct. 3.—Last week was hard on Hollywood writers. These fertile fabricators of filmic fancies, lately embattled in successful defense of their large bragging prerogatives and proud of laurels so won, couldn't believe their ears when Herr Hitler's personal demonstration of the part he can play in Europe was roving in over a townful of radios. Stunned, they dialed away from Europe, only to stumble upon that Cub-Pirate game in which Gabby Hartnett made bums of Dick Merrilwell and the Pittsburgh team with a ninth-inning Homer, such as no studio scenarist ever dared dream up. Don't blame Hollywood if the season's pictures get woolier and woolier from here on.

You'll be glad to learn that genital, J. C. Jenkins, the sage of Neligh, Neb., the small town exhibitors' perennial candidate for the presidency of any tendency and Motion Picture Herald's Vagabond "Columnist" past 15 years and more, arrived here in the pink of health but suffering from bad study conditions, as the phrase is, in Hollywood studios and in those mountain areas where trout of the Cub variety and welfare are refused to abide. This is the Colonel's first visit to these parts since 1925 and a council of war on such things has been in contemplation replacing subsidies and Hedy LaMarr replacing Theda Bara, but the Colonel's exact age and real name of spring in his step, the naggling twinkle in his eye and on his tongue, and I got his name down on an acting contract before the agents and talent scouts found out he was in town. He says, incidentally, he isn't much interested in presidencies now, “things being what they are at this precise moment of time in this so unspeakable civilization.”

Walt Disney never misses a trick. So many attending the previews of this shorts program last week said they wished they had brought the kiddies along that he's going to run the pictures over this Saturday morning for the youngsters. Wonder if there isn't an idea for exhibitors tucked away somewhere in that.

Bob Taplinger's invitation to the initial screening of Warners' "The Sisters" measured 12 by 8 inches, a new dimensional high, unless you include his scroll for "Robin Hood," which rolled up and tumbled when the Academy finished getting around to building that building there'll have to be a room for these showmanship-at-the-source exhibitors or the record of the art-industry's progress won't be complete.

Nobody knows where David O. Selznick, George Cukor and Sidney Howard are going to spend that six-week honeymoon in behalf of "Gone With the Wind," but everybody knows it won't be in Munich.

That's—as Hollywood press agents say after they've got you roped out of a sound sleep to tell you who hired whom to do what in which picture.—Roscioe Williams

Briskin, Schneider, Montague Re-Signed

(Briskin, Schneider, Montague Re-Signed (Continued from page 1)

ning of the company's stockholders, held in the huge office complex and Montague, have decided to be re-elected president. The theatre partner of Martin J. Mullin has held the office since 1936.

Garny Sets 10-Year Trailer-Made Deal

Trailer-Made, Inc., has closed a deal with Pat Garny, former general sales manager of National Exhibitors, under which he has acquired a 10-year franchise for Trailer-Made product in Texas, Oklahoma and Arkansas.

Mr. Garny will open offices in Dallas, under the name of Trailer-Made Service of Texas, Inc.

Name "Stars" Committee

Among the film, radio and theatrical executives who have been named to participate in producing the fifth annual "Night of Stars" benefit, which is to be held at Madison Square Garden, Nov. 16, are: Louis B. Mayer, chairman; Jack Benny, Irving Berlin, Max Gordon, Alfred J. McCorker, Barney Balaban, Jack Cohn, Souley, William S. Selznick, Howard Dietz, Ernest Mereminger, Leon Leonidoff, Billy Rose, William A. Brady, Gene Kelcy, Major Albert Warner and Rudy Vallee.

Hollywood Has 39 Pictures in Work

Hollywood, Oct. 3.—Thirty-nine pictures are before the cameras this week, out of a total, as 12 finished and 11 started. Thirty-two are being prepared, and 65 edited.


M-G-M started two short subjects, making four in production at the lot. Warners started one, which is still in the shooting column, as did M-G-M. A total of 12 is being edited.

Moss May Have House

B. S. Moss, head of Empress Pictures, which is distributing eight foreign films, if necessary will build a theatre on Broadway, if present negotiations for a show window for his pictures are unsuccessful, he said yesterday. Mr. Moss denied that he has dropped plans for a Broadway first run outlet. The company has taken over the third floor of the Trans-Lux Building on West 49th St.

Flood Draws Crowd

Wilson, N. C., Oct. 3.—Water bubbled up from the ground on the north side of the auditorium of the Carolina here recently, but shows went on as usual.

Despite the fact that the first five rows in the auditorium were under water, crowds of 10,000 to 15,000. Many persons said they went in just to see the mysterious "flood." It was eventually found to be a broken water pipe.
### MOTION PICTURE DAILY’S HANDY BOOKING CHART

[Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

<table>
<thead>
<tr>
<th>COLUMBIA</th>
<th>M-G-M</th>
<th>MONOGRAM</th>
<th>PARA.</th>
<th>REPUBLIC</th>
<th>RKO RADIO</th>
<th>20TH-FOX</th>
<th>U.A.</th>
<th>UNIVERSAL</th>
<th>WARNERS</th>
<th>G. B.</th>
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</thead>
<tbody>
<tr>
<td><strong>Sept. 2</strong></td>
<td>I Am the Law (G) (D) Robinson</td>
<td>Three Loves Has Nancy (A) (C) Nancy Montgomery Gann</td>
<td>Under the Big Top (G) (D) Marjorie Main Anne Nagel</td>
<td>Sing You Sinners (G) (M) Bing Crosby (3801)</td>
<td>The Higgins Family (G) (C) James Gleason Lucile Gleason</td>
<td>Carefree (G) (M) Astaire Rogers (3837)</td>
<td>My Lucky Star (G) (C) Sonja Henie Richard Greene (905)</td>
<td>Freshman Year (M) (G) Dixie Dunbar Ernest Trues (213)</td>
<td>Four's A Crowd (G) (M) Errol Flynn de Havilland (213)</td>
<td>Man with 100 Faces Tom Walls (Sept. 1)</td>
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<td><strong>Sept. 9</strong></td>
<td>Colorado Trail (O) The Lady Objects Gloria Stuart Lanny Ross</td>
<td>Boys Town (G) (D) Spencer Tracy Mickey Rooney (902)</td>
<td>Starlight over Texas (G) (D) Tex Ritter</td>
<td>In Old Mexico (G) (O) William Boyd (3855)</td>
<td>Billy the Kid Returns (G) (O) Roy Rogers Smiley Burnette</td>
<td>The Affairs of Annabel (G) (C) Jack Oakie Lucille Ball (902)</td>
<td>Safety in Numbers (G) (D) Jones Family (906)</td>
<td>Personal Secretary William Corgan Joy Hodges (907)</td>
<td>The Thirty-Nine Steps (Reissue) (D) (G) (Sept. 15)</td>
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<td><strong>Sept. 16</strong></td>
<td>Juvenile Court Paul Kelly Frankie Darro</td>
<td>Too Hot to Handle (G) (D) Jack Randall Clark Cable Myrna Loy</td>
<td>Mexico Kid (G) (O) Jack Randall</td>
<td>Campus Confessions (G) (C) Betty Grable (3802)</td>
<td>Overland Stage Raiders (G) (O) 3 Mesquites</td>
<td>The Renegade Ranger (G) (O) O'Brien (884)</td>
<td>Hold That Co-Ed (G) (C) John Barrymore George Murphy (907)</td>
<td>Black Bandit Bob Baker (305)</td>
<td>Valley of the Giants (G) (D) Wayne Morris Claire Trevor (908)</td>
<td>The Lady Vanishes (D) Margaret Lockwood Paul Lukas (Oct. 1)</td>
</tr>
<tr>
<td><strong>Sept. 23</strong></td>
<td>The Stranger from Arizona Buck Jones Dorothy Fay</td>
<td>You Can't Take It With You (G) (C) Jean Arthur Girls' School</td>
<td>Vacation from Love Florence O’Hare Dennis O’Keefe (902)</td>
<td>Wanted by Police (G) (D) Frankie Darro Evelyn Knapp</td>
<td>Sons of the Legion (G) (C) Donald O'Connor (3803)</td>
<td>Fugitives for a Night (G) (D) Frank Albertson Adrienne Ames (903)</td>
<td>Time Out for Murder (G) (D) Hope Hampton Randolph Scott (906)</td>
<td>Four Daughters (D) Lane Sisters John Garfield (395)</td>
<td>Four Daughters (G) (O) Lane Sisters John Garfield (359)</td>
<td>The Frog Noah Beery Gordon Harker (Oct. 15)</td>
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<tr>
<td><strong>Sept. 30</strong></td>
<td>You Can't Take It With You (G) (C) Jean Arthur Girls' School</td>
<td>The Stranger from Arizona Buck Jones Dorothy Fay</td>
<td>Vacation from Love Florence O’Hare Dennis O’Keefe (902)</td>
<td>Wanted by Police (G) (D) Frankie Darro Evelyn Knapp</td>
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<td><strong>Oct. 7</strong></td>
<td>Crime Takes a Holiday (G) (D) West Coast the Santa Fe (O)</td>
<td>Stambules Wallace Beery Mickey Rooney (900)</td>
<td>Sweetheart of Sigma Chi (reissue) Mary Carlisle</td>
<td>Touchdown Army Mary Carlisle John Howard (3805)</td>
<td>Down in “Arkansas” (G) (O) Weber Bros. Pinky Tomlin</td>
<td>Room Service (A) (C) Marx Brothers (901)</td>
<td>Straight, Place and Show (C) Rita Hayst. (911)</td>
<td>Meet the Girls June Lang Lynn Bari (910)</td>
<td>That Certain Age (D) Jackie Cooper</td>
<td>Broadway Muskeeters (D)</td>
</tr>
<tr>
<td><strong>Oct. 14</strong></td>
<td>Flight to Fame Below the Rio (O) Buck Jones</td>
<td>Listen, Darling Bartholomew Judy Garland (904)</td>
<td>Where the Buffalo Roam (O) Tex Ritter</td>
<td>Arkansas Traveler Bob Burns Mary Carlisle (3805)</td>
<td>Song of the West (O) Gene Autry</td>
<td>A Man to Remember (D) Anne Shirley (904)</td>
<td>Five of a Kind (D)</td>
<td>Swing That Cheer Tom Brown Emily Flynn Anita Louise (905)</td>
<td>That Certain Age (D) Jackie Cooper</td>
<td>Broadway Muskeeters (D)</td>
</tr>
<tr>
<td><strong>Oct. 21</strong></td>
<td>Homicide Bureau Bruce Cabot Rita Hayworth</td>
<td>Young Dr. Kildare Robert Young Lionel Barrymore</td>
<td>Mysterious Rider (G) (O) (3807)</td>
<td>I Stand Accused Robt. Cummings Helen Mack</td>
<td>The Mad Miss Manton Stanwyck Fonda (906)</td>
<td>Mysterious Mr. Moto Peter Lorre Mary Maguire (912)</td>
<td>Service de Luxe (G) (O)</td>
<td>The Sisters Betty Davis Errol Flynn Anita Louise (906)</td>
<td>Girls on Probation (D) Ronald Reagan Vincent Price (907)</td>
<td>Girls on Probation (D) Ronald Reagan Vincent Price (907)</td>
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<tr>
<td><strong>Oct. 28</strong></td>
<td>There's That Woman Again Melvin Douglas Virginia Bruce</td>
<td>The Great Waltz Luise Rainer Fernand Gravet Miliza Korjus</td>
<td>Escape from Yesterday Harold Rosson Tamiroff</td>
<td>Storm Over Bengal Patricia Royle Rochelle Hudson</td>
<td>The Miracle Racket Eilers Ann Miller</td>
<td>Suey Tyrone Power Lovett Young Amabella</td>
<td>The Storm Bickford MacLane Foster Nan Grey (908)</td>
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MOTION PICTURE DAILY
Tuesday, October 4, 1938

ITOAC Accepts Bid To MPTOA Sessions

The I.T.O.A. has accepted the invitation of Bill Kaye kendall, president of the M.P.T.O.A., to be represented at its annual convention in Oklahoma City Oct. 30 to Nov. 2.

In the event that Harry Broid, president, of the older organization will delegate John Mann, executive secretary.

STATEMENT OF THE OWNERSHIP, MANAGEMENT AND CIRCULATION REQUIRED BY THE ACT OF OCTOBER 14, 1912.


Before me, a Notary Public in and for the State of New York, has appeared The J. Sullivan, who, having been duly sworn according to law, says that he is the Business Manager of the Motion Picture Daily, and that the following is, to the best of his knowl-

edge and belief, a true statement of the ownership, management and circulation of the

paper, the circulation, etc., as of the above date.

[Signatures and publication dates are not visible in the image.]

Of the preceding and following pages, one is devoted to advertising. The other is devoted to news, reviews, and other matter of a non-advertising character. No part of the paper is devoted to advertising, except for the display advertising.

Publisher—Martin Quigley. 1270 Sixth Avenue, New York.

Editor-in-Chief—Martin Quigley. 1270 Sixth Avenue, New York, N. Y.

Managing Editor—Walter C. S. Bercat, 1270 Sixth Avenue, New York, N. Y.

Business Manager—Theo. J. Sullivan. 1270 Sixth Avenue, New York, N. Y.

Circulation Manager—Henry M. Lenihan, 1270 Sixth Avenue, New York, N. Y.

3. That the names of the owners, stockholders, and security holders, if any, containing not only the stockholders and secur-

ity holders connected with the conduct of the business of the company but also, in cases where the stockholder or security holder appears upon the books of the company as trustee or in any other fiduciary relation, the names of the persons corporated or associated with such stock trustee is, giving; also, that the said two paragraphs contain statements embracing the full knowledge and belief as to management and condition under which stockholders and security holders if not appearing upon the books of the company as trustees, hold stock and securities in a capacity that is to a bona fide owner; and this affidavit has no reason to believe that the said corporation or associations has any interest direct or indirect or other interest in the company other than as stockholder or other securities than as so stated by said corporation.

4. That the average number of copies of each issue of this publication sold or distributed, to paid subscribers during the twelve months, is 2,720. (This information is required from daily publishers only.)

Theodore J. Sullivan

Sworn to and subscribed before me this 31st day of September, 1938.

Anna Mildon

Notary Public, N. Y. Co., No. 118 Res. No. 1225

(One commission expires March 30, 1940)

Labor Troubles Are A Chicago Problem

CHICAGO, Oct. 3.—Theatre engineers are still picketing 30 theatres here in protest of the refusal of the National Theatre Management Co. to restore a voluntary 10 per cent pay cut. Both union and exhibitor leaders refuse to take any steps toward a settlement.

Negotiations for the settlement of operators' contracts are being delayed until next week, due to the Jewish holidays. An Allied meeting over the weekend resulted in the decision to absolutely refuse restoring the 10 per cent pay increase which it voluntarily accepted as a cut last July.

Adjourn Directors Hearing for Week

HOLLYWOOD, Oct. 3.—The testimony of Val Paul, Universal studio man-

ager, and Ralph K. Kaufman, vice-president, today concluded the producers' side of the Screen Directors' Guild hearings to be declared the collective bargaining agency by the N.L.R.B.

The seven said assistants and unit managers did not at any time have charge of the direction of films. The hearing was adjourned for a week to refuse to give attorneys time to prepare final arguments.

Legion Approves All Of Eight New Films

The National Legion of Decency this week approved eight new pictures, three for general patronage and five for adults. The new films and their classification follow:

**Washington, Oct. 3—Broadcasting hearings set for the week before paper-covered 10 the no Williamson, the Applications for registrations for Va. applications for kilocycle Ga., unlimited change Applications 1,120 Ralph Oct. 7, Watt's Station, for frequency 500 Greenwood watts and 1,000 extension with Greenwood 1,370 watts for 1,000 500 \[\ldots\] changes the inclinations, for the inclination, for mr. Bennet, Mr. Prager, and Bobby Gibson, and the "lassie" is Mary Small. The new program is basically the same as the stories the "yowlishing" Mr. Bennet has presented in the past, which, translated, means that a pleasure to few hours of pure vocal selections, plus a substantial amount of chuckles, is assured any listener who tunes to CBS from 5 to 5:30 P.M.

**Offered on the initial program was 'I've Got a Pocketful of Dreams' by Mary Small, "A Ticket A Ticket" by Manny Prager, "So Help Me" by Bobby Gibson; a flock of numbers by the band, including some college medleys; and some of the mug routines of Mr. Lehr and Mr. Bennet.

**Silver Theatre**

"Silver Theatre of the Air," from Hollywood, began its new season with a dramatization titled "Stronger than Steel." Fredric March playing the lead. Mr. March substituted for William Powell, who was guest-hosting "Silver Theatre" engagement because he is not sufficiently recovered from a recent operation.

"Stronger Than Steel" opens in a construction camp in South China, where "Boss" McGary, played by Mr. March, is building a new city. The building activities he has little time, or inclination, to give the missionary's daughter a tumble. The outbreak of the war in China leads to a series of rushing events, climax by the dynamiting of a new bridge to halt the enemy army, but the Chinese refugees. The love element came into its own, needless to state, toward the close of the production, when Mr. March, trying to save a girl from danger, realized that he loved her all the while. "Silver Theatre" is sponsored by the American Steel and Wire Co. Sundays over CBS from 6 to 6:30 P.M. It ranks on the plus side of the radio entertainment ledger.

**Mutual Gross in September Has 50% Gain**

Mutual's September, 1938, billings are up 50.8 per cent over the billings for the same month in 1937, while the cumulative billings show an increase of 25.2 per cent. CBS billings, on the other hand, show a decline.

Mutual's September, 1938, gross is $200,342, which compares to the September, 1937, gross of $128,365. The network's nine-month gross for this year is at $3,874,255. The cumulative bill for the same period last year was $1,496,572.

The CBS September, 1938, billings amount to $1,602,105, compared to the September, 1937, amount of $1,273,858, a decline of 21.0 per cent. Cumulative billings are down 3.8 per cent, the totals amounting to $10,975,982 and $20,775,542 for 1938 and 1937 respectively.

NBC's billings are not yet available.

**Court Approves New Ferguson Radio Plan**

Federal Judge Murray Hubbert yesterday approved, with minor modifications, the second amended plan of re-organization of Ferguson Radio & Television Co., Inc., and considered that the plan should be immediately carried out. Judge Hubbert further ordered that the company file claims by Sept. 9, or who had failed to obtain the consent of the attorneys for the company to file after that date, should be barred from distribution under the plan.

The plan provides for payment of 25 per cent to 15 months to general creditors and payment in full of tax liabilities and priority creditors. RCA is to receive full payments due under its licensing agreement with the company.

**Kaltenborn Dines Crew**

H. V. Kaltenborn, CBS news analyst and editor-in-chief, and who performed so outstandingly for CBS during the European crisis, last night tendered a party at his home for the CBS crews who worked with him during the crisis.

**Breen, Dunbar on CBS**

Deanna Dunbar and Bobby Breen, both of whom received their start on the Mutual network, will appear as special guest of the comedian on his broadcast of Oct. 10 over CBS.

**Harris on Air for Drive**

John H. Harris of the Harris Amusement Co., Pittsburgh, will speak on "First Facts in the Movies" in connection with Pictures' Greatest Year campaign over the Mutual Broadcasting System, Oct. 17.

**Plan Travel Week Show**

Roosevelt Turner, Jacqueline Cochran and Dick Merrill will be heard on WMCA at 8:45 as a special feature of National Air Travel Week. Jimmy Durante and Jack Benny will conduct the interviews.
O'Neill Lines
To Be Studied
By the F.C.C.

Chance Games Being Probed, Court Is Told

Society for Prevention of Crime Behind Move

An investigation of chance games in theatres is under way by the Society for the Prevention of Crime with a view to possible prosecutions, it was stated by an investigator for the society at a hearing of six defendants in an alleged theatre lottery before Magistrate Aurelio yesterday.

The defendants are employees of the Jewel Theatre in Harlem which was raided recently at the instance of the society. Magistrate Aurelio paroled a girl cashier on her own recognizance and continued five others in (Continued on page 4)

Exhibitors' Groups Reporting on Sales

Considerable information will be available to local exhibitors through their organizations on product deals consummated by independents in the metropolitan area.

Allied of New York is making a monthly survey of contract terms by questionnaire sent to members, and the data will be presented at future meetings.

Allied of New Jersey will have its annual session on contract and product and its semi-monthly convention in Atlantic City. An interchange of information on the subject will feature the next meeting of the H.P.A. of the date of which is yet indefinite.

Industry's Leaders Unveil Tablet and Traffic Stops

Down on the 34th St. side of Macy's yesterday there was a flag-bedecked grandstand and a WOR microphone and a silk American flag hanging on the wall and a few policemen to permit distinguished guests to arrive in a dignified fashion.

All along 34th St. from the Pennsylvania Station to Herald Square tens of thousands of commuters hurried. Out of the BMT and H. & M. tube exits other thousands poured. The decrepit old Sixth Ave. "L" continued its usual quota.

A grandstand and a microphone can make a commuter late for work any time — and they did. By 9:30 Macy shoppers with the gleam of the bargain hunt in their eyes had more police came. A few minutes later Will H. Hays mounted the platform with Hal Roach, Percy L. Walters, an official of the old Kinetograp Co., and later president of the Motion Picture Patents Co.; Frank J. Marion, president of the old Kalem Film Co.; Paul Gulick, coordinator of the Motion Pictures' Greatest Year Drive; Howard Dietz, committee chairman; C. M. Withington, representing the Edison Pioneers and Thomas Alva Edison Foundation; Percy Straus, president of Macy's; Ben Serkowich of the Broadway committee of the industry drive; Nino Martini, tenor; Walter Shook, actor, and relatives of Albert Bial, partner with Koster in the Old Music (Continued on page 4)

Value of Ad Drive to Be MPTO Topic

The practical value of the Motion Pictures' Greatest Year campaign and the advisability of repeating it next year will be weighed at the M. P. T. O. national convention in Oklahoma City, Oct. 30 to Nov. 2. Ed Kuykendall, president of the exhibitor organization, disclosed yesterday.

A specific discussion of the campaign has been included among the topics of major importance to be brought before the convention during its three-day business session. Exhibitors from all parts of the country will be asked to participate in the discussion of the questions "Was the national advertising campaign worth the cost and effort?" and "Should it be repeated next year?"

The possibilities for self-regulation of trade practices in distribution and exhibition and a forum on new product and national audience tastes in feature fare are, as reported earlier, among the major topics which will come before the M. P. T. O. national convention (Continued on page 4)

Indians line up for license for WTCN

WASHINGTON, Oct. 4.—The Federal Communications Commission yesterday adopted a motion by Commissioner Eugene O. Sykes to reconsider its action of last week, ordering a hearing on the application of WTCN, Minneapolis, for renewal of its license, but to pass over until later a meeting at which a second motion offered by Mr. Sykes to grant the station's renewal application was to be considered.

The Minneapolis station was one of nine whose renewal applications were ordered on the subject of hearings last week on the ground that they had violated the commission's regulations or the Communications Act, or had offered programs not in the public interest.

In the case of WTCN, the commission charged that improper language (Continued on page 4)

Juniors favored in New Bylaws of Guild

Hollywood, Oct. 4.—A closer understanding between junior and senior members of the Screen Actors' Guild is aimed at in the proposed new bylaws, which were mailed to members for ratification today.

Under the bylaws the guild is divided into three classifications of membership, senior, class B, which includes extras, and part players. The new rules give the class B members the right to withdraw in a body on a 51 per cent vote, prohibit senior members from calling a strike of class B members until the latter approve by a 75 per cent vote, and, in effect, give the class B members a larger voice in the affairs of the guild.

Billings of NBC for September Show Gain

NBC's billings for September of this year show a rise of 4.5 per cent over the billings for the same month last year, the totals being $2,979,241 compared to $2,850,881.

The nine-month total amounts to $29,002,734, an increase of 5.7 per cent compared to the cumulative total for the same period last year, $28,291,115.

More Radio on page 8
Australia Has 10-Point Plan For Harmony

By LIN ENDEAN

SYDNEY, Sept. 16. (By Air Mail via London)—The New South Wales Board of Trade, representing circuits, independent exhibitors and distributors, has decided to submit a formidable manifesto to bring about closer understanding within the trade. It is known that many members considered it a waste of time to attend meetings while inter-necine strife was common.

Sire Victor Wilson, president, of the Motion Picture Distributors' Association, has made public a letter from an executive of the Australian Exhibitors' Council to the M.F.D.A., in which there were 10 proposals on which action by the distributors is sought.

Among them are suspension of rental fees and 10-day closing of theatres, such as epidemics; supplying of extra prints when needed; percentage pictures; a standard film contract; regulation of gift nights without other subterfuges for the reduction of admissions; excessive city protection; an age limit on minimum admissions; regularization of county and suburban protection.

Points Out Serious Side

Sire Victor pointed out that most of the points raised probably can be agreed upon without much contention that two points, excessive city protection and percentage pictures, are more serious. He expressed the belief that a standard contract would solve most of the exhibitor problems, and a committee has been named to draw up a standard contract to be offered to exhibitors in the near future.

Exhibitors have sought such a contract for years, and since they will have a rival in the new companies there may be difficulties in framing a contract suitable to both sides. However, it is understood that if a satisfactory basis for agreement is not reached in a reasonable time, exhibitors will approach the Government for help.

It is also planned to increase the scope of the Board of Trade's activity, extending it throughout the Commonwealth.

Expect Fleischer Pact

Negotiation of a new working agreement between the Fleischer studio and the United American Commercial Artists' Union may end in an agreement tomorrow. The discussions have been under way for several months and were suspended for a time due to a disagreement as to whether progress has been made in the past few days, however, indicating a possibility of an agreement being concluded after the Jewish holiday.

Union Agreement Near

Negotiations by a theatre committee with Local No. 1, Manhattan stagehands, over a local agreement which has been extended longer than anticipated, but an agreement is expected in a few days. Major L. E. Thompson of RKO held another session with the union committee yesterday.

Book Promotion Is Gaining Favor in Midwest Theatres

By BILL RUSSELL

CHICAGO, Oct. 4.—The local theatre promotion plan to gain favor in the midwest is Book Treasures, a plan whereby books of various sorts are given away to patrons on a coupon basis. The book giveaway idea was introduced around this territory late in the summer, according to Lester S. White, manager of the plan for Consolidated Book Publishers, Inc., who has named eight men to handle the plan in the various Illinois circuits which have adopted it.

More than 90 books are available on the plan, which involves no element of chance in the distribution of the books. Classics, encyclopedias, dictionaries, cook books and diaries are offered in that plus other Illinois circuits have adopted it.

A battle between local theatres on the showing of newsreels is in sight. Herb Ellisburg started the fray last week with six shows of first-rate newsreels at Espanness Woods theatre. Other Loop houses are now giving the newsreel more importance and what looks like a war of the newsreel in the Loop is in sight.

Theatre executives whose houses are affected by the strike called last week by the theatre engineers are not complaining so much about the raise the engineers have asked for, as it amounts to only about $5 per week per man, but they are irritated by the “ultimatums” handed down by union officials.

Negro theatre operators are still picking pockets of the negro theatres that use white operators. Union officials say that the 19 colored operatres now being used are sufficient. There are no negro owned theatres in Chicago and this is one reason for the demand for white operators in most of the colored theatres.

At Simmons, operator of the grill in the Exhibitor's Building, you can get all the news of the day, and $125 taken. Two masked bandits herded the customers into the back of the room and rifled the cash register with such excitement to hit film row in a week.

Exhibitors are wondering what was wrong with business during the months found out when the Chicago Park Board released that 36,000 persons attended the free concerts in Grant Park during the summer months. The 8,000,000 who attended the shows included any one of the many who also didn't help the box-office any.

W. H. Banford, branch manager here for M-G-M, is one of the lucky members of the Metro sales staff to leave Oct. 22 for Chicago. Banford, with the other M-G-M sales contest winners, will land at Nice, visit Paris and London and sail for home on the Queen Mary Nov. 16.

Start Fox English Film

LONDON, Oct. 4.—Robert T. Kane, head of 20th Century-Fox British production chief, has started “So This Is London” at the Pinewood studio. Robert Hare and Alfred Dayton will star, with George Sanders, Berton Churchill and Lily Calhoun featured. Carla Lehmann, Canadian stage actress, has replaced June Lang. Thornton Freeland is directing.

Comerford Takes House

POTTSVILLE, Oct. 4.—Comerford Theatres have taken over the Hollywood here. This gives the circuit control of all three local houses. The Hollywood is owned by the Brenne man and estate has been operated under lease by the William B. Shugars estate, which had a booking arrangement with Lewen Pizor.

Close “Take It” Deal

Columbia has closed a special deal with National Theatres on “You Can’t Take It With You.” The circuit consigned a two-year contract with Columbia last year, but the film is being sold as a special. Leonard Picker and Jack Safran of Columbia worked out the deal with William Powers of National.

Heads Party Publicity

DUBUQUE, Oct. 4.—Harry Browning, M. P., director of publicity for the let appointed publicity manager for the forthcoming eighth annual dinner of the Film Division of the American Legion at the Copley Plaza, Oct. 25. Alvin Kenney is his assist.

SHEA MANAGERS SHIFTED

NEW PHILADELPHIA, O., Oct. 4.—Harold Snyder, assistant manager of the Union, has been named manager of the Harvest in Wilkinsburg. Charles E. Simpson, assistant manager at the Beecly, has been shifted to the Chicago, took over the megaphone, which has been named assistant at the Strand and Paramount, Fremont.

Para. Awards Given Out

WASHINGTON, Oct. 4.—Paramount's awards for the best campaign on “Her Jungle Love" have been handed out by Carter Barron, Loew division manager. Mr. Barron visited Norfolk and Allen Sparrow of Richmond.

Expect Loew Dividend

The board of Loew's, Inc., is expected to declare a regular dividend of $1.625% on the preferred stock at its meeting Oct. 13. The regular meeting scheduled for today was postponed to that date.

Gillmore Issues New Member Rule for 4A

Members of any branch of the Association of Actors and Artists of Australia have concluded engagements in the jurisdiction of any sister branch must immediately make application for membership in the branch in which, according to a ruling issued yesterday by Frank Gillmore, president, that branch. The decision is expected to bring about a more general organiza tion of the American Federation of Actors in motion picture theatres which have vaudeville or stage shows.

Charles C. Moskowitz has been designated as representative of Broadway houses to conduct negotiations with the 4A. It was learned at union headquarters yesterday and hard Calkins, chief organizer, will handle the union during the absence of Ralph Whitehead who is at the A.F.L. convention. Jurisdiction of the A.A.A.A. extends over screen actors and radio artists and it is believed here that personal appearances may be blocked in the event that present negotiations fail to lead to an agreement.

Drive-In Theatre Is To Close for Winter

After a successful summer season, the Drive-In Theatre at Valley Stream plans to close during the latter part of December. In April, Burt Kulick is now president and treasurer of the Parkhill Broadway Corp., which operates the Broadway in winter. The drive-in theatre are the Garden, Princeton: Playhouse, Cedarhurst: Lido, Long Beach, and Boardwalk, Edgemere.

MOTION PICTURE DAILY

Wednesday, October 5, 1938

Registered U. S. Patent Office

MARTIN OUDLEY, Editor in Chief and Pub lication Manager V. G. TAYLOR, Managing Editor BARTON S. FERRIS, Advertising Manager, EDWIN F. COX, Business Manager, HAROLD KIRK, Assistant Editor JOSEPH J. MARINELLI, Ray WRIGHT, Charles ROGERS, Martin Oudley, president; Cora Brown, vice- 

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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 batting, 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 proved. 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!

** ** **

"SWEETHEARTS 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!

"SWEETHEARTS" sensation last night's preview in Pomona. Jeanette MacDonald and Nelson Eddy thrilled audience. Victor Herbert music and numbers tremendous. Picture packed with entertainment and breath-taking with brand new spectacular ideas. Technicolor beautiful. Definitely tops 'Rose Marie', 'Maytime' all other MacDonald-Eddy triumphs and another resounding hit in Metro-Goldwyn-Mayer's Greatest Year."

** ** **

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."

"BRING BACK THE WALTZ"

W. E. Schmidt
Crescent Falls Theatre
St. Public Square
Wilton, Conn.

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 awaiting 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 (24 lucky waiters) 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 fitted 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 merrily, musical fellow leading the gavety.

They call him

THE WALTZING LION

Leo
Chance Games Being Probed, Court Is Told

(Continued from page 1)
nominal bail of $25 each for trial in Special Sessions.

Locals and exhibitors are considerably agitated over these arrests, which included the entire house staff, and are cooperation-minded. The American, of New York and the I. T. O. A. to fight the case. A brief filed by Harry G. Kosch, counsel for Allied and Max A. Schenck, president of Roxy Theatre, cites decisions by the Court of Appeals under which chance games as conducted at the J. W. are held legal. Milton Weissman, I. T. O. A. counsel, is working with Mr. Kosch in the case.

The trade exhibitor organizations plan to obtain a final ruling on chance games in the courts. Meanwhile, attorneys point out that unless theaters advertise provisionally, relief may extend to them that they may not be legally in the clear.

Rubin Examined in Stockholder Action

J. Robert Rubin, vice-president and general counsel of Loew’s, was examined for three hours yesterday and with further testimony scheduled for today in connection with the Loew’s minority stockholders’ suit seeking to abrogate executive contracts with the company.

Examination was by Emil K. Ellis, counsel for the plaintiffs, in his office. Mr. Rubin was accompanied by counsel, including Judge Joseph M. Proskaue, J. Alvin Van Bergh and Leonard Friedman, Loew’s attorneys.

By yesterday, the counsel of Nicholas M. Schenck, president; David Bernstein, vice-president and treasurer, and Mr. P. P. Kosch, president, has been postponed to the week of Oct. 24 because of accounting problems involved. At that time the officials will be asked to submit the company’s books of account.

Seek Dismissal of Davis Action Today

A motion to dismiss the complaint of Betty Davis, alleged stockholder of Columbia Pictures Corp., will be heard by Justice Charles B. McLaughlin in the N. Y. Supreme Court today. Three grounds will be urged for the dismissal. The defense contends that the plaintiff has no legal capacity to sue because she is not a stockholder of record, that the time for bringing the suit has expired, and that no cause of action is stated in the complaint.

The plaintiff alleges that she is the owner of 162 voting trust certificates and charges that alleged misdeeds by the board of directors entitle her to bring the stockholder’s suit.

Roxy Allowance Sought

Manufacturers Trust Co., as agent for the Tin Box, a new first mortgage 20-year 4 percent bonds of the recently reorganized Roxy Theatre Corp., filed application in the U. S. District Court here yesterday for an allowance of $6,385 as commissions and $862 for disbursements.

Industry’s Leaders Unveil Tablet and Traffic Stops

Hall, Mrs. John E. Sloan, daughter of Thomas A. Edison, was there. Universal Newsreel and Movietone News turned on their cameras.

The crowd grew.

Paul Hollister, vice-president of Macy’s, introduced Mr. Hays. The chairman was on hand on time, to find that the police had arrived. Out in the middle of 34th St. the busses were stalled. In Herald Square everything was stalled, including the pedestrians. A witness, shouting “Move on! Keep Moving!” The fringes of the crowd widened back in swirling eddies toward Eighth Ave.

Listeners on WOR knew Mr. Hays was saying that only in America could motion pictures attain the growth they had attained here under “free institu-

Schenck, Zanuck, Goetz Sell Stock

(Continued from page 1)

194,643 shares and Mr. Zanuck 142,130 shares at the close of August. Joseph M. Schenck, Beverly Hills, a director, disposed of 10,400 shares in a series of transactions throughout the month, leaving him with 19,144 shares.

A number of less important transactions were reported in the stockholders’ reports of other film companies. Kirk W. Todd, Pittsburgh, director in Grand National Films, received 400,000 shares of common stock in that company with the sale of 150,000, and John D. Hertz, New York, Paramount director, disposed of all of the 1,000 shares of second preferred stock which he had held through Lehman Brothers.

The most important acquisition of film securities was the purchase throughout the month of two blocks of common voting trust certificates of Universal Corp. by Daniel M. Sheaffer, Philadelphia, a director, bringing his holdings to 14,000 in blocks to 20,500 held through Standard Capital Co. Loew’s, Inc., continued to pick up its holdings in Paramount stock, adding 36 shares during August to bring its total to 99,670, while a July report for Sam Katz, an officer, showed the acquisition of two blocks of Loew’s, Inc., common, to bring his holdings to 752 shares.

Ad Drive to Be An

MPTO Meet Topic

(Continued from page 1)
subjects on the agenda include the question of whether the present anti-trust suit is substantially similar.

Other convention topics include the need for an exhibitor “voice” in the possible drafting of new statutes and legislation affecting the business; exhibitor compliance with the new Federal wage and hour law; the possibility of new Federal and state admission taxes; the exhibitor’s part in war-scare pictures; the industry, voluntary exhibitor action in ending “unfair competitive practices” between theatres; the prospect of an enforced closed shop on small town theatres through unionized film exchanges, and changes of new theatre equipment.

Mr. Kuykendall’s bulletin to M. P. T. O. A. members disclosed that, in new branches of the industry who have been asked to attend the convention, “prominent officials of the state and Federal governments, including leading members of Congress” are expected to be present.

Majors Seek Agreement in Trust Action

(Continued from page 1)
second meeting between counsel for the five companies and Department of Justice officials which will probably be held in Washington within the next week. As a result, counsel for Universal, United Artists and Columbia, the non-theatre-owning companies, will not attend the subsequent session, it was stated.

No request for an extension beyond Nov. 1 of the time for filing of answers to the Government’s bill of complaint has been made by any of the defendants. However, it is believed that in the event the discussions of the stipulation on non-extension of theatre operations are protracted, the Government will not oppose another extension of the deadline if it is requested.

“King” Para, Gross Hits Record $87,000

(Continued from page 1)
days in 1937. The current stage bill is headed by Tommy Dorsey and his band, and Liz Carroll.

Other box offices are “Drum,” which will start a second week at the Music Hall tomorrow, and “Room Service,” which is going a third week at the Rivoli.

“Marie Antoinette” took $10,500 in its first week at the Astor, and the duration of the run is indefinite. “Mr. Doodle Kicks Off” gave the Rialto $875.

“The Affairs of Annabel” will have its Broadway first run at the Palace beginning next Wednesday. “Grand Hotel” was headed for a fourth week at the Filmarote. “Rothchild,” another French film, will open Tuesday at the Belmont for an extended run.

Erpi and W.E. Are Sued

Nakken Patents Corp. filed suit in the U. S. District Court yesterday against Erpi and Western Electric Co., claiming a patent infringement obtained in 1920 by Theodor H. Nakken for improvements in “means for transforming light impulses into electric current impulses.” The complaint charges that the defendants are infringing by manufacturing and selling photo cell amplifier equipment.

Dismiss Votear Action

The suit of Ferdinand Votear against Warner Bros. Enterprises, Inc. and Intrastate Theatre Corp., was dismissed by Justice Louis A. Valentie in N. Y. Supreme Court yesterday because of the failure of the plaintiff to prosecute the action. Mr. Votear charged infringement of his composition, “Resurrection Morning” in the Warner film, “The Walking Dead.”

“Take It” Opens Strong

“You Can’t Take It With You” is playing 70 simultaneous first run engagements across the country following national release of the feature last weekend. Columbia reported yesterday. Grosses were reported strong in all opening bookings.

The Newsreel Parade

European conditions before and after the peace treaty and the launching of the Queen Elizabeth, sister ship of the Queen Mary, are the chief items of interest in the new issue of the newsreels, out yesterday. The reels and their contents follow:

MOVIEPONE NEWS—Crises passed, a picture recording of Europe that was seemed inevitable. Tornado hits Charles-ton, Ga., during a football game.

NEWS OF THE DAY—Peace comes to Europe as nations prepare for war. World’s largest ship set sail.

PARAMOUNT NEWS—Peace ends Europe’s nightmare. Picture recorded by Bill Beckett shows peace as it was at Washington, D. C. “Football games are everything again.”

UNIVERSAL NEWS—War crisis in Europe.

The Newsreel was launched.

Tornado sweeps across Charleston, S. C. The Queen Elizabeth launched in Scot-land’s largest ship set sail.


The Newsreel Parade

(Continued from page 1)

MOTION PICTURE DAILY

Wednesday, October 5, 1938

(Continued from page 1)}
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
“Sinners” Is
Los Angeles’ Top, $22,000

Hollywood Preview

“The Arkansas Traveler” (Paramount)

Hollywood, Oct. 4—This picture makes a star of Bob Burns, actually as well as officially, and perhaps the best single way to exploit it is by forthright declaration of that fact. Mr. Burns plays no buzzoek 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 unfillable vacuum, for both Burns 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 Brooks Shore and George Sessions Perry, from Jack Cunningham’s story based on Producer George M. Arthur’s original idea, Mr. Burns plays a boy 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, Irving 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 awarded the film by William Allen White of Emporia, Kan, to whom it is dedicated.

Running time, 85 minutes. "G." ROSECO WILLIAMS

New York Preview

“Stablemates” (M-G-M)

Call it largely hokum,  if you will, this yarn of the stableboy who acquires a race horse, and the stumblesom, once a great veterinarian, who works a surgical miracle on the horse and becomes father to the boy. But add together all the ingredients—fine performances, swell cast names, high production values—and you have ace entertainment, with appeal from top to bottom of the patronage scale, and something for the showmen to cotton to.

Once again we record a splendid performance for young Mickey Rooney, who should curb a slight tendency to overdo his tender scenes. Teamed with him, and also most excellent, is Wallace Beery, It is their picture, and although Margaret Hamilton offers an amusing bit as the woman with “designs,” no one else in the cast is of any consequence.

It isn’t the story, which basically, has been done before. It’s the way it’s done by Rooney and Beery, plus the production values and one particular hair-raising finish on the track which contribute so heavily to the top-scoring film this turns out to be.

Under the production hand of Harry Rapf, Sam Wood directed from an original story by William Thiele and Reginald Owen and a screenplay by Leonard Praskins and Richard Maitbaum. Mr. Wood made the most of the dramatic moments at his disposal, and permitted Beery to carry the weight of the comedy in his wholly appealing fashion. The yarn finds Beery, led to wrong paths years before and wanted by the police, coming upon young Rooney, who has been given a horse which refused to run. Beery diagnoses the ailment, cures it by an operation, and the two become self-adopted father and son. Eventually they bring the horse to the track, Rooney pretends to throw over his “father” to save him from the police, but Beery gladly faces the music, knowing the boy will wait for him with his winning horse.

Running time, 89 minutes. “G.” CHARLES S. AARONSON
Rathbone Helping on "King" N.E. Opening

Basil Rathbone left yesterday for a personal appearance tour of New England cities where he will be interviewed by newspaper critics in connection with the pre-release engagement of Paramount's "If I Were King." in six M. & P. Circuit theatres.

New Haven, Ct. Mr. Rathbone will present a working script of the picture to the head of the English department at Yale and later address the dramatic class under Professor Nichols. At Boston, Mr. Rathbone will be met at the city by the home colony escort.

"If I Were King" will open Oct. 12 at the M. & P. Capitol, Worcester; Alyn, Hartford; Paramount, New Haven; Olympia, New Bedford; Metropolitan, Boston, and Strand, Newport. Advance bookings also have been set at the State, Portland, Maine, Oct. 19 as well as the Chicago, Chicago, and Paramount, San Francisco, Oct. 21.

Rebuttal Testimony Given in SDG Case

Hollywood, Oct. 4.—Barry Brannen today opened the Screen Directors’ Guild hearing with rebuttal testimony by calling as witnesses Nate Watt, assistant director to Frank Borzage.

Mr. Watt told of how he had directed the shooting of more than half the battle scenes of "All Quiet on the Western Front." He testified that Watt took over the shooting of "No Greater Glory" when his brother was ill.

Producer testimony given previously was to the effect that assistants have no authority to direct. The hearing was recessed until Thursday.

Unit in K. C. Votes Against Dissolving

Kansas City, Oct. 4.—The majority of the members of the Independent Theatre Owners of Kansas City, have voted not to dissolve the association. Such a motion was presented and defeated. The group will retain its charter and continue, according to E. E. Webber, Jr., president.

Efforts will be made to effect a cooperative venture with the Kansas-Missouri Theatre Association, and Secretary John Wolberg has been authorized by the I. T. O. to take a mail vote on the proposal.

The "CONTINENTAL" TO LOS ANGELES

Deluxe overnight Sleeper


RESERVATIONS AT 28 West 42nd Street, Murray Hill 2-7600. Or travel agent, home.

UNITED AIR LINES
The Main Line Airway

Variety Club Chatter

Cleveland

Cleveland, Oct. 4.—Cleveland Variety Post No. 313 of the American Legion has elected Howard Roth, Paramount booker, commander for the coming year. Other officers elected are: First vice-commander, John Himmele; 2nd vice-commander, Holbrooke B. Bissett; financial officer, Nat Barash; adjutant, Dr. Abe Bubus; sergeant-at-arms, Jack Sogg; 2nd sergeant-at-arms, Joe Sweek; chaplain, Alfred Tepper.

Meetings for the year will be held in the American Legion headquarters at the Arena instead of in the Variety Club as previously.

Detroit

Detroit, Oct. 4.—Variety Club has resumed its fall and winter noon luncheons in the English grill of the Cadillac. Judge Joseph Mynihin was the principal speaker at the first gathering.

Weekly Saturday night frolics will be resumed Oct. 8. Edward Harrison, Mrs. Himma will be host and hostess.

A new weekly social evening to be held is named Variety Junior Night, which will take place Oct. 14 for sons and daughters of members. Philip Kaplan will be general chairman for the season.

Indianapolis

Indianapolis, Oct. 4.—Saturday night gala events have been resumed by Tent No. 10. The Warner staff was host at the first party, with Fred Greenberg heading the arrangements committee.

Pittsburgh

Pittsburgh, Oct. 4.—Oct. 10 has been set as the date on which the annual NLRB Sets Oct. 14 For SWG Meeting

Toronto, Oct. 4.—Premier M. F. Heenborn of Ontario is considering a renewal of the amusement tax in revised form as a source of relief revenue for municipalities, the imperial to be levied on a Provincial basis.

The first proposal, from the Ontario Mayors Association, was for permissive legislation by the province which would enable the municipalities to adopt a local bylaw for the tax. Word has come, however, that the city councils do not favor this plan for political reasons. Accordingly, the Ontario leader is considering an act of the Legislature which would provide for the collection of the ticket tax once more with the cities and towns receiving the proceeds after a reduction for governmental expenses.

James King Is Promoted

Boston, Oct. 4.—James King has been promoted to the publicity staff of the RKO Memorial and the RKO Boston. He will be assistant to John Granara. Mr. King was formerly stage manager at the RKO Boston.

Mislz Named Manager

Montgomery, Ala., Oct. 4.—Charles Misz has been named manager of the Strand here, Alabama Theatres, Inc., house. He replaces F. J. Nickens, resigned.

Washington

Washington, Oct. 4.—Tent No. 11 will hold its fifth annual banquet and ball at the Willard Hotel Nov. 19. Two orchestras will supply music and talent for the entertainment is being lined up. Rodolch Berg heads the general committee.

Other committees include: Dinner—MARTER BARON, chairman; TOM O'DONNELL and HARRY SOMEMVILLE; tickets—ARCHIE ENGEL, chairman; HARRY BROWN and CAROL DIXEMAN; publicity—RAY BELL, chairman; NELSON BELL, ANDREW K. KELLEY and JAY CARSSMID; reception—ANN BACHMAN, BOB DENTON, DR. FRANK BERNARD, NOS BORD, JOHN CHEVAUX, FRED RUBES and F. R. ERISHELM.

Entertainment—HARRY MARX, chairman; CLAUDE DAVIS, GUY WYNN, GENE FORD, HARRY ANGER and PHIL HAYDEN; printing—SAM WHEELER, chairman; NATE SAEGER, the national chairman; CARL MAKOZ, pro- gram—SYDNEY LUST, chairman; FLOYD AKERS, GEORGE CROUCH, EDDIE MELNIEK and FLOYD KOGGE; decorations—CHARLES SCHULMAN, chairman; HERBERT SAUER, JULES JAMES, NAT GLEASER and ALLAN BARRACH; talent hosts—EDDIE POLIN, chairman; DR. FRANK T. SHYVE, ADAM MANN; reservations—Cheven Working; chairman; out-of-town contacts—ED- DLE FONTAINE, chairman.

Purely Personal

Jack L. and Mrs. WARNER are scheduled to sail on Queen Mary tomorrow to attend the opening of the new Warner Theatre in London Oct. 12. JOHN MARK, Paramount story editor in London, and LILY DAMITA are also booked.

John E. Nathan, Paramount general manager in Argentina, Paraguay and Uruguay, will arrive in Hollywood from New York today for conferences with the studio's general product and Spanish features.

Gloria Wood, daughter of Sam Wood, M-G-M director, is appearing in a road company of "You Can't Take It With You." Her stage name is KATHARINE STEVENS.

Jack HARRES, Skouras circuit executive, is celebrating the arrival of a daughter—which makes C. C. MOS- KOWITZ of Loew's an uncle again.

Leo A. Pollock, at one time with Cosmopolitan Productions, is now publicist for the new T. G. ETTHER-SON'S Trif-National Films.

Mrs. Tom Pryor, wife of the Times reviewer, is recuperating from an appendicitis operation at Roosevelt Hospital.

Nicholas M. Schemen, president of M-G-M, plans to leave late this month on his fall visit to the studios.

Cameron Hall, English actor, will sail today on the Manhattan.

John Payne, Warner player featured in "Garden of the Moon," will arrive in town today accompanied by his wife, Anne Shirley.

Heilen Claire, who has the lead in "Kiss the Boys Good-Bye," now on Broadway, is a commentator for Movietone News.

Grant Leenhouts' and Walter Herzbrun's "Live Bait" has been acquired by M-G-M.

OVERTIME TO LOS ANGELES

Fly by the Southern SUNSHINE route overnight to Los Angeles through archives. No change of planes. Giant SKY SKLEEPERS. Complimentary meals served by stewards.

The mercury

Southener

Los Angeles Oct. 13

(only 2 stops)

(only 2 stops)

FOR RESERVATIONS: Call Your Travel Agent or VANDERHILL Ticket Office 45 Vanderbilt 14th Ave., and Rockefeller Center, 18 W. 49th St.

AMERICAN Airlines
Two Blackett Shows Are Renewed on NBC

Two programs produced by Blackett-Sample-Hummert, "Stella Dallas" and "Backstage Wife," have been renewed on NBC, and additionally, a contract on NBC for the Arco Skate Co. has been placed by the Gussow-Kahan agency.

Blackett is sponsored by Charles H. Phillips Chemical Co. has been renewed for one year on the Red network, as has "Backstage Wife," according to Philippe.

"Behind the Scenes in Sports" is the title for the Arco Skate Co. program. It will begin Dec. 12 and will be heard Mondays over WJZ from 4:45 to 5 P.M. for a period of six weeks.

Two Are Sponsoring Alabama Ball Games

BIRMINGHAM, Oct. 4.—Alabama football games are being broadcast this fall under the auspices of RCA- Columbia Records, David & Co. RCA-Victor distributors, will sponsor all University of Alabama football games over the WSFA-AL station, WSGN, while Coca Cola will alternate with Auburn and Alabama games over WPIL and WSGN. The WSGN station has completed a state network for its broadcasts which will include the following stations: WBBE, Selma; WMG, Sheffield; WJBY, Gadsden, and WMFO, Decatur.

Mutual Prepares New Educational Series

An ambitious educational series for various school grades will be added to the Mutual schedule beginning Oct. 10. The program, created by WLS, Chicago, will be broadcast Mondays, Tuesdays, Wednesdays Thursdays and Fridays from 10 to 10:30 A.M., and is made possible by the generous financial support of the National Association of Mutuals. The program is produced under the supervision of Joseph Ries, WLW educational director.

To Revise P. & G. Shows

Several of the current Procter & Gamble programs on CBS will be revised shortly. "Vic and Sade" will complete their stay on that network Nov. 4, and will be replaced by a new program, title not announced, beginning Nov. 7. The new show will be heard over a 25-station hookup. The "Green Hornet" will move to NBC Nov. 4, to be replaced by "Life Can Be Beautiful," currently on NBC. Twenty-seven stations will be used for this series.

Dick Fishell Joins WHN

Dick Fishell has resigned from WMCA to join WHN as sports commentator and director of sports broadcasts. He will continue as WMC producer and emcee on the NBC network program "For Men Only."

Mowetone Signs Knight

Felix Knight, radio tenor, has been signed to sing for two Fox Movietone shorts with Nathaniel Shilkret and orchestra.

Tom Kearns Leaves WOR

Tom Kearns of the WOR publicity staff, has resigned. Johnny Johnston, publicity director, has not yet filled the vacancy.

Canada Takes News

General Foods Corp., sponsor of the N-G-M "Good News" program, has signed with the Canadian Broadcasting Corp. for programming that will replace the old Canadian system. Here, the series is heard on both the Red, Blue and Red, and WBN in New York.

Ask Permission for Station in Florida

WASHINGTON, Oct. 4.—Applications for authority to construct two new stations on the coast of Florida, with the Federal Communications Commission, the Florida City Broadcasting Co. asking for a 1,200-kilocycle station at Panama City, Fla., with 100 watts power output, 250 watts day and the Bellingham Broadcasting Co. Inc. asking for a station with the same frequency and power at Bellingham, Wash.

The commission also received applications from WBPN, New York, for authority to move its transmitter from Cliffs Park to Carlstadt, N. J., and increase power from 1,000 to 5,000 watts, and WTH, Hartford, asking for an increase in daytime power from 250 watts day and 1,000 watts night, for 500 watts day, 1,000 watts night.

Seek New Hearings On Ruling of F.C.C.

WASHINGTON, Oct. 4.—WBBC and WTVF, Brooklyn and the Federal Communications Commission have joined in asking the Court of Appeals for the District of Columbia to reverse the F.C.C. a case involving a ruling made more than a year ago by the commission. A F.C.C. order, which banned WOR, the New York station, from the air. The F.C.C. said that the purpose of the request was to allow a new statement of fact to be prepared.

The suit arose from the commission's attempts to untangle a snarl among four Brooklyn stations, WWBC, WF WTV, WLTH and WARD, to which had been awarded a single channel, each using the channel one-fourth of the time. A year ago the commission decided to eliminate WLTH and WARD and give their time to WWBC. WLTH and WARD took the matter into court, where it has been since.

Film Library Radio Topic

Sidney Kaufman, conducting "Cinema Comment" on WQXR, will discuss "The Library of Congress," series of Modern Art, Rockefeller project, which assembles motion pictures for reference and historical purposes, on his program tonight. He will have as his guest John E. Abbott, director of the Film Library.

O'Neill Lines To Be Studied By the F.C.C.

(Continued from page 1)

Radio Personalities

MARK WARNOW has been re- signed to a five-year contract as a musical director for CBS... David Ross has been signed as the announcer for the Fred Waring series, and Allen Kent has been signed for similar duties on the new hobby show... Herman Bierman, for Myron Sel- nick, Ltd., has set a guest appearance for Chester Morris on the Kate Smith broadcast of Oct. 13... Sammy Kaye, Count Basie and Henry Busse will appear with the orchestra on Sunday night at the Professional Men's night at the State Theatre... Howard Sanab, the manager of the State Opera House, in addition to Tommy Dorsey, Larry Clinton, Cab Calloway and Russ Morgan.

St. Louis

Russ David, musical director of KSDK, will double as on-air man on the new Hammond electric organ the station has installed... Irene Virginia Miller, torch singer on WTMY, is in Chicago on vacation... Rose Raye, dramatic art instructor for Medlin- Fanchon & Marcro, has joined the KOKK dramatic staff... Paul Woodward, announcer, is substituting for Johnny Sneeburger, WTMY script writer and program announcer, while the latter is on vacation.

Chevrolet Will Resume

Chevrolet will resume spot broadcasting over about 250 stations next week, through the Campbell-Ethridge agency. A series of musical programs transcribed by World Broadcasting will be used.

Editors on WHB Program

KANSAS CITY, Oct. 4.—John Cam- eron Swayze, radio editor of the "Jour- nal-Fax" and Park City, Utah, radio editor, have a daily program on WHB sponsored by Royal Crown Cola.

Warburton to Canada

Charles Warburton, NBC production director, has been loaned by that network to the Canadian Broadcasting Corp. for an indefinite period and will be working in the production of Shakespearean programs.

Three Stations Get INS

International Broadcasting Corp. for WOW-WBIL, New York, and WFEN, Philadelphia, has signed for International News Service. The INS coverage will augment the present news broadcasts of those stations.

WOMA Will Be on CBS

OMAHA, Oct. 4.—Sponsored for the first time by a radio station, "WOMA's annual food show" will be broadcast over 40,000 in a week at the city auditorium. WOMA gave the show a lot of advance publicity and had Irene Rich here two nights.

The nightly show also included Carl "Deacon" Moore and his band, Jack Baker, Marge Hudson and Mun- son Crompton. The studio band han- dled afternoon shows.

Open CBS Show Tonight

"The Curtain Rises," a new dramatic series in which will appear such players as Barbara Stanwyck, Henry Fonda, Robert Benchley, Irene Boh- ron and Edward G. Robinson, will begin over CBS tonight from 9 to 9:30 P.M., and Wednesdays thereafter at that time. The program will give a glimpse behind the scenes of the major amusement industries, motion pictures, stage and radio. The pro- gram originated in New York and Hollywood.
Admission Tax
For Year Tops
$20,800,000

Over Million Above 1937
Total, Report Shocks

WASHINGTON, Oct. 5.—Admission
taxes collected by the Government
during the fiscal year ended June 30,
last, topped $20,800,000, according to the
Internal Revenue Bureau.

The year's collections of $20,800,
799.49 compared with $19,740,191.78
during the fiscal year 1937, with every
class except admissions to roof gar
dens and cabaret showing a improve
ment.

Of major interest were the taxes
collected on box-office admissions,
which increased from 317.99,491.9 to
199,491.99 during the year recently ended. Other in
creases reported were in taxes on free
(Continued on page 10)

G. N. to Open Three
New Exchanges Soon

Grand National will open three new
exchanges immediately, bringing its
total of distribution branches to 32. Ed
P. O. A. executive general sales
manager, said yesterday on his arrival
here from Chicago.

The new offices will be opened in
Memphis, Oklahoma City and Butte.
Their personnel will be appointed by the
district managers in charge of each
territory, completing the initial sales
setup.

New assignments of branch man
agers were made known yesterday by
Mr. Alperon. William Crystal has
been transferred from the Omaha
branch to Minneapolis; Glen Gregory
going from Minneapolis to Denver, and
Bradley Fish from Denver to San
Francisco, filling a vacancy there.
William Henelten has been appointed
(Continued on page 10)

Actors' Guild Agrees
To Control Members

Hollywood, Oct. 5.—For what is
believed the first time in the history of
the film industry, a labor organiza
tion's holding a collective bargaining
contract with producers has taken
upon itself the discipline of its mem
bers who might cause loss of money to
their employers.

This was disclosed today in the new
eight-year contract negotiated by the
Screen Actors' Guild with producers,
which will go into effect Nov. 1.

If a player is late for work and
causes overtime to be paid to princi
pants, the Guild will award a fine.

T. A. Edison’s Vitavscope
First in Film and
Radio News
Brief Accurate
and Impartial

NEW YORK, THURSDAY, OCTOBER 6, 1938

TRADE ADJUSTMENTS
ASSURED EXHIBITORS

"Definite Assurance"

The complete statement issued yesterday by Ed Kuykendall,
M. P. T. O. A. president, disclosing that the distributors' negotia
ting committee headed by Sidney R. Kent has given exhibitors definite assur
ances that "definite adjustments in trade practices will be made this
month," follows:

"Motion Picture Theatre Owners of America's long, hard fight
gainst the Big Five has brought about by those seeking credits rather
than sincerity of purpose is finally bringing about definite results to replace
idle chatter. The M. P. T. O. A. committee, which has been meeting with
various major distributors in the past few weeks, has definitely
agreed to enter into negotiations with the distributors out
of which will come definite adjustments in trade practices.

"We have the assurance of Sidney R. Kent of 20th Century-Fox
and William F. Rodgers of M-G-M, who represent the distributors' com
mittee, that negotiations will take place at the earliest possible date con
sidering other large groups of interested parties to come to New York.

"M. P. T. O. A. invites the representatives of all units, regardless of
affiliation, to sit in with us for a discussion of common problems, and
whether they sit with us or not we hope they will attend these confer
ences. We are seeking results. Let credits fall where they may.

"The motion picture industry as a whole knows that M. P. T. O. A.
has made a constructive fight for fair trade practices under the heading of
our 'Ten Point Plan' and there has been no real reason for the delay
(Continued on page 2)

Tablet Honors Edison and
History Gets Another Jolt

By AL FINESTONE

Henry Ford, a close friend of
Thomas Alva Edison, is credited with
having suggested, for the record, that
history is the bunk.

Some history sure is, it was noted by
industry historians yesterday as they
perused the bronze tablet affixed on
the 34th St. side of Macy's and
dedicated with appropriate oratory by
Will H. Hays and others Tuesday
morning as marking the site of Koster
& Bial's music hall where, 43 years
ago, films were shown to the first pay
ing audience.

The tablet commemorates the fact
and also that "Thomas A. Edison with
the Vitavscope first projected a mov
ing picture" on the spot.

There it is—for the ages. And
everything seems to be in order, ex
cept for one or two stubborn facts.
The Vitavscope was the invention of
Thomas Armat, who still operates a
laboratory in Washington. Mr. Armat
was in the projection booth on that
memorable night of April 23, 1896,
when "The Buffalo Express" was
screened to a silk-battled audience as
a unit of Koster & Bial's vaudeville
show. Mr. Armat's Vitavscope was
manufactured at the Edison plant and
Edison film was used. Mr. Edison was
in a box at the show.

The neglect of recognition for Mr.
Armat, it seems, came about this way:
The Motion Pictures' Greatest Year
campaign committee, seeking historical
accuracy for the commemoration, con
sulted with Terry Ramsaye, editor of
Motion Picture Herald, historian of the
motion picture and a friend in the con
fidence of Thomas Edison.

By painstaking research, Mr. Ram
saye has long since been able to clear
away the fog of conflicting claims
which surrounded the invention of
the motion picture mechanism. While Mr.
Edison is the undisputed inventor of
the camera, Mr. Ramsaye has proved
(Continued on page 10)

Kent, Rodgers Promise
Program—Leaders
To Convene Here

A program of self-regulation of
trade practices covering "decisive
adjustments of exhibitors' basic
contracts will be negotiated by a na
tional exhibitor committee within
the next two or three weeks by the
distributors' negotiating committee
of which Sidney R. Kent is chair
man.

This was revealed yesterday by Ed
Kuykendall, M. P. T. O. A. presi
dent, following conferences with Mr.
Kent and William P. Rodgers, tem
orary chairman of the committee.

In a statement issued following the
conference, Mr. Kuykendall said that the
M. P. T. O. A. was not claiming cred
it for the distributors' action and
revealed that representatives of all and sundry organization
affiliations are being asked to participate in a preliminary meeting to be held
here this week in order to give the repre
sentative views on the trade reforms
believed to be most necessary. Follow
ing the preliminary meeting the exhibitors will convey with the dis
tributors' negotiating committee to bear its proposals for self-regulation
and to negotiate further with the com
mittee, if that is necessary.

While no official statement was
issued by the distributors' negotiating
committee, usually well informed
sources appeared confident that the
program which has been evolved for
presentation to the exhibitors will in
clude major adjustments of important
and immediate benefit to all exhibitors.

The opinion available is that the distri
bution quarters was that the negoti
ating committee is prepared to agree
to the establishment of some concilia
tion boards which will be empowered
(Continued on page 2)

Pinanski Reelected
By Allied of Mass.

BOSTON, Oct. 5.—Samuel Pinanski
of M. P. B. Theatres has been reelected
president of Allied Theatres of Mass
achusetts, Inc., for a third term. John
D. Devlin of Loew's Theatres has
been reelected vice-president, with
Stanley Sumner as treasurer and
John H. Brennan as secretary.

The new board of directors includes
Charles W. Koerner and Ben Domingo
of RKO Theatres, H. M. Addison and
George J. Jones of Loew's, J. J.
(Continued on page 10)
in bringing them together. Now our dreams are coming true and we will get results.

"Naturally the discussions will be around our 20 per cent cancellation demands, conciliation boards, abolition of score charges and designated territories. There will only be more problems to work out."

"Meetings will be within the month of October. As soon as definite dates are set representatives of M.P.T.O. units will be in New York for the discussions and again we invite representatives of any other units to sit in with us.

"We might send industry problems can be worked out within the industry if interested parties are sincere in their efforts and of course the results of these meetings will decide to a great extent the action of the M.P.T.O. convention at Oklahoma City, Oct. 30 to Nov. 2, inclusive."

**Purely Personal**

S. A. Lynch, who arrived in New York from an extended European visit this week, will remain here till the middle of the month before leaving for Miami.

Y. Frank Freeman, Paramount theatre head, will be back in New York tomorrow from Chicago.

**Stockholders File Loew Delaware Suit**

WILMINGTON, Oct. 5—Three Wilmington stockholders filed a suit in Chancery Court here today charging excessive compensation, including fixed and percentage payments and stock totals, are provided for under contracts by Loew's, Inc., with various executives and others to the detriment of stockholders.


Edgar F. Stiner, Hana W. Goldstein and Louis Susman are the complaining stockholders. Chancellor Josiah O. Wolcott named Albert L. Massey as sequester to sequester 1,000 shares of stock each of Harry C. Mayer and Mr. Schenck and 500 shares of Arthur M. Loew and the Irving Thalberg estate executors to ensure their appearance in the suit. Defendants are to appear Nov. 12.

**Carroll's Hollywood Restaurant Started**

Hollywood, Oct. 5—Construction of Earl Carroll's theatre-restaurant, opposite the new CBS and the new NBC headquarters on Sunset Blvd., is complete and opening date set for Christmas night.


**MGM Signs Harman, Ising for Cartoons**

Hollywood, Oct. 5—M. G. M. today signed Hugh Harman and Rudolph Ising, as individual cartoon producers, for seven-year contracts calling for each to produce nine one-reel cartoons annually, in Technicolor. The eight productions are to be in addition to an indefinite number to be made under the supervision of Milt Gross.

The deal was signed by Fred Quimby, in charge of shorts for M. G. M., and Mr. Harman and Mr. Ising. Mr. Quimby will be left in charge of the department, and the two will report to the company.

**Ten Points in MPTO Plan Up Since '36**

The M. P. T. O.'s 10-point trade practice program, originally proposed to the industry, and everything likely to be covered in the new plan for self-regulation of trade practices which will be completed this fall, will include the six meetings with the distributors' negotiating committee headed by Sidney R. Waldorf.

The basic points in the M. P. T. O. program are: (1) an unrestricted 20 per cent cancellation right; (2) establishment of local conciliation boards for the adjudication of exhibitor-distributor complaints; (3) elimination of the score charge; (4) a ban on forcing the sale of shorts with features; (5) elimination of designated play dates; (6) a prohibition on over-buying of product; (7) a correction of "unfair, discriminatory and restrictive" practices; (8) adoption of a short form of exhibition licensing agreement; (9) a curb on cut-rate competition between theatres, and (10) a curb on non-theatrical competition.

The major phases of the program, and the method by which, it is believed, any acceptable industry-wide agreement, can be reached, are the cancellation, score charge and conciliation board issues. The local board negotiations will be "the answer to the other seven points."

**"Trapee" to Open House**

The new Irish Theatre at 47th St. and Sixth Ave. will open Oct. 21 with "The Rose of Tralee."

**Gable for British Film**

Lonox, Oct. 5—Gabriel Pascal stated here today that Clark Gable will have a major role in "The Devil's Playground" which will go into production at the Pinewood Studios early next year.

**Remodel Waldorf Theatre**

Irvin Shapiro, general manager of World Pictures, Myron Robinson and A. S. Mossbach have taken over the Waldorf Theatre and are remodeling it.
570 pages of new hit-show history are written here!

First, a best-seller record-setter. Now, as great a love drama as the screen has yet offered... That's the way WARNER BROS. filmed it!
Think what it will mean when you tell the Biggest Ready Reader-Audience since ‘Adverse’ and ‘Robin Hood’ that

WARNERS tell them first with the broadest magazine advertising drive of this year! Follow it up—no attraction ever was worth more!
ERROL
Flynn
and
BETTE
Davis
Are Together

In That Story Sensation Indelibly Implanted In The Memory Of The World

"The SISTERS"

with ANITA LOUISE • IAN HUNTER • DONALD CRISP
BEULAH BONDI • JANE BRYAN • ALAN HALE • DICK FORAN
HENRY TRAVERS • PATRIC KNOWLES

An ANATOLE LITVAK PRODUCTION
From the Novel by MYRON BRINIG • Screen Play by Milton Kirms • Music by Max Steiner
Wisconsin Musicians Want Film Music Cut

MILWAUKEE, Oct. 5.—The Wisconsin Musicians' Association at its semi-annual convention here voted approval of the theory that Hollywood should restore orchestras in theaters by eliminating incidental music from films and adopted a new form of standard contract which exempts orchestra leaders from obligations of employers, except conductors of name bands, who engage their musicians on an annual basis.

All officers of the group, which met at the headquarters of the Milwaukee Musicians' Association, were re-elected as follows: President, John F. Rubble; St. Francis (1-100) (15c-35c-40c-55c-75c) 7 days, gross. $16,000. (Average, $1,900).

"Three Loves Has Nancy" (M-G-M)

PARAMOUNT—(7-40) (15c-35c-40c-55c-75c) 7 days, 2nd week. Gross: $16,000. (Average, $1,900).

"Valley of the Giants" (W. B.)

FOX—(G) (15c-35c-40c-55c-75c) 7 days, gross. $7,400. (Average, $1,050).

"I Am the Law" (Col.)

FRENCH EYES—(Univ.) ORPHEUM—(G) (15c-35c-40c-55c-75c) 7 days, gross. $7,400. (Average, $1,050).

"Four Daughters" (W. B.)

The Hippies—Paramount (Rubble) ST. FRANCIS—(1-100) (15c-35c-40c-55c-75c) 7 days, gross. $16,000. (Average, $1,900).

"The People vs. Hiram" (Warfield–Clay)—(200) (15c-35c-40c-55c-75c) 7 days, gross. $14,500. (Average, $2,000).

"Life With Father of Beverly Hills" (World)

CLAY—(400) (15c-35c-40c-55c-75c) 7 days, gross. $9,000. (Average, $1,300).

Hollywood Preview

"Vacation from Love" (M-G-M)

Hollywood, Oct. 5.—Romance, given farce comedy treatment, is the entertaining substance of each other annually. Love, Dennis O'Keefe and Florence Rice create an interesting pair of characters in the lead roles. Reginald Owen's oral and action antics are the source of many laughs. As a romantic rival for the bride's affections, Truman Bradley makes a good sparring partner for O'Keefe. June Knight, Edward S. Brophy, Tom Rutherford, Andrew Toomes, Herman Bing, George Zucco and Paul Porcasi contribute bits which enliven the proceedings.

The original screenplay by Patterson McNutt and Harlan Ware is an hilarious mixture of glib dialogue, amusing situations and characterizations. George Fitzmaurice's direction keeps things moving at a speedy pace with his handling of the comedy. O'Keefe is a divorce that failed episode, rating high as an exploitation feature.

Busting up her wedding to Rutherford, because he objects to the bridegroom's qualifications as a husband, O'Keefe eventually marries Miss Rice, much to Owen's anger and chagrin. Their married life is marred by their lack of understanding until Owen begins to suspect that O'Keefe, rather than paying attention to business, is doing a little philandering. As women do, she convinces herself that her fears are real. O'Keefe, chucking up business and marriage, embarks for Europe and some weeks later meets Miss Rice in Paris. He wants a divorce and O'Keefe is determined to give her reason for all her accusations. But in so doing the pair fall in love again. A French divorce court is turned into bedlam as the pair determine to love honor and obey all over again with periodic vacations from each other annually in which to have fun.

Light, frothy and breezy, "Vacation From Love" is constructed to amuse those in a mood for having fun.

Running time, 65 minutes. "G."
MOANIN' MOUNTAIN MUSIC-EARTHY HUMOR!

WEAVER BROTHERS AND ELVIRY

DOWN IN 'ARKANSAW'

RALPH BYRD
JUNE STOREY - PINKY TOMLIN
Directed by NICK GRINDE
Associated Producer ARMAND SCHAEFER
Republic
THESE EXHIBITORS
RECORDS BROKEN!

Plan now for extra playing time! It's duplicating everywhere that smash 3-week Radio City Music Hall record!

★ LOS ANGELES
Broke all-time Saturday and Sunday records for day-and-date in RKO-Hillstreet and Pantages! Naturally, HELD OVER!

★ SPRINGFIELD, ILL.
All existing box-office and attendance records Senate Theatre smashed! Assured EXTENDED RUN!

★ SEATTLE
Looks like big 10 to 15 weeks at the crowd-jammed Liberty Theatre!

★ PITTSBURGH
Business terrific! EXTENDED RUN sure at the Harris Alvin Theatre!

★ BRIDGEPORT
Smash grosses at Palace mean EXTENDED RUN, of course!

★ HOUSTON
Business at Majestic Theatre better even than "Horizon", "Deeds", "It Happened One Night" or "The Awful Truth"!

★ CLEVELAND
Hippodrome joins the HOLDOVER ranks with phenomenal business!

★ WASHINGTON
Day-and-date at Earle and Ambassador tremendous! BIG HOLDOVER!

★ OMAHA
Far above "Lost Horizon" at the Brandeis...another HOLDOVER!

★ BUFFALO
Audience reaction at Lafayette unparalleled in history this city! HOLDOVER!
WILL TELL YOU!...

HOLDOVERS EVERYWHERE!

Whether your town's big or small, you can count on real HOLDOVER business, and audiences going wild over it!

★ CINCINNATI
Beating "Horizon" business all hollow!
A HOLDOVER at the Shubert...!

★ NEW HAVEN
Palace Theatre business socko! Sure EXTENDED RUN!

★ MEMPHIS
HELD OVER at the Malco! Box-office receipts zooming for new records!

★ ERIE
HOLDOVER at Colonial Theatre following big grosses, enthusiasm!

★ BALTIMORE
Sensational box-office success at the Hippodrome means HOLDOVER!

★ HITTING BOX-OFFICE HIGHS:
* ALBANY — Palace; * UTICA — Olympic; * MIAMI — Lincoln; * NASHVILLE — Vendome; * PORTLAND, Me. — Strand; * NIAGARA FALLS — Cataract; * ROCHESTER — Rochester; * SYRACUSE — State; * HUNTINGTON — Palace; * AKRON — Palace; * CANTON — Palace; * TOLEDO — Rivoli; * YOUNGSTOWN — Palace; * FT. WAYNE — Embold; * TERRE HAUTE — Orpheum; * LITTLE ROCK — Pulaski; * KANSAS CITY, Mo. — Midland; * LA CROSSE, Wis. — Rivoli; * MERIDEN — Palace; * STAMFORD — Palace; * JOHNSTOWN — Embassy; * CLARKSBURG — Robinson Grand; * NEW CASTLE — Regent; * BOISE — Rialto; * ROANOKE — Grandin; * FT. JERVIS — Strand; * MORRISTOWN, N. J. — Community; * ASBURY PARK — Mayfair; * PERTH AMBOY — Majestic; * KINGSTON — Broadway; * NEWBURGH — Broadway; * POUGHKEEPSIE — Julliet and Bardavon; * MIDDLETOWN, N. Y. — Paramount; * ST. GEORGE, S. L. — St. George.

Frank Capra's
YOU CAN'T TAKE IT WITH YOU

ARThUR • BARRYMORE • STEWART • ARNOLD
MISCHA Auer • ANN MILLER • Spring Byington • Samuel S. Hinds • Donald Meek • H. B. Warner • Based on the Pulitzer Prize Play by George S. Kaufman and Moss Hart
Screen play by Robert Riskin • Directed by FRANK CAPRA
G.N. to Open Three New Exchanges Soon

Cleveland branch manager, succeeding Peter Rosian, who has been made New York branch manager.

The company's first four releases are in the exchanges and three additional pictures have been completed, Mr. Alperton reported. The pictures will be released 10 days immediately following the second sales meeting which will open at the Wrigley Theatre here on Monday night. The poster campaign, which covered all points of the country, was conducted on the London Theatre, next Wednesday to close a deal there for the company's British representation.

Seek Clubs' Cooperation

ALBANY, Oct. 5.—The publicity committee for Motion Pictures' Greatest Week is continuing its tour of the city, club, civic organization and service outfit. Members of the clubs will be urged to enter the contest in a group, with the club, if any, be donated to a worthy project sponsored by that particular organization. Several clubs, interested, have agreed to function as a unit.

Promised assistance in the line of trolley car and bus placards was forthcoming this week, with it scheduled to be renewed in a series of brief talks on the purposes of the drive.

London Injunction Sought on "Drums"

LONDON, Oct. 5.—Sam Smith of Anglo Canadian Distributors today applied for an injunction to restrain London Films from exhibiting and distributing "Drums" in Canada. The action was postponed for hearing Oct. 12.

Mr. Smith alleged Anglo Canadian had an arrangement with London Films whereby it granted exclusive license to handle its films in Canada, whereas London Films had passed "Drums" over to U.A. and it was advertised to be shown the week of Sept. 20. Charles Russell, attorney for London Films, declared that London had no authority to distribute in Canada.

Eighth Drive Short Goes Out Next Week

The eighth of a series of trailers on Motion Pictures' Greatest Year and the "Movie Quiz" prize contest is to be shipped to exchanges next week, campaigners headquarters reported yesterday.

The new trailer is in production at National Screen Service and features Lew Lehr. It will be seasonal in its presentation of sports, according to the producers.
WASHINGTON, Oct. 5.—The Federal Communications Commission has opened examiners’ hearings on a number of applications, including requests for construction permits for new stations, as follows: John F. Nolan, Steenbleville, O., to operate a 1,310-kilowatt station, day only; Lawrence J. Heller, Washington, to operate on 1,310 kilowatts, day only; William H. Bates, Jr., Modesto, Cal., 740 kilowatts, 250 watts, day only; Winfield A. Schauster, Worcester, 1,200 kilowatts, 100 watts; Thomas W. Frink, at the dinner hall, 740 kilowatts, 250 watts, day only; Kingdom Broadcasting Corp., Kingston, Ont., 1,310 kilowatts, 100 watts, day only; Richland, Inc., Mansfield, O., 1,370 kilowatts, 250 watts, day only, and Edwin A. Kraut, Fairbanks, Alaska, 610 kilowatts, 1,000 watts.

Other applications to be heard include: the application of WTV in Mont, for increase of night power from 1,000 to 5,000 watts; KGNO, Dodge City, for increase of power from 250 to 500 watts; WEDC, Chicago, for increase in day power from 100 to 250 watts, and WPG, Antanta, for operation in New York, and in increase of time of operation from specified hours to unlimited.

The commission has received reports from examiners recommending the granting of applications of the Asheville Daily News for a 1,270-kilowatt, 100-watt station at Asheville, N. C., and WMFD, Wilmington, for increase of hours, 100 watts, day only, and for increase of night power from 100 to 250 watts. An examiner’s report also was received recommending dismissal with prejudice of the application of WHIF, Kosciusko, Miss., for renewal of license.

Karlo Goes to St. Louis
John J. Karol, director of market research for CBS, will leave tonight for St. Louis where he is scheduled to deliver two addresses. The first will be tomorrow before the St. Louis Chapter of Kiwanis on “How Many Listen and How Do We Know?” The second will be Friday at the dinner of the Association of Manufacturers’ Representatives on “Measuring the Radio Audience.”

Add 3 “Ranger” Stations
“The Lone Ranger,” Mutual series, will be heard over three additional stations of the network starting Oct. 31 under the sponsorship of the Coca-Cola Com- pany, makers of Dr. West Toothpaste. The stations are WAAAB, Bos- ton; WIEC, Providence, and WKBW, Buffalo.

Pryor on Mutual Wire
Roger Pryor, who opens a limited engagement at the Roosevelt Grill tonight, will have a wire over Mutual Wire.sets Mondays and Thursdays from 11:30 to 12 midnight.

Williams Renewes on WEFJ for 13 Weeks
The J. B. Williams Co., sponsoring Bob Howard Thursdays on WEFJ, has renewed the program for 13 weeks, beginning Oct. 20. Martin C. Williams Co. will return “Betty and Bob” on NBC for one year starting Nov. 1, and re-produce the show thereafter on Tuesdays from 9:30 to 9:45 P. M. The program in behalf of True Story Magazine, will offer dramatizations of stories appearing in that magazine. Bernarr Mac- Fadden, publisher, will appear in the first broadcast. The Arthur Kudner agency handles the account.

Europe Crisis Stirs Short Wave Set Sale
The vast interest in short-wave reception engendered by the European crisis is being reflected by rapidly increasing sale of sets with short-wave attachments of WGBH, the new vice-president of the Radio Manufacturers’ Association.

Mr. Gedes estimates that there are approximately 14,000,000 receiving sets now in American homes with short-wave attachments capable of receiving programs of WGBH. He also states that about 2,500,000 such sets will be purchased annually from now on.

Sign Two Sports Writers
Pittsburgh, Oct. 5.—The Du- quense Brewing Co. has just signed two sports writers, Ralph Smith of the Press and Al Abrams of the Post-Gazette, for football radio shows throughout the gridiron season. This will be the first WJAS three times weekly for 15 minutes while Abrams is to do one half-hour program, as- sisted by Howard Baum’s orchestra and Joe Tucker every Friday night on WWSW.

WOTG Gets New Musical
A new musical program on WOTG will be televised on the WOTG-WBZA. Mr. Evans has handled sports and special events for three years, a year or two years ago to that, he was a sports columnist on a Cleveland paper for two years.

Gross in a New Series
Walter Gross, CBS composer-pianist, will be featured as conductor and soloist in a new series titled “Accent on Music,” with Nan Wynn co-fea- tured. Beginning Oct. 15, this series will be offered Sundays from 5 to 5:30 P. M. Al Rinker will produce the series.

Thornley Joins Wacey
George H. Thornley has become as- sociated with the Erwin, Wacey agency with headquarters in New York City, according to L. R. Wacey, president of the company.

“Colossal Modesty”
Hollywood, Oct. 5.—“Pre- sented to NBC and Don E. Gilman for colossal modesty in premiering NBC’s Hollywood Radio City without Hollywood fanfare, Kit- lights, pretty girls and vice-president’s speeches,” reads the plaque presented here yesterday by NBC Vice-Presi- dent Gilman by the Scotch Treat Clan of the Authors’ Club Oct. 1. Presentation was in the outcome of a decision recently announced by the network to open the new radio studios quietly and without fuss.

Set Talk by Deyke
Over CBS-N.Y. Web
New York State Republican Wom- en’s Committee will talk over the New York State Republican Gubernatorial candidate Thomas E. Dewey over weekdays; a campaign talk by New York stations to the CBS network tomorrow from 2:30 to 2:45 P. M. The stations are WABC, New York; WOKO, Albany, WIBX, Binghamton; WLIW, Elmira; KMWL, Rochester; WBFL, Syracuse; WNBF, Binghamton, and WGR-WKBW, Buf- falo.

Doelger Signs Ellington
Peter Doelger Brewing Co., whose local program on WJZ starts today, has signed Jean Ellington as the feature of the City Marching Band. The band will be a quartet. Two-minute sketches, consisting of dramatizations of suggestions submitted by listeners, also will be presented as a regular feature of the series. The Ray McCarthy agency handles the account.

Two Programs to KJSO
San Francisco, Oct. 5.—“I Want a Dragon” and “The Night Earth” during Pacific Coast network programs, will switch to KJSO and the Pacific Coast CBS. The program sponsored by Sussman & Wormser Fine Foods, Inc., is an original drama series. Cardinet Candy Co. sponsors “Night Earth,” which features original stories.

Miss O’Connell Shifts
Fort Dix, Oct. 5.—Miss O’Connell has been transferred to the WACC-TV, Atlantic City, from the WJZ network, New York.

Miss O’Connell Shifts
Philadelphia, Oct. 5.—Miss O’Connell has been transferred to the WACC-TV, Atlantic City, from the WJZ network, New York.

WCCO Extends Schedule
Minneapolis, Oct. 5.—WCCO has added three hours weekly to its broadcasting schedule. The station for- merly signed off at midnight. It will continue to do so on Sundays, but will remain on the air Mondays through Fridays until 12:30 A. M., Saturdays until 1 A. M.

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Fisher Given Two Aides
Sterling Fisher, CBS director of Talks and Education, will have as his assistants on talk Helen Sioussat, and a consultant on education, Leon Levine, according to an announcement at CBS yesterday.

“Night Editor,” Hal Burdick’s one- man program of a newspaper office which has been on NBC’s coast net since September, 1934, will switch to KNX and the CBS Pacific chain for 52 weeks, starting Oct. 16. Other KNX-CBS series: North- American Accident Insurance Co., of Newark, will sponsor for 13 weeks Knox Manning’s news broadcasts on KNX. KNX and the coast network will take “I Want a Divorce,” sponsored by S. & W. Fine Foods, for 52 weeks, starting Oct. 16. This is another switch from the NBC coast net. Emil Brissacher and staff of San Francisco negotiated the deal. “Conver- sation,” the man title for Frolov’s “The Art of Conversation,” a no-script discussion show, has started again on the coast network as a sustaining program. “White Fires,” with one more elaborate production setup, will return to the air Oct. 12. Hector Cheyney is writing the dramatizations of famous lives, while Jon Stolz returns from a vacation.

Chicago
Virginia Payne, back from a trip to Cincinnati, adds a new role to her program. Her “On the Other Side of the Fence, Inc.,”... Anne Seymour, after a seri- ous tussle with an infected eye, is again up and around attending to her acting duties at NBC... Fritz Blocki, local showman, who also does considerable radio work, is producing “Cap- tain Midnight,” a CBS show sponsored by Skelly Oil Co.

WBWM “scopied” other stations with their half that broadcasts it made in transcription form at the various Big Ten schools. Hal Burnett was in charge... Richard Gardner is in charge of the John Blair Co’s station promotion activities.

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"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

Introducing the screen's newest sensation.
DYLWYN THOMAS
the boy soprano, singing
"MOTHER MACHREE"
"DANNY BOY"

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"

THE GANG Directed by ALFRED GOULDING

Distributed by RECORD PICTURES CORP.
1501 BROADWAY • FRED. MC CONNELL, PRESIDENT • NEW YORK, N.Y.
U. S. May Pass Foreign Films Under New Law

Propaganda Act Requires Agents to Register

WASHINGTON, Oct. 6.—Foreign films may come within the scrutiny of the State Department under the terms of the new propaganda law by which agents of any foreign unit will be required to register. The 30-day period allowed for registration of agents expired tonight and the department is preparing for administration of the act. Its terms are so broad that practically every American representative of any foreign concern will have to obtain specific permission to whether he is required to register.

It was explained informally at the department that if someone in this country, acting as an agent for a producing company, is bringing in foreign films and circulating them in the United States, he must register unless he can show that the picture is purely educational, scientific or religious in character.

Hicks Takes Over Duties of Graham

By AUBREY FLANAGAN
London, Oct. 6.—John W. Hicks, Jr., vice-president of Paramount in charge of foreign activities, now here, has assumed immediate charge of the affairs of Paramount and its associated companies in England, following the resignation of John Cecil Graham, for many years managing director of Paramount in Great Britain.

Mr. Hicks has given no indication of when he will name a successor to Mr. Graham, and it is not known whether he will do so at a press conference he has scheduled for tomorrow. The fact that he has assumed Mr. Graham’s duties was led to the belief that he may not name a successor for some time.

Warners Plan 20-22 Films in England

A total of 20 or 22 films will be made by Warners at its Toddington studios in England during 1938-39, according to Jack L. Warner, vice-president in charge of production, who sailed yesterday on the Queen Mary.

This is a considerable increase over the 1937-38 schedule of 15 pictures, made at a cost of $2,000,000. The current- 

Adjusted Points

A solution for the problem of “undue theatre expansion” is unique among the subjects heard by Allied States Association to be essential to the formulation of an industry plan of self-regulation. Allied’s program, listing this and eight other trade practice problems, was set forth by Abram F. Myers, chairman of the board, before the I.T.O. of Ohio last Dec. 7.

As Myers has received assurances, he said yesterday, that the distributors’ negotiating committee of which Sidney R. Kent is chairman, stands authorized to treat with Allied’s representatives Oct. 19 on all nine points. As outlined by him at the Ohio convention they were: (1) compulsory block booking; (2) unreasonable protection; (3) undue theatre expansion; (4) the “right to buy”; (5) contract revision; (6) designated playdates; (7) unfair allocations; (8) non-delivery of pictures, and (9) radio competition.

Monogram’s Sales Gain 43% in Year

Monogram has closed new season product deals with 4,000 theatres for the date, representing an average increase of 43 1/2 per cent over last year’s sales. The release schedule includes 896 new accounts on the company’s books. The basis of the report the company is expected to reach the $6,345,000 sales quota which was set by Mr. Johnston and company sales executives last spring.

As a result of the showing to date, Mr. Johnston advised the home office.

First from G. N. to Be Released Oct. 14

Grand National will release its first production on Oct. 14. The release schedule of the company which will be announced tentatively to the company’s sales convention here over the weekend, calls for a feature picture each week thereafter.

The initial film is titled “Shadows Over Shanghai.”

ALLIED TO JOIN IN TRADE TALKS IF BOARD APPROVES

Will Insist, However, on Negotiations Separate from MPTOA and Covering Points Raised at Ohio Meet

The board of directors of Allied States Association will meet in New York Oct. 17 to consider and act on the plan for self-regulation of trade practices which has been proposed by the major distributors’ negotiating committee, of which Sidney R. Kent is chairman, and if the board approves, will then designate a committee to carry on separate negotiations with the distributors’ group. Allied insists that its negotiations be conducted “separate and apart from those with any other group.”

This procedure was decided upon yesterday by Abram F. Myers, chairman of the allied board, and Nathan Yamin, president, following conferences with Walter F. Rodgers, acting chairman of the distributors’ committee.

Meanwhile, Mr. Rodgers designated Oct. 19 as the date on which the distributors’ committee will begin separate negotiating meetings with the MPTOA and Allied committees on the specific provisions of a trade practice program. Mr. Rodgers also wired invitations to the heads of the eight regional exhibitor organizations throughout the country which are not affiliated with either national exhibitor organization to appoint committees to meet with the distributors’ group on any date commencing Oct. 19 to discuss their views of what should be done.

Rodgers Asks 8 Regions to Negotiate

Eight regional exhibitor organizations which are not affiliated with either of the national organizations, M. P. T. O. A. and Allied States, were invited by William F. Rodgers yesterday to send representatives to New York on or after Oct. 19 to negotiate with the distributors’ committee of which he is acting chairman on the forthcoming plan for self-regulation of trade practices.

The invitations were addressed to Albert A. Galston of J. I. O. of Southern California; S. J. Hyman of West Virginia Managers Association; Fred J. Dolle, M. P. T. O. of Kentucky; A. P. Archer, Theatre Owners and Managers of the Rocky Mountain Region; Leo F. Wollcott, Allied Theatre Owners, Inc., Iowa; Harry Brandt, I. T. O. A., New York; Guy E. Matthews, Allied Theatres of Oregon, and William F. Crockett, M. P. T. O. of Virginia.

Following is Mr. Rodgers’ communication to the regional exhibitor officials:

“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 trade differences and disputes can be adjusted.

Building Planned Atop the Center

Plans by Rockefeller Center, Inc., to erect an office building partly atop the Center Theatre at 49th St. and Sixth Ave., disclosed yesterday, set at rest rumors which have been recurring for about four years that the theatre will be razed.

The structure, as planned, will be equal in height to the 31-story RKO building, but architecturally similar to the neighboring Time and Life Bldg.

When it is completed, in May, 1940, the Rockefellers will have completed its midtown building development, which will comprise 14 units.

Construction of the skyscraper will start next fall. It will be on the site of Sixth Ave. property, between 48th and 49th Sts., purchased by the Rocke-

(Continued on page 3)

(Continued on page 6)
Insiders’ Outlook

THAT the discussion of industry problems about to take place may be started without any reservation or concern ever became increasingly apparent yesterday after Abram F. Myers, Allied general counsel, had issued a statement covering his conference with William F. Rodgers, M-G-M sales manager, who is acting as spokesman for the distributors’ negotiating committee.

Allied will refuse to join conferences already arranged between the distributors and the M.P.T.O.A. and will insist upon a discussion of all the issues outlined by Mr. Myers last December before the Ohio Independent Theatre Owners’ Association. These issues include all the well known M.P.T.O.A. ten points plus its objections to circuit expansion and a number of other industry practices, all of which are covered in the Department of Justice bill of complaint in the anti-trust suit.

Independent exhibitor organizations can also insist upon separate dates for conferences, if they wish, under the terms of an invitation telegraphed yesterday by Mr. Rodgers to eight of these organizations.

It is obvious that distributors have decided to forget the objections of counsel to joint action in the hope that an industry-wide agreement can be reached which will be acceptable to the Department of Justice.

Allied has long maintained that the industry is very close to a public interest. The backbone of its legislative attack is this theory.

Yesterday in an informal conversation Mr. Myers advanced a suggestion that it might be possible to dramatize the situation and clear up the entire problem of trade practices by placing before some of the distinguished individuals not intimately associated with the industry who could act as an arbiter of the emergency, and who would influence the entire behavior of all exhibitors as well as the public at large.

Puriely Personal

E. V. KUYKENDALL, M. P. T. O. A. president, will leave for Columbus, Miss., home tomorrow and will go from there to Oklahoma City to complete arrangements for the M. P. T. O. A. conventions he expects to be back in New York Oct. 16.

Fredric March will not return to the Broadway stage in November, but instead will take a vacation in Bermuda with his family, following a short stay in New York.

William F. Rodgers, Loew’s general sales manager, left last night for New Orleans to be gone a week or 10 days.

Wesley Ruggles, the director, has rented an apartment in the Savoy-Plaza.

Stuart Erwin has taken a lease on an apartment in the Hotel Ambassador.

Frank Capra is in town, and is staying at the Towers of the Waldorf-Astoria.

Taplinger Flying Here

HOLLYWOOD, Oct. 6.—Bob Taplinger, Warner studio publicity head, will leave for the east tomorrow by Pan American Airways, will be in New York for two weeks of conferences at the home office.

Douglas Story to Par.

Paramount yesterday closed a deal with Lloyd C. Douglas for the film rights to his latest novel, “Disputed Passage.” The story appeared in the Cosmopolitan Magazine.
Allied Moves
To Join Trade
Practice Talk

(Continued from page 1)

should be contained in a trade practice
program.

Mr. Myers' statement, issued follow-
ing the meeting with Mr. Rodgers, dis-
closed that no agreement has been given as
with Mr. Rodgers with respect to prospec-
tive industry conferences to discuss trade
practices.

"We were assured by Mr. Rodgers
that the distributors' committee stands
authorized and prepared to treat with a
committee of Allied in respect of the
numerous proposals which Allied States
Association has advanced from time to
time. These proposals were summarized in
the address which I made before the Inde-
dependent Theatre Owners of Ohio last
year.

"Indeed, we have had the impression
that the scope of the discussions would be
as broad as the problems involved in the
sale and distribution of films, and would
not be limited to the program of any par-
ticular exhibitor group. Mr. Yas-
mins and I have deemed it necessary to
make this explanation to overcome the
possible bad effects of premature pub-
icity calculated to create the impres-
sion that negotiations have started. These
activities of any particular group or
was initiated as ballyhoo for a par-
ticular national concern.

"Following the resolution adopted
at the Allied convention in Pittsburgh
last May, a call will be issued for our
board of directors to meet in New
York on Oct. 17 to consider and act on
the plan which Mr. Rodgers outlined
to us today. If the board approves, a
committee will be named to carry on
the negotiations.

Touches Justice Dept. Proposals

"In order to avoid the difficulties
heretofore encountered when Allied
has attempted such negotiations in
company with the representatives of
affiliated theatres it is proposed that our
negotiations be conducted separate and
apart from those with any other
organization.

"Pending action by the Allied board,
Mr. Yaminis and I can go no farther
than to report that discussions have
notedly because of the good they must
do in creating the proper patriotic
action."

"It is something more than a sales
rally to put considerable emotion into
his remarks.

"The picture lives up to everything
he said about it. Even if it dealt with
nothing else, it is a picture of another
place in which American citi-
defs have only a vague interest, it
would be good enough.

"Some slight liberty has been taken
with history insofar as Roddy's ride
is concerned, but the 99 per cent of
audiences who can't remember more
than the three first paragraphs of
the Declaration of Independence will
find plenty of emotional conflict as well
as indoor and outdoor action presented by
an excellent cast. The direction is by Crane
Wil-
kinson, who directed most of the
Rosella Towne, Ted Osborne, Owen
King, Gordon Hart, Lionel Belmore
and Ferris Taylor. The running time
is 18 minutes.

"Drums" $88,000 in Week at Music Hall

"Drums" garnered $88,000 at the
Music Hall in the week ending last
night and is going a second week. Good
press notices and a strong cam-
paign centered around the cast of the
Sabi, star of the film, helped.

"Too Hot to Handle" gave the Cap-
tol, M-G-M, and may run three weeks.
The Roxy grossed $46,000 with
"Straight, Place and Show" and is
holding the film a second week, to
be followed Oct. 14 by "Suez."

The second week of "Room Service"
gave the Rivoli $32,500 and is sched-
uled to be followed by "You Take a
Flying Fling" Oct. 15.

London Sees Pygmalion

London, Oct. 6.—"Pygmalion"
opened here tonight at the Leiceste-
Square before a society audience.
"Carefree" will open at the New
Gallery shortly and "You Can't
Take It With You" will open soon at
the Gaumont Haymarket.

Gable Casting Denied

London, Oct. 6.—Sam Eckman,
M-G-M head in England, today de-
 nied reports that Clark Gable
would have a prominent role in 'The
Devil's Disciple,' which will be
produced early next year by Gabriel Pascal.

Sound Heads in Meet

Hollywood, Oct. 6.—Heads of ma-
ufacturers and industry depart-
tments today in a monthly dinner meet-
ing at the 20th Century-Fox studio under
the auspices of the Academy Research
Council.

Goodman Quits Standard

Orlando City, Oct. 6.—David
Goodman, manager of the Standard
at Midwest, has resigned and returned
To Altoona, Pa., his home town. E. A.
Patchen, advertising and publicity di-
rector for Standard, has been placed
in charge of the Midwest.

Rodgers Asks
8 Regions
To Negotiate

(Continued from page 1)
cated from within the confines of our
industry and for the further purpose of
eliminating the activities of distributors
and manufacturers as they control the
establishment of recognized practices.
We need and support your sup-
port and 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 committee repre-
senting both Mr. Crocker, O. A. and
Allied Theatres. We urge your at-
tendance and will appreciate your early
action towards the nomination of the
names of the committee authorized
to represent you at these conferences.

Warner's Independence Is Unique in Field of Shorts

By J. M. Jerauld

Warner has produced another in
the series of two-reel historical Techni-
color shorts. This is called The
Declaration of Independence Can't
Make A Fool of America.

Albert Warner and Norman H. Moray
have become so enthusiastic about it
that it is a piece of entertainment,
and they are promoting this
country's history that they
invited the press to a luncheon
and entertainment.

Mr. Moray delivered an informal
speech, pointing out that there was less
flag-waving than in the previous num-
bers, "Get Me Liberty," which is an
Academy Award, and "The Man
Without a Country," which won the
Golden Seal Award.

"We sincerely believe this series is
an important one, particularly so in
these troublous times when the na-
development of a new national
spirit is needed, and in my humble opinion,
these shorts should be played in every the-
atre in the country, first because of
their entertainment value, and sec-

Loew's in Partner Deal on Criterion

Loew's yesterday took over the Cri-
terion in an equal partnership
arrangement with B. S. Moss, who has
operated the house since its construction
by a previous owner. The company has
leased the property for 20 years with
an option for another 21 years.

Loew's has complete charge of the
operation, and it was said that the
present first run policy will continue.
The Criterion has had to contend it-
self with secondary product, and lastly
has been running Republic and
Paramount "shill" pictures. It is
probable that Loew's will play some of
its product first run at the Cri-
terion which has been run at the
Kiahto. The Capitol, however, remains
the current partner for the new house.
Mr. Moss built the theatre in associ-
ation with Harry Charnas, former-
ly with Loew's. Mr. Charnas with-
took the ÒexÓ service operation about a
year ago. The Criterion has 2,000 seats.

With the latest acquisition, Loew's
has now a total of 19 theatres in the
Metropolitan area. In addition to the
Capitol, in which Major Edward Bowes
and others are associated, there are the
State, May-
Fair, Rio, 83rd St. and 175th St.

Open Film in Emporia

Kansas City, Oct. 6.—"The
Arkansas Traveller," which is dedicated
to William Allen White, will be
given its Midwest premiere in the Fox
Granada at Emporia, Kan.

Babb Filmack Ad Head

Chicago, Oct. 6.—Kroger Babb,
publicity and advertising director for
Chathers-Warner theatres in Chicago,
will join the management of Trail-
R Co. here as advertising di-
rector.

Sudan Unit Is En Route

London, Oct. 6.—Zoltan Korda
and a production unit on "Four Peat-
ers" left here today, bound for the Sudan.
A report on product buying is
scheduled.

ITOA Meets Oct. 19

Harry Brandt, president of the
ITOA, has called a meeting of the
organization for Oct. 19 at the Astor.
A report on product buying is
scheduled.
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...a-brim 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!
AND THE WOMEN ARE PLUS!

The Dionne Quintuplets

Yvonne, Cecile, Marie, Annette, Emelie

in their third and best feature picture

'FIVE OF A KIND'

with

JEAN HERSHOLT
CLAIRED TREVOR
CESAR ROMERO
SLIM SUMMERSVILLE · HENRY
WILCOXON · INEZ COURTNEY
JOHN QUALEN · JANE
DARWELL · PAULINE MOORE

Executive Producer: Sol M. Wurtzel

Directed by Herbert I. Leeds. Original screen play by Leo
Brickell and John Patrick. Songs: "All Mixed Up" by Sidney
Clare and Samuel Pokrass. Scenes of Dionne Quintuplets pho-
tographed under the technical supervision of Dr. Allan R. DeSue.

Released
OCTOBER 14th
IT'S A DATE!
Policy Changed at Oklahoma Theatres

OKLAHOMA CITY, Oct. 6 — The Circle and Plaza, Standard circuit neighborhood houses, have changed their policy from the changes which went into effect two weeks ago.

Mr. Moore said that the change was made in an effort to show better pictures at neighborhood houses and to give patrons an opportunity to see good pictures which they miss sometimes because of the short playing time with three changes a week.

Wall Street

Board Rises Generally

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Little Curb Activity

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Bond Issues Change Lightly

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<tr>
<td>W. B. flc.</td>
<td>69</td>
<td>69</td>
<td>69 + 1</td>
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(Quotations as of close of Oct. 6)

The Newsreel Parade

Bene's resignation as Czechoslovak president, New York's police show in Madison Square Garden and the opening World Series game at Chicago are the highlights of the news in the midweek issue of the various newsreels.

The remainders of the contents follow:


Monogram's Sales Gain 43% in Year

(Continued from page 1)

production budgets will be increased on a group of pictures going before the board this week, which will be called the "Gangster's Boy," with Jackie Cooper, will be the first production to benefit, with the new Boris Karloff picture, "Crossfire," which will be held in Federal court here today, was postponed for one week.

Joseph Rosenberg, counsel for the movie companies in the West Coast week confering with officials of the Department of Justice on the local court's case or not the conferees brought about the new delay in the start of hearings could not be learned.

Industry in Canada Contributes $53,000

TORONTO, Oct. 6.—The Canadian National Committee of the motion picture drive has disclosed that approximately $53,000 has been contributed from Canadian sources to date. Half of this is known to have been received from circuits and individual houses, the remaining is from the Canadian film distributors.

Long-threatened action on the part of exhibitors presenting features other than Hollywood pictures and the formation of a separate competition for prizes has taken form in the organizing of a Canadian group. Details of the co-op is patterned along the lines of the "Movie Quiz" of Motion Pictures' Greatest Year.

Booklet Demand High

KANSAS City, Oct. 6.—Of the 750, 000 "Movie Quiz" contest booklets received at Warners here, all but 75,000 have been distributed to exhibitors. A few independents have reordered, and it is expected that more will follow. Most exhibitors requested a large supply at the start.

RKO Sued in Taunton

TAUNTON Mass., Oct. 6.—A plagiarism suit for $20,000 was filed yesterday in Superior Court here against RKO. The defendants are Elliot Westin, Benjamin Raian and James Ross, all of New York City. The paper was filed by the Roosevelt Theatre, 111-117 East Houston St.

Chicago Hearing Is Postponed One Week

CHICAGO, Oct. 6.—The first hearing on the independent exhibitors' anti-trust action against B. & K. and major street chains has been postponed. The suit will be held in Federal court here today, was postponed for one week.

Joseph Rosenberg, counsel for the companies, conferring with officials of the Department of Justice on the local court's case or not the conferees brought about the new delay in the start of hearings could not be learned.

“Fugitive” Case to Jury

ATLANTA, Oct. 6.—After a trial consuming nearly two weeks, the $100, 000 bailed suit of Judge Vian Stanley, ex-prosecutor, to try "Fugitive From a Chain Gang," tonight went to the jury in Fulton Superior Court.

File Mae West Judgment

A judgment for $4,019 against Mae West was entered in the New York County Clerk's office by the State Tax Commission on Monday. The claim is based on alleged tax arrears on 1931 and 1933 earnings.
**New Shows on the Air**

**“Star Theatre”**

In advance of the opening of the “Star Theatre” series, Jim Tierney of the Texaco Co. went to radio desks a Roget Thesaurus. In the volume he enclosed a card which stated he was going to create a different kind of “hit” adjective. With the confidence and naivete possessed only by advertising men, he merely suggested to the listers that they use the words and then select one of their own glitters from the assortment within the thesaurus to describe the show.

Following the premiere—to say nothing of Mr. Tierney’s suggestion—the thesaurus has been consulted and from it, however unoriginal be our choice, we have extracted that good old Hollywood standby, “colossal.”

From every standpoint the Texaco premiere was the most satisfying first offering heard in years. CBS’s new show as gigantic as the “Star Theatre” requires much more on-the-air experimentation before it achieves a successful pattern—witness the M-G-M show, “Hollywood Hotel” and others of that caliber—but the “Star Theatre” is off to a start as fast as the distributor’s sponsor claims for your approval if you use his gasoline.

Every department was a click. Adolph Menjen, Charles Ruggles, Hugo Markert and Russell Sparks offered comedy material second to none; Kenny Baker and Jane Fronen were in sparkling voice; David Broekman’s orchestra and the background choralists were grand, and Bette Davis, as the guest star in the Max Reinhardt production of an original by Frank Cruech, titled “Alter Ego,” in motion, emitted in a manner short nothing of magnificent, this despite a litigious and unscrupulous, believable story. Miss Davis played a dual role.

Mr. Oehler, apparently still under the impression he was writing one of his “Lights of Lapland” night mysteries, penned a fantastic story of a girl within whom exists two personalities, one good, the other extremely evil. Ultimately the good girl is led to destroy herself, thus also destroying the evil spirit within her. “Alter Ego” is a variation of “The Dybbuk” and an ancient Jewish folk tale, and of “Dr. Jekyll and Mr. Hyde.”

Billy Bacher produces the first half of “Star Theatre,” and Max Reinhardt produces the final half. To them and to their talent, full credit and a honor for a splendid hour. “Star Theatre” is broadcast Wednesdays at 9:30 P.M. over the NBC Red network, and comes from Hollywood.

**CBS seems to have struck upon a sound program idea in “The Curtain Rises,” a new series which gives listeners a glance at coming attractions of the three major entertainment units, the motion picture, stage and radio.**

The show is cut into two segments, coming from both New York and Hollywood. Production is in the hands of Martin Gosh of the CBS staff.

The program opened in New York, from backstage of a theatre where “Great Lady,” is in rehearsal. Producer Brock Pemberton and Norman Terris, Tullio Carminetti and Irene Mandula of the cast spoke cleverly words about general prospects of the legitimate theatre. Switching to Hollywood, Barbara Stanwyck and Henry Fonda offered a preview scene, from the film “Mad Miss Manton,” and Robert Benchley, in his own fashion, told of some of the things to come in his forthcoming new network series.

Spokesmen for the motion picture and radio industries were Arthur Unger of Hollywood Variety, and radio editor “Dinty” Doyle of the Journal-American.

“The Curtain Rises” is heard Wednesdays at 9 P.M. on CBS.

**Television Company Offers Stock Issue**

One million shares of $1 par common stock of International Television Radio Corp. were placed on the market yesterday in order to further the introduction of the Photoflex system of television and the commercial application of its patents. The stock, which was underwritten by Members Securities, Inc. of New York, was filed with the Exchange Commission, is being offered by prospectus at $1.60 per share.

The company plans to construct five television cameras and transmitters and a group of dealers’ sets.

**Bates Leaves Tomorrow**

Ted Bates, vice-president and account executive at Benton & Bowles, leaves tomorrow for a trip to the west coast offices of the agency.

**Marvin Joins Esty Firm**

Richard Marvin, formerly with the J. Walter Thompson agency, has been appointed head of the radio department of William Esty & Co.

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**RADIO**

**New Network Is Formed in Albany Area**

**Albany, Oct. 6.—Formation of a new broadcasting corporation, with eyes toward Kingston, Ulster County, has been disclosed here coincident with the filing of charter papers by Deuel Richardson, Forrest L. Willis and Samuel Jacobs of this city. The concern, known as the Mid-Hudson Broadcasting Co., Inc., has set up 200 shares, with no assigned par value.**

Mr. Richardson, who is the brother-in-law of Harold E. Smith, manager of WHN and WOKO here, is named as a director with Mr. Willis and Mr. Jacobs. Mr. Jacobs, who filed the papers, was also filing attorney last week for the Empire State Network, Inc., newly formed web consisting of WHN, New York, WABY, Albany, WZPN, Buffalo, WSBY, Rochester, WMBO, Auburn, and WIBX, Utica.

Mr. Willis, WOKO’s station announcer without dispensing service, has been heard as conductor of the Montgomery Ward musical clock daily for the past three years and acts as master of ceremonies for the D’Jimonna brothers program, likewise a daily feature of the local CBS outlet. Mr. Smith, who has been named president of the Empire State Network, stated today that plans were too sketchy yet to give information prior to dispatching an application for F. C. C. approval.

**Lux to Co-Star Beerys**

Noah and Wally Beery will be co-starred with Lee Carroll, Edward G. Ciannelli and Edmund Lowe in a dramatization of “Viva Villa!” in the Lux Radio Theatre” presentation Monday.

**Dan Tuthil to Speak**

Dan Tuthil, NBC Artists Bureau executive, will be the speaker at a meeting of the New York chapter of the Salesmen’s League of America in New York Monday evening.

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**Corliss Joins Sponsors**

Lamont Corliss Co. has signed for a section of the “Women of Tomorrow” program, a participation show on WJZ featuring Alice Maslin. The Lamont Corliss participation starts Oct. 31, and the contract is for 26 weeks. J. Walter Thompson is the agency.

**WLAK Joins NBC Net**

WLAK, Lakeland, Fla., has become a member of the NBC network as a bonus outlet available to advertisers having facilities of WFLA and WSUN, NBC affiliates in Tampa.

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**Bernie in Sanitarium**

Ben Bernie has entered a local sanitarium for observation of a stomach disorder.
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 COLIER'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
Supreme Court May Decide on Doubles Today

Distributors Ask Review Of Perelman Case

The U. S. Supreme Court is expected to hand down its decision today on the application of major distributors for a review of the U. S. Circuit Court of Appeals ruling holding anti-double feature clauses in exhibition contracts to be illegal.

Distribution office heads are not optimistic over the chances of the high court accepting the case by granting their application for a writ of certiorari. However, distribution executives do not believe that efforts to curb double features will be ended automatically by a refusal of the Supreme Court to review the Perelman case. Many expressed the opinion that concrete efforts to treat the double feature problem in a fair and constructive light will be made during the exhibitor-distributor trade practice negotiations which will get under way here next week.

It is pointed out that influential independent exhibitor organizations, as well as many distributors, are anxious to bring some form of regulation into the industry. (Continued on page 5)

MPTOA Leaders Meet Here Oct. 17

The executive committee of M. P. T. O. A. and other officials of the organization will meet here Oct. 17 to discuss the program of self-regulation of trade practices proposed by the distributors' negotiating committee.

M. P. T. O. A. representatives who have been asked to attend the meeting are Ed Kuykendall, president; I. C. Griffin, Oklahoma City; H. D. Harvey, San Francisco; O. C. Lam, Rome, Ga.; Jack Miller, Chicago; Sam Plummer, Boston; Lewin Price, Philadelphia. (Continued on page 5)

Court to Hear GTP Case About Oct. 19

WASHINGTON, Oct. 9—Argument in the General Talking Pictures Corp. patent infringement case probably will be heard by the U. S. Supreme Court about Oct. 19, it is learned here.

The case, scheduled to be argued Oct. 10, was postponed as a result of an agreement among the counsel involved. It revolves around the question whether a patent owner can re

Little Fellow to Benefit From Trade Practice Talks

Major distributors are open minded on self-regulation. They are ready to go a long way, with exhibitors, in accepting Mr. Rodgers' invitation to a fair and feasible plan of industry self-regulation. All this is indicated by current discussions among the distributors.

They are talking of an optional cancellation privilege; elimination of the legal aspects involved; a cancellation system to handle exhibitor-distributor complaints. Also, about a policy of non-forcing of shorts.

The principal aim appears to be to help the little fellow, without oppressing his neighbors.

At the moment, the problem of protection is the most difficult one. It can't be disposed of too quickly because of the legal aspects involved.

If what the distributors are presently discussing becomes feasible, they may well form the basis of an all-industry discussion, with exhibitors, from which may grow the final self-regulation schedule of the trade.

It is up to the exhibitors.

Of all which recalls the old 5-5-5 agreements which proved ineffective because some of the leaders wouldn't go along. Unless an attitude of co-operation is to be taken by such discussion. (Continued on page 4)

ITOA Accepts Bid To Trade Confabs

Harry Bracht, president of the I. T. O. A., has sent a wire to William F. Rodgers, acting chairman of the distributors' trade practice committee, accepting Mr. Rodgers' invitation to participate in the trade practice conferences which are scheduled to get under way here Oct. 19.

Mr. Bracht has appointed Leo Brecher and Laurence Bolognino to represent the I. T. O. A. along with himself. He said the organization has "many specific proposals" which will be submitted at the meeting.

In his wire to Mr. Rodgers, the I. T. O. A. head expressed his gratitude. (Continued on page 5)

Some of Du Art Lab Strikers Back Today

Some of the 35 striking employees of the Du Art Film Laboratories were to be returned to work today pending settlement of the strike under a 10-day "truce" agreed upon Friday by Arthur Gottlieb, head of the company, and

Effective with this issue Sam Shain becomes editor of Motion Picture Daily.

Rockefeller, RCA, Atlas Leo Spitz United in Urging Change

George J. Schaefer will be president of RKO when Leo Spitz retires and company conditions permit. Schaefer resigned from United Artists, 5 o'clock, Friday. RKO's reorganization plan is now awaiting formal confirmation and approval of Federal Judge William Bondy.

Selection of Schaefer follows recommendation by Leo Spitz on an attitude of cooperation which all creditor groups concurred. Schaefer's 25 years in the industry have been with three companies, and entirely in distribution, with delegation to him of additional executive duties during the Paramount reorganization.

His association with United Artists in the last two years as vice-president and general manager in charge of domestic and Canadian sales and as chairman of the administrative committee of the Motion Pictures Greatest Year campaign have brought him into pre-eminence in the industry.

A native of Brooklyn, Schaefer's first association with the industry was in 1914 as secretary to the late Lewis Brandt.

Chicago Trust Case Compromise Sought

CHICAGO, Oct. 9—Conferences on an out-of-court settlement of the anti-trust suit filed against Balaban & Katz and major distributors by Chicago independent exhibitors were begun here Friday with Austin Keough and Y. Frank Freeman, vice-presidents of Paramount, attending.

Further conferences will be held in the near future, it was reported. Results of the initial discussion should not
Monday, October 10, 1938

O'Loghlin to Start Third Circuit Swing

James P. O'Loghlin, S. R. Kent Drive leader for 20th-Century-Fox, will start shortly on his third and final circuit swing for the studio, according to arrangements in connection with the drive. Mr. O'Loghlin will be accompanied by William J. Clowers, the studio's sales manager, and the division managers in their areas, including William J. Kupper in the west, W. G. Gettemeyer in the Midwest and William Sussman in the east. The trip will take six weeks.

Mr. Clark left Saturday to accompany his family to the coast, where they will sail this week to visit relatives in Christ Church, New Zealand. He will meet Mr. O'Loghlin and Mr. Kupper in Los Angeles.

Ben Goetz Returns To Coast for Talks

Ben Goetz, head of M-G-M British production, returned to the coast over the weekend via American Airlines, after a week of New York conferences. He had held earlier conferences on the coast with Louis B. Mayer.

During the week, Mr. Goetz conferred with Nicholas S. Schenk and Al Lichtman on casting and other details for “Good-Bye Mr. Chips,” next on the English schedule. He returned to the coast to set final details on cast and director for the film, it was said.

He is expected back late this week and will probably sail with Mrs. Goetz next week.

Astoria Studio in Rush

Two features, “One Third of a Nation,” with Sylvia Sidney, and William K. Howard’s untitled film, in addition to a number of shorts have started a production rush at the Eastern Service Studios. In addition to the regular activities of Audio Productions, Inc., two shorts are being made for the Ford Motor Co. About 500 persons are on the payroll.

“Chain” Suit Dismissed

ATLANTA, Oct. 9.—A $100,000 libel suit brought by Vivian Stanley, member of the Georgia Prison Commission, against Warners has been dismissed after a three-week trial in the Superior Court of Fulton County. Mr. Stanley charged that he was libeled in “I Am a Fugitive from a Chain Gang.”

Seek School as Theatre

JEWETT CITY, CONN., Oct. 9.—Finch’s Theatre, operated by John Barnett, was completely destroyed by fire late Sunday afternoon, and the plans and ambitions are in progress for the use of the local high school auditorium for exhibition. The theatre will be moved when construction details are arranged.

Rosenblatt at Houston

Sol A. Rosenblatt, attorney, will make a return engagement as speaker at the American Federation of Labor convention in Houston today, speaking on “Subversive Movements.” He left Saturday for the south. He made his first appearance before the group as a speaker last year.

Freddie Bartholomew Arives Here Tomorrow and Will Start a One-Week Personal Appearance at Loew’s State on Thursday. From there he goes on to Loew’s house in Philadelphia, Pittsburgh and Providence.

BING CROSBY, who has been vacationing in Bermuda, returned on the Monarch of Bermuda on Friday. With him on the trip were Mrs. Crosby, their son, Gary, and Mr. and Mrs. Larry Crosby.

George W. Weeks, Monogram general manager, left for New York on Monday for a 10-day inspection tour of Monogram exchanges. Detroit, Cleveland, Goodsville, Buffalo and Boston will be visited.


Dave Gould, M-G-M manager at San Francisco, returned Monday for his headquarters after a month’s stay in New York.

HERMAN G. WEINBERG, formerly with the Fimmarte Theatres, is now directing publicity and advertising for World Pictures.

S. Charles Einfeld, Warner advertising and publicity chief, is due early in November for a periodic home office checkup.

Arthur Greenblatt, G. B. eastern division manager, is on a tour of the New England exchanges. He will be back Thursday.

W. C. Gehring, 20th Century-Fox central division manager, returned Saturday from Chicago.

Maxine Rosenbourough flew back to the Coast on Saturday after a one week visit here.

Irving Berlin returned from his European trip on the Il de France on Friday.

Vienna Producer Is Due

Ladislas Sanes, Vienna producer, will arrive here on the Normandie Friday with song and music material he intends to offer to American producers. He is producing the film, and he who has the lead in the film, will fly from Hollywood for the opening. She will be met at the airport by 720 cadets and will be guest of honor at a party given by fry for Saturday night at the Willard. It was the 23rd anniversary of Ratto’s connection with Loew’s.

“Rat” Premiere Is Set

Warners will hold the world premiere of “Brother Rat” at the Virginia Military Institute, Lexington, Va., Oct. 20, the Institute being background for the film. The Institute cadets, who have the lead in the film, will fly from Hollywood for the opening. She will be met at the airport by 720 cadets and will be guest of honor at a party given by fry for Saturday night at the Willard. It was the 23rd anniversary of Ratto’s connection with Loew’s.

MOTION PICTURE DAILY

DARRYL F. ZANUCK will be in

The

“Arkansas” premiere excites Little Rock

Little Rock, Oct. 9.—This town is still talking about the world premiere on Thursday of Bob Burns’ starring告诉他, “Arkansas,” at the Cannon Theatre, with an audience of 1,100-seat Pulaski. The honor guests included Arkansas Lieutenant Governor J. Elmore Brownlee, Judge Elmore E. Overman of Little Rock, Mayor of Pulaski, Van Burten, Hugh Park, publisher of the Van E. Overman, W. B. Jones, secretary of the North Little Rock, and other city and state officials.

Brownlee issued a proclamation designating last Thursday as “Arkansas Traveler Day.” The premiere was conducted in a Hollywood setting, complete with the railroad, the Missouri Pacific, and all the rest of the necessary apparatus. Gail Patrick was present as a representative of the studio. Film men attending included M. A. Lightman, Henry Brownlee, Paul Jones and Clyde Smith. Burns spoke directly to the skating rink, through his Kraft radio program in Hollywood.

“Moon” Gets $27,000

In 2nd Strand Week

“Garden of the Moon” plus a stage show headlined by Jan Garber and his band and Ethel Merman garnered a reported $27,000 at the Strand in a second week.


The Edge of the World” has started its fifth week at the 55th St. Playhouse.

G. B.’s “A Star Must Laugh” will open at the Little Carnegie tomorrow.

Fred McConnell on Trip

Fred McConnell, president of Record Pictures, is on a sales trip through the middle west. The company, which just now has three pictures on the market, with seven more scheduled. The latest acquisition is “Conivcts at Large,” produced by Myron C. Nast.

MOTION PICTURE DAILY

(Listed U. S. Patent Office)

MATTHEW QUIGLEY, President-Chief and PUBLISHER: SAM SHAHN, Editor; JAMES A. CRON, Advertising Manager.


Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.
The Alcatraz Type

GIRLS ON PROBATION

WARNER EXPLOITATION WINNER!
Schaefer Will Be RKO Head; Quits UA Post

(Continued from page 1)

J. Selznick.

A lmost a year ago, he joined

MOTION PICTURE DAILY

Little Fellow to Benefit From Trade Practice Talks

(Continued from page 1)

1927. He is head of the

Monday, October 10, 1938

Well-to-do, Selznick. Albee-Orpheum, Quits

shorts under S. R. Kent, distribution chief.

When Mr. Kent resigned in 1932, Mr. Schaefer was appointed general sales manager, and during the Para-

mount receivership was named general manager of the company by the trustees.

With Paramount’s emergence from reorganization, he was elected first vice-president and a director of the

new company in July, 1935, when he resigned in that year. In 1936 he joined United Artists.

Depinet Talk Is Offside

Any talk about Ned E. Depinet

leaving RKO is offside. Every fact

points to his staying. He is head of

the RKO-Radio picture and distribution end.

Spitz piloted RKO through its
toughest years, when the company

was torn by a distorted management setup which neither of the groups which followed each other in control of RKO

ever comprehensively tackled.

In those years, Spitz brought harmon-

y between the M. J. Meekan group

which came into control of Keith-

Allee-Orpheum, principal theatre sub-

sidiary of RKO, a fact which had

the greatest constructive effect in the af-

airs of RKO and the company opera-

tion.

Spitz has been eager to leave RKO

for some time, and there are indica-
tors that he has indicated his desire to step out credi-

tors and bankers have united in

fluencing him to stay. Under his gua-

dance, RKO was long known as the

black, after months of a heavy siege of

bad business, during which the com-

pany had to liquidate weighty prior

obligations of the bankers.

Spitz came into RKO at the in-

sistence of friends who have large

investments in the company. He gave

up a lucrative law practice in Chi-

cago, where he heads one of the

Windy City’s biggest law firms, to

serve RKO.

Spitz Is Expected to Remain

He is well-to-do, never having

needed the post nor ever having

sought it. The pressure is still on

Spitz to stay and he has the time to

write his own ticket, so that the likeli-

hood is that he will probably agree
to continue to serve the company in a

special capacity, such as special counsel.

The theatre end, which Spitz reor-

ganized with the help of the M. J.

Meekan people, is one that Spitz

continues to serve that end. They have

tried to get him to take over control of

that management end, which, of

course, Spitz isn’t doing.

The Meekan people are for Schaefer,

following the lead of Spitz. Spitz and

Schaefer have been friends since their

tributors and exhibitors, at this time,

they regard each other as

What the distributors are discussing in

the way of a cancellation privilege

amounts to a graduated system, run-

ning from 20% to 15% and 10% begin-

ning with the small-timer. In

other words, the little fellow will

get the least kickback.

When talking of the little man, this

means probably 80% of the exhibitor

sales.

Whether there are to be any strings

attached to the cancellation privilege is

something still to be decided. First

point, that the distributors have their

palms turned upward, and that the

new deal which they hope to be

able to make is a clear-cut cancella-

tion privilege.

How or where the distributors can

make up that score charge item which

they are talking of disposing of is

a weak point in itself. The waving

out of the score charge means a drop

of just $7,500,000 to $10,000,000 in ag-

gregate annual income to the distri-

butors.

The cancellation thing speaks for it-

self and leader and exhibitor, virtual

talks with the exhibitors and their

negotiating committees, such cancella-

tion boards as are established will

handle all distributor-exhibitor com-

plaints.

Presumably, such cancellation boards

early days in show business, one as

independent security holders also will

have a representative, as will the gen-

eral creditors.

Mr. Schaefer’s resignation from the

vice-president of United Artists was
given to the company’s board of direc-
tors while the board was in session.

Speaking for the board following the

suggestion to Maurice Silverstone, chair-

man of the United Artists executive

committee, that the “directors have

asked me to go to Paramount” and that

Schafer’s sincere appreciation of your
devotion and loyalty to the com-

pany and extend every good wish for

continued success in the in-

dustry.”

Mr. Silverstone added that he

“concurred wholeheartedly” with the

board’s expression and voiced his per-

sonal regrets over the termination of

Mr. Schaefer’s association with United

Artists.

Nelson Rockefeller Urged

According to present indications,

Nelson Rockefeller is being urged

by leading creditors to serve on the di-

rectorate. W. G. Van Schmus, managing

director of the Music Hall, is regarded

as having a strong claim for the Rocke-

feller people’s second representation

on the board.

The selection of Schaefer to head the

new RKO company has been regarded

enthusiastically by all creditor groups

who have a high regard for his capa-

bilities and his position of preeminence in the L. B. S. A. His record in

rankin executive capacities and the

personal esteem in which he is held by

the influential and representative factors

in all branches of the industry is

shared alike by the reorganization prin-

cipals and RKO officials.

Spitz Leader Since Early

B. & K. Days

Leo Spitz owes his affiliation with

the industry to the fact that he be-

came associated with the B. & K. and

& Katz circuit in Chicago when it ac-

quired the Loew-Orpheum line - Trin-

ze interests in 1925. Though not a

member of the board of Balaban &

Katz as general counsel, he took an

active part in its deliberations, which

led him into various phases of the in-

dustry, including the legal affairs of Para-

mou.

A close friend for years of John

Sarnoff, chairman of RCA, Spitz, who

banker and transportation magnate

and an early backer of B. & K., and

later chairman of Paramount’s finance

committee, Mr. Spitz, joined the New

York firm as an executive of Paramount

in 1932. His interest chiefly was in

consolidating the theatre interests, and

his efforts are credited with having

enabled Paramount to weather rece-

ivership and bankruptcy. In 1933 he

resigned and returned to Chicago.

In 1935 he became president of RKO

Radio, and in 1936 president of Keith-

Allee-Orpheum.

Mulvey Star Rises

In New U.A. Setup

(Continued from page 1)

the hands of Silverstone, who has

been working industriously formu-

lating the new setup.

Also expected, although unofficial,

is that Jack Schaefer may be assigned

to the overall supervision of the west-

ern sales division; Harry Gold, east,

and Paul Lazarus, on contracts.

Officially, there is no indication of

what may actually be done.

Court to Hear GTP Case

About Oct. 19

(Continued from page 1)

strict the use to which his product

shall be put once it passes into the

hands of a purchaser, in this instance

whether General Talking Pictures in-

fringed the patent on certain ampli-

ciers which were restricted by notice

thereon to radio equipment when it

used them in sound equipment.

The case now is scheduled to be

heard during the week of Oct. 17.

Chicago Trust Case

Compromise Sought

(Continued from page 1)

be learned, and Rosenberg, Stein &

Rosenbaum, attorneys for the plaintiffs,

decided to recess the suit while the

chances of an agreement were

reaching.

Austin Keough and Y. Frank Free-

man arrived from Chicago over the

weekend, but could not be reached.
Hicks London Position Will Be Temporary
No change in the status of John W. Hicks, Paramount vice-president and general head, has resulted from his temporary absence last week, which was formerly held by John C. Graham, who resigned as managing director for the company. Mr. Hicks has been expected to return shortly, but High Paramount officials said Saturday.

For corporate purposes Mr. Hicks has been elected to the directorates of several Paramount British subsidiaries on which Mr. Graham formerly served and has taken over all of the latter's duties for the time being. All personal posts and duties will be turned over to Mr. Graham's successor when the appointment is made, it was said. Mr. Hicks, however, is expected to continue in charge of the London office for the next few months. He is not scheduled to return to New York until shortly before Christmas.

No change in the Paramount home office department results from the London situation, it was stated.

Some of Du Art Lab Strikers Back Today
(Continued from page 1)
Motion Picture Laboratory Techni-
cians, Local 702.
A 10 per cent increase in wages has been granted, subject to the condition that the workers must return to work to avoid the possibility of a strike, and that the money is to be used solely for the purpose of compensation.

The strike began August 8.
Complaints against two union mem-
bers were dropped.

The alleged attack on two non-strikers will be dismissed, Mr. Gottlieb said, it. He left Sunday for Toronto where Du Art maintains a plant.

Directors of Ampa Scheduled to Meet
Ampa directors are scheduled to meet today in order to consider a poll of members on several proposals that have been made for the coming year.

One of these is an offer by the Hotel Astor to set aside a clubroom for meetings of industry organizations which have a common interest in the motion picture industry. Another is the offer of $25,000 by the Martin's to aid the union in its efforts to win recognition. These offers will be considered at the meeting today.

Consolidated Holds Its Biograph Lease
A new five-year lease on the Biograph Building at 1521 W. Wabash, the one-time home of the Biograph Theater, has been signed by Consolidated Film Industries, H. J. Hayes, head of Consolidated, said in a statement. The lease is for the building's east wing and includes space to be used as a printing plant. The old lease on the property expired the first of this month. It is owned by the Empire Trust Co.

I TOA Accepts Bid To Trade Contaminates
(Continued from page 1)
for the involve the work out a program of self-regulation and pointed out that the local group has been sponsoring the idea of a trade practice committee for the last two years. It also declared that legislation is not necessary and that industry problems can be handled through proper business meetings.

Mr. Brandt said further that he is hopeful a concrete program would result from the negotiations.

Grand National Men Hold Session Here
The second and final sales meeting of Grand National Pictures was held at the St. Moritz over the weekend. Jack D. Hayes, local office head, and field sales executives in attendance.

The sessions were presided over by E. C. Hammons, president; J. H. Skibble, vice president and production head, and Edward L. Alperon, general sales manager. The meetings were addressed by Edward B. Talamas treasurer; Gordon White, advertising and publicity director; Harold Saxe and Bruno Weyers of the home office staff; and Jackowlie vice president of Fine Arts Pictures.

Attending the sessions were George Blake, secretary; F. X. Conroy, George B. Gilder, Lloyd Dudge, L. J. Woodridge, Sam Citron and Philip Leonard of the home office; Sol Edwards, circuit sales manager; John M. Wallace, district manager; Ralph Kinsler, middle eastern district manager; Harry Ascher, eastern district manager; and Jackowlie, southern district manager. Also following the branch managers: Arthur Newman, Albany; Joe Levy, Buffalo; Israel Levine, New Haven; Merritt Davis, Charlotte; Jules Lapidus, Pittsburgh; Moe Sherman, Phila-

phia; Harry Wane, New York; John Himmlie, Cleveland; and Peter Rosan, New York. Also Harry Golden and Richard Perry of the New York branch were present.

Screenings of four of the company's complete pictures supplemented the presentations against the union. Individual managers will conduct the meetings.

Film Reviews Prove Over 95% Favorable
Newspaper comment on the first six months of this year has been 95 per cent favorable, with 27 ad-

vers and 1.6 neutral, according to an analysis made by the Hays office and released over the weekend.

The analysis includes 182 mimeo-

graphed pages of editorial comment and reports of statements made by industry officials, hear-

ings of the Hays office and other groups. It is offered by the Hays office without comment.

Brox Montre Theatre Wins Stay

Columbia Pictures Corp. Louis Kessler, Empire State Motion Pictures and Paramount Pictures have been removed from proceedings against the Bronx Montre Theatre Corp., owner of the Tremont, pending reorganization of the company.

Moviote Reel on Hayes Given Church
A biographical movie of Cardinal Hayes compiled from Movietone News clips has been presented by 20th Century-Fox. Prints, prints, one to remain in the Arch-
diocece of New York, and the other to be doled out to other dioceses. Members of the Vatican, have been accepted by Bishop Stephen Donahue.

Jack Munroe, associate editor of the Daily, made the presentation at the Chancellery in behalf of S. R. Kent.

Seek Loew Trial In N.Y. Before Delaware
The nine Loew minority stockholders who are plaintiffs in a consolidated action pending in the N. Y. Supreme Court against 11 Loew executives will seek to bring their suit to trial in advance of a similar action filed in Chancery Court, Wilmington, late yesterday. It is learned that the plaintiffs had earlier filed an application to enforce a court order compelling the defendants to continue the steps necessary to prosecute the Delaware action.

The Ohio suit will be held pending the Delaware court's action in the Delaware action. The latter suit was filed by the plaintiffs in the Delaware Superior Court.

The filing of any additional proceedings in this nature has been enjoined in this state by Supreme Court order, but the injunction has no application elsewhere.

Two of the complaining stockholders in the Wilmington action, Hana W. Grant and Louis Sumam, are plaintiffs in the consolidated suit. An additional complainant, Edgar F. Moore, is not involved in the New York action.

A majority of the attorneys for the plaintiffs in the New York suit, late- designated Mr. Ellis as chief counsel, and the choice was made official by court order. Plaintiffs in the New York action objected to this action on Wednesday, and on Aug. 7 served notice of appeal.

The segregation of stock ordered in the Wilmington case against Louis M. Mayer, Nicholas M. Schenck, Arthur M. Loew and the Irving Thal- berg estate executors to insure their appearance in the suit is a peculiarity of the Delaware law. It provides for a separate proceeding and the appointment of a non-resident suit against a company incorporated in Delaware.

Weisman IsGranted $15,000 Allowances
Federal Judge Martin T. Manton has granted B. L'O'Connor a fourth ad interim allowance of $15,000 as attorney for Milton C. Weisman, assignee for Fox Theatres, in the equity suit brought by the Chicago Title & Trust Co. Judge Manton at the same time granted Courtland Palmer, as the special master who passed on claims filed against Fox Theatres, a final allowance of $1,000.

Mr. O'Connor, who had previously received three interim allowances totaling $32,500, received the amount he sought in his petition. He recovers his services from July 1, 1937, to July 30, 1938. Mr. Palmer, who is to conduct the analysis, was granted $7,500 to July 20, 1932, had previously received allowances totaling $12,500.

Supreme Court May Decide Doubles To Be Misere In Doubles
The double feature problem was raised by the broad nature of the next week's hearings on the legality of clauses written into exhibition contracts which will be barred the use of a second feature on the same program with the one being contracted for. The U. S. District Court at Philadelphia upheld the exhibitors' contention that the clauses were illegal.

Distributors appealed the case to the U. S. Circuit Court of Appeals at Philadelphia, which affirmed the lower court's finding in favor of the distributors. But was recalled by the court the following day with the explanation that it had made a mistake. A new decision was handed down by the appeals court last fall reaffirming the lower court's findings. The distri-

butor then filed their application for a review with the high court just prior to its summer adjournment last June.

MPTOA Leaders Meet Here Oct. 17
(Continued from page 1)
olph Anderson, Supervisor of Omaha; M. C. Moore, Jacksonville; Fred Wehrenberg, St. Louis; Arthur Lockwood, Middletown, Conn., and Ed Levy, New York.

From this group a negotiating committee will be designated to meet with the union representatives, one of which Sidney R. Kent is chairman, Oct. 19. At the latter session final negotiations on M. F. T. O. A's trade agreements will be reached.

Allied States' national directors will also meet here Oct. 17, to discuss the distributors' proposals and designate a committee to negotiate further with the distributors' committee in a sepa-

rate meeting Oct. 19. National direc-

tors of Allied who are expected here for the meeting include Abram F. Myers, chairman; Nathan Yamin, vice chairman; Harry Shubin, the latter to be designated a member of a delegation, and A. Cole, W. A. Stieff, Max Cohen, Irving Dollinger and others.

On Oct. 19 or shortly thereafter the representatives of eight regional orga-

nizations not affiliated with either of the national organizations will meet with the Hays' committee, as reported earlier.

Richards, Goodyear File
Ernest V. Richards, Jr. and A. Co-ger Goodyear, Paramount board members, have filed notice in the Supreme Court's anti-trust suit against the eight major companies, have filed notice of appearance in the Federal Court. The defendants are represented by Simpson, Thacher & Bartlett.
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<th>COLUMBIA</th>
<th>M-G-M</th>
<th>MONOGRAM</th>
<th>REPUBLIC</th>
<th>RKO RADIO</th>
<th>20TH-FOX</th>
<th>U. A.</th>
<th>UNIVERSAL</th>
<th>WARNERS</th>
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<td></td>
<td>(G) The Lady</td>
<td>(G) (D)</td>
<td>(G) (O)</td>
<td>Returns (G) (O)</td>
<td>Annabel (G)</td>
<td>Numbers (G) (C)</td>
<td>Secretary</td>
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<td>Objets</td>
<td>Spencer Tracy</td>
<td>William Boyd</td>
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<td>Gloria Stuart</td>
<td>Mickey Rooney</td>
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<td>Smiley Burnett</td>
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<td>Lanny Ross</td>
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<td>Murder (O)</td>
<td>Giants (G) (D)</td>
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<td>(O) Buck Jones</td>
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<td>(D) West of the</td>
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<td>Robt. Livingston</td>
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<td>Swing That</td>
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<td>Buryer</td>
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<td>Waits</td>
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<td>Manton</td>
<td>Mr. Moto (G)</td>
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<td>Melvin Douglas</td>
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<td>Nov. 4</td>
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<td>The Citadel</td>
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<td>Nov. 11</td>
<td>Revolt in</td>
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<td>Boy (O)</td>
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<td>Paul Kelly</td>
<td>Jackie Cooper</td>
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[Dates Are Based Upon National Release Schedules and Are Subject To Change. This Chart Is Revised Weekly. Letter in parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor.]

**G. N.**

- Renfrew on White Trail (228) (July 22)
- Utah Trail (O) (229) (Aug. 12)
- Dangerous Secrets (30) (Sept. 30)
- Shadows Over Shanghai (230) (Oct. 14)
"Take It" Is Smash Hit in Los Angeles

Los Angeles, Oct. 9.--The house record established over the July 4 holiday by "Snow White and the Three Bears" has been surpassed with the showing of "You Can't Take It With You" at the Pantages, with a take of $21,000 against par of $7,000. At the Hollywood theater, which was unbooked, with "You Can't Take It With You" doing $18,000 against par of $6,000. "The Great Gatsby" played "The Girl from Missouri," and "Meet the Girls" went over average at the Chinese and Loew's State. Estimated takings for the week ending Oct. 5:

- "Too Hot to Handle" (M-G-M)
- "Meet the Girls" (20th-Fox)
- "Chinaman" (CHINESE) 
- "The Great Gatsby" 
- "You Can't Take It With You" (Col)
- "HILLSTREET" (20th-Fox)
- "The Great Gatsby" (20th-Fox)
- "LOVE STATE" (20th-Fox)
- "You Can't Take It With You" (Col)
- "PANTAGES" (M-G-M)
- "Gang of the Moon" (B)
- "JUVENILE COURT" (Col)
- "Garden of the Moon" (B)
- "Dysneyland" (20th-Fox)
- "JUVENILE COURT" (Col)
- "Garden of the Moon" (W. B.)
- "JUVENILE COURT" (Col)
- "Garden of the Moon" (Downtown)
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- "Gard...
**Examiners’ Hearings Are Set by the FCC**

WASHINGTON, Oct. 9—The Federal Communications Commission here issued orders for the holding of examiners’ hearings on broadcasting applications as follows:

Oct. 17: Applications of KSEI, Pocatello, Idaho, for change of frequency from 900 to 1,260 kilocycles, and an increase of night power from 250 to 1,000 watts; and NBC, for authority to construct mobile short-wave low-power stations for use in Washington, D. C., Hollywood, Cal., and Denver.

Nov. 1: Applications of Dribblen Brothers, for a 1,260 kilocycle daytime station at Sedalia, Mo., with 100 watts power night, 260 watts day, and KPAC, Fort Arthur, Tex., for change of frequency from 1,260 to 1,230 kilocycles and extension of time from day to unlimited.

Nov. 16: Applications of George H. Payne, for a 1,440-kilocycle, 300-watt station at San Jose, Cal., and Olney Broadcasting Co., for a 1,210-kilocycle, 200-watt power night, 500 watts power day, and 100 watts power night, 250 watts day.

Nov. 30: Application of John B. Norgren, for a 1,260 kilocycle, daytime station at Steuben, O.

**Jones to Publicity Department of CBS**

Wade Jones, formerly of the Washington Star, has joined the CBS publicity staff and beginning this evening he will take over the night shift of Hal Davis, who has been advanced to day duties.

Another change in CBS publicity department operations finds Jim Kane taken off routine publicity duties to become a contact man with the famous New York City radio editors. This post was previously held by Bob Taplinger, now with Warnings, and Pat O'Toole, now with a talent agency.

**NBC Symphony Will Rehearse Tomorrow**

The NBC Symphony Orchestra will begin rehearsals tomorrow in preparation for the new Toscanini-conducted symphony series which will return Oct. 15 from 10 to 11:30 P.M. on the Blue network. Mr. Toscanini and his orchestra will be featured.

The symphony will number 74 men, as last year, but there have been extensive revisions in personnel, 20 new members having been added.

**Mutual Signs Lowther**

George Lowther, who pens the scripts for the “Terry and the Pirates” comic strip, has signed a new contract based on the newspaper cartoons of those titles, has been signed to write new scripts for “The Shadow.” The Mutual show sponsored by D. L. & W. Coal.

**Feldman to NBC Here**

Arthur Feldman has joined the NBC announcing staff in New York. He came here from WBJA in Boston, and previously was with WLOE, also Boston.

**Will Interview Roach**

Hal Roach will be interviewed by Gabriel Heater on the “We, the People” program tomorrow over CBS. Mr. Roach will chat about his 25-year career in motion pictures.

**Seeking Permission for Oregon Station**

WASHINGTON, Oct. 9—Authority to construct a new 1,310-kilocycle, 100-watt daytime station at Grants Pass, Ore., has been asked of the Federal Communications Commission by the station owners.

An amendment to its application for a construction permit for a new station at Evanston, Ill., was filed by the Northwestern Broadcasting Co., regarding the station's frequencies, asking that the proposed frequency be changed from 1,040 to 1,310 kilocycles and the trial of construction from day to unlimited, on 100 watts power.

An application for permission to assign two licenses to the Lehigh Valley Broadcasting Co. was filed by B. Bryan Musselman, operator of WCBA, operator of WSAN, both of Allentown, Pa. The two stations share time on 1,440 kilocycles, each with 500 watts power.

**Vic and Sade Will Return to NBC Web**

“Vic and Sade,” who for the past season have been heard over CBS, will return to the NBC-Red network next week, joining 4:30 to 4:45 P.M. Their sponsor is Procter & Gamble.

The “Gospel Singer,” who also has been heard over NBC during the past six months, will return to NBC as soon as time can be cleared for him. Procter & Gamble will continue to sponsor his programs upon his return to the air. The Compton agency handles both above accounts.

**College Honors Dunham**

Dr. Franklin Dunham, NBC educational director, has been elected an honorary fellow in Trinity College, London. The award, just voted Dr. Dunham, will probably be bestowed in New York early next spring, according to cable advice just received.

**Don Hancock Is Signed**

Don Hancock, announcer, has been signed as commentator for the Bur- nell-Holmes screen team, currently one of the most important of the Mutual’s series of play-by-play sports programs. Mr. Hancock is heard on a number of network programs, including “First Nighter.”

**Angell to Speak Here**

Dr. James Angell will deliver address on radio and education at a meeting of the New York Life Insurance Co. in New York tomorrow, and at a conference on audio-visual educatio at Atlanta the day following.

**World Series Air Coverage Is Extensive**

Radio’s coverage of this season’s World Series baseball games has been more extensive than in previous seasons. Not only did the three coast-to-coast networks, Mutual, carry play-by-play of the games, but scores of independent stations throughout the country hopped into the hoops themselves into the networks, paying the line charges out of their own pockets. With approximately 700 stations in coverage this year, or some may be estimated safely that about 500 stations carried the play-by-play.

As was the case the last two seasons of unsponsored World Series broadcasts, the networks suffered heavy financial burdens in cancellations of commercial programs. NBC, where Red network and CBS were hit particularly hard, for the early and late afternoon hours on these weeks were fairly well sold out commercially between the hours of approximately 2 and 4:30 P.M., the average periods of the Blue network and Mutual suffered to a lesser extent, the game time periods of the Blue network and Mutual were literally sprinkled with sustaining time.

NBC Has Two Staffs Working

NBC particularly extended itself this year, for the first time assigning two separate staffs of sports commentators to play-by-play and color for the Blue and Red audiences. Previously, NBC placed but one commentator team in the network.

The Red commentators: Dr. Barbour of WLT and Tom Manning of WTAM, play-by-plays, and George Counts, of the National League parks. Paul Douglas of CBS took over Hicks’ assignment on Sunday to the Ham of WKN and George Higgins of WTCN handling play-by-play on the Blue, and Al Rosewell of KDKA doing color.

The problem: Paul Laux of KMOX and Bill Dyer of WCAU doing play-by-play, and Mel Anthony of Mutual’s sports battery was Bob Elson of WGN broadcasting from Chicago and New York; Stan Lomax, WOR, New York games; Dave Driscoll, WOR, New York games, and Quin Ryan of WGN, doing the Chicago games.

The networks will likewise charge how much in actual cash it has cost them via commercial cancellations, but estimates within the industry for the three leave it at approximately $35,000, $40,000.

**Dewey on NBC Network**

A statewide hookup of NBC stations, similar to the one recently arranged for him over CBS stations, has been obtained for Thomas E. Dewey, for Governor of New York. The series, five broadcasts in number, will be heard Mondays from 6:30 to 6:45 P. M., on WHAM, WGY and WMFB. The broadcasts are being financed by the Non-Partisan Citizens Committee.
MOTION PICTURE DAILY

Dual Control
By Contracts
Hit by Court

Supreme Bench Refuses
Phila. Case Review

WASHINGTON, Oct. 10.—Regulation of double featuring by contract clauses suffered a setback yesterday when the U. S. Supreme Court denied a petition by six major distributors for a review of the decision of the Philadelphphi Federal court in the so-called Perelman case, which held the inclusion of such clauses in contracts to be illegal.

In another ruling, however, the Supreme Court found that it had "prohibited jurisdiction" in the Dallas antitrust case, thereby paving the way for a review of the lower court decision in that action. The regulation of double featuring by contract restrictions is involved in the Dallas case in a modified form.

The Perelman case involved the legality of a contract clause prohibiting the showing of a second feature on the (Continued on page 6)

Supreme Court to
Act on Ascap Laws

WASHINGTON, Oct. 10.—The U. S. Supreme Court acted today on two petitions involving the Washington and Florida anti-Ascap legislation, the first legal maneuvers to reach the high court since the enactment within the past two years of anti-Ascap statutes in six states.

The Supreme Court agreed to a hearing of Ascap's appeal from the dismissal of its action attacking the constitutionality of the Washington statute by the lower court on the (Continued on page 6)

NAB Studying Press Fight on Censorship

WASHINGTON, Oct. 10.—The National Association of Broadcasters is making a study of a newspaper and periodical material opposing Government censorship of radio. Editorials and press comment from all over the country have been forwarded to the N.A.B. headquarters.

Additionally, a library containing all information and literature ever (Continued on page 16)

Radio News—P. 16

U. S. FIRMS END
FILM SERVICE IN
ITALIAN MARKET

Offices to Be Kept Open Until Dec. 31 While
Concessions Are Sought on Government's
Decree Taking Over Distribution

All major distributors have discontinued film shipments and selling services to Italy in the latest development in connection with the increasingly critical situation affecting world film markets.

Major company offices in Italy will be kept open pending the outcome of negotiations in Rome for a modification of the decree creating a film distribution monopoly for the Government-controlled E.N.I.C. Italy has extended the date for final compliance with the decree to Dec. 31 and has indicated yesterday that their Italian offices will remain open until that date even though no modifications in the decree are granted in the meantime.

With the discontinuance of film shipments to Italy, all shipping activities by American companies in that country has been ended. Italian law requires that versions intended for distribution there be recorded in Italy, and

(Continued on page 6)

Gold, Schlaifer
To Share Control
Of U.A.'s Selling

Harry Gold, as eastern division sales manager for United Artists, and L. J. (Jack) Schlaifer, as western division manager, will have complete charge of the company's domestic sales organization, Maurice Silverstone, executive head of the company, said yesterday.

In making known the appointments, Mr. Silverstone stated that no "general manager" would be named, a title held by Schlaifer, who was vice-president and general manager of domestic distribution. Mr. Silverstone also stated that "no one will be brought into United Artists to direct its domestic sales."

It was pointed out that the operation of all of the activities of the company, including sales in the United States and Canada, "come within Mr. Silverstone's general direction as chief executive officer of its worldwide affairs."

In commenting on the appointment, Mr. Silverstone said that he reflected his confidence and respect and that of the company's owners for his sales chiefs and an acknowledgement and tribute to the entire sales organization.

“Spokesman” Speaks

Hollywood advises that a “spokesman” for Samuel Goldwyn has revealed that the producer is trying to gag all agents, and that henceforth only Mr. Goldwyn can make statements regarding what talent or properties he hires or fires, and why. Also, this unidentified spokesman asserts that Mr. Goldwyn has warned all agents to this effect, and that the producer threatens to provide for cancellation of contracts wherever such agents are caught talking out of turn.

According to this “spokesman” Mr. Goldwyn will cancel whether the information released by the agent is “true or false.”

Westinghouse Is
Upheld in Suit on
Television Patent

WILMINGTON, Oct. 10.—Judge John P. Nields, in U. S. District Court, today decreed the Patent Office erred in awarding priority to Henry Joseph Kound (RCA) on a potassium salt photo-electric cell with discrete particles or elemental areas, used in television apparatus, and that priority to the patent application belonged to Vladimir Zwikrykin (Westinghouse).

The U. S. Commissioner of Patents, therefore, is directed by Judge Nields to allow some 14 claims in controversy in Zworykin's 1923 application. Westinghouse sued RCA over priority rights to the patent.

(Continued on page 6)

“Snow White” Heads for
$6,000,000, Record High

“Snow White” is headed for an all-time world record, surpassing any predecessor film, the film doing a champion domestic gross of nearly $4,000,000, and probably $6,000,000 aggregate around the world. It's never been equaled. The film cost $1,670,000.

The British take, alone, may run to $1,250,000.

Warner's original Al Jolson talker, "The Singing Fool," is the nearest grosser of record, with $5,250,000.

The “Snow White” tale is unusual in the face of the fact that additionally much of the continental European business has been swept away by ideological restrictions.

The picture is continuing with numerous repeat bookings in this market. With present indications, may have the longest playing life of any film yet released. It may not have scratched the foreign market possibilities yet, but a gross of approximately $1,250,000 is believed not to be impossible in England.

The recent war scare cut into the picture's early playing engagements in England and on the Continent as in other films. William Levy, Disney (Continued on page 6)
Hollywood Letter

Hollywood, Oct. 10

The N.L.R.B. hearings on the question of when an assistant director's a director, if ever, and when he isn't, etc., has ended. The guilds are striving mightily to get their tasks down on paper in a basic agreement. Presently it looks as if a pressing problem is how the actors and the agents will settle their end.

Merritt Hubber, who quit motion picture production to become associate editor of The Saturday Evening Post, quit magazine publication to sign up with Selznick International as an associate producer under David O. Selznick. He'll be out here around Nov. 1 getting set to produce "Intermezzo," which the company has just acquired from Svensk Filminustri.

Cecil B. DeMille has decided to film the Cheyenne, Wyoming, sequence of "Union Pacific," his Paramount commitment, at Iron Springs, Utah. Terry Kilbourne has been lent by M-G-M to Hol Roach for "Topper Takes a Trip." Franklyn Warren has given Charles Lamont the "go" signal on the second Fine Arts Ciper Bureau pattern for G. N., which will be called "Inverted Ciper Patterns." M-G-M has completed The Headleys at Home, its first film for the same distributor, and is deep into 28-Week Witness" under direction of Chris Beute.

Cary Grant, Douglas Fairbanks, Jr., and Victor McLaglen finished up their chores in RKO's "Gun Gig" at the Lone Pine location early in the week... Bernard Vorhaus is to be Bobby Bren's house guest for two weeks prior to directing the boy star in Principal's "Fisherman's Wharf" so he'll know the boy better when they go... Robert Taylor's going international again in M-G-M's "Hands Across the Border."... Claire Trevor will star in Walter Wanger's "Stage Coach" under John Ford's direction.

ROSOE WILLIAMS

KMTA Will Send 30 To MPTOA Meeting

OKLAHOMA CITY, Oct. 10.—Frank Cassill, president of the Kansas-Missouri Theatre Association, has sent a list of 30 delegates, including association leaders and the Kansas City territory who will attend the national M. P. T. A. convention, to the Biltmore Hotel here Oct. 30 through Nov. 2.


Also, Forest Jones, Frank Bowen, Russell Borg and Pat Pinnell, Grand National; Ben Marcus, Columbus; R. H. Watters, Warrenton; Charles Gregory, National Screen Service, F. C. Hender, Los Angeles; Dr. G. G. Alexander, Film Co.

Barnard, Paramount Exchange Head, Dies

INDIANAPOLIS, Oct. 10.—E. J. Barnard, local Paramount branch manager, died suddenly here today. He had been associated with the company since 1924.

Barnard joined Paramount as assistant branch manager and sales department chief of the Chicago exchange and later became a sales manager in Indianapolis, Cincinnati and Chicago. He was 60 years old. He died in Chicago in 1927, and in March, 1933, was appointed sales manager there. In August, 1936, he was assigned to the Indianapolis exchange as manager.

Lederes Rides Today

Funeral services will be held today to arrange for the Lederer, musical comedy producer, who died Friday, his son, Charles Lederer, is one of Hollywood's outstanding screen writers. Lederer was responsible for the production of the musical comedy type of entertainment.

MOTION PICTURE DAILY

Tuesday, October 11, 1938

MARQUEE TEST CASE WILL BE POSTPONED

A test suit to determine the right of the Board of Standards and Appeals to withhold licenses to objectionable marques in special cases will come up for hearing in the N. Y. Supreme Court today but will be adjourned.

Never before has an attempt to issue a four-foot marquee on its uptown house obtained permission to intervene.

Permission to erect the marquee was originally denied by the Building Department because of a two-foot regulation in the Administrative Code, but an appeal was taken to the Board of Standards and Appeals and permission was granted. Later Rutgers Prebyterian Church, Wood, Dolson Co., Inc., and Chemical Bank & Trust Co. sued, challenging the board's right to grant the permit.

A resolution to permit nine-foot signs on marques was passed by the City Council in its latest action by the Board of Estimate.

EIGHT NEW PICTURES APPROVED BY LEGION

The National Legion of Decency for the current week has approved eight new pictures, one for general patronage and one for adults, and classified one as objectionable in part.

The new films and their classification follow:


RICHARDS EN ROUTE EAST

Hollywood, Oct. 10.—With his company's first picture, "The Headleys at Home," in the coming room, B. W. Richards, president of Standard Pictures, left for the east today by motor. He was accompanied by George Lagunas and George R. Trainor, members of the board, who have been here for two weeks. The company has offices in Kansas City, Chicago and Detroit and Cleveland.

AFL HEARS ROSENBLATT

Houstont, Oct. 10.—Laws canceling the right to vote by subversive elements were urged at the American Federation of Labor convention here today by Sol A. Rosenblatt, New York film attorney. Mr. Rosenblatt spoke in his capacity as impartial chairman of the cloak, suit and skirt industries. In his speech he tacitly attacked those who seek a change in the American form of government.

LOCHMANN TO ANAPOLIS

Marc Lochmann, national exploitation manager at 20th-Century Fox, left last night for Annapolis to arrange a private showing of "Submarine Patrol" at the U. S. Naval Academy here.

STATION INCREASES STOCK

RICHMOND, Oct. 10.—The Times-Dispatch Radio Corp., here, has filed a charter amendment increasing its maximum authorized capital stock from $80,000 to $130,000.
BELIEVE IT OR NOT
This picture was taken on opening day of the SECOND WEEK!
THROW AWAY
FORGET ALL YOU EVER
BECAUSE
IS PAYING
Smart showmen all over the
WARNERS! PARAMOUNT! RKO!

UNIVERSAL'S
starring
BELA LUGOS

you play them together!
AND THEN THE CROWDS
FRANKENSTEIN

HE BOOKS! OFF AGAIN.

OEW! FOX WEST COAST!

FOUR COUNTRY are cashing in on it!

YOU DARE THEM TO SEE IT!

BREAK DOWN YOUR DOORS!

THE BOOKS!

NEW ABOUT SHOWMANSHIP!

KRAKOL STARRING

WORLD COLOR
U.S. Firms End Shipments to Italian Market

(Continued from page 1)

all sales services, such as advertising and publicity aids, have not been dis-
tinued. The South American market is another known trouble spot for American film companies. The pressure is greatest with the wind, which promises to become an ill one before long. The No. 2 foreign revenue pro-
ducing sector is rapidly losing ground to the fanning of national prejudices and industry sources have anticipated restrictions of a similar nature, and the Orient have pro-
vided the South American countries with numerous precedents and patterns by which they can replicate the policies of film producers and the economic factors in the subject of the United States. Added to the economic factor is the infusion of prod-
gress from continental European countries, and both together promise to provide a first class headache for 35 million dollar traders.

Trend Is Against U. S. Films

So marked is the trend against American films in various parts of the world that industry sources here en-
vise a self-sufficient American film industry, with the English speaking countries virtually the only market for our product.

While a few exceptions to the usual quota and tax regulations abroad have re-
mained unchecked in the last year, a number of countries have had to contribute to the dwindling re-
turn. Two of the most recent are the ex-
tension of Nazi rule to Austria and Czechoslovakia and the Italian anti-
American decree.

Without Germany and France con-
tinue to throw up forts they have not erected any additional commercial barriers against U. S. films in the last year. The Nazi territorial expansion toward the east has curtailed Ameri-
ican revenue in Austria and Czechoslo-
vakia. The economic sanctions against the sale of the American companies’ revenue possibilities have been taken over by the Nazis, including the foreign resources of Karlsbad and the industrial cities in the eastern portion of the annexed territory.

Warriors to Quit Austria

M-G-M, Paramount and 20th Ce-
tury-Fox are among the first in the German territories, but on the basis of Warners’ withdrawal from Germany some years ago that company can take the chief distribution in the annexed territory.

Japana continues a sore spot. While last year a large number of film were re-
cently resumed, the question of frozen currency is a problem. The American companies have received no money from Japan since last July, and the total of embargoed currency runs be-	ween $6,000,000 and $7,000,000.

Recently it has been stated that new shipments could be paid for in three-
time notes drawing no interest. The currency position is entirely in the Japanese account to the Government, which guarantees the notes. The paper is deposited in the San Francisco Bank of Yokohama Specie Bank and is to remain there until maturity.

Quota’s Heavy Bill

The British quota act which went into effect last spring will cost American film com-
pagnies a minimum of $75,000,000 for production during the 10 years of its existence, according to estimates made by Hays office sources.

It is emphasized that this figure is the basic minimum, computed on the basis of single quota credit films, ap-
proximately $55,000 each, and that the total undoubtedly will run much higher.

This amounts to a loan, without inter-

est, to the Japanese Government which has been pressed with cash with which to proceed to its own economic development. The companies entered into this arrangement as a means of getting out enough money to pay for prints.

Empire State Union To Reelciff Officers

Present officers of the Empire State M. P. Operators’ Union will be unopposed in the selection scheduled for Oct. 18. All nine members of the executive board have also been renamed, but six additional nominations have been made.

The nominations are Abraham I. Kindler, president; Benjamin J. Greenstein, vice-president; Leon Dia-

manto, secretary-treasurer; Harry Williams, treasurer; William Santarsiero, recording secre-
tary; Harry Fischman, business agent, and Peter Elarde, Jr., sergeant-at-arms. Nomination for the executive board are Nick Pitta, Charles Polovsky, Jack Miller, Alfred Schnall, Rube Green, William Green, Abraham Silvian, Ignatius Ricca and Michael Finkelstein, present

inventors, and F. C. DiDio, Fred Rose, James Quinn, Joseph Morasco, Harry Rubin and Edward Levine.

Dual Control

By Contracts Hit by Court

(Continued from page 1)

same program with any pic-

Koch is refusing to review the lower court decision holding such clauses to be illegal, the Supreme Court has vacated the order to the lower court.

In the Dallas case, the contracts involved applied only to specific pictures which, it was stated by the lower court, had adhered to minimum admission prices and then only on a single feature program.

With the high court’s finding that “probable jurisdiction” in the Dallas case is left for distributors and the Interstate Circuits to apply to the court for a review of the license agreement, the lower court’s order of injunction, such contracts to be in violation of the Sherman and Clayton Acts. The case was sent to the Supreme Court last term, but the Supreme Court heard no further action because of the failure of that court to show findings and conclusions of law, as re-
quired by the rules.

The case, however, involves only the same question of duplication of service, in that it can be decided by the lower court in the specific case. Distribution companies are more hopeful of a solution of the problem in the federal question and it is the delivery of the contract through the federal industry and the review of contract prohibitions.

Supreme Court to Act on Ascap Laws

(Continued from page 1)

grounds that the jurisdictional amount of the case is involved. In the Florida case, the high court denied a motion by the state’s attorney to vacate a decree by the federal district court. And the court held that it has probable jurisdiction over the injunction suit brought by Ascap against the firm of the state law. The court also granted Ascap’s petition for the substitution of the present Florida Attorney General as a party to the case in place of the de-

The chief of the department will no longer be the private citizen acted upon, which were the proceedings originally were directed.

The court held that much more in important that it brings into question the proposition that the substantive law of the state is the law of the state. This is still a matter of preliminary and tech-

ical nature. In its appeal in the Wash-

in the case, Ascap replied to the lower court’s jurisdiction citing by pointing out that the state law inter-

fered with the contracts between the society and Washington users of its music, from whom it has received $2,000,000.

Ascap argues the statute denies it the equal protection of the laws and deprives it of property without due process.

“Clown” Will Open Today

G. B., "A Clown Must Laugh," will have its American premiere at the Little Carnegie Playhouse today.

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pagnies a minimum of $75,000,000 for production during the 10 years of its existence, according to estimates made by Hays office sources.

It is emphasized that this figure is the basic minimum, computed on the basis of single quota credit films, ap-
proximately $55,000 each, and that the total undoubtedly will run much higher.

Pascal to Do Film

For MGM on Coast

Gabriel L. Pascal, British independ-
ent producer, will make a film in Hollywood for M-G-M, he said on Tuesday night on his arrival.

It will be a George Bernard Shaw play, either "Devil’s Disciple" or "Casanova and Cleopatra." The story will be decided in confer-

ences with Louis B. Mayer on the coast. Mr. Pascal will also supervise the editing of "Pygmalion," which M-G-M will release. Mr. Pascal said he is financing his own productions. His next picture will feature Maria Doro, whom he "discovered" in Europe.

Victor Schertzinger, another D.

M-G-M director, will make his first directing venture, also for D.

M-G-M’s, with "Miracle on 34th Street," a sequel to the hit picture last Christmas. The story for this picture will be written by Howard Koch, one of the youngest of Hollywood writers.

"Snow White” Heads for $6,000,000, Record High

(Continued from page 1)

representative in London, who is now in New York for conferences with Roy Disney, reported that thousands of families moved from the city to rural areas for the month that became increasingly acute, a fact which may have had a more telling effect on "Snow White" grosses than on other pictures for which the juvenile trade is less important.

The indicated $5,500,000 from the American and British market will be supple-
mented by a world gross else-
where sufficient to establish a new all-
time gross record, according to cur-
cent estimates.

The present all-time record is held by Warners’ "Sing, Sing, Sing," released in 1927, which grossed $3,500,000; M-G-M’s "The Big Pa-
field," released in 1925, which grossed $3,500,000; D. W. Griffith’s "Birth of a Nation," released in 1915, which grossed $3,500,000; Fox’s "Cavalcade," released in 1931; "Sunny Side Up," $3,500,000; and M-G-M’s "Broadway Melody," 1929, which reached the $3,-

000 mark.

United Artists’ "Whoopee," "Kid from Spain," "The Gold Rush" and "Kid," all grossed better than $2,-

500,000. The other best pictures, "Little Wo-

men," released in 1933, grossed $2,250,000, "The Ten Command-
ments," released in 1923, piled up a gross of $2,750,000 for a Paramount record. "All Quiet on the Western Front" still stands as Uni-

versal’s largest grosser, "Lost Horizon," a 1937 Col-

day, is still being played, but already has established a record of $1,500,000 for that company in excess of $2,000,000.
High Court to Hear U.A. Tax Case Appeal

WASHINGTON, Oct. 10.—The U. S. Supreme Court held today that it had probable jurisdiction over the appeal of the conflict between West Virginia authorities from an injunction granted by the lower court against enforcement of the state use tax law against United Artists.

United Artists sued to enjoin the state from collecting one per cent of the gross proceeds received from exhibition of its films in West Virginia, and the court issued the injunction on the ground that the company was not engaged in business in West Virginia, and that its activities constitute interstate commerce. The action was initiated by the company as a "test" case.

The state, in appealing, contends that the company is engaged in business in the state sufficiently to be subject to the tax, and that it is engaged solely in interstate commerce relative to local exhibition of its films in West Virginia, which is the sole activity sought to be taxed, and that the tax does not place an invalid burden upon interstate commerce, which is purely incidental to a local activity within the state.

Convention Opened By Michigan Allied

GRAND RAPIDS, Mich., Oct. 10.—Allied Theatre Owners of Michigan opened a three-day annual meeting here today, with about 150 members in attendance. Business sessions are scheduled for tomorrow and Wednesday. The Board of Directors met tonight.

The theatre men have a golf tournament scheduled for tomorrow morning, and a reception and screening in the evening, in addition to the business meetings.

Presiding is Ray Branch of Hastings, president, with Pearl M. Sprott, executive secretary from Detroit, in charge of registrations. The arrangements committee includes three Grand Rapids men, Allen Johnson, Walter Semeen and Roy Taylor.

Monopoly, "Quiz" Iowa Allied Topics

DES MOINES, Oct. 10.—Hearty endorsement of the Federal anti-trust suit against motion picture monopoly and plan to declaring unlawful, and endorsement of the Neely Anti-Block Booking Bill unanimously pledged to the Kansas City meeting at next session of Congress was expressed in resolutions adopted at the annual meeting of the Allied Independent Theatre Owners of Iowa. Mr. Franklin, who is a member of the company here today at the Kirkwood Hotel.

Approximately 1,120 independent theatre owners, managers, bookers, and others connected with the theatre industry were present for the noon luncheon that opened the session.

L. W. Zellman, chairman of the "Quiz" in Theatres Theatres. The assembly moved that Mr. Franklin, who is a member of the New York house to quiz to extend for two months to allow theatres to receive later pictures to take part in the contest.

Leo F. Wolcott, president of the organization, visualized a world without the industry abuses. He stressed the fact that the theatres in the average town are 10 months old, and that the results of modern methods of merchandising.

Mr. Wolcott stressed at the business meeting of the group following the luncheon. Nominating committees were appointed and the session adjourned until tomorrow.

Para, Publix Claim Expunged by Court

The claim of Orvis Mundi Realty Corp. against Allied Pictures, Inc., successor to Paramount Publix, was expunged yesterday by Federal Judge Alfred C. Cox on the application of Paramount Pictures, Inc., owner of the theatre.

The order expunging the claim confirmed a recommendation to that effect by Special Master John E. Joyce in a report filed Oct. 6. Paramount Pictures stated that Orvis had withdrawn its claim to Paramount Pictures Distributing Corp. as security for an indebtedness, and that subsequently the latter had merged with Paramount Pictures.

Los Angeles Papers OK Pact Giving Films Greater Space

Los Angeles, Oct. 10.—In the first move of the kind here publishers of Los Angeles newspapers have agreed to a number of concessions on film news in theatre sections. Film men pointed out that approximately 1,700- 000 attend film theatres weekly in Los Angeles, and practically all of them have to be given film news and current events, circuses and carnivals, unless for charity purposes. They will submit plans to the theatres, giving them a chance to clean up or eliminate burlesque ads. Theatre managers pointed out that burlesque ads are overlapping the bounds of decency and film ads are kept clean.

DISNEY MAKES FIRST COMMERCIAL PICTURE

HOLLYWOOD, Oct. 10.—Walt Disney is at work on his first commercial cartoon which he is making for National Biscuit Co. The film will be based on short features, with Disney characters and will be shown at the New York and San Francisco World Fairs exclusively. There will not be available for exhibition in theatres.

British Drive To Boost B.O. Now Set To Go

By AUBREY FLANAGAN

LONDON, Oct. 10.—Simon Rowson, statistician and leading industry figure for many years, declared today that plans have matured to the point where the industry's patronage drive will be launched this week.

The drive is designed to reach the large potential audience in the country which does not now attend films with any regularity, and in that respect, the drive may be likened to the Motion Picture's Greatest Year campaign in the United States.

Rowson has sought the support for the drive of the Cinematograph Exhibitors Association and the Kinematograph Retailers' Society (distributors) and claims the wholehearted backing of the majority of all exhibitors and distributors in the country. It is believed, however, that John Maxwell, head of Associated British and one of the most powerful of the nation's film leaders, will not subscribe to the plan.

It is intended to finance the drive by placing on the market nearly a million copies, on each distributor invoice to the exhibitor, each party to pay half the value of the stamp. Rowson contends that adequate financing will be forthcoming for the launching of a nationwide campaign.

Alperson Is Made Grand National V-P

Edward L. Alperson, general sales manager of Grand National, was elected a vice-president of the company yesterday at a meeting of the board of directors which completes the company's roster of officers, it was said.

Earl E. Huntress, president, will sail for England tomorrow on the Normandie to complete arrangements for the company's British distribution. He will be accompanied by Samuel Berkovitz, vice-president of Fine Art Pictures, which releases through Grand National.

Blanke Files in Suit

Leo M. Blanke, through his attorney, Schwartz & Frohlich, yesterday filed notice of appearance in the Government's suit in the Eight Circuit against the eight major companies. He requested that all the papers in the action be served on his attorneys.

Blaze New Script Show

A new script show built around the exploits of a bandit chief, with Leo Carrillo in the lead, is being offered here in and Hollywood for radio sponsorship.

Hays Directors to Meet

An adjourned meeting of the M. P. D. A. board of directors is scheduled to be held next Saturday morning to act on unfinished business from the last meeting.
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 TO IMPROVE ITS SERVICE

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILEY
FIRST VICE-PRESIDENT

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

S. R. C.]

ASS 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.

WESTERN UNION
COLUMBIA PICTURES CORP.
729 SEVENTH AVE NYK=

7ZA487 '51 NL=SPRINGFIELD MASS 5

1938 OCT 5 PM 10 33

RECEIVED AT

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
Latest Short Subjects Are Reviewed

“The Animal Cracker Circus”  
(Mintz-Columbia)  
A well-timed circus is staged by the animal crackers after a boy agrees to eat his spinach. A ringmaster introduces clowns, lion, bear, rabbits, trick horses and acrobats. This animation in Technicolor is ingeniously contrived and should be well received. Running time, 7 mins. “G.”

“Styles and Smiles”  
(Nu-Atlas-RKO)  
A well balanced musical with four lively acts and a fur style show. Marion Daniels does a clever acrobatic dance. Virginia Verrill, who was heard with a white mouse in a large network with the Jack Haley program, and Charles King sing several excellent numbers. Harrison & Fischer, a dance team, also appear. The ladies will like the furs. Running time, 11 mins. “G.”

“Sea Melody”  
(RKO)  
Ted Fio Rito takes his orchestra and Rita Oehman and Muzzy Marcelino on a tuneful coast-to-coast tour. At a farewell party for a friend they fall asleep aboard a boat and are carried out to sea where they are compelled to scrub decks for their passage. The story forms a weak backbone to the music. Running time, 19 mins. “G.”

“Sue My Lawyer”  
(Columbia)  
Harry Langdon turns lawyer in a search of a job with the District Attorney’s office for this one. He finds the evidence to convict a racketeer but decides that defense is his calling. During the courtroom scene he shows his evidence to the judge and the gumman is convicted. Harry plays the hero for producing the evidence which the D. A. was unable to find and gets the job. A number of humorous situations develop. Running time, 17 mins. “G.”

“Fisherman’s Paradise”  
(Columbia)  
Martin fishing off the Bahamas forms the background for this “Sportscope.” The audience will get a genuine thrill and be excited by the builds after a gallant fight. The camera captures everything from the baiting of the hook until the fish is hauled on board and provides a camera record of “the one that got away.” It is up to par. Running time, 9 mins. “G.”

“The Immortal Brush”  
(Warner)  
Here is an unusually interesting and unique type of subject, done in color. With interesting and informative commentary, it shows some of the most famous paintings, telling something of the history of each and the artist. Excellent, although perhaps with a limited appeal. Running time, 9 mins. “G.”

“Toplady Casino”  
(Warner)  
An incredible amount of infantile talent has been gathered for this subject, in which a “night club” for youngsters is opened in a hotel. With a master of ceremonies, the children take their turns performing, some with amazing ability, others in mediocre fashion. Tap dancing appears the favorite maneuver. Running time, 22 mins. “G.”

“How to Read”  
(M-G-M)  
Robert Benchley in one of his exceedingly clever demonstrations of how to do things. Suggested by a sign reading “read in bed when the bed lamp is in the wrong place, reading in a car all done in the embittered Bendix style, against his own amusing explanations.” Running time, 9 mins. “G.”

“Community Sing No. 1”  
(Columbia)  
Five popular college songs start the third series of Columbia’s “Community Sings.” Pennsylvania, Stanford, Cornell, Washington and Lee, Dame are represented. The last number is called “Bingo,” a neutral col- lege and the word “bingo” is added to fill in the name of its favorite alma mater. Gene Morgan is as persuasive as ever. Running time, 10½ mins. “G.”

“The Ugly Duckling”  
(Discy-RKO)  
Every now and again the Disney artists set out to apply their technique respectively and gently to a well loved subject and achieve, as here, something akin to perfection. This is a straight handling of the story named in the title, with only one brief and easily assimilable flight above juvenile comprehension. It’s among the quietest and more delicately charming Disney creations. Running time, 9 mins. “G.”

“Goofy and Wilbur”  
(Discy-RKO)  
Wilbur is a new addition to the Disney cast and is one of the great adventures. With lilt in his manner and music in his hind legs. In this intro- duction he learns a fine catch of foolhardy fish into Goofy’s net and then gets swallowed by a frog which in turn swallowed by a stork. Goofy pursued and, driving the bird from its nest, finds therein an egg from which Wilbur emerges unharmful. It’s a good start of what is likely to become a long screen life for Wilbur. Running time, 8 mins. “G.”

“The Newcomer”  
(Terry-Toon-20th-Fox)  
Fred Terry has made clever use of the interest in baby pandas by putting into a cartoon zoo where they are kept on a rubber ball and juggling with the teddy bear the jealousies of the seals and a lion. The lion breaks out of the cage, the panda flees to the seal who rescues them with a slap, which makes the lion blossom into a Kun- garoo. It’s fine kid stuff. Running time, 7 mins.

“The Farmyard Symphony”  
(Discy-RKO)  
Music of symphonic patterning and classical origin accompanies this amusing presentation of what goes on in the farmyard when dawn breaks and breakfast starts. Hero and heroine of the piece are a rooster and a hen which wind up singing a duet while their youngmates jive in the feathered romance is handled in a manner to make its comutations clear enough to adults without disturbing the kiddies and the music is especially well executed. Running time, 8 mins. “G.”

“Football Giants”  
(Columbia)  
This timely reel shows the New York Giants preparing for a tough schedule of professional football. Line play, forward passes, punts and field goals are shown with lots of “in- side dope.” This should be very popular during the fall football season. Running time, 10½ mins. “G.”

“Porky’s Naugthy Nephew”  
(Warner)  
A “Looney Tune” cartoon, this is amusing material, showing the prob- lems of a boy with the help of his nephew, who conceals a devilish knack of rompiness in his cherubic makeup. Running time, 7 mins. “G.”

“Deep End”  
(RKO)  
This is a stunningly photographed exposition of diving form as practised by a number of Olympic contestants. There is appropriate running comment explaining each of the dives. For the audience that goes in heavily for this sort of thing it should be a must. Otherwise, it is unraveled adequately enough for general favor. Running time, 10 mins. “G.”

“Ferdinand the Bull”  
(Discy-RKO)  
This is an adroit and novel presentation of “The Story of Ferdinand,” by Munro Leaf and Robert Lawson, as the latest outside work ever purchased by Walt Disney for a short subject. It is the story of a bull which doesn’t choose to fight. As presented in the Disney medium it is a bland little account of how one bull in a pasture full of them prefers lying under a tree to running about and fighting. The narrator is employed effectively for this subject, although the characters talk, and a thoroughly diverting result is achieved. Running time, 8 mins. “G.”

“Mother Goose Goes Hollywood”  
(Discy-RKO)  
Discy’s legendarily ramble through a volume of Mother Goose with heady cinema stars seen, and kidded plenty, get the bulk of the caricatures, is dated for release Christmas Eve, as only as many showmen as can get prints of it a happily satisfied holiday audience. This is a wholly good-humored short subject and immensely entertaining. Running time, 7½ mins. “G.”

“China Today”  
(Warner)  
One of the interesting E. M. New- man travel subjects in color, this con- vertion to the ports of Hong Kong and Macao, the last of the oldest Euro- pean settlement in the Far East, and under Portuguese rule. The subject is in light of the recent, and of special interest in view of the Japanese in- vasions of the country. Running time, 11 mins. “G.”

“What Every Girl Should Know”  
(20th Century-Fox)  
This is the first of Lew Lehr’s new series and it shows him teaching a kindergarten of grown girls. The in- struction includes calisthenics, beauty treatments, etc. These are interspersed with scenes of different kinds of beauty-tobogganning and other shots. Lehr carries on a funny monologue throughout as he stands behind the teacher’s desk. His fans ought to go for it in a big way. Running time, 10 mins.

“The Glass Slipper”  
(Terry-Toon-20th-Fox)  
The color Technicolor cartoon version of the Cinderella story in which the cartoon impersonation of the fairy godmother is Mae West and the fairy prince is Harpo Marx. It’s a kid subject evidently treated to amuse grownups as well. Running time, 7 mins.

“Isle of Pleasure”  
(20th Century-Fox)  
This is one of the Magic Carpet of Movietone series—and a good one. Lowell Thomas furnishes the narration as the roving camera appears a beauti- ful collection of shots showing Hav- ana, with emphasis on the picturesque points in its narrow streets, near its public buildings and monuments, at Morgan Castle, in the rice fields, and in cane fields outside the city and finally at the gay Sloppy Joe’s. Lew Lehr did the editing. A very high class travel- oge. Running time, 11 mins.

“They’re Always Caught”  
(M-G-M)  
One of the “Crime Does Not Pay,” series, with a maximum of dramatic power, chiefly by reason of splendid performances and line production values, the man- ner in which the scientists of the police department apprehended the murderer of a mayor who thought his crime was detection-proof. An excellent short. Running time, 22 mins. “G.”
Little fellow with big ideas!

You’d think a feature was going into production when we plan a short subject at M-G-M! We give them feature attention for this reason. Year after year we’re building for our accounts a reputation for the most intelligent and entertaining shorts. This market has become increasingly important with increased public support of good shorts, and M-G-M has won leadership of the field. It hasn’t been easy and it wasn’t always profitable. Now it is obvious to all theatre operators that M-G-M Shorts bring in additional business and help to make the whole show more enjoyable. Subjects like CRIME DOESN’T PAY; PETE SMITH; ROBERT BENCHLEY; CAREY WILSON; FITZPATRICK TRAVELTALKS; NEWS OF THE DAY; PASSING PARADE; MINIATURES; MUSICALS, etc. They are the best you can get to make your house a better and more profitable show-shop.

Hot Box-Office!
PETE SMITH’S “FOOTBALL THRILLS”
ROBERT BENCHLEY’S “HOW TO WATCH FOOTBALL”
PETE SMITH’S “GRID RULES”

Soon! Another Prudence Penny Technicolor hit, Pete Smith’s “Penny’s Picnic.” Also the first of Radio Star John Nesbitt’s “Passing Parade,” a new idea. And “Nostradamus,” another brilliant Carey Wilson subject.
**“Boys Town” Top Cincinnati Draw**

**DENVER, Oct. 10. — “Boys Town,” combined with “Rich Man—Poor Girl,” was the highest attraction at the Orpheum, breaking the double bill record at the house. It did $13,000 against a pair of $7,500 and is being held.

“Valley of the Giants” at the Denver and “Four Daughters” at the Alamo, were the most popular in the downtown, “Daughters,” age, all houses being aided by fine weather.

Estimated takings for the week ending Oct. 5:

- **“Four Daughters”** (F. N.)
  - ALADDIN—(4,000) 25c-45c 7 days. After a week at the Alamo. Gross: $4,000. Average: $575.
- **“Break the Ice”** (RKO)
  - TOUCHDOWN ARMY—(Radio)
  - DENVER—(2,000) 25c-35c. 6 days and stage show. Gross: $2,500. Average: $416.
  - **“Valley of the Giants”** (M-G-M)
  - ANABELLE—(3,500) 35c-45c. 7 days and stage show. Gross: $6,000. Average: $850.
  - **“Boys Town”** (M-G-M)
  - RKO (2,750) 25c-35c-45c 6 days and stage show. Gross: $3,000. Average: $500.
  - **“Nicholson” Girl** (RKO)
  - ORPHEUM—(3,000) 35c-45c. 7 days. Gross: $3,000. Average: $425.
  - **“Army Girl”** (Republic)
  - RKO<br>
  - **“Frankenstein”** (Univ.)
  - **“Dorothy”** (Univ.)

**“I've Got a Horse”**

**LONDON, Oct. 10.**—Mostly as if this upsophisticated but very spirited British comedy, it is an exemplary effort in the art of direct popular appeal. With a comedian—Sandy Powell—who has a wide following on stage and radio and a gift for the comic and elementary fun, it has more laughs than many more ambitious comedies and a great deal more entertainment than the majority of its opulent and high sounding contemporaries.

Powell is a Yorkshire comedian with an expansive, pair of bearing that makes him a natural comedy star. The comedy comic romance, which takes him through an adventure as a bookmaker who acquires a racehorse, but loses the race because unwisely having he has employed a trainer of circus horses, is rich with humor. Simplicity and freedom from sophistication are the film’s strongest box-office assets.

Herbert Smith, zealous and inventive direction, polished technical qualities and an enthusiastic cast add to the commercial merits of an honest and unpretentious British production which has points of appeal to a somewhat wider field.

Running time, 66 minutes. **G.**

**Acubry Flanagan**

**“Place, Show” Tops Detroit, $24,000**

**BUFFALO, Oct. 10.**—“Too Hot to Handle” was the hottest draw along the local rialto. It rang up $16,300 on the cash register, $4,300 over the line, which was given a second week at the Hippodrome.

A Lafayette dual, “When G-Men Meet G-Men” and “The Gladiators,” clicked for $6,800, which was $500 better than par. Showmen caught plenty of competition as the International League had an overhaul of season finishes and finished here with a professional football game in the new Civic Stadium brought out a crowd of 20,000.

Estimated takings for the week ending Oct. 4:

- **“Two Hot to Handle”** (M-G-M)
  - BUFFALO—(1,000) 25c-35c-45c 7 days. Gross: $12,000. Average: $1,714.
  - **“Marie Antoinette”** (M-G-M)
  - GREAT LAKES—(300-35c-45c) 7 days. Gross: $11,000. Average: $1,571.
  - **“Blackboards”** (M-G-M)
  - PALM SPRINGS—(2,000) 25c-35c 7 days. Gross: $10,000. Average: $1,429.
  - **“The Texans”** (Para)
  - CAMPUS CONFEDERATIONS—(4,000) 15c-25c 7 days. Gross: $10,000. Average: $1,429.
  - **“Bring the Wait”** (RKO)
  - THEATRE—(2,500) 25c-35c 7 days. Gross: $10,000. Average: $1,429.
  - **“Jitterbug”** (Col.)
  - LAFAYETTE—(3,300) 25c 7 days. Gross: $9,000. Average: $2,700.

**Transfiguration of the Benches**

**K.C. to Get Twin Runs**

**Kansas City, Oct. 10.**—Fox Midwest Theatres, Inc., has introduced a new policy in connection with two of its first runs, the Uptown and the Esquire. The two houses will play the same first run picture simultaneously. The Esquire has dropped its 55-cent price for reserved seats, going to 25c-40c, with balcony at 25c.

**Cooper Shifts Turgeon**

**DENVER, Oct. 10.**—Bert Turgeon, booker for Cooper Enterprises, has transferred to the Cooper headquarters here. Bill York, purchasing agent, is assuming the booker job to his other duties.

**Don Martin in New Spot**

**BOSTON, Oct. 10.**—Don Martin has resigned as manager of the Casino. He is now assistant manager at the Columbia.
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
What Key City Critics Say...

Following are excerpts from the reviews of current pictures from the critics of leading key city papers.

**Boys Town**

Los Angeles Examiner—Will do more for humanity than 100 reform speeches. Everyone should see Boys Town.

Los Angeles Times—So inspirational...that it practically defies criticism...It will enjoy an exceptional audience.

Los Angeles Herald-Express—Splendid. One of the most touching productions seen in many a moon. A must see.

Hollywood Citizen—Solid drama in a class of its own.

**Room Service**

Chicago Tribune—Laughter aplenty for the audience...Excellent supporting cast.

Los Angeles Examiner—Sure-fire for laughs. A definite RKO success.

Hollywood Citizen News—Elicited many laughs.

**King of Alcatraz**


**Carefree**

Philadelphia Public Ledger—We were enormously entertained.

Philadelphia Record—Fred Astaire and Ginger Rogers together again...enough to recommend the film.

Philadelphia Daily News—A major event on any screen.

Los Angeles Daily News—An occasion for rejoicing...Many happy moments the film has to offer.

Los Angeles Evening News—Moves fast...is recommended.

Los Angeles Evening Herald—For sheer entertainment...the answer is box-office anyway you look at it.

Los Angeles Examiner—A sure cure for the blues...proof that movies are your best entertainment.

**If I Were King**

Los Angeles Examiner—One of the best adventure stories that has been released by any studio in a long time.

Warner Men Transferred

WILMINGTON, Oct. 10.—A. J. Vann, Warner Theatre zone manager, has shifted several managers. Arthur Cohn, manager of the Queen, has been transferred to the Roosevelt, Philadelphia. He is succeeded by Richard V. Kirsh, former manager of the Palace, Philadelphia. C. Leonard Howard, assistant manager of the Queen, has been appointed assistant at the new Warner which will open in December. Lewis S. Black, manager of the Aldine, has been appointed manager of the Warner.

Universal Signs Sullivan

Hollywood, Oct. 10.—Wallace Sullivan has been signed by Universal to write an original, untitled story.

**Hollywood Preview**

“Five of a Kind” (20th Century-Fox)

Hollywood, Oct. 10.—There can’t be much doubt about how many people want to see the Dionne quintuplets are like, now that they’re four years old, and “Five of a Kind” shows a great deal of the five of a kind, sporting, playing the piano, opening gifts, pretending to broadcast over an international hookup and, in short, being themselves. That is what “Five of a Kind” is for and that is quite manifestly the way to sell it.

Principally concerned in the picture, otherwise, are Jean Hersholt in his approximation of Dr. Dafoe, Slim Summerville as the small town constable, John Qualen as the babies’ father, Claire Trevor as a girl reporter who turns broadcaster and Cesar Romero as her competitor on the air and companion in the final clinch. The romantic side of the thing is formal.

The original screenplay by Lou Breslow and John Patrick would be an incredible story if anything fictional could seem as incredible as the Dionnes. It sends the rival broadcasters to Canada, sets them against each other in catch-as-catch-can competition, brings them back to New York, where they finally get together in behalf of a project to bring the quintuplets to that city for a charity appearance in behalf of a worthy orphanage. They’re not allowed to come, so television brings them on time to save the box-office proceeds for charity.

Herbert I. Leeds’ direction maintains headway by the simple, wise expedient of stopping the story dead still every now and then and then to give the screen over to the Dionne quintuplets. It runs along smoothly in between these stretches and contains a number of very funny bits.

Running time, 82 minutes. “G.”

Roscoe Williams

**New York Preview**

“The Lady Vanishes” (G. B.)

Alfred Hitchcock has contributed much of his directorial cleverness to this English film version of “The Wheel Spins,” novel of international intrigue by Ethel Lena White, and the result is suspense-laden entertainment. However, on occasion it veers so sharply in the comedy direction that an audience may think itself watching a travesty on a spy drama.

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The screenplay by Sidney Gilliat and Frank Launder contrives to capitalize the maximum of suspense effect, as a train speeding across Europe toward England carries a trainful of excitement and near murder and a clever handful of laughs. The dialogue very often sparkles, and, amazingly enough, some of the lines carry so closely to the current situation relative to England’s Cabinet and its recent decisions that they are sure to draw spontaneous audience reaction. Naughton Wayne and Basil Radford, as a pair of Englishmen more interested in getting to England in time for the big cricket match than anything else, are especially amusing.

The exhibitor need not hesitate to sell the film to his audiences on the basis of good, fast moving entertainment, with production values on the plus side and a series of chuckles along the way.

Running time, 91 minutes. “G.”

Charles S. Aaronson

**Variety Club**

Kansas City, Oct. 10.—Earl Jameson again heads the annual Variety Club entertainment ball, which will be held Nov. 25 at Plaza-Mo. Co-chairs of the general committee in charge are Pinton Jones and Nor-  

other committees and officers are: Entertainment, Harry L. Cline, Harry Chamiers, George Baker, Benn Lawler and Bernard Joffe; program, Jones, Baker, Crosswell; ticket sale team captains (each captain has 10 members of Variety on the team), George Hart- mann, T. R. Thompson, Robert F. Capper, Arthur Cole, Douglas Desch, E. C. Rhoden, Fred Bredhoff, Frank Henstler, C. E. Gregory; reservations, Frank Henstler; publicity, Stan Lawler, W. P. Bennfield, B. W. Formby, Landon Laird and Lowell Lawrence.

More than 75 attended the annual golf tournament at Old Mission. Leon Abraham won first prize with a low net of 74.

**Detroit**

Detroit, Oct. 10.—The local Variety Club luncheon today heard Professor Robert W. Keko, director of the Institute of Public and Social Administration of the University of Michigan.

The luncheon was designated as Monogram Day, in honor of the visit here from New York of George W. Weeks, general sales manager, and the attendance of local Monogram executives. Mayor Richard W. Reading was present as a special guest.

**Columbus**

Columbus, Oct. 10.—There was a big turnout of members in honor of John Harbridge, assistant manager of the Little. He is one of the prize winners in Paramount’s national exploitation contest.

Regular Sunday evening dinners are now being served at the clubrooms.

**Sparks House Ready Soon**

Jacksonville, Oct. 10.—The Matanzas Theatre at St. Augustine, newest outlet in the E. J. Sparks chain, will be completed and ready for opening about Thanksgiving Day, Guy A. Kenimer, district manager, says. The theatre, Spanish in design and decora- 

**Poster Firm May Build**

Cincinnati, Oct. 10.—Plans are being considered by the Theatre Poster Supply Co. for a three-story building adjacent to the present quarters on Central Parkway, according to William Bien, president.

The show was arranged by Trall- 

**Barrymore Replaced**

Hollywood, Oct. 10.—Because of Lionel Barrymore’s slow recovery from an illness his role in Dickens’ Christmas Carol will be taken by Reginald Owen at M-G-M.

**Will Remodel Aldine**

PITTSBURGH, Oct. 10.—The Harris Amusement Co. will spend more than $100,000 remodeling the old Aldine, which has been taken on a long term lease. It will be renamed the Senator and is to open playing the side of November.

**Dollison Opening House**

OMAHA, Oct. 10.—Leslie Dollison former Texas independent circuit operator, will open the 350-seat Nebraska here shortly. He remodeled M. Sigal’s Time Theatre, dark for over a year.
Production Falls; 33 Before Cameras

Hollywood, Oct. 10.—Production this week dropped to 33 pictures before the cameras, six less than last week's total of 39. The unexplained drop occurred with occasional March and November being the only months of the year that have shown such a decline in recent years.

Governor Will Issue Rogers Proclamation

OKLAHOMA CITY, Oct. 10.—Governor Marland will issue a proclamation for the 1937 dedication of the Will Rogers memorial at Claremore Nov. 4. He will send about 5,000 invitations to governors and notables in other states, but no invitations will go to persons in Oklahoma.

William Fox Hearing Postponed to Oct. 31

ATLANTIC CITY, Oct. 10.—Hearing of the $300,0000 suit involving one of the principal issues in the $9,535,000 William Fox bankruptcy, scheduled today, was postponed today, according to Justice Mary Greaves. The suit was brought by Mrs. Fox and two daughters, who proposed to pay the $500,000 if the All-Continental Corp. and the manufacturers of the picture, which Fox created for them, were freed of a suit for recapture of Fox assets.

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Vice-President Garner and Jesse Jones, chairman of the Reconstruction Finance Corp., have been invited to speak at the dedication. Arrangements are being made for music and other entertainment for the occasion. The ceremonies will be held at 3:30 p.m. and will be televised from the dedication.

Walker to Speak At Golden Dinner

Former Mayor James J. Walker will be one of the principal speakers at the Edward A. Golden testimonial dinner at Minneapolis, Oct. 14. William H. Hays also has promised to attend if his engagements permit.

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Hiram Steelman, trustee of the bankrupt estate, was authorized on Aug. 31 to audit and examine the All-Continental Corp. books and report the results today. Creditors then were to be given an opportunity to accept the $200,000 of the compromise offered. The compromise also included the promise to withdraw an estimated $4,010,000 in claims of the grand total of $15,000,000.

Showmen Get Blanks For Drive Contest

Entry blanks are being distributed to exhibitors participating in the Motion Pictures' Greatest Year campaign with a view to obtaining their registration for the $2,100 exhibitors' contest, open to individual theatre managers and publicists, or to teams of five.

Entry blanks are to be sent to the Contest Bureau at campaign headquarters, 1720 Sixth Ave., New York. Monroe Greenhal is chairman of the board, which includes William Ferguson, Allie Maus, Lou Littles, Harvey Bergman, Arch Reese, Mitchell Rawson, Lou Pollock and Paul Gulkis.

Girl Born To Smiths

ELLSWORTH, Me., Oct. 10.—Clifford Smith of the Graphic Circuit recently became the father of a girl, Jane Marie.

New York Preview

“Dark Rapture” (Universal)

This pictorial record of the Armand Dennis-Leila Roosevelt expedition into the Belgian Congo, with the blessing of the Belgian Government, is an engrossing film, captivating and friendly, rather than hostile and fierce. The picture moves rapidly, the interest is never allowed to flag. Episode follows episode in logical and lively sequence, the early stages of the motor trip, down through the Sahara and into the Congo, the lives of the pygmies and the manner in which they fall upon an elephant carcase, the ensemble shot of the little people, the giants, found after a trip through a volcanic region, the exciting drama of an elephant hunt, and the escape from a roaring fire which sweeps the dry country.

Running time, 81 minutes. G

CHARLES S. AARONSON

Broadway's Stage Grosses Near 1937

After one of its worst summers in recent years, the Broadway legitimate stage has started to reach grosses that equal 1937 figures. Anticipation of the New York Autumn is stimulating interest in production plans and 21 shows are now current on Broadway, 19 are on the road, four open this week, and 10 are in rehearsal.

Film interests, which withdrew from Broadway production last year, are still reluctant to invest despite overtures by producers. It is figured there will be an agreement demanded by the Dramatists' Guild, which gives no guarantees for the sale of the script, remains the principal objection to Hollywood participation.

On an experimental basis, Equity has granted permission for four Sunday performances by the Market St. Theatre stock company (Newark) during October, but Equity officials denied that there is any possibility of similar permission being extended to the Broadway area. Fear of a seven-day week, and a belief that there is not sufficient audience interest in Sunday performances are given as reasons for withholding permission. It was pointed out that Actors' Fund benefits, which are staged on Sundays, do not draw sufficiently to indicate a necessity for Sunday shows.

Estimated take for the last week in September and the first in October were above the same period in 1937, but road shows grossed considerably less. It is figured that about 20 road shows as compared with 22 shows last year. For the 16 summer weeks, Broadway shows were under 1937 levels in the road also.

Interest this season is expected to center around musicals. Chorus Equity, which has recently completed an agreement with the World's Fair, has found that more members are now employed in current engagements or rehearsals than were employed during the same season, it was said. Actual figures will not be made public until next week.

AIR EXPRESS flies special newsmagazine service!

Regular as clockwork, twice a week from New York, newsmagazines zoom fan-wise over the nation by super-speed AIR EXPRESS. To nearest exhibitors in minutes, farthest overnight, with last-minute highlights of world events. It's a house-packing store at low cost, big savings. Protect your bookings with 3-mile-a-minute AIR EXPRESS deliveries right to your door. Direct super-speed service for reels, scripts, props—anything—to 220 key cities and direct air-mail connectio-ns to 23,000 cities and towns in United States; Film Fair; Latin America, Honolulu, and Far East. For more information RAILWAY EXPRESS

AIR EXPRESS Division

Nation-wide service—2500 miles overnight.
Church Group In Attack on Air Censoring

A study of American radio conducted by the Department of Research and Education of the Federal Council of the Churches of Christ in America shows the council to be opposed to any form of Government control over broadcasting.

The report describes in detail and analyzes the several sides of broadcasting and their financial and political ramifications, and argues that the Federal Communications Commission should be persuaded to adopt a policy which would ensure free and untrammeled expression of the public interest in the development of broadcasting.

The report concludes that the government should not monopolize radio, but that the public interest should be safeguarded by a regulatory agency which would be independent of the broadcasting industry.

NAB Study Press Fight on Censorship

(Continued from page 1)

published about radio is being compiled by the N.A.B. The Library of Congress and the U.S. Senate Bureau of Radio Research are both interested in the project. Present quarters of the N.A.B. have been found inadequate, and the association is now seeking new quarters.

WOR Disc Deals Closed


Close 3 Deals on WNEW

Three new WNEW contracts, just placed, are of The American Legion, Inc., for 20 weeks of "Make Believe Ballroom," Howard Co., supported by the New York World-Telegram, for 25 weeks of "Bartholomew on Radio." Freddie Bartholomew will play the lead in a one-act play on Rudy Vallee's program over the NBC-Red on Thursday.

Wrigley Will Sponsor New Lasky-RKO Air Program

Jesse Lasky left New York for Chicago yesterday to close a deal with RKO Pictures for a new network series entitled by Mr. Lasky in affiliation with RKO Pictures. The deal for this series has been under negotiation for almost a year, but yesterday Mr. Lasky appeared optimistic that the deal will be closed within the next few days.

Mr. Lasky would not reveal the name of the sponsor who will sponsor the program, nor would he mention the name of the studio producing the series, but from another source it was learned that the duo behind the series will be the Wrigley Co. and RKO. The program will be a retelling of the original film in a new scene format, with music and drama, and with the stress on the latter. Chief feature will be a dramatization which will feature different characters in each show. A board of judges, recruited from the studio and sponsoring heads, will select the final episodes of a 13-week run, and only those which are judged to be the best will be featured on the program. The two sponsors will be the Wrigley Co. and RKO. Mr. Lasky will participate in the program as narrator and "emcee."

Networks to Survey Reactions of Public

In preparation for the forthcoming resumption of the Government probe into the radio industry, the networks have been asked to give the inquiries into the attitude of the public toward network radio. The networks will be asked to give their views, and the public will be asked to express their views on the networks and their programs.

The surveys will be conducted by the networks themselves, and the results will be made available to the Government.

WBO Trial Set Oct. 25

Federal Judge John C. Knox yesterday set trial for Oct. 25 for a suit which seeks to restrain WBO Broadcasting Corp., owner of WNEW, from broadcasting on certain radio stations.

The suit was brought by Whitehead & Miller, Franklin & Co., consulting engineers, to conduct several surveys of the radio market for the purpose of obtaining information that would reflect credit upon the networks and their methods of operation.

The first survey was taken by WBO and the recent State Fair at Trenton, which was attended by a group of typical small town stations. The survey now is being tabulated. Some 800 persons attending the fair filled in the questionnaires. The reports will be given to the Whitehead & Miller, Franklin & Co., consulting engineers, who will conduct the surveys on behalf of the networks.

Ferguson Joins Weed

R. L. Ferguson, formerly with the Jesse Kaufman talent agency, and prior to that manager of WINS, has joined Weed & Co., Inc., and will head the company's New York office immediately to join the company's staff in Chicago.

"Sister" Player to Wed

Elizabeth Love, who appears in the "Big Sister" radio series every week, will be married on Friday to Eugene Kaatun, an attorney, at the Little Church on the Hudson.
Hope for Plan
To End Radio, Film Conflict

Duals Control Also May Figure in Conference

Whether it will be possible for the industry to formulate a feasible policy regarding radio and film trade practice conferences, soon to be held here, is a matter of considerable interest in the trade.

It is also hoped that when the distributors and exhibitors get together some method of voluntary regulation of duals may be framed, for the peace and benefit of the business. Re-allocation and non-delivery may be suitably discussed. It is understood that both M.P.T.O.A. and Allied may introduce these subjects for decision. Nobody has the slightest thought that the Allied will avoid the matter of block booking, and in the meantime the distributors' group is industriously engaged in obtaining a clear and workable viewpoint to exchange with exhibitors for enabling the industry to solve its pressing trade problems.

New Warner London
House Opens Today

LONDON, Oct. 11.—The new Warner Theatre in Leicester Square will be opened tomorrow with the Duke and Duchess of Kent scheduled to attend. The proceedings will go to charity. "The Adventures of Robin Hood" will be the opening feature.

Jack L. Warner, vice-president in charge of production; Sam Morath, in charge of Warner foreign activities; Max Milder, chief in England; and D. E. Griffiths, one of the company's English executives, are among those who will be present. A trade "preview" of the house was held tonight. It seats 1,775, is of quiet architectural design. Will Peaper is manager of the theatre.

Challenges Florida Right to Tax Radio

TAMPA, Oct. 11.—The right of a state to levy a license tax on a radio station has been questioned by the Tampa Times, owner of WDAE here. The company has filed a petition in

Radio—Page 4

STANDSTILL PACT IS BEING STUDIED

Myers, Rodgers to Speak on Industry Needs at Michigan

GRAND RAPIDS, Oct. 11.—Exhibitor-distributor problems will feature the second day's session of Michigan Allied Talks.

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More Independent Units Accept Bid To Industry Talk

The West Virginia Managers Association yesterday designated the M.P.T.O.A. as its representative in the national exhibitor negotiations which will begin here next week with the distributors' negotiating committee. The negotiations will be represented by Albert Galston, president, and Robert A. E. Stoll, executive vice-president.

The I. T. O. of Southern California has requested Oct. 24 as the date for a meeting of its representatives with the distributors' negotiating committee. The organization will be represented by Albert Galston, president, and Robert A. E. Stoll, executive vice-president.

Allied Theatre Owners of Nebraska and Iowa also has accepted the distributors' negotiating committee invitation.

Six New, Three Holdover Films on B'way Next Week

Three of the nine films currently at Broadway first runs will be holdovers during the coming week. "If I Were King" will enter a third week at the Paramount today; "Too Hot to Handle" will begin its third stanza tomorrow at the Capitol, and the Globe will hold "Dark Rapture" a second week starting Saturday at the Astor. "Room Service," which completed two weeks last night at the Rivoli, will be held for an additional three days and will be followed Saturday by "Youth Takes a Flying." Universal's combination of "Frankenstein" and "Dracula." which is netting sensational grosses in key cities, will go into the Rialto next Tuesday. "Marie Antoinette" is currently in a ninth week at the Astor and promises to be the season's only Broadway roadshow. "The Sisters," with Ethel Barrymore, Helen Hayes, and her brother, is here and the second week of its three-week engagement will begin Friday at the Strand. New pictures opening tomorrow are "There Goes My Heart," at the Rialto and "Broadway Muskeeters" at the Criterion, in addition to a second run of "Boys Town" at Loew's State.
**Purely Personal**

**BEN GOETZ,** head of M-G-M's British production, is due today from the coast by plane after conferring with Louis B. Mayer on "Good-bye, Mr. Chips," which he will produce. Sam Wood, who will direct the film, is due this weekend. They plan to sail for England next week.

**ANGIE Ratto,** manager of Loew's Palace, Washington, this week observed his 23rd anniversary with the circuit, and Homer MacCallum, publicity manager at the State, Houston, his 11th year with the theatre.

Joe Vogel, Loew theatre executive, yesterday observed his 29th anniversary with the circuit. He started as usher at the Palace, Brooklyn, for **MARcus LOew.**

**R. LYALL Grant,** general manager of British Empire Films, New Zealand, has arrived from London and will leave for home via the coast in a few days.

**MRS. JULIEN Duvivier,** wife of the French director, and **CLAUDE G. FISCHER,** London producer, are booked to sail on the Normandie today.

**SAM SMITH,** British Lion executive, is scheduled to arrive next Monday on the Queen Mary for conferences with Republic officials here.

**MIKE CULLEN,** Loew's district manager with headquarters at Columbus, left last night after home office conferences.

**Norman Moray,** Vitaphone sales manager, was in Philadelphia yesterday for conferences at the local branch.

**John Payne,** Warner player, will leave for the coast tomorrow after a vacation here.

**SAM MEINHOLD,** Loew's district manager, has passed another birthday.

**Alan Mowbray** will arrive here tomorrow from the coast. He will attend the opening of "There Goes My Heart," in which he is featured, at the Music Hall.

**Martin Mullin** and **Sam Pinan-"** in New York for Boston conferences at Paramount.

**Dave Palfreyman** of the M.P.P.D.A. is attending the Allied of Michigan meeting at Grand Rapids.

**Bob Rubin, Jr.,** has teamed with **Frank Shields,** tennis star, in the insurance business.

**Mort Singer** has arrived in town from the middle west on a business visit.

**Ann Sothern** will arrive here for a brief vacation today.

**Himmelin G.N. Manager**

**Cleveland. Oct. 11.—**Himmelin, for 15 years with Paramount in Cleveland as city salesman and branch manager, has been named local branch manager for Grand National. Peter Rosiatt, former G. N. manager here, has gone to New York. Himmelin has added Giles Robb.

**Quarberg to Universal**

**Hollywood, Oct. 11.—**Lincoln Quarberg has been named Transwestern department. He was formerly advertising and publicity director for David L. Loew productions.

**Garber in Para. Short**

Jan Garber and his Orchestra will be featured in a Paramount musical short, now in production at the Film Artificial Studios in the Bronx.

**Gibraltar Now Has 32**

**Denver, Oct. 11.—**With the addition of the Grand in Rockford, Ill., Gibraltar Enterprises will have 32 houses in Colorado, Wyoming, Nebraska and Iowa. This theatre is not only bought the Grand from J. J. Goodein, but also purchased the building housing the Rialto at Love- land, Col.

**Harrison to Buffalo**

**Philadelphia, Oct. 11.—**Jerry Harrison, manager of the Europa, foreign film house for the last four years, will leave Saturday to manage the new Mercury Theatre, Buffalo. Jack McNeill will replace him.

**THE OVERLAND FLYER**

**Los Angeles**

**Deluxe United Mainliner Sleeper**

*Latest Sleeper departure—11:45 p.m.*


**UNITED AIR LINES**

The Main Line Airway

**Loew's Purchases 1,918,000 Booklets**

A total of 1,918,000 "Movie Quiz" contest booklets has been purchased by the Loew circuit nationally to date and an additional 200,000 has been ordered. Walter A. Dooh, circuit advertising and publicity head. On this basis more than 2,000,000 will be distributed by the circulation distribution began Sept. 1. The cost of this material to Loew's, figured at $55 a thousand, is approximately $110,000.

**Robin Sues Morigraph**

J. E. Robin, Inc., manufacturer and distributor of theatre equipment, filed suit yesterday against V. Supreme Court against Morigraph, Inc., and Victor V. Coster, and asked the court to restrain Morigraph from allegedly breaching a contract which it had with the plaintiff.

The complaint stated that Morigraph made an agreement on March 21, 1938, with the plaintiff, whereby the plaintiff was given an exclusive agency for the Morigraph products, including its projectors, in Central and South America. Morigraph had refused to carry out this agreement, and had employed Coster.

**Settle Kibaldich Suit**

A $250,000 "unfair competition" suit brought by Bais Kibaldich against M-G-M in the N. Y. Supreme Court has been settled and the action dismissed yesterday. The suit involved six recorders for use in the M-G-M film, "Anna Kare- nuisa," Kibaldich is director of the Russian Symphonic Choir.

**Deutsch in Sound Film**

**London, Oct. 11.—**Oscar Deutsch is president of a new company, Sound Equipment, Ltd., registered with a capital of £25,000 ($625,000), to acquire the business of the Sound and Cinema Equipment Ltd.

**"Secretary" at $5,200**

"Personal Secretary" grossed $5,200 at the Rialto in five and a half days.

**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

**MARTIN QUIGLEY,** Editor-in-Chief and Publisher; **SAM SWAIN,** Editor; **JAMES A. CRON,** Advertising Manager.

Published daily except on Sundays and holidays by Quiqley Publishing Company, Inc., Martin Quiigley, president; Calvin Brown, vice-president and general manager. Publication office: 1270 Sixth Avenue at Rockefeller Center, New York, New York. Telephone: Circle 7-3100. Cable address: "Quiqphono, New York." All communications should be addressed 1938 by Quiqley Publishing Company, Inc., Address all correspondence to the New York office.


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Subscriptions rates per year $6 in the United States and $12 foreign. Single copies 10c.
The Newsreel Parade

With the European conflict seemingly well in hand, the signing of the four-power peace agreement in Munich is the chief presentation in the latest newsreels. Highlights of the Munich signing ceremony are seen from around the country cover the sports situation.

The reel and its contents follow:


1a. Allied Selects

Confab Delegates

Des Moines, Oct. 11.—Leo F. Wolcott, Eldora, Ia., and Wesley Mansfield, Tama, Ia., were selected as delegates to attend the Kent trade practice conference in New York, by the Universal Independent Theatre Owners of Iowa and Nebraska, in the final session of the annual convention at the Kirkwood Hotel yesterday and today.

The committee voted to hold district meetings covering the entire territory to further business improvement.

Wolcott was elected president for his fifth term. Other officers are M. R. Blair, vice-president; Wayne Dutton, secretary-treasurer. Directors elected for a three-year term are: W. B. Frankle, Phil March, W. P. Grossman, A. B. Hilton, Mansfield, Clifford Niles, Wolcott.

F. P. Canadian Can’t Decide on Giveaways

Toronto, Oct. 11.—According to data compiled by Famous Canadian Corp., 15 of the 23 second run theatres in Winnipeg, Man., regularly offer merchandise gifts or patrons.

A number of these are units of the Famous Players circuit but the company is trying to work up an agreement for the elimination of giveaways by all theatres. The circuit has made a five-cent increase in admission prices at its neighborhood theatres in Winnipeg and has raised the balcony price from 35 cents to 40 cents at its downtown Capitol.

Another Second-Run Sues the Big Majors


Engel Joins Paramount

Hollywood, Oct. 11.—Sam Engel joins Paramount, on 20th Century-Fox, as film executive. He was formerly with 20th Century-Fox.

Bingo in Kentucky

Now Ruled Illegal

Frankfort, Ky., Oct. 11.—Assistant Attorney General J. K. Lewis has ruled the game of Bingo violates the state constitutional provision against lotteries.

He previously had held the 1938 General Assembly’s act designed to legalize Bank Night was unconstitutional, and he declared ‘it is our opinion that Bingo is illegal under our state constitution for the reason that Bank Night schemes are illegal and unconstitutional.

The ruling on Bingo, a game used by some churches and fraternal organizations as a means of distributing prizes, was given in response to a query from the Rev. William S. Smythe, Washington, Ky.

Pact in Trust

Action is Now Being Studied

(Continued from page 1)

A week will be completed within a few days.

Under such a plan new theatre deals which were not agreed by these companies would not be consummated by the companies. Perhaps deals which had a direct bearing on the safeguarding of existing theatre investments might be undertaken. In this way the companies would be enabled to protect their investments and control their respective theatre business.

Right to Renew Agreements

A conditional arrangement of the kind mentioned would give the companies an opportunity to renew agreements on their expiration without the impairment of existing investments.

According to present indications, only counsel for Loew’s, Paramount, RKO, 20th Century-Fox and Warners will attend next week’s meeting in Washington.

Bided is that the Government’s attitude toward talent pooling is vulnerable.

Independent companies have repeatedly benefited from obtaining valuable talent from the larger companies, and in the usual course of things, the smaller companies seek the higher priced major company talent only upon extraordinary occasions. Ordinarily, such talent can’t fit in with the independent companies’ plans of operations, not now figured.

Borrowing Peak, 1937-38

Talent borrowing reached a peak during the 1937-38 season among the principal and lesser companies, Republican Monogram have borrowed by far a number of loans from the major lots.

Among others, Republic obtained Russell Gleason from 20th Century-Fox for "Moonlighting," a current release, and during last season borrowed the following: Margaret Tallichet from Selznick International for "Desperate Adventure;" Beverly Roberts from Warners for "Call of the Yukon;" Ann Dvorak from Warners for "Manhattan Merry-Go-Round." In 1936-37 Samuel Goldwyn lent Andrea Leads to Republic for "It Could Happen to You." In addition, Doris Weston, Grace Bradley and June Travis were loans from the major lots for Republic films.

One of the most conspicuous loans was Mickey Rooney from M-G-M for Monogram’s "Hoover Schoolboy," that title has "Blondie’s," the youngster’s value to M-G-M, for since then he has been kept sufficiently busy to predict a promising future.

Other Monogram loans have been Frank Shields from Samuel Goldwyn for "Hoover Schoolboy;" Anne Nagel from Warner’s "Red River," John Travis and Gordon Oliver from Warners for "The Marines Are Here;" Terry Walker from Paramount for "Federal Bullets," and Craig Reynolds from Warners for "Female Fugitive."

More Independent Units Accept Bid

To Industry Talk

(Continued from page 1)

and Michigan Allied will send its national officers to the Allied board meeting to be held in New York next Monday. At this meeting, the national organization’s policy on the intra-industry conferences will be decided.

The I. T. O. A., New York, and the M. P. T. O. of Virginia also have accepted invitations to be represented at the negotiating meetings here. The remaining three regional organizations of the eight not affiliated with M. P. T. O. A. or Allied, which were asked to attend the meetings, have not replied yet. They are M. P. T. O. of Kentucky, T. O. M. of the Rocky Mountain Region and Allied of Oregon.

“King” at $57,000

In 2nd Para. Week

“IF I Were King" continues its record-breaking run at the Paramount, having netted $57,000 in a second week, one of the biggest second Sundays in the theatre’s history. This followed the first week’s take of $57,000, the best since the inauguration of the present play policy. The film is in for a four-week run.

“Marie Antoinette," in an eighth week at the Astor, grossed $8,900.

The third week of “Room Service" gave the Rivoli $14,500. It is being held an extra three days, to Friday night.

HAVE BREAKFAST TOMORROW IN LOS ANGELES...FLY TWA!

Bard TWA’s Sky Chief at 5:30 tonight... You’ll be on the West Coast before 8 A.M.

LOSE no business hours — no sleep — going clear to California! Latest departure, with top morning west coast arrival: Only 3 stops en route — 1 night afterlight—on the SKY CHIEF. Only TWA Skysleepers have separate club lounge and sleeping compartments. To Chicago, TWA has the latest afternoon non-stop departure—last $44. Excellent connections to Twin Cities, the Northwest, and Mexico.

FARE ONLY $149.95

PHONE Murray Hill 6-1640
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70 East 42nd Street. Or call any bureau on teletype. Wire for any flight. TWA AIRLINES, Inc., 235 Park Avenue, New York.
**Afton the Country**

San Francisco
Ruth Peterson, former KFRC actress and singer, has been cast as Linda Carroll, new role added to Hawthorne House, five times weekly KPO program. . . . Ted White, pioneer coast radio singer, has returned to the NBC studios here after an absence of two years. . . . Jane McGreavy, now as KSFO actress. . . . KSN has invited the public to inspect its new studios atop the Furniture Mart on Saturday afternoon. . . . Visitors on radio row include Don Gilman, NBC coast vice-president, and Harrison Holland, manager of KFI, both up from Hollywood. . . . Charles Cochran, formerly of Tacoma, has joined KSN’s announcing staff. . . . Lon Hughes, Examiner financial editor, is now aired five mornings weekly by KPO in stock market chats.

**Omaha**
Helen Corey, Omaha singer, recently with CBS in Chicago, is back with WAAW. . . . Art Faust of KOIL is va-canting. George James, formerly with Central States Broadcast System here, has gone to work for KYSM, Mankato, Minn., as promotion manager. . . . Tom KI, KOIL columnist, has moved to the Omaha World-Herald. . . . Joe Eaton, formerly with KEL, has been promoted to commercial manager at WHAS. . . . WAAW is now airing a morning safety program with school boys as speakers. . . . De Emmett Bradshaw, president of WOW, is recovering from an illness.

**Chicago**
Mark Fisher and his band and Charlie Agnew and his orchestra are the latest to be heard over WIND. . . . Joe Alexander is the new staff organist at WJJD. . . . Truman Bradley’s friends here are watching the Chicagoan’s film debut, which is scheduled shortly. Mr. Bradley gave up radio for films last summer. He is under contract with M-G-M.

**Chevrolet Plans Series**
General Motors, for Chevrolet, will sponsor a new Monday through Saturday period of United Press news over WGN, locally, starting October 17. The program will be aired from 6 to 6:15 P.M. The news will be especially selected—local information. Campbell-Ewald is the agency.

**Open New Studios Oct. 17**
Hollywood, Oct. 11.—Don E. Gilman, NBC vice-president here, yesterday announced that the new NBC studios in Hollywood would be placed in operation Oct. 17. The opening will be a formal company manner, with no ceremonies planned.

**Ben Grauer with Vitallis**
Ben Grauer has been signed as announcer for the Vitalli “For Men Only” program heard Tuesdays over WEAF. He starts next week.

**There’ll Be Carbons!**

Jack Johnstone of the Biow agency—be he the “Thrift of the Week” dramatic sequence in the Phillip Morris Tuesday NBC program—received a personal, unexpected and entirely unwelcomed call yesterday. Having finished the script, he set it over to the continuity acceptance division of the network for approval, where, through a mishap, it was lost. Pragmatic investigation finally revealed it had accidentally been tossed into a wastepaper basket from which it had been collected with the refuse, bagged, and sent to the junk yard of the firm which collects the NBC wastepaper. Johnstone and Dick Ratomes had a taxi and made for the yard, where they were confronted with 700 sacks of scrap collected from NBC. The script was located in the third bag opened. From now on Johnstone swears he’ll make carbons.

**Biow Purchase of WINS Is Personal**

Milton Biow, president of the Biow advertising agency and owner of WNEW, New York, has purchased Station WINS from Hearst Radio, Inc. The purchase price is said to have been about $200,000. The purchase was by Mr. Biow personally, and if the Federal Commission, after the transfer, he will operate the station independently of his agency or his employer.

Hearst announced some six months ago his decision to retire from the radio business. Originally Arthur O’Brien, a west coast attorney, was to have purchased WINS, but recently those negotiations were suspended. Hearst now retains interest in but five stations in chain of radio stations. Still under his control are WCAE, Pittsburgh; WBLU, Baltimore; KVA, San Francisco; WINS, Milwaukee; KOMO, Oklahoma City. All but WCAE and WBLU are now in negotiation for sale.

**WHN Closes Five Deals**

Five new accounts have been added at WHN. Home Distillery Co. has contracted for a year’s series of programs for one year; Royal Typewriter is sponsoring Dick Fishell in sports commentary during the football season; the same account is now also sponsoring “Early Risers”; Madison Personal Loan is sponsoring Fishell in another series of sports broadcasts; Famous Furriers is broadcasting a quarter-hour of U. P. news twice weekly, and American Jai-Ali Corp. has entered into a contract for spot announcements.

**Cole Joins Lord Staff**

Alonso Dean Cole, author of the network show, “Witches Tale,” has joined the staff of Phil Lord Enter-prises, Inc., is assisting in the writing and production of the Lord-produced programs.

**Hode in Series on Films**

Hal Hode, Columbia Pictures executive, will broadcast a weekly series titled “Plain Talks About the Movies” over WOR from 7 to 8 P.M. Sundays, starting this week.

**Larry Elliott to CBS**

Larry Elliott, WJJS, Washington, has come to New York to join the announcing staff of CBS. He is replacing Henry Neely, resigned.

**Challenges Florida Right to Tax Radio**

Federal Court to restrain the Hillsborough County tax collector from enforcing collection of a state and county license. Oct. 1, 1937. The suit was described as “friendly,” by Ralph Nicholson, treasurer of the company.

The stations operate under a Federal license, Nicholson said. “They are engaged in interstate commerce under the exclusive jurisdiction of the Federal Government. We believe that neither a state nor a municipality can collect a license tax from a radio station.

**WMCA Sings Powers, Janis to Do Sports**

Jimmy Powers, New York Daily Voice, has been signed, by WMCA in a revision of the station’s sports department. Additionally, Hal Janis, sports statistician of WMCA, has been made director of sports.

Under the new setup, the sports department will operate on a greatly enlarged schedule hereafter.

**Start CBS Series Monday**

“Americans All,” a 26-week series of dramatizations of the contributions of immigrants to this country, will begin over CBS Monday. The series, created by the Office of Education, Department of the Interior, will be under the supervision of John W. Studebaker, Commissioner of Education. The air time will be 10:30 to 11 P.M.

**“Rat” on Smith Show**

Bob Taplinger, Warner studio publicity director, came east to help arrange the air premiere of “Brother Rat” on Kate Smith’s network show Thursday night, with Priscilla Lane, Wayne Morris, Eddie Albert and Johnny Davis participating.

**Carson Is in New York**


Maxine Pasteur in Town

Maxine Pasteur, WIP, Philadelphia, singer is here on an extensive visit, to shop and store.

**Holding the Train**

Any doubt that Burns and Allen really are important folks may be dispelled, for, believe it or not, a transcontinental train is going to be held up 35 minutes on Friday to enable the comedians to complete a broadcast. Scheduled departing time for the train, 11:40 P.M., begins, the Burns and Allen repeat broadcast will hold them on the air until midnight. To permit them and parties to catch the train for Hollywood, its departure is being delayed until 12:15 A. M.

**Starr to Cover Spy Hearings on WMCA**

The spy trials to be held in Federal Court beginning Monday will be covered by Harry Starr, now with WMCA. With microphones barred from the courtroom, WMCA will follow the same procedure as in the Jimmy Hines espionage trials, the trial being held in a building next to the court.

The station will also cover the second series trial when it begins next month.

**KPO, KGO Get News Ser**

San Francisco, Oct. 11.—NBC has inaugurated a new series of commentaries over KPO and KGO, in charge of Bob Anderson, former news-caster for The Call-Bulletin, and Bob Adam, former editor at KOMO. Three news periods a week have been sold to Bathysweat Corp. and two others to Northern American Insurance Co.

**To Open Hollywood Spot**

Hollywood, Oct. 11.—Hollywood’s newest theatre, the Televion, on Hollywood Blvd., will open Oct. 21 with newsmen and short subjects. The Televion will be the first of a circuit of theatres, the others, headed by Arthur Klein, operate throughout the West.

**Dunbar Aide to Seed**

Pentucket, Oct. 11.—Bob Dunbar, West Virginia salesman for Warners, has been named office manager and assistant to Harry Seed, branch head, in the Pittsburgh exchange. He succeeds Paul Krumenacker, recently named Albany exchange manager.

**Named KSRO Manager**
San Francisco, Oct. 1.—Walt Gunzenhoffer, formerly manager of KFRC’s artists bureau, has been named manager of KSRO, Santa Rosa. Larry Thatcher, former newspaperman, is the station’s new commercial manager.

**Name Carroll Manager**
New Haven, Oct. 11.—Lewis P. Carroll of Boston has been appointed manager of the 284-seat Lincoln, reopened last week. by Harry Serial and Joseph E. Levine of Boston, new lessees.

**Carl Ruff Goes to WOR**
Carl Ruff has joined the WOR press department, succeeding Tom Kearns, recently resigned.
Ascap Laws of 5 States Face Validity Test

Supreme Court Hearing Due Early Next Year

Constitutionality of state legislation prohibiting Ascap from operating in five states will be tested in the U.S. Supreme Court around the first of the year.

Schwartz & Frohlich, counsel for Ascap, has decided to introduce arguments on the constitutionality of the legislation when the high court hears appeals on the Florida and Washington legislative cases within the next three months.

The Florida case will provide a clear test of the constitutionality of the Nebraska anti-Ascap law, as the two are substantially alike; while the Washington case will apply to the Montana and Minnesota Ascap statutes for the same reason. Accordingly, all pending anti-Ascap legislation is affected by the coming hearing. Schwartz & Frohlich had failed to show that the reclassification amount of $3,000,000 is being paid. Ascap's appeal from the lower court's decision was accepted by the Supreme Court Monday, when it consented to hear the society's case. When the appeal was heard by the court in January, Schwartz & Frohlich will

(Continued on page 2)

So Help Us!

James P. Cunningham of Motion Picture Herald in the Bronx, for observation. The institution is so crowded that Cunningham has a room in the maternity ward with two cribs alongside the bed.

Allied Ready For Industry Talks—Myers

GRAND RAPIDS, Oct. 12.—Allied is willing to go along and the differences of the past between this organization and the rest of the trade can be forgotten for the good of all, was the encouraging keynote of an address made today by Abram F. Myers, Allied chief at the final session of the Michigan unit of the association, here at the Morton Hotel.

"Let the dead past bury its dead," said Myers. "We now have our eyes turned to the day when we may perform a constructive work that should have been done 10 years ago."

"Allied, as you know, is a thoroughly democratic organization. All power resides in a board of directors. The directors are chosen by the af—"

(Continued on page 2)

Odeon - G. B. Woolf Behind $40,000,000 Theatre Merger

LONDON, Oct. 12.—What is undoubtedly the biggest transaction of its kind to be considered here is a proposal whereby certain mighty insurance companies and financial interests may advance a possible $40,000,000 into Odeon, Prudential is principal backer of London Films (Korda). Whether the G.B. end of the deal goes through is entirely dependent on whether the project receives the approval of Sir Sidney K. Kent, president of 20th Century-Fox, and Joseph M. Schenck. It is understood here that the parties will not be able to get the consent of United Artists to the matter until the approval of Kent and Schenck shall have been had, as 20th Century-Fox is a principal GB owner.

It is understood that the Osteres will have a substantial interest in the end of the deal. Another $10,000,000

(Continued on page 2)

EUROPE SEeks To UTILIZE U.S. Radio FOR PROPAGANDA

Recent Crisis Reawakened Powers To U. S. Radio Value; Alien Agents Ply Foreign Language Stations

By JACK BANNER

Certain European states, whose acute awareness of the power of radio as a propaganda medium was reborn during the recent crisis, have descended upon American stations engaged in foreign language broadcasting, with a view toward winning the support and opinions of their nationals in this country. Various envoys of those governments, among them the temporary peace, are studying the foreign language broadcasts and visiting stations with suggestions as to what their own nationals might like to hear about the mother countries.

Nations which have sent investigators here include Poland, Czechoslovakia, Hungary and Italy. Germany long ago realized the need of having a radio representative in this country, and has a Kilk Sell acting in Washington as the official representative of German radio in this country. Duties of the foreign investigators are to listen to transcripts and read scripts of the talk and news programs aired by the American foreign language stations, the number of which has increased greatly in recent years, and to make analyses and reports of what they hear to their home governments.

As far as can be learned, belief is that some of the foreign radio investigators may not have complied with the recent law that all persons engaged in propaganda work for foreign governments or interests, register with the home government, although a full check has not been made.

However, it is known that the U.S. Government has learned of the situation, and now has a staff at work to determine the extent and value of the propaganda that is being planted with the foreign language stations.

Harris Party to Be Atop the Music Hall

W. G. Van Schmus, managing director of the Radio City Music Hall, has granted the use of a studio atop the theatre for a reception by Harold B. Franklin to John Harris, head of the Harris Amusement Enterprises, Pittsburgh, Monday at 5 P.M.

The reception is in connection with the industry campaign, Motion Pictures' Greatest Year, of which Franklin is chairman, and to whom Harris, whose father was owner of the first motion picture theatre in America, as Pittsburgh.

(Continued on page 2)
Allied Ready
For Industry
Talks--Myers

(Continued from page 1)

A new annual January board meeting will come on Allied's 10th anniversary. Possibly I am a hopeless optimist, but I profoundly believe it will be the best board we have ever had... We may even receive that friendly recognition by the Big Eight that has been withheld through the intervention of the industry politicians. It is an inspiring prospect, that of a united industry, its wounds bound up and its anguish over, and a board moving forward to even greater accomplishments... Rodgers spoke straight from the shoulder. "Generally speaking," he said, "the fruits of our labor have been good to us all. The ideals are about to be realized... We, distributors, sincerely want to have a state of confidence to exist, and we are ready to discuss every phase of our different problems and we will do our level best to bring about the understanding that will enable us, all, to more completely enjoy the benefits of our own industry."

"I have had sufficient cause to believe," he went on, "that your organization and personnel are interested, as other exhibitor bodies are, too, toward the solution of any existing problem by self-regulation from within our industry.

Keynote Is Conciliation
"Conciliation, rather than legislation, is our keynote." An approximate gain of 60 per cent in the organization's membership over the past year was noted. Resolutions of credit were voted to the officers. The majority of the officers and directors were re-elected for another year, including Ray Branch of Hastings, as president, for Allied, N. A. Walker, secretary; John H. Grand Rapids; H. Carley, Holland; W. A. Casady, Midland; G. A. Cross, Battle Creek; W. J. Olson, Clare; J. H. Ross, Lansing; P. C. Schram, Kalamazoo; William Schulte, J. E. Stocker, Detroit; W. G. Thick, Marshall, and George Wilbur, Wyandotte.

Hiram Sherman and Melvin Brink, the latter author of "The Outward Room," have been added to the program arranged by the film division of the Theatre Arts Committee meeting at the Astor Hotel Friday night:

F. J. A. McCarthy, eastern sales manager for Universal, left yesterday for a sales trip to New York, with visits scheduled at other southern branches.

Leon Fronkense, Monogram treasurer, left last Friday for Angeles to confer with congress officials about forthcoming production plans.

Paul Radin, formerly with United Artists, is now assistant to Donald Guro, in charge of Paramount advertising at the Buchanan Agency.

Hannah Cass, head of title department of Columbia Pictures, is recuperating from an operation. She is at the Murray Hill Hospital.

Marion Robertson, talent scout for RKO, will talk at the Film Forum of the National Board of Review tonight on "I Am a Talent Scout." Lee Patrick, who recently finished "The Sisters," will come next week to appear in a stage play.

Dan Kelley head of Universal's casting department, has arrived for a week's stay at the home office.

Joe Pasternak, Universal producer, is in town.

Warner Shift George
PHILADELPHIA, Oct. 12.—Douglas Green, in charge of Warner publicity for the out-of-town theatres in the Philadelphia territory, has been transferred to Standard Theatres, Warner subsidiary, in Oklahoma City.

Grant Five Fellowships
Five new fellowships have been granted to young playwrights by the Col. Votes Dividend. The funds to come from the $5,000 contributed to the Dramatists' Guild by John Golden.

Ben Goetz, M-G-M's British production chief, arrived from the coast yesterday and plans to sail next Wednesday on the Queen Mary with Sam Wood, director.

Harry M. Warner is due Tuesday from the coast for a stay of two or three weeks.

Alonzo Follett, electrician at the Orpheum, Yorkville, is celebrating the completion of 21 years with Loew's.

Rick Ricketson, Fox Intermountain manager in Denver, is here for conferences with Bob Skouras.

Thomas Mitchell and E. J. Nayer flew to the coast last night via United.

MOTION PICTURE DAILY

Thursday, October 13, 1938

Ascap Laws of 5 States Face
Validity Test

(Continued from page 1)

ask for dismissal of the proceedings on the ground of unconstitutionalhness of the state law.

The Florida appeal will be heard by the high court at the same time the Washington case is heard. The high court, likewise, agreed last Monday to review proceedings in this case. The Florida appeal revolves primarily around Ascap's effort to have the present Florida state attorney make a party to its legal proceedings to restrain the state from enforcing the anti-Ascap law. In this case, too, however, counsel for the society will ask for the court's opinion on the ground of unconstitutlonality. In neither case has a lower court passed on the constitutionality of the statutes.

Ascap's attack on the Montana law was tried before a Federal statutory court in April, 1937, but no decision has ever been handed down by that court. The case was fought on the ground of unconstitutionality. The Tennessee and Nebraska cases have not been tried in the lower court.

Mexicans to Boost
Product This Fall
(Continued from page 1)

pictures had but scant exhibition, for, exhibitors told officials, these films are not marketable.

The authorities here agreed to figure out the average receipts for the whole year in December to get an idea of what to expect. They have available domestic pictures to have showing in the fall. Twenty pictures are now ready for exhibit.

M-G-M Takes Loew
Hollywood, Oct. 12.—David Loew has closed a deal for the realty, M-G-M of "Fright With Fate," starring Joe E. Brown.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher, WALTER SCHEIN, Editor, JAMES A. CRON, Advertising Manager.

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Odeon - G. B. - Woolf Behind
$40,000,000 Theatre Merger

(Continued from page 1)

would have to go to the holders of G. B. and perhaps other amounts to preference shareholders. That matter of absorbing General Theatres Corp., including the theatres and distribution business and the G. T. Theatres would require another $10,000,000. In addition to the General Assurance Co., other financial interests involved comprise the Eagle Star & Dominion Insurance Co., Phillip Hill, prominent financier, and the National Provincial Bank, which has lent large funds to Universal.

Odeon Cinema controls Odeon Theatres, Ltd., and operates approximate-
**Holiday Takes Near SRO for B’way Houses**

Broadway film houses yesterday thrilled a strong attraction for the Columbus Day holiday crowds. With the World Series games over and most football games on, the Rodeo at Madison Square Garden offered the only competition. The weather helped.

Out-of-town school students and families filled the theatres before 11 A.M. It was S. R. O. in many houses until 3:30 P.M. The Paramount, with "If I Were King," grossed $10,000 for the day, approximately $2,500 better than last year. Evening business tapered off somewhat but was still comfortable. In its ninth week at the Astor, "Marie Antoinette" was well patronized for performances. "Drums" at the Music Hal equalled Columbus Day figures set by "Stage Door" last year. The second week's business, ending last night, is estimated at $83,000.

**Straight, Place" Strong**

"Straight, Place and Show" at the Roxy played to standing room all day, and "Too Hot to Handel" filled a capacity house at the Capitol. Almost half the matinee business at both theatres was accounted for by high school students, who were reported "terrific" at the Globe and will be held for an indefinite run. The Strand, which opened at 9 A.M., for the last day of the show, has several hundred standees at 3 P.M. A preview of "Broadway skaters" and the last day of "King Great" filled the Criterion to v.: offices of the major compa.

*Schneck and Goldwyn* take Coast for N. Y.*

Hollywood, Oct. 12.—Joseph M. Schneck, chairman of the board of 20th Century-Fox, with Joseph Moskowitz, trained out today for New York. They are here for confabs with David Zanuck. Samuel Goldwyn is scheduled to leave tonight for the east. Schneck and Goldwyn probably will attend a postponed quarterly meeting of the Hays office, while in the east.

*Warner-Tri-States Sign* WARNERS-Tri-States has been cleared for Broadway business, with the plan to open a new theatre in Philadelphia, which has not had a new picture house for many years.

*Denies Theatre Permit* GREENSBORO, N. C., Oct. 12.—The City Council has turned down the application of E. C. Sutton to erect a film theatre near Greensboro College for Women.

**Two More Groups To Attend Parley**

The M. P. T. O. of Kentucky and the Theatre Owners affiliated with the Rocky Mountain Region yesterday accepted the invitation of William F. Rodgers to attend the trade practice negotiations here beginning next Wednesday.

Of the eight regional exhibitor organization which were asked to send representatives to the conferences, only Allied Theatres of Oregon had not been heard from by yesterday. Six accepted the invitation and the seventh, Western Management Association, designated the M. P. T. O. A. as its representative.

The Kentucky organization will be represented by Lee Moffitt, Greensboro, Leo Keller, Paducah; Richard Martin, J., Ashland; C. O. Brown, Middlesboro; Lawrence Davis, Hazard; Fred Dool and Sam Swilow, Louisville.

The Rocky Mountain T. O. M. will meet in Denver tomorrow or Saturday to appoint a committee to represent the organization at the negotiating conference. The Sate of Iowa-Nebraska, which indicated its acceptance earlier, yesterday, designated Wesley Mansfield and president as the representatives in the negotiations.

The two will arrive here Monday and will confer early Wednesday with the distributors' negotiating committee.

**Toronto Preparing Film Parade Oct. 22**

Toronto, Oct. 12.—Final plans were made here tonight for the Motion Pictures Greatness Week, and entries were received from 14 companies and organizations of independent exhibitors. The committee decided no matter what is the name of the "Greatness Week" "Quiz" contest in connection with the parade because of strained feelings.

The parade will include all the exhibitors in connection with the films available.

The parade committee includes Jack Arthur, manager of the Uptown as chairman, and Ben Crook, James Naim, Frank O. Byrne, Mike Wilkes and Harold Kay, who represents independent territory. The independents are assessing themselves two cents per seat for the parade expenses.

**Football Ad Films** Advertisers in the south are reported to be taking advantage of the seasonal interest in football games by showing full reel football special contests and presenting them to local theatres with a one-half showing of football followed immediately after the games. Audience reaction indicates that these are the most popular commercial made this far.

**Nathanson to Get All U. S. Product Under Peace Pact**

N. L. Nathanson (Famous Players Canadian) is said to get United Artists Product for this year, and he will get "Drums," Alexander Korda's latest film, under a peace pact with the United Artists offered away by Selznick and other producers. Nathanson also will sell his films in London by which he wished to make certain his representatives have signed an agreement of copyright with United Artists relating to the delivery of products through the agency.

Nathanson claimed in London that the picture, having started before the cameras in September, 1937, rightfully belonged to him under an original deal with London Films for Canada. That deal expired in October, 1937. It was claimed that the deal in question expressly provided that Nathanson was to get all of the London Films output during the period covered by the contract. The picture was completed after the contract had expired.

Now the whole matter has been settled.

Nathanson, in New York last week, asked the pipe of peace with Maurice Silverstone, operating head of United Artists, and a new and better relationship has been formed.

**Plan Big Mexican House**

MEXICO CITY, Oct. 12.—Construction is scheduled to start this month on a large house to cost $400,000 pesos ($80,000) in Orizaba, Vera Cruz industrial center. The theatre will be built by Compania de Cines Unidos, S.A. It will seat 2,000, and is to be ready next summer.

**G. N. to Seek Female Talent This Season**

Grand National has started negotiations with top bracket acting talent with the aim of building an independent picture circuit. It was said by E. W. Hammonds, president, before sailing for England yesterday on the Algol.

Pointing out that the reorganized company’s last start prevented any talent deals of consequence with major studios for the 1938-39 product, Hammonds declared he knew of a number who would prefer making fewer pictures and have them released through an independent company which can devote extra effort to selling individual films.

Hammonds has been negotiating with Myron Selznick for the release of films to be made on a cooperative percentage arrangement by Erst Lubitsch, George Lombard and others under Selznick’s aegis, it is learned.

While the Grand National president would not comment on this, he declared he was formulating a plan to induce important talent to affiliate with Grand National.

*Says Trend to Big Stars* Hammonds said he believed the trend among the big artists is to make a smaller number of pictures and get insurance against excessive income taxes. His plan would provide for a top notch picture to be made in 1939, and he intends to give it a test during the 1939-40 season.

The Grand National president was accompanied by Samuel Berkowitz, executive manager of Fine Arts Pictures, which is making a minimum of 26 features for the distributing company. They intend to negotiate a British deal on distribution and acquisition of quota films.

Hammonds said he has three proposals but that the arrangement with Associated British Film Distributors may continue.

The deal with that company expired in August and negotiations are now pending to reorganize. Release of the entire program is planned in the United States.

Hammonds has high hopes for Anna Sten, who is to be starred in Grand National releases. He intends to put her in pictures with an American background. A well known co-star is to be signed for her first film, "Exile Express," which is scheduled to start Wednesday.

**CEA Council Battles Over Doubles—And Gets Nowhere**

By AUBREY PLANAGAN

LONDON, Oct. 12.—Independents and circuits staged a lively battle today over the double bill, with the Cinematograph Exhibitors' Association, over the question of running double features, claimed to be a practice which "is against the spirit of competition and against the spirit of independence." At the same time the independents were offered a chance to be an agreement on the exact type of film concerned. They pointed out the lack of a definite, practicable and legal long feature. It was suggested the only practicable scheme would be registration by the C.E.A.

They have officially confirmed that the Cinematograph Renters' Society (distributors) is unwilling to consider further the C.E.A. proposals on overtures for the last two months.

It was agreed to hold the 1939 annual C.E.A. convention at Blackpool.
The most dramatic role he's ever had ... made twice as important because WARNER BROS. have co-starred with him, for the first time
Bringing the reader strength of 'Adverse' and 'Robin Hood' and drama strength ranking with filmdom's mightiest. Truly the story of the year.
**Out Hollywood Way**

Hollywood, Oct. 12.—Bette Davis and Errol Flynn, teamed in "The Sisters," will be seen together again in Warner's "Queen Elizabeth." Bette Davis' next for Paramount will be "I'm From Missouri," with Gladys George opposite.

Many Riddle has replaced Evelyn Keyes, aligning with Deadpool, in Paramount's "Say It In French." Ann Rosalind has been signed by Universal to write American lyrics for two classical songs which Deanna Durbin will sing in that Certain Age has been refilled by Natoma. Sam Small, the general manager in Argentina, Paraguay, and Uruguay, is here for a series of conferences on studio product.

John Payne has been chosen for the top role of Warner's "Row, Row, Row," a sequel to "Prolonged Rain." Wayne Morris, Johnny Davis, and Ronald Reagan will have featured parts. Patricia Morison, former fashion designer, has arrived to make her film debut in Paramount's "Laura in Hiding."

Casting—Samuel S. Hinds in "West Side Miracle," and Betty Hutton in "Laurel and Hardy Society." Universal... Terry Kilbourne has been borrowed from M-G-M for Roach's "Topper Takes a Trip." Grant Mitchell replaces Ralph Morgan as the male lead of Standard's "The Headlines at Home." Howard Moon will have a featured part in Paramount's "Ambush," which will star Gladys Swarthout... Sidney Tolner in "King of China Town"... ... Tappelo in "Nuts and Bolts," M-G-M short... Warner placements: Irving Bacon in "They Made Me a Criminal"... John Carroll in "Swingtime in the Movies," short subject... M-G-M is shooting "Holy Matrimony" in "Oklahoma Kid," for Koehe... Tim Holt, Mayo Methot and Guinn Williams in "Dodge City." +

Writers—Dorrell and Stuart M... Most of the horseracing team recently at Republic, have gone over to M-G-M... Hal Roach has borrowed Walter DeLeon from Paramount to write the script for "This Time It's Love," first of the Oliver Hardy-Hardy Langdon series... Norman Reilly Raine is developing the screenplay of "The Roaring Road" at Warners.

Contracts—Warners has extended the contract of Lloyd Bacon, who has been with the lot for 12 years... M-G-M has signed Tom Neal and +

**Monogram Adds Three**

Three additions have been made to the Monogram sales force. Earl F. Taylor has been made office manager and sales representative in Washington. Herman Marks has been transferred to Chicago, and Robert Drew has become a salesman in the Cincinnati exchange.

**Wheaton Rejoins G. N.**

Denver, Oct. 12.—C. L. Wheaton has been named as officer manager and booker at the Grand National exchange.

**Jack Carlton**, as actors; Ethel Fitzgerald, scenarist, and has extended the contract of George Bassman, musical arranger.

**Directors**—Richard Harlan, assistant director on Paramount's "Amos 'n Andy," directed "Radio Troubador," the all-American picture which Dana Faralla will produce for Paramount.

**Story Boys**—"The First Co-Ed," an original by Mary McCall, Jr., and Stanley Rabe, has been purchased by Samuel Small, who has acquired Howard Spring's "My Son, My Son." +

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**"Daughters"**

**Chicago Hit; Gets $49,000**

Chicago, Oct. 12.—"Four Daughters" aided by Vezel and Yolanda, gave the Chicago an excellent $49,000. The Roy Biltmore Corporation helped nigh business in the Loop and bolstered business there considerably.

At the Roosevelt 's of the "Daughters" was a strong attraction and took $14,000 above normal. Elsewhere business was nothing to brag about.

Estimated takings for the week ending Oct. 5: +

**Sing You Sinners** (Para.)

TONE—16,000 (30c-35c-40c) 7 days. Gross: $3,000. (Average, $4,286). 

**“Four Daughters”** (W, B.)

CHICAGO—4,000 (30c-35c-37c) 7 days. Stage: Vezel & Yolanda & Revue. Gross: $9,000. (Average, $1,286). 

**“You Take a Flug” (Univ.)

PALACE—2,000 (30c-35c-37c) 7 days. Stage: G. B. Goodman. Gross: $4,000. (Average, $5,714). 

**“Algers” (M-G-M)**

UNITED ARTISTS—1,000 (30c-35c-37c) 7 days, 2nd week. Gross: $1,000. (Average, $1,000). +

**“Can’t Take” Big in Omaha, $7,400**

Omaha, Oct. 12.—"You Can’t Take It With You," at the Brandeis, did not have the only exceptional business for the week, grossing $7,400 in seven days. It was held a second week.

"Boy Meets Girl," at "Gateway" pulled $8,100 in seven days at the Orpheum. "Marie Antoinette," with George Arliss, was held nine days at the Omaha, broke even.

Estimated takings for the week ending Oct. 5: +

**"Four’s a Crowd" (W, B.)

TOWN CRYER—1,000 (30c-35c-40c) 7 days. Stage: B. P. M. and John. Gross: $1,000. (Average, $143). 

**"Boys Town" (M-G-M)

FIFTH AVENUE—(250) (30c-35c-40c) 7 days. Gross: $1,000. (Average, $143). 

**"Give Me a Sailor" (Para.)

PACIFIC—1,000 (30c-35c-40c) 7 days. Stage: Shipman. Gross: $1,000. (Average, $143). 

**"Barefoot Boy" (Monogram)

FIRST AVENUE—500 (30c-35c-40c) 7 days. Stage: Tipton. Gross: $5,100. (Average, $729). 

**"Moon" with Show $20,000 Philadelphia**

Philadelphia, Oct. 12.—"Garden of the Moon," with Wayne Morris, opened at the Earl on April 7, and the Earl, went out front in a big way with a take of $20,500. This was $15,000 a week ago.

The other big draw of the week was "Boys Town" which held up to $14,000. "You Can’t Take It With You" this week included the third week and has seen the run. "Marie Antoinette" took $16,000 in its second week at the Boyd and held him another.

**"Boys Town" (M-G-M)**

ALDINE—(1,800) (30c-35c-40c) 10 days. Stage: "Waltz of Venice." Gross: $15,000. (Average, $1,500). 

**"Give Me a Sailor" (Para.)

ARCADIA—(600) (30c-35c-40c) 3 days. Gross: $5,000. (Average, $1,667). 

**"Marie Antoinette" (M-G-M)**

BROOKLYN—(1,000) (30c-35c-40c) 5 days. 2nd week. Gross: $6,000. (Average, $1,200). 

**"Garden of the Moon" (M-G-M)**

EARLY—(2,000) (30c-35c-40c) 6 days. Stage: La Salle. Gross: $1,500. (Average, $250). 

**"Hold That Co-ed" (25th-Fox)

FOX—3,000 (40c-45c-50c) 7 days. Stage: "1,000." Gross: $7,000. (Average, $7,000). 

**"Barefoot Boy" (Monogram)

PACIFIC—(250) (30c-35c-40c) 7 days. Stage: "Shipman." Gross: $4,000. (Average, $571). 

**"Can’t Take" Set, Fast Seattle 60 mn**

Seattle, Oct. 12.—"You Cased It With You" set a terrific Liberty, grossing $10,500, was more than double normal far. +

"Boys Town," on a dual w...
A NATURAL FOR BIG B.O.! WORTH FIVE TIMES THE ENTRANCE FEE! A LUCKY THING FOR AUDIENCES QUINS WERE BORN! —applauds Hollywood Reporter

"Will attract heavy grosses! A screen event and boxoffice accelerator. No audience will be able to resist Quins appeal!" —Daily Variety

"Should do very well at the boxoffice. One of 20th's most easily marketable films . . . a ready-made audience of millions!" —Picture Reports

"Should easily top draw of 'Country Doctor' . . . a stronger story...enhanced entertainment values!" —The Exhibitor

"A hit at preview! The sort of picture the whole family will enjoy! Best Quins picture!" —L. A. Examiner

"Bound to prove that Five of a Kind will go a long way to beat almost anything! Quins hit again!" —L. A. Times

"Charm and appeal of world's most famous children puts this in big boxoffice classification!" —Boxoffice

The Dionne Quintuplets
Growing up—in their third and best feature picture
FIVE OF A KIND

JEAN HERSHOLT
CLAIRE TREVOR
CESAR ROMERO
SLIM SUMMERVILLE • HENRY WILCOXON
INEZ COURTNEY • JOHN QUALLEN
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 Polkross • Scenes of the Dionne Quintuplets photographed under the technical direction of Dr. Allon R. Duffer

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NEA SERVICE, Inc.

THE KEYSTONE OF YOUR FUTURE
This, more than ever before in the history of the motion picture industry, is a time of thanksgiving. Thanksgiving that the world is not whirling into the chaos of war. Thanksgiving that the hearts of our own country are lighter. Thanksgiving that the wheels of industry once more are turning, that the business indices show steadily mounting gains, that our hopes and our faith in America and American enterprise are once more gloriously justified.

More than that, this is a time for us to be proud of our own industry. Proud of the courage and the enterprise which every single motion picture company has shown during recent months, the courage and the enterprise which created, during months of despair, the very pictures now making record showings at the nation's box office. Such pictures as Metro's "Marie Antoinette," R-K-O's "Room Service," 20th Century-Fox's "Alexander's Ragtime Band," United Artists' "Drums," Warner Bros.' "Four Daughters," Columbia's "You Can't Take It With You," Universal's "That Certain Age."
Proud of the spirit of cooperation and good-will which made the great united front of the Motion Picture Industry drive possible. Proud of the fact that the words of criticism hurled at us during those worried months last Spring and Summer have returned to haunt their small-visioned authors . . .

While we write this, crowds of joyous fans are storming the doors of the New York Paramount Theatre to see "If I Were King." Another hit is about to take its place among such new record breakers as "Sing You Sinners" and "Spawn of the North." The critics confirm our belief that "The Arkansas Traveler" is another potential smash. And there need be no guesswork about "Men With Wings." The hope and faith which kept us planning and working and spending during the Spring and Summer are bringing golden returns . . .

So, last but not least of all, we say this, is a time to go forward with even greater courage, with even greater enterprise. And we at Paramount, with grateful hearts for this pleasant present, promise to our exhibitors and to our industry that we shall strive with every energy we have toward an even grander, more glorious future.

Paramount Pictures
**Hollywood Previews**

**“Torchy Gets Her Man”**  
(Warners)

Hollywood, Oct. 12.—There’s a lot of excitement, mystery, comedy and romance in this episode of the “Torchy Blane” series. Effectively put across, with the leading players, Glenda Farrell, Barton MacLane, Frank Ross, J. Edward McCormick, and Gladys McConnell, checking in expert performances, the combination makes for fast-moving entertainment. Story twists, production details, the favor with which the series has met plus prestige of name values constitute the basis for some new exploitation ideas.

A racetrack is the major locale. As usual, Miss Farrell’s womanly intuition and her nose for news rescue Detective MacLane from an embarrassing predicament. Assigned to break up a counterfeit ring, MacLane installs Robertson, a suave crook, as a mutual window clerk. Through Kennedy, the detective’s comedy stooge, Miss Farrell gets news of his whereabouts. Immediately suspecting Robertson of being a double dealer, Glenda enlists the aid of Kennedy and a police dog in exposing him. The action threatens peril to the girl, but a message which the dog brings confirms MacLane’s suspicions of Robertson. When put in a position where he either must confess his guilt and save Miss Farrell, or destroy them, the tension breaks down. Miss Farrell and MacLane patch up their differences until the next case comes along.

Albert DeMond’s original screenplay makes possible a plausible set of situations and characterizations. William Beaudine’s direction, particular in the manner in which he uses the dog, is a workmanlike job. Running time, 60 minutes. “G.”  
G. McC.

**“The Last Express”**  
(Crime Club-Universal)

Hollywood, Oct. 12.—“The Last Express,” another in the series of crime melodramas Crime Club is producing for Universal release, has a difficult title for exploitation purposes, but its content is fast moving entertainment distinguished from the previous Crime Clubbers by a more compact story, liberal sprinkling of comedy, and definitely established characterizations. It is a story of political corruption in New York City, and a portion of the action takes place in the maze of subways under the city. From this the title is derived. The story is based on Maynard Kendrick’s novel, “The Last Express,” and the screenplay by Edmund L. Hartmann is replete with humor and tension.

Kent Taylor, as the smooth talking private detective, and his stooge, Don Brodie, have the outstanding roles. They are supported by Dorotha Kent, Paul Hurst, Addison Richards, Greta Granstedt, Robert E. Kane, Allen J. Rocque, Charles Boatwright, Samuel Lee and Charles Trowbridge. Otis Garrett milked the plot to its utmost to present a well rounded bit of screen fare aimed at crime melodrama fans. Irving Starr was the producer.

Taylor and Brodie, hired to make a big payoff for a gangster for evidence condemning the criminal, are menaced by the gong when the evidence is stolen. They are also confronted by police who suspect them as murderers, and are embarrassed in their search for the evidence by the murder of a special prosecutor. In the Crime Club formula, the suspects are all rounded up at the climax, with Taylor presenting the solution.

Running time, 60 minutes. “G.”  
VANCE KING

**“Down on the Farm”**  
(20th-Century-Fox)

Hollywood, Oct. 12—Fun on the farm is the basis of the entertainment offered in this picture. The picture is more a series of humorous episodes than it is the development of a story. Three newcomers, Louise Fazenda, Eddie Collins and chunky little Dorris Bowdon, join the familiar “Jones Family” cast with beneficial results.

The “Jones Family” goes on a country vacation after over-zeous farmhands work their home. The picture is more a series of humorous episodes than it is the development of a story. Three newcomers, Louise Fazenda, Eddie Collins and chunky little Dorris Bowdon, join the familiar “Jones Family” cast with beneficial results.

Running time, 60 minutes. “G.”  
G. McC.

**“Saddles,” Austin**  
High at Oklahoma

OKLAHOMA CITY, Oct. 12.—“Sings and Saddles,” helped by a personal appearance by Eddie Cantor, Austin and C. and Candy for three days, turned the only strong gross of the week, $3,000. Cantor’s fee was $75.

“Block Heads” and “Speed to Burn” played the first four days and grossed $2,100.

“Carefree” took $1,400 in four days of a second week at the Tower. Estimated takings for the week ended Oct. 12:

- **The Amazing Dr. Clitterhouse** (F. N.), *CRITERION—(25c-35c-40c) 7 days. Gross: $1,200. (Average, $171.43).
- **Block Heads** (M-G-M), *SPEED TO BURN*—(20c-25c). 7 days. Gross: $1,400. (Average, $200).

**Pettroff Joins Mae West**

Hollywood, Oct. 12.—Boris Pettroff, formerly an independent producer whose last release arrangement was two years ago through Grand National, has joined the production staff of Mae West Empire Pictures Co. Pettroff will be associated with John F. Grant, who is in charge of Mae West product.
**New York Preview**

**“Young Dr. Kildare”**

(M-G-M)  

Lew Ayres is more than a little responsible for the entertaining value of “Young Dr. Kildare,” which concerns a young intern who does a bit of detective work on the side. The result is a measure of excitement, a well-paced film and a reflective glow on one side of the medical procession, embodied in the person of Lionel Barrymore, as a diagnostic genius confined to his chair with a broken leg.

Excitement and mystery engage the attention of the young intern, who decides to forego the small town practice he could have by assisting his father, for the chance to find his niche in the profession via a great New York hospital. He comes to the attention of the irritable, domineering Barrymore, who carefully conceals his interest under a torrent of abuse.

Ayres, on an ambulance case, revives a young girl who had attempted suicide, and despite the efforts of the hospital chiefs to treat the girl as insane, he insists she is sane. His conviction leads him into a situation of danger, and trouble with his superiors which almost causes his dismissal, but through the assistance of Barrymore, he saves the girl from an asylum and finds his goal, a post as aide to Barrymore.

Samuel S. Hinds, Emma Dunn, Jo Ann Sayers, Nat Pendleton and Lynne Carver are chiefly concerned in the support. Harold S. Bucquet directed from a screenplay by Harry Ruskin and Goldberg and an original story by Frederick Faust.

Running time, 81 minutes. "G."

Charles S. Aarons

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**Short Subject Reviews**

**“The Great Big Cat and The Little Mouse”**  

(Universal)  

An overfed cat chases a skinny and hungry mouse in this Walter Lantz cartoon. The mouse makes several successful forays into the cat’s milk saucer, is caught, then talks himself out. Should delight the children. Running time, 7 mins. "G."

**“Stranger Than Fiction, No. 55”**  

(Universal)  

Eight amusing oddities make up this reel. A trick bird learns to fetch a bucket containing a sunflower seed, a factory does a worldwide business manufacturing mud, and “Yankee Doodle” is played on a new type musical instrument, a toy balloon. Running time, 9 mins. "G."

**“Mere Kendricks and his Orchestra”**  

(Warner)  

For those who like a modern band, which is rather undistinguishable among such groups, plus a dance by Marion Willinks and Jack Walters, this one is recommended. Miriam Grahame, this subject probably will be entertaining. Running time, 10 mins. "G."

**“Aladdin’s Lantern”**  

(M-G-M)  

One of the Our Gang comedies, this is amusing and will be especially entertaining for the youngsters. Spanky and his pals dramatize the story of Aladdin and his Lamp, which affords an opportunity for the display of talent on the part of several clever youngsters. Running time, 10 mins. "G."

**“Nostradamus”**  

(M-G-M)  

One of the “Historical Mysteries” group, this subject recounts in intertitles the well produced dramatic fashion the story of Michael de Nostradamus, doctor of the 16th Century, who foretold the Black Plague, saw the rise and fall of empires and foretold of his life to a volume of verses in which he prophesied events of the following 300 years, carrying to our own day. An unusually fine subject. Running time, 11 mins. "G."

**“City of Little Men”**  

(M-G-M)  

The story of Boys Town, Neb., is told in a short subject, with Father Flanagan, founder of that distinguished community, himself appearing to tell the value of the work done, and the subject picturing the splendid work, carried on at the self-supporting community and arresting and intelligent material, well presented. Running time, 11 mins. "G."

**“Think It Over”**  

(M-G-M)  

The dramatically effective series, "Crime Does Not Pay," herein turns to arson, and makes a strong dramatic story of the manner in which the fire-bugs work, preying on small business men who are in financial difficulty. The desolate setting and the arsenals, plans against a background of racing engines and roaring fires, makes for exciting screen material, in addition to its lesson of the law. Running time, 20 mins. "G."

**“Streamlined Swing”**  

(M-G-M)  

A group of colored boys demonstrate unusual skill in a vocal effort without instruments other than a guitar.

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**MOTION PICTURE DAILY**  

Thursday, October 13, 1938

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**“Can’t Take”**  

Hits $21,000  

At Cleveland

Cleveland, Oct. 12.—“You Can’t Take It With You” was the hit of the week, going $9,000 over average to a $21,000 gross at Warner’s Hippodrome. It was held a second week.

“Too Hot To Handle” at Loew’s Stillman on a moverover from Loew’s State, topped the week. The gross was $6,500, up by $4,000. Estimated takings for the week ending Oct. 7.

“Breaking the Ice” (RKO)  

(5 days)  

ALLEN—0,000 (30c-35c-42c) 7 days. Gross: $1,200. Average: $171.

“Don’t Take It With You” (Col.)  

WARNER’S HIPPODRoMe — (1,800)  

(30c-35c-42c) 7 days. Gross: $2,000. Average: $286

“Hold That Co-ed” (20th-Fox)  

PACIFIC—$1,500  

(35c-45c-55c) 7 days. Stage: Strand Theatre. Total: $9,500. Average: $1,357.

“Sing You Sinners” (Param)  

LOEWS STILLMAN—0,900 (30c-35c-42c) 7 days. Gross: $9,000. Average: $1,286.

“Too Hot To Handle” (M-G-M)  

LOEWS STILLMAN—0,900 (30c-35c-42c) 7 days. Gross: $6,500. Average: $937.

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**“Carefree”**  

Leads Way in Montreal

Montreal, Oct. 12. — “Carefree,” topping a dual at the Capitol, grossed $10,500 to lead the way. Rich Man, Poor Girl took $8,500 at Loew’s but with the assistance of eight acts of vaudeville under the new policy, averages were being $8,000.

Chief opposition was the stage show “Shadow and Substance,” starring Sir Cedric Hardwicke, at His Majesty’s Theatre. The weather was cool with some rain.

Estimated takings for the week ending Oct. 5:

“Carefree” (RKO)  

This Marriage Business” (RKO)  

(1,250)  


“Rich Man, Poor Girl” (M-G-M)  

(950)  


“Shadow and Substance”  

(RKO)  

(3,000)  


“Marty” (M-G-M)  

(1,800)  


Against a background of a Pullman crew who are “given” a car, which they convert into a restaurant, they exhibit their cleverness, entertaining. Running time, 9 mins. "G."

“Cairo, City of Contrast”  

(M-G-M)  

An interesting and colorful travel subject is a real color, picturing the highlights of the city of Cairo and emphasizing the strange contrast of the East and the West which characterizes the city. A FitzPatrick travel subject of a high order. Running time, 9 mins. "G."
CBS Will Sell Broadcast by Philharmonic

The broadcast of the New York Philharmonic Orchestra on CBS, for a year a tabloid program to sponsors, now is being offered for commercial sale by the network, it was learned yesterday. Asking prices for the series is about $30,000 per broadcast. The Philharmonic broadcasts 30 concerts a season.

For years they have been kept from the CBS commercial schedule, the network believing no price could compensate for the prestige of keeping it on sustaining it as a cultural feature. The Philharmonic has been a CBS feature for about 10 years now, making the orchestra $1,000 a week for the broadcasts.

The reason advanced for the change is the financial condition of the orchestra. Sponsors of the Philharmonic are of the opinion now that no prestige can be lost, if for instance, the group of banks similar to the financial houses which cooperatively sponsored the programs of the Philadelphia Orchestra the past few seasons could be recruited for the Philharmonic.

Drop Out-Man Auditions

PITTSBURGH, Oct. 12.—Sherman D. Gregory, KDKA's new manager, held the orchestra $1,000 a week for the broadcasts.

The new station is: WHTC, Hartford; WSFA, Montgomery, Ala.; KKY, Phoenix; and the Arizona network consisting of KVO, KFG and KUSN, which will be offered as a group to an advertiser desiring statewide coverage.

Start Radio Union Talks

SAN FRANCISCO, Oct. 12.—The American Federation of Radio Artists and International Brotherhood of Electrical Workers have entered into joint negotiations with local independent stations, seeking contracts covering hours and wages paid performers, announcers and technicians. Already signed are two independents, KJBS here and KQW, San Jose.

NBC Transfers Three

SAN FRANCISCO, Oct. 12.—Three more NBC employees have been transferred to Hollywood. Latest to go are Paul Cole, traffic manager in KPO; KGO; Henry Maas, sales traffic manager, and Cliff Anderson of the program department.

Powell on "Hotel" Oct. 21

William Powell, whose recent illness prevented him from taking on duties as "Charlie" in the "Cliffdale Family" program when that series returned to the air a few weeks ago, will assume the job tomorrow. During his illness, Herbert Marshall substituted.

Nixon Book Sales High

"Vagabond Voyaging," Larry Nixon's book on freighter travel, is now in its third printing. Nixon is publicity director for WNEW.

News Men Gainers

Foreign correspondents of A. P., U. P. and I. N. S., were paid handsomely by the networks for their broadcasting services during the recent near-embargo. While the networks made no public statement, they paid strict silence as to the rate they paid, it has been established that the rates ranged from $50 to $500 per broadcast. On an average, the pay was $150.

CBC Expects Surplus Of $200,000 in Year

MONTREAL, Oct. 12.—Despite competition from the American chains, the American Broadcasting Company, completed its first fiscal year of operation with a surplus of $17,500, and anticipates a surplus of $20,000 for this year. The Electrical Club of Montreal was told today by Dr. Mor- gan, assistant manager of the Canadian network.

The program now underway for the CBC, Dr. Frigon reported, were the moving of CBM, Montreal, to a more advantageous location and the opening of adequate studios in Montreal.

World 'gold' System Goes to 36 Stations

With the addition of five new stations, the World Transcription System's new "gold" group of tested stations, launched last week, now numbers 36 stations. The ultimate goal is 75 stations.

The new stations are: WITC, Hartford; WSFA, Montgomery, Ala.; KKY, Phoenix; and the Arizona network consisting of KOY, KGAR and KUSN, which will be offered as a group to an advertiser desiring statewide coverage.

Series to General Mills


The agency has purchased sponsorship of "Curtain Time" over WGN, Chicago, and over the Don Lee network in California. Remaining stations of the network now carrying the program, KFW-San Francisco, will continue to broadcast the show on the same basis. Sponsorship begins this Friday.

Radio Column Is Dropped

PITTSBURGH, Oct. 12.—The Hearst Syndicate has dropped the Hearst radio column, written by Zora Unko- rich under the pen name of Jane Hamilton. It's understood that action would have been taken long ago, but had it not been for the fact that the Hearst interests own WCAE here, the column is now printing only the regular station log.

Gets Newspaper Post

Dorothea Lawrence, network singer, has been appointed associate music editor of the Plainfield, N. J., Courier-News.

Manufacturers Ask New Tests On Television

A series of cooperative conferences between manufacturers of television receiving sets, parts manufacturers, and network officials has been called by the American Television Corporation, with its representatives and a continuation of experimental television broadcasts. American Television Corporation, is the first organization to receive sets from manufacturers and plan to place them on the market here. A definite date for the conferences will be shortly announced.

It is hoped that the result of the plans adopted at the conferences, dealers will be able to demonstrate television at a reasonable cost so that the public may view actual television in the stores.

At the moment there are no television broadcasts going on, NBC-RCA having abandoned their experiments pending installation of improved equipment, CBS, now waiting its television transmitter in the Chrysler Building Tower, is not expected to begin telecasting until early spring.

ABT Will Represent Technicians at CBS

WASHINGTON, Oct. 12.—The National Labor Relations Board today authorized the American Broadcast Technicians as the exclusive collective bargaining agency for radio broadcasting technicians and engineers of CBS at all its stations, except the exception of KMOX, St. Louis.

The action was based on results of a recent secret ballot election which gave the ABT 128 votes as against 59 votes for the American Communication Association, an affiliate of the C. I. O.

Lux Program Will Be Broadcast in France

J. Walter Thompson, acting for E. C. Cross Bros., has placed a contract with Radio Luxembourg, France, for broadcasts of the Lux "Radio Theatres" programs in transcription form.

Another contract for foreign radio is by Colgate-Palmolive-Peet, for recorded broadcasts over Radio Normandie, another powerful French station, of its programs carried over American networks. Benton & Bowles placed this business.

KOY Has New Tower

OKLAHOMA CITY, Oct. 12.—A new radio tower for KOY, designed to double the station's power, has been placed in operation here. The tower, of a new type tubular construction, extends 173 feet above the roof of the studio building. KOY was established in 1925, and is the forerunner of the conversion of the old station, KFXR.

Deny Sale of KOMO

OKLAHOMA CITY, Oct. 12.—Reports that KOMO here, operated by Hearst Radio Co., is being sold to William C. Gillespie of Tulsa, have been denied by Neal Barrett, vice-president of Hearst Radio, and KOMO manager.
Not# notification on Schaefer
RKO Post Expected Today

That George J. Schaefer has been selected to head RKO, upon the company's reorganization and emergence from 27th, may be announced today. Leo Spitz, it is understood, has yielded to the insistence of creditors and will disassociate himself with the company, as special counsel. He has been desirous of retiring for two years, but the creditors and the bankers have persuaded him to remain. It had been his hope that upon reorganization he could entirely disassociate himself from RKO. However, that isn't happening.

One of the latest and curous angles in the situation is that M. H. Aylesworth is being mentioned as chairman of the new board. He is RKO's former president and now with Scrip-Howard newspaper chain.

Perhaps Federal Judge William O. Bondy will confirm the pending reorganization plan soon, possibly next week.

Rockefeller Center, Inc., will have representatives on the new company board, one of whom may be E. W. Van Schmus, but it is not certain.

(Continued on page 3)

Directors' Guild Ends Argument on Labor Board Plea

Hollywood, Oct. 13. — Closing arguments in the six-week hearing on the Screen Directors' Guild petition to be declared the collective bargaining agency for directors, assistants, and unit managers were presented today by William R. Walsh, attorney for the N.L.R.B.

Barry Brannen spoke as attorney for the guild, and Alfred Wright represented 20th Century-Fox and acted as spokesman for the counsel of 10 other companies. Both argued that directors, despite their high salaries, are the under the Wagner Act, that production is interstate commerce, and that assistants and unit managers should be grouped in the same bargaining agency with directors.

Mr. Wright declared that Congress

(Continued on page 5)

Four Coast Locals Seek Certification

Hollywood, Oct. 13. — Four I. A. T. S. E. studio locals will soon file N. L. R. B. petitions asking to be certified as collective bargaining agen- cies for crafts already covered in the basic agreement negotiated with producers in 1935. According to Harold V. Smith, international official, the locals are Sound Technicians, 605; Camera men's, 609; Laboratory Workers, 683, and Technicians, 37.

About 12,000 workers are affected. Local 609 sought to file its petition

(Continued on page 5)

Mayer Reveals 'Plot' To Crush I. A. T. S. E.

SACRAMENTO, Oct. 13. — Louis B. Mayer testified today before a Sacra mento grand jury that William H. Neblett, Los Angeles attorney, had attempted to interest him in a "plot to crush the I. A. T. S. E. through a state assembly interim investigation committee."

Mayer declared that on advice of Nicholas M. Schenk, he refused to co- operate. He said the grand jury's "lobbying" investigation.

Radio News—P. 11

U.S. Paris Men Meet in Rome For Film Ban

Discussions Scheduled to Start Next Week

First of the meetings between Continental European managers of American distribution companies and their local representatives is the one to be held in Rome next week. This conference is expected to have an exchange of views on the effects of enforcement of the anti-trust laws and possible legislation. As to whether or not there will be a meeting held about two weeks ago, but were deferred because of the general European crisis, it is expected that a conference of the American Embassy at Rome will attend the meeting with the Continental European film managers.

(Continued on page 2)

Estimate $10,250,000

WARNERS WILL NOT JOIN TRADE TALKS

Under 70% of 1937 Total Of $14,428,062; Runs About $6 Per Share

Wall Street indications, subject to adjustment, are that the Loew company earnings for the year ended Aug. 31 will reach approximately $10,250,000, after taxes. This figure represents slightly under $6 per share on the 1,599,000 common shares outstanding. Fourth quarter earnings are estimated at approximately $1,900,000, but the final count can't be had for several weeks, as it is understood auditors are still on the books.

These earnings represent an amount which is under 70 per cent of the company's 1937 earnings of $14,428,062.

The company yesterday declared a regular quarterly dividend of $1.25 per share on the $650 cumulative preferred stock, payable Nov. 15 to stockholders of record Oct. 28.

The firm is having outstanding 136,000 shares of $650 cumulative preferred.

Allied Heads Hope to Gain Wide Reforms

Allied now looks towards consolidation as the more feasible and constructive means of achieving co-ordination in the business, rather than legislation. National directors of the organization who will gather here Monday to determine policy on a trade practice program and to create a committee for negotiation with distributors are hopeful that the forthcoming discussions will bear practical fruit.

This is in line with the sentiment which was expressed early this week by Abram F. Myers, Allied chief, at the Grand Rapids convention of the Michigan Allied.

Distributors have no intention of limiting discussions on any phase of the situation, and Allied is satisfied.

Allied seeks relief from the competitive pressure of the independent exhibitor owners' advocacy of a ban on double featureting by the Paramount's Chicago circuit, or, failing an agreement on that, a modification of the circuit's clearance schedules in favor of the subsequent runs.

Fleischer and Union Reach an Agreement

A new one-year contract between the Max Fleischer studio and the United American Artists union was signed yesterday after more than two months of negotiations. The contract establishes a complete open shop for the new Fleischer studio at Miami and continues the wage and hour schedule.

Fleischer operators all of whom are
U.S. Paris Men Meet in Rome For Film Ban

(Continued from page 1)

pean managers and Harold Smith M. P. P. D., A. representative with headquar ters in Paris.

Film shipments into Italy, sales services and all dubbing activities have been stopped by the American distributors pending the outcome of the conference.

As much as 100,000,000 lire (ap proximately $7,000,000) belonging to American film companies, is frozen in Italian banks, without any indication of what the Italian Government intends to do about it.

Sought to Stop Leakage

Back of the problem which has de veloped following the recent drastic E. N. I. C. decree was a desire on the part of Fried Guerini, minister of Foreign Trade and Exchange, to stop the leakage of money from the country. The upward trend of films will fall into the category of imported mer chandise, with the same restrictions.

The Italian-American difficulties of recent origin date back to the Venice Exposition, when the Mussolini Cup was awarded to "Olympia" instead of "Maria Antonietta." The Italian lead of the federal state was said to have been chiefly responsible for the decision against the American film. Followed Italian Irrita tion over Mack Sennett's "Blockade" and "Farewell to Arms." The E. N. I. C. decree followed shortly after the failure of the Italian government to agree to assign quotas for the new year on Sept. 1. Foreign firms are obliged to accept the prices offered by E. N. I. C. It is believed also that Guerini favors the banter plan. A following decree permitted E. N. I. C. to pass on some of its business to individuals instead of firms, and those firms will be Italian distributors of American films.

Nationalization Is Aim

Nationalization of the Italian film industry is seen in many quarters as the ultimate aim of the restrictive measures, leading to an eventually self sufficient film industry in Italy. The increasingly serious foreign situation was further aggravated for export managers from an American source with the passage recently of a Puerto Rican measure increasing the territorial tax of one cent per linear foot on films to two cents. The measure will become effective in December.

Home office foreign departments are concerned over the tax and attorneys for the departments have been delegated to investigate its constitu tionality and possible other legal moves in the Federal courts.

Robert V. Latham Dead

Miami, Oct. 13—Robert V. Latham, stage director, inventor and former theatre manager, is dead here following a short illness. Latham invented the "roll-away" stage projecting over the footlights.

Mary Rorke Passes


George S. Kaufman play, "The Fabulous Invalid"—with a nod toward Orson Welles—paradoxically is played by a new comer to Broadway, Lewis How ard.

He is a native New Yorker who studied dramatics for two years at Columbia, where he was also a member of the Morning side Players. His only other theatrical appearance was in a summer theatre engagement with Fay Wray in "The Petrified Forest" at Suffern, N. Y.

To lure the "snatch and run" diners who have a half hour for refueling during the 4½-hour stage performance of "Hamlet," Sand's has equipped its second floor dining room with a signal system warning of curtain time at the nearby St. James Theatre.

Underrated Sardi guarantees to get the audience back in time for more of Maurice Evans, and Katherine Locke.

Schaefer-RKO Notification May Be Today

(Continued from page 1)

whether Nelson Rockefeller will ac cept a seat on the directorate, more scribed to the Rockefeller family have been doing all possible to help the situation. Concerning the possibility of per suading Nelson Rockefeller to take a board post, some time.

The new company management pos sibly will be headed by General J. Schaefer, Ned E. Depinet, distribution chief, and possibly a theatre ex ecutive.

There may also be on the board a representative of M. J. Meehan, principal holder of Keith-Albee-Orpheum preferred stock. RKO is the prin cipal theatre subsidiary of RKO.

Floyd Odlum, head of Atlas, and one of the chief factors in the reorganization, may represent the company.

RCA may have Gen. James G. Harbord and L. P. Yandel.

Freedman of Lehman Bros. may be the choice of that firm as its representa tive on the directorate.

General Motors may select William Farthing or Lawrence Green.

White, Weld & Co. may have a rep resentative on the board, and also the independent groups of security holders.

Fleischer and Union Reach an Agreement

(Continued from page 1)

now at the new studio in Florida, will be丁, won negotiating represen tatives. The sale of the Florida operation will have no effect on the open shop agreement reached yesterday. Fleischer representatives stated.

"Last Ride" Retitled

Hollywood, Oct. 13—"Escape from Leavenworth" will be the release title of Paramount's "The Last Ride."
The heroic romance of the man who tore continents apart that ships might sail the desert.
Allied Heads Hope to Gain Wide Reforms

(Continued from page 1)

specific sources of grievance by independent exhibitors. These are composite block booking, unreasonable protection, theatres over expansion in the “right to buy,” contract revision, designated playdates, unfair allocations, non-delivery of pictures and radio contracts, brokering, and stock newsreel and features with the score charge also on Allied’s agenda. Adoption of a program “acceptable to all or a majority of independent exhibitors,” will be sought. Allied already having expressed itself in favor of local conciliation machinery, would like to see that new boards will consist of an equal number of members representing distributors and independent exhibitors.

In addition, Myers is looking for establishment of a national appeal board. The similar councils, he feels, will be a step toward appeals from local boards in contract cases and to have original jurisdiction in matters of general importance.

Committee to Meet Monday

Members of the executive committee of the M.P.T.O.A. in New York over the weekend to attend that organization’s preliminary meeting Monday on trade practice negotiations. The executive committee’s sessions will be held at M.P.T.O.A. headquarters at 600 Broadway. A negotiating committee will be selected from the whole committee to meet with representatives of distributers Wednesday, and a specific program will be formulated.

Among those who will attend the Monday meeting are Abraham Kessel, M.P.T.O.A. president, and L. C. Griffith, who will arrive from Oklahoma City Monday morning. Friday morning, Oct. 19, Francisco; O. C. Lam, Rome, Ga.; Jack Miller, Chicago; Sam Pinanski, Boston; Lewen Pizar, Philadelphia; Charles E. Wimpee, Oakland, Cal.; Coy Moore, Jacksonville; Fred Wehrenberg, St. Louis; Arthur Lockwood, Middletown, Conn., and Ed Levy, New Haven.

Virginia MPTO Unit Selects Negotiators

VIRGINIA BEACH, Oct. 13.—M. P. T. O. of Virginia has suggested Oct. 27 for the trade practice conferences. It will be represented at the meetings consisting of W. F. Crockett of Virginia Beach, president; Elmore Heins, Roushoke; J. Ellison Loth, Waynesboro; Benjamin T. Pitts, Fredericksburg, and William S. Wilder, Norfolk.

Seven of the eight regional exhibitor organizations not affiliated with the M. P. T. O. A. or Allied States which were invited to be represented at the trade practice conferences have accepted, Allied Theatres of Oregon, the eighth, has not replied yet.

Pat Nataro Transferred

PITTSBURGH, Oct. 13.—Pat Nataro, manager of the Regent here, has been transferred by Warners to the Columbia in Sharps, Pa.

MOTION PICTURE DAILY

Friday, October 14, 1938

The Newsrel Parade

A spectacular oil fire in New Jersey is the highlight of the midweek issues of the various newsreels. A mechanical cotton picker and football games are other items. The reels and their contents follow:

NEW-JERSEY—New Jersey oil well. Mist issues new five-cent pieces. Salmon clog Washington streams. Rodeo show. Sports. A television oil well is shown. A mechanical cotton picker is demonstrated. Fashion show. Lewis is guest of mayor. The new international schooner race. Revise Dutch. Lewis is given a reception. Lewis is given a reception.


Musicians Returning

Members of the executive board of the American Federation of Musicians will return to New York Oct. 19 from Texas, where they have been attending an A. F. of L. convention. The convention met Monday following with the representatives of Paramount, 20th Century-Fox, Warner Bros., M-G-M and RKO, the theatre controlling producing companies, in an attempt to reach agreement whereby musicians will be worked in the theatres controlled by those companies.

Para. Asking Time

Para. Asking Time

For Dakota Appeal

 Paramount has requested a one-month extension of the time for filing its appeal on the North Dakota affiliated theatre Suit with the U. S. Supreme Court.

The final date for the filing of the appeal was Oct. 24, but if the request for an extension is granted the company will have until Nov. 23 to perfect its appeal from a Federal statute holding to the Double Incorporation law to be constitutional.

The company’s appeal in the so-called “at risk” cases was heard by the Supreme Court during December. The case involves a decision prohibiting the admission of admission prices and double featuring of specifically designated pictures through contract regulations. The flour court held such contract regulation to be illegal but the Supreme Court agreed last Monday to review the case.

Start Lab Talks Today

Negotiations are to start today settling the Du Art Film Laboratories strike by Local 702, laboratory technicians. Lab is to day. Three calls for signatures to a settlement by Oct. 17. Arthur Gottlieb, head of Du Art, returned yesterday from Toronto.

Indiana Reopens Soon

INDIANAPOLIS, Oct. 13.—The Indiana, 3,000-seat house closed for the Easter vacation. John J. Behr, manager of the Circle, will be in charge until the recovery of Kenneth T. Collins, who recently underwent an appendicitis operation.

Directors’ Guild

Ends Argument on Labor Board Plea

(Continued from page 1)

never intended that the Wagner Act should apply to high salaried persons such as the directors. The directors were independent contractors and in no sense in the classification of employees under the act, that they had the power to hire and fire employees in many instances, and that producers have often indicated willingness to negotiate separately with members of the directors and unit managers, but not with the three groups as a single unit.

Greenwich Dispute

Goes Up to Arnold

Thurman Arnold, assistant U. S. Attorney General, is studying a report from a New agent who this week in investigated the complaint of Prefect Theatres charging excessive protection held by Shoovers in Fort Chester over the Pickwick in Greenwich. Ralph Butterworth, representing the Department of Justice, questioned William Brown and Clarence D. Loew, officials of the complaining circuit, which is affiliated with the Brownlow Theatre Corp.

Shoovers and distribution officials may be examined by an agent next week, it was indicated. Mr. Loew says that if the Government fails to act in 10 days, his company plans to file an anti-trust suit in Federal court.

Football Stealing

Newsrel Spotlight

Football games are rapidly gaining importance as interest in newsreels during the fall season, a survey of newsreel offices revealed yesterday. Coverage of sectional games for local distribution and special games has increased materially over past years and is expected to develop further as interest grows in later contests.

 Paramount Newsrel is rushing specials into local theatres on the same day of the game. Laboratory reels are considerable, it was reported, but exhibitor demand warrants the additional expenditure. Other reels include the specials in the regular releases, except in unusual cases.

Four Coast Locals

Seek Certification

(Continued from page 1)

today, but Dr. Tooney Nylander, regional N. L. R. B. director, refused acceptance due to technical errors. The matter was referred to the I. A. T. S. E. answer. The company unionism filed by Iff Kibbe, minority leader in Studio Technicians, Local 802, Los Angeles, is a matter that will be held by Dr. Nylander Oct. 21.

Minnesota Closes Deal

Minnesota Amusement Co. has closed a deal for use of Republic product in its 60 houses, The Berger Circuit and Baehr Bros. have also signed with Republic.
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

(Continued above)
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, MILIZA 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

The "A" Company
Friday, October 14, 1938

Washington, Oct. 13.—Negotiation on Sept. 1 of a loan of $1,000,000 from the Bankers Trust Co., the proceeds of which, together with $109,166,666, were to retire outstanding first mortgage five per cent gold bonds of B. F. Keith's New York Theatres Co., its predecessor, was reported to the Securities and Exchange Commission today by the B. F. Keith Co.

The company put up $1,000,000 in six per cent bonds due March 1, 1946, as collateral for the loan, which is evidenced by eight promissory notes matures at intervals from two to three and one-half per cent.

Keith-Albee-Orpheum also filed a report with the SEC showing that on Sept. 5 West Side Theatres Corp., a subsidiary of Greater New York Vaudeville Theatres Inc., itself a subsidiary of K-A-O, sold its 50 shares of Costello Theatre Corp. stock, representing all stock of that company issued and outstanding.

"Straight, Place"
Roxy Take $36,500

"Straight, Place and Show" garnered $36,500 in a second week at the Roxy, "Too Hot to Handle," also a second week holdover, grossed $23,000 at the Capitol. The Roxy bid $2,400 on "Secrets of An Actress" plus Johnny Messner and his band and Chester Morris in person.

"King of Alcatraz" boosted the Criterion's take to $12,000. "There Goes My Heart," opening at the Music Hall yesterday, garnered $3,400 by 2,000, and a $12,000 gross was anticipated for the day.

Time Reel Held Up
By British Censors

LONDON, Oct. 13—Sections of Vol. 5, No. 2 of March of Time have been eliminated by the British censor because of the international situation.

No statement has been issued as to what material was objectionable, but the release has been suspended. Louis de Rochemont says the reel is comprised mainly of newsreel extracts dealing with the recent war scare.

"Patrol" Showings Set

Twentieth Century-Fox has arranged for special screenings of "Submarine Patrol." Oct. 27, Navy Day, the film will be shown in Washington to the National Press Club and ranking Navy officers. There will be a show at the Oct. 29 at the Varsity, Vails-

"Brother Rat" (Warner)

Hollywood, Oct. 13.—Against the studied historical background of the Virginian Military Institute John Monks, Jr., and Fred F. Finklehoffe, of V. M. I. '32, wrote a play which, contrary to many dramas of school life, did not stress the "of school spirit," and which played upon the Virginia-against-the-rustic, the mountain-ranch contrast, the strict conduct rules of the institution. As a stage production, "Brother Rat," was a success.

According to records, success of a stage play is not necessarily an assurance of success as screen material, but Warners have injected into the film the verve and freshness of the stage play, and have given it a wider scope than for the silent version.

"Brother Rat" is the V. M. I. students' greeting to one another. There is a wealth of exploitation material to be derived from the background of V. M. I., "the West Point of the South."

The cast is listed in the following order by the studio: Priscilla Lane, Wayne Morris, Johnnie Davis, Jane Bryan, Eddie Albert, Ronald Reagan, Jane Wyman, Henry O'Neill, Gordon Oliver, Larry Williams, William Tracey, Jessie Busley, Olin Howland, Louise Beavers and Isabel Withers. The standout is Albert, from the original stage production, who essays the role of the "rat" whose mind, slow at best, is thrown into turmoil when his secretly married wife informs him he will become father. Following the preview audience's uproarious applause for his characterization, the studio placed him on a long-term contract.

Albert, Morris and Reagan, roommates at V. M. I., become embroiled with the strict regulations of the institution, mostly through the fault of the quick-talking Morris. The plot deals with their efforts to have fun despite the rules.

Richard Macaulay and Jerry Wald, in their adaptation of the play produced by George Abbott, keep situation and dialogue running in rapid fire to gleam the utmost in comedy. William Keighley directed, keeping the continuity crisp. Robert Lord was associate producer.

Running time, 90 minutes. "G."

VANCE KING

"Rothchild" (Regal Distributing)

This French film produced by Productions Excelsior, has an amusing theme, but since action is at a minimum and dialogue is so important to the story, its chief appeal probably will be to those patrons with a knowledge of French, despite the liberal use of superimposed translations.

Perhaps a selling asset for the picture in this country is the name of Harry Baur, the leading player. Baur meets Flit in a cheap lodging house, both being down and out. Baur has the imposing name of Rothchild and Flit has a pun, proving he capitalizes on the name, acquiring 2,000 francs. Clothes, an expensive car and a chauffeur are theirs for the asking.

Accidentally they meet a shady banker, who wines and dines the "great man," and invites him to head his bank. The name turns an insolvent institution into a solvent one, as depositors respond to the name of Rothchild. But Baur gets wind of a swindle planned by the banker, and disappears in a pretended suicide. When the ensuing panic has properly frightened the perpetrators, Baur reappears to berate them.

Running time, 78 minutes. "G."

CHARLES S. AARONSON

"Prairie Moon" (Republic)

Gene Autry tangles with cattle rustlers and three tough New York youngsters and finds them difficult to subdue. The result is a pleasing and fast moving western. Tommy Ryan, as one of the trio of an eastern gangster's children, contributes an appealing performance.

After their father's death, the boys are taken against their will from New York to a ranch in the west. Autry undertakes to act as their guardian, but the kids resent any contact with a deputy sheriff. Stanley Andrews, the cattle rustler, uses the boys' ranch as a hideout for stolen herds. Between songs, Autry learns of the arrangement, seizes the thieves, and recovers the cattle. The lads are impressed by his valor. And Stanley Burnette, as Gene's Toptimer, plays an excellent foil for the mischievous chief stirred up by the three boys, and, in addition, sings two ballads of the west. Ralph Staub directed.

Running time, 58 minutes. "G."

Duncan Named Manager

VANCOUVER, B. C., Oct. 13—Famous Players Canadian has promoted Norman Duncan to manager of the Strand here. Duncan has served the circuit for 10 years.

End of Giveaways
Helping Takes on Mountain Circuit

All premiums have been abolished in the Fox Intermountain division, operated out of Denver by Rick Eckston. Here for film buying and conferences with Spyros Skouras, Rick-

"Rothchild" is off the screen since the situation, early last month, business has been better. Quality of recent product has made a favorable impression, he says.

Screeno and other games have been eliminated, but Bank Night, in which Rickston is interested, is still running in a few theatres. Giveaways also have been abandoned in a few situations, which have awarded prizes such as three automobiles in a year, but this experiment has not proved encouraging, he asserted. He has offered the following advice for a giveaway at the proper time will do business.

Elimination of giveaways has proved a successful experiment on the West Coast, but Rickston said the Southern California area has the advantage of previews and personal appearances of film personalities to make up for them.

Film Men Converge
For Golden Dinner

MINNEAPOLIS, Oct. 13—Film men from the northwest and the coast began arriving here today for the dinner in honor of Edward Golden, Monogram vice-president, at the Nicollet Hotel tomorrow night.

The New York contingent, headed by Golden, Leon Frohmkess and George West, is expected in tomorrow afternoon in a special car on the Burlington streamlined. W. A. Steffes, in charge of arrangements, predicts an attendance of about 150.

DAILY

"60 Glorious Years"

London, Oct. 13—"Sixty Glorious Years," produced by Herbert Wilcox, was previewed today and was acclaimed as part of a production with vivid historical interest and poignant human qualities.

It is supereeltarily staged in Technicolor with the actual background, and it highlights the personal, political and military features of Queen Victoria, its chief emphasis on the emotional unity of her love for Prince Albert, the Royal children and Khar- toum are rousing.

Rita Neagle plays Victoria sympathetically and her work is superlative in the Queen's old age. The premiere will be held at the Odeon, tomorrow in the presence of Queen Mary. Plan.
"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

WITH
SAM LEVENE
FRANCES MERCER
STANLEY RIDGES
WHITNEY BOURNE

PRODUCED BY P. J. WOLFS
SCREEN PLAY BY PHILIP G. EPSTEIN
Radio Personalities

ESTER GOTTLOB, Mutual publicity coordinator, leaves Sunday for the coast. Her assignment is to cover 15 stations in as many cities. Rudy Vallee will be on the air for the coast Sunday, and her newsmaker will be Michael L. Crow, manager of Mutual circuit. She will cover 15 stations in as many cities.

MOTION PICTURE DAILY

Radio

Sanborn Hour Most Popular Air Show

The Chase & Sanborn Hour again is the most popular program on the air, according to the new agency ratings just compiled. Among the first 10 programs for the 16 weeks, Sanborn holds five. The five new programs are Sungee, WOR, WOR, WOR and WOR. The Sanborn program has been on the air for the past six months and is still going strong.

Political Speeches Take More Net Time

Network political billings continue to mount, with two new regional bookings on CBS. The Democratic State Committee of Massachusetts bought time for eight talks over WEEI, WORC, WMAS, WERK, 15 minutes each, on Oct. 13, 22 and 26 and Nov. 6, 9, 10, 14, 21, 25 and Dec. 9. The H. M. Frost agency negotiated.

FCC Probe of Monopoly

WASHINGTON, Oct. 13.—Postponement of hearings in the Federal Communications Commission's investigation of monopoly and chain operation from Oct. 24 to Nov. 14, was announced tonight by Chairman Frank R. Burch.

Delay in opening the hearings, he explained, will be due to the fact that witnesses have been requested for time to be heard, including a greater number of transcription companies than had been expected and a number of organizations, including the C. I. O. and Ascap.

Because of this, he said, difficulty has been experienced in framing a schedule for the hearings, it being planned to advise all prospective witnesses well in advance as to exactly what day they will be heard, so that they need not come to Washington from long distances only to hang around waiting.

Chairman McNinch, in answer to questions, denied that he plans to control programs, particularly those of network stations, and said that the commission would eventually develop a policy with respect to chain programs, but would not do so until after the chain investigation had been completed.

Report Seven After Philharmonic Series

Although no contracts have been signed yet for sponsorship of the Philharmonic Symphony broadcasts over CBS, it is learned that locally at least seven clients, of which the largest is R. H. Macy & Co., have indicated their willingness to sponsor the program.

Meanwhile it has been learned that CBS early this week piped a private audition over telephone lines to 108 stations, asking stations to specify how many merchants in each of the cities invited to listen. CBS officials declined to comment on the project.

The project as it now stands is to broadcast the 30 weekly concerts of the orchestra under the cooperative sponsorship of merchants in cities where CBS stations are established. For the past 10 years the Philharmonic broadcasts have been the leading sustaining program on the CBS schedule.

Young in Halifax Post

HALIFAX, Oct. 13.—George R. Young, formerly the member of the series production staff of CBL, Toronto, has arrived here to assume his duties as acting program director of the Canadian Broadcasting Corp. for the Maritime region. Young temporarily replaces J. Frank Willis, who recently resigned from the letter to the Australian Broadcasting Commission.

Chevrolet Series on WHN

Chevrolet Motors have resumed its "Musical Moments" transcriptions, a contract for the series has been placed with WHN, Fridays at 6:30 P. M., starting today. Campbell-Ewald agency placed the account.

Kaltenborn Honored For Crisis Coverage

H. V. Kaltenborn, CBS news commentator, was honored yesterday at a luncheon at the Ambassador Hotel in recognition of his outstanding radio news job of reporting the recent war crisis. Representing the stations affiliated with the network, Frank Sowell of WLK, Nashville, presented the news commentator with silver cup.

Present at the luncheon were members of the press and various CBS officials, including William Lewis, Lawrence Loman and Herbert Ackerman, vice-presidents.

In a talk following the presentation of the award, Mr. Kaltenborn said that whatever honors came his way for his achievement must be shared by his colleagues and the news cooperative, he said, it would not have been possible to carry on.

CBS Artists Bureau, booking a lecture tour for Mr. Kaltenborn, probably will write a $50,000, 60-week lecture business for the news commentator for the coming season as a result of the nationwide publicity he received during the crisis.

Margaret Anglin to Be on CBC Program

MONTREAL, Oct. 13.—Margaret Anglin, daughter of T. W. Anglin, former speaker of the House of Commons, has accepted an invitation of the Canadian Broadcasting Corp. to take a leading role in the second of its series of Shakespearean presentations at 9 P. M. Sunday. She will appear as Queen Catherine in "Henry VIII."

Raoul Jobin, Paris opera tenor, has been signed for an appearance on the "Weird odic Strides" program, over WIBU, 27, NBC.

F.C.C. Supports McNinch

In Hampson Gary Ouster

WASHINGTON, Oct. 13.—The long threatened purge of the Federal Communications Commission was inaugurated today by Chairman Frank R. McNinch, just returned to his desk from a stay in the hospital, with the ouster of Hampson Gary, chief general counsel.

McNinch declared today that the dismissal of Gary was approved by a vote of four to two, with only Commissioners Craven and Payne dissenting on the matter. Commissioner Howard E. B. Ruffin, he said, had been split between his actions in the management of the law department. Previous to the ouster, an effort had been made to get Hampson Gary to leave voluntarily in connection with his divorce. McNinch, however, refused to resign, which he also refused to do.

Deeming that he had any plans for a purge, McNinch admitted that a request was pending before the Civil Service Commission for removal from civil service status of 53 key positions in the commission, but declared the purge would not affect those positions. However, he admitted, he had plans for removing or changing many of the other positions, but declared the number would be comparatively small.

The chairman, in boldest mood, denied that he had in mind any personal animus among members of the commission, but did not reconcile that statement with the release of his recommendations as the Civil Service Commission.

They were released by Commissioners Craven and Payne with a statement which he charged contained many inaccuracies. He also denied the he has carried his woes to the White House, and said that the President has given approval to his plans for reorganization of the commission staff.

FCC Probe of Monopoly Off Until Nov. 14

WASHINGTON, Oct. 13.—Postponement of hearings in the Federal Communications Commission's investigation of monopoly and chain operation from Oct. 24 to Nov. 14, was announced tonight by Chairman Frank R. Burch.

Delay in opening the hearings, he explained, will be due to the fact that witnesses have been requested for time to be heard, including a greater number of transcription companies than had been expected and a number of organizations, including the C. I. O. and Ascap.

Because of this, he said, difficulty has been experienced in framing a schedule for the hearings, it being planned to advise all prospective witnesses well in advance as to exactly what day they will be heard, so that they need not come to Washington from long distances only to hang around waiting.

Chairman McNinch, in answer to questions, denied that he plans to control programs, particularly those of network stations, and said that the commission would eventually develop a policy with respect to chain programs, but would not do so until after the chain investigation had been completed.

Report Seven After Philharmonic Series

Although no contracts have been signed yet for sponsorship of the Philharmonic Symphony broadcasts over CBS, it is learned that locally at least seven clients, of which the largest is R. H. Macy & Co., have indicated their willingness to sponsor the program.

Meanwhile it has been learned that CBS early this week piped a private audition over telephone lines to 108 stations, asking stations to specify how many merchants in each of the cities invited to listen. CBS officials declined to comment on the project.

The project as it now stands is to broadcast the 30 weekly concerts of the orchestra under the cooperative sponsorship of merchants in cities where CBS stations are established. For the past 10 years the Philharmonic broadcasts have been the leading sustaining program on the CBS schedule.

Young in Halifax Post

HALIFAX, Oct. 13.—George R. Young, formerly the member of the series production staff of CBL, Toronto, has arrived here to assume his duties as acting program director of the Canadian Broadcasting Corp. for the Maritime region. Young temporarily replaces J. Frank Willis, who recently resigned from the letter to the Australian Broadcasting Commission.

Chevrolet Series on WHN

Chevrolet Motors have resumed its "Musical Moments" transcriptions, a contract for the series has been placed with WHN, Fridays at 6:30 P. M., starting today. Campbell-Ewald agency placed the account.
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Each year, thousands of managers find the Quigley Booking Calendar a prime necessity in the successful operation of their theatres.

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Self-Regulation May Stop
Trust Suit, States Myers

Abram F. Myers, Allied States general counsel, believes that proper self-regulation will lead to an amicable adjustment of the Government's antitrust suit.

He expounds this view in his annual message in the New Jersey Allied year book, issued in conjunction with the 19th annual convention which will get under way in Atlantic City Wednesday.

Myers says: "The problem now is further complicated by the pendency of the Government suit. Nevertheless, if there is a will, a way can be found. If the Big Eight are sufficiently impressed with the situation they can still seek, in cooperation with the bona fide representatives of the independent exhibitors, a solution of industry problems for submission to the Department of Justice as a compliance with the demands of the Government.

Harry G. Kosch, counsel for New York Allied concurs with Myers' views. New York Allied is known to favor solution of industry disputes by amicable means.

Myers' statement traces Allied's progress in trying to obtain concessions from the major firms. He expresses the hope that a program of

Industry Leaders to Address MPTO Meet

Oklahoma City, Oct. 16.—Production and distribution executives from both coasts and well known theatre operators are included in a list of speakers for the M.P.T.O.A. convention released here today. The convention will run from Oct. 31 through Nov. 2.


Ed Kuykendall left here over the weekend to confer with Wehrenberg in St. Louis.

Speculate About
U. A. Presidency

With Samuel Goldwyn, Mary Pickford and Douglas Fairbanks, in town, the trade is wondering whether the annual meeting of the company will be advanced from Nov. 9 to some immediate date. Stockholders may express their views by proxy. Thus Charles Chaplin and Alexander Korda can also participate in the selection of a president through their local representatives, Attorney Charles Schwartz, for Chaplin, and Emanuel Silverstone, for Korda.

It is understood that under the company's by-laws, it takes a unanimous vote of stockholders to elect anybody other than Maurice Silverstone as president. He is general manager of U. A. The presidency would grant him no greater power or operating control than he now enjoys.

Sidney Tolmer Gets
Charlie Chan Role

Hollywood, Oct. 16.—The Charlie Chan series will be resumed Oct. 24 by 20th Century-Fox with Sidney Tolmer in the title part in "Charlie Chan in Honolulu." Tolmer was signed Saturday by Sol Wurtzel after he had been seen in rushes of "Up the River."

Trust Suit and Regulation
Discussed at Hays Meeting

Effect of the probable trade practice regulations to be worked out with exhibitors this week was discussed by directors of the M.P.P.D.A. with production officials at a meeting which lasted throughout most of Saturday. Cancellation, and the result it may have on production budgets, was described as the chief topic explored. Officials of five major studios attended the session in addition to heads of all major companies. The major companies are prepared to go ahead with the exhibitor negotiations.

Four major studios had representatives at the meeting in addition to their representatives on the M.P.P.D.A. board. They were Harry Cohn, Columbia; Joseph M. Schenck, 20th Century-Fox; Samuel Goldwyn, United Artists; Harry Warner and Major Albert Warner. Barney Balaban, Paramount president, will report the

Vol. 44, No. 75
New York, Monday, October 17, 1938
TEN CENTS
**New York Previews**

**Suez**

(20th Century-Fox)

*Suez* is magnificent. It combines splendid pictorial effects on a scale as vast as the desert with a love story set in a mausoleum of human emotions and intrigue. The climax is a desert hurricane that sweeps tents, humans, water tanks and dredges before it in an extraordinary mass of ruin.

The capacity audience at the Roxy burst into applause and women here and there wiped away furrowed tears at the first showing Friday. This is about as good an indication as any that a new box-office smash has started on its way.

Darryl F. Zanuck's shrewd understanding of showmanship values have been combined with Allan Dwan's well-known flair for directing melodrama. Suggested by the novel of the same title by Producer Gene Markey—kept the emotional content of the story to the forefront in spite of the sweeping character of the background.

The cast is splendid, Tyrone Power, as Ferdinand de Lesseps, the young Frenchman whose vision creates the canal, and Loretta Young, the Parisian beauty, are a team. The leading actors, Irene Rich and Louis Calhern, are superb. Kirk Alyn, Warren William, Edward Arnold, and others add to the quality of the picture. "Suez" is the key picture of the season.

**MOTION PICTURE DAILY**

Monday, October 17, 1938

Para.-M. & P. Deal Renewed

For 5 Years

Extension for five years of the management agreement between M. & P. and Paramount Pictures in New England, has been agreed upon between Paramount and Martin J. S. Pinanski, Paramount's east coast manager. As a result of this agreement, the newly formed company, M. & P., in New England, has been granted approval to engage in the management of exhibition of pictures in New England, subject to the same conditions and restrictions as those previously in effect between Paramount and M. & P. in the rest of the country. Under the revised agreement, M. & P. will manage the exhibition of pictures in New England, subject to the same conditions and restrictions as those previously in effect between Paramount and M. & P. in the rest of the country. Under the revised agreement, M. & P. will manage the exhibition of pictures in New England, subject to the same conditions and restrictions as those previously in effect between Paramount and M. & P. in the rest of the country.
“U” Heads for $20,000,000 Yearly Gross

(Continued from page 1) that month. In September, the world operations of the firm moved into the profit making class,

Universal is pacing for an annual gross of $20,000,000 at this time, as compared with $18,000,000 in 1937. The average weekly increase over 1937 is approximately $8,000. Improved product plus economical operation has served their purpose, and William Scully, vice-president in charge of sales, has much to do with this improvement in income, as has Joseph Seidelman, vice-president in charge of foreign sales. Foreign sales are up considerably.

Great savings are understood to have resulted from a reorganization of the company’s studio at Universal City under Matthew Fox, vice-president, and Cliff Work, business head of the studio.

Covin, with Vice-president Seidelman, some months ago negotiated a loan in England from the National Provincial Bank, and also renewed with the C. M. Woof-Lord Portal-Art Robbie (General Theatres) interests for five years, the existing distribution deal held by the latter, and received an advance from the latter. Covin, who is in London at the present time, informs The Picture Playgoer that he is unable to disclose the terms of the present talks relating to the possible disposal by Portal-Rank-Woof of these interests to Odeon (Oscar Deutsch) for approximately $10,000,000. This is part of a general transaction to create a four-cornered $40,000,000 British theatre merger among Odeon, Bernstein Theatres, Ltd., the G. T. theatres, and the Gaumont circuit.

Loans recently paid off by Universal include those of Irving Trust and Erpi, and $400,000 to Eastman.

Rapture’s” $14,300 Near Globe Record

“Dark Rapture,” Universal release, hit a gross of $14,300 at the Globe in the week ending July 7. This is not a record, but one of the biggest takes for the house. The record for a regular run is held by “Lost City,” which took $7,100 in 1934.

The current attraction will go another two weeks and the run will be extended if business warrants. The Brandts and the film company put on a big campaign, with $8,000 spent on advance and first week hullaballoo. The expenditure was split, the film being in on percentage. The film got good press notices.

SSTU Seeks Jurisdiction

Hollywood, Oct. 16.—Local 695, Studio Sound Technicians yesterday filed a petition with the N.R.L.B. to be declared a separate bargaining agency for sound technicians at 13 studios, for six sound companies and sound equipment rental agencies and three newsreels. The petition, filed by Harold V. Smith, business agent, was the first entered by an I.A.T.S.E. local.

Golden Honored at Minneapolis Dinner

MINNEAPOLIS, Oct. 16.—Edward A. Golden, Monogram vice-president, who was honor guest at a testimonial dinner given in his honor by exhibitors of the city Friday, was hailed here for his efforts to bring independent films to the highest possible plane of entertainment and box-office values.” Golden, with W. Ray Johnston, Monogram president, left for New York Saturday.

More than 150 industry and public officials and exhibitors attended the dinner which was sponsored by W. A. Steffen, head of Northwest Allied. In attendance were Governor William Langer of North Dakota, the executive who signed the widely celebrated affiliated theatre “divorcement” bill; Congress- men Dewey Johnson and Elmer B. Johnson; Mayor William Fallom of St. Paul; Pete Harrison, George Dem- bow, William F. Rodgers, Jack Flynn, Fred McConnell; Mack Littman, Joe Pastoor, Chicago exhibitor; John P. Devaney, H. M. Richey, Benny Ber- man, L. D. Graham; Alan W. H. Steffes, Paul Mans, Harry Dryer, W. R. Frank and Hiller Hoffman.

William Elson, RKO midwestern division manager, was toastmaster.

Dreiﬂuss Quits to Start New Company

Arthur Dreiﬂuss resigned Saturday as vice-president and production head of Coronado Films to devote all his time to Arthur Dreiﬂuss Produc- tions, Inc., now in formation for the production of 19 musical shorts for Columbia. Mr. Dreiﬂuss left Sat- urday for the coast.

Roy Wolf, president; Perry Burch, secretary, and William Kent, assistant secretary, also left Saturday to join Dreiﬂuss. Daniel L. Liberman will continue production of eight Cor- mondo westerns for Grand National re- lease.

Murphy Succeeds Paul

Hollywood, Oct. 16.—Martin Mur- phy, production manager of the Coronado Universal studio, also assumes duties of studio manager, made open upon the retire- ment of Val Paul, whose contract with company was settled. Dave Gerber con- tinues as manager of studio operations.

Self-Regulation May Stop Trust Suit, States Myers

Seattle MPTO Meet May Be on Nov. 16

SEATTLE, Oct. 16.—Plans for the second MPTO convention in Seattle are being made by James M. Hone, executive secretary. The session will be held about Nov. 16 at the New Washington Hotel.

Plan Camera Show

The lady at the 20th Centu- ry-Fox advertising and publicity department has formed a Camera Club and will hold their first meeting and exhibition today after working hours. There are 15 members and there are ex- pected to be about 40 photos on display by the members.

Hayes Office Takes Up Federal Aotion Versus Regulater

Schenck Urges Fair Limit on Cancellations

Cancellations of more than 10 per cent will end peculiarities in the industry’s standards and compel a reduction of production oper- ations, in the opinion of Joseph J. Schenck, 20th Century-Fox board chairman. Hayes, who added, however, that despite personal opinions the company stands ready to accord exhibits whatever cancellation right the industry believes to be fair or necessary.

Schenck said he, personally, does not believe that any such limit is justified; that a 10 per cent cancellation is the most that production can stand without a loss on top of all other increased production costs at this time, and that a 20 per cent cancellation would be affected only by the reduction of pack- age prices and the threat of injury to picture quality.

Schenck’s opinions were voiced on his arrival here from the coast Sat- urday to attend the producer-distributor discussions at M. P. P. D. A. head- quarters on the trade practice program which was held over this week by national distributor and exhibitor leaders and the distributors’ negotiating committee. Others who attended included Saturday’s meeting were Harry M. War- ner, Samuel Goldwyn and Harry Cohen.

Schenck said the need for cancella- tion to prevailing theatre policies.

“I do not believe any cancellation is justified,” he said. “Exhibitors should pay for what they buy. The need for cancellation arises more from current American prices than any other production or selling practices. If exhibi- tors returned to single features they would not be overcharged on pictures that have been cancelled. The at- rates should get back to playing one picture at a time and to playing each one all the way through. Cancellation, coming on top of all other increases in production costs over the past few years, without any corresponding reduction in the theatre attendance or film rentals, just could not be absorbed by production in any amount over 10 per cent without an adverse effect on pictures,” Schenck said.

Schenck will be in New York for about a week, he said. He will visit the White House during the week to discuss infantile paralysis relief activities with the President. He does not expect to go to England at any time in the near future on a Gau- mont-British deal or any other, he said. He was accompanied east by Joe Moskowitz, his eastern representative.

Illness Hits Top Film

Hollywood, Oct. 16.—Two com- panies have closed down at 20th Cen- tury-Fox for an indefinite period due to attacks of influenza suffered by Mr. Del Ruth, shooting director. Del Ruth was directing “Tailspin,” and S t. Clair “A Bundle of Joy.”

Small Bug “My Son”

Hollywood, Oct. 16.—Edward Small has purchased, for $50,000, the best selling novel, “My Son, My Son,” by Howard Spring, and is seeking Spring to write the adaptation.
Legion Passes 541; Rejects Seven in Year

WASHINGTON, Oct. 16.—Continuous improvement in the cultural standards of the motion picture is evidenced by the fact that of 541 films reviewed for the National Legion of Decency since last November, only seven have been condemned and 32 classified as objectionable. In part, it was disclosed yesterday in a report of the Episcopal Committee on Motion Pictures, made following the third annual meeting of the National Catholic Welfare Conference.

Of the pictures reviewed, it was stated, 11 were foreign language films, 443 were made in this country and 137 were produced abroad. Aside from the 29 pictures that were granted permission to be shown, 545 were classed as unobjectionable for general patronage and 194 as objectionable for adults.

Other sections of the report announced that the Legion has become a member of the International Catholic Office for the Cinema, with headquarters in Brussels. The office serves as a clearing house for information on film development in various countries and now has affiliations in 12 nations.

Other important foreign contacts have been made by the Legion, particularly in South America and Europe. The Episcopal Committee on Motion Pictures consists of Archbishop John T. McNicholas of Cincinnati, chairman; Archbishop John J. Cantwell of Los Angeles, Bishop Hugh Boyle of Pittsburgh, Bishop John F. Noll of Fort Wayne, and Bishop Stephen J. Donahue, administrator of the Archdiocese of New York. Since 1930, nearly 3,000 films have been reviewed and reported upon.

Pathe News Sued on False Arrest Charge

Suit for $75,000 against Pathe News, Inc., by W. H. Bellman, and Walter S. Curtayne, a New York police officer, was filed on Friday in the N. Y. Supreme Court by Herman Van Cleef, the plaintiff, an accountant, claimed that he had been wrongfully arrested and charged with grand larceny June 6, 1930, at the instigation of the defendants, for the alleged stealing of photographic equipment belonging to Pathe News. On June 12, 1930, the plaintiff said, the charge was dismissed in the City Magistrate's Court.

June Storey Borrowed

Hollywood, Oct. 16.—Margaret Tallichet having refused to play the feminine lead in a kouzon from Selznick International, Republic has borrowed June Storey from 20th Century-Fox for “Strongheart.”

Republic Takes Original


Reviewers Find Roach Film Is An Entertaining Comedy

New York: Daily papers for the past four weeks have found “There Goes My Heart,” Hal Roach's feature for United Artists, lively and entertaining comedy. Excerpts from their review follow:

Herald Tribune—Heavily Bambooed with gags and bits of comic business. . . . The clowning is generally reeling. Patsy Kelly contributes a sprightly item.

Journal American—A lightly diverting comedy. . . . Smartly turned out. The center of gags held together by a lively plot.

Mirror—Spectacular players, fresh nonsense, exhilarating burlesque. A good comedy. The best of the Roaches, elaborately funny, generously mounted.

News—Has the current audience at the Music Hall in stitches. . . . A hilarious and dextrous game of tossing of fast spud and pulling a smart gag.

Post—Good. Many lines and situations creating merriment.

Sun—A light-hearted affair. Done on a handsome scale. . . . Affable, funny and deliberately trivial. . . . Hal Roach achieved a minor triumph. . . . Done with a great deal of sparkle and naturalness. . . . It turns out to be first-rate entertainment.

Garden Appeal in “U” Suit Set Wednesday

Right to use a corporate name without permission from the company in film exploitation material will be argued Wednesday when the appeal of Madison Square Garden Corp., will be heard in the Appellate Division of the N. Y. Supreme Court. The Garden contends that a dismissal of its injunction suit against Universal Pictures Co., Inc., Big U Film Exchange, Inc., and Universal Film Exchanges, Inc., by Justice Bernard L. Shientag on June 6 was improper.

The Garden brought suit in April and alleged that Universal’s “Idol of the Crowd” would be made into scenes of hockey games at the Garden. Newsreel clips of actual league hockey games were used, and pressbooks used by the Garden without payment. When it was charged, Justice Shientag, in dismissing the suit, ruled that although use of a person’s name without permission was prohibited by the Civil Rights Act, a corporation does not enjoy similar protection.

Schneck Notice Is Filed in U. S. Suit

Joseph M. Schneck filed notice of appearance on Friday in the U. S. District Court in the Government antitrust suit against the eight major companies.

Dwight, Harris, Keogel & Caskey, as the company’s attorneys, required that all further papers be served on them.

Plan Three in Carolina

Charlotte, N. C., Oct. 16.—The Carolina Amusement Co. has leased a building in Vineyard for a new movie theatre. Construction has started on a $30,000 house in Silver City, N. C., and North Carolina Theatres, Inc., plan their third unit in Wilson, N. C.

Check Awaits Littel

There’s a check waiting for Arthur G. Littel at M-G-M home office. Nobody knows where Littel is. Littel, who gave his address as P. O. Box 784, Roswell, N. M., is one of the winners in M-G-M’s recent Candid Camera Screen Forecast contest.

The company’s Dallas exchange couldn’t reach him at Roswell and enlisted the aid of the Boswell exhibitor, who thinks Littel is now in San Antonio. Letters mailed to him care of G. D. have gone unclaimed.

Chicago Engineers Sign New Wage Pact

CHICAGO, Oct. 16.—Theatre engineers have signed a new contract which calls for a new wage scale that prevailed during the strike. This was 10 per cent below the old scale.

The new agreement runs until June 30, 1939. Engineers will receive back salaries for the two years they were on strike.

 Milo C. Weisman, as receiver of the Fox Theatre Corp., on Friday filed a report on the company as of June 30, 1938, in the U. S. District Court, and filed the company’s balance sheet of $4,313,890, and liabilities of $7,615,647. Weisman’s own estimate of the assets is $4,873,900, including a valuation of $7,500,000 at which Weissman values the company’s claim against William Fox and others, but to which he had given no value. This claim is under litigation.

Assets were listed as follows: Cash on hand, $63,843; reserve funds, consisting of eight per cent of claims not yet passed up or decided, $259,507; accounts receivable, $19,293; claims receivable, $8,283; investments in and advances to wholly owned subsidiary companies, $342,571; sundry investments, $99; office equipment, $1,078; reorganization expenses of 1929 and 1930, $3,693,449. Liabilities were listed as $1,098,891 due to the Chicago Title & Trust Co.; $6,428,672 for claims allowed, less eight per cent dividend already paid, and $27,488 for indeterminate liabilities on disputed claims.

Associates to Meet

Motion Picture Associates will hold a regular meeting at Gallagher’s tomorrow. The forthcoming dinner-dance is up for discussion.

First—Last—and Only Advertisement

ABOUT

“KUTE KRIS KRINGLE”
The Living-Breathing-Human 3 INCH TALL SANTA CLAUS

The Most Amazing .Box-Office Attraction Developed Since the Inception of Show Business.
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DENVER, Oct. 16.—“Hold That Co-Ed,” at the Denver led the town with $12,000 at the Denver, while “Boys Town” and Rich Man Poor Girl!” at the Orpheum in the second week, continued to standout business, taking $10,000. The bill moved to the Broadway for a third and possibly fourth week.

Estimated takings for the week ending Oct. 12:

“Co-Ed” (Col.)
ALADDIN—(1,400) (25c-40c) 7 days. Gross: $4,900. (Average, $1,400.)

“Valley of the Giants” (W. B.)
BROADWAY—(1,000) (25c-40c) 7 days, after a week at the Denver, Gross: $2,000. (Average, $286.)

“Campus Confessions” (Para.)
DESHAM—(1,700) (25c-35c-45c) 7 days, with Elizabeth stage show, Gross: $6,500. (Average, $1,195.)

“The Boy’s Town” (M-G-M)
DIEVRE—(1,200) (25c-35c-45c) 7 days, with Major Bowes’ unit, Gross: $12,000. (Average, $1,600.)

“Waltz” (20th-Fox)

“Rich Man Poor Girl!” (M-G-M)
ORPHEUM—(2,000) (25c-35c-45c) 6 days. Gross: $10,000. (Average, $1,666.67.)

“Broadway Muskratlers” (W. B.)

“The Plush Box Girls” (RKO)
PARAMOUNT—(2,000) (25c-40c) 7 days. Gross: $5,500. (Average, $785.71.)

“Four Daughters” (M-G-M)

“The Leopard” (20th-Fox)

“Mr. Moto Takes a Chance” (20th-Fox)

“Singers” (8,000)

Indianapolis Top

INDIANAPOLIS, Oct. 16.—“Sing You Sinners,” with “Campus Confessions” at the Indiana Theatre, lead the business here under a strong and steady week. The take was $8,000, which was $3,500 to the good, and the bill was moved to the Apollo for a second week.

“Straight, Place and Show” on the screen with a vaudeville bill headed by Hugh Aladdin, ran $4,000 at the Lyric, $4,000 in the black.

Estimated takings for the week ending Oct. 7:

“Valley of the Giants” (W. B.)
APOLLO—(1,000) (25c-40c) 7 days. Gross: $3,500. (Average, $500.)

“Sing You Sinners” (Para.)

“Campus Confessions” (Para.)

“Three Companies Formed


Form Australian Firm

SYDNEY, Sept. 26.—Major Films has been established by A. R. Harwood, director of production for New Era Films, to market Australian made product only.

“Singers” $8,000

“Safety” and Heidt Gross $17,200, K.C.

KANSAS CITY, Oct. 16.—“Safety in Numbers,” with Horace Heidt and his band on the stage, turned in a smash $17,200 for the theater. This was $10,200 over normal.

“You Can’t Take It With You” went to $14,000, $2,500 better than average. Outside competition was represented by two home games of the Kansas City-Newark baseball players. The weather was extremely warm.

Estimated takings for the week ending Oct. 5:

“Four’s a Crowd” (W. B.)

“Some of the Boys” (20th-Fox)

“Newman” (1,000) (25c-40c) 7 days. Gross: $7,700. (Average, $1,028.)

“My Lucky Star” (20th-Fox)

“Estimate” (20th-Fox)

“The Great Gatsby” (20th-Fox)

“Boys Town” (M-G-M)

Three Companies Formed

OKLAHOMA CITY, Oct. 16.—Griffith Amusement Co., partners and stockholders, are considering a pension retirement plan, under which funds were set aside for 700 Griffith circuit employees to supplement the Federal Social Security plan.

As a result the plan would cost the employee three to four per cent of his salary, and the company would contribute the same amount. The plan will apply only to those employees of the Griffith organization 30 years of age or over. The pension fund will be placed in the legal reserve insurance company in the form of retirement income policies.

The Griffith employees now have $1,250,000 worth of insurance in force in the form of life, and sick and accident insurance. The employees also participate in an employee’s benefit trust fund for hospitalization and medical care.

To Show “Back Street”

HAILTON, Oct. 16.—In honor of Fannie Hurst, who will speak before the Hollywood League Club here Nov. 7, the Paramount, Southside unit, will show “Back Street,” which contains several local scenes and references. Miss Hurst was born in Hamilton.

Cecilia Ball Dies

PITTSBURGH, Oct. 16.—Cecilia Ball, employed at the 20th-Fox exchange here, died here after a long illness. She was a sister of George Ball, booker at the same office.

“Straight” Is High Draw in Detroit Week

DEERFIELD, Oct. 16.—“Straight, Place and Show,” on a dual with “City Streets,” took $4,500 at the Adams for the last five days, against $2,000 at “Cavalcade,” aided by Ethel Shutta on the stage, drew $10,000 against a $20,000 average. “Boys Town,” in its third week at the United Artists, did $5,000.

Estimated takings for the week ending Oct. 7:

“Straight, Place and Show” (20th-Fox)

“City Streets” (Col.)

“Cavalcade” (20th-Fox)(Reissue)

“Boys Town” (M-G-M)

“The Divorce of Lady X” (U.A.)

“King of Alcatraz” (Para.)

UNITED ARTISTS—(2,000) (25c-36c) 7 days, 3rd week, Gross: $8,000. (Average, $1,142.86.)

“Can’t Take” Is Pittsburgh’s Best

PITTSBURGH, Oct. 16.—It was “You Can’t Take It With You” last week, the Alvin running way ahead of the competition. The picture was held a second week.

“Boys Town” finished very strong at the Warner, doing $7,900 in its third downtown week.

Estimated takings for the week ending Oct. 6:

“You Can’t Take It With You” (Col.)

“Lorenz on the Loose” (20th-Fox)

“Tonal” (20th-Fox)

“Mr. Doodle Kicks Off” (R-K-O)

Plan Minnesota House

MINNEAPOLIS, Oct. 16.—Harold Field, head of Pioneer Theatres and the Midwest Recording Co., has been granted a permit for a house in St. Louis Park, village bordering on Minneapolis. It will cost $100,000 and seat 1,000.

Open House Tomorrow

PITTSBURGH, Oct. 16.—Warner’s newest house in the Pittsburgh borough, the State at State College, Pa., on Saturday night. It is a 1,500-seat house in the forthcoming tour of M-G-M’s new operetta, “Ragtime.” The hope is that the plan will apply only to those employees of the Griffith organization 30 years of age or over. The pension fund will be placed in the legal reserve insurance company in the form of retirement income policies.

The Griffith employees now have $1,250,000 worth of insurance in force in the form of life, and sick and accident insurance. The employees also participate in an employee’s benefit trust fund for hospitalization and medical care.

Griffith Amusement

OKLAHOMA CITY, Oct. 16.—Griffith Amusement Co., partners and stockholders, are considering a pension retirement plan, under which funds were set aside for 700 Griffith circuit employees to supplement the Federal Social Security plan.

As a result the plan would cost the employee three to four per cent of his salary, and the company would contribute the same amount. The plan will apply only to those employees of the Griffith organization 30 years of age or over. The pension fund will be placed in the legal reserve insurance company in the form of retirement income policies.

The Griffith employees now have $1,250,000 worth of insurance in force in the form of life, and sick and accident insurance. The employees also participate in an employee’s benefit trust fund for hospitalization and medical care.
MOTION PICTURE DAILY

Expect Report To Ask Ending Of Superpower

WASHINGTON, Oct. 16.—Rumors that the three-man committee which three weeks ago held hearings on report of the FTC's investigation of W. L. W. have been preparing a report recommending revocation, today threatened to precipitate another stormy Federal Communications Commission.

That a report is in course of preparation was admitted but members of the commission said it was not yet ready for consideration. However, it was rumored, revocation of the superpower experimental permit will be recommended on the ground, among others, that in view of the Senate's expression that power in excess of 30 kilowatts was not in the public interest, would be unlawful to permit one station to use high-power superpowers could be given the same privilege.

Other grounds for the reported decision were said to be the fact that smaller independent stations were seriously jeopardized by W. L. W., whose programs were receivable over the greater portion of the United States, and that the welfare of the broadcasting industry as a whole and the interests of the listening public demanded that protection be given to the regional and local stations which are threatened.

Such a report, it is said, will not be palatable to Chairman Frank R. McNinch and certain other members of the F. C. C., who unsuccessfully fought to prevent the holding of hearings, an understanding being that any action taken by the commission against super-power would not apply to W. L. W. is said to have facilitated passage of the Senate resolution.

Two Station Permits Are Sought From FCC

WASHINGTON, Oct. 16.—Applications for authority to construct two new broadcasting stations have been filed with the Federal Communications Commission.

The St. Lawrence Broadcasting Corp., the application reports, has filed application for a 1,410-kilocycle station at Ogdensburg, N. Y., to operate with 100 watts power, 250 watts day. and the Grand Traverse Broadcasting Co. has filed application for a 1,370-kilocycle station at Traverse City, Mich., also with 100 watts, 250 watts night.

Other applications received included those of WVEO, Marquette, Mich., for increase of power from 100 to 250 watts, and WSHL, Port Huron, Mich., for extension of time from day to unlimited with 100 watts power, 250 watts day.

Hooper Expands Reports

Reports on radio listening, compiled by Clark Hooper, Inc., have been expanded to include Heskett's audience samples in individual programs, per reported hour, from 4,000 to a maximum of 24,000 on day programs and from 1,600 to a maximum of 4,800 on night shows. The reports will show program results for large and small cities, separately and combined.

Muzak Advertising Division Is Formed

Muzak, Warner controlled company which pipes recorded music over telephone lines to home, restaurant, and bar and grill clients, has formed a new company called Muzak Corporation, to form an advertising division called the Muzak Sponsoring Program Service.

Advertising will be sold only to firms making products that can be purchased in drinking and dining establishments and the copy will be broadcast only over a special wire system serving Muzak clients of that nature.

Muzak itself will not be commercialized, according to the company, which will not be a sponsor of the musical portion of the entertainment.

CBS Radio News Service has been licensed by Muzak to provide it with news service. The contract is for three-five minute news periods a day, stage, screen and radio talent.

Deny Series Will End

A report that the Woodbury Playhouse series, which features Charles Boyer, would be replaced with another series of the same nature was officially denied by the agency handling the program, Lenman & Mitchell. It was said there that Boyer was signed until the end of this year and the program would continue at least until the year's close.

The companion Woodbury show, featuring Walter Winchell, will continue.

Guests on Goodman Show

R. J. Reynolds Co., sponsoring the Boyer-Goodman broadcasts for Camel cigarettes over CBS, will revise the show to include weekly appearances of Miss Kitty, Miss Kitty being the vice president of the Goodman music swing only. The William Esty agency is now lining up the guest talent.

Coughlin on Air Nov. 6

Father Charles E. Coughlin will return to the air Nov. 6, after being away from this medium for some time. A 44-station network, especially designed, will carry the radio priest's talks, which will continue to be heard on WHYN.

Bannwart Joins Blow

E. J. Bannwart has been appointed vice-president of the Blow Co. in charge of new business. He will be associated with Blackett-Sample-Hummert.

Air News Censored

Paris, Oct. 16. — The French Government has established the censors over news broadcasts issued over the 11 largest radio stations in the nation. The order covers news broadcasts of political, economic and financial character. Detailed regulations now will be required to submit to the government daily the full text of all news talks for approval before they are broadcast.
6 BOXOFFICES SWAMPED AS 'SUEZ' HITS 207% PACE OPENING DAY ROXY, N. Y.
**TRADE READY FOR SELF-REGULATION**

**Temperature and Grossoes Soar in Broadway's Heat**

A record high temperature of 87 degrees yesterday sent crowds to Broadway first runs. All managers reported business excellent. Air conditioning systems, which had been circulating warmer air since the cool spell, were turned on for cool air.

**Casey Arrives for Musicians' Talks**

Pat Casey, producers' labor representative, arrived in New York yesterday from the coast to sit at the conferences between company heads and the American Federation of Musicians Thursday on proposals for increasing employment of musicians in theaters. Casey may also open negotiations with the newsreel camera men's union on a new two-year contract on behalf of the newsreel business during his stay here.

Joseph N. Weber, president of the American Federation of Musicians, is reported to have several proposals for increasing employment opportunities for musicians in theaters to submit to the heads of the five companies with theater affiliations. Representatives of Loew's, Paramount, RKO, 20th Century-Fox and Warners will attend the meeting. Casey plans to leave for the coast as soon as the conferences are concluded.

**Schaefer's Entry Into RKO Now Up to Irving Trust Co.**

Irving Trust Company, trustee of RKO, may initiate George J. Schaefer, immediately to direct RKO operations. This possibility is made up to be taken up at a meeting of creditors, today, and which will be attended by the trustee's representatives. It is up to the trustee. Under such a move, it is believed that Schaefer will take charge of RKO, as representing the trustee. Presumably, he will be offered the presidency of the company, upon the firm's reorganization.

It is the hope of creditors that this may be soon and that Federal Judge William O. Bondy will not wait until Oct. 25, date of the next hearing on confirmation of the pending plan of reorganization, but file his approval and confirmation of the plan, this week. Neither creditors nor the trustee are desirous of causing any hiatus in the operations of RKO, now that Leo Spitz, president of the firm, is determined to retire, notwithstanding the insistence of interested parties to have him continue.

Spitz will retire and become special counsel to the company.

The M. J. Meehan people were most anxious for Spitz to stay. Additionally, the trustee is impressed by the fact that at the recommendation of Leo Spitz, there is a unanimous creditor sentiment favoring Mr. Schaefer as his successor.

**Kane Will Make 12 To Cost 4 Million**

London, Oct. 17.—Twentieth Century-Fox will produce 12 pictures here under the supervision of Robert T. Kane, in charge of British production, at an estimated cost of $4,000,000.

While they are planned for the English market, at least five will be made for possible release in the United States.

The films scheduled include "Keep Smiling," already completed and shown to the trade here last week; "Sally of the Shipyards," with Gracie Fields; "Frenchy," with Annabella; a second untitled vehicle for Annabella; "This Is London," "Handley Cross," "Hangman's House," "The Dancers."
Tentative Program
Of MPTO Meet Set

OKLAHOMA CITY, Oct. 17—Tentative outline of the program for the national M. P. T. O. A. convention to be held here Oct. 30 through Nov. 2, has been released by Morris Loevenstein, general convention chairman.

The first day, Sunday, will be featured by the president's evening reception at the Biltmore Hotel. Entertainment will be furnished.

At noon Monday, Tuesday and Wednesday delegates will have luncheon in the Biltmore Hotel, the price for which will be included in the $10 registration fee for delegates attending. Monday night a stargala will be held. Monday night the ladies will be entertained by a harp and string orchestra and floor show, probably at the Oklahoma City Golf and Country Club. Monday afternoon the ladies will be entertained by a eau and an automobile tour of the city.

Wednesday night will be featured by the grand finale, the Movie Ball, which will be open to the public. Music will be furnished by Allen Clark's WKY orchestra.

Industry to Honor Ickes at Luncheon

HOLLYWOOD, Oct. 17—An informal luncheon will be tendered Secretary of the Interior Harold Ickes by the industry Wednesday at the 20th Century-Fox studio cafe.

In the committee in charge of arrangements are Darryl F. Zanuck, W. S. Van Dyke, Donald Ogden Stewart, Dudley Nichols, Ralph Morgan, Jerome Kern and Phillip Dunne.

Ask Du World Testimony

Suit for $3,000 against Du World Pictures, Inc., was revealed in the N. Y. Supreme Court yesterday when Societ Agatos, S. A., filed application for an examination before trial of Arthur A. Mayers, president of Du World.

Plaintiff contends that the defendant breached a contract made on March 15, 1935, whereby the defendant allegedly agreed to sell and distribute to the plaintiff films and to remit 65 per cent of the gross to the plaintiff. The plaintiff claims that $3,000 under the contract is due to it.

Erickson to Coast

Clarence Erickson, treasurer for Walter Wanger Productions, left yesterday for the coast after two weeks here putting the finishing touches on the $1,500,000 financing of the Wanger company.

MITCHELL MAY, JR.
CO., INC.

INSURANCE
Specializing in requirements of the Motion Picture Industry
75 Maiden Lane, New York
510 W. 6th St., Los Angeles

MOTION PICTURE DAILY
Tuesday, October 18, 1938

Insiders' Outlook

How much do top executives of film companies spend for luncheons? The answer was supplied Saturday at the seven-hour session of the Hays office directors, which was preceded by a luncheon at 12 o'clock. Trays laden with food were sent up by relays from a restaurant on the second floor of the building. There were 15 luncheons being attended and 15 luncheons were ordered. The ringer was Carl Milliken. The check came to $40.05. Added to it was a $4 tip for two waiters.

William F. Rodgers, M-G-M general sales manager, told trade paper reporters in Chicago Saturday, en route here, that the dinner in Minneapolis for Edward A. Golden, Monogram vice-president, was very enjoyable, and praised A! Steffes for the manner in which it was staged.

In his recent publicity tour of several cities on behalf of Hal Roach's film, "There Goes My Heart," Alan Mowbray, besides making personal appearances at theatres and being formally adopted a citizen in these towns, experienced other adventures.

Among these were receiving a pipe purchased with pennies contributed by school children; lunch at the home of a local newspaper editor; and being the guest of honor at a square dance. Now Mowbray is going on another tour to book somewhere else of this.

His friends say he likes it and that Mowbray, who is a British subject, believes such trips, under proper handling, could do much to foster good feeling for the studios.

John Maxwell's court action against Osters of Gaumont British has been settled out of court. Scheduled for hearing today, the case involved alleged misrepresentation charged by Maxwell in connection with the purchase of shares in Metropolis & Bradford Trust, G. B. holding control. Maxwell claimed to have been led to believe that he could acquire control of G. B. through the purchase, but later was unable to buy the holdings of either 20th Century-Fox or M-G-M.

Temperature and Grooves Soar in Broadway's Heat

(Continued from page 1)
and Sunday. The film will enter a fourth week in Universal's "horror combination" of "Dracula" and "Frankenstein." Yesterday the Rialto's biggest opening since its first "New York" screening four years ago, the theatre expects a record take and a "Top Hat in Europe," a British production which preceded the current attraction, grossed $7,100 in the week. "The Mad Miss Manton" will go into its fourth week at the Capitol, following a one-week run of "There Goes My Heart." "Marie Antoinette" today enters its 10th week at the Astor as its two-a-day roadshow, and tickets are being sold two weeks in advance. "Dark Rapture" will start a third week at the Capitol, while the Capitol will have a new film, "Stabilemates," opening Thursday, followed by "Parisian Night" run of "Too Hot to Handle." "Service De Luxe" will start Saturday at the Rivoli, and "Girls on Probation" goes into the Criterion Thursday.

Freeman to Chicago On Trust Suit Talk

Y. Frank Freeman, Paramount vice-president and theatre head, went to Chicago yesterday for conferences with O. A. & R. officials and counsel on the anti-trust action filed in Federal court there by independent exhibitors and developments in connection with the pending out-of-court settlement of the action.

Freeman is expected back in New York Thursday.

Para. Men Off to Studio

Barney Balaban, Paramount president; Stanton Griggs, chairman of the executive committee of the Agnew, vice-president and distribution head, and Russell Holman, eastern sales secretary, are off today for the studio by train tomorrow. They are due back in town about two weeks setting plans for productions to go into work during the next three months.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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Puney Personal

HARRY GLICKMAN, president of Mecca Film Laboratories, is recuperating from an operation at Sydenham Hospital, 123rd St. and Manhattan Ave., where he is expected to remain another two weeks.

RUDY and MRS. STRAVITZ of the Columbia screen, N. Y., were visitors at the U. S. exchange yesterday. Another visitor to that office was BEN Kronberg of the circuit bearing his name.

LOUISE CAMPBELL, who recently finished filming "Anthony Adverse" for Paramount, will arrive tomorrow morning on the Twentieth Century for a vacation.

HARRY BROWNING of the M. & P. circuit was in town yesterday for conferences at Paramount. He flew back to Boston last night.

JOHN T. HOLMES, new president of the Warner screen, will be guest of honor at a dinner at the Hotel Dorset Friday night.

CHARLES STERN, U. A. district manager, returned to his desk yesterday following a tour of branches in the surrounding territory.

JOSEPH N. WEBER, American Federation of Musicians president, is expected in New York from Houston tomorrow.

MONROE GREENTHAL left for Chicago yesterday to handle the advance campaign on "Drums."

TOM GORMAN is now in Chicago.
Produced and directed by William A. Wellman, who gave you never-to-be-forgotten “Wings,” who has recently created such Technicolor triumphs as “A Star Is Born” and “Nothing Sacred.” Given by Paramount a lavish budget, and a great all-star cast, including the biggest aggregation of stunt flyers ever assembled in Hollywood. Possessed of one of the strongest stories ever written for the screen, a story to rank with “Cavalcade”... made even more glorious by the mighty flaming power of Technicolor... “Men With Wings”... is the greatest aviation picture ever filmed.
“Knights of Song”  

By J. M. JERAULD

Glendon Allwine’s vocalized “excur- sion” into the lives of Gilbert and Sul- 

sums destined to become a shoebox- 

ride into a box-office hit at the 51st 

Street Theatre, where it opened last 

night. It also has been beneficial to 

agents for a musical film, if the world 

copyright problem can be surmounted. 

On the whole, the score, lines, and the 

music is a source of surprise. For Gilbert 

and Sullivan enthusiasts the play fur- 
nishes an opportunity for them to re-

discover their old favorites; for those 

who know Gilbert and Sullivan only 

through the musical numbers seen 

startlingly modern. They were re- 

ceived with plenty of enthusiasm last 

night.

The cast has some well known film 

actresses and directorial personnel, 

including Mrs. John Bowers, Charles 

Steed, Roy Ayr, andpls Laurence 

Schwab and Oscar Hammer- 

stein are the producers.

Retrial Is Asked on Georgia “Gang” Suit

ATLANTA, Oct. 17.—Judge Vivian 

L. Stanley, chairman of the Georgia 

Prison and Parole Board, is ask- 

ing a retrial of the $100,000 libel 

suit against Warners which he lost by a 

jury verdict in Fulton Superior Court 

last week.

The suit arose from Warners’ pro- 
duction of “I Am a Fugitive From 

a Gun Gang” in which Judge Stanley 

claimed he was-ridiculed. The defense 

contends that since Judge Stanley later 

was re-elected at an increase in salary 

he could not prove injury. It has 

been reported that a settlement 

action against the film company and 

the Lucas & Jenkins circuit may be 

dropped.

Chicago Laboratory

To Sign with Guild

Chicago Film Laboratory, Inc., com- 

mercial film producer, has agreed to 

enter into a contract with the Screen 

Actors Guild, Florence Marston, 

central head of the guild, reported yester- 

day after weekend conferences in 

Chicago. The pact will be forwarded 

to Chicago immediately for signing 

leaving only one other producer of 

consequence there, Atlas Films, not 

yet signed up with the guild.

M. W. Van Dyke was the guild’s, 

delegate to the A. F. of L. convention 

at Houston last week.

Kaliski Leaves G. B.

PITTSBURG, Oct. 17.—Joseph Kaliski, 

head of the G.B. exchange here for 

only three months, has resigned to 

handle distribution of “Birth of a Baby” 

in Virginia. No successor has been 

named yet.

Ostler Case Up Thursday

LONDON, Oct. 17.—Action of Law- 

rence Howard, story agent, against the 

Ostler Brothers, heads of Gaumont 

British, involving a commission claim, 

is scheduled to come up on Thursday

license agreement; establishment of 

local conciliation boards; eventual 

correction of unfair clearance between 

theatres; relief from overbuying to 

theatres at excessive prices; pro- 

duct; relief from unfair cut-rate com- 

petition between theatres; relief 

from non-theatrical competition, 

including relief from the use of unsuitable 

pictures for Saturday and Sunday 

exhibition.

Rolls Reilly Passes

Reilly, eastern correspondent for 

Popular Photography, and wife of 

Reilly, was hit by a car Friday morn- 

ing in Cine Mundial, died yesterday at 

the Beth David Hospital of pneumonia. 

Services will be held today at the 

Beit Hamedrash Chapel, Ford St. and 

Lexington Ave., at 2 P. M.

Hold Rites for Levy

KANSAS CITY, Oct. 17.—Funeral 

services were held here today for Joe 

Levy, veteran film salesman and head 

of Special Attractions, who died 

Friday.

More Pledges in for 

Greatest Year Drive

Pledges from independent exhibi- 
tors for the Motion Pictures’ Greatest 

Year campaign are still being received 

by headquarters of the drive reported 
yesterday. During the past week, 

72 pledges from theatres seating 150 

and over were sent in, bringing the 

total of theatres enrolled in the drive 

to more than 7,000.

Campaign headquarters reported 
yesterday that the title of the all- 

industry short subject being produced 

for the campaign has been changed from 

“The World Is Yours” to “The 

World Is Ours.”

The final tongue at the end of the 

drive will be distributed this week, 

National Screen Service and Lew Leb of 

Movie- 

Ad Films Firms Pool 

Campaigns on Offer

Theatres served by eight companies 

producing and distributing advertising 

films have been pooled in the forma- 
tion of the association of Advertising 

Film Companies.

The arrangement makes theatre 

available for manufacturer-sponsored 

or cooperative campaigns, regardless 

of which of the associated companies 

first arranges the campaign, 

and assures the maximum possible 

display for such campaigns, according 

to association officials.

I. A. Anderson of Tad Screen 

Advertising, Dallas, is temporary 

campaign of the association’s council. 

The other companies included are 

Alexander Film Co., United Film Ad 

Serv- 

vice, Motion Picture Advertising Serv- 

ice, Inc., of Cleveland and New Or- 

leans, Ray-Bell Films, Al M. Smit Film 

Service and A. V. Cafer 

Serv- 

Inc., Alexander Film Co., Inc., says 

it has nearly 8,000 theatres under 

agreement in the United States and 

more than 2,000 in Canada. The com-

pany has renewed its agreement with 

the Coalsal circuit of 25 houses in 

New York and New Jersey.

Mule Team Arrives Here

“The Arkansas Traveler” mule 
team driven by Bill Landford 

and managed by Charles Moosian was 

an eight-week jaunt from Little Rock, 

Va. They will head for Boston to-
“SUEZ” COMES TO BROADWAY

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 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, Erma Hatt.

CONTINUED ON NEXT PAGE
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 boxoffices and descend upon ticket-takers Jack Brodsky, William Moclair, 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.
“Take It” in Seattle Again
Leads Parade

Seattle, Oct. 17.—“You Can’t Take It With You” topped the town in its second week at the Liberty, with $19,300, making a district average. “Too Hot to Handle” was strong at the Fifth Avenue, and “Boys Town” continued to do well in the second week at the Blue Mouse. The weather was rainy and cooler. Estimated takings for the week ending Oct. 12:

“Boys Town” (M-G-M)
BLUE MOUSE—$660 (30c-40c-50c) 7 days, $4,400. (Average, $628.)
“Too Hot to Handle” (M-G-M)
FIFTH AVENUE—$1,400 (3c-40c-55c) 7 days, Gross: $8,800. (Average, $1,257.)
“Annabel Takes a Tour” (RKO)
LIBERTY—($1,000) (25c-35c-45c) 7 days. $2,500.
“Garden of the Moon” (F.N.)
BLACKHAWK—$400 (25c-35c-45c) 4 days. Gross: $1,600. (Average, $400.)
“Affairs of Annabelle” (RKO)
“Mr. Moto Takes a Chance” (20th-Fox)
FAMILY—(1,000) (25c-35c-45c) 7 days. $3,050.
“Straight, Place and Show” (20th-Fox)
“Crime Ring” (RKO)
PARAMOUNT—($600) (20c-25c) 7 days. Gross: $4,600. (Average, $657.)

“Certain Age” Top
Draw at Oklahoma

OKLAHOMA CITY, Oct. 17.—“That Certain Age” was a bright spot in a quiet week in the territory. It pulled $5,400 at the Criterion. “Four Daughters” went into the profit column at $4,400 at the Midwest and a combination of “Give Me a Sailor” and “Painted Desert” drew $1,800 at Liberty $1,800 in four days, “Personal Secretary” and “Safety in Number,” for the last three days at this house, took a weak $500. Estimated takings for the week ending Oct. 12: $11,400.

“That Certain Age” (Univ.)
CRITERION—($1,500) (25c-35c-45c) 7 days. Gross: $8,300. (Average, $1,186.)
“Give Me a Sailor” (Univ.)
“Painted Desert” (RKO)
LIBERTY—($1,200) (25c-35c) 4 days. Gross: $1,800. (Average, $450.)
“Personal Secretary” (Univ.)
“Safety in Number” (M-G-M)
LIBERTY—($1,200) (25c-35c) 3 days. Gross: $1,000. (Average, $333.)
“Four Daughters” (W.B.)
MIDTOWN—$300 (20c-25c-35c-45c) 7 days. Gross: $2,100. (Average, $300.)
“Crime Takes a Holiday” (Col.)
“Flight To France” (Col.)
STAGE—($100) (25c-35c-45c) 7 days. Gross: $2,000. (Average, $286.)
“Mother Carey’s Chickens” (RKO)
TOWER—($100) (25c-35c-45c) 6 days. Gross: $1,800. (Average, $300.)
“Crime Takes a Holiday” (W.B.)
TOWER—($1,000) (25c-35c) 3 days. Gross: $600. (Average, $200.)

Gibbs G. N. Manager

NEW HAVEN, Oct. 17.—Harry Gibbs is the new Connecticut exchange manager for RKO (the fourth with L. H. Levine as salesman. Gibbs is well known here. For the past six years he has operated an independent exchange. The Connecticut Atlantic Pictures franchise will be handled by John Ricciuti.

Hollywood Preview

“Annabel Takes a Tour” (RKO)

Hollywood, Oct. 17.—“Annabel Takes a Tour” maintains the bizarre amusement character established by “The Affairs of Annabelle.” It features the same leading players, Jack Oakie, Lucille Ball, Bradley Page and Ruth Donnelly. Capable performances by Ralph Forbes, Frances Mercer, Alice White, Jean Rouvier, Pepito, Chester Clute, Donald MacBride and Edward Gargan also add much to the show’s entertainment value.

To bolster her sagging prestige and incidentally check off the rapidly rising Frances Mercer, film actress, Miss Ball embarks upon a personal appearance tour after insisting that Oakie be reinstated as her publicity director. Her experiences under Oakie’s guidance are generally embarrassing to her, but provide continuing laughter for audiences. As the papers are full of news about Miss Mercer and her romance with a foreign nobleman, she demands that Oakie also find her a titled foreigner. Then what has started out as a dual publicity gag for her and writer Ralph Forbes, assumes a threatening aspect when Miss Ball takes her romance seriously. Plenty of publicity accrues to the stunt, but when Forbes’ wife, Alice White, shows up with their family, the star is anxious to get out of the whole mess and return to Hollywood.

The picture moves speedily. The dialogue and situations provided for the principals generate plenty of laughter and carry the assurance that comedy fans should find plenty to amuse them in the picture.

Gibbs Grant Oliver wrote the original screenplay which Lewis Lanzers directed.

Running time, 60 minutes. “G.”

New York Preview

“Broadway Musketeers” (Warners)

The “Three Musketeers” theme is here translated to New York, the musketeers are three girls and their adventures involve an unsuccessful marriage, murder, the abduction of a child and woman to cover the murder, and a plot solution via suicide and a gang-police battle. It is a trifle too melodramatic for the family trade.

Margaret Lindsay, Ann Sheridan and Marie Wilson are the three girls, with Dick Parcell, Richard Bond and John Litel in chief support and Janet Chapman as the child of the unhappy marriage. John Farrow, director, obtained the maximum of melodrama from the material at hand, an original screenplay by Don Ryan and Kenneth Gamet.

Miss Lindsay’s marriage to a wealthy broker, Litel, fails when she becomes too interested in Bond, who turns out to be a gtammer. Her two friends try to help, but are unable to patch things up. Miss Sheri- dan marries Litel after the divorce, and Miss Lindsay, not permitted to see the child, is led a sorry life with her gambler husband. When he is killed for welching on a bet, Miss Lindsay and the child, who is with her, are taken as hostages by the murderers. The suicide of Miss Lind- say, and a running fight with police lead to the rescue of the child.

Running time, 63 minutes. “A.”

Charles S. Aronson

Nine New Pictures Approved by Legion

The National Legion of Decency has approved all nine new pictures classified for the current week. For general patronage and four for adults. None were classified as objectionable. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—“Arkansas Traveler,” 19th-Fox, and “Cry ’Till You Talk” (German), “Prairie Moon,” “There Goes My Heart.” Class A-2, Unobjectionable for Adults—“Come Ye Folie” (French), “King of Alca- traz,” “Personal Secretary,” “Young Doctor Kildare.”

Loew-Ellis Action May Be Tried Soon

Emil K. Ellis, chief counsel for the nine plaintiffs in the consolidated divorce suits. and Joseph M. Loew, executives and directors to date, with others to be examined. Ellis questioned Judge John R. Hazel at Buffalo, William A. Parker and Charles C. Moskowitz, all directors, Friday. Moskowitz will complete his testimony today.

The Schine Circuit, which recently took over the Plaza in Milford, Del., has added three more, the Federal at Federalsburg, Avalon at Easton, and the Satellite at Salisbury, all new theatres in southern Delaware. Roger W. Christopher, W. Lee Insley and Edward C. Evans, managing the Federal, have been engaged with the new properties will get posts with the Schine Circuit.

George Norman has opened the Vista, $45,000 house in Storm Lake, la. Joe Gerbach has opened the new Vista in Ames, la. Forrest Leggate have bought the Royal in Daytona, Fl. and will remodel the house. Oklahoma City supply houses report considerable activity in remodel- ing and the purchase of new equipment in the territory. Speedy Mouldor is remodelin the Criterion at Sapulpa, Okla. With Atmospheric Co. will open the Cherokee in Enid soon. Stricker and Jones are remodeling the Harmony in Sand Springs, Okla. W. A. Parker has remodeled the Rainbow at Sulphur, Okla.

Lucas & Jenkins plan to $225,000 old, 1,200-seat Miller Theatre which has opened the Emory in Atlanta. E. Sparks circuit plans a 1,200-seat house in Ft. Lauderdale, Fl, to cost $225,000. Longis is building a new house at Wake Forest, N. C., J. A. Reynolds is soon to open his fourth theatre at Shelby, N. C., and A. Fuller, Jr. is building his third at Statesville, N. C. Palmetto Theatre Co. plans a theatre at Columbia, S. C.
KING OF FILMS

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<td>The Thirteen Steps (Release: Sept. 14)</td>
<td>Valley of the Kings (G) (D) (C) (O) (L) (D)</td>
<td>Black Bandit (Bob Baker) (385)</td>
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<td>Man with 100 Guns (Nov. 15)</td>
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<td>The Lady Vanishes (G) (D) (C) (O) (L) (D)</td>
<td>Garden of the Finale (D) (C) (O) (L) (D)</td>
<td>Bryn Mawr (D) (C) (O) (L) (D)</td>
<td>Meet the Girls (D) (C) (O) (L) (D)</td>
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<td>The Glassed In Lion (Nov. 15)</td>
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Hollywood Preview

“Hollywood De Luxe”
(Universal)

Hollywood, Oct. 17.—“Service De Luxe” is de luxe in just about every department, including the box-office. It’s a finely finished piece of product full of fresh material, smart dialogue and clever performances by players whose names have long meant money, with a newcomer ready right now for lights. It kept a preview audience chuckling steadfastly, with occasional outbursts into laughter that came from the diafragm.

Constance Bennett gets top billing as the modern young New York owner of a personal service bureau who falls in love with an upstart inventor and pretends to be a clinging vine because he hates moneyless women. Vincent Price, a towering young actor fresh from the stage to films, plays the inventor as skillfully as if he’d been born in front of a lens. Carole Landis is splendid as an eccentric capitalist, Mischa Auer turns in a masterpiece as a Russian nobleman turned chef, Helen Broderick improves each shining moment allotted her as Miss Bennett’s business colleague and Joy Hodges puts a luscious punch in her portrayal of a dainty debutante. The personal service bureau arranges everything satisfactorily for all parties except its owner, whose romance is on the rocks when coincidence salvages it in the closing sequence.

Director Rowland V. Lee, screen playwrights Gertrude Purcell and Leonard Spiegelgass and the writers of the original story, Bruce Manning and Vera Caspary, seem to have worked together in utmost harmony with the single idea of turning out an up-to-date, clean and completely amusing picture. Associate Producer Edmund Grainger can look back on a job well done. The film is appropriate for any time, place or audience.

Running time, 85 minutes. “G.”

Roscoe Williams

Lord vs. Pathe News
Suit Trial Started

Trial of a $48,000 breach of contract suit against Pathe News, Inc., brought by Philips H. Lord, started yesterday in the U. S. District Court before Judge Clarence G. Galston and a jury. The entire day was confined to the testimony of the plaintiff, who testified to a contract with Pathe News, in which the defendant allegedly agreed to supply him with cameramen, sound technicians, and cutting machinery for a contemplated trip around the world. Lord charged Pathe News refused to carry out its contract.

A decision against the plaintiff, rendered at a previous trial on Dec. 17, 1937, had been reversed on appeal, the ruling of the Circuit Court of Appeals on June 30, which ordered a new trial.

Rochberg Challenges
Copyright on Stills

Rochberg Picture Supply House, Inc., yesterday filed answer to a suit brought in the U. S. District Court by Vitagraph, Inc., which charged copyright infringement of 37 stills belonging to the plaintiff. The defendant, in addition to denying the allegations of the complaint, contended that the plaintiff’s copyrights were void for improper publication of notices and asserted that the copyrights were not legally owned by the plaintiff.

Suit seeks an injunction, an accounting of profits and $100,000 damages for each alleged infringement.

Goldwyn to Do “Raffles”

Hollywood, Oct. 17.—Samuel Goldwyn will make a new version of “Raffles,” with David Niven starred in the role of the famous hermit. Goldwyn has signed Jo Springle, writer, on a long term deal.

“Service” Is Big $20,500
In Pittsburgh

Pittsburgh, Oct. 17.—“You Can’t Take It With You,” running over at the Alvin, got a steady $11,850 and earned a third week.

The Stanley, with Wayne Morris and Johnny Davis on the stage and “Room Service,” on the screen, took $2,500.

“Spawn of the North” was pulled at the Penn after six days with $7,100. The Warner had “Too Hot to Handle,” which had previously played to good business at the Penn, and the week between its engagement at the Penn and the one at the Warner didn’t hurt the picture any since. It grossed $5,150.

Estimated takings for the week ending Oct. 13.

“Your Can’t Take It With You” (Col.)
Alvin—$11,850 (25c-50c) 7 days, 2nd week. Gross: $11,850. (Average, $1,693)

“Road to Reno” (Univ.)
“Meet the Girls” (20th-Fox)
“Alcatraz” (Para.)

“Too Hot to Handle” (M-G-M)

Hoffberg Closes Deal

J. H. Hoffberg has closed a deal for the American premiere of “School for Husbands” at the Little Carnegie. The company also has the United States distribution rights to the film, which was produced by Richard Wainwright.

MAKE YOUR RESERVATIONS today!

18TH ANNUAL M.P.T.O.A. CONVENTION
OKLAHOMA CITY
(The city that friendliness made famous)

OCT. 30TH to NOV. 2ND

One of the most important meetings in years!

Write or wire: J. C. Rader, Biltmore Hotel, Oklahoma City, Okla. Rates $2.50 up.
RADIO

Radio Personals

KATE SMITH now has a U. P. news machine in her office for her commentary and news series . . . Ted Collins, Kate's manager, just celebrated an anniversary,Heidi is bringing the Boys Town Choir to New York for its Oct. 23 broadcast . . . Myron Selznick, Ltd., has set a first appearance for Raymond Massey on the Vallee program of Oct. 20. The deal was arranged by Herman Bernini.

Canada World Air Show Completed

MONTREAL, Oct. 17. — Canada's world broadcast in cooperation with the International Broadcasting Union will get under way at 2:30 Sunday, Oct. 23. The program will originate in cities from Nova Scotia to Vancouver.

The Lunenburg Choir will be heard first at 3:32 from Nova Scotia. Other features will include the Alcuin Quartet from Montreal; Ernest Seitz, pianist, from Toronto; yodeling cowboys from Saskatchewan; the saxophone from a lumber camp near Vancouver, and Percy Faith, with his CBC orchestra.

Offer Grid Forecasts

SAN FRANCISCO, Oct. 17. — Supplementing its series of 50 broadcasts of coast football games, over coast and regional networks, Tide Water Associated Oil Co., is distributing Dick Dunkle's "Football Forecast" to west coast fans. Thoroughness of the forecast sheets are given away weekly.

Steel Aircasts in Book

Johns Press, formerly foreign editor of the New York Post and now commentator for WMCA, has compiled in book form his broadcasts on the steel strikes in the Pati, and the 30,000-word volume, "Truth About Munch," is now for sale.

I. R. S. Agent for WSAJ

International Radio Sales, Hearst station representative group, has been appointed national representative for WSAJ, smaller of the two Crosley stations. Transamerican Broadcasting and Television Corp. will continue to represent WLW.

Plan Party for Murrow

Ed Murrow, CBS European director, who arrives here today on the Queens Mary, will attend a luncheon Friday at the St. Regis Hotel by William S. Paley, president of the network.

Affiliated in WHN Deal

Affiliated Co. has closed a contract with WHN for 13 weeks of spot announcements, smaller of the two Crosley stations, was placed by Wexley Associates of New York.

BBC to Televise Film

LONDON, Oct. 17.—British Broadcasting Co. on Wednesday will televise scenes from the Carlton Theatre premiere of "St. Martin's Lane."

FCC Hearings Arranged for Week

WASHINGTON, Oct. 17.—The Federal Communications Commission has set the following schedule for hearings on broadcasting applications during the current week:

Oct. 19, before an examiner: Applications of WHAI, Greenfield, Mass., for extension of time from day to unlimited; WSN, Minneapolis, for increase of night power from 250 to 1,000 watts; WJBA, Baton Rouge, for increase of power from 500 to 1,000 watts; WTAI, Quincy, Ill.; for extension of time from day to unlimited; WAPO, Chattanooga, for change of frequency from 1,420 to 1,120 kilocycles and increase of power from 100 watts day, 250 watts day, to 500 watts day, 1,000 watts day; and WHEU, Griffin, Ga., for more of station: Change of frequency from 1,560 to 1,310 kilocycles, extension of time from day to unlimited.

Oct. 20, before the commission: Applications of WORL, Boston, for extension from day to unlimited and increase of power from 500 to 1,000 watts; WISN, Milwaukee, for increase of night power from 250 to 1,000 watts; and WJBE, Baton Rouge, for increase of power from 500 to 1,000 watts.

Personal Service

London, Oct. 17.—F. W. Ogilvie, new director general of the British Broadcasting Co., declared in his first radio address to the public tonight that broadcasting is essentially a personal service.

Seeks Permit for Station in Miami

WASHINGTON, Oct. 17.—Applications of the Miami Broadcasting Co. for a 250-kilowatt, 250-watt station at Miami, and John F. Arrington, Jr., for a 1,280-kilowatt, 250-watt station at Valsavina, Ga., have been referred by the Federal Communications Commission to examiners for hearings.

Seeks Permit for Station in Miami

WASHINGTON, Oct. 17.—Applications of the Miami Broadcasting Co. for a 250-kilowatt, 250-watt station at Miami, and John F. Arrington, Jr., for a 1,280-kilowatt, 250-watt station at Valsavina, Ga., have been referred by the Federal Communications Commission to examiners for hearings.

Other applications on which hearings were ordered included those of WCBG, Springfield, Ill., for change of frequency from 1,420 to 1,290 kilocycles and increase of power from 100 watts day, 250 watts day, to 500 watts day, 1,000 watts day, and WHEU, Griffin, Ga., for more of station: Change of frequency from 1,560 to 1,310 kilocycles, extension of time from day to unlimited.

Order to move from Fort Worth to Wichita Falls, Tex., and to increase day power from 1,000 to 5,000 watts, has been asked by KATX, Station KFOY, St. Augustine, Fla., has applied for change of frequency from 1,210 to 1,220 kilocycles and increase of power from 100 watts day, 250 watts day, to 1,000 watts night, 5,000 watts day.

Place KSFO Disc Series

SAN FRANCISCO, Oct. 17.—“Ma Perkins” transcriptions have been placed on KSFO, CBS station, for one hour a day, by Procter & Gamble, through Blackett, Sample and Hummert. Another new account at KSFO is the Sumner and Kaufman chain shoe stores, announcements.

Air San Francisco Opera

SAN FRANCISCO, Oct. 17.—Despital unknown, the San Francisco Opera Institute will stage on Oct. 27, 1938, a lsd 94,500 for the 250-watt “Cherubino” was aired coast-to-coast on the Blue network.

Denial of WLW High Power Extension Put Up to FCC

WASHINGTON, Oct. 17.—Denial of WLW application for continuation of its 500,000-watt grant to operate the Crosley station was recommended to the Federal Communications Commission today by the television committee which held hearings last week on the question. The committee is composed of Commissioners Norman S. Case, chairman; T. A. Walsh, and George Henry Pauker.

The committee's report was seen as presupposing an adverse report on increased power limits for existing stations from 50 to 500,000 watts, on which hearings were held early last summer before the same group. Denial of the application was recommended on the ground that the proposed research program of the Crosley station does not require the use of high-power operation results, and that super-power operation in Cincinnati has had an adverse effect on WOR, Newark, and carries with it a question of its economic effect upon broadcasting generally. As a result of these and other facts, it is held, the commission should move cautiously in extending the station's permit, continuation of which will be of public interest, convenience and necessity.

The report has yet to be considered by the full commission, where, it is said, another bitter controversy will be precipitated by efforts to have it rejected.
**Plea for Stay Is Opposed in Chicago Suit**

Majors Ask Striking Out Of Parts of Complaint

CHICAGO, Oct. 18—B. & K. and major company defendants today opened the hearing on the Chicago independent exhibitors' application for a temporary injunction, pending trial of their anti-trust suit, in Federal Court. Whether the defendants will be allowed to continue showing their pictures pending the suit will be a key point.

The court, however, will not rule on the issue today, and the hearing will continue. The main issue is whether the defendants are entitled to a temporary injunction pending trial of the case.

**Schaefer Enters RKO Next Week**

It is quite possible that George Schaefer may take the helm of RKO, at the close of this week, or early next week. Creditors and representatives of the Irving Trust Co. held their last meeting yesterday, and they will confer again before the close of the week. Very likely the matter will be entirely settled at the next meeting of the parties.

**Pygmalion" Dated Next at the Astor**

"Pygmalion," Gabriel Pascal's production of the George Bernard Shaw play, will be set for the Astor, on Broadway, following the close of the "Marie Antoinette" run. No closing date for the latter has been set yet.

"Marie Antoinette" grossed $80,058 in its ninth week at the Astor. "Too Hot to Handle" will leave the Capitol Thursday after three weeks to make way for "She Hate the Devil," while "Mayor" is going strong at the Roxy and will be held over, and "The Sisters" at the Strand is set for a three-week run. "There Goes My Heart" has been a good run at the Music Hall. It will go out tomorrow, to be followed by "The Haunted Mansion," "Service De Luxe" will start Saturday at the Rivoli. "Girls on Probation" will start at the Criterion Thursday. At the Globe, "Dark Rapture" will be held for a third week.

"If I Were King" has grossed $170,000 for a week, its fifth day in the Paramount. A total of 333,000

**Horror Dual Revival Stirs General Box-Office Riot**

Two months ago Universal's accountants rated "Dracula" and "Frankenstein" as completely amortized. In other words, they were among the half-forgotten celluloid taking up space in the storage vaults that might fill in some place, some time and bring in a few dollars.

That was two months ago. What they're rated now is something else. Every time "Dracula" plays any other "U" executive takes a look at the grosses; he sits back and feels like Cecil Rhodes felt when he found out a South African diamond mine.

Nobody at Universal claims to be the Christopher Columbus who discovered "Dracula" and "Frankenstein" were 18-karat gold. It just happened.

Last August the proprietor of the Regent Theatre at Beverly Hills, who was playing triple bills at 25 cents top, found himself stuck for product. He made a deal with the Los Angeles exchange for the two horror films to play on a triple with "Son of King Kong" for four days. He hoped they'd last that long and pay the house over.

Beverly Hills traffic stopped around the house the first night. The police helped keep the customers in line. The second day the exhibitor dropped

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**TRADE TALKS GET UNDER WAY TODAY**

Jersey Allied Starts 3-Day Meet Today

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Atlantic City, Oct. 18—With national Allied officers and directors in attendance, the 19th annual convention of Allied Theatre Owners of New Jersey will start here tomorrow. It will run for three days at the Rita-Carlton Hotel. The New York Allied unit will hold its first convention with the New Jersey unit.

Irving Dollinger has no apparent opposition for election as New Jersey president for a second term.

Aram F. Myers, national board chairman and general counsel, and Nathan Yamin, national president, are expected here Thursday to give the main addresses. They are now in New York attending the trade practice conferences. Board members who are not members of Allied's negotiating committee are expected to be on hand for the opening session.

The national board is scheduled to meet here Thursday to hear a report on Allied's progress in the trade practice negotiations with the distributors' committee.

Representatives are arriving also for an eastern regional conference of independent exhibitors, including delegates from Massachusetts, Connecticut, and other states.

A special meeting of Allied's executive board was held Wednesday night to plan the convention. It will be held at the Union League Club. It has been

**U. S. Intervenes In GTP-ERPI Suit**

Washington, Oct. 18—To "assert and protect the public interest," the Department of Justice will intervene in the suit of General Talking Pictures (Schlesinger) Corp., against the Westinghouse Electric Co., and Electrical Research Products, Inc., when this case comes up for rehearing on a writ of certiorari, in the U.S. Supreme Court tomorrow, and involving the right of a patent owner to restrict the manner and use of his patent, in this case a vacuum tube to be used for distribution. It's subject to governmental action.

This is the case on which GTP won a writ of certiorari and in which when first argued Justice Hugo Black was the lone dissent. The D. of J. against its intended action is supporting the contentions of Justice Black. Attorneys Samuel Ruby, noted patent lawyer and Ephraim Berliner, are counsel to GTP.

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Radio—Page 8
Jersey Allied
Starts 3-Day
Meet Today
(Continued from page 1)
Maryland; eastern Pennsylvanians; Delaware, District of Columbia and other points. A product survey of eastern seaboard exhibitors, indicating terms and contractual data, will be a highlight.

There will be an open forum discussion on industry problems and issues, such as the latest practice in contractual, the Neely bill, “divorcement” legislation, and other matters. The New York group, headed by Max A. Cohen, plans to make an issue of radio competition.

In addition to Dollinger, New Jersey officers are: Jacob Unger, Hillside, secretary; David Snaper, New Brunswick, treasurer; Maurice J. Miller, Passaic, assistant treasurer. Directors are Mark Block, George Gold, Newark; Frank P. Gravatt, Atlantic City; Harry K. Hecht, Passaic; Helen B. Hildinger, Trenton; William C. Hunt, Wildwood; Lee W. Newbury, Belmar; I. A. Roth, Summit; Sidney E. Samuelson, Newton.

Local theatres and amusement piers will admit registered delegates without charge if they wear convention badges.

Date for Lund Rites
Is Tentatively Set
Funeral services for Ralph Lund of the KNO advertising and publicity staff are tentatively set for Thursday at Campbell's Funeral Parlor. Lund died Monday at Veterans' Hospital, Bronx, after a long illness. He is survived by his widow, parents and three brothers. He was 47 years old. Lund had been connected with the film industry since 1925, when he left newspaper work to join Universal. Later he was associated with Lord & Thomas.

Hal Roach on Coast

MOTION PICTURE
DAILY
Wednesday, October 19, 1938

MGM Managers to
Vacation in Europe

Nine members of the M-G-M domestic sales staff will sail Saturday on the Conte di Savoia for a month's jaunt in Paris and London and way points; the tour is to be given the same trip from other parts of the world, for placing in international billings contes.

They are Charles E. Kessich of Atlanta and John J. Maloney of Pittsburgh, who won his prize while Pittsburgh branch manager. The other members are: H. A. G. Bruns; Walter R. Pettus; William B. Zoeller; Oklahoma City; Walter E. Banford, St. Louis; I. F. Miller, Memphis; Maurice Saffle, Salt Lake City; William H. Workman, Minneapolis, and Leroy A. Bickel, Dallas.

The Atlantic reception will meet in Paris Oct. 30 with 11 winners from other countries and will spend a week in Paris and London, returning here Nov. 8th. The tour will set together for the men with home office representatives at the Astor Friday night.

Edward Aaron, assistant to William F. Wainwright, general sales manager, will remain in the south, working out of Dallas, while Kessich and the others are away.

Denies Para, Claim
Of Tax Overpayment
John S. Shea, as administrator of John W. J. Montgomery's, Collector of Internal Revenue for the Third District of N. Y., yesterday filed an answer in the U. S. District Court for the Southern District of N. Y., denying the tax which was paid by Montgomery. The tax was paid in the answer specifically denied Montgomery's assertion that it had erroneously paid the tax twice. The tax was registered in 1934, and the tax was paid by Montgomery received from Canadian Paramount Corp., Ltd., its subsidiary.

R & R, Warners in Deal
Kob & Rowley Circuit of Texas and Louisiana has bought the entire Warner output for 1938-39, covering 31 houses.

THE MERCURY

OVERNIGHT TO
LOS ANGELES
Fly the Southern SUNSHINE route over night into Los Angeles. The change of planes. Giant SKYSEEKERS. Complimentary meals served by stewards.

Mercury
Southerner
Lyn, 5:10 p.m.
Lyn, 5:00 p.m.
(only 3 trips)
(only 5 trips)

FOR RESERVATIONS: Call Your Travel Agent or VAMATC, 3-290, 3-300, 3-230, 3-200, Vanderbilt Ave., and Rockefeller Center, 18 W. 47th St.

AMERICAN AIRLINES
**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 worship 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 brilliant 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.

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!

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**ROLLING ALONG!**

“Boys Town” continues big everywhere. “Thanks for telling us to hold it extra days,” writes R. L. Kehr, 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”**

—with Dr. Lew Ayres

* * * * *

**LION’S ROAR**

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 advertisements this month. It’s made of the stern stuff. Merrier, gayer, is “Sweethearts,” which, with appropriate fanfare, brings us once again that thrust-threatened pair, Jeanette MacDonald 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, Cal. It’s free!

Just call me Leo

---

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.

* * * * *

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* * * * *

**ROLLING ALONG!**

“Boys Town” continues big everywhere. “Thanks for telling us to hold it extra days,” writes R. L. Kehr, 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”**

—with Dr. Lew Ayres

* * * * *

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Trade Reform Talks Will Be Started Today

(Continued from page 1)

agreed that the three committees will issue a joint statement detailing today's progress. A similar procedure may be followed daily.

Presumably, the M.P.T.O.A.'s proposals, which are based on the organization's 10-point program. However, for purposes of simplifying the negotiations, the working committee has consolidated these proposals into a similar to each other, so that only nine separate points will be presented for negotiation. The organization's proposals for correction of non-theatrical competition will be discussed under the head of unfair competition with theatres and between theatres.

The Allied committee, headed by Col. H. A. Cole, met with Rodgers yesterday noon for a brief discussion of policy and procedure. Allied expects its session to last all day.

Allied's negotiating committee has been instructed by the directors on definite trade practice proposals. The distributors' committee will, however, ask the exhibitors to put their demands at the outset of today's sessions.

About 45 Groups Represented

Approximately 45 exhibitor groups will be represented at the weekend meeting. Allied, as a member of the M.P.T.O.A., each claim about 20 affiliated units. The M.P.T.O.A. will also represent the West Coast Motion Picture Association, which is not affiliated. In addition, there are six unaffiliated regional units which will conduct their own negotiations. These are the I.T.O.A. of New York; I.T.O. of Southern California; M.P.T.O. of Kentucky; Theatre Owners and Exhibitors of the Mississippi Basin; M.P.T.O. of Virginia, and Allied of Iowa. Leo F. Wolcott, president of Allied, is here now. Charles R. Gilmour, president, will represent the Rocky Mountain group. He will arrive in New York Sunday.

Ed Saxton, director of the M.P.T.O.A. exhibitor, may accompany Gilmour.


Allied's committee consists of Col. Cole, chairman; W. A. Steffes, Ray Branich, Sidney Samuelson and Nathaniel Blake. The general counsel, also will attend. Alternates are M. A. Rosenberg and Herman Blum.

The M.P.T.O.A. committee, with Kuykendall as chairman, will present the program of trade practice proposals which it completed yesterday.

“Pygmalion” Dated

Next at the Astor

(Continued from page 1)

paid admissions also set a record for the series. The total was $46,000 in its third week and will be held for a fourth.

Fox's films on Broadway reported business at better than average, "Grand Illusion" at the Fillmarte and "Edge of the World" at the 55th St. both are being held for an 8 week. "Lily of Killarney," a musical based on Dion Boucicault's "Colleen Bawn," will go into the Squire, after a three-week run for "Men of Ireland,"

The Rialto has booked the G. B. film, "Man With 100 Faces," but no date has been set. "Flight Into Bitterness" is in its first week at the Belmont. "Palermo," an Argentine film, goes into the Teatro Latino on Friday.

Fay's Reopens Friday

PROVIDENCE, Oct. 18.—Fay's Theatre, damaged by the tidal wave, has been reslated and renovated and well reopen Friday. The Strand is still closed for repairs. The Metropolitans, taken temporarily due to the Strand bookings, has been closed.

Hays to Be Speaker

At Tribune's Forum

(Continued from page 1)

Forum opens Oct. 25 at the Waldorf Astoria and the networks will cover all phases of the discussions.

The forum will be divided into five sessions over as many days. Among those scheduled speakers are Roosevelt, Mayor LaGuardia, William Green, John Lewis, Dr. Robert Milliken, Dr. Morris Fishbein, Gerard C. Malanga, Attorney General Thurman Arnold.

Minnesota Divorce

Bill to Be Pushed

Allied of the Northwest will sponsor "For Enforcement" bill in Minnesota at the January session regardless of the Supreme Court's forthcoming action on the validity of the Northwestern statute, which has been upheld by a statutory court.

W. A. Steffes, head of the Allied regional unit and of national Allied's division, said this assurance here yesterday. He said he has no knowledge of what other regional units might be planning, but that the plan for the Minnesota plan is action definite.

Other units, such as New Jersey and New York, prefer to await the Supreme Court's ruling on the controversional legislation before proceeding in the states.

Steffes said that Bennie Berger's grudge concerning alleged unfair competition in Bemidji, Minn., has not been settled. Northwest Allied officials conferred with sales managers on this question earlier this year. It concerns the building of a theatre by two competitors to the point of action at alleged cut-rate admission prices.

Smith Arrives to Talk Republic Deal

(Continued from page 1)

the deal whereby British Lion takes Republic's entire program provides for the English company's production of its own quota films.

Smith also will confer with N. L. Nathanson, head of Famous Players Canadian, who is on the directorate of British Lion and Republic's distributor in Canada. Nathanson is expected here late this week. Smith plans to be here about two weeks, returning to London to supervise two films which are scheduled to start the company's Beaconsfield studios Nov. 1.

Cobe G. N. Manager

BOSTON, Oct. 18.—Robert Cobe, Republic manager here, and Robert England industry veteran, has resigned to become Grand National manager. George Rabinowitz has succeeded Cobe.
**Dionne Film, Spitalny Set Detroit Pace**

**Detroit, Oct. 18.—The premiere of "The Days of a Kind," with Phil Spitalny and the stage show, helped the Fox to $23,000.**

**"Too Hot to Handle" at the United Artists turned in a nice $10,500. The big surprise of the week was the rush to see the production of "The Days of a Kind," with a revival of "Dracula" and "Frankenstein."**

Estimated takings for the week ending Oct. 14:

- *Hoosier Schoolboy* (Monogram) 
  - MR. WONG, DETECTIVE (Monogram) 
- *BAM'S DAY (MG-M)* 
  - FOX (3,100) 
  - PALM STATE (2,000) 

*Too Hot to Handle* (M-G-M) 
- UNITED ARTISTS (2,000) 
  - FOX (7,500) 
  - PALM STATE (2,000) 
- ME AND MY DECK (UG-C) 
  - PALM STATE (3,000) 
  - PALM STATE (3,000) 

Estimates for the week ending Oct. 15:

- "Sparrow" (M-G-M) 
  - UNITED ARTISTS (3,000) 
  - FOX (4,500) 
- "Sparrow" (Para) 
  - LOEW'S (3,000) 
  - PALM STATE (1,500) 
- "Sparrow" (Para) 
  - PALA (3,000) 
- "I Am a Law" (Col.) 
  - "City Streets" (Col.) 
  - "Down Will Come" (Col.) 
  - "The Ragtime Singer" (Al.) 
  - "Hearts Will Ring" (Col.) 

- "Sparrow" (Para) 
  - BLYTHE CONVENTION (3,000) 
  - "Ragtime" (Col.) 
  - "Ragtime" (Col.) 
  - "Ragtime" (Col.) 

- "Sparrow" (Para) 
  - "Sparrow" (Para) 
  - "Sparrow" (Para) 
  - "Sparrow" (Para) 
  - "Sparrow" (Para) 

Make Film of "Manlock"

Friedrich Wolte's play, "Professor Manlock," which has been withdrawn by the Nazis, which played Broadway last season, has been reviewed as a Russian film, and will be released by Ankauf in the United States soon.

**Dyckhoff Joins Compton**

Felix B. Dyckhoff, who resigned from the Compton agency a year ago, has become assistant to George Washington Hill, Jr., of the American Compton Co., will join Compton as an account executive starting today.

**Out Hollywood Way**

**Hollywood, Oct. 18.—Less than 24 hours after the premiere of the Brother's Circle, Hal Wallis, up the option of the screenplay of Eddie Anderson's "Doricus," felt it to be in the film in the same role that he had in the New York stage production. His next will be "The Poor Nut."**

**After viewing rushes of Three Little Words," Darryl Zanuck has increased the budget to $1,000,000. Universal has signed John Burrell and James Monaco, songwriters for Bing Crosby. The film will be "Three's Company," the one picture Crosby will make for this year that, Barbara Stanwyck and Frank Tove will play the leading feminine role in Paramount's "Union Pacific."**

"Katherine the Last" has gone into production at M-G-M with Francesca Gaal and Frank Tove in the leads, and Walter Connolly, Ronald Gaver and Frank Tove are directing. "Handle's Love" has signed Hull Young, an English leading man, to a term contract. His first will be "I'm from Missouri," Pat O'Brien and George Morris will costar in "The Roaring Road," automobile racing story at Warners.

**Washington Takes Fall Into Decline**

**WASHINGTON, Oct. 18.—Grosses went into the doldrums last week with the return of warm weather and the closing of two holdovers. The holdovers, "You Can't Take It With You," in its second week at Warner's Downey, and "Amacheuntette," in its fourth week at Loew's Columbia, were the only attractions to get into the profit column.**

**"Too Hot" $10,500**

**Draw at New Haven**

**NEW HAVEN, Oct. 18.—"Too Hot to Handle"" and "Gladiator," packed the Loew-Poli throughout the week and rolled up a $10,500 take. The bill was moved to the College for a second week. "You Can't Take It With You" took a big $4,200 in its second week at the Columbia.

Estimated takings for the week ending Oct. 14:

- "You Can't Take It With You" (Col.) 
  - "Sundown" (Col.) 
  - "Sundown" (Col.) 
  - "My Man with the Movie Camera" (Col.) 
  - "The Big Screen" (Col.)

**Walters and L. J. Sign**

Walters has closed a deal with Lucas & Jenkins circuit for the Walters-Julian-Centennial-Cosmopolitan line-up. Ben Kalmenson, western and southern sales manager; Fred Jack, western district manager; and Ralph McCoy, branch manager, acted for Walters, and William Jenkins signed for the circuit.

**Midwest Promotes Goetz**

**CINCINNATI, Oct. 18.—Joe Goetz, manager of the RKO Paramount and Orpheum, has been named assistant division manager of RKO Midwest under Arthur M. Frenzenfield here. The two houses will be managed by M. J. Kavanaugh, formerly with United Artists.**

**"Secretary" Band $12,600**

**K.C. Grosser**

**KANSAS CITY, Oct. 18.—"Personal Secretary," directed by Mack Sennett and his orchestra heading a stage show, set a fast pace for first runs during the week by taking $12,600 at the Fox Tower.**

"Stablemates" and "Vacation from Love" went into the profit column in a big way on a $1,410 gross at the Midland.

Estimated takings for the week ending Oct. 13:

- "Straight, Place, and Show" (20th-Fox) 
  - "Touchdown Army" (Para) 
  - "Stablemates" (M-G-M) 
  - "Secrets of an Actress" (W.) 
  - "Campus and Show" $8,600, Milwaukee

**MILWAUKEE, Oct. 18.—Top money went to Fox's Palace, where Veloz and Yolanda on the stage and "Campus Confessions" on the screen col-lected $8,900.**

"Room Service" and the "Broadway Muskeeters" grossed $7,500 at the Palace, while Veloz and Yolanda took $6,000, and the Chester Hall Girls were good for $5,600 at the Riverside.

Estimated takings for the week ending Oct. 13:

- "Campus Confessions" (Para) 
  - "Campus Confessions" (Para) 
  - "Campus Confessions" (Para) 
  - "Campus Confessions" (Para) 
  - "Campus Confessions" (Para) 

Auer Assigned "Orphans"

**HOLLYWOOD, Oct. 18.—John H. Auer replaced Irving Pichel on the direction of "Orphans of the Street" at Republic today as a result of a disagreement with RKO's Scholm, associate producer, on the story after three days of shooting.**

**Start Youngstown House**

**YOUNGSTOWN, OH., Oct. 18.—Construction has been started here on a $100,000 neighborhood house to be operated by the Foster Amusement Co.**
**Hollywood Preview**

**“Inside Story”**

(20th Century-Fox)


The feminine lead, that of a girl caught in the meshes of a “clip joint” owner who desires her out of the way because she has witnessed a murder, is played by Jean Rogers, of whose screen possibilities the studio thinks much.

Others in the cast are Douglas Fowley, John King, Jane Darwell, June Gale, Spencer Charters, Theodore von Eltz, Cliff Clark, Charles D. Brown, Charles Lane, Jan Duggan, Louise Carter and Bert Roach.

Jerry Cady, former Los Angeles newspaperman, wrote the screenplay from a story by Ben Ames Williams. This marks Ricardo Cortez’ first directorial effort. Howard Green was associate producer.

Exploitation angles can be derived from the story. Whalen, suddenly given a columnist assignment, writes in a drunken moment one offering an old-fashioned Christmas holiday on a farm to “the loneliest girl in New York.” The girl, found by the publisher, turns out to be a hostess in “a clip joint,” and has sought the holiday in an effort to hide out. Whalen smooths everything out by discovering the body of the victim and nabbing the killer.

Running time, 60 minutes. “G.”

**“I Stand Accused”**

(Religious)

Hollywood, Oct. 18.—A sound story and good acting which features Robert Cummings, Helen Mack, Thomas Beck, Lyle Talbot, Robert Midlarmass, Gordon Jones and Leona Roberts are the elements establishing “I Stand Accused,” a melodrama, as substantial entertainment. It has been brought to the screen by Producer-Director John H. Auer in a fashion that takes full advantage of Gordon Kallm’s realistic screenplay. It held preview audience attention.

Cummings and Beck, law school graduates, go into partnership. The former aspires to quick money, but Kent will not defend clients whose guilt is obvious. After marrying Miss Mack, Cummings goes on to notorious and fortunate as the kidnapper and racketeer racketeer, Middlarmass, and his trigger man, Talbot. Kent swings over to the district attorney’s side. Cummings’ connections with the racketeers implicate him in their crimes. Realizing the error of his ways after Talbot has killed Middlarmass, Cummings furnishes Kent with evidence that will prove Talbot s a killer, and from complicity in the many crimes his clients have committed, Cummings takes the stand to give convicting oral testimony. Upon his regeneration, the partnership, as well as romance with his wife, Miss Mack, is resumed under happier auspices.

Running time, 60 minutes. “G.”

**“Listen, Darling”**

(MGM)

Hollywood, Oct. 18.—Done in the casual manner lately found effective for films of domestic appeal, “Listen, Darling” is a light and frequently laughable story about two youngsters who try to settle a widow’s economic and emotional problems for her. Judy Garland and Freddie Bartholomew are the youngsters chiefly concerned, with nine-year-old Scotty Beckett furnishing a more forthright brand of humor. Mary Astor is the widow and Walter Pidgeon the man she marries after Alan Hale, the children’s choice, fixes things for everybody.

The screenplay by Elaine Ryan and Anne Morrison Chapin from a story by Katherine Brush starts off with Miss Astor, Miss Garland’s mother, on the verge of marrying the local (small town) banker for economic security. Bartholomew, Miss Garland’s boy friend, traps the widow in a trailer and drives off to find a more suitable suitor. Pidgeon, another trailerite, turns out to be he. Amusing incidents occur meanwhile.

Miss Garland sings three songs, two of them new, “On the Bumpy Road to Love,” already a radio favorite, and “Ten Pins In The Sky” quite likely to be one. Best comedy sequences are the one in which Bartholomew crows crosswise to the state of his fortune and life insurance and another in which Beckett learns that a slum is not a striped beaver. The picture was produced by Jack Cummings and directed by Edwin L. Marin.

Running time, 70 minutes. “G.”

**“Boys Town” Tops Boston In 2nd Week**

Boston, Oct. 18.—“Boys Town,” with the “The Ladies of the Slopes,” offered a record-breaking first week. 20th Century-Fox and Loew’s Orpheum by leading the latter with its second week at the sister houses. The bill drew $32,000 at the Orpheum and $25,000 at the Slopes.

Another holderdown, “Four Daughters” and “Campus Confessions,” which went into the Paramount and Metropolitan booking, were runners-up for the week. The bill collected $9,000 at the Paramount and $5,400 at the Fenway.

Estimated takings for the week ending Oct. 15:

- **“Four Daughters” (M-G-M)**
  - Campus Confessions” (Para.,
    - LOWEB’S ORPHEUM—$1,897)
  - $25,000
- **“Boys Town” (M-G-M)**
  - Boys Town (RKO)
  - $25,000
- **“I Stand Accused”**
  - $10,000
- **“Listen, Darling”**
  - $11,000
- **“Boys Town”**
  - $25,000

**“Boys Town” Gets $22,000, Buffalo**

Buffalo, Oct. 18.—“Boys Town” turned out to be a sensation at the Buffalo. The $22,000 gross was nearly double the Doctor’s house.

In the face of this competition “Four’s a Crowd” and “Safety in Numbers” at the Hippodrome and “You Can’t Take It With You” at the Lafayette were unusually strong.

The newly dedicated Civic Stadium was a competitor when Colgate and Duke drew 25,000 customers at their annual football match.

Estimated takings for the week ending Oct. 15:

- **“Boys Town” (M-G-M)**
  - $10,000
- **“Alperters” (UA)**
  - $8,000
- **“GREAT LAKES—$1000”**
  - $10,000
- **“Four’s a Crowd” (W.B.**
  - $12,000
- **“Hippodrome—$1000”**
  - $11,000
- **“Touchdown Army” (Para.**
  - $12,000
- **“Your Can’t Take It With You” (Col.**
  - $12,000

**“RKO Changes Two Titles**

Hollywood, Oct. 18.—RKO has changed two more titles. “Saints Without Wings” is the new title of “The Pure in Mind” and “Love Affair” is the new designation for “Love Match.”
SMPE Session
At Detroit to Start Oct. 31

Thirty technical papers, including one on television, will feature the Society of Motion Picture Engineers, at the Hotel Statler, Detroit, from Oct. 31 to Nov. 2. Sound recording and reproduction, studio lighting, theatre practice and other subjects will be treated. Dr. Herbert T. Kalmus, president of the Technicolor Adventure in Cinematography.

Results of the election of officers for 1939 will be announced on the opening day, Nov. 1, when the American Cinematographer will be distributed. Nominees are E. A. Willford, president; N. Levinson, executive vice-president; A. S. Dickinson, financial vice-president; J. L. Crabtree, editorial vice-president; W. C. Kunzmann, convention vice-president; J. Frank, Jr., secretary; and L. E. Du Pont, treasurer. Two governors will be elected from among M. C. Batsel, G. Friedl, Jr., A. N. Goldsmith and H. C. L. Taylor. The meeting will take place on Tuesday evening, Nov. 1, when the S.M.P.E. Progress Medal and Journal Award will be presented.

"Submarine" to Be Shown to the Navy

"Submarine Patrol" is to be shown to two advance special showings by 20th Century-Fox, one at the National Press Club, Washington, Oct. 27, for officials of the war department, newspaper correspondents, and the other at the Naval Academy at Annapolis on Oct. 30. The Annapolis showing will be attended by New York trade-press representatives. Rear Admiral Wilson Brown, academy superintendent, and the faculty will be present with the 2,400 cadets. Marc Lachmann arranged the showings as part of the national exploitation campaigns.

Named to MPTOA Board

S. S. Stephenson of Henderson, N. C., president of the North and South Carolina Theatre Owners Association, has been named to the national board of directors of the M.P.T.O.A. Stephenson replaces Charles W. Fiquet, former president of the Carolina organization.

Quits Oklahoma House

OKLAHOMA CITY, Oct. 18—P. O. Williams, manager of the Warner, has resigned, succeeded by Bob Gallow, former manager of Coffeyville, Kan., and Tulsa, Okla., theatres for Southwestern Theatres, Inc.

Set Dur Art Deal Today

Final details are to be set today on an agreement struck by the technicians strike at Du Art Film Laboratories.

Building in Colorado

Fox Intermountain will open the new Fox in Sterling, Colo., Nov. 15. The house will seat 1,000 and cost $100,000. The circuit is closing the Rialto in the same town.
**MOTION PICTURE DAILY**

**US-Australian Contract Set On Television**

A deal has been completed here between William H., Priest, of the International Television Radio Corp., and John B. Chandler, radio operator of Brisbane, Australia, for the interchange and purchase of television transmission and receiving equipment, under the terms of which Chandler will spend $47,000 for importation of Press equipment into Australia.

International Television Corp. will continue to operate here a semi-portable television transmitter and 12 television receiving sets to be shipped to Australia. There Chandler will organize the International Television Radio Corp. of Australia, with a minimum capitalization of $250,000 for the commercialization of television. Forty per cent of the shares of Television Radio Corp. of Australia will be owned by Chandler.

Chandler, it is understood, has now on deposit in a local bank $47,000 payable to International on completion of the television transmitter and receivers.

**Radio Personalities**

KEN ROBERTS and John Allan Wolf have been signed to do the announcing on the spectacular Tucker show over CBS . . . Kay Thompson is doing a monthly column about rhythm choral singing for the *Orchestra World* . . . Ralph Edwards now is doing the "Spotlight" show on CBS in place of Charlie Stark, who gave it up because of illness.

Lew Daniels, who works in P. & G. radio scripts, is appearing in a role in a play at the Adirondac. WABC, the NBC artists bureau's recent engagements for clients includes Margaret Anglin for a date over Canadian Broadcasting Corp. facilities, a week for the Kiddoollers at Loew's State, Washington, and a date for Helen Henry to Londonderry . . . Max Reinhardt will arrive in New York from Hollywood the first week in November to start casting "Merchant of Venice". He will swear in the screen player, will co-lead opposite Orson Welles in the CBS "Workshop" presentation "Air Raid" tomorrow night.

Pen Pollet of the Compton agency to North Carolina to talk of his week to confer with a new account.

**How to Speak**

Washington, Oct. 18.—Neville Miller, president of the N. A. B., has prepared a booklet telling political candidates how to write and deliver a speech. The booklet is being sold to a sponsor. The sound and fury engendered by the report all is bouncing off the walls of 485 Madison Avenue.

Washington will give anyone comfort or satisfaction to hear, for we believe that any wailing that report is sheer nonsense. The cold, hard fact is that the broadcast services are available for the good, or bad financial shape, and if selling the broadcast rights to a sponsor is the way one of saving the orchestra, then by all means a sale not only is permissible, but should be sought. Of course we don't look for CBS to sell the orchestra, the maker of a cold compound or a tumacajee remedy that comes along with sufficient promotion. But there is nothing wrong in offering the orchestra to a commercial house whose product is of the right type. Certainly the Philadelphia Orchestra or the Detroit Symphony lost no prestige in being heard as programs of a chain of banks and the Ford Motor Co.

The tugboat strike let Dave Drescher, former Cameron King of Mutual's special features department, make a strange assignment yesterday. The pair arose before dawn and, bearing a score, went down the river front and made a platter describing the struggles of the Queen Mary to the port. At 9:45 A.M. their record was on the air and at later hour over the Mutual network. Then it went over the British Broadcasting set from 5:30 to 5:14.

"NBC Opens Hollywood Radio City without Ballyhoo," stated the headline in yesterday's press release from NBC. Followed then 11 pages of an unabashed publicity about the studio.

What were those 11 gorgeous looking and gorgeously gowned John Powers models and escorts doing at the Toscanni premiere, and who paid for their appearance in the studio? Address all inquiries to John Royal, not us.

**Radio Lines**

Idea for the new CBS sustainer "Sing, Inc.," which had its first airing yesterday, was evolved at one of the ball sessions at the announcements' lodge at Lake Hopatcong the past summer. The boys were mulling about new program ideas, when Bert Parks gave the idea to the "Sing, Inc." formula. It took him some months to sell the program department on the show, but finally he set it to put it on. Just before the program was to be put on he was assigned a commercial, resulting in John Allen Wolf getting Parks' own show.

Al Jolson, Ruby Keeler, Al Jolson, Jr., Harry (Parkyakarkus) Rabinowitz, Tony Ruffner, E. Mead, and six writers— in short the whole Jolson program men—arrive here Sunday by train from Hollywood to put out the program on the air here for the next four weeks.

—Jack Banner

**Rule Radio Sponsors Owe Security Taxes**

Washington, Oct. 18.—Sponsors of radio programs are responsible for the Social Security taxes of artists appearing thereon, it was ruled today by the Internal Revenue Bureau in a decision settling a court Justice Lewis Churchill by the Crosley Radio Corp. to vacate a warrant of attachment obtained by Zell Products Corp. on the grounds that the plaintiff failed to set forth sufficient facts to justify a writ. Suit is based on a claim of loss of profits of $5,444 for alleged breach on the part of Crosley of a contract made on May 5, 1936, wherein Crosley was to deliver merchandise to the plaintiff.

**Crosley Fighting Wir**

Application will be made today to the Supreme Court in Louis the Crosley Radio Corp. to vacate a warrant of attachment obtained by Zell Products Corp. on the grounds that the plaintiff failed to set forth sufficient facts to justify a writ. Suit is based on a claim of loss of profits of $5,444 for alleged breach on the part of Crosley of a contract made on May 5, 1936, wherein Crosley was to deliver merchandise to the plaintiff.

**Series Big Radio Draw**

An average of 33 per cent of set owners heard each of the four recent "Betty Field" games broadcast by the Cooperative Analysis of Broadcasting, compilers of the Crosley Radio Reports. Sunday was the highlight day, with 35 per cent listening. Saturday 33 per cent listened. Tuesday was third with 32 per cent, while on Thursday the audience was only 30 per cent of set owners.

**Two Seek Power Increase**

Washington, Oct. 18.—Application for authority to increase its power from 500 to 1,000 watts has been filed with the Federal Communications Commission by WALA, Montgomery, Ala. An increase in power from 500 watts might, 1,000 watts day, to 1,000 watts night, 5,000 watts day, has been filed by WSVU, Iowa City, la.

**Republicans Take Time**

Republican State Committee, in behalf of Edward Corsi and Senator Fred Bentecourt has contracted for time over eight stations for campaign talks to be delivered Oct. 27 and Nov. 7, respectively. The stations lined up are WABC, WBNY, WABX, WABC, WMY, WJTN, WMFF.

**Schloss Now Space Buyer**

O. M. Schloss of McCann-Erickson's radio department has a new job at the agency as space buyer of publication media.

**Time** May Fade If Sponsor Not Found

"March of Time," currently broadcast under the sponsorship of Time, Inc., may fade from the air following Friday, but another sponsor is obtained for the series.

Time's contract runs out as of this week and the company has already made known its intention not to continue sponsorship of the show beyond the present expiration date. Last year in the Marching company confronted the program, and just when it appeared that it would be allowed to lapse, the William Whitley Co. bought the show.

**Move Show to Chicago**

"Road of Life," Procter & Gamble serial heard daily on CBS and NBC from New York, will move to Chicago next week. The show is being returned west because Irma Phillips, who writes the serial and acts as several others heard on the networks, makes her headquarters in Chicago, and the sponsor now feels that writing and production should emanate from the same city for best results. A new cast will be assembled in Chicago, and from there, Carl Webster will have charge of production.

**Chevrolet Series Ready**

General Motors starts a two-week series of news broadcasts over WABC beginning Monday, Oct. 19, at P. M., to announce the new Chevrolet. At the conclusion of the General Motors series, Automotive Products, Inc., will take over the series. Emil Brissacher & Staff is the agency for the latter account.

**Radio Ad Agency Here**

With American advertising agencies opening European offices, notably Blackett-Valence-Hamilton, Lord & Thomas, and others, a French agency has established an office here under the trade name, Advertising in France. Firm will handle all phases of advertising intended for French and other foreign markets, including radio commercials.

**Union Radio Corp. Sued**

Suit for $20,000 in legal fees against National Union Radio Corp. was filed yesterday by William O'Neill, U. S. District Court. Mr. Bowman claimed that on March 31, 1936, he had been retained to represent Union Radio in a $150,000 anti-trust suit against Radio Corp. of America, General Electric Co. and Westinghouse Electric & Manufacturing Co.
MOTION PICTURE DAILY

NEW YORK, THURSDAY, OCTOBER 29, 1938

TEN CENTS

Progress Is Reported in Trade Talks

MPTOA Resumes Today, Allied Tomorrow

Exhibitor and distributor trade practice negotiating committees reported progress toward an agreement on mutual trade problems following all-day discussions yesterday. Allied States committee members will reassemble with the distributors' committee tomorrow. A meeting of the national Allied board of directors had been scheduled earlier for today at Atlantic City, forcing the one-day suspension of negotiations.

M. P. T. O.'s national committee will continue its negotiating session today. That group met with Sidney R. Kent and Ned Depinet at the United League Club before Allied representatives met with William F. Rodgers, Gradwell L. Sears and A. (Continued on page 4)

September Grosses

Up, Tax Indicative

Washington, Oct. 19—Improved theatre business throughout the country was indicated tonight by the Bureau of Internal Revenue in its monthly report showing that Federal admission tax collections in September regained the ground lost between July and August. The total was $1,686,827.

The September total, the highest for any month since last March, was (Continued on page 4)

A.F.R.A. Seeking Scale of $21-$41 for Radio Actors

Committee of the American Federation of Radio Artists, Equity organization representing radio artists, has submitted for consideration to the 4-A's, advertising agency trade association, base pay rates for actors appearing in commercially sponsored network programs.

The rates are as follows: $15 for artists appearing in 15-minute programs, $25 for artists working in half-hour programs and $35 for appearances in full-hour shows, with additional pay of $6 for rehearsal periods. Thus, the minimum rate of pay will be $21, $31 and $41 for the 15-minute, 30-minute and 60-minute shows. A. F. R. A. has been negotiating with the advertising agencies for some months to achieve a pact giving benefits to radio artists. A. F. R. A. has already completed a pact with the networks for artists working in sustaining, or non-commercial, programs, covering employment of artists working in the key network cities, New York, Chicago and Los Angeles.

Artists who have heard reports of the pay standard submitted to the 4 A's by A. F. R. A. have already (Continued on page 10)

Plain Talk

The Bell Theatre in Brooklyn is running this trailer: "Dear Patrons:

It is evident that the people of this neighborhood cannot afford to support a high class theatre. We therefore ask you to tell your friends that unless they patronize this theatre, we will be forced to turn it into a public market or a garage.

We thank you.

The Management."

Standstill Pact

Is Discussed in Capital Parley

Washington, Oct. 19—While confirmation was lacking, it is believed here that proposals concerning the maintenance of status quo on affiliated theatre holdings were discussed by counsel for the five major companies at their second meeting with Department of Justice officials, held here today.

Following the conference, representatives of both sides maintained the non-communicative attitude which has consistently marked the negotiations and refused to make any statement regarding the discussions. It was admitted, however, that more conferences are in prospect.

Representing the Government were Thurman Arnold, Wendel Berge and Paul Williams. The companies were represented by Col. William J. Donovan, and William Mallard, RKO; Austin Keough, Paramount; Robert W. Perkins, Warners; J. Robert Rubin, Loew's; Ralph S. Harris and (Continued on page 4)

SPITZ MAY RESIGN FROM RKO TODAY

Sound Patent

Test Case in Court Again

Washington, Oct. 19—The Supreme Court today began hearing argument in the bitter General Talking Pictures patent infringement suit in which the court will last term, with the U. S. Government as an "added starter," with a brief submitted by the Department of Justice as a "friend of the court."

The case involves one of the major points in the Administration's drive against monopoly, the restriction by a patent owner of the use to be made of his patented article after it passes into the hands of a purchaser, in this instance, the use in talking picture equipment of amplifiers produced under patent owned by A. T. & T. and restricted to use for radio reception only.

Although in form this is merely a suit between private parties, it involves a question of great public interest.

B & K Case Ruling

Is Expected Today

Chicago, Oct. 19—Hearing on the action of Chicago independents against major distributors and B. & K. was completed today with Judge Wilkerson advising he will rule on the granting of an injunction or dismissal tomorrow morning.

Attorneys for the distributors at today's hearing denied the independents' charges. Judge Wilkerson indicated that the case as outlined probably will be protracted when it comes to trial, unless the attorneys get together on certain points.

Silverstone to Talk

At First Ampa Meet

Maurice Silverstone, chairman of United Artists' executive committee, is scheduled as the speaker at Ampa's first meeting of the season at the Astor Thursday.

A poll of members indicates that they want a combination of entertainment and instructive speeches at the (Continued on page 2)

In This Event Schaef er Takes Helm Tomorrow, Trustee Approving

It is possible that at today's meetings of the board of directors of Keith-Albee-Orpheum and RKO Radio Pictures that Leo Spitz will resign from the presidency of these firms. He is finally attaining his desire to retire from active operation of RKO and return to his law practice with his firm, Spitz & Macolm of Chicago, one of the biggest law firms in the middle west. This firm represents a number of the top circuits and film production leaders.

Also, it is expected that George J. Schaef er will be elected to succeed Spitz, as Schaef er is said to be interested, and his creditors also have urged this.

This could mean that Schaef er might take the helm of RKO, immediately, if not, he certainly will come into the firm on Monday.

Spitz, upon insistence of creditors and the trustee, has agreed to become special counsel to RKO, and remain in an active executive capacity until reorganization of the company has been completed to aid Schaef er.

After that Spitz is due to return to Chicago, but will continue to be (Continued on page 4)

To Confer Today

On Musicians' Work

First discussions of the American Federation of Musicians' demands for increased employment of its members in affiliated theatres will begin this morning at the office of Pat Casey, producers' labor arbitration board.

Loew's, Paramount, RKO, 20th Century-Fox and Warners will send representatives to this meeting. The executive board of the Federation, (Continued on page 4)

Seek Coordination On Copyright Laws

Recommendations for changes in the Federal copyright laws will be made to Congress by the Committee for Study of Copyright, mid-November. The committee will resume its work at a meeting this afternoon at Columbia University, the first to be held since July.

In the interim, representatives of all industries concerned with copyright (Continued on page 4)
Insiders’ Outlook

HARD, cold figures are now brought to bear by the Einsteins of the Motion Pictures’ Greatest Year campaign headquarters to prove that participation in the drive shows a profit for theatres. A chart has been compiled for the benefit of skeptical exhibitors.

Taking the Chicago house as an example, the chart indicates that no matter what the theatre's admission price, if it draws a minimum of 20 patrons for each of the 25 films required as a minimum in the quiz contest, the theatre will show a substantial profit.

Thus, according to the analysis of a 300-seat house charging 15 cents admission based on its normal attendance by 20 per film, or a total of 500 for the 25 pictures which have to be seen by contest participants, the additional receipts of $875 for the contest period at theatres charging 35 cents admission.

These figures of possible returns do not include the cost of original receipts at $300 per 1,000 or other accessories.

The committee points out there is added, if intangible, profit of enhanced community goodwill and the spotlight of publicity thrown on participating theatres.

Samuel Goldwyn is more than a little bit interested in the new Robert E. Sherwood play, “Abe Lincoln in Illinois.” In fact, he is interested enough to have considered a choice for the starring role in the event the rights to the play are acquired. And what manager of the company’s New York exchange, will arrive over the weekend to take up his new post.

Tom Connors, M-G-M division manager, has returned from a trip to the south and southwest.

Michael Raymonds, script writer, will be married Sunday to Theresa Weingarten.

Frank Capra is visiting in Washington.

Jesse L. Lasky is en route to the coast.

Mrs. Jimmy Fidler is in town.

Ben Goetz to Europe

With plans set for “Goodbye, Mr. Chips,” M-G-M’s next film of its British program, Ben Goetz, head of the company’s production in England, set to arrive in New York Monday, the Queen Mary. Sam Wood, who will direct the film, is accompanying him.

Monogram-RKO in Deal

George W. Weeks, Monogram sales manager, has closed a deal with the RKO Circuit on the 1938-39 lineup. Weeks has named Frank Schoonover to the sales staff in the Des Moines exchange, and Nathan Sodikman to the Buffalo staff.

(Continued from page 1)

Sound Patent Test Case in Court Again

(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher of SAM SHAIN, Editor JAMES A. CRON, Advertising Manager.


Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.
Shorts Still Being Forced
Cohen Asserts

ATLANTIC CITY, Oct. 19—Independence day theatre owners are being forced to a speed-up in shorts as a result of the American Legion's order to get features they want. Max Cohen, president of the Allied Independent Theatre Owners of New York, charged here today.

Cohen, whose new organization holds its first annual convention tomorrow at the Ritz Carlton, addressed the 19th annual session of New Jersey Allied which opened today. He held of putting the Legion to William F. Rodgers, M.G.M. sales manager, and being promised this company would not force shorts.

More Cohen was speaking several exhibitors rose from the floor to charge that they have been forced to buy shorts from the company since the date of the order.

Another abuse charged today was that some exhibitors are forced to buy as many as five shorts for a week. Delegates declared this has been done in some cases even to theatres in small communities, which run only one or two shows.

Cohen criticized the current "Movie Quiz" contest, declaring it unsuccessful because of the lack of publicity.

A meeting was planned today of the eastern regional directors of Allied State Association, but it was called off, because most of the directors are in New York for the trade practice conferences. It was uncertain tonight whether Nathan A. Alpert, Abram F. Myers will be here for their scheduled speeches tomorrow.

Equity Plans Sharp Action on Evasions

Drastic action against evasion of the act-agent regulations will be taken by Actors' Equity in the event an investigation now underway sustitutes charges made by an agents' committee, Arthur Byrons, Equity president, said yesterday.

A committee of agents complained to Equity of instances where Equity members had used uncredited agents and had subscribed to rates other than those approved by the association. The charges are being investigated by two Equity committees, whose initial report was made yesterday.

Paul Gulick Resigns

Paul Gulick, coordinator of the Motion Picture's Greatest Year campaign, will resign Nov. 1. He will return to Carl Newsom in Chicago.

The staff is being reduced for the second half of the campaign, the committee feeling that the peak of the drive has been reached and the field organization fully established.

Al Selig, publicity man who handled feature contacts, is to become publicity manager on Studio of the last two Wednesday.

C.E.A. Ball Dec. 13

Loxover, Oct. 18—The annual banquet and ball of the Loxover and Lomax County C.E.A. will take place at the Savoy Hotel on Dec. 13.

Local "Quiz" Added

Los Angeles, Oct. 19—The Paramount Theatre here has inaugurated a "Movie Quiz" on Monday nights as an added attraction and to plug the industry's drive. The questions asked are of the same type as those in the quiz booklet, but not the same questions. When the master of ceremonies hands the weekly prizes, he gives the audience a spiel that whets their appetites for the larger awards in the campaign.

Empire Operators' Officers Recalled

All officers and members of the executive board of Empire State Motion Picture Operators' Association were recalled yesterday. The meeting also considered plans to intensify counter-plotting activities against theatres employing members of Local 368 in retaliation for pickets at Century Circuit houses.

C. C for the coming year are: Abraham Kindler, president; Benjamin S. Greenstein, vice-president; Charles Milch, secretary and treasurer; Leopold Diamondstein, financial secretary and treasurer; Harry Fischman, business agent; Peter Ehrard, sergeant-at-arms; Nick Pitta, chairman of the executive board; Charles Palovski, Jack Millet, Alfred Schum, Ruth Weiman, William Greenspan, Abraham Silverman, Ignatius Ricca and Michael Finkelstein, members of the executive board.

Lund Rites at 11 Today

Funeral services for Ralph Lund, who died Monday, will be held at 11 A.M. Tuesday at Campbell's Funeral Parlor.

B. & K. Product Deal with United Artists Hangs Fire

By BILL CROUCH

Chicago, Oct. 19—Deal between B. & K. and United Artists for 1938-39 product is still hanging fire. While it is expected that B. & K. will sign for the U. A. product, it does not not it is not likely that Essaness will make a special deal for the pictures. A similar situation came about two years ago when B. & K. failed to come to terms and did not exhibit United Artists pictures. If an Essaness deal is made, the establishment of the arrangement will be worked out with the Oriental to use that house as the loop showplace for these films.

Emma Abplanalp, former Film Board secretary here, is in charge of campaigns for the community Chest Drive, Jack Kirach and Clyde Eckhardt are chairman and sub-chairman, respectively.

A special screening of "Young Dr. Kildare" is being arranged for local radio folk formerly associated with Truman Bradley, former CBS announcer here. Bradley makes his film debut in the picture and his friends are planning to get an advance look. Local radio news commentators and radio columnists also will be invited.

Carl Phillips, Mt. Pulaski exhibitor, has taken over the Roanoke in Roanoke, Ill., from the Van Alstyne Bros.

"Moonlight Sonata," booked into the World Playhouse, is expected to run there for at least two months. Ignace Paderewski is starring.

if the Universal "horror dual" of "Frankenstein's Dracula" is as big as Universal sales heads expect at the B. & K. Garrick, where it will open Wednesday, the circuit will run the bill in the nearby Apollo simultaneously. The Garrick seats 900. Universal District Manager R. T. Tumersall is practically certain the Garrick will not be big enough. Last week, 31 Chicago houses ran "horror" films, using every available film with a title which sounded as though it would do.

Republic Plans No Spanish Films Now

Republic intends to concentrate any budget expansion in its domestic production and will not make any Spanish films, although 1938-'39, says Morris Goodman, vice-president in charge of foreign sales.

More Spaniards this year are requiring or sponsoring the production of Spanish pictures. Republic, however, does permit its South American distributors to make their own pictures, as long as this does not interfere with the distribution of Republic's program.

Goodman said that a number of foreign deals are being consummated, among them one with the East Anglia agency for the Straths Setlements, and Acme Films, Inc., for the Philippines. These will be renewed for a third year. With the exception of England and Australie Republic's foreign deals are limited to one year.

Kallus Appeal Is Heard

An appeal in the breach of contract suit brought by Joseph L. Kallus against Fleischer Studios, Inc., was heard yesterday in the Appellate Division of the N. Y. Supreme Court. The plaintiff alleges that he negotiated a deal with King Features under which Fleischer Studios obtained the right to use Popeye. Approximately $25,000 in commissions is sought. The defendant contends it is entitled to 10% of the sales proceeds of the alleged services and is appealing from an adverse decision which denied these particular cases before trial.

"Rat" Showing Tonight

Walters' "Brother Rat" will be shown tonight before the faculty and students of Virginia Military Institute at Lexington, Va. Priscilla Lane will be there. The ceremonies will be broadcast over WADC.

Decision On Drive

Extension Put Up

To Field Workers

Regional chairman of the Motion Pictures' Greatest Year campaign will decide by ballot whether the drive shall be extended when filed yesterday in the N. Y. Supreme Court against Walt Disney Productions, Ltd., and producers Carl Messner and Harry Stockwell, the singers who supplied the voices for the songs and dialogue of Snow White and the Prince in "Snow White and the Seven Dwarfs." Both plaintiffs claimed they had contracts with Disney which provided that their songs and dialogue would be confined solely to the picture and would not be reproduced for any other use in any other medium. The defendants are charged with violation of the contract, with having separated the reproduction of the plaintiff's voices from the original picture recording for the recording of phonograph records.

Miss Caselotti asks for $200,000 and Stockwell for $100,000 damages, totaling that several million records were sold.

File Principal Suit

Papers were served yesterday by Oliphant & Lerman, film attorneys, in a suit by Superior Talking Pictures, Inc., and Stage & Screen Productions, Inc., upon Sam Krellberg of Principal Film Exhibitors, Inc. in an action brought in the Court of Common Pleas.

The complaint alleges that Principal failed to properly account and report earnings and pictures delivered to it by Superior and Stage & Screen. Appointment of a receiver and an injunction to retain release of the pictures are sought.

Associates Meet Nov. 3

Motion Picture Associates will hold another luncheon at the Astor on Nov. 4 in connection with the release of "Joan of Arc" and other pictures to be discussed.

English Cut Time Reel

London, Oct. 19—March of Time's reel on the recent European crisis has been cut for showing in London to 7% minutes.
Leo Spitz May Leave as Head Of RKO Today

(Continued from page 1)

associated with RKO in a special capacity.

His law firm is one of the best known firms in the country. Under Spitz’s guidance, it has grown to be a leading black. Creditors and the trustee, as well as the rank and file, are known to regret his leaving.

Spitz, more than any other individual, is responsible for the harmony which now exists between the M. M. and the employees, a fact which has been of tremendous uplift and aid to RKO’s theatre operations as well as company morale.

He is one of the industry’s outstanding leaders for many years, and he came into RKO, after a success in Paramount, which is something he has paved the way for the company’s rehabilitation and ultimate emergence from bankruptcy and receivership.

Spitz Following Desires

Spitz entered RKO upon the invitation of friends and creditors who asked him to take charge to assist them in straightening out the company. In line with this, he is retiring in accordance with his own expressed and unchanged expression of several years.

Spitz is considered as one who is preeminent in the trade and who has been a leader for a decade or more in the trade. He organized the prev. Motion Picture Greatest Year drive, and only recently resigned as general manager of distribution for the U. S. and Canada of United Artists.

Prior to this he was general manager of Paramount.

Federal Judge William Bondy, who has the proposed RKO plan of reorganization under consideration, has not yet had an opportunity to read any of the briefs submitted. The briefs were submitted before the deadline, with five opposing the plan and three favoring it. Ernest W. Stern, holder of unconverted Class A stock, has obtained permission from Judge Bondy to submit a reply memorandum to the brief of Atlas Picture Proponents of the plan, and this is expected to delay final submission until the end of the week. A decision from Judge Bondy before the end of next week is regarded as a remote possibility.

Opposing Briefs Filed

The arguments of counsel follow the lines presented before Special Master George W. Alger and the hearing before Judge Bondy. Hamilton C. Rickley, attorney for Atlas, pleaded for a quick disposition and Charles Issacs, attorney for the secured creditors, stated that the court should act to liquidate the holders of non-voting stock at this time. Sources close to Judge Bondy pointed out that he is now engaged in the criminal court aspect of the case and is not going to attempt to determine when he would find time to consider the briefs would be more speculative.

Briefs of the parties in the plan were filed by Stern, H. Cassell & Co., debenture holders, Copia Realty Corp., a contingent creditor and Abraham K. Weber, stockholder.

Films and Papers

Birmingham, Oct. 19.—The Atlanta Constitution is in the business of transporting films to Georgia, Alabama, and Tennessee. The paper began a few years back hauling a few films on its circulation routes as an accommodation. The business grew, however, and is now operated under the subsidiary name of theatre Service Co. Branch service depots are operated in Birmingham, Chattanooga and other points.

To confer Today

On Musicians’ Work

(Continued from page 1)

headed by an owner will submit its request for increased employment opportunities for musicians in circuit theatres in accordance with its agreement at the American Federation of M. of F. M.

Weber, on his arrival in New York yesterday, returned to his home, Avenue A. The Newbury Circuit has closed the Rialto, Belmar; the Grove, Point Pleasant; the Lorraine, Bay- ne Avenue, All in New Jersey and are operated during the summer season only. The Orpheum, Second Ave., is now operated by the Second Ave. Holding Corp. Harry Harris is the principal. Kayate Reas, Inc., has taken over the Lavoporte, Lavolette Amusement Enterprises, Inc., has organized the London Theatre, Inc., to operate the Barclay, 23rd St.

September Grosses

Up, Tax Indicates

(Continued from page 1)

$243,760 above the $242,053 collected in August, but was $5,600 under the September 1937 receipts of $242,466, the bureau announced.

September was the sixth successive month in which collections fell below the corresponding period last year, with the result that receipts for the first three quarters of 1938, aggregating $144,946, were $143,350 under the $144,781 recorded for the corresponding period in 1937.

GUILD ARBITRATION

POSTPONED ONE WEEK

Hollywood, Oct. 19.—Presaging a lengthy arbitration session over the demand by independent producers for wage and hour concessions by the Screen Actors Guild in the new contract, the three-man arbitration board postponed the start of their sessions.

The board acceded to the request for more time to prepare the case.

Seek Coordination

On Copyright Laws

(Continued from page 1)

have exchanged written reports on their grievances against the present law and their suggested remedies. To coordinate these varying views into a unified program of recommendations for changes in the law to be made to Congress. The written reports which have been exchanged indicate that, as always, the manufacturing and minimum damage clauses of the copyright law are responsible for the widest divergence of opinion among the interested . In addition to motion pictures, these include, Ascap, music publishers, radio broadcasters and book and magazine publishers.

Art Directors’ Plea

Is Heard by N.L.R.B.

Hollywood, Oct. 19.—N. L. R. B. Trial Examiner William Ringer yesterday heard the petition of the Society of Motion Picture Art Directors to be heard by the N.L.R.B. bargaining agency for art directors, unit art directors and assistants at major studios, persons who produce into evidence a membership list of the organization purporting to show the majority of membership and the classifications belonged to the society. The only producer contention entered was general denial that the N.L.R.B. has jurisdiction over the industry.

Standstill Pact

Is Discussed in Capital Parley

(Continued from page 1)

Richard P. Dwight, 20th Century-Fox, the head of the organization of M. W. & Tucker.

Among proposals believed to have been discussed in connection with a threatened standstill against the company under which the companies would be authorized to acquire new theatres only in proportion to the number of houses they lost, was the matter of a deal under the agreement, whether for sale or acquisition of theatres, would be the method of purpose of protecting existing investments and would be submitted to the department for its information in advance.

Gem Theatre Opened

By Morris Kutisker

Gem Theatre, formerly the Adelphi, Brooklyn, was reopened yesterday by Morris Kutisker, the new owner. Loew’s already operated the Wyckoff, Avenue A. The Newbury Circuit has closed the Rialto, Belmar; the Grove, Point Pleasant; the Lorraine, Bayne Avenue, All in New Jersey and are operated during the summer season only.

The Orpheum, Second Ave., is now operated by the Second Ave. Holding Corp. Harry Harris is the principal. Kayate Reas, Inc., has taken over the Lavoporte, Lavolette Amusement Enterprises, Inc., has organized the London Theatre, Inc., to operate the Barclay, 23rd St.

Montana at the Columbia University Club.

The discussions with Allied turned upon the subject of block booking, which has created so many booms, surpluses, shortages, delays, clearance and zoning and other topics. Those involved in the meetings declared that progress had been made at both sessions.

Ed Kuykendall, M. P. T. O. A. president, described his organization’s meeting as "a comprehensive discussion, resulting in definite progress."


On the Allied committee are H. M. Dean, A. Steffes, Sidney Samuelson, Ray Branch, Nathan Yamins and Herman Blatt.

Leon Rosenblatt and Julius Char- now were appointed alternates at an I. T. O. A. meeting yesterday to serve with Harry Brandt, Lou Brecher and Laurence Bolesnog in negotiations for the distribution and trade practice committee on Monday.

Members expressed interest in ex- panded bargaining by R.K.O. in neighborhood houses and said if the trial proves successful they may adopt this policy as a business booster. Among others, RKO has booked a stage show into the Savoy, Brooklyn, a Randolf property.

The organization endorsed the candid- ate of Senator Herbert Lehman, Senator Robert F. Wagner and Congress- man Meade for Senator.

Progress Is Reported in Trade Talks
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.

DOUGLAS FAIRBANKS, Jr. . . . adding new laurels to those he won in "The Prisoner of Zenda."

ROLAND YOUNG . . . topping his famous "Topper" as the fake Sahibi!

BILLIE BURKE . . . incomparable as the mother of the "gay banditti!"
3 NEW PERSONALITIES

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 HUPREE ... 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...
Short Subjects

"Red Barry" (Universal)
Buster Crabbe, as the detective "Red Barry," stars in this new 13-chapter serial based on the exploits of the popular King Feature comic strip hero. The first three chapters find the sleuth struggling against two foreign powers in his quest to unmask a danger to the nation's national securities. The funds were sent to this country to purchase fighting planes for an Eastern power. Based on the early installments, this promises to be an exciting and popular series. Scattered encounters with Bors, backdrop and water fights, are a number of entertaining variety acts. Running time, 20, 19 and 21 mins. for the first three episodes.

"Major Difficulties" (RKO)
This is one of the more laughable Leon Errol comedies in spite of its familiar story. Much of the merriment is in the lines, and for a finish there is a resounding smash which takes place in an art museum. Errol plays the poodles. His wife objects. He agrees to leave off, but succumbs again and is taken by the kids. In order to get off lightly he impersonates an English explorer and is invited to a judge's home. There the major portion of the comic activity takes place before he is uncovered as an impostor. Running time, 18 mins.

"The Eternal Fire" (U.A.)
This first subject augurs well for the World Windows series. Remarkable camera work catches Mt. Vesuvius in eruption, the molten lava rolling down its sides and views of the crater's interior. The color enhances the scenes of the recovered city of Pompeii and the bay of Naples. A modern note is a peaceful volcano with the volcano as a backdrop. Narration is left to the imagination of the viewer. With the score adding to the effect. Running time, 10 mins. "G."

"Sally Swing" (Fleischer-Paramount)
Swing music and fast dancing introduce Max Fleischer's latest cartoon character, Sally Swing. Betty Boop finds her scrubbing floors and transforms her into a swing band leader. The orchestration is tuneful and the dance animations lively. Running time, 7 mins. "G."

"Talent Auction" (RKO)
Boy Bernard, minus his dialect, plays as being an auctioneer. His salable materials include Irene Beasley, The Five Ryells, Paul Robinson, a harmonica player, and The Merrick Macs. The acts perform in good style. It is diverting. Running time, 10 mins. "G."

"Busse Rhythm" (Paramount)
Henry Busse leads his orchestra through four musical numbers with his trumpet and the result is a rhythmic and melodic interlude. Don Huson contributes a vocal arrangement of "Fiesta." Running time, 10 mins. "G."

"Hard to Get" (Warner)
Dick Powell, as a determined young gasoline station attendant with a burning desire to establish a chain of auto trailer camps, and Charles Winninger, as a big business man with a yen for playing practical jokes, keep the action stirring in a light story aimed for laughs. They get them. Olivia De Havilland carries the romantic interest. Designed for an after-theater audience, Miss De Havilland leaves the family menage in a maid's roadster and runs out of gas at Powell's filling station. She has no money and he makes her sweep out the tourist cabins in payment. Her desire for revenge takes the form of a tip on how Powell can get into her father's office to sell him the idea of the new business. Rest of the action shows Powell being thrown out of various offices.

There's an exciting sequence on the girders of an unfinished building when Winninger pursues Powell up to the heights. Allen Jenkins and Melville Cooper, the former as Powell's pal and the latter as a valet companion, furnish plenty of the comedy.

The direction was by Ray Enright. Jerry Wald, Maurice Leo and Richard Macaulay did the screenplay from an original by Wally Klein and Joseph Shrank suggested by a Stephen Morehouse Avery story. Harry Warren and Johnny Mercer did the music and lyrics of two name, a woman song by the pair.

Running time, 79 minutes. "G."
J. M. Jerauld

"Hectic Honeymoon" (RKO)
The mistaken identity theme is taken on another merry whirl as the substance of this comedy. Here it concerns the marital difficulties of a father and son. They marry and go off to Niagara Falls where, in atmosphere, things work out the same until they run into all sorts of awkward situations. Eventually the tangle is unraveled. Jean Parker, Barbara Jo Allen and Fay McKenzie do the levitation. Running time, 17 mins. "G."

"Too Hot" Omaha's Best Bet, $10,200

Omaha, Oct. 11—"Too Hot to Handle" and "Rich Man, Poor Girl" which the Omaha did all the first run business from the week, ending with a profitable $10,200. The bill was held to 64 cents per ad.

"You Can't Take It With You" held up well in a second week at the Brandon, grossing $5,200.

Estimated takings for the week ending Oct. 12-13:

- "You Can't Take It With You" (Col.)
  - B.A.E. (1,200) (25c-30c-40c) 7 days, net gross: $5,200.
  - Average: $4,000.

- "Too Hot to Handle" (M-G-M)
  - Rich Man, Poor Girl (M-G-M)
  - Omaha (25c-30c-40c) 7 days, gross: $16,000.
  - Average: $2,000.

- Three Loves Has Nancy (M-G-M)
  - Little Miss Thoroughbred (ORPHEUM) (25c-30c) 7 days.
  - Gross: $1,060. (Average, $17.200)

Two Firms Are Chartered

At least, Oct. 11—Two new amusement firms have been chartered here. They are Scarsdale Amusement Corp., by Samuel Kantor, William Namen- son and Ada Kaplan, and Sudan Theatrical Corp., by Ann Leiman, Bertha Bender and Eugene V. Weissman.

They are authorized to sign the president's signature and are to operate the north. Woods and an amateur fire fighter are also present. Bergen and McCary gets this short unusual draw.

"Rube Goldberg's Travel-gab"

This is a hilarious travelogue through Manhattan with Rube Goldberg, the cartoonist, describing the sights. He takes the camera through New York, back streets and with a cast and wit sees New York as visitors see it. Running time, 9 mins. "G."

"Youth" Big $16,000 Take In Cleveland

Cleveland, Oct. 19—"You Can't Take It With You," in a second week at Warners' Hippodrome, again led the town, this time with $16,000. The picture was moved to the Allen for a third downtown week.

"The Youth Takes a Fling," at the RKO Palace with Duke Ellington and his band, was strong at $16,000.

Indian summer weather was blamed for the falling off of business generally.

Estimated takings for the week ended Oct. 14:

- "The Grandad" (Col.) (3 days)
  - "Movie Objects" (Col.) (4 days)

"Youth Takes a Fling" (Gros. of $16,000 without the 7 days. Direct: Duke Ellington and his band. Gross: $16,000. (Average, $3,000)

"Stablemates" (M-G-M)
- "Sing With Your Swing" (25c-35c-45c) 7 days. Gross: $14,500. (Average, $2,000)

"You Should Millionaire" (RKO)
- "Take the 'S' Out of "Sing With Your Swing" (25c-35c-45c) 7 days. Gross: $5,000. (Average, $3,000)

"Service" $6,000 For Indianapolis

Indianapolis, Oct. 19—"You Can't Take It With You" did smash business of $12,000 at Loew's in a high-powered week for first runs here. It was held.

Also high in the money was "Myst- erion, Mr. Moto" on the RKO and Ozie Nelson and orchestra on the stage at the Lyric, where $12,200 was taken. Room Service," on a dual with "Sing With Your Swing," tallied a strong $6,000 for the Circle.

Estimated takings for the week ending Oct. 14:

- "Sing You Sinners" (Para.)
- "Campus Confessions" (Para.)
- APOLLO—(1,350) 7 days, 2nd week. Gross: $2,300. (Average, $300)
- NAOMI (RKO)
- "Snapping the Rackets" (RKO)
- CIRCLE—(2,800) (25c-30c) 7 days. Gross: $6,000. (Average, $800)
- "You Can't Take It with You" (Col.)
- B.A.E. (2,800) (25c-30c-40c) 7 days. Gross: $12,000. (Average, $7,000)

New Equipment Ready

Hollywood, Oct. 19—The Academy Research Council shortly will issue a statement on the availability of a new type Standard Multi-Frequency Test Reel to be furnished to the theatre field by the council. The apparatus is to be used for checking sound reproducing equipment.

Set Union Agreement

Pittsburgh, Oct. 19—Local theatre managers and the musicians union, Local 60, have finally come to terms on a new two-year contract. It is understood the agreement is virtually the same as the two-year pact that expired Sept. 1.
CBS Abandons Store Deal on Philharmonic

The proposal to sell the Sunday broadcasts of the New York Philharmonic cooperatively to a chain of department stores, each store sponsoring the program in its own locale, is virtually cooled. The plan has not died for lack of enthusiasm, for in the few days it has been around approximately 200 sponsors have inquired about the proposal. However, 100 sponsors still are short of the number needed to put the project into operation, because of lack of time to continue promotion to bring additional sponsors into the fold, CBS for this season has abandoned its efforts.

Tentative Hearing Schedule Arranged

WASHINGTON, Oct. 19.—The Federal Communications Commission has tentatively assigned a number of broadcasting applications for hearings, as follows:

Nov. 30: Applications of John F. Nolan for a 1,310-kilocycle, 100-watt daytime station at Steenahville, O.; Press Union Publishing Co., for a 1,200-kilocycle station at Atlantic City, with 100 watts night, 250 watts day; KTO, Oklahoma City, for increase of day power from 100 to 250 watts, and WAZL, Hazleton, Pa., for extension of time of sharing terms with WSWL.

Dec. 20: Application of KFIZ, Fort Worth, for change of frequency from 1,370 to 930 kilocycles and increase of power from 100 watts night, 250 watts day, to 300 watts.

Two Join Goudis Show

Two more accounts will start on the C. F. Mueller Goudis program over WHN today when the C. F. Mueller Co. and National Sugar Refining Co. are announced. Under the name of WHN, another WHN contract is by the Republican State Committee of New York for four broadcasts by Thomas A. Dewey.

Renew Dorsey Program

Brown & Williamson Tobacco Co., sponsoring Tommy Dorsey’s orchestra from 8 to 9 P.M. Wednesdays on the NBC-Red network, has been renewed for another year on the air, effective Nov. 9. It even, Barton, Durstine & Osborn is the agency.

Radio Personalities

TOM Fitzgerald’s office has garnered leslty Grady’s portrait of Radio Romance, and now with the Fitzgerald organization, to Philadelphia on an assignment for the Young, Jr., former with the Kieseтвер agency, has joined Joseph H. McGilli, radio station representative, and will serve as co-re- pective spot advertisers... Phoebe Shuster, daughter of Ira Shuster, has joined WOR.

Larry Menku, formerly of CBS and now free-lancing, wrote the radio adaptation of a novel that will be used on tonight’s Kate Smith program... Louise Campbell, Paramount player appearing in “Men Without Women,” is being interviewed on Sam Taylor’s WHN program today... John Herrick, baritone of the Revelers, will fly to New Orleans Oct. 22 to fulfill two concert engagements. He is to be the soloist at the opening concert of the New Orleans Symphony Oct. 25, and will give a concert at the Southern Louisiana Institute at Lafayette Oct. 24.

San Francisco

Gordon Owen, sportscaster and ac- count executive at KAYA, San Francisco, is to become commercial manager at KUTA, Salt Lake City... Lloyd Yoder, KPO-KGO manager, is in the east... Ernie Smith’s “Song of the Air,” for three years a KAYA nightly feature, is again sponsored by Roos Brothers, dressers, who dropped the show temporally at the start of the local department store strike... KSAN is broadcasting the College Jim “Wynn-Coffin” Radio Sports column a week... Dick Ellers, supervisor of announcers at KPO and KGO, home for a month due to illness... Sales Traffic Manager Henry Maas of NBC here transferred to Hollywood... Kay Lewis of National Transcription Recording Co., on the road, due to absence, due to illness... Gordon Brown, former “Night Owl” on the KFBS-Waltz from midnight to morn- ing, has joined production staff of KSKO in Santa Rosa.

“Little Shaver” on Soon

“Little Shaver” is the title of a new WMCA program which will begin shortly. It will be heard three times a week from 4:45 to 5 P.M. Charles Motta, a film player, will be featured.

Networks Ready on Election Coverage

Plans for radio coverage of the forthcoming elections have been com- pleted by the networks, CBS, NBC and Mutual, and the local stations.

In addition to giving reports on general election day returns as they affect gubernatorial, senatorial and local candidates, the networks will present talks by victorious candidates, who will be charged by the two major parties, James A. Farley and John D. Hamilton.

The networks and the independent stations will derive their tabulations, as on previous occasions, from Press Radio. All the networks, in the event the election is not decided by A. M. closing time, will remain on the air until decisive reports are available.

World Names Wright Chicago Studio Head

Read Wright has been appointed resident manager of the Chicago studios of World Broadcasting System, succeeding A. J. Kendrick, who has been transferred to New York as general manager of the World Trans- scription System. Wright has been a member of World’s sales staff for a number of years.

Additional personal changes in the New York office include the appoint- ment of Roy A. Holmes, formerly with NBC as traffic manager, to the same position with World, and the transfer of Herbert L. Jacobson from World’s continuous department to advertising and publicity. He succeeds Leonard Lewis, who has been moved to the sales department.

Sue on Radio Legal Fees

Suit seeking $35,000 in legal fees was filed yesterday against Wholesale Radio Service, Inc., K. W. Radio Co., for failure to pay royalty fees to Gordon M. Fuss, owner of WNEW, an independent network, to pay for the stations’ use of the World’s “Wings,” a feat-hered in the early’30’s, and for failure to pay for the World’s “CBS” jingle.

Quinn Is KAYA Head

SAN FRANCISCO, Oct. 19.—Produc- tion manager Reiland Quinn has been named station manager of KAYA, local Hearst station, succeeding Clarence J. Juneau. Quinn joined the station three years ago and has served as actor and producer.

Pay Scale for Radio Artists Is Submitted

(Continued from page 1)

expressed dissatisfaction with the terms now under consideration. The dissatisfaction is caused, they say, by the feeling that the rates are not being paid as much, and in instances more, from agencies, and this without bene- fit of A. F. R. A. They cite only one agency which currently pays a scale for commercial work under the sums A. F. R. A. now is trying to set.

There are artists who are known not to like the terms outlined above. They state as their belief that A. F. R. A. has been maneuvered into taking the position over which they test: that the rates are too mild, because of fear that the agen- cies will shift a great many of their current script shows out of New York, if the new rates are approved. A. F. R. A. is a factor. They feel that A. F. R. A.’s fears are groundless, and that if they will bring pressure to compel A. F. R. A. to revise the pay scale upward.

Sterling Shows to Be Heard on Coast

Three current network programs of Sterling Products Co., “Just Plain Old Fred’s Other Wife” and “Mrs. Wigg’s of the Cabbage Patch,” have been contracted for presentation on the west coast beginning in January. Therefore, the programs did not reach California. Stations added for all three are KFYI, KPO, KFI, KGW, KOMO and KHQ. The agency handling the programs is Blackett-Semple-Hum- mert.

Tucker Show Not WABC

The American Tobacco Co. program which will feature Sophie Tucker on CBS Mondays, Wednesdays and Fridays at 7 P.M., starting Nov. 7, will not be carried in New York over WABC, Columbia’s key station. Sixty stations out of New York will carry the show, placed by Lord & Thomas.

WMCA to Air Benefit

WMCA will broadcast the enter- tainment activity of the Hebrew Na- tional Orphan Asylum benefit which is scheduled for Nov. 1 at the Madison Square Garden. Two periods have been allotted to the affair. The first will be heard from 9:30 to 10 P. M. and the second from 11:30 P. M. to 1 A. M.

Plan Navy Day Exercises

WMCA will feature two programs revolving about the observance of Navy Day. Admiral Woodward of the third Naval District will speak Oct. 15, and the Communications Reserve will give a demonstration of the part radio plays in its work on Oct. 27.

Harlem Show for WNEW

WNEW, beginning Oct. 28, will broadcast “Tales From Harlem” sponsored by a group of Harlem mer- chant.

Air Padlock Problem

Montreal, Oct. 19.—Quebec police are wondering whether, under the Anti-Communist padlock law, they can padlock a Federal Gov- ernment building to prevent the filing of any building in the province used for Red activities and a high official of the provincial force today asserted they would study the matter seriously. Rose’s address was carefully super- vised and the first character of the string the make sure there were no extemporaneous remarks.
“Sisters” Off To Good Start On the Coast

LOS ANGELES, Oct. 19.—“The Sisters,” on a deal with "The Road to Rio" to get off to a fast start at Wangers’ Hollywood and Downtown. The gross at the former was $14,500 and at the latter $11,250.

“Drums” continued strong in its second week with $5,654 at the 4 Star and “You Can’t Take It With You” stayed in the hit class in its third week at the Hillstreet and Pantages. The Hillstreet gross was $9,500 and the Pantages tally was $10,400.

Estimated takings for the week ending Oct. 19:

<table>
<thead>
<tr>
<th>Title</th>
<th>Gross</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;Marie Antoinette&quot;</td>
<td>$8,469</td>
</tr>
<tr>
<td>CHINESE-2450 (M-G-M)</td>
<td>$3,565</td>
</tr>
<tr>
<td>&quot;Drums&quot; (U.A.)</td>
<td>$14,654</td>
</tr>
<tr>
<td>4 STAR-600 (M-G-M)</td>
<td>$12,650</td>
</tr>
<tr>
<td>&quot;You Can’t Take It With You&quot; (Col.)</td>
<td>$9,500</td>
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<tr>
<td>HILL STREET-2450 (M-G-M)</td>
<td>$6,500</td>
</tr>
<tr>
<td>&quot;Marie Antoinette&quot;</td>
<td>$8,469</td>
</tr>
<tr>
<td>LOEW’S STATE-2450 (M-G-M)</td>
<td>$3,565</td>
</tr>
<tr>
<td>&quot;You Can’t Take It With You&quot; (Col.)</td>
<td>$9,500</td>
</tr>
<tr>
<td>PANTAGES-1450 (M-G-M)</td>
<td>$6,500</td>
</tr>
</tbody>
</table>

British Trade Faces Wave of Municipal Law

LONDON, Oct. 19.—British exhibitors are in danger of being swamped by a wave of municipal interference during the approaching season. There are indications of municipal moves from all points of the compass, mostly designed to limit the exhibitors’ freedom of operation. Not the least of the new moves is the maturing of the plan for a pool of municipal authorities in the London and Home Counties area, which would unify and consolidate municipal policies in regard to picture theatres.

Nine Councils Joining

Nine councils have now expressed their willingness to join the group, including London, Berkshire, Buckinghamshire, Essex, Hertfordshire, Kent, Middlesex, Oxfordshire and Surrey. It is probable that Croydon and Southend will join.

Already indications point to a spread of the seat price regulation plan.

At Wrexham, where a move towards a follow-up of the London scheme has been made, a subcommittee was invited to form a committee to deal with the question of seat prices. The plan is now to be considered by the licensing committee.

Sunday Films Assured

LAUREL, MISS., Oct. 19.—Sunday film shows were assured as the Jones County Grand Jury, failing to return indictments for alleged illegal operations, in connection with Sunday operation.

Gene Ford a Father

WASHINGTON, Oct. 19.—Gene Ford, production manager for the Loew theatres here and in Baltimore, is the father of a 7½-pound daughter, Patricia.

TRAILER-MADE DEAL SET

Trailer-Made, Inc., has closed a 10-year franchise for the Boston and New Haven territories with Ben Wilemski, who has formed Trailer-Made Service of New England, Inc.
IN OLD CHICAGO

SUEZ

SOCK!

THE KEYSOME OF YOUR FUTURE
**Majors Confer On More Work For Musicians**

*Pat Casey and Big Eight Meet with Weber*

Major company heads exchanged views yesterday with the executive board of the American Federation of Musicians on the possibilities of increasing employment of musicians throughout the industry. After a three-hour discussion the meeting adjourned to convene again next week for consideration of specific proposals which will be bracketed in the interim.

Pat Casey, producers' labor arbitrator, presided at the meeting. Those attending were Nicholas M. Schenck, Loew's; Leo Spitz, RKO; Major Albert Warner, Warners; Nate J. Blumberg, Universal; Austin C. Keough, Paramount, and Eugene Picker, Columbia. Sidney R. Kent, 20th Century-Fox president, was unable to attend because of his presence elsewhere.

(Continued on page 5)

**Balaban Says Drive Is Improving Trade**

"The Motion Pictures' Greatest Year drive is lagging the film industry so far this year and there is plenty of room for improvement," Barney Balaban, president of Paramount, said today upon his arrival here with Stanley Griffis and Russell Holman for a series of conferences. The party was met at Pasadena by Adolph Zukor. Neil Agnew, sales head, came in today by plane. "Optimism throughout the nation is reflected in a definite upturn in consumer spending," Balaban said, "and current motion picture industry drive is showing excellent returns in box-office receipts. Newspaper advertising has played a small part in the success of the campaign."

The quartet will remain a week or ten days.

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**David Loew May Be Producer at M-G-M**

David L. Loew probably will be added to the M-G-M producer roster after a South American vacation which he will start early next month. He has been producing Joe E. Brown features, the last of which, "Flirting With Fate," will be released by M-G-M Dec. 2.

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**Radio on Page 6**

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**Missouri Outlaws "Quiz"; Schaefer Makes Statement**

*St. Louis, Oct. 20.—Missouri's attorney general, Roy McKittrick, today ruled that the "Movie Quiz" contest is a lottery in this state. The ruling caused amazement and consternation among exhibitors who know that the contest had been approved by the Postoffice Department and by lawyers for those who conduct national contests both by radio and by mail. The opinion was written at the request of Elbert L. Ford, Kemmett, A.to, prosecuting attorney of Dunklin County, who said he considered the contest a lottery and had advised theatre owners in his county not to participate in it. Penalties for violation of the statute range up to five years imprisonment."

**K. C. Men Seeking Advice**

*Kansas City, Oct. 20.—News of Attorney General McKittrick's ruling that the "Movie Quiz" contest is a lottery came as a shock to local exhibitors."*"}

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**B. & K. CLEARANCE MAY BE REDUCED**

**Italy Refuses To Modify Its Film Decree**

*Room, Oct. 20.—Italy will not consent to a modification of the decree creating a Government controlled film distribution monopoly, it was indicated here in official quarters. Full compliance with all provisions of the decree as published will be insisted upon and after Dec. 31 the official attitude toward American film interests which have been seeking modifications of the decree is one of "take it or leave it." All output toward Government officials will be refused by high Government officials. The American companies will be expected either to file their contracts with E.N.L.C., the Government controlled distribution monopoly, by Dec. 31 or withdraw from Italy, according to official indications.*

**New York offices have not been officially notified.**

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**Spitz, Schaefer Action Up Today**

*Chicago, Oct. 20.—Elimination of duals having been mixed by the powers that be, it is probable that adjustment of the prevailing clearance, to favor independents, may result from present discussions between Balaban & Katz and the majors, who are conducting a study of the situation in this territory. A committee has been named for this purpose by the major companies. It comprises Gradwell L. Sears, general sales manager of Warners; Ned E. Donnelly, distribution chief of RKO, and William C. Gehring, 20th Century-Fox.*

*This committee has had several conferences with the exhibitor principals involved in the suit and the probability that more will be held was increased yesterday as a result of the denial of the independent exhibitors' application for a temporary injunction*.

(Continued on page 2)
Insiders' Outlook

(Continued from page 1)

Effect of trailers on patronage may be gleaned from the fact that there is reason to hope Lord's is going to be hit from Oskar A. Doob, enlightened nabob of exploitation, advertising and publicity of Loew's. He reveals that the Motion Pictures' Guild (which may also have to change programs without the Loew circuit, in some cases doubling the previous demand.)

His drive committee has two other trailers in preparation. The next one will feature Lew Lehr holding forth in a humorous vein on the quiz contest.

It is regarded as certain that Attorney Lawrence Green will become a member of the board of directors of reorganized RKO as the representative of the company's general creditors. All of the major factors represented in the general creditors' committee are in agreement on Green as their representative.

Paramount will make a picture based on the theoretical invasion of North America by a foreign country. The picture will be called "Invasion," based on an original idea by Capt. William P. Cox, of the U. S. army chemical warfare service. Cox is at studio on leave of absence from service duty. Studio will place more than a dozen Paramount stars and almost all featured players in the cast.

Investigation Bares 61 Taxes in a Ticket

CINCINNATI, Oct. 20.—Sixty-one direct and hidden taxes included in the price of the average film ticket total more than $197,500 annually from the 73,400 local theatre-going families, according to the National Consumers Tax Commission.

More than 16 per cent of the price of the average ticket is due to imposition of 41 federal and 20 state and local taxes, with such conclusions are based on attendance figures compiled by the Bureau of Economics in the U. S. Department of Agriculture.

Du Art Pact Due Today

Signatures are due to be affixed today to an agreement setting the laboratory technicians' strike at Du Art Film Laboratories. Final details are approved by attorneys yesterday.

Milwaukee Worried Films Are Overlong

MILWAUKEE, Oct. 20.—The Utilities and Health Committee of the Common Council has adopted Alderman Samuel Sorel's resolution for the appointment of a committee of five citizens to investigate local film programs.

The committee would check on the various programs have on the health of adults and children and the probable effect crime and sex pictures have on children. The action is the result of agitation by the Parent-Teacher Association here. At that time Mayor Daniel W. Hoan turned the affair over to the health commissioner, who in turn named a specialist to investigate. The report from this latter committee was that double feature programs do not endanger health.

Cut in B. & K. Clearance May Stop Big Suit

(Continued from page 1)

against them alleged to be pending trial of the anti-trust suit.

In denying the injunction, Federal Judge James Wilkerson pointed out that the records which the defense counsel construed as an indication that the complaint might not be maintained.

The defense is ready to discuss a friendly adjustment of the issues. The matter is up to the attorneys and the distributor's negotiation committee.

Judge Wilkerson based his denial of an injunction on the "doubt which exists from a clear right to relief in this case, and the doubt as to the probability that the plaintiffs will prevail at the final hearing."

The report said, "is created by the abstract nature of the alleged threatened injury, as stated in the complaint here, that it is not charged that pecuniary damage is about to be inflicted on the distributors, but it is said that they have a right to free competition and a free market with reference to the exhibition of these pictures."

Judge Wilkerson directed defense counsel to prepare an order in accordance with his findings by Nov. 19.

Business Slightly Off Along Broadway

Business along Broadway was slightly off yesterday as the temperature continued to soar. At the Roxy, "Suze" finished its first week with $62,500 and will be held over. The Sisters' gross schedule promptly for its first week and will continue for two more with Horace Heidt's band on the way. "Take the Trolley" finished its third week at the Capitol with $20,000 and made way yesterday for "The 21st Century."

"The Mad Miss Manton" opened at the Music Hall yesterday after an $80,000 week for "There Goes My Heart" at the 55th St. Playhouse. "The Edge of the World" enters its seventh week tomorrow.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

Published daily except Sunday. Established March 9, 1897. Published and edited at 727-8 South Sixth Avenue at Rockefeller Center, New York, N. Y. Telephone: Clic 7,310., Cable address: "Chiquaqua, New York." All contents copyrighted 1928 by Motion Picture Publishing Company, Inc. Address all correspondence to the New York office.

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Entered as second class matter Sept. 21, 1928, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foward. Single copies 10c.

Para. Week in Frisco

PLAYGIRL SOCIALITE DABBLES IN MURDER...AND FINDS ROMANCE!

The Mad Miss Manton Throws Another Fit

Daffy Group Again Involves Hopeless 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
**New York Previews**

*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," 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 hypnosis engendered by flight spends her life sacrificing her love, first for her father then her husband. This brings in the element of paths throughout, but in the end the thrill of achievement makes it seem worthwhile. Women and men and boys will all like it. Exhibitors can choose the week in 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 and Milland, who can 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.

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 lonesome 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. JERAUD

*"G" designates general audience classification.*

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**Lexington Out En Massee to See Priscilla Lane, "Rat"

**Lexington, Va., Oct. 20.—** Most of the able-bodied citizens in this section of Virginia for 200 miles around turned out tonight to see the show in Lane and the preview of “Brother Rat.” The original idea was to put the show on in one theatre, but Warners had to use two—the State and Lyric.

Those who couldn't get in jammed the streets. It was a big night for Lexington.

"Brother Rat" is a story of Virginia Militia. Before the theatre showings, Miss Lane, Major General Charles Kilbourne, Academy superintendent; the V.M.I. orchestra, and the Glee Club broadcast over a 94-station hookup on Kate Smith's CBS program at 8 P. M., Wayne Morris and Johnny (Scat) Howard turned in a fine item from the show, and the film is a magnificent one.

After the broadcast General Kilbourne, upper classmen, the school faculty, press dignitaries and others went to the State. The other three classes marched in uniform from the barracks to the Lyric.

After the screenings Miss Lane was honored guest at a reception in the school gymnasium where she tried to dance with 710 cadets before having supper with General and Mrs. Kilbourne. She will stay over until Friday to review the cadet corps and attend a series of functions.

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**End of Ostrer Suit Revives Maxwell Talk**

**London, Oct. 20.—** Settlement of the commission claim of Lawrence Howard, agent, against the Osters in connection with the sale of Metropolitan & Bradford shares, revived rumors today that John Maxwell, head of the Associated British Pictures, has a five-year-old purchase of control of Gaumont British.

Howard was awarded a judgment with costs in the action involving the majority block of shares of M. & B., holding company which owns two-thirds of G. B. Howard sought £50,000 claimed due, and his attorney said the shares concerned would control G. B.

Contract for the sale was discussed in August, 1936, and was signed by Maxwell in October, 1936, M. & B. has capital of 10,000 A voting shares at £1 each, the Osters holding 5,100 shares. There also are 1,000,000 B voting shares at eight shillings, three per cent, with the Osters holding 250,000 shares.

The capital of Gaumont British Pictures Corp., is £2,500,000 in 5,000,000 B voting shares, with a capital of £2,915,000.

Sir Patrick Hastings declared the Osters were always willing to pay Howard, the only question being how much he deserved.

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**Film Companies Want Particulars In Federal Case**

(Continued from page 1)

answers cannot be ready until after Nov. 1, probably not then.

It is understood that this procedure was under discussion at the second meeting of the film companies and Department of Justice officials held in Washington, Washington, Monday. The procedure was made effective in Federal jurisprudence about a month ago. Formerly, an application for a bill of particulars could not be made until after an answer had been filed. Now such an application must be made prior to the filing of answers, if at all.

If the Osters present the applications for bills of particulars the defendants' answers will not become due until the Department of Justice has complied with the order and furnished the defendants with particulars of its allegations.

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**Grant Para. 30-Day Stay on N.D. Appeal**

A 30-day extension, to Nov. 22, of the time allowed Paramount for filing an appeal with the U. S. Supreme Court from the lower court decision upholding the constitutionality of the North Dakota affiliated theatre divorce law was granted yesterday by the Federal court at Fargo, N. D. Judge Simpson, Titchler & Bartlett, Federal court, was advised.

Attorneys for the companies made the application for additional run a week ago.
Television was the dominant topic at the meeting of the Radio Manufacturers’ Association held at the Hotel Roosevelt yesterday. Salient developments were:

1. A strong statement by David Sarnoff, president of RCA, that television programs will be on the air for at least two hours regularly each day by the time the World’s Fair opens.

2. A statement by the Radio Manufacturers’ Association that it now recognizes the necessity of making television available to the public speedily so as to determine the economic reactions to the art.

3. Decisions by a majority of the 25 set manufacturers present to manufacture television receiving sets for public by this spring.

4. Adoption of a proposal to urge a speedy consideration of the R.M.A.’s television standards by the Federal Communications Commission.

The meeting also voted to nominate a committee to work with the National Association of Broadcasters, following up the suggestion made by Neville Miller, president of the N.A.B. Sarnoff’s statement that regular television service to the public was ready for introduction, proved to be the highlight of the meeting. He repeated an announcement of some time ago that RCA is prepared to sell television transmitters only when they are requested and that his company has started the manufacture of television receivers on a large scale on the theory that by spring the public would be asking for their purchase.

Thompson to Unite Two Offices in West

Los Angeles, Oct. 20.—The J. Walter Thompson agency will combine in its new Los Angeles office in its own building, a new $250,000 structure opposite Hollywood Radio City, on Jan. 10. All operations hereunder the new setup will be unified under the direction of Danny Danker, vice-president in charge of the Hollywood operations.

Coast radio programs handled by J. Walter Thompson from this sector include Bing Crosby-Bob Burns program; the script serial, “One Man’s Family”; the Chase & Sanborn Hour; Lux “Radio Theater,” and “Those We Love,” another script series.

Funk Shifted to London

Paul V. Funk, formerly director of research for Erwin, Wasey & Co., has been transferred to London where he will direct the marketing and research activities of the agency’s office in that city. He is former president of Erwin, Wasey and has been appointed advertising counsel for Steele-Wedekin.

Ad Men Honor Francisco

Don Francisco, new president of Lord & Thomas, will be tendered a luncheon by the Advertising Club of New York on Thursday, WMCA will carry the broadcast of the proceedings at 1:15 P. M.

Radio Personals

A SHORT talk on television by Robert Harding, Jr., director of the National Television Transaction, president of National Television Corp., will describe the art in a talk on Monday afternoon at 2:30. Boldly Burke will make a guest appearance on the Bob Hope show Tuesday.

Alonzo Dean Cole now doing the “G哥哥” program on WVON in Chicago is on leave, as are Jimmy Lumeford from Deco recordings to Vocalions.

The hit tune from Paramount’s “Thanks for the Memory,” Bob Hope–Shirley Ross feature, will be introduced on the air tonight over “Hollywood Hotel” when Francis Langford and Sable sing it.

Har Davis of the CBS press department has written his first tune, “Shades of Gray,” turned out in collaboration with Walter Bishop, Roy Music Co., will publish.

A new magazine titled “Hans Settler” is in the works. Some magazine has replaced Bob Lawrence as vocalist with the Whitman band.

Herbie Kay gets in Nov. 11 to do an appearance on the Eddie Cantor program next week. Peter Lorre has been signed for an appearance on the Eddie Cantor program next week.

Foster May, WOW newscaster, is the father of a baby girl. Bob Burt, KOIL’s singing office boy, is the father of a baby girl. KOIL, dramatic director, is on the coast.

Gay Avery, WOW announcer, and Laura Yorke of the station’s promotion department, are engaged.

Streiber a Father

Ted Streiber, vice-president and general manager of WOR and vice-president of the Mutual Broadcasting System, is the father of a boy born yesterday morning at the Brooklyn Hospital.

“Moonbeams” to WAAB

George Stieckley’s “Moonbeams,” an early favorite just returned to WOR as a sustaining feature, has been sold commercially over WAAB, to the Gambarelli & Daviotti Co. Sponsorship starts today.

Hearings Ordered On Station Plais

WASHINGTON, Oct. 20.—Examiners’ hearings have been ordered by the Federal Communications Commission on a number of broadcasting applications, including the new-station applications of James P. Hopkins, Inc., a 300-kilowatt station, to transmit at 1,000 watts, and WMFF, a 500-watt station, at 1,240. West, 750.

Other applications on which hearings are to be heard are those of WBAI, Baltimore, for increase of power from 1,000 watts to 3,200 watts, and extension of time from sharing to unlimited, of KRAM, Temple, Tex., for time of power from 100 watts to 3,200 watts, and WOR, for change of frequency from 1,310 to 1,240 kilocycles and increase of power from 500 watts to 5,000 watts.

The commission announced that it has received examiner’s reports recommending the granting of applications of WBAI, Baltimore, Pa., and Harrington, Mich., for increase of day power from 250 watts to 500 watts, and WDT, Dallas, for increase of power from 500 to 1,000 watts.

The commission announced that it has received examiner’s reports recommending the granting of applications of WEST, Easton, Pa., and Harrington, Mich., for increase of hours of sharing with each other to unlimited, and Pontiac Broadcasting Co., for an 1,000-kilowatt, 1,000-cw daytime station at Pontiac, Mich.

To grant the Pontiac application, Examiner John P. Bramhall recommended denial of an application of King-Trendle Broadcasting Corp. for a 1,440-kilicycle, 250-watt station in that city, and dismissed with prejudice an application of George R. Storer for a Pontiac station on 600 kilocycles, with 250-watt power.

Reservations Coming In for MPTOA Meet

OKLAHOMA CITY, Oct. 20.—The Allied Service Corp. of Kansas City, has made reservations for five persons to attend the convention of the M. P. T. O. A. here Oct. 20 through Nov. 2, according to Morris Levensen, convention chairman. They are L. W. Connor, S. W. Hand, W. E. Gregory, C. J. Zern and Obe Hunt.

Milton C. Moore, president of the Southeastern Broadcasters Association of Florida, has wired in reservations for 18 exhibitors from Florida.

S. S. Stevenson, president of the Television Owners of North and South Carolina, will represent his organization at the convention.

New Show Over WSAI

CINCINNATI, Oct. 20.—“Football Friday,” a new combination program being canvassed by mail for recommendations to be presented at the M.P.T.O.A. convention in Cleveland Oct. 31, will be heard over WSAI.

The program will be formally presented at a meeting next Tuesday at the Hofbrau Haus Restaurant. Irving C. Jacobs, Jr., president, will preside.

Allied Goes Into Games Pro and Con

ATLANTIC CITY, Oct. 20.—Such games as Bingo, Bank Night and the like were hotly debated here today. Allied Theatre Owners of New York, holding its first annual convention at the Ritz Carlton, discussed a report from F. G. Kosch, counsel.

Allied Theatre Owners of New Jersey, in its 19th annual convention in the same hotel, went on record against the games. President Irving Drellinger said it was a divided vote, and followed what he described as “a complete and thorough discussion,” the sounds of which penetrated through the locked doors of the meeting room.

Kosch reported to New York Allied on the drive in his city by the prosecution of Crime, and on its pending test case to outlaw the games as lotteries.

The New Jersey exhibitors re-elected Drellinger as president. George Gold and Ralph Wilkins were chosen vice-presidents, and Jack Unger and Louis Susman were reelected secretary and treasurer.

Broadway Tax Take Gains in September

WASHINGTON, Oct. 20.—Federal admission tax collections in the Third New York (Broadway) district, which includes New York in July, $282,513, turned upward in September to reach $377,360, it was reported today by the Bureau of Internal Revenue.

The month’s collections, however, the report stated, were $65,000 under $424,546 received in September, 1937.

Improvement in box-office collections was reflected in the gain in total receipts, increasing from $243,909 in August to $337,360 in September, approximately $70,000 under the September, 1937 figure of $407,698.

The other only items to show improvement were income tax, down on free entertainment or reduced rate admissions, which jumped from $324 to $4,117, and on tickets sold by proprietors in excess of the established price, which increased from $36 to $3,145. Collections on tickets sold by brokers dropped from $390 to August $2,483 the following month, while receipts from permanent use or lease of property dropped from $342 to $55, and admissions to roof gardens and cabarets from $33,931 to $30,193.

Poll Conn. MPTO on Convention Topics

NEW HAVEN, Oct. 20.—Connecticut MPTO plans for its program being canvassed by mail for recommendations to be presented at the M.P.T.O.A. convention in Oklahoma City Oct. 31, and all recommendations will be heard at a meeting next Tuesday at the Hofbrau Haus Restaurant. Irving C. Jacobs, Jr., president, will preside.
Wages-Hours Fog Settles on Industry

Photographers Union Opposes ASC Claims

Schaefer Takes RKO Helm Today

St. Louis Houses To Ignore Lottery Ruling Until Test

Films Better, Says President's Wife

Schaefer Takes RKO Helm Today

Spitz Leaves Presidency To Rejoin Law Firm, Spitz & Adcock

Damage Clause Is Copyright Hurdle

Educational Holders' Meet Off to Nov. 15
**Insiders' Outlook**

**Monday, October 24, 1938**

**London Firm Formed With U. S. Finances**

**London**, Oct. 23—Major Pictures, Ltd., a new British company, has been formed here with financing and distribution by an American company, whose name will be known later. Walter Futter is producer and Leslie Howard co-producer and star. Anthony Asquith is co-director, and production will start in January, with three pictures, "The Admirable Crichton," "Mississippi Bubbles" and a story of the life of General Gordon.

**Du Art Laboratory Signs Union Pact**

Du Art Film Laboratories on Saturday signed a one-year agreement with Motion Picture Laboratory Union, Local 762, settling the strike which had been under way about three months.

Increases of 10 per cent, closed shop and a 40-hour week are provided. Not all of the 35 employees who struck will be taken back, however. Arthur Gottlieb, head of the laboratory, left Saturday for the coast.

**Lasky-RKO Radio Deal for Wrigley Series Is Closed**

(Continued from page 1)

winning contract will hit parts in an RKO picture, in which RKO stars will appear. This picture will be produced by Lasky.

The program, it is understood, will cost the studio $10,000 to $15,000 per week. Lasky is now in Chicago finishing details of the deal with Wrigley executives.

**Photographers Union Opposes ASC Claims**

(Continued from page 1)

A. S. C. lawyers and which gave A. S. C. screen credit after cinematographers' names.

More than 60 studios, both major and independent, as well as camera shops and laboratories where cameramen are employed, were named in the petition. A. S. C. does not have a majority among cameramen. The Motion Picture Technicians' Committee, of which Jeff Kehrler is chairman, 200 was named not representative of studio employees in the camera workers' classification. Kehrler asked the union to drop charges against the J. A. T. S. E. N. with the N. L. R. B.

**Radtke Sues on Patent**

Radtke Patent Corp. has filed suit in the U. S. District Court against Douglas Leigh, Inc., and American Epic Corporation, infringement of a patent.

The suit claims the infringement of a patent for a method of optically reproducing sound, issued December 12, 1922. An injunction against further alleged infringement is sought.

**Bernstein Resigns**

Abraham Bernstein, New York managing editor of The Hollywood Reporter for the past seven years, has resigned and will join the Variety news staff.

**Pep Club Dinner Friday**

The Paramount Pep Club will hold its annual second-class dinner at the Hotel Astor next Friday evening.

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**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

**ARNOLD MARTIN, Editor-in-Chief and Publisher**

**FRANK C. STOEFLER, Managing Editor**

**JAMES A. CRON, Advertising Manager**


Editorial and advertising offices, 1421 Fourth Avenue, New York City. Subscription rates per year $6 in the Americas and $12 for foreign. Single copies 10c.
Dec. 15 New Date for US Suit Answers

Film company answers to the bill of complaint in the Government antitrust suit will not be due until Jan. 15 under the procedure now being followed, which calls for the filing of applications for bills for particulars of the suit. The Department has advanced the preparation of the answers.

The first application for a bill of particulars is likely to be made today by Columbia, Schwartz & Frohlich, counsel for the company, and the other four companies have stayed in preparation and may complete it in time.

The five theatre operating companies, Loew's, Paramount, RKO, 20th Century-Fox, and Nakoma, answered at the Washington conference with the Department of Justice officials last week, to file similar bills in order to expedite the department's responses. For the same reason, Universal, through Chadbourne, Hunt, Jaeckel & Brown, also has consented to the filing of an answer as nearly like those of the other five companies as its non-theatre-owning status will permit.

Columbia Individual Case

Columbia's counsel felt that its non-theatre-owning status prevented an individual case and decided to file a separate bill. United Artists' counsel, J. H. O'Brien, Driscoll & Rogers, also has not yet decided which form of bill it will file, but indications are that it, too, will ask for a separate bill.

The companies are expected to follow this procedure developed when, it is understood, Assistant U. S. Attorney General Thomas Edgington indicated that the Department of Justice did not wish to grant time beyond Nov. 1 for filing answers, but had no objection to additional time being sought from the Federal court.

The bills will ask for specific instances of the alleged violations of the antitrust laws, which are being complained of in the equity action. The bills are returnable in five days, within which time the Government and the defendants are expected to start on points which they believe should or should not be answered. Thereafter the Government is expected to ask for additional time to complete its case, to become due in 20 days, but additional time of course, could be obtained.

When the Government has replied, the defendants will be allowed about 30 days in which to file their answers to the equity complaint.

Deny Appeal in 306 Suit

Application of Irving Schleifer, William Greene and Harry Scherl, members of Local 306, for permission to appeal to the N. Y. Court of Appeals from a decision of the Appellate Division of the Supreme Court, which refused to direct the union to pay them $1,450 in damages awarded by a lower court suit brought against Harry Sherman, former president, has been denied by the Appellate Division.

Lachmann Gets Aide

Bill Chambis, in charge of radio, and radio and television public relations at the 20th Century-Fox, has been appointed by Charles F. McCarthy as assistant to Marc Lachmann, national director of exploitation.

Trade Practice Harmony Exists; Final Talks Start in Two Weeks

It will be during the week of Nov. 7 that final negotiations will be started on an industry program of trade practices which will be held here Wednesday. The M.P.T.O.A. convention in Oklahoma City, which starts Oct. 30, is taking numerous of the industry leaders out of the country for the week.

Today the distributors and independent theatre owners meet. It is hoped that preliminary negotiations with these units may be concluded in a single day.

There has been considerable progress achieved in the current trade practice negotiations. An harmonious approach to solving the current trade problems has been attained both in the meeting between the distributors and the A.M.P.A.S. Conference is expected that similar progress will have been obtained on the independent side.

With independent units are meeting to negotiate with the distributors today comprise the I.T.O.A. of New York; I.T.O. of Southern California; M.P.T.O. of Kentucky; T.O.M. of the Rocky Mountain Region; Allied T.O. of Iowa and Nebraska; Utah and the M.P.T.O. of Virginia.

West Virginia Managers' Association, an affiliated regional, has been represented by the M.P.T.O.A.

Following today's meeting with the independents, the leaders and committee members will meet to coordinate the proposals submitted and discussed at the separate meetings with M.P.T.O.A., Allied and the independents.

Naturally, a unified program is the industry's aim. That group is so cohesive.

It is quite natural to expect that there may be division of opinion on some of the points, but it is altogether too early to attempt to predict what the final agreement might be. None can do this authoritatively. It is a fact that all sides are cooperating to the last degree.

Only the final sessions might determine what the trade practices shall be, and when these shall become effective.

Ross Sees Upturn

On Midwest Survey

"Theatre men can look forward to an excellent box-office for the winter months," says Harry A. Ross, president of Ross Federal Service, who has returned from a study of markets in and around Detroit, Chicago and Milwaukee.

Ross conferred with leading business men in these areas for an indication of the industrial trend during the next few months, with the object of determining of theFilm industry's future and the public was also taken by the Ross Federal Research Corp.

The findings, said Ross, "are by far the most significant index to the improvement in business in the last five years.

Labor Peace an Augury

"Of major importance is the settling of labor disputes which have been retarding progress in the Milwaukee area for several years," he reports.

"With this condition eliminated there is to be found a decided spurt of new enterprise in the area. Firms which have been working with a skeleton force have reopened to more than 65 percent of their 1929 capacity."

The milk and cheese industries also showed a marked increase of business to production as do small industries throughout the territory covered by the survey.

In the Chicago area, Ross said he found a "remarkable renewal of enterprise everywhere." In addition to the restoration of pay cuts in the motor industry, a employment schedule, calling for up to 100,000 men, is planned for the District 10 area, Ross declared.

Official Word on Italians' Rebuff

Is Received Here

Home offices of major film companies were advised yesterday of the weekend of Italy's determination to make no modifications in the decree which establishes a film distributing monopoly in that country beginning Dec. 31.

The information was relayed by Columbia and other managers for the American distributors who were advised officially of the Italian Government's stand on Friday. The companies have been in Paris this week to study future procedure. Decisions of the Paris meetings will be submitted as recommendations to company home offices. Foreign department heads here do not anticipate a meeting on the Italian situation until the recommendations have been received.

"Suez" Roxy Gross
Close to "Ragtime"

Total of $20,671 paid $62,362 for the first week of "Suez" at the Roxy to set a record second only to "Alexander's Ragtime Band." It is continuing for a second week. "Rapunzel" at the Globe grossed $10,200 in its second week after $14,300 in its first. It is held over for a third week.


Will Meet Again on Jobs for Musicians

Meetings between major company heads and the executive board of the American Federation of Musicians, which adjourned to Wednesday at the office of Pat Casey, producers' labor arbitrator. The date will probably be made definite today. The purpose of the meeting is to explore the possibilities of increasing employment of musicians within the industry. No specific proposals were advanced at the first meeting last Thursday.

Ascap Defends Appeal

Ascap, through its counsel, Schwartz & Frohlich, filed an answer with the U. S. Supreme Court on Saturday to the motion of the Washington state attorney general for the dismissal of Ascap's appeal to the high court on the Washington anti-Ascap law. The case is scheduled for argument next week. It is in a federal district court against the state of Washington and is based on a declaratory judgment in the Washington-Ascap case.

Finish Thorgerdson Short

"Tommy Topper," the first Ed Thorgerdson sports review in the new 20th Century-Fox series has been completed and has already been released. It is a story of jumping horses made at the Mayfair Stables with horses owned by Dr. and Mrs. Edgar Mayer.
HOWDY, FRIEND! WE'RE HOLDING THE 18TH ANNUAL M. P. T. O. A. CONVENTION IN OKLAHOMA CITY—GATEWAY TO WESTERN HOSPITALITY—ON OCT. 30TH TO NOV. 2ND.

BE SURE TO COME—ONE OF THE MOST IMPORTANT MEETINGS IN YEARS. AND BRING THE LADIES—LOTS FOR THEM TO SEE AND DO!

MAKE YOUR RESERVATIONS today

Write or wire: J. C. Rader, Biltmore Hotel, Oklahoma City, Okla. Rates $2.50 up.

Convention Headquarters: Biltmore Hotel.

New York Previews

"Angels With Dirty Faces" (Warner){/n
"Angels with Dirty Faces" starts with the precision and speed of the Twentieth Century Limited and gets where it is supposed to go with the same precision and speed. It is 97 minutes of emotional conflict that seem so real, the audience feels itself participating in the action.

It's a gangster picture, but in the end James Cagney makes a sacrifice for his old friend Father Connolly (Pat O'Brien) that robs gangsterism of its schematic heroism.

This element of regeneration should disarm the critics of this type of film. The picture puts Cagney back into the running as an ace attraction.

Two boys, Frankie Burke and William Tracy, play Cagney and O'Brien as young East Side hoodlums who start a career of crime by breaking into a freight car. The adult end of the story begins with the release of Cagney after his fourth or fifth prison term and his return to his old home neighborhood where O'Brien is now a priest. Cagney becomes a hero to the boys, but is caught in a new wave of shooting and gangsterism when he collects $100,000 from his former lawyer, Humphrey Bogart, who is now partner in a night club.

The love interest is minor, with Ann Sheridan playing the role of a childhood friend upon whom Cagney's interest centers.

A basketball game in which the "Dead End" kids play a game in Father Connolly's gymnasium is one of the funniest scenes ever put on a screen. Another scene in a poolroom when the kids start spending $500 Cagney has given them is also a first class laugh riot, but develops into tense drama when Father Connolly steps in.

When the police finally corner Cagney in a warehouse, with submarine guns roaring, Cagney fleeing from tear gas and crowds shouting, Father Connolly induces the officers to stop firing while he enters the warehouse to talk with Cagney. This sequence sets a new high in melodramatic action.

Cagney is then driven around the final walk to the electric chair, but this is different. Father Connolly makes a tense plea for Cagney to go to his death as a criminal so the boys won't worship him as a hero. The last moments are played in silhouette, but they are moments of concentrated dramatic power.

Michael Curtiz directed from Rowland Brown's story with Sam Bischoff acting as associate producer. The screenplay was by John Wesley and Warren Duff. They all deserve congratulations.

Running time, 97 minutes. "G.*" J. M. Jerauld

"Girls on Probation" (Warner)

"Girls on Probation" is a story of parole which undertakes to prove the merits of the system if properly applied. Although the theme is handled along familiar lines, the point is proven effectively when Jane Bryan, innocently involved in a series of scrapes, is permitted to go free on parole rather than to prison.

Miss Bryan borrows a dress from a fellow employee, Sheila Bromley, but the dress is found to be one taken by Miss Bromley from the cleaning establishment where they work. The true owner decides to prosecute, but the charge is dropped when payment is made. Ronald Reagan, as a young lawyer, takes an interest in the case, and, later, in Miss Bryan. However, she is compelled to leave home when her father (Sig Ruman) finds that she has a police record. In an exciting sequence, the girls meet again outside a bank during a robbery. Again, Miss Bryan is involved by her companion, but this time they are sent to jail to await sentence.

Here the probation system is permitted to demonstrate how it distinguishes between hardened criminals and those who can restore themselves to a place in society.

Tony Rand plays the bank robber, who is shot down by police who surround his hideaway. Crine Wilbur wrote the original screen story and William McGaun directed.

Running time, 63 minutes. "G."**

**G designates general audience classification.

Lord Given $15,000
In Pathe Settlement

Phillips H. Lord has received $15,000 in settlement of his $48,000 breach of contract suit against Pathe News, Inc. This compromise ended the trial of the action which was going on before Judge Clarence G. Galston and a jury in the U.S. District Court here.

The plaintiff had testified at the trial to a contract he had with Pathe News, whereby the defendant agreed to supply him with cameramen, technicians and film equipment for a proposed trip around the world. Lord was to be made to photograph interesting localities, Lord claimed, but Pathe alleged refused to carry out his contract.

Adjoining Barnes Hearing

Final hearing in the infringement suit brought by Margaret Ayer Barnes and Edward Sheldon against Mordall Realty Corp., owners of the Capitol, has been adjourned because of other engagements of Special Master Kenneth E. Walser. No new date has been set. The hearings are being held to determine the profits earned by "Letty Lynton," which the plaintiffs contend was plagiarized from their play, "Shibohoro Lady."

Record for Drive Short

"The World Is Ours," the all-industry short subject produced for the Motion Pictures Greatest Year campaign, will be distributed as the subject available to every theatre in the country. The first print is now en route to the major headquarters from Hollywood.

Horror Dual, "Age" Leaders in Cincinnati

CINCINNATI, Oct. 25.—"That Certain Age" took top money last week with $16,950.58 at the RKO Palace.

The surprise take was registered at the RKO Lyric with "Frankenstein," and "Dracula," on a double bill, hitting $9,500, a record for recent years. This rated a holdover.

"Bogs Town" racked $6,500 in its downtown week at the RKO Capitol.

Estimated takings for the week ending Oct. 23:

"Straight, Place and Show" (20th-Fox)
RKO ALBERE—(35c-40c) 6 days, Gross: $5,400. (Average, 7 days, $1,000)
"That Certain Age" (Univ)
RKO PALACE—(20c, 35c, 50c) 7 days, Gross: $7,500. (Average, 7 days, $1,000)
"Five of a Kind" (M-G-M)
RKO SHAVER—(15c, 25c, 35c, 50c) 7 days, Gross: $7,000. (Average, 7, $1,000)
"Cagney" (M-G-M)
RKO TEMPLE—(20c, 35c, 50c) 7 days, Gross: $5,000. (Average, 7 days, $700)
"Five of a Kind" (M-G-M)
RKO CITY—(20c, 35c, 50c) 7 days, Gross: $7,500. (Average, $1,000)
"Hold That Coat" (M-G-M)
RKO SEABURY—(20c, 35c, 50c) 7 days, Gross: $5,000. (Average, 7 days, $700)
"Danger on the Air" (Par)
RKO RIALTO—(25c-40c) 7 days, Gross: $5,000. (Average, $700)

Carnegie Grant for Scotch Film Library

LONDON, Oct. 23.—Carnegie trustees have offered the British Film Institute £5,000 for the establishment of a central film library in Scotland.

The aim of the grant is the furtherance of educational purposes, and the trustees expressed the hope that other English regions will follow the example.

Takes Revelstoke Lease

REVELSTOE, B.C., Oct. 23.—Warren Cooper, who operated the Province Theatre in Revelstoke, has taken over the interests of the company in this railroad center, and is remodeling the Columbia Hardware building to provide a 500-seat house. This will replace the Province, which was destroyed by fire last month.

Wine Universal Suit

Los Angeles, Oct. 23.—A Superior Court jury has awarded Samuel Van Ronkold, short subjects producer, $13,000 in his suit against Universal. He scored on a $13,000 settlement he was offered in court with Carl Laemmle, Sr., before he left the company, to make 13 shorts at $1,000 each. The films were never made.

Norton Starts "Lambeth"

LONDON, Oct. 23.—Richard Norton played host at a press breakfast to inaugurate the production of "Lambeth Walk," a General Film Distributors release. In Pinewood, Lupino Lane is the star.
Wages-Hours Fog Settles

On Industry

(Continued from page 1)

nies have any definite knowledge. It is not even known yet, anything, branches of exhibition will be considered in interstate commerce.

Although Elmer F. Andrews, national sales manager, two weeks ago that the film industry would not receive immediate attention the administration.

regulations pointed out that the law would have to be obeyed even if no specific industry regulations were made. Criminal prosecution under the act is based upon "willful violation," and without the provision for civil penalty the word "willful" is omitted.

Any employee who fails to receive minimum wages of 25 cents an hour, with an eight-hour day or eight hours over 44 hours, may sue for double the difference. Under the circumstances, employers who failed to provide minimums may find that there are considerable penalties to pay. The act provides that one who may act "on behalf of all others similarly situated," and employees may designate a representative to sue for those who may not wish to undertake the litigation personally. Attorneys here are of the opinion that a civil suit would be successful without any "willful" violation on the part of the employer.

Jurisdiction Problem

Since the act applies only to inter

state commerce, any suit against the national board's jurisdiction also has arisen. It is expected that decisions of the N. L. R. B., which held that production and distribution are interstate, will be followed. However, exhibition has never come before the national board.

Of the four exhibits cases which have come before state boards, the state accepted jurisdiction in each. Only one, however, involved an interstate circuit. In Boston, the Massachusetts board impliedly ruled that a Loew house was engaged in interstate commerce, but it is not known if this decision will be followed. In view of the fact that ushers, cashiers, maintenance men and, perhaps, assistant managers will be affected if minimums are not maintained, attorneys are at a loss to advise the circuits.

Separate Records Not Needed

Independent theatres and circuits operating under one name will not be compelled to conform to the standards set. Opinion is divided, however, on the question of holding separate companies which own the stock of corporations organized in the state where the house is located. In the case of individuals who control several corporations in a number of states, attorneys are at a complete loss.

Andrews has ruled that it will not be necessary to keep separate records for each state, but that all reports should clearly the exact time each employee works and wages received.

Where union agreements are in effect, overtime provisions do not apply, but there is a maximum set of 2,000 hours for each half year.

Critical Reactions Mixed

On Manton, 'Stablemates'

Excerpts from the New York daily paper critics' reviews of "The Mad Miss Manton" at the Music Hall, and "Stablemates" at the Capitol, follow:

"The Mad Miss Manton"

Herald-Tribune—If you can take your screen entertainment piecemeal, you are apt to find "The Mad Miss Manton" diverting. Journal-American—On the wacky side... an adroit blend of hoyden and humor. Romps gaily through amusing skits. Mirror—Merry little mystery melodrama... Frankly implausible and madly uproarious. Both stars a highlight.

Vesey—For the first ten minutes the comedy wobbles freely, then the director Loan and the reins and they all gallop through the film in great form.

Post—Has a little bit of everything. Most successful in the creation of suspense thrillingly wild and frankly sentimental and appealing drama. Tailor made roles, with a story expertly fashioned around them.

Times—We doubt if any other two stables in Hollywood could have translated the horse bollo into film.

World—Telegraph—Although "Stablemates" is pretty sticky and syrupy stuff, it has enough good acting and comedy to make it fair-tomiddling entertainment.

"Stablemates"

Herald-Tribune—An actor's picture... a racetrack drama that will surely draw the family trade... Entertaining drama... Somewhat reminiscent of the "Champ" story—A conventional story so particularly well acted that it achieves outright distinction... Universal in its appeal.


Roxy Has Court Team

The service staff of the Roxy has organized a basketball team and would like to be associated with the company in the industry. Al Hatoff, assistant manager, is open to offers.

Schafer Now Heads RKO; Spitz Departs

(Continued from page 1)

Following Spitz's resignation. the trustee, executives and numerous em
employes as directors of the company, personally expressed their re
regret at Spitz's departure.

Schafer and directors felt that few executives in their experience in the trade or elsewhere had attained the measure of respect and public recog
sentiment among his subordinates and the rank and file as had Leo Spitz, in his tenure as president of RKO. The K-A-O board adopted a resolution of regret. The M. J. Meehan people, par	icularly, regretted his going. To Spitz Schafer added that his position of liaison with the Roxy theatres. Under Spitz's direction RKO is now operating in the black, and he turns over a successful company to Schafer.

Spitz as Special Counsel

Schafer's election to the presidency of the parent company and ratifi
ication of his employment contract will be one of the first acts of the new board, according to RKO's reorganization. Personnel of the new board may be completed this week. Thereafter, he will be assisted with the company in the capacity of special counsel. His Chicago law firm, Spitz & Adcock, will have RKO in an advisory capacity until the reorganization has been completed. Thereafter, he will be associated with the company in this capacity.

Schafer today: The addition of the board's Friday was announced by Irving Trust Co., trustee, in a statement which read as follows:

"Leo Spitz today tendered his resignation as president of Keith-Albee-Orpheum, B. F. Keith Corp. and RKO Radio Pictures, Inc. The board of directors of these companies accepted his resignation with great regret and in deference to his desire, which he has expressed for some time, to return to his law practice as early as practicable. Spitz has, however, agreed to continue to serve in special matters.

"George J. Schafer was elected to succeed Spitz as president of these companies,"

U. A. Promotes Davis

Jeff Davis, former salesman for the United Artists. Philadelphia branch, has been named Philadelphia branch manager by Harry Gold.

Davies Settle $3,300

Valentine Davies, plaintiff in a suit for plagiarism against Columbia and Tom Van Dyke, which was settled in the Circuit Court on Oct. 19, received $3,300, it was reported by District Court.

To Open Conn. House

HAMDEN, CONN., Oct. 24—Fishman Bros. new 1,000-seat Dixwell has been set for opening Tuesday night.
Key City Grosses Gaining;
Total Rises to $1,429,288

Key city grosses are recovering from the recession which set in after the Labor Day week jump. They are now at the level that prevailed in late January and during February when the season was at its height.

The total for 23 key cities reporting to Motion Picture Daily for the week ending Oct. 14-12 was $1,429,288 with 138 first run houses open. Ten of the 42 pictures scheduled for $1,519,793 with 137 houses in operation. Both of these totals are better than any reached since the Labor Day jump started the season with $1,572,099.

General improvement in business conditions since the settlement of the European war crisis and the circulation of a number of big box-office attractions, indicates the upturn of the Motion Pictures Greatest Year drive and the “Movie Quiz” contest are credited with the gains.

Some of the big current films that are helping grosses are: "You Can't Take It With You," "Boys Town," "Chains," "To Be or Not to Be," "Why Don't You Show," "Drums," "Marie Antoinette" and "Spavin of the Navy." Totals for the latest available period follow:

<table>
<thead>
<tr>
<th>Week Ending</th>
<th>Theatres Gross</th>
<th>Theatres Gross</th>
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<tr>
<td>Oct. 6-12</td>
<td>$78,500</td>
<td>$70,500</td>
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<tr>
<td>Oct. 13-19</td>
<td>$71,500</td>
<td>$62,000</td>
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Boston                  $78,500
Buffalo                  56,200
Chicago                  117,600
Cincinnati               80,050
Cleveland                56,800
Detrots                  42,000
Dorners                  44,700
Indianapolis             29,500
Kansas City              49,000
Los Angeles              111,493
Milwaukee                36,600
Minneapolis              46,400
Montreal                  41,000
New York                 37,000
Newcastle                21,900
Philadelphia            92,300
Pittsburgh               54,750
San Francisco            91,250
St. Paul                 41,600
Seattle                  42,000
Washington              65,250

137 $1,519,793
138 $1,429,288

NLRB Asks Studios For Lists of P. A.'s

Hollywood, Oct. 21.—Major studios have been ordered by N.L.R.B. to present lists of payroll publicity men for check, according to press dispatches, at a hearing by the Screen Publicists Guild, on the latter organization's petition to be declared the collective bargaining agency for major studio's press agents. Gordon Hall, Jr., for the studios, asked dismissal of the petition on the grounds N.L.R.B. had no jurisdiction, but Ringer denied this.

Monogram Completes 10

Hollywood, Oct. 21.—With the completion of “Gang Bullets,” E. B. Dell film, Monogram has completed its schedule for the current year, 1938-39.

Negotiations on wages and working conditions for operators in independent houses are scheduled to get under way today between the I.T.O.A. and Local 55.

The local is prepared to ask for a wage increase, probably 10 per cent. However, the 10-year basic pact, negotiated two years ago, provides that scales in accordance with the Department of Labor index of living costs. Soviet Stafford, I.T.O.A. negotiators in the past, has been delayed by details.

The I.T.O.A. committee which will negotiate with the operators consists of Hyman Rachmil, Stanley W. Lawton and Rudy Sanders.

Variety Club

Philadelphia, Oct. 23.—James J. Walker, former Mayor of New York, will be toastmaster at the fourth annual banquet of the Variety Club to be held in the Belvedere Stratford Hotel on Nov. 11, according to James P. Clark, banquet chairman, and Ross Derring, executive director. The Walker will head a delegation estimated at 250 to join 850 local guests who have already made reservations for the banquet.

Dr. Leon Levy and Milton P. Rogasner will be vice-chairmen. Chairman of committees include: tickets, Ben Amsterdam; dais, Ted Schlang; reception, Eagle Swier; entertainment, David Weiser; electrical, Louis Krouse; microphone, E. O. Wilsche; publicity, E. M. Ornowitz; dinner, Ben Fedor; entertainment, Raymond Frederick, Hotel, William J. Clark; program printing, A. Blofson; program advertising, William Levy; local guest, Paul Greenough; physician, Dr. J. Alex Ritter.

Pittsburgh, Oct. 23—Ina Cohn, 20th-Fox exchange manager, has been elected Chief Barker of the Variety Club here for 1939, Harold Denver and Paul Luslden were named first and second assistants.

Other officers are: Al Weithinger, property master; Mike Shapiro, exchange manager; C. C. Kenebberg, Bruce Soltz, C. J. Latta, Joseph Misbach and Al Weiss, central casting; and Harold Eldred were elected convention delegates, with Dr. A. L. Wise and Mark Goldman as alternates.

The new slate will be inducted into office at annual banquet Oct. 30.

Washington, Oct. 23—Variety Club’s first social event of the season was held at the Hotel Williams on Saturday night. It was called “A Night in the Country” and the clubsrooms were decorated with corn and rustick decoraion. Harry Lohmeier and Mrs. Lohmeier were co-chairwomen.

A Hallowe’en luncheon will be held in the Bamboo Room of the Williams, Oct. 31. Archie Engle and Alvin Newmeyer will be co-kings.

Kansas City

Kansas City, Oct. 23—The Variety-sponsored Cinema Club, headed by Stanley Goldberg, Oct. 22, will take over Variety Club rooms here for drinking purposes. The club is in the hands of Harry Wheeler, Parlin; Albert Morgan, and W. W. Sherrill of M-G-M.

U. A. Party Tomorrow

United Artists will give a cocktail party for Fred and Mary Young, Patsy Kelly and Douglas Fairbanks, Jr., at the Rainbow Room to-morrow.

Mc Cormick in Hollywood

Hollywood, Oct. 23.—Barret McCormick, advertising and publicity director of RKO, is here for conferences with Howard Benedict.
Halloween Hay Ride—New Yorkers will see their first ride in motion on Oct. 27 when a horse-drawn, hay-laden vehicle supplied by WOR moves through Broadway and Fifth Ave. There’ll be a broadcast from the top of the wagon, whose occupants will be WOR’s Sterling Adams, Ellis, Glenda Frazier, a group of debs and a band. Hillbilly costumes will be the style. The wagon will get under way at about 8:30 P.M., with the broadcast to take place at 11:50. It’ll be a Halloween stunt.

Guenter Promotion Director for WSAI Cincinnati, Oct. 23.—With the resignation of John J. Koelp as sales promotion manager of WSAI, Winfred Guenter, who went to the station from the local Ziv Advertising agency three months ago, has been appointed promotion manager in charge of exploitation, publicity, research and circulation. Guenter, with WLW-WSAI special events department succeeds Guenter, while Jerry Burns, who joined the WLSM-WSAI staff recently, moves into Conrad’s former post.

Other changes include promotion of Walter Callahan from WLW sales to service manager of WLW, and the addition of Archie Gunder from WAGA, Atlanta, into the WSAI sales force. WSAI’s Wilf Kiefler moves from the WLW service department to the post of first sales manager of that station. In addition, the travel way, affiliated with the sales and advertising department of the Kroger Grocery chain here, has joined the WSAI promotion department in charge of trade relations.

Adam Signs at New Rules of Blue Net

Although the contract has not been signed, NBC has its first sponsor for "Rule of Blue Net," Adam Hat Co. signing its intention of purchasing an additional 20-station hookup at discount rates, to be joined to the 37 stations Adam Hat Co. already has signed for. Adam Hats originally signed for 37 stations, but induced by the new bargain rates, it will increase its hookup to 57 stations. The Adam fight programs begin Nov. 2.

Three Stations Ask Increases in Power

Washington, Oct. 23.—Authority for broadcasting with increased power has been asked of the Federal Communications Commission by three stations. WCOK, Pensacola, sought approval for 1,000 watts (night) and 300 watts (day); WDAY is Saco, asked for an increase from 5,000 watts to 5,000 watts; and WMN, Paul, asked an increase in night power from 100 to 250 watts.

Pass Dumont Television

Washington, Oct. 23.—The F.C.C. has approved the application of the A. B. Dumont Laboratories of Mountclair, N. J., to construct a new television broadcast station.

Radio Personalities

THE “Fashionettes,” trio that sings with Frank Novak’s band at the Biltmore, has been signed for Warner shorts. The girls are Claire Sherman, Emily Stevenson and Joan Whitby.

Griffin Buys KOMA

From Hearst Radio

Oklahoma City, Oct. 23.—Hearst Radio, Inc., has sold KOMA to J. T. Griffin, manufacturer, for $315,000. Griffin is representative of the Texas State Network.

Pellegrin Is Named Central Sales Head

Omaha, Oct. 23.—Frank Pellegrin has been named central sales manager of Central States Broadcasting System by Don Searle, general manager. Pellegrin formerly handled national sales and promotion and assumes the duties of Paul Hanann, former local sales manager.

WNEW Closes 3 Deals

New contracts at WNEW include Potter Drug Co., 19 announcements weekly for 26 weeks through Abercrombie & Fitch, for a half-hour variety show, once weekly for 52 weeks for Metropolitan Merchants Guild through Weill & Wilkins, and Elbeco Furriers, Inc., a spot furrier broadcast, once weekly plus six-five-minute spots weekly through Weill & Wilkins.

Mennen Plays Program

Mennen Co. for “People’s Rally,” new show about to make its debut over Mutual, will place a sizeable schedule in newspapers published in cities where the program is heard to publicize the show. John B. Kennedy and Bob Hawk carry the program.

Dow Drug on Radio

Cincinnati, Oct. 23.—Local Dow Drug chain, which recently gave up “Dawn Patrol” over WKRK (CBS) at 7:30 to 8:30 A.M., E.S. T., weekly except Sunday.

Set WABC News Show

Peter Paul Candy Co. will sponsor a new series over WABC only, titled “Oddities in the News,” with Charles Stark doing the readings. Show will be heard Mondays through Fridays from 8 to 8:05 A.M.
Advance Sale
Riverside, Ia., Oct. 24.—The Better Riverside Club bought tickets totaling $300 in advance to see A. T. Chado of Cedar Rapids to open a theatre in the town. Chado will open a theatre and run four shows a week as soon as a building can be prepared.

Renewal for U.A.
Agreement Likely,
Predicts Selznick

David O. Selznick described a renewal of a distribution deal between Selznick Pictures and United Artists as "most likely" on his arrival in New York yesterday from the coast.

Conceding that he would talk to other companies, among them RKO, the producer indicated that he not only favored a renewal with United Artists but regarded it as more likely to occur than a deal with any other company.

Selznick will hold preliminary discussions today with Maurice Silverstone, United Artists executive head, but final negotiations will be held in abeyance until the producer returns from Bermuda in about three weeks, he said. Selznick will leave by plane tomorrow with Mrs. Selznick for the vacation trip. With the recent completion of "Made for Each Other" and the delivery of "The Young in Heart," Selznick has fulfilled his product commitments to United Artists under his present pact.

He said that Jan. 3 has been set as the definite starting date for "Gone with the Wind." (Continued on page 4)

Complete Deal for Transfer of WINS

William Jaffe of the law firm of Rosenblatt & Jaffe yesterday closed the deal for the transfer in ownership of WINS from the Hearst interests to Milton Blows. Jaffe represented the Blows interests.

The deal, while now closed, must await approval of the Federal Communications Commission. Under the new setup, WINS will be operated by the Metropolitan Broadcasting Corp., for which Blows will serve as president and Sophie Blows as vice-president and secretary. The price paid by Blows for the station was not revealed, but it is believed to have been $150,000. (Continued on page 4)

Paramount Host to 200 of Nation's Leading Aviators

Paramount will play host this evening at the Astor to more than 200 of the nation's leading figures in military and civil aviation, at a "Men With Wings" dinner and preview of the film, to celebrate the award of medals to the three flyers who saved the lives of their passengers when a plane crashed near Montgomery, Ala., Oct. 18. The three, Capt. David Hasiong, Pilot Clyde R. Russell and Flight Steward Frank Gibbs, of Eastern Airlines, will receive the medals from Joseph V. Connolly, Hearst newspaper executive, one of the passengers. The dinner, at 7:30, will be followed by attendance at a preview of "Men With Wings" at the Paramount at 9.

Guests of honor at the dinner will include the three airmen, Louise Campbell, feminine star of the film "Wings," and Wellman, producer and director; Austin C. Keough and Y. Frank Freeman, Paramount vice-presidents; and Col. Charles Wayne Kerwood, president of the Association of Men With Wings.

A departure will be made at the Ritz Tower at 5 o'clock to precede the dinner.

Deutsch Again in Market for Para.
British Theatres

LONDON, Oct. 24.—Oscar Deutsch (Odeon-U.A.) seems to be flirting again with Paramount regarding possible purchase by him of the American company's British circuit. Furthermore, it now appears that the film distribution end (Universal) of General Theatres (Lord Portal-Arthur Rank-C. M. Woolf) may be left out of the presently contemplated $40,000,000 merger, headed by Odeon, whereby the latter will absorb the Gaumont British theatres, the G.T. theatres and the Sidney L. Bernstein houses.

Chesterfield's Universal chairman, is here participating in the transactions.

Indications are that the prospective merger is going along satisfactorily. The financial supervisors of the transactions include such eminent financiers as H. R. H. of the G.B.'s, and A. J. Cleland, chairman of the latter company, here participating in the transactions.

(Continued on page 4)

Emanuel Silverstone to Represent Him Here

LONDON, Oct. 24.—Alexander Korda (London Films) is planning his business in a manner which he has not revealed himself to do-ties on this side of the Atlantic. However, he has named Emanuel Silverstone, his business representative in the United States, to represent him to the United Artists board of directors.

Korda is planning important changes at Denham. He will form at least two additional companies, one of which will be headed by Irving Asher. Korda not only will super-

Proposals Near in Trade Talks

Definite proposals by the distributors on the trade practice program which will reach the formulation stage this week following a session with the Allied negotiating committee today and another meeting with a committee representing seven unaffiliated regional exhibitor groups tomorrow.

The full distributor committee, including S. R. Kent, William F. Rodgers, Ned E. Deplin, Gradwell L. Sears and Abe Montagu, met with spokesmen for the unaffiliated organizations at the Astor yesterday. The exhibitor representatives later held a session to reconcile their demands. They will continue their discussions today.

The third session with Allied will get underway at 2:30 P. M. today at the Astor, Abram F. Myers, general counsel, and other committee members who went out today from the Friday's meeting are expected back this morning.

Schenck to Talk with Roosevelt


Schenck will confer with President Roosevelt today on infirmile paralysis relief work, of which he is the Hollywood chairman.
Find Few Film Workers Under Wage-Hour Act

(Continued from page 1)

that foremen who carry over from one six-hour labor shift to the next, will command the largest pay increases because of the overtime provisions of the law. The time and one half for overtime is based on the salary earned by the individual, not on the federal minimum. Time and one half for overtime for labor foremen at the studios, whose pay is substantial, may amount to one of the largest items under the application of the law to this industry.

Andrews Cites Exemptions

WASHINGTON, Oct. 24.—Employers who pay all their employees $11.05 per week—25 cents an hour for a 44-hour week—are not affected by the wages and hours law.

Executives who receive $30 per week or more are not included. Salesmen are not affected.

Those employed in a "professional capacity"—meaning those doing intellectual work rather than manual labor—adept in art, or as actors; whose output cannot be standardized in relation to a given period of time and those performing tests requiring educational training apart from general academic training—are also exempt from the provisions of the act.

Practically all the executive titles both in production and distribution are outside the provision of the law. There is some question as to whether house managers are classified as "professionals" under the regulations.

Children employed as actors in pictures or theatrical productions are exempt.

About the only persons who seem to come definitely within the scope of the law are watchmen, office help, maintenance men and the like.

Form K. C. Trailer Firm

KANSAS CITY, Oct. 24.—Beverly Miller, formerly with National Screen Service, and W. L. Norris, former independent distributor, have formed Trailer-Made Service of Kansas City to distribute trailers of the Trailer-Made Service, Inc., in western Missouri and Kansas.

Spitz Goes to Chicago

Leo Spitz left yesterday for Chicago. After a week's stay there he will continue to the Coast.

Korda to Stay Abroad; Will Expand Work

(Continued from page 1)

vis e over all, but will personally conduct the management of only one unit.

Korda's production activities will be made more elastic. Denham will extend its production facilities to many firms now seeking to use that company's services. Companies other than U. A. will be made there in greater quantity.

The pressure of his studio activities compelled Korda to stay more steadily in England. He thus takes advantage of this pressure in his work to have Emanuel Silverstone replace him on the U. A. board. Hitherto Korda has voted his directorship personally. Doing so has compelled him to come to the United States. In the future, Mr. Silverstone will relieve him of this task.

Silverstone, 29, probably is the youngest executive to hold a law degree. Also, he is a member of Phi Beta Kappa. Before becoming business representative for Korda, young Silverstone was U. A. exchange manager. He is a brother of Maurice Silverstone, operating head of United Artists.

"Time" Trailers Started

National Screen Service has begun making trailers for "Time." The first, on "Inside the Maginot Line," is now available. The trailers will show scenes from the releases.

Smith Sells Iowa House

PELLA, la., Oct. 24.—Dan Smith has sold the Pella Theatre to C. A. and J. H. Anderson. They plan to build a new theatre on the site and continue the operation of the old until the new one is completed.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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MOTION PICTURE DAILY

Tuesday, October 25, 1938

Insiders' Outlook

FOR those who like to turn back the pages of history May Irwin's death will uncover a film landmark of 1896. She was the stage star of the day and was appearing in "The Widow of Jones" when Thomas A. Edison induced her to appear in a film called "The Kiss." Terry Ramsey in his history of films, "Million and One Nits," described it as a "persisting, adhesive oscillation"....."a high vacuum kiss." It was the sensation of the day and its importance to films has grown with the passage of time, because it shocked the moral elements of the day and was the forerunner of the agitation which brought on censorship.

Films can be used with profit by both United States and Latin American producers to cement closer relations between the countries by resultant business benefits, in the opinion of Laurence A. Steinhardt, U. S. Ambassador to Peru. Steinhardt has been in this country on a short business trip.

To use Steinhardt's own words, the United States and South American countries should "bend every effort in the immediate future toward bringing the two continents closer together by using the powerful instrument which is available to them."

He points out that these advancement and trade treaties should increase the demand for pictures. American stars are already popular in Latin America, but greater attention should be paid to proper dubbing and the superimposing of Spanish dialogue and titles.

And the New York World-Telegram on last Saturday carried an announcement of the future party for Johnny Harris, which proceeded to replace the week before at the Radio City Music Hall studio.

Purely Personal

MARC LACHMAN 20th Century-Fox exploitation head, leaves today for Washington and Annapolis to arrange showings of "Submarine Patrol" at the national Press Club and the Naval Academy.

GRACE OLIVE WILEY, herpetologist, arrived in town after work in Walter Wanger's "Trade Winds," and will be featured on the "Hobby Lobby" program tomorrow evening.

Jack Partington, Fanchon & Marco executive, is remaining on the coast a few days more in connection with the Al Pearl and his gang broadcasts.

O. Henry BRiggs, Pathé film president, is due on the coast today. He is traveling by car and is expected back in two weeks.

HERMAN MAJKER, Warners' construction chief, has returned from London where he supervised the opening of the new Warner Theatre.

HUGO DE CAMERON, Argentine singer, signed by Rafael Ramos Cobian, for two Spanish pictures to be made on the coast.

SAM DEMOW, Jr., of F. & M., is in St. Louis for conferences with Harry Arthur on local theatre operations.

Minnie Dupree has returned to New York after working in "The Young in Heart." Harry Lachman, director, is en route to France to aid in the selection of films for Tri-National release here.

CHARLES B. GILMOUR, president of Theatre Owners and Managers of the Rocky Mountain Region, is here from Denver to represent his organization at trade practice conferences today.

HENRY GINSBERG, Selznick international businessman, flew in from the Coast yesterday to visit his mother, who is ill.

ARTHUR UNGAR arrives here Nov. 6, and will stop on route from the coast at Oklahoma City for the M.P.T.O.A. convention.

ANDRE DAVEN, French producer, and ALBERT FREJIAN, French film actor, are due on the Île de France today.

JOSEPH H. SELDMAN, Universal's foreign sales chief, returns from the coast at the close of this week.

Bob TAPLINGER, director of publicity for the Warner studio, will leave tonight by plane for the coast.

HARRY M. and MRS. WARNER have deferred their departure for the coast to Thursday.

M. A. SCHLESINGER has returned from Washington.

End Magazine's Suit

Stipulations settling and discontinuing the suit of William L. Gross as assignee for Theatre Magazine Co. against 20th Century-Fox Film Corp. in the U. S. District Court, Gross had filed a suit seeking an injunction and accounting in which he charged infringement of a Theatre Magazine cover.
"MEN WITH WINGS" Technicolor scenes of brightly colored planes diving and zooming into the clouds will have you in the clouds too."
— Jimmy Fidler, N. B. C.

"MEN WITH WINGS" is a thrilling saga of flight. Wellman's delicate use of color is indeed noteworthy. It's natural for the first time."
— Jimmy Starr, Drama Editor of Los Angeles Herald-Express

"MEN WITH WINGS" is perfectly cast, excitingly staged. Brings an understanding of aviation to us earthbound mortals. A personal tribute of Wellman to all aviators. A fascinating story of struggle, of small and great sufferings, setbacks and achievement down the pathless highways of the skies."
— George McCall, C. B. S.

"MEN WITH WINGS" from the standpoint of technical accuracy, photographic beauty and really lovely color, does Paramount proud."
— Louella Parsons, Los Angeles Examiner

"MEN WITH WINGS" is truly a story of the conquest of the air, of the heroes and heroines who have made that conquest so successfully. In this production lies the spirit of the pioneers, the builders, the dreamers of aviation. Their story will not be so graphically, so beautifully told soon again."
— George Fisher, Mutual Broadcasting

"MEN WITH WINGS" is spectacular and thrilling."
— Robbin Coons, A. P. Feature Service

"MEN WITH WINGS" No one who has the faintest interest in the men who build, test, develop and fly airplanes should miss this great achievement, the transference of the thrilling and romantic industry of aviation to the screen."
— Speed Kendoll, Los Angeles Times

"MEN WITH WINGS" is one of the best aviation pictures I have ever seen. It's much larger in scope than any other attempted filming of aviation history."
— Dean Owen, Billboard

"MEN WITH WINGS" if only for the savage beauty of a single sequence, planes dog-fighting in the sky, would be a picture to see but it has dozens of other recommendations."
— Harrison Carroll, King Features and Universal Service

"MEN WITH WINGS" is the greatest visual treat an aviation picture has given us."
— Welford Beaton, Hollywood Spectator

"MEN WITH WINGS" Paramount's Technicolor epic of the airways has set the local critics into a tailspin groping in the clouds for new adjectives. This cavalcade of aviation is a top-flight attraction that soars to the peak of celluloid craftsmanship in every department. Bail out the SRO signs, your ship is coming in."
— Warren Stokes, Joy Emanuel Publications

"MEN WITH WINGS" zooms to a new high among airplane epics and certainly should find an unlimited ceiling at the box office."
— Box Office

"MEN WITH WINGS" perfect take-off!
Expect Delay On Two Weeks of RKO Plan

Postponement for about two weeks of the RKO reorganization hearing scheduled for today before Federal Judge William Bondy is believed likely.

Judge Bondy has been sitting in the criminal part of the Federal court for several weeks and the press of work there has prevented him from studying final briefs in the RKO proceedings filed by counsel last week. Accordingly, no order confirming the reorganization plan is believed likely today.

Leading creditor groups may conclude their selections for the reorganized company board of directors in time in order to submit them to the court at the earliest possible date. Lawrence Green, attorney, has been designated counsel for the creditors by general creditors. Other candidates, while not formally designated, are expected to be represented by the J. P. Oudin and L. P. Yandell for RCA; Nelson Rockefellow and W. G. Van Schmus for Rockefeller Center; Peter Rathvon, Floyd Odlum and a third representative to be designated by Atlas Corp. One representative will be named by Edman Paine and the management will be represented by possibly three board members, with George J. Schaefer, newly designated company president, certain to be one of these.

In addition, the organized stockholders and bondholders represented by committees will have one representative each. Full membership of the initial board will be 15, it is expected.

Deutsch Again in Market for Para.

British Theatres

(Continued from page 1)

Pending negotiations, nor whether the American firms have consented to the Ostrer negotiations.

The powers behind the deal are anxious to conclude the Odeon-G. O. merger, before attempting to add the Bernstein and the G. O. theatres. Perhaps neither the Bernstein end of the deal nor the G. O. end may be consummated at all, should the G. O. part of the deal not go through.

All-told, the transaction involves 361 G. O. theatres, 164 Odeon theatres, approximately 35 Bernstein theatres and approximately 30 G. O. theatres, exclusive of Paramount’s theatres which may be involved.

AFA Talks Scheduled

Managers of Broadway houses which use stage shows will meet this week with Harry Calkins, eastern organizer for the American Federation of Actors, for a discussion of relations with the Union. Among the subjects to be considered will be hours, wages and a provision for a closed shop.

Grant, New Zealand Showman, Ends Stay

Los Angeles, Oct. 24—Allyn Grant, head of a distribution-exhibition combine in New Zealand, has completed his six-months engagement in New Zealand and the United States and will sail Wednesday for Wellington.

His trip is understood to be connected with an expansion program in New Zealand involving Greater Union Theatres, J. C. Williamson Pictures and National Theatres, in which he holds executive positions. Grant controls and books for 200 theatres in addition to being New Zealand personal representative for John Maxwell, head of Associated British Pictures.

The New Zealand Grant combine with Republic and Monogram officials on production, for which his organizations are the outlets. He has been joined in the operation by general exploitation and design and exploitation methods which will be applied to his New Zealand operations.

Program Details Complete For 4-Day MPTOA Sessions

Oklahoma City, Oct. 24—Complete program for the four-day national convention of the M. P. T. O. A. has been arranged. The session of welcome will be at the Biltmore Hotel and will close Wednesday.

Sunday afternoon will be devoted to registration and will be followed that evening by the reception by the president’s reception.

At 10:30 Monday morning the first business session will open at the Civic Room. The invocation will be by the Rev. Kelly O’Neil, pastor of the Crown Heights Christian Church in Oklahoma City, and the address of welcome will be delivered by Mayor J. Frank Martin of Oklahoma City and the reception will be made by A. Juljan Blylawsky, Washington. The annual report of President Ed Kuykendall will be announced and the program will be made. The morning session will close with a report of the convention on committees by Morris Loewenstein, general convention chairman.

Golden to Be First Speaker

At 2:30 P. M. delegates will hear an address by N. D. Golden, chief of the Motion Picture Division of the United States Department of Commerce, on “The Exhibitor’s Interest in the Foreign Market.”

Speakers subjects to follow will be Leo Spitz, “Your Industry”; M. A. Lightman, “Importance of the Exhibitors to the Public”; and W. L. Rogers, “Trade Relations in Exhibition and-theater’s History.” Charles L. Conklin will deliver the addresses of the Civic Room.

“Utilizing the Show Window of the Theatre”; Fred Wehrenberg, “Public Relations for the Local Theatre Operator.”

Monday evening a men’s party will be held in the civic room of the Biltmore Hotel and the address of welcome will be delivered by Rabbi Joseph Blatt, Oklahoma City. First speaker will be Leven Pizor, Philadelphia, president of the M. P. T. O. of Eastern Pennsylvania. Southern New Jersey and Delaware, speaking on “Contractual Relations Between Distributor and Exhibitor.”

Speakers and subjects to follow will be: Edward Golden, vice-president of Monogram Pictures, “Self Regulation of the Motion Picture Industry” by Government Regulation; Harvey, San Francisco, president of the Independent Theatre Owners of America, “The Problems of Delayed Allocation of Film Prices.”

Harry Goldberg, Warner Theaters, “On the Fence Pictures” an address by Fred B. Ofner, general manager of 20th Century-Fox Pictures; Harold Rodner, executive vice-president of the Will Rogers Memorial Fund, on the fund.

Tuesday afternoon’s business session will begin with an address by Walter M. Harrison, managing editor of the Daily Oklahoman and Oklahoma City Times, on “The Newspaper and the Motion Picture.”

Speakers and subjects to follow will be: Hal Roach, “From the Producer’s Point of View”; address by George J. Schaefer, RKO president, New Haven, general counsel for the M. P. T. O. A., “Important Court Decisions of 1938”; address by afternoon’s business session will be “The Interstate Circuit, Dallas, Texas” by Fred B. Ofner, general manager of the Interstate circuit, Dallas; “The Value of Short Subjects” by Ralph Talbot, Ralph Talbot Theatres, Inc., Tulsa; “First Run Theatre Operation.”

Tuesday evening the Movie Ball at the Oklahoma City civic auditorium will open the four days of the convention.

Open Forum Wednesday

Wednesday morning’s special convention committee will be heard and the open forum discussion will be led by the special committee chairman. Following the committee on unfair trade practices, O. C. Lam, Rome, Ga.; conciliation and arbitration, Leven Pizor, Philadelphia; and non-theatrical litigation, Frank Cassill, Kansas City; public relations and community affairs, Mitchell Wolfson, Miami; and government and general, Fred Wehrenberg, St. Louis; legislation and taxation, Judge Roy L. Walker, Lampasas, Tex.; resolutions, Arthur Lockwood, Mid-

Renewal for U.A. Agreement Likely, Predicts Selznick

(Continued from page 1)

with the Winds” and that, “come what may, the best available actress for the Scarlet O’Hara role at that date and I will be the one to play the part.” The budget on the picture has been set at $2,500,000, Selznick said, and he estimated its completion in four to five months. Present plans are to roadshow it starting next fall.

“Intermezzo” will be his next production and may be released in the fall of 1939 in 30-40 cities in a limited release. He believes it and will be the first release on his new distribution contract.

Selznick said that with the addition of Merritt Hubalbe as associate producer, his studio is in a position to make “two or three more pictures a year than heretofore,” and that he proposes to release a total of six to eight annually as a result.

He plans to remain in New York about a week on his return from Vermont and will discuss a release deal with George J. Schaefer, RKO president, then. Asked how he felt about being the first to announce a contract for Lynn Farnol, advertising and publicity head of United Artists.

Decision on “Quiz” Extension Up Today

(Continued from page 1)

Avenue Club banquet at Pittsburgh next Sunday. A weekend of entertainment with Union members is being arranged by John H. Harris, regional chairman of the drive and national chairman of the Radio Drive, and Harold McGinn, union local chairman.

George W. W. Tindley was named regional drive chairman for the drive in the area last week, replacing H. M. Momjian.

A total of 30 governors and 120 mayors have endorsed the drive date and have urged public support for the advance in the campaign.

Hubbard Back at M-G-M

Hollywood, Oct. 24—Lucien Hubbard today rejoined M-G-M as an associate producer after a year and half with Paramount. “On Borrowed Time” will be among his first assignments.

Siedelmann on Coast


Detroit, Conn.; music tax, L. O., Luljen, Seattle; entertainment values, H. C. Hayman, Buffalo, Minns. It is stated that M-G-M will be devoted to an open forum on exhibitor problems to begin immediately after luncheon. Unfinished business will be disposed of at the forum. The convention will close with a dinner-dance at the Oklahoma City Golf and Country Club Wednesday evening.
YOU'VE NEVER SEEN THE LIKE OF IT!...
**New York Preview**

*MGM's British production organization has made a fine and moving picture of the best selling novel by A. J. Cronin of the same title. It is a human story of potentially wide audience appeal, revealing in unvarnished terms two sides of the medical profession. A foreword points out that the delineation of certain doctors whose incompetence is equal only to their sales ability in catering to wealthy and neurotic women, is intended as an individual characterization and not an indictment of the profession. Robert Donat plays the lead in the Cronin story of the struggling young Scotch doctor who, at tragic cost, realizes the difference between doctors who make their profession a money-grabbing game and those who believe there is a human responsibility attached to their work. Donat's work is splendid, and he is ably assisted by Rosalind Russell, both names which the American exhibitor can sell with no trouble. Likewise the origin of the film, the Cronin novel, and the opportunity to capitalize on solicited reactions from doctors of the community, should be of selling value to the wideawake showman.

Although the other members of the cast will not be known here, their work is turned out excellently, with special mention due Ralph Richardson, as Donat's friend, whose life is the price Donat pays to learn his lesson, and Rex Harrington, as the high-priced "surgeon" whose incompetence causes Richardson's death.

If certain liberties have been taken with the context of Cronin's work, they were taken with a view to making the finished picture more palatable for the screen audience, and have not altered the basic theme, or made it less dramatic. Richardson has an idea for a pooling of medical service, of peculiar interest and significance by reason of the current high interest in socialized medicine.

Ian Dalrymple, Frank Wead and Elizabeth Hill have done an intelligent job of the screenplay, translating the novel's story into screen terms with skill. Victor Saville, producer, and Harry Saltzman, who directed, have injected a maximum of dramatic force into the picture. The film concludes with Donat's realization of his obligations as a doctor and a stirring plea that medicine unshackle itself from fictitious ethics, as he defends himself from onerous proceedings before the medical society. Donat's work is splendid and he is ably assisted, in both the background of the Scottish mining country and London.

Running time, 112 minutes. "G."  

CHARLES S. AARONSON

**Hollywood Preview**

**"Outside the Law"**  
(Darnart-Columbia)

**Hollywood**, Oct. 24.—In this picture Jack Holt turns from a two-fisted swinging fighter to another kind of determined fighter. He is cast as a famous New York surgeon, but little action occurs in a hospital. Most of it happens in the backwoods mountain country of a southern state.

Accidently shooting a lad while hunting, Holt finds himself in a dangerous predicament. The ignorant mountaineers, headed by Paul Everton, lay doctor, want nothing to do with new-fangled medical methods. What is more, they treat the white with contempt described by Everton. In the face of this opposition, superstition and bigotry, Holt opens a free clinic with Beverly Roberts as nurse and Noah Beery, Jr., son of Everton, as aides. Holt's big triumph is the prevention of an epidemic. Full recognition comes to him and the opposition surrenders when Holt cures Everton's daughter, Barbara Pepper.

Holt, Everton, Beery, Jr., and Miss Roberts are seen in convincing, sympathetic parts, and capable support is contributed by John Quarten, Charles Middleton, Helen Jerome Eddy, Arthur Aylesworth, Miss Pepper and Neil McLaughlin.

Gordon Rigby wrote the original story and collaborated with Carlton Sand on the screenplay. Lewis D. Collins' directing technique not only took good advantage of Holt's different characterization, but kept dialogue, suspense and melodramatic action well balanced. Larry Darnart gave the piece quality production.

Running time, 65 minutes. **G**.  

G. McC.

*[G] designates general audience classification.

**“Certain Age”**

**Hits $27,700 In the Loop**

**CHICAGO**, Oct. 24.—"That Certain Age" was the outstanding attraction in the Loop last week, grossing $27,700 at the various houses. "Sinebrych Can't Take It With You," in a second week at the Chicago, held up to $32,000. "Boys Town," with its last day on United Artists an excellent $19,500, and "Straight, Place and Show" at the Apollo was slightly over average the second week. Other business was fair.

The weather was cool and fair most of the week. Conventions helped business at all.

Estimated takings for the week ending Oct. 18:

**"Place and Show" (20th-Fox)**

APOLLO—(1,400) (35c-5.5c-6c) 7 days, last week (1,400) (35c-5.5c-6c) 7 days.  
**"You Can't Take It With You." (Col.)**

CHICAGO—(1,300) (35c-5.5c-5c-7.5c-8c) 7 days.  
**"Can't Take It With You." (Univ.)**

PAUL—(2,500) (35c-5.5c-6.5c) 7 days.  
**"That Certain Age." (Univ.)**

STATE-LAKE—(4,770) (30c-3.5c-6c) 7 days.  
**"Four Daughters." (Para.)**

GARRICK—(3,400) (40c-5.5c-5c) 7 days.  
**"Sinebrych Can't Take It With You." (20th-Fox)**

ROOSEVELT—(4,400) (35c-5.5c-6.5c) 7 days.  

Week Ending October 21:

**"Boys Town" (M-G-M)**

CHICAGO—(1,400) (35c-5.5c-6c) 7 days, last week.  
**"Can't Take It With You." (Col.)**

CHICAGO—(1,300) (35c-5.5c-5c-7.5c-8c) 7 days.  
**"That Certain Age." (Univ.)**

STATE-LAKE—(4,770) (30c-3.5c-6c) 7 days.

J. L. & S. Taking Over Oriental in Chicago

**CHICAGO**, Oct. 24.—Jnnes, Liniek & Schaefer will take over operation of the Oriental shortly. The disclosure of policy and the signing of the lease is awaiting the return of John Jones, from the east on Thursday. The house has been dark since it was closed early in the last spring.

It is expected that Jones, Liniek & Schaefer will permit the State-Lake to go back to the leaseholder, B. & K., to run the house, their first run at the theatre. The Oriental probably would use "B" features and stage shows at a low admission, the current State-Lake policy. It is reported the Oriental rental will be much less than the $4,000 a week paid by B. & K.

**Balaban & Katz, UA Close Product Deal**

**CHICAGO**, Oct. 24.—The pending deal for showing of United Artists product in Balaban & Katz Loop houses has been closed. Irving Schlank, U. A. branch manager, said today.

Closing of the deal last reports that is under UA. UA product for Loop runs if a B. & K. deal could not be negotiated.

**To Open Movietone Plant**

New Movietone studios will be opened at 3 P.M. today at 435 West 53rd St. Four stages with 15,000 square feet, a swimming pool with an under water camera compartment.
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!
**Berge Suggests Decentralizing of Anti-Trust Dept.**

CHICAGO, Oct. 24.—Decentralization of the anti-trust division of the Department of Justice is urged today by Wendell Berge, special assistant to the U. S. Attorney General.

Speaking before the annual convention of the National Economists Association, Berge suggested a number of changes in enforcement of the anti-trust laws; including drastic increases in both criminal and civil penalties for violation of the law.

Decentralization of the anti-trust division, he said, would permit setting up of regional offices in important business centers, through which all complaints could be investigated. It would also permit the prosecution of suits, by eliminating delays which now occur in the handling of all cases from Washington.

Amendment of the law to give the attorney general authority to subpoena witnesses was also suggested by Berge as a substitute for grand jury investigations. At present, he pointed out, investigators are at the mercy of the persons they interview and cannot force the production of evidence except by grand jury proceedings. Under his proposal, they could call for testimony and records, a power already enjoyed by the Commission of Interstate Revenue and many Federal agencies.

In dealing with penalties, Berge urged amendment of the Clayton Act to provide that any violation of the anti-trust laws by a company shall be a violation by each officer or director involved or having knowledge of the violation, an increase in minimum criminal fines to a degree commensurate with the magnitude of the offense; provision for civil actions for foreclosures, by lending companies and their responsible officers and directors, and the strengthening of the laws prohibiting the Government from enjoining a business enterprise which violates the law from employing officers or directors who participate in the violation and to enjoin such officers or directors from continuing in such employment.

**Hearings Started on Cartoon Union Plea**

Hollywood, Oct. 24.—Hearings on the joint petitions of the Federation of Screen Cartoonists to be declared bargaining agency for screen cartoonists, and of the Society of Motion Picture Film Editors for certification as bargaining agency for editorialists at the Walt Disney plant opened today before N.L.R.B. Trial Examiner William R. Rigby.

Taking of actual testimony was delayed, however, to permit the I.A.T.S.E. to intervene on behalf of its four locals which claim jurisdiction. Witnesses to take the stand were Edmond O. Hallman, president of the S.M.P.E.F. and Robert Cook, who directed the work of editorialists employed by Disney. The I.A.T.S.E. is expected to present its case tomorrow.

**Van Schmus Heads Red Cross Appeal**

W. G. Van Schmus, managing director of the Music Hall, has been named chairman of the New York Red Cross Future Group in the annual Red Cross drive for funds which will start Nov. 11. The drive will be known as "The Red Cross is a part of each one of us," says Van Schmus, "just as much as the hat we wear or the work we do; it is part of us." But you may not know that this one great universal agency for relief has not in the past had the support which it should have had from people as traditionally liberal and generous as the motion picture crowd.

Van Schmus points out that aside from the hurricane, flood and disaster activities of the national Red Cross, New York committees are caring for 12,000 disabled, needy veterans during the past year; has obtained employes, and has given the training in first aid, life saving and home nursing to thousands of Manhattan-Bronx women; has furnished brailled books for the blind, and has distributed 100,000 magazines to hospitals. In addition it has helped provide Christmas cheer.

**Trade Commission Ad Group Made Division**

WASHINGTON, Oct. 24.—Establishment of a new division to take over the work of the special board of investigation into the trust and anti-trust problem is being proposed by the Federal Trade Commission.

The new board will be known as the Radio and Periodical Division and will be under the direction of William Morehouse, since 1930 a trial attorney for the commission.

It was explained that the work of the current printed advertising investigation has reached such proportions that it was felt entitled to the status of a separate division. The scope of the investigation has been expanded steadily, and the change was largely for administrative purposes.

**Prepare Answers in Phila. Trust Action**

PHILADELPHIA, Oct. 24.—Major distributors and circuits are preparing answers to the anti-trust suit filed in Federal court late last month by Harry Fried, president of John H. Dietzman, president of S.M.P.E., and a group of Office Workers who are employed in the mailroom. The case was assigned to Judge Basil McGann of the 55th Judicial District Court of the state of Pennsylvania.

**Gerald Rackett to Boston**

HOLLYWOOD, Oct. 24.—Gerald Rackett, Technicolor vice-president and laboratory superintendent, left here for Boston to meet Dr. Herbert Kalmus. Both will attend the S.M.P.E. convention in Detroit next week.

**Rules Bank Night Law in Kentucky Unconstitutional**

LOUISVILLE, Oct. 24.—Acting Circuit Judge R. P. Dietzman has declared unconstitutional the theatre Bank Night law passed by the state legislature last year. The act, which provided that a referendum on which an appeal may be based, declared the legislature exceeded its authority in making a constitutional amendment to the law which made lotteries illegal, and which stated that no special privileges could be granted.

Of Hart, who is Hubert Meredith is studying the legality of the "Movie Quiz" contest, part of the Motion Picture's Greatest Year drive.

"Kildare" 1st Metro To Play Music Hall

"Young Dr. Kildare," which opens at the Music Hall on Thursday, will be the first M-G-M film to be booked at the theatre. Five days of "Dr. Kildare" promotion will include a $75,000 week there.

At the Roxy, "Suez" continued strong - Ford to end for a total of $92,657 for 10 days. It will be held for a second week. "Stablemates" will be kept for a second week at the Capitol. "The Sisters" will begin a third week at the Strand on Thursday, "Brother Hood" next week.

"If I Were King" ends four weeks at the Paramount today to make way for "Mad About Men," tomorrow. "The Miracle" is $36,000 is indicated for the fourth week. "Service De Luxe" is grossing well at the Rivoli. "You Takes a Good Woman" took $15,000 there last week.

"This'll Make You Whistle," a Herbert Wilcox production, will have its American premiere at the 55th Street Theatre. "Edge of the World" ends a seven-week run. "Grand Illusion" stars its seventh week at the Filmore today.

**David Loew to Take South American Trip**

David L. Loew plans a two-month vacation in Central and South America, followed by a trip to Europe with Mrs. Loew Nov. 3 on the Santa Lucia to meet his brother, Arthur Loew, in Panama, and visit his friends in South America from there, returning about Dec. 27.

David Loew arrived from the coast by train yesterday. He said he had no commitments for the immediate future and had discussed no deals with United Artists Corp. started yesterday with Attorney General for Grant National and Krumenacker goes to Albany as exchange head for Warner's.

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**Hart Testimony Started**

Trial of the $500,000 damage suit filed by Mary and William S. Hart against United Artists Corp. started yesterday in circuit court here under Justice Bernard L. Schientag and a jury. The greater part of the day was taken up with the testimony of defendant's experts, who were questioned about the distribution of "Tumbledew."
How Much Light
ARE YOU PUTTING ON THE SCREEN?

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.
Busy Hearing Week on Tap For the FCC

WASHINGTON, Oct. 24.—The Federal Communications Commission has set hearings during the current week as follows: Oct. 26, before an examiner: Applications of Jack H. Wells and Ioka Broadcasting Co., for a 2,920-kilocycle station at Hastings, Neb., with 1,000 watts night, 5,000 day. Oct. 27, before the commission: Applications of Eastern Carolina Broadcasting Co., for a 1,270-kilocycle, 100-watt station at Goldsboro, N. C., and WRBL, Columbus, Ga., for operation of a 1,300-kilocycle and increase of power from 100 watts night, 250 watts day, to 500 watts night, 1,000 watts day. Oct. 28, before an examiner: Applications of Cascade Broadcasting Co., Inc., for a 1,420-kilocycle station at Everett, Wash., with 100 watts night, 250 watts day, and KRKO, Everett, Wash., for extension of time from shared to unlimited and increase of power from 80 watts to 250 watts night, 250 watts day. The commission also has assigned tentative dates for future hearings, as follows: Nov. 2, before an examiner: Applications of Eastern Nevada Broadcasting Co., for a 1,500-kilocycle, 100-watt daytime station at Ely, Nev.; Cuyahoga Valley Broadcasting Co., for a 1,500-kilocycle, 100-watt daytime station at Cleveland, and WHAL, Greenfield, Mass., for extension of time from day to unlimited with 100 watts night, 250 watts day. Jan. 9, before an examiner: Applications of Lawrence J. Heller for a 1,310-kilocycle station at Washington, D. C., with 100 watts night, 250 watts day, and KGNO, Dodge City, Kan., for increase of power from 250 to 500 watts. Jan. 23, before an examiner: Application of WFTL, Philadelphia, for increase of daytime power from 1,000 to 5,000 watts. Feb. 6, before an examiner: Applications of Kingston Broadcasting Corp., for a 1,500-kilocycle, 100-watt daytime station at Kingston, N. Y., and WII, Inc., for a 1,250-kilocycle, 1,000-watt station at Springfield, Ill.

WMCA in Chicago Office

WMCA has opened a Chicago sales office, headed by John Mackenzie Ward and G. B. McBride, as account executives in charge. The new sales unit will provide consultant facilities for programs as well as promotion and sales data.

Radio Personalities

JACK SALTER, vice-president of Columbia Concerts, Inc., off to New York for the opening of several of the stars on the Evans & Salter list. The trip will take him to California, and will include an appearance at the joint Nino Martini-Helen Jepson concert in Atlanta, Igor Gorin’s appearance with the Chicago Women’s Symphony and Yehudi Menuhin’s opening concert with the Los Angeles Symphony. . . . Myron Selznick, Ltd., has set a guest appearance for Raymond Massey on the Magic Key program Nov. 6. Deal was arranged by Herman Bernis, and Alex Holden, manager of Hal Kemp and Skinny Emms, in town to set Kemp’s vaudeville tour, which begins Nov. 20. .. . Smith’s orchestra set to do a week at the Howard in Washington starting Nov. 25.

The “Merry Macs,” quartet featured on Fred Allen’s program, and the Al Donahue orchestra have been signed to make shorts for Warners. . . . Passengers on United Airlines to the coast last night were Frank Parr and Irene Rich. . . . John Reed King, CBS announcer, has been the father of a girl, Joan English King. . . . Earl H. Gammons, of WCCO, Minneapolis, is in town for the week on business. . . . John Brownlee, Australian baritone of the Metropolitan Opera, left last night on a concert tour which includes resides with the Chicago Civic Opera and Chicago Civic Opera companies.

Hays to Do 2 Radio Talks During Week

Will H. Hays is scheduled for two radio talks this week. Today he will speak for about 10 minutes over NBC in the Herald-Tribune Forum, on which this year is devoted to the general topic of “Keeping the Mind of the Nation Young.” Hays will, of course, explain the application of films. On Sunday, Hays will speak for four minutes at 2:30 P. M. in connection with the 150th anniversary of the General Assembly of the Presbyterian Church. Hays is an elder in the church.

Linton Wells on Tour

Linton Wells, radio commentator, has left New York to make personal appearances in 15 cities and to fill a guest engagement with the Lux “Radio Theatre” in Hollywood Nov. 7. Mrs. Wells, who is accompanying him, also will appear on the Lux hour.

From Hankow

From Hankow today at 6:05 P. M. NBC will present Paul Dorsey in a broadcast in which Dorsey will give an eyewitness account of some of the recent battles of the Sino-Japanese war. Dorsey is a newspaperman and photographer, who went to China on assignment from NBC and a news syndicate.

Talent Lined Up for Night of Stars Show

Eddie Cantor, Irving Berlin and Al Jolson will head the list of more than 400 stars of stage, screen, radio and opera who will participate in the fifth annual “Night of Stars” at Madison Square Garden, Nov. 16 for the benefit of settlement in Palestine for Jewish refugees from Europe.

Ben A. Boyar, associate chairman, heads a producing committee here, while Louis K. Sidney of M-G-M, producing committee chairman, is handling the coast group. Cantor, Jolson, George Jessel, Harry Hershfield, Milton Berle and Henny Youngman will alternate as masters of ceremonies.

Philip Morris Will Drop Quiz Program

Although the order has not come through officially yet, it is learned that the Philip Morris Co. will not continue its present show on Mutual. “What’s My Name?” a quiz series handled by Budd Hulick and Arlene Francis.

New Shows on the Air

“No School Today” “No School Today” on NBC remains one of the best children’s programs radio has to offer. Its hits are “Jolly” Bill Steineke, Freds and Hall, and Kel Keech, all veterans in the difficult task of providing suitable and yet pleasant entertainment for juveniles.

Steineke burdens the script side of the program, serving as “Editor Bill” for the Junior News Safety Reporter, a publication sponsored by the program to promote the safety idea among youngsters. A suitable prize is given to the listener who each week writes the best slogan for the movement. Steineke also gives readings of psalms that might interest youngsters. Fields and Hall work pleasantly in song, and Keech serves as “emcee.” The program is presented Saturdays on the NBC-Red at 11 P. M.

Pet Milk Renews Series

Pet Milk Co. sponsoring Mary Lee Taylor, home economist over CBS, 57 stations coast-to-coast Tuesdays and Thursdays, has renewed the show for another year, effective Nov. 1.
NAB Opposes Proposed Ban On Liquor Ads

Miller Declares Unfair Precedent Involved

WASHINGTON, Oct. 25.—Strong protest against any attempt to restrict liquor advertising from radio while permitting it through other media was voiced today by Neville Miller, president of the National Association of Broadcasters.

The demand of the broadcasters for equal treatment with other advertising media was made by Miller at a meeting called by the Federal Alcohol Control Administration to discuss uniformity in advertising.

Radio has consistently been conscious of its social responsibilities and has cooperated with liquor organizations and Government in applying restraints, he said, insisting that it would be a very dangerous precedent to enact legislation or adopt regulations prohibiting broadcast advertising without imposing similar restrictions on other forms of publicity.

Adjourn Hearing On RKO to Nov. 22

Federal Judge William Bondy today adjourned the hearing on the confirmation of the proposed plan of reorganization of RKO to Nov. 22 at 2:30 p.m., and indicated that several questions concerning the plan would be considered at length by him.

Judge Bondy remarked that the briefs which were submitted were so voluminous that because of the pressure of duties in the motion department of the court it might require a week or more to go through them.

The judge stated that he was already working on the question of the confirmation and that there was no assurance that he would be able finally to render a decision Nov. 22.

WARNERS CLOSE DEAL WITH GAUMONT, PARIS

Warners have closed a deal with the Gaumont Theatre Circuit, Paris, for distribution of their product in the circuit’s 26 houses, 10 of which are Parisian first runs. The first film to be played under the deal will be “The Thirteenth Chair”.

Radio—Page 8

SCREENS MUST BE FREE, SAYS HAYS

Coordination of Four A’s Awaits Gillmore’s Return

Return next week of Frank Gillmore, president of Associated Executives and Artists of America, is expected to add a new dimension to the work of the 11 member unions and give the parent body greater power. It is known that a great portion of the membership is not willing to have a federal body that might be termed a federation.

In areas where each union has a small membership, it is planned to have one office in which all offices act. At the present time, regional offices are overlapping each other. On the coast and in New York, officials hope to set up all offices in one building so that time now spent settling jurisdictional problems can be minimized.

Until methods of elections, handling of each group’s special problems and representation can be worked out, there is little hope for any major changes. The constitutional amendments that would be required to effect any change cannot be passed until each union holds a membership meeting. Sentiment among members, however, is strong for a new group, and some efforts in that direction may be expected shortly.

U.S. Film Companies Start Ending Italian Activities

American distribution companies operating their own branches in Italy began liquidation of their properties in that country early this week, it was learned here yesterday.

The liquidating process will be continued through the next two months on a scale calculated to complete the move by Dec. 31, the date on which the Italian decree establishing the E. I. C. as a government controlled monopoly for distribution of foreign films in Italy becomes effective. The liquidation process is to be carried out by Italy’s official refusal to modify the decree in any manner. As a result, unless Italy reverses its present stand during the next two months, all American companies will be out of business in that country by the end of the year.

The companies which own branches in Italy and have begun to liquidate them are Warners, Locco’s, Paramount and 20th Century-Fox. The other four major companies, RKO, United Artists, Universal and Columbia, distribute through Italian sales representatives. In consequence, they have no physical property to liquidate and their contracts with their sales representatives will be terminated as of the effective date of the decree, if there is no change in the situation before that time.

Film shipments to Italy were discontinued earlier by all majors.

“Quiz” Extension Plan Voted Down

No extension of the “Movie Quiz” contest beyond Dec. 31 is to be made. This was decided yesterday at a meeting of the executive committee of the Motion Picture Greetings Year Drive. Majority opinion of the membership was against an extension, it was found.

Since the idea of lengthening the campaign was broached about two weeks ago, no opinion has been sought in the field. Yesterday’s decision was based upon a request gathered by the regional heads.

George J. Schaefer issued a statement in which he said the original dates, Sept. 1 to Dec. 31, were chosen with the idea that public interest could be maintained that length of time. It was felt the committee indicated that extension would “not be keeping faith with the public.”

More than 30,000,000 booklets have been distributed, it was pointed out, and these contain the specific statement that the contest will end Dec. 31.
**MOTION PICTURE DAILY**

**Insiders’ Outlook**

**Wednesday, October 26, 1938**

**Coast Busy Oct 34; 7 Start; 12 Finish**

Hollywood, Oct. 25.—Thirty-four pictures were before the cameras at the start of the week, as seven started Thursday, two are in final stages of preparation, and 65 are being edited.


**Goltz Named Head of U. A.’s Tokyo Branch**

Joe Goltz, who has been with M-G-M for the past 10 years in South America and the Orient, has been named by Arthur W. Kelly to take charge of United Artists’ office at Tokyo. He will succeed A. A. Love, who returns to New York office for a vacation before receiving another assignment.

**20th-Fox Plays Host At Movietone Studio**

Twentieth-Century-Fox yesterday was host to many industry figures at a reception marking the official opening of the new Movietone studio, the newest addition to what the company calls "Manhattan's Movietone City." The studio, at 53rd St. and 10th Ave., adds 7,500 square feet of studio space to M-G-M’s facilities.

The space will be initiated next week with the shooting of the second "Spring Dance," "V. T. O. A." Donner’s color shorts on fashions, utilizing the swimming pool and underwater compartment which is a part of the stage.

**Retitle “Spring Dance”**

Hollywood, Oct. 25.—"Spring Madness" will be the release title of M-G-M’s "Spring Dance."
"STABLEMATES" 2nd Week
CAPITOL

"YOUNG DR. KILDARE"
Starts Tomorrow
RADIO CITY MUSIC HALL

"BOYS TOWN" MAYFAIR

"TOO HOT TO HANDLE" STATE

"VACATION FROM LOVE"
Next Week CRITERION

"MARIE ANTOINETTE" 3rd Month at $2
ASTOR

M.G.M puts the..." in
BROADWAY
Austrian Trade
Is Preparing New
Standard Contract

BY LIN ENDEAN

SYDNEY, Oct. 7.—Exhibitor and producer interests are ahead on the framing of a standard form of contract, which, it is planned, will be used throughout Australia.

The Motion Picture Distributors’ Association has its draft ready for presentation to the exhibitor subcommittee, which is expected to request that the demand of the exhibitors for restriction on theatre licences will not be a point of contention, but it is not expected that any initial agreements will cause the proposal to collapse.

G.N. Stockholders
Receive No Payment

WASHINGTON, Oct. 25.—Stockholders in Grand National films will receive nothing under the bankruptcy acquisition of the company by Educational Pictures unless creditors’ claims are scaled down below $500,000 (the amount to be paid by Educational), or the claims increased in the value of the assets. S.E.C. Examiner Robert P. Reeder was told today by Richard H. Wilmer, counsel for the company, that the matter before the S.E.C. will be bearing on the company’s application to withdraw its common stock from registration with the New York Stock Exchange, Wilmer said that original claims amounted to “something over” $1,000,000, but have been reduced to about $700,000, may be further reduced. Unless they can be brought below the $550,000 mark, the value of the assets increase, there will be no equity for the stockholders, he said.

Haley Heads M. P. Post

BOSTON, Oct. 25—P. F. Haley was seated as commander of the Motion Picture Post of the American Legion as a feature of a dinner-dance at Boston Post House. Haley is head of the Department of Public Safety.

William McClaughlin, Allied director, was installed as vice-commander. Other film men officially put in office included H. A. Aaronson, junior vice-commander; H. P. Smith, adjutant; M. Medleburg, treasurer; Sam Levine, sergeant-at-arms, and K. L. Forkey, Irving Shiffman and Al Kenney, executive committee members.

CEA to Honor Eden

London, Oct. 25.—Anthony Eden, former English Foreign Secretary, will be the guest of honor at the dinner Dec. 13 of the London Branch of the Cinematograph Exhibitors’ Association.

Musician Job Talks
Adjourned to Jan. 9

Following a second general discussion yesterday of the problem of re-employment of musicians in theatres by major company heads and the executive board of the American Federation of Musicians at the office of Pat Casey, producers’ labor arbitrator, yesterday, further conferences were set for Jan. 9.

The only explanation offered by Casey and Joseph N. Weber, Federation president, for the adjournment was that no specific employment proposals have been advanced and it was believed that no practical program could be evolved in less than two months. In the interim, the executive and Federation representatives will endeavor to find specific employment formulas to present at the next meeting.

Representing the industry at yesterday’s session were: Nicholas M. Loew’s; Vic Miller; RKO; Austin C. Keough, Paramount; Major Albert Warner, Warners; Harry D. Buckley, United Artists, and Eugene Picker, Columbia.

Wangers Close Deal
With Gaumont, Paris

(Continued from page 1)

Adventures of Robin Hood.” It will open at the Rex, Paris, Nov. 24.

The Paris houses included: Rex, Colisee, Gaumont Palace, Palais-Rochechouart, Clichy-Palace, Gaumont, St. Paul, Convention Hall, Grand-Cinema Aubriot, Montparnasse. The other houses are located in Nice, Bordeaux, Lyons, Toulouse, Rheims, Nancy and Toulon.

A. H. W. manager in France, acted for Wangers, according to Sam Morris, vice-president in charge of foreign distribution.

Duchess to See “Service”

LONDON, Oct. 25.—The Duchess of Kent will attend the charity premiere of “Room Service” at the Odeon on Nov. 2.

The Newsreel Parade

The Sino-Japanese conflict is covered by all the newsreels in the recent films. Battles continue to gain attention. The reels and their contents include:


PARAMOUNT NEWS—China depends on last minute defense. Motor scooters are shipped by traffic laws. Famous New York prison for sale. Virginia dog auction sale.


Screens Must
Be Kept Free,
Declares Hays

(Continued from page 1)

Hays’ topic was “Keeping the Mind of the Nation Young.” He pointed out that films “inevitably” will do that.

Use of Leisure Important

“The wise use of leisure time is an important factor in the development of character. Upon the character of its people depends the future of a nation. What do we in business men determine what we get, but what we do in our hours off will determine what we are.”

“Nowhere, except in a land in which freedom is precious above all other things, could this art-industry have developed as it has done here. . . .”

“Make to mistake about it, such entertainment is not a luxury in modern civilization, but a necessity along with food and shelter.

FILMS ARE INSPIRATION

“The American motion picture demonstrates that there is opportunity in life; that the individual may succeed by initiative, industry, thrift and honesty; that you 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 totalitarian this theme of opportunity means exactly nothing; it simply does not make sense. We had better see it does in America if Democracy is to survive.”

Miss Hephurn struck at censors for not permitting “a more liberal attitude” in films. She advised a campaign for “intelligent censorship” of pictures which will not only entertain “but contain an idea or two” about what is happening in the world.

Only UNITED offers you
SYLLOUNGE MAINLINERS

New York-Chicago, 4 hrs. 45 mins.
2 non-stop Skyloounge flights daily. Extra luxury at no extra fare. Only UNITED Skyloounge Mainliners offer you 14 lounge chairs in 21-passenger space. Seven other fast Mainliner flights. RESERVATIONS: 86 R. 8th St., Murrell Hill 2-7000 or travel bureaus, hotels.

UNITED AIRLINES
The Main Line Airway
Industry Lawyers Move to Clear Up Wage-Hour Terms

Counsel for major companies at a meeting at M.P.F.D.A. headquarters yesterday considered all the questions concerning the application of federal wage and hour law to this industry which have been of interest to motion picture employers. The queries will be submitted to Elmer F. Andrews, administrator, in Washington, Friday. Clarification of the provisions was hoped for at the Washington meeting so that the industry will be prepared for compliance until such time as a motion picture committee is appointed by Administrator Andrews to make specific rulings on all undecided points of the application of the law to this business. That appointment may not materialize for several months, according to present indications, and, in the meantime, Andrews' interpretation of its basic points will be relied on.

Company counsel will seek definite opinions from the board on the industry which are in interstate commerce, the employees who are affected either under the wage or hour provisions and those who are exempt in the opinion of the Administrator.

**Reed Guild Talks Resume**

Negotiators for Paramount News-Red and the Newspaper Guild resumed discussions yesterday but failed to reach any agreement after a two-hour session.

**Dix Stars in “Number One”**


**Allied Continues Practice Parleys**

The Allied committee held a third session with William F. Rodgers, Fredwell J. Bean and Abe Montague at the Astor yesterday. These conferences are to continue today and will extend to infinity according to present indications.

Meeting with the distributors yesterday were Nathan Yaminis, H. A. Cole, Ray Bromley, Dr. F. H. Wrede and M. A. Rosenberg, Abram F. Myers, general counsel, arrived last night from Washington to sit in at the conferences which will be resumed at 10 A.M. today.

Representatives of the six unaffiliated regional exhibitor organizations continued their discussions yesterday on formulating their proposals.

**B’way to Have 26 Plays by Weekend**

With three plays scheduled to open this week, and two to close, Broadway will have 20 shows on the legitimate stage on Saturday, “Madame Capel,” with Eva LeGallienne, opened at the Cort Tuesday. The play deals with the early days of the French revolution.

A later period in that revolution will be depicted at the Mercury when “Les Misérables” opens Nov. 26. “The Girl from Wyoming,” a musical satire of westerns, is due at the American Music Hall on Saturday. Colloidal stars will do a series of impersonations at the Vanderbilt on Sundays.

The revival of “Lightnin’” will leave after 52 performances, and “I Have Been Here Before,” a Theatre Guild production, goes off after 50 shows.

**Twelve New Pictures Get Legion Approval**

National Legion of Decency has approved 12 new pictures for the current week, seven for general patronage and five for children. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—“The Sanitary plunges.
Class A-2, Unobjectionable for Adults—“Brother Rat,” “Girls on Probation,” “Girls’ School.”
Class A-3, Unobjectionable for “Sue.”

**That Horror Dual Is Still SRO at Chicago’s Garrick**

By BILL CROUCH

CHICAGO, Oct. 25—Sensational business is being recorded here by the horror picture combination, “Dracula” and “Frankenstein,” at the Garrick.

The B. & K. house, which seats 900, has been running at capacity since the opening last Wednesday. Over the weekend the business was not short of terrific with hundreds turned away. Gross for the week will be near the $10,000 mark, the most the house can do because of the length of the program.

**Sign New Republic Deals**

Several product deals closed by Republic and made known yesterday by James R. Grainger, president, will mean a trip to the Midwest.

The company’s first output for the current year has been made available to the Philadelphia, Pittsburgh and Washington zones. Other deals include the W. A. Simon Circuit in Montana and Theatrical Managers Circuit in Indiana.

**The World Is Ours**

Hollywood, Oct. 25—Basically an all-American production, “The World Is Ours” contribution to the Motion Pictures’ Greatest Year drive is also unique entertainment, expertly produced by Frank Borzage, with Basil Wrangell, the story by Lou Harris and Herman Hoffman could hardly have furthered the cause. The film shows to the world's social, economic, educational and cultural progress. The subject will be distributed by all agencies handling accessories on the drive.

The picture gets its message over to the world through the vehicle of a typical American family composed of Samuel S. Hinds, Dorothy Peterson, Charley Graepel, Anne Shirley and Johnny Walsh. In a discussion of the value of old and modern films, clips are shown of “The Great Train Robbery” and “Bertilla, the Sewing Machine Girl.” A lecture shows 65 cents of every admission dollar returned to the family in Hollywood, see the complete process of production. They return the consumer an appreciative of the value of the screen.

The film has wide exploitation and is a powerful piece of selling for the industry.

Running time, 18 mins. “G”

*”G” Designates general audience classification.

**O’Loughlin Departs On Kent Drive Swing**

James F. O’Loughlin, S. R. Kent drive leader for 20th-Century Fox, left last night for Toronto in advance of his third swing of exchanges in connection with the drive.

He will be accompanied by William Wobber, general manager of distribution, in Chicago on Saturday and will proceed to Los Angeles, from where he will start his third tour next month. He will be accompanied by William Clark, short subjects sales head. O’Loughlin will be joined by J. Kupper, western division manager, in Denver, who will accompany him in the western territory, and will be accompanied by successively Central division manager, and William Sussman, eastern division head, in their respective territories. The entire trip will take about four weeks.

**K.C. Leaders Agree To Fight “Quiz” Ban**

KANSAS CITY, Oct. 25—Regional leaders of the Motion Pictures’ Greatest Year drive here have decided to fight Attorney General Roy McKittrick’s refusal to grant “Quiz” contest is a lottery in Missouri.

Elmer C. Rhoden, regional chairman, said in a view of the approval given the contest by the Post Office Department he felt its legality could be upheld here.

**Benjamin Sonin Bids**

Funeral services for Benjamin Sonin, 73, father of Charles Sonin, manager of M-G-M’s purchasing department, will be held today at Park West Memorial Chapel. Burial will be at Mt. Hebron.
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<tr>
<th>Date</th>
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<tr>
<td>Sept. 23</td>
<td>The Stranger from Arizona</td>
<td>Columbia</td>
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<td>Sept. 30</td>
<td>Vacation from Love</td>
<td>Monogram</td>
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<td>Oct. 7</td>
<td>Flame</td>
<td>Republic</td>
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<td>Oct. 14</td>
<td>Where the Buffalo Roam</td>
<td>Republic</td>
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<td>Oct. 21</td>
<td>Flight to Bombay</td>
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<td>Nov. 4</td>
<td>In Early Arizona</td>
<td>Republic</td>
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<td>Nov. 11</td>
<td>Woman Against the Law</td>
<td>Republic</td>
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<td>Nov. 18</td>
<td>The Shining Hour</td>
<td>Republic</td>
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<tr>
<td>Nov. 25</td>
<td>Roll, Wagon, Roll</td>
<td>Republic</td>
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*Dates are based upon national release; schedules and are subject to change. This chart is revised weekly. Letters in parentheses after the titles denote the following: (A) adult, (G) general, (D) drama, (M) musical, (C) comedy, (O) outdoor action.*
“MOTION PICTURE DAILY

Wednesday, October 26, 1938

“Co-Ed” Smash Hit in 2 Twin Cities Houses

MINNEAPOLIS, Oct. 25.—“Hold That Co-Ed,” aided by Jimmy Dorsey and Rudy Vallee, grossed more than $5,500, $5,500, and “Boys Town,” in its third week at the Century, got $5,500.

In St. Paul, “Hold That Co-Ed” was good $6,000 at the Orpheum. “Too Hot to Handle” grossed $5,500 at the Paramount.

Estimated takings for the week ending Oct. 20:

*Touchdown Army* (Para.)
ASH-TRUE — $1,500 (25c-35c) 7 days. Gross: $1,500. (Average, $214)

*Boys Town* (M-G-M)
CENTRAL — $2,200 (25c-40c) 7 days. Gross: $1,500. (Average, $214)

*Hold That Co-Ed* (20th-Fox)
ORPHEUM — $1,500 (25c-35c) 7 days. Stage: Jimmy Dorsey. Gross: $1,500. (Average, $214)

*Too Hot to Handle* (M-G-M)
STATE — $2,500 (25c-35c) 7 days. Stage: Graham Janes. Gross: $2,500. (Average, $357)

*Wurlitzer* (Col.)
WORLD — $400 (25c-35c) 7 days. Gross: $400. (Average, $57)

**Touchdown** Band High at Milwaukee

MILWAUKEE, Oct. 25.—Week’s profit-taker was Benny Goodman on the stage and “Touchdown Army” with $15,750 at Fox’s Palace. Second money went to “That Certain Age” and “The Music Mamant” with $8,500 at the Warner.

Business took it on the chin from the Food-Radio Show headlining Hugh Herbert, which drew more than 70,000 people in six days at 25c-35c admissions.

Estimated takings for the week ending Oct. 20:

*Touchdown Army* (Para.)
PALACE — $2,000 (25c-35c) 7 days. Stage: Benny Goodman. Gross: $2,000. (Average, $286)

*Too Hot to Handle* (M-G-M)
WORLD — $1,500 (25c-35c) 7 days. Gross: $1,500. (Average, $214)

*Three Loves Has Nancy* (M-G-M)
STRAND — $750 (25c-35c) 6 days. Gross: $750. (Average, $125)

*That Certain Age* (Col.)
WORLD — $1,500 (25c-35c) 7 days. Gross: $1,500. (Average, $214)

*Time Out For Murder* (20th-Fox)
WISCONSIN—$1,000 (25c-35c) 3 days. Gross: $1,000. (Average, $333)

*Five of a Kind* (20th-Fox)
PANTHER — $500 (25c-35c) 2 days. Gross: $1,000. (Average, $500)

Out Hollywood Way

HOLLYWOOD, Oct. 25.—Leon Schlesinger, producing cartoons for Warner Reel, has some sort of record. Two-thirds of the cartoons appearing in various stages of production, three Looney Tunes and five Merrie Melodies on the 1938-39 schedule have already been released. Among the first Merrie Melodies of the 1939-40 season is nearly completed.

The little Tenderfoot has been selected as the next Tex Ritter musical western for Monogram. It will introduce Mary Ruth, five-year-old planter’s daughter. At first, young Johnny Millard will be co-starred with Isla Miranda in Paramount’s “Hotel Imperial.” Don Ameche’s one picture loan to Paramount by 20th-Century-Fox will be “Midnight,” to costar Claudette Colbert.

Samuel Goldwyn has purchased “The First Co-Ed,” story of 1837 when four girls entered Oberlin College as the first girl students in an American institution. Miriam Hopkins first film at Warner, “We Are Not Alone,” from James Hilton’s novel, will start Nov. 7, and Jack Garfield gets the role of “Diaz” in Warners’ “Juarez.” M-G-M enters the murder mystery field with “The Lone Wolf.”

*Casting—Rufe Davis in “Ambush,” Paramount and Allyn Joslyn and Claude Gillingwater in “Cafe Society,” RKO.

Nash replaces Charles Bickford in Paramount-DeMille’s “Union Pacific.”

*That Certain Age* Out Front at Montreal

MONTREAL, Oct. 25.—“That Certain Age,” $1,100 at the Palace, the best showing in a week affected by warm weather and the altar-effects of Canadian Thanksgiving Day.

“Sky Giants,” with eight vaudeville acts at Looe’s, and “My Lucky Star,” heading a dual bill at the Capitol, grossed $2,450.

Estimated takings for the week ending Oct. 22:

*My Lucky Star* (20th-Fox)
CAPITOL—$900 (25c-35c) 7 days. Gross: $900. (Average, $129)

*Sky Giants* (RKO)
WORLD—$250 (25c-35c) 7 days. Gross: $250. (Average, $35)

*That Certain Age* (Univ.)
ASH—$300 (25c-35c) 7 days. Gross: $300. (Average, $43)

*There Goes My Heart* (U.A.)
ASH—$500 (25c-35c) 7 days. Gross: $500. (Average, $71)

Charter Five at Dover

DOVER, Del., Oct. 25.—Five new companies charted.


D SUMMER MUSICAL DRAMA ALSO SUMMER股票市场

**THEATRE ADDRESS**

**...THAT YOUR THEATRE MAY NEVER BE DARK.**

**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 Lyric 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.

“All 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 bearing—and such a suspicious nature.”

The Altec Service Inspector is thoroughly trained and equipped to service all makes of sound equipment, however modified or modernized since equipment was purchased.
Radio Personal

BEA WAEN refuses the rumor bearing that she has turned her band's team into her own. — Beney Venuta is cutting her mutual program to a half-hour. — Those re-


viewing her programs: agents! Lester Grady of the Fidelity office informs us that Beney Goodman broke an all-


time attendance record in Flint, Michigan, when he played at a dance hall attendance of 8,908, and Dave Albers writes that Morton Downey broke a 17-year business record at the Coconut Grove during his recent en-


gagement there. — Frank Gallop will serve as a member of the newly formed Leish's "Air Raid" is broadcast over CBS tomorrow on the "Workshop."

Patton Sets Deal for 52 Weeks Over WOV

Patton Corp., for Yuban Coffee, has signed for a 52-week program over WOV, sponsoring a script show titled "The Ronald Family." Mondays through Fridays, starting Oct. 31. The Arthur H. Ashley agency handles the account.

Matta Locatelli, Inc., is sponsoring a campaign over WOV consisting of 15-minute musicals, twice weekly, for 13 weeks.

NBC vs. Freeman Oct. 31

Trial of two suits by NBC and Cecil, Warner & Cecil, Inc., against Charles Henry Freeman, Jr., was set post-


poned for Oct. 31 before Federal Judge John M. Woolsey. NBC is seeking $2,308 damages and Cecil, Warner & Cecil $16,583, and an in-


junction in the two suits, which con-


tain that the defendant is seeking to interfere with a plan of Cecil, War-


ner & Cecil for a series of radio pro-


grams using the facilities of the Metropolitan Opera and known as the Metropolitan Opera Auditions of the Air.

Stockholder Sues RCA

A stockholder's suit against RCA for an accounting was filed in the N. Y. Supreme Court yesterday by George Saisviet. Westinghouse Electric 


& Mfg. Co., General Electric Co., Owen D. Young and David Sarnoff were named as defendant in the suit. No complaint has been filed as yet.

Political Talks on WNEW

Independent Groem's Committee for the election of Governor Lehman and his running mates placed an order with WNEW for three five-


minute programs in which Groem, his local talker, Kelly, Nash & Winston is the agency. Another WNEW contract is for the Holden Family, Inc., one-quar-


ter-hour per week.

“Information” to Canada

“Information Please,” audience partic-


ipation program which shortly goes public will be heard Wednesday, Oct. 25. Canadian Dry Ginger Ale Co., will add Canadian outlets following the Nov. 15 broadcast, and will be heard over CBC and CHMI. The Mathe agency handles the program.

Around the Country

Cincinnati

Ralph Rosenberg and James Cassidy have joined the publicity staff of WVL and WSAI, which handles direction of Bill Baily, press relations director. — Edna Silverton has re-


ceived the WWSAI public-


ity department. — Frances Rainie, radio editor of the Cincinnati Times-


Star

Studied

Shirley Temple, Clark Gable, Bob Hope, Shirley Ross, Ginger Rogers, Fred Astaire and Dick Powell will appear on a special "Hollywood Highlights" pro-


gram over WHN tomorrow at noon.

Not but in person—via transcription as a promo-


tion for the Motion Pictures' Grand Eight Year campaign. P.P.S. — Clark Gable will sing.

WOR Discs to Help Tuberculosis Drive

WOR's recording division has started shipment of 220 new transcrip-


tions of a special 15-minute program, "Passing the Torch," to be distributed to broadcasting stations throughout the country. The discs, made for the National Tuberculosis Association, will help launch the 1938 Christmas campaign.

Other new business received by the WOR recording division includes the appointment of a N.Y. New York Film Ex-


waxings for Sensation cigarette, placed by Lennen & Mitchell.

Mutual to Add 108th Station, KMOE, Tulsa

Mutual will add the 108th station to its network on Nov. 6 when KMOE, in Tulsa, Okla., joins it and the Oklahoma State network.

KMOE is a new station which starts operation on the date of its dedication, the second highest day- time unit on 1,310 kilocycles, 250 watts. Glenn Condron is the manager.

Clapper Signed by NBC

Raymond Clapper, syndicated political writer for the United Press, has signed a contract to be broadcast by NBC to interpret election results and trends following the coming general elections. Of Oct. 6, the day preceding the elections, Clapper will discuss the issues of the candi-


datical changes in a 10:45 to 11:30 P.M. broadcast over the Red network. Following the broadcast, which will come from Washington, Clapper will then travel to New York, from which point he will be heard in numerous other broadcasts.

“Silver Theatre” in East

“Silver Theatre,” Hollywood program sponsored by International Sil-


ver Co., which features appearances of film guest players and original dramatizations, will emanate from New York the weeks of Nov. 13 and 20. Helen Hayes will be featured on those two weeks.

Wolcott Heads Amateurs

NEW HAVEN, Oct. 25.—George Wolcott of WIKDO has been elected president of the New Haven Radio Association. Edward Fraser, WIKY, is vice-president, John Mor-


ris, W1ATH, secretary, and Irving Stannard, W1DPP, treasurer.

Morse Series on WAAB

Boston, Oct. 25.—Ruth Morse has returned to WAAB with her interview-


series, Miss Morse features visiting screen and stage stars.

Tidewater to Air Games

SAN FRANCISCO, Oct. 25.—Readied for the San Francisco KDKO has almost completed work on the new studios for CBM in the King's Hall Building. Final details should be cleared up as soon as possible.

The new studios were first used yesterday by Rupert Caplan, who gave his “Miss Trent's Children's " general program from one of them.

Middlebrooks Is Here

James Middlebrooks, who superv-


ised the new KNX transmitter in Hollywood, is in New York on the first leg of an in-


pection tour of all of the eight owned and operated CBS stations.

Al Rinker Is Married

Al Rinker, brother of Mildred Baily and CBS producer, yesterday married to Elizabeth Neuberger of the Kay Thompson chorus.

Please note: This text is a natural reading of the document and may not perfectly match the original printed text.
Bondy Delay May Set Back RKO
Emergence from 77b to Jan. 1

RKO may not emerge from 77b until Jan. 1. This unexpected delay is engendered by the fact that Federal Judge William O. Bondy is not prepared to act on the pending amended plan of reorganization, although the plan has been approved by Special Master George W. Alger. Not only the fact that opposition counsels have filed voluminous briefs in the case, but also the fact that Judge Bondy will be busy in the motion part of the Federal Court, compels him to move slowly in the matter. And there is mixed feeling in RKO and disappointment over this delay in the trade.

RKO has been before the courts for six years and its affairs have been fully aired, privately and publicly. The disappointment that is at the more keenly felt in view of the fact that the court, on numerous occasions, has urged speed in rescuing RKO, and that untoward delay might prove costly to the firm. The present delay naturally will raise the cost of RKO's 77b proceedings and prolong in office the trustee, and keep other counsel on tap awaiting the final gong.

Major Defendants
File Request for
Trust Case Facts

Applications for bills of particulars, and a more definite statement of the Government's complaint in its anti-trust suit against the eight major companies, were filed yesterday in the U. S. District Court by a number of the defendants.

Paramount Pictures, Inc., 20th Century-Fox Film Corp., Irving Trust Co., as trustee for RKO, Loew's, Inc., Warner Bros. Pictures, Inc., King-Albe-Orchum Corp. and Universal Corp. filed applications in behalf of themselves and their subsidiaries, officers and directors. Chase National Bank, National Theatres Corp. and Cortland Smith also filed. The hearings for all motions for bills of particulars will be held Nov. 1 before Federal Judge Bondy.

Columbia filed its application earlier in the week and United Artists will do so today. These companies are asking separate responses from the Government.

City Seeking Heavy
Film Tax Penalties

Penalties aggregating more than $100,000 are being sought of major distributors by the city comptroller's office for failure to pay the two per cent city sales tax from March 31, 1935, to June 15, 1937.

Hearings on penalties assessed against United Artists are now under way, with the law firms of O'Brien, Driscoll & Raftery and Schwartz & Frollich representing the distributor. A hearing scheduled for yesterday was postponed at the request of the city to Nov. 4. Preliminary hearings (Continued on page 2)

Schaefer to Attend
Variety Club Dinner

George J. Schaefer, operating head of RKO, will attend the 10th annual Variety Club banquet in Pittsburgh, Sunday, and from there he will go to the M.P.T.O.A.'s annual convention at Oklahoma City. He will return to New York, according to present plans, early in the week. It is very likely that he will soon visit the coast, where he will join Leo Spitz in meeting RKO's studio people.

Delay Philadelphia
Move on Allied Unit

Philadelphia, Oct. 26—Formation of an Allied unit here has been postponed until Friday, Col. H. A. Cole, Sidney Samuelson and Abram F. Myers are scheduled to attend a session of local exhibitors.

Eleven local theatre men attended a meeting in Atlantic City last week to discuss the plan.
Regions End Talks; Allied Returns Today

(Continued from page 1)

meeting with S. R. Kent and Ned E. DeBun, William F. Crockett, who acted as chairman of the committee, and Benjamin T. Pitts, both representing the M. P. T. O. of Virginia, left for their homes in Fredericksburg last night. This may indicate that the latter committee has about completed its work.

Others who attended the sessions were Harry Brandt, Laurence Bolognino and Leon Rosenbatt, for the New York I. T. O. A.; Leo F. Wolcott, president, Allied I. T. O. of Iowa-Nebraska; Hugh W. Brun, Albert A. Galston and R. H. Poole, I. T. O. of Southern California and Arizona; John Bagnall, Associated Press, and Edward, Intermountain Theatres Association, and Charles R. Gilmour, Rocky Mountain Theatre Owners and Managers. Pitts held the proxy for the Kentucky unit.

New Louisiana Rule Tangles Tax Battle

NEW ORLEANS, Oct. 26.—Opposition of Louisiana exhibitors to the state and city sales tax on film rentals has been demonstrated by a court that made that payments be made through distributors instead of directly to tax agencies.

R. H. Alexander, assistant collector of the sales tax, has informed distributors that they must collect the tax from exhibitors and that he is informing theater men that this must be paid through the exchanges.

Principal theatre operators of the state industry began paying the tax under protest directly to the state and city and filed suit contesting constitutional validity of the law at Baton Rouge yesterday. Ruling followed a conference with distributors.

Surrey Council May Regulate Seat Price

LONDON, Oct. 26.—Surrey County Council plans to consider the adoption of regulations on the price of film theatre seats, similar to that passed by the London County Council, to which exhibitors have raised strenuous objections, and which they plan to fight in the courts.

The exact date for consideration of such a measure by the council has not been determined. More than 100 theaters would be affected by seat regulations in the area.

Aampa to Hold First Fall Meeting Today

Aampa will hold its first meeting of the season today at noon at the Astor grill. The meeting will initiate the Aampa's new clubhouse.

Maurice Silverman, chairman of the U. A. executive committee, will be the principal speaker. Hugh Herbert is scheduled to be present. A program of entertainment has been arranged.

Purley Personal

HAL HORN, Walt Disney eastern representative, and KEITH GLAISER, Disney Enterprises, will sail for London tomorrow on the Ile de France.

JAMES FINNEY of the Walt Disney New York office is recuperating at his home from injuries received when his car was struck by an automobile several days ago.

T. KEITH GLAISER, operations manager of the Paramount studios, will arrive here today with three assistants.

IRVING SHERRIFF of RKO publicity leaves today for Baltimore and Philadelphia on special assignments.

WALTER GOULD, U. A. Latin American sales manager, is due Nov. 9 from a survey of his territory.

City Seeking Heavy Film Tax Penalties

(Continued from page 1)

involving the fine Columbia, RKO, Paramount and Warners have been heard.

The film companies, acting on the assumption that a municipal emergency tax was not applicable to a business in interstate commerce, did not contest the tax from the time of its enactment until June 15, 1937. In the meantime, the state Court of Appeals held that the tax was collectible on films exhibited in theaters with city limits. The distributors then paid the tax arrearages, but the city now is pressing for interest and penalties on those amounts.

WARNERS TO REQUEST CHADWICK TESTIMONY

Application will be made today in N. Y. Supreme Court by M. Witmark & Sons, Warner Bros. Pictures, Inc., and Warner Bros. Productions Co. for a commission to examine defendants in a suit for $250,000 damages and an injunction, for a commission directing the examination of L. E. Chadwick and Jerome Storm in Los Angeles.

The suit, which was brought by Harry Armstrong and Richard H. Gerard, as composers of the song “Sweet Adeline,” charges plagiarism by Warners in the picture, “Sweet Adeline.”

The defendants seek the examination to prove that Chadwick Picture Corp. produced a picture of the same name years back.

ORDERS MAYERS TO TESTIFY

N. Y. Supreme Court Justice Phillip McCook yesterday directed Arthur Mayer, president of Du-World Pictures, Inc., to submit an examina- tion before trial in the suit by the Screen Actors Society against DuWorld for $3,000 damages. The plaintiff is suing to recover on an alleged contract.

HARTMANN OPENS HOUSE

KANSAS CITY, Oct. 26.—GEORGE Hartmann has opened the State, new $25,000 house at Mound City.

MOTION PICTURE DAILY

Thursday, October 27, 1938

Major Defendants File Request for Trust Case

(Continued from page 1)

ement, where the applications of the other major defendants are uniform, to all intents and purposes, in the course of the Department of Justice in furnishing answers.

The defendants' procedure, agreed upon during conferences with department officials in Washington last week, takes the place of a filing of answers in the Government's complaint, which otherwise would have been due Nov. 1. Under this procedure, defendants' answers will not be due until some time in December.

Report J. L. & S. May Drop the State-Lake

CHICAGO, Oct. 26.—If Jones, Linick & Co. drop the State-Lake, as expected, the State-Lake will be turned back to Balaban & Katz, it was reported today. Jones, Linick & Co. announced yesterday that they intend to put stage shows and pictures into the Oriental. This is the policy now maintained at the State-Lake.

It is understood that B. & K. will convert the State-Lake into a first run and may drop the Roosevelt with the expectation that it will be converted into stores.

Ben Cow Is Married

Word has been received from Calcutta of the marriage on Oct. 23 of Ben Cow, managing director for Loew's there, to Berta Dubb, daughter of Ishan and Mrs. Duff of New Haven. Cow was a New Haven resident before going to Calcutta several months ago.

Center Theatre to Open

Center Theatre will reopen in January, according to plans now being made, according to present plans. The Equity council has granted an additional week for rehearsals because of the time cast which is to be employed.

MOTION PICTURE DAILY

(Registered U.S. Patent Office)

MARVIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CONNELL, Associate Manager.

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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.
Radio Makers Declare High Power Needed

WASHINGTON, Oct. 26.—Mainte-
nance of cleared channels and the “highest practicable” power on all broadcasting frequencies can be afforded only today upon the Federal Communications Commission by the Radio Manufac-
turers' Association in the absence of satisfactory broadcasting service.

Resolutions adopted by the R.M.A.
board of directors were laid before the commission, and late will be sub-
mitted to all members of Congress, opposing an indicated trend in com-
munications policy and sentiment in Con-
gress toward reduction of power of cleared channel operation, neither of which is regarded by the association as in the public interest nor that of the radio industry generally.

Pointing out that while station sig-
sals travel over tremendous distances, the area to which useful service can be rendered is limited by the radio noise level, and that certain other fac-
tors are involved which tend toward infer-
ence, the resolutions stated that there is no known practicable method by which limitation of the noise level can be avoided other than by sufficient power at the trans-
mittting station. Inter-station infer-
ence can be avoided only by the use of cleared channels.

Accordingly, it was recommended that the number of frequencies now assigned to cleared channel operation should be maintained and encourage-
given to the employment of the highest practicable power on all channels.

Walker Will Conduct New Series on WMCA

Jimmy Walker, long reported to be in line for a radio commercial, has been engaged to conduct a new series to be aired over the Mutual Indus-
trial Bank over WMCA, starting Nov. 6. Walker, however, is donating his services on commission and it is to be turned over to various charities.

The new show will feature talent from WMCA, and the programs each week will emanate from Studio 5, auditorium of a different charitable insti-
tution, with the inmates as the studio audience.

The programs will be broadcast Sundays from 2 to 3 P.M. The con-
tract is for an indefinite period.

Two New Low-Power Permits Are Sought

WASHINGTON, Oct. 26.—Applica-
tions for authority to construct two new low-powered broadcasting sta-
tions have been filed with the Federal Communications Commission by C. T. Sherer Co., Inc., seeking a 1,200-kilo-
cycle station at Worcester, Mass., and Alhambra Broadcasting Co., planning a 1,370-kilohertz station at El-
izabeth City, N. C., both to have 100 watts power night, 250 watts day.

Other applications included a request with WXEL, Royal Oak, Mich., for permission to change fre-
quency from 1,310 to 1,380 kilocycles and increase power from 30 to 250 watts.

Radio Personal

A. V. BIOTT and Costello, comedians on the Kate Smith show, have moved into the Casa Manana for a four-week stay Nov. 4 . . . Guy Lomb-
march has returned to New York for another season at the Roseland Grill . . . Dick Fishell, WHN sports director, will be the principal speaker of the Cranbrook mens' club in a Pitt game . . . Hugh Herbert will be Radie Harris' guest on Mutual to-
ight . . . Gail Patrick has been set
t for the New York 1938 Arts Show.

I. T. & T. to Equip
Two Swiss Stations

International Telephone and Tele-
graph Corp., has been awarded a con-
tact to equip its subsidiary, Inter-
phone and Manufacturing Co., of Berne and Antwerp, by the Swiss Government for equipment to modern-
ize the studios of broadcasting sta-
tions at Lugano and Zurich. The com-
pany recently received an order to equip the Belgian Government's new broadcasting station at Brussels.

The development and manufacture of broadcasting studio equipment is a new activity for International Tele-
phone and Telegraph.

Hotel Wins Against NBC

PITTSBURGH, Oct. 26. — A jury awarded the Summit Hotel of Union-
town, Pa., $15,000 damages today in its $100,000 suit against NBC. The hotel said it was damaged by a remark made by Al Jolson during his program three and a half years ago. It alleged that Jolson, the Jr., golfer, who was professional at the Summit then. Jolson was named co-defendant in the original suit, but it was later dropped. NBC said Jolson ad-libbed the remark, that it wasn't in the original script, but the jury held that made no difference.

Hay Sues Lum 'n' Abner

LOS ANGELES, Oct. 26.—Bill Hay, announcer who does the Amos 'n' Andy broadcasts, today sued Lum Abner for an accounting and 10 per cent of their earnings, claiming he obtained a five-year contract for Lum and his wife, but instead of his promised 10 per cent commission they paid him only $191.

“Ideas” New NBC Show

“Ideas That Come True” is the title of a new NBC show to start Nov. 3 at 2 P.M. on the Blue. Dr. Rollo G. Reynolds of Teachers’ College, Co-
bumia University, will be the narrator and author.

Cancel Winchell on 19 Coast Stations

Jergens-Woodbury, sponsoring Wal-
ter Winchell’s program and the Hollywood Playhouse series with Charles Boyer, is canceling the West Coast hookup of 19 stations which carry the programs.

Attempts to ascertain the reason for the cancellation failed.

Hettinger Joins World

Dr. Herman S. Hettinger has been appointed market consultant for World Broadcasting System to develop the company's advisory capacity on marketing problems in connection with the World Transcription System. Dr. Hettinger was formerly director of research for the National Association of Broad-
casters.

Von Wiegang on NBC

Karl H. Von Wiegang, foreign correspondent for INS, back from Europe, has been signed by NBC to a new series of broadcasts on the European scene. He will be heard over the Blue today, tomorrow and Nov. 2 at 7:30 P. M. He will sail for Europe on the Queen Mary, Nov. 4.

Pittsburgh Has Series

Pittsburgh COI, Inc., is sponsoring a new series titled “Champions of the Keyboard” over a split NBC network, the stations including WTM, which will originate the program from the studios of the latter station in Pittsburgh. The contract is for 13 weeks, with weekly presenta-
tions on Wednesdays at 7:30 P. M. Walker & Downey is the agency.

Take Time for Lehman

Independent Citizens Committee for the Defense of Lehman and Poletti has contracted for three morning peri-
ods on WMCA, today, tomorrow and Oct. 31 at 11 A.M. The programs consist of transcribed campaign talks by the candidates.

Cancels Contracts

San Francisco, Oct. 26.—In con-
nection with the station’s new policy of “better programs,” KYA Manager Reiland Quinn has canceled contracts of four dairtereers, represent-
ing a revenue slash of $450 weekly. Among the contracts quarterly or half-yearly for an language program and medi-
cal and oil land lease talks.

WHOM License Cut;

Charge Propaganda

(Continued from page 1)
the station has been ordered. H. F.
O’Meafla is listed as president of the corporation owning the station.

The commission’s report shows that many listeners have protested various specific programs broadcast in the Italian, Arabic and German languages, charging the station with “subversive,
“vicious foreign propaganda,” “subver-
sive,” “diatribes against the Jews” and “extolling Fascist Italy.”

Since the announcement of the programs the committee has been notified there is still activity in the stations.

AT&T Given Time to File

Probe Briefs

WASHINGTON, Oct. 26.—Opportunity to make known its views on the
charges, comments and recommen-
dations made by Commissioner Paul
of the proposed report on the
$1,500,000 Federal Communications Commission investigation of A. T.
The committee had that organization by the F. C. C.

Ordered by Congress in March, 1935, the commission spent 30 months on the organization, including its motion picture and radio interests. In October, 1935, Commissioner Walker, in charge of the investigation, was ordered to pre-
pare a report for consideration by the commission. While the proposed re-
port was under consideration, one of the many commission leaks occurred and much of its contents became known, influencing the commission to send the five-volume document to Congress April 1.

Prepared now to complete its as-
signments, forming a formal report and recommendations, the commission today gave A. T. & T. and its sub-
scribers 30 additional days in which to file briefs.

A major feature of the investiga-
tion was the activities of the Bell system, radio picture and broadcast-
ning development, the former through Erpi and the latter through NBC's control of wire facilities as well as its own experiments in the operation of broadcasting stations. The com-
pany was shown also to have been interested over a considerable period in the development of television.

While Commissioner Walker’s pro-
posal for Bell's development was a
research work which had been con-
ducted in these fields, it did recom-
mand that the F. C. C. be given the reg-
d of Bell system activities to the field of communications, including the power to prohibit the operating division from using its assets and energies to commercial exploitation of non-commercial fields when it appears that such activities may be detrimental to the public interest.

With respect to radio it was recom-
manded that the Communications Act
be amended to prohibit discrimination “not only of services and charges in commercial broadcasting, but also of prac-
tices, classifications and regulations.

Chicago's Colored Operators Get Jobs

CHICAGO, Oct. 26.—An agreement has been reached with the operators' union under which colored operators will be used exclusively in several theatres catering to colored patrons. The contract will be signed shortly extending the present wage scale to June 1.

CBS Promotes Thompson

Tony Thompson, night supervisor of the master control room at CBS, has been promoted to supervisor of field engineers. John Norton from the field department has taken over Thompson's duties in master control.
Motion Picture

HISTORY IS BEING MADE

BY FRANK CAPRA'S "YOU CAN'T TAKE IT WITH YOU"
5 WEEKS PANTAGES AND HILL
All Record

3 WEEKS PARAMOUNT, BROOKLYN...GRO
BEATS "SNOW WHITE"

2ND HOLDOVER IN EIGHT Y

5 WEEKS SHUBERT, CINCIN

5 SENSATIONAL WEEKS LIBER

3 RECORD WEEKS RADIO CITY MUSIC

58 HOLDOVERS AFTER ONLY 3 WEEKS OF GENE

"YOU CAN'T TAKE A COLUMN
STREET (DAY) LOS ANGELES!
Broken!

SEES SURPASS ALL PAST PERFORMANCES!
AMBASSADOR, ST. LOUIS!

ARS AT EARLE, WASHINGTON!
ATI, TO SMASHING BUSINESS!

TY, SEATTLE, AND STILL GOING!

ALL TO ATTENDANCE OF 500,000!

AL RELEASE MAKE MOTION PICTURE HISTORY!

E IT WITH YOU" A PICTURE
THE RETURNS ARE COMING IN—
‘SUEZ’ IS SWEEPING THE NATION!

BULLETIN
ROXY, NEW YORK
—Terrific pace unabated as it enters THIRD WEEK!

BULLETIN
STANLEY, PHILA.—One of the biggest opening days in entire history of theatre!

BULLETIN
NEW, BALTIMORE—Opening day running way ahead of sensational “In Old Chicago”!

20th CENTURY FOX
THE KEystone OF YOUR FUTURE
Rockefeller Won't Go on RKO's Board

Decides Not to Accept Creditor Invitation

Nelson Rockefeller has decided that he will not personally sit on the new RKO board. He has been urged to accept membership on the board by major RKO creditor interests, who have been very desirous of obtaining his personal association with that body upon the company's reorganization.

It is understood, however, that Rockefeller is willing to permit Rockefeller Center, which is the largest individual creditor of RKO, to be represented in the new board. Possibly Rockefeller will accept two representatives. One of these is expected to be W. G. Van Schus, managing director of the Music Hall. This decision of Rockefeller not to accept membership on the board is a disappointment to creditors. Throughout the recent period

(Continued on page 4)

Columbia Officials Get Stock Options

WASHINGTON, Oct. 27.—Samuel J. Briskin, A. Schneider and A. Montague have decided to take up options on 37,500 shares of no par common stock of Columbia Pictures Corp., it was disclosed today in a report filed with the Securities and Exchange Commission. The stock will be issued out of 1,000,000 shares already authorized. Briskin will get 10,250 shares and Schneider and Montague 7,687$1 shares each at $13.50 per share for 25,025 shares. The remaining 1,073 shares are to be sold to the company. (Continued on page 4)

Exhibitor Groups Off to Convention

Exhibitor delegations from New York, New England and Philadelphia left last night for Oklahoma City and the M. P. T. O. A. convention, which will open at the Baltimore Hotel there Sunday. Approximately 65 delegates were in the contingents leaving from the Atlantic City conventions, including a number of... (Continued on page 4)

Radio—Page 9

ODEON-GB MERGER MAY OUST OSTRERS

UA to Attack Federal Suit Next Tuesday

First attack on the Government complaint in the anti-trust suit will be made Tuesday by United Artists before Federal Judge William Bondy at hearings for bills of particulars. J. A. will ask that paragraphs which charge a producer's monopoly, unfair trade practices and favors granted to producers by other be stricken out. Benjamin Pepper of O'Brien, Dressel & Raftley will present the argument.

A request that time to answer be extended until 60 days after a bill of particulars has been furnished by the Government will also be made or behalf of all defendants. Motion papers revealed that Assistant Attorney General Thurman Arnold recently rejected a request for further time unless directed by the court.

However, the latest move by the defendants is expected to set the date back from Nov. 1 to the early spring. A single demand on behalf of majors with theatre affiliates and Universal will be made. The demand consists of 114 items, with 56 sub-divisions. If the Government is required to give

Silverstone Asks Publicity Men to Protect U.S. Ideals

Publicity men are standard bearers in the creation of public opinion and only in this country of free institutions can they play their art. Maurice Silverstone told members of Amana and their guests at the first fall luncheon yesterday.

Silverstone impressed upon his hearers their responsibility in seeking to preserve American institutions. He had observed European totalitarian states closely, he said, with their "common informers" and their universal fear and restraint.

"I quite realize your profession is a different one," he said. "You are endeavoring to portray the fine qualities of American industry. You are the standard bearers of 80,000,000 people in developing taste. You really have a great task to perform, and I earnestly hope you realize it. "We are lucky we are here. You have in your hands the greatest existing medium for preserving what you have in the way of liberty. Let us by dignity and restraint preserve the American spirit. Don't overlook any opportunity to fight properly for the preservation of the ideals of this country."

The luncheon was held in the grill of the Hotel Astor which is to be redecorated and made available as clubrooms for Amana. The attendance was so large it was necessary to bring in a number of additional tables. Paul Lazarus presided in the absence of Ralph Rolan. With him

(Continued on page 3)

Philip Hill May Become Chairman Under New Concentration

LONDON, Oct. 27.—It is understood here that the Ostrer Brothers would relinquish control under the proposed merger of Gaumont British and Odeon, and that under a new concentrated setup of several organizations under the U. O. B. O. London, Bernstein Theatres, General Film Distributors and Pinewood. It is considered certain that a board of directors under Hill arrangement will be part of the arrangement.

It is understood that under the out-of-court settlement of the action by John Maxwell, head of Associated British Pictures, against the Ostrers, G. B. head, in connection with the sale of G. B. shares to Maxwell, the latter is guaranteed $3,000,000 for the shares, valued at $2,800,000. The payment is understood to be on the basis of $300,000 annually, and it is believed the share holdings will be returned only on completion of the payment in 10 years. It is also believed that Maxwell,

(Continued on page 4)

Majors' Practice Plan Ready Soon

Definite proposals by the distributors to a time practice program are expected to be in shape late next week, after a series of meetings held with the M. P. T. O. A., Allied and regional exhibitor groups.

W. F. Rodgers, Gradwell L. Sears and Abe Montague held a session yesterday afternoon with the Allied committee at the Astor. The talks are to be resumed today and a preliminary agreement with Allied may be reached.

Regional problems were discussed in meetings with the L. T. O. of Southern California and others yesterday. These discussions will wind up Saturday.

Rodgers yesterday said he hoped to attend the M. P. T. O. A. convention in Oklahoma City, starting Sunday, but his plans were uncertain.
Anticipate 350 at SMPE Convention

DETOUR. Oct. 27.—A total of 350 engineers and technical men from all branches of the motion picture field will be expected here over the weekend for the opening of the three-day fall convention of the Society of Motion Picture Engineers in the Hotel Statler, starting Monday.

A diversified program of technical sessions has been arranged for the meeting by J. I. Crabtree, editorial vice-president, and Glenn Matthews, technical director and committee chairman. Karl Bremkert of Detroit is chairman of the local arrangements committee, and John Strickler and A. J. Bradford, local men, are assisting W. C. Kunzmann, convention vice-president. Mrs. Strickler will act as hostess, assisted by a ladies' reception committee.

Dr. Herbert T. Kalmus, president of Technicolor, and Gerald Fertel, vice-president of production, are expected, and Arthur S. Dickinson of the M.P.P.D.A., National publicity, will be here representing the Empire film company. Mrs. Strickler will act as hostess, assisted by a ladies' reception committee.

New officers for 1939 will be named at the session Monday, and the annual fall banquet will be held Tuesday evening.

Met Opera to Have Film

For the first time the Metropolitan Opera House will be wired for film sound apparatus so that on Nov. 18 audiences will enjoy a Chinese picture, may be shown.

The Associated Boards for Christian Colleges in China and the Church Committee for China relief, sponsors of the film, have added to the program a Chinese orchestra, tableaux by Chinese students, and a film showing the activities and addresses by leaders in international humanitarian projects.

Roach Signs Jean Parker

Hollywood, Oct. 27.—Jean Parker today was signed by Hal Roach for a leading role in “It’s Spring Again,” Oliver Hardy-Harry Langdon feature, to start next week.

Columbia to Release Eight French Films

Columbia yesterday closed a deal with Paul Graetz, head of Paris Export Film Co., to take over eight films which Graetz some time ago arranged to distribute here through Empress Pictures.

B. S. Moss organized Empress to act as the American distribution outlet for French films, Graetz, who is now in New York, will return soon to Paris. Moss plans to accompany him.

ROONEY TO OKLAHOMA

Hollywood, Oct. 27.—Mike D’Amico, head of the M-G-M publicity department, left today for the Oklahoma City convention of the M.F.P.O.A.

Johnston en Route East

Hollywood, Oct. 27.—W. Ray Johnston, president, and Leon Fronke, treasurer of Monogram, left here last night by train for the east.

MOTION PICTURE DAILY

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No Wage-Hour Rulings Ready For Attorneys

(Motion Picture Daily, October 28, 1938)

McConville to Sail On Europe Change

A revision of Columbia's distributing operations in Continental Europe will be made next week. Under a new contract, developments abroad will be studied by J. A. McConville, foreign manager, in consultation with the company's European representatives next month.

McConville and Jack Segal, Columbia manager of foreign exchange operations, will sail for London on this mission next Friday aboard the liner Prince of Wales. They will confer with Joe Friedman, Columbia's European managing director, and the company's Continental managers, prior to a revision of operations. The recent changes in Central Europe and the Italian decree establishing a Government distributing monopoly are the principal subjects of the conferences.

Forced closing of activities of American distributors in Italy and central Europe has resulted as a result of the developments.

Arthur W. Kelly, United Artists foreign office in both Texas, who is now on a similar mission, John W. Hicks, Paramount foreign head; Phil Reisman, RKO, and Sam Morris, Warners, are in Europe now.

Monogram, Republic To Sign with S.A.G.

Hollywood, Oct. 27—Monogram and Republic are expected to sign the new Screen Actors Guild contract to which majors have agreed next Monday. Some concessions have been granted by the guild as a result of negotiations with Sam Wool, Monogram's attorney and representative. These affect talent used in westerns.

Pleas of smaller independents will be taken up with guild officers next Monday. The objections of the independents center on the 48-hour week with time and one-half for overtime.

Silverstone Asks Publicity Men to Protect U.S. Ideals

(Continued from page 1)

on the dais, in addition to Silverstone and Cross, were Women's March on Selective Service officials; Attorney General Frank McDonald, CivilIAN Defense. The theme of the evening was "The World as We Knew It". At this point Herbert interrupted with "I hope he means me." Lazard hadn't finish and presented Herbert with the "No. 1 Screwball of America."

"I think he's right," Herbert began. "The other day when I ar- rived in town a bunch of youngsters around the Hotel Warwick crowded in on me looking for autographs. One girl asked: 'Are you really Hugh Herbert?' I admitted it and she dropped her paper and pencil and said, 'Oh, my goodness!'

What do you suppose she meant?' Herbert was in top form and told several stories.

While Lazard was introducing Silverstone as "general manager of United Artists and chairman of the U.S. Navy and Marine Corps Hires not-for-profit trust" in New York, Herbert was hand him and, grabbing his hand, he remarked: 'I'm free lancing now.'

But the most humorous were: James Malloy, Thomas P. Mulcahy, Arthur W. Kelly, Harry Gottlieb, Harry Kosiner, Lou Litton, Emanuel Silverstone, Lynn Farnell, Monroe Greenthal, Horetz Schwob, Morris Helprin, Tom Walker, Lowell Call, Stephen Falles, Marcel Helman and Al Margolies.

Chicago Depositors Postponed One Week

Chicago, Oct. 27—Judge Wilkerson in Federal Court today set back one week, to Oct. 29, the deadline for filing of depositions in the action of Chicago independent theatre owners against Balaban & Katz and major distributors.

Attorneys for the defendants sought to have the taking of depositions from the theatre and exchange executives delayed until after answers to the complaints are filed. They also asked that the defendants be allowed filing time from Nov. 19 to Dec. 15, and that no depositions be taken until two weeks later. Judge Wilkerson refused the time extension.

Another motion to strike out parts of the complaint was denied.

Refuse Dismissal of Davis-Columbia Suit

N. Y. Supreme Court Justice Charles E. McLaughlin yesterday de- nied the defendants' application to dis- miss the stockholder's suit of Betty Davis, widow of Columbia Pictures' Jack and Harry Coln, Joe Brandt and eight other directors and officers of Columbia.

McLaughlin ruled that the plaintiff, as a holder of 162 shares of voting trust certificates, was en- titled to bring suit, and that her action was not barred by the operation of the statute of limitations. The suit, which seeks an accounting against the defendants from 1929, charges exces- sive bonuses paid to Brandt and to Jack and Harry Coln, and the illegal exercise of options issued in 1929 to purchase Columbia stock.

To Open Big Omaha Theatre on "Trial"

OMAHA, Oct. 27.—Tri-States Theatre Corp. will reopen the 3,000-seat Palace Theatre on a "trial basis." House has been dark two years except for occasional legitimate. Theatre opens with the "Dracula and the Living Dead" combination with prices at 15 cents and 25 cents. Success of the opening will probably be rated on the success of E. R. Cummings, district manager. Jack Kolbo is manager.

Theatre Projects Total to 592 for Nine-Month Period

There were 592 theatre construction projects with a total valuation of $15,- 581,000 in line in the United States this year. These figures include new the- atres and major remodeling and cover the 37 states east of the Rockies.

This is $8,184,000 for a third figure for the corresponding period last year. In 1937 the awards had reached $22,382,000 and there were 601 proj- ects with 3,433,000 square feet of floor area. This year the floor area has totaled 2,128,000 square feet. The figures are from the Dode Reports Divi- sion of F. W. Dodge Corp.

The September total was the smallest since May. Contracts amounting to $1,266,000 included 47 projects with 149,000 square feet. That was approximately half the September, 1937, volume and 1938 proj- ects with 404,700 square feet. Only January's contracts, amounting to $1,- 857,000, have dropped under the Sep- tember valuation.

"Suez" 2-Week Roxy Take Hits $113,300

"Suez" finished its second week at the Roxy yesterday with $5,000 to bring its two-week total up to $113,- 362. It continues with That Certain Age next. At the Strand, "The Sisters," with Horace Heidt and his band on the stage, ran $2,128,000 and there were 601 proj- ects with 3,433,000 square feet of floor area. This year the floor area has totaled 2,128,000 square feet. The figures are from the Dode Reports Divi- sion of F. W. Dodge Corp.

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Refuse Cinema Lab Bids

Hollywood, Oct. 27.—A bid by C. King Charney of $65,500 for the assets of International Cinema Labora- tory, now operating 777 bank-ruptcy proceedings, was refused yes- terday by Trustee Jack Snyder, who ordered a new call for bids delayed until Nov. 9. The creditors' commit- tee, represented by Sam Wolf, attorney, entered a protest bid of $65,000.
UA To Attack Federal Suit
Next Tuesday

(Continued from page 1)

The details demanded, the response might take months to prepare.

The affidavit charges that the complaint is full of denials and
definite allegations which the defend-
ants cannot know how to meet un-
less they formally respond in a
specific and definite manner.

It also stated that it is the conclusion of all counsel in
the case that it is impossible to an-
swer some of the questions to
which no definite information is
forthcoming. "The bill will have
the effect of clarifying and im-
posing the issues at trial," the affi-
davit contends, and unless granted
the defendants will be required to in-
vestigate hundreds of thousands of com-
plaints which may not be involved in
the suit.

Require Contract Copies

The demand seeks names, dates,
places, persons affected and agree-
ments on each phase of the complaint.
Copies of each contract are also
required.

Definition of phrases used in
the complaint, "for many years let
past," principal production and
exhibition facilities in the motion pic-
ture industry, "metropolitan first
run houses," "preferred run," "dis-
tress methods," "priorities and prefer-
ences," "a list of 'key cities,'" "a
series of harsh, onerous and uncer-
tain trade practices," "dominated and
treated," and others are sought.

Incidental is the term used to describe any
acquittal of the Stanley Co. of
America by Warners is part of the monop-
ony charge. What kind of financial
interest is necessary to make a the-
aatre "affiliated?" Did the alleged
graduate "sell" to all of the defined
avenements of the industry? What are the
specific instances of "innumerable agreements" for
long term franchises for first run exhibitors and producers were
affected?

U. A. Position Different

Pepper, in asking for dismissal
of portions of the complaint, states that
J. A. is in a somewhat different posi-
tion from other defendants because it
is interested only in distribution, "Consequently, he is asserts, although
most of the averments of the petition do
not apparently allege matters of
complaint against said defendant, nev-
evertheless, said defendant is interested in
vague and indefinite manner and by
broad assertion as participants in the
affirmative clauses.

Loew's, Inc., Metro-Goldwyn-Mayer
Pictures Corp., Metro-Goldwyn-
Mayer Distributing Corp. of Texas,
Nicholson, Balaban & Katz, Robert
Rubin, Edgar Mannix, Sam Katz,
David Bernstein, Leonold Fried-
man, Louis B. Mayer, William F.
Rodgers, Isidore Frey, Charles Mos-
lowitz, John R. Hazel, David War-
field, William Parker and Harry Rapf Bled appearances yesterday.

Record Cost

Mexico City, Oct. 27.—Cin-
eema Creations International,
S.A., is spending a record amount
for "Don Gil de Alcalá" ("Sir Gil of Alcala"), 500,000 pesos ($100,000).

The film, which will be re-
leased about the end of the
year, is being directed by Jose
Majano who is receiving $4,000 weekly, a
record for Mexican produc-

Exhibitor Groups

Off to Convention

(Continued from page 1)

home office executives of distributing
organizations, will leave today.

Reports on reservations received at
the M. P. T. O. A. New York
office yesterday indicated that attend-
ance at this year's convention will
equal that at the organization's Miami
meeting in 1937 when registrations to-
taled 356. Large delegations from
the southwest, the south, middle
west and Pacific Coast are reported headed for the conv-
ention.

The executive committee of M.
P. T. O. A. will meet Wednesday
and nominating officers. The slate
will be presented to a meeting of
the board of directors immediately after-
wards. The retirement of Ed Ken-
kendall as president is accepted in
M. P. T. O. A. circles as a foregone
certain, but replacement of the board of directors after the
jury is expected.

Walter Vincent, who has been treas-
urer of the M. P. T. O. A. for many
years, will decline another term, how-
ever, due to the press of added duties
as chairman of Republic Pictures, in
addition to his theatre circuit oper-
as. He does not plan to attend this
year's convention.

Ostrers May Be Out
Under Odeon Merger

(Continued from page 1)

and not his company, would have a part in the Odeon merger.

Informed sources indicate that the
settlement was instigated by Hill,
the National Provident Bank, on
the theory that a prolonged court
action would have a detrimental
effect on the industry generally.

The court's favorable ruling and
possible exit of the Ostrers from G.B. may affect the American end
of G.B. has not been ascertainned.
Nobody is volunteering an opinion in
this regard.

The Newsrelle Parade

Sweptstakes winners held the new-
swrullen while the football schedule continues to be of general interest. The rules and their contents follow:

MOVIECENTRE NEWS—Italian troops
tain. Football games.

NEWS OF THE DAY—Jays capture
Champions, this, $40,000 harvest ma-
chine in operation. Air liner horses praised. Anti-aircraft tank tested. Party
for Philadelphia zoo monkeys. Sweep-
sstakes.

PARAMOUNT NEWS—Auto factories

RKO PATHE NEWS—Henry Ford aids
unemployment. Wallace proposes far
the nation. British million design "perfect girl". Fashion display in China. 

SHANNON NEWS—Train office in train
"Information Please" broadcast. Boy
pays tribute to Theodore Roosevelt.

UNIVERSAL NEWSRELLE—Sweep-
sstakes. Test new Army truck. Sugar cane cutter speeds work. Rodeo

Columbia Officials
Get Stock Options

(Continued from page 1)

shares are reserved for issuance in the event of an increase in the num-
ber of shares that each hold-
erns may want to take. The stock
is to be represented by voting trust
certificates if the options are exercis-
ated prior to April 1.

As a result of the operation, the
company will secure $365,500 which
will be used to buy treasury stock.

The company reported that the
two highest salaries paid during its
final fiscal year were $812,000 to
Harry Cohn, president; $104,220
to Jack Cohn, vice-president, and
$65,220 to Schneider, as treasurer. Seven
employees received an aggregate
of $276,062.

The statement showed that Harry Cohn will stop working expiring June 30,
next, calling for a salary of $3,500 a
week. Jack Cohn has a similar contract
at $2,000 a week. Schneider
has a five-year contract from June 10,
last, calling for $1,250 per week for the
first three years and $1,500 there-
af

Form International
Archives Federation

Losoxo, Oct. 27.—British Film
Institute has formed the International
Federation of Film Archives, designed
to assist in the exchange of prestige
films.

Germany and France are collaborat-
ing, as well as the American Museum
of Modern Art Film Library. The first
congress of the organizations is
scheduled for New York next year.

American participation in the
International Federation of Film Archives was completed yesterday at the
Free Film Library, when John Hay Whitney, president, signed the federa-

C. K. Stern Dinner Guest

Charles K. Stern, assistant treasurer
of Loew's, will be honored tomorrow
evening at a dinner given by the Astor
tendered by Prudence Lodge, 1066, F. & A. M.

The testimonial is to mark Stern's
long service with Loew's and his charitable work in the organ-
ization. A number of high Masonic of-

Butcher Quits Selznick

Hollywood, Oct. 27.—Production
manager at Selznick International for
the last two years, E. E. (Ted) Butcher
resigned today, planning a vacation before announcing a new affiliation

Rockefeller Won't Go on
RKO's Board

(Continued from page 1)

has been most co-operative in
helping smooth out RKO's
situation. He has associates who
were once associated with Rockefeller took a leading interest in the matter of the selec-
tion of the successor to RKO and it is
actually in the naming of George J. Schaefer in
that connection.

Rockefeller's personal endeavors in
the matter helped settle the $9,000,000 claim which Rockefeller Center had
against RKO. The settlement of this
question was a major factor in clearing
the way for the earlier RKO
praedicter picture. This

It is possible that had it not been
for the Rockefeller cooperation in the
KIO situation, the RKO bank
ruptcy might have been even more
prolonged.

Rockefeller's disinterest to serve
any public or business, or any other business activities, in addition to his
duties as chief executive of Rockefeller Center, Inc.

K-A-O Reports Profit

Keith-Albee-Orpheum and subsid-
aries report a net profit after all
charges of $596,049.83 for the 39
weeks ending Oct. 1. This compares
with a net of $914,672.15 for the same
period last year, before provision
for surtax on undistributed profits.

It is estimated that for the 52
weeks ending Oct. 1 K-A-O and sub-
ordinates will show a net of $994,
140.39 after all charges, except sur-
tax on undistributed profits applicable to the 13 weeks ending Dec. 31, 1937.
This would be equal to $151.81 per
share on the 64,304 shares of seven cent
cumulative convertible preferred stock

Para. Gets 'Beachcomber'

Paramount has closed a deal for
distribution throughout North and
South America of Erich Pommer's
"The Beachcomber," starring Charles
Laughton. Negotiations, which have been underway for the past two
months, were conducted by Neil F. Agnew, Paramount distribution head,
a representative of the Mayflower-Pommer-Laughton producing company.

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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
**Hollywood Previews**

**“Tarnished Angel” (RKO)**

Hollywood, Oct. 27.—RKO’s “Tarnished Angel” is a picture for which carefully wrought exploitation campaigns are necessary. It is a story of a “clip joint” hostess who turns to evangelism as a racket, but is converted by the power of her own words.

Sally Eilers, as the “clip joint” hostess turned evangelist, gives a competent characterization, her best for some time. She is supported by Lee Bowman, Ann Miller, Alma Kruger, Paul Guilfoyle, Jonathan Hale, Jack Arnold, Cecil Kellaway, Janet Dempsey, Hamilton MacFadden, and Dorothy灆.

Hounded by the law, Miss Eilers, with the aid of Miss Miller and Guilfoyle, becomes an evangelist, using as one of her foils to demonstrate her “healing power,” a fake cripple, With Bowman seeking to marry her and risking exposure by the police, Miss Eilers joins in a plot to rob her benefactress, a wealthy woman who believes in her. The climax is reached when a real cripple answers her call from the pulpit, and is healed. Then she renounces her criminal acquaintances.

Leslie Goodwins directed from the screenplay by Jo Pagano. The original story and adaptation were by Saul Elkins. B. P. Fineman was associate producer, under supervision of Executive Producer Lee Marcus.

Running time, 61 minutes. “G.”

VANCE KING

**“Sunset Trail” (Paramount-Harry Sherman)**

Hollywood, Oct. 27.—The entertainment and commercial merit of the “Hopalong Cassidy” series has long been acknowledged. William Boyd, George Hayes and Russell Hayden make the Harry Sherman outdoor series adventure pictures desirable amusement. This time, with the aid of Gladys diện, Ward Bond, Fiske, Anthony Quayle, Kathryn Sheldon and Maurice Cass, they have turned out one of the best pictures of the series to date.

Based on the Clarence E. Mulford “Bar 20 Days” stories, Norman Houston’s screenplay is full of new twists, material which Lesley Selander not only directed skillfully, but which gave Boyd, appearing as a different “Cassidy,” and the other players opportunity for comedy as well as thrill action.

To get the necessary evidence on killing, robbing, crooked gambler Fiske, Boyd turns up at Miss Wynter’s dude ranch as a very tenderfoot, galloped in tweeds, wearing buttoned shoes and carrying a cane. While Hayes and Hayden are always handy to participate either in the melodrama, comedy or substantiating romance, Boyd, following a dramatic poker game with Fiske, gives the signal for the cleanup, accomplished to the tune of much riding, shooting and fighting.

Angles to be kept in mind in exploiting “Sunset Trail” are the quality of the whole series and the popularity of the leading trio and the novel manner in which this story has been treated. The picture features expertly photographed scenic backgrounds by Russell Harlan.

Running time, 85 minutes. “G.”

G. MCC.

**MOTION PICTURE DAILY**

**“Certain Age” Detroit Smash With $30,000**

Detroit, Oct. 27.—“That Certain Age,” with a stage show gave the Fox $30,000 in its dual-weeks. The Michigan, with a dual attraction, “The Sisters” and “Broadway Musketeers,” under its own “Hot to Handle,” in its second week at a gross of $8,000. The Palms-State pulled $5,000 in the second week of “Dracula” and “Frankenstein.”

Estimated takings for week ending Oct. 31.

**“Sunset Trail”**

Okla. City, Oct. 27.—The town’s grosses slipped for the week.

“Four A Crowd,” at the Midwest, and a dual of “Always in Trouble” and “Smashing the Rackets” at the Liberty, barely went over the average. The rest of the bills were under par.

Estimated takings for the week ending Oct. 20:

- Straight, Place and Show” (20th-Fox) CRITERION—$1,500 (25c-35c-40c) 4 days. Gross: $6,000 (Average, $1,500)
- “Too Hot to Handle” (M-G-M) CRITERION—$1,000 (25c-35c-40c) 3 days. Gross: $1,500 (Average, $500)
- “Always A Woman” (20th-Fox) LIBERTY—$200 (25c-25c-40c) 4 days. Gross: $1,000 (Average, $250)
- “Broadway Musketeers” (F.N.) MIDWEST—$1,200 (25c-35c-40c) 7 days. Gross: $1,500 (Average, $214)
- “Prairie Moon” (Rep.) STATE—$1,000 (25c-35c-40c) 3 days. Gross: $2,000 (Average, $666)
- “Our Gang” (Fox) TOWER—$1,000 (25c-35c) 5 days. Gross: $2,000 (Average, $750)

**Plan Des Moines Theatre**

Des Moines, Oct. 27.—Elias Garbett and his son, operators of four theatres here, have purchased a two-story building facing the Drake University campus and are remodeling it for a 600-seat theatre.

L. K. Brin Buys Theatre

Seattle, Oct. 27.—L. K. Brin, former manager of the Grand National exchange here, has bought the Mission in Mount Vernon from Dennis Murphy. Brin expects to establish a suburban circuit.

**“Sisters” and “Age” Lead in Philadelphia**

Philadelphia, Oct. 27.—“The Sisters” started strongly at the Boyd. It is certain the picture will take a take of $18,000. “You Can’t Take It With You” registered $19,000 for its second week at the Fox.

**“Take It,” “Age” Lead in Cleveland**

Cleveland, Oct. 27.—“You Can’t Take It With You” continued to hold the top spot here for the third consecutive week.

**“Cipher Bureau” (Fine Arts—Grand National)**

Hollywood, Oct. 27.—Exploitation ideas for Fine Arts’ “Cipher Bureau,” for Grand National release, can be taken from today’s headlines of espionage activities. Based on the experiences during the World War of the “cipher bureau” in Washington for the decoding of spy messages, the picture is a timely presentation of the inner workings of breaking down codes. No definite period is indicated by the story, and the uniforms of the United States service men are altered to prevent any establishment of a definite year.

Cast is composed of Leon Ames, Charlotte Wynters, Don Dillaway, Joan Woodbury, Teten Holtz, Gustav von Seyffertitz, Walter Bonn, Si Will, Peter Lynn, Jason Rokards, Joe Romantini, Hopper Atchley, Tudor Williams, John Smart, Shafer, and Thorneycraft. The director is Charles Lamont. Arthur Hoerl wrote the screenplay from his and Monroe Shaff’s original.

The plot centers completely about the activities of Ames, head of the “cipher bureau,” in breaking down messages transmitted from the United States to an unnamed foreign country, and aimed at the police, and it is Ames’ job to capture them. This he does, with great personal conflict in allowing his brother, Dillaway, to be “broken” and dishonestly discharged from the Navy. Running time, 70 minutes. “G.”

VANCE KING

**“Sassy”**

Chicago has changed the title of “Spy Ring” to “International Spy.”
**Variety Club**

**Detroit**

Detroit, Oct. 27.—Gov. Frank Murphy of Michigan will be the guest of honor at the weekly luncheon next Monday. David Rohnoff, an old friend of the Governor, will also be present and will play. Edmund C. Shelars, regent of the University of Michigan, will be in attendance.

Others expected are: Leo J. Nowicki, lieutenant governor; Leon D. Case, secretary of state; Theodore F. Pay, state treasurer; George T. Gundrey, auditor general; Raymond W. Staab, attorney general; Harry Neal, chairman of the Detroit Democratic headquarters; Frank Inbye, general manager of the Michigan State Fair; Jacob Scherback, Wayne County treasurer; Harold E. Stoll, register of deeds; George Dineke, county drain commissioner; Casper Lingman, county clerk; D. C. McCrea, prosecutor. Thomas C. Wilcox, sheriff; Dr. Albert E. Hughes and Dr. E. J. Kowalsky, county coroners, and Probate Judge Thomas C. Murphy.

The program will be broadcast over the Detroit News short wave station WXWJ.

**Philadelphia**

Philadelphia, Oct. 27.—William J. Clark has been elected chief baker of the local Variety Club of Philadelphia.

Ted Schlangen has been selected first assistant chief baker; William H. Love, second assistant chief baker; and Al Davis, secretary. Eureka W. Sweigert has been reappointed chairman of the membership committee for 1939, with Ben Feitler, retaining chairmanship of the house committee.


**Cleveland**

Cleveland, Oct. 27.—Variety Club will hold a testimonial dinner Nov. 4 for “Davy” Davidson, who has re- signed after 21 years with 20th Cen- tury-Fox and its predecessor com- pany as a salesman here. He plans to go to the coast. The dinner committee includes: M. H. Horowitz, Jack Shulman, Edie Bergman and Sam Lichten.

Harry Rott, Paramount booker, will be inducted as head of Variety Post No. 313 at Legion headquarters tomorrow.

**CEA Offers Plan to Solve Dual Problem**

London, Oct. 27.—London and Home Counties Branch of the Cinerama Exhibitors’ Association has resolved to have the joint committee to approach the circuits with a view to arriving at a solution of the problem of running two “A” features on one program.

The group will propose that cer- tain films be classified and that no two films in that classification be shown on program.

**Hollywood Preview**

**“Artists and Models Abroad”**

(Paramount)

Hollywood, Oct. 27.—Girls, gags and Jack Benny are among show- manship values of “Artists and Models Abroad.” Also there are Joan Bennett, Mary Boland, Charley Grapewin, the Yacht Club Boys, Fritz Feld, George P. Huntley, Joyce Compton and about a dozen others of name value importance. There’s a comedy romance story with Benny, as he customarily is in his radio programs, that is no other of his own jokes. Music is important. The three numbers improvised by Ralph Raimi, Leo Robins, plus a topical specialty concoction by the Yacht Club Boys and Jock Rock, give the show plenty of harmonic content. Producer Arthur Hornblow, Jr., did not sit in giving the film lavish and pic- turesque production value, the spectacular highlight of this element being a fashion parade in which feminine pulchritude and feminine styles are lavishly displayed.

The locale is Paris, where Benny is the busy shepherd of a flock of out-of-work chorus girls. Not knowing or permitted to know that Miss Bennett is the fourth richest girl in the world, he adds no thought to her at all. As everyone who heard his radio programs last spring knows, he falls in love with her. Joyce Compton and her gang add to the merriment and eventually become models in a fashion display. Benny adds to his own discomfort and intensifies the fun by treating Miss Bennett’s millionaire father, Grapewin, as a deluding panhandler. Intent only on getting his flock and Miss Bennett free transportation to America, he, through a bit of egotistical stupidity, save Grapewin several millions in an oil deal.

The realization of what Miss Bennett and Grapewin are hits the hero like a blackjack. Upon recovering from the girl’s proposal of marriage, he visa grants great convictions for himself and his beauties in the oil business.

The writers, Howard Lindsay, Russell Crouse and Ken Englund, brewed a lot of fun into their story and in his direction Mitchell Leisen was careful to prevent the dominance of comedy.

It may be anticipated that “Artists and Models Abroad” will prove a desirable attraction in a great many theatres. There is no lack of po- tential showmanship to whip up enthusiasm any where. Where the customers have a liking for a melange of comedy, music and beauty and Jack Benny, there are strong possibilities the picture will be a box-office bell- ringer.

Running time, 90 minutes. “G.***

G. McG.

**New York Preview**

**“The Story of a Cheat”**

(Gallic Films, Inc.)

Sacha Guitry has contrived an intriguing and fascinating exercise of the technique of the screen in his “Story of a Cheat,” in French. It fairly ripples with ingenuity and originality, making such use of the medium as has rarely been achieved. The resulting whole is entertaining and entertaining, although, with an occasional dart of reference to “un- believable” screen material, it is likely enough to meet with disfavor in certain quarters.

Guity wrote and directed it, and plays the incorrigible and delightful cheat for all it is worth, and that is a good deal. His technique of the “different” makes its appearance at the outset, with Guity introducing—in pictures—the concept of the provocative music, Adolphe Borchard, the cameraman, Marcel Lucien, and the others.

Guity sits at a table outside a Paris cafe, and as he scribbles his memoirs in a notebook, he tells his own story, while the screen—and he—recount it. The lines are enjoyable, the wit keen. John Erskine, pro- fessor and novelist, has written the subtitle translations skillfully.

Guity is superb, as he describes and delineates the evolution of a cheat, who turns honest and really can’t make up his mind which is the preferable state.

Running time, 75 minutes. “A.”

Charles S. Aaronson

“A” Designates adult audience classification.

“G” Designates general audience classification.

**Acquires Chatham House**

Boston, Oct. 27.—Mary B. Wiss- low has purchased the Monomoy in Chatham from Harold Dunbar. She will operate the house as a summer theater. The theatre is to be re- modeled.
FCC Assigns Examiners on Station Pleas

WASHINGTON, Oct. 27.—The Federal Communications Commission has assigned examiners for hearings in nine applications for new stations. Included are three for new WTCN-kilocycle station at Asheville; N. C., and WMFD, Wilmington, N. C., for change of frequency from 1,190 to 890 kilocycles; and KFJZ, Fort Worth, to increase of power from 100 to 250 watts.

Examiners' reports have been submitted recommending the granting of the applications of KTTC, Visalia, Cal., for change of frequency from 1,190 to 890 kilocycles, extension of time from day to day until increased and increase of power from 250 to 1,000 watts, and WEMP, Milwaukee, for increase of power from 100 to 250 watts.

Applications of the Asheville Daily News for a 1,370-kilocycle, 100-watt station at Asheville; N. C., and WMFD, Wilmington, N. C., for extension of time from day to day until unlimited, and increase of power from 250 to 1,000 watts, and WEMP, Milwaukee, for increase of power from 100 to 250 watts.

Radio Personalities

GERALDINE FARRAR, opera singer and concert star, will be the speaker on "Women Make the News," over WOR next Tuesday. . . Sheila Barrett, mimic, will be featured on Harry Von Zuben's variety show on Mutual Sunday, with Allen Prescott another guest. . . Kirsten Flagall over the Metropolitan Opera broadcast on the Ford "Sunday Evening Hour" Nov. 6. . . Franchot Tone and Rita Johnson will star in "A Silver Screen" play over CBS, . . . Emil Ludwig will be heard on a nationwide CBS Sunday in a talk from Paris, 1:30 to 1:45 P. M.

Radio will broadcast their 850th consecutive broadcast next Tuesday. . . Raymond Massey will be heard in a scene from "Abe Lincoln in Illinois" on the RCA "Magic Key" Nov. 6. . . Paul Kieff, control engineer of KARK, Little Rock, was married recently to Calista Balfour.

NBC Will Broadcast 18 Capital Concerts

NBC will present 18 broadcasts from the 1938-39 Library of Congress Chamber Music series from Washington, the first to be heard Sunday at 3:30 P. M. Twelve of the programs, covering the NBC-Blue, will be under the auspices of the Coolidge Foundation, the other six by the Gertrude Clarke Whittall Foundation.

The second program in the series will be heard Dec. 10. Dates of the other programs will be set later. In addition, 16 Thursday programs of the two foundations will be broadcast from WMAL, Blue network outlet in Washington.

Evans to Chicago

Lawrence Evans of Evans & Salter will leave for Chicago Tuesday to cover the opening of the Chicago Civic Opera where Lawrence Tibbett and Helen Jepson are singing the star roles. Also appearing will be Maria Reining, lyric soprano, who has been brought here by the firm.

Renew WTCN License

WASHINGTON, Oct. 27.—The F.C.C. has renewed unanimously to renew the license of WTCN, Minneapolis. WTCN was one of the stations which, as part of the NBC-Blue network, had broadcast Eugene O'Neill's "Beyond the Horizon," which, some listeners complained, was obscene.

Bell-Ans Adds WOR Time

Bell-Ans commemorate the completion of their first year over WOR with Tex Fletcher, 8:15 to 9:20 A.M. Tuesday, Thursdays and Sundays by adding a 15-minute spot at noon on Tuesdays.

Belcher Show Returns

Jerry Belcher's program, "Interesting Neighbors," will be resumed Nov. 1 over the NBC-Blue at 5 P. M., and continue on successive Thursdays. The program has been off the air since August.

NBC to Add 160th Station on Nov. 1

NBC will add the 160th station to its network on Nov. 1, with the addition of WFAT, Chattanooga, as a supplementary outlet available to Southern Central Group No. 3 and Southern Group No. 5.

Melcher Joins A O of A

Martin Melcher, formerly with Warners, has joined the network department of Associated Orchestras of America.

SYMPHONY TO BROADCAST

The Tennessee station operates on full time, with 1,420 kilocycles, 250 watts day and 100 watts night. It is operated by W. P. Patterson.

KZY Studio to Close

SANTA FE, N. M.—KZY's Oakland studios will close permanently Nov. 1.

Deny Applications

Washington, Oct. 27.—An examiner for the Federal Communications Commission has recommended denial of the application of W. A. (Al) Steffes for a 1,310-kilocycle, 250-watt daytime station at Minneapolis.

Likewise recommended for denial was an application of RLS (Warrants), Oakland, Cal., for an increase of power from 250 to 500 watts.

Radio around the Country

Pittsburgh

It's a boy for Harry Walton, Dick Stabile's pianist, and Mrs. Walton, the former Gay Sargent. . . Bill Schroeder, WCAE salesman, is taking flying lessons. . . Les Lindow has been named national sales manager at WCAE. . . . Billy Yates' band has been handed a regular spot on KQV. . . . Tony Lombardo, Art Yagello and Frank Natale have organized the Cosmopolitan Trio. . . . Bob Carter is doubling as vocalist with Frank Eichler's band at the Nixon Cafe on KDKA and Earl Truex's staff orchestra at WCAE. . . . Script show called "Adam and Eve," with Jack and Maryann Orrioson, has folded from KDKA.

SYMPHONY TO BROADCAST

INDIANAPOLIS, Oct. 27.—The Indianapolis Symphony Orchestra will make 16 special Wednesday afternoon broadcasts over CBS, beginning Nov. 23, originating at WFBM here.

Lloyd on WNEW Sales

Gordon Lloyd, formerly with WINS, has joined the sales department of WNEW. Before coming into radio he was with the New York Journal.

Having a Wonderful Time!

The picture, gentlemen, exaggerates—a little. But we're ALMOST as hilarious. What with 960,000 letters received from listeners so far this year compared with 895,000 for the first ten months of 1937. And just when we thought we were getting life straightened out for the Fall, General Mills, with a six-time-a-week show already on WOR, adds John Gambling's Gym Class for three days a week. Two other sponsors, incidentally, have TRIPLED their time on WOR. Hate to be so gay about it all, but you know how it is.

WOR
FIRST of ED THORGERSEN'S SPORTS REVIEWS and TOPS!

TIMBER TOPPERS

Typical of 20th's fresh, stimulating approach in its short subjects program. One of the most thrillingly unusual and appealing one-reel subjects ever produced. Ask for a screening!

Described by Ed Thorgersen
Produced by Truman Talley


Trade Parley Report to Be MPTO Topic

Concessions Expected on Many of 10 Points

OKLAHOMA CITY, Oct. 30—Delegates to the M. P. T. O. A. convention are to hear reports on progress made in the New York trade practice parleys. It is expected to be one of the liveliest topics to come before the convention.

Final negotiations between M. P. T. O. A. representatives and the distributors' negotiating committee will be held in New York next week. Convention boards will cover a number of the 10 points for which the organization has been negotiating for several years.

Three additional agreements are expected to materialize also. These are a 10, 15, and 20 per cent cancellation based on average film rentals,

(Continued on page 9)

Manchurian Film Monopoly Figures In Note to Japan

WASHINGTON, Oct. 30—Settlement of the controversy between American film companies and Manchurian authorities resulting from the establishment of a picture monopoly in Manchuria by Japanese enterprise is one of the aims of the State Department in the strong note sent to Japan, Oct. 6, calling for maintenance of the "open door" policy in China.

In that note, which has neither been published in Japan nor replied to by the Japanese Government and which was made known here only yesterday, the Washington Government called

(Continued on page 9)

"Rapture" Ends 3rd Stanza With $7,100

"Dark Rapture" ended a three-week run at the Globe on Friday with $7,100 for the third week. "Five of a Kind," with the Dixie Quintetts, opens Saturday.

"Frankenstein" and "Dracula," which ran for two weeks at the Rialto, will be followed today by "Man With 100 Faces," another mystery thriller. "The Citadel" is due at the Capitol after "Stabhemates." "The Storm" opened at the Rivoli on Saturday. "Brother Rat" is next at the Strand.

UA-20th-FOX UNITE IN SOUTH AFRICA

Film Leaders At Pittsburgh Variety Party

PITTSBURGH, Oct. 30—Meeting under the Big Top for the 10th consecutive year, more than 500 guests attended the Variety Club's annual banquet here tonight at the William Penn Hotel. The feature of the affair was the adoption by the club of another orphan, George Variety Barker, II, 17-month-old younger from the Roselia Foundling Home, and the fourth child Tent No. 1 has adopted in the 12 years since it was founded. The other three have been taken by private families.

The affair, as in the past, honored the outgoing chief barker, in this case John J. McGeevey. He was succeeded by Ira Cohn.

The ballroom was covered by a circus tent and the hall was jammed to capacity; the affair having been a

(Continued on page 9)

S.M.P.E. Meeting Will Open Today

DETROIT, Oct. 30—Annual fall convention of the Society of Motion Picture Engineers will get under way at the Hotel Statler here tomorrow, with 350 film engineers and technicians in attendance from all parts of the country.

The three-day meeting will hear a program of approximately 30 technical papers on studio and theatre practice. Several papers on television are scheduled by engineers of

(Continued on page 9)

Film Men Told to Talk with Unions On Wage-Hour Law

WASHINGTON, Oct. 30—Refusing to attempt any classification of more than 600 types of work on which motions picture producers are doubtful, officials of the Wage-Hour Administration on Friday told a delegation from the Hays office to go home and attempt to settle the matter with the unions.

After clearing away as much of the problem as possible, it was suggested, producers and union representatives might return to Washington to lay the differences of opinion before the Administration, but even then, it was warned, there is doubt whether the Administration would have the power to make rulings.

In other words, the group was told by Administrator Elmer F. Andrews,

(Continued on page 2)


**Insiders’ Outlook**

**Monday, October 31, 1928**

Recent reorganization of operations in United Artists, under Maurice Silverstone, has been executed with such regard to seniority of the individuals involved. And, insofar as known, that seniority rule will continue in effect at that company, at all times when specific steps are taken. The elimination of unnecessary overhead and the desire to simplify company operations motivated the changes which were made to the complex of interest with, as of where some of its film makers have distinct cells within the larger U. A. organization has caused an unusual amount of duplication of effort to develop. Apparently the purpose of the changes has been to eradicate this costly duplication.

"Young Dr. Kildare" is the first M-G-M picture to play the Museum, which has been the center of all attention. The production of holders at the Capitol which left Metro with three pictures waiting to be played. "Dr. Kildare" was one. The Music Hall, through an unexpected cancellation of one booking and inability to obtain a print of "The Young in Heart," was in urgent need of a substitute picture.

Lasting good to the industry has resulted from Motion Pictures’ Greatest Year. Sporos Skouras declines, through the improved conditions. He has brought about in both business and the industry’s public relations. "Besides converting unfavorable public reaction to the present, sympathy monograph studio, left for New York by train on Saturday to discuss plans for the production of four quota pictures for the coming season. The problems will be made at Pathé’s British studio, with scripts, casts and directors sent from here.

Brown Leaves Cinecolor

Hollywood, Oct. 30.—Howard C. Brown, vice-president of Cinecolor, has returned from a two-week vacation. Brown has been in charge of sales. Recently J. Henry Kruse took over the sales end for the laboratory.

British Institute Praises U. S. Films

London, Oct. 30.—American films spectacular reconstruction of the past was hailed today in the annual report of the British Film Institute. Examples of this type of film were "The Texans," "Wells Fargo," "The Buccaneer." The institute also noted that the "Carouse," "H. (Jock) Whiten, good natured, seems to have no idea how to put a stop to this. Birdwell, it is understood, has been wanting to open an advertising agency of his own. He may be working on that idea. He is under contract to S. I. until March, next year. Flinn has had talks with David Selznick. Selznick says Flinn knows nothing about the whole matter and without Whitney’s okay such a change could be hardly effected. Birdwell has asked about it, but failed to reply. Apparently, if he resigned, he is not telling.

Advices from the Coast are that Walter Wanger wants Ben Washker to go to California.

Pathé to Make Four In England forMono.

Hollywood, Oct. 30.—Scott R. Dunlap, Monogram production head, and Ralph Bettinson, Pathé, Ltd., representative, were photographed in London last week and will return to the U. S. They will return on the Nieuw Amsterdam Nov. 4.

(Continued from page 1)

Deputy Administrator Paul Sitton and General Counsel Calvert MacGruder, the law is "flat" in its requirements. It is evident that they have no use for all questions of classification.

The producer of the play was laid before the wage-hour group by Ross F. Balaban, manager with major spokesman; Victor H. Clarke, Pat Casey, Maurice B. Benjamin, William S. H. Moore, and Keith Glennan and Austin Krough.

The jobs which they were anxious to classify, they said, were those in which men of exceptional skill were employed, who had the authority to hire and fire, such as gaffers, mixers, etc., and the question is whether their duties are such as to classify them as administrative positions exempt from the wage-hour provisions. It is not known how many of these jobs are paid high wages, and that overtime pay would be a serious burden.

Status of film theatres under the labor standards bill is understood to have been brought before the Wage-Hour director and other exhibitors, but without receiving any definite advice.

Wage-hour officials have said to feel that independent houses are local service establishments not subject to the measure but that there may be factors in New York that have the same status to circuit houses.

No decision has been made on the question of theatres, but it is understood the argument has been advanced that even if the operating companies are engaged in interstate commerce, the employees of the individual houses are not. The wage-hour division is represented as not anxious to control ushers and other workers who are really employed only in local operations.

**Pact to Gibson Dickson**

**Hollywood, Oct. 30.—Warners have extended the contract of Gloria Dickson.**

**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher
SAM SHIBOY, Managing Editor
FRED A. CRON, Advertising Manager
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IT'S THE GREATEST SCREEN WALLOP THE WORLD HAS EVERKnown!
Don’t Even Try

ANGEI

DIRTY

Made Still Stronger Because Release
o Compare It—There *Never*

Was A Motion Picture to

Approach the Dramatic Impact of

**WITH**

**FACES**

Warners

t 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!
They made it a record-breaker!

CAGNEY O'BRIEN

'DEAD END' KIDS

BOGART

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!
Allied Calls Chicago Meet On Practices

Trade practice negotiations between the distributors and Allied States will assume a Chicago flavor during the week-end, it is reported, after almost two weeks of discussions, additional conferences have been found necessary on the subject.

Chicago was selected for the negotiations, because the Allied national board is scheduled to meet Thursday on special call from Abram F. Myers, board chairman.

Allied's negotiating committee, headed by Col. H. A. Cole of Texas, will report to the full board on the status of the negotiations. The directors will then determine what Allied's course shall be.

Members of Allied's committee are also directors. In addition to Cole they are Nathan Yamin, president; W. A. Steffes, Sidney Samuelson, Ray Branch, M. A. Rosenberg and Myers, who acts as a tie. All left New York over the weekend.

William F. Rodgers of M-G-M, who has been conducting conference negotiations with Gladwell L. Sears of Warners and Abe Montague of Columbia, attended the Variety Club dinner meeting in Pittsburgh last night and is scheduled to speak on trade practices at the M.P.T.O.A. convention under way at Atlantic City. He will arrive in Chicago on Wednesday.

Sears and Montague also plan to attend the Chicago conferences.

Further procedure in the negotiations with the exhibitor groups, which include also M.P.T.O.A. and seven unaffiliated organizations, is indefinite at present. It is planned, however, to hold full conferences in New York, probably next week.

Most of the unsuccessful representatives have left the city. Leaving over the weekend were Albert A. Galston, president; R. H. Phillips, manager and secretary, and Hugh W. Brun, representing the I.T.O. of Southern California and Arizona, and K. Edwards and John Reiner, representing Intermountain Theatres Association of Salt Lake City.

Phil. Group Moves To Form Allied Unit

PHILADELPHIA, Oct. 30.—Eighty exhibitors meeting Friday at the Broadwood Hotel took steps toward formation of an Allied unit in this territory.

Morris Wax, in the chair for the meeting, appointed a committee on organization, including himself, Dave Shapiro, Dave Shzulman, Lew Rovner, Harry Fried, Milton Rogasner, Columbus Stamper, Ben Kelbert, Charlie Berliner, Mike Lessy, Ray Schwartz, Norman Lewis and Dave Battist.

Besides Sidney Samuelson, Col. H. A. Cole of Texas, and Abram Myers spoke on the principles of his organization.

Tetley Signed by RKO

Walter Tetley, telephone radio star, has been signed by RKO Pictures to a seven-year contract. Tetley has just returned to New York after a stay in Hollywood.

Veteran Retires

Northwood, In., Oct. 30.—George W. Haight, one of the pioneers of the film business in the midwest during his early days from 1911, has sold the Northwood to Nathan Sand- le of Des Moines and will retire.

Manchurian Film Monopoly Figures In Note to Japan

(Continued from page 1)

upon Tokyo to refrain from discriminating against American interests in China in favor of its own nationals. Specifically, Japan was asked to discontinue any monopoly of preference which would deprive American firms of the right to compete in the film trade in China, to maintains two which the Japanese are most desirous of monopolizing.

Para. Boosting Ad Budget on 3 Films

Paramount will spend $20,000 additional in national newspaper cooperative advertising campaigns in connection with the release of each of three of the company's outstanding pictures: "If I Were King," "The Arkansas Traveler" and "Men With Wings." It is also planned to conduct similar advertising campaigns on two forthcoming releases, "Thanks for the Memory" and "Say It in French.

S.M.P.E. Meeting Will Open Today

(Continued from page 1)

the RCA Manufacturing Co. and General Electric, and others will be devoted to the most recent developments in assembling and reproduction and studio lighting.

At the annual fall banquet, scheduled for Tuesday evening, presentation of the S. M. P. E. Progress Medal and the award. The former is presented for the development of the year which is considered to have resulted in a significant advance in the development of screen technology. The Journal Award is for the most outstanding technical paper published in the society's journal.

The opening day's luncheon tomorrow will be featured by brief addresses by president Jack Cohen, mayor of Detroit; Jamison Hendry, president of Jam Handy Corp.; George W. Treadle, president of United Detroit Theatres, and Dr. C. F. Kettering, vice-president and director of research of General Motors.

Cohn Heads Columbia Parley on Continent

The forthcoming Columbia conferences in London on Columbia's Continental European distribution will be presided over by Jack Cohn, vice-president of the company. Cohn's presence at the sessions will be made necessary by additional reports on conditions abroad from the European representatives of the company over the weekend. He will sail Friday on the "Orion" from New York with J. A. McConville, foreign manager, and Jack Segal, manager of foreign exchange operations. They will be met in London by Joseph Friedman, European manager, and the company's Continental managers.

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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... A Wealth of 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 up until he double-crossed himself!

"Do Laze in Lust About Every Depart- rent Including the Box Office..." — Motion Picture Daily

As the tractor tycoon with the confused approach and the trembling profile... the boy who only needed the right gal to bat zero every time!

"Plenty of Entertainment... Should Click Easily..." — Film Daily

Charlie Ruggles
The NEW UNIVERSAL presents

CONSTANCE BENNETT in

"SERVICE DE LUXE"

with

VINCENT PRICE

CHARLIE

HELEN

RUGGLES • BRODERICK • AUER

JOY HODGES

Original story by Bruce Manning & Vera Caspary
Directed by Rowland V. Lee
Associate Producer: Edmund Grainger
**MOTION PICTURE DAILY**

**Monday, October 31, 1938**

**Downey Helps “Legion” Top Denver Gate**

DENVER, Oct. 30.—“Sons of the Legion,” with a stage show headed by Maston, opened in Denver to the sound of $9,000 at the Denham. This was the best showing in a generally good week.

“You Can’t Take It With You” was good for $11,000 at the Denver. It was held for 10 days before transferring to the Aladdin.

Estimated takings for the week ending Oct. 26:

<table>
<thead>
<tr>
<th>Title</th>
<th>Earnings</th>
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<tbody>
<tr>
<td>“That Certain Age”</td>
<td>$4,500</td>
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<tr>
<td>“Boys Town”</td>
<td>$2,500</td>
</tr>
<tr>
<td>“Blockheads”</td>
<td>$1,200</td>
</tr>
<tr>
<td>“The Man From the Sun”</td>
<td>$2,700</td>
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<tr>
<td>“Sweethearts”</td>
<td>$1,700</td>
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<tr>
<td>“Nancy Drew, Girl Detective”</td>
<td>$1,500</td>
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<tr>
<td>“Just Around the Corner”</td>
<td>$1,000</td>
</tr>
<tr>
<td>“I Was King”</td>
<td>$800</td>
</tr>
<tr>
<td>“Sweat Beads”</td>
<td>$700</td>
</tr>
<tr>
<td>“You Can’t Take It With You”</td>
<td>$700</td>
</tr>
<tr>
<td>“Too Hot to Handle”</td>
<td>$650</td>
</tr>
<tr>
<td>“The Bishop”</td>
<td>$500</td>
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<tr>
<td>“Five of a Kind”</td>
<td>$400</td>
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<tr>
<td>“A Man to Remember”</td>
<td>$300</td>
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<tr>
<td>“I Dream Too Much”</td>
<td>$200</td>
</tr>
<tr>
<td>“A Little Baby”</td>
<td>$150</td>
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<tr>
<td>“The Harder They Fall”</td>
<td>$100</td>
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<tr>
<td>“The Great Gatsby”</td>
<td>$75</td>
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<tr>
<td>“The Clock”</td>
<td>$75</td>
</tr>
<tr>
<td>“Five of a Kind” (2nd Fig.)</td>
<td>$75</td>
</tr>
<tr>
<td>“The Bishop”</td>
<td>$75</td>
</tr>
</tbody>
</table>

**Libraries to Help Child Films Drive**

Libraries and schools have been enlisted by the Hays office in a drive to stress the value of films equally with books during Children’s Book Week, Oct. 13-19.

Two posters have been prepared for display in connection with the observance, which is sponsored by the American Library Association. One bears the caption, “Good books cultivate the imagination—Great Movies can develop our characters. The characters are illustrated by stills from “Sweethart,” “The Young In Yale,” “The Great Gatsby,” “Waltz Time,” “Din,” ”Nancy Drew,” “Just Around the Corner,” “The Great Waltz,” “Juryz,” “Drums,” “If I Were King,” ”Suez” and “Ferdinand the Bull.”


The Hays office has sent librarians a pamphlet containing 81 recent films made from books with the suggestion that the books are suitable for exhibit during Book Week.

Wannamaker’s has arranged a series of lectures for parents and children on the Elephant Boy” and “Snow White and the Seven Dwarfs” will be shown.

**Agents Guild Agrees To S.A.G. Franchise**

Hollywood, Oct. 30.—Skiriming between the Screen Actors Guild and the agents over the guild proposal to regulate agents has reached a point where the Artists-Managers Guild, headed by M. C. Levine, has agreed to franchise by the guild of agents in Hollywood.

The concession was granted on the condition that all agents in business here be given the first franchise and that both groups draft a code of ethics.

**Film Leaders Aiding Chicago Fund Drive**

CHICAGO, Oct. 30.—The Amusement Division of the 1938 Chicago Community Fund campaign has been able to quote $22,000 in the annual appeal now under way. Jack Kirsch, president of Allied Theatres of Illinois, is division chairman.


**Games Ruling Hits Toronto Exhibitors**

TORONTO, Oct. 30.—Exhibitors find themselves behind the eight ball in connection with Bingo and other games of chance because of a ruling by Judge Daniel O’Connell and Crown Attorney J. W. McDuff at the games and legal providing they are conducted by churches, service clubs and military organizations on an occasional basis and with total proceeds for religious purposes. When prompted by individuals on a percentage of the take, the game will be regarded as contrary to the Criminal Code, it was announced.

A recent amendment to the Criminal Code made Bingo and other games of chance illegal and new enforcement officers have let down the bars for churches and societies.

**Republic Changes Titles**


**“Certain Age” Tops Seattle With $8,300**

SEATTLE, Oct. 30.—“That Certain Age,” on a dual with “Campus Confession,” headed the Paramount and was held over. “Can’t Take It With You” took $7,700 in its fourth week at the Liberty and was held again. The “Arkansas Traveler” and “Secrets of an Actress” pulled $6,700 at the Orpheum, but elsewhere business was off.

Estimated takings for the week ending Oct. 25:

<table>
<thead>
<tr>
<th>Title</th>
<th>Earnings</th>
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<td>“Boys Town”</td>
<td>$11,000</td>
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<td>“Blockheads”</td>
<td>$7,000</td>
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<td>“Can’t Take It With You”</td>
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<td>“Too Hot to Handle”</td>
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<td>“The Bishop”</td>
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<tr>
<td>“That Certain Age”</td>
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**Midshipmen See “Patrol”**

“Submarine Patrol” was shown yesterday at the Naval Academy at Annapolis for 2,100 midshipmen and Rear Admiral Wilson Brown and his staff. Two representatives from the United States Shipping Board came to the screening, as did Rear Admiral R. W. Eldridge, who arranged for the screening and who is in charge of the ship's crew.

**Gainsborough Starts Film**

LONDON, Oct. 30.—Gainsborough has started production at Islanding of “A Girl Must Live,” which may be released by the British Fox, if the women’s figure is good, according to Bob Carr, Reed is directing and Margaret Lockwood is starred.

**To Show Mexican Films**

MEXICO CITY, Oct. 30.—Local first run exhibitors have accepted the civic Government's proposition to help out Mexican producers by showing two films each during November and December.

**Acquire “Cherie Bibi”**

Edwin Fadiman, general manager of Columbia, has acquired a feature titled “Cherie Bibi,” French picture based on the Devil’s Island penal colony, from Films Red Star, Paris, for distribution in this country.

**Open Mexico House Soon**

MEXICO CITY, Oct. 30.—Cine Colón is planning the opening of a 250-seat house in the downtown district, will open Nov. 15. Oscar and Samuel Ganz are the owners. Its opening will make a total of 67 film houses in operation here.

**Start New Atlantic House**

ATLANTA, Oct. 30.—Construction of a $40,000 neighborhood theatre has been started here. The Techwood, with 500 seats, will be operated by Collett H. Munger, president of the Lanier Development Co.
"A lusty peal for little Republic's 'I Stand Accused,' proving good pictures can be made for less than a million."

or LAWYER-CRIMINAL?

I 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
New York Preview

“Submarine Patrol”  
(20th Century-Fox)  
Almost any picture with a U. S. Navy background is assured of a warm box-office reception. This one, with its ready-made patriotic appeal, plus plenty of action concentrated right in front of the camera on one of those wartime 110-foot wooden submarine chasers, looks like a natural. In addition, there is plenty of comedy to balance the tense moments.

John Ford has had experience directing this type of picture, and apparently it has served him well.

The story begins in the early war days when recruits were flocking into the Navy. One of them, Richard Greene, bursts in with a background of social influence and finds himself assigned to a sub chaser as engineer. He meets Nancy Kelly, daughter of the captain of a merchant ship carrying munitions, almost immediately. Romance buds, but is promptly blighted when the captain (George Bancroft) kicks Greene down the gangplank.

There are plenty of comic doings by the recruits before the little ship sails for Italy convoying the merchant vessel carrying Miss Kelly. Storm shots and the bombing of a U-boat on the way over are exciting.

In Italy Greene tries to marry Miss Kelly, but Bancroft guns the works again.

Volunteers are called for to bomb a U-boat hiding on the Adriatic coast. This sequence builds up powerfully as the chaser threads its way among mines in a fog and culminates in a spectacular attack with shells and machine guns.

Another attempt by Greene to get married is thwarted by naval orders, but the film ends with the feeling a happy culmination of the romance is in prospect.

Some fine performances are turned in by the supporting cast which includes Preston Foster, John Carradine, Slim Summerville, George E. Stone, Warren Hymer, J. Farrell MacDonald, Douglas Fowler and Ward Bond.

Running time, 94 minutes. “G.”

J. M. Jerauld

Hollywood Preview

“The Storm”  
(Universal)  
Hollywood, Oct. 30.—From first to last “The Storm” seeks to satisfy those who appreciate sensationalism in pictures. That quality is projected via a ship-iceberg crash, several storms, an explosion at sea and a surgical operation performed by remote control radio telephone advice.

Charles Bickford loves the sea, its dangers and the rough joys of a sailor’s life. But he does not want his young brother, Tom Brown, to have any part of it. After the iceberg and explosion disasters have fulfilled their functions, he sees Brown’s girl, Nan Grey, and concludes quickly that she is the kind of sweetheart that sailors find in every port.

But when, after Miss Grey has saved Brown’s life by performing an operation as he relays radio instructions, Bickford understands things in a different light. Content that Brown will be safe in union with Miss Grey, his last bit of business is avenging himself upon Barton MacLane, ship captain, whom he holds responsible for the loss of Preston Foster’s life during the iceberg crash.

The production, based on a story by Theodore Reeves, Daniel Moore and Hugh King and directed by Harold Young, is played from the standpoint of straight melodrama.

Running time, 75 minutes. “G.”

G. McC.

Interboro to Open House

Interboro Circuit will open a new house, the Cambria, St. Albans, Nov. 24, The President, Bronx, has been taken over by the Dartmouth Amusement Corp. Charles Morse and Louis Rothenberg are the principals.

The Highbridge, Highbridge, N. J., will be closed Saturday. The Springer Circuit has closed the St. George Playhouse, Brooklyn.

Universal Seeks Berle

Hollywood, Oct. 30.—Milton Berle, having terminated his contract at RKO and returned to New York for personal appearances, is now being sought by Universal for the lead in a mystery story, the action of which takes place in a radio community sing. The story, “Radio Rendezvous,” is by Anders Johnson.
"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
Radio Meets Wage Terms, NAB Reports (Continued from page 1) 

"It appears clear that various executive titles found in broadcasting stations do not, in themselves, entail exemption from the act. A chief engineer who stands a regular watch, for instance, would appear to be included rather than excluded. Likewise, the head of a production department who took a turn as a regular announcer would appear to be included, even though he met the other qualifications for exemption. Both the American Communications Association (CIO) and the International Brotherhood of Electrical Workers (AFL) have taken the position that all techniques with the exception of a chief engineer who did not stand a regular watch, were non-professional and thus included in the act."

Concerning musicians and staff artists, the N.A.B. states there appears to be some question as to whether those employees are professionals under the act. The N.A.B. states it does not know of any station with musicians or staff artists being paid for less than 44 hours a week or receiving less than 25 cents an hour. Continuity writers, the N.A.B. states, seem to be covered.

RCA Wins Patent Case Radio Corp. of America, American Telephone & Telegraph Co., Vreeland Apparatus Co., Inc., and General Electric Co. won a victory in the U. S. District Court Friday when Harold Kirschbaum, doing business as Luxor Radio Manufacturing Co., defendant in two suits charging infringement of 17 patents on radio receiving sets, was given an injunction restraining him from continued infringement.

New Radio Foto Log Out A new edition of Radio Foto Log has been published by the National Radio Union, parts manufacturers, for distribution through radio selling dealers. The log is edited by Sam Kaufman.

When Polly Sheldon says “Good Morning” her large audience eagerly welcomes her sprightly, human, friendly-neighbor visit. She and her guests bring helpful, entertaining minutes, so crowded with animated conversation that they stay until her final “I’ll be dashing along now.” Here’s the New York participating show for results...on the air every morning from 9:00 to 9:30 a.m.

To Call Networks First in Air Quiz Washington, Oct. 30.—Network representatives will be the first to be called before the Federal Communications Commission in its hearings on chain broadcasting and monopoly which are to open Nov. 14, it was said Friday by Chairman Frank R. McNinch.

The national nets will be called first, in the order of the date of their establishment, to be followed by regional, sub-regional, and next group to be heard will be those of persons and organizations who have applied for opportunity to testify, and the Commission then will go into the question of management contracts, leases, etc., and then will call broadcast station owners to discuss the situation. This will be followed by exploration of common ownership of stations, and the hearings will wind up with a study of transcription services.

Tentative Dates Set On Station Hearings Washington, Oct. 30.—Tentative assignments for examiners’ hearings on station applications have been made by the Federal Communications Commission, as follows:

Columbia: Applications of James F. Hopkins, Inc., for a 1,400-kilocycle, 250-watt station at Ann Arbor, Mich., and WJEJ, Hagerstown, Md., for an additional day power from 100 to 250 watts.

Jan. 11: Application of Sweetwater Radio, Inc., for a 1,200-kilocycle, 250-watt, daytime station at Sweetwater, Tex.

Jan. 13: Application of The Hartford Times, Inc., for a 1,200-kilocycle station at Hartford, with 100 watts night, 250 watts day.

RCA Votes Dividends Dividends have been voted by the RCA board on all three classes of stock.

On the $3.50 cumulative convertible preferred 87 1/2 cents will be paid for the period from Oct. 1 to Dec. 31. Payments will be made Dec. 14 to holders of record at the close of business Nov. 7.

On the outstanding “B” preferred $1.25 will be paid for the same period, the same day, and on the common 20 cents will be paid.

Weber Addresses Ad Men Fred Weber, general manager of Mutual, delivered an address on radio’s place in advertising before a meeting of the southwest section of the American Federation of Advertisers over the weekend.

CBS Adds 2 Salesmen CBS has added two men to the WABC sales staff, Beverly M. Middleton, formerly sales manager of WFAS, White Plains, and Bob Mayo, formerly in the sales service division at CBS.

To Begin Poetry Series A. M. Sullivan will return to WOR- Mutual, Nov. 6, with the first of a new series of his “New Poetry” programs, to be heard every Sunday from 2:45 to 3 P.M. 

□ Radio Personalities □

□ N□AN WYNN of CBS will inaugurate a vaudeville tour Nov. 3 with a week’s engagement at the Capitol, Washington, to be followed by bookings in Hartford and Philadelphia. Another Motor Lover, from a concert tour of the northwest will be the soloist on the RCA “Magic Key” Nov. 13.

Clay Hamilton, head of the Pulitizer Prize Play committee and composer Kurt Weill of the American Theatre Wing, will appear as a guest on WMCA Nov. 4 at 2:30 P.M. 

The Three Drews, WHN singing trio, have been rechecked on the station.

□ San Francisco □

H. C. Moore, ex-manager of Thomas L. Broderick’s Bureau at KFRC, has joined NBC’s booking office, Consolidated Radio Artists. Ace announcer Jack Miles has left KSFQ, CBS station, after an association of five years. Frank Castle, KKYA pianist, wrote the music for the new production “Feast Your Fancy.”... Darrell Donnell, former Examiner radio scribe, is now sponsored by Universal and KFRC, doing newscasts for Borden Dairy Delivery Co.

Jane Newman, 12, who first broadcast when four years old, has been added to the KSKY skit, “Sons of the Lone Star.”

Radio Set Sale Up For Final Quarter Sale of radio receiving sets, down for the first half of the year, has picked up remarkably with the outlook now that the final quarter will register a substantial gain over that of 1937, according to estimates by the radio manufacturers. While the volume this year is not expected to reach the 3,300,000 of 1937, the industry is optimistic that it will bring the 6,500,000 mark, and in all likelihood it will go higher.

WMFF Joins Empire Net Albany, Oct. 30.—WMFF, Plattsburg, has been added to the Empire State Network for the duration of the political campaign, according to Harold E. Smith, president. Regular stations are WHN, New York; which will originate the bulk of the programs; WABY, Albany; WMBO, Auburn; WAYS, Rochester; WIBX, Utica, and WBNY, Buffalo.

General Mills Adds K YA San Francisco, Oct. 30.—General Mills has added K YA to the list of coast stations airing “The Grouch Club,” under the sponsorship of “Com Kix.” The program is released Monday nights over a special network of CBS affiliated stations. Account is placed through Blackett-Sample-Hummert, Inc.

“Rally” on 10 Stations “People’s Rally” on Mutual has just added CKLW, Detroit, to WHN, Cleveland, to the hookup, raising the total network for the show to 10 stations in primary markets. H. M. Kiesewetter is the agency.
THE INAUGURATION OF HOLLYWOOD'S RADIO CITY WESTERN DIVISION HEADQUARTERS OF THE WORLD'S GREATEST BROADCASTING SYSTEM
NETWORK BROADCASTING TRAIL BLAZED BY NBC

Beginning as a network of 19 stations NBC now operates twin webs comprising 159 stations, and its personnel has grown from a score to more than 2,000.

The management of WJZ, New York, was shortly turned over to the new company and in January, 1927, it became the key station of a second group of stations known as the "Blue Network." The NBC Pacific Coast Network was established in April of the same year.

At the outset Merlin H. Aylesworth, first president of the NBC, had in mind three fundamental working principles for the new organization. "First," he said, "we must establish the programs giving the fullest amount of entertainment; next, we must establish the best facilities for service. Lastly, we must make the structure self-supporting, for obviously if broadcasting is to survive it must stand on its own feet." Another rule established was that the programs should be given by living talent, that no transcription or recollections should be broadcast over the networks. This rule is still in force.

FULFILLMENT

So far as the listener is concerned, NBC has lived up to those promises. From the beginning it drew upon the best of available talent. The Boston Symphony Orchestra was early presented. The first broadcast from an opera house, given by the Chicago Civic Opera Company, was broadcast over NBC networks in 1927 and thus established a feature of NBC programs later continued with the weekly matinee broadcasts from the Metropolitan Opera House. The NBC Music Appreciation Hour began in 1928. Politics had their first big hearing when NBC broadcast the campaign speeches in the presidential contest of 1928. The National Farm and Home Hour, begun in 1929. The first program from England, an NBC network, came the same year, and first successful transatlantic broadcast originated in the Netherlands several months later.

Of the commercial programs broadcast in NBC's first years, thousands still hold pleasant memories of the A. & F. Gypsys, the Clequot Club Escinios, the Ipana Toubadours, the Happiness Boys, the Smith Brothers ("Trade & Mark"), the Happy Wonder Bakers and many others. Breen and de Roos, Walter Reade, the Silver Masked Tenor, Jessica Dragoneit and the Revelers were among the most popular of artists.

Perhaps the best method of gauging the progress of radio and NBC from 1930 forward is to list some of the many radio "firsts" and notable programs. 1930 was opened with a special four-hour program with pick-ups from different points across the country. A two-way conversation between Commander Richard E. Byrd and the President of France, Georges Clemenceau, marked the first long-distance program of this type broadcast over NBC.

PROGRESS

Another notable two-way conversation was NBC's New Year's Eve program in 1931. Gugliemo Marconi, aboard his yacht Eletra in Italian waters, and persons at the NBC studios in New York. The Premier of Japan and President Hoover spoke during the first program to originate in Japan for broadcast in the United States, and members of the staff of WGY, Schenectady, marked the first long-distance program of this type broadcast over NBC.

Perhaps the most significant development of recent years in radio has been the rapid increase of public service programs—broadcasts of educational and cultural material, news coverage from the scene of action, programs built around discussions of immediate and pressing public issues. Of the first named group, a most eminent example and one of radio's great achievements was the establishment, in cooperation with the NBC Symphony Orchestra, directed by Arturo Toscanini. Assembled by NBC specifically for the education and entertainment of the radio audience, the organization is already recognized as one of the few great symphony orchestras of the world. The Metropolitan Opera broadcasts, shortly to begin their eighth successive year, are outstanding.

America's Town Meeting of the Air, has in the three years it has been heard over NBC, proved that the issues discussed and clarified for the man in the street are of vital interest to millions of listeners. Science, religion, economics and other subjects are dramatically presented in still other series.

The most recent, and perhaps the most striking of radio's many accomplishments is the dissemination of news occurring all over the world. NBC has been able to keep abreast of the highlights of current events. During the last two years NBC has been able to keep abreast of the highlights of current events. During the last two years NBC has been able to provide more news coverage than any other network, including the world leaders in news coverage. NBC has also been able to provide more news coverage than any other network, including the world leaders in news coverage. NBC has also been able to provide more news coverage than any other network, including the world leaders in news coverage. NBC has also been able to provide more news coverage than any other network, including the world leaders in news coverage. NBC has also been able to provide more news coverage than any other network, including the world leaders in news coverage. NBC has also been able to provide more

CONTRIBUTIONS

NBC has also led in the development of the broadcast studio. Many of the basic innovations and studio design have been contributed by the NBC engineering department. Broadcasting began in ordinary offices converted to the use of radio by the simple expedient of hanging microphones on the walls to prevent echoes from the crude microphones. WJZ had a studio of this type in 1921. The first studios of the radio broadcasting industry were steel clips, were built into the famous NBC plant at 711 Fifth Avenue, New York, for years known as "The Radio City." In 1933 NBC moved into the present studios at Radio City, which immediately became the standard for broadcasting studio construction. And NBC has extended its ultra modern studio system across the country. Washington, D.C., Philadelphia, Schenectady, Cleveland and Hollywood have all had new plants built within the last two years. The Hollywood plant has just been put into operation.

With an eye to the future, the NBC has gone into intensive exploration of two new radio fields—television and international short wave broadcasting. In television, NBC has been active for more than a decade, first with mechanical scanning equipment and lately with the all-electronic system. NBC maintains a complete television staff at Radio City, the only one in the United States. NBC also maintains a complete television broadcasting, in anticipation of regular public service. In the international field, Stations WBZ in Boston and W3XAL at Bound Brook, New Jersey, broadcast news bulletins and special programs in many languages on radio beams directed at Europe and South America.
WE'RE NOT HAVING A HOUSEWARMING

...things are hot enough here already with all the business jammed into these studios... In fact, coast-wise advertisers use more time on the NBC Pacific Coast networks than all other Pacific Coast networks combined.
Welcome to our
new neighbor, NBC

KNX COLUMBIA PACIFIC NETWORK
COLUMBIA SQUARE • HOLLYWOOD
RCA Continues to Build America’s Radio Audience!

Better programs—which increase the demand for better radios—are constantly being fostered by NBC’s own unsponsored programs...they constitute 70% of NBC’s time on the air!

NBC HIGHLIGHTS
These are but a few of the many fine programs which make up NBC’s 70% unsponsored time on the air!

- Metropolitan Opera Broadcasts
- NBC Symphony Broadcasts
- Music Appreciation Hour
- National Farm & Home Hour
- NBC Radio Guild
- America’s Town Meeting of the Air
- The Radio Pulpit
- University of Chicago Round Table

During 1937 the National Broadcasting Company, a service of RCA, broadcast more than 50,000 unsponsored programs. Such service accounted for 70% of all NBC time on the air. The variety offered was as wide as human interests.

Through the miracle of radio such programs bring to millions entertainment, information and help which they could not receive otherwise. Through NBC, living rooms become boxes at the Metropolitan Opera. Or they are filled with the sonorous cadences of great symphonies, played by the NBC Symphony Orchestra, conducted by Arturo Toscanini, or some other famous conductor.

Again, it may be current prices of eggs, or pork, or a discussion of books and plays. But whatever the subject, if it is of interest to any considerable part of the public, NBC provides programs which deal with it.

Programs such as these, together with the fine programs sponsored by NBC advertisers, have been largely responsible for the increased sale of radios. And in offering listeners better radios RCA further stimulates America’s interest in fine radio programs.

Radio Corporation of America
RADIO CITY, N.Y.

RCA MANUFACTURING CO., INC. RCA INSTITUTES, INC. RCA COMMUNICATIONS, INC.
RADIOMARINE CORPORATION OF AMERICA NATIONAL BROADCASTING COMPANY
On their orders, 100 programs a day are presented to audiences of millions. On their orders oceans and continents are bridged, time and distance and all difficulties ignored.
Sincere congratulations and good wishes.
Nelson Eddy

Yes, Charlie, we are going into NBC’s fine new studio and we want to wish them luck.
Bergen, McCarthy

Best wishes for happiness and success in your beautiful new home.
Dorothy Lamour

Are we giving up the old homestead, Bergen?

Happy house-warming—and good luck right from the start!
Robert Armbruster

Yes, I’m happy about the whole thing.
Claude Stroud

It’s the ultimate, the consummate, in broadcasting studios.
Clarence Stroud

We’re all rooting for your success and happiness in your new Hollywood home.
Chase & Sanborn Orchestra

Congratulations, N.B.C., and best of luck!
Don Ameche

Saluting NBC’s NEW HOLLYWOOD STUDIO
CONGRATULATIONS TO NBC

Jessica Dragonette

Management: Haensel & Jones, 113 West 57th Street, New York
Division: Columbia Concerts Corporation of Columbia Broadcasting System
COPY CENSORED!

But best wishes anyhow!

Bob and Bing
Sarnoff

The career of David Sarnoff, president of RCA, and chairman of the board of directors, is a remarkable story of development of a former newspaper boy into a man who controls one of the world's largest and most powerful radio networks. This growth is due to the fact that there is such a thing as an ideal job, and that Sarnoff worked hard and long and was able to make a living at his chosen occupation.

During his first real opportunity. On April 14, 1912, he was sitting at his instrument in the Wannamaker store in New York. Leaning forward suddenly, he pressed the earphones more closely to his Marconi telephone. Through the sputtering and static he was hearing a message: "S.S. Titanic ran into iceberg. Sinking fast."

TITANIC DISASTER

For the next 72 hours Sarnoff sat at his post, straining to catch every signal that might come through the air. By order of the President of the United States every other wireless station in the country was closed to stop the Titanic's distress call.

The loss of the Titanic and the great service of radio aroused public consciousness to the importance of this new service. Congress passed a new law making much stricter the requirements regarding equipment and operators on seagoing vessels. Sarnoff became successively Chief Inspector, Assistant Chief Engineer, Assistant Traffic Inspector, and finally in 1917, Commercial Manager of the Marconi Co. In 1919, when RCA was formed, it acquired the American Marconi Co. and appointed Sarnoff commercial manager.

Sarnoff's confidence that radio had a larger future than that of a system of record communication was expressed in recommendations he made from time to time on new applications of radio. In 1915, years before the advent of broadcasting, he submitted to the general membership of the Marconi Co. his proposal for a "radio music box." The situation in the industry at that time did not favor its adoption and the coming of the war turned attention for the time to the use of radio for war purposes, but the various suggestions and proposals are of interest when considered in the light of how broadcasting has since developed.

CULTURAL GIFTS

In the field of radio broadcasting Sarnoff was an early believer in the importance of the new medium as a cultural and educational agent. He established the weekly "Music Appreciation Hour" under Dr. Walter Damrosch, now a regular part of the curriculum in thousands of schools throughout the United States, and arranged for grand opera to be broadcast from the stage of the New York Metropolitan Opera House, at a time when such programs were regarded as startling innovations and unlikely to catch on. In 1937 Sarnoff engaged Arturo Toscanini to conduct a series of ten symphonic programs over the NBC networks.

BECOMES OPERATOR

At Slaisonset, on Nantucket Island, Massachusetts, there was a lonely wireless station of the Marconi Co. One of its prides was a good technical library on radio. There was little to do outside working hours but read the books and that was not sufficient inducement to make it easy to keep men content there. Sarnoff, then, seized a chance to go out on his own as an operator and he placed the burden of family support upon the boy's shoulders. He was in turn delivery boy, news boy and messenger boy.

As a messenger he worked in the old New York Herald telegraph office where he built up an income of $5 a week. He learned quickly what he made from his paper routes. Saving money, he bought a telegraph instrument and in six months learned the Morse code. In lulls between his 15-year-old operator exchanged messages for practice with a man in the main office, who became interested. When Sarnoff confided his hope of getting a job somewhere as an operator, the telegraph operator advised him to go to the office of the Marconi Wireless—which was doing something new in the wireless business. The idea of flinging messages in code through space appealed to Sarnoff and he applied for a job as operator. The chief engineer offered him a place as office boy at $5.50 a week, which he accepted.

This job proved the inspiration of a lifetime. He bought books and spent his weekends in the experimental shop of the Marconi Co.

LENEX RILEY LOHR

When Lenox Riley Lohr was appointed to the presidency of NBC in 1935 by David Sarnoff, his appointment complete surprise in the industry, for Lohr had never been devious of broadcasting experience. It is an open secret that not many persons in the industry believe that Lohr can hold the position he has inherited as head of the most competent executives in broadcasting ranks.

Lohr, born in Washington, D.C., directed his youthful ambitions toward the United States Army, and in 1916, upon graduation in Mechanical Engineering with honors from Cornell University, he became an officer in the Coast Artillery Corps. After taking the course at the Coast Artillery School at Fort Monroe, Virginia, he transferred to the Corps of Engineers.

COMBAT SERVICE

Before going to France in May, 1918, he attended the School of Codes and Ciphers at Riverbank Laboratory, Geneva, Illinois. Although he went overseas with the Fourth Engineers as Company Commander and Topographical Officer, upon arrival he was assigned to take the course at General Staff College at Langres. His combat service was as Adjutant of the 57th Infantry Battalion of the 29th Division. When on this duty, participating in the Meuse-Argonne offensive, he was cited for meritorious service in action and reached the rank of Major.

Following the war he studied at Claire College, Cambridge University, England. Upon his return to the United States he was assigned first to the Office of the Chief of Engineers and then as an instructor in Electrical Engineering and International Law at the Naval School.

From 1922 to 1929 he was Executive Secretary of the Society of American Military Engineers and editor of its journal, the Engineer. During this period he was a member of the Federal Board of Surveys and Maps and a member of the American committee to the International Society of American Engineers at Louvain, Belgium.

In 1929 he became General Manager of A Century of Progress, Chicago's International Exposition.

HEADS NBC

Following the closing of the Exposition, he became president of NBC. From that time, November 18, 1924, to Florence Josephine Wimsett, a graduate of the Johns Hopkins University, NBC. They have three daughters and two sons.

Lohr is an Officer of the Order of Ouissam Alaouite Chérifian of Morocco and holds memberships in the American Society of Civil Engineers, Society of American Military Engineers, Washington Academy of Science, Sigma Phi Sigma and Phi Beta Kappa and is a Director of The Chicago Museum of Science and Industry. He is the author of "Magazine Publishing."

Gilman

Hollywood Radio City, impressive new home of newswelcoming Don E. Gilman, has headed the radio domain that stretches today from coast to coast.

Always interested in the communication of ideas, by spoken or written words, and an advertising expert of international repute, Gilman realized, when radio was just emerging from the experimental stage, that here was a medium which was ideal for the transmission of thoughts and knowledge.

Beginning his radio career as manager of NBC's western network in 1927, becoming-vice president in charge of the Western Division two years later, Gilman has worked for more than a decade to build up an organization which today serves 11 states and Hawaii through the facilities of the NBC network.

Realizing, as he guided the young western network, that program development was vital to listeners in his section, Gilman sponsored the building of programs with Pacific Coast talent for western listeners.

The growing importance of Holly- wood as a producer of programs became obvious even when one employee was sufficient to maintain the NBC office. He succeeded to the east- ward, and more were developed, the modern studios on Melrose Avenue were established.

TO HOLLYWOOD

In 1937 Gilman transferred his headquarters to Hollywood. The studio of NBC's western network, Western Division, were among the first to be organized in a network, and Gilman was immediately recognized as the center of the activities of the NBC network.

While with the National Broadcasting Company, Gilman's position as vice-president of the Western Division of the National Broadcasting Company was justified.

The NBC vice-president, who has served as a bridge between broadcasting and the expansion of the Western Division, culminating in the completion of the new Hollywood studios, was born in Indianapolis, the son of a newspaperman. While he was still in high school he developed his own printing plant, and when a graduate of school he became an employee of the Indianapolis Sentinel as "printer's devil." Within a few years he was a newswriter and reporter.

Coming west when he was 23 years old, Gilman increased his experience by working on Pacific Coast newspapers and later was assistant to a group of Scripps-Howard publications, he turned definitely to adventuring in the film business.

In Los Angeles, Gilman became a member of the Los Angeles Advertising Club and chairman of its executive committee. Later, as vice-president of the Associated Advertising Clubs of the World.
GEORGE CEHANOFSKY
Baritone
METROPOLITAN OPERA

ATWATER KENT
GENERAL ELECTRIC
GENERAL MOTORS

Management:
NBC ARTISTS SERVICE, RCA Bldg., New York
George Engles, Director

PIERRE
LUBOSHUTZ and NEMENOFF

IN THE FOREFRONT
OF THE
TWO-PIANO TEAMS

A RECORD OF 60 DATES,
THEIR SECOND
SEASON LAST YEAR

The Press says:
"They are to be cherished as a couple empowered to delight the public ear."—New York Post, January 4, 1938
"Something to marvel at. They bid fair to rival in popularity any and all of the two-piano teams now active."—Washington Post, January 18, 1938

"What a two-piano team! In a class second to none."—Dallas Dispatch, October 27, 1937
"A great musical experience. Super pianism was enjoyed and marveled at. Brilliant virtuosity—superlative precision of rhythm."—Richmond Times Dispatch, January 19, 1938

Management: NBC ARTISTS SERVICE • RCA BLDG. NEW YORK • GEORGE ENGLES, Director
Congratulations, N.B.C.

JACK BENNY and MARY LIVINGSTONE

with all good wishes

LUCILLE MANNERS

RADIO - CONCERT - STAGE
STAR OF
CITIES SERVICE CONCERT
WEAF FRIDAYS 8 P.M. E.S.T.

MANAGEMENT GEORGE ENGLES
NBC ARTISTS SERVICE
R.C.A. BLDG. NEW YORK

FRANK J. BLACK

General Music Director
National Broadcasting Company, Inc.
FRANK HODEK

Musical Conductor

Ralph Blane

Featured NBC Artist

Marie Louise Quevli

Stage, Radio, Concert, Opera

Victor Records

Gustave Haenschen
Hollywood Radio City consists of eight studios and a three story office building which faces west in the direction of Beverly Hills and Santa Monica. The office building is 257 feet long and houses the executive, program, production, publicity, artists' service, sales and other departments functioning behind the scenes of NBC broadcasts from Hollywood.

At the apex of a triangle—a rounded apex—on the northeast corner of Sunset and Vine—is a three story lobby which links the office building with four auditorium studios built as individual units on a modified motion picture sound stage plan, but actually linked together with glass brick walls.

The space between the auditoriums is utilized for corridors and artists' dressing rooms.

The studio side of the building, looking south toward the Pacific Ocean and facing on Sunset Boulevard, is 367 feet long, running from Vine Street to Argyle Street. A high terrace reached by a series of voluted concrete stairs runs the length of the building, covered by a marquee lighted at night with three neon tubes.

The exterior of the entire plant is done in blue green, a color chosen because it reduces the glare of the burning California sun, and blends best with the blue of the sky. The terrace wall is painted a deeper green. Its floor is of red cement, and the steps of red terra cotta tile.

The lobby interior, reached from the street through six doors, three on the Sunset and Vine Street side, and through a corridor on the north side leading to the office building, is 50 by 50 feet with a ceiling height of 40 feet. As visitors enter they are faced by a mural covering the entire curved half of the northeast wall.

STUDIO HEART

Directly under the mural is the "master" control panel of the studios, heart of the complicated maze of wiring which serves the plant. The glass fronting the room is arranged in curves so that it reflects all reflected light rays downward and traps them in a black plush pit.

The lobby floor is terrazzo designed with a series of concentric arcs representing radio waves. The arcs are white where they start at the control room and become darker as they reach the walls.

The lighting in the lobby has its origin in a concealed cove at the top of an aluminum architrave. In the daylight, sunlight is admitted through glass brick panels, running up to the ceiling over the lobby doors. Acoustic tile made of expanded mica is used on the ceiling and portions of the walls for acoustic treatment.

Visitors enter each of the four auditorium studios direct from the terrace. The first studio east of the lobby is "A." 60 by 100 feet overall, with a seating capacity of 340, and 3,000 square foot stage, capable of accommodating 1,500 standing people.

From the proscenium to the back walls Studio "A" is painted in graded values of brown. The seats are covered with a sound absorbing fabric of blue. The carpeting is copper rose. The front curtain is turquoise, the intermediate and rear curtains egg blue. The stage floor is covered with linoleum with terra cotta border, turquoise feature strip and a tan field. The auditorium lighting is of the indirect, cove type, both foot and overhead lights hidden behind V-surfaced valances that in reality are a series of flat triangles intended to scatter sound and prevent "microphone rattles."

"Mike rattle" is caused by sounds that register with the mike innumerable times as they reflect from wall to wall. To solve this problem, not only the stage ceiling but also the studio walls are broken into V'd surfaces to disperse extraneous sound. The rear wall in the studio and one-fifth of the side walls are of perforated board covering thick layers of rock wool which acts as a sound absorber.

Studios "B," "C" and "D," which range in that order east on the terrace from Studio "A," resemble "A" in everything except color schemes and in detail of design. Each seats 340 persons, and "B" and "C" are smaller in stage area, with overall dimensions of 45 by 110 feet, and program platforms of 2,000 square feet each.

WORLD'S LARGEST

The 3,000 foot platforms of "A" and "D" are the biggest in the world built for radio.

Each of the four studios has its own lobby, with lounging rooms off the lobby. Rehearsals may be watched through soundproof glass panels in the lobbies. Each studio is provided with glass-enclosed clients' rooms for use of the sponsors and their representatives. The clients' rooms, visible to the audience, overlook the stages directly over the control rooms. Like the clients' rooms, the control rooms are equipped with thick double glass windows for sound-proofing, slated to eliminate annoying reflections of studio lights and sounds.

Two sets of stage doors for artists, writers, producers and technicians are provided in each studio. Each set equipped with a 'sound lock," or a chamber with double doors which permit anyone entering the stage during a broadcast to close the exterior door, shutting out outside noise before opening the studio door.

The offices on the three floors of the business building range on both sides of a wide corridor covered with a deep red linoleum. Their ceilings are finished in sound absorbing acoustical plaster to deaden telephone and typewriter noises. Their color schemes are various. A special panelled conference room is provided for radio executives on the second floor near the office of Don E. Gilman, vice-president in charge of the western division.

Power and air conditioning machinery is located in the basement, which runs under the entire plant.

The air conditioning system, designed especially for Hollywood Radio City, controls both temperature and humidity in the studios. The air is sucked in from the outside and cooled by refrigerated water from a tank, then blown through underground tunnels into the studios. Eight complete air changes are made per hour.
Hobby Stories so fantastic they sound like fairytales—yet every word is true! Told by real men and women, not actors!

Tune in and see why critics and thousands of listeners everywhere have voted "Hobby Lobby" the best radio idea of the year.

Best Wishes To NBC In Hollywood

VIRGINIA PAYNE
(MA PERKINS)

5 YEARS COAST TO COAST

"ONE MAN'S FAMILY"

Written and Produced

By CARLTON E. MORSE
ED. LATIMER

• "Mrs. Wiggs of the Cabbage Patch"
• "Just Plain Bill"
• "David Harum"
• "Mr. Keen Tracer of Missing Persons"
• "Alias Jimmy Valentine" (with Bert Lytell)

Blackett, Sample & Hammert, Inc.

Agency

MORRIS PLAN BANK'S
• "You, the Unseen Jury" (Defense Attorney)

NBC and CBS

PAULA DURAND

- FEATURED NBC ARTIST

Congratulations . . .

JOLLY BILL STEINKE

"NO SCHOOL TODAY"
"JUNIOR NEWSREEL"
"JOLLY BILL AND JANE"
"NBC SANTA CLAUS"
ETC . . . .

PAULA DURAND

- FEATURED NBC ARTIST

KEN CARPENTER

NBC Announcer

"Ry-Krisp"
"Now and Then"
"One Man's Family"
"The Gilmore Circus"
"Kraft Music Hall"

SHERRY ALLEN

Personal Representative

FOR

THE KIDOODLERS
THE KAMPUS KIDS
JANE CLIFTON
HAL GORDON

CLEM McCARTHY

SPORTS COMMENTATOR

NBC SPECIAL EVENTS
PATHE NEWS SPORTS-VOICE
VITAPHONE SPORT SHORTS

NEWSPAPER COLUMN
KING FEATURES RELEASE

COMMENTATOR ROLE
METRO-GOLDWYN-MAYER
FEATURE PRODUCTION
"THE CROWD ROARS"

JEAN ELLINGTON

APPEARED ON
R.C.A. Magic Key
Kellogg's Ford
Chevrolet
Hammerstein Music Hall

PARAMOUNT MUSICAL SHORTS
Heard regularly on own NBC Sustaining

Congratulations . . .

JOLLY BILL STEINKE

"NO SCHOOL TODAY"
"JUNIOR NEWSREEL"
"JOLLY BILL AND JANE"
"NBC SANTA CLAUS"
ETC . . . .

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COMMENTATOR ROLE
METRO-GOLDWYN-MAYER
FEATURE PRODUCTION
"THE CROWD ROARS"
hello there

blue

network

long about

quarter of

TED MALONE

JACK MAC BRYDE
“The Old Ranger”

IN

DEATH VALLEY DAYS

SPONSORED BY

Pacific Coast Borax Co.

A

McCANN - ERICKSON

PRODUCTION

1930—Coast to Coast—1938

Compliments

Anne Seymour

(Mary Marlin)

Beverley Lane

coloratura soprano

Opera - Radio - Concert

EASY ACES

Ninth Year

on the

Air

CHARMÉ ALLEN

Characters and Dialects

Now Appearing in

• DAVID HARUM
• OUR GAL SUNDAY
• BIG SISTER
• PRETTY KITTY KELLY
• AUNT JENNY’S REAL

LIFE STORIES

Recordings:

LANGLOIS & WENTWORTH

R.C.A. VICTOR

TRADWAYS-SLIDE FILMS

CLEVELAND B. CHASE

REEVES STUDIOS

ROSS GRAHAM

Bass-Baritone

CITIES SERVICE CONCERT

Red Network, Fridays,

8 to 9 P.M.

FORMERLY—Maxwell House

Showboat

APPEARANCES — Chevrolet,

General Motors, various

major programs. Concert

and Opera

AVAILABLE

Management:

N.B.C. Artists Service

NBC Radio Rubes

Mountain, hymn, rag-
time, cowboy, folk

Music. Any

old song

RADIO

PICTURES

VAUDEVILLE

MGT.: NBC ARTISTS SERVICE

30 Rockefeller Plaza, N. Y. C.
When a radio listener snaps on the switch and turns on one of the stations of the NBC networks, the sound which immediately pours from the receiving set represents a multitude of varied activities which never appear on the surface.

The NBC organization is made up of more than 2,000 men and women who never are heard over the air. These include, among many others, program "builders," writers, talent "scouts," and engineers, all of whom contribute to broadcasts.

As the broadcasting of its kind in the world, NBC during the last year broadcast more than 50,000 separate programs. Each of these had an individual writer, re-written, timed, assigned to a studio, announced to press and public, and finally sent out over the proper, pre-arranged, network of stations, which had been advised of the program in advance and had replied that the program was desired for broadcasting.

When it is kept in mind that approximately 100 programs are put on the air by NBC each day, it is possible to get some idea of the complexity of network broadcasting.

The NBC program department is directly responsible for everything which goes out over the air. The department is divided into various parts, having to do with music, continuity, speakers, special events, production, commercial and sustaining departments, and so forth. Other sub-divisions of the program department include the music library, which incidentally is the largest "working" library of music in the world, and the music and literary rights department, which is charged with checking every composition and script used, for possible restrictions.

**TALENT PROBLEMS**

One of the chief duties of the program department is to be continually on the lookout for good, new material. Auditions are held daily, for individual artists, orchestras, actors and others who believe that their future success lies in radio. This belief, in the vast majority of cases, is unfounded, but the occasional exception makes the time spent in listening to auditions well worth while. As a rule, however, only established performers are heard over the networks, those with previous professional experience of a successful nature to their credit.

The program department also arranges all "nemo" programs, those originating outside the studios. The majority of these are dance bands and orchestras, which are picked up from hotels and night clubs in various parts of the country, or addresses being delivered before public meetings.

The "nemo" programs also include broadcasts from planes and submarines, from ringside and football stadiums, from the floor of Congress, the world series and innumerable other places where events are occurring as the broadcasts take place.

When a program is definitely scheduled, an order is issued to that effect, and the traffic division of the station relations department informs the various stations on the designated network, giving exact time and detail of the program. These schedules are sent out to the stations over special telegraph wires, and the stations reply in the same manner as they would answer that an order had been received, and have previous commitments for local broadcasts. Thus the network, consisting of the telephone wires connecting the stations, are set up for each program, varying from one to another.

The traffic division also is responsible for providing special leased wires for all "nemo" broadcasts, to connect the point of origin of the programs with the networks. It also orders up the short-wave facilities which bring foreign programs across the oceans for re-broadcast over NBC.

**ENGINEERS**

Responsibility for seeing that each program is transmitted to the proper network rests with the department of technical operations and engineering. In this department are studio engineers and the men in the master control room. In the technical department also are the field engineers, who handle the pick-up of all "nemo" programs, the experimental engineers, who are constantly working to develop and perfect new and improved facilities, and the maintenance staff, charged with the care of all equipment. Many of these men are outstanding leaders in the fields of radio engineering, and are responsible for numerous advances in broadcasting.

The departments so far described, namely program, station relations and technical operations and engineering, are those directly connected with providing and transmitting programs over the networks. Other departments of NBC are artists' services, sales, press, legal, mail and general office.

The NBC Artists' Service acts as agent for artists, orchestras, speakers and performers of all kinds, not only for radio work, but for the concert stage, vaudeville, motion pictures and private entertainments. The mail department receives and classifies millions of letters, from listeners each year. The functions of the legal and general office departments are obvious. The sales department handles the sale of time over the networks, sale of "talent" being a function of artists service.

All these various elements operating smoothly as a single organization, despite their widely varying duties, make up NBC, which through miles of wire provides program service to 159 stations, from the Atlantic to Hawaii, 18 hours a day the year round.

---

**HOLLYWOOD LOG**

**SUNDAY**

**JELL-O PROGRAM**

Starring Jack Benny and Mary Livingstone, Kenny Baker, Andy Devine. Red network, 7 P.M.

**CHASE & SANBORN**

With Don Ameche, Nelson Eddy, Charley McCarthy-Edgar Bergen, Dorothy Lamour, Judy Canova. Red network, 8 P.M.

**OUT OF THE WEST**

With Vernon Osborne, Armand Gerard, George Nixon. Blue network, 8 P.M.

**HOLLYWOOD PLAYHOUSE**

Starring Charles Boyer. Blue network, 9 P.M.

**IRENE RICH PROGRAM**

Featuring Miss Rich. Blue network, 9:45 P.M.

**MONDAY**

**AMOS 'N' ANDY**

Monday through Friday. Red network, 7 P.M.

**AL PEARCE PROGRAM**

With the Pearce "Gang." Red network, 8 P.M.

**THOSE WE LOVE**

Dramatic sketch with Nan Grey. Blue network, 8:30 P.M.

**TUESDAY**

**PEPSODENT PROGRAM**

Starring Bob Hope, Skinnay Ennis, Jerry Colonna. Red network, 10 P.M.

**JIMMY FIDLER**

Red network, 10:30 P.M.

**WEDNESDAY**

**ONE MAN'S FAMILY**

Dramatic sketches. Red network, 8 P.M.

**THURSDAY**

**M-G-M GOOD NEWS**

With Frank Morgan, Fanny Brice, Robert Young, and guests. Red network, 9 P.M.

**KRAFT MUSIC HALL**

With Bob Burns, Bing Crosby. Red network, 10 P.M.

**FRIDAY**

**JIMMY FIDLER**

Red network, 7:45 P.M.

**SATURDAY**

**AMERICA DANCES**

Musical program from Hollywood. Red network, 9:30 P.M.
Congratulations NBC
I Am Proud To Be On
These NBC Programs:
As "FRED" in
"ROAD OF LIFE"
As "BILL STEVENS" in
"FATHER AND SON"
As "BILLY THE KID" in
"DICK TRACY"

LAWSON ZERBE

GREETINGS
NBC
FROM
THE SWEETHEARTS
OF THE AIR
MAY SINGHI BREEN
"THE UKULELE LADY"
and
PETER DE ROSE
COMPOSER PIANIST
"CALLING ALL SWEETHEARTS"
FROM COAST TO COAST
MGT. NBC ARTISTS SERVICE

JOHN GURNEY
Bass-Baritone
Metropolitan Opera

"One remembered Chaliapin and
felt that in John Gurney were the
qualities that might develop a suc-
cessor to that mighty Russian."—
St. Louis Globe Democrat.

His radio appearances during the
past season have included the Ford,
Sealtest and Rudy Vallee Hours.

MGT. NBC ARTISTS SERVICE
RCA Bldg.
New York

HELEN HENRY
RADIO and
CONCERT SOPRANO
under contract to NBC
Appeared with NBC Symphony
under direction of
DR. WALTER DAMROSCH
LEOPOLD SPITALNY
management:
NBC Artists Service

VOX POP

JEAN
DICKENSON
American Album
of
Familiar Music
Sunday Nights
NBC Red Network

Formerly
HOLLYWOOD
Hotel Series

Seventh Year on the Air
Fourth Year on NBC
Radio's Original
General Interview Program
PARKS JOHNSON
and
WALLY BUTTERWORTH
New York City

P. S. "Too Marvelous For
Words" is how they describe
BAILEY AXTON'S glorious
tenor voice.

AGNES
MOOREHEAD
• The March of Time
• The Shadow
• Ben Bernie Show
• Mercury Theatre of
the Air
Congratulations NBC

JIMMY TANSEY

FIVE YEARS

as

DANNY O'NEILL

of

THE O'NEILL'S

Management: ED WOLF

Peter Van Steeden
appearing with his orchestras on
TOWN HALL TONIGHT

Wednesdays at 9 P.M.

NBC-RED Network

and

FOR MEN ONLY

Tuesdays at 8:30 P.M.

NBC-RED Network

extends

best wishes to

Stations

K E C H - K F I

Alice Remsen

Writes, directs, sings and acts on her own NBC
network shows.

CASTLES OF ROMANCE FOUR YEARS
LAND OF MAKE-BELIEVE THREE YEARS
TURN BACK THE CLOCK TWO YEARS

Featured artist on
EVENING IN PARIS .......... 25 weeks
ECHODES OF NEW YORK TOWN, 2 years
MASTER KRAFT OIL BURNERS: 23 weeks
Death Valley Days: Standard Oil
and many others

If you want a
Versatile, Reliable, Experienced Artist

Call
ALICE REMSEN; Ravenswood 8-2636
Or NBC Artists Service, Circle 7-8300

New York

Elvira Rios

Mexico's Singing Star
in her own program
over
NBC-Blue Network
every
Thursday 3:30 - 3:45

6 Reasons Why:

Lucille Linwood
For Radio • Stage • Screen

1. Voice • Personality • Charm
2. Second year NBC Network
3. Built Audience • Large fan mail
4. Highly publicized
5. Seven years dramatics
6. Intimate singing style

Singing her way into the hearts of millions
of listeners via the NBC Blue network

GUEST STARRED:
13 Weeks Town Hall Program
Hammerstein Music Hall
etc., etc.

Available for Radio, Stage, Screen
MANAGEMENT
N.B.C. ARTIST SERVICE
NEW YORK CITY

COMPLIMENTS OF
BERT HIRSCH

CONDUCTOR of
"Langworth Swing Orchestra"
"L. J. Fox Fur Trappers"
"Helen Menken Broadcast"
"Langworth Military Band"

VIOLIN SOLOIST
on the Album of Familiar Music,
Singin' Sam, Pet Milk, and Pick & Pat Broadcasts

JUNE LYON
JERRY MARLOWE
Two Grand People at Their Two Grand Pianos

ALICE REMSEN

Reasons Why!

LUCILLE LINWOOD
For Radio • Stage • Screen

1. Voice • Personality • Charm
2. Second year NBC Network
3. Built Audience • Large fan mail
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Singing her way into the hearts of millions
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13 Weeks Town Hall Program
Hammerstein Music Hall
etc., etc.

Available for Radio, Stage, Screen
MANAGEMENT
N.B.C. ARTIST SERVICE
NEW YORK CITY

KEEP YOUR RED CROSS ALWAYS READY

RED CROSS ROLL CALL

November 11 - 24, 1938

Your memberships given NOW assure prompt Disaster Relief, help for dis-
abled veterans, and Life Saving & First Aid training.

Motion Picture Group
NEW YORK CHAPTER
AMERICAN RED CROSS
315 Lexington Ave., New York
Congratulations NBC

It's RCA ALL THE WAY in Hollywood

RCA Victor shares with the National Broadcasting Company its pride in the new NBC studio in Hollywood. Naturally, RCA Victor is delighted that its fellow company should be progressing so notably on the Coast.

In all phases of sound reproduction and transmission, the whole country has been going RCA All The Way. In Hollywood, especially, this swing to RCA is strikingly in evidence. Witness the new NBC studios, which are completely RCA equipped. Witness the ever increasing number of RCA Victor Radios and Victor Records in Hollywood homes. And witness particularly, RCA Photophone, whose rapid rise is the talk of the movie sound business.

RCA Photophone recording is now used by many major Hollywood studios—and the RCA Photophone Magic Voice of the Screen is used for reproduction by more than 5,000 theatres from coast to coast. Proof that "RCA All The Way" means the finest in sound reproduction!

RCA Victor

A SERVICE OF THE RADIO CORPORATION OF AMERICA
Congratulations
M.P.T.O.A. CONVENTION DELEGATES

Superior Pan

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
INCORPORATED
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
All Officials Reelected at MPTOA Meet

Action Precedes First Business Session

OKLAHOMA CITY, Oct. 31.—After re-election of all officers and directors as a meeting of the executive committee yesterday, the M.P.T.O.A. today settled down to hearing speeches of exhibitor and director leaders at the first business session.

The convention was informed of the motion that theatres are outside the ordinance law, news which ended in the form of a letter to A. Julian Brylawski.

Registration stood at 300 this afternoon, with leaders still coming.

Today's business session began at 10 a.m. (Continued on page 4)

Willford Elected President of SMPE

DETAILED, Oct. 31.—E. Allan Willford was elected president of the Society of Motion Picture Engineers for 1939 at the opening of the organization's three-day fall convention at the Hotel Statler here today.

Other officers named were: Nathan Levinson, executive vice-president; Arthur S. Dickinson, financial vice-president; John L. Crabtree, editorial vice-president, and William C. Kunzmann, convention vice-president. J. Frank, Jr., and L. W. Davee were reelected secretary and treasurer, respectively.

(Continued on page 4)

U. S. Starts Probe Of Studio Walkout

HOLLYWOOD, Oct. 31.—Intelligence officers of the Interior Revenue Bureau, moving secretly, have launched an intensive investigation of the circumstances which ended last year's ill-fated Federated Motion Picture Crafts strike.

Leaders of various labor locals, some of whom participated actively in the walkout, have been summoned to testify on their activities during the strike after eight weeks' duration.

The testimony is reportedly in connection with the intelligence agents' desire to trace the circumstances surrounding the reported passing of $100,000 to a labor leader.

Radio—Page 13

My Word!

"How odd!"

There is the comment of H. G. Wells in answer to a cable from the United Press which told him that a producer of the terror which gripped thousands around the country following the broadcast of his "War of the Worlds" by Orson Welles' Mercury players over CBS.

Broadway Picks Up: De Luxe $20,000

Business along Broadway picked up trying to find the movie town for the football games. "Serv- ice De Luxe" finished with $20,000 at his Rivoli and was followed by "The Storm," "Frankenstein" and "Dracula" at the Rialto did a second week's business of $7,000. Another mystery, "Man with 100 Faces," opened there yesterday. "Marie Antoinette" grossed $6,400 in its thirteenth week at the Astor and will continue for at least two additional weeks.

A change of schedule at the Criterion will bring "Girls School" there on Thursday instead of "Vacation from Love" and "Tans of the Deep." "Young in Heart" will follow "Young Dr. Kildare" at the Music Hall Thursday. "Men With Wings" is held over at the Paramount. The "Sisters" at the Strand will wind up a three-week run, to be succeeded by "Brother Rat" with Al Donahue and his band on the stage. "Suez" will also end a three-week run with "That Certain Age" next. "The Citadel" goes to the Capitol Thursday after two weeks for "Stablenotes."

DEcIDE THEATRES OUTSIDE WAGE ACT

South Wales Petitions for New Film Laws

SYDNEY, Oct. 31.—Producers and exhibitors of Australia have presented a memorandum to Premiers Stevens of New South Wales demanding a film commission and new legislation to govern the film industry of the state.

Behind the demand for a commission, the memorandum asks for the registration of foreign films, with a tax on their import designed to subsidize domestic production; reciprocity in quota within the Empire; control of theatre licensing; fixing of film rentals, and a standard exhibition contract.

The memorandum was signed by representatives of producers and exhibitor groups. The large majority of the films shown in Australia are

(Continued on page 4)

Montague Will Join Chicago Conference

Abe Montague, Columbia distribution head, will attend the trade practice conferences with Allied in Chicago starting Thursday. William F. Rodgers will arrive there from Oklahoma City, and Gradwell L. Sears may also attend.

Panic Stumps Radio Heads;
F. C. C. Equally Bewildered

Confusion reigns in radio, and the lads who ply the networks are bewildered by their own terrible mistake of Sunday night. The Federal Communications Commission is nervous of the possibility of permitting such a broadcast as that which was given by Orson Welles' Mercury Theatre of the Air on H. G. Wells' "The War of the Worlds."

Like children caught playing with fire, nobody has been able to explain away the terrific public shock over this broadcast. The tremendous propaganda machines of radio have put a damper on the public storm the gates for an answer. Whether it was

(Continued on page 13)

Attorney Gives Opinion For Andrews Subject To Courts' Review

WASHINGTON, Oct. 31.—An informal opinion that motion picture theatres are exempt from the provisions of the labor standards act has been issued by the Wage- Hour Administration, but with the proviso that, in the last analysis, authoritative decisions can be issued only by the courts.

"Even though we were to assume the commerce fact," Calvert Magruder, general counsel, ruled, "it is our opinion that such exemptions are not authorized by the provisions of Section 13 (A) (2) as employees engaged in a retail or service establishment the greater part of whose selling or servicing is in intrastate commerce." Magruder's ruling was in the form of a letter to A. J. Brylawski, vice-president of the M.P.T.O.A.

Calling attention to the fact that the act does not confer upon the add-

Trade Reaction to Program Is Varied

Trade reaction was varied to the CBS broadcast of Sunday night. To some the incident emphasizes the difference between films and radio. Wherein as in films the whole play is put on the screen, in radio the play is unseen and almost everything but the dialogue left to the imagination, and sometimes even that is left.

Imagination and exaggeration therefore can run wild on the radio.

To others the radio incident confirms the industry policy of avoiding controversial subjects on the screen especially those which could create public strife.

The broadcast is compared to the wartime film "Beast of Berlin," a story of the invasion of America by the Germans.

On the other hand, an H. G. Wells' film "Things to Come," made by Alexander Korda, British producer, which was exhibited here and contained a similar theme but anonymous locale, didn't stir the b.o. much.

(Continued on page 4)
A MONG New Yorkers who traveled to the Variety Club party in Pittsburgh were Ed Saunders, Bill Rodgers, Ted O'Shea and Tony Connors, of Metro; Ned Definist, Cresson Smith and Jules Levy, of RKO; Sam Rentzler, Louis Frisch; Louis Weilberg, Ruben Jacker, of Columbus; Max Cohen, Max Fellerman, Edward Peskay, William McKay; William Sculli, Universal; Harold Roriter, W. B.; George J. Schaefer, Harvey Day.

S. Sagall, managing director of Scophony in England, is due Thursday on the Queen Mary. He will investigate possibilities in America for the marketing of television receiving sets and transmitters.

Harry D. Graham, district manager for Universal, will attend the Will Rogers memorial museum dedication at Claremore, Okla., Friday, at the invitation of Gov. E. W. Marland.

Armand Denis, producer of "Dark Rapture," his wife, Lula Roosevelt, and their four children left New York yesterday on a two-month flying trip exploring the picture.

Marc Lachmann, 20th-Century-Fox exploitation director, has returned from Annapolis where he screened "Submarine Patrol."

Sol Midwall, cameraman formerly with Paramount and Educational, is in New York after a two-year stay in Hollywood.

Lucius Bezre left for the coast yesterday to act as technical adviser on Cecil B. DeMille's "Union Pacific."

Luis Rainer has arrived from the coast by air. She recently finished "Dramatic School" for M-G-M.

Bob O'Donnell, after attending the Variety Club banquet in Pittsburgh, is spending a few days here.

Frank C. Gilbert, chief engineer of Altec Service Corp., has gone to the coast.

Douglas Fairbanks, Jr., will sail Friday on the Queen Mary for a vacation in London.


MOTION PICTURE DAILY

Purely Personal

TRAVELING long distances, from far and wide, are the players who came to Pittsburgh Sunday night to see the heart in show business revealed at the 10th annual banquet of Variety Club Tent No. 1. The curtain rises once yearly on the cheerful spirit and soul of the amusement world. And the party is as much a tribute to John Harris, chairman of the Pittsburgh party, as to the wonderful work he, with the help of his wife, is doing day by day to serve the people most in need.

Very nearly every first run house in the metropolitan area has booked "The World Is Ours," the all-industry short subject exploiting Motion Pictures' Greatest Year, campaign headquarters reports. Exhibition of the subject will begin throughout the country with 1,000 prints available.

H. N. Richey of Detroit has been appointed director of relations for RKO Radio Pictures, distribution end of the RKO setup. He will serve under Ned E. Definist, vice-president in charge of distribution.

Richey has been director of public relations for Co-Operative Theatres of Michigan. He is a former secretary of Allied Theatres of Michigan.

Russell Birdwell has telegraphed that he has not resigned from Selznick International.

According to Albert A. Galston, president of the Independent Theatre Owners of Southern California, the Department of Justice method for altering trade practices in the industry has been unworkable. He is a strong advocate of the conciliation board plan. A similar conciliation plan, which is now in operation to smooth grievances between the small exhibitors and the major circuits in Southern California, has proved successful, according to Galston, in no small measure due to the co-operation and support of all independent exhibitors, including those of Spyros and Charles Skouras, who head National Theatres (Fox West Coast).

More than 2,600 different advertisements were turned out during the 1937-38 season by the 20th Century-Fox advertising department, under Charles E. McCarthy. The division turned out 284 posters, of all sizes, for the 52 releases.

Zanuck to Outline Plans

Darryl F. Zanuck, 20th-Century-Fox production head, will outline his 1939-40 production plans to company district managers and sales department executives at a studio conference Dec. 15. Herman Wobber, distribution chief, will attend.

MOTION PICTURE DAILY

 Insiders’ Outlook

S. S. Remington Passes

Cincinnati, Oct. 31.—While walking with his wife along a downtown street Saturday evening, Sanford S. Remington, 49, operator of Remington Quality Pictures, Inc., an independent exchange, collapsed from a heart attack and died.

"The Hurricane," only the picture of a one-day take of $2,000. That was the reason for the scene at the Music Hall, it did $88,000 in its first week and $82,000 for the second. The picture’s total first run business to date in this market is just over the $400,000 mark. It was released one month ago.

W. Ray Johnston, president of Monogram, is in New York for the last three months on the coast. The company’s 1938-39 sales quota, according to Johnston, is $675,000. Johnston stated that company sales are running ahead of last year by something like 30 per cent.

Johnston plans to spend most of his time on the coast, to keep close production schedule.

The company, he stated, will have 22 features completed by Dec. 30. Monogram has scheduled 42 features for 1939.

William J. Cell, managing director of Pathé Pictures, Ltd., Monogram’s affiliate in the United Kingdom, will arrive Thursday. He will be accompanied by Arthur Levy, Monogram’s representative in London.

They will investigate possibilities for the production of four pictures a year in England. The distributing company will put up $50 per cent of the cost of the $9,000, Monogram production head, is due tomorrow to sit in with Johnston in the discussions.

Copyright Talks to Be Resumed Nov. 4

Further consideration to the international copyright situation will be given by representatives of the Study of Copyright at a second conference which has been set for Nov. 4 at Harvard University. Industries interested in copyright protection are represented on the committee and each group will submit a list of suggestions. The committee will decide which suggestions are to be forwarded to Congress with recommendations for the protection of the public.

The film industry will be represented by E. P. Kilroe, chairman of the film copyright committee; Gabriel L. Glick, Legal Counsel, and Robert W. Perkins, Warners.

Reticule "Last Ride"

Hollywood, Oct. 31—Paramount has set "Ride a Crooked Mile" as the release title of "The Last Ride.

MONORAM’S SALES QUOTA $6,750,000

Monogram’s sales for the year ended are $6,750,000.

MOTION PICTURE DAILY

Registered U. S. Patent Office

LEESTEN, BIG BOYS,

WHEN YOU SAY MOTION

PICTURES ARE YOUR BEST

ENTERTAINMENT,

SAY IT IN FRENCH.

OLYMPE BRADNA

You’ll say it’s terrific . . . you’ll say it’s magnific . . . you’ll . . .

"SAY IT IN FRENCH"

A Paramount Picture with

RAY MILLAND • OLYMPE BRADNA

Irene Hervey • Janet Beecher • Mary Carlisle • Directed by Andrew L. Stone
All Officials Reelected at MPTOA Meet

(Continued from page 1)

10:30. Frank L. Martin, mayor of Oklahoma City, greeted the guests. Brylawski, vice-president, responded for the organization.

Ed K. R. Lightman, president, read his annual report. He informally described some of the present status of the trade practice conferences and announced that they would be resumed Nov. 7 in New York.

The afternoon was devoted to speeches by N. D. Golden, chief of the Motion Picture Division of the U. S. Department of Commerce. He spoke on the importance of the foreign market.

Harry Sherman said that if producers and directors would go out in the small communities and see what the public wants, they could make pictures more profitable.

William F. Wehrenberg, general sales manager of M-G-M, spoke tomorrow on "Trade Relations in Distribution and Exhibition.

Other speakers this afternoon included M. A. Lightman on the importance of the exhibitors in the industry; Terry Ramsaye, editor of Picture Herald, reminiscing on the history of the industry; Charles L. Casanave, vice-president and general manager of National Screen Accessories, Inc.; and Fred Wehrenberg, St. Louis, chairman of the board of the M.P.T.O.A.

Stars and players arriving from Hollywood today for the convention were Mickey Rooney, Brian Donlevy and the Weaver Brothers and Elvira.

Tomorrow will see Olivia de Havillard, Margaret Lindsay, John Wayne, Marie Wilson and Jane Bryan. Payne will function as master of ceremonies and lead the big ball tomorrow evening in the Civic Auditorium when about 20 film makers will make their appearance.

Other noted guests to attend include Gene Autry, Gene Austin, Zasu Pitts, Jack Hoxie and Tex Ritter.

Marionettes at MPTO

M-G-M's "Marionette Movie" exhibit has been routed to Oklahoma City for the duration of the M. P. T. O. A. convention. The display now has scenes from "The Citadel," "The Great Waltz" and "Sweethearts," and will have scenes from subsequent films when released. After the convention the exhibit will be taken through Kansas, Nebraska, Iowa, Wisconsin, Illinois, Indiana, Ohio and Michigan, in towns with theatres.

"U" Buys "Lady, Lady"

Hollywood, Oct. 31.—Taking cognizance of the current fight of authorities against gambling boats operating off the California coast, Universal will soon start "Lady, Lady," story of two women, one of whom is Helen Mack and Robert Wilcox will be featured. Irving Starr will be associate producer. Alex Gottlieb wrote the original screenplay.

Williford Elected

President of SMPE

(Continued from page 1)

respectively. Lloyd A. Jones continues in office for another year as engineering vice-president, and R. E. Farham, A. C. Hardy and H. Griffin as governors.

Approximately 200 technicians and film engineers are in attendance at the convention. S. K. Wolf, retiring president, opened the meeting this morning, followed by the reports of several committees.


The informal luncheon today was addressed by Richard W. Reading, Mayor of Detroit; Jam Handy, Jam Handy president; George W. Trendle, president of United Detroit Theatres, and D. C. F. Kettering, vice-president and director of research of General Motors.

The afternoon was devoted to a session on sound, with the following papers read to the delegates: "Sonic Characteristics of Motion Picture Sound Recording," by R. O. O'Hara, Western Electric; "Improving the Fidelity of Disk Records for Direct Playback," by H. J. Hasbrooke, Jr., RCA Manufacturing Co.; "The Best in NewSound," by F. Durst and E. J. Shortt, International Projector Corp.; "The Making of Binaural Recording for Sound Motion Pictures," by W. H. Offenhouser, Jr., and J. J. Israel.

The evening of the same features and short subjects closed the day's activities. The convention will continue tomorrow.

Governor Asks 5,000

To Rogers Ceremony

OKLAHOMA CITY, Oct. 31.—Gov. E. E. Marland of Oklahoma has sent out 5,000 invitations to the dedication of the Will Rogers memorial at Claremore on Friday.

Jesse Jones, chairman of the Reconstruction Finance Corp., will be the principal speaker at the dedication ceremonies. His address will be part of an NBC program from 2 to 2:45, in which Fred Stone, Edie Cantor, George M. Cohan and Irving S. Cobb will participate. Jo Davidson, American sculptor, will unveil his statue of Rogers. Stage hands have donated their services for the pageant which will be part of the ceremonies.

Alabama to Rule on

Bingo Game Legality

MOBILE, Oct. 31.—Alabama's attorney general has been asked to rule on whether Bingo at all events is legal, following a controversy and condemnation of the games by church leaders. Methodists and Baptist organizations condemned the games and urged the Governor to halt them. The matter was referred to the attorney general.

Robeson Acts Again

London, Oct. 31.—Paul Robeson plans to abandon his concert work in favor of film and variety work. In addition to his variety work, the Negro actor intends to make films depicting episodes of the modern Negro. He will play in a British semi-documentary film with a Welsh background.

Republic Lines Up

Sales Drive Detail

Finishing touches were put on plans for a Republic sales drive for James R. Gracey at a meeting of district sales managers held yesterday at the New York Athletic Club. It will start Nov. 7 and continue through Dec. 17.

Among those present at the meeting were: Jack Bellman, eastern district sales manager; Harry White, central division; Heck Everett, southern division; Max Roth, midwest division; Grover Parsons, western division, and Charles Schaefer, special representative in the sales department.

Grainger presided. H. J. Yates, Morris Goodman, vice-president in charge of foreign sales, and Grover Schaefer, vice-president and treasurer, also were present.

Union and CEA Near

Agreement on Wages

LONDON, Oct. 31.—Agreement is expected soon between the National Association of Theatrical and Kiné Employes and the London and Home Counties Branch of the Cinematograph Exhibitors' Association on a new wage-hour schedule.

Draft of the agreement drawn up provides for an improvement in working conditions and full recognition of the union. A six-day week of 50 hours, double pay for overtime and a week's vacation within 13 months are among the provisions. It is believed the agreement may serve as a model for any national agreement sought in the future between the labor organization and the C.E.A.

Six New Films Are

Approved by Legion

The National Legion of Decency has approved six new pictures for the current week, four for general patronage and two for adults. The new films and their classification follow.


Class A-2, Unobjectionable for Adults—"Flight Into Darkness" (French), "Illegal Traffic.

Remodel in White Plains

Loew's is completing modernization of the State, White Plains, at a cost of $100,000. Changes are being made in the interior and front with 360 seats added to the capacity.

Bannon Building House

Tom Bannon and Murray Ginsberg are building a theatre in Burlington, N. J.

Theatres Held

Outside Terms

Of Wages Law

(Continued from page 1)

ministrator any general power to issue rulings as to the status of industries or jobs that such classifications must be developed by the courts, the general counsel expressed the opinion that it is "very doubtful" whether employees of theatres, not connected with the interstate distribution of films, "can be regarded as engaged in commerce or in the protection of goods for commerce."

However, Magruder warned, this and similar opinions are merely for the guidance of the administrator, unless and until he is directed otherwise by authoritative rulings of the courts and is made with those reservations.

Seek New Film Laws

For New South Wales

(Continued from page 1)

nally comes from the United States, while domestic production is almost negligible. Attempts to put the New South Wales quota into practice have failed because of the small amount of production in Australia. The quota percentages were reduced last year to provide greater effectiveness, but without much success.

KEEP YOUR RED CROSS ALWAYS READY

RED CROSS ROLL CALL

Nov. 11-24, 1938

Your memberships given now assure prompt disaster relief, help for disabled veterans, and life saving and first aid training.

Motion Picture Group

W. G. Van Schmus, Chairman

NEW YORK

AMERICAN RED CROSS

315 Lexington Ave., New York
**“King” with $41,000 Top**

*Chicago Daily*  
*Chicago, Oct. 31—If I Were King* got a royal reception at the Chicago, and led the Loop with $41,000.

*Dracula* and *Frankenstein* at Garrick gave that the theatre has not been in over a year, $9,200.

*Too Hot to Handle* was another smash attraction, getting $15,500 at the Roosevelt. *Drums* was in the big money, netting the Apollo $7,800.

Estimated takings for the week ending Oct. 27-28:

**“Drums” (U. A.)**

APOLLO—$4,000  (35c-55c-65c)  7 days.  Gross:  $7,800  (Average, $1,115.)

*If I Were King* (Para.)

CHICAGO—$4,000  (35c-55c-75c)  7 days.  Stage:  Orpheum, West End; Gross:  $4,100.  (Average, $585.)

That Certain Age (Univ.)

PALACE—$2,500  (35c-55c-75c)  7 days, 2nd week.  Stage:  Chester Haler, Grand; Revue.  (Average, $19,000.)

Gir!a’s School (Col.)

STATE THEATRE—$1,000  (35c-30c-40c),  7 days.  Stage:  Verne Bock and Revue.  Gross:  $1,000.  (Average, $15,000.)

*Dracula* (Univ.)

Frankenstein* (Univ.)

GARRICK—$2,000  (35c-40c-50c), 7 days.  Gross:  $9,300.  (Average, $650.)

Too Hot To Handle* (M-G-M)

ROOSEVELT—$1,000  (35c-50c-75c)  7 days.  Gross:  $15,100.  (Average, $1,000.)

An FILM DISTRIBUTION

UNITED ARTISTS—$1,700  (35c-50c-75c)  3 days, 2nd week.  Gross:  $1,200.  (Average, $400.)

*Snyder Appeal Allowed*

Federal Judge Samuel J. Mandelbaum yesterday signed an order permitting Philip B. Snyder, a creditor of Orpheum Circuit, Inc., to appeal to the U. S. Circuit Court of Appeals from a decision of Judge Mandelbaum, in which Marcus Heiman, as trustee in bankruptcy of Orpheum, commissions of $5,500 and Beckman, Bogue, Leake, Stephen & Black, attorneys for Heiman, $20,000 in fees.

Snyder is appealing because he claims that the commissions were excessive, that no substantial services were performed by the trustee, and that errors in the admission of evidence were committed in the hearing for the allowances.

**Attend Mexican Premiere**

William Rowland, Thomas Moore and Ralph Perry Jett New York by plane yesterday for Mexico City to attend the opening there of their Spanish language production, "Di Que Me Quieres," which is being distributed by RKO.

**To Honor D. S. Davidson**

Cleveland, Oct. 31—David D. Davidson, 20th Century-Fox salesman here, will be honored at a testimonial dinner held Monday night. After 21 years with the company, he is retiring because of ill health.

"Blacksmith" to Open

"The Singing Blacksmith," all-Yiddish musical starring Motel Qysher, will open today at the Continental.

**Hollywood Preview**

**"Illegal Traffic" (Paramount)**

Hollywood, Oct. 31— "Illegal Traffic" is action all the way through. Although the story adopts the familiar under cover policeman in conflict with gangsters plot as a basis, it lacks neither novelty nor originality. Played by a group of actors who know what to do with the ball when they get it, with J. Carroll Naish, Robert Preston, Mary Carlisle, Judith Barrett, Larry Crabbe, Pierre Watkin and George McKay being especially effective, the story moves rapidly and balances a number of minor conflict sequences logically into the exciting chase finale.

Naish operates a nationwide transportation system, essentially engaged in legitimate business but which actually specializes in helping criminals escape from the law. The police are vaguely suspicious of Naish's business, but until Preston joins up as an undercover worker, are unable to do anything about it. As some sequences are given over to romance concerning Preston and Miss Carlisle who does not know her father, McKay, is involved with Naish, the picture returns to melodrama to bring about the climax. In that Miss Carlisle cooperates with Preston in setting a trap for Naish. That has Preston in a plane chasing Naish and his gang fleeting in autos with Preston landing to block the road and capturing the criminal after a gun battle.

The original screenplay by Robert Yost, Lewis Foster and Stuart Anthony stresses action and excitement, qualities which Louis King also accented by his directing technique. Associate Producer William C. Thomas gave the picture picturesque stage settings. Any general of patronage should find "Illegal Traffic" interesting entertainment.

Running time, 65 minutes.  "G, "G" denotes general audience classification.

**WARNERS ALLOWED TO QUESTION CHADWICK**

**Indiana Theatre Men Start Session Today**

Indianapolis, Oct. 31.—Varied topics are scheduled for discussion at the two-day 12th annual session of the Associated Theatre Owners of Indiana at the Antlers Hotel tomorrow and Wednesday. Among the subjects are block booking, playdates, guaranteed percentages, overbuying, clearance, score charges, weekly short payments, Broadway Production, radio competition and national advertising.

Abram F. Myers, Allied general counsel is scheduled to talk at the Wednesday afternoon session on "Progress of Allied," and department directors will be named tomorrow afternoon. The board will elect the officers. In the evening "Men with Wings" will be screened. The annual dinner will be held tomorrow night, with an entertainment program also scheduled.

**Principal Stay Issued**

An injunction issued by Justice Valente in N. Y. Supreme Court was served yesterday on Principal Film Distributors, Inc. by obra & Leventhal, attorneys for Superior and Stage & Screen Productions.

The papers ask the appointment of a receiver over the accounts and records, of receipts on and stop further distribution of 12 pictures. The injunction is based on alleged tomorrow before Justice Valente.

**Wilson Leaves Principal**

Jerry Wilson yesterday resigned as manager of the Principal Film Distributors, Inc. He has acquired a half interest in the Advance Film Exchange which he will operate jointly with Emil R. Schwartz who is president and secretary. Wilson is vice-president and treasurer.

**Set Fees in RKO Case**

Application for commissions to issue in Los Angeles to take the testimony of T. E. Chadwick, as president of Chadwick Picture Corp., and of Jerome Storm, director, was granted yesterday by N. Y. Supreme Court Justice Philip J. McCook. The testimony will be taken in behalf of Warner Bros. Pictures Inc. Warner Bros., production, United Artists, Allied Artists, and Mark & Sons, Inc., defendants in a suit for $250,000 damages, an injunction and an accounting of the profits of "Sweet Adeline," brought by Harry Armstrong and Richard H. Gerard, who charge copyright infringement.

Defendants will seek to prove that Chadwick was induced to make the film from the same type of the same title years back.

**U. A. Files Plea for Trust Suit Details**

United Artists Corp., in behalf of itself and another, yesterday filed notice of application on Nov. 1, for a bill of particulars and a more definite statement of the government's complaint in the anti-trust suit against the eight major companies.

United Artists also filed application for an order striking out certain parts of the complaint on the ground that they do not apply to it.

**Roxy Fee Hearing Set**

Federal Judge Francis G. Caffey yesterday set Nov. 18 at 2 P.M. in Room 1505 of the Federal Court House for a hearing of applications on fees of $2,553 as auditors of the Roxy Theatres Corp., and the Manufacturers Trust Co. for $7,147 as compensation for services of $7,200 in connection with the distribution of the first mortgage four per cent bonds of Roxy. However, Carlisle, who will seek direction from Judge Caffey at the hearing to turn over any balance remaining in his hands to Manufacturers Trust Co. for distribution among the first mortgage 6 1/4 per cent gold bond holders.
It's Proving Everything the Papers Said!
—N.Y. World-Telegram

What A Story It Is!
What A Picture It Made!

WARNER BROS.
Producers
Draw!

Everywhere!

Lynn

and

Davis

in

The Sisters

with

ITA LOUISE - IAN HUNTER - DONALD CRISP - BEULAH BONDI - JANE BRYAN
ALAN HALE - DICK FORAN - HENRY TRAVERS - PATRIC KNOWLES

An ANATOLE LITVAK PRODUCTION

From the Novel by MYRON BRINIG - Screen Play by Milton Krims - Music by Max Steiner
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."
<table>
<thead>
<tr>
<th>COLUMBIA</th>
<th>M-G-M</th>
<th>MONOGRAM</th>
<th>PARA</th>
<th>REPUBLIC</th>
<th>RKO RADIO</th>
<th>20TH-FOX</th>
<th>U. A.</th>
<th>UNIVERSAL</th>
<th>WARNERS</th>
<th>G. B.</th>
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<tbody>
<tr>
<td>Sept. 30</td>
<td>You Can't Take It With You</td>
<td>G (C)</td>
<td>Love</td>
<td>Mr. Wong, Detective</td>
<td>&quot;Arkansas&quot;</td>
<td>Room Service</td>
<td>Straight, Place and Show</td>
<td>Drums</td>
<td>Youth Takes a Fling</td>
<td>Man with 100 Faces</td>
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<td>(G) (C) Jean Arthur</td>
<td>Love</td>
<td>G (C) Florence Rice</td>
<td>(G) (D) Karloff</td>
<td>(G) Marx Brothers</td>
<td>(G) (C) Ritz Bros.</td>
<td>(G) (C) Raymond Massey</td>
<td>(G) (M) Joel McCrea</td>
<td>Tom Walls (Oct. 1)</td>
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<td>Girls' School</td>
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<td>Andrea Leeds</td>
<td>The Lady Vanishes</td>
<td>Margaret Lockwood</td>
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<td>Oct. 7</td>
<td>Crime Takes a Holiday</td>
<td>G (D)</td>
<td>Stablenates</td>
<td>Sweetheart of Sigma Chi</td>
<td>Touchdown, Army</td>
<td>Mr. Doodle Kicks Off</td>
<td>Meet the Girls</td>
<td>(G) (D) Pat O'Brien</td>
<td>Paul Lukas (Nov. 1)</td>
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<td>(G) West of the Santa Fe</td>
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<td>G (D) Wallace Beery</td>
<td>(G) (C) (reissue)</td>
<td>Mary Carlisle</td>
<td>(G) (C) John Pennen</td>
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<td>Lindsay</td>
<td>The Fug</td>
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<td>Oct. 14</td>
<td>Flight to Fame</td>
<td>G (O)</td>
<td>Where the Buffalo Roam</td>
<td>Arkansas Traveler</td>
<td>A Man to Remember</td>
<td>Five of a Kind</td>
<td>(G) (C) Dinah Quinluplets</td>
<td>(G) (D) Jackie Cooper</td>
<td>Climbing High</td>
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<td>Below the Rio</td>
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<td>G (O) Tex Ritter</td>
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<td>Jessie Matthews</td>
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<td>Buck Jones</td>
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<td>Michael Redgrave</td>
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<td>Nov. 4</td>
<td>In Early Arizona</td>
<td>G (D)</td>
<td>The Citadel</td>
<td>The Mad Miss Manton</td>
<td>The Mad Miss</td>
<td>The Storm</td>
<td>There Goes My Heart</td>
<td>(G) (C) Fredrick March</td>
<td>Garden of the Moon</td>
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<td>Bill Elliott</td>
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<td>G (D) Robert Donat</td>
<td>(G) (C) Susan Fonda</td>
<td>(G) (C) Fonda</td>
<td>ickford MacLane</td>
<td>(G) (C) Peggy Lee</td>
<td>(G) (M) Pat O'Brien</td>
<td>(M) Odd Future</td>
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<td>Dorothy Guilcher</td>
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<td>Lindsay</td>
<td>Tom Walls</td>
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<td>Nov. 11</td>
<td>Adventure in Sahara</td>
<td>G (C)</td>
<td>Spring Madness</td>
<td>Men With Wings</td>
<td>Rhythm of the Saddle</td>
<td>Always in Trouble</td>
<td>The Young in</td>
<td>(G) (C) Constance Bennett</td>
<td>Hard to Get</td>
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<td></td>
<td>Paul Kelly</td>
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<td>G (D) Lew Ayres</td>
<td>G (D) Eders</td>
<td>(O) Gene Autry</td>
<td>(G) (C) Gaynor Fairbanks,</td>
<td>(G) (C) Otto Kruger</td>
<td>(G) (D) Dick Powell</td>
<td>Dangerous Secrets</td>
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<td></td>
<td>Lorna Gray</td>
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<td>Milita Karjas</td>
<td>Helen Mack</td>
<td>Lawless Valley</td>
<td>Jr. Goddard</td>
<td>Prairie Justice</td>
<td>de Havilland</td>
<td>Paul Lukas (Sept. 30)</td>
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<td>Nov. 18</td>
<td>There's That Woman Again</td>
<td>G (C)</td>
<td>Gang Bullets</td>
<td>I Stand Accused</td>
<td>1 Stand Accused</td>
<td>(G) (D) Jane Withers</td>
<td>(G) (C) Otto Kruger</td>
<td>(G) (D) Thomas Goodspeed</td>
<td>Shadows Over Shanghai</td>
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<td></td>
<td>Melina Douglas</td>
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<td>G (C) Anne Nagel</td>
<td>(G) (D) Colman</td>
<td>(G) (C) Helen O'Brien</td>
<td>(G) (C) John Rogers</td>
<td>(G) (C) Charles Farrell</td>
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<td>Virginia Bruce</td>
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<td>Rialbghine</td>
<td>Law West of Tombstone</td>
<td>(G) (D) Brian Donley</td>
<td>Cowboy and the Lady</td>
<td>(G) (C) Eleanor</td>
<td>Ralph Morgan (Oct. 14)</td>
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<td>Nov. 25</td>
<td>The Shining Hour</td>
<td>G (C)</td>
<td>Out West with the Hardys</td>
<td>Thanks for the Memory</td>
<td>Santa Fe Stampede</td>
<td>(G) (D) Brian Donley</td>
<td>Oberon</td>
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<td>Frontier Scout</td>
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<td></td>
<td>(G) C. Arthur</td>
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<td>G (C) 3 Mesquiteers</td>
<td>Mickey Rooney</td>
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<td>Lynn Bart</td>
<td></td>
<td>(G) (D) George Houston</td>
<td>George Houson (Oct. 21)</td>
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<td>Penny Singleton</td>
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<td>Nancy Drew</td>
<td>Ciphers Bureau</td>
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<td>Dec. 2</td>
<td>Arthur Lake</td>
<td>G (C)</td>
<td>The Shining Hour</td>
<td>Arrest Bulldog</td>
<td>Western Jamboree</td>
<td>(G) (D) Richard Green</td>
<td>(G) (D) Capney</td>
<td>(G) (M) John Woodbury</td>
<td>(D) Joan Woodbury</td>
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<td>Roll, Wagons</td>
<td>Gene Autry</td>
<td>(G) (C) Gene Autry</td>
<td>O'Brien</td>
<td>Leon Ames (Oct. 28)</td>
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<td>Roll (G)</td>
<td>Smiley Burnett</td>
<td>(G) (C) Jean Kelly</td>
<td>(G) (D) &quot;Dead End&quot;</td>
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<td>Sunset Strip Case</td>
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<td>Tex Ritter</td>
<td></td>
<td>(G) (C) Preston Foster</td>
<td>Kids</td>
<td></td>
<td>Sally Rand (Nov. 5)</td>
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'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
Boice Joins Benton As Vice-President

Hugh K. Boice, who recently resigned as CBS vice-president in charge of sales, has joined Benton & Bowles as vice-president.

No specific mention is made of what position Boice will fill, although it is presumed that he will specialize in new business for the agency.

Crowell Renews Show

Crowell Publishing Co., for the first time in years, has re-arranged its shopping program, called "Shopping with Jean Abbe" over WOR beginning Nov. 14. The contract is through McCorm-Erickson.

Panic Stumps Radio Heads; F. C. C. Equally Bewildered

(Continued from page 1)

for the mass hysteria which flourished after the broadcast. Their combined ex-
planations, however, boil down to the succinct phrase of H. G. Wells. "Odd, they said in effect...and almost beyond explanation.

Welles, surrounded by newsmen, for almost two hours scratched his plentiful hair at each request. His explanation was that the panic caused by the broadcast, but he was unable to give an answer of how the one contained in his handout. And the very first paragraph in the statement read, "I am even more bewildered over this misunderstanding in the light of an analysis of the broadcast itself."

CBS tried to explain that the alarm might have been caused by using the technique of a simulated news broad-
cast within the dramatization, for W. B. Lewis, CBS vice-president in charge of programs, has ordered that hereafter this technique shall not be used again.

Calls Flooded WABC

Expressing regret that listeners heard a "phantasmagoria and mistook a fantasy for fact because of the manner of presenta-
tion, Lewis said that an-
nouncements were made before, after, and twice during the hourlong play that was presenting a dramatized version of the Wells' fictional novel of the in-
vasion of this world by the planet Mars. Further announcements that the whole incident was fiction were put on the network when telephone calls were received. "I was not able to realize that they were hearing a play," he said.

The terror engendered by the broadcast was very real and not fanciful, like the play, which is based on the conquest of the earth by an inva-
sion of beings from Mars. The Columbia key station in New York was flooded by more than 1,300 tele-
phone calls within 24 hours. Practically every CBS station carrying the pro-
gram received almost as many calls, with the record number coming into the broadcasting offices of WOR-P, Der-
Phiplia, with a count of more than 4,000 calls. NBC in New York, which did not carry the broadcast, received more than 700 telephone calls from alarmed persons who heard the broad-
cast on the rival chain.

Newspaper offices in New York were also flooded with telephone calls, and paper reporting receipt of several thousands messages.

The competitive networks would not offer comment about the broadcast, as one official at a rival network said, "It might easily have been presented by any of the web.

"William D. Geer, "March of Time" executive, stated that it was "very fortunate that Congress is not in ses-
sion at this time" in view of the pend-
ulum-like legislation. He pointed out that Welles had his first radio part with the "March of Time" pro-
gram. Listeners to the program have occasionally taken the broadcasts too seriously. While re-
ports have been received that listen-
ers have fainted during broadcasts, particularly during reenactments of surgical operations, the letters have invariably praised the realism of the program and no complaints have been received. Geer stated that he believed that the F. C. C. could handle the matter and that he regarded addi-
tional legislation unlikely and un-
necessary.

McNinch Asks for Script

Chairman Frank R. McNinch of the Federal Communications Com-
mittee, from Washington called upon CBS to furnish a copy of the script and a transcription of the program.

Members of the commission agreed that the program was subject to criti-
cism, but it is not believed that Col-

dubia, or any of the participating sta-
tions were deliberately penalized. The general view being that the feature was an honest effort to provide gripping melodrama, which has "backfired."

There is little doubt, however, that the incident will lead to the develop-
ment of a policy barring the recur-
ring of such broadcast shows. The event which caused the panic closely paralleled a similar occurrence in England a few years ago.

"The widespread public reaction to this broadcast, as indicated by the press, is another demonstration of the power and force of radio and points out again the serious public responsibility of those who are licensed to operate stations.

FCC Studies IndecentShow Jurisdiction

WASHINGTON, Oct. 31.—A comprehensive study of the provisions of the Communications Act of 1934, to deter-
mine the extent of the authority and jurisdiction of the Federal Comunications Commission to deal with lot-
ters, obscene, indecent, profane and other undesirable programs, has been undertaken by the F.C.C., which some weeks ago cited a number of stations for the alleged transmission of such programs.

Directing the law department to make the study, the commission also instructed the acting general counsel to confer with Department of Justice officials with a view to determining the question of jurisdiction and the possible establishment of appropriate procedure in the case of violations of the law.

If involving the question of censorship, the problem of dealing with undesirable programs has been one of the most difficult the commission has had to face. In such few cases as the commission has formally taken cognizance of complaints, it has "relaxed" the stations but avoided any overt action, as in the case of the Mae West episode some months ago.

In ordering a study of the question by its law department, the commission is now acting on a basis in the law for the establishment of definite prin-
ciples of conduct for broadcasters without going to the length of "cen-
soring" programs.

Miller on Ball Committee

WASHINGTON, Oct. 31.—Neville Miller, president of the N.A.B., has been invited to serve as a member of the annual President's Birthday Ball national committee.

Congratulations

M. P. T. O. A.

Delegates

Woodard Productions, Inc.

30 Rockefeller Plaza, N.Y.C.

Producers of "Adventures of Chico"
THE YOUNG IN HEART

JANET GAYNOR
DOUGLAS FAIRBANKS JR.
PAULETTE GODDARD

ROLAND BURKE

SELZNICK INTERNATIONAL presents

PRODUCED BY DAVID O. SELZNICK
RELEASED THROUGH
UNITED ARTISTS

A New Face
Brighten the Screen!

[Image of Paulette Goddard] at the Radio City Music Hall starting Thursday Nov. 3rd

Scintillating new star...center of the most concentrated public interest in years. Millions of fans are waiting to hear her speak for the first time on the screen!

[Image of Paulette Goddard]
Radio Intends Big Coverage For Elections

Webs Will Remain Open Beyond Usual Time

Radio’s election coverage will be more extensive than at any time in the past, with all the networks prepared to stay on the air as long as necessary beyond the usual closing time until all issues have been definitely decided. Election broadcasts, which will be nationwide, will begin shortly after 6 P.M., when the polls close, to be followed in most instances by bulletins at five-minute intervals from all sections. The three networks, CBS, NBC and Mutual, have ordered most of their sustaining programs cleared from the channels and are substituting dance bands, so that news and election results can be broadcast as they arrive on the ticker, without breaking continuity threads of programs.

Columbia’s election staff includes H. V. Kaltenborn, Bob Trout and (Continued on page 12)

Rivoli to Be “U”s First Run on B’way

Universal now is assured of maximum Broadway playing time, having concluded a three-way arrangement with the Rivoli, Rialto and the Globe theatres, under terms of which all of the UP product will get first run availability in Times Square.

The Rivoli, under its deal with the “U”s, gets first choice of product. Rialto and Globe have next choice.

SMPE Awards Go To Kalmus, Gibson

Detroit, Nov. 1—Dr. Herbert T. Kalmus, president of Technicolor Corp., was awarded the 1938 Progress Medal of the Society of Motion Picture Engineers, and Dr. K. S. Gibson of the National Bureau of Standards, Department of Commerce, the annual

Radio—Page 12

MOTION PICTURE DAILY

NEW YORK, WEDNESDAY, NOVEMBER 2, 1938

TEN CENTS

INDUSTRY REFORMS

CERAIN—RODGERS

Allied Directors Take Stand Today Upon Trade Talks

Allied’s further moves in the trade practice negotiations will be decided tomorrow in Chicago by the board of directors. The negotiating committee headed by Col. H. A. Cole will report to the full board on negotiations held to date with the distributors’ committee. The meeting will be held at the Congress Hotel at 10 A.M. William F. Rodgers, Gradwell L. Sears and A. Montague will be in Chicago ready to proceed after the board decides on its course. These meetings, if resumed, are expected to continue to Friday night.

It is reported that the Allied committee members have divergent views on a trade practice program.

INDIANA ATO HEARS FINANCES EXCELLENT

INDIANAPOLIS, NOV. 1—Associated Theatre Owners of Indiana are in a strong financial condition and have a greater percentage of paid up members than at any time in the organization’s history, members were informed at the opening business session at the Hotel Antlers today. Speakers included State

CHICAGO’S CLEARANCE RULES MAY BE TOPIC AT MEETING TOMORROW

Chicago’s clearance rules may be discussed by members of the distributors’ negotiating committee which convenes there tomorrow for trade practice discussions with Allied leaders, with a view to adjusting same.

Illinois Allied unit is one of the prime movers behind the pending Chicago anti-trust suit against Balaban & Katz, Gradwell L. Sears and Ned E. Depew, who may attend the Chicago parleys are members of a committee created to study the Windy City’s protection situation.

William C. Gehring is the third committee member. William F. Rodgers and A. Montague, who will attend the trade practice conferences in Chicago tomorrow, are not members of the conciliation committee. The companies which they represent, however, are among the defendants in the suit, which is directed primarily against B. & K.

Indications are that the distributors’ representatives will act in the matter only if asked to do so by the Chicago exhibitor leaders. Conquest for defendants here are continuing with preparations for trial of the case.

MPTOA HEARS PRACTICAL SYSTEM NEARLY READY; ASKS CONFIDENCE

OKLAHOMA CITY, Nov. 1—It is not only possible but practically certain that the film business can regulate its own affairs properly. All that we ask is a fair opportunity to do so. Now, when the industry is in the final stages of trying to effect a practical system of trade practice, confidence is needed more than ever, so that these negotiations shall succeed.

These were the words of William F. Rodgers, distribution chief of M-G-M, and spokesman for the distributors’ committee on trade practice problems. He made a straightforward appeal for cooperation, and he sounded the most cheerful and optimistic note of the M.P.T.O.A. convention.

“Had this convention been held one week later,” Rodgers stated, “there is little doubt that we could have here

ADJOURN U. S. SUIT HEARING TO NOV. 10

Hearing on the motions by the major companies for bills of particulars in the Government anti-trust suit were adjourned to Nov. 10 at the request of John Lane, assistant U. S. Attorney, in the U. S. District Court here yesterday. Hearing on a motion to strike out portions of the complaint was also delayed to the same date. Federal Judge William Boudy granted the request and will hear the motion on the adjourned date. There was no opposition to the delay.

It was learned that Moses H. Lewis, special attorney in charge of the anti-trust division of the Department of Justice here, is handling the

LOTTERY CHARGED IN 3 BROOKLYN HOUSES

Three theatres in Brooklyn have been served with summonses for alleged violation of the lottery laws. Trial has been set for Nov. 18 in the Ninth District Magistrate’s Court, Brooklyn.

The theatres are the Parus Court, 292 Court St., operated by Louis Gubbel; the Subway 158 Myrtle Ave., operated by Frank Worth, and Abe

(Continued on page 4)

(Continued on page 4)

(Continued on page 4)

(Continued on page 4)

(Continued on page 4)
RICHARD DE ROCHEMONT arrives on the Paris flight today. Other arrivals include HENRI DIAMANT-BERGER, French film producer, and LILIAN EISENBERG, actress who appeared in the London “Golden Boy” company.

STEVE GARAY, London stage and screen comedian, will arrive from Europe on the Normandie next week for an engagement at the New Palladium, the former Broadway Theatre.

DOUGLAS FOWLEY, here on vacation after doing “Submarine Patrol,” will be guest on “Uncle Don” Carney’s Mutual program today at 6 P.M.

KARL MACDONALD, Warner supervisor for Latin America, arrived yesterday from a trip to branches in Cuba, Puerto Rico and Trinidad.

NATE BLUMBERG, Universal president, will be a guest at the Motion Picture Manufacturers luncheon at the Astor tomorrow.

HARRY DAVID, Paramount theatre partner in Salt Lake City, is in New York for a few days en route home from a honeymoon trip.

SCOTT R. DUNLAP, Monogram production head, will arrive in New York today from the coast for conferences with W. Ray Johnston, president.

AL SHERMAN of the Columbia exploitation staff will return on the Queen Mary tomorrow from a month’s vacation in London.

HUNTER PENNY of Charleston is at the Paramount home office for conferences with Y. FRANK FREEMAN.

SHERMAN ROGERS, recently with Industrialfilm, Inc., has joined the Audio Productions staff at Astoria.

DOLORE BUTLER, eighth floor receptionist at Loew’s, has made known her engagement to JOHN RAITH.

TOM CONNORS, M-G-M division manager, left last night for Montreal.

THE MERCURY

OVERNIGHT TO LOS ANGELES

Fly the Southern SUNSHINE route overnight to Los Angeles. Through service. Complimentary meals served by stewardesses.

Mercury Southerner
Lv. 5:30 p.m.
Lv. 9:00 p.m.

(only 2 stops)

FOR RESERVATIONS: Call Your Travel Agent or YA/riber 3-500, Ticket Office 40 Vander

Nut Ave., and Rockefeller Center, 18 W. 46th St.

AMERICAN AIRLINES Inc.

MOTION PICTURE DAILY

Wednesday, November 2, 1938

Purely Personal

UNLESS Metro is making advance television tests, news of the trade papers, or the columnists, to the contrary, it seems impossible that Metro could have film-tested Mrs. Doris Duke Cromwell in California because the screen lady has been in Paris since Oct. 1. She sails Nov. 11 for her native land.

Ed Kuykendall, M. P. T. O. president, in his annual report to the organization’s current national convention, offers the belief that the right to cancel up to 20 per cent of the product bought by exhibitors will bring about improved product and that exhibitors should be encouraged to improve their presentations.

The report cites radio as a competitive problem for theatres, but adds that, while the M. P. T. O. has wrestled with the problem, “very little headway has been made on the question of the chances for success of the exhibitor-distributor trade practice conferences. Cancellation, the forcing of shorts, conciliations and the score charge have been the major topics in the conferences to this point. He is confident that other concessions will be made for the small exhibitor. The report re-indorses self-regulation, and condemns lawsuits and legislation for trade practice problems.

Loew’s publishes a specially edited four-page monthly which has a circulation of 191,000, called Students’ Screen Forecast, and which lists attractions of Loew’s metropolitan theatres for pupils of the New York high schools and parochial institutions.

Henderson M. Richley, upon becoming director of exhibitor relations for RKO next Monday, will act as an ambassador of goodwill between exhibitors and the company. Heretofore, this has been left to branch managers and the home office. Richley will serve under Ned E. DePuit, distribution chief.

The management of the Rivoli, last Monday overstated the week’s receipts, saying that it grossed $20,000, that the picture finished for under $10,000.

Rites for Woolsey To Be Held Friday

Hollywood, Nov. 1.—Funeral services for Robert Woolsey, screen comedian who died at Malibu Beach yesterday after a long illness, will be held on Friday at the Little Church of the Flowers and will be in charge of the Masonic Fraternity.

Bob Woolsey, his partner in comedy for many years, broke off a personal appearance tour in Chicago to attend the funeral.

Woolsey, 49, spent 15 years before entering films in dramatic and musical stock companies all over the country. He played in roadshows, in Australia, New Zealand and India, as well as this country, and spent six years in Broadway vaudeville. Florenz Ziegfeld placed Woolsey and Wheeler, by then his partner, in the musical, “Rio Rita,” and from there they went directly to the screen version of the show for RKO in 1930. A long succession of film comedies followed, including “The Cuckoos,” “Half Shot at Sunrise,” “Hillbilly Hoary,” “Kentucky Kernels,” “On Again—Off Again” and “High Flyers,” all for RKO.

Ohio Censor Cuts 24

CINCINNATI, Nov. 1.—Ohio censor reviewed a total of 500 reels in October from which 24 eliminations were ordered. This compares with 506 reels reviewed and 21 eliminations ordered in September, and 672 reels with 35 eliminations in October, 1937.

Murphy Joins Circuit

William P. Murphy has taken charge of the Maine, Massachusetts and Rhode Island houses of the Locke-Gordon New England circuit.

Fly United’s De Luxe

MAILLINERS TO CHICAGO!

8 fast flights daily—
all over shortest route!

* To CHICAGO—4 hrs., 55 mins.!

Mainliners are tops in luxury and comfort! Only United flies the famous deluxe Skylounge Mainliners on stop-stop flights—leave 12:15 p.m. Los Angeles, round-trip rates: Reservations: 55 E. 42nd St., M. 2-7900. Or travel bureau, hotels.

UNITED AIR LINES Inc.

The Main Line Airway

Columbia to Hold Weekend Division Meet at Chicago

Columbia will hold the first of a series of divisional sales meetings at the Blackstone Hotel, Chicago, Saturday and Sunday. A. Montague, general sales manager, will be in charge. Columbia offices for Chicago Thursday night, will be at the session which will be attended by about 70 members of the central midwestern and midwest sales staffs.

home office officials who will leave before the meeting, include Rube Jacker, Louis Astor, Louis Weinberg, Max Weisfeldt, Hank Kaufman, George Joseph, Milton Hamock and Maurice Grad. Division Managers Sam Galanty, Phil Dumas and Carl Shait will head field delegations from 14 exchanges.

Polakoff Seeks Order

Moses Polakoff, plaintiff in a $250,000 libel suit against CBS, Edwin C. Hill and the American Tobacco Co. applied to the N. Y. Supreme Court yesterday for an order striking out the suit as misjoined by Hill and American Tobacco.

Polakoff claimed that the defense that a broadcast made on WABC Aug. 26, 1937, was a comment on news events and was without malice were insufficient in law. The suit charges that Hill characterized Polakoff as a “businessman” on a Lucky Strike cigarette broadcast commenting on the “Lucky” Luciano trial.

Ostie Buys Trailer Firm

CHICAGO, Nov. 1—Burt Ostie, former B. & K. advertising and publicity man, has bought Midwest Trailer Co. from Bob Hartman.

Two Theatres on Liner

New Curndar liner, Queen Elizabeth, recently requisitioned by Erpi. They will have a combined seating capacity of 578.

Warner Club to Dance

CHICAGO, Nov. 1—Warner Club here will hold a cabaret party at the Hotel Sherman on Nov. 16.
"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 refreshingly 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

"So admirably turned out, so expertly are the story, direction and acting woven together, that 'YOUNG DR. KILDARE' rises far and becomes the first M-G-M picture ever to have been booked into the Radio City Music Hall."

LEO MISHKIN—N.Y. MORNING TELEGRAPH

"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

"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

"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 SELLSWICK—N.Y. JOURNIAL AND AMERICAN

"The Music Hall film, first M-G-M production to run at the great theatre, tells of people whom you would like to know and whom maybe you do know, of the real life of America. There is word from Hollywood that this may be the first of a series like the Hardy family. That is good word. The movies could stand a good many more people like Dr. Kildare and his friends."

EILEEN CREELMAN—N.Y. SUN

" '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 WINTEN—N.Y. EVE. POST
No Talks Planned
Now on Wage Law
Film Application

Indiana ATO Hears Finances Excellent
(Continued from page 1)

Senator Jacob Weiss, Frank Sanders, treasurer, and I. R. Holycross, vice-

named to the board of directors were: Maurice Rubin, Alex Manta, R. K. Kriehbaum, V. U. Young, Holycross, Thomas Neal, Leonard Nowar, William Stowdaker, Harry Markert, Ernest L. Mil, Robert R. Bair, Sanders, Roy Harrold, Walter Easyler, Harry Vonderschmitt, Truman D. Meier, and Bruce Kixmiller, Oscar Fane and Sam Switow. The board will elect officers tomorrow.

Abram E. Myers, general counsel for Allied, will speak tomorrow. Committee reports will include a film product survey, clearance, bookkeeping, playdate guaranteed percentages, over-buying, score sheets, weekly short-payment plan, for soil of television and television advertising. A banquet tomorrow night will close the convention.

Members relaxed last night at a party in the home of Variety Club Tent No. 10, and attended a midnight preview of "Men With Wines."

Fleischer Men Vote Against CIO Union

Employees of the Fleischer Studios, in an election held Monday in Miami, voted against affiliation of the United American Artists, C.I.O., as their exclusive bargaining agent. The vote was 69 to 58.

The union had represented the employees during the past year, Louis Nizer, attorney for Fleischer, said that the same salary scales and working conditions will continue. The election was held under the Wagner Act.

Fleischer Studios recently moved to Miami where it had built a plant.

Hurrell Busy on Color

Hollywood, Nov. 1—George Hurrell, portrait photographer, is completing work on a still color process which will be used for a new Technicolor. The camera shoots three plates simultaneously, with a special color correcting lens. Cartoons are made from the three negatives.

Rugge Heads Lab Union

John H. Rugge, president, William Vermeiren, recording engineer, and Murray Stern, recording secretary, were reelected at the annual elections of Local 702, M. P. Laboratory Technicians' Union. Lloyd Frank was elected first vice-president and Mort Bloom, second vice-president.

Adjoin U. S. Suit
Hearing to Nov. 10
(Continued from page 1)

procedural end of the suit. We will call witnesses, file full and filing papers and arranging court dates, but it is expected that Washington attorneys will come here for the argument on motions.

Consolidated's Net
$218,763 on Quarter
Consolidated Film Industries, Inc., had a net profit for the quarter ending in September of $218,763, equal, after tax requirements of $400,000, to 30 shares of $2 preferred, to three cents a share on the $245,703 of outstanding common. This compares with a net of $159,761 for the preceding quarter, and a net of $162,606 on the third quarter last year.

The net for nine months to Sept. 30 was $536,205. For the same period last year the net was $541,023.

Lederer Buys Arcadia
Otto Lederer has purchased Rapi & Rudin's interest in the Arcadia, 993 Third Ave. He now owns the entire house, but is interested with Rapi & Rudin in other operations.

announced a program of trade practices which would have set a new milestone in our industry, one which could have been a yardstick by which the trade could govern its future relations.

"We believe that in a short time this will be realized. Your president and your committee will resume negoti- ations. Nov. 7, and 8, and leaving to night, also to take up negotiations on trade practice problems with other exhibitors.

"We have developed this great in-
ustry by the concentrated efforts of us all, and Government interference is not necessary."

Tonight the M.P.T.O.A. packs up and goes home. The organization's convention, which started Sunday, will end with a dinner and ball. Those who had the privilege of addressing the 400-odd conventioners and the officials who likewise made speeches, spoke about familiar problems, in the familiar manner.

One striking impression has been left. However, this is the admission that officials in the business, big and small, should cease washing their hands in public when a speaker tried to focus convention thought upon this fact.

Some kind of a general industry government campaign is in prospect for next year, but it is only in embryo at present. George J. Schafer, oper-

Yankee Touch
Bridgeport, Nov. 1—"The Citizen," British short, opened today. Yankeetouch when it played in the Lowell-Pool here. The father, mother, and two brothers of Robert Don- star of the film, live 45 miles from here. Matt Saunders, manager of the Lowell-Pool, took local newspapermen on a trip to the Donat farm. Several newspaper inter-
views resulted.

Lottery Charged in 3 Brooklyn Houses
(Continued from page 1)
Levy's New United, 207 Myrtle Ave. No arrests were made.

This has no connection with the crusade by the Society for the Pre-
vention of Crime, which recently in-
igated a raid on the Jewel Theatre in Brooklyn. The Society, in an office yesterday, however, that it is making a survey of theatres using chance sales.

The Jewel Theatre case, in which the entire house staff of six was ar-
rested, will come up in Special Sessions. The society is the compi-

Trade Reforms Are Certain, Rodgers Tells MPTOA Meet
(Continued from page 1)
Robert Gilliam, Charles E. Mc-

We did not think of, nor intend a connection with the case, said Schaefer.

"The campaign, he felt, has re-
captured public interest in films, and obtained favorable press reaction."

Schafer's office was in the trade and he took this opportunity to pay tribute to Sidney R. Kent, president of the 21st Century-Fox, his teach-

Following his address, Schaefer took off by plane for Dallas, from where he will return to New York.

Lewen Pizof of Philadelphia spoke on "Contractual Relations Between Distributor and Exhibitor," Pizof was president of the U. M. P. T. O., of Eastern Pennsylvania. He urged sim-

Harold Rodner, Warner executive, spoke on the purposes and progress of the Will Rogers Memorial Fund.

Edward Golden, vice-president of Metropolitan Theatres, said that he was sincere in trying to solve the indus-

Other speakers who addressed the convention included* Z. J. Collin, president of the Independent Theatre Owners of Northern California, and Fred 0. Cornet.

This afternoon players from the studios who are guests of the con-

Landlord Files RKQ Suit
Suit to recover $200,000 allegedly due as rental on the RKQ White Plains, located in the N. Y. Supreme Court against RKQ Film Booking Corp., RKQ Service Corp., and White Plains Hamilton Corp., owner of the RKQ White Plains.

H. & S. Sons Inc. in landlord.

The suit was called for $40,000 yearly with annual increases to $45,000, and 50 per cent of the net profits.

The plaintiffs claim the theatre own-

SMPE Awards Go To Kalmus, Gibson
Journal award, at the banquet to-

Wednesday, November 2, 1931
**New York Preview**

**“Ballerina” (Mayer-Buryst)***

For those who delight in the beauty of the ballet at its best, for those who enjoy the music of Chopin and Gounod played by a symphony orchestra, for the mothers who have tried to make Pavlov's of their daughters or Paderewski's of their sons this will be an outstanding picture.

It has been directed with rare understanding of child psychology by Jean Boinot-Levy. The two adult women principals, Mia Slavenska and Yvette Chauvire, are beautiful to look at and are fine dancers. The work of five child actresses—Janine Charrat, Mady Berry, France Ellys, Claire Gerard and Jacqueline Quefelec—is, in a word, the least.

The story tells of the heartaches and the consuming ambition of stage dancers. A child dancer cripples a ballet star because she fears she will supplant her "godmother," but in the end the crippled woman forgives her as a teacher. The story is easy to follow through sub-titles in spite of the French dialogue.

In other words the film is unusual. It has some of the best talent in France and is well done. The so-called intelligentia in search of art will enthrall it. College audiences and little theatre audiences will vote it outstanding, but it will have a limited appeal in those sections of this country where the audiences think art is something they keep in museums.

Running time, 85 minutes.  "G."*  

**J. M. Jerauld**

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**Hollywood Previews**

**“Lawless Valley” (RKO)**

Hollywood, Nov. 1.—"Lawless Valley" is a fast number in the George O'Brien western series being produced by RKO. It again retains the producer-director team of Bert Gilroy and David Howard, who have given considerable work in the past westerns and who are responsible in large measure for the increasing popularity of the films.

The picture was previewed on the day that Fred Kohler, Sr., the menace, died and it is his first picture in which Kohler appears with his son, Fred Kohler, Jr. Opposite O'Brien is Kay Sutton. The cast includes Walter Miller, Leon纳, George MacQuarrie, Earle Hodgins, Chill Wills, Dot Farley and the Negro singing troupe, "The Four Tunies."

The story, by W. C. Tuttle, and adapted by Oliver Drake, has a novelty opening for the pictures with O'Brien, the hero, being held up from prison after serving more than a year upon his conviction as a stagecoach robber. Following that, the story is formula, with Kohler, Sr., the guardian of Miss Sutton, attempting to force her to marry his son to keep her ranch in the family and the mysterious stranger turning out at the last minute to be the Government man seeking the real criminal.

What the story lacks in originality is made up by the action crammed in 60 minutes of unrelenting. The picture successfully exploits the physical prowess of O'Brien. Running time, 60 minutes.  "G.*"  

**Vance King**

---

**“Where the Buffalo Roam” (Monogram)**

Hollywood, Nov. 1.—This is a personality western, plus songs, with Tex Ritter riding, shootin', fightin', singin' and conducting a quiet romance in the west of the era before the buffalo found official sanctuary.

There are eyecatching shots of the beasts roaming in herds, and some talk about them, but the story gets away from that subject early and takes up an honest Texan's quest for the outlaws who killed his mother. The hero is stopped for one long sequence given over to the music of Louise Massey and the Westerners, string musicians who also sing.

Ritter's buddies are Horace Murphy and Snub Pollard. Dorothy Short is the girl friend. John Merton and Richard Alexander are the heavies. Story and screenplay are by Horace Emmett and Al Herman directed for Edward Finney, associate producer.

The film is produced on a practical basis for a definite type of audience, the one that counts no screenshow complete without a western. Running time, 65 minutes.  "G.*"  

**Roscoe Williams**

*g" denotes general audience classification.
UNIVERSAL presents THE MOST SERIOUS LENGTH FEATURE IN FILM--THE MARS AT THE W...
Backed by the most extensive campaign any short feature.

WALT DISNEY'S PRODUCTION OF FERDINAND IN TECHNICOLOR

Distributed by RKO RADIO PICTURES

THANKSGIVING WEEK ATTRACTION AT
Promotional

ever received!

D THE BULL

ever in all motion picture history have any
ut the most important feature attractions
seen given such nation-wide plugging... 
tories, articles, art and pictorial layouts,
ditorials and fashion announcements in mag-
zines whose NET PAID CIRCULATIONS TOTAL
5,542,945! Look at the list already committed:
IFE...PHOTOPLAY...CUE...SCREEN GUIDE...
OGUE...MICKEY MOUSE MAGAZINE...LOOK...
CALLS...HARPER'S BAZAAR...STAGE...YOUNG
ERICA...MOVIE LIFE...LIBERTY...WOMAN'S
AY...MOVIE STORY...THEATRE ARTS...
OLASISTIC...ROCKEFELLER CENTER WEEKLY.
Add to this a total of sixty-four licensees
signed up for one hundred and two sepa-ate articles of merchandise. Big window
displays everywhere. Big fashion parades
in department stores. A PROMOTIONAL
CAMPAIGN THAT CAN BE COMPARED
ONLY WITH "SNOW WHITE."

NEXT DISNEY
RELEASES

MARBABIES
Release Date,
December 9
MOTHER GOOSE GOES
HOLLYWOOD
Release Date,
December 23

EDING FIRST RUNS EVERYWHERE!
**“Daughters” Twin Cities’ Best Grosser**

MINNEAPOLIS, Nov. 1.—“Four Daughters” did handsomely at the State, grossing $10,000. Both "Fire of a Kind" and "Saratoga Travels" were good for $5,500, the former at the Century, the latter at the Orpheum. In St. Paul the biggest money-getter also was "Four Daughters," $6,500, the Paramount. Aided by an ice show, “Gateway” at the Orpheum grossed $5,500.

Estimated takings for the week ending Oct. 27:

- **Minneapolis:***
  - “Breaking the Ice” (RKO)
  - “Crime Takes a Holiday” (Col.)
  - "Mystic Rider" (Para.)
  - "Permanal Secretary" (Univ.)
  - "The Second Man" (Univ.)
  - "Five of a Kind" (20th-Fox)
  - "Circus" (Warner)-7 days, Gross: $10,000.
  - "An American Tragedy" (Univ.)
  - "The Second Man" (RKO)
  - "Five of a Kind" (20th-Fox)
  - "Five of a Kind" (10th-Fox)-7 days, Gross: $3,000.
  - "Sailors Three" (Univ.)
  - "Sailors Three" (10th-Fox)-7 days, Gross: $6,000.

- **St. Paul:***
  - "Gateway" (20th-Fox)-7 days, Gross: $3,500.
  - "Philadelphia Story" (Warner)-7 days, Gross: $5,500.
  - "Philadelphia Story" (20th-Fox)-7 days, Gross: $4,500.
  - "Sailing Along" (G. B.)
  - "Mr. Skeffington" (20th-Fox)-7 days, Gross: $2,000.
  - "Sailing Along" (20th-Fox)-7 days, Gross: $1,500.

**“Swing,” Spitalny Hits at Milwaukee**

MILWAUKEE, Nov. 1.—“Swing That Cheer” and Phil Spitalny and his orchestra collected $15,500, the week’s gross, at the Riverside. A close second was “Sing You Sinners" and Gene Krupa and his band, which grossed $14,025 at Fox’s Palace.

With the exception of “The Walking Dead” and “White Zombie,” which did $4,752 at Fox’s Strand, another business, had 7 days gross, at the Riverside. A close second was “Sing You Sinners” and Gene Krupa and his band, which grossed $14,025 at Fox’s Palace.

Estimated takings for the week ending Oct. 26 - 27:

- **"Breaking the Ice" (RKO)**
- **"Crime Takes a Holiday" (Col.)**
- **"Mystic Rider" (Para.)**
- **‘Permanal Secretary’ (Univ.)**
- **"The Second Man" (Univ.)**
- **"Five of a Kind" (20th-Fox)**
- **"Circus" (Warner)**: 7 days Gross: $10,000.
- **"An American Tragedy" (Univ.)**
- **"The Second Man" (RKO)**
- **"Five of a Kind" (20th-Fox)**
- **"Five of a Kind" (10th-Fox)**: 7 days, Gross: $3,000.
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Estimated takings for the week ending Oct. 26 - 27:

- **“Swing That Cheer” (20th-Fox)**: 7 days, Gross: $5,000.
- **“Walking Dead” (D.W.)**
- **“White Zombie” (U. A.)**
- **STRAIN: (4-7-0) (25c-50c) 7 days, Gross: $5,500.
- **(Average, $4,500)**

**Free Goldfish**

Kansas City, Nov. 1.—Jay Means is offering free goldfish at the Oak Park. Long known as the chief user of premiums among suburbanites, the Park manager offered "2 fantail goldfish, 1 modernistic globe, 1 set jelly, 1 set plant, 1 box fish food."

All for the price of two or more adult tickets.

**“ Certain Age” Dual Good at New Haven**

NEW HAVEN, Nov. 1.—“That Certain Age” and “Broadway Muskeeters” took the lead last week with $8,300 at the Roger Sherman.

A second week of “Stablemates” and “Mysterious Mr. Moto” at the College grossed $3,600, a six-day engagement of “Stablemates’ Place” and "Mysterious Mr. Moto." "Five of a Kind" at the Loew-Poli took $7,600.

Estimated takings for the week ending Oct. 28:

- **“Stablemates” (M.G.M)**
- **“Mysterious Mr. Moto” (20th-Fox)**
- **“Five of a Kind” (20th-Fox)**
- **“Stablemates” (Univ.)**
- **“Mysterious Mr. Moto” (Univ.)**
- **ROGER SHERMAN: (2-200) (35c-50c) 7 days, Gross: $8,000. (Average, $4,700)**

**“Drums” Stand-Out at Montreal**

MONTREAL, Nov. 1.—“Drums” stood out as the top attraction in a dull week, with a gross of $12,500 at the Capitol. It was the best take this house has had in a long time. The film was held.

The second week of “That Certain Age” at the Palace grossed $7,000, compared with $11,500 for the first week. “That Certain Age” drew $2,800 for its second week at the Orpheum after a first week at $4,500, while “Straight Place and Show” aced its third week. Estimated takings for the week ending Oct. 29:

- **“Drums” (U. A.)**
- **“That Certain Age” (RKO)**
- **“That Certain Age” (2-200) (35c-50c) 7 days, Gross: $3,500. (Average $500)**
- **LOWES: (2-200) (35c-50c) 7 days, Gross: $3,500. (Average $500)**
- **“That Certain Age” (Univ.)**
- **“Straight Place and Show” (20th-Fox)**
- **“Stablemates” (U. A.)**
- **“Stablemates” (Univ.)**

**Busters” Out Front at Omaha**

OMAHA, Nov. 1.—“Stablemates” and “Mr. Chump” packed them in at the Capitol and the Century for a killing double normal. The bill was played five days after two days of “Hold That Go-Ed” at the Capitol and the Century for the total for the week was $10,300. The “Stablemates” double was held for a second week.

“That Certain Age” and “Blockheads” did exceptionally well at the Orpheum, pulling $16,000 in seven days.

Estimated takings for the week ending Oct. 26 - 27:

- **"Men to Remember" (RKO)**
- **“Affairs of Annabelle” (LORO) BRANDEIS: (1-200) (35c-50c) 7 days, Gross: $3,000. (Average, $400)**
- **“Hold That Go-Ed” (M.G.M)**
- **“Racket Busters” (W. B.)**
- **“Stablemates” (M.G.M)**
- **“Lil’ Joe” (M.G.M)**
- **“That Certain Age” (Univ.)**
- **“Blockheads” (M.G.M)**

**Steele Again Exhibiting**

CLEVELAND, Nov. 1.—Bert Steele, who has just completed an exhibit in the Kent and Ravenna to Schine, is back in the business again, having bought an interest in the Lincoln from Paul Gundanovic.
“You Take’s” And Show Big K.C. Grosser

BUFFALO, Nov. 1.—“That Certain Age” was outstanding in a week of only mild activity. It gleaned $6,700 for the Lafayette, where $6,300 is normal, and was held over.

“Roxy” Town played its third week at the Hippodrome. "King of Alcatraz" and "Campus Confessions," earned $7,600 at the Century.

Estimated takings for the week ending Oct. 29:

"If I Were King" (Para.)
GREAT LAKES—$1,300 (36c-6c) 7 days. Gross: $5,500. (Average, $750)

"Boys Town" (M-G-M)
HYPSCORDE—(25c-35c) 7 days. Stage: Veloz & Yoldana, Jerry Shaw, Lew Parker & Co., Dolly Kay and Wilfred Dubois. Gross: $14,000. (Average, $650)

“Certain Age” Up
In Buffalo Slump
Radio Intends Big Coverage For Elections

(Continued from page 1)

Ralph Edwards. NBC has hired Ray- mond Clapper, United Press political columnist, to head its election staff, with Graham McNamee as Clapper's assistant. Frank Singiser, Dave Driscoll and Tom Goodell will comprise election staff, plus Fulton Lewis, Mutual's Washington political commentator, who is coming to New York to cover the election for his network.

In addition to election bulletins, the networks will present talks of the victorious candidates in the states where elections are being held, and by the chairmen of the major political parties, James A. Farley and John D. Hamiliton. In the event the elections are not decided before network clos- ing time, 1 A.M., the networks will remain on the air until decisive news is available.

Station Pleas Up For FCC Hearings

WASHINGTON, Nov. 1.—Hearings on broadcasting applications have been scheduled by the Federal Communica- tions Commission for the current week, as follows:

Nov. 2, before an examiner: Ap- plications of Cuyahoga Valley Broad- casters, for a 1,500-kilocycle, 1,000-watt, daytime station at Cleveland, and WHAI, Greenfield, Mass., for extension of time from day to un- limited, with 100 watts power night, 250 watts day.

Nov. 3, before the commission: Con- testing applications of Mountain Top Trans- mission Co., Inc., and W.V., Missouri, for a 1,310-kilocycle station at Den- ver, with 100 watts power night, 250 watts day and applications of R. O. Atwood for a 1,500-kilocycle station at Port Angeles, Wash., with 100 watts night, 250 watts day, and Island Empire Broadcasting Co. for a 1,310- kilocycle station at Pasco, Wash., with 100 watts power.

Nov. 4, before an examiner: Ap- plication of Summit Radio Corp. for a 1,500-kilocycle, 1,000-watt station at Akron.

Protests Continue On Horror Program

WASHINGTON, Nov. 1.—Protests on the CBS "War of the Worlds" pro- gram were still pouring in on the Federal Communications Commission, it was stated today. Protests are also arriving against blood and thunder features on so-called children's pro- grams.

Members of Congress are receiving communications on the subject.

WHN Closes Two Deals

Silver Pine Manufacturing Co., has signed for 13 weeks of announce- ments over WHN through Dunder & Frank, Inc. A similar contract for Railway Express Agency was placed through Caples Co.

Radio Personalities

KEN COPOD of the March of Time production staff is the son of a father, born at Jamaica Hospital . . . Joey Nash returns to the airwaves tomorrow when WHN begins a new three times weekly program over WHN . . . Jean Arthur will be guest on the Chase & Sanborn show Sunday.

Fitchburg

Mary Martha Briney, KDKA singer, has been signed to a management contract by NBC . . . It's a girl at the Bob Carters. He sings over WCAE with Earl Truxell's others, and over KDKA with Fran Eichler's . . . Carl Dozor has quit the WCAE announcing staff for a post in the sta- tion's sales department KDKA is looking for a site within 10 miles of downtown for its transmitter in order to increase its signal strength in the metropolitan area . . . The drama critic's all praised Bob McKee, chief announcer at WCAE, for his perform- ance of "Little House in the Wood, Part II, Can't Happen Here II" at the Playhouse.

WHOM Head Denies Anti-Semitic Charge

Joseph Lang, part owner of WHOM, local station which recently was before the Federal Communica- tion Commission, was allowed by NBC to broadcast foreign language pro- grams allegedly containing attacks against Jews and Nazis. Lang has issued a statement denying the general charges, but admitting that inadvertently an Italian speaker made statements in "violation of prin- ciples."

Pointing out that he himself is a Jew, Lang states it is not logical to question the worth of WHOM. In view of its large listening audience of Jews, would countenance anti-Semitic prop- ositions in the station's hours of Jewish programs weekly, he states. It has contributed time to the American Jewish Congress, United Palestine Appeal, and other Jewish institutions.

Lang declared the employee "respon- sibly owned the operation he has been suspended pending an investi- gation of the slip. Immediately after the broadcast when complaint was registered the program in ques- tion was cancelled, before any notifi- cation of protest was received by us, the station program will not return to WHOM."

Three Take WQXR Time

New business on WQXR includes presentation in the "Breakfast Sym- phonies" hour by Lewis, Williams, and seven weekly for 13 weeks, through Fuller, Smith & Ross; trans- mission of the "New Music" series through Geyer, Cornell & Newell, and announcements for Railway Express Agency, through the Caples Co.

Weed Agent for KABR

Weed & Co., national representa- tives, have been appointed agents for KABR, Aberdeen, S. D. The station is located in the heart of the Great West, broadcasting, and has recently opened a new 1,000-watt transmitter.

Helping Hand

One of the rare instances of rival radio networks working together for election coverage came about as a result of the hornets nest CBS ran into in putting on the Orson Welles broadcast. Following the stream of headlines, Lenox K. Lohr, president of NBC, met with William Haley, president of CBS, with Lohr pledging any assistance that NBC might render CBS.

NBC Television

Incoming Daily

By 500 Visitors

NBC's regularly conducted television tour service, opened to the public last September, is attracting approximately 500 persons a day. Free is 55 cents.

This is admittedly a poor turnout, as the regularly conducted studio tour is free to those who buy a boat or bus, but the figures do not necessarily in- dicate public apathy toward television. NBC to date has done very little to publicize the television tour, which has not opened until the end of the tourist season.

During September, the first month of operation, an average of 455 tours- tists daily inspected NBC's television, a total of about 13,000. In October the figures were 165 daily. The studio tour for the same months accounted for about 1,500 paid guests.

NBC, however, expects to develop the television tour into a bonanza dur- ing the World's Fair, and is making preparations accordingly. The ca- pacity of the television tour as it is now conducted is 200 guests per hour, and through the same method of installation is working on a system that will step up the capacity to about 700 per hour. It is estimated that during the year in which NBC's television tour will accommodate 500,000 paid tourists, with the studio tour expected to take care of 1,000,000.

Fidler P. & G. Show Will Shift to CBS

Jimmy Fidler, now broadcasting for Procter & Gamble on WHN, will shift his Hollywood gossip program, for the same sponsor, to a CBS network, starting Nov. 15. Acquisition of the Fidler program gives CBS five Procer- & Gamble accounts.

Fidler's new show, Fidler will have a hookup of 58 stations. His broadcast time will be Tuesdays from 7:15 to 7:30 P.M. H. W. Kaster is the agency.

Back Safety Campaign

MEXICO CITY, Nov. 1.—One hun- dred and five Mexican radio stations have formed a network to support the national health and industrial safety drive, Nov. 6 to 13.

Crowninshield on Air

Frank Crowninshield, who edited Vanity Fair for 25 years until that magazine folded two years ago, will be presented by NBC in a series of talks titled "Vanity Fair."

Weekly Picture Daily

Wednesday, November 2, 1938

E VEN a radio editor was taken in by that Welles broadcast. "Dinty" Doyle of the Journal-American excitedly called the network and wanted to see the show. Lowdown on the Martian invasion.

ListenersDigest, a new radio mag, is now in formation, the first issue scheduled to be on the newsstands next month. Styled like Readers' Digest, it will contain collections of radio talks and comments. George Eggleston, formerly of NBC, is behind it.

Marx & Ward WMCA has received a letter from Federal Judge John C. Knox complimenting Sturr for his excellent radio commentaries on the spy trial proceedings.

Too many persons have been jokingly calling Bill Meloney, of the Ted Collins office, "Bill Meloney." So Bill's now changing the pronunciation of his name so that it rhymes with "melody."

Kate Smith, of all people, is an avid purchaser of sweepstakes tickets. Just what Kate would do with the money if she won prize is a mystery.

Doris Rhodes, the CBS singer, spent an exasperating day yesterday. She returned to Hollywood, lost her pocketbook in a taxicab, and on the way to her broadcast developed a sore throat, so that her broadcast was cancelled. —Jack Banner

Fitzpatrick Plans Program for Buick

James A. Fitzpatrick, now prepar- ing to film a series of "All-American" travel talk pictures, has been negoti- ating with Campbell-Ewald Co., for a series of programs for the Buick Motor Co., to be given in con- junction with the filming of the travel Hayes, John Montmart of the account- ing department has been promoted to Procter's assistant.
Believe It or Not
Clark-Hooper, Inc., radio survey firm, reports the hour before the 10th, from *Mars* broadcast, Sunday night, was only two per cent, while Charley McCarthy garnered 80 per cent.

Film Exchanges Are Obeying the Wages-Hours Law

Film company exchange operations are within the Federal wage and hour law and few adjustments have been necessary to conform operations to the new provisions, home offices reported yesterday.

A survey made by 20th Century-Fox of all branches disclosed that they are well within the law, the work week ranging from 39 to 44 hours. All branch managers have been advised of the law's provisions.

A similar situation prevails with all companies. Generally, employees receive more than the law's 25-cent-an-hour minimum and work more than the 44-hours-a-week maximum.

Exchange employees, including bookers, inspectors, shippers and post clerks, are covered by the 10-year basic contract with the Exchange Employees Union, I.A.T.S.E. affiliate. This agreement provides for 40 hours a week, with overtime at time and a half. The wage minimum is 40 cents an hour. Inspectresses, under this pact, range from $16 to $22 a week. About 5,000 workers are covered by the agreement.

The only possible exemptions are head bookers, who are considered executives, but it is said that their working conditions are within the law. Salesmen are exempt under the ruling of the wage and hour administration.

Definite Results From Trade Talks, Myers Tells ATO

Indianapolis, Nov. 2.—"Definite results" will come from the Allied States' trade practice conferences with the distributors' negotiating committee, Abram F. Myers, Allied board chairman and general counsel, assured the Associated Theatre Owners of Indiana at their annual convention here this afternoon.

Myers was principal speaker. He left for Chicago tonight to attend the trade practice conferences which re-opened there Thursday. Indiana was represented there by Maurice Rubin, president; J. R. Holycross, vice-president, and V. U. Young, a director. Officers were re-elected by the directors. They are Rubin, Holycross, Frank B. Sanders, treasurer; Don R. Rosseter, executive secretary; Mrs.

NEELY THREATENS NEW BOOKING BILL

Cowdin Leaves London; Odeon Deal Delayed

London, Nov. 2.—J. Cheever Cowdin, chairman of Universal, sails on hisoble. in Washington, is in a meeting of the American Legion's National Convention, which opened here yesterday, a meeting of the American Legion, which closed here yesterday, a meeting which closed in Washington, where Cowdin will be a delegate to the annual convention of the American Legion. Cowdin will be a delegate to the annual convention of the American Legion.

G. S. Wright Aiding With Dallas Appeal

George S. Wright, attorney for the Interstate Circuit, is in New York from Dallas to work with Paramount counsel on the briefs which will be filed with the U. S. Supreme Court before the end of the month in connection with the appeal on the Interstate contract case. Wright will work with Thomas D. Thacher of Simpson, Thacher & Bartlett while here.

Six for Two Bits

Omaha, Nov. 2.—Six features for 25 cents is the latest at the Town, owned by R. D. Goldberg, who usually shows triple bills but went to four one day and had two more in a midnight show. That means about seven hours of films for a quarter!
Schools... The Great on New H. Mole-K. 1938 Artificial Columbia California, "A dis- Dec. Phillips, two-month for office Paris. Jan. William Artists Lloyd, arrive for the filming of "The mig and statement, still exhibitor, which the small exhibitor is at a dis- advantage in the contest. ▼▼▼ As yet, neither officials of United Artists nor attorneys for stockholders of the company are certain that the annual meeting of stockholders of U.A. will be held on Nov. 9, as scheduled. ▼▼▼ Willard McKay, former Universal attorney, represents Edward G. Paskay and Paskay The- ares, in the argument which Prefect has with Skouras The- ares, regarding clearance on the Pesky-owned Greenwich The- atre, in Greenwich. Pesky used to work for Skouras, and the Greenwch once was leased to RKO. ▼▼▼ Earl Wingart of 20th-Century- Fox is on the lookout for vet- erans of the famous U. S. "split- ter fleet," submarine chaser pat- rol, of the World War, to ex- tend to such of these who are presently employed in the film industry, invitations to attend a preview of the company's pic- ture, "Submarine Patrol," which will be held on the evening of Nov. 17, at the home office the- atre, 444 West 56th St. Sixty- five veterans of the famous sub- marine chaser patrol have already been invited. ▼▼▼ Insofar as can be determined, the Rivoli, on Broadway, under terms of its deal with Universal, guarantees the film company 26 weeks of playing time. Univer- sal might have obtained 10 weeks playing time from the Roxy, but chose the Rivoli deal instead.

Chase Sells 3,500 Shares of 20th-Fox
WASHINGTON, Nov. 2.—Disposition by the Chase National Bank, New York, in September, of 3,500 shares of 20th-Fox common stock was disclosed today in the semi-monthly report of the Securities and Exchange Commission. At the close of the month, it was shown, the bank still held 373,358 shares of the film company's common stock and 681,916 of the $1.50 cumulative preferred.

The 20th-Century-Fox transaction was the largest of three reported by the commission, the others being the disposition of 200 shares of Loew's common stock by Edward A. Schiller, purchasing his holdings to settle a divorce, and the disposition of 200 shares of Pathe Film common stock by Gordon W. Wattles, New York, who still held 640 shares at the end of September.

Disposition by gift of 350 shares of Class B Columbia Broadcasting stock was reported by Isaac D. Levy, Philadelphia. At the close of the month he held 23,115 shares of the Class B and 63,200 shares of Class A stock.

Date RKO Sales Drives
Six special weeks have been set aside by RKO division managers for Jules Levy sales drives. The first week of this campaign through Nov. 25 is already underway in Walter Branson's midwestern division. The others will be: Nov. 5-11, western division, in charge of H. C. Lees; Nov. 12-18, southeastern division, H. M. Lyons; Dec. 3-9, southwestern division, Sol M. Sachs; Dec. 10-16, north central district, M. MacIntrye; Dec. 17-23, east central district, Nat Levy.

S.M.P.E. Concludes Detroit Convention
DETROIT, Nov. 2.—Society of Motion Picture Engineers concluded its three-day fall convention at the Hotel Statler today.

Two sessions featured the day's activities, one this morning on studio lighting and the other a general session this afternoon.


Many Papers Read

They’re Blazing Away Now!

GIRLS ON PROBATION

WARNERS’ NEW EXPLOITATION SENSATION!
**New York Preview**

"The Great Waltz" (M-G-M)

"The Great Waltz" will linger in the memories of all who see it. It has many of the lovely melodies that have become classics in the 90 years since Johann Strauss broke with Viennese tradition; it has something more—a lively story into the moods of which the selections blend, a strong cast to make the developing drama seem real, and a fine use of camera technique.

Strauss, played by Fernand Gravet, is shown when he is discharged from a bank for scratting music notes instead of checking balances. He goes to the bakery where his childhood friend, Luise Rainer, is working. From there the story traces his rise after organizing his first orchestra of volunteer musicians. Miliza Korus, as Carla Donner, famous Viennese opera singer, becomes interested in him, and introduces him to high society.

From his first success to the climax of his career after the Austrian Revolution of 1848 he is torn between his fascination for the singer and his deep love for his self-effacing wife. The singer leaves him after his opera success and the story closes with Strauss being received by Josef Franz meeting. Moreover, the Emperor and Strauss stand on a balcony, a magnificent chorus sings a melange of Strauss compositions, among which can be recognized the "The Blue Danube" waltz. His aging wife waves pathetically to Strauss from the crowd. It is a strikingly effective finale.

H Mitglied, the director, has used a drive through the Vienna woods, with the sounds of shepherds' horns, of birds, of a harmonica played by a coachman as the source of the inspiration for "Tales of the Viennas Woods." The theme is developed pictorially until the completed section is played by a woman's orchestra. Something slightly different, with Strauss sitting on a quay beside the Danube after his farewell from Miss Korus, is presented as the inspiration for "The Blue Danube."

Adding to the total of these and other selections by pictorial movement is no small achievement.

Gravet does a splendid acting job as Strauss. Miss Korus sings magnificently and has considerable personal charm. Miss Rainer seems, at first, to be reminiscent of "The Great Ziegfeld" in her conception of the wily role, but she displays unforgettable dramatic power when she faces Miss Korus and lets Gravet make his choice.

Hugh Herbert, Lionel Atwill and Herman Bing also are outstanding. Al Shean makes an impression in a minor role.

Exhibitors may have some difficulty in devising their exploitation campaigns, but once they get their first audiences in their problems will be ended. Word of mouth advertising will do the rest.

Running time: 102 minutes. "G"

**"G"** denotes general audience classification.

By BILL CROUCH

**Metzters Seeking to Regain Milford Theatre, Chicago**

CHICAGO, NOV. 2—Aaron and Sol Metzter, the Tribune in November Court asking an injunction against Contential Properties Corp., headed by Harry and Elmer Balban, Morris Lockwood and Milton Spitz, to restrain them from taking over the Milford on the Northwest side. The plaintiffs are seeking to regain possession of the theatre.

William Pereira of Pereira & Pereira, theatre architects, is in Hollywood making arrangements with studios for material to use in the Architect's Ball at the Drake Hotel Dec. 2.

Steve Fitzgerald, Richard Barry and Ben Cohn, Warner theatre managers here, shared in the prizes awarded for the best campaigns on "Yellow Jack" and "White Ban
er". Fitzgerald received $100, while Barry and Cohen were given $50 each.

J. H. Hofberg has left for New York after making plans for an oner, the new branch will be called Special Attractions, Inc., and will have Archibald Jones in charge.

William K. Hollander, publicity and advertising director of BSK, in New York conferring with Paramount and other major company officials.

Louis Blaine, former RKO theatre press representative here, has left for Hollywood to enter John Joseph's publicity department at Universal studios.

**Film Exchanges Are Obeying the Wages-Hours Law**

Increased costs will, however, result in instances where home office employees work overtime, which is paid for at the rate of time and a half. Additional employment may be required in some cases to avoid overtime.

The new law is not affecting Republic or Monogram. Republic operates on a franchise basis and application of the law is the responsibility of the individual branch operators. Monogram has its own exchanges only in New York, Washington and Philadelphia, with a 4½-hour week in effect. Monogram's other exchanges are individually owned.

**"Movie Quiz" Gains 1,000 Entries Daily**

With the "Movie Quiz" contest at the halfway mark, entries are being received from contestants at the rate of 1,000 daily, according to Jack Todd of Radio and Publications Contest Co., which is handling the contest. No estimates are available as to the total number of entrants to date, it was stated, however, that an abrupt increase is expected this month, with the returns reaching their peak in December. At this point, New York and California are leading in the number of entries.

**To Take UA Deposition**

Stipulations providing that depositions of Garrett DeHavens and Max Munn Autrey be taken in Los Angeles on Dec. 15 in behalf of United Artists Corp, in connection with the plagiarism suit brought against it and Charles Chaplin were filed in the U. S. District Court yesterday. Films Sonores Tolin Societe Anonyme, the plaintiff, charged plagiarism of its picture, "A Nous La Liberte" in the picture, "Modern Times." is seeking an injunction, damages and an accounting.

**RKO Sets Two Titles**

Hollywood, Nov. 2—RKO has set two temporary titles as final. One is "Pacific Liner" on the Victor McLaglen picture and the other is "Arizona Legion" on a George O'Brien film.

**Fleming Directing "Oz"**

Hollywood, Nov. 2—M-G-M has assigned Victor Fleming to the direction of "Oz," replacing Richard Thorpe, who was forced to leave the film because of illness.

**Paramount Signs Krupa**

Hollywood, Nov. 2—Paramount has signed Gene Krupa and his orchestra. "The American Rumba," jazz band drummer, will play a leading role in the film, to be produced by William C. Thomas.

**Bernstein Reopens Ritch**

Mansfield, O., Nov. 2—Ritch, independent house owned and operated by Sol Bernstein, has reopened after remodeling.

**Definite Results From Trade Talks, Myers Tells ATO**

[Continued from page 1]

Norma Cameron, Todd, Indianapolis, recording secretary.

Regional vice-presidents elected are H. L. Lise Keighbauer, Rochester, first district; Leonard Schaefer, Milford, second district; Harry Markum, Indianapolis, third district; Roy Harrold, Asheville, fourth district; Herbert H. Johnson, Madison, fifth district.

The convention closed tonight with the annual banquet.

**Stage Sues on Print Loss**

Star Safety Film, Inc., filed suit in the N. Y. Supreme Court yesterday against Film Center Building Corp., Prudential Film Distributing Corp., East Side Film Distributing Corp., and Film Carriers' Association, Inc., for $15,000 damages. The complaint alleges that a number of prints were stolen from the plaintiff's premises and that the loss was the result of the defendants' negligence.

**Dinner for Schlesinger**

About 75 Warner theatre executives and zone managers, including a number from Philadelphia and Atlantic City, attended a bachelor dinner held for Leonard Schlesinger at the Ritz Tower last night. Schlesinger is assistant to Joseph Bernhard. He will be married tomorrow to Rose Boyle of Philadelphia.

**Lusty Resigns from RKO**

Hollywood, Nov. 2.—Lou Lusty, RKO producer, resigned today, effective Dec. 1. His new affiliation has not yet been determined.

**Continued from page 1**

he would refuse to support the bills of any of his colleagues who refused to vote for his anti-block booking bill.

The following resolutions were presented for adoption by the commit-
tee of which Arthur H. Lockwood of Middletown, Conn., was chairman: A criticism of the Department of Justice for failure to press the pending mon-
opoly action against Acap; a criti-
cism of radio competition in 'unfair' air shows; a denunciation of the ex-
change of information between branch managers in each zone; a demand that studio directors and producers and distributors be made to apply to cur-
cut contracts if and when such con-
cessions materialize; a reaffirmation of M.P.T.O.A.'s 10-point plan in the form now being negotiated with distributors, and including a condi-
mentation of score changes; a con-
demnation of the Neely-Pettengill Bills in their present form, and of the prin-
ciple of Government regulations of the industry.

MOTION PICTURE DAILY

Thursday, November 3, 1938

Neely Plans Booking Bill

Next Session

*Neely Plans Booking Bill
Next Session*

(Continued from page 1)
NBC to Show Auto Selling By Television

(Continued from page 1) of various other commodities who VO now, or have in the past, sponsored sound programs over its and competitive radio stations.

NBC has a wide field to choose from, for at the moment its advertisers number more than 30, representing every business enterprise. These include confectionery and brewing, drugs, foods, laundry soaps and cleansers, radio, paints, petroleum and coal, publications, shoes and clothing, tobacco, and automotive, although peculiarly enough, the network’s business is more in automobiles. Actually, NBC at present has not a single automobile client, although the network lists in this classification Firestone and Goodyear Tire.

Hearings Scheduled On Power Petitions
WASHINGTON, Nov. 2.—Applications of the McComb Broadcasting Corp., for a 1,200-kilocycle, 100-watt daytime station at WQAS, and the Dee Dee Broadcasting Co. for a 1,200-kilocycle station at Florence, S. C., with 100 watts night time and 250 watts day time, and WOLS, Florence, S. C., for extension of time from day time to unlimited, were today assigned by the Federal Communications Commission for further hearings before examiners Nov. 22.

Examiners’ hearings will be held Nov. 23, it was announced, on the application of WPG, New York, for a construction permit for a 1,100-kilocycle, 5,000-watt transmitter. An increase of power from 1,000 to 5,000 watts and extension of time from day to unlimited was requested in a application filed with the commission by WILDH, Boston.

Quarterly Dividend Is Declared by CBS

Directors of CBS, meeting yesterday, declared a quarterly dividend of 25 cents per share and a special cash dividend of 10 cents per share on the present Class A and Class B stock. The dividend is payable Dec. 9 to stockholders of record on Dec. 1.

The board also issued a consolidated income statement for the nine months of the fiscal year ending Oct. 1, which showed a net profit for the period of $2,606,200, as compared to a net profit of $3,053,400 for the first nine months of 1937.

Somson Is in New York
H. S. Somson, president of Premier Radio Enterprises, transcription company, is in New York for business, as part of a trip that is taking him into key cities throughout the east and middle west.

WSMK Builds Antenna
DAYTON, Nov. 2.—WSMK, operating on 200 watts, has started work on a new transmitter, expected to be put into operation late in November with daytime power of 500 watts directed, and 250 watt directional night power.

FCC to Hear Plea On Frisco Station
WASHINGTON, Nov. 2.—Application of Larry Rhine for a 1,420-kilocycle, 100-watt station at San Francisco, has been tentatively assigned for hearing before examiner Dec. 1, as the Federal Communications Commission listed dates for hearings on a number of broadcasting cases.

On Dec. 7 examiners’ hearings will be held on the applications of Rich- land, Ind., for a 1,570-kilocycle, 250-watt station to be known as Mansfield O., WJRD, Tuscaloosa, Ala., for extension of time from day time to unlimited with 100 watts power night, 250 watts day time, WJUS, Los Angeles, for FCC authority to move to San Diego.

A hearing on the application of Sweetwater Radio, Inc., for a 1,210-kilocycle, 250-watt, daytime station at Sweetwater, Tex., and the application of KTEM, Temple, Tex., for extension of time from day time to unlimited with 100 watts night, 250 day time, will be held Jan. 11, Jan. 16 a hearing will be held on the application of WMFF, Plattsburg, N. Y., for change of frequency from 1,310 to 1,240 kilocycles and increase of power from 100 watts night, 250 day time, to 1,000 watts, and on Feb. 7 a hearing is scheduled on the application of the Monocoy Broadcasting Co. for a 1,140-kilocycle, 250-watt, daytime station at Rockville, Md.

Sagall Will Discuss Television Stations

Setting up of television transmitting stations under exclusive patents of Scophony, British organization, will be discussed by Sol Sagall, Scophony managing director, who arrives today on the Queen Mary.

Sagall contemplates opening a branch of his company here to market receiving sets and transmitters. Scophony engineers are to arrive later to demonstrate the apparatus.

BBC Shows Television
LONDON, Nov. 2.—Guests at the dinner of the Royal Photographic Society, at the Dorchester Hotel, tonight witnessed a British Broadcasting Co. television demonstration with receivers erected on the dinner tables. Gracie Fields was featured and Bever- ley Nichols spoke from Alexandra Palace.

Reject Bach Group Plea
WASHINGTON, Nov. 2.—Suggestions that licenses of broadcasters be sus- pended or revoked as a penalty for synco- gating Bach music were today rejected by the Federal Communications Commission. But broadcasters were indirectly warned that they should exercise discretion in per- mitting the “swinging” of classics.

Mutual in October Grosses $347,770; CBS, $2,389,895

The largest single month of business in Mutual’s history was recorded in October, the network doing a total of $347,770. CBS billings for October totaled $2,389,895, 4.6 per cent below the billings for last October, although 10.7 per cent above the September, 1938, billings.

Mutual’s October, 1938, billings, $347,770, represent an increase of 45.7 per cent over the October, 1937, billings of $238,682. The cumulative 10-month total is $2,322,020, a gain of 33.8 per cent over the 10-month total of 1937, which was $1,735,255.

CBS October, 1938, billings of $2,389,895 compare to the October, 1937, billings of $2,305,485. Columbus’ 10-month total this year was $22,365,777, or 4.9 per cent below the total for the similar period last year of $23,281,027.

NBC’s billings are not yet available.

Canada Net to Air New Housing Series
MONTREAL, Nov. 2.—Canadian National Radio will broadcast a new series of talks, “Building Cana- dian Homes,” in which the problems of housing and home planning in Canada will be discussed.

The programs have been prepared by the Canadian architect and lands- cape authority, Humphrey Carver, and will begin Nov. 8, at 11:30 P. M., over the Canadian mid- west and western networks.

Crosley Nine-Month Net Loss Is $43,484
CINCINNATI, Nov. 2.—Crosley Corp., operating WLW, WSAI and WNHC, short wave, in the Cincinnati area, has reported to the Federal Radio Commission that the company received a net loss of $43,484 after provision for depreciation and income tax, for the nine months ending Sept. 30. This compares with a net profit of $103,581 for the corresponding period last year.

Current assets at Sept. 30 were $350,425, and current liabilities, $25, 947. Sales for the period totaled $967,098, against $15,000,000 for the same months of 1937.

To Build WOII Antenna
AMES, Ia., Nov. 2.—Construction is scheduled to start soon on a new 350-foot tower for the Iowa State college station. The new antenna is expected to increase the station’s effectiveness 40 per cent.

Archer Does Air History
"The History of Radio to 1926," written by Dr. Gleason L. Archer, president of Suffolk University, is off the press and Dr. Archer foreworded it as an NBC commentator. A companion volume to the present one, which will trace radio to the present day, is now in preparation.

Logan Joins WBBM
CHICAGO, Nov. 2.—Charles Logan, formerly with Trans-Radio, is now publicity director of WBBM, CBS affiliate.

Radio Personalities
LESTER GOTTLEIB, Mutual’s publicity coordinator, back from a swing around the Mutual station circuit aboard Furness, Wanamaker Ber- ger, of the French Broadcasting Co., arrived yesterday on the Paris to look after American Radio Marge celebrate their seventh birth- day in radio this week. John B. Kennedy, scheduled to deliver an add- ress in Buffalo on Saturday, will have Judge Burns, former F.C.C. at- torney, pinch-hitting for him on his show. Sheila Barrett signed to guest appear on Tommy Riggs show next week.

Chicago
Ford Pearson is doing a news pro- gram for Manhattan Soap Co., over the Warner Lee reports. Virginia Payne, NBC, will speak before the Evanston Drama Club Nov. 10. Elsie Landi is on the same pro- gram. Norma Mignon Schreiber and Virginia Payne are the latest script writers to land jobs on this coast.

Ford, anunciun and Bob Brown asking the questions. Brown and Brandt are also broadcasting football games from this territory for NBC.

Five Accounts Take Added Time on NBC
Five accounts in addition to Adam Hat Co. have expanded their hook- ups on the NBC Blue in order to gain the new one-hour program made available by the network.

Sherwin-Williams Paint Co., “Metropolitan” Preston, Archirod, Drey and Ginger Ale, which shortly takes over sponsorship of “Information Please,” has ordered the Blue Southern group, in addition to those stations already ordered, for a five per cent discount. Alka Seltzer, for “Barn Dance,” has ordered the Blue Southern group for a 10 per cent discount.

William R. Warner Co., sponsoring the “Time Flies, Additions of the AM and KTMS, rounding out the Blue Mountain and Blue coast groups for a 10 per cent discount.

WIBC Takes to the Air
INDIANAPOLIS, Nov. 2.— WIBC, new 1,030-kilocycle, 1,000-watt sta- tion here, has begun tests. It is owned by the Indiana Broadcasting Corp., of which Glen Van Auken is president.

Form Carolina Air Firm
HENDERSON, N. C., Nov. 2.—Caro- linha Broadcasting Co., with head- quarters here, has been formed to operate a broadcasting station.
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."

Attorney-General and Mrs. Homer S. Cummings arrive for screening in nation's capital. Enthuses Mrs. Cummings: "The picture is first rate entertainment. Nancy Kelly is fine." Mr. Cummings adds: "A swell picture—very stirring."

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!"

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."

Randolph Flinn, Director, National Press Club, Arthur Hachten, Vice-Pres., Mrs. Hachten, Frederick Simpich, feature writer enjoy Washington showing. Says Mr. Hachten: "Thrilling! Richard Greene, Nancy Kelly real discoveries!"


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 Durno, 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 smacking good picture!" and Constantine Brown, Wash. Star Syndicate cheers: "Kept me thoroughly engrossed!"

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!"

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."
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.)
British Also Out of Italy, Asserts Gell

Opposed to Governmental Control, He Says

That English film companies might join American distributors in withdrawing from Italy Jan. 1, when the Italian Government plans to take over distribution of foreign films, is the opinion of William J. Gell, managing director of Pathé Pictures, Ltd., who arrived yesterday on the Queen Mary.

He indicated that if a proposal is not worked out and the companies do not intend to deal with E.N.I.C., the Government controlled agency which will handle foreign pictures.

Sam E. Morris, Warner vice-president in charge of foreign activities, who arrived on the same boat, was emphatic in declaring that the American companies will stay out of Italy.

"The Italian situation is very serious," he said. "The fewer statesmen will be able to handle foreign pictures for the time being." (Continued on page 2)

Allied Board Takes Up B & K Clearances

CHICAGO, Nov. 3.—Local clearance situation involving Balaban & Katz and the independents was discussed at a special national Allied board meeting here today. Counsel for the independents and many local members were present.

William F. Rodgers, Gradwell L. Sears and Abe Montague are here to attempt to negotiate a settlement of the grievances. They are expected to be in session with Allied's trade practice committee all day tomorrow.

20th Century-Fox 39-week Net Profit Is $4,622,091

Twentieth Century-Fox had a net operating profit of $4,622,091 after all charges including Federal income tax for the 39 weeks ending Sept. 24. This compares with a net operating profit for the same period last year of $4,898,893.

For the third quarter the consolidated net after all charges was $1,262,433. In the second quarter the profit was $1,776,121.

No dividends were received from National Theatres Corp. during the 39-week period of either year. After allowance for preferred dividends in the 39-week period, there was a profit of $2.04 per share on the 1,741,982 shares of common outstanding Sept. 24. For the third quarter the profit on the common was 48 cents.

The board of directors has declared a dividend of 37½ cents per share for the fourth quarter on the preferred, payable Dec. 15 to holders of record Dec. 1, and 50 cents per share on the common, payable at the same time.

Gross operating income for the 39-week period was $42,738,822.88.

ZUKOR QuITS STUDIO
FOR POST IN LONDON

Will Work with David Rose—Freeman to Take Charge at Studio, with LeBaron Heading Production—Hicks to Return

Adolph Zukor is leaving Hollywood to represent Paramount in London. There he will work in cooperation with David Rose, John Hicks, Paramount's foreign chief, who is now in London, to return to New York. This move marks the end of Zukor's association with Paramount's domestic operations. For the time being he continues as chairman of the Paramount board.

Those who know Zukor believe that he requested this shift to London.

Y. Frank Freeman will be in charge of Paramount's studio on the coast. William LeBaron will have charge of production.

These changes are the result of the present coast visit of Barney Balaban and Stanton Griffls.

Presumably Balaban, for the time being, will assume personal direction of Paramount's theatre affairs, hitherto under the direction of Freeman, who is a vice-president of the company and a member of the board.

Leon Nettler is second in charge of theatres at the home office.

Whether or not Freeman will be stationed on the coast permanently has not been indicated. He left for California yesterday, and will stop over in Chicago. It is uncertain when he will arrive at the studio.

Balaban and Griffls may leave for New York next Wednesday, and should Freeman be detained in Chicago it is quite likely that the three may meet for a conference in that city, before Balaban and Griffls reach New York.

The official announcement states that Zukor will sail for London shortly. (Continued on page 2)

Universal's Sales
Over $20,000,000,
An 8-Year Record

Universal's world film sales passed the $20,000,000 mark during the fiscal year ended Oct. 31, establishing an 8-year record for the company. The figure represents an increase of approximately $3,000,000 in the company's income from film rentals during recent years.

Universal's operations showed a profit during October, the second (Continued on page 3)

RKO Vaudeville to Be Suspended Here

RKO will drop vaudeville in the metropolitan area this month after experimental bookings in a half dozen houses of the circuit, begun shortly after Labor Day. The test bookings, however, will be continued and even extended elsewhere as in Chicago and Columbus, where the stage policy was revived recently.

Circuit officials attribute the change of policy in the metropolitan area to the failure of vaudeville to still new business and the unsatisfactory ex-

Radio—Page 3

Got Lots of Air

An applicant for a radio job walked into the CBS studio the other day with a letter of recommendation which stated: "The bearer has 72 hours in the air to his credit."

It developed he was an aviator.
Zukor Quits Studio; Will Go to London

(Continued from page 1)

ly to coordinate and develop Paramount’s production, distribution and theatre activities, and that it was he who put together the organization’s threefold activities abroad.

John Cecil Graham, who has been in charge of Paramount’s British affairs, recently resigned and John Hicks, vice-president in charge of foreign affairs, assumed personal charge. Who is in charge of Paramount’s London production, assumed that post only a few months ago.

Actually, Paramount is not doing much in production in London outside of quota requirements. There is no prospect at present that the company will expand beyond its quota requirements.

Several British Theatres

Paramount’s theatres in England are valuable. The company from time to time has discussed the advisability of disposing of them or combining these theatres with native interests.

Zukor has been in charge of the west coast studio for the past two or one-half years, working in conjunction with LeBaron. He has been chairman of the Paramount board since the company’s emergence from reorganization in June, 1935. During the three years of the company’s reorganization, he has been the company’s top executive adviser to the trustees, after having served as a co-trustee for a brief period at the outset.

Prior to the reorganization proceedings, he was president of Paramount-Publix and was head of all the predecessor companies comprising that organization from 1912 on. It was in that year that he formed Famous Players Film Co., its first production venture. From 1903 to 1912 Zukor was associated with the late Marcus Loew in the operation, first, of penny arcades, then of theatres. His Famous Players company is credited with turning out the first multiple reel pictures and with presenting such historic films as Sarah Bernhardt’s “Queen Elizabeth” and James K. Hackett’s “Prisoner of Zenda.”

Zukor-Lasky in 1916

In 1916, Zukor’s company consolidated with Jesse L. Lasky’s production organization to become the Famous Players-Lasky Corp., and then absorbed Paramount Pictures Corp., a sales and distributing organization. It developed rapidly thereafter and about 1920 began the acquisition of what was to become one of the largest theatre circuits in existence. This led to Paramount-Publix.

Folly Theatre Closes

The Folly Theatre, Grand Ave., Brooklyn, closed last night. It will reopen early next week under the management of Aaron Binkow, operator of the Opera House in Bayonne.

New Pact for Sackheim

Hollywood, Nov. 3—Universal has extended the contract of Jerry Sackheim, executive assistant to Cliff Work.

**Purely Personal**

GEORGE BLACK, managing director of General Theatres Corp. and Moss Empires, Ltd., English circuits controlling about 120 film and vaudeville houses, arrived on the Queen Mary yesterday. Black is looking for vaudeville acts here.

ROBERT E. ALLAN, former Chicago newspaperman, has been appointed general manager of Super Pictures, St. Louis, ALAN ROSENBERGER, formerly with Superior, has joined Grand National.

FRANK RUDOCK, vice-president of operators’ Local 306 and chief projectionist at the Roxy, is a candidate for a seat in the American Labor Party ticket.

GEORGE J. SCHAEFFER, RKO chief executive, has returned to New York from Oklahoma City and Dallas.

EDWARD M. SAUNDERS, La M-G-M division manager, became a grandfather Wednesday for the first time. It’s a boy, born to Mr. and Mrs. Robert M. Saunders, the dad is employed at the M-G-M studio.

NATE J. BLUMBERG, Universal president, was confined to his home with a cold yesterday.

JOHN J. O’CONNOR, RKO theatre head, left yesterday for a weekend visit to RKO theatres upstate.

GEORGE B. FINCH of the Detroit executive staff of Jam Handy has been transferred to the New York office.

JANE BRYANT, actress, arrived from the coast yesterday on an American Airlines’ Mercury.

**British Also Out of Italy, Asserts Gell**

(Continued from page 1)

ments business men make these days, the better.”

That the Italian Government is anxious to retain the distribution of American films was indexed by E. W. Hammons, Grand National president, who returned from London negotiations. Hammons, he was approached by the E.N.I.C. while in London, on a distribution deal, but he turned it down.

Both Gell and Hammons stressed the importance of the British and American markets to each other. Hammons has been in a five-year releasing deal in the United Kingdom, but refused to disclose the name of the firm to which he has sold rights. The agreement is for the exchange of approval of the contract by the Grand National board, which will meet next week. The contract is signed and is subject to a one-year cancellation, he said.

No Grand National Issue

There will be no Grand National stock issue this year, Hammons declared. He said the company will make 16 features on the coast and two in the east, in addition to the 26 features to be supplied by Fine Arts, for which are finished. Samuel Berkman is the head of Fine Arts, accompanied Hammons. He leaves for the coast shortly.

Arthur Quigley, Monogram’s representative in England, who also arrived, and Gell will confer with W. Ray Johnston, Monogram president, on a proposal to make four features a year in England with American talent, on a 50-50 financing basis.

Gell said he also will start discussions with Johnston on a new five-year British distribution deal. The present three-year pact has run out, and it is understood that a subsidiary of John Maxwell’s Associated British Pictures, will produce 12 features this season, including quota requirements.

Al Sherman of Columbia was also on the ship.

**Motion Picture Daily**

(The Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CROX, Advertising Manager.

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150 East 42nd Street, New York, N. Y.

**Famous motion pictures are backed to world-wide fame and fortune—highest salaries, free housing, luxurious living quarters, minimum working hours plus the chance to become a genuinely successful producer.**

T HE MOTION PICTURE INDUSTRY will pay a 135,000,000,000 dollar dividend to those who prove to be splendid婴儿 and active men of the picture industry.

If your ambition is to become a motion picture producer, to build up an organization, to achieve success and fame, the time to act is now.

Here are the prerequisites of a successful producer:

1. A well-adjusted temperament.
2. A high degree of integrity.
3. The ability to interpret screen personalities accurately.
4. A thorough knowledge of finance and the business of producing a picture.
5. A knowledge of production, technical, and business problems.
6. A thorough knowledge of advertising and promotion.
7. A personal cosmopolitan contact with all branches of entertainment, from stage to screen.
8. A knowledge of the screen in general, and the way it is handled.
9. A complete grasp of the general principles of motion pictures.
10. A solid business foundation and background.

If you possess these qualifications, here is your opportunity to become a Producer.

MOTION PICTURE DAILY

FRIDAY, NOVEMBER 4, 1938

**The Smaller Printing House is doomed to complete obsolescence.**

This advertisement, which appeared in the Wall Street Journal Wednesday and in Editor and Publisher last Friday, is one of a series on important in- dustries being issued by the New York Sun, Full page space to being used for its reproduction. It may be used in the Philadelphia Bulletin and Chicago Daily News.

Previous advertisements in the series have been on steel, automobiles and food.

It is one of the rare occasions that recognition of this kind has been given the industry in this way by a daily newspaper.

Copy for the advertisement was originally prepared by E. J. Churchill, president of Donahue & Coe, and was intended for use in the Motion Pictures’ Greatest Year drive.

**$135,000,000 WORTH OF SHADOWS**
Report Ford Takes Welles Air Series

Orson Welles' "Mercury Theatre of the Air" which achieved nationwide publicity this week as a result of the "War of the Worlds" broadcast, has been purchased by the Ford Motor Co., according to the latest report. The deal was closed last Wednesday.

Efforts to obtain verification of the deal at the offices of N. W. Ayer & Son, the agency handling the Ford motor account, were fruitless, due to the absence of the officials of the agency's radio department.

Ford, it is understood, has been seeking a new radio program since losing the Al Pearce program to General Foods. The new show is being sought to serve as a balance to the institutional Ford "Sunday Evening Hour," a symphonic series. Ever since Ford entered radio many years ago the company has maintained two concurrent series on the air, one a light type, the other the symphonic show. The current season is the first time the series has had but one show on the air.

Webs Close Election Day

The networks, and most of the local stations, will close their offices at noon on Election Day and all day Nov. 11, Armistice Day.

Helen Keller to "Hear" Toscanini

Helen Keller will attend the Toscanini broadcast tomorrow. Miss Keller, deaf and blind since childhood, "hears" through her feet. But because of the peculiar and physical properties of radio studios, Miss Keller would be unable to hear the concert as a result. N. W. Ayer & Son is now installing a special sound board on the floor under the seat she will occupy, by means of which she can detect vibrations.

MOTION PICTURE DAILY

Friday, November 4, 1938

Radio Personalcs

W. G. VAN SCHMUS, managing editor, Sanborn Hall, will discuss the operation of the theatre as a guest of Bide Dudley's program over Mutual at 11:30 A.M. today. Mrs. J. Bradner, publishers of Radio Guide, among other publications, are in town.

Walter King, WINS announcer, is appearing as "emcee" at the RKO Madison in Brooklyn.

Jack Dempsey and Hanna Williams will shut off the guest star policy on the Benny Goodman Camel cigarette program. Rosemarie Branco, back from starring concerts in Hollywood, will be the guest soloist on Enro Raper's Music Hall show for two successive Sundays, beginning this week.

New York Preview

"The Young at Heart" (Selznick-United Artists)

Emotional, cloying but fully competent content, strong in emotional appeal, "The Young at Heart," David O. Selznick's adaptation of A. A. Wyn's "Saturday Evening Post" serial, "The Gay Bandit," slips with the greatest of ease into the upper strata of entertainment value and box-office material.

The Carletons are a family of lovely rascals, parasites by their own admission, living on their wit and other people's money, until the wealthy old lady they hit upon commercises, "with a will in the offing, by her kindness and charm brings conscience and shame to them and achieves their reformation.

That is the story, essentially, but it is woven about keen dialect and a skillful blending of comedy and drams, as developed by Paul Osborn. The Carletto's, including the adaptation. But chiefly responsible for the completely engaging picture which results is the high caliber cast, from top to bottom. The Carletton include Roland Young, as the father and feiteous "colonel"; Billie Burke, the mother, and Douglas Fairbanks, Jr., and Janet Gaynor is the son and daughter.

Completely captivating is the performance of the elderly Minnie Dupree, stage veteran, as the old lady. Richard Carlson, newcomer, as the "burning" Scottohan in love with Miss Gaynor, appears definitely "in," and Paulette Goddard, who teaches young Fairbanks the meaning of love, in her first talking role, impresses with the case and competent attractiveness of her performance. Henry Stephenson, Irving S. Cobb and Tom Ricketts are all good in minor parts.

Director Richard Wallace has continued to refine his production with occasional deft touches of originality. There is real touches of realism in the performances, the Castletons' men, and the three smiles of the old lady, the sound of pain on her back, the film reaches high points of sincere emotional appeal.

Running time, 91 minutes. "G.*" CHARLES S. AARONSON

*S" designates general audience classification.

Sagall to Confer With Canton Upon Television Plans

(Continued from page 1)

vision as soon as B.B.C. approves the transmission of television programs into theatres, Sagall said.

He will investigate the possibilities of marketing transmitting and receiving apparatus in America and the erection of a transmitter for the World's Fair. Scophony may establish a branch here.

Fr. Coughlin on WMCA

Father Charles E. Coughlin's program, which is scheduled to start Sunday, will not be carried on WHN. Herd Pettry, associate director of WHN, declared yesterday that the cancellation was caused by Father Coughlin's refusal to comply with the station's rule which requires submission of the speech in advance of the broadcast. Tom Auger will carry the speech instead of WHN.

"Sports Quiz" to Webster

WMCA's "Sports Quiz," featuring Jimmy Powers, sports editor of the Daily Times, which has been broadcast over Webster-Eisenhohl Cigar Co.'s contract for a indefinite period, and was placed by N. W. Ayer & Son. "Sports Quiz" is heard Fridays at 7:30 P. M.

Smith Is Named Erpi West Coast Manager

Clifford W. Smith, former general foreign manager of Erpi, yesterday was appointed general manager on the coast, a new post which will give him jurisdiction over all Erpi Hollywood activities.

E. S. Gregg, comptroller, replaces Smith as general foreign manager, and F. B. Foster, Jr., succeeds Gregg as comptroller.

Smith started with Erpi as comptroller of the Paris office in 1929. Later he became London manager and then commercial director of Western Electric Co., Ltd. In 1936 he was named assistant foreign manager and this year foreign head. Gregg joined the company in 1928 as export manager, and later joined Western Electric in 1923.

Standard Brands Sued

Standard Brands, Inc., sponsor of the Chase & Sanborn Coffee Hour on the radio, was named defendant in a suit to recover $25,000, filed by B. P. Fine, advertising agency, in the U. S. District Court yesterday.

The plaintiff claimed that in June, 1937, it sold to Standard Brands the franchise to use a promotion scheme which would commercialize the popularity of Edgar Bergen. The plan had been a miniature Charlie McCarthy, to be distributed in exchange for a number of certificates obtained from the purchase of Chase & Sanborn coffee. The soliciting scheme stated. The plaintiff seeks $25,000.

Universal's Sales Over $20,000,000, An 8-Year Record

(Continued from page 1)

consecutive month that the company has been in the black. The October profit is estimated at more than double that for September and should put the company in a good position for the final quarter of the fiscal year ended Oct. 31, by a comfortable margin, inasmuch as the August loss was not a large one. The profit adjustments applicable to the final quarter may affect the showing for the period somewhat, but indications are such adjustments will not obliterate a profit for the period. A quarterly profit, likewise, would establish an eight-year record for the company.

RKO Vaudeville to Be Suspended Here

(Continued from page 1)

periences with unions here since the test shows were inaugurated. In the two-month period in which the show tests have been going on, it was demonstrated that the stage attractions are without independent pulling power when the film attraction is not the strongest. A business in the experimental houses corresponded with the relative strength of individual picture programs.

In the face of this experience, cir- cuit officials said they were confronted with unreasonable employment demands from the stagehands and musicians' unions, which made continuance of the shows impossible. Standby orchestras and unneeded numbers of both musicians and stagehands were insisted upon by the unions even in houses where the acts were recruited from amateurs.

Grainger Promotes Shean Men in Field

(Continued from page 1)

Fulton, Pittsburgh, Vincent Choate, manager of the Roosevelt, Jamestown, R. I., goes to the Paramount, Newport.

Joe Hockenberry, who was assistant to the Paramount, Newport, becomes manager at the Roosevelt, Jamestown. Fred Lahrmar goes from the Paramount, Youngstown, to Newport, O., where he will be assistant to Frank King, who operates the Midland and the Auditorium.

Orlon Plans Two More

Harold Orlon, producer of "One Third of a Nation," now being completed at Eastern Service Studios, plans two more features here. One will be a film version of his musical comedy, "Trial Honeymoon," in Cos- mocolor.

B. P. Fineeman Quits RKO

Hollywood, Nov. 3—B. P. Fineeman resigned as RKO associate producer today, effective Dec. 1.

Close Wilcox Film Deal

Record Pictures has closed with Syndicate Film Exchange for "Mr. McLean's Gang," for the New York territory.
It has a meaning all its own.

The Dictionary says
Broth’er Rāt 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!’
M. P. HERALD says

BROTHER RAT means

A service comedy that s 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 can see what it means to you, brother, when you see how the Memphis holdover smashed every Sunday record! Los Angeles, Baltimore, Kansas City, Scranton, Dayton already set for week No. two! Warner Bros., producers.
"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
Original story by 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 cage...in a monster storm...are now let loose!"
—NEW YORK POST
"Pardon my Paris Accent"

"Voila! Poor little Olympe, she send ze bootiful telegram full of love and kisses to all you beeg boys at ze beeg peace conference. And now you make laughing at her because she sends it to what you call it... to Oba zomzing instead of Obo zomzing. Pardon, monsieurs, but Olympe she is French, not Indian. When Olympe say a thing, she 'Say It in French.' And, beeg boys, no matter you live in Oskaloosa, Tuskalooosa, Padua, Pewaukee, Ipsilanti, New York, New Haven and Hartford, San Francisco, San Diego, Los Angeles, Los Vegas, I tell you one thing, when you see Olympe and Ray Milland in Olympe's new motion peecture, you are going to 'SAY IT IN FRENCH'..."

Olympe Bradna
Politics Jams
Air Lines as Election Nears

Local Stations Collect Unusual Revenue

Political candidates have been spending heavily in local radio, an analysis shows, with NBC's New York outlets accounting thus far for $28,870, CBS doing approximately $50,000, WOR and Mutual New York stations garnering $23,580.

Of the local unaffiliated stations, WHN to date has made the best showing, its intake for political broadcast reaching a total of approximately $18,000. The analysis is at the close of business Friday, and in all probability the totals for all stations will be swollen considerably before election, as many last minute bookings for political talks are anticipated.

The NBC political total is for time.

Lawyer Testifies in
City Sales Tax Case

T. Newman Lawler of O'Brien, Dridsell & Raftrey, counsel for United Artists, and Harry Muller, United Artists treasurer, testified Friday at the resumption of hearings on the city's assessment of penalties and interest of more than $400,000 against distributors. Lawler remitted the two per cent city sales tax from March, 1935, to June, 1937. Their testimony was made the basis of the distributors in not paying the tax.

Trade Practices Agreement

Reached with Allied Heads

Chicago, Nov. 6.—Agreement on a trade practice program has been reached in principle with Allied, William F. Rodgers, spokesman for the distributors' trade practice committee, said here before leaving for New York.

Col. H. A. Cole, chairman of Allied's committee, added that after two days of discussion, the distributors "granted the maximum concessions which they felt they could yield.

Final negotiations between M. P. T. O. A. representatives and the distributors' sub-committee consisting of Sidney R. Kent and Ned E. Depinet on a trade practice program may be begun tomorrow. The M. P. T. O. A. committee headed by Ed Kaye kendall has arrived in New York.

Indications are that the final conference will be concluded within a few days.

Cole said that the demands made by the smaller companies were "more temperate" than those asked of the larger ones. The agreement with Allied will be reduced to writing, final agreement is subject to the board's approval.

Gardwell L. Sears, A. Montague and Rodgers constituted the distributors' committee.

Televising Plays

London, Nov. 6.—British Broadcasting Co. will televise J. B. Priestley's play, "When We Are Married," in its entirety for Saint Martin's Theatre on Nov. 16. On Nov. 24, a telecast will feature scenes from "Under Your Hat," with Jack Hulbert and Cecily Courtneidge.

Columbia Talking Expansion of Its British Program

Amusing production plans for Columbia in Europe were hinted at by Joseph A. McConville, foreign chief, before sailing for London Friday on the Queen Mary. He was accompanied by John Segal, assistant foreign manager, and Jack Cohn, vice-president.

Cohn and McConville will investigate the possibilities for the company's own production in England. French production or financing French producers is also a possibility, in line with Columbia's new activity of distributing a picked number of European films in this country.

Columbia's British quota pictures are being made this season by Alexander Korda's Denham Studios, with Irving Asher, associate producer, directly in charge. Columbia and Denham are sharing the financing. One film, "A Plane," is completed, another, "Spy in Black," is in work, with Conrad Veidt and Evelyn Laye. Finally, Columbia will get three pictures from Denham, at budgets ranging from $25,000 to $50,000.

Ask Child Grading

Of Canadian Films

Montreal, Nov. 6.—Reviewing of films and their grading according to suitability for school children here by an independent board of censors has been proposed to Armand Dupuis, president of the Catholic School Commission of Montreal, by Gerald Coutts, K. C.

The proposal provides for the lowering of the present 16-year age limit on juvenile attendance at theatres to include children of seven or over.

The independent reviewing board

Ross Federal Names

4 Branch Managers

Ross Federal Service has named four new branch managers: E. S. Mckoon, Detroit: C. J. Storey, Cleveland, F. A. Rosevelt, Charlotte, and F. B. Gamble, Portland. R. W. Ondersnys, former Detroit branch manager, has been assigned to the new credit promotion division.

Thomas E. Ellsworth has been named assistant in the advertising department of Ross Federal Research to edit the monthly house organ, Service.

Radio—Page 8

Board of Four A's

To Get New Setup

Plans to provide member boards, at the American Actors and Artists of America with a closer basis for cooperation will be laid before the board of directors next Wednesday, Frank Gillmore, president, stated on his return to the city. Frank Gillmore spent five weeks touring key cities to test sentiment.

First moves to be considered will be establishment of one office for all branches in cities where there has sufficient membership to warrant the expenditure. Another proposal is a move to publish a bulletin to advise locals of the activities of other branches and to lay the basis for future cooperation. Consideration will be given to the problem of a joint dues system. Gillmore pointed out that conferences with the board must meet with the approval of the branches and the board, but stated that he felt some action would start early in 1939.

BALABAN TO TAKE CONTROL

Fairbanks May Produce Here

For U. A. List

No Freeman Successor to Be Named for Present; Zukor East Soon

Barney Balaban, Paramount president, will devote a large part of his time to the company's theatre end upon his return from the coast in about a week.

No successor to Y. Frank Freeman will be named for Paramount. Balaban has been one of the outstanding theatre operators in the country. He merely adds certain details of administration of the theatre department to his other duties as head of the company. The possibility has however been mentioned that a successor will be named or that a super executive appointment in the home office theatre department might be made.

Freeman, who was placed in charge of the studio as the home office representative there, continued on to the coast from Chicago over the weekend and will remain at the studio until Friday when he will return to Balaban, Stanton Grifith, Zukor and William.
Hart Wins $276,905 In Suit Against UA

William S. and Mary Hart were awarded a verdict which, with interest, amounted to $276,965 against United Artists Corp., by a jury in the N. Y. Supreme Court on Friday after a one-week trial before Justice Bernard E. Shientag. The jury’s verdict was for $190,484.

Suit was filed by the plaintiffs, in which they sought $500,000, charging the defendant with breach of a contract for the distribution of Hart’s “Tumbleweed,” produced in 1923. The plaintiffs asserted the United Artists sold “Tumbledew” with “Wild Jus- tice,” in violation of the contract.

United Artists made an appeal, and were allowed a 60-day stay for that purpose.

Hays’ Birthday at Home

Will H. Hays left for Sullivan, Ind., his home town, over the week- end. He observed his 59th birthday there Saturday with members of his family and will cast his vote in the Indiana election there tomorrow. He is due back here Wednesday and may leave for the coast in about two weeks.

THE boys finally hooked Stephen Pallos for a lunch, before he sailed for London Friday. July and it was ship- up to partake of his sudden hospi- tality at the Tavern. Pallos was glad to get off. Pallos, you know, is sales chief of London Films (Korda), and the way of the most welcome visitors to these shores from the other side. Topping the guests was Murray Silverstone, operating chief of Shine & Simental; Emanuel Silverstone, Morris Helpnur, Harry Buckley, Jack Schlaifer, Harry Gold, Lynn Farhol, Monroe Greenthal, Ben Fisher, Meyer Berk, Charles- stern and Harry Kosiner.

Eddie Cantor is arranging for Sol Sagall, managing director of Sagall, Jaffe & Berger, Ltd., to organize an American organi- zation to meet New York financial interests with a view to obtaining capital for two or three limited television networks in the city.

Sagall was due late last week from Europe.

Cantor says it will require between $5,000,000 and $10,000,- 000 to start operations. He said his arrangement with Sagall to discuss financing with Wall St. interests. The plan, he says, is to set up transmitters in New York, Los Angeles and probably one other center, for television broadcasts within a 100-mile radius. As soon as the equipment gets here it should be possible, the areas will be increased.

Cantor says he wants to be in on the ground floor when television arrives and will be inter- ested in it from the business end.

Additional capital, outside of that which is forthcoming from Prudential Assurance Co., may be negotiated for the Denham Studios and London Films, the Alexander Korda companies. Some kind of a new financing company is under way whose principle purpose will be the financing of pictures and distribution deals, outside of Korda’s own present arrange- ments. However, Prudential is the financial backbone of Lon- don Films.

In 19 years Motion Picture Associates has expended approximately $100,000 in personal wel- fare work among the needy of the trade, according to Jack Ellis, president. The society’s chief source of revenue is an annual dinner-ball, which, this year, will be held Nov. 26, at the Astor Hotel.

English Labor Probe Likelihood Receding

London, Nov. 6.—Likelihood of a Ministry of Labor inquiry into labor conditions in the film industry has re- ceded. A ministry official told a deputation from the Canadian Independent Theatrical Employees that many local agreements recently have been completed, and Ernest Brown, Minister of Labor, made a similar statement in answer to a query in the House of Commons. The labor or- ganization, the Cinematograph Exhibitors’ Association and the Ministry of Labor will meet shortly for dis- cussion of the situation.

Warn London Show On Child Admissions

London, Nov. 6.—Chairman of the London licensing session meeting on Friday, warned exhibitors against the alleged evasion of the regulation that "A" designated films are not to be shown to children.

Specifically, the chairman cited the ignoring by exhibitors of the practice of requiring children’s admission by persuading adults to buy tickets for them.

Jubilesta Shows Deficit

Kansas City, Nov. 6.—The third annual Jubilesta showed a deficit of $10,028, although it played to more than 75,000. More than $45,000 was spent on the municipal show, and in- come totaled $109,100.

Selwyn Answers in “Dallas” Book Suit

Selwyn & Co., Inc., filed its answer on Friday in the U. S. District Court to the suit brought against it by Films, Inc., Oliver Higgins Prouty, author of "Stella Dallas," and Samuel Goldwyn, by NBC, Black- stone & Hart. The suit is against the Charles H. Phillips Chemical Co.

Selwyn & Co. asserted that it had bought the radio rights to the book, “Stella Dallas,” by a payment of $1,- 350 Sept. 22, 1937, to the American Play Co., Inc., Prouty’s alleged agent. The plaintiff had filed suit seeking an adjudication that they owned the radio rights to “Stella Dallas,” claiming to have purchased them from Selwyn & Co. and Air Features. The plaintiffs state in their complaint that Prouty and Goldwyn are claiming ownership to the rights.

Arcadia to Educational

Arcadia Pictures Corp., a sub- dary of Educational Films Corp., has been merged with the parent company. Arcadia was a holding com- pany. The merger was in line with the transfer of certain assets to the National, Educational subsidiary.

Pelson Jumps Imperial

S. Ernest Pelson, formerly personal assistant to Edward Alpert at Grand National, has joined Imperial Pictures as office manager and city manager in Boston. He was secre- tary-treasurer of G. N. & Canadian affiliate.

Columbia Talks Product at Sales

Meet in Chicago

CHICAGO.—Nov. 6.—Product avail- able and that to come in the near fu- ture were the features of the region- ional sales conference held at the blackstone Hotel.

We have found that sales meet at central locations several times a year make it easier for us to talk over details of problems that arise,” said Mr. less explaining the purpose of the sessions.

Eastern, southern and middle west- ern divisions were represented. An- other group was set up several days later for the coast and western divisions. Sat- urday and today were devoted to group discussions rather than general meetings. About 65 attended.


Retile Universal Serial

Hollywood, Nov. 6.—The title of "Eagle Island," being changed to "Scouts to the Rescue" by Universal.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)
MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

Due to the Christmas week holidays and Sundays and holidays by our usual Paper Company Publishing Company, Inc., Martin Quigley, president; Calvin Blaine, vice-president; and treasurer. Publication office: 1270 Sixth Avenue at Rockefeller Center, New York. Telephone: Circle 7-100, Cable address: "Oquigle, New York." Entered as second class matter Sept. 1, 1938, at the post office at New York, N. Y., under the act of March 3, 1879.

Subscription rates per year: $6.00 in the Americas and $32 foreign. Single copies 10c.
SAMUEL GOLDWYN'S FIRST IS ON THE WAY
THE SPIRIT OF THE WEST... THE ROMANCE OF THE PRAIRIE
SAMUEL GOLDWYN presents
GARY COOPER and
MERLE OBERON in
THE COWBOY AND THE LADY

with PATSY KELLY - WALTER BRENNAN
FUZZY KNIGHT - MABEL TODD - HENRY KOLKER
directed by H. C. POTTER - released thru UNITED ARTISTS
Balaban Will Add Theatres To His Duties

(Continued from page 1)

LeBaron, taubman and Griffiths are scheduled to leave for New York on the next few days to arrive in Chicago and to have a probable stopover in Chicago. Zukor may leave Hollywood in a week or 10 days and he may spend about a month here. He is scheduled to sail for London to take over his new post as head of Paramount operations there.

Montague Goldman, Paramount general sales manager for England, resigned that post over the weekend, and Charles Penley, general manager for Paramount theatres in Great Britain, also resigned. No successor has been named to either post.

Goldman's resignation was the second in the British sales organization within recent weeks, having been preceded by that of J. C. Graham, former managing director for the company. The latter's post is being filled temporarily by Hicks.

The company's accumulated net profit after all charges for the third quarter ended Oct. 1, was $650,658. Included in the estimate are $405,000 of undistributed earnings of subsidiaries and a profit of $233,000 on the purchase of debentures of Paramount Pictures, Inc. With this estimate, the company's earnings for the nine months just ended are figured at $1,876,469, which includes $1,650,000 of undistributed earnings of subsidiaries and $245,000 profit on debenture purchases.

“Great Waltz” Final At Waldorf Dec. 12

William R. Ferguson, M-G-M exploitation manager, has made arrangements for the finals of the “Great Waltz Competition,” sponsored by the company and newspaper in contest held at the Waldorf-Astoria Dec. 12.

The local newspaper tieup is with the World Telegram, which published its first double-page spread on the contest last Saturday. Newspapers in many cities are cooperating on the Waltz contest.

Twenty-four zone finalists will compete in the finals at the Waldorf-Astoria for the grand prize of a three-month contract at the M-G-M studios and other awards. An attendance of 3,500 is expected at the finals. Proceeds from the sale will be given to the Red Cross.

Imperial Files New Stock Issue at SEC

WASHINGTON, Nov. 6.—A registration statement covering the issuance of 425,000 shares of common stock has been filed with the Securities and Exchange Commission by Imperial Pictures, Inc.

The statement showed that 1,000 shares have been sold and an additional 424,000 shares are to be offered at a price of $1.00 per share, which the company will secure $424,000.

The company's original registration statement became effective April 8, and the new registration being an amendment thereto.

Brey Has 21 Shows


“Leave It To Me,” a Vincent Freedley production of a play by Bella and Samuel Speewack opened Wednesday at the Imperial.

“Where Do We Go from Here?” by William Bowers, produced by Oscar Hammer- strom and Margaret D. Hopp, opens Thursday at the Vanderbilt. WPA closed “Pro- logue” last week after 167 performances and left two shows still on view.

Fairbanks May Produce Here For U. A. List

(Continued from page 1)

to America. He will arrive Thursday on the Vineyard. London advises that Marks is making the journey from London especially to talk the matter over with Fairbanks. Fairbanks is expected here from the coast during the latter part of the week to meet Balfe.

Presumably, if a deal is concluded and a firm is organized, it will be formed to make a series of films. This would be required were the prospective new firm leaders to try to obtain a release from United Artists on product.

Lawler Testifies in City Sales Tax Case

(Continued from page 1)

because they believed it would not apply to films which are leased, not sold, and also believed that there was no move in interstate commerce they would not be subject to a municipal tax.

Hearings were held in the city comptroller's office. The next is scheduled for Nov. 16. Distributors have been preparing and paying the tax since June, 1937, and paid the accrued tax to that date when the state Court of Appeals held that it was applicable to films exhibited in city theatres serviced by local exchanges.

Slander Suit Filed Against Louis Mayer

HOLLYWOOD, Nov. 6.—William H. Neblett, attorney, filed suit against Louis B. Mayer under California law Friday for $500,000 damages for alleged slanderous statements made by Mayer last year. The suit accused of the alleged statements concerning the H. A. T. S. E.

Columbia Talking Expansion of Its British Program

(Continued from page 1)

ing from $200,000 to $300,000 each. The films will serve for double quota credit.

Cohn said the present arrangement with Denham may be renewed for next year, but all plans are subject to investigation on the ground.

Europe's war scare of several weeks ago disrupted Columbia's for- eign plans in work at the time, and the executives will seek to finalize them on their present trip to London and Paris. The Central European and Italian situation will also receive their attention. Cohn expects to be back in about a month. McConville and Segal will return late in December.

Douglas Fairbanks, Jr., sailed for a vacation in England. He said he had never seen the English-French Mich- nick International and will start in a film for the latter on his return. Gary Cooper also left for a holiday and will be back "Last Friday" for Samuel Goldwyn when he gets back.

Richard Collet, manager of the D.C. Carte Opera Company, has resigned. The company is named "The Mikado," first color film made by the company in England, will be released there at Christmas and future production of Gilbert & Sullivan pictures hinges on its reception. An American release for the film is still being negotiated.

Ask Child Grading Of Canadian Films

(Continued from page 1)

would designate films regarded as suitable for children of seven to 12 years, and others suitable for those from 12 to 16. A pedagogic commit- tee will study the matter before final action is taken.

Suggesting, concerning juvenile film attendance, were invited by the commission in connection with the inves- tigation of the subject now under consideration. The commission's inten- dence of theatres to prevent a recurrence of anything like the Laura Monte sequence of the latter part of the tragedy which prompted pro- vincial legislators to bar children from theatres, was urged by Dupuis.

Yamins Asks Allied Members for Funds

BOSSORO, Nov. 6.—Nathan Yamin's has issued a call for funds for the Allied treasury. He asks each independent theatre affiliated with the organization to send $3 to Herman Blum, Washington.

"The tactical situation of the independent exhibitor today is marvelous. The enemy of our country has been defeated and our country's armed forces have been disbanded. The Allied signifi- cantly has been compelled to dig into its resources, and, now, with the most important job still to do and resulting consequences, the daily, finances are running low."

Pathé Gets Fox Music

Sam Fox Publishing Co. has closed a five-year deal with Pathe News for the use of all of its music catalogues in Pathe newscasts and shorts.

Bernstein and Warner Again Head Drive

David Bernstein and Major Albert Warner will act as co-chairmen for the fifth successive year in the film, theatrical and allied divisions of the annual campaign for the Federation for Support of Jewish Philanthropic Societies of New York.

Meetings of the drive were discussed at a meeting at the Hotel Astor Fri- day. Last year these divisions raised $180,000 and a higher goal has been set.

Members of the various groups and sections for the drive follow:

Music Publishers Listed

Music publishers and composers:


Tribute to Rogers Is Led by Roosevelt

CLARKFORD, Okla., Nov. 6.—President Roosevelt, broadcasting from Hyde Park, N. Y., led the list of nota- bles who paid their respects to the memory of Will Rogers at the dedication of the memorial to the state's famous son here Friday.

More than 20,000 people gathered in the evening to the $300,000 Rogers Mu- seum.
Politics Jams Air Lanes as Election Nears

(Continued from page 1)

on both local stations, WENF and WJZ, and the network's remaining stations in New York state. Of the total of $28,670, the Democrats spent about $15,510, the Republicans $13,160. The American Labor Party $480, and the Republicans, the balance of approximately $23,000.

The CBS total of $50,000 was gained as the result of selling 32 program hours over 15 stations for political talks. Beyond this no further broadcast is obtainable from the network.

WOR-Mutual (in New York state only sold 17 1/2 hours for $24,580, as follows: New Jersey Democratic Party, $2,640; New York Democratic Party, $19,820; New Jersey Republicans, $2,200; New York Republicans, $4,980; American Labor Party, New York, $900. Citizens-Non-Partisan Committee, $1,800)

WHN reports political business to date of approximately $18,000, exclusive of what the station derived in serving as a link of the New York State network, which was organized primarily to capture the political usefulness. WHN's political total is amazing, but it is explained by the fact that practically all the candidates who appear on the station are taking advantage of using also the facilities of WHN. The station also did a large amount of spot politics.

WMCA reports a political total of approximately $6,000.

Frisco Judge to Air Drama of Courtroom

SAN FRANCISCO, Nov. 6—KSSN plans a weekly broadcast from the courtroom of Municipal Judge J. Jeffery Anderson to be called "Homicide Passes Before the Judge." In order to overcome previous objections of the legal community, Anderson has agreed to have the judge discuss cases that have appeared before him, after the docket is closed for the day.

Name International CBC European Agent

MONTREAL, Nov. 6—International Broadcasting Co., Ltd., has been appointed exclusive agent in Great Britain and Europe for commercial programs on the Canadian Broadcasting Co. network. International will form a Canadian company, with offices here, through which the business will be operated in Canada.

Ernie Gill on KGO

SAN FRANCISCO, Nov. 6—KGO, Blue network affiliate, has been designated for a full hour sustaining program each Sunday afternoon, for coast-to-coast nationwide air on the Chase and Sanborn broadcast on the Red Web. Program will be called "Out of the West," featuring orchestra conducted by Ernie Gill, narrator John B. Hughes, vocalists Betty Kelly, Armand Girard, George Nickson and Knickerbocker Quartet.

Natives Return

Toronto, Nov. 6—Raymond Massey and Walter Huston, Canadian native sons, are returning to play leading roles in "The Hour of Decision" and a fall in Broadcast Co.'s Shakespearean dramatizations.

Massey will appear in "Othello." Nov. 27 and Huston played the title role in "Othello" tonight. Both appearing on WHN, the stations are dashing to Toronto for the broadcasts, both scheduled for Sundays.

All-Canada Obtains Lone Ranger Group

A deal signed in New York over the weekend involving NBC, King-Trendle Broadcasting Corp., and All-Canada Radio Facilities, Ltd., will allow exclusive representation in Canada of All-Canada Facilities of the "Lone Ranger" transcriptions. King-Trendle owns the rights to the "Lone Ranger," and NBC owns the sales rights for Canada.

The long term contract was signed by Harold Carson of All-Canada and C. Lloyd Egger, manager of NBC's transcription department.

Standard Oil Holds Its Coast Symphony

SAN FRANCISCO, Nov. 6—Standard Symphony Hour, broadcast each Thursday over KPO and KOM from Standard Oil of California, has been extended to April 27. Nine programs will originate in San Francisco, directed by Pierre Monteaux; 10 in Los Angeles, conducted by Otto Klemperer and Henry Sirovich; and three in Seattle, under Nicolai Sokoloff, and three in Portland, directed by Edward Hurlimann.

Set Red Cross Broadcast

A special broadcast for the annual Red Cross Roll Call Campaign arranged by CBS and NBC. The CBS show will come from New York and Washington and will include performances by Ben Bernie, Guy Lombardo, Connie Boswell and Lauritz Melchior. It will be broadcast Nov. 12 from 9 to 9:30 P. M. The NBC show will consist of a special dramatization of "The Power and the Glory," with Dorothy Gilmore in the lead. It will be broadcast Nov. 13 on the Red at 3:30 P. M.

Milwaukee Paper Planning Regular Television Shows

Six Shows Extend Mutual Chain Time

Six Mutual programs, currently on the air, have extended their networks. The "Good Will Hour," now coast-to-coast Sundays at 10 P. M., has taken on the Texas State network of E. P. Baum, Inc., after preferred dividends.

"Famous Jury Trials," "cooperative show Wednesdays from 10 to 10:30, has been picked up WICG, where it will be sponsored by the Martin Razor Co. The "Lone Ranger," cooperatively sponsored in some cities, has been placed with WOLW.Washington, the General Baking Co. "Show of the Week," cooperative musical program, has been purchased by the Davis Perfection Bakeries over KHL in Los Angeles, Fulton Lewis' political comments from WOL, Washington, has been ordered for broadcast over KVOI, Denver, by the United Fruit Co., and KWOS, Jefferson City, Mo., is now taking "Don't You Believe It." sponsored by the P. Lorillard Tobacco Co.

RCA Nine-Month Net Profit Is $4,141,203

RCA reports a net profit of $4,141,208 for the nine months ending June 30, for a period of $2,417,276.08 these leaves $1,723,928.98, or 12.4/10 cents per share on the common.

The same period the previous year the net was $6,599,111.84, with $2,417,276.80 for preferred dividends or $8,991,111.84, or $8.91/10 cents per share, for the common.

Total gross income for the nine months of this year from all sources was $70,892,014.73.

"Night of Stars" on WHN

WHN will broadcast exclusively the "Night of Stars" benefit program presented at Madison Square Garden Nov. 10. The broadcast will begin at 9 P. M. and will be heard until 10 P. M. At 11:15 the program will be resumed and will continue until 2 A. M. Louis K. Sidney, WHN managing director, is chairman of the producing committee and the leading celebrities will participate in the affair.

Bobbers Will Transcribe

The American Bottlers Association has signed for 13 quarter-hour transcribed programs which will feature Nat Shilkret's orchestra. The platters will be made available to WHN member banks of the association, for placement on local stations.

Radio Personalities

RONNIE AMES, publicity and promotion head for Rockwell-O'Keefe, is on the road with the Mills Brothers. Fred Weber, Mutual's news service in Cleveland to spend several days at Mutual's station in that city.

Moore Paint Signs On NBC for 13 Weeks

A contract for one new program, and three renewals, have been closed at NBC.

Benjamin Moore Paint Co., which has used NBC facilities in previous years, has signed for a series of 13 programs, for a new show to start Jan. 7, 1939. The Red, blue, green, and yellow, program is heard on the Blue. Signal Oil Co., sponsoring "Signal Oil Carnival" over a coast network of stations, has renewed the program for full year through the Logan & Stephenson agency. "The Gospel Singer," now heard on NBC for Proctor & Gamble, has been renewed for 34 weeks of daily broadcasting on the Red. The Compton agency placed the contract.

To Televise London Armistice Ceremony

LONDON, Nov. 6—Armistice Day will be the subject of a special television broadcast over the B. C. C. transmitters. No commentary will be used. The program will be the marshaling of the troops in Whitehall, scenes at the Cenotaph and the striking of 11 o'clock by Big Ben.

Vallely Switches to Coast for Broadcast

SAN FRANCISCO, Nov. 6—Rudy Vallely's Royal Desserts will originate here Nov. 17 from the Community Playhouse, Vallely and his Connecticut Yankee will be the chief entertainment feature of the annual Auto Show in the Civic Auditorium.

WHN Gets 5th Ave. Bus

Three contracts for as many local business houses have been placed with WHN. Fifth Ave. Coach Co. has contracted for 48 weeks of announcement. Broadway Buses, Ltd., have signed for 26 weeks for a Sunday half-hour program, starting immediately.

Erwin, Wasey BBC Agent

London office of Erwin, Wasey & Co., has been appointed to handle three magazines published by the British Broadcasting Co., Radio Times, World Radio and The Listener.
Nets to Drop Use of News "Flash" Style

Network Heads Work Out Agreement with FCC

WASHINGTON, Nov. 7.—An agreement under which the use of the "flash bulletin" news announcement techni que will be abandoned on all but news programs was worked out today. Conferences with Chairman Frank R. McNinch of the Federal Communications Commission were with William S. Paley, CBS president; Lenox L. Rohn, NBC president, and W. S. Maclean, head of Mutual.

The contract to which the leading network heads were invited was an outgrowth of the CBS "War of the Worlds" broadcast of Oct. 30, in which the F. W. Wells novelists was dramatized with such realistic use of the news flash method that panic resulted in some localities.

IATSE Begins Drive To Push Lab Union

Organization of laboratories in the cast is under way by the I. A. T. S. E. under the direction of Dick Walsh, vice-president, who is cooperating with Motion Picture Laboratory Technicians Union, Local 702.

In addition to the contract recently signed with Du Art, Wamers, De Luxe and Ace laboratories are working under union contracts. An agreement on conditions is being worked out with De Luxe and Consolidated, where contract provisions have been continued following expiration of the old pact.

British Independent Group in Bankruptcy

LONDON, Nov. 7.—Two receivers have been appointed to take over the affairs of British Independent Exhibitors, Ltd., collective distribution group in which a number of independent exhibitors have holdings.

It was formed with the idea of obtaining product, perhaps by sponsoring production, and distributing it primarily to the group's members, but also to the trade generally.

Linked with it in turn have been the Rock Studios, Eustere.

Radio—P. 4

Paro. Men Return

Paramount home office executives who have been at the studio for the past few weeks are due back in New York Friday morning. The eastbound group includes Barney Balaban, president; Stanton Griffls, chairman of the executive committee; Y. Frank Freeman, studio head; Robert Gillham, advertising director, and Russell Holman, eastern sales talent and story head.

B'way Grosses Up;

Several Holdovers

Broadway grosses over the weekend rose considerably and most first run houses are holding current films. "Brother Rat" is set for a three-week run at the Strand, "That Certain Age" is holding a week at the Roxy, and "The Citadel" will continue at the Capitol.

"Men With Wings" finishes its second week tonight with $35,000 indicated and will be held for a third. "Marie Antoinette" will wind up a 14-week run at the Astor Nov. 18. It took $5,000 in the 12th week. "Peg of Old Drury" entered its third week at the Little Carnegie Playhouse. It previously had had an extended run at the Plaza. "Five of a Kind" did $5,700 at the Globe.

TRADE AGREEMENT SEEN IN 2 WEEKS

U. S. Pictures Reap Harvest With Czechs

PRAGUE, Nov. 7.—Out of the fog of uncertainty that has shrouded Czechoslovakia since its partition by Germany, Poland and Hungary there comes the prospect that American films will dominate this market more than ever before.

Three hundred theatres went to the Germans when they took the Sudeten area, but these were houses where German films have predominated in the past. In the revaluation of feeling that has followed the loss of territory German films, German newreels, and French and Russian films have disappeared.

Ontario Is Facing New Admission Tax

TORONTO, Nov. 7.—Ontario exhibitors are facing the prospect of an increase in admission taxes being resumed. The University of Toronto, most influential school in the Dominion, has suggested that needed financial support be obtained by the IATSE Heads Assert

Motion picture employers covered by the Federal wage and hour law are abiding by the provisions where union labor is employed, and no complaints of any consequence have so far been received, it has been learned from I.A.T.S.E. headquarters.

None of the employers have conferred with the I.A.T.S.E. in New York following the ruling by the office of Elmer Andrews, administrator, in Washington, that they should reach an agreement with the union.

The case is pending on the informal ruling of the administrator's counsel that theatres are not affected. What happens from that point is not known.

With regard to other branches of the industry, including exchanges and laboratories, one of the I.A.T.S.E. presidents said that union agreements do not exceed the 44-hour week and are thus within the law. Wage scales in every instance are higher than the minimum of 25 cents an hour.

Where complaints arise, they will be left to the locals. Nothing arbitrary will be done. A committee from Local 306 reported a complaint with I.A.T.S.E. officials taking up the case yesterday regarding an exhibitor who was said to have worked operators 48 hours a week. The committee was told to attempt to work out a settlement with the exhibitor before filing a formal complaint.

SHORTS PRODUCERS

In England Unite

LONDON, Nov. 7.—British short subject producers have formed a new association divorced from the P.B.I. and affiliated with the Sub-Standard Cinematograph Association. H. Bruce Wolf of Gaumont British Instructional is chairman of the new group. About seven companies are at present associated with it.

The association aims to develop the position gained under the Quota Act and "correlate their problems to those of the feature film section of the industry."

TRADE AGREEMENT

First in Film and Radio News Brief. Accurate and Impartial

NEGOTIATIONS READY FOR DRAWING UP PLATFORM IN FINAL FORM

Trade practice negotiations are progressing rapidly and final form and program may be completed within the fortnight. It is possible that an agreement may be obtained next week by M. P. T. O. A. and the distributors. Agreement with Allied has already been obtained.

There is every indication that events have moved far enough along for the respective negotiating groups to begin preparation of the final platform.

The distributors' negotiating committee, headed by Sidney R. Kent and William E. Rodgers, will present the principles so far agreed upon in the

(Continued on page 4)

BROADWAY AWAITING BIG ELECTION JAM

Broadway theatres are expected to benefit from Election Day crowds tonight. Interest in the gubernatorial contest is high this year, due to the closeness of the race, and it is predicted that at least a quarter of a million people will crowd into the Times Square area in spite of radio's draw.

Theatres have made arrangements to give election returns. Matinee business may be expected.

Offices are closing generally at noon. This will release hundreds of thousands in Manhattan.

Most houses will hold midnight shows.

Film Firms Abide by Wage Law, IATSE Heads Assert
U. S. Pictures Reap Harvest With Czechs

JAMES J. WALKER, former Mayor of New York City, opened a series of broadcasts last Sunday over WMCA, sponsored by the Manufacturers Trust Bank, and from all accounts he did okay, giving a lively, human interest performance. His guests who contributed their time and talent, were: George Jessel, Sheila Barrett, Sid Gary, Dave Apollon, Mary Jane Walsh and the Lee Grant band. The program is called "Jimmy Walker's Visiting Hour," and, as the title suggests, he visits institutions where he provides good cheer and music for the sick. The opening broadcast was from the new pavilion at the Fair. Next week it will be from King's County Hospital.

Settling a case out of court and then failing to withdraw an appeal taken to a higher court can stir up a series of complications. Texas Consolidated Theatres found this out when it appealed a verdict given S. H. Pittman for injuries suffered by his wife. While the appeal was pending the case was settled.

The Circuit Court of Appeals paid no attention to the settlement and affirmed the judgment. Notice was given last week that the judgment was affirmed in the District Court. Yesterday the U. S. Supreme Court dismissed the Texas petition for a reversal of the lower court action.

If two-thirds of England's 45,000,000 population passed through the M-G-M Empire, Leicester Square, in the past 10 years, it would mean that the theatre played to 59,000 persons weekly, on the average, or about 8,400 persons daily, on a seven-day week. And that's what Sam Eckman is supposed to have stated, according to London Times. He is planning a luncheon commemorating the 10th anniversary of the theatre.

Universal concluded a five-year licensing contract for the sale of its product in Italy by a resident agent last summer, prior to the invasion of E. N. I. C. The deal was approved in advance by the Italian Government. There is a question now whether the company can be relieved of its obligation in the deal when the Italian decree creating the distribution monopoly for the Government controlled agency becomes operative, Dec. 31. If not, Universal may be obliged to continue in the Italian market, although sentiment on the subject within the company appears to be no different from that in other companies which are preparing for complete withdrawal from Italy by the end of the year.

Understood here that J. Cheever, Wanger's new marketing chairman, asked for a ruling on the contract from Marchese Paulucci di Calbaldi, director of the Italian agency, in London last week. As a result of the judge's decision, no word of it has been received here.

S. Charles Einfeld, Warner advertising and publicity chief, recently arrived from the Coast, thinks that results from the present MPFG drive by the industry will be even clearer and more apparent as the campaign comes to a close. Einfeld thinks it is premature to figure the fullest results at this early date.

Further Talks to Be Held on Copyrights

Further conferences on proposed amendments to the Federal copyright laws by representatives of the film and other industries directly interested in their revision will be held Nov. 21. No definite agreement on recommendations to be made to Congress for changes in the present laws were reached at the section held in the Bar Association Bldg. last Friday.

A section of the local copyright conference will leave for Lima, Peru, in about two weeks to attend an international copyright meeting there in December. The remainder of the committee will continue its work here.

Schaefer Is Ampa Guest

George J. Schaefer, RKO chief executive, will speak on the M.P.F.G. motion picture industry's luncheon meeting Thursday at the Astor.

The entertainment program will include Ann Miller of the cast of "You Can't Take It With You" and Luis Zingone, card manipulator.

MOTION PICTURE DAILY

Insiders' Outlook on Copyrights

Purely Personal

H. M. RICHEY, former independent exhibitor leader, took over the management of a motion picture theatre in a small town, and began to employ a new system of promotion, with connections for RKO yesterday.

LAURENCE ANSTY will arrive Thursday on the Normandie from his way to the coast to appear in Samuel Goldwyn's "Wuthering Heights."

FREDERIC MARCH, who recently finished in Walter Wanger's "Trade Winds," was called on by the head of a Western exhibitor for relations for RKO yesterday.

WALTER FUTTER, who has been in England for eight months, will return Thursday on the Normandie.

EVERETT RISKIN, Columbia producer, arrived in New York yesterday from the coast.

SAM MARK, Columbia west coast scenario editor, is extending his stay here.

Harry Kendrick Dies

AUBURN, Ala., Nov, 7.—Harry Kendrick, 46, manager of the Warner house here, died yesterday in Valley Hospital from pneumonia. He formerly was with Pro Theatre. Funeral services were held today in Philadelphia, his home. His widow survives.

Meloy Dies at 75

SHELBYVILLE, Ind., Nov. 7.—Funeral services were held here today for W. C. Meloy, 75, who opened the Strand here in 1916, and acquired the Alhambra several years ago. Meloy died Friday of a heart attack.

No U. A. Meeting Likely

Although the annual meeting of United Artists stockholders is scheduled for tomorrow no call has gone out yet for proxies here. Indications are the meeting will be postponed to a later date.
Film which enjoys the combined services of Charlie Ruggles, Helen Broderick, Mischa Auer, Joy Hodges is bound to be a lively affair.
—H. Y. TIMES

"Smartly handled… sets are handsome and the dialogue is bright." —H. Y. JOURNAL AND AMERICAN

"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

Bland Johansen

"… unusually bright…" —TIME MAGAZINE

"Excellent comedy for sure entertainment." —VARIETY

"Service De Luxe" is a sure box-office hit.
—LOUELA O. PARSONO (Morning Examiner)

"De Luxe" is a Universal hit with class production that packs liberal entertainment.
—PICTURE REPORTS

—LIBERTY

"De Luxe" a 3 star film.
—TOMMY STARR

("A. Evening Herald-Express")

"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

DE LUXE

CONSTANCE BENNETT
SERVICE DE LUXE
VINCENT PRICE
HELEN BRODERICK
CHARLIE RUGGLES
JOY HODGES
MISCHA AUER
HELEN RAGIN

SCREEN PLAY BY

LEONARD SPIEGELGASS AND
ERTHINE L. WURCELL

PRODUCED BY AROWLAND V. LEE
DIRECTED BY AROWLAND V. LEE
ASSOCIATE PRODUCER: EDWARD GRENITZ

A NEW UNIVERSAL PICTURE
Trade Pacts Now Nearing Final Stage

Negotiations to integeral distribution companies for the exhibitors approval during the next week. Tomorrow, Ed Kaykendall, M. P. T. O. A. president, and with Kaykendall A. M. will meet with the respective distributors. The meeting date will be set for the final meeting of the M. P. T. O. A. executive committee with the distributors. The meeting date will be held near the middle of next week and should produce an agreement within a day or two. Thereafter, the distributors' committee will convene alone to coordinate the agreement with three exhibitor groups into a single program of self-regulation.

The M. T. O. A. program was fairly well outlined when its initial negotiations were made. The distributors' adjourned Oct. 21 to permit the exhibitor committee members to attend the national convention at Oklahoma City. The final meetings with the distributors' committee are primarily for the purpose of ironing out the major proposals already agreed upon. In principle, such as the grading cancellation clause, elimination of the separate store covenants, breaking the forcing of shorts, the setting up of conciliation boards and protective measures on non-theatrical and radio competition.

Date to Be Agreed Upon

Major differences between the M. P. T. O. A. and distributors' committee remaining to be agreed on are believed to be the effective date of the final trade practice program and personnel of the conciliation boards. M. P. T. O. A. leaders are insistent that the program be placed in effect as soon as it is completed. Distributors, in some instances, are said to favor a delay until the next upcoming season next summer. The exhibitor organization also favors local designation of the personnel of conciliation boards, whereas some sentiment exists in other quarters for determination of the personnel by the negotiating committees.

Final conferences will be held with representatives of Allied and the regional exhibitor organizations which are not affiliated with Allied or M. P. T. O. A. before the distributors' committee goes into its sole budge to evolve the unified program. In any event, it is expected that completion of the self-regulation plan before the end of the month. Meetings with the unaffiliateds may be held late this week, and with Allied next week.

Roxy Theatre Pays 37¼c

Roxy Theatre, Inc., board of directors declared a quarterly dividend of 37¼ cents on the outstanding preferred stock payable Dec. 1 to stockholders of record Nov. 17.

To Honor Sydney Samson

BUFFALO, Nov. 7—Upate exhibitors will give a testimonial dinner here Dec. 5 to Sydney Samson, 20th-Century-Fox branch manager.

Hollywood Preview

"Blondie" (Columbia)

HOLLYWOOD, Nov. 7.—Auspiciously inaugurating Columbia's entry into the field of "family series" production, "Blondie" is high class family entertainment. Based on the widely distributed Chic Young cartoon strip which details the domestic and business adventures of "Blondie," "Dogwood" and "Baby Dumpling," the film is a sprightly concoction of wholesomeness and humor. It has been cleverly written for the screen by Richard Flannory so that there is a fine balance of amusing characterizations, situations and dialogue. Frank R. Strayer's direction has endowed the story with appealing interest.

It features Penny Singleton, Arthur Lake and tiny Larry Sims who seem to have stepped out of the Young drawings. The natural comic content is further amplied by the performances of Gene Lock- hart, Ann Doran, Jonathan Hale and the puppy dog Daisy.

The theme has Lake (Dogwood) in trouble at home and at his office. His embarrassing difficulties are threatening to Miss Singleton (Blondie) and the future welfare of Sims (Baby Dumpling). Miss Singleton's great worry is that Lake is doing a bit of phalinding with a mysterious "Elsie." Lake's worry is that he will lose his job. But when Lockhart, a business tycoon, who has been a tough nut for boss Hale's other salesmen to crack, discover that he and Lake have a mutual talent for tinkerage, the stage is set not only for Lake to land a big contract, but to straighten out his domestic and financial problems.

Produced by Robert Sparks as an item in all-family entertainment program schedules, it is likely that if all advantage is taken of all exploited possibilities and support given the word of mouth advertising that is almost certain to attach itself to the show, "Blondie" will assume the proportions of a popular surprise attraction.

Running time, 70 minutes. "G."* G. McC.

*"G" denotes general audience classification.

Ontario Is Facing New Admission Tax

ONTARIO, Nov. 7.—A tax on every theatre ticket sold in Ontario was suggested by Frank McNeil, manager of the Shore Acres Theatre, at a meeting of the Ontario Municipal Theatre Managers' Association, held in the Tropic Theatre in Hamilton, Ont. for the purpose of restoring the amusement levy following the abolition of the 10 per cent ticket tax.

In recent weeks various municipalities and the Ontario Mayors' Association would have enabled them to derive additional revenue for unemployment insurance and other purposes. When the tax is in its move, a dozen or more cities in Ontario would probably be faced with a demand for revenue through a locally collected ticket tax.

Feist Estate Sues M-G-M

Bessie Feist, Abraham S. Gilbert and the Fifth Avenue Bank of N. Y., executors of the estate of Leo Feist and Edward F. Bitter, yesterday filed suit in N. Y. Supreme Court against M-G-M for $88,500. The plaintiffs charge breach of a contract for sale of a stock to the estate. M-G-M is of course a stockholder. It is said the suit is an extension of time to answer.

Loew's Buys U.A. Films

In accordance with custom United Artists closed a product deal yesterday for the entire Loew circuit. The deal is for two years and covers the full United Artists lineup, C. C. Moskoski and Jeanvisual representative represented the circuit and Harry L. Gold the distributor.

Television Patents Taken Over by RCA

Patent rights on television synchronization methods and apparatus invented by Harry R. Luboco, director of television for the Don Lee Broadcasting System, have been sold to RCA. Under the terms of the deal, however, the Don Lee System reserves the right to make, use and sell television equipment embodying the principles of the Luboco patents.

Lafferty WBYR Manager

NEW HAVEN, Nov. 7.—Perry Lafferty, former music director for WBYR, has been made manager of the studios of Toronto's ABC. To explore Bates' water branch of this Waterbury Station will be renewed immediately after election.

WELL has purchased a site in Hamden for its new transmitter prior to receiving final approval for full time.

Belcher on New Series

SAN FRANCISCO, Nov. 7.—Jerry Belcher will inaugurate "Interesting Neighbors," a new coast-to-coast sustainer, from here Thursday. Belcher's program will originate in the home of a family of Russian emigres. A fireman, Belcher, broadcasts from Portland, returning here for the two following programs, after which the series will go to Hollywood.

Rogers B & B Manager

James G. Rogers was elected general manager of the Benton & Bowles agency yesterday at a meeting of the Pickwick board of directors. George Bates and Walter O'Meara were elected to the board in another action.

Campbell Taking "Mercury" Show; "Hotel" Scrapped

"Hollywood Hotel," pioneer film program will fade from the air next month and will be replaced by "Mercury," a new program of Camp- bell Soup Co. The switch will be effective Dec. 9, over CBS, from 9 to 10 P. M.

The deal for the Ford Motor Co., to take over the Mercury radio play hour fell through over the weekend, and the Campbell executives immedi- ately took the program. The deal was closed Sunday, shortly before the "Mercury Theatre" went on for its last broadcast.

Scraping of "Hollywood Hotel" ends one of the first major film pro- grams to be presented in radio. Campbell pioneered in presenting film per- sonalities on the air, and for many seasons the show was successful, un- der Murray and Deanna Durbin, and under the reign of Eastman, who was head of the program.

The arrangement collapsed last season when the Screen Actors' Guild ruled that its members would not have to work in radio without remuneration, and Miss Parsons thereupon left the program.

Renew "Good News" Show for 13 Weeks

M-G-M's "Good News of 1939," radio program co-sponsored by the film company and General Foods Corp., has been renewed for another 13 weeks, effective at the close of the year.

The renewal ends reports that the show would fade from the air at the close of the present contract term. The renewal is the result of "Good News" to the air this summer to finish out the contract run, reports the program, has been received wide credence. Since its re- turn, however, it has maintained itself high in the official program ratings. Benton & Bowles handles the program.
Can't See 15% Cut

San Francisco, Nov. 8 — Boycott of the 1939 Golden Gate International Exposition by the Screen Actors Guild is discounted by Harris Connick, managing director of the fair. Connick declared an agreement will be reached soon regarding booking of screen players for appearances during the exposition. Connick declared the fair would be glad to have the stars at the "right price," but that S.A.G. wants 15 per cent of the gate, which he termed "too much."

With 43 in Work Production Hits High Since July

Hollywood, Nov. 8.—Forty-three pictures were before the cameras this week. Twenty-six foreign and six domestic started and 10 finished. Eighteen are being prepared, and 68 are in the cutting rooms.


Insiders' Outlook

Whether or not the current television ballyhoo is largely a local phenomenon remains to be determined. It is a matter of wonderment whether there is not too much television talk, privately and publicly, to these new pictures. Certainly, much of the present pronouncement is being given to this embryonic industry subject to examination.

A close inspection is desirable before the many prophecies which are being made are accepted and acted upon. Filmland primarily must make good pictures which will pay off at the boxoffice. But the amusement world may be on the verge of a new era comparable to the period of the advent of sound.

And so it behooves the film industry to scan carefully the prospects of television and to follow its development by keen and penetration study. The film industry is to be ready to meet the possible effects of the new field, which shall have become an assured commercial and amusement enterprise for the theatre or for the home.

There have been two sides to television until now—scientific and commercial. The field is coming up rapidly. It is the financing side, whether native or foreign. That's the risky end. Science knows a lot about television, but is still experimenting.

Legion Approves 10 of 11 New Pictures

National Legion of Decency has approved 10 of 11 new pictures for the current week, four for general patronage and six for adults, and has classified one as objectionable in part. The new films and their classification follow.


Class A-2, Unobjectionable for Adults—"The Great Waltz," "Irish and Proud of It," "I Stand Accused," "Tarnished Angel," "Thanks for the Memory.

"Under the Big Top.

Class B, Objectionable in Part—"This'll Make You Whistle."

Fabian Adds in P. Jervis

With the acquisition of the Royal, Fort Jervis, the Fabian circuit has taken over the three theatres in the town. The others are the Ritz and the Strand, which were acquired earlier.

Re-Signs William Powell

Hollywood, Nov. 8—William Powell has signed a new term contract with M-G-M and will start work in a new "Thin Man" picture soon. He has been absent from the screen for some time because of illness.

The commercial possibilities of television are not well known. As in the sound era, there is an unnatural growth of new firms springing up in television. It is certain that some of these will be found lacking in proper background and experience to fulfill their promises, their prospective plans or their hopes.

The overlords in the embryo television are those who are leaning to the fields of radio communications. These are A. T. & T., the two leading networks, CBS and NBC, additional to RCA, parent company of NBC and leader in the field of wireless communication.

RCA may be looking forward to the possible development of a television chain of transmitters which might be operated in a manner similar to the present operation of its NBC radio chain. A. T. & T. has developed the coaxial television and, of course, is interested in promoting the use of this cable for television.

Distance appears to still be an obstacle in television's path. The expense of transmitting television is another bogey. Additionally, the patent situation in television probably requires clarification. It may be an open field and then, patent-wise, it may be a closed field. And nobody mentions the foreign side.

World Sets Releases


* Fly United's Delux* 

** MAINLINERS TO CHICAGO!**

8 fast flights daily, direct calendar service! 

To CHICAGO—4 hrs., 55 mins.

Mainliners are tops in luxury and comfort! Only United flies the famous Skyline Mainliners on non-stop flights—leave 12:15 p.m. or 2:50 p.m. Round trip rates: Reservations: $8 42d and St., MU. 73-7800. Or travel bureau, hotels.

UNITED AIR LINES 

* The Main Line Airway

(Continued from page 1)


Warners.


Three short subjects are shooting; one each at Columbia, M-G-M and Warners. Nine are being edited.

Shift Evergreen Manager

SPokane, Nov. 8—Evergreen personnel changes here include: A. Baker, from manager of the Fox to city manager at Bellingham, Wash.; Oscar Nyberg, from manager of the S-S-P Fox; Fred Rose, Liberty to State management, and Willard Seals, from assistant at the Orpheum to manager of the Liberty.

Shafer Joins G. N.

CINCINNATI, Nov. 8—Dick Shafer, 20th Century-Fox salesman, is now manager of Grand National, succeeding Ralph Kinsler, who has been promoted to division manager.

Reel House Opens Dec. 2

Latest house of Newsreel Theatres, Inc., is set to open Dec. 2 in the Associated Press Blg., Rockefeller Center, in the same block as the Music Hall.

With 43 in Work Production Hits High Since July

S. HOREN, managing director for 20th Century-Fox at Buenos Aires, has prepared a reception for Tyrone Power when he gets there on his current trip.

CHARLES E. McCARTHY, 20th Century-Fox advertising and publicity head, leaves on his vacation tomorrow and will spend it cruising the Caribbean.

HERMAN WORRIS, 20th Century-Fox distribution chief, is scheduled to leave the coast tomorrow for New York.

SCOTT R. DUNLAP, Monogram production head, left for the coast yesterday after home office conferences.

WILL H. HAYS returns to New York today from his Sullivan, Ind., home.

ED KUVEKINDAL, M. P. T. O. A. president, arrived in New York yesterday from Columbus, Miss., his home.

MARBON NIXON arrived in New York from Hollywood yesterday by train.

WILLIAM SIFTER is in New York from Hollywood for a brief vacation.

British Film Heads Honor J. C. Graham

LONDON, Nov. 8—British film men today gave a luncheon to J. C. Graham, until recently managing director for Paramount, in the usual manner. Reapers and exhibitors were represented. D. E. Griffith, president of K-R-S, described Graham as the originator of the quality clause in the new film legislation. Because of this the K-R-S has made him the first and only permanent member of its council.

John Maxwell, Richard Norton and others spoke. Sam Eckman presented a silver salver in behalf of the K-R-S and C.E.A.

THE MERCURY

OVERNIGHT TO LOS ANGELES

Fly the Southern SUNSHINE route overnight to Los Angeles. Through service. No change of planes. Giant SKYSLIPPERS. Complimentary meal served by stewards.

Mercury Southerner
Le: 5:15 p.m. Le: 9:00 a.m. (only 2 stops)

FOR RESERVATIONS: Call Your Travel Agent or YANKEETRACKS 3-2500. Ticket Office: 65 Vanderbilt Ave., and Rockefeller Center, 10 W., 49th St.

AMERICAN AIRLINES
WASHINGTON, D.C., Nov. 8 (TCF)—Shirley Temple’s picture, “Just Around the Corner,” playing the Capitol Theatre here, is showing surprising daily pick-up after smash opening and invigorating downtown trade generally. The unusually large number of enthusiastic adults in the audience is attributed to the timeliness of the story.

REVIEWs — from Washington

“Highest sum total of entertainment Shirley has rated in months!” — Wash. Times

“Shirley Temple takes over the Capitol! Full of charm and sparkle!” — Wash. Daily News

“Shirley's best in many moons!” — Wash. Herald

“The most substantial entertainment Shirley has had to date!” — Wash. Post

—and Elsewhere

“Timely...Sure-fire entertainment!” — L. A. Examiner

“Shirley will inject another hypo into box offices with this!” — Boxoffice

“One of the best comedy vehicles yet handed Shirley Temple!” — Daily Variety

“As near to perfect boxoffice as any showman can expect to lay eyes upon!” — M. P. Herald
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!
**Out Hollywood Way**

HOLLYWOOD, Nov. 8.—ELLEN DREW, who took MARY CAROL'S place in "If I Were King," when the latter was stricken with appendicitis, is herself confined to the Queen of Angels Hospital, following an emergency appendectomy operation...Warner's has almost 70 writers working on scripts, a two-year record...CLAUD RAINES will be co-starred with Reginald Denny in "The Return of Dr. X." at Warners. Republic has placed BOB LIVINGSTON and JUNE TRAVIS in the leads for "Federal Man Hunt," to be directed by NICK GRANDE...SEN YEW CHUNG, 23-year-old San Francisco born Chinese, has been signed for the role of "Lee Chan" in 20th Century-Fox's resumption of the "Charlie Chan" pictures...FRANCES BRICE, young daughter of FANNIE BRICE, is acting as her mother's stand-in in "New York Cindys"...FRANK McAFFREY, Universal exploitation man, has gone to Chicago and Detroit to arrange for teals...Slicker, the seal which carried comedy honors in Paramount's "Spawn of the North," has been signed for Principal-RKO's "Fisherman's Wharf."+

**Casting—Virginia Weiler in a "Christmas Carol," M-G-M...CHARLES MIDDLETON in "Juarez," Warners...Riginald Owen in Paris Imperial," Paramount...MARY ASTOR in "Midnight," Paramount...LARRY WILLIAMS, the "stowge" in "Brother Rat," assigned to ...Denny..." You Can't Take It With You"... :- The former it rolled up $17,800 and at the latter the take was $17,200. "Sure" turned in an outstanding $14,704 at the Chinese and an equally strong $17,204 at Loew's State. Estimated takings for the week ending Nov. 2:  

** "Sure" (20th-Fox) CHINESE: (2,500) (30c-75c) 7 days. Gross: $14,704. (Average, $2,050) **

** "Drunken" (U. A.) 4 STAR: (200) (30c-50c) 7 days. Gross: $1,667. (Average, $238) **

** "You Can't Take It With You" (Col.) HILL STREET: (2,720) (30c-60c) 5 days. Gross: $9,000. (Average, $1,800) **

** "Sure" (20th-Fox) LOEW'S STATE: (2,500) (30c-75c) 7 days. Gross: $17,200. (Average, $2,457) **

** "You Can't Take It With You" (Col.) PANTAGES: (2,000) (30c-60c) 5 days. Gross: $8,500. (Average, $1,700) **

** "The Arkansas Traveler" (Para.) PARAMOUNT: (2,000) (30c-60c) 5 days. Gross: $1,800. (Average, $360) **

** "Brother Rat" (F. N.) **

** "Broadway Musketeers" (F. N.) WARNER BROS. (Hollywood): (1,000) (30c-60c) 5 days. Gross: $7,200. (Average, $1,440) **

** "Brother Rat" (F. N.) **

** "Broadway Musketeers" (F. N.) WARNER BROS. (Downtown): (1,000) (30c-60c) 7 days. Gross: $7,800. (Average, $1,114) **


**HAVE BREAKFAST TOMORROW IN LOS ANGELES—FLY TWA!**

Board TWA’s Sky Chief at 5:30 tonight...You’ll be on the West Coast before 8 A.M.!

**Fare Only**

|$149.95

**NO business hours — no sleep—going clear to aloof!** Latest departure, with early morning west coast arrival. Only 3 stops en route—1 after midnight—on the Sky Chief. Official Slateholders have separate club lounge and sleeping compartments. To Chicago, TWA has the latest afternoon non-stop departure—fare $44.55. Excellent connections to Twin Cities, the Northwest, and Mexico.

**Place, Show**

**Hit at Denver**

**With 13,000**

DENVER, Nov. 8.—"Straight, Place, and Show," with Gypsy Rose L, heading a stage show, turned in one of the biggest grosses of the year at the Denver, $13,000. **

**Stallmates" and "Mr. Doodle Good" also were good in the money. The combination pulled $6,000 in three days at the Orpheum, where normal for seven days is $7,500. "You Can't Take It With You" was strong with $4,500 at the Aladdin after having previously played a week at the Denver.

Estimated takings for the week ending Nov. 2:

** "You Can't Take It With You" (Col.) ALADDIN: (1,400) (25c-40c-65c) 7 days, after a week at the Denver. Gross: $4,500. (Average, $643) **

** "Too Hot to Handle" (M-G-M) BROADWAY: (1,000) (25c-35c-40c) 7 days. Gross: $4,500. (Average: $643) **

** "Straight, Place, and Show" (20th-Fox) BROADWAY: (1,000) (25c-35c-40c) 7 days. Gross: $4,500. (Average: $643) **

** "Room Service" (RKO) PALACE: (2,000) (25c-35c-40c) 7 days. Gross: $4,667. (Average: $667) **

** "Girls On Probation" (F. N.) PALACE: (2,000) (30c-40c) 7 days. Gross: $4,000. (Average: $571) **

** "Dramatist" (20th-Fox) JUGAL VANITY COURT: (1,400) (30c-60c) 7 days. Gross: $4,500. (Average: $643) **

** "Jewel Court" (Col.) PARAMOUNT: (2,000) (30c-60c) 7 days. Gross: $4,000. (Average: $571) **

** "Take It" $13,000**

**Leads in Montreal**

MONTREAL, Nov. 8.—"You Can't Take It With You" was the box-office leader, with $13,000 at the Palace.

"Three Loves Has Nancy" and a second feature had above-par business at the Princess with a gross of $7,500. Second week of "Drums" grossed $7,- $500 at the Capitol. The weather continued mild.

Estimated takings for the week ending Nov. 5:

** "Drums" (U.A.) TOWNSVILLE: (3,000) (25c-40c-55c-65c) 7 days. Gross: $5,000. (Average, $714) **

** "Bengali Brides" (20th-Fox) LOEW'S: (2,000) (25c-30c-40c) 7 days. Gross: $4,500. (Average: $643) **

** "Wives Under Suspicion" (Univ.) PALACE: (2,000) (25c-35c-55c-65c) 7 days. Gross: $4,500. (Average: $643) **

**New Four Film Firms**

ALBANY, Nov. 8.—New film companies chartered here are: State Productions, Inc, by Alexander Checitz, Harry Minsky and Edward T. Rochman; and the Amusement Co., by Florence Greenberg, Leslie Moskowitz and Abraham Wachs; Ebony Productions, Inc., by Herman I. Metzger, Ann Kira and Ruth Hirsch; Spot Film Productions, Inc., by George D. Spear, William James and Sherman Rice.

**To Build in Virginia**

BLETHERLY, Va., Nov. 8.—Two theatres are to be erected by the Star Amusement Co., one at Pearsburg, Va., and the other at Narrows, Va. Each will seat about 700.
New Cycle on Aviation Hits All Hollywood

(Continued from page 1)

Martin Steffes, president of Northwest Allied, points to his record as operator of a 24-acre farm near Anoka, Minn. He also has his summer home on a lake. Steffes isn’t broke yet. The record for one year follows:

2. Last spring he had 70 chickens. Daily production 20 eggs. At present he has 300 chickens. Daily production 20 eggs.
4. Raised 60 turkeys until all ready for the Thanksgiving kill. Then they all got the blackhead and died.
5. Started spring with four geese. Now has four geese. No hits, no runs, no errors.
6. Bought three guinea hens expecting great increase. Nothing happened. Was recently informed that the “hens” are ducks. Our wild mallard joined flock. Profit 16½ cent. N. B. “All” ate the mailard.

Steffes says he has sent for every publication of the Department of Agriculture and the Agricultural College of the University of Minnesota. Also attended one lecture on an agricultural subject.

Farmer Steffes Reports

Minneapolis, Nov. 8.—W. A. Steffes, president of Northwest Allied, points to his record as operator of a 24-acre farm near Anoka, Minn. He also has his summer home on a lake. Steffes isn’t broke yet. The record for one year follows:

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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.
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BEGINNING OF A GREAT SERIES

BLONDIE

THE FAVORITE HEROINE OF MILLIONS STEPS RIGHT OUT OF 230 NEWSPAPERS INTO ONE OF THE YEAR'S BIG SCREEN HITS!

This advertisement is to inform exhibitors about a new kind of down-to-earth, honest picture that plain, every-day folks have been aching to see.

Even if "Blondie" did not have a pre-sold audience of millions, due to its wide popularity as a leading King Features Syndicate cartoon strip, its fine, inherent entertainment qualities would make it "Box-office".

PRINTS IN EXCHANGES NOW!
I'm just one of the millions of Blondie-Dagwood fans who will greet this delightful screen interpretation of my favorite comic strip with keen delight.

Built strictly for comedy and succeeding well.

Blondie stepped right out of the funny paper onto the screen in one of the most refreshing and entertaining comedies of the year.

It is a triumph for Columbia and for all concerned in its making, and it will undoubtedly be enormously popular.

BLONDIE a solid click.

By far the biggest laugh getter of the year and will prove a bigger crowd getter than many million dollar epics. It's a knockout!

Studio has hit paydirt . . . should have long span of popularity. Through it all runs a prominent strain of good substantial comedy and down-to-earth humor. Columbia turns out a particularly fine effort . . . which gets the transplanted cartoon-to-film characters off to a good start.

This should really be a natural anywhere the cartoon is enjoyed. It was a natural before the first reel had passed. Lake and Singleton perfectly cast. Gene Lockhart great. Frank Strayer and Richard Flournoy have kept spirit of cartoon through sympathetic direction of a perfect script.

Every man, woman and child must see BLONDIE, the first of a series Columbia is making of this famous comic strip.

For sheer entertainment, see BLONDIE. It's one for the whole family.
RAVES ON

INVALUABLE! HERE'S MILLIONS TO THEATRES!

NATIONAL BOX OFFICE DIGEST
— Sensational box office possibilities in this picture. Will please every “Blondie” fan, others, too. Columbia has the beginning of a highly profitable series.

BOX-OFFICE FLASHES — Novel and refreshing feature which will be welcome addition to any program, while it provides ready-made exploitation potentialities for box-office takes far above its budget class. Penny Singleton and Arthur Lake are naturals as Blondie and Dagwood.

HOLLYWOOD SPECTATOR — Family audiences will be delighted with it and all theatre-goers will find in “Blondie” a comedy of notable ebullience and freshness.

LOS ANGELES EVENING NEWS
— As funny as the comic strip. All the characters, Blondie, Dagwood, Baby Dumpling and even the pooch, Daisy, are convincingly brought to life. Penny Singleton, in the title role, does a splendid bit of work, while Arthur Lake’s Dagwood and little Larry Simms’ Baby Dumpling are excellent.

HOLLYWOOD CITIZEN NEWS — Rings the bell for inspired comedy.

SCREEN GUIDE — BLONDIE is the greatest comedy series of the year.

INTERNATIONAL NEWS SERVICE — Very good picture. Should be a hit.

FILM DAILY — Comedy hit should please them from six to sixty.

SMART EXHIBITORS PREFER

"BLONDIE"

Based Upon the Comic Strip
Created by Chic Young

with
PENNY SINGLETON • ARTHUR LAKE
LARRY SIMMS • GENE LOCKHART

Screen Play by Richard Flourny
Directed by FRANK R. STRAYER

A COLUMBIA PICTURE
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! . . .

GIRLS' SCHOOL
Anne Shirley • Nan Grey
Ralph Bellamy

Story by Tess Slesinger • Screen play by Tess Slesinger and Richard Sherman • Directed by JOHN BRAHM
A COLUMBIA PICTURE
JOHN ROYAL sent ducky little straw hats to the radio scribes (plus a $5 merchandise order for the purchase of a real chapeau) as a result of NBC’s broadcast of the Seabiscuit-War Admiral race. This race CBS was to have carried, WO which didn’t come in time before the race was canceled. NBC thereupon boasted that when the race actually was run its network would carry the description, and when he heard of the boast Bryan Field, CBS sports commentator, vowed he’d eat a hat if NBC made good. He’s eating it, too, for Royal sent him a cake baked in the form of a hat.

Somebody forgot to tighten the knob on the rod that holds the microphone in the studio used by Lyn Murray and his four singers, resulting in a mishap. After the program began, the mike started to slide downward, with Murray up there reaching for it, and the singers likewise because they had sheet music in their hands. It ended by the chorus singing on their knees.

Sunday on the Blue, from 8 to 8:30 P.M., the same hour when listeners were frightened a week ago by “War of the Worlds” NBC presented a tabloid version of the musical comedy, “Sing Out the News.” Suddenly there came an interruption, and an announcer shouted: “Flash extra! Groucho Marx is elected president of the United States!” No New Dealers collapsed.

*Scramble* announcers dept: Charlie Stark gets the “Morning Almanac” program, replacing John Reed King, who will do the Sophie Tucker show, replacing John Allen Wolf.

Raymond Paige auditioned for Chevrolet last night, with the most colossal popular orchestra ever assembled for radio—100 men. Paige has been idle since coming here from Hollywood some months ago.

—JACK BANNER

### 30 Bands Will Play AFL Benefit Dance

More than 30 bands already have agreed to perform at the annual benefit dance to be given by local 922 of the American Federation of Musicians at the Manhattan Center Nov. 15. The entire program will be broadcast by WNJE, beginning at 9 P.M. and carrying over until 6 the following morning.

Pall Mall Renews Duchin

American Cigarette Co., sponsoring Ed Duchin for Pall Mall ciga-
rettes, has renewed the series for 3 series, which includes the NBC-Red Mondays from 9:30 to 10 P.M.

Lee Pushing Television

SAN FRANCISCO, Nov. 8—Don Lee Broadcasting System has made appli-
cation to the F. C. C. for permission to erect a television station here.

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### NBC Billings for October $3,773,964

NBC billings for October of this year rose 13 percent over the corresponding month in 1937, marking the 11th consecutive month the network’s billings have climbed. The October, 1938, billings of $3,773,964, and the billings for the same month last year totaled $3,396,554, a 6.5 per cent improvement.

### NBC’s Eastern Spot Sales Up in October

Bookings on NBC managed and operated stations received a larger volume of business during October from the eastern division spot sales department than a year ago, with the leaders being the Ford, Dodge and Nash auto accounts. Other accounts signed by the division for October include the Maryland Pharmaceutical Co., Peter Paul, Inc., American Mollines Co., Sun Oil Co., Chrysler, Kelvinator, United Drug, Royal Typewriter, Best Foods, Rail-
way Express, Manhattan Soap, Park-
er Bros., D’Arrigo Bros. Programs from these companies are being broad-
cast on from 50 to 250 stations each.

### US Series to France To Start in January

(Continued from page 1) nation a picture of American life and industry.

Henri Diamant Berger, French film producer now here on a commission from the French Government for the purpose of raising radio programs in American life, and Jack Hartley, assistant manager of NBC’s special events division, leave New York this week to start an East-coast tour. They will return late in January.

They plan to make recordings of every phase of American industry, and the plans call for a stop of at least two weeks on the lots of most of the studios in Hollywood.

### Teleview Armistice Servic

LONDON, Nov. 8—Lord Mayor’s show tomorrow and the Armistice Day ceremony at the Cenotaph on Friday will be televised at the Tatler.

### Pick NAB, RMA Men for Meeting

WASHINGTON, Nov. 8.—At the in-
vitation of Neville Miller, NAB presi-
dent, representatives of the Radio Manufacturers’ Association and the National Association of Broadcasters will meet at the Waldorf-Astoria, Nov. 17 to lay the foundation for the joint promotion of radio.


Wells and Executive Vice-President Bond Geddes will be members ex-officio.

With President Miller serving as chairman of the committee, the follow-
ing have been invited to serve on the NAB committee: H. Bliss Naughton, WTBO, Cumberland; I. R. Louisberg, WGBR, Buffalo; Edward Klauber, executive vice-president, CBS; Theodore Strehblon, vice-presi-
dent, Mutual, and Ed Kirby, mem-
ber ex-officio.

### NBC Show Nov. 13 Salutes Affiliates

“This Is Radio,” a special dramatic script show, designed as a salute to 450 stations affiliated with NBC, will be offered Nov. 13 from 11 A.M. to 12 noon on the combined Blue and NBC stations. The show will trace radio highlights, starting with the Harding-Cox election. The play is by Tom Langham, and directed by Joe Bell, both of NBC's staff.

NBC’s 12th anniversary will occur Nov. 15.

### March of Time Goes Off the Air Dec. 2

“March of Time” will go off the air Dec. 2.

The program was to have left the air six weeks ago, when Time Maga-
zeine stopped its sponsorship, but came to an end. At the last moment, however, Time agreed to continue sponsorship for an additional six weeks while a drive was on to find another sponsor.

Cancellation notice for the program was issued yesterday.

### Resume Northern Service

Montreal, Nov. 8—Canadian Broadcasting Corp. resumed its northern messenger service Friday from midnight to 1 A.M., E.S.T., when stations of the midwest and western network carried strong signals with personal messages to people living in Northern Canada and the Arctic. Not served by any recognized commercial or Government system of electrical communication.

As in former years, the service will be operated throughout the winter months by the same staff. Sydney S. Brown will again supervise the broadcasts which this season originate in the corporation’s Toronto studios.

Friday’s broadcast carried greetings to the far north from Dr. Charles Cansell, Deputy Minister of Mines, and Major D. L. McKeand of the Bureau of Northwest Territories and Yukon Affairs.

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### Radio Persons

ANDRE BARUCH has been signed as announcer of the “American Album of Familiar Music,” the first change in the show in years. Jack Waldon is en-
route to the coast, and his place on WHN’s “Original Amateur Hour” will be taken by Ed East. A girl has been born to Mrs. Robert E. Study. Study is chief engineer of WOY-WBIL, New York. Bill Rainey, NBC production manager, is to leave the hospital for an appendicitis oper-
ation. John Karol, CBS director of market research, is off to address advertising conferences in Columbus and Cincinnati.

Herb Devins of J. Stirling Getchell in town for the auto-
show. Walter Holmes, WBNX announcer, and Ellen Jennings are on their way to Bermuda on a honey-
moon. Johnny Messner will ap-
pear as a guest on the Kate Smith show tonight. Elaine Stern Carrington, author of “Pepper Young’s Family” and episodes in the Jean Hersholt “Dr. Christian,” plays is back from a trip to Hollywood.

### Ford Takes WHN Time

Ford Motor Co. has signed for a series of spots on WHN, McCann-
Erickson placing the account. A simi-
lar contract for Washington State Ap-
ple, Inc., for three weeks, starts Monday, through the J. Walter Thompson agency.

### KEEP YOUR RED CROSS ALWAYS READY

RED CROSS CALL Nov. 11-24, 1938

Your memberships give now assure prompt disaster relief, help for disabled veterans, and life sav-
ing and first aid training.

Motion Picture Group

W. G. Van Schmus, Chairman

NEW YORK CHAPTER

AMERICAN RED CROSS

315 Lexington Ave., New York
“A beautiful and deeply touching picture which has everything to insure box-office success!”

Variety

Selznick International presents
Janet Gaynor • Douglas Fairbanks, Jr. • Paulette Goddard
in
The Young 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 L. A. R. Wylie
Produced by David O. Selznick • Released thru United Artists

P. S. House packed, lobbies jammed, lines waiting at Radio City Music Hall as...crowds...confirm critics' predictions and picture holds over for second smash week!
McNinch Lets Out More Men On FCC Staff

Examining Division Goes To Legal Department

WASHINGTON, Nov. 9.—Chairman Frank R. McNinch today continued his "purge" of the Federal Communications Commission, securing a majority vote for abolition of the Information and Examination Divisions and the discharge of C. Frank Wisner, who has handled the commission's publicity for a dozen years; Davis G. Arnold, chief examiner, and Med H. Dalberg, an examiner. All other examiners were transferred to the legal division.

Indications are that the commission may find itself involved in controversy with the Civil Service Commission, which has held that officials may not get rid of subordinates by abolishing their positions and giving the jobs new names, as well as with Congress, where considerable criticism of McNinch's course will be voiced next session by members interested in the "purges."

McNinch's purge of his own department is not the only action the commission has taken. It was also reported that Assistant Attorney General Arthur E. Totten has been retained as special counsel to represent the commission. Totten is a former assistant United States attorney for the District of Columbia.

Additional developments in radio yesterday on page 8.

Twas Non-Profit
Allerton, Ia., Nov. 9.—The Allerton, run on a non-profit basis, has closed because it was too much of a money loser. The promoters found the overhead and expenses too much.

British End Fight
On Double Billing

LONDON, Nov. 9.—Cinematograph Exhibitors' Association today admitted defeat on the double feature problem, which revolves around a conflict between the independent and circuit interests in the organization. After a long debate the general council today accepted the committee's proposal, admitted the problem unsolvable, and chided the C. E. A. branches for their opposition to the proposal that films be graded as a means of solving the problem.

The abandonment of the struggle was accepted with bad grace by a number of independents. One declared that the committee had not solved any problem so unsatisfactorily, another that the committee's attitude was silly, a third that the independent market represented $90,000,000 annually and that there was no use trying to solve an economic problem politically.

Government Combats Move On Anti-Trust Suit Details

Every demand for particulars made by defendants in the anti-trust suit probably will be opposed by Government attorneys when a hearing on the motion is held before Federal Judge William H. Finlay today at 10:30 this morning.

The Government, it is understood, will contend that the bill of complaint is sufficiently detailed to permit the defense to prepare for trial without further information.

Shelby Fitz and Paul Williams of Special Assistant Attorney General Thurman Arnold's staff in Washington are here to argue against the defense motion. Opposition presumably will be based on the law. No additional affidavits will be submitted. A voluminous brief has been prepared. It is expected that a principal argument against the motion will be that most of the information sought is within the knowledge of the defendants.

The purpose of a bill of particulars apparently would be to limit the amount of evidence which can be presented by the Government. Also that the defense is entitled to know, in advance, what the Government aims for in order to prepare an answer.

If the demand is granted, a time will be fixed within which the bill must be furnished. The defense seeks 60 days thereafter for the preparation of answers to the bill of complaint. In line with previous policy, Government forces may not oppose the request for additional time, but will ask the court to set a date.

Judge Bondy will also hear the request by United Artists to strike out portions of the complaint. A request that several of the individual defendants in the U. A. group be dropped is under consideration at Washington, but no decision has been reached.

It is customary in anti-trust suits to name all officers and directors as defendants, but their names are dropped upon severance of their connection with the corporation.

U. S. CONTEMPT CHARGES FILED IN CHICAGO ROW

B. & K., All Majors Excluding Columbia, Charged With Violation of 1932 Anti-Trust Consent Decree

CHICAGO, Nov. 9.—The U. S. Department of Justice today filed criminal contempt proceedings against Balaban & Katz Theatres, Paramount and all the major companies, except Columbia, for alleged violation of the consent decree handed down here in 1932. The case was filed with U. S. District Judge Woodward.

It is charged that a first run monopoly has been maintained in violation of the decree and that this prevents the Oriental, McVickers, State-Lake and Woods from getting first runs in spite of the fact that inferior B. & K. houses get them.

Defense attorneys are asked to show cause Nov. 28 why judgment should not be rendered.

Barney Balaban, president of Paramount, also is president of B. & K.

These contempt proceedings are apparently an outgrowth of the anti-trust suit filed Sept. 19 against major distributors by 89 independent exhibitors, of which 86 were members of Allied of Illinois. In that suit it was charged that B. & K., Paramount and seven other distributors named as secondary defendants had violated the anti-trust laws by insisting upon a clearance system which prevented most independents from getting pictures until 10 weeks after they had first played downtown. It was also charged that many surrounding cities get pictures before Chicago subsequent runs.

Application for a temporary injunction to halt current booking practices pending trial was made at the time.

Final Action Set For Next Week on Trade Practices

Final meetings on a self regulation program for exhibition and distribution will be held next week, at which time formal drafts of the trade practice agreement will be drawn.

The final sessions will be for the primary purpose of agreeing on the wording of the final trade practice draft. Indications are that M. P. T. O. A. will bring only a small subcommittee into New York for this purpose.

A similar meeting on the phrasing of the draft may be held today or Monday by the distributors' negotiating committee and the representatives of unclassified region exhibitor organizations. Final meetings with representatives of Allied States will be held next week. No agreement has been reached yet on the date on which the program will become effective.

Ed Kuykendall, M. P. T. O. A.

Pathe's Liquidation Is To Come Up on Dec. 6

Pathe stockholders will be asked to consider liquidation on Dec. 6. The company's board of which Robert R. Young is chairman, voted on Tuesday to submit such a proposal to stockholders.

Pathe owns 35 per cent of Dupont Film, on which for the first six months, this year, it earned $223,000.
Purely Personal

STANTON GRIFFIS, chairman of the Paramount executive committee, who is en route here from Hollywood, will stop off at Ithaca tonight and attend a meeting this weekend of the board of trustees of Cornell University, of which he is a member. He will arrive in New York Monday.

ROBERT GILLIAM, Paramount advertising and publicity director, who was scheduled to arrive in New York from the studio tomorrow, is spending a few additional days in Hollywood and will be back here next week.

WILLIAM J. GELL, managing director of Pathé Pictures, Ltd., and ARTHUR VEY, Monogram's English representative, will return to London tomorrow and the Normandie Saturday after a 10-day stay here.

WILLIAM C. GEERING, 20th Century-Fox division manager, arrives in Omaha today on a swing of midwest exchanges with JAMES P. O'LOGHLIN, Kent drive leader.

FREDIE BARTHOLEMOW will arrive tomorrow from Providence and will continue his personal appearance tour in Jersey City, Newark and Chicago before returning to the coast.

LILLIE MESSINGER, RKO story editor, plans to return to the coast next week after looking over new story material.

FRANK DONOVAN, Pathé Sportscapes production manager, has dispatched camera crews to Pimlico and other racetracks.

WALTER GOULD, Latin American division manager for U. A., returns today from a four-month survey of his territory.

H. A. Ross has left on a five-week business trip which will take him to the coast.

Rites for Louis Myers

Funeral services for Louis Myers, local exhibitor, were held at the Park West Memorial Chapel yesterday, with many film and theater men attending. Myers, 52, died Tuesday after a long illness. Until recently he was a partner with Abraham Leff in the Five Boroughs Theatre Circuit. After selling his interest, he became a partner with Charles Goldberg in the Castello Theatre. Myers was a director of the I.T.O.A. and active in the Zionist movement.

"Patrol" Out Christmas

Warner will release "Dawn Patrol" Christmas week. This decision was reached here following a conference between Major Albert Warmer, Gradwell L. Sears and S. Charles Einfeld because the picture is an indictment of war. Warners are talking about heavy advertising for this film.

Insiders' Outlook

EDDIE CANTOR believes that percentage contracts for top flight talent are best for the exhibitor. He has been negotiating with RKO for a picture which will get started early next year. Another picture which he will make for M-G-M next fall is on strictly salary terms.

Cantor was asked the titles of his forthcoming films. "What difference does it make?" he parried. "I've made bad pictures with good material and good titles. So what's the odds?"

The International Labor Organization, affiliate of the League of Nations, proposes to make greater use of films in propaganda work, according to Louis Resnick, who has just returned from Geneva where he talked with League officials. It is understood that films suitable for exhibition is 50 countries are on the I. L. O. plan.

Dick Pack of WNYC tells a quaint story about the election. Pack was working in the Chanin Building at Gov. Lehman's headquarters, and at a late hour the former was still a part of the affair, with Lehman's lead, established earlier, dwindling. Finally, through his headpiece, Pack got word that Dewey had conceded the election to Lehman and had dispatched a congratulatory message to the Governor. Pack scribbled this information on a piece of paper and handed it over to the Governor, and asked the Governor to broadcast a "thanks" message to the electorate. He had been scribbled back that he didn't believe Dewey had yet conceded the election to him, and that he preferred to wait until he received Dewey's wire.

After ten minutes later, and then the Governor went on the air.

"Angels with Dirty Faces" is one of the finest of the current films. Pat O'Brien gives a swell performance as the priest. And in it you get the whole caboodle of "Dead End" kids be- sides James Cagney and Ann Sheridan.

Altec is ready to market a new, portable "flutter bridge" as a part of its regular theatre sound serv- icing. This "flutter bridge" is supposed to make possible the measurement and control of flutter. Previously "flutter bridges," because of their lack, has been restricted to laboratory use for sound manufacturers and Holly- wood studios.

One of the oldest programs on the air is "Painted Dreams," on the WGN, Chicago, schedule. It tells the story of "Mother My- hlan." The program started in 1930. Kay Chase has been au- thorizing it since 1932, at which time the show changed author- ship. Mary Affleck is producer of the program.

Suit Over Disney's Drawings Dismissed

LOS ANGELES, Nov. 9—U. S. Dis- trict Judge William P. James today dismissed the copyright suit for $3,500,000 bought by Adel- aine Halpern against Hearst Publications, Paramount Pictures, DISNEY CORPORATION, which publishes "F.H.A.," and the Com- pany, which publishes "Mom and Dad". The plaintiff alleged infringement of a copyright obtained in 1932 on "The F.H.A.," which was produced by the defendants to draw pictures for a cardboard pep- show device. The court ruled the idea original and in the field of common knowl- edge.

Warners Win Suit Point

Ward Bros. Pictures, Inc., First National Pictures, Inc., and W. Wit- mark & Sons, Inc., defendants in a plagiarism suit to recover $1,500,000 damages, were successful yesterday in their application to Federal Judge Ed- ward A. Conger for an order directing Irving Gideon, the plaintiff, to prove for their inspection the original manuscript of his dramatic work. "Give Me This Night," or "Flirtation Walk," or both, "or "Tell, Long, & The Can," Be- lieve" and Mrs. and the Name.

FHA Requests Bids For 3-Color Films

WASHINGTON, Nov. 9—Planning to put out color films depicting the activities and accomplishments of the Government's housing-loan program, the FHA has today called for bids, to be opened Nov. 18.

The contract will run through the remainder of the current fiscal year, which ends June 30, and proposals are asked on production, both in black and white, sound, and silent, and, separately, on production of color and black and white, sound silent, in both 35 and 16 mm. The FHA is prepared by the contractor in cooperation with the F.H.A., along the general lines of films already produced. Five color first films under the contract will not exceed 4,000 feet and be in color or black and white. Past films of the F.H.A., it was said, have averaged approximately 850 feet. It is anticipated that a minimum of 25 prints will be used in the 35 mm, width and 16 prints in the 16 mm. size.

The FHA has a contract for black and white films, held by Pathé, but has not heretofore engaged in color production.

Mandom Is Allowed To Amend Complaint

OKLAHOMA CITY, Nov. 9—A. B. Mandom, plaintiff in a $4,900,000 Fed- eral anti-trust suit against 20th centu- rhy, a motion picture company, has been granted permission to amend his petition in conformity with Judge Edgar Vaughn's ruling in his old suit against the Paramount Pictures Corp. Judge A. P. Murray gave Mandom 20 days in which to amend the petition and allow the defendant attorneys 20 days from that date to plead the case.

Ful- and K. C. Exchange

KANSAS CITY, Nov. 9—Atlantic Picture Exchange, here formerly in charge of E. W. Kolb, has been taken over by Jim Foland, associated with Foland in the distribution in the ter- ritory 26 years ago.

WASHINGTON, D. C., Nov. 9—Entered as second class matter Sept. 21, 1938, at the post office at New York, N. Y., under the act of March 3, 1879.

Subscriptions $5 in the United States and $6 in foreign. Single copies 50c.
The Nancy Drew Series

CAN DRAW AS NO SERIES HAS BEFORE!

She’s sweet sixteen and the sweetest idea yet presented in a family-patronage feature series! Yours from WARNERS—straight from the famous Carolyn Keene books with a mass appeal de luxe, plus a matinee magnetism no other series has approached!

See the First—You’ll Demand Them All!

Now Booking

NANCY DREW, Detective

Bonita Granville

Plays ‘Nancy’—and plays her mighty swell!

Now in Production

NANCY DREW, Reporter
"Brother Rat" Washington's Hit $21,000

WASHINGTON, Nov. 9.—"Brother Rat," at Warners' Earle with a take of $21,000, made the best showing of the week so far.

"Reelmates" at Loew's Capitol had a gross of $19,500. "Suez" returned a profit of $2,000 for a Loew's Palace with a gross of $31,500.

Estimated takings, exclusive of tax, for the week ending Nov. 3:

<table>
<thead>
<tr>
<th>Theatrical Refreshment:</th>
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<tbody>
<tr>
<td><em>Swellbeans</em> (M-G-M)</td>
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<tr>
<td>0,000 (25c-35c) 7 days.</td>
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<tr>
<td><em>RKO's Eagle</em></td>
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<tr>
<td>0,000 (25c-40c) 7 days.</td>
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<tr>
<td><em>Paint the Town</em></td>
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<td>0,000 (25c-40c) 7 days.</td>
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Theatrical Previews

**The Cowboy and the Lady**

*(Goldwyn-United Artists)*

Hollywood, Nov. 9.—Comedy romance that runs into more than a snarl, not that the familiar formula carries-ong's of rootin', shootin', buckaroo's, is the subject matter of "The Cowboy and the Lady," Samuel Goldwyn's first production on his 1938-39 program. Partially hokum, partly genuine, the story of a stolen woman written by Leo McCarey and Frank R. Adams, transcribed to the screen by S. N. Behrman and Sonya Levien and directed by H. C. Potter, stars Gary Cooper and Merle Oberon.

With Cooper back in a blue jeans and sombrero role and Miss Oberon a lady of wealth adventuring in romance, support that continually amuses, particularly before Thelma Todd, Fuzzy Knight, Walter Brennan and Harry Davenport.

Cooper, a rodeo bulldog, wants a wife. Miss Oberon, whose father, Henry Kolker, wants to be.tired, is a friend of playing hostess to the gang of dignified mousbaks which clusters around him. She accepts the advice of her uncle, Davenport, to find excitement and happiness in the company of a jov phibous or gig driver.

On a blind date with housemaids Kelly and Todd, Miss Oberon, posing as a lady's maid, meets Cooper. Following a pulse tingling courtship aboard a tram steamer, the pair marry. While Miss Oberon returns to Palm Beach to explain things, Cooper aways his bride at his Mont- tana ranch. When she fails to show upon time, he goes after her. Instead of finding his wife a maid, he discovers her presiding at a dim table. Disillusioned, he delivers a short but pointed speech on how the common herd thinks. Returning to Montana, he finds his father-in-law, wife and her uncle, awaiting him. A happy ending follows.

Supplementing the running comedy are three or four interoplated gags that had the audience in uproarious laughter. In one laugh, Cooper tosses the richly clad Miss Oberon into a swimming pool. Another has Miss Oberon messed up in a lot of sticky fly paper and a third, pro-longed but amusing, has Cooper pantomiming and entertaining the ranch hands, who think he is sappy, in his partially completed dream house.

While the boardroom romance is at time sizzling in dialogue and juxtaposed to the incident has been handled in a manner that limits likelihood of objection on moral grounds.

Appeal is mainly to adult audiences.

Running time, 100 minutes. "G."* G. McC.

**"G" denotes general audience classification.**

Final Action Due Next Week

On Trade Practice Program

(Continued from page 1)

president, met yesterday with Sid- ney R. Kent of the distributors' ne- gotiating committee and, after receiv- ing informal clarification of most of the trade practice points and a new question when the M. P. T. O. A. committee suspended its negotiations with the distributors' representatives weeks ago, began preparations for a final meeting of M. P. T. O. A. interests. The meeting will be sched- uled for sometime next week, the date to be set by Kay Kendall today after canvassing members of his execu- tive committee.

General sales managers and other home office executives received a re- port yesterday on the progress of the negotiations and the committee's un- dertaken new exhibitor requirements. Their meeting was primarily for the purpose of keeping those distribution compa- nies which are not directly or indirectly interested in the negotiating committee informed of developments and, also, to obtain their approval of the plan, is thus far. Understood that the meeting also defined the authority of the ne- gotiating committee in matters which remain unsettled. Paramount, United Artists and Universal are not directly represented on the distributors' negoti- ating committee.

Reports of internal dissension among Allied leaders over acceptance or rejection of the trade practice pro- gram arose yesterday following issu- ance of a bulletin from the office of a. Graham F. Myers, Allied chairman, de- claring that an initial agreement had been reached by the organization with the distributors' committee in Chi- cago last week. The reports held that some Allied leaders advocated accept- ing the trade practice concessions, whereas other officers were urging re- jecting the program, which did not include elimination of block booking, affiliated theatre divorce and De- partment of Justice sanction.

Despite this, distribution officials held to their prediction that the trade practice program would be completely acceded to by Wednesday Day and, possibly, by the end of next week.

"Citadel" Grosses $58,000 at Capitol

First week receipts of "The Citadel" at the Capitol were reported at $58,000. It will be held for a second week. At the Music Hall, The Young in Hollywood, a local gross estimation, $20,000 gross, and will also be held over, with "60 Glorious Years" will follow.

"Ballerina," a French production with English titles, will also open Monday at the Little Carnegie Playhouse.

4 A Delays Reorganizing

Consideration of reorganization plans by the international board of the American Federation of Actors and the American Federation of Musicians, of America was deferred yesterday to await further data. Fact finding com- mittees were appointed to consider technical difficulties which may arise. A report of the committees will be rendered at the next meeting of the American Federation of Musicians, of America.
"My Heart" Up With $9,000; San Francisco

SAN FRANCISCO, Nov. 9.—"There goes My Heart" got off to a flying start at the United Artists with a gross of $9,000.

Another first run to make a strong start in the general vicinity was "Modern Times" which rolled up $2,180 at the Fox.

"The Sisters" and "Sharpshooters" took strong starts at the $4,000 level.

"That Certain Age," on a dual with "Personal Secretary," held up to $1,500 in the second week.

Estimated takings for the week ending Nov. 4:

- **Tenth Avenue Kid** (Republic)
  - Stage: vanguard; Gross: $11,500.
  - Average: $1,300.

- **Tenth Avenue Kid** (U.A.)
  - United Artists—1,300
  - Average: $7,000.

- **That Certain Age** (Univ.)
  - Personal Secretary (Univ.)
  - ORPHEUM—500
  - Average: $1,000.

**Suez** at $18,000 Tops Philadelphia

PHILADELPHIA, Nov. 9.—"Suez" rolled up a neat $18,000 in 10 days at the Stanley.

The "Citadel" was strong at the Buckhead at a take of $17,500 for seven days.

"Five of a Kind," with Henry Bussc and his band heading a stage show, went into the profits with a gross of $17,000, "You Can't Take it With You," as a second run at the Kardon, showed continued strength with $5,500.

Estimated takings for the week ending Nov. 4:

- **Tenth Avenue Kid** (U.A.)
  - ALDINE—1,000
  - Average: $8,160.

- **The Citadel** (M-G-M)
  - Average: $7,200.

- **Five of a Kind** (20th-Fox)
  - Average: $14,000.

- **Mad Miss Manton** (RKO)
  - FOX—1,000
  - Average: $9,000.

- **Take It With You** (Para)
  - Average: $5,500.

- **Stablemates** (M-G-M)

- **Suez** (20th-Fox)
  - Average: $10,000.

- **Girls On Probation** (W. B.)
  - Average: $5,500.

- **F.W.C. Buys U.A. Lineup**

National Theatres (Fox West Coast) has bought the entire United Artists lineup for the season, Jack Schaefer handling the U.A. end of the transaction, with Spyros Sourkas handling the F.W.C. end with Bill Potter, Jack Sullivan and Edward Zobel.

"With Wings" Los Angeles Hit, $24,000

LOS ANGELES, Nov. 9.—"Men With Wings" was a smash hit at the Paramount. It rolled up $24,000 and was held.

This was the only important gross of the week. Much was made over par with $3,396 in its fifth week at the 4-Star and "Hard to Get," with "Gangster's Boy," went into the profit column with $13,500 at Warners' Downtown, but elsewhere business was off.

Estimated takings for the week ending Nov. 9:

- **Just Around the Corner** (20th-Fox)
  - Average: $12,900.

- **Redman Follies** (20th-Fox)
  - Average: $12,000.

- **Road Don't End** (20th-Fox)
  - Average: $7,500.

- **Pantages** (600)
  - Average: $7,500.

- **Men With Wings** (Para)
  - Average: $6,000.

- **Gangster's Boy** (Monogram)
  - Average: $10,000.

- **Hard to Get** (W. B.)
  - Average: $7,500.

WASER BROS. (DOWNTOWN)—

- Average: $12,000.

"Citadel" $14,200

Grosser at Buffalo

BUFFALO, Nov. 9.—"Citadel" got off to a fast start at the Buffalo on a gross of $14,200.

"Men With Wings" also was strong with a $10,700 on hold over in the Great Lakes. "That Certain Age" took a strong $9,500 in its second week at the Lafayette.

Estimated takings for the week ending Nov. 5:

- **The Citadel** (M-G-M)
  - Average: $10,000.

- **Men With Wings** (Para)
  - Average: $10,000.

- **GREAT LAKES—200 (30c-50c-75c)
  - Average: $7,500.

- **That Certain Age** (Univ.)
  - Average: $7,500.

State-Lake Transfer Details Agreed Upon

CHICAGO, Nov. 9.—Jalabah and Katz have agreed in principle today reached an agreement on transfer of the State-Lake to the latter Nov. 18. The house will be closed at that time for remodeling. State Lake will close Christmas day with a combination stage and screen policy.

J. L. & S. will reopen the Oriental Nov. 18.
Hollywood Previews

"Thanks for the Memory" (Paramount)

Hollywood, Nov. 9.—With this appearance, Bob Hope, one-time vaudevillian, m.c. and general handy man of entertainment, glides into the front rank of motion picture comedians. He compares well with any of the boys who ever worked in the field. This appearance, the cooperation of Benny’s radio valet, Rochester (otherwise Eddie Anderson), as well as that of Charles Butterworth, Ed Gargan and Roscoe Karns. The measure of Hope’s ability is his easy supremacy over the more established players in the laugh-producing department, which is plenty. Now could be steadied by an appearance in the broad, Granite marque letters it takes to tell to the public Hope has arrived.

He plays opposite Shirley Ross, who sang with him in "The Big Broadcast of 1938." The picture is a modern version of the Albert Hackett-Francess Goodrich play, “Up Pops the Devil,” retitled by Lynn Stairling, scene playwrighter. Otto Kruger is the very gentlemanly romantic time this picture, Patricia Wilder is the very ingenious fourth side of the quadrangle, while Hedda Hopper, Laura Hope Crews, Emma Dunn and William Collier, Sr., perform other assignments admirably.

George Archainbaud, director. Mel Shiner was associate producer, and the single songs, sung by Hope and Miss Ross in the casual manner of their "Thanks for the Memory," which they also go back to briefer here, is "Two Sleepy People" by Hoagy Carmichael and Frank Loesser.

The story, it may be recalled, is about a young novelist who takes on the part of a valet to a movie star by way of getting time to do his writing, his wife working the while. The picture, it is the story of a rise ultimately closed by immersion of a blessed event. The treatment is for laughs throughout and Hope had a Hollywood preview audience, holding its sides a great deal of the time. Running time, 77 minutes. "G."*8

ROSCOE WILLIAMS.

"The Headlines at Home" (Standard Pictures)

Hollywood, Nov. 9.—"The Headlines at Home," Standard Pictures initial production, is a mixture of domestic comedy and crime melodrama. Offering Evelyn Venable, Grant Mitchell, Vincent Barnett, Benny Rubin, Louise Beavers, Kenneth Harlan, Edward Earle and Robert Holt, who was in the first two of the "Judge Hardy" series, as its leading name values, the show also features Betty Roadman and five-year-old Alicia Adams.

The story, which was adapted from the play, "Among Those Present," by Garrington North and William Miles, its authors, and Nicholas Bela, was produced by R. W. Montague and directed by Chris Beute.

Specialty comedy featuring Rubin and Barnett, plus a fair amount of action, accentuate the amusement posed by the Headley. Miss Roadman, wife of Mitchell, a small town banker, has social ambitions. Learning that a famous financier, Earle, is coming to town, she invites everybody to a reception for the man who was her husband’s classmate. Complications arise, however, and after Mitchell’s bank has been held up, Whitney, boy friend of Evelyn Venable, arranges with the crook, Harlan, to impersonate Earle. Mitchell, in a dither, identifies Harlan as the robber. The reception ensues sequences which break up the reception and lead to Harlan's capture, just as the real criminal arrives.

Running time, 60 minutes. "G."*8

G. McC.

"Suez" is $30,000 Leader at Detroit

DEetroit, Nov. 9.—"Suez," with a stage show, packed the Fox all week and grossed $30,000.

"Fire Down Below" and "Garden of the Moon" gave the Michigan a nice $10,000. The Adams, taking over "Lady of Laramie," secure them and adding "Mr. Doodle Kicks Off" for a dual bill, took $4,300.

Estimated take for the week ending Nov. 9:

"Cocoree" (RKO)

"Mr. Doodle Kicks Off" (RKO)

ADAMS—(1,200) (3c-4c) 2 days Gross: $19.00. (Average: $36.00)

FOX—(4,500) (1c-6c) 7 days. Stage: Gil Lewis, Rex, Warner and Mose, Balle Joe Nelson and Jean Mona. gross: $5,000. (Average: $700)

"Men With Wings" (Parama)

"Garden of the Moon" (F.N.)

MICHIGAN—(1,200) (1c-6c) 7 days. Gross: $10,000. (Average: $1,000)

"Valley of the Giants" (W.B.)

414 Avenue Kid (Republic)

PALM SPRING—(1,000) (1c-6c) 7 days. Gross: $4,700. (Average: $5,300)

UNITED ARTISTS— (2,000) (1c-4c) 7 days. Gross: $7,800. (Average: $900)

Bourgeois Joins G. N.

KANSAS CITY, Nov. 9.—O. K. Bourgeois of Kansas City was named traveling auditor for Grand National and will work with J. A. Smith, auditor for this division, until assigned.

Midwest Opens at K. C.

KANSAS CITY, Nov. 9.—Fox Midwest Theatres, Inc., has reopened the State at Topeka, Kan., closed for years, with Chuck Lindquist in charge.

"Can't Take" Boston's Best With $22,000

Boston, Nov. 9.—"You Can’t Take It With You" and "Men With Wings" are being run in Boston. "You Can’t Take It With You," paired with "Vacation From Love" at the State and Orrah, drew $11,600 and $20,000 respectively. "Men With Wings" with "Road Demon" at the Metropolitan, took $20,000.

If I Were King," playing with "My Sister, My Motor" at the Paramount and Fenway, was strong with respective figures of $11,000 and $7,000.

Estimated takings for the week ending Nov. 9:

"If I Were King" (Parama)

FENWAY—(1,300) (2c-3c-5c-6c) $4,600

"You Can’t Take It With You" (Col)

VACATION FROM LOVE—(5c-6c) 7 days Gross: $22,000.

"Men With Wings" (Parama)

"Road Demon" (Metro-Goldwyn-Mayer)

METROPOLITAN—(4,130) (2c-3c-5c-6c) 7 days. Gross: $20,000. (Average: $2,850)

"If I Were King" (Parama)

"My Sister, My Motor" (20th-Fox)

"If I Were King" (Parama)

"VACATION FROM LOVE" (F. M. 5-M)

LOEWS' STATE—(3,537) (5c-6c-9c-10c-15c) 7 days. Gross: $20,000.

"Men With Wings" (Parama)

"Road Demon" (Metro-Goldwyn-Mayer)

"Road Demon" (Metro-Goldwyn-Mayer RKO MEMORIAL—(2,950) (5c-4c-5c-6c) 7 days. Gross: $10,000. (Average: $1,429)

Horror Dual Smash Hits at New Haven

NEW HAVEN, Nov. 9.—"Frankenstein" and "Dracula" attracted enough attention to almost double the usual seven-day business in six; the gross was $4,600.

"Frankenstein" (20th-Fox) "Sisters" and "Mr. Chump" took $77,500. "Suez" and "Keep Smiling" grossed $9,100 and the bill was moved to the Academy's "Sons of the Legion." "The Traveler" and "Sons of the Legion" stayed nine days at the Paramount and grossed $4,800.

Estimated takings for the week ending Nov. 4:

"Dracula" (Univ)

Mysteries of Mr. Moto" (20th-Fox)

COLLEGE—(1,499) (5c-6c) 6 days. Gross: $6,000 (Average: $1,000)

"Suez" (20th-Fox)

"Keep Smiling" (20th-Fox)

LOEWS' POLY—(1,600) (3c-4c) 7 days. Gross: $4,700 (Average: $670)

"Arkansas Traveler" (Parama)

"Sons of the Legion" (Para)

PARAMOUNT—(2,486) (5c-6c-5c) 6 days. Gross: $4,800 (Average: $1,600)

"Mr. Chump" (W. B.)

"Sons of the Legion" (Para)

PARAMOUNT—(2,200) (3c-5c-6c) 7 days. Gross: $7,500. (Average: $1,071)

Danz Raises His Scales

SEATTLE, Nov. 9.—Evening admission prices at John Danz' Palomar have been boosted from 30 cents to 40 cents top, with resultant added grosses. Bargain matinee prices of 15 and 20 cents still prevail. The house continues its policy of two first run features and five acts of vaudeville.
“Citadel” Leads Cincinnati Takes

CINCINNATI, Nov. 9.—“The Citadel,” with $13,500 at the RKO Albee, was high for the week. It was shifted into the Palace.

“Arkansas Traveler” brought the RKO Palace $10,500, and went to the RKO Lyric. “Boys Town” was good for $3,000 on its third downtown stanza at the RKO Grand, and “Stablemates” gave the RKO Capitol $6,000 on a downtown run. It ran at the RKO Grand.

Estimated takings for the week ending Nov. 3:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Days</th>
<th>Gross (Average)</th>
</tr>
</thead>
<tbody>
<tr>
<td>RKO ALBEE (1,500)</td>
<td>5</td>
<td>$800</td>
</tr>
<tr>
<td>RKO PALACE (2,200)</td>
<td>5</td>
<td>$800</td>
</tr>
<tr>
<td>RKO SHUBERT (1,200)</td>
<td>5</td>
<td>$800</td>
</tr>
</tbody>
</table>

“Certain Age” Twin Cities’ Best Gasser

MINNEAPOLIS, Nov. 9.—Best business-getter of the week was “That Certain Age” at the Orpheum, which was good for $10,200.

“Men With Wings” was second at the State with $8,000. Gratifying to the Minnesota Amusement Co. was the opening of its new Gopher on the site of the old Grand. With a 25-cent any-seat, any-time policy and showing “Gateway,” this house grossed $4,400.

In St. Paul “That Certain Age” again led the procession with $6,000. “Arkansas Traveler” at the Orpheum took 22.500.

Estimated takings for the week ending Nov. 9:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Days</th>
<th>Gross (Average)</th>
</tr>
</thead>
<tbody>
<tr>
<td>RKO (State) (1,500)</td>
<td>5</td>
<td>$800</td>
</tr>
<tr>
<td>RKO (Grand) (2,300)</td>
<td>5</td>
<td>$800</td>
</tr>
</tbody>
</table>

“Hard to Get” Is Pittsburgh Draw

PITTSBURGH, Nov. 9.—“Hard to Get,” with Freddie Bartholomew headlining a stage show at the Stanley, made the best showing in town last week—$18,500.

Grosses were off all along the line because of the Pitt-Ohio game which pulled away weekend business.

“Sing You Sinners” took $11,700 at the Penn, and “That Certain Age,” in a second week, held up to $6,800 at the Alvin.

Estimated takings for the week ending Nov. 3:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Days</th>
<th>Gross (Average)</th>
</tr>
</thead>
<tbody>
<tr>
<td>RKO ALVIN (1,800)</td>
<td>7</td>
<td>$600</td>
</tr>
<tr>
<td>RKO PENN (1,500)</td>
<td>7</td>
<td>$600</td>
</tr>
<tr>
<td>RKO STANLEY (2,000)</td>
<td>7</td>
<td>$600</td>
</tr>
</tbody>
</table>

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

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

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
Radio_Election
Coverage Is Tops; WNYC a Standout

Most of the local stations and the chains remained on the air until long past their usual closing time Tuesday. The only exception was the evening news coverage, which NBC stood by until 3 A. M. Mutual kept open until 4 A. M., WHN until 1 A. M., Mutual and CBS until 2 A. M. A usual closing time for those outlets is from 1 to 1:30 A. M. WINS and WNYC, part-time stations, taking advantage of the F. C. C. permission to stay on the air indefinitely, kept their transmitters open until midnight and 2:15 A. M., respectively, even though there was a usual on the air throughout the night.

Every station offered a running account of election returns. The Columbia Broadcasting System, over the Press Radio and Transradio services, but New York’s municipal stations offered the program to their towns. The other stations filled in with commercials and music between election broadcasts, but WNYC devoted its efforts from about 6 P. M. until it closed exclusively to the election, with a continual stream of bulletins, returns, commentaries, and analysis of the returns, so that those who listened to WNYC were provided with an uninterrupted flow of election returns.

Kaltenborn, Trout on CBS

Burden of the election coverage at CBS was carried by H. V. Kaltenborn and Bob Trout. NBC engaged Raymond Chapper, UP political writer, especially for the election, Mutual also brought a Washington importation into New York for the election hour. Franklin Lewis, John B. Kennedy and Dave Driscoll rounded out the Mutual staff. WHN had George Combs, former Congressman and candidate for the U. S. Senate. WOR was the WINS maintainer, with commentators Don Dunphy, Louis Tappe and Roscoe Sherman. WNYC used Leon Goldstein, Barton Fellows, Abe Redeem, Frankie Basch, Martin Starr, Howard Doyle and Joseph B. Burrow. The election staff comprised Richard Brooks, Douglas Arthur, Bruce Wendell, Morris Moglever, Hal Moore, George Horgan and Bud Rice, with Larry Nixon supervising.

WNYC’s standout election job was provided by Dr. Seymour Siegel, in charge of coordination, Prof. Roy Peel and David Lazar of the Department of Government, NYU, who interpreted the current candidates. Novella Ted Cott, Bob Miller, Herb Stone, N. Berlin, Russ Johns, George Ward, Anthony Marvin and Richard Pack.

To Change ‘Pick and Pat’

The “Pick and Pat” program sponsored by U. S. Tobacco Co. and CBS, will be changed in the current change in program title with the program of Nov. 28. On that date Ray Block’s orchestra and Milton Brown will join the show, replacing Benny Krueger’s band and Ed Roeker, from then on the program will be titled “Model Minutess.”

Katz Agent for WIRE

The Joseph Katz agency, special representatives, has been appointed the agency for WIRE, Indianapolis.

McCarthy Heads List

New C. E. Hooper radio report, covering daytime and evening network programs, places the Chase & Sanborn hour, starring Bergan and McCarthy, at the top of the list. The figure shows the program to have an audience of 34 per cent of all cities of more than 250,000 population, and 20 per cent of total sets in cities from 25,000 to 100,000.

Last year at this time the Chase & Sanborn program had a slightly larger audience in large cities. The comparable 1937 Hooper report shows the program then had a rating of 27 per cent of total sets in large cities.

Among the weekday script shows, Procter & Gamble drew top honors with the programs, “The O’Neill’s” and “The Marksmen.” In these large cities the former show had an audience of 7.8 per cent of total sets, and the latter had an audience of 8.9 per cent.

Lee Says Television

In East Is Problem

Hollywood, Nov. 9.—Eastern television engineers are encountering the same difficulties that are being met with by those who have declared Thomas S. Lee, president and owner of the Don Lee Broadcasting System. Lee returned today from an eastern tour during which he studied a number of the electrical benefits of his station, W6XAO, which televisions programs promptly.

Lee said he held conferences with Bell engineers on the station which he proposes to build in San Francisco. He predicted the first success of the art would be in the comparatively open southern California terrain.

McNinch, Miller to Address NAB Parley

Frank R. McNinch, chairman of the Federal Communications Commission, and Neville Miller, president of the National Association of Broadcasters, will address this district meeting of the N.A.B. in White Sulphur Springs on Nov. 19, with their addresses to be broadcast over a coast-to-coast CBS hookup. The broadcast will be heard from 9 to 9:30 P.M.

Their talks, it is understood, will concentrate on national phase-out of radio.

Somerville Joins CBS

Somerville, Mass., Nov. 9—Bob Somerville, formerly sales manager of the New York office of the National Broadcasting Co., has been appointed to the position of chief representative, has joined the sales staff of Radio Sales, Inc., sales division of CBS for owned and operated stations.

Shouse Stays with WLW

Cincinnati, Nov. 9.—Contract of James D. Shouse, vice-president and general manager, Crosley Corp., in charge of broadcasting, has been renewed. Shouse came here a year ago from KNOX, St. Louis, where he was general manager.

To Call NBC First

In Monopoly Persona

Washington, Nov. 9.—Representatives of NBC will be the first witnesses in the hearings on chain broadcasting and monopoly in the Senate on Monday before the Federal Communications Commission, Chairman Frank R. McNinch, will preside.

The NBC executives will be followed by representatives of CBS and then by officials of Mutual, it was said.

All witnesses will be given specific dates on which they will be heard and will be given the opportunity of making the hearing other times. Hearings will be held only from Tuesday to Friday, inclusive, in order that there may be time to conduct the regular commission meetings.

Indicating that the hearings are expected to run a period of several months, McNinch said that they will be recessed from Nov. 23 to Nov. 29 for the Thanksgiving holiday, and from Dec. 23 to Jan. 4 for the Christmas holidays.

Devaney New Head of Canada Conciliation

Toronto, Nov. 9.—L. M. Devaney, general manager of Radio Pictures of Canada, Ltd., has been appointed chairman of the new Canadian Conciliation committee elected by the Film Section of the Toronto Board of Trade.

The members are: Herbert Allen of Premier Theatres; Sam Fine of B. & F. Theatres, Ltd.; H. Freedman, past president of the Independent Theatres Ass’n.; N. A. Taylor, past president of the board’s film section; Louis Rosen, president of the network; J. M. Chase and B. Goldsaker, F.P. Canadian; J. P. O’Loghlin, 20th Century-Fox; J. T. Bragg, president of the film section; O. K. Hanson, Hanson Theatres Corp., and Col. John A. Cooper, president of the distributors association.

Louis Rosenfeld, general manager of Columbia, has been appointed chairman of the clearance committee.

Beal Wins Davis Award

Pittsburgh, Nov. 9.—The 1938 H. P. Davis memorial award for announcers, which carries with it $1500 and a gold medal, has been given this year to Bill Beal of KDKA. Beal is no longer an announcer, however, having joined the continuity department several weeks ago.

Seek New Site for KQW

San Francisco, Nov. 9.—Field tests in various parts of the Santa Clara Valley area being conducted by KQW’s staff engineers, in a search for the best location for the new station’s radio transmitter, KQW, have found an outlet of the Mutual-Don Lee System.

Revive WLW “Who’s Who”

Cincinnati, Nov. 9.—“Who’s Who at 7,” originally inaugurated by the press department four years ago to acquaint listeners with those persons who appear on the station, has been reinstated under the title of “Let’s Get Acquainted.” Gene Trace is the announcer, and the program goes on Saturdays, 7-45 to 8 P.M., E.S.T.

G

Radio Personal+

GEORGE B. McCOY no longer is associated with Fred CoI, and is now free-lancing. Louis Primmer will do “Tartarics” at the “Hollywood Hotel” next Friday. Frank Novak’s band entertained at a luncheon given by Chicago executives yesterday.

Leslie Howard, who arrives on the November 13th, will have a good appearance on Eddie Cantor’s show Monday night via a shore-to-ship call from the comedian. The first radio broadcast to come from a film house occurred 16 years ago Nov. 20, with Major Bowes in charge of the broadcast, and so the Major will celebrate his 16th anniversary of radio on that date. Doris Rhodes, the CBS singer, and Jonie Tapps, her music publisher husband, flew to Philadelphia last night on a business deal. The Fields Sisters of Mutual’s “Musical Steelmakers” program, have been heard recently as representatives for the King Sisters. They join the Brigadiers in Philadelphia this week.

Pittsburgh

Jerry Mayhall, who has been on the air for the last four years, has just sold three original compositions to the Philadelphia Civic Ballet. Hilda Daniels is the latest addition to the community department. Bunny Brunn, the band leader, has just become a father.

Sid Dickler has reorganized his dance band and is now on WWSW again.

Bob McKee has been named chief announcer at WCAE, a post that has been vacant since Cliff Dandel became program director several months ago.

Leola Frazier, formerly of the KDKA publicity staff, has joined Al Fremont’s band as featured vocalist.

Omaha World-Herald Takes Station WAAW

Omaha, Nov. 9.—WAAW has been acquired by the World-Herald a reported price of $50,000. The paper tried to acquire the station in 1935. The transaction is subject to the approval of the F.C.C.

The station has been owned by the Omaha Grain Exchange since its start in 1922.

Omaha Post Air Column

Omaha, Nov. 9.—Omaha Post new tabloid, has a radio column conducted by Byron Reed. Omaha Post Wire, a one column paper, dropped its radio column over a year ago but is still running program schedules.

Guest at AFRA Ball

Chicago, Nov. 9.—Edgar Guest will be master of ceremonies at the AFRA dinner Monday night, ter of the American Federation of Radio Artists to be held Nov. 11.

Ramsey KOMA Manager

Oklahoma City, Nov. 9.—Ray- mond Ramsey has been appointed manager of KOMA, succeeding Neil Barrett, who resigned to become vice-president of the Texas State Network.
Commercials Are Used on Auto Telecast

**Elaborate Program Seen By Motor Heads**

First experimental television broadcast of an automobile show was put on the air yesterday afternoon by RCA-NBC, with leading executives of automobile companies and advertising agencies present.

The program was complete even to commercial announcements, the first time commercials ever have been broadcast in connection with a televised offering.

The show started at 3 P.M. with seven popular makes of cars participating. The cars were stationed in the street in Rockefeller Plaza, their arrival picked up through the RCA-NBC television system and broadcast to the gathering of automobile and agency officials in the television studio in the RCA Building.

The automobiles which were televised.

(Continued on page 4)

Silverstone Soon to Depart for London

Murray Silverstone, operating head of United Artists, may sail for London soon. He may make his departure early in December, and stay abroad for about a fortnight, on company business. This will be the second journey abroad for Silverstone since he assumed the chief reins of U.A.

It goes without comment that Silverstone will confer in London with Alexander Korda, head of London Films, and one of the principal shareholders in United Artists, and will make a general survey of U.A. business abroad.

**Lion to Distribute Republic in England**

Agreement has been reached on a new long term pact for distribution of Republic's product in the United Kingdom by British Lion, Sam Smith, executive of the British company, who has been conversing with H. J. Yates and Morris Goodman, Republic foreign head, plans to sail on the Normandie tomorrow.

**Await Trade Treaty**

Toronto, Nov. 10. — Film distributors' companies in Canada have held off buying of equipment and accessories from the United States, awaiting the expected benefits in the way of reduced tariff and excise taxation under the new U. S.-Canada trade agreement, but is a long time being signed by the respective countries and there is no indication as to when treaty will be signed.

**MPTOA Demands Program Effective Upon Completion**

M.P.T.O.A. will insist that the impending trade practice program for self-regulation of exhibition and distribution be made effective immediately on completion.

Some members of the latter committee have advocated making the trade practice program effective next season in order not to complicate existing contracts.

**GN-Maxwell Deal Runs for 5 Years**

Grand National's British distribution deal with John Maxwell's Associated British Pictures Corp. is for five years. If approved by the Grand National board of directors, the deal would become effective immediately for all of the current season lineup starting with "Shadows Over Shanghai".

The meeting of the Grand National board scheduled for yesterday, which was to have received a report on the deal, was postponed until next week.

**Annual Film Drive Is Seen As Certainty**

George J. Schaefer Tells Ampa of Campaign

That the Motion Pictures' Greatest Year drive will be continued, on a permanent basis, seems assured. This was the essence of an address by George J. Schaefer, head of RKO, and general chairman of the industry's campaign, made at the Amva luncheon at the Astor yesterday. Schaefer was chief guest at the bi-weekly function.

This means that the industry can look ahead to an annual drive, which apparently will be conducted by a permanent organization to be set up for that purpose, under direction of a paid head. The Amva luncheon was one of the best attended held by the organization, with about 100 persons present.

Next year is the golden jubilee of the industry, and this thought may be wrapped around the contemplated new drive.

Schaefer paid tribute to the men.

(Continued on page 2)

**Court Asks B&K to Produce Contracts**

CHICAGO, Nov. 10. — Disposing of the 13 cases of independent exhibitors' anti-trust suit against B. & K. and distribution companies, Federal Judge Willkerson today directed the defendants to furnish the plaintiffs with copies of all contracts.

(Continued on page 2)

**Rede Buys Plaza**

Walter Rede, circuit operator, has purchased the Plaza Theatre on 34th St. near Madison Ave., and will take possession Sept. 1, 1939, when the present lease held by Leonard Brecher expires.

Rede said the purchase price was $540,000. The property was bought from Bertrude Vanderbilt Whitney, through a broker.

This gives Rede 30 theatres in his circuit in two in New York. He will remodel the house at an estimated cost of $20,000. The sale was not decided but the house may be continued as a class subsequent run.

**English Committee to Study Film Decrease Under Quota**

London, Nov. 10.—New Home Office Advisory Committee on films will hold its initial meeting Nov. 30, and it is unofficially understood it will consider the decrease in domestic production and lower quota cost films.

It is reported producers have indicated to the board that in six months of the new quota act less than 50 films have been made, with a probable total for the year of less than 100, indicating a 50 per cent decrease.

Contention is that the decrease is the result of the triple quota provision, whereby a film costing a certain amount is permitted to count for three films under the quota.

The committee in production is considered grave. Likewise brought to the attention of the committee, it is understood, was the decrease in "B" film production, and the shrinkage in the importation of American "B" product.

A motion to hold a ground-breaking ceremony at the site of the new Paramount Television studios, was adopted. The ceremonies will be held at 10:30 A.M. Tuesday, Nov. 15.
Judgment Is Reserved in Trust Action

(Continued from page 1)

time was not likely to prejudice the Government's case.
Chief Justice Cardozo yesterday's hearing, mainly devoted to the question of a bill of particulars, was the Government's only chance. Special Assistant Attorney General Williams, that no evidence had been obtained against United Artists, and that U. A. was named as defendant only because it came "within the magic wall." Taken off guard, defense counsel challenged the Government for a definition. No explanation was forthcoming, however, except a statement by Williams that complaints against the major companies had included U. A. and that the latter appeared among the favored groups.

Justice asked Benjamin Pepper, attorney for U. A., why no motion to dismiss the bill against the company had been made. Pepper explained that the uncertainty surrounding the newly adopted rules made it inadvisable to do so at the present time, and that the motion would be made after the bill was granted. In defense of the Government's position, Williams stated that complainants had been sent to all major companies and that replies had been received from all except U. A. He declared that the Government would proceed to obtain more evidence, more trials.

Louis Frohlich, attorney for Columbia, also stated that he would move to dismiss the complaint after the particular defendants are granted.

Orders Depositions

In Newburgh Action

Neil F. Agnew, vice-president, and N. S. Cassel, managing agent of Paramount Pictures, Inc., Sidney R. Kent, president, and William Bussman of 20th Century-Fox Film Corporation, George Walsh, individually and as president of Netco Theatres Corp., Eugene Ortega, president of the Denver Theatres Corp., and Harry Friedman, president of the Orange Theatres Corp., adopted yesterday to submit to an examination before trial by Federal Judge Edward A. Conger at the request of Orange County Theatre, Inc. At the same time Judge Conger granted a Paramount application for Harry Friedman, president of Orange, to submit to an examination before trial.

No time for the hearing was set.

Depositions are in connection with a suit for $225,000 under the Sherman Anti-Trust Act in which Orange, operating the Academy in Newburgh, N. Y., charged Paramount, 20th Century-Fox, Big U Film Exchange, Inc., RKO, and United Joseph Lee, Eugene Levy, George Walsh and Netco Theatres Corp. with conspiracy.

Granger Off on Tour

James R. Granger, Republic president, left last night for a four-week trip to the company's southern offices. Before leaving he closed a one-year deal with Fox West Coast for Los Angeles, San Francisco, Seattle, Portland, Denver, Kansas City, St. Louis and Milwaukee territories.

BELIEVE it or not, Universal’s “sleepier”, sometimes known as “Mars Attacks the World,” is selling plenty of theatre tickets, and even bettering the gross of the same company’s popular “horror” combination bill in many situations.

For example, "Mars" did $2,300 at the Boston, Boston, last Sunday, which is 50 per cent of a full week’s average for the house. It did $2,400 at the Terminal, Newark, on Saturday and Sunday, or about $500 over average for the weekend. At the Franklin, Oakland, it was well over average on Wednesday, opening day, with $300 and, on the same day, was also over average at the Park, Reading, with $700. At the State, Trenton, it did $1,300 for Saturday and Sunday, about $250 over average, and with $900 at the Paramount, Omaha, on Sunday, was 10 per cent over average.

Perhaps the record mileage by land, sea or air which a showman has covered this year is that which has been traveled by Arthur Lee, chief of the Gaumont British offices here. Since the first of the year, Lee has traveled approximately 100,000 air miles.

DuPont Film Mfg. Corp. earned $929,388 during the first nine months of this year, compared with $1,149,918 for the same period last year, Pathe Film Corp., which owns 5,000 shares of a total issue of 10,000 capital shares of DuPont Film, has informed stockholders. The DuPont interest is rated as the principal asset to be distributed on the proposed dissolution of the latter company is approved by its stockholders, Dec. 6.

Organized in 1924, DuPont added to its original product, which was positive film for professional purposes, motion picture negative film, x-ray film for medical and industrial uses and Iodine, with the أعلن its use in the six years beginning with 1932, DuPont earned $5,198,000, or $594 per share. Dividends during the same period aggregated $5,150,000, or $454 per share.

Dorothy Kilgallen will do a Broadway column for the Journal-American, beginning Monday. She will be the first Miss Stem woman columnist.

Sixty - seven representative newspaper editors from publications representing all sections of the country were selected from among the hundreds of similar expressions which have appeared since the start of the Motion Pictures’ Greatest Year campaign and compiled in booklet form by the executive and advertising committees of the drive. The editors are unanimous in their praise of the initiative and enterprise of the industry in conducting the drive, and comprise a wide variety of expression on the social and economic significance of motion pictures in this country and throughout the world.

The 16-page booklet is being distributed to theatre owners in the United States and Canada who are participating in the campaign, with the suggestion that the selected editors represent a valuable contribution to the industry’s “institutional copy” which might be used to advantage by local exhibitors.

Annual Film Drive Is Seen As Certainty

(Continued from page 1)

who so quickly responded in the extra-ordinary emergency when the industry suddenly decided to hold a drive, and who, overnight, organized the $1,000,000 campaign.

Speed was essential then, as the season was fast getting under way. RKO’s Chatham, however, expressed his assurance that the next drive will be given more consideration and will be more fully planned. Such planning, he suggested, might be undertaken with the first of next year.

He expressed the industry’s grati- tude for the fine work done by the committees, and particularly for the work accomplished by Howard Dietz, Charles McCarthy and Robert Gill- ham of the advertising committee.

The judging was done before Harold B. Franklin, W. G. Van Schmus, Ned E. Depinet, John J. O’Connor, Herbert Wilcox, Anna Neagle, Barret McCormick and others. Ralph Rolan presided.

Entertainment included songs by Eugene Ortega and Spanish films, and The Great Ziegfeld, which amused with card tricks.

Court Asks B&K to Produce Contracts

(Continued from page 1)

tracts between B. & K. and major companies by next Wednesday.

Depositions were taken, half a result of the court’s order, which was issued in an effort to speed up the proceedings.

Barney Balahan, Paramount president and head of B. & K., was served with a summons in the Government action against the company which was dismissed yesterday, when he stepped from the Santa Fe Chief on his arrival from Hollywood. Accused of Frank D. Grainger, new Paramount studio chief, he left for New York later on the Century.

-MOTION PICTURE DAILY-

(Registered U. S. Patent Office)

MARTIN LEE, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.


Other Quigley publications: Motion Picture Herald, Better Theatres, Theatre Trade Journal, International Pictorial Almanac and Family.

-Subscription rates per year $5 in the Americas and $12 foreign. Single copies 10c. -
Monopoly Inquiry Scheduled to Open By End of Month

WASHINGTON, Nov. 10—Members of the temporary National Economic Committee began preparation for hearings in the monopoly investi-
gation, with a view to opening them impossible, before the end of the month.

First days of the hearings will be devoted to Government officials, in-
cluding probably Assistant Attorney General Thurman Arnold, who will outline their views on monopoly generally.

No indications are available as to how deeply the Administration monop-
opoly committee will go into the motion picture industry, nor when that
industry will be reached, but it was forecast that some phases of the film
situation would be developed during the hearing on patents which, with
the glass industry, will be the first subject to be taken up specifically.

Cowdin Heads Film Notables Returning

J. Cheever Cowdin, Universal board
chairman, after five weeks abroad, re-
turned yesterday on the Normandie.
He had secured the $40,000,000 Gaumont British-Odeon
merger, in which Universal may be involved
through the acquisition of Lord (Portal-Arthur Rank—C. M. Woolf).

Consummation of that deal is be-
lieved to be several months off. With-
out the approval of 20th Century-Fox
and M-G-M that deal probably can
not be made, for they are substantial
holders in G. B.

Among other Normandie arrivals were Phi Ransom, RKO foreign
chief; Hilary Wilcoxon, Wurlitzer pro-
ducer, and Anna Neagle, star of his
"Sixty Glorious Years"; Monty Banks,
director of 20th Century-Fox films in
London; Noel Coward, who will pro-
duce a new revue, "Set to Music," on
Broadway; Laurence Olivier, British
actor who will star in "Wuthering Heights" for Samuel Goldwyn,
and Berton Churchill, actor. Coward said he has no immediate plans.

While here Wilcoxon will discuss new
releasing deals. He has no present
production commitments.

Walter Connolly, former Leslie Howard, who recently formed Major Pictures,
Ltd., also arrived. The company hopes to
make three pictures, in association
with Howard, starting production in
January. Stories lined up include a
"Mississippi Jubilee" and "The Life of General Gordon," the latter in color. Sir James Barrie's "The Admirable Crichton" will also
be made if the rights can be cleared.
J. J. Futter and Howard plan to leave for the
coast shortly, but Howard has no
Hollywood commitments.

"Wings" Opens in London

London, Nov. 10.—"Men With
Wings" opened here tonight at the
Carlton before a group of distin-
guished aviators and other notables,
including the King of Greece, Lord and
Lady Louis Mountbatten, U. S.
Ambassador and Mrs. Joseph F. Ken-
yedy and others.
RADIO COMMERCIALS

Commercials Are Used On Auto Telecast

(Continued from page 1)

and whose commercial virtues were described by special announcers in the street, were Chevrolet, Ford, Nash, Hudson, Packard, Plymouth and Stude- baker.

The outdoor scenes were picked up by NBC's mobile television unit parked next to the transmitter and monitored and synchronized sound and image while they passed by coaxial cable to the station. Then they were transmitted by cable to the transmitter in the Empire State tower where the program was put on the air. The program was telecast directly from there and relayed sound and image to the television receivers in the special.

Also there was a demonstration in doors, consisting of a show of miniature automobiles to show the practical application of television and to demonstrate the commercial and entertainment values of television.

Those who attended the broadcast included: C. F. Kettering, vice-president General Motors; C. T. Cooper, president of Buick; Paul G. Hoffman, president of Studebaker; D. A. Wallace, president of Chevrolet; G. W. Mason, president of Nash-Kelvinator. Other representatives of auto concerns were A. R. Barbier and F. L. Blacker, in the Plymouth; H. A. Cad- lac; Byron C. Foy, vice-president, and J. W. Frazier, vice-president and H. F. Toner, advertising manager, all of Chrysler; James Crawford, chief engineer, and D. P. O'Keefe, purchasing agent, Chevrolet; J. W. Dineen, director of sales of General Motors and William S. McLean, advertising manager of Fisher Bodies; W. A. Blee, president, general manager of Nash; H. G. Mook, general sales manager of Plymouth; C. P. Simpson, general sales manager of Pontiac; George Keller, vice-president of Studebaker, and W. R. Tracy, vice-president of sales for Hudson.


The television program was directed by Warren Wade and supervised by Tom Hutchinson, NBC, television program director. T. W. Farrow, coordinator of television for NBC, was in charge of the show.

Bulova Renews on NBC

Bulova Watch Co. has renewed its time chimes contract with WEF, NBC's key station here for the Red network. The contract, for six weeks, was placed by the Bulow agency.

Radio Santa Claus

Cincinnati, Nov. 10.—In a tie-up with the Hotel Sinton, WAEK, CBS-owned station, on Dec. 1 will place a booth at the hotel corner for the general of toys to be turned over to charity organizations for re- pair and distribution. Similar activity is slated for the sub- urban Hotel Alms, where the studios are located. The station will broadcast daily streams of toys for a selling purpose, says William A. Schluft, Jr., general man- ager of WKRK.

WOR to Broadcast Cabrini Ceremonies

Ceremonies attendant on beautifi- cation of Mother Francis Xavier Cabrini from St. Peter's, Vatican, Rome, will be broadcast by WOR-Mutual Sun- day from 1:10 P. M. The cer- emonies will be preceded from 12:30 to 1:10 by a broadcast to Great Britain, and broadcasted by Monsignor Aloysius C. Di- neen, pastor of Holy Innocents, New York.

“Hobby Lobby” Extended

Network for Dave Elman's “Hobby Lobby” on the NBC-blue has been extended, and henceforth will include in addition to its present group of sta- tions, WECB, KELO, WDAY and KEYR. The program is sponsored by Wurlitzer Co., through Young & Rubicam.

Jack Bell Joins WLW

CINCINNATI, Nov. 10.—Jack Bell, for the past three years commercial manager and head of the artists' bu- reau at WCMI, Ashland, Ky., has joined WLW, where he will handle bookings of the station's shows.

Mutual Gets Scanner

Mutual has placed an order with RCA for a new Scanner, to be used for installation in WOR’s Car- teret, N. J., transmitter building.

London Theatres Relay Armistice Telecast Pickup

LONDON, Nov. 10.—British Broad- casting Co. has issued permits for the simultaneous broadcast of streams of Armistice Day celebration.

The Variety Theatre, which will show the event on a large screen, will also obtain permits to tele- vise other national events, such as the “thresholds of the colors,” opening of Parliament and the like. Despite its permits, the BBC still prohibits the televising of all shows where admissi- on is required.

Cantor Show Stays On CBS for 26 Weeks

Eddie Cantor’s program for the R. J. Reynolds Tobacco Co. has been re- newed for the next 26 weeks of additional broadcasting over CBS, effective Jan. 2. The series has an 89-station hook- up.

Air Red Cross Program

Ceremonies honoring the Red Cross will take place Sunday at the World's Fair grounds with the dedication of the Hall of Pharmacy Building, with Mary Pickford and Lucy Monroe of radio and the cinema. The web will carry descriptions of the event.

Jolson to Coast Soon

Al Jolson will return to Hollywood following the broadcast on Nov. 10 from New York. It is expected that Martha Raye will rejoin the program when it returns to the west coast.

Masters to Quit Guest

Frankie Masters orchestra is sched- uled to bow out of Edgar Guest’s “It Happened One Night” series around Jan 15th when it will be replaced by a new outfit.

Around the Country

Omaha

Lee McLeod, is a new KOIL-continuity writer, from KWKB, Shreveport, La. . . Lucile Ruby, formerly with WSWI, Iowa City, la., is directing a WOW program and in- structing radio broadcasting classes at the University of Omaha. . . Owen Babbe of WHO, Des Moines, has joined the KOIL announcer staff.

San Francisco

KPO has signed Julie O'Day, for- mer KOMO, Seattle, commentator, to broadcast a Woman's Forum program five afternoons a week. Irvin Sid- ney, recently with KIRO, Seattle, has joined the KJBS sales staff. . . Mark Goodson is a new KFRC an- nouncer . . . Manager Ralph Brun- ton of KJBS and KQW is back at his desk, after an illness of three

weeks . . . KFRC has been named by the United States Weather Bu- reau to broadcast this year’s nightly frost warnings. . . Consuelo Gon- zales, former New York singer of Mexican songs, has a new half hour Sunday show on KPO. . . Richard Dessey has resigned as a KSFO an- nouncer. . . Herb Allen has not been renewed on KPO's "Sleep Serenade," spon- sored by McRoskey-Airflex Mattresses, and is expected to join the announc- ing staff at KFI, Los Angeles. . . Lindsey Spight, coast manager for John Blair & Co., station represen- tatives for the show. . . The teaching radio advertising in a new University of California ex- tension series. . . Fred Crawford, former advertising manager for the Owl Drug chain, is now on KFRC’s sales staff. . . George Taylor has in- augurated a daily participating pro- gram on KY, tabbed "Siesta Hour," built to accommodate five sponsors on each broadcast.

Home Television

By Xmas Denied

Ticket reports that RCA’s home television receiving sets would be on the market by December were discounted at RCA headquarters here yester- day. Also denied was a report that RCA and the Du Mont Television System were negotiating a plan whereby the television patents controll- ed by each of these companies would be exchanged.

Regarding the report that the home receivers would be available as Christmas gifts, by Christmas time, the company indicated that even the design of the instrument had not been decided. . . and doubts were expressed that the receivers would be on the market even at the time predicted recently by David Sarnoff, the spring of 1939.

JOE LAURIE, JR., has been added to the writing staff of Al Jolson’s program and Marion Chadburn, recently of the WOR staff will join Jules Seebach, will be married Dec. 10 to Newell McDonald . . . Eliza's "Fats" Waller and "Buster" Bailey booked for guest shots on the "Armistice Day" shows at the Swing Club up where Chico left off on eleventh. Groucho Marx will appear on Bob Hope's show Nov. 15 . . . First of the guests to appear in the sponsored "Information Please" show will be John Gunther, European correspondent and author of "Inside Europe."
Nazis Grind Heel in Czecho Film Business

Drive Under Way to Kill All Foreign Titles

PRAGUE, Nov. 13.—Germany is forcing her boot into the Czecho film business, contending at all costs and pains since the Munich agreement to impress her ideological theories and racial hatred not only in the Sudeten area, but also here.

The Czecho-Slovakian censor has banned Charles Chaplin’s “Modern Times” from the entire Czecho-Slovakian area. (Continued on page 6)

Efforts to Modify Italy Decree Fail

Efforts of F. W. Alport, M. P. D. A. European representative, to obtain interpretations of the Italian film distributing monopoly decree which would permit American companies to continue in that market after Dec. 31, when the decree goes into effect, were unavailing, home office foreign departments have been advised.

Alport visited Rome recently and conferred there with Italian officials. (Continued on page 6)

Warners Again This Year Devote Campaign to Sears

Warners’ current season sales drive will start Christmas Day and extend to Jan. 1, a period of 16 weeks. Again, as in previous years, this most important of Warner sales campaigns will be known as the “Sears Drive,” honoring Gradwell L. Sears, general sales manager.

Prizes to sales staffs will total $25,000. Carl Leserman, assistant general sales manager, will act as co-ordinator, as he has done in the past two years.

Districts will compete with each other in the competition, with district heads designated as captains of their territories. Prizes will be awarded by districts and branches.

Plans for the drive will be mapped today and tomorrow at meetings set by Roy Haines, eastern and Canadian sales manager, at the home office, and by Ben Kalmanson, western and southern sales manager, in Chicago.

District managers attending the New York meeting include Ed Schuster, New York; Bob Smelter, Washington, and Wolfe Cohen, Rochester. Present at the Chicago meeting are District Managers Fred Jack, Dallas; Rud Lohrenz, Chicago, and W. E. Callaway, Los Angeles.

Executives attending the meeting late last week at which the decision on the drive was made included Albert Warner, vice-president; Hal B. Wallis, associate executive in charge of production; S. Charles Einfeld, director of advertising and publicity; Mort Blumenstock, eastern advertising and publicity head; Norman H. Moray, Vitaphone sales manager and Sears, Leserman, Haines and Kalmanson.

Wallis said there will be a strong lineup of pictures during the drive.

Kultur!

Latest dispatches from Berlin report that Propaganda Minister Paul Goebbels, as president of the Reich Culture Chamber, has been notified by that body to the presence of Jews in film houses, theatres, concert halls and other public presentations. Fines will be imposed on proprietors who violate the decree.

G.B. Would Retain Own Selling, 20th May Handle Booking

Closer relationship between Gaumont British distribution, in America, and 20th Century-Fox, may be realized through the presently contemplated arrangement, which G. B. is hoping to negotiate, whereby booking of G. B. product, hitherto handled separately by G. B., may be handled by 20th Century-Fox men. As is known, 20th Century-Fox handles the physical distribution of G. B. films here, but the selling is done by G. B.’s own salesmen. G. B. also has been doing its own booking.

If the new arrangement can be had, the booking end would be taken

(Continued on page 6)

19 TRANSMITTERS TELECAST IN U. S.

No Changes in Para Policy by Shift of Zukor

Recent administrative shifts in Paramount’s studio and theatre departments, which place Adolph Zukor in London, Y. Frank Freeman in charge of the studio, and bring theatre operations directly under Barney Balaban, president of Paramount, presage no changes in company policies, Balaban said on his return to New York from Hollywood over the weekend.

Production policy, as heretofore, will be determined by Paramount’s top ranking executives in collaboration with the studio heads. Theatre operations continue on their established basis of decentralized direction.

Original “Irish Rose” Cast at Garden Show

One of the features of the “Night of Stars” fifth anniversary presentation at Madison Square Garden next Thursday will be a “Cavalcade of the American Theatre.” In it will be the original cast of “Abie’s Irish Rose,” a number of members of the cast of the original “Floradora,” and of the original casts of “The Prince of Pilsen” and “The Silver Slipper.”

The Ziegfeld Follies will be represented by Gladys Feldman and a number of other girls. Chamberlain Brown is working with Ben A. Boyer in this feature of the program. Sinclair Lewis—

(Continued on page 6)

Two Holidays Boost Broadway’s Grosses

Armistice Day business along Broadway failed to come up to expectations, but two holidays in one week boosted grosses considerably. "That Certain Age," at the Roxy was reported at $56,200 for the first week with $10,000 on Friday to start the second. "Submarine Patrol" will open there Nov. 18. "Men With—

(Continued on page 6)

Teachers Told Air Programs Claptrap

Atlantic City, Nov. 12.—Majority of what is offered in radio was branded "mediocre claptrap" at the convention of the New Jersey School Teachers Association by Keith Tyler, research associate in the bureau of educational research at Ohio State University.

“Radio has placed a new burden upon American education,” he said, “that of developing critical and discriminating citizens in the face of a barrage of political and social propaganda, a flood of verbose sales talk and great quantities of mediocre claptrap.”

Aside from the musical field, it was stated that radio offerings are distinctly low grade, especially in the case of children’s programs.
NORMAN H. MORAY, Vita- 
lob obtained sales agent, left over 
the weekend on a tour of exchanges 
from which he will return on Friday. 
He will visit Chicago, Cleveland and 
Pittsburgh.

FRANK LLOYD, Paramount pro-
ducer, returned Saturday with Mrs. 
Lloyd, on a European trip. L.O. 
SMITH, Lloyd's associate producer, 
left from Hollywood to meet him.

J. L. WARNER, vice-president in 
charge of production at Warners, ar-
ribes Nov. 19 on the Normandie. 
Charles Einfeld, now in town, will 
go to the coast with him.

HARRY MICHALSON, RKO short 
sale manager, and WALTER 
BRANSON, midwestern district mana-
ger, are on a tour of the company's 
midwestern exchanges.

IRVING LINCER, transportation man-
ger for 20th Century-Fox, is recup-
erating from a siege of pneumonia at 
Beth David Hospital.

EMIRE of Warner's pub-
city department has been shifted to 
the Vitaphone studio to handle short 
publicity.

SAM W. SMITH, managing director 
of British Lion Film Corp., sailed on 
the Normandie Saturday. During 
his stay here, he signed a five-year distribution contract with Republic.

MACK GORDON and Harry REVEL, 
20th Century-Fox song writers, are 
due today from the coast for a brief 
stay in New York.

WILLIAM A. SEITEN, 20th Century-
Fox director, and his wife, MARIAN 
NIXON, have sailed on the Santa 
Elena for a vacation.

DOROTHY LAMOUR will throw the 
switch next week for the light "Santa 
Clane Lane" on Hollywood Boulevard 
for the Christmas season.

JOSEPH GOULD has been assigned to 
the press book department at United 
Artists, replacing ANN SUTTER.

HELEN TWELVEVES has returned to 
the Paramount studio after a New 
York jaunt.

MORT BUMMENSCHYCK, in charge of 
Warner advertising and publicity in 
the east, sailed to Rio de Janeiro on a 14-day cruise in the Caribbean.

STANTON GRIFFIN, chairman of the 
Paramount executive committee, ar-
rides in New York today from Ithaca.

KELSEY GRIFFIN, "Women's Wear 
Site," is celebrating another birth-
day, this week.

MANUEL HELMAN, British pro-
ducer, has left for Hollywood.

HERMAN WOBSER, 20th Century-
Fox sales head, is expected today 
from studio conferences.

TOM CAMP is now president of 
the Lakeside Golf Club on the coast.

Just returned from a three-
month visit to his territory, 
Gould said that the only imme-
diately opportunity of increasing bus-
iness in Latin America is that 
offered by the continuous the-
atre expansion in the territory. 
Approximately 50 theatres are 
under construction at this time, 
he reported. Aside from these 
theatres, there are facilities at 
hand, as American films al-
ready enjoy the lion's share of 
available playing time.

The operation of the Production 
Weekly has had no adverse 
effect on the popularity of the 
American film with the Latin 
temperament, Gould reported. 
Action pictures are still the most 
popular, and musical pictures, 
they are popular in the market to the 
south. Gould estimated that about 
100 pictures a year are being 
shown in Latin American cinemas, 
many of which are made in the Argent-
ine and about 40 in Mexico. 

Two or three are made annually 
by Brazil, Cuba and Chile. 
United Artists will distribute 
six to be made in Mexico through-
out the Latin American territory 
this season and plans an annual 
revival of a Valentino picture as 
parts of the success of the market 
this year of the reissue of 
"The Son of the Sheik."

There will be 162 speaking 
roles in "Hotel Imperial," if 
Paramount's studio publicity 
reports on the picture are ful-
filled. That's plenty of talk 
for any picture, and may be a 
record number of parts. In making 
a comparison with other pic-
tures, the Paramount analysts 
point out that even in Cecil B. 
DeMille spectacles, the aggre-
gate number of roles in a single 
film have not exceeded 100.

Latin American business of 
major distributors since 1935 
has shown a 50 per cent increase 
over the previous 10-year aver-
age, according to Walter Gould, 
United Artists manager for Latin 
America. Gould estimated the 
return from that market at 
from six to 15 per cent of the 
total world returns after 
exporting, asserting that there was that 
that much spread between the grosses 
of individual companies.

Audio Producing WE 
Industrial Pictures
First of a series of pictures depict-
ing Western Electric production ac-
tivities has been completed by Audio 
Productions at the Astoria studio.

Audio is completing arrangements 
for production of "The Wall of 
Color" at Astoria which will be exhibited 
at the World's Fair.

The Royal, Port Jervis, which was 
acquired by the Fabian circuit last 
week, has been closed. Fabian oper-
ates two other theatres in the town.

Another Newsreel House
Hollywood, Nov. 19 — Second news-
reel house in this territory has opened 
on Hollywood Blvd. east of Van 

The Royal, Port Jervis, which was 
acquired by the Fabian circuit last 
week, has been closed. Fabian oper-
ates two other theatres in the town.
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.
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 Black and Partner Other

Directed by ERLE C. KENTON

Assoc. Prod. MAX F. GOLDEN

UNIVERSAL'S “LITTLE TOUGH GUY”!
Nazis Grind on Film in Czechoslovakia

(Continued from page 1)

Now, a campaign is under way to eliminate from films an anti-Jewish origin. This means hundreds of negatives might have to be altered if such an edict were put through. By this token also, the cinema of the world, starting in Chicago, London or Paris would have to be removed from films.

Hitherto the Czech film business, a prosperous industry under democratic rule, has not been most respected throughout Central Europe. Today it is in an uproar since the Munich agreement. Germany's propaganda effect is seen in the sudden activity of nationalistic Cinemographers, which issued a proclamation against "elements which do not belong to the Czechoslovakian film." This is the usual German way of assassinating personalities by scouring and reckless libel, in the controlled press. A similar proclamation followed from the exhibitors and producers organization, also formed a few weeks ago. However, by this date, the Ministry of Commerce compelled retraction of these proclamations and declared them invalid.

Authorities Are Decent

The authorities are trying to be decent and the whole thing in the face of tremendous Nazi pressure, as is seen in the police ban on a heated protest meeting called by the Film Union last night, an anti-Jewish boycott. The police apparently is directed against Aryan as well as against so-called Czech cinema.

The Czech Nationalist ground. Attacks have appeared against "The White Sickness," an anti-communist film made in the U.S., starring an Aryan author, Karel Capek, an Aryan. There are other pictures on the unofficial blacklist.

The Filmkurs, official organ of the Czech Motion Picture Theatre Owners, is conducting a campaign against non-Aryan film producers. The first on the prescribed list was Josef Auerbach, who has done much for the national film industry over many years. He demands the shutting up of the biggest distribution organizations, Elekta and Slavia Film.

Americans Also Attacked

These attacks extend to representatives of American companies, men who have been here for years, who have done much for Czechs.

The Filmkurs' attack on one American representative was so sordid that the Government pre-censor had to act against the paper. Similar attacks have appeared in the economics paper against Otto Sonnenfeld, representative of RKO, and United Artists sales representatives. Sonnenfeld joined the colors when Czechoslovakia was in danger, but he continued his job from the front by means of correspondence and twice-weekly conferences with his secretary. The commercial attaché of the American Embassy here is watching the situation closely. Harold Smith, now in London of the New York office, has been informed of the situation, and he has been expected here. Referee, RKO's European manager, has left Prague for Paris with a report on the situation.

Where this uproar will end nobody can tell. There are numerous problems others have to be solved first concerning the internal political problems of the nation which are the present Moravian, Slovakian and Carpatho-Russian, instead of the previous single, unified control. Each has its say on this as well as other nationalistic grounds.

It is understood that Slovaks, for instance, has prohibited Czech films which are offensive to the inhabitants of the Republic. Meanwhile, it seems certain that Ita, German film trust, will reopen its local branch. The commercial film treaty with Germany is to be signed by Christmans.

Officials hope that the showing of Nazi films will not lead to disturbances, and intimations are that the authorities are taking precautions in this respect. However, German newspapers, which were banned for years, are now circulated, thus securing for the Nazis an avenue of uninterrupted propaganda.

G. B. Would Retain Own Selling, 20th May Handle Booking

(Continued from page 2)

out of the hands of G. B. men, although G. B. would continue to handle its own sales. Some of the G. B. bookings might be transferred into sales posts.

Gaumont British is late with its first film which may have been bearing on the situation. The new system also would cut down G. B.'s operating overhead.

Monogram Weighing British Production

Monogram, in association with Pathé Bros., is considering operation in London, and for 1939-40, may increase its program to 32 films, whereas the company produces 26, presently.

Also, W. Ray Johnston, president of Monogram, has concluded a deal with William J. Geb, managing director of PPI, to handle London again, to handle Monogram distribution in England. There were trade talks already signed for five Monogram pictures, in London.

Current discussions point to the possible production of three or four films, England production, during the increased later. Pathé has its own program, in London, of 10 films.

"Brother Rat" garnered an estimated $47,000 in its first week at the Strand and will be held over for a three-week run. "A Man to Remember," estimated to have grossed near $5,000 for the week at the Rivoli and yielded on Saturday to "Hard to Get." "Greenwich Village" was reported at $3,500 for its first week at the Globe, and is held over. "Mr. Wong, Detective," starts Saturday. "Marie Antoinette" starts its 14th and final week at the Astor tomorrow.

"Sixty Glorious Years" will start at the Music Hall Thursday after two weeks for "The Young in Heart."

"Tarnished Angel" starts today at the Rialto. "Illegal Traffic" at the Criterion on Thursday.

Form Egyptian Film Co.

Egyptian Film Co., controlled by Malko Brothers, with offices at 80 Washington St., New York, has been formed to release three features bought from the Studio Co. in Egypt. The first of these, "Wedad," will be previewed here shortly.

No Changes in Para Policy by Shift of Zukor

(Continued from page 1)

Whether Balaban will persist in direct operations in the theatre-end, as a producer, as he has determined during the next few months, perhaps at that time, depending on demands of his extra theatre duties, unless Zukor will be assigned to an executive assistant or some one who will be designated to handle a part of the theatre administration.

Freeman, who returned from Hollywood with Balaban, will wind up here during the next two weeks and then assume his new post at the studio. Zukor is scheduled to arrive in New York in the near future and will sail for London about Dec. 2nd. The permanence of Zukor's London assignment will depend on his findings following his arrival, Balaban said.

The Paramount president observed that the status of David Rose, supervisor of the company's British production, would not be disturbed. He said that Paramount's theatre policy for Zukor would be determined by Zukor. The latter, however, probably will not absorb the work formerly handled by John C. Graham, who has resigned as manager at London. Indications are that John W. Hicks, Jr., Paramount foreign chief, will designate a successor to Graham before quitting London.

Efforts to Modify Italy Decree Fail

(Continued from page 1)

He has also conducted numerous meetings in Paris and London of European representatives in connection with the Italian film companies, which have signified their intention of withdrawing from Italy by the end of the year if the decree is enforced. Companies operating their own branches there have begun liquidation of the Italian properties already.

20 Shows on B'way

"Lorelei," an anti-Nazi play of a refugee-scientist, by Jacques Devol, opens tonight at the Longacre. Production is by Richard Aldrich and Dennis King in association with Sir Cedric Hardwicke and Richard Myers with a cast which includes Phillip Merivale, Doris Nolan, Dennis Hoey, Arnold Korff, Viola Roache and others.

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Radio Personalities

CAL SWANSON, account executive at WJ. Walter Thompson, to Detroit for a few days on agency business.... Frank Ynovik has added a swing quartet to his band..... Ezra S. of the Kate Smith program is making a trip to New York to catch rehearsals of the new George Abbott show, "The Boys from Syracuse". Stone is to work as production assistant at the musical openings in New York next week.... Jan Peerce has returned from a concert tour in Canada. Doris Rhodes set to swing on the CBS "Swing Session" Nov. 19.

Examiner Hearings
Ordered by F.C.C.

WASHINGTON, Nov. 13.—Examiner's hearings have been ordered by the Federal Communications Commission on the applications of the Gateway Broadcasting Co., for an 880-kilocycle, 500-watt station at Louisville, Ky.; Northeastern Broadcasting Co., for a 1,310-kilocycle, 100-watt station at Evanston, Ill.; Bureau of Education for a 1,420-kilocycle, 100-watt, daytime station at Montebello, Cal., and Central Broadcasting Corp., for a 1,500-kilocycle station at Worcester, with 100 watts power, 250 watts day.

Western Hearings Ordered

Hearings were also ordered on the applications of WHLS, Port Huron, Mich., for extension of time from day to two weeks to unlimited with 100 watts night, 250 watts day; KFSD, San Diego, for increase of power from 1,000 to 5,000 watts, and KWK, St. Louis, for increase of night power from 1,000 to 5,000 watts.

A number of new applications have been received at the commission, including requests of KHJ, Los Angeles, for an increase of power from 1,000 to 1,000 watts; KERN, Bakersfield, Cal., for extension of time from day to unlimited with 100 watts night, 250 watts day; KERN, Bakersfield, Cal., for extension of time from day to unlimited with 100 watts night, 250 watts day; WFCJ, Bridgeport, N. J., for extension of time from day to unlimited with 100 watts night, 250 watts day; KOH, Reno, Nev., for change of frequency from 1,980 to 630 kilocycles and increase of power from 500 to 1,000 watts.

Light Hearing Week
Set for Commission

WASHINGTON, Nov. 13.—The Federal Communications Commission has announced its schedule of hearings for the current week.

Nov. 15, before an examiner: Application of WTLQ, Toledo, for extension of time from day to unlimited with 100 watts night, 250 watts day.

Nov. 16, before an examiner: Applications of George H. Payne for a 1,440-kilocycle, 500-watt station at San Jose, Cal., and for a 1,120-kilocycle station at Olney, Ill., with 100 watts night, 250 watts day.

Nov. 17, before the commission: Application of Asheville Daily News for a 1,370-kilocycle, 100-watt station at Asheville, N. C. 

F.C.C. Inquiry on Radio Activities
Will Begin Today

WASHINGTON, Nov. 13.—The long-threatened investigation of chain broadcasting by spokesmen for the commission will get under way tomorrow with the opening of hearings by the Federal Communications Commission. Representatives of the national networks will be the first witnesses, to be followed by executives of the regional stations.

With Chairman Frank R. McNinch's plans for a "purge" of policy under the guise of a congressional investigation, the commission is seen as turning its monopole probe into a "witch hunt" similar to its study of A. T. & T.

It was freely predicted in Washington tonight that the commission would seek to have all the companies examined, and the representatives of organizations which have been unable to secure all the time necessary by the air, to make a showing that monopoly and discrimination are rife.

The probe probably will be completed by the time Congress meets in January and a strong report is expected to be prepared immediately, to be held for presentation to Congress as an investigation of the commission may become menacing.

However, it is said, Chairman McNinch's "purge" plans have alienated members of Congress who last session fought on his side and sentiment is spreading for a congressional study of just why he has failed to carry out President Roosevelt's instructions to "clean up" the commission.

Martin Rae Joins WNEW

Marvin DeWitt Rae, Jr., formerly with the sales promotion department of WJO, has joined the staff of WNEW as a representative of Radio Daily, has joined the staff of WNEW in New York as promotion head.

AFRA Will Talk Affiliation With Other Guilds in Radio

Principal matter of business to be taken up at the convention of the American Federation of Radio Artists, which goes into session today at the Mayflower, will be the consideration of proposals seeking closer affiliation with other radio guilds, such as the broadcast technicians and the American Federation of Musicians, and with unions outside of radio, such as the Screen Actors' Guild, the agenda for the convention discloses.

A.F.R.A., heretofore has not maintained affiliations with other unions. Members of the group believe in the organization are now of the opinion that much more can be accomplished with such agreements actively with the other unions. With this in view, representatives of various other unions in the entertainment field are attending the convention, including Florence Martin of the Screen Actors' Guild and Paul Turner of the Radio Artists' Guild.

The agenda for the convention follows:

Announcement of causes of delegate on coordinating wage scales; reports of various committees and officers, including financial and constitutional; election of officers and board of directors; appointment of a standing committee on electrical transcription and radio and slide film; organizational activities of A.F.R.A.; discussion of amalgamation of AFM and AFTRA; employment, compensation, and sponsorship of the Associated Actors and Artists of America; consideration of closer affiliation with the A. F. of M. and other large filming organizations; a proposal seeking support of various resolutions affecting the industry, for which they will be proposed at the recent convention of the A. F. of L. in Houston, and selection of the place for the 1939 convention.

At the convention in St. Louis are 50 delegates, representing 14 A.F.R.A. locals. The New York delegation includes Mrs. Emily Holt, president; George Heller, assistant secretary.

French Were Right

District Attorney Thomas E. Dewey, former Governor Al Smith, Reverend McKee, rector of St. George Protestant Episcopal Church; Dr. Malcolm E. Fisher, John Harn Smerten, on WMCA, Friday night, 9:15-10 o'clock, keyheaded American horror and revulsion on the pogroms now going on in Germany. It was an impressive program, especially for one which was conceived so quickly and arranged so effectively.

Rev. McKee reminded all that Jesus was a Jew and expressed Christian shame for what was going on in the Reich. Dewey and Smith spoke of humanity's revulsion against Germany.

Smith stated that there was a time when Americans considered the Versailles terms a great cause for Germany. But the French said then: "You don't know the Germans." "Maybe the French were right," McKee added.

Fisher and Smerten are of the Anti-Nazi League.

Don Lee Net, WTAG
Join World System

Don Lee's network of 14 stations, and WTAG, Worcester, Mass., have joined the World Transcription System. Stations now in World's transcription setup is approximately 65, with the goal 100.

World's market analysis staff, recently organized in connection with the transcription system, now has as a member of its staff Ronald C. Oxford, former National Broadcasting Co. department head. Oxford will compile statistics and market data in behalf of the stations in the transcription combine.

AFRA Rates Are Set
For Sponsored Shows

Rate card for sponsored programs on Muzak, which delivers musical programs to clients over especially leased wires, has now been prepared and will become effective Nov. 15.

Muzak, a Warner subsidiary, serves bars, hotels, and restaurants of greater New York by direct wire with music, news, and sports. It decided to furnish its facilities to advertisers was recently taken.

The basic contract covers announcements during the luncheon, dinner and evening sessions. The announcement in each period, $15: two in each period, $27.50; four, $55; eight, $125; 12, $300. Up to the rates for 15-second announcements is $15 for a day, $27.50 for two, and $37.50 for three. On the sports reviews, the rate is $25 per day for 15-second announcements, and $10 a day for time signals. Discounts on the rate range from 2 ½ per cent to 7 ½ per cent for contracts for 14 to 52 weeks.
"Cheapest advertising
I can buy"

• "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!
Japanese May Open Door to 250 US Films

Fear of Anti-Jap Films Behind Compromise

Tokyo, Nov. 14.—With permits granted to the eight major American film companies to import about 90 features by the end of this year, it is held probable here that the Government will approve the import of about 160 additional features for which licenses are sought.

The real reason the Finance Ministry, which has a contract with the American companies, was asked for that the other Hollywood might produce anti-Japanese pictures, is understood.

An analysis of the lifting of the import ban last month is that official censorship is expected to become more stringent, especially on American films. It has been indicated that the

Cincinnati Clamps Down Ban on Bingo

CINCINNATI, Nov. 14.—City Manager C. O. Hull has definitely dropped the lid on Bingo here, and arrests are expected to follow any violations of the order which goes into effect immediately. The game has long been conducted by churches and fraternal organizations, and drastic action has not heretofore been taken because procedures were used for charitable purposes, however, it is termed as a growing abuse which has become an organized business for

Van Beuren Rites to Be in Yonkers Today

Funeral services for the late Amedee J. Van Beuren, who died at his home in Carmel, N. Y., on Saturday, will be held today at the Church of the Holy Rosary, Yonkers, where a requiem mass will be offered at 11 A. M.

Van Beuren was formerly chairman of the board of Condor Pictures and president and general manager of the Van Beuren Bill Postage Corp., which was organized by his father. He produced shorts and features which were released through RKO. A heart attack several months ago forced his retirement from active business.

Sarnoff Urges Trade Code For Radio, Scores Censors

WASHINGTON, Nov. 14.—David Sarnoff, president of RCA, testifying as the first witness to be called in the monopoly hearings being held by the Federal Communications Commission, came out for self-regulation of radio, admitting at the same time that network operations can be improved upon.

He suggested a fair practice code for industry to be set up for the broadcast industry. Whether the code is not indicated, and is presently engaged in setting up a self-regulation code of its own.

Stating that the "time has come for more positive action," Sarnoff said that out of such a coalition of experiences "an industry code should emerge that advances beyond all previous standards." Such a code, he said, "should be an act of voluntary self-regulation on the part of the entire broadcasting industry in the United States."

Opening the hearing, Sarnoff asserted that the fate of broadcasting in other nations makes it imperative for the radio industry in America to

Commercial Radioed From N. Haven Stage

New Haven, Nov. 14.—Will New Haven, will inaugurate a half-hourly weekly broadcast from the stage of the Loew-Poll College Sunday afternoon, sponsored by Spec- tor's jewelry stores. The program is a combination of song talent, 18-piece orchestra and contest idea, called "Melody Melodies." Audience is asked to identify song presented by name and film. At conclusion of six weeks the show probably will take a week night spot.

Zukor to Supervise All Para, European Theatre, Film Field

Adolph Zukor probably will be given supervision over Paramount's entire European distribution and theatre operations in addition to heading the company's British activities, Stan- ton Griffis, chairman of the executive committee, said yesterday on his arrival in New York following his recent studio visit.

There is no indication at this time that Zukor will be replaced as chairman of the Paramount board of directors because of his extended absence from the country, indicated by his European assignment, it was said.

John W. Hicks, Paramount vice-president and foreign head, who is now in London, will be back in New York for the Christmas holidays.

Milwaukee Theatres Seek Operator Cut

MILWAUKEE, Nov. 14.—Milwaukee County exhibitors are seeking a 12½ per cent wage reduction from the Motion Picture Projectionists' Union, Local 164. The union is expected to vote on the proposal Tuesday, shortly after a general meeting of the industry.

DRAMA-FILM TRUCE POSSIBLE BY DEC. 15

Won't Increase Canadian Seat Tax Next Year

TORONTO, Nov. 14.—The Canadian Performing Right Society, Ltd., has made application to the Dominion Government for approval of its schedule of "fees, charges or royalties" which it proposes to impose during the 12 months commencing Jan. 1.

If importance to exhibitors, the country, it does not include any increase in the seat tax from that which was collected by the society during 1938.

At the same time the society has declared its intention of collecting an entirely new fee against every radio receiving set, privately owned.

Motions No Obstacle as Technical Phases Only To Be Worked Out

There is agreement on 80 per cent of the essential terms of a supplementary pension pact, but M.P.T.O.A. and distributors will be determined today at a conference between Sidney R. Kent, chairman of the distributors' committee, and Ed Kuykendall, M.P.T.O.A. president. Kent and Kuykendall may hold preliminary conferences on the effective date of the trade practice program at their meeting today. The M.P.T.O.A. is urging that the agreement be placed in effect immediately upon its completion, whereas the distributors may be ready for submission to dramatists and managers before Dec. 15.

Principal matters still to be ironed out relate to technical phases which will insure the good faith of all parties to the contract and to stop post- production reductions. Under the present contract, the dramatists hold exclusive control over the sale of film rights to a play, but shares the proceeds with the producers. The M.P.T.O.A. would provide that where film companies provide the financial backing, rights to the play shall be sold before production for cash, with additional payments of a fixed percentage of the gross for each week of the show's Broadway run.

Since the length of the run determines the amount of sales the pact provides for, the M.P.T.O.A. is trying to get a contract that will provide for minimum guarantees in the market, which would be a safeguard to producers.

Set Final Trade Meet Date Today

Date for a final trade practice negotiating meeting between the M.P.T.O.A. and distributors will be determined today at a conference between Sidney R. Kent, chairman of the distributors' committee, and Ed Kuykendall, M.P.T.O.A. president. Kent and Kuykendall may hold preliminary conferences on the effective date of the trade practice program at their meeting today. The M.P.T.O.A. is urging that the agreement be placed in effect immediately upon its completion, whereas the distributors may be ready for submission to dramatists and managers before Dec. 15. Principal matters still to be ironed out relate to technical phases which will insure the good faith of all parties to the contract and to stop post-production reductions. Under the present contract, the dramatists hold exclusive control over the sale of film rights to a play, but shares the proceeds with the producers. The M.P.T.O.A. would provide that where film companies provide the financial backing, rights to the play shall be sold before production for cash, with additional payments of a fixed percentage of the gross for each week of the show's Broadway run.

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**MOTION PICTURE DAILY**

Tuesday, November 15, 1938

**Insiders' Outlook**

**WALTER WANGER** in the current issue of the flamboyant KOO complains about blackmail.

"Unless a picture-maker," says Mr. Wanger, "buys a considerable amount of special lighting space for a new film, he is quite likely to see it roundly panned or at best damned with faint praise by some of the trade papers."

"There's no such thing as a拍手 critics, or otherwise exist because there are those who for reasons best known to themselves pay black mail. Which reminds us—perhaps only capriciously—of the review in a Hollywood paper of Wanger's "Stand-In."

A producer, whether he be Mr. Wanger or another, ought to know that the bought and paid for review is simply pouring money down a rat-hole—in more ways than one. It is ignored by the exhibitor and fools no one but the producer. Right, after all, keep his weakness to himself.

Decision whether investigation of the copyright situation shall be undertaken by the Federal Communications Commission as part of its probe of monopoly in broadcasting or by the temporary joint committee for which launches its study Dec. 5, has not yet been reached.

Representatives of the two groups are negotiating, it was revealed during the examination of NBC officials by a F.C.C. committee. If the commission is to undertake the study it will enter into the hearings during testimony of NBC, which some months ago formed the Radio Music Co. to hold copyrights of a number of music publishers.

If the Administration monopoly committee reserves the copyright investigation for itself, NBC's activities in the copyright field will not be explored by the F.C.C., it was indicated.

United Artists releases grossed strongly over the weekend. Company has four pictures out.

"The Cowboy and the Lady" returned $21,582 in its first four days at Warner's Hollywood and Downtown, Los Angeles, to finish 60 per cent over average and earn a second-weekholdover on the twin booking. In four Fox West Coast locales, the same picture did $1,270 over the weekend in Bakersfield, $1,270 in Santa Ana, $1,580 in Pomona and $1,015 in Ventura. "The Young in Heart" took $11,100 in four days at the Aldine, Philadelphia, to hold a holdover. At the Orpheum, Omaha, it did $7,270 in three days, and at the Paramount, Des Moines, it was 50 per cent over average with $4,900 for three days. At the Music Hall, the first four days of its second week tallied $36,900, compared with $54,800 for its first four days of its opening week.

"There Goes My Heart" took $11,700 in four days at the Albee, Cincinnati, and "Drums" garnered $4,700 in its first five days at the Astor, Cleveland, for Saturday and Sunday at the State, Rockford, III., setting what is believed a new opening weekend record there.

Plans for opening film houses in key cities to road shows of legitimate stage productions has been presented to the American Theatre Council for discussion with industry heads. Equity, the organization of Actors Equity, will reveal today. The suggestion was made in the belief that road shows would stimulate interest in the legitimate and would prove a valuable training ground for screen talent.

**Conn, MPTO Special Session on Thursday**

**NEW HAVEN, Nov. 14—Connecticut MPTO has called a special luncheon meeting at the Hofbrau Haus Restaurant on Thursday. Reports on the MPTO.A. convention in Oklahoma City and the trade practices talks will be given by Irving G. Lasker and Arthur Locke wood, first vice-president, and Edward G. Levy, executive secretary.

**Toronto Fighting Bingo**

**TORONTO, Nov. 14—Toronto Police Department continues to conduct a crusade against Bingo. In the latest case, Egbert Harte was fined $200 by Magistrate Brown in Toronto Police Court for operating Bingo and the equipment seized in the raid was confiscated.
Mademoiselle from Paramount... *parlez-vous*

Mademoiselle from Paramount... *parlez-vous*

When Olympe kisses Ray Milland

...Exhibitors strike up the *band*

For every kiss means another *grand*

... *Hinky-dinky, parlez-vous*

SAY IT IN ENGLISH, SAY IT IN AMERICAN,

SAY IT IN FRENCH,

*it’s beaucoup terrific!*

*SAY IT IN FRENCH*

*with*

Ray Milland - Olympe Bradna
Irene Hervey - Janet Beecher - Mary Carlisle

*Directed by Andrew L. Stone - Screen Play by Frederick Jackson*

*at the box-office*
Japanese May Open Door to 250 US Films

Stockholder Sues Smith-Rogers Firm

(Continued from page 1)

censor boards will be more watchful to see that only films compatible with Japanese policies are permitted to enter.

The 90 features permitted to enter under the arrangement reached Oct. 18 are roughly the number for which permits were asked. Prospects for better business by American companies are now seen at least for the forthcoming half year, as it is considered likely that import permits will continue to be given for the balance.

The agreement between the Finance Office and the AMPA of Japan, which includes the eight big American companies, provides:

1. Import of films handled by these companies is permitted up to $30,000 per picture; a contract of one and a half cents a foot, for September, October, November and December.

2. Remittance of accumulated royalties, plus the royalties obtainable for the last four months of this year, shall be approved up to maximum of $3,000.

3. The exchange rate in New York (on condition this amount will not be paid immediately to the New York home offices but remain with the San Francisco branch of the Yokohama Specie Bank without interest for three years.

Eight Seek Permits

The eight companies applied for import permits last August, and the present arrangement derives from the application. A small number of short subjects were given import licenses in September, about a month before the agreement covering features was reached.

Japan’s import permits cover all foreign films. A dozen independent Japanese film companies, handling European and American product exclusive of that imported by the big major firms, have also been given permits, although for a smaller number of pictures.

Motion Picture Association has agreed to supply the independent Japanese companies with 40 German pictures which are being imported into Manchukuo. This agreement results from a reciprocal trade agreement signed early this year between Japan and Germany.

Of the 12 companies which have been permitted to distribute the 40 German films, including Sony Shoji, Sanyei-sha, Kokoku and Sanwa-Shoji, will get 20 films, and the other eight companies get the other half at the rate of about two per company.

Japanese May Open Door to 250 US Films

Stockholder Sues Smith-Rogers Firm

(Continued from page 1)

Stockholders have voted to sue Smith-Rogers Film Corporation, alleging that the company’s directors failed to heed their requests to raise the firm’s standard stockholder dividends. The suit, filed in federal court, seeks over $20,000 in damages.

The suit was brought by a group of minority shareholders who contend that the directors have breached their fiduciary duties by failing to properly manage the company.

The plaintiffs allege that the directors have ignored their requests for increased dividends and have instead focused on paying out large salaries and bonuses to themselves and key executives.

They also claim that the directors have failed to properly invest the company’s capital, resulting in lost opportunities for growth and profitability.

The suit seeks an injunction prohibiting the directors from paying dividends that are less than the company’s earnings per share, and an order requiring the directors to make full and fair disclosures to shareholders regarding the company’s financial condition.

Milwaukee Theatres Seek Operator Cut

(Continued from page 1)

Milwaukee Theatres, Skuller of Cooperative Theatres of Ohio, formed by Milton A. Mooney, have elected the following directors: Paul Gudanovic, James E. Scoville, Frank Porzycki, Albert E. Pulk, all of Cleveland; F. E. Price, Newark and W. A. Smith, Akron. New members of Cooperative Theatres of Ohio include United, Cleveland; United, Denver, and Ohio and State, Uhrichsville, bringing the total to 35 theatres.

Dramatists-Film Truce May Be Possible by December 15

(Continued from page 1)

Dramatists and film executives are in early stages of negotiating a truce that would allow the price of the play, the price of the producer, and the price of the artist to be determined. The producers have been seeking to prevent the premature closing of a film, while the artist seeks to ensure that producers are paid fairly. The truce would allow the price to be determined at any time in the negotiations, but not be fixed before an agreement is reached.

The truce would be subject to individual negotiation, with certain minimums. Although the minimums have not yet been fixed, it is understood that they do not constitute a major obstacle. Jake Wilk, Warner story editor, is sitting in on discussions with Sidney R. Fleischer, Guild attorney, and Louis Silberman, who act as the dramatists. Guild officials profess ignorance of whether Wilk is acting only for Warners or on behalf of all major studios, but point out that any company would be welcome at the conferences and that the final agreement would be available on the same terms to all.

When a tentative agreement is reached, it will be submitted to the Guild council, which will present it to a special meeting of the entire membership. Approval will also be required from the executive committee and from a major obstacle.

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When a tentative agreement is reached, it will be submitted to the Guild council, which will present it to a special meeting of the entire membership. Approval will also be required from the executive committee and from a majority of the membership.

Cincinnati Clamps Down Ban on Bingo

(Continued from page 1)

Pro visa, “Constitutional” as well as 10 and finished 11 and started. Twenty-two are being prepared and 72 are being examined.


Warners here probably will have 75 pictures in schedule for the 1938-39 season completed by Jan. 1. With 28 features already completed for the season, 39 of its productions will be ready for release by the first of the year.


Cincinnati Clamps Down Ban on Bingo

(Continued from page 1)

revenue.” Both downtown and suburban theatres have experienced appreciable declines in attendance, with which exhibitors claim Bingo has been directly responsible.

Concurrently with release of the city ordinance, Lawrence W. Kane announced he would draft a bill for introduction at the General Assembly next year that would amend the gambling laws to legalize the game sponsored for educational or charitable purposes.
Philadelphia, Nov. 14.—No smashers were recorded here, but the week’s gross was $16,000 on the Aldine. Best grosses of the week—though it wasn’t sensational for the house—was the $18,000 figure at the Earl for the stage—particularly "Broadway Muskeeters." "Men With Wings" was strong.

Estimated takings for the week ending Nov. 11:

- "Men to Remember" (RKO), Aldine—$1,300, 3 days.
- "Marie Antoinette" (M-G-M), Ardmore—$1,000, 3 days.
- "Broadway Muskeeters" (W.B.), Earl—$1,500.
- "The Gilded Age" (M-G-M), Boyd—$2,400.
- "The Gilded Age" (M-G-M), Fox—$1,500.
- "Gold Rush" (M-G-M), Stanley—$1,500.

"You Can’t Take It With You" (Col.)—(run ran):

- Karlton—$1,000.
- Keith—$1,000.
- "There Goes My Heart" (U.A.), "Men With Wings" (Par.)—$1,000.
- "There Goes My Heart" (U.A.), "Men With Wings" (Par.)—$1,000.
- "Dark Rapture" (Univ.), STANLEY—$1,000.
- "Dark Rapture" (Univ.), STANLEY—$1,000.

Washington’s Allied Headed by C.H. Ollie

Washington, Nov. 14.—C. H. Ollie has become the executive of Allied Theatre Owners of the District of Columbia for a fifth term. He represents the unit on the national Allied board.

Others elected are: Ashley Abend-schein, vice-president; John H. Hiser, treasurer; Benjamin Teller, chairman, board of directors; W. R. Ginn, secretary.

The unit is seeking to increase its membership by inviting exhibitors from nearby Virginia and Maryland to become members.

William E. Wilcox, who recently sold his interests to Warners, has submitted his resignation. Fred S. Kogod, owner of the Atlas Theatre and a leader in the independent grocer’s fight against the chains, has been accepted as a member.

Charles Mack Dies

Cincinnati, Nov. 14.—Charles Mack, 73, vaudeville trooper for 50 years, formerly teamed with Charles Murray, now in pictures, died at his home here of kidney disease. A daughter and sister survive.

Felix Hermann Passes

New Orleans, Nov. 14.—Felix A. Hermann, known to theatre patrons of former years as "Hermin the Great," a competitor of Thurston, Blackstone and other magicians, died here at the age of 56.

Bowers Play Opens

Vanderbilt Tonight

"Where Do We Go From Here?" a comedy by William Bowers set in a midwestern fraternity house, opens tonight at the "Vanderbilt." Harry Mather and Dwight Taylor are the producers, with the staging done by Anatole Wither. The cast includes Michael Owen, John James, Stanley Becker, Edmund Glover, Don DeFore and others.

Opening of "Lorelei" which was set for last night, was switched at the last moment to Thursday.

"Manton’s" $18,700

and "Suez" $17,400

Top San Francisco

San Francisco, Nov. 14.—"Suez" drew the week’s best gross, with $17,400 at the Paramount. Close behind was "Manton’s " at the Golden Gate with $18,700.

"Men With Wings" took $14,500 at the Fox, a strong second week’s gross.

Estimated takings for the week ending Nov. 8:

- "The Mad Miss Manton" (RKO), Paramount—$1,700.
- "Great Spirits" (20th-Fox), Paramount—$1,200.
- "Cradle of Life" (W.B.), Fox—$900.
- "The Gilded Age" (M-G-M), Paramount—$1,000.
- "The Gilded Age" (M-G-M), Paramount—$1,000.
- "The Gilded Age" (M-G-M), Paramount—$1,000.
- "The Gilded Age" (M-G-M), Paramount—$1,000.
- "The Gilded Age" (M-G-M), Paramount—$1,000.
- "The Gilded Age" (M-G-M), Paramount—$1,000.
- "The Gilded Age" (M-G-M), Paramount—$1,000.

College Rally Helps

"Darling" to $9,400

Sue M. Nov. 14.—"Listen Darling," and "Sons of the Legion" grossed $9,400 at the Orpheum. Creighton University rally on stage one night brought $500.

"Arkansas Traveler" and "Freshman Year" pulled $7,400 at the Orpheum. "Manton’s" and "Disney’s Revue," (RKO) were good for $5,400 at the Bradleys.

Opening of "Lorelei" which was set for last night, was switched at the last moment to Thursday.

"Suez" Cracks Whip in Loop

With $46,000

Chicago, Nov. 14.—"Suez" swept into the Loop last week to gross $46,000. The week before, they were $2,000 on a second week with Frankie Masters band replacing the Hal Kemp outfit. The show has been in Chicago the last 12 weeks.

Estimated takings for the week ending Nov. 8:

- "If I Were King" (Parat.), Palace—$1,500.
- "Diary of a Mad Housewife" (Parat.), Fox—$1,000.
- "Great Spirits" (20th-Fox), Palace—$1,000.
- "Freshman Year" (Univ.), Capitol—$1,000.

"Lionel" $10,000

New Haven Leader

New Haven, Nov. 14.—The "Citadel" and "Listen Darling" grossed $10,000 at the Loew, and moved to the College for a second week. "Garden of the Moon" and "Girls on Probation" at the Loew, and "Roger Sherman to do $4,000. The Paramount took $3,000 with "King of Alcatraz" and "Caper Conclusions.

Estimated takings for the week ending Nov. 11:

- "Suez" (20th-Fox), college—$1,500.
- "Coronation" (20th-Fox), college—$1,500.
- "The Citadel" (M-G-M), college—$1,500.
- "The Great Spirit" (W.B.), LOEW—$1,500.
- "The Great Spirit" (W.B.), LOEW—$1,500.
- "The Great Spirit" (W.B.), LOEW—$1,500.
- "The Great Spirit" (W.B.), LOEW—$1,500.
- "The Great Spirit" (W.B.), LOEW—$1,500.
- "The Great Spirit" (W.B.), LOEW—$1,500.
- "The Great Spirit" (W.B.), LOEW—$1,500.
- "The Great Spirit" (W.B.), LOEW—$1,500.

Americans Invited to Discuss FBI Future

London, Nov. 14.—American and British producers have been invited by Capt. Richard Norton to attend a dinner of the Film Group of the Federation of British Industries tomorrow to discuss the future course of the organization.

The film group was reported recently to be on the verge of disbanding. Understanding is American producers here may be invited to join the group and put an end of its scope. Norton is expected to explain the past and current functions of the organization and its importance to the Federation.

John Maxwell and Mark Oster will not attend, but Robert T. Kane of 20th Century-Fox, David Rose of Columbia, and Jerome Jacobson of Warners have accepted invitations and Ben Goetz of M-G-M will be represented.

W. B. Date "Dawn"

Warners plans to open "Dawn Patrol" day and date in London and New York.

MOTION PICTURE DAILY Tuesday, November 15, 1938
BIG PARADE OF THE NAVY MARCH!

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 SMASHING "IN OLD CHICAGO" SOKO TAKE.
NO NEW HIGHS IN ALL EARLY RUNS!
DEPTH-BOMBING ALL OPPOSITION...
PACKED HOUSES CHEER... IT'S IN!

BALTIMORE - HOLD-OVER WEEK ASSURED
AS SMASH S.R.O. PACE THREATENS "SUEZ" RECORD.

"SALUTE FOR DARRYL F. ZANUCK AND JOHN FORD" SAYS THE SUN.

RINE PATROL

20th CENTURY FOX
THE PICTURE OF YOUR FUTURE
Short Subjects

“Titans of the Deep” (Grand National)

The record of the undersea explorations of Dr. William Beebe and Otis Barton in the latter's Bathysphere is at all times interesting and occasionally exciting, as seen here.

“Charm of the Orient” (Fitzpatrick-M-G-M)

Some beautiful color photography is presented with music and comment as a ship approaches the mountainous coast of Madeira. Varied scenes are shown—sleds on the cobblestones, women doing embroidery, vistas of shore lines. It is very interesting. Running time, 8 mins. *G.**

“Sailor Mouse” (Universal)

The adventures of a baby mouse who is awakened by a cockroach are depicted in this Walter Lantz cartoon. His troubles start when he is told that he must steal cheese from the captain's table to sea and a chase follows that is good for a number of chuckles. Running time, 7 mins. *G.**

“Paramount Pictorial P8-4” (Paramount)

Modern methods in the search for oil, bathing girls at Miami Beach, and mountain climbing make up this Pictorial. The difficult sport of scaling mountains is compared with the ease with which girls run away from the chains. Running time, 10 mins. *G.**

“Patio Serenade” (Universal)

This Mentone Brevity presents a fast but somewhat lengthy variety program set in a Spanish night club background. The songs, with one exception, are in Spanish. Several dance numbers are included. Running time, 17 mins. *G.**

Short Subjects

“How to Watch Football” (M-G-M)

Robert Benchley gives what to many will prove a riotous description of how to watch a football game. The narrative begins with Benchley wearing a dressing gown and slippers in a highball. His mind turns back to previous football games and the scene shifts. He is watching an audience. He has to squeeze into a seat at the start of the game. A drunk keeps interrupting. This leads to the development of a dance. His girl quits. The picture ends with Benchley sipping a highball. A finale of the year to release it. Running time, 9 mins. *G.**

“Orrin Tucker and His Orchestra” (Paramount)

Set on the shores of Lake Michigan, this picture presents an out-of-doors background for songs by Orrin Tucker and his band. Bonnie takes up an appealing bathing fashion, with the Bailey Sisters, a glee club, and Tucker also contributing. A melodic interlude which can't please. Running time, 10 mins. *G.**

“They Live Again” (M-G-M)

Effort has been put into the story of the discovery of insulin by young Toronto doctors. By means of this it gives the narrative a combination of scientific and actual experiments with the changing moods of crowds, supposedly victims of diabetes, the story is made vital. It holds the attention. Running time, 10 mins. *G.**

“Popular Science, J8-2” (Paramount)

Done in color, this subject presents the latest developments in gadgets. Household knicknacks, ranging from the most modern in radios to an alarm bed invented in 1894, are shown. A test for drunken drivers and an automatic merchandising market are included. Cleverly arranged and well directed. Running time, 11 mins. *G.**

“Super Athletes” (Paramount)

A Grandfulrice Sportlight which deals with the development of track and field sports. Contrasting shots of athletes of the '80s and the modern day are employed to show the development of track technique. A number of track events are included and the result is an informative and amusing bit. Narration is by Ben Hecht. Running time, 10 mins. *G.**

“The Playful Polar Bears” (Fleischer-Paramount)

This cartoon subject is done in color and records the adventures of a disobedient cub and a veterinarian doctor. The cub wanders off just as hunters approach and is shot after a few moments. The veterinarian, who has just rejoined his mother, Somewhat slow moving. Running time, 7 mins. *G.**

“Hollywood Preview”

Hollywood, Nov. 14.—Lev Ayres has been assigned to play opposite Jeanette MacDonald in “Remember Tomorrow,” which will be Robert Z. Leonard's first assignment as a producing-director at M-G-M. RKO has acquired the rights to the French film, “Little Mother,” and will make it as a vehicle for Ginger Rogers. Paramount has purchased “Moon Over Burma,” unpublished novel by William Colson, and will star George Raft, Dorothy Lamour and Fred MacMurray in it. New M-G-M title “The Million Dollar Man” will star John Barrymore with the cartoons—“Goldilocks and the Three Bears,” “The Little Goldfish” and “The Art Gallery”—will be ready for release. RKO has changed the title of “What’s Your Number?” to “12 Crowded Hours.” Richard R. Youngson is the direction of the “Wizard of Oz” will direct M-G-M’s “Huckleberry Finn” to star Mickey Rooney. Cecilia Parker has been cast as the heroine in the site Dennis O’Keefe in “Skids,” first of the sports adventure series M-G-M plans with O’Keefe in the top role. Al Jennings has been signed to play in Warners’ “Oklahoma Kid,” as well as act as technical director. Warners has purchased “The Holy Terror,” magazine story by George Carleton Browne of a football star, and will star William Morris.

Casting—Edward Arnold and Burrell Meredith draw featured roles in M-G-M’s “Idiot’s Delight.” Other M-G-M castings: Alexander Darcy to play a Moses but Herbert Emory in “The Last Days of Pompeii”; Harry and Ronald Sinclair to “A Christmas Carol”; Willie Fung and Claire Kolb to “Kolchak, the Last Frontiersman.”

Out Hollywood Way

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*G” denotes general audience classification.
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.)
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<tr>
<th>OCT. 14</th>
<th>COLUMBIA</th>
<th>M-G-M</th>
<th>MONOGRAM</th>
<th>REPUBLIC</th>
<th>RKO RADIO</th>
<th>20TH-FOX</th>
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<tr>
<td>Flight to Fame</td>
<td>Young Dr. Kildare (G) (D)</td>
<td>Where the Buffalo Roam (G) (O)</td>
<td>Arkansas Traveler (G) (C) (3806)</td>
<td>A Man to Remember (G) (D) (903)</td>
<td>Five of a Kind (G) (C) (919)</td>
<td>There Goes My Heart (G) (C) (912)</td>
<td>Swing That Cheese (O)</td>
<td>Tom Brown (O)</td>
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<td>Below the Rio Bravo</td>
<td>Lew Ayres</td>
<td>Bob Burns Mary Carlin</td>
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<td>Buck Jones</td>
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<th>HOMICIDE BUREAU</th>
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<tr>
<td>Listen, Darling</td>
<td>The Little Adventures (G) (D)</td>
<td>Edith Fagan's Law of the Texan (O)</td>
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<td>Pauline Frederick</td>
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<th>OCT. 28</th>
<th>IN EARLY ARIZONA</th>
<th>BILL ELLIOT</th>
<th>DOROTHY GILLER</th>
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<tr>
<td>The Great Waltz (G) (M)</td>
<td>I Was a King (G) (D)</td>
<td>Lawless Valley (O) (D)</td>
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<td>Luis Alberni</td>
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<td>Paul Kelly</td>
<td>Colleen Rutherford</td>
<td>George O'Brien (911)</td>
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<td>Lorna Gray</td>
<td>If I Were Robin</td>
<td>Always in Trouble (G) (D)</td>
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| NOV. 4 | SHADOWS OVER SHANGHAI | GEORGE HUOTON |
|---------|-----------------|-------------|-------------|
| The Shining Hour | The Club of the Century (G) (D) | The Last Word (G) (D) | |
| Crawford | Dorothea Kent | Charles Ruggles | |
| Sullavan | Betty Compson | Frank Jenks | |
| Douglas | | Andy Devine | |
| | | | |

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<tr>
<th>NOV. 11</th>
<th>ADVENTURE IN SAHARA</th>
<th>BILL AND RAY</th>
<th>LENA HEMSWORTH</th>
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<td>Leo Ayres</td>
<td>Edward Armelin</td>
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<th>TEXAS - THE LOST COUNTY</th>
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<th>DOROTHY GAIL</th>
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<th>ROBERT LOWERY</th>
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<th>JACK HOLT</th>
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<tr>
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<th>SECRET SERVICE</th>
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Sarnoff Suggests Self-Regulation; Scores Censors

(Continued from page 1)

establish a system of voluntary self-regulation.

He opposed Government censorship of broadcasting, and the United States had "legitimate censorship by public opinion." It is the democratic way in a democratic movement," he said.

Describing the low estate of controlled radio broadcasting in Europe, as he personally observed during his recent trip to the continent, Sarnoff told how radio in certain countries of Europe had been converted into a powerful instrument of dictatorships.

He said during the recent crisis, when he was in Europe, that it was necessary to tune in on American shortwave stations. In every case he mentioned unbiased account of what was transpiring on the continent.

Saying that the self-regulatory code he was proposing should have the approval of the F.C.C., Sarnoff declared that the "United States had the finest and most varied programs produced anywhere in the world and our traditional liberties have been fortified with the freedom of radio," which he described as "the freedom with freedom of religion and of press.

Mason's Testimony

Frank Mason, an NBC vice-president, followed Sarnoff and described the corporate setup of the company. NBC, he said, owns seven stations, leases three and provides all programs for five more. Only subsidiaries he has, he said, are Civic Concert Service, Artists Service of Massachusetts, Artists Service of Pennsylvania and W.TAM, Inc., operating W.TAM, Cleveland, which is in process of dissolution. It owns also Radio Music Co., which has been inactive for some years, and at one time owned but has since dissolved North-West Broadcasting Co., operating KJR, Seattle; Engles-Time Inc., operating KEX, Portland, and Pacific Broadcasting Co., operating KYA, San Francisco.

Asks Investigation

As the hearing opened, Charles P. Sisson, W.B.S. Attorney General, now representing the Royal Moulding Co. of Providence, asked the commission to investigate alleged monopoly in the manufacture of bases for radio tubes. He was refused permission to testify, but he gave out a letter alleging unfair methods of competition employed by RCA. He asked that the commission broaden its investigation to include this factor, declaring that effective competition of radio stations is impossible while monopoly in radio exists.

Chairman Frank R. McNinch is presiding at the hearings, which are being attended by Commissioners Thos. Brown, and Eugene O. Sykes.

Paul Sullivan Recovers

CINCINNATI, Nov. 14.—Paul Sullivan, W.L.W. newscaster, is doing his radio shows from a bed in Christ Hospital, where he is recovering from an appendix operation.

MOTION PICTURE

FREE BREAKFAST

San Francisco, Nov. 14.—Free breakfast is the novel stunt being tried by KROY. Station management has moved into the studio for the new "Top o' the Morning" variety show.

Won't Increase Canadian Sales

Tax Next Year

(Continued from page 1)

otherwise, through which it expects to collect an additional $190,978. This is at the rate of 14 cents against every domestic or private owners of radio equipment there were 1,104,207 at the end of the last fiscal year, March 31, 1938, and a flat $10 fee applies to receivers commercially used, of which there are 3,699, according to the society's records. The society has not made known how it proposes to collect this extra royalty on home-owned radios, on which the household owner pays an annual license fee of $2.50 to the Canadian Government.

Broadcasting stations will be assessed by the Performing Right Society as before.

For the moment, lawyers, unable to use the society in advance, is scaled as follows: theatres of 1,600 seats or over, $15 cents per seat per annum; 1,01 to 1,599 seats, 12 cents; 800 and under, 10 cents; 800 seats and under operating three or less days per week. The minimum annual fee in any case is fixed at $10.

The amended Canadian Copyright Act compels the society to file a list of fees to be collected during the ensuing calendar year and the public is given until Nov. 30 to enter any objections to the proposed schedule with the Copyright Appeal Board, the latter to issue approval of all rates before the end of December.

Gardner Heading for Record Radio Budget

S AN FRANCISCO, Nov. 14.—The Gardner Nursery Co. will be spending $350,000 for radio transmissions and announcements by next year, according to Edward A. Kraft, manager of the Gardner Radio Co., which the company now using approximately 60 stations to broadcast its transcribed sales messages, will step its necessary to court additional stations. The number of stations by the end of this month, according to Kraft. The increase will give Gardner Nursery Co. one of the largest budgets of its kind.

Zenith Executive Tells Dealers Television As Yet Unpracticable

Radio dealers throughout the country today are in receipt of a letter from E. F. Mason, president of the Zenith Radio Corp., in which he attempts to show the impracticability of television at the moment.

"The cost of a single program of the type now transmitted in England of one hour's duration for each day one television transmitter, will be around $1,000,000 a year, and certainly we cannot expect the advertisers of America to pay this bill," he states.

MacDonald writes that he has looked over hundreds of recent stories on television which "lead readers to believe that they are going to have television tomorrow. That is not true.

By telephoned report to Zenith stockholders which shows, among other things, that "in order to furnish television programs to purchasers of receivers throughout the country, it will be necessary to transmit six programs.

The stupendous cost of transmitting television naturally sets aside the thought that advertisers and sponsors can possibly maintain advertising budgets sufficiently large to pay the costs of such programs, the report states.

Radio Persoinals

TOWN has temporarily lost most of its network officials to Washington for the monopoly hearings. Attending the sessions for NBC are David Story, King O. Turner, Dean Martin, Frank Mason and John Royal, trailed by Vance W. Rolf, Gene Speak and Ned Neel.

Observing for Mutual are Alfred Mc-Cosker, Ted Streibert and Fred Web.

... A new assistant director in action at Mutual is Lloyd H. Overdine, formerly with WIP in Philadelphia.

... Harold Osley, manager of Jimmy Lunsford, now working up a sizeable vaudeville route for the swing band.

... Robert T. Anderson, the radio "ham" who won the William S. Paley Amateur Award in 1927 for his yeastman work during the floods, has joined CBS as a technician in field engineering. Irene Beasley has returned to New York following a week of lecturing on radio technique to the students of Stephens College in Missouri. Miss Beasley conducts "R.F.I.D., No. 1" on CBS.

RADIO

Renew Lindlahr Show On WOR for 13 Weeks

Journal of Living Publications, sponsoring Victor Lindlahr over NBC's WOR for 13 weeks, effective Nov. 21. The series, consisting of health talks, is broadcast Mondays, Wednesdays and Fridays at 3. Austin & Specter is the agency.

Fisher Baking Co., through Neff-Record, has leased Mark Haxley's Transradio news broadcasts over WOR beginning Dec. 6. Program is broadcast Tuesdays, Thursdays and Saturdays at 1. Barbara's Clothes yesterday began a new series of dramatizations over NBC in "Barbara's Award." The program, through Austin & Specter, will be broadcast daily at 11:15 A.M.

Armco Band Program

Back on NBC Jan. 15

American Rolling Mills Co., whose Armco band concerts have been a radio feature for the past five years, have placed a contract to return the show over NBC's Blue network starting Jan. 15. The company has contracted for 42 stations, to take advantage of the discounts made available to the sponsors of programs on the Blue.

The contract is for 13 weeks with options. The broadcasting schedule will be Sundays from 3 to 3:30 P.M. N, N. W. Ayer & Son placed the deal.

Wood Shifted to Chicago

Robert Wood of WOR's sales staff here, has been transferred to the station's office in Chicago, leaving for the "city of Lincoln." His territory includes Minneapolis-St. Paul, Kansas City, Milwaukee and Chicago.

WHN Religious Program

Rev. R. L. Erickson has entered into a 52-week contract with WHN for a half-hour religious program on Sundays from 8:30 to 9 P.M., starting Nov. 20.
JACKIE COOPER
IN
"GANGLSTER'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
Alert, Intelligent and Indispensable to the Motion Picture Industry

DISTRIBUTORS, MPTOA Final Meet Dec. 8-9

Delay Sets Back Trade Program Two Weeks

Final conferences between M.P.T.O.A. and the distributors' negotiating committee on an industry trade practice program were set for Dec. 8 and 9 following a conference yesterday between Sidney R. Keut, representing the distributors, and Ed Ruykendall, M.P.T.O.A., president.

Delay in holding this final meeting sets back considerably the completion of the trade practice program at least two weeks. Official predictions last week were that agreements on a final program could be had with Allied States, M.P.T.O.A. and the unaffiliated regional exhibitor organizations by either the end of this week or prior to Thanksgiving. The delay, however, does not signify that any complications have arisen in the negotiations between M.P.T.O.A. and (Continued on page 4)

To Dissolve Pathe Film Holding Firm But Lab Continues

Pathe Film Corp. will be dissolved as a holding company during December but will continue to function as a laboratory and printing concern. The new corporation will probably be headed by the same principals.

Details of the plan of dissolution will be given to stockholders this week. The plan, which will be voted on by stockholders Dec. 6, is in line with provisions of the H.R. revenue act encouraging the dissolution of holding companies by the end of this year.

The act provides that holding companies liquidating by Dec. 31 may (Continued on page 4)

“Pygmalion” to Be Astor Grind Show

Two-a-day policy for the Astor will be abandoned temporarily when “Pygmalion” opens there. No date has been set, but it is expected to be about Thanksgiving. The film will be shown at popular prices on a continuous run. “Marie Antoinette” ended its 13th week with an estimated $5,900. The grade was boosted considerably (Continued on page 4)

Barton, Mrs. Reid Among Judges for “Movie Quiz” Test

Representative Bruce Barton, Mrs. Ogden K. Brogan, vice-president and publisher of the N. Y. Herald-Tribune, Dr. James E. West, head of the Boy Scouts of America, and Mrs. Helen Wills Moody will be the judges of the Movie Quiz prize contest.

The contest closes Dec. 31 and prizes will be announced during January. The judges will meet with George J. Schaefer, campaign chairman, in the near future to discuss the (Continued on page 4)

Anticipate 650 at Associates’ Party

Total of 650 reservations already have been received for the 19th annual dinner-dance of the Motion Picture Associates to be held Nov. 26 at the Astor, Jack Ellis, president, said at a luncheon meeting of the group yesterday at the hotel.

Dr. A. Boyce of the Max Gordon office, who is co-producing the “Night of Stars” benefit show at Madison Square Garden tonight, will handle the entertainment for the Associates’ affair. Principals from “Sing Out” (Continued on page 4)

Again—The Propagandists

By MARTIN QUIGLEY

THE latest effort to capture the theatre screen for purposes of radical political propaganda has come to the surface in an organization styling itself “Films for Democracy.”

Its sponsors repeat the familiar pattern in a recitation of the purposes in view. It would have to do with the production and distribution of motion pictures designed, as they put it, “to safeguard and extend American democracy.” The kinship of its real policies with what the American continent understands as democracy may impress many as being decidedly remote.

Among the names mentioned which individually and collectively contribute a graphic indication of the brand of political and social philosophy which may be expected are the following: Rexford G. Tugwell, Dr. Mary E. Wooley, Heywood Broun, Walter Wanger, Dudley Nichols, Fredric March and Fritz Lang.

No question is raised as to the right of the persons associated in this venture to produce and distribute motion pictures of any kind they may see fit. The democratic principle of free speech insures this right even—unfortunately, it seems—to those whose ideas it carried into effect would allow freedom of expression to no one but themselves. But emphatic protest is raised against the attempt to pervert the entertainment screen from its avowed purposes of entertainment and into the devious channels of social, political and economic propaganda.

The spirit of aggression toward the entertainment screen which imbues these propagandists is not a new manifestation confronting the (Continued on page 2)

S.R.E.在伦敦

伦敦, Nov. 15.—Despite objections and pleas from London exhibitors, the Sheffield municipality has decided that from Jan. 1, 1940, no standing will be permitted in theatres within the city's jurisdiction.

Tugwell and Broun And Intellectuals in Social Film Group

Plans to dramatize contemporary social trends from a "progressive viewpoint" will be discussed at a dinner meeting at Town Hall on Friday. Films for Democracy, a newly-organized non-profit society. Using Hollywood methods, the organization intends to present non-political films dedicated to the "principles of democratic government and thereby to combat the sinister spread of intolerance and reaction."

Dr. Ned H. Dearborn, dean of the division of general education at New York University, heads the society, whose sponsors include Senator Arthur Capper, Rex G. Tugwell, Thomas Mann, Henry Pratt Fairchild, Heywood Broun, Sherwood Anderson, Herman Shumlin, Irene Lewis (Continued on page 2)

NBC's Talent Sales in 1937 $6,032,274

Films Bought $189,290, F. C. C. Is Told

WASHINGTON, Nov. 15.—NBC's talent sales in 1937 amounted to $6,032,274. All of these sales, amounting to $4,028,187, were to radio advertisers. Motion picture producers bought $189,230 of NBC's talent. Of the total amount in sales, the talent itself received $5,757,382. The NBC Artists Service received as commissions on these sales a total of $244,811. The net profit to the NBC Artists Service out of this was $286,882.

Additional developments in radio yesterday on page 8.

Schaefer Heads for Hollywood in Dec.

Present outlook is that George J. Schaefer, operating head of RKO, may go to the coast early in December. This will be his first trip to the studios since he assumed overall operations in RKO.

M. Selznick's Profit-Sharing Plan—Out!

Hollywood, Nov. 15.—Myron Selznick's plans to produce films on a profit-sharing basis with top flight producers, directors and players handled by his agency, is understood to be abandoned.

The project was to start with the unit called Ernst Lubitsch Productions. The original announcement of the venture stimulated a flurry of interest in profit-sharing and several talent pacts recently made by studios are believed to include such features.
motion picture industry. It has made an appearance before and will be heard from again. The vastness of the theatre audiences, coupled with the emotional potentialities of the film, represent a means of unparalleled effectiveness in influencing the public mind. It is inevitable that the screen should find itself the object of these attentions.

In Russia, in Germany, in Italy and in Red Spain the entertainment screen as such has vanished. But over the power of the political group in the ascendency the screen is no longer the "escapist" medium which Messrs. Tugwell, Broun, Wanger, Nichols et al so tearfully deplore. Its entertainment character is subordinated to its propagandist uses. It deals—as would have the American picture deal—with "the timely and the birth issues of the day.

It is of course true that dependent upon the particular country one note and one note alone is sounded. But in all of the countries named the entertainment screen is no longer allowed to be a medium wholly dedicated to the enjoyment of the public. And this latter condition is the one which these American propagandists are seeking to achieve, ignoring entirely the clear record of what the American public has made plain at the box-office as to what it wants to see. Political medicine men of whatever nationality are like that. And ignoring also the inevitable threat to the orderly operation of motion picture theatres which would result from the exposure of this sort of bitter controversial aspect.

Any such effort as this "Films for Democracy" constitutes a real threat to the integrity of the American motion picture, to the theatre's position of trust with its public and—very definitely—to the continued prosperity of the business.

Every propagandist, Left, Right or Center, should be given clearly to understand that it will be agreeable to the motion picture industry to have him hire a hall and leave the entertainment screen alone. There might also be a message for collaborators on such ventures who enjoy a handsome income from the industry.

Para. Granted More Time on N. D. Appeal

A second extension of time for filing Paramount's appeal to the U. S. Supreme Court from the Federal statutory court decision confirming the legality of the North Dakota affiliated theatre divestment law has been granted the company and its affiliated defendants by the Fargour court. The new extension gives the company until Dec. 15 to perfect its appeal to the Supreme Court.

Simpson, Thacher & Bartlett, Paramount counsel, said that no significant attatches to the granting of additional time other than that the work of compiling the record of the case for the court's action could not be completed by Nov. 22, the date on which the appeal would have been due.

Stars Head W. B. Drive

James Cagney will serve as honorary captain for Warners' eastern and Canadian sales forces in the 16-week Grable and Nesbitt Sears' sales drive starting Dec. 25 and Pat O'Brien will front for the western and southern forces. Initial plans for the conduct of the drive were worked out yesterday at meetings of Warners' district managers, presided over by Roy Haines and Ben Kalmenson.

Kaltenborn to Pathe

H. V. Kaltenborn, CBS news analyst and political commentator, has been signed by Pathe News as assistant editor and foreign news advisor.

Schwartz "IY" Manager

Philadelphia, Nov. 15.—George E. Schwartz has been named local Universal branch manager, succeeding S. Wittman, resigned.

Albany Seeing First Triple Film Program

Albany, Nov. 15.—Albany's first triple film is currently on tap at the Harmon-American Theatre, which theatre has been operated by James A. Carrier, former Hollywood exploitation chief. "Too Hot to Handle," "Hold That Co-ed," and "That Mothers Might Live" are playing. Carrier says it will not be a permanent policy.

RKO Canada Observe Week for Jules Levy

RKO's Canada offices will observe Jules Levy's one year of service with RKO's, Dec. 7 to Dec. 29, as a tribute to the RKO sales head. L. M. Devaney is RKO's district chief in the Dominion and is running in the van of RKO's American exchanges.

The "Continental" to Los Angeles

Deluxe overnight Sleeper *Latest evening departure—5:30 p.m. with arrival for morning business in Hollywood. Or take United's "Continental" L.A. to S. Detroit Square Sleeper plane, leaving at midnight. Use, luxurious, efficient service, from Avis, 1-2-190. Or travel bureau, hotels.

United Air Lines
The Main Line Airway
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 joys and heartaches, to bond with Mickey, to sigh with Steve's youthful romances, to open your heart to the Judge and his kinfolk — 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

A Newspaper Ad

Metro-Goldwyn-Mayer Proudly Presents
The Season's Gala Hit!

Everybody's Basing! Everybody's Singing! Everybody's Cheering!

Jeanette MacDonald, Nelson Eddy
SWEETHEARTS

Victor Herbert, Louis B. Mayer
Produced and Directed by W. W. Dax

Again the Lion Roars

From left to right — Jeanette MacDonald, Nelson Eddy, Reginald Gardiner, Frank Morgan, Ray Bolger, Florence Rice, Mischa Auer, Herman Bing

From Ad Campaign
Distributors, MPTOA Final Meet Dec. 8-9
(Continued from page 1)

The distributors, Kuykendall said following his meeting with Kent. It was explained that distributors themselves are not yet aware of the plan or the details in their own property. It was explained that Kuykendall's prior engagements will be changed to a personal business next week and is scheduled to attend the Charlotte meeting of the North and South Carolina Theatres Owners, to be held the following week.

Kuykendall will confer with Kent again today and tomorrow before leaving New York on the physiology of the program. The entire MPTOA executive committee will be asked to come to New York for the final sessions Dec. 8 and 9 with Kent and Ned E., Deinert of RKO.

Kuykendall said the final program would be in place to receive their share of the dividends from Pathe's 35 per cent interest in DuPont Film Mfg. Co., directly and without an extra tax on the company. It is considered, as Pathe has earned $845 a share on its 3,500 shares of DuPont Film since 1932, the laboratory and printing functions will be divorced from the company's other activities.

Pathe's main laboratory at Bound Brook, N. J., has an auxiliary plant in the Pathe News Building on West 45th St. Pathe does the printing for the newsreel. Otherwise, there is no connection between the two.

Will Honor Schines On 20th Anniversary

Albany, Nov. 15.—A testimonial dinner to mark the 20th anniversary of the Majestic in this industry will be held at the Ten Eyck Hotel here Dec. 19.

One of the best gatherings of film and theatre men in Albany is indicated for the occasion by reservations already received from New York, Washington, Buffalo, Cleveland, Baltimore, Columbus, Indianapolis and more distant cities. Phil Fox is chairman of the committee in charge.

“Pygmalion” to Be Astor Grind Show
(Continued from page 1)

by the inclusion of two holidays but it is expected to wind up its run this week.

"Men With Wings" drew a reported $25,000 in its third week at the Paramount and will make its debut today for "Arkansas Traveler," "The Citadel" at the Capitol and "Brother Rat" at the Strand are both held for a third week and are grossing approximately $7,000 at the Rialto.

"Grand Illusion" entered its 10th week at the Filmar last yesterday.

Barton, Mrs. Reid Among Judges for "Movie Quiz" Test
(Continued from page 1)

procedure to be followed in determining the winners.

Expressing his gratification over the choice of judges, Schaefer said, "None is connected with the motion picture industry, each is deeply interested in the advancement of this industry as a dominating influence in our national culture. We are proud to have them and we are deeply grateful for their abiding interest and cooperation."

Hayward-Lupino

Hollywood, Nov. 15.—Louis Hayward and Ida Lupino will be married tomorrow in Santa Barbara, culminating a two-year romance. Their honeymoon will be brief as Miss Lupino is due to start a new picture Monday.

Trade in Chicago Prepares For Annual Charity Drive

By BILL CROUCH

Chicago, Nov. 15.—Happiness is again in store for many of this city's unfortunate as plans for the Third Annual Christmas Movie Basket Party are being formed. This year the basket parties will be held on the morning of Dec. 20, in approximately 300 local theatres. The films for the parties are donated free by the exchanges and the exhibitors offer their theatres gratis. Admission as usual, will be some sort of non-perishable foodstuffs.

Jack Kirsch, Allied leader, and Morris Leonard, president of the Chicago Exchange Association are the co-chairmen in charge of the affair. Assisting them are the following committee members: Paul Harnick, trailers; Eddie Solomon and Ed Sgulin, newspaper stories; Herb Eisburg and Larry Stein, advertising; Harry Smythe and Joe Gismondi, groceries; Lou Abramson and Joe McKeown, transportation; Dan Gold, LaBence, Kasell, radio; Emil Garber, schools; Henry Markbreit, children's groups; Ted Morris, community newspapers, and Kirsch and Leonard, union operators services. The parties are sponsored by CAPA, (Chicago Amusement Publicists Association). The cost per theatre to participate is $5, including trailers, advertising material, etc.

Lorrice Thomas was the guest speaker at the Headline Club of Sigma Delta Chi, Tuesday, Leading newspaper and radio executives of Chicago were present.

Bryan Foy, Warner producer, and several members of his staff spent this weekend attending the Notre Dame-Minnesota game at nearby South Bend and while there placed an all-riding horse, Elmer Gantry, to a Warner contract. The horse will be shipped here shortly to be entered in a picture called "The Great Gantry."

Henry Elman, theatre operator, exchange manager and distributor, candidate for mayor and local industrial leader has sent out the invitations for the testimonial dinner to be given Dec. 2, in honor of Jack Kirsch, Allied president. A large number of film and theatre executives are expected from various parts of the country for the affair which will be held in the Congress Hotel.

Sunday Film Vote

Delhi, N. Y., Nov. 15.—Petitions from the Women's Christian Temperance Union and the Women's Ministry Association have been presented to the Walton (Delaware County) town council, asking that no action be taken on Sunday films until a referendum has been taken.

The request is likely to result in upstate New York's first Sunday film referendum in the past few years.

Anticipate 650 at Associates' Party
(Continued from page 1)

the news" will appear, among others. Morris Sanders is chairman of the affair.

Jacob Hartman, a member, addressed the gathering and urged a boy's talk on German goods. Films included: Clarence Elsman, new U.A. branch manager, Sam Doddy of vaudeville entertained with stories.

New members included Harry Goldstone, Grand National; Harold Greenberg and Gene Levy of Paramount; Samuel Licht and Mauri L. Ashman of the Five Boroughs circuit, and Maxwell L. Rothman of the Alvin, Guttenberg, N. J.

O'Neill to Providence

Brock, Nov. 15.—Vaughn O'Neill has been shifted from Loew's State here to Loew's State in Providence. In his place here Murphy replaces him as manager of the local house. O'Neill replaces Maurice Drucker, resigned, as assistant manager in Providence.

New York Census Revenue for Year Reaches $304,073

Revenue of the New York State Motion Picture Division for the year ended June 30, 1938, showed a gain of $11,638 over the $274,432 received during the preceding 12 month period, according to the report of A. I. Borneon, director which was submitted yesterday to Frank P. Graves, Commissioner of Education The computations of the division have netted the state $2,537,322. Expenditures of $64,648 showed little change from the preceding year.

Foreign films reviewed by the department during the year numbered 455, or more than 20 per cent of the 1,935 films submitted for licensing. This represents a gain of 60 foreign productions over the preceding period.

The foreign-made films came from 19 countries, including Sweden, Germany, China, Poland, Mexico, Hungary, Italy, Russia, Czechoslovakia, Argentina, Spain, Denmark, Greece, R. Borneo and Java.

The report showed that 23 films were refused licenses; 772 eliminations of dialogue, subtitles or scenes were made, and that 12 appeals from these decisions were taken either to the Commissioner or the Board of Regents. No reversals resulted from any of the appeals.

Reasons for the eliminations were: inadequate, 364; inhuman, 28; tending to incite crime, 60; immoral or tending to corrupt morals, 265, and sacrilegious, 55.

Ascap Wash. Appeal

First Week in Jan.

Appeals which will provide the first test of any anti-Ascap legislation to bar Ascap from operating within individual states are slated to be heard by the U. S. Supreme Court during the January term. The appeals involve the anti-Ascap legislation enacted by Florida and Washington.

Outcome of the two appeals will likely determine the constitutionality of the other only existing anti-Ascap legislation, that of Montana, Nebraska and Tennessee, as all of the statutes are similar.

Trial of Ascap's attack on the constitutionality of the Nebraska legislation in the Federal statutory court at Lincoln will be delayed until the end of the first year, due to the fact that Richard C. Hunter, State Attorney General, was defeated in the last election. His successor, Walter R. Johnson, will not take office until after the first of the year and cannot be substituted for as a defendant in the Ascap case until that time. Schwartz & Frohlich, Ascap counsel, will move for the substitution immediately after Jan.

Chicago Union Talks Up

CHICAGO, Nov. 15.—Negotiations on a new contract with the operators' union are expected to be resumed by exhibitor leaders and union officers here this week, following the return of John Smith, union official, from a vacation.
RKO Won't Make
Films Abroad, but
May Finance Some

RKO has no plans for production abroad, but will keep its channels open, as the company is ready to deal with foreign producers on individual pic-
tures, Phil Reisman, foreign distribu-
tion head, said yesterday.

The company may extend par-
tial financing and exchange talent de-
pending on the terms of the individual deals, he said. Negotiations are under way with Berlin, Wilcox for addi-
tional films and with Major Pictures, recently organized by Walter Futter and Leslie White.

Russia Wants "Snow White"

"Snow White and the Seven Dwarfs" is contributing largely to RKO's business abroad. Reisman ex-
pects the overseas market for the pic-
ture to absorb equal the domestic fig-
ure. Its release in most countries is now starting, with native language dubbing.

Soviet Russia, which has imported few American films, is a great ad-
mirer of Walt Disney, and Reisman is assured by friends that a deal is scheduled to go to Moscow in a couple of weeks to negotiate a deal on "Snow White." Russia buys its outside pic-
tures outright.

Regarding the Italian situation, Reisman declared: "American film companies are not too well known in Italy; they are being driven out. Italy is a highly desirable market. All companies that are making features are not making any money there. But we are being forced out." He said RKO's position has not been precisely defined, as its distribu-
tion in Italy is handled by General Cine, a domestic organization, and the contract with that company ex-
tends to the 1939-40 product.

Chief Causes Economic

E. N. I. C., the new Government

distributing agency, cannot take over
RKO's contract with General Cine
without RKO's approval, Reisman ex-
plained. He is inclined to believe that E. N. I. C. is making a deal with
General Cine and other domestic or-
ganizations for their releasing con-
tracts with American firms which do not have domestic organizations in Italy. These include also Universal, United Artists and Columbia.

Radio in Italy's move are economic, but there are con-
tributing factors, one of the chief be-
ing the desire to promote the Italian industry. Reisman declared. He does not believe that Italy will impound prints. When RKO was forced out of Australia during World War I, cancella-
tion, between 35 and 40 of its prints were
imposed.

In addition to the revenue involved in the Italian situation, there is a prin-
ciple at stake, according to Reisman.

Hollywood, Nov. 15.—John
Wayne, featured last season in a se-
ter of 'Creecymra productions for its biggest role to date, playing opposite Claire
Trevor in Walter Wanger's 'Stage
Coach,' for United Artists release.
Mary Carlisle, on her first free
lance assignment since leaving Para-
mount, goes to Republic for the femi-
nine release of "The Nightingale and
the Rose," formerly called "Kentucky
Sweethearts," and in which Ralph
Byrd and Robert Allen, the latter on loan from 20th Century-Fox, are featured. Sidney Salkow will direct.

" . . . Phiscella Lane, Wayne Mor-
es, Eddie Albert and Virginia Prince, who appeared in "Brother Rat," will be featured in Warners' "Life Is a Parade," sequel to the V. M. I. story. Jerry Laut and Richard Macauley are writing the story, and William Keighley will direct. " . . . All This and Heaven Too," best seller by L. J. Currer, has been purchased by Warners for Betty Davis.

Casting—Paramount placements: Hedda Hopper to "Midnight," Lu-
Cie Bebe to "Cafe Society," Zasu Pitts and Hugh Herbert to "The Green Pastures," for John Ford; Dickie Moore, George Tobias, Mala and Julia Faye to "Union Pacific," Helen Twelvetrees to "Persons in Hiding." Warren Beverly, on loan from to Paramount Pictures, has been bought by Warners for Bertie Davis.

RKO has been approached by E. N. I. C. on a deal, but the terms are impossible for the company to accept.

The problem is a lesser one for England, which sends few films to Amer-
ican, and the French will not be greatly affected as production in France is largely by individual producers. Reisman believes America, he said, will feel the brunt.

English Exports Gain

London, Nov. 15.—Total of exports of films outside America for the month was £3,515,787, 1,000 and compared to 1,097,-
623 feet for October, 1937. Imports for the month totalled 1,477,742 feet.

Joyce Receives $1,000

John E. Joyce, as special master of Paramount Publix, Inc., was allowed ad interim commission of $1,000 yester-
early by Federal Court of Alfred C. Cohn, of the Supreme Court of the District of Columbia.

The order provides for the allowance stated that further commissions would be allowed when Joyce completes his work. He has received a total of $14,000 since his appointment in 1933.

Principal Is Restrained

Principal Film Exchange, Inc., was restrained pending trial from distributing films produced by Superior Talking Pictures, Inc., and Screen Productions, Inc., by H. Y. Supremo, at Supreme Court Justice Edgar Lauer yesterday.

Academy Starts Campaign
To Improve Foreign Prints

Hollywood, Nov. 15.—A survey of laboratories throughout the world in an effort to establish a universal sys-
tem of laboratory procedure to better the quality of American film release prints is being undertaken by the Re-
search Council of the Academy of
Lawn Sciences.

Questionnaires were sent this week to 273 laboratories in 39 foreign coun-
tries as the first step, preparatory to
the release of uniform technical
information to be given by American companies with the "dupe" service to facilitate bet-
tering of foreign release prints.

The project, one of the most far
reaching in the Research Council's
history, is under the direction of Sec-
retary Best, chairman of the foreign
release print committee, and Gordon
S. Mitchell, manager of the Research
Council.

Foreign-made release prints of American films have suffered in many instances principally because of the lack of instructions accompanying the lab works as well as the unfamiliar-
ity of some foreign laboratories with American methods.

Membership of the committee in-
cludes L. A. Aitcholz, Fred Ahl,
Philip E. Bridandi, Claude C. Carter,
L. E. Clark, Alan Freedman, Franklin
LaGrange, Michael Lloyd, Emil
Levin, A. W. Miller, J. M. Nicko-
laus, C. Fairway, Gerald Rackett,
George Seid, Sidney Solow, Joseph
Swain, Randal Terraneau and Ray
Wilkinson.

Manager So Sure
of Getting Sound Sells Nite Show

OCONTO FALLS, WIS.—"I was playing 'Snow White' to a very good business on Sunday afternoon, but during the second re-peat of the second matinee the sound went completely dead," said Irving Vincent, Manager of the Grand Theatre here.

'I checked on everything I could but with no success, so I called our Altec In-
spектор, W. H. Lewis at 5:30 P.M. at Iron Mountain, Mich., a distance of 85 miles.

'I had visions of losing a good Sunday night's business, but took a chance on Lewis' getting sound restored, and sold out the house for the evening show before he arrived.

'In less than two hours, Lewis arrived, and cleared the trouble in ten minutes. My Sunday night show hit the sheet on schedule.'

Altec inspectors are intimately familiar with all types of sound projection equip-
ment, irrespective of who manufactured it. In an Altec Service Agreement we guarantee you greater protection for your theater.
“Take It” at $24,500 in 2 Boston Spots

BOSTON, Nov. 15.—With holdovers occupying their fourth week, “Take It” and “A Man to Remember” grossed $24,500 at Loew’s State and the Orpheum.

“Men With Wings” and “Read Demon” did $13,000 at the Metropolitan, opening.

Estimates for the week ending Nov. 12:

“Brother Rat” (W.B.)

“Five of a Kind” (20th-Fox)

PARAL-521 (25c-30c-40c-50c-75c) 7 days. Gross: $7,000. (Average, $1,000.)

“Can’t Take It With You” (Col.)

“Vacation from Love” (M-G-M)

“Night Life” (Col.) (25c-30c-40c-50c-75c) 7 days. Gross: $14,000. (Average, $2,000.)

“Men Can’t Take It With You” (Col.)

“Vacation from Love” (M-G-M)

“Night Life” (Col.) (25c-30c-40c-50c-75c) 7 days. Gross: $10,000. (Average, $1,400.)

“Road Demon” (20th-Fox)

“Road Demon” (20th-Fox) (25c-30c-40c-50c-75c) 7 days. Gross: $13,000. (Average, $1,800.)

“Brother Rat” (W.B.)

“Five of a Kind” (20th-Fox)

PARAL-521 (25c-30c-40c-50c-75c) 7 days. Gross: $11,000. (Average, $1,500.)

“Service” (Univ.)

“The Storm” (Univ.)

“Service” (Univ.)

“The Storm” (Univ.) (25c-30c-40c-50c-75c) 7 days. Gross: $13,000. (Average, $1,800.)

“Suez” at $11,500

MILWAUKEE’S BEST

MILWAUKEE, Nov. 15.—With teachers in town for the annual conflag of the American Federation of Teachers, business opened brisk and all houses cleared better than average grosses. Big take was “Suez” at Wisconsin, which pulled in $11,500 gross.

Second money went to the Palace, which was drawing a good house to “Brother Rat” and “Mysterious Mr. Mero,” collected $8,800.

Estimates for the week ending Nov. 10:

“Can’t Take It With You” (Col.)

“The Mysterious Mr. Mero” (Col.)

PALACE (4-800) (35c-50c) 7 days. Gross: $8,800. (Average, $1,200.)

“Brother Rat” (W.B.)

“Five of a Kind” (20th-Fox)

“The River” (25c-30c-40c-50c-75c) 7 days. Gross: $8,800. (Average, $1,200.)

“Mortal” (Col.)

“River Demon” (20th-Fox)

“Mortal” (Col.)

“River Demon” (20th-Fox) (25c-30c-40c-50c-75c) 7 days. Gross: $5,500. (Average, $700.)

“Suez” (20th-Fox)

“River Demon” (20th-Fox) (35c-50c-75c) 7 days. Gross: $1,500. (Average, $200.)

Wausau Gets New Board

WAUSAU, Wis., Nov. 15.—A city council member was recently named with Mrs. H. S. Morrison as president and Olga Heimrich, secretary. The first act of the new body was to oppose the showing of “The Birth of a Baby.”

Despite its objection to the picture, the Wausau home box office has been doing well, with 500 children under 10.
**“Suez” Smash Others Slump In Pittsburgh**

PITTSBURGH, Nov. 15.—It was all "Suez" the film getting a smashing $10,500 at the Alvin and a second week. The rest of the town was weak.

Estimated takings for the week ending Nov. 10:

- "Suez" (20th-Fox) ALVIN—($1,939) (35-40) 7 days. Gross: $4,270. (Average, $600)
- "Campus Confessions" (Para.) FULTON—$900. (Average, $160)
- "Senor of the Barracks" (Para.) FULTON—($200) 6 days. Gross: $1,850. (Average, $300)
- "Men With Wings" (Para.) PENN—($2,000) (35-40) 7 days. Gross: $10,250. (Average, $1,464)
- "Lillian Darvas" (M-G-M) STANLEY—($1,600) (35-40) 7 days. Stage: George N. Berg's band, Ingenue Girl, Phyllis Colt, Tamara Sisters, Mansfield and Miller, Bob Burton, Kirk Allen. Gross: $15,300. (Average, $2,182)
- "Mr. Doodle Kicks Off" (R-K-O) "Broadway Melody" (M-G-M) WARNER—($2,000) (35-40) 6 days. Gross: $12,000. (Average, $2,000)

**“King” at $12,500 Kansas City Lead As Grosses Slide**

KANSAS CITY, Nov. 15.—Two days of rain and snow hurt grosses in a poor week. "If I Were King" gave the Newman $12,600, and was held. Other bills limped.

Estimated takings for the week ending Nov. 8-10:

- "Suez" (20th-Fox) EUREKA—($4,000) (35-40) 6 days. 2nd week. Gross: $1,800. (Average, $300)
- "Suez" (20th-Fox) UPTOWN—($2,000) (35-40) 6 days. 2nd week. Gross: $1,250. (Average, $208)
- "The Great Waltz" (M-G-M) "Crime Takes a Holiday" (Col.) MIDLAND—($2,000) (35-40) 7 days. Gross: $9,000. (Average, $1,285)
- "If I Were King" (Para.) NEWMAN—($1,500) (35-40) 7 days. Gross: $12,600. (Average, $1,800)
- "Bride of Frankenstein" (U.) "Dracula's Daughter" (U.) "The 10th Circle" (U.) ORPHEUM—($1,500) (35-40) 7 days. Gross: $4,000. (Average, $571)
- "The Road to Reno" (U.) FOX TOWER—($2,000) (35-40) 6 days. Stage: Gypsy Rose Lee, featuring Jack Durant. Gross: $11,100. (Average, $1,850)

Kerr Joints Rosener

SAN FRANCISCO, Nov. 15.—John Kerr has been named general manager of the Larkin and Clay foreign language theatres, operated by Herbert Rosener. Kerr will be succeeded as house manager at the Clay by Kenneth Burr, formerly with Ross Federal.

N. H. Operators' Election

NEW HAVEN, Nov. 15.—Local 273, projectionists' union, including New Haven, Ansonia and Derby, will meet for annual election of officers and directors Nov. 20 at Trades Council Hall.

**“Waltz” and “Suez” Cincinnati’s High**

CINCINNATI, Nov. 15.—"Suez" collected top money with $14,500 at the RKO Palace and was shifted to the RKO Lyric.

"The Great Waltz" was runner-up with $12,000 at the RKO Palace.

"Stablemates" continued to click on its third downtown week at the RKO Grand, where the gross was $3,900.

Estimated takings for the week ending Nov. 10:

- "Suez" (20th-Fox) RKO ALBER—($2,300) (35-40) 7 days. Gross: $4,900. (Average, $700)
- "The Great Waltz" (M-G-M) RKO PALACE—($6,000) (35-40) 7 days. Gross: $12,000. (Average, $1,714)
- "Drums" (U. A.) RKO SHUBERT—($1,100) (35-40) 6 days. Gross: $2,200. (Average, $366)
- "The Citadel" (M-G-M) RKO CAPITOL—($2,000) (35-40) 7 days. 2nd downtown week. Gross: $3,700. (Average, $528)
- "Stablemates" (M-G-M) RKO GRAND—($1,100) (35-40) 7 days. 3rd downtown week. Gross: $2,300. (Average, $328)
- "Crime Over London" (G. B.) RKO RKO—($2,000) (35-40) 6 days. Gross: $500. (Average, $83)
- "In Old Mexico" (Para.) RKO RKO—($2,000) (35-40) 6 days. Gross: $500. (Average, $83)
- "Vampires" (Para) RKO RKO—($2,000) 6 days. Gross: $500. (Average, $83)
- "Great Waltz" (M-G-M) "Flight to Fame" (Col.) RKO RKO—($2,000) (35-40) 7 days. Gross: $4,000. (Average, $571)

**“Hard Get,” “Wings” Boost Indianapolis**

INDIANAPOLIS, Nov. 15.—"Men With Wings" crashed through a quiet week to garner $7,500 for the Indiana. It was moved to the Apollo for another seven days.

Also robust at the box-office was "Hard to Get" on the screen and Count Berni Vic and Company on the stage at the Lyric, for $9,000. Weather continued unusually mild.

Estimated takings for the week ending Nov. 10-11:

- "Suez" (20th-Fox) APOLLO—($1,100) (35-40) 7 days. 2nd week. Gross: $2,300. (Average, $328)
- "Service de Lune" (Univ.) "King of Alctras" (Para) "Pride of the Rockies" (Col.) CIRCLE—($2,000) (35-40) 7 days. Gross: $5,000. (Average, $714)
- "Men With Wings" (Para) INDIANA—($1,000) (35-40) 7 days. Gross: $2,000. (Average, $285)
- "The Great Waltz" (M-G-M) "Flight to Fame" (Col.) "Pride of the Rockies" (Col.) CIRCLE—($2,000) (35-40) 7 days. Gross: $4,000. (Average, $571)

**CCNY’s Documentaries**

Second program in a series of three showings of documentary films by the Film & Sprockets Society of C. C. N. Y. has been revised to include "Song of Ceylon" (Grierson & Wright), "From Cover to Cover" (Paul Rotha), "The Great Wave" (Joris Itta) and "The Wave" (Paul Strand). The showing will be held at the Pauline Edwards Theatre at 8:15 P. M. on Friday.

**Kassler Has Czech Film**

Frank Kassler has the American distribution rights to "Girlhood," a Czechoslovakian film, starring Lida Baarova. Understood Baarova is the actress recently banished by the Germans, for her attitude in the Czech-German crisis.

**There is Only One**

**“NIGHT OF STARS”**

The Show of the Year

TONIGHT

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

Eddie Cantor, Walter Huston, Raymold 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
Radio Personals

JIMMY DORSEY’S band will sub- stitute for Buddy Rogers’ band on the Mutual “Show of the Week” shows June 16, 17, 23, and 24. Rogers is in the hospital as a result of an auto smash-up in Ohio. Jane Bryan of the “Brother Rat” cast, which is being re- viewed by Radie Harris over Mutual tomorrow, , Tom Fudale is back in New York following a stay in Chicago and Hollywood. V. Y. Kaltenborn will make a guest appearance on Eddie Cantor’s show next week. Edith Dick, formerly “Hit Parade” vocalist, will join Buddy Clark’s show on CBS Sunday.

Two Local Outlets For Benchley Show

Bob Benchley’s show for Old Gold, like the Kay Kyser and the G-M-G shows, will have two outlets in New York, a New York weekly will be in a network, and WHN. P. Lorillard Co., which will sponsor the Benchley program over the CBS network starting July 1, has, with Mr. S. Deter, has entered into a contract with WHN to broadcast the show simulta - neously with the network. Leenan & Mitchell placed the account.

With the beginning of the Benchley broadcasts, WHN will be carrying programs from both major networks, CBS and NBC.

Another new contract just placed with WHN is by the Mueback Show Co., for the broadcasting of three five-minute periods weekly. The contract, for 13 weeks, was placed by Leighton & Nelson, Inc.

Two Added to Group Making French Discs

Two foreign language experts have been added to the group making a series of on-the-spot recordings of American life for the French Govern - ment. It is announced that Arthur S. Detr, and John Alfred Barrett of NBC’s international division. They will make recordings in Portuguese and Spanish, for short-wave to Latin America. The foreign broadcasts over W3XAL, W2XAD and W8XK, NBC interna- tional stations.

Deter and Barrett are now on route to join Henri Diamant Berger of France and Willard. B. Tomes, assistant manager of NBC’s special events di- vision, who are making the record - ings.

Ross to “Hit Parade”

Lanny Ross and Raymond Scott’s Quintette have been signed by the American Tobacco Co., for the Lucky Strike “Hit Parade” on CBS. They will start next Saturday, at which time W. C. Fields will leave the pro - gram. Lord & Thomas is the agency.

Slater Joins KVOO

KANSAS CITY, Nov. 15.—Norwell Slater, production manager, program director and announcer for WHB, has gone with KVOO, Tulsa, as production manager and program direc- tor.

Starr Sues Lamour

While Paramount was en - terprising yesterday for Dor - dochin Lamour, an ac - quaintance, with the actress present, a process server who posed as an autograph seeker served him with a summons in a New York breach of con- tract suit. Martin Starr, who is representing Lamour, which, it is understood, claims to have discovered Miss Lamour and that after she had made her way to fame, supposedly forgot all about him or his efforts.

Welles Talks Film

Deals But Studio Trek Unlikely Now

Orson Welles has had numerous talks with representatives of studios, but there doesn’t seem to be any like - lihood that the young actor and pro - ducer is going to play any part in Hollywood at this time. There doesn’t seem to be any definite transaction under way which calls for him to go to the coast in the next few weeks. He has had a very casual discussion regarding the pos - sibility of RKO making “Passenger to Bali,” which Welles broadcast the other night.

At the moment the immediate task of Welles is the Mercury Theatre, of which he is an important principal and founder, con - cerns the production of “The Five Kings,” in which proposed project Mercury is associated with the Thea - tre Guild. Preparation of the play is well under way and the intention has been to present it in New York this winter.

Mercury had a program of three plays later consideration for this season, one of which, “Danton’s Death,” is now on display at the Mer - cury Theatre and doing in the neigh - bourhood of $500 a week. It is scheduled to keep it going for the time being. It doesn’t seem likely that the play will move or it will go down soon. The third play which Mercury seems to have plenty well in hand is “Too Much Johnson.”

Welles’s radio program for Campbell Soup begins Dec. 9, and presumably his radio work is just another function of his various Mercury Theatre activi - ties, although his arrangement with the Campbell Soup people is a personal one.

Clothier Sues WNEW On Program Contract

Suit to recover $32,983 damages against WBO Broadcasting Corp., owner of WNEW, was filed yesterday by Jona Schainuck & Son, Inc., retail cloth - izers. The plaintiff has brought suit on a alleged contract made with the company for $75 per week, dated February 14, 1934, which provided for half-hour broadcasts over WNEW from Mon - day through Saturday for $400 weekly. The complaint charges the defend - ant with having cut down the number and length of broadcasts in violation of the contract for the time from February, 1934 to April, 1937.

NBC’s Talent Sales in 1937

$6,032,274

(reprinted from page 15)

Commission. F.C.C. Counsel William J. Dempsey examined Tuthill.

He questioned Tuthill at length on how talent sales were fixed and prices determined upon. Tuthill asserted that in his work the booking office con - sidered only the best interests of art - ists, without going into Dempsey’s approach. It is reckoned that the NBC Artists Service sought to buy talent as cheaply as possible, while selling it otherwise.

Dempsey tried to point out that the average commission on talent was 15 per cent, but at a hearing he found that the artists bureau showed a profit of $280,000 on overhead expenses of $30,000. Tuthill in - insisted that the profit should be com- pared with gross commissions, which would bring it under 50 per cent.

Tuthill also declared that no other networks paid the obscure artist into prominence as does broadcasting. He cited the cases of Russ Morgan, whose income jumped from $75 to more than $3,000 a week in three years; and Fibber McGee, whose income rose from $125 to over $3,000 a week.

In the course of today’s session only four of the 16 scheduled NBC wit - nesses had been examined. Presumably the lengthiest testimony and cross - question is the NBC’s inquiry gets into the question of net- work operations, local stations, sales and finances.

FCC Calendar

WASHINGTON, Nov. 15.—The Fed - eral Communications Commission set scheduled hearings on broadcasting applications as follows:

Dec. 19: Application of Yuba-Sut- ter Broadcasters for a 1,320-kilocycle, 250-watt station at Marysville, Cal.


Jan. 11: Applications of Sweet - water Radio, Inc., for a 1,210-kilo - cycle 250-watt station at Sweetwater, Tex.; KTEM, Temple, Tex., for extension of time from day to unlimited with 100 watts day, 250 watts day, and WJAC, Johnstown, Pa., for change of frequency from 1,310 to 1,370 kilocycles and extension of time from sharing to unlimited.

Jan. 17: Application of KGEK, Denver, for change of time from spe - cified hours to day.

The commission also has received applications from WJAR, Newport, R.I.; for increase of power day from 1,000 to 5,000 watts, and an amended application from the Niagara Falls Gazette Publishing Co., seeking a con- struction permit for 1,260-kilocycles, day only, asking that a power of 1,000 watts be sustained instead of 250 as originally sought.

See Canadian Radio Boom in Royal Visit

The coming Canadian visit of King George and Queen Elizabeth un doubt - ibly will bring about a broadcasting boom in the Dominion, according to Joseph J. Weed, president of Weed & Co., station representatives, who has just returned from Canada visit - ing clients represented by the com - pany.

Radio receiver manufacturers in Canada are basing their estimate of the broadcasting boom on the record - breaking sales of receiving sets in the Dominion for some time.

Another reason for the optimism is that the set manufacturers anticipate that the occasion of the royal visit will cause Canada to take the Dominion the point of origin for a large number of news and special events programs to be relayed to other nations for rebroadcasting.
To Hold Annual UA Meeting Tomorrow

Annual meeting of United Artists stockholders has been called for tomorrow, to follow immediately upon adjournment of a meeting of the board of directors.

The board may act on the deal whereby United Artists will distribute for Allied Films, Ltd., the new producing company headed by Douglas Fairbanks, Sr., and Montague Marks.

(Continued on page 8)

Myers Tips Allied Claims In Trade Practice Parleys

COLUMBUS, Nov. 16.—Allied States’ negotiations with distributors on self-regulation persist in the elimination of block booking, and favor local “arbitration” boards plus a central organization to attempt adjustments of distributor-exhibitor differences before submission to local arbitration.

These disclosures of the nature of negotiations between the self-regulation committees of Allied and the distributors were made by Abram F. Myers, Allied general counsel, at the two-day convention of Ohio’s Independent Theatre Owners, which ended today at Columbus.

He said that decisions of the local arbitration boards could be enforced in these states having arbitration laws, and “hoped” that they would be complied with elsewhere.

Myers told the 50 exhibitor delegates that he felt he should breach the agreement made with the distributors committee to maintain silence on the negotiations, because an un-named outsider had appropriated from Allied quarters notes on the discus-
sions when Allied’s committee was meeting with the distributors in Chicago two weeks ago. Allied.

(Continued on page 8)

BRITISH CONSIDER ORGANIZING MPPA

Theatres Plan In Trust Suit Held Hopeless

Due to the uncompromising attitude of Department of Justice officials, counsel for major companies see no possibility of an acceptable plan being agreed upon for regulation of theatre expansion pending trial of the Federal anti-trust suit.

Numerous proposals have been submitted to Department officials from time to time during recent months, all of which were rejected. Company attorneys predicted every plan submitted on the safeguarding of existing theatre investments only, agreeing to undertake no new deals which were unrelated to this circumstance. The theatre operating companies hold that no plan which does not take into account the protection of their present investments could be countenanced.

Department officials, on the other hand, have insisted on a straight agreement from the companies to maintain the status quo of affiliated

(Continued on page 3)

“U” Seeking Legal Advice on Quitting Italian Activities

Legal opinions on Universal’s five-year distribution contract in Italy are being sought here and in Rome before the company will make its decision on withdrawing from Italy at the end of the year when the Government controlled distribution monopoly goes into effect there.

Universal’s distribution contract was submitted to the Italian Govern-
ment and approved by it last summer, prior to the issuance of the film decree. For that reason the company now is undecided on its right to withdraw from Italy with other American distributors.

Dec. 31.

An adjourned meeting of the Uni-
versal board of directors is scheduled for today at which time the Italian and general European situation is to be reported on by J. Cheever Cudlin, chairman, who returned from abroad last week.

Hays and Roosevelt In Film Discussion

Washington, Nov. 16.—Significance of motion pictures in current world affairs was discussed by President Roosevelt today with Will Hays at a conference at the White House.

Hays outlined the progress being made on the feature film “Cavalcade of America,” to be produced by leading producers in collaboration with leading historians depicting principal events in American history, for exhibition in the Federal Building at the New York World’s Fair next year.

Following the conference, Hays said the President evinced deep interest in the film and “wished we had such pictures from other nations.”

Hays refused to go into de-
tails relative to any discus-
sion of the international sit-
uation with the President.
FRANCIS TONE and SYLVIA NELLIE are tentatively set to play the leads in "Gentle People," a play by IRWIN SHAW to be produced by the Lee Strasberg Theatre Institute at the Playwrights' Center when it opens on the stage next fall, according to a recent announcement.

Hugh Hunt of the Abbey Theatre arrives today on the Queen Mary to direct "The White Steed," a play by W. H. Davies, and C. J. Prejean, French actor, who had accompanied Davies here, sailed on the Vormund to return to France. Davies shortly may start a picture starring Simone Simon and Prejean. He is the producer of "L'Oraige."

On Saturday Police Director Higgins of Kansas City will hold a police reporters' reunion to celebrate the closing of the press room at present police headquarters, which is being torn down after 45 years. Three officers who have accepted Higgins' invitation are: Capt. Harlan Thompson, Ralph Block and Bob Shannon from Hollywood; Leo Fitzpatrick of radio, Detroit, all of whom have one mutual qualification—they worked in the press room at some time in their careers.

Fanning Hearon, executive director of the Association of School Film Libraries, told delegates to the second annual southern conference on audio-visual education in Atlanta that "motion pictures have no institutional equal."

George J. Schaefer has been elected president of RKO Pro- duction Corp., and chairman of the board of RKO Orpheum Corp., both of which are theatre subsidiaries. He replaces Leo Spitz in both posts. These offices were added to his earlier election as president of Keith-Albee-Orpheum, B. F. Keith Corp., RKO Radio Pictures and RKO Pathe News.

Alfred Harding, editor of Equity, official organ of Actors' Equity, is marketing his first play, "Louisiana," a story of New Orleans in 1814. He is working also on another about a Broadway dramatic critic.

Mollie Merrick's newest book, "Mysterious Mr. Frame," published by Ives-Washburn, is a good newspaper yarn full of cartoon characters against San Francisco's Chinatown background, which is worth considering for films, were some humor to be evoked from the experiences of a romantic police reporter. Miss Merrick has cut the comedy angle.

FOREIGN department heads in New York have submitted to them recently an offer to distribute in Japan through an organization backed by a member of the family of one of Japan's highest ranking Government officials, the proffered inducement being an assurance that rentals may be withdrawn from the country in dollars rather than yen, and may be taken out immediately, rather than left on deposit in the Yokohama specie bank in San Francisco, as is now the case. But the foreign managers are skeptical of the offer, and there appears to be little likelihood of its being accepted. To distribute any other way than they were doing recently, would mean that the American offices in Japan either would remain idle or have to be liquidated.

Herman Wobber, 20th Century-Fox sales chief, has the latest word on overseas beat engagements on films, new and reissues, and under his skillful supervision the S. R. Kent drive of the company will be completed from 457 playdates on past season pictures in many spots where such films have not played before, 11 branches report. The Kent drive ends Dec. 17.

Marlene Dietrich has not yet returned from abroad for her Columbia picture and the company hasn't had word when she will return, according to accounts. Meantime, in the spring, Miss Dietrich may make a picture in Paris for Forrester-Parant.

John Gassner, drama critic and reader for the Theatre Guild, is completing the "Masters of the Drama," which Random House plans to publish on its 1939 fall list. It is a history of the drama as viewed through playwrights returning to ancient Greeks and Orientals.

Republic received a cash advance of $250,000, it is understood, on that British distribution deal which it made with British Lion Film Corp. The new arrangement is for five years. BLF stands to get 35 to 40 per cent in distribution, and Republic may gross upwards of $1,000,000 yearly, from the pact. The previous four-year pact expiring next July was cancelled, and the new five-year arrangement replaced it. This new deal runs until July, 1943. British Lion plans to make 10 films at its Beaconsfield studios, which is two more films than it produced last year.

N. L. Nathanson, Canadian nabob, and a director of BLF, is understood to have sat in with Sam W. Smith, on the transaction.

Charles Boyer may go to Paris, next year, to make a picture for Andre Daven. Daven and Albert Prejean, French actor, who had accompanied Daven here, sailed on the Vormund to return to France. Daven shortly may start a picture starring Simone Simon and Prejean. He is the producer of "L'Oraige."

Omaha

Omaha, Nov. 16.—Members of Omaha Variety Club will hold the annual election of officers on Dec. 3 at a luncheon meeting in club headquarters. Club will select officers to succeed:

Vice President: Walter M. Green, barkeeper; the late S. J. Francis, first assistant; the late Mendehals, second assistant; the late Petras, third assistant; and Edward Shapton, property master. Canvasmen are Harry Shumow, Glenn Prejean, W. H. Zeman, R. L. Palmquist, D. V. McCullough, Burt T. H. Novitsky, R. S. Ballentine and Mendehals.

Cincinnati

Cincinnati Nov. 16.—Two rooms are to be added to the club's headquarters with completion scheduled in January. The rooms will be used as a sitting room and a meeting place for the officers of the club.

Chairman Allard Meakin, together with Harry Anger and Gene Ford, have been lining up talent.

B. & K. Club Elects

Chicago, Nov. 16.—Nearly elected officers of the Balaban & Katz Em- bassy Theatre include: W. L. Mullen, president; Charles N. Burris, first vice-president in charge of welfare; Walter Lyons, second vice-president in charge of enforcement; Joe Kearns, third vice-president in charge of athletics; Althea Levy, secretary, and C. O. Zemmet, treasurer.

Chairman Ralph Sherry, Leslie Walrath, William Bader.

MOTION PICTURE DAILY

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Washington

Washington, Nov. 16.—An elaborate entertainment has been arranged for the fifth annual dinner and dance to be staged by Variety Club at the Willard Hotel. The entertainment will feature a show made up of vaudeville and music numbers. The chairman is Harry Meakin, together with Harry Anger and Gene Ford, have been lining up talent.

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Chairman Ralph Sherry, Leslie Walrath, William Bader.
**“Cowboy” Does $43,000 in 2 L.A. Theatres**

Los Angeles, Nov. 18—"The Cowboy and the Lady" took the big money here, with $22,500 at the Trier Downtown and $20,500 at the Warner Hollywood.

"The Great Waltz" and "Down on the Farm," dually, grossed $15,690 at the Chinese and $16,018 at Loew's State. "Room Service" and "Breaking the Ice" were good on a dual at the Hillstreet and Pantages.

Estimated takings for the week ending Nov. 16:

- "The Great Waltz" (M-G-M): $13,000
- "Down on the Farm" (20th-Fox): CHINESE (2,300): $13,750.

**Equity Hits Nazis**

Actors' Equity Association in a wire to President Roosevelt yesterday voiced "the horror and dismay of the American theatre world" over the events of the last two weeks in Germany.

Paul Dulliez, executive secretary, sent the following wire to the President: "In the name of Actors' Equity Association I desire to register my emphatic protest against the horror and mayhem perpetrated by the Nazi regime in Germany over the past five years, culminating in the unrestricted savagery and brutality of the last two weeks."

This is the first time the organization has protested against conditions outside its professional field.

**Status Quo Theatre Scheme Is Hopeless**

(Continued from page 1)

Theatre ownership pending determination of the suit. All efforts of the theatre ownership and key men to point out the financial danger of such a procedure are vain. In consequence, defendants' attorneys are now preparing to contest the Government's application for a temporary injunction to restrain the companies from entering new theatres, which the Department has indeed issued is now preparing.

No further conferences in Washington on theatre acquisitions are anticipated after the meeting, the Government attorney now unless the Government alters its uncompromising stand before making formal application for the injunction. All companies feel the true cost of remaining open to them is to contest in court the imposition of what they feel to be an unfair and undesirable demand upon their business operations.

**Murphy Adapting "Story"**

Dudley Murphy, who has just completed two screen adaptations of a Paramount, starring Sylvia Sydney and Joel Ericson, at the Eastern Service Studios, is adapting "Body by Bronson," which he authored in collaboration with Helen Meinardi. Murphy plans to produce and direct the picture in the cast.

**Warner Managers Plan Sears High At Sessions Here**

Warner branch managers will hold meetings today and tomorrow on plans for the third annual Sears Drive which will start Dec. 25 and continue through Jan. 16 for 16 weeks. These sessions follow meetings held this week which the district managers attended in New York and Chicago.

The west coast meeting will be held in San Francisco, with W. E. Caruso, western division district head, and the following branch managers attending: E. A. Bell, Denver; N. H. Brown, Los Angeles; David De Angelis, Portland; William F. Gordon, Salt Lake City; Henry Herb, San Francisco; Al Octohey, Seattle.

Fred Lohrenz, active midwest district manager with headquarters in Chicago, will meet in St. Louis with S. H. Schlesser, New York; A. V. Anderson, Des Moines; Fred Greenberg, Indianapolis; R. T. Smith, Milwaukuee; K. O. Oliver, E. D. Perkins, Omaha; Hall Walsh, St. Louis.

Fred Jack, Dallas district head, will meet in New Orleans with R. L. McCoy, Athlone; John Bachman, Charlotte; Don Roberts, Dallas; Thomas W. Gans, Kansas City; William R. Williams, Jr., Memphis; L. Conner, New Orleans; J. O. Rhode, Oklahoma City.

Mr. Donald, eastern district head, and Wolfe Cohen, Canadian district manager, will hold their sessions tomorrow. Meeting with Schnitzer in New York will be Paul S. Krumenacker, Albany; N. J. Ayers, Boston; Charles Rich, Buffalo; John Pavone, New Haven; Harry Becker, New York; Harry Hummel, New Jersey. Cohen will meet in Toronto with L. Geller, Calgary; M. J. Isman, Montreal; T. McKenzie, St. John; H. K. Paynter, Toronto; Joseph Plotel, Vancouver; G. A. Simmons, Winnipeg.

**Plan Seattle Film Ball**

Seattle, Nov. 16—Film men in this area will stage a "Movie Ball" at the East Bay Ballroom, with Dec. 2 as the tentative date. The committee includes:

- Photographer Keith Beclweth
- Frank Christke, Eddie Rivers, Perunko, H. T. Moore, William O'Connor, Mike Bavocle and Ernest Shields.

**Myers Tips Allied Claims In Trade Practice Parleys**

M. P. T. O. A., unaffiliated units and the Allied Screen Works were working under voluntary agreements not to disclose the nature of their conversations until crystallization.

M. P. T. O. A. officials told the convention that Allied's committee proposed certain cancellation percentages on pictures that are identified in contracts, and a request for a higher cancellation, running up to 50 percent on pictures unidentified.

He told the convention that distributors had agreed to eliminate the score charge on flat-rental pictures, or else Allied would have filed a suit to make the decision had been made on percentage pictures.

Myers, who said Myers, still insists on concessions on the exhibitors' "right to buy" and in clearance, but admitted that both are problems to be worked out before the policy is finalized.

The convention rejected all officers and directors, headed by Martin G. Smith, president; M. B. Horovitz, treasurer, and P. J. Wood, secretary.

**Wings' High Denver Gross With $11,500**

Denver, Nov. 16—Men With Wings grossed $11,500 at the Denver, "Citadel" and "Listen, Darling," dually, at the Orpheum, took a strong $11,000 for the three week end in a second week, and "Garden of the Moon" and "Mysterious Mr. Moto" dually, at the Paramount, with $4,000.

Estimated takings for the week ending Nov. 16:

- "Sues" (20th-Fox): ALADDIN (2,400) $5,400; LINDSAY (2,500) $4,400; Beverly Hill (1,900) $2,000.

**To Hold Annual UA Meeting Tomorrow**

(Continued from page 1)

which plans three or four features to be made in Hollywood and London. However, the board meeting may be routine matters only. The annual meeting of stockholders may recall directors and take dividend action but no election of officers is scheduled.

Fairbanks will arrive from the coast with Marks tomorrow in time to address UA, held today, scheduled for 2:30 and 3:30 p.m. They plan to sail for England Saturday on the Ile de France. Expected at the meetings in addition to Fairbanks are Mary Pickford, Maurice Silverstone, Emmanuel Silverstone, James Murtle, Charles Schwartz, Ed Gaffey and Dennis F. O'Brien.

**Meltzers Drop Suit On Milford Theatre**

Chicago, Nov. 16—With the signing of a new lease, the suit against Continental Properties, Inc., recently filed by the Meltzer Brothers, has been dropped. The suit concerned the leasing of the Milford, owned by Continental Properties, Inc., whose offices are under attack by Meltzer Brothers, Edward H. Meltzer, Milton Spitz and Morris Leonard.

Filing of the suit followed the Meltzer claim that they had agreed upon terms of a new lease on Sept. 16. Later they said they were advised the terms were not satisfactory and were ordered to leave house when the lease expired Oct. 31. However, immediately following the filing of the suit at understanding was reached and a new lease worked out,
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 · Bar
davon, Poughkeepsie · Brandeis, Omaha · Fox.
giving!

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 · Fair- mont, Fairmont · Manos, 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
**Hollywood Previews**

### "Storm Over Bengal" (Republic)

Hollywood, Nov. 16—One of the better pictures to come from Republic, "Storm over Bengal," by virtue of its commercial and artistic values, justifies the increased budget. Its 65 minutes are filled with action, suspense and romance set against the background of Northwest India during the revolt of a fanatic seeking to overthrow British rule.

The cast is headed by Patric Knowles, Richard Cromwell and Rochelle Hudson, who are supported by Douglas Dumbrille, Colin Tapley, Gilbert Emery and Halliwell Hobbes.

Sidney Salkow, virtual newcomer to direction, made the most of the opportunities offered by the original screenplay of Dudley Waters and turned out a well balanced film. Armand Schaefer was associate producer.

Knowles and Cromwell, brothers, are alienated because of their love for Miss Hudson, engaged to the former. Knowles, sent on a dangerous mission, is captured by the fanatic, and Cromwell crashes his airplane to prevent the British column from marching into an ambush laid by the rebel, and is killed.

Running time, 65 minutes. "G."**

VANCE KING

*"G" denotes general audience classification.*

### "The Little Adventurers" (Columbia)

Hollywood, Nov. 16—Edith Fellows is the star of this picture which sticks pretty close to the standard race horse story formula. There is quite a bit of persecution element in the theme, the purpose of which is to stimulate the more sympathetic emotions. There's a comedy content, to be sure, a trace of romantic love interest and, of course, the customary thrill action conclusion in which the joys of triumph eradicate the memories of disappointment and sorrow.

Only possession of Miss Fellows, an orphan, is a racehorse in which she has great faith. With Cliff Edwards as a companion, she sets forth for the home of her aunt, Virginia Howell. En route, she meets a cousin, Richard Fiske, and then the trio's troubles begin. The horse almost dies, the aunt conspires to have Miss Fellows and Fiske thrown into jail, the girl cannot understand Fiske's romantic attachment for Miss Wells, their jockey is caught trying to double cross them. In the big race, with Miss Fellows in the saddle, the horse wins.

Running time, 60 minutes. "G."**

*"G" denotes general audience classification.*

### New York Preview

#### "Strange Faces" (Universal)

Two newspaper reporters—Frank Jenks and Dorothy Kent—on the trail of a gangster-Leon Ames—who has killed his double and has assumed his identity to return to Mason City as a local hero after a 10-year absence furnish some lively action on a small town background. There's more comedy than gangsterism in the development of the story.

Jenks makes a date to meet Miss Kent at the marriage license bureau in New York and departs immediately for Mason City by automobile. Miss Kent beats him there and gets a job on the local newspaper where Andy Devine is editor. In the meantime Ames has made himself soid with the local citizens and is on his way to stealing Devine's girl friend, Mary Tree, who has inherited a fortune.

In the course of untangling the complications Jenks gets himself arrested, Ames throws a man out of a hotel window, both Jenks and Miss Kent get into a comic mixup in a garage, and the picture winds up with an automobile chase in which Ames loses his life.

The picture was not designed as a special, but has its moments and ought to appeal to audiences who like melodrama sprinkled with laughs. Errol Taggart directed. Charles Grayson did the screenplay based on an original by Cornelius Reede and Arndt Guisti. Burt Kelly was associate producer.

Running time, 65 minutes. "G."**

*"G" denotes general audience classification.*

#### Medal to Hermann

Columbus, Nov. 16—John Hermann, Paramount cameraman who accompanied Commander Byrd on his second expedition to Little America and took the official pictures of the entire expedition, will be presented with the prestigious Medal of Honor at a Variety Club luncheon here tomorrow.

Presentation will be made by Martin L. Davey, Harry Goldstein, Paramount district manager and Duke Clark, branch manager, will attend from Cleveland.

#### "Take It" Detroit's High with $35,000

DETROIT, Nov. 16—"You Can't Take It With You" took a smash $35,000 at the Fox in "The Great Waltz" was fair at $8,000. "Suez," moved from the Fox to the Adams for a second week, did $8,400. "Men With Wings" went to the Palms State for a second week.

Estimated takings for the week ending Nov. 17:

- "Suez" (20th-Fox) $8,400
- "Meet the Girls" (20th-Fox) $10,000 (15c-50c) 1 week.
- "Adams"—$5,700 (10c-15c) 1 week.
- "You Can't Take It With You" (Cal.) $5,700 (15c-50c) 1 week.
- "Men with Wings" (Par.) $7,000 (15c-50c) 1 week.

#### Ellis to Be Narrator For Canadian Reels

MONTREAL, Nov. 16—Christopher Ellis, veteran newscaster and script writer, has been signed as narrator for a series of Government-sponsored reels, titled "The Kinema." Produced by the Association of Screen News for the Canada Wheat Board, the pictures will be distributed abroad.

#### Senator to Open Nov. 24

PITTSBURGH, Nov. 16—The Harris Amusement Co. will reopen the Senator, formerly Loev, Aldina, Nov. 24 with "Service De Luxe" on the screen and John Boles in person on the stage. Ken Hoel has been named manager of the theatre. He moves there from the Liberty, where his successor will be John O. Hooley.

#### Darmour Re-Signs Holt

Hollywood, Nov. 16—Jack Holt was signed to a new one year contract today by Larry Darmour for the fourth consecutive year. Darmour said budgets would be increased on the Holt vehicles, which will be released by Columbia.

#### W. B. Buy "Elizabeth"

Hollywood, Nov. 16—Warner's have purchased the Maxwell Anderson play, "Elizabeth the Queen." Bette Davis and Errol Flynn will be starred in the production.
ESSENTIAL BOOKS FOR SUCCESSFUL THEATRE OPERATION

AIR CONDITIONING
by CHARLES A. FULLER

567 pages, dealing with air and its properties, plant load calculation, air distribution, grilles, heating and dehumidification, fans, cooling coils and air-washers, mechanical refrigeration processes and machinery, well drilling and well-water cooling, ice cooling, storage refrigeration, evaporative condensers and water saving devices and methods, unit coolers, automatic control, air cleansing and purification, and codes and ordinances regulating installation. Book is bound in cloth, has index system and psychrometric charts.

MOTION PICTURE ALMANAC

The 1938-39 edition is bigger and more comprehensive than ever before. International in scope, it contains over 1200 pages crammed with vital facts and figures covering every phase of the Motion Picture Industry. The Who's Who section alone, includes more than 12,000 biographies. Every exhibitor needs this annual industry reference. Edited by Terry Ramsaye.

THEATRE ACCOUNTING

Written by William F. Morris. Acknowledged to be the best bookkeeping system for theatres. Enables you to keep your accounts easily and accurately, tabulating each day's receipts and expenses. Guards against income tax troubles and losses through errors. Thousands of exhibitors are using this ledger because it is easy, self-operating and accurate. Order yours today.

MOTION PICTURE SOUND ENGINEERING

547 pages; illustrated; covers every practical method and process in present-day sound engineering. Leading engineers explain every detail of apparatus and its arrangement, with diagrams, tables, charts and graphs. This manual comes straight from the workshops of the studios in Hollywood. It is indispensable to everyone working with sound equipment.

H. F. RICHARDSON'S BLUEBOOK of PROJECTION

This is the revised sixth edition and is now in its second printing. It includes 722 pages of up-to-the-minute text, charts and data with detailed description of assembly, wiring and functioning of all modern sound and projection apparatus. It is a practical "trouble shooter," and is cross indexed for immediate reference in any projection room emergency.

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER, NEW YORK CITY
Radio Personal

EARL WERTIS leaves New York today for a business trip to Chicago and Hollywood. ... Leo Tyson, manager of KFRC, Hollywood, arrives in New York today to meet with Mike Savery, president of Evans & Salter, affiliated with Columbia Concerts Bureau, returnee in recent months. Kay Thomson is vacationing in Maine for a few days. ... Jessica Dragnette, concluding another leg of a concert tour, will be in New York Saturday night. Old Gold cigarettes, sponsoring Robert Benchley in a new program starting Sunday, will present a prize party in a CBS Playhouse tomorrow afternoon.

Pittsburgh

Ralph de Stefano, who used to be announcer for WJAS, has joined Al Marsic's outfit on WWSW via the "Show Boat." ... Johnny Davis, announcer at WWSW, is playing the role of a radio announcer in the Catholic Theatre Guild's production of "The New Sin." ... Bernie Armstrom, in charge of the "Time Out for Fun," is back on KDKA after being sidetracked for several weeks by Hollywood broadcasts. ... Bill Beal is now both writing and directing the daily "Movie Magazine of the Air" over KDKA. ... Hovey Boyle, sports editor of the Post-Gazette, is now doing a commercial sports talk on the Isaly Dairies' "Big Swing" program every Monday night over WCASE.

San Francisco

Monthly dramatic auditions have been scheduled by KFRC, under direction of Ben Kaufman, KFRC's assistant manager in charge of production. Bill Pabst, back from three years in New York, will direct. ... Leaders in California's $70,000,000 natural gas industry were interviewed over KSFQ, in a special salute to the Coast Ford. Harry L. Salter, known as the "Mayor of the Morning," has been named chief of KJM's traffic department. ... Former KPO engineer Joel Mann is joining the staff of KRE, Berkeley, as announcer-producer. ... Walter Kelsey, NBC musical director, is airing a new "Design for Music" series strictly in operetta form.

Cincinnati

WLW and the Cincinnati Enquirer are exchanging courtesy announcements of Walker Winchell and "The Pirates," which are carried by both the station and the newspaper. ... John Shouse, vice-president of Crosley Corp., has been awarded a medal as winner in the WLW Artists of the National Muzzle Loading Championship. He defeated Joe Ries, educational director, and George C. Biggar, rural program supervisor of Knoxville. The last edition of the season has been inaugurated by WCKY.

Texaco Time Change

Texaco's "Star Theater," now heard Wednesdays from 9:30 to 10:30 P.M. on CBS, will shift time from 9 to 10 P.M., starting Nov. 23.
U. S.-BRITISH TRADE PACT OMITS QUOTA

British Labor Probe Report Believed Dead

Agreements in Industry Hall Publication

London, Nov. 17.—Proposal to issue a report on the Government's investigation of labor conditions in the British film industry is authoritatively believed to be dead, following a meeting today at the Board of Trade between Government officials and Cinematograph Exhibitors' Association representatives.

It was intimated that the Government and the exhibitors expressed

Holdovers Strong

Broadway Grossers

Second week holdovers on Broadway proved strong attractions. "Brother Rat," earned an estimated $36,000 at the Strand, and "The Citadel" brought an estimated $37,000 at the Capitol. Both will go for a third week. "That Certain Age" was reported at $42,000 at the Roxy for its second week with "Submarine Patrol" opening there today. Second week of "The Young in Heart" grossed about $75,000 and made way for "Sixty Glorious Years" at the Music Hall yesterday.

Dec. 1 has been set for the opening of "Pygmalion" at the Astor but no national release date has been set yet. "Marie Antoinette" will wind up a 15-week run on Nov. 27.

Sailor's Widow Wins $30,000 from M-G-M

Hollywood, Nov. 17.—Federal Judge Harry Holzer today awarded a $30,000 judgment without limitation of liability to Mrs. Helen Gommesen, widow of Kristen Gommesen, against M-G-M. Gommesen was a seaman who was swept overboard in the Pacific during the filming of "Captains Courageous." Suit was based on the contention that the ship was unseaworthy and improperly manned.

Newsreels Watch 16mm. as Possible Source for Films

Newsreel heads are closely watching developments in the 16mm field for various phases that may be incorporated in newsreel production. They are investigating the competitive angle as well.

Recent events abroad have proved that films made on 16mm stock can be used to advantage by newsreels. With the central European map changing quickly, newsreels found it impossible to have camera men at every vantage point and were eager to obtain films from amateurs. Enlarged to standard size, these films were found to be almost as good as those taken on 35mm stock.

The practice of filling the gap with amateur films is not a new one with the newsreels, but only recently has 16mm camera technique been developed to a point where the newreel executives have become exceedingly curious about the narrow gauge medium.

Hitherto, 16mm production has been limited chiefly to the commercial, educational, scientific and home film fields.

Newsreels are watching the progress of the home town newsreel pro

"Devil's Island" Is Shelved by Warner

"Devil's Island" apparently has been removed from the schedule of Warner releases. A new idea of the Warner product does not include this picture. The reason is unknown, as this film has been completed, having been produced by Bryan Foy, and came in at a good round figure. Of course, it may be that Warners are proving that discretion is the better part of valor, because it is probable that a picture which projects the brutal aspects of such a penal colony as the French island prison, might cause some international dispute, from the French point of view particularly. Thus Warners are sacrificing an opportunity for commercial gain in the interests of international peace and goodwill.

"Devil's Island," also known, is scheduled by the British to be distributed by W. B. after France had banned the prison colony, but under the Duhler government, Devil's Island was reinstated.

NBC's Talent Sales in 1938

$15,000,000

'37 Figure $6,032,274; Mail Vital Factor

Washington, Nov. 17.—NBC's income from sale of talent to advertisers will reach $15,000,000 this year, according to testimony of John F. Royal, vice-president, in charge of programs, at the monopoly hearings now being held before the Federal Communications Commission. The total is apparently two and a half times the 1937 figure, which previous testimony indicated at $6,032,274. NBC's program budget, for 1938, is $5,200,000, of which amount

Quota Films Only Planned by Para.

London, Nov. 17.—Paramount will confine its British production activities to the making of quota films only, it was learned here today. The decision means that no high budgeted pictures for world distribution, entailing the assignment of Hollywood stars, producers, directors and technicians to London, will be made by the company here.

Budgets for the quota films were not revealed but average-cost of this type of picture is around $40,000.

Additional developments in radio yesterday on page 8.

U. A. Employees Condemn Nazis

United Artists employees, headed by Maurice Silverstone, who heads the company, have wired President Roosevelt voicing appreciation of the Chief Executive's "humanitarian views" regarding the atrocities in Germany.

"You have ably voiced the feeling of horror and indignation of the American people toward the Nazi brutality and we all earnestly hope in pursuance with your high object to the appropriate moment you will use your great influence towards obtaining a discontinuance of all business with a nation that has such wanton disregard for human rights."

UA Board to Hear Profit-Share Plan; Selznick's Deal Up

Modifications of United Artists profit-sharing plan will be presented to the company's board for action at its meeting scheduled for today. The modifications are understood to meet objections voiced to the original plan by Charles Chaplin and Mary Pickford. These will be presented by Maurice Silverstone, chief executive of the company.

David O. Selznick will confer with Silverstone today.

Selznick returned yesterday from a vacation in Bermuda and will be here

(Continued on page 5)

Newfoundland Watch 16mm. as Possible Source for Films

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The practice of filling the gap with amateur films is not a new one with the newsreels, but only recently has 16mm camera technique been developed to a point where the newreel executives have become exceedingly curious about the narrow gauge medium.

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Newsreels are watching the progress of the home town newsreel pro

37

First in Film- and Radio News Brief Accurate and Impartial

VOL. 44, NO. 99
NEW YORK, FRIDAY, NOVEMBER 18, 1938
TEN CENTS

FILE COPY
DO NOT REMOVE
Establishment of a permanent bureau to handle press relations for the industry’s public relations projects was announced yesterday by the advertising committee of Motion Picture Magazine. The bureau, called the “Office of Public Relations,” will be headed by James D. Dietz, chairman of the campaign advertising committee.

Dietz said in his report, “Our first goal is to make the public aware of what the industry is all about. We will do this by working closely with the press and other media to develop a consistent message that will reach the public.”

The bureau will be staffed by 10 full-time employees, including a director, a publicist, and several copywriters. The bureau will also have access to the resources of the Motion Picture Association of America (MPAA) and its member companies.

The bureau’s first task will be to produce a comprehensive directory of the industry, which will be distributed to the press and other media. The directory will include information about the industry’s history, its current operations, and its future plans.

The bureau will also work closely with the MPAA’s government affairs office to ensure that the industry’s position is heard on important issues. The bureau will also coordinate the industry’s participation in events such as the Cannes Film Festival and the Sundance Film Festival.

The bureau will be located in Hollywood, California, and will be staffed by a team of experienced public relations professionals.

The bureau is a key part of the industry’s efforts to improve its public image, and it is expected to make a significant impact in the coming years.
“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 York Preview

“Sixty Glorious Years” (Wilco-RKO)
Herbert Wilcox, with access to Buckingham Palace, Balmoral Castle, and the English property and, most particularly to the personal data on Queen Victoria, has drawn a fascinating picture on a broad and colorful canvas.

Compressing 60 years of the vigorous and eventful reign of Queen Victoria into motion picture length is no easy task, and the producer has succeeded in making his film much less episodic than might easily have been the case. Done in magnificent color, which lends a great deal to the inherent majesty and center of the picture, the picture emerges as distinctive and impressive screen entertainment.

The producer has made a most happy choice in the selection of leading players. Anna Neagle brings an admirable restraint and dignity to the role of the sincere and keen-minded queen, she ages with the passing years authentically and, in all, offers a memorable performance. Opposite her is Anton Walbrook, as her Prince Consort, Albert, and he, too, acquits himself in superlative fashion. Particularly effective in the supporting cast are C. Aubrey Smith, as the gruff and aging Duke of Wellington; Charles Carson, as Robert Peel; Felix Aylmer, as Lord Palmerston; Derrick de Marney, as Disraeli, and Gordon McLeod, as the Scotchman and friend of the queen in her later years, John Brown.

To Miles Malleson and Charles De Grandcourt must go considerable credit for a smooth and competent story, which steps comparatively gracefully from highlight to highlight in the life of Queen Victoria.

Touches of action have been interlaced to increase the pace at times, such as the British troops in action during the Crimean War; crowds moving on the Palace during violent public reaction to Albert, who had sought a policy of conciliation before that conflict; the tribal attack which resulted in the fatal attack on General Gordon at Khartoum, and the like.

Likewise enhancing the effectiveness of the film are the beautiful scenes in color of the Scotch country about Balmoral, always the most restful and most loved retreat for the queen. The early part of the film is centered about the great love of the queen and Albert, picturing the manner in which they understood and helped one another, especially showing his guiding hand in indicating policies most advantageous to England. His heartbreak at the largely unsympathetic treatment he received at the hands of the British public and Parliament is pictured as the cause of his death, and the queen’s terrible loss is made real and dramatic by Miss Neagle. Then, her nine children full grown, she emerges from the shell of mourning and England enters upon the brightest years of her reign, beloved by all her country, and with her death, taking an era with her.

It is essentially an intimate picture of an individual, about whom moves a changing world, but who remains to the end a human and admirable person.

Running time, 95 minutes. “G.”

Charles S. Aaronson

“Goonland” (Fisher-Paramount)
Pooldock Pappy is introduced to Popeye fans as the latest Fisher character. Popeye goes to search for his father, imprisoned by the Goons for 40 years. He finds him and together they conquer the Goons and escape. The conquest is aided by the usual spinach. A creditable addition to the popular series. Running time, 7 mins. “G.”

Short Subjects

“Men in Fright” (M-G-M)
An Our Gang number with a hospital background and plenty of laughs. The gang visits one of their number who has just had his tonsils removed. One of the boys allows a young patient to use his clothes for a dressing gown. This is well handled on the way to the operating table. The rest of the gag eats the food brought for the tonsil patient and they all wind up in bed. Fine entertainment. Running time, 11 mins. “G.”

“Goondown” (Fisher-Paramount)

The Newsreel Parade

The action of national figures in open denunciation of the current Nazi atrocities and its impact upon the public is the main theme of the newsreels. Football games, ice hockey, and gamenight sports are all items in the aquatic season are sports items. The newsreels and their contents follow:


Universal to Open Puerto Rico Office

Universal will open its own distribution office in Puerto Rico, in line with a determination of the state of distributing arrangements in the adjacent territory is being made, J. H. Seldman, foreign manager, said yesterday.

Carlos Matus has been named manager of Universal Pictures Corp. of Puerto Rico, the new distributing office will have also handles the company’s own distribution in the islands of Curacao and Aruba, as of Dec. 31. A two-year distribution agreement for business with Luis Martinez. These territories formerly were handled for the company by Jaime Puig Arceomina, who, however, continues as the company’s agent for Colombia.

Require Theatres to Report Annual Gross

DENVER, Oct. 17.—The Hot Springs, N. M., City Council has passed a law requiring all motion picture theatres to file an annual statement of gross business, in order to determine whether or not the annual license fee of 25 cents a seat is too high, according to the council. The gross business statement applies to all businesses besides theatres as well.

“Snoozing” Films

Toledo, Nov. 17.—M. J. Everson, restaurant owner here, boasts the world’s record in paying more admissions and seeing fewer films than anyone else. Each afternoon at 2 o’clock he buys a ticket at movie theatre and goes promptly to sleep. “Snoozing” for two hours puts me in shape for another seven-hour shift on the job,” he explains.

“Dover Leaves 20th-Fox

Hollywood, Nov. 17.—William D. Dover, the controversial producer with 20th Century-Fox, today resigned his post, giving as his reason his desire to enter the production field. Dover joined Darryl F. Zanuck as executive assistant when the latter was in charge of production at Warners in 1928 and was then put in charge of the 20th Century-Fox in 1933. Prior to that Dover was assistant to Sam L. Warner.

Ross Federal Awards

Ross Federal will award a week’s vacation with expenses paid to the branch manager who shows the greatest initiative and industry during 1938. This prize will be given annually.
U.S. British Trade Treaty Ignored Quota

(Continued from page 1)

was consummated after a year of persistent discussion. Tariff reductions and concessions were granted by the British Government and Canada on approximately 1,000 products.

In the Canadian agreement, signed at the same time, the Canadian duty on positive films, which had not been affected by 1936 pact, is reduced from three to two and one-fourths cents per linear foot. Canadian imports of such films in 1937 had a value of $254,000.

Among the tariff concessions granted the United States on goods entering the United Kingdom is a reduction from 33 1/3 to 25 per cent ad valorem in the duty on amplifiers and loud speakers.

Under the general provisions of the agreement it is stipulated that the principle of non-discriminatory treatment shall be extended to quotas and in the event that importation of any product is restricted as to quantity, and if shares of the restricted imports are allocated, the exporting country will be allowed to use the total importations permitted from foreign countries based on the proportion supplied by that country in past years.

State Department officials said, however, that the treaty as signed made no provisions for either film duty reduction or relaxation of quotas in British markets over the binding of margins of preference by the 10 colonies.

Colonies agreeing to preferential margins to American product were British Guiana, $2,500,000; British Honduras, with imports of $11,288; Bahamas, with imports of $44,294; Ceylon, $2,500; British South Africa, $2,500; Jamaica, $1,735; Federated Malay States, $1,532; Northern Rhodesia, $3,139; Upper Volta, $1,425; and Trinidad and Tobago, $63,578.

First Hearing Today
In Phila. Trust Suit

PHILADELPHIA, Nov. 17.—First hearing will be held in the U. S. District Court here tomorrow in the suit brought by Herbert Elliott, of the Ferrarco Theatre, against 12 producers and distributors in a clearance dispute involving his theatre and competing circuits. Elliott seeks an order requiring producers to divest themselves of stock ownership of distributing companies and permit independent exhibitors to compete on an equal basis with circuits.

The 50-page complaint invokes the Patman-Robinson law against chain stores in addition to charging violation of Sherman and Clayton anti-trust laws. Elliott began his career as first litigation in local courts which involves all three acts in this type of action. Although 12 defendants are named in the suit, the request for a speedy determination is based on a clearance question of "That Certain Age" and two Warner films booked into a territory in which Elliott claims his theatre has precedence over the W. B. Lane.

Refugee Benefits

Three special performances will be given on Sunday with all proceeds going to German refugee relief organizations. A special showing of "The Story of the Secreta" at the Fifth Ave. Playhouse, "Abe Lincoln in Illinois" and "Knickerbocker Holiday," plays make up the list.

Relief funds of the United Palestine Appeal benefited by $100,000 from "The Night of Stars show at Madison Square Garden last night. More than 25,000 packed the auditorium, paying $1 to $15 per seat.

Proceeds will be used for the settlement of Palestine of Jews of German, Czecho-Slovakia and other countries. Louis K. Sidney handled the show, Ben A. Boyar as associate.

UA Board to Hear
Profit-Share Plan;
Selznick's Deal Up

(Continued from page 1)

until early next week for business conferences before returning to the coast. There is a possibility that a new distribution deal with Selznick may be up for discussion at the United Artists board meeting scheduled for this afternoon. The board meeting will be followed immediately by the annual meeting of United Artists stockholders.

Adjourn Kindler Hearing

Hearing on a motion to punish Abraham Kindler, as president of Empire State M. P. Operators’ Union for contempt of court for violation of a preliminary injunction was adjourned by Supreme Court Justice Aaron J. Levy.

Schwartz Examiner
In City Tax Action

Arthur Schwartz of the law firm of Schwartz & Frohlich has been assigned to conduct the examination of industry witnesses in connection with the city comptroller’s attempt to assess more than $1,000,000 in penalties and interest for failure to pay the two per cent city sales tax from March, 1935, to June, 1937.

The distributors, contend that they acted in good faith not in paying the tax, relying on legal opinion that a sales tax does not apply to films, which are leased and not sold.

A hearing on the assessments scheduled for yesterday was postponed to next week.

Col. Sales Meet in
N. O. Over Weekend

Second of a series of Columbia divisional sales meetings will be held in New Orleans tomorrow and Sunday at the Roosevelt Hotel. A. Montague, general sales manager; Rube Jacobson, assistant sales manager, and Max Weisidt, short subject sales manager, have been booked to attend the meeting.

New Orleans, Atlanta, Dallas, Charlotte, Memphis and Oklahoma City branches will be represented at the meeting. Sam Moscow, southern division manager, will preside. First of the regional meetings was held in Chicago two weeks ago.

Wall Is Appointed
Assistant to Ross

Edward J. Wall, formerly for 15 years with Paramount, has been appointed executive assistant to Harry A. Ross, president of Ross Federal Service.

Ross said the position was created because of the steady increase in administrative duties attending the growth of the business.

A graduate of Northeastern University, Wall began his career as a reporter on the Boston Herald-Traveler. He became assistant to Frank A. Vanderlip, National City Bank president, and joined Paramount in 1923, his work including a survey of the company’s theatre properties and other situations here and abroad.

Newsreels Watch 16mm. as Possible Source for Films

(Continued from page 1)

ducer and are concerned about his competition.

Improvement in the 16mm. projector has brought about a sharp jump in the demand for small circuit in the south, southwest, midwest and far west, serving areas that are not well supplied with theatres. Canada has considerably agitated over this development. N. L. Nathanson is interested in the field and one of his organizations is serving 16mm. films and equipment.

Exhibitors have become more cognizant of this competition and find that the distributors do something about it, as at the M.P.T.O.A. convention in Oklahoma City, where it was charged that the major distributors permit itinerants to show their pictures on 16mm. stock too soon after release. It is claimed that in small towns the exhibitors sometimes get their pictures after they are shown in halls by the itinerants.

Distributors, however, aver that they do not as a rule permit their distributors to show their films within a year or so after national release and that as far as possible exhibitions by independent exhibitors are controlled in order to prevent competition to theatres.

British Labor Probe Report
Believed Dead

(Continued from page 1)

satisfaction with the progress of film labor negotiations and the completion of a number of agreements already.

If the situation continues so, it was indicated, there will be no attempt to hamper the progress by the issuance of a labor probe report.

Significance was attached to the fact that no date has been set for a new national agreement with the government, C. E. A. and the National Association of Kine and Theatrical Employees. The two latter organizations have agreed on the formation of a national wages board to which local labor agreements may be submitted, and a nationwide agreement is as possible as the future.

Negotiations are continuing toward an agreement between studios and production employees on a wage-hour schedule for studios.

Monopoly Group to
Discuss Plans for
December Hearings

WASHINGTON, Nov. 17.—Members of the Administration monopoly investigating committee will meet tomorrow afternoon to discuss plans for public hearings which are to open early in December.

The conference will be confined to a discussion of the Clayton anti-trust situation and the influence of trade associations on industrial policies.

Hearings are expected to open about Dec. 5. First sessions will be devoted to a discussion of the anti-trust situation's broad aspects by officials of the Justice Department and other agencies involved. First definite probes are expected to be in the patent situation and glass industry.

Metro Prize Winners In from Trip Abroad

Nine members of G-M-G’s domestic sales staff returned yesterday on the Queen Mary after a month’s jaunt given them as prizes in an international billings contest. They spent most of the time in Paris and London.

They are Charles E. Jessichc, Atlanta district manager; John J. Kneibeck, St. Louis manager; Charles O. Helland, and the following branch managers: Bur- tus Bishop, Jn., Charlotte; William B. Zelinger, Oklahoma City; Walter G. Van Meter, Kansas City; J. W. Wil- liams, Memphis; Maurice Saffle, Salt Lake City; William H. Work- man, Minneapoli; and Leroy A. Bickel, Dallas. All have left for their offices.
Hollywood Preview

“The Law West of Tombstone” (RKO)

HOLLYWOOD, Nov. 17.—Producer Cliff Reid decided not to follow the standard pattern for outdoor action pictures in “The Law West of Tombstone” and as a result there is much novelty in the film. The change not only makes for better entertainment, but provides showsmen with new ideas to use in exploitation campaigns.

Based on a story by Clarence Young, who collaborated with John Twist on the screenplay, it is a different tale of the west of 60 years ago. The plot, with Harry Carey in the chief role, is built around a swaggering westerner of the old school, who is boisterous and arrogant, but who ceases his action when he remembers the woman figure, the picture tells a story of romance and revenge. While a young desperado is swung around to a better life through the influence of a girl, the old gun-fighter also finds his way to a safer and more enjoyable way of living. True to all western legends, however, the picture culminates with an exciting gun battle that ends a long existing feud and brings about the extermination of an outlaw gang.

Harry Carey gives one of the most pleasing performances of his career and the featured support, Jean Rouverol and Tim Holt, work in a manner that leaves little to be desired. Quality sustaining performances are contributed by Evelyn Brent, Clarence Kolb, Paul Guilfoyle, Allan Lane, Esther Muir, Bradley Page and George Irving.

Accentuating the novelty and difference in story content and production detail, Glenn Tyron’s direction gives the film a naturalness that makes everything seem credible.

Running time, 75 minutes. “G”

Mr. Moto Takes a Vacation” (20th-Century-Fox)

HOLLYWOOD, Nov. 17.—Preview fans in attendance at the Los Angeles Uptown on the occasion of this screening were telling each other in the lobby afterward, while trying to get a closer look at Peter Lorre, that this was one of Mr. Moto’s best. The theatre is a typical Moto house and your reporter takes their word for it. The film is fast, full of mystery, and winds up in a terrific man-to-man battle between Lorre and Joseph Schildkraut which looks impressively genuine.

The screenplay by Philip MacDonald and Norman Foster, who also directed the picture, is about the crown of the Queen of Sheba and an extraordinary series of attempts to steal it from a museum in Fritzo. Everybody, almost, is suspected of being the famous criminal believed to be behind these attempts, but Mr. Moto finally finds out that a kindly old gentleman who financed the expedition that dug up the crown is really the culprit. He captures him in the above-mentioned battle.

Running time is considered ideal by George P. Huntley as a British gentleman with Scotland Yard connections. Virginia Field and John King conduct a mild romance in the background.

Running time, 65 minutes. “G”* Roscoe Williams

Secrets of a Nurse” (Universal)

HOLLYWOOD, Nov. 17.—Just about all of the common denominators of metropolitan melodramas are present in this sketchily knit story which asks observers to believe that a nurse (played by Helen Mack) has power to bring one patient back from the edge of death and make another confess to a murder after he has ceased to live. Three murders and an electrocution, a doped prize fighter and a court room sequence are other materials used. The story, by Quentin Reynolds, and the screenplay by Tom Lennon and Lester Cole, put quite a strain on audience credulity. The preview crowd was Clarence Muse do their chores adequately. Horace MacMahon makes a fantastic gangster seem genuine and Samuel S. Hinds gives his usual able performance of the judge in spite of unusual dialogue handicaps.

The film is for the less exacting advocates of melodrama at any price. Burt Kelly is down as associate producer and Arthur Lubin directed.

Running time, 69 minutes. “G”* Roscoe Williams

*B” denotes general audience classification.

Loew’s Publicity

Men Transferred

Realignment of Loew’s circuit publicity staff in the metropolitan area has been in progress for some time, and San Cordick, formerly in Queens, has been placed in charge of East Bronx. assist by S. Leonard Mayer. Carl Fishman has been shifted from East Bronx to West Bronx; George Scharl from East Bronx to midtown Manhattan, to direct a cooperative campaign for film exhibitor who is to present a series of articles in The Brooklyn Daily Eagle for Pete McCarty in Queens; Tedd Arrow to Westchester; Bill Silfика from the home office to Brownfield, to do a field work; Morty Tamber to work with Gene Murphy, newspaper consult. Jod Levy, Jr., has resigned.

The shifts result from the switch of Lou Brown from West Bronx to Loew-Poli theatres in New Haven, succeeding Erle Wright, recently resigned.

Mexico Now Has 370 Theatres Operating

MEXICO CITY, Nov. 17.—Mexico has 370 film houses in regular opera- tion of the 863 in the country, according to a survey by the Federal Government. The distribution of the active houses is mostly in the Federal District, which includes the city of Yucatan and Vera Cruz states. But Colima state and Lower California Territory have but one active theatre each.

Liner Harmanus Manager

ALBANY, Nov. 17.—Irving L. Liner, former Adams Brothers Theatres executive and manager of Fabian’s two Port Jervis houses since early last summer, is the new head of Harmanus Bleecker Hall here. Liner succeeds James A. Carrier, who, as managing director of the Consolidated Advertising Agency, is opening a new branch here.

Charles Moning Dies

PLYMOUTH, Mass., Nov. 17.—Charles Moning, 69, one of New England’s pioneer exhibitors, was found dead in his office yesterday. His throat was slashed with a razor and police attributed his death to suicide. The funeral is expected to take place tomorrow.

M. H. Has Color Stills

Direct color photographs of scenes from Music Hall stage shows are being made for use as lobby displays for the theatre. The pictures, made by Jimmy Silo, are believed to be the first of their kind to be made for this purpose.
announcing the fifth issue of FAME

The Audit of Personalities

Now in preparation by the world-wide staff of Quigley Publications—edited by Terry Ramsaye

NEW YORK • CHICAGO • LONDON • HOLLYWOOD
Good Excuse
Cincinnati, Nov. 17.—"The show must go on" is the old- est show tradition, but it is Carl Pharis says, "Oh, yeah." Pharis, announcer on a WCKY program, failed to show up in the studio for his program time and so another announcer was hurriedly re- cruited. Pharis gave the alibi the next day: A half-hour before broadcast time, he be- came the father of a girl. He didn't remember the show thereafter until the following day.

NBC to Ask End of Two Damage Actions
Application will be made today in the U. S. District Court by National Broadcasting Co., Inc. and Cecil, War- wick & Legler, Inc., for permission to discontinue without causing financial loss to the program, which seek an injunction and a total of some $76,861 as damages against Charles H. Hallinan, Jr., of St. Louis, who charge the defendant with unlawfully asserting rights to, and interfering with, the program "Metropolitan Opera" over the NBC network and sponsored by Sherwin-Williams Co.

Jack Roche Joins NBC
Jack Roche, formerly of CBS and more recently a free lance in radio and television, has joined NBC to turn out institutional publicity.

FCC Calendar
WASHINGTON, Nov. 17.—Hearings on a number of broadcasting applica- tions were ordered today by the Federal Communications Commission today, including the new-station applications of the St. Lawrence Broadcasting Co., 1,170-kilowatt station; Ogensburg, N. Y., with 100 watts night, 250 watts day; A. E. Austin & Son, 1,170-kilowatt station, Monica, Cal., with 100 watts night, 250 watts day, and Bowling Green Broadcasting Co., for a 1,310-kilowatt station at Bowling Green Ky., with 100 watts night, 250 watts day.

Other applications to be subject of hearings included those of WKOR, Sunbury, Pa., for extension of time from sharing to unlimited; WMIN, St. Paul, for increase of night power from 100 to 250 watts; KCMC, Tex- arkana, Tex., for change of frequency from 1,420 to 1,340 kilocycles and increase of power from 100 watts night, 250 watts day, to 500 watts night, 1,000 watts day; KTAT, Fort Worth, for change of location from Fort Worth, Tex., to Wichieta, Kans., and increase of power from 1,000 to 5,000 watts; WLAC, Nashville, for increase of power from 5,000 to 8,000 watts; WANA, Womul, Ala., for increase of night power from 500 to 1,000 watts.

The commission has received a re- port from Examiner Melvin H. Dal- berg, who was dismissed last week as part of Chairman McNichol's "purge," recommending denial of the applica- tion of Peter J. Caldarone for a new 1,210-kilowatt, 250-watt daytime station at Providence.

MOTION PICTURE DAILY

NBC's Talent
Sales in 1938

$15,000,000

(Continued from page 1)

$1,028,000 covers salaries and depart- mental overhead, commercial pro- gram talent, including orchestras, $2,- 223,000 and $1,375,000 for sustaining talent.

The F.C.C. Monopoly Committee was told by Royal that more than $10,000,000 is spent annually by the networks and advertisers and sponsors of sustaining programs.

Answering questions by Chairman R. R. McNichol as to the range of costs for commercial program talent, Royal said some of the most pre- cious shows on the air may spend from $20,000 to $30,000 a show, while others may be staged for as little as $500 or $1,000.

Royal explained the setup of the program department in detail, tracing various activities, one of most important of which is in planning events to come. Non-partisan broad- casting is possible, he commented.

NBC Wants Criticism
NBC would welcome more criti- cism from radio audiences, Royal told the committee, explaining that because the mail ran about the same each year, no statistics have been kept since 1935, when out of 4,223,135 letters received 1,954 were of sponsored programs, $15,296 to sus- taining artists personally and 450,154 to show, many of which were adversely critical. Criticisms are preferable to indifference, he said. Of letters to the company, 131,920 were misses of appreciation, 9,996 lack constructive comment and the re- mainder were requests for free offers, information to tickets or shows or in response to contests.

Improvements Sought
Royal was questioned at length re- garding various types of programs, and testified that NBC is trying to improve its broadcasting, but children's, has strict rules against adult libbing and has been un- able to do much about price con- tests because they are popular, more than 6,000,000 responses being re- ceived in one week in one contest. At the close of the day the hear- ings were adjourned until next Tues- day.

Option Quaker Oats Cast
Entire cast of the Quaker Oats show, including Ton-e-ry Riggs and Larry Clinton's orchestra, have been placed under further option by the sponsor. Additionally, the program time has been extended for an addi- tional 13 weeks beyond the first 13 weeks of the previous program card Saturdays, at 8 P. M. over the NBC-Red. Lord & Thomas is the agency.

Opereitas Back on NBC
Gilbert and Sullivan operettas will return to NBC over the Blue network starting Nov. 22 and Tuesdays thereafter from 8 to 8:30 p. m. Harold Sanford will direct, and the cast will include Muriel Wilson and Fred Hulme.

\[Delivery of this ticket for any performance this season will entitle the holder to the services of a friend.\]
MOTION PICTURE DAILY

Trade Reforms to Be on Wide Scale

Trade Reforms to Be on Wide Scale

Fairbanks Early Settlement of
RKO Problem

Present events which are transpiring in RKO's reorganization situation will indicate that existing controversies among creditors would be had shortly. In this event, providing Federal Judge William Bondy's Picture Distributors' Association plan can be made to stand a good chance of confirmation when the matter next comes up for hearing Nov. 22.

U.A. Circuit's Net

For Year $148,743

Net income of $148,743,37 for the year ended Aug. 31 was shown by United Artists Theatre Circuit, Inc. This compares with a net of $85,073 for the year ended Aug. 31, 1939. U.A. attributes the decline to the

Canadian Stations to Fight

High Royalty Fees for 1939

Toronto, Nov. 20—Canadian Association of Broadcasters and the Canadian Broadcasting Corp. are entering vigorous protest with the Copyright Appeal Board against the schedule of royalty fees on musical works which the Canadian Performing Rights Society, Ltd., proposes to collect from broadcasting stations during 1939. The 1939 total is $190,978.

Additional developments in radio on page 9.

Show Business Is Aiding Persecuted

Show business, responding to the need created by Nazi brutality, is pledging aid to those persecuted abroad. In this, show business pursues its traditional course of helping those in need, regardless of race or creed.

In the U.S. and Canada, showmen are setting aside box-office proceeds to the cause of German refugees. It is a strong answer to Nazi persecution.

 already the Interstate Circuit (Earl Hoblitzzle—Bob O'Donnell—John Moroney) are doing this film in Canada. Famous Players - Canadian (N. L. Nathanson).
**Insiders' Outlook**

**WARNERS have mar-**

**shalled all their power**

**behind "Angels With**

**Dirty Faces," it seems. The-**

**ners fairly packed an un-**

**usual sales plan to blanket**

**showings of the film around**

**the country, starting off on**

**Thanksgiving Day, with an effort to**

**run the picture in over 200 centers. At**

**that rate the picture should**

**turn in a gross of upwards of**

**$500,000, on its first week to**

**WARNERS. At the company's**

**offices they are very optim-**

**istic about potential results.**

**According to Gradwold L.**

**Sears, general sales manager,**

**an action by WAR-**

**ners rivals in sales**

**power and extent of dis-**

**tribution, that done by Par-**

**armount, 18 years ago, on "Peter**

**Pan." To the Warnerites it is equal to the**

**drives put on by War-**

**ner in the early talker days,**

**when the demand for the new**

**product was so great, War-**

**nerites have spread their films**

**around the country.**

**This sales drive by Sears is in**

**the vanguard of a national**

**publicity campaign in newspa-**

**per and magazine adver-**

**tising. The cost of the**

**campaign is being helped by an increased advertis-**

**ing budget.**

**The idea back of the cam-**

**paign is to effect a simul-**

**taneous world-wide appeal na-**

**tionally around the country.**

**Herman Wober, 20th Cen-**

**tury-Fox general sales mana-**

**ger, in a Thanksgiving message**

**to the employees, company head-**

**organ, expresses his thanks and those of the company for var-**

**ious factors that have contrib-**

**uted to the company's impres-**

**sive showings. "At present**

**tion," he says, "we are healthier**

**than we have ever been.**

**Striking a note key to what**

**is happening abroad, Wober**

**declares: "Consider the plight of our associates in certain other land-**

**s where war still lingers, where political strife is impos-**

**sing matters to business, where distribution is maintained under the most trying circum-**

**stances.**

**And as we give thanks for**

**our good fortune for our pros-**

**pects for continued and greater**

**success, it is only fitting that we take cognizance of those asso-**

**ciates laboring loyally and in-**

**sincerely in the vanguard of ad-**

**vancing, encouraging and heart-tearing conditions not of their doing."**

**After 12 years as chief as-**

**sistant to the advertising mana-**

**gers at Universal, Rainetta**

**Marshall waved a fond farewell**

**to office duties on Friday. Her**

**many friends and associates**

**thronged her office all day for**

**the final adieu. She departed,**

**loaded with gifts, to devote her-**

**self to domestic duties at her**

**home in Tontonka. The "domes-**

**tic" name is Mrs. Otto Struve.**

**Abraham F. Myers' criticism of William F. Rodgers' recent state-**

**ment that "an agreement in prin-**

**ciple was reached in confer-**

**ence between the Allied and distribu-**

**tors' trade practice committees springs from a lawyer's insistence on**

**precise terminology.**

**An Allied official who has looked into the situation avers that if Rodgers had said an "un-**

**derstanding", had been reached, instead of using the word "agree-**

**ment" Myers' legal mind would have been satisfied.**

**Allied people in New York re-**

**gard the fuss as a tempest in a tea-**

**pot.**

**Grand National's board of di-**

**rectors may decide on arrange-**

**ments for British distribution**

**within the week, Earle W. Ham-**

**mons, president, has said. Disposition of Franklin Warner's status also will be**

**made.**

**Hammans said that the de-**

**cision would be for either the pro-**

**posal made by John Maxwell or for**

**establishing its own distribu-**

**tion branches in Britain. The**

**latter course, however, would make it necessary for Grand Na-**

**tional to try to make its own quota films in England.**

**Educational's board of direc-**

**tors meets Wednesday to elect**

**officers.**

**League of New York Theatres is con-**

**ducting a vigorous cam-**

**paign to make the present legal**

**theatre code work. James F.**

**Reilly, executive secretary of the**

**League, announced recently that a survey of the first month's op-**

**eration revealed that it was 75**

**per cent effective. The code**

**fixes a 75 cent maximum advance and requires a 3/4 cent payment on**

**each ticket sold for an Enforce-**

**ment.**

**Last week, the League inserted advertisements in the dailies which sought to enlist the**

**cooperation of the public. The ad-**

**vested in the public's support of brokers only, and to induce the**

**public to report violations, offered to repay any overcharge. Major**

**complaints on the present code, Reilly said, involve the inability of**

**brokers to obtain a sufficient number of good seats, "bootleg-**

**ging" of tickets by box-office em-**

**ployees, and the fact that unac-**

**credited brokers are getting tickets by ordering them through the**

**mails with the assistance of a**

**group of friends.**

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**Philadelphia Suit Hearing Adjourned**

**PHILADELPHIA, Nov. 20.—A pre-**

**liminary hearing in the anti-trust suit**

**brought by Herbert J. Elliott, of**

**Fenris Park Theatre, against 12 major**

**producers and distributors, was ad-**

**journed Friday when Elliott ob-**

**tained a consent release on three**

**films, "Hold That Co-ed," "Straight, Plain and Show" and "That Certain A.**

**The suit is based on a clearance ques-**

**tion on the booking of the films into a territory in which the plaintiff**

**claims his theatre has precedence over the Warner Lane.**

---

**Grant Majors Time In Chicago Action**

**CHICAGO, Nov. 20.—Extension of time**

**until Dec. 15 for the filing of**

**answers by Balaban & Katz Theatres,**

**Paramount and all major companies**

**except Goldwyn, is possible in the**

**criminal contempt charges brought by the Gov-**

**ernor for alleged violation of a con-**

**tent decree entered in 1932 was granted by Federal Judge Wilkinson**

**on Friday. Judge Wilkinson ruled that no fur-**

**ther adjournment was granted out of fear that the trial would not take place before February because of the crowded condition of the**

**docket.**
"Cowboy" Does $43,000 in 2 L.A. Theatres

Los Angeles, Nov. 18.—"The Cowboy and the Lady" took the big money here, with $22,500 at the Warner Downtown and $20,500 at the Warner Hollywood.

"The Cowboy and the Lady" (U.A.) WARNER BROS. (Hollywood) — (3,000) 
(30¢-65¢), 7 days. Gross: $20,500. (Average, $4,400)

"The Cowboy and the Lady" (U.A.) WARNER BROS. (Downtown) — (3,000) 
(30¢-65¢), 7 days. Gross: $22,500. (Average, $5,400)

Extremely happy advise sensational opening on Cowboy of $1881. This is the biggest opening day in this theatre in several years of really big opening days. Kindest regards=

Charles Schlaifer.

Samuel Goldwyn presents GARY COOPER and MERLE OBERON in THE COWBOY and the LADY with PATSY KELLY • WALTER BRENNAN • FUZZY KNIGHT • MABEL TODD • HENRY KOLKER

Directed by H. C. POTTER • RELEASED THRU UNITED ARTISTS
Trade Parleys About Vital Changes

(Continued from page 1) and in those meetings the final plan may take shape, since an accord already been attained with the Allied organization. No side is to be neglected, so that the independents are getting the fullest possible consideration, too.

But of course whether or not the business's effort to self-regulate its affairs will satisfy the Government cannot be stated.

Remedy on block booking will come from an unrestricted cancellation privilege benefiting principally the small exhibitor, who shall be given the right to cancel as high as 20 per cent of his purchases at any time, and as he pleases, down to 15 per cent and 10 per cent for other exhibitors. This is a great concession by the distributors, but on the double side seasonally in attempting to calculate their potential sales and income, and it makes possible an unrestricted and uncontrolled cancellation of business from their end of millions of dollars.

In every case with the right to buy, there are of course a lot of difficulties, but presumably it will be handled in a manner which will outlaw long term or so-called "permanent" franchise, among other conditions.

Arbitration and clearance are extraneous matters of the business, but it seems fairly assured that an arbitration system will be set up. Also that an effort will be made to alter present oppressive clearance and protection situations.

It goes without saying that the genius does not exist who is so knowledgeable and qualified to compose a trade practice policy that will be fully satisfactory to every exhibitor and the distributors, big or small. So it's a question of give and take for all sides, and discussions are on a triple front, M. P. T. O., A., the Allied and the independents. Nobody expects the fullest agreement on all points proposed by all the factions, and the hope is that each will be sympathetic and considerate of the other's position.

In these negotiations there is no doubt each side has proposed some matters peculiarly applicable to that side alone and none of the other groups, or some matters which other groups might have overlooked. The indications are the majority of such items might have been of a minor kind.

Exhibitors and exhibitor organizations of every business shade, personally, or through representatives who participated in the conferences or have been consulted. This includes the affiliated circuits as well as independent circuits.

Much of the criticism which has been leveled upon conditions has been at independent circuits, so that at no time has this been a one-sided struggle.

The Allied has its schisms, and that which Al Steffes may approve, Abram Myers and Col. H. A. Cole do not favor.

The exhibitor knows no more than the distributor how to solve clearance on a national scale, and just what should be arbitrated and what should not is a major headache. However, the indications are that the negotiations are progressing along lines that would assure a feasible non-aggressive self-regulation policy for the business.

The Government's side is something else entirely, and this self-regulation linked with the Government's present anti-trust campaign, whether or not the self-regulation will appease the Government is for conjecture.

President Roosevelt is known to be friendly to the business, but it seems there are others in the Government service who are openly sympathetic to self-regulation in any industry.

18 Mexico Houses Will Reopen Soon

Mexico City, Nov. 20.—Exhibition in Mexico is looking up. Arrangements are being made for the reopening of 18 theaters, long closed, four of them entirely. They will be either by the owners directly, under leases or by cooperative societies of film employees. Cooperativeness, popular in Mexico, has invaded the country's exhibition. Several houses are being run by cooperatives.

Twelve cinemas are now under construction and are scheduled for completion. Plans have been made for building seven local houses.

Evans Urges Producers, Managers Strike If Unions Not Reasonable

Union of Broadway play producers and managers who would act together and strike if theatrical unions presented unreasonable demands was urged by Maurice Evans, actor-manager, at this year's first discussion meeting of Actors' Equity held at the Hotel Astor on Friday. Brode Pemberton, president, and Miner and Margaret Webster, directors, also recommended drastic action as they told the actors of the producers' troubles.

Holmes Webster's third resolution "prohibitive" and Miner asserted that every union in the field was engaged "in cutting the other unions' throats." They urged Equity to take the lead in the formation of a cooperative council of all unions. Philip Loeb, chairman, promised that any proposal which promised more widespread employment for actors would receive consideration from the Equity council.

Companies to Investigate on Theatre Deals

(Continued from page 1) the Government's demand for a status quo or a standstill agreement with the companies, under which terms the Government desired to compel cessation of all theatre transactions, pending other suit by the defendants until further determination of the pending suit. The Government's demand for a standstill agreement was so severe that it was disapproved by the defendants in their suit in order to maintain the status quo of affiliated theatres.

Presumably in situations which may arise where the Department of Justice disapproves of proposed theatre deals, the companies would make an effort to convince the Government otherwise. But if the Government is opposed to such deals and proceeds toward injunction proceedings, the companies involved are Loew's, RKO, Paramount, and Warners.

Back of this compromise probably also was the Government's feeling that the chances of obtaining a favorable result by injunction might not be altogether good, and might take pre-empted, costly effort.

Protests Lift Ban On "Prof. Mamlock"

CHICAGO, Nov. 20.—Popular resentment against the action of the censor-board in forbidding the exhibition of "Prof. Mamlock," the new film starring Pathe Commissioner Allman to veto the move and lift the ban. One condition, the elimination of a fight scene, was imposed.

Contempt Suit Takes Doering to Court

O. C. Doering, Jr., of RKO televi- tion's counsel, left for Chicago over the weekend to work on the Federal contempt action there against B. & K. and including RKO and other major distributors. He is due back in a week or 10 days.

Hays West: Met Reels

Will H. Hays left for the coast last night by train and will be away from New York about a month. The M. P. T. D. A. head met with editors of six newspapers Friday night as what was described as a routine conference for general discussion purposes; he was to be held in the newsrooms about three or four times a year.

Dietrich Returns

LONDON, Nov. 20.—En route to New York on the Normandie are Marlene Dietrich, Gracie Fields and Cary Grant. On the Manhattan are Steve Flohlim, leaving on a 20th Century-Fox assignment, and Robert Henderson.
Chaplin Plans Again to Enter UA Production

(Continued from page 1)
acquire from Pickford, who left for Chicago Friday evening. The annual meeting of the company’s stockholders, which was to have been held on Friday, was postponed to Nov. 30 also.

The company’s new season product plans occupied most of the session. The schedule will include a big budget picture starring Merle Oberon to be made in Hollywood by Alexander Korda. The plans of Samuel Goldwyn will be outlined in conferences with James M. McKay, Goldwyn’s eastern representative, next week. McKay will leave for the coast in a few days, returning in time for the Nov. 30 meeting.

The revised United Artists’ profit sharing plan, which is described by Maurice Silverstone, chief executive of the company, as the “commission merit formula,” did not come up for action at the meeting but probably will be approved at the next session in which all five United Artists are in agreement on its operation. It will become effective Jan. 1 and will provide for equal participation by partners in the earnings of pictures produced by them. The original plan provided for participations by all five partners in company’s earnings, regardless of whether or not they themselves produced pictures. Under the new plan a partner who does not contribute to the company’s releases will participate in the extra dividends, and producing partners will participate only in the earnings of their own pictures.

The revised plan is regarded as having brought about the Chaplin decision to produce for next season release. Fairbanks plans to remain in New York for the Nov. 30 meeting; he will leave thereafter to complete his production arrangements. All his pictures will be made of the “Fairbanks” type. Mark, his associate in Albin Films, he may go to London and Switzerland early in December to complete financial arrangements. Chaplin will produce, direct and star in his planned production, which is scheduled to get under way immediately after the first of the year.

Silverstone said United Artists will give increased attention to the Latin American market as a matter of future policy, and will produce one experimental Spanish-language picture in Hollywood soon. He will leave for London early in December to confer on the projected Odeon-Gaumont British-General Theatres merger.

DuArt Bids $65,500 For Int. Cinema Lab

Arthur Gottlieb, head of DuArt Film Lab, which bid $65,500 for the bankrupt Interna-
tional Cinema Laboratories on the coast, returned yesterday.

A hearing on the bids will be held in the Federal district court, Los Angeles, Nov. 23. In the interim the arrangements are considering various proposals.

Color for 16mm. Not to Be Available Until January 20

WASHINGTON, Nov. 20.—Color for 16mm. will not be available until after Jan. 20 and the price has not yet been fixed, it is learned from bids submitted to the Federal Housing Corp. for sound films in color and black and white. The films will demonstrate FHA activities.

Four formal bids were received for the contract, which will run to June 30, 1930, as follows:

- The corporation, which has done considerable Government film production; Motion Picture Corp. of America, New York; Hollywood Industrial Co., Culver City; Loucks & Norling Studios, New York, and there was an informal bid from Sply Commercial Pictures, Hollywood.

Pathe News offered to produce 35mm. color sound films $12.80 per foot in lengths to 3,000 feet and $9 if longer; color silent $1.82 per foot in lengths to nine cents on longer color silent, $7.60 to 1,000 feet, $7.20 to 3,000 feet and $6.50 longer, with 35mm. prints at 12 cents per foot to 3,000 feet and nine cents on longer films; black and white sound at $4.50 per foot and black and white silent for $3.50. No prices were quoted on print.

Other Bids Made

Motion Picture Corp. of America bid color sound film $20.20 per foot to 1,000 feet, $17.80 to 3,000 feet and $6.50 on longer films, with 35mm. prints at 12 cents a foot to 3,000 feet and nine cents on longer color silent, $7.60 to 1,000 feet, $7.20 to 3,000 feet and $6.50 longer, with 35mm. prints at 12 cents per foot to 3,000 feet and nine cents on longer films; black and white sound at $2.50 per foot and 1,000 feet, $3.10 per foot and $3.05 longer on black and white silent at $4.60 to 1,000 feet, $4.50 to 3,000 feet and $4.45 if longer.

U.A. Circuit’s Net For Year $148,743

(Continued from page 1)
shump in general theatre business. Net income before deducting interest, depreciation, amortization and provision for Federal income taxes was $74,254 for the year, compared with $67,254 the previous twelve months.

The company improved its cash position during the year, with $54,723 on hand Aug. 31, compared with $485,883 shown in the previous balance sheet. Theatre investments at cost or appraised values, less reserves for depreciation and amortization of $1,077,868, are carried on the books at $1,630,553, under last year’s figure by $178,000. Capital stocks of and advances to affiliated companies owned less than 100 per cent total $2,485,138. Total current assets are carried at $8,265,630.

United Artists Theatre Circuit owns or has an investment in about 200 theatres in New York, including the RKO theatres, which includes Skouras Theatres (George Skouras) and the Randorf Circuit (Sam Rinzler and Harry Frisch).

Joseph M. Schenck is president and chairman of the company. The United Artists Theatre Circuit is related with United Artists Corp., major producing and distributing firm.

United Artists Theatre Circuit annual meeting of stockholders will be held in Baltimore Nov. 28.
I K N

THAT THE TOP EXHIBITOR REVENUE TODAY CONSISTENTLY FROM ONE PARTICULAR AT THAT THIS SHOW IS PLAYING TO BIGGER HOOF 'ADVENTURES OF ROBIN HOOD'—ACTUALLY FOR OF THE OUTSTANDING MONEY-MAKERS EVER That’s Why I’m All Set Now To Hold BROTHER
COMING ACTION-THINGS THAN VING ONE LIVERED

More Information, Please Check any or all of the current engagements for amazing new facts about THE BUSINESS-BOOM LEADER OF THE FILM INDUSTRY!


That Warner Comedy Sensation . . . .

PRISCILLA LANE WAYNE MORRIS and JOHNNIE DAVIS • JANE BRYAN • EDDIE ALBERT RONALD REAGAN • JANE WYMAN • HENRY O'NEILL
Director by WILLIAM KEIGHLEY Screen Play by Richard Macaulay & Jerry Wald From the Play by JOHN MONKS, Jr & FRD F. FINKLEHOFFE • A First Nat'l Picture
British Renew Drive

London, Nov. 20.—The remaining spark in the British “come to the films” campaign is not being allowed to die. It has again been fanned by the efforts of Southern Midlands exhibitors, who have asked the C. E. A. general purposes committee to consider getting together a committee of representatives who are interested in a scheme of national advertising.

Dismiss Game Charge Against 3 Theatres

Police charges of conducting a lottery against three Brooklyn theatres in the operation of chance games were dismissed after hearing Friday by Magistrate Salvatore Sabatino.

Defendant theatres were the Parus Court, operated by Louis Godel; the Suburban Theatre, operated by George W. Wood, and Abe Levy’s New United. Games involved were Bingo, Bango and Banko.

The magistrate held that the circumstances under which the games were conducted did not warrant a conviction and dismissed the game charge under the Criminal Code making the conducting of a lottery a crime. The three cases were assigned to Abner G. Lott, Harry G. Kosch, general counsel of New York Allied, representing the defense.

Local exhibitors were concerned about these cases as they gave evidence that the authorities intended to conduct a drive against theatre chance games. An earlier case, involving the Jewel Theatre in Harlem, is included for trial in Special Sessions Dec. 12, on charges preferred by the Society for the Prevention of Crime.

English Technicians Urge Quota Increase

London, Nov. 20.—Only 22 features were released in the first seven months that the new Films Act has been in operation, according to the Associated British Technicians. This figure includes 12 pictures made under the exhibitor quota provisions of the Act.

As a result of the severe production slump, the Association will urge the Films Council to consider using its powers under the quota. No indication was given of the extent of increases in the quota percentages which the association will urge. It is understood that the limits to the quota provision whereby high cost films are permitted to count for the quota production of “B” pictures has been hard hit.

Wilcox, Van Schmus Head Group to West

Herbert Wilcox, Anna Neagle, Frank Lloyd, Arthur Unger, Lou Smith and W. G. Van Schmus, managing director of the Music Hall, left for the frotogos from Grand Central Friday night for Chicago. From there all will go to the coast.

Wilcox expects to return to Hollywood in 10 days, and will remain in this country about three weeks before returning to England. Van Schmus is going west on a periodic studio visit.

Hollywood Previews

“Say It In French” (Paramount)

Hollywood, Nov. 20.—Showmen can say, in French or any other tongue, that this is one of the brightest comedies of the season. Produced and directed by Andrew L. Stone, from Frederick Jackson’s screenplay based on a play by Jacques Deval, the picture is a fresh, brisk and intermittently amusing fiction fashioned solely for laughs purposes and held well within the boundaries of plausibility. Following “Merle’s Swain,” in the Los Angeles Paramount, it kept an audience alternating steadily between chuckles and guffaws culminating in at least four instances by spontaneous applause. It never bogged down and it ends without weakening.

Ray Milland and Olympe Bradna play the leads in a manner to suggest that the funniest single scene of recent record shows Milland and very stands out in support, dominating many sequences, and William Collier, Sr., brings out of the past one of his inspired portrayals. Mary Carlisle, Holmes Herbert, Monica Barrie, Janet Beecher, Eric Rhodes and Walter Kingsford are uniformly successful in well balanced performances.

A Waller Lee registers soundly in a sustained interlude played without speaking.

The scene is New York and the time now. Milland is a son of wealth returning from Paris with a French bride his now financially embarrasting parents know not of. For commercial reasons he consents to go to England to stage. He marries his wife, Miss Bradna, posing the while as maid in his parents’ service. What happens from there on is not in any sense the expected and is properly for the film to tell.

New York scenes include the Rainbow Roof, the Waldorf Astoria, various night spots and swanky apartments. A production feat resultant in this is the table scene in the famous roof restaurant, which is a two-well set.

Miss Bradna scooting across town in a midget automobile which, stunned by traffic, races through the foyer of the Edison Hotel from 47th to 46th Streets and thence under a policeman’s horse and between trucks, taxis and N. Y. Central box-cars to the departing Queen Mary. Running time, 70 minutes. “G.”*放松 Williams.

**“G” denotes general audience classification.

“The Shining Hour” (M-G-M)

Hollywood, Nov. 20.—“The Shining Hour” is an adaptation of a New York stage play. A preview program notation states: “The play was laughingly and considered worth waiting for to see Miss Williams here.” It is billed in New York. Returning to the studio she persuaded them to purchase the drama.” It now becomes an exhibition offer to pursue his patrons to see the film version.

Miss Crawford is starred in the vehicle of her own choosing. Margaret Sullavan, Robert Young, Melvyn Douglas and Fay Bainter are the featured principals. Allyn Joslyn, Hattie McDaniel, Oscar O’Shea, Frank Albertson and Harry Barris are the supporting players. The screenplay for the Keith Winter play was done by Jane Murfin and Ogden Nash. A sophisticated romance drama, the appeal of which is apparent to all. The production is directed and produced by M-G-M so the expectation is that it will be a success.

Douglas persuades Miss Crawford, dancer, to marry him despite the guarded objections of his brother, Young, who is married to Miss Sullavan, and considers it impossible. A romance forms between Miss Crawford and Douglas which is directed so that the accentuality that quality for Frank Borzage. Producer Joseph Mankiewicz gave the piece the benefit of class production and staging.

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**“A” denotes adult audience classification.

Plans Theatre in Ohio

W OODSFIELD, O., Nov. 20.—James Shannon, owner of the State Theatre, will build a new theatre here, to seat 500.

Oriental Joins Allied

CHICAGO, Nov. 20.—The Oriental, Loop, Chicago, is the latest addition to Allied Theatres of Illinois.

CEA Asks Members Obey Seating Rule

LONDON, Nov. 20.—The London Branch of the Cinematograph Exhibitors’ Council has suggested to London exhibitors that to carry out the new seating rule, the C.E.A. body, the council will be empowered to hear and decide appeals from the council’s claim to a legal right to establish and enforce such rules. It is believed that, otherwise, the council may be encouraged to attempt to evade it. It was suggested that the council should be able to control the number and prices of all theatre seats, and ultimately may even interfere with the relationship between the theatre and the public.

Spyros Skouras Back From Circuit Survey

Spyros Skouras, operating head of National Theatres, returned late last week from a trip by plane to division offices in connection with the circuit’s third annual drive, which ends Dec. 25.

Meetings were held with division and district managers and bookers in Milwaukee, Kansas City, Denver, Seattle and San Francisco. Present outlook is that the drive will be successful, it was reported.

Skouras also urged continued close cooperation of staffs with the Motion Pictures’ Greatest Year campaign, in which is a leader. He was accompanied on the trip by his assistant, Peter Levathes. Conferences on the coast were with Charles Skouras.

J. J. Sullivan, Fox West Coast film buyer, left Friday for Los Angeles after several months here on film buying. Most of this work has been completed. Sullivan is expected back here in two months.

19 Shows on B’way

Openings are scheduled for every week end starting today, as Broadway legitimate stage producers are preparing for the customary winter upsurge. All productions remained on the boards on Saturday after the closing of "The Music Box" and "Danton's Death" with 21. "The New Hunter," a satire on the general staffs during the World War, by Nathanael West and Joseph Schrank, will open today at the Hudson. Production is by Jerome Mayer and Leonard Field, and the cast includes Aubrey Mather, Estelle Winwood, Ben Smith, Derek Williams, Nicholas Joy and others.

Other openings set for this week are "Ringside Seat" at the Guild tomorrow; "The Boys of the Bar," at the Alvin Wednesday; "Rocket to the Moon" at the Belasco Thursday; "Gloaming" at the Little, Friday; and "Glorious Morning" at the Mansfield Saturday. Productions set to open this week which have been postponed indefinitely include "Let's Have a Curtain," "The Flying Gizmo," and "Herod and Mariamme."
Radio Personalities

FRANK NOVAK's band closes at the Biltmore Hotel in New York. Odore Cullinan, manager for London's Palladium, is here to obtain stage and radio acts for England. Fitzgerald returned to the Mutual Airlines, starting today with a new variety pro-

Doug Watt, assistant radio-editor of the New York Daily News, has written another tune, "I'll Do It Again," being published by Mills. Watt also is the composer of "Not a Moment to Spare." Tommy Dorsey is rendering a cocktail party Thursday evening.

B. A. Sambor, WBS station relations manager, is making a three-week trip through the south... to Rines with a trip through Rosalind Sherman on the latter's WINS's program tomorrow... Leslie Howard will be interviewed by Radio Harris over Mutual on Thursday...

Les Leiber leaves the CBS publicity department December to work for Whitehall as publicity liaison, and to do occasional novelty musical numbers with the band.

Canada Plans Royal Visit Air Coverage

TORONTO, Nov. 20.—N. L. Nathan- son, president of Famous Players Cine- matic, is in town today to attend a meeting of the board of governors of the Canadian Broadcasting Corp., of which he is a director, to confer with a committee of the Canadian Cabinet on arrangements for the broadcasting program in connection with the visit to the Dominon next May of Their Majesties King George and Queen Mary.

It is expected the King will address his Canadian subjects over the radio on arrival at Quebec and on his departure (recital Toronto) at the Royal review event. Throughout the Royal tour in a worldwide hookup will also be planned, in conjunction with which will be the general plan for the coverage of functions and incidents by the news cameramen.

Molle Renewes Series

Molle Co., sponsoring Julia Sander son and Frank Crumit in "Battle of the Sexes," audience participation show. Tuesdays on the NBC-Red, has revived the series for another 13 weeks beyond the present 13-week contract. Stack-Goble is the agency handling the account.

Expand Standard Narrow

Standard Brands, Inc., for Fleischmann's Yeast, has expanded the network carrying the talks of Dr. Stidger on NBC, by adding WOR-NEW YORK, WWAY-WLS, Chicago, effective Nov. 21. J. Walter Thompson is the agency.

Radio Firms Chartered

ALBANY, Nov. 20.—Harrison Recor ding Studios, Inc., and Authors and Artists, Inc., the latter to operate a general broadcasting business, have been incorporated by...

WOR Closes Deal For a New Program And Five Renewals

Five renewals and a new program have been signed with WOR. "Lone Ranger," popular western serial, broadcast Mondays, Wednesdays and Fridays over a coast-to-coast Mutual hookup, has been re-signed for another 52 weeks of broadcasting, effective at once. The series is sponsored by the Gordon Baking Co., through Young & Rubicam.

Hoffman Beverage Co. has renewed Arthur Hale's Transradio news broadcast, heard nightly, through a place ment by Batten, Barton, Durstine & Osborn.

Providence Loan Society, through McCann-Erickson, has extended Al Mitchell's "Answer Man" program for another year.

Through direct placements, Neil Vinicky's beauty talks and the Martha Deane series for National Porcelain Co, have been renewed for 13 weeks each.

Remington Rand has contracted for a new recorded series in the early morning hours on WOR, "Wake Up With Music," to start today and daily from Mondays and Thursdays and thereafter at 7 A.M. The contract was placed by Batten, Barton, Durstine & Osborn.

Dismiss Patent Suit

Suit for patent infringement brought in the U. S. District Court by Ruben Condenser Co. and P. R. Mallory & Co., Inc., against Stuyvesant Electric Co., was dismissed without prejudice on stipulation of the parties to the suit. The plaintiff had claimed infringement by the defendant of two patents covering improvements to condensers and had sought an injunction, accounting of profits and judgment for damages.

Mosier, Love to Ciney

CINCINNATI, Nov. 20.—Additions to the list of personnel added to W.K.R.C. include: A. Mosier, previously farm editor of KFRU, Columbus, Mo., who has joined WLD as farm announcer and farm events man, and Lyn Love, associated with stations in Chicago and other western points, appointed to the production staff of W.R.C.

Balfe Is Program Head

PITTSBURGH, Nov. 20.—Kay Balfe has resigned from W.W.S.W.'s announc ing staff to become program director at WMMN in Morgantown, W. Va. Balfe rejoined the station's engineers only a short time ago after serving as W.W.S.W.'s publicity director for several years. He was re placed in that post by Bud Trauman.

Cooper WCSH Editor

JAMES M. Cooper has been ap pointed special news editor of WCSH, Portland, according to T. Weed & Co., special representatives for the station. Cooper served in New York for two years with the United Press, and was formerly was acting editor of the Portland News.

NAB Scores Plan to Measure Radio Value

WASHINGTON, Nov. 20.—The recent plan established by the Sample-Hansen to measure radio station effectiveness by the amount of free space obtained by stations in newspapers was scored here Saturday by the National Association of Broadcasters, which urged that newspaper station in support of radio campaigns be bought and not "begged.

The agency recently had announced plans to determine which stations obtain the best "cooperation" from newspapers by publicize their ads in advertisements in the trade press.

The N.A.B. said Saturday that such efforts as these lead inevitably to the Canadianization of radio and the press and do not serve the best interests of the broadcasting industry.

"Ma Perkins" Off Blue

"Ma Perkins," now on both the NBC Red and Blue networks, will be replaced on the Blue with a new serial. The NBC affiliate will broadcast "Ma Perkins" in the Blue time slot from 1:30 to 2:30 P.M. on the Red. W. H. E. was interested in the character.

Safeway Starts Series

SAN FRANCISCO, Nov. 20.—Safeway Stores, chain grocers with selling units in all parts of the state, have inaugurated a widespread radio campaign here and in Los Angeles to promote sale of Lucerne Milk. Station KREC, KSFO, KPO, and KJBS here, and KHJ, KFI, and KNX in the south.

Signal Oil Renews Show

SAN FRANCISCO, Nov. 20.—Signal Oil has renewed its Sunday series "Carnival," half-hour variety show with Meredith Willson's orchestra, for another 52 weeks. The series, which airs on Saturdays, accounts include Teena and Tim transcriptions, three days a week for four months, for Campbell Cereal Co. (AM.

Joan Edwards Renewed

Joan Edwards has been renewed as the vocalist on the Paul Whiteam series for Chesterfield cigarettes, through Newell-Emmett Co.

RADIO

Retail Radio Sales Off 22% For First Half of This Year

WASHINGTON, Nov. 20.—Retail radio sales during the first half of 1938 were 22.4 per cent under those of the corresponding period last year, as indicated by the U. S. Census Bureau on the basis of a sample census of 243 stores, representing six per cent of the total, and 10 per cent of sales shown by the 1935 census.

Total sales of the 243 cooperating stores jumped from $5,602,000 in 1935 to $8,080,000 last year. Sales during the first half of 1937 were $3,897,000 for the same period this year, $3,024,000.

Returns of these stores, the Bureau added, indicates at 1937 sales of the radio industry were 44.2 per cent above 1935 and that payrolls were $4.6 per cent higher. While sales among the half of this year dropped 22.4 per cent, payrolls declined only 6.1 per cent.

The heaviest loss from last year was experienced in the second quarter, which was 30.1 per cent under 1937. The first quarter showed a loss of only 12.9 per cent.

Hays Is New Sales Manager of WABC

Arthur Hull Hayes has been named sales manager of WABC, CBS's key station. At the same time, it is learned that Marlo L. Bloom has joined the station's sales force. Bloom was formerly with the Henderson-Garfield agency. Other newcomers to the sales staff are Beverly M. Middle ham, and Barbara M. Mathison, who was previously sales manager of WFSR, White Plains.

Pryor Is Organizing Music Union Reforms

Arthur Pryor, band leader, has been certified to head the music officers for Local 802, American Federation of Musicians, at the annual elections Oct. 15.

The reform element has organized itself as the Committee for Better Unionism, with Billy Van as secretary of its executive board. Selection of running mates for Pryor will be completed by the committee within the next ten days.

Officials of Local 802 could not be reached for comment on the charges over the weekend.

Display G. E. Televisors

General Electric Co. will place television home receivers on display as part of its exhibit at the New York World's Fair. The company has not yet determined, however, as to whether the sets will be placed on sale at that time.

Antenna Aided at S. A.

CINCINNATI, Nov. 20.—A new directional antenna, aided at Latin America, is being built for WSSX, which operates on 6,000 kilocycles, according to Joseph Ries, director of international broadcasting of the Kroger Corp.
How much is a
The gentleman on the left, William Allen White of the Emporia Gazette, is the writer of the editorial below. He tells his morning—after—the—night—before reactions to the CBS broadcast which put him and the Emporia Gazette on the air, over 77 CBS stations.

THE MIRACLE

"Half a dozen cars, equipped with radios, parked in front of The Gazette office last night to get the first fresh gleanings of The Gazette's radio broadcast as they dripped out of the microphone. The reception was particularly good in front of The Gazette office. Down at Peter Pan park at the night kitten-ball game, interest in the game lagged and hundreds of people went to their radio-cars where the reception was splendid. But the real truth is that that broadcast left the microphones in the newsroom, composing room and pressroom of The Gazette and was sent by long distance telephone to the Columbia Broadcasting office in New York City, then went on the air from there and was telephoned back from New York City through various chains until it came to Topeka. The whole thing went 3000 miles by telephone and by air before it hit the radios near The Gazette office and at Peter Pan park. If that isn't a miracle, what is?

"This hook-up which Emporians enjoyed last night was a coast-to-coast hook-up of the Columbia Broadcasting System, relayed by short-wave to Europe. The cost of such a network for 30 minutes is $20,000.* That is the commercial value of the entertainment which Emporians and the rest of the United States had. And well—so far as The Gazette's show is concerned, we can't see how it is worth it. It must cost millions every day to keep all these great radio stations going and the revenue returning must be sufficient to make a decent profit. That, also, is a miracle . . .

"Gilbert Seldes, who is handling the series of broadcasts every Thursday night called "Americans at Work" † . . . is a man of exceptional intelligence and works out these "Americans at Work" programs very much like dialogues Friday afternoon at country school...The stage management of a dialogue like last night's with half a dozen characters is rather difficult and the timing is most intricate. During the midst of the broadcast, when Mr. Seldes asked the editor of The Gazette a question, he suddenly found that he had mislaid his slip and said under his breath, "The Lord help me!" When quicker than a flash Seldes handed over from his sheet the script with the reply on it. Everything is in duplicate. There can be no serious slips.

"Among the fan telegrams that came to The Gazette office was one from Samuel Ramseyer, of Larchmont, N. Y., who heard the broadcast. He is an uncle of Mrs. Peggy Stites and was of course surprised to hear that Mr. and Mrs. O. R. Stites had gone to Denver. He was so excited that he went to the telegraph office and wired The Gazette. Mr. Ramseyer used to visit here many years ago when his brother, J. P. Ramseyer, was in business. He said the broadcast made him homesick for Kansas.

"Most of The Gazette force stood around last night in the newsroom and watched the show. It was a new experience. The microphones were attached in the composing room near the linotypes and in the pressroom by the newspaper press, and two microphones were at Frank Clough's desk. The office force in and out of the cast who had heard the rehearsal two or three times watched the performance with great zest, and after it was all over they all adjourned to Morris's drug store and had a coke, which is the height of night life in Emporia. It was a gay time and one of the really great adventures that The Gazette has had in the nearly 50 years of its life. And to think that that fleeting half-hour of newspaper jargon would have cost an advertiser $20,000!* It is no use trying to imagine such things.

"The world has gone clean plumb mad!"

*Not $20,000, Mr. White. The cost for a sponsored program, on the hook-up of 77 CBS stations which carried this program, would have been $9,570 (before discounts). And themed advertising find it well worth while. What other reason for so many of them on the air!

†AMERICANS AT WORK (Thursdays, 10:30-11:00 P.M., EST) is one of the 30,000 programs broadcast by Columbia each year. It is a program created by the CBS Department of Education, giving vivid, from-the-scene portrayals of the varied jobs Americans do.
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"
Canada Gains 2 Concessions In Trade Pact

Excise Tax Dropped and Print Duty Reduced

Toronto, Nov. 21—Preferential treatment for film items imported from Great Britain into Canada is reduced in favor of the United States in the trade agreement signed in Washington last week between the Dominion, the United States and the United Kingdom.

Two important concessions have been gained by the film business in Canada. One is the reduction of duties on the film importations therefrom. The other is the reduction of the Canadian duty on positive prints from the United States.

(Continued on page 6)

Guatemala Meeting Will Set Channels in Central America

New Orleans, Nov. 21.—A meeting to determine the channels to be used for broadcasting stations in Central American countries will be held in Guatemala City, Guatemala, representatives of the U. S. Army and the Federal Communications Commission discussed here before boarding ship to attend the meeting.

The conference is scheduled to open Thursday at Guatemala City and is important to the United States because of the location of the Panama Canal Zone in Central America, according to Lieut. Col. David M. Crawford of the U. S. Signal Corps.

Others attending the conference with him will be Gerald C. Gross, chief of the international section of the F.C.C.; Harvey Otterman, also of the international section, and Duran Schmidt, stenographer and interpreter attached to the State Department.

(Continued on page 6)

N. Y. Council Bill Limits Advance on Legitimate Prices

Efforts of the League of N. Y. Theatres to limit advances by ticket brokers to a maximum of 75 cents per ticket will receive considerable support today when Councilman Howard Spellman will introduce a bill before the City Council to permit theatre owners to limit the resale price. Violators will be subject to fines and possible jail sentences. Since a Federal law requires the broker to stamp the price on the back of the ticket, the proposed bill is expected to aid in the enforcement of the code.

In January, N. Y. City License Commissioner Paul Leavitt will sponsor a bill before the state legislature to transfer the licensing power over ticket agencies from state to municipal control. Both measures will be backed by the league.

(Continued on page 6)

NLRB Hears Kibre Charges on Dec. 1

Hollywood, Nov. 21.—Hearing of “company union” charges brought by Jeff Kibre against the Screen Novelists and Authors Group for violation of the Wagner Act is to be held Dec. 1 in the F.C.C. courtroom.

Kibre is the head of the Western Motion Picture Writers Association, which opened its new headquarters in the National Building here yesterday.

(Continued on page 6)

British Distributors Must Improve Prints

London, Nov. 20.—As a result of C.E.A. pressure, backed by an almost complete unanimity and collaboration among rank and file members, distributors in future will pay greater attention to the condition of prints.

A C.E.A. inquiry was launched, and some indication of the support accorded the move is indicated in the fact that 6,543 replies were received. Most of the complaints referred to the sound track.

Distributors were contacted by the C.E.A. General Council and asked to cooperate. Steps already have been taken to improve quality of print. In some cases laboratories have agreed to install more up to date equipment.

(Continued on page 6)

Firms Will Not Compromise With Italians

Vigorous denials that any major American firm was engaged in negotiations with the Italian Government looking to continuance of operations in that country after Dec. 31 were made yesterday by Col. Frederick L. Herron, foreign head of the M.P.P.D.A.

Possibility of a compromise between Italy and American film distributors on E.N.I.C., the Government controlled film monopoly which is scheduled to become operative Dec. 31.

(Continued on page 6)

Government Weighs Dropping of 12-15 Defendants in Suit

Elimination of 12 to 15 individuals as defendants in the Government anti-trust suit is understood to be under consideration by the Department of Justice. The reductions would be confined to those no longer identified with defendant companies or else associated with them in inactive capacities.

Among the individual defendants in the anti-trust suit who might be considered in either of these classifications are Dr. A. H. Giannini, former president of United Artists; H. A. Fortington, former Paramount board member; E. A. Schiller, Loew’s theatre executive; Lee Spitz, former president of RKO; Courth Smith.

(Continued on page 6)

U. S. Co-operative Industrial Scheme Facing Curtailment

WASHINGTON, Nov. 21—Establishment of a cooperative Government-sponsored plan for localization of industrial films is under consideration in the Department of Commerce, but indications are that the ambitious plans of sponsors will be materially toned down before the proposed Industrial Film Institute is established.

Fathered by Frank R. Wilson, assistant to the Secretary of Commerce, the scheme calls for the cooperation of national trade organizations in the

(Continued on page 6)

Turkey Week

This is “turkey week” at Loew theatres, with 11 houses in the metropolitan area distributing 190 gobblers and “the fixin’s.” Neighborhood merchants are cooperating, and the turkeys will be awarded in spectacular contests and other stunts before Thursday. A few of the theatres are giving away 50 each.
**Purely Personal**

G R A C I E  F I E L D S  will arrive in New York on the Normandie Thursday, and will go to the coast to confer with Joseph M. Schenck, Darryl F. Zanuck and William Goetz on further pictures to be made by her in England with the American market in view.

A R T U R  E D E Y  of Warner's coast public relations department has arrived with Mrs. Essy in Pavucket, R. L., on a visit with his family. They are expected here next week.

A R L E N  W I L E A X  left the coast yesterday for Washington, where she will come on to New York for a short vacation.


L U C I D S  B R E E ,  columnist, returned to New York from the coast yesterday after work in Paramount's "Union Pacific."

H. J. Yates arrived at the Republic coast studio yesterday to follow the visit which is expected to extend over several weeks.

N A N C Y  K E L L Y  leaves New York today following a short vacation and is returning to the coast.

B I L L  S A A L  of Republic is touring with Roy Rogers, who is doing personal appearances.

C H A R L E S  P. SKOUURS, Fox West Coast theatres head, plans a trip to Europe soon.

C OL.  L E S L I E  N. NAPPTGER, Dufay-color vice-president, has gone to the midwest to see a new grandchild.

I L O N A  M A S S E Y ,  Viennese singer and actress, is in New York for a brief vacation.

J O E  P O L L A C K ,  who went abroad several weeks ago to aid relatives in Germany, is now in Berlin.

R O B E R T  B. W I L B Y  has left for home after a series of meetings with Paramount theatre executives.

H E R M A N  R O B B I N S ,  National Screen president, returned from the coast yesterday.

H U N T  S T R O M B E R G  will leave the coast Friday for a New York visit.

G E O R G E  T R E N D L E  is in town from Detroit.

S c h a e f e r  t o  L e a v e  F o r  C o a s t  o n  F r i d a y

George J. Schaefer, RKO chief executive, will leave for the coast Friday for his first visit to the studio since taking over the reins of the company. Leo Spitz, former head of RKO, is expected back from the coast today. He spent some time at the studio and also vacationed at Palm Springs.

**Insiders' Outlook**

J U D G E  H e n r y  S. W a l d m a n  of the Union County (N. J.) juvenile court recently came to the defense of the industry against attacks from reformers that certain films contribute to juvenile crime and delinquency.

Not one of the 4,000 children who have appeared in his court in the last seven years started on a delinquent career as a result of "going to the movies," says Judge Waldman.

"A study of the film going habits of 198 delinquent girls and boys in our court during 1937 disproves the theory that delinquent children are interested only in gangster pictures," he declares. "The cowboy is a greater hero to the boys than the gangster."

M. P. T. O. A.'s claim to a larger independent theatre representation within its membership than any other exhibitor organization is not based on any accurate census nor does it have any official figures to support it. The claim, made in the last membership bulletin issued by Ed Kuykendall, M. P. T. O. A. president, is based solely on official statements of the theatre holdovers of known M. P. T. O. A. and Allies State members.

M. P. T. O. A.'s own estimates of theatres included in its fold range from 5,000 to 6,000. Of this number, 2,000 to 2,500 may be affiliated theatres, leaving a loose estimate of 3,000 to 3,500 independent theatres covered by the remaining membership. Allied, itself, has never made public an estimate of the number of theatres which its membership covers. Industry spokesmen state figure from 1,500 to 2,500. Because the figures are unofficial, however, they cannot be considered conclusive.

The Kansas City Journal, under its new ownership, now has about half the subsequent run theatres that it began advertising. Running neighborhood programs under that title in what amounts to a check list, the advertisements are about one-quarter inch, one column.

Eleven Fox Midwest sub-sequent are advertising, which represents the first space that circuit has bought in the Journal, or its predecessor, the Journal-Post, since the days when Ace (Easy Aces) was the movie and dramatic critic there. Fox left the Journal column at that time, which was over six years ago, and never returned. The present setup does not bring Fox Midwest's three first runs, Tower, Uptown, and Esquire, back to the Journal.

Ever since the depression, the Journal has had difficulty keeping suburban advertising. Independents continued a while after Fox left, but gradually dropped off. At one time they were bought back in under an arrangement whereby the theatres bought space, the Journal turned around and sold it to the money with those theatres for screen advertising. The money represented in this transaction went into the ITO treasury. After independents ceased advertising about three years ago, the Post continued to publish daily a list of theatres.

Andrew W. Streible, Jr., former sales manager for United Artists, returned from an extended European trip a few days ago, and just as quietly went down to Golden Beach, Fla., to continue his rest. His plans are not known.

**Three Refugees Here Seeking Screen Jobs**

Three German refugees, who will arrive today on the Normandie, will seek employment with American film companies. They were in the show business in Germany. One, Franz Paul Wisbar, formerly connected with Terra and UFA, will confer with W. Ray Johnston at Monogram about a possible return to Hollywood. The others are Theodoric Daniel Bacherenthaler, stage manager, JACK KIRCH, president of Allied Theatre Owners of Illinois, on Dec. 2 at the Congress Hotel, will be devoted to the fund for the aid of the needy in the film industry.

The ticket sale for the affair is moving rapidly, according to the arrangements committee.

**Schaefer to Leave For Coast on Friday**

George J. Schaefer, RKO chief executive, will leave for the coast Friday for his first visit to the studio since taking over the reins of the company. Leo Spitz, former head of RKO, is expected back from the coast today. He spent some time at the studio and also vacationed at Palm Springs.

**Sheafer Acquires "U" Voting Shares**

WASHINGTO, Nov. 21—Acquisition of 700 Universal Corp. common voting trust certificates by Daniel M. Sheafer, the executive, and his wife, who were both former owners here, September was reported today by the Securities and Exchange Commission in its weekly summary.

At the close of the month, it was shown, Sheafer held 15,500 certificates direct and 26,500 through Standard Capital; Waldman, vice-president of Paramount, of 600 shares of that company's common stock, his wife's holding, and acquisition, through his wife, of 600 shares of Paramount second preferred stock.

**Legion Approves All Of 11 New Pictures**

National Legion of Decency for the current week has approved all 11 pictures reviewed and classified, seven for general patronage and four for adults. The new films and their classifications are:


**Brown Warner Manager**

PITTSBURGH, Nov. 21—Robert E. Brown, Warner Bros. assistant at the Etna to manager of the Ritz in New Kensington, Pa., has been named by the head of the Warner Bros. department to the vacancy in the Nixon here.

**Deny Metro Suit Plea**

Success story...

Last spring Paramount, ever ambitious to give the trade the latest and best in short subject ideas, offered the first symphonic short, a thrilling presentation of Wagner's "Tannhaüser" overture, by the famous National Philharmonic Orchestra of 122 pieces, conducted by Frederick Feher. Not only did critics, both trade and national press, write rave reviews of this daring attempt to popularize classical music, the fans positively cheered it.

"The finest applause and comment we have had in some time on any short subject," reported the Paramount Theatre, Los Angeles. "The picture was applauded at the finish." "This splendid subject has received applause after each showing," was the good word from the Denver Theatre. The Orpheum, Ogden, Utah; the New York Paramount, where jitterbugs actually cheered this classic; the Majestic, San Antonio; the Arcadia, Harlingden, Texas; the Arcadia, Tyler, Texas; key city theatres and small towns were unanimous in their approval. Bookers demanded another and quickly . . .

So now Paramount presents in its series of Paragraphics an even-more thrilling classic gem, played by the same glorious orchestra of master musicians. Franz Schubert's "THE UNFINISHED SYMPHONY" (Symphony No. 8), one of the mightiest of all the world's great musical triumphs ... a short subject which should be on every exhibitor's programme during this fall and winter season when radio has the public most music-minded.
**Phila. Dives; “Heart” Good With $11,000**

PHILADELPHIA, Nov. 21.—Business took a nose dive. Weather was bad—too summery for this time of year. Best comparative gross was scored by the “King, 1939,” of the Gladi-ator” and its Jimmy Dorsay stage show. “The Young In Heart” took a strong $11,000 at the Aldine. The “Vacant Seat” did $16,000 for nine days.

Estimated takings for the week ending Nov. 18:

- **“Young in Heart” (U. A.)**
  - ARLINE—$1,300. (40¢-55¢-65¢) 7 days. Gross: $9,100. (Average, $1,286).

- **“Listen Darling” (M-G-M)**
  - ORPHEUM—(40¢-55¢-65¢) 6 days.

- **“Great Waltz” (M-G-M)**
  - BOYD—(4,100) (40¢-55¢-65¢) 9 days.

- **“Love” (Param.)**
  - EARLE—(2,000) (40¢-55¢-65¢) 6 days.

- **“The Citadel” (M-G-M)**
  - CARLTON—(1,000) (40¢-55¢-65¢) 7 days. Gross: $7,200. (Average, $1,029).

- **“Suez” (20th-Fox)**
  - KEITH—(6,500) (40¢-55¢-65¢) 7 days. Gross: $2,900. (Average, $414).

- **“Men With Wings” (Para.)**
  - PALACE—(2,500) (40¢-55¢-65¢) 4 days, 2nd week. Gross: $1,500. (Average, $375).

- **“Girls’ School” (Col.)**
  - ORPHEUM—(2,400) (40¢-55¢-65¢) 7 days. Gross: $1,400. (Average, $200).

“Boys Town” Leads Montreal, $12,000

MONTREAL, Nov. 21.—“Boys Town” hit the top among Montreal first runs with $12,000 at the Capitol. Third week of “You Can’t Take It With You” grossed $5,500 at the Palace. A double bill at the Orpheum, headed by “The Young in Heart,” registered $5,500 over the gross of the Grand’s first feature at the Princess, accounted for $3,500. The weather continued mild with a touch of snow.

Estimated takings for the week ending Nov. 19:

- **“Boys Town” (M-G-M)**
  - CAPITOL—$3,100. (45¢-60¢-75¢) 6 days. Gross: $17,100. (Average, $3,000).

- **“Ringside” Opening**
  - SAGE—$1,350. (45¢-60¢-75¢) 6 days.

- **“Ringside Seat,” a melodrama by Leonard Ide about habitual spec- tator and under trials, will open today at the Guild. Rufus Phillips presided at the show and directed the staging. The cast includes Grant Mitchell, G. Coast Collins, Roy Roberts, Louise Larabee, Lucia Seger and others. It was formerly known as “Fan Fare.”

Grierson to Make Series for Canada

MONTREAL, Nov. 21.—Series of Canadian Government films will be produced by John Grierson, who arrived today from England. Production will be in association with Associated Screen News, the Dominion’s sole newsreel.

Grierson has produced many documentary and feature films for the British government departments. He said he will aid the Canadian Government in making “high-quality dramas of life and progress in the Dominion,” picturing the country’s development. He will also work with private producers. He expects to be back in Canada in three months, making his headquarters in Ottawa.

He contemplates shorts of Canadian aviation, the Mackenzie River development, mining, lumbering, farming and similar subjects. The films will be shown in vaudeville theatres, but will be for non-theatrical and home release as well. The British Government will cooperate in obtaining distribution in the United Kingdom.

Grierson will work with F. C. Badgley, director of the Government film bureau, and B. E. Norris, president of Associated Screen News, who was here several months ago conducting a survey.

**U.A. Circuit Board Reelection Expected**

Present directors of United Artists Theatre Circuit, Inc., are slated for reelection at the stockholders’ annual meeting to be held in Baltimore on Mon. and Tues. The meeting is to be held in New York shortly thereafter, is expected to reelect the present officers.

Officers are: Joseph M. Schenck, chairman of the board and president; Lee Shubert, vice-president; Dennis F. O’Brien, vice-president, and P. Phillips, vice-president and treas-urer; Bertram S. Nayfack, secretary; A. M. Geiger, comptroller.


**Fee to Roxy Accountant**

Barrow, Wade, Guthrie & Co., accountants, have been awarded an additional $2,535 by U. S. District Court Judge Francis G. Caffrey for the closing of the operating account of the Old Roxie receivership. The work was done at the request of directors Howard S. Cullman, former trustee.

Col. to Increase ’39 Newspaper Ads

NEW ORLEANS, Nov. 21.—Coluna will intensify its newspaper advertising schedules in 1939. Abe Montague, the sales manager, is urging a meeting of regional representatives here over the weekend.

With exchanges men present from Atlanta, Chicago, Memlo, St. Louis, Chicago, Oklahoma City and New Orleans, Montague reviewed accomplishments of Coluna for the current year and said the company’s program for next year loomed high for exhibitors.

The Coluna sales chief said the company will lay stress on “Plane” starring Cary Grant and directed by Frank Hawks; a series of films based on the comic strip, “Blondie;” the film version of the novel, “Looking Glass;” and the new picture being directed by Frank Capra now titled “Our Wife.”

**Lukan Again Heads Washington M.P.T.O.**

SEATTLE, Nov. 21.—L. O. Lukan of Seattle was reelected president of the M.P.T.O. of Washington at the 16th annual meeting here at the New Wash-ington Hotel. The meeting was at- tended by approximately 125 theatre men from this state, Oregon, Idaho and Alaska.

Other officers are: Milton Ken-worthy, first vice-president; Paul Adal, second vice-president; Cecil O’Brien, third vice-president; and James M. Hone, reelected executive secretary and treasurer.

New theatre trustees are John Ham-brick, Mildred Bishop and Henry Davidson.

**Ford Quits Republic To Enter Production**

HOLLYWOOD, Nov. 21.—Charles E. Ford, associate producer at Republic, resigned on Friday after less than one year of service at the studio to which he was sent from Vitaphone by the Universal Newsreel. For a time at Repub- lique he was executive producer in charge of westerns and serials, but recently he took charge of the Roy Rogers westerns as associate producer.

The studio announcement indicated that the signing was amicable and was the result of Ford’s desire to enter production on his own. In all, he pro- duced five westerns on the Republic lot.

**Haines at Warners Meeting in Toronto**

MONTREAL, Nov. 21.—Wolfe Haines, Warner’s Canadian director, held a conference here yesterday on plans for the forthcoming Sears’ drive, which starts Christmas Day. Attending were Roy Haines, eastern and Canadian sales manager, and branch managers Mickey J. Isman, Montreal; Harry O. Paynter, Toronto, and H. C. Wade, Vancouver. Wolfe Haines holds a similar meeting in Winnipeg on Thursday, attended by branch managers Gordon A. Sim- mons, Winnipeg; Lou Geller, Calgary; and Joseph Plottel, Vancouver.

**“Stablemates” Dual, $6,100**

SEATTLE, Nov. 21.—“Stablemates,” dual with the Town Team Army, clicked here at the Fifth Avenue, with $8,100, and was held.

Also continuing is the dual **Orphei** and **Listen Darling,** which took $6,800. “Suez” took a strong $5,600 in its second week at the Paramount. The weather was cool and rainy.

Estimated takings for the week ending Nov. 18:

- **“Brother Rat” (F.N.)**
  - BLUE MAN—$1,000. (30c-40c-55c) 7 days. Gross: $7,000. (Average, $1,000).

- **“Stablemates” (M-G-M)**
  - TOUCHDOWN ARMY—(Para.)
    - (30c-40c-55c) 7 days. Gross: $4,100. (Average, $600).

- **“The Citadel” (M-G-M)**

Wings Dual High In Omaha, $10,600

OMAHA, Nov. 21.—“Wings,” dubbed with “Campus Confessions,” soared to $10,600 at the Paramount, which moved to the Paramount for a second week.

“Young in Heart” and “Vacation From Love” opened nicely but had a weak second week at the Orpheum.

Mild weather helped some but com- petition was presented by Auto Show which stayed for a second week.

Estimated takings for the week ending Nov. 17:

- **“Brother Rat” (F.N.)**
  - PALM—$1,000. (30c-40c-55c) 7 days. Gross: $7,000. (Average, $1,000).

- **“Men With Wings” (Para.)**
  - CAMPUS CONFIDENCES—(M-G-M)
  - ORPHEUM—$2,000. (30c-40c-55c) 7 days. Gross: $14,000. (Average, $2,000).

- **“The Young in Heart” (U. A.)**
  - ORPHEUM—$2,000. (30c-40c-55c) 7 days. Gross: $14,000. (Average, $2,000).

- **“Vacation From Love” (M-G-M)**
  - ORPHEUM—$2,000. (30c-40c-55c) 7 days. Gross: $14,000. (Average, $2,000).

Mexico’s 2,488 Extras

Mexico City, Nov. 21.—Registered extras in Mexico total 2,488, of whom 54 are women. The age when the extras were assigned to roles between the ages of 15 and 20. They work on an average of five days a week at a daily stipend of $0.50. The extras were stage players who lost out because the screen has abolished the legitimate down here.
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!
Court Affirms Earlier Stand In G.T.P. Case

(Continued from page 1)

Moss, made they leave The Republic, W. Expanding an the company, in "ordinary channels of trade."

Justice Brandeis defended the position of the court on the ground that American Transformer Co., holder of the license, had not been licensed to sell amplifiers for use in theatre equipment and apparatus, and that when it was sold and sold to General Talking, and latter was also an infringer in buying.

Maintaining the position he took in the original decision, Associate Justice Black contended the license notice in any form could not limit or restrict the use of apparatus as sold and that sold to know by both vendor and purchaser that articles were purchased in the outside the "field" for which the vendor had been given the right to sell, made the transaction between them no a case for patent monopoly.

The dissenting opinion asserted the patent law never was intended to accom- plish the results affirmed by the majority opinion and that the court has held frequently that when an ar- ticle described in a patent is sold and passed into the hands of a purchaser, it is no longer within the limits of patent monopoly.

Republic Franchises All Signed But Two

With Republic's Kansas City fran- chise owner signed to the new five- year percentage pact, the company has only two distribution deals yet signed. These are Arthur Bromberg in At- lanta and Jack Berkowitz in Buffalo and Albany.

First franchises obtained signatures of Robert F. Withers and Clarence A. Schulz of Republic Pictures Midwest. Film Distributors during a stopover in Kansas City en route to the coast. This company distributes in Kansas and western Missouri.

Seven franchise owners have signed the new agreements, retroac- tive to last July 1 and calling for an increased percentage which will get substantially more rev- enue thereby.

The old pact runs to July, 1939, and were cancelled where new agreements were made. The Atlanta and upstate New York distributors are protected by old contracts, but will have to meet Yeats' terms if they want to continue handling Republic beyond next July.

Kerner to Trinidad

Edgar H. Kerner of Columbia's home office foreign department has been appointed assistant manager of the company's Trinidad branch. He sailed Friday on the Colita to take over his new post.

US Industrial Plan Facing Curtailment

(Continued from page 1)

provision, first, of projectors where purchased then the distribution of industrial films, of which the depart- ment has a large library. Additional films would be presented by outside sources and would pass to the Government, since the essence of the plan is the free transportation of the film to the various distributing or- ganizations, which can be secured only by Government frank.

Consumer education is the aim of the project, and exhibition would be handled by trade and civic organiza- tions in the cities where the films were shown. Possible use of established theatres, at such times as they are not open for business, is considered, and, as well as the sandwiching in of Government films as part of the regular pro- gram where exhibitors will cooperate.

The idea of national distribution of Government films is by no means new, and in the past several proposals have been offered, but none has ever been put into effect.

May Excuse 12-15

In Anti-Trust Suit

(Continued from page 1)

former head of RKO Pathe News. M. H. Aylesworth, former RKO board chairman; several members of the old RKO board, which has been and is for more than five years, Charles R. Rogers, former Universal production chief, and Adolph Ramish, Universal board member.

Applications for the elimination of Mary Pickford, Douglas Fairbanks and Charles Chaplin have been made by their counsel on the ground that they have been involved in labor disputes during the past several years.

Johnson Renominated Ex-Change Union Head

Lon Johnson of the Loew exchange has been nominated to succeed him- self as president of the Film Ex- change Employees Union. There is no opposition. Leo Brown, treasurer, and John Cronin, 20th Century-Fox, will seek the vice-presidential post. Other nominations are: Dave New- man, Warners, financial secretary-treasurer; Gerard Lee, Loew, corre- sponding secretary; August Kubart, Bost and Harry Bogen, sergeant-at-arms. The election is set for Dec. 5.

Next Aampa Lunch Dec. 8

Next Aampa luncheon meeting will be held Dec. 8 at the Red Lion. The week's meeting was called off on ac- count of Thanksgiving. A business meeting for members may be called by the directors for Dec. 1.

Scouts Endorse "Angels"

Endorsement by the Boy Scouts of America of "Angels with Dirty Faces" has been received by Warners. Special campaigns for each local playing of the film have been promised by the scouts.

Canada Gains from New US Trade Pact

(Continued from page 1)

United States, from three to cents to three to two. The reduced duty on films will go into effect Jan. 1, the effective date of the treaty. Actual abolishment of the excise tax for motion pictures will not occur until the Canadian Parliament passes the necessary legislation. Parliament is now scheduled to convene Jan. 12. With the exception of the special excise tax, there is no major change in tariff or taxation advertising accom- modations.

The greatest gain in the matter of actual films will be the duty reduction on reprinted positive prints not made in Canada and on black and white "emerg- ency" positives occasionally imported from the United States. There will be little effect on the cost in Canada of black and positive films which are made in Dominion laboratories or are imported from the U. S. for the purpose. All colored prints are imported, however, and the scaled "emergency" prints are still occasional pictures with which are required after the master negative has been returned to the U. S. The cost of printing a positive in Canada is 10 cents per foot while the cost of Ameri- can-made positive is 45 cents per foot in the Dominion. This difference, it will be interesting to watch the determination of the present procedure of making prints in Canada.

Bernstein, Warner Head Charity Drive

Motion Picture Accessory Division, a sub-committee of the N. Y. and Brooklyn Federation for the Support of Jewish Philanthropic Societies, has organized to assist the federation in its current fund raising campaign. David Bernstein and Albert Warner are in charge of the drive.


Sue for Short Negative

Theodore Nemeth and Mary E. Bute, doing business as Expanding Cinema, Film Service Laboratories, have commenced an action against Paul G. Aswege, who is a defendant in a suit filed in the N. Y. Supreme Court by Rutherford Boyd, to recover the negative of "Farahola," a standard film copyrighted by Aswege; a negative of curves in art, which he claimed the defendants were wrongly withhold- ing; the defendants have counter- claims for $7,500.

C. F. I. Sets Dividend

Consolidated Film Industries has declared a dividend of 2% of the preference stock, payable Dec. 27 to stockholders of record Dec. 5.

Firms Will Not Compromise With Italians

(Continued from page 1)

31, is suggested by Minister of Popu- lar Culture Allieri in an interview which appeared in the Corriere della Sera, and gave rise to Home declaration.

Allieri contended that the projected film monopoly is not political, being dictated, first, by a necessity for limi- ting the amount of Italian current to be taken out of the country and, secondly, by Italy's australiar pro- gram, with which he said, the film measure is consistent.

"All companies have been advised by Italy that the provisions of the treaty are to be final and that no companies can take them or leave them," Herron said. "No American company is engaged in negotiations with Italy and none has agreed to con- tinue business there after the decree becomes effective.'

Companies also Make Denials

Individual companies added their denials, asserting that their plans to withdraw from Italy at the end of the year were unchanged.

Allieri said that fixed prices under the monopoly would permit profits to be derived from the Italian exhibitor film industry instead of to foreign concerns.

"We have not committed an act of hos- tileship against the American film companies," Allieri said. "The proof of this is that the only opposition to the monopoly has been the Big Four, which have declared that they will not accept the system. Other American companies are negotiating with us."

The reference to the "Big Four" is understood to mean Loew's, Para- mount, 20th Century-Fox and Warn- ers, which maintain their own dis- tribution systems in Italy.

The report was interpreted by American film men in Rome as an indication that concessions may be made by both the American companies and the Italian government which might permit the companies to con- tinue operations after the end of the year. It was believed at that the dis- tributors might accept the monopoly with its fixed price principle, while the Italian Government, on its part, might agree to pay higher prices on indi- vidual films.

NLRB Hears Kibre Charges on Dec. 1

(Continued from page 1)

given instructions to proceed immedi- ately with the remaining film cases now pending before the board.

Meanwhile, the Screen Writersrikers were told to point out that the S. W. G. has been designated sole bargaining agency for the writers and approved the continuance of negotiations with the Screen Playwrights "not only illegal under the provisions of the National Labor Relations Act, but also raise additional serious ques- tions as to good faith."
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.

Simplified High Intensity Projection with 'National' Suprex® Carbons
WMA’s formal disclaimer of remarks regarding Communism and Jews made by Father Charles E. Coughlin over that station on September 20th demonstrated WHN’s apprehension over carrying the radio priest’s talks. Originally WHN was to have been the New York City outlet for Father Coughlin’s program, but at an eleventh hour before the series commenced, WHN cancelled its advertising contract. WHN was secured by the Union of Social Justice, sponsors of the Coughlin program, as its New York station. The department recollects that it called both stations for explanations of the station switch. At WHN it was said that the station had cancelled the contract for the series following refusal by Father Coughlin to abide by the station’s policy of submitting advance copy of any program for approval or rejection by the station. WMCA stated that it also had a policy requiring an advance of all text to be broadcast, and that Father Coughlin would not be an exception.

Apparently, however, Father Coughlin was not the only station for the series, for the station now states that it has not received any advance copies of Father Coughlin’s talks.

**Sunday seems to be a jinx day for radio. Beginning with the Sabbath alleged casting copy, and the broadcast of the “Garden of Eden” skit, we've had in succession the Orange Welles fright, the “Good Will” Holiday broadcast, and a program of “What is Love?” when a participant inadvertently let slip the actual words, and now the controversy over Father Coughlin’s talk.

Al Simon, WHN publicity director, celebrated a birthday last week, and the present included 14 large turtles, and a gold fish. He’s made valiant attempts to give away the turtles, with not much to be found. Anybody want one?

**Andre Barach, the announcer, recently won a cooking prize, and as a result he’s been booked for a guest appearance on a network show. You’re guessing — the program is “The Woman of Tomorrow.”

**Fendrich Co., cigar makers, sponsoring “Sons and Daughters” on NBC, is cancelling the show Dec. 25. The reason appears on the cancellation order. “Everyone will be overwhelmed with cigars after Christmas.” Necktie sponsors please copy. — Jack Banner

Deny Deal for Sale Of Oakland Station

San Francisco, Nov. 21.—Denial that a deal is in progress for sale of KROW, Oakland to Wally Dunn and Phil Lasky, chief stockholders of KSFO here, has been made by H. P. Drey, general manager of the Oakland station.

Dunn and Lasky, who have been negotiating for purchase of the studios for $150,000, have refused to deny or affirm the alleged conversations.

Radio Personalities

**Lucy Font, Sammy LaPerche, Klorman Schmidt and Tommy Tarshis have left town to join Happy Felton’s new band. — Jerry Mayhall has been signed to do special arrangements for Maurice Spitalny’s staff band at KDKA. — Darrell V. Martin, of the Pittsburgh Post-Gazette, celebrated his 15th anniversary on the staff last week. — Dorothy Devlin is now doing a sponsored news broadcast for the RKO Radio Network. — Jack Lasky, of NBC has joined WHN to serve as assistant to Clancy, and Ray Katz, assistant program director, Fred Raphael, has been made day operations manager. — Ted Schneider, former assistant manager of WHN, has taken over Katz’s former duties.

Rand Takes WNEW Time

Remington Rand has placed an order with WNEW for a spot program to go on the air tomorrow, Batten, Burton, Dunstone & Osborne placed the account. Additional WNEW business includes the contract for a radio hour this coming week by Ralpage, Service, through Federal Transcribed Programs.

Transradio to WKRC

Cincinnati, Nov. 21.—WKRC, CBS-owned and operated station, will augment its present United Press Service with Transradio Press, effective immediately. Transradio has a rewrite man in the station’s newsroom, with two reporters on downtown beats. The new department will be under supervision of Cecil Carmichael, special events director.

Morris Renews “Name”

“What’s My Name,” audience participation show, the property Morris Co. on Mutual, will remain on the air via a new contract signed by Biow & Co. The agency had been seeking to replace “What’s My Name” with another show, but after listening to a number of suggestions, decided to continue the present show.

World Takes “Web”

World Broadcasting System has purchased radio rights to “The Spider’s Web” from Columbia Pictures, which it has acquired as a serial screen, Stewart Sterling of the Enos “Crime Clues” series will write the air adaptations.

FCC Calendar

Washington, Nov. 21.—Federal Communications Commission has set the following hearings.

Nov. 22: Applications of McComb Broadcasting Corp. for a 1,200-kilocycle, 100-watt daytime station at McComb, Miss.; of Dee Dee Broadcast Co. for a 1,200-kilocycle station at Florence, S. C., with 100 watts night, 250 watts day, and WMH Fathers, from 500 watts to unlimited time; Pontiac Broadcasting Co., 1,000 kilocycles, 1,000 watts day, only, and George B. Storer, 600 kilocycles, 500 watts day, 1,000 watts day, unlimited time.

The commission also will hear oral argument on the same date on the application of WMBC, Young Daily News for a 1,370-kilocycle, 100-watt station at Asheville, N. C.

Examiners’ hearings were ordered for Jan. 9 on the applications of Lawrence J. Heller, a 3,100-kilocycle station at Washington, with 100 watts day, 500 watts night; 5,000 watts unlimited time; Pontiac Broadcasting Co., 1,000 kilocycles, 1,000 watts day, only, and George B. Storer, 600 kilocycles, 500 watts day, 1,000 watts day, unlimited time.

Other hearings scheduled:

Jan. 18: on the application of WJBJ, New Orleans, for extension of time from sharing to unlimited, and for Federal’s application of the Gateway Broadcasting Co. for an 880-kilocycle, 500-watt station at Louisville.

Cook Series to Emmett

Newell-Emmett agency yesterday engaged Ross T. Thomas, Cook travel bureau manager, and produce the forthcoming series for the agency, which begins on NBC Dec. 18 with Malcolm LaPrade featured in travel talks.

To Move KQW Antenna

San Francisco, Nov. 21.—Engineering tests to determine a new location for KQW’s transmitter are being conducted by technical experts for the San Jose station, in the outlying valley near San Jose City, on a new tower which 5,000 watts power will be built shortly after the first of the year.

Adell Joins Weed Co.

Charles M. Adell has joined the staff of Weed & Co., special representatives, and has been placed in charge of the company’s office in Chicago. Adell formerly was with NBC and RCA.

Lord Show Touring

Phil Lord’s “Gang Busters” series will make a personal appearance Nov. 25, at the Earle, Philadelphia.
Trade Pledges $225,000 to NY Federation

Industry Will Increase Quota This Year

Members of the motion picture and theatrical committee of the New York-Brooklyn Federation of Jewish Harrities campaign pledged themselves to raise a quota of $225,000 at a midnight meeting at the Hotel Astor yesterday. The campaign, which is under way, ends Jan. 1.

The goal exceeds by $45,000 the largest sum ever raised by the amusements division of the Federation. Last year collections were $180,000.

Louis K. Sidney will head a Hollywood committee. Contributions made in Hollywood will be credited to the local committee's quota.

The campaign will be conducted through a series of meetings for each of the 17 sub-divisions in which the committee is divided.

B. S. Moss reported that he had already organized the accessories field, and William Morris, Jr., states (Continued on page 6).

Gillespie to Handle Sousa Film Rights

Exclusive selling rights to the life of John Philip Sousa, famous American march king, have been awarded to James F. Gillespie, who will represent the widow of the late band master in all matters pertaining to the screening of Sousa's career.

The deal was negotiated through W. Herbert Adams, attorney for the Sousa estate. Gillespie plans to submit the title, "The Stars and Stripes" (Continued on page 6).

Paramount to Drop "Zukor Presents"

The familiar leader line on Paramount productions—"Adolph Zukor Presents"—will disappear after Jan. 1.

Line has appeared on company productions for more than a decade. Decision to eliminate the line follows Zukor's transfer to London to head the company's European operation.

Zukor, who continues as chairman of the Paramount board, will move from New York to the coast Monday and plans to sail for London Dec. 2.

Bernard With GN: Warner Sells His F.A.

Grand National turned over yesterday. It got itself a new producing company instead of Fine Arts (Franklyn Warner). Now it proposes not only to produce eight quota films in England but also to set up its own distributing system there, under Jeffery Bernard and Edward R. Russell.

The new producing arm of the firm takes over substantially all of Fine Arts' assets and commitments. These commitments are 22 features for G.N. Franklyn Warner's plans are not known.

That's how some of the dispute between E. W. Hammond, president of the former National Educational company (Hammons) for 18 years, was that firm's managing director in England, Bernard, of whom the matter has been aware, is the former head of (Continued on page 6).

RKO OUT OF 77B BY END OF YEAR

Royal Says N.B.C.

Controls Writers

For Its Protection

WASHINGTON, Nov. 22.—John Royal, vice-president of N.B.C., in charge of programs, from the witness stand at the FCC's monopoly hearings, today, asserted the reason that N.B.C. asks writers to sign waivers on material was self-protective to avert plagiarism suits against the firm, and not for purposes of securing a monopoly and control of writers.

Royal's testimony completed several days' examination of various N.B.C. officials, including David Sarnoff, head of RCA, first witness in the inquiry. Royal asserted that while N.DC. insists that certain religious, educational and public affairs sustaining programs be carried by all stations which it owns or operates, local managers of those stations are free to refuse other sustaining programs in favor of features of more local interest. Over the affiliated stations, however, N.B.C. exercises no control, he said, and such stations are free either to accept or (Continued on page 8).

UA Hires 23 Special Exploiters on Films

United Artists sent 23 exploitation men into the field yesterday to handle "The Young in Heart" and "The Cowboy and the Lady." The men and their assignments follow.

On "The Young in Heart" are: Don Prince, Atlanta; Louis Ramm, (Continued on page 7).

Warner-Cosmopolitan Releasing Arrangement Will Be Extended

Warners' releasing arrangement with Cosmopolitan Productions will be extended for a period of years, probably on the present basis of releasing six pictures a year under the Cosmopolitan label, according to Ed Hatrick, head of the Hearst film interests.

Hatrick returned early this week from coast conferences on the matter. The new agreement is not entirely set, but conferences will be resumed when Harry M. Warner recovers from his illness.

The present pact, which expires at the end of this year, will be completed when Warners deliver two more pictures. One is scheduled for January release and the other in February.

Final Decision of Bondy Expected at Next Hearing Dec. 2

Federal Judge William Bondy at yesterday's hearing on RKO indicated that he might dispose definitely of the RKO reorganization situation by Dec. 2, the date of the next hearing. This is the first time that the court has been any wise definite on the matter, so that all interested parties are very hopeful that the company will eventually emerge from a 7B shortly.

Apparently Judge Bondy is deeply concerned about the delays which have been occasioned in the situation, because he asked the parties to be patient for an additional 10 days, duration of the postponement of the hearing.

"I am considering every argument against the plan fully," the court said, "and I am examining the Special Master's (George Alger) report to see how the master disposed of these arguments."

But the judge refused to indicate whether his decision to dispose of (Continued on page 6).

Broadway Grosses

In General Slump

Jitterbugs are giving Larry Clinton a hand at the Paramount on mornings but the night business for "Arkansas Traveler" is not what it might be, and, as a whole, Broadway (Continued on page 6).

U. S.—Greece Sign Commercial Treaty

Washington, Nov. 22.—Negotiation of a provisional commercial agreement with Greece was announced today by the U. S. State Department, under which it is agreed that if either country imposes quotas or import controls, goods from the other country shall not be discriminated against.

Effect of the "most favored nation" treaty will be to insure fair treatment to American films under any control system which Greece may adopt during the life of the agreement.

(Continued on page 10)

(Continued on page 6)
Producing in East Boosted By Atlas Cash

William K. Howard boosts eastern production. Equipment and talent are here now and are aimed at the business as well as in Hollywood, in the opinion of his director, now completing "Frankie," at the Eastern Service Studios, Long Island City.

Howard is over his budget on the picture which has been financed by. Artied Corp. (Flywood, Odium), but looks to be completed before Sept. 1. The film was to have come in at $250,000 but will probably hit $400,000, before it is finished. O deduced, 200 Productions is the corporate name of Howard's producing firm.

With Dudley Murphy, who also has some debts on him on "one-third of a nation," produced also at E.S.S., Howard's activity is giving production in the east quite a good start.

Howard calls New York the greatest talent spot in the world, with new faces cropping up here all the time, and he makes it so apart from Holly- wood.

Wallace Ford plays the chief role in "Frankie," and the cast includes: Andre McMahan, Patricia Ellis, Brian Frohman and George Lewis.

Ed Dubinsky Is Here To Spend the Holiday

Ed Dubinsky of Kansas City is here with his wife and daughter on a visit. Tomorrow he will take off in the early afternoon, bound for New York. Mr. Dubinsky is going to operate 22 theatres, one in downtown Kansas City. They recently opened a new theatre in that city, making three Dubinsky theatres in the town.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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THE MERCURY

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AMERICAN AIRLINES Inc.
“Stablemates" $34,000; ‘Suez’ $17,000 in Hub

Boston, Nov. 22.—“Stablemates” and “Listen, Darling,” led the town w—$34,000 at Loew’s State and Orpheum.

“Brother Rat” and “Five of a Kind” (20th-Fox) FENWAY—(25c-30c-40c-55c), 7 days, 2nd week. Gross: $2,700. (Average, $385.60.)

“Stablemates” (M-G-M)

“Listen, Darling” (M-G-M)

“A Streetcar Named Desire” (Para.) —— (25c), 7 days. Gross: $1,000. (Average, $142.86.)

“Suez” (20th-Fox)

“Torchy Gets Her Man” (W. B.) METROPOLITAN—(4-33c-35c-40c-55c), 7 days. Gross: $37,000. (Average, $5,285.71.)

“Brother Rat” (W. B.)

“Five of a Kind” (20th-Fox) FENWAY—(25c-30c-40c-55c), 7 days, 2nd week. Gross: $8,000. (Average, $1,142.86.)

“Mad Miss Mansfield” (RKO)

“Man From Nowhere” (Paraham) RKO MEMORIAL—(2,760) (25c-30c-40c-55c), 7 days. Gross: $14,000. (Average, $2,000.)

Estimated takings for the week ending Nov. 18:

“The Citadel” (M-G-M)

“Listen, Darling” (M-G-M)

“College” (Columbia)

“The Great Waltz” (M-G-M)

“Young Doctor Kildare” (M-G-M)

“Loco” (Paramount)—(2,600) (35c-40c-50c-90c) 9½ days. Gross: $7,000. (Average, $789.47.)

“Men With Wings” (Para.)

“The Higgin Family (Repah)

“Paris Blues” (20th-Fox)

“Torchy Gets Her Man” (W. B.)

“Torchy’s Bikini” (20th-Fox)

“Stablemates” (M-G-M)

“Road to Reno” (Univ.)

“The Shadow of a Gunman” (W. B.)

“Just Around the Corner” (20th-Fox)

“Sunset” (20th-Fox)

“The Shadow of a Gunman” (W. B.)

“Girls’ School” (Col.)

“Summer Stock” (M-G-M)

“School” Suspicion" $8,200 in Buffalo

BUFFALO, Nov. 22.—“Girls’ School” and “Under Suspicion” drew $8,200 at the Lafayette to lead the town. At the Century, “Garden of the Moon” and “Girls’ School” Production” took a strong $7,200. “Suez,” at the Buffalo, grossed well with $1,800.

Estimated takings for the week ending Nov. 19:

“Suez” (20th-Fox)

“The Sisters” (W. B.)

“Garden of the Moon” (W. B.)

“Girls on Probation” (W. B.)

“Under Suspicion” (Col.)

Davis-Col. Appeal Set

Argument of an appeal by Columbia Pictures was set for Jan. 4 by the United States Division of the New York Supreme Court in the stockholder suit brought by Betty Davis. At the same time Columbia date as to answer the complaint was extended until after the determination of the appeal. Columbia’s contention that the complaint was defective was overruled by Justice Charles B. McLaughlin last spring.

“Heart,” $14,000

Cincinnati’s High

CINCINNATI, Nov. 22.—“Heart” grossed $14,000 at the RKO Albee for the heaviest take of the week, and was moved to the RKO Capitol.

“Men With Wings” took $10,400 landing at the RKO Palace, and is playing a holdover stanza at the RKO Lyric. “Stablemates” did well at $2,750 on its fourth downtown week at the RKO Grand.

Estimated takings for the week ending Nov. 19:

“There Goes My Heart” (U. A.)

“Men With Wings” (Para.)

“Stablemates” (M-G-M)

“Stablemates” Big

$22,000; “Storm” $18,000 in Frisco

SAN FRANCISCO, Nov. 22.—Although total first-run business slumped, the Fox drew $22,000 with “Stablemates” and “Road to Reno.”

Hollywood stars on opening night helped boost “The Storm” to $18,000 in the Golden Gate.

Estimated takings for the week ending Nov. 18:

“The Storm” (Univ.)

“Stablemates” (M-G-M)

“Road to Reno” (Univ.)

Pitt Droopy except ‘Citadel’ at $21,000

Pittsburgh, Nov. 22.—Business was spotty last week with “The Citadel” drawing heaviest, $21,200 for a neat surprise and giving it at least another week downtown at the Warner.

“Suez,” playing a second week at the Alvin and “Drums” with the unopened “Torchy” overhead, here at the Stanley held close to house averages. The Dionne Quintuplets film had a fair week at the State, while the Warner with a selling program was way out with a mediocre double bill.

Estimated takings for the week ending Nov. 17:

“Citadel” (M-G-M)

Wash. Strong with “King” at $18,800

“Traveler” $19,200

WASHINGTON, Nov. 22.—“If I Were King” at Loew’s Palace returned the highest gross of the week, $16,800.

The appearance of Ted Lewis helped lift “Arkansas Traveler” into the profit class at Warrner’s Earle. “Brother Rat” and “Stablemates” also showed well in the second week.

Estimated takings for the week ending Nov. 17:

“Submarine Patrol” (20th-Fox)

“Loco” (Columbia)—(2,430) (25c-40c) 7 days. Gross $12,500. (Average, $1,785.71.)

“Stablemates” (M-G-M)

“Locolia” (2,140) (25c-40c) 7 days. Gross: $10,500. (Average, $1,500.)

“Under Suspicion” (Col.)

LAFAYETTE—(2,100) (25c), 7 days. Gross: $1,800. (Average, $257.14.)
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 outsmbarts 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
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”!
Abbott Play Tonight
George Abbott's latest, "The Boys from Syracuse," opens tonight at the Alvin. Musical by Richard Rodgers and Loren Hart, it is based on Shakespeare's "The Comedy of Errors." Costuming will be done in the traditional manner, but the dialogue is modern. It is headed by Jimmy Savo, Wynn Murray, Eddie Albert, Murry Angelus, Sam and Floy "The Rat" Richman, Marcy Wescott and Ronald Graham.

Tomorrow, the Group Theatre will present "Rocket to the Moon," by Clifford Odets. It is reported to be Odets' first effort with romance as the principal theme. The cast includes Morris Carnovsky, Eleanor Lynn, Luther Adler, Sanford Meisner, Leif Erickson and others.

Gillespie to Handle Sonna Film Rights
(Continued from page 1)
Forex is a suggestion screen use, that being the title of his most famous composition. In all, Sonna wrote more than 150 marches, and composed six operas and numerous suites.

After leaving the Mariner, where for years he was Bandmaster of the U. S. Marine Band, he traveled in this country and Europe with his own group, and climaxed his career with a trip around the world.

Schlaifer Discusses Releases with B & K
CHICAGO, Nov. 22.—Jack Schlaifer, western division sales manager for United Artists, is conferring with Balaban & Katz executives here on the release of U. A. product in Loop houses. Details on the forthcoming release "The Young in Heart" are being worked out.

Loew's Plays Santa
Loew's Brooklyn Theatres are again sponsoring the arrival of Santa Claus at Floyd Bennett Airport, and will take place tomorrow for the benefit of the borough's youngsters. Loew's Cadet Band and other entertainers will be on hand. There will be a parade through Brooklyn to Loew's Metro politan.

Industry Backs the Federation Drive; Pledges $225,000
(Continued from page 1)
that the artists' representatives group is functioning. Meetings have also been set for early in December for the independent exhibitors, with William F. Blum, and the management of the Representative. By this date, Budd Rogers; and music publishers and composers, under the chairmanship of Louis Bernstein and Irving Caesar.

David M. Bernstein and Albert Warner, co-chairmen of the amusement division, concurred that yesterday's "impressive and most energetic meeting ever held by the group."

Speakers in addition to the chairmen were License Commissioner Paul Moss and Paul Felix Warburg, chairman of the Business Men's Council, permanent fundraising organization with which the amusement committee is affiliated.

Warner Cites Attendance
Major Warner said: "The attendance here today proves that theatrical and picture men have a real feeling for the community of which they are a part and wish to take their rightful place along with all the other groups working for the support of our basic communal institutions."


Great States-G. N. Deal
CHICAGO, Nov. 22.—Great States circuit has bought all Grand National product for showing in the downstate theatres, according to James Wim, G. N. district manager here.

RKO Seen Out Of 77B by End Of This Year
(Continued from page 1)
matter meant approval of the plan. The court declared that if the plan was followed, it would be up to the local salesmen to advise the company on the actual operation of the plan. He held that the RKO hearing was consumed mainly in discussing the opinions of opposition lawyers, such as John S. Stover, attorney for Ernest W. Stina, holder of 1,234 shares of original Class "A" stock of RKO, which stock had never been held by the company. He indicated his opinion that only his client and some of the stockholders or debenture holders had filed a sworn proof of claim, and that the hearings held on the plan were based on the same arguments he based his argument that the consents to the plan were not valid.

Chairman of the Rickaby of Simpson, Thacker & Bartlett, counsel for the proponents of the plan, answered Stover to the effect that it was not necessary to file proof of claim, and that, and if he had filed no proof of claim, and the debenture holders had filed proofs of claim through the debenture trustee. However, Judge Bondy's argument indicated that in the event he found no proofs of claim had been filed he would issue an order permitting them to do so at this time. It was then pointed out that such an order might require new consent forms, which in the past had been a delay to the reorganization of the company, whereas Judge Bondy indicated his opinion that if the consents would be avoided. Stover's allegations in court that Atlas, RCA and associates were selling their RKO stock for $1 and denying on behalf of the parties by Rickaby.

May Regulate 16 MM. Showings in Ontario
TORONTO, Nov. 22.—The newly reorganized Film Section of the Toronto Board of Trade has taken under advisement several proposals for regulations to govern the exhibition of 16 mm. films in rural halls of Ontario, a draft of which will be submitted to the Public Safety Commission for consideration at the approaching session of the legislature.

Chairman of the Film Section is T. J. Bragg, secretary-treasurer of Famous Players Canadian Corp., and vice-chairman is Louis Rosenfeld of Columbia Pictures of Canada, Ltd.

Senator to Open Today
PITTSBURGH, Nov. 22.—The new Senator, latest in the Harris circuit, will open tomorrow night. The drawing attractions will be John Bolte in person and "Service De Luxe" on the screen. Ken Hoel has been named manager and Jerry Mayhall musical director.

Bernard With GN; Warner Sell Hi F.A.
(Gaumont British distributing and of Gaumont News, in London."

Hammons did not divulge the amount of money involved in the sale of Fine Arts or the personnel of the new producing company. Warner came last week seeking greater administrative authority in G. N. since an "overstocked" territory, although the bullets of the schedule of 44 features G. N. has announced for the season. Warner offered to buy a half or substantial interest in G. N. After considerable discussion, Hammons made him a counter offer.

Hammons said that the new company has agreed to take over all the terms and conditions incorporated in the Fine Arts' contract giving the distributing company "positive assurance that it will receive all the product which Fine Arts agreed to deliver."

G. N. will continue to distribute three Fine Arts' pictures, "Shadows Over Shanghai," "Caper Bureau" and "Frontier Scout" and will also release "The Long Shot," now being edited.

Broadway Grosses in General Slump
(Continued from page 1)
Business is not so strong. Stage shows are drawing trade but the straight film houses are sagging. The whole main stem, practically, is holding over and for the big tops the only new film is "Gangster's Boy" which is being shown at the British, and doing very mildly at the Music Hall.

"Submarine Patrol" is good under specific circumstances and is holding up. It is continuing its first four days at $3,000 or thereabouts at the Roxy. "Arkansas Traveler" has been held over for a second week and is finishing its first with an estimated $38,000.

The 14th week of "Marie Antoinette" drew an estimated $4,800 and is expected to close Sunday. Second week of "Gangster's Boy" at the Globe drew a reported $6,000 and "Tarnished Angel" was estimated at $6,000 at the Rialto.

On Thursday, "The Great Waltz" will open at the Capitol after three weeks for 'The Citadel' and 'The Cow lady" starts at the Music Hall on the same day. A three-week run at the Strand for "Brother Rat" will be followed by "Angels With Dirty Faces." "Listen Darling" is next at the Criterion.

Foreign language films are doing well. "Winning Window" "Ballaterina" was said to have set a house record at the Carnegie in its first week and will continue there as long as business warrants. The Fine Arts also have "The Story of a Cheat" at the Fifth Avenue Playhouse, "The Singing Detective" and "In His Own Tongue," and "Professor Mamlock" at the Cameo, are all in extended runs.

The Newsreel Parade

Signing of reciprocal trade treaties among Brazil, Guatemala, Costa Rica and the United States is the chief subject covered in the new issues of the newsreel. Yesterday's edition featured football games comprise the sports materials. The reels and their contents follow:


Production Holds Lively Pace With 42 Before Cameras

Hollywood, Nov. 22.—Forty-two pictures were before the cameras this week, three more than last week's total, as eight started and 11 finished. Twenty are being prepared and 75 are in the editing room.


Columbia and M-G-M each started one short subject. M-G-M is preparing the third, and 13 are in the cutting rooms.

UA Hires 23 Special Exploits on Films (Continued from page 1)

Nashville; Joe Longo, Providence; Ed Healy, Rochester; Floyd Scott, Syracuse; Max Abramson, Dayton; Art Catlin, Columbus; Steve Edwards, Akron; Ben Cohen, Toledo; Frank Moneyham, Louisville; Ed Below, Louisville; W. P. Bernfield, Kansas City; Bob Wood, New Orleans; William Doll, Reading and Harrisburg; Lee Kugel, Wilmington; Ed Gallner, Baltimore; Jesse Long, Albany; E. M. Milburn, Richmond and Norfolk; Ed Wallach, Stamford; Ed Fisher, Cleveland; Ben Hill, Houston; Sam Siegel, Seattle. Handling "The Cowboy and the Lady" are Shep Henkin, Hartford; "The New Haven" and Siegel, Hill and Fisher.

Set McComb Trial Dec. 27

Federal Judge John M. Woolsey has set Dec. 27 as the date for trial of the $50,000 plagiarism suit brought by Charles McComb against 20th Century-Fox, Robbins Music Corp., Harry Revel and Mack Gordon. McComb alleges that his song was infringed in the film, "Stowaway."

Mrs. Bill Robinson Model for Charity

Cincinnati, Nov. 22.—Mrs. Bill Robinson, wife of the tap dancer, will model in the fashion show to be sponsored by the Zeta Phi Beta Sorority at Hughes High School here Friday. Proceeds will be contributed to scholarships at the University of Cincinnati for Negro girls.

Monopoly Group To Study Court's G.T.P. Decision

WASHINGTON, Nov. 22.—Attention of the Administration Committee has been called to yesterday's Supreme Court decision in the general Talking Pictures case, with the suggestion that it may offer the basis for an investigation of the extent to which restricted licenses are used for monopolistic purposes, it was learned here today.

The court's decision, holding that company had infringed a patent in using, in sound equipment, amplifiers restricted to radio reception and that the amplifier manufacturer had also infringed by producing for uses outside his license, is understood to have convinced Justice Department officials the only solution for patent monopoly lies in legislation.

The decision came down at a most opportune time, observers here pointed out, since the monopoly committee, which begins its hearings Dec. 1, is expected to take up the patent pool situation as the first subject of investigation. Patents involved in the General Talking Pictures case are included in the so-called radio patent pool.

Navy's Film Rental This Year $320,000

WASHINGTON, Nov. 22.—Total cost of the Navy's film service during the fiscal year ending June 30, last, was $320,000, of which $85,000 was provided by funds appropriated by Congress and the balance obtained from profits from ship's stores and contributions from ships and stations, it was disclosed today by Rear Admiral James O. Richardson, chief of the Bureau of Navigation, in his annual report to Secretary of the Navy Claude A. Swanson.

"A free motion picture show, either in the open air aboard ship or in the auditorium of naval stations, has become a nightly feature in Navy life," the rear admiral commented. "For this purpose two prints of more than 300 entertainment motion picture programs are leased annually from commercial producers. These prints are circulated to the various ships and shore stations for exhibition and then returned to the producers."

Mrs. Reid Story Head

Hollywood, Nov. 22.—Dorothy Reid has been appointed as head of the story department of Monogram, replacing Arthur Fitz-Richards, resigned.
MOTION PICTURE DAILY

Metropolitan Considering Return to Air

Insurance Firm Was Off Air Several Years

Metropolitan Insurance Co., one of the largest business houses in the world, may take to the air. The firm auditioned for an hour yesterday on a show which combined drama with music. The presentation was prepared by Young & Rubicam agency.

From the agency it was learned that if Metropolitan signs it may be for 26 weeks, but the radio circuit on which it would show is not determined yet, although the audition was at NBC.

Met has been the prospect of almost every large agency in the business for the past year or two. Among the early users of radio but withdrew from the air long ago and whether Young & Rubicam can really lure Metropolitan back to the air where others have not succeeded remains to be seen.

Cormier Steps Out From Hearst Radio

As of December 5

At Cormier, vice-president of Hearst Radio, Inc., and general manager of WINS, New York, yesterday resigned both positions, effective with the termination of his contract on Dec. 5.

Cormier, a veteran broadcasting executive, joined the Hearst group several years ago, replacing Bert Squires. Recently Hearst decided to liquidate his radio interests, putting most of his stations on the market. Plein was sold, including WINS, which went to Milton Blau.

Renew Lum-Abner, Margaret McBride

General Foods yesterday renewed for long term periods two of its current programs on CBS.

"Lum and Abner," broadcasting Mondays, Wednesdays and Fridays from 7:15 to 7:30 P. M. have had their contract extended for 32 weeks, effective Dec. 5.

Mary Margaret McBride, whose radio commentaries are heard the same days, has had her contract extended to 12:15 P. M., has been renewed for a full year also. Both programs are handled by Young & Rubicam.

Ted Collins in CBS Series

Ray Collins will be starred in a new dramatic series on CBS starting Nov. 28. The series, to be aired as a sustainer, will be broadcast Mondays through Fridays at 7:15 P. M. New York. It will be titled "County Seat." Orson Welles will appear in the first presentation as a guest performer. Milton Geiger is author of the series, Norman Corwin will direct.
Korda Due in This Country On Dec. 8th

UA Stockholder Meeting May Be Held Then

LONDON, Nov. 24.—Alexander Korda will arrive in America, Dec. 8, and perhaps at that time United Artists, in which Korda is a stockholder, will hold its annual shareholders' meeting. Korda, of course, will go to Hollywood. He would like to make a film in the States, but his first job is to meet U.A.'s British film requirements. It is understood that he might try Paris for production, but the same conditions as concerns U.A. necessarily apply.

There have been circulating accounts that Korda has had discussion (Continued on page 10)

Censor Row Flares In Parliament on Para. Reel Fight

LONDON, Nov. 24.—Following a barrage of questions to Prime Minister Chamberlain in the House of Commons yesterday on newsreel censorship, a member of Parliament threatened to raise the whole question of Government censorship for early Commons debate.

In answer, Sir John Simon admitted the Government considered certain material in a Paramount News issue on the recent war crisis prejudicial, and that Paramount cut the reel after the Hays organization representatives here had been approached by U. S. Ambassador Joseph P. Kennedy. Sir John defended the action as in the public interest and expressed gratitude to the Ambassador.

Paramount home office executives said the deletion from the company's British reel referred to in the discussion in Parliament consisted of interviews with British writers and newspapermen, in some of which Prime Minister Chamberlain's foreign policy at the time of the European crisis was criticized. They said that the deletion (Continued on page 10)

US Suit, Patent Probe May Halt Anti-Film Legislation

WASHINGTON, Nov. 24.—Prospect of an investigation of the motion picture patent situation by the Administration monopoly committee and the existence of the Government anti-trust suit against the industry are seen here as putting the quietus on restrictive film legislation in the coming session of Congress.

Most measures which have been pressed actively in past sessions of Congress dealt with block booking and other matters which are currently involved in the anti-trust suit. Members of Congress, moreover, expressed the view here recently that no attempts will be made to push such legislation pending a possible settlement of the Government suit.

Broadening of the patent law to prevent monopoly through patent ownership, which was also sought at the last session, is likewise expected to be held in abeyance until the monopoly committee has had an opportunity to investigate and report on the patent situation in the industry. That such an investigation will be undertaken is viewed here as virtually certain because of the U. S. Supreme Court's recent decision in the General Talking Pictures case.

No Work Stoppage

SAN FRANCISCO, Nov. 24.—San Francisco theater condition is prohibited in working agreements in effect between the musicians' union. Local No. 6, and the U.S. State Fair. Working provisions and pay rates are also included.

FILMDOM RALLIES TO AID REFUGEES

Sales Chiefs Gather Today On Pact Draft

Sales managers of all major companies will meet with company lawyers today to go over a draft of the distributors' trade practice proposals which will be submitted to exhibitor groups. The meeting was called by William F. Rodgers of M-G-M. Committee of generous counsel has been working on a draft of the proposals for about two weeks. A few points remain to be ironed out and it is expected that the program, from a distributors' standpoint, will be ready in a week for presentation to the exhibitors.

The final draft is to be submitted to the M.P.T.O.A. executive committee at a meeting called here for Dec. 8 and 9. The conference may be held earlier, if the sales managers and the lawyers come to an agreement in time.

Briggs and Young Seeking Pathe Lab

Pathe's Bond Brook laboratory will be acquired by O. Henry Briggs, Pathe president; T. P. Loach, vice-president, and Arthur Miller, lab superintendent, in association with Robert R. Young, if their offer of $540,000 in 25-year debentures is accepted by Pathe stockholders under the company's liquidation plan to be voted on Dec. 13. The completed plan was mailed to Pathe stockholders over the holiday.

Pathe's assets to be liquidated, in addition to the laboratory and 3,500 shares of du Pont Film Mfg. stock, include $248,600 of RKQ notes, having a market value of about $130,000, and

Blumberg Off Today On Visit to Studio

Nate J. Blumberg and Mrs. Blumberg will leave for the coast by train today for a visit of several weeks at the Universal studio. The trip is Blumberg's first in recent months and will be primarily for discussions on new product.

Hoblitzelle-O'Donnell to Give Day's Gross In 137 Houses

Karl Hoblitzelle, R. J. O'Donnell and their Texas Interstate Circuit, of the southwest, will donate one day's gross receipts in 137 theaters to the cause of German refugee relief. This is how show business is rallying to the cause of the oppressed abroad. The Texas gesture is the greatest to be made by any single private group.

However, in show business, the Hoblitzelle-O'Donnell gesture is not alone. This is the traditional spirit of show business to help the distressed and needy regardless of race or creed.

Special showings for the humanitarian cause of the German refugees are being held everywhere in the country.

The Texas Interstate event will cover two days, Dec. 7 and 8, and include the circuit's houses in Texas and New Mexico. Film companies have agreed to cooperate with special programs. There will be "minute men" speakers at all performances to describe the horror of the German situation and

U. S. Supplying 60% Of Films to Greece

WASHINGTON, Nov. 24.—Importance of the commercial agreement with Greece announced yesterday by the State Department was emphasized today in a report from the commercial attaché in Athens to the Commerce Department that 60 per cent of the films shown in Greece are of American origin.

The report stated that 187 of 315 features in Greece during the last year were American, although including films dubbed or produced in European studies of American companies.

While American pictures accounted for more than half those shown in Greece, it was said, there was a decline as compared with the previous year, due partly to improvement in French production and partly to the failure of many American films to prove profitable.
**Hollywood Preview**

**“Little Tough Guys in Society”**

_Hollywood, Nov. 24._—This is a rollicking, rib-tickling use of the Universal sextette of juvenile roughnecks good for just about any time and place. Although given the bulk of the footage and made the center of interest most of the way, the kids are by no means forced to carry the burden of entertainment. The adult cast contains such first flight performers as Mischa Auer, Edward Everett Horton, Mary Boland, Harold Huber and the rapidly growing Jackie Searle. There isn’t a quiet or dull moment in the picture.

The screenplay by Edward Eliscu and Mortimer Offner is a sounder work than commonly concocted for films featuring gangster-ish juveniles, and averts, without weakening performances, the common danger of presenting adolescent viciousness attractively. The kids are introduced as tough youngsters transported from New York’s East Side to the country estate of a wealthy matron whose over-privileged son needs stimulation. They give it to him, plentifully, and derive from their new surroundings a wholesome and proper sense of values. Serious as it sounds in synopsis, the story is 98 per cent humorous as presented.

Erle C. Kenton, who directed for associate producer Max H. Golden, extracted full laugh value from the ruffian behavior of the junior principals without sacrificing in any degree the genuinely smart dialog and effective character portrayals of the principals. Auer as a psychoanalyst, Horton as a butler and Miss Boland as a fluffy matron are a priceless trio. Running time, 70 minutes. _G.*_ ROSCOE WILLIAMS

**“Peck’s Bad Boy with the Circus”**

_(Principal-RKO)_

_Hollywood, Nov. 24._—Appealing to adults as well as children, “Peck’s Bad Boy with the Circus,” produced by Sol Lesser’s Principal Productions for RKO release, is a story of American boyhood based on the lovable, mischievous character created by novelist G. W. Peck. The picture is rich in comedy, being a series of incidents out of which a maximum of laughs is drawn. Tommy Kelly, whose first appearance on the screen was in the title role of “The Adventures of Tom Sawyer,” and Ann Gillis, who appeared as “Becky” in that picture, are the leads in “Peck’s Bad Boy with the Circus,” the former playing “Bill Peck” and the latter a performer in a circus which visits “Bill Peck’s” town.

Supporting the youthful pair, who carry their roles well, is a group of dependable performers including Edgar Kennedy, Benita Hume, Spanky MacFarland, Billy Gilbert, Grant Mitchell, Nana Bryant, William Demarest, Wade Boteler, Harry Stuifs, Fay Helm, Mickey Rentschler and Louise Beavers. Edward F. Cline directed from the screenplay by Al Martin, David Boehm and Robert Neville, the latter also doing the adaptation. Leonard Fields was associate producer.

Tommy, anxious to win the third time the cross country race at a boys’ camp, delays his trip to the resort when a circus comes to town. At the circus he stumbles upon jealousy in the ranks of the performers, but saves the show for Miss Gillis, who is hurt through a plot of an older rival. Then in a breakneck dash on a circus chariot, he arrives at the camp in time to enter and win the race.

Running time, 68 minutes. _G.*_ VANCE KING

**“Music and Models”**

_(Universal)_

Song and dance and a display of fashions are melded to produce a pleasing film. The fashion angle is somewhat present throughout with a credit plug for a well known New York furrier. In effect, this is a collection of miniature tab revue, with turns including Jack Ainley, Richard Arlen, Lynn Bari, Robert Marsh, Six Debonairs, Sally dishes backed up and Irene Vernon fifteen million & Co. Running time, 18 mins. _G.*_

**“Disobedient Mouse”**

_(Universal)_

Walter Lantz Cantz in which Baby-Face Mouse falls into the clutches of Rat Enemy No. 1, who is shown to be a crook. The pupil succeeds in calling the police, who find the “professor” knocked out. Baby-Face gets a reward and a trip for crossing the railroad tracks. Generally funny. Running time, 8 mins. _G.*_
That bright, fresh slant of 20th again! Hilarity in the hoosegow ... where the "lifers" only stay in for the laughs ... and it breaks their hearts to break out! "Should net a neat profit for exhibs!" chortles Daily Variety. "A rip-roaring comedy! One for showmen to shout about!"

—reports Motion Picture Daily
THE MERRIEST GALLERY OF ROGUES EVER TO ROCK THE BIG HOUSE!

Chipper and Darby! The world’s slickest salesmen—they even sell themselves!

Slim! Pardon him? ...The governor wouldn’t even excuse him!

Fisheye! A trusty whose mother wouldn’t dare to trust him!

Memphis! He puts that swing into the lock-step!

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Executive Producer Sol M. Wurtzel

**Hollywood Preview**

### “Arizona Wildcat” (20th Century-Fox)

**Hollywood, Nov. 24.—**Showmen who have been wishing Jane Withers might have advantage of more substantial stories and larger production budgets get their wish here. This is a "kid picture" in name only. It's a down-to-earth western with Leo Carrillo doing an 1850 Robin Hood of the plains, for a purpose, and such other able performers as William Henry, Henry Wilcoxon, Etienne Giradot, Pauline Moore, Harry Wood, and Rossita Farlan giving good account of themselves. Miss Withers is in no sense obscured by the adult plot, but neither is it cut down much in size for her. It looks just about what the showman ordered.

With the Nashes is a somewhat harum-scarum orphan of the plains who lives with a Spanish stagecoach driver, Carrillo, and his wife and many sons. She and ultimately, he suspect that the sheriff, Wilcoxon, is responsible for good robberies in which many men, including her father, have been murdered. The sheriff tries to pin crimes on an innocent Southerner who, in turn, is seeking a man who robbed his father. It turns out, after much riding, shooting, etc., that the sheriff is also this man. Carrillo, formerly a Robin Hood type bandit, rounds up his former followers and rides again to rescue the young man (for the schoolteacher, incidentally) and capture the sheriff. Jane helps in making Carrillo’s round-up successful but does so in ways that a child of her years really might.

With the advent of more substantial stories emerges also, a new Jane Withers, more actress and yet not too cut up. As directed by Harry I. Leeds for associate producer John Stone in this screenplay by Harry Trivers and Jerry Cady from an original by Frances Hyland and Albert Ray, she sets a new Withers standard.

Running time, 69 minutes. “G.”

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**New York Preview**

### “Come On Rangers!” (Republic)

Fast tempo, plenty of action, a capable cast and a judicious sprinkling of tuneful songs make this attractive for the western fans. Charles Ford produced and Joe Kane directed.

The story is of Capt. Roy Rogers of the Texas Rangers who joins the U.S. Cavalry when the Rangers disband. A crooked politician, Parnell Pratt, organizes a State Patrol to provide “protection” for the ranchers and preserve law and order. The leader is also the head of a gang of outlaws, the White Horse Raiders, who overrun Texas and provide the excuse for the existence of the crooked State Patrol, to which Capt. Rogers deserts, rounds up the old Rangers and brings the terrorists to justice. The Governor rewards him by reviving the Rangers and the Colonel’s daughter, Mary Hart, finally consents to become Mrs. Rogers.

Raymond Hatton turns in an outstanding performance as an old Indian scout. Others prominently cast are J. Farrell MacDonald, Bruce MacFarlane and Harry Woods.

Running time, 57 mins. “G.”

**“G” denotes general classification.**

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**Webber Buys KC House**

**Kansas City, Nov. 24.—**Mary Loui, suburban house in Southeastern Kansas City which E. E. Webber has held under lease seven years, has been acquired by Morris Wilcoxon of the House real estate house operates on a 25-cent policy.

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**Davidson Takes Musical**

Samuel Davidson, president of Cameo Screen Attractions, has purchased for New England distribution the Wilcoo musical “The Gang.” The manager of the West, has taken three Ontario houses, the Carter at Timmins, Prescott at Prescott, and LaSalle at Kirkland Lake.

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**Takes Three in Canada**

**Toronto, Nov. 24—**J. O. Scott, manager of the Toronto, Shea house here, replacing L. W. Whitchurch, who has returned to management of the Shea theatres in New Philadelphia and Newark, O.

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**Cleveland Is Down Under; “Rat” Good**

**Cleveland, Nov. 24.—**“Brother Rat” followed all first runs at Warners’ Hippodrome with a tax of $16,000. It moved to the Allen for a continued downtown engagement.

“The Great Waltz” at Loew’s State, pretty strong at $13,500.

“The Mad Miss Manton” at the Palace where Gene Autry kept the stage hot by with $15,000. “The Citadel” at Loew’s Stillman following a run at Loew’s State went down $8,000 par.

Weather was warm. Hanna Theatre, legit, offered “Pins and Needles,” with dance, sports, had “The Ice Follies of 1929.”

Total first run business was $33,000. Average is $49,000. Estimated grosses for the week ending Nov. 17:

- “A Man to Remember” (RKO) 7 days. Gross: $3,800. (Average, $543.)
- “Brother Rat” (F. N.) 7 days. Gross: $15,000. (Average, $2,142.)
- “The Mad Miss Manton” (RKO) 7 days. Stage: Gene Autry and vaudeville. Gross: $15,000. (Average, $2,143.)
- “The Great Waltz” (M-G-M) 7 days. Stage: Gene Autry and vaudeville. Gross: $15,000. (Average, $2,143.)

**WARNERS’ HIPPODROME—(2,400) (30c-35c-40c) 7 days. Gross: $16,000. Average, $2,333.**

**WARNERS’ STAND—(2,400) (30c-35c-40c) 7 days. Gross: $16,000. Average, $2,333.**

** imprison the exercise area on the second floor of the home office, with shipping, inspection and ad sales in the new space.
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"Congratulations to
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for an extraordinarily fine film?" W. G. Van Schmus
Managing Director, Radio City Music Hall

JOHN LITEL • Ted Osborne • Rosella Towne • Richard Bond • Owen
• Directed by Crane Wilbur • Original Screen Play by Charles L. Tedford
Typical praise from the New York Paramount Theatre preview audience.

“Say It In French”
(Paramount)

Hollywood, Nov. 20—Showmen can say, in French or any other
language, that this is one of the brightest comedies of the season. Pro-
duced and directed by Andrew L. Stone, from Frederick Jackson’s
screenplay based on a play by Jacques Deval, the picture is a fresh,
brisk and intermittently amusing fiction fantasy, ideally for laugh
purposes and held well when the matter of plausibility. Following
“Men With Wings” at the Los Angeles Paramount, it kept an audience
alternating stealthily between chuckles and guffaws climaxd in at least
four instances by spontaneous applause. It never bogs down and it ends
without weakening.

Ray Milland and Olympe Brathwa play the leads in a manner to sug-
gest that this is a co-starring team worthy of perpetuation. Irene Her-
gest out in support, dominating many sequences, and William
Collier, Sr., brings out of the past one of his inspired portrayals. Mar
Carlisle, Holmes Herbert, Mona Barrie, Janet Beecher, Erick Rhode
and Walter Kingsford are uniformly successful in well balanced perform-
ances and little Billy Lee registers soundly in a sustained interlude play
without speaking.

The scene is New York and the time now. Milland is a son of well
parents returning from Paris with a French bride. His now financially
barrased parents know not of. For commercial reasons he consents
to pose as the son of a rich Miss Hervey, his wife, Miss Bradna, posing
while as maid in his parents’ service. What happens from there
is not in any sense the expected and is properly for the film to tell.

New York scenes include the Rainbow Roof, the Waldorf Astoria, va
ous night spots and swanky apartments. A production feat resultant
ontouring of the cabaret scene of recent record shows Milland
just about the funniest single scene of the picture. Miss Hervey
ersing across town in a midget automobile with
ted by traffic, races through the foyer of the Edison Hotel
47th to 46th Streets and thence under a policeman’s horse and bet
64 on box-cars to the departing Queen Mary. Running time, 70 minutes. “G.”

Roscoe Williams
"SAY IT IN FRENCH or in any other tongue, this is one of the brightest comedies of the year!"

—Motion Picture Daily

"FRENCH" ROLLICKING FARCE:

Stone Pilots Para Hit, Cast Swell

"SAY IT IN FRENCH" (Paramount)

Producer-Director: Andrew L. Stone
Screenplay: Frederick Jackson
Based on play by Jacques Deva
Photographer: Victor Milner
Process photographer: Farciot Edouart
Film Editor: LeRoy Stone
Musical Director: Boris Kaloff
Song: Hoagy Carmichael and Helen Meinardi, "April in My Heart."


Paramount has a surefire money picture in "SAY IT IN FRENCH." Here is a rollicking farce of just enough sanity to skirt the true screwball nuttiness of the trained seal and leopard variety and yet attain the hilarious effect which they achieved in their day. And it is still broad enough to draw slapstick addicts.

Additionally, it has all those production assets which make it as big-time and top-of-the-bill fare. Producer-director Andrew L. Stone has succeeded in drawing all factors neatly together to present a bill which opens with a laugh and closes with a bigger one.

Members of the cast will benefit without exception from their exciting in this effort. Ray Milland, Olive Bradna and Irene Hervey as the younger group will draw broad followings from their splendid performances. Janet Beecher, Helen Herbert, Walter Kingsford, Erik Rhodes and Mary Carlisle give starting accounts of their talents. And William Collier, Sr., in a brief sequence shared by Milland and Miss Hervey, is a riot.

A sweet piece of entertainment is this sparkling comedy which bursts along for a succession of genuine laughs and will put a pleasant tinkle into the tills.

As producer and director, Andrew Stone carries the major share of picture's marked excellence. He gives it freshness and zip, incites the players to their best and scores on his team's behalf by lifting the offering considerably above its budget classification through intelligent showmanship. Direction is smart and sure and has many delightful grace notes.

Ray Milland excels all his previous enactments in a role well suited to him, as does Olive Bradna in the complementary romantic role. Singularly effective is Irene Hervey in a display of charm, noise and bright talent as comedienne. And filling out the younger group most capably, in the emotional and comic involvements, are Mary Carlisle and Erik Rhodes. Expert performances also turn in by Janet Beecher, Helen Herbert, William Collier, Sr., Mona Barrie and George P. Huntley, all handling roles with finesse.

Delightful and delightful, or as they say in French, de luxe entertainment for any house on any program. One of the best of the year.

Ray Milland was never better. His portrayal of the homecoming son is keyed to just the right pitch and carried off with an ease and nonchalance... Olympic charming as his young wife and displays her talents to excellent advantage. Unique combination of piquant flippancy, she's a fortunate choice for the part.
Korda Due in This Country
On Dec. 8th

(Continued from page 1)
about Paris production with Arnold Pressburger. And that's about all there may be to this.

The latest talk in British film circles, concerns a possible amalgamation between DeMille and Pinewood studios, to take effect Jan. 1. Strange-
ly enough, both studios have been seeking producers to tenant their lots, so that what may be motivating such a prosaic transaction as merging is not clear.

Such a matter has been discussed from time to time, but latest accounts would have it that the matter is now greatly advanced with Prudential backing the merger.

Presumably Prudential will hold the controlling interest in the combined properties, Harry George, at present a London Films executive, is expected to become chairman of the new organization, with P. Stapleton and Capul the other Norton vice-ranking exec-

utes. Korda will maintain his own production organization, functioning separately.

Censor Row Flares
In Parliament on
Para. Reel Fight

(Continued from page 1)
not have been brought to the attention of the home office for action at any time as the matter was entirely within the province of the Paramount British newsreel and the material itself was not designed for use in this country.

A Paramount News official made several attempts to get the attention of the department and asserted that the first knowledge of the incident at the newsreel office here was derived from a Motion Picture Daily dispatch from London, Sept. 26, reporting that the deletion had been made following "diplomatic and political pressure.

The M. P. P. D. A. office here dis-

claimed any knowledge of the incident.

Holdiers Buy Coast
Lab on $70,000 Bid

(Continued from page 1)
mon stock. All the preferred, 60,000 shares, will go to the creditors.

The only other bid, made some time ago and later withdrawn, was $65,500, entered by C. King Charney for Du-
Art Film Laboratories of New York. The creditors had entered a protection bid of $65,500.

International Cinema has about $207,000 in claims against it.

M. P. A. Dance Tomorrow
Motion Picture Associates will give their 19th annual dinner dance at the Astor tomorrow night. Many enter-
tainers are scheduled to appear. Pro-
ceeds will be devoted to industry relief.

Loew's Criterion
It's now publicly "Loew's Criterion." The circuit has erected a new sign on the marble pro-
claiming the circuit affiliation Loew's assumed operation of the Broadway house some time ago, in partnership with B. S. Moss.

Admission Levies
Drop $612,346 in
Four-Month Period

WASHINGTON, Nov. 24.—Admission tax collections from July 1 to Oct. 31 were $612,346 under those of the corresponding period last year, it was reported yesterday by the Internal Revenue Bureau.

Releasing its monthly collection re-
port, the bureau announced that ad-
mission taxes collected for the fiscal month were $1,596,367, compared with $1,608,827 in September and $1,966,617 in October, 1937. Sales for the seventh successive month in which collections were under those of the same period a year ago.

For the first four months of the fiscal year which began July 1, the bureau stated, admission tax revenues amounted to $6,309,070, compared with $6,921,416 last year.

Collections in the Third New York (Broadway) District fell in October to $373,564, compared with $387,369 in September and $404,487 in October, 1937, the bureau reported.

Admission tax collections at the box-office, which dropped from $337,366 in September to $247,637 last month.

Briggs and Young
Seeking Pathe Lab

(Continued from page 1)
65,866 2/3 shares of Monogram Pic-
tures stock.

Book value of the assets to be as-
signed by Young's new laboratory op-
erating company is $989,500, of which $331,122 is the laboratory valuation. A recent appraisal, however, fixed the present value of the latter at $245,000.

The new company will invest $200,000 for working capital, and will assume $249,551 of liabilities, and contingent liabilities of $365,000, of which $68,750 is represented by Briggs' contract to June 30, 1941, at $25,000 per year. The new company will assume the four-year printing contract with RKO Pathe News and the three and one-
half-year contract with Monogram.

The liquidation plan must be ap-
proved by 80 per cent of the stock-
holders and must be completed before Jan. 1.

W. B.-Cosmopolitan
Deal Not Completed

Extension of Warners' releasing ar-
rangeent with Cosmopolitan Produc-
tions has not yet been agreed upon. Negotiations are in progress. Motion Picture Daily's story crediting Ed Hatrick as stating that the deal will be extended is erroneous.

NBC Basking In
Spotlight of F.C.C. Quiz
 Tells Committee How to Run Television

WASHINGTON, Nov. 24.—Network operation will be the only way in which the U. S. and R. Co. will be taxed at a profit, O. B. Hanson, chief engineer of NBC, yesterday told the F. C. C. management committee, completing direct testimony on the development of broadcasting.

Television's chief usefulness, Han-
son said, will be in covering news events. "To do this, television must leave the studio and reach out into the field, prepared to shoot an even-
no matter where it may happen," he said. This he saw as television's most difficult problem. Great obstacles are in the way of the formation of tele-
vision chains, he said, in view of the medium's high program cost, with makeup, scenery and the complicated technique.

Hanson pointed out that no facili-
ties exist for transmitting television material from city to city. The only methods known, coaxial cable and radio relays are not yet fully devel-
oped, he said, as well as being very expensive.

NBC has spent $7,719,000 in the con-
struction of 17 studio projects since 1927. Hanson testified. Radio City, among the most ambitious with 28 studios. The large number is needed, he said, because every hour on the air has seven hours of rehearsal behind it. All told, NBC has 103 studios in 11 cities. Over a period of a year, it is sending out 52 programs simultaneously during the broadcast-
ing day, and sometimes more.

Chairman McNinch of the F. C. C. ha-
lated Hanson's statement and asked if it was possible for Mr. Hanson to read a prepared statement was not the best way of presenting ev-
ence, Hanson will be cross-examined on the hearing resumes next Tuesday.

U.S. Rubber Rubbers
Starts After Jan. 1

"One Hundred Men and a Girl," a new musical series featuring Raymond Paige and a 100-piece popular orchestra, the largest ever recruited for a legitimate stage, which is to be selected, is the choice of the U. S. Rubber Co. for a series to bow in on CBS after the first of the year.

William F. Gandy, special projects man of the U. S. Rubber Co., contracted for the show late Wednesday. A deal for the title rights was made with Universal Pic-
tures.

The girl vocalist who auditioned with the orchestra was Hilda Lee of the British outfit and it is reported that she will be the client's selection. Though this is not definite.

Rubbers new air program featured Ben Bernie.

Start time and broadcast time for the new series have not been deter-

minded. However, it is assured the program will be on the air Wednes-
days, 10 to 10.30 P. M.

Ethyl Gas to Have
New Series on CBS

Another major network show has been garnered by CBS, with the signing of Andre Kostelanetz' orchestra and Walter O'Keefe by the Ethyl Gas Co. Batten, Barton, Durstine & Os-
born handled the deal.

The series will be offered Thursdays from 9 to 9:30,.

The starting date still has not been decided, al-
though it probably will begin shortly after the first of the year.

Brandt Acquires Two

Harry Brandt has taken over the Fair in Jackson Heights and the Drake in Rego Park, Long Island, from Samuel Rhoneheimer.
Congressional Radio Inquiry Gains Headway

Slow Progress of F. C. C. Probe a Factor

WASHINGTON, Nov. 27.—Demand of Senator Wallace H. White, of Maine, for Congressional investigation of the radio industry is gathering strong support in view of the slow and, apparently, unrealistic nature of the Federal Communications Commission’s present monopoly probe.

There are definite indications that Congressional members, regardless of party alignment, are lining up to support such an investigation, and that sentiment is growing to compel Congress to make an inquiry of the radio industry.

Introduction of at least one radio bill appears to be certain, in the next session. Senator Ely McCullough of (Continued on page 7)

Newsreels Pooling For Coverage of Peru Conference

American newsreels will pool resources to give full coverage to the Eighth International Conference of American States at Lima, Peru, Dec. 8. Arrangements for the coverage are understood to have been completed at a meeting of the newsreel editors with Will H. Hays last week.

Fredric Ullman, general manager of Pathé News, is in charge of ar-
rangements for the coverage. The reels drew lots to decide which would send crews to the conference, as a result of which 20th Century-Fox Movietone News and Hearst News of the Day (M-G-M) will send crews. Tony Muto, Movietone contact man; Fernando Del Gatto, cameraman, and Ben Box, soundman, have been assigned to the meeting by Movietone. (Continued on page 3)

Talks on New Warner Product Start Today

Discussions on Warner’s 1939-40 production program start here today in conferences which will last all week between Jack L. Warner, production chief; Hal Wallis, associate executive in charge of production; Albert

WPA Theatre to Lampoon Screen on 50th Anniversary

CHICAGO, Nov. 27.—Coincident with the observance of the 50th anniversary of the motion picture early next year, the Federal Theatre project for the midwest is planning to put 150,000 into a production lampooning the film industry by turning a spotlight on its ancient foibles and failings.

John McGee, director of the project, returned recently from New York discussions of the production and set Feb. 15 as its tentative opening date. The play will be based on Emmett Lavery’s and Al Segal’s “Horse Opera,” but will be extensively rewritten. Eight persons are now engaged in research work on the film industry to this end. More are being assigned to study and follow developments in connection with the Government anti-trust suit against the industry in an

Philip N. Fisher, Distribution of Motion Pictures, Inc.

New York, N. Y.

44. NO. 104

New York, Monday, November 28, 1938

TEN CENTS

First in Film and Radio News Brief, Accurate and Impartial

FILMS-TELEVISION

SHOWDOWN IN 1940

WB Refunding Presently Shy $3,200,000

Harry M. Warner, president, in the Warner annual report issued last week, reports that $18,604,000 of the company’s optional six per cent convertible debentures maturing in 1939 have been deposited, as of Nov. 23, on the New York Stock exchange for new debentures maturing in 1948.

This is under the plan of exchange submitted to the debenture holders last July. The total amount outstanding on that date was $29,400,000. Certificates of deposit will be exchangeable for 10-year bonds drawing six per cent interest upon the plan becoming effective.

The directors can declare the plan in effect when 25 per cent, or approximately $2,200,000, of the principal (Continued on page 2)

Col. May Produce, Will Distribute in France and Algeries

PARIS, Nov. 27.—With Jack Cohn, J. A. McConnolly, Joseph Friedman and Al Segal, here, there was revealed the possibility of Columbia Pictures undertaking production in France, while at the same time, definitely establishing a distributing organization of its own, in this country, (Continued on page 3)

Para. All-American

Purely Personal

FRANKLYN WARNER, who plans to move to Hollywood, Friday, is expected back in New York tomor-row to conclude arrangements for the transfer of Fine Arts' assets to Grand National. Warner's own fu-ture plans are still indefinite.

N. L. NATHANSON, head of Fa-mous Players-Canadian, who was in New York for a few days confer-ring with Y. FRANK FREEMAN, Paramount vice-president, returns to to-onto.

HAROLD WENSTON, assistant man-age-ter at Loew's Poli, Worcester, sailed Sat-urday on the Borrigo for Porto Rico where he will manage the new Metro in San Juan, to open Dec. 20.

C. C. MOSKOWITZ of Loew's and Mrs. MOSKOWITZ were hosts at their annual Thanksgiving party to the cir-cuit's execu-tives and district man-age-ters and their families.

ERNST EMBELING of Loew's ad-ver-tising department is visiting Akron, Canton, Toledo and Clevel-land on the circuit's advertising plans. He will return in a week.

DOUGLAS FAIRBANKS and Mrs. FAIRBANKS sailed for London Sat-urday for a vacation in London. They plan to return home shortly after the first of the year.

KEN MURRAY has finished "Swing, Sister, Swing" at the Universal studio and is due here for a Paramount stage engagement starting Wednesday.

JACQUES DEVIAL, French playwright, and MILLS BOURNEV, East Coast Kodak executive, were passengers on the out-going Normandie Saturday.

MRS. MARK OSTER, wife of the Gaumont British executive, sailed Saturday on the Normandie after a visit with relatives here.

CECIL HUMPHREYS, English actor, left over the weekend for the coast to appear in Samuel Goldwyn's "Wuthering Heights."

NEB E. DEPINT and JULES LERY of RKO are among those appearing the H. M. Richey testimonial dinner in Detroit tonight.

MOST BLUMENSTOCK, Warners' east-ern advertising and publicity head, returns to his office today from a Caribbean cruise.

G. J. VAN NIEL, comptroller gen-eral of Eastman Kodak Co., and Mrs. VAN NIEL have returned from Eu-rope.

WILLIAM R. FERGUSON, M-G-M exploitation manager, returned over the weekend from a field trip.

HUNT BROMBERG, M-G-M producer, arrives today from the coast for story conferences.

JANE BRYAN, Warner actress, will return to the coast late this week.

DAVID O. SELZNICK plans to leave for the coast today.

Insiders' Outlook

BELIEVE it or not, "Angels With Dirty Faces," op-en-ed to take over the top bill and the country, on Thanksgiving Day, exceeded the grosses of "Robin Hood" (released May, this year), in 50 comparative spots, reporting to Warners, as of Friday, last. Here are 20 "samples" taken at random, according to W. B. tabulations:

Strand, Albany, "Angels" took Robin $1,991, doing $1,694 for the day; Victor, Dayton, "Angels" did $1,785, beating "Hood" by $848; Regent, Springfield, Ohio, "Angels" grossed $320, topping "Hood" by $439; Brantford, Newark, "Angels" did $6,088, beating "Hood" by $1,689; Stanley, Jersey City, "Angels" did $6,062, topping "Hood" by $2,422; Ohio, Canton, "Angels" did $1,058, beating "Hood" by $311; Warner, Menomus, "An-gels" did $2,402, beating "Hood" by $2,422, and setting a new record; Warner, Milwaukee, "An-gels" did $2,736, beating "Hood" by $1,133; Roger Sherman, New Haven, "Angels" did $3,404, top-ping "Hood" by $1,172; Orpheum, New Orleans, "Angels" did $2,372, topping "Hood" by $1,057; Aldine, Wilmington, "Angels" grossed $2,109, top-ping "Hood" by $847; Colonial, Richmond, "Angels" did $1,494, topping "Hood" by $471; Pitts-burgh, "Angels" did $3,371, beating "Hood" by $828; Capitol, Wil- liam Bar, "Hood" by $326, topping "Hood" by $1,251; Aldine, Wilmington, "Angels" did $2,109, beating "Hood" by $931; Fabian, Paterson, "Hood" by $733, topping "Hood" by $1,746.

At the Fox, St. Louis, "An-gels" did $4,692, topping "Green Light" by $3,423. "Robin Hood" played at another house in Cleveland. At Kansas City's Orpheum, "An-gels" netted $2,345, reportedly the best single bill gross in the history of the house. At the Fox, Philadelphia, the film set a 10-year record with $6,750.

Metro may be adopting the "arty" formula for showing "Pygmalion," its British-made film, around the country. The company proposes to place the films to particular theaters at popular prices for long runs. That's how it will be shown at the Astor, Broadway, too. In this way Metro can give the picture "the pre-release showings" before shooting the film out on general release.

Mention of Paramount's recently reported $50,000 investment in DuMont Laboratories by Parmount, as contained in the television program of the Research Council of Motion Picture Arts and Sciences, brings to mind that Paramount obtained 14,000 of DuMont's outstanding 70,000 shares, in that transaction, an amount equal to that presently held by DuMont, himself. Remainer of the shares is in other hands, but Paramount, it is understood, under certain conditions can acquire additional shares in DuMont up to 50 per cent control.

Warnings say an advertising budget of $7,500 has been fixed for "Heart of the North," a color production, set for release Dec. 10. A full page color ad in the American Weekly will highlight the campaign. An advertisement which will mention local theaters where the film is booked will also be used. Fan magazines and newspapers in key cities will carry ads.

Alexander Korda may make two Hollywood films. One of these might be "Pochahontas," with Merle Oberon.

Court Awards Alger $27,500 in RKO Fees

George Alger, special master who rendered the report approving the RKO proposed plan of reorganization now under consideration by Federal Judge William Bondy, has been notified by the trustee of dates from November, 1936, to date by Judge Bondy. The allowance did not specify whether any further fees would be required.

Chemical Bank & Trust Co. as trustee, under the RKO collateral note indenture, has been ordered by Judge Bondy to pay Irving Trust Co., RKO trustee, $3,12 which the latter will turn over to Wickers, Neilson & Riddell, attorneys, and Price, Waterhouse & Co., accountants, for fees.

Mulvey, Farnol to Studio Wednesday

James Mulvey, eastern representa-tive for Samuel Goldwyn, and Lynn Farnol, United Artists advertising and publicity director, will leave for the coast Wednesday to attend a sched-uled meeting of the United Artists board. Mulvey will confer with Gold-wyn. Farnol will confer on advertis-ing plans for the company's new prod-uct.

E. Garly, Actor, Dead

Hollywood, Nov. 27.—Edward Garly, former stage and screen actor, is dead here following a heart attack which he suffered while rehearsing a dance routine at a movie studio.

Freeman to Leave For Studios Today

Y. Frank Freeman will leave for the coast by train today to take over his new post as head of the Paramount studio. Freeman will be accompa-nied by members of his family, with the exception of Frank Freeman, Jr., who has gone on an additional trip. Freeman will remain here two or three weeks to wind up di-sonal and business affairs.

Freeman will establish his residence at 481 Republic Bldg. He does not plan to come east for the holidays.

Adolph Zukor, Paramount board chairman, who recently arrived in the studio, postponed his departure from Hollywood and is not expected in New York now until the end of December. His departure for London to take over his new post as head of Paramount's European operations has been postponed to shortly before Christmas. Zukor is remaining here to attend the next meeting of the Paramount board, Dec. 8, and to confer with daily except Saturday vice-presi-dent and foreign manager, who is expected back two to four weeks.

Albion Operations Start After Jan. 1

Albion Films, Ltd., new producing company formed by Douglas Fair-banks and Montague Marks, with distribution through United Artists, expects operations shortly after the first of the year.

Fairbanks and Marks sailed Sat-urday on a one-week trip to several weeks of conferences in New York and Hollywood. They expect to return here in January. Meanwhile, the two will confer with financial associ-ates in London and Switzerland.

Dismiss Collins, M-G-Suit

Charges of breach of contract, Collins, written by Jimmy Collins, who wrote "Test Pilot," that the M-G-M film infringed on her husband's book has been dismissed in suit filed by Judge Alfred C. Cox. Judge Cox declared that he had compared the book and film and found only "superficial similirities," which he described as "mere coincidences."

MOTION PICTURE DAILY

Monday, November 28, 1938

Registered U. S. Patent Office

MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

Monday, Tuesday, Wednesday, Thursday and Friday by United Press. Saturday and holidays by Quigley Publishing Com-pany, Inc., 171 Madison Ave., New York City; R. W. Bondy, president; Calvin Brown, vice-president and treasurer.

Quigley offices: Los Angeles, 1717 S. Broadway; Chicago, 730 Merchandise Mart; New York, 1 Rockefeller Center, New York; Toronto, 731 Adelaide Avenue; London, 731/2 Charlotte Street, London, England; Vancouver, 1524 Pacific Ave., Vancouver, B. C.; Melbourne, 144 Collins St., Melbourne, Australia. Other Quigley publications: Motion Picture Herald, Better Theaters, Theatre Management, International Motion Picture Almanac and Fama.


Subscription rates: United States $6 in the Americas and $12 foreign. Single copies 10c.
Col. to Distribute
In France, Algiers
(Continued from page 1)
and Algiers. Columbia’s thoughts on production, strangely enough, are given as running to English dialogues, as well as French.

The distributor organization to be established would have exchanges not in this city but additionally in Lille, Marseilles, Lyons, Bordeaux, Strasbourg.

The revelations were made prior to Cohn’s departure for the States, on the Queen Mary. While here, Cohn has scheduled an interview with Transcontinental Films, for Columbia’s distribution of T. F. product.

Cohn was guest of honor before sailing as a dinner tendered him by Jean Zay, French Minister of National Education, in recognition of the aid to French films of the deals closed here. The dinner was attended by a large representation of Government departmental officials, Embassy aides and American and European trade executives.

Would License Child
Attendance in Cincy
CINCINNATI, Nov. 27.—An ordinance has been introduced in the City Council prohibiting.admittance of children under 16 to any theatre which does not have an appropriate license, to be issued annually by the City Treasurer at a cost of $2, and to be revocable by the City Manager for violation.

The license would restrict attendance during school hours, and in no event after 8 P.M. on nights prior to school days. The measure is designed to help prevent truancy.

Cohn and Paley Head
Christmas Seal Sale
Jack Cohn, Columbia vice-president, has been appointed chairman of the Motion Picture and Theatre Division of the New York Christmas Seal drive. William S. Paley, president of CBS, heads the radio division, and Lucille Manners the radio entertainers’ group.

Claim Darieux
Paris, Nov. 27.—Danielle Darieux may be prevented from returning to work in Hollywood during the next three years as a result of a ruling Saturday by the French Trade Arbitration Board on her two-year-old contract dispute with Producer Gregor Rabinovitch.

The Board ruled that Miss Darieux must fulfill the three-year contract for her exclusive services which she made with Rabinovitch in 1936. She may, however, accept outside work with his permission. He plans to start a picture with her in Paris in June.

22 Shows on Bway.
"Soliloquy," a psychological study of a white collar worker who becomes involved in a murder, by Victor Victor, opened brightly at the Empire. Production is by H. Weissmann and staging by Eugen Schulz-Breiden. Also set for tonight is the start of the repertoire of 10 French plays by Theatre Des Quatre Saisons at the Phoenix.

Closing on Saturday of "You Never Know" after 78 performances and "Ringside Sea," after 7, left out of 22 plays on Broadway. Other openings due this week are: "Lorelei" tomorrow at the Longacre. "Great Lady" Thursday at the Majestic, and "American Landscape" Saturday at the Cort.

Storm Plays Havoc
With City’s Takes,
Upstate and Jersey
(Continued from page 1)
the weekend, The Music Hall, with "Sixty Glorious Years," finished the week with around $50,000, poor for the house.

"Angels with Dirty Faces" got off a good start at the Strand with $7,500 for its first day Friday. Ted Lewis on the stage was a strong attraction. "Brother Rat" finished its third week with an estimated $20,000. From "Hotel Sue" at the Roxy drew an estimated $44,400. At the Paramount, "Arkansas Traveler" appears likely to do $86,000 when the second week ends tomorrow. Gross of $22,500 was estimated for the third week of "The Citadel" at the Capitol. Opening of "Peggywood" at the Astor, which has been shifted several times, and was originally scheduled for Dec. 1, is still uncertain.

Talks on New Warner
Product Start Today
(Continued from page 1)
Warner, S. Charles Einfeld, advertising and publicity head, and Gradwell I. Sears, general sales manager.

Jack Warner arrived late last week with Mrs. Warner from England. Walters got in from the coast early this week. They will leave for Hollywood on Saturday with Einfeld. The regular films on the current program will also be discussed.

Warner on arrival said he had purchased “Chalked Back” by Paul Conway, British novelist.

Rickey Dinner Tonight
Several RKO executives, as well as managers representing the industry, will attend the Variety Club testimonial banquet in Detroit tonight for Henderson M. Rickey, who recently became RKO director of exhibitor relations. Rickey formerly was an independent exhibitor leader in the Detroit area.

Newsreels Pooling
For Coverage of Peru Conference
(Continued from page 1)
News of the Day will send Carl Bockhurst, cameraman, and Charles Peden, sound man. The material will be available for pooling, which will share the expense of the coverage.

Insofar as could be learned at home offices and M. P. D. A. headquarters, or from contact with the State Department, to the effect that the Hays organization would send a “large delegation” to the conference as a goodwill gesture to forestall the spread to Latin American countries of the nationalistic curbs on American films which have already restricted a number of European film markets, were denied at M. P. P. D. A. headquarters.

To Ask Details in
Chicago Trust Suit
CHICAGO, Nov. 27.—Robert Gelding, attorney for Balaban & Katz, will ask for a bill of particulars when the Government trust suit against the circuit and major distributors comes up tomorrow before Federal Judge Willard Warren.

Extension of time for filing answers after the bill of particulars is received also will be requested. It is understood there will be no objection to a two-week extension.

Quiz City Officials
Nov. 30 in Tax Fight
Industry attorneys will begin examination of city officials Nov. 30 in move to oppose a levy of more than $100,000 in interest and penalties assessed by the City Comptroller for the 18 months during which distributors did not pay the two per cent city sales tax. Arthur Schwartz of Schwartz & Frohlich will examine the city’s solicitor and the city comptroller’s office.

Recommend Spread
Of London Seating Rate
LONDON, Nov. 27.—England’s County Councils’ Association has decided to recommend to all county councils in the country the adoption of theatre seat price regulations similar to those recently passed by the London County Council.

The London regulations provide that the seating plan be permanently displayed in the lobby, with seat prices designated, forbid change of price for designated seats from the posted admission, and indicate in the lobby the number of vacant seats in the house to avoid standing by distributing. The Cinematograph Exhibitors’ Association is waging a vigorous fight against the regulations, and a court battle is likely, while attorneys are having advised members it will set a precedent to accept 1939 licenses embodying the regulations.

WB Refunding
Presently Shy
$3,200,000
(Continued from page 1)
amount of the outstanding debentures have been deposited. The plan becomes effective when $5 per cent are deposited. The present deadline for depositing debentures for exchange is Dec. 1, but the company reserves the right to extend it. The company reported net profit of $1,929,721.32 for the year ending Aug. 27, compared with an operating net of $5,876,182 for the previous fiscal year.

This net, after providing for the current year’s dividend on the preferred stock, is equal to 41 cents a share on the outstanding outstanding, 13% preferred shares, which are now yielding 8%.

This year’s dividend was to be paid to shareholders who would have been paid on the preferred stock since March, 1932.

Gross income for the fiscal year was $1,911,379, compared with $1,010,516,698 reported in 1937 and $90,055,012 in 1936.

WPA Theatre Plans
To Lamoon Screen
(Continued from page 1)
—effort to discover “inside” information which may be turned to the play’s purposes.

The project is negotiating with various laboratories for bits of old film which would be used to show how pictures were before the Legion of Decency and similar groups exerted an influence. Film executives and stars, will be caricatured in the production. Masks to aid in identifying the characters will be used. The play will draw on burlesque story lines and other subjects for its material. The aid of the industry was sought by W.P.A. theatre officials, but was refused.

Depinet Will Address
Carolina MPTO Meet
CHARLOTTE, Nov. 27.—M. P. T. O. of North and South Carolina may hear from Ned E. Depinet, RKO distribution chief, on the latest developments in connection with the formulation of an industry trade practice program, at its annual convention to be held here Dec. 4 and 5.

Depinet, a member of the distributors’ national committee, today wired his acceptance of an invitation to attend the meeting.

Hagen Liabilities
Put at $2,500,000
London, Nov. 27.—Liabilities in excess of $2,500,000 were mentioned during a meeting of the creditors of Julius Hagen, producer. His present assets are valued at $250.
NO ATTRACTION UNDERTAKEN
ING THE ASTOUNDING
WARNERS' 'ANGELS WITH
PUTED BUSINESS CHAM
WHERE IT IS NOW SHO

"ANGELS WITH
DIRTY FACES"
Starred
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
Based on a Story by Richard Brown
Music by Max Steiner • A First National Picture
THE SUN IS APPROACHING RECEIPTS THAT MAKE WITH DIRTY FACES' UNDISPION IN THE 354 CITIES WING SIMULTANEously
“King” Strong L. A. Grosser
With $23,000

Los Angeles, Nov. 27.—“If I Were King” took the honors here, grossing a strong $23,000 at the Paramount. “The Citadel,” which has been behind, comparatively, with $7,920 at the 4-Star.

The dual of “The Cowboy and the Lady” and “Torchy Gets Her Man” did well, taking $14,400 at the Hollywood and $15,800 at the Downtown. Estimated takings for the week ending Nov. 23:

- “Listen Darling” (M-G-M) – Gross: $8,664. (Average, $1,220)
- “Young Dr. Kiddare” (M-G-M) – Gross: $7,920. (Average, $1,020)
- “Cladie!” (M-G-M) – Gross: $2,920 (90c-55c) 7 days. (Average, $410)
- “Service De Luxe” (Univ.) – Gross: $1,680. (Average, $240)
- “The Storm” (Univ.) – Gross: $500. (Average, $71)
- “The Whispering Woman” (M-G-M) – Gross: $400. (Average, $57)
- “Peggy’s Mother” (Univ.) – Gross: $300. (Average, $43)
- “G-man” (Univ.) – Gross: $1,300. (Average, $70)
- “If I Were King” (Para) – Gross: $1,000. (Average, $143)
- “The Cowboy and the Lady” (U. A.) – Gross: $800. (Average, $114)
- “Torchy Gets Her Man” (W. B.) – Gross: $600. (Average, $86)
- “Peggy’s Mother” – Gross: $400. (Average, $57)
- “The Storm” (Univ.) – Gross: $300. (Average, $43)
- “G-man” (Univ.) – Gross: $1,300. (Average, $70)

“Pardon Our Nerve” (20th Century-Fox)

Hollywood, Nov. 27.—“Pardon Our Nerve” is the third of the 20th Century-Fox Big Town Girls series and is easily tops of the group for entertainment. It is a farcical concoction of the adventures of two girls who, impoverished, seize upon a dull witted waiter and make of him a part-fighter. “Pardon Our Nerve” is 65 minutes of fast moving laughs, a skillful direction of H. Bruce Humberston leads the characters through the paces of the screenplay of Robert Ellis and Helen Logan.

Lynn Bari and June Gale are the big “town girls” again and in this they are supported by Guinn Williams, Michael Whalen, Edward G. Robinson, John Miljan, Reuben von Eltz, Bond Ward, Chester Clute, Helen Jerome, and Tom Kennedy, a cast whose individual and collective efforts contribute little to the entertainment. Hilda Stone and Betty Reinhardt wrote the original story for this Sol M. Wurtzel production.

Miss Bari and Miss Gale become the managers of a waiter, Guinn Williams, whom they make into a price fighter. He is so dull witted that Miss Gale, who resembles Williams’ sweetheart in Minnesota, must resort to the stratagem of having his opponent hit her in order to anger Williams. Having been built up, Williams is given a bout with the champion, but a crooked promoter kidnaps Miss Gale to prevent her from doing business with his ringside stunt. The real sweetheart turns up to save Williams.

Running time, 65 minutes. “G.”

“cede”

“Traveler” Leads Oklahoma City’s Takes at $5,800

Oklahoma City, Nov. 27.—The Arkansas Traveler proved to be the best gross here, with a net $5,800 at the Midwest, in a week of only fair business.

“You Can’t Take It With You” (Col.) – Gross: $5,000. (Average, $833)

Estimated takings for the week ending Nov. 15-17:

- “The Arkansas Traveler” (Para.) – Gross: $8,500. (Average, $1,000)
- “You Can’t Take It With You” (Col.) – Gross: $5,000. (Average, $714)
- “Merry Widow” (Para.) – Gross: $3,500. (Average, $500)
- “Diplomacy” (Para.) – Gross: $2,500. (Average, $357)
- “The Great Waltz” (M-G-M) – Gross: $1,500. (Average, $214)
- “Goldgraben” (M-G-M) – Gross: $1,500. (Average, $214)
- “The Man Who Came to Dinner” (M-G-M) – Gross: $1,500. (Average, $214)

La Paz Government Is Looking for Operator

Mexico City, Nov. 27.—Government of Lower California Territory desires to put in operation a theatre which is now called La Paz, the capital. The house is offered for lease for five years. The lessee must put up $2,400 to guarantee tenancy for that period and include development of the commercial department of the company, officers of which are John Gentle, president, Mario Castegnaro, vice-president and treasurer, and Bertha Castegnaro, secretary. Process Corp. in Hollywood is principally engaged in supplying process shots to studios.

Boost Process Capital

Sacramento, Nov. 27.—Permission has been granted by the Secretary of State to Motion Picture Process Corp. to increase its capitalization from $25,000 to $300,000. Expansion of department of the commercial department of the company, officers of which are John Gentle, president, Mario Castegnaro, vice-president and treasurer, and Bertha Castegnaro, secretary. Process Corp. in Hollywood is principally engaged in supplying process shots to studios.

Rep. Moves in K. C.

Kansas City, Nov. 27.—Republic-Midwest exchange, under Robert F. and Co., and Commons-Manus- ment Corp., has moved into its new building on 18th St. here. RCA has moved into the same building. Grand National is taking its new quarters vacated by Republic, and moving in with Grand National are the offices of the Country-Missouri Theatres Association.

Normandie French Film

First film to be booked into the Normandie, which is set to open Nov. 30, will be Tri-National’s “Sacrifice d’Honneur,” a French production with English titles.

Join the Gang!

Time

Friday Evening

December 2nd

Place

Gold Room

Congress Hotel

Chicago, Ill.

Reason

Testimonial Dinner

for

Jack Kirsch

Pres. Allied Theatres of Illinois

Entire Proceeds to Film Relief Fund

for reservations wire

Henri Elman

843 W. Wabash Ave., Chicago, Ill.
See Effect of Television on Films by 1940

(Continued from page 1)

Motion from an experimental to a commercial stage. It sees "definite entertainment quality" for the first time now. This transition, if occurs, will be without "revolutionary effect" on the film industry during the next two years because of television's "clumsiness" and the "magnitude of its artistic and financial problems."

Noting that regular transmission service and receiving sets by a number of types and sizes will be available to the public next year, the committee cites mediocre program material as its greatest handicap at this time. It conceives, however, that this defect is "remediable."

Of the growth symptom demonstrated last summer, here, the report has this to say:

"The picture was bright and had considerable entertainment potential at close-ups. The longer shots were not as effective."

Criticizes RCA Transmissions

Of the current RCA-NBC transmissions in New York, it says: "Although too many of the conveniences of viewing, the pictures are bright and sharp and carry sufficient detail to depict emotions which are difficult to transmit in close-ups or semi-close-up. Medium and long shots merely show the figures and are used mainly for enfranaces, exit and entrances. When the (televised) material has been up to the mark the results have been definitely entertaining, even with the small screen."

Of recent international developments in television engineering the report observes that "Progress is slow and laborious, but steady. In general the advances listed by the foreign field are either results of such inventions as may be duplicated here whenever it becomes expedient."

It also observes that despite "notable progress" in England during the last two years on the technical side and in the quantity and quality of program material, little commercial advance has been made there. Competitors the estimated 3000 to 4000 receivers with England's 10,000,000 population within the transmission service area, if it finds this to be a "melancholy showing."

Says Market Is Waiting

"Yet no one conversant with the situation as a whole can or does regard it as an evidence of failure," the report states. "The reason is that television, while sales have lagged, public interest has been sustained, and where there is interest there is a potential market."

On cost, the Academy experts believe that the financial responsibility which television imposes on the average home will be less than that of the motion picture. "This is the field where television can but will not be duplicated here whenever it becomes expedient."

They state that the financial responsibility which television imposes on the average home will be less than that of the motion picture. "This is the field where television can but will not be duplicated here whenever it becomes expedient."

Public Response

Hollywood, Nov. 27—First sample of public reaction to a sale of television receivers is described in this Market Research Council of the Academy as follows:

"The television market as a whole has been excellent this fall. Prices have ranged from $195 to $225. Public interest was aroused but only a few sets were received and orders ruffled when the manufacturer shut down for adjustments."

Britten Wave on Television

The current stir in this country over television seems to be "much ado about nothing," according to Britton L. Dyer, managing director of the Philco Co. of Great Britain, now in this country.

England, he states, has had "good" television for the past two years, yet less than 4000 home television receivers have been installed. Due to lack of interest in television on the public's part, he states.

"The public do not realize that television ballyhoo at the present will be harmful to the new art. If the public is led to expect too much at the start, he states, it will prove to be a tremendous financial, industrial and artistic disappointment."

A factor in the path of television which yet remain to be overcome are the extremely short distance of transmission, manifold sources of interference, and the cost of erecting transmitters.

However, he predicts a much more rapid growth for television in America than in Britain. This, he explains, is because television development here is in private hands, rather than in government hands, as in Britain. He believes that national acceptance of television, here and elsewhere, is at least five years off.

Crosley Warns of Ballyhoo

CINCINNATI, Nov. 27—"Pictures composed of three in theatres can be expected to only a very limited extent by television for years to come, and it is certainly a mistake to ballyhoo television to the public beyond honest statement of facts," declared Powel Crosley, Jr., president of the Crosley Broadcasting Corp., which is operating WLW, WSAA and W8XAY.

"Technically, television has arrived, and satisfactory pictures can be transmitted through to 50 miles, but it is offered to the public with clear understanding of the program limitations, production costs and finding a source of income which will sustain the service must be found."

Atlantic Radio Formed

ALBANY, N.Y.—Atlantic Radio and Television Corp. has been chartered to do business in New York state.

Director and officers are Philip S. Glass, Mary Fracchia and Henry C. Schreiber, Long Island City.

Blue Revenue for October $901,376

Red Is $2,872,588

Having stated at the F. C. C. monopoly hearings that the Blue network would have to be separated from the Red, NBC now is making available separate revenue totals for each network.

Revenue of the Blue network for October, 1938, is $901,376, which totals, for the same month, of $2,872,588 for the Red. Oct. 1938, NBC business totaled $3,773,964.

Thus, the breakdown of the business for the two networks is on a new basis, no comparison for the Blue network business is possible, although it is possible that this is the first time that revenue of the Blue network passed the $900,000 mark.

Self-Regulation of Radio to Be Talked

WASHINGTON, Nov. 27.—National Association of Broadcasters, moving on a suggestion made by David Sarnoff, president of RCA, has moved to formulate a code of self-imposed regulation for the broadcast industry. A committee of leading broadcasters will meet in New York City Dec. 5 to consider recommendations which it will bring to the board of directors of the NAB in Washington, Dec. 12 and 13.

One of the key points of critical interest to this committee will be whether the NAB will place time on the air for the diffusion of discussion and disputation. It would not be surprising if the Congressmen found many other items for scrutiny, as they generally do once they get started. It will run from pins to crowsbars.

Investigation of the F. C. C. has been held in the broadcast industry. However, it seems assured that any legislation which will be brought up at the time will be the issue of the radio probe is bound to get into the commission's activities and operations. Whatever internal friction there may be existing within the commission stands a chance of being investigated before the end of the present session.

If the House Appropriations Committee is said to meet in executive hearings on the F. C. C. budget for the coming fiscal year, the ground work for such matters may be laid.

Trammell Appointed

NBC Executive V. P.

Niles Trammell, vice-president in charge of the central division of NBC, has been promoted to executive vice-president of NBC. He was appointed to New York on Jan. 1 to take over his new duties.

Also promoted to vice-president was Alfred H. Morton, who has been in charge of operations of NBC's owned and operated stations. Morton will assume his new duties immediately.

Trammell's successor in Chicago has not been appointed as of yet.

Wagner Sponsors "Final"

"Five Star Final," one of the oldest screen melodramas in radio lore, was heard under new sponsorship beginning Dec. 4 from 9 to 9:30 P.M. over WMCA. The sponsor is Wagner Baking Co. The contract is for 26 weeks.
What’s your Screen worth?

Apparently it’s worth plenty to those who want to buy it! Commercial advertisers place a high value on the use of your screen to sell their goods. So why shouldn’t you do the same?

That screen is YOUR best advertising medium—it can be your best ticket-seller. Don’t waste it by using unshowmanlike trailers.

A good trailer on your screen is the lowest-cost advertising you can buy. Ever stop to think how little National Screen Service costs?

When the BEST is so cheap, there is no economy in using make-shift stuff on that valuable screen. In fact, that is extravagance and unfair to your box-office!

National Screen Pre-vues are built to sell tickets—by showmen who have studied screen-salesmanship for years.

JOIN THE 12,000 EXHIBITORS
NOW USING THE BEST—NATIONAL SCREEN SERVICE PRE-VUES!

NATIONAL SCREEN
Repeat Program
San Francisco, Nov. 28.—Glenn Dolberg, NBC program director here, got his stories mixed at his own wedding. Although the license was obtained on this side of the bay, Dolberg and Eleanor Reennie, contralto, were married in Oakland. When the minister signed the license he noted the mistake, and the entire wedding party motored across the bridge for a second ceremony.

Balaban Ordered To Appear in US Contempt Action
CHICAGO, Nov. 28.—Federal Judge Woodward today set Thursday, Dec. 1, as the date for hearing motions by defense attorneys for a bill of particulars in the Government anti-trust suit against Barney Balaban, Paramount president; Balaban & Katz circuit and major companies except Columbia.

The court also ordered that Balaban appear in person. Considerable controversy arose over the Government attempt to impound letters and contracts between the majors and B. & K. until the trial. The documents are also being used in the trust action of Chicago independents against B. & K. Defense attorneys protested that Balaban’s appearance would be difficult to arrange and unnecessary, but the Government’s attorneys insisted and the court ordered it.

Robert J. Wright represented the Government today. The defense plans to ask the court to set Jan. 12 as the date for filing answers, it is understood.

Gainsborough Makes Quota Films for 20th Century-Fox

London, Nov. 28.—Twentieth Productions, Inc., British subsidiary of 20th Century-Fox, has closed with Gainsborough (Gaumont British) whereby the latter firm will undertake 20th Century’s quota production requirements.

It is understood that 20th Century will require eight films which Gainsborough will make, and that for this purpose, an arrangement has been concluded by which these pictures shall be produced under 20th Century supervision, of course, at the Gainsborough studios.

Twentieth Century production, here, is under direct supervision of Robert Kane, who, it is granted will direct the entire arrangement.

Additionally, 20th Century obtains full access to and the employment, if needed, of all Gainsborough players, writers and even scripts. Also, Maurice Oster and Edward Black, Gainsborough producers, go along with the deal.

Divorce is Seen in 2 Years

Coast Ready to Meet Andrews on Wage-Hour

Hollywood, Nov. 28.—Application of the Wages and Hours bill to film production is expected to be decided here this week when Elmer F. Andrews, national administrator, arrives. Andrews is scheduled to speak in Los Angeles Friday and is expected to confer with business leaders about the measure.

Meanwhile, a conference has been set for Wednesday between studio attorneys and union representatives to discuss possible revision of the basic labor agreements with five International which provide for a 40 to 60 hour week. It is generally agreed that wages in the studios comply with the act’s minimums, but different interpretations have been placed on provisions for maximum hours. Although there is no local office of the Wages and Hours Administration

Schaefer, Freeman, Blumberg on Coast

Hollywood, Nov. 28.—George J. Schaefer, RKO operating head, arrived today for his first visit to the studios since assuming control of the company. He may return to New York before Christmas.

Y. Frank Freeman, vice-president of Paramount, will arrive Thursday at the Paramount studio.

Nate J. Blumberg also arrived here today. He will spend two weeks conferring with studio heads on Universal’s new product.

Boris Morros Out of Para. After 15 Years

Hollywood, Nov. 28.—Boris Morros, musical director and associate producer at Paramount, resigned today, effective Jan. 1. Morros joined the studio in 1925 and prior to that time was musical director and producer of stage shows for Paramount theatres for 15 years.

Shareholders Sue To Halt Path Plan

In an effort to block a special shareholders’ meeting called for Dec. 15 to consider dissolution of Pathé Film Corp., Anna Bashlow and 15 other stockholders filed suit in the N. Y. Supreme Court yesterday against the directors of Pathé Corp., to restrain the meeting. The complaint declares that Pathé Corp. is insolvent and asks that the stockholders be enjoined from voting approval of the resolution of the board of directors which was passed Nov. 19.

Together the 16 stockholder plaintiffs claim to hold 2,245 shares of stock. Named as defendants are Pathé, O. Henry Briggs, Henry J. Guild, Robert McKinney, Robert R. Young, Charles A. Stone, Louis Phillips and Gordon Wattles. To take advantage of 1938 Revenue Law provisions, liquidation must be completed in December.

Legislation or US Suit To Bring It About, Showmen Believe

If not by court action from the Government, divestiture will be here by legislation, within two years, some showmen believe, once the North Dakota separation suit is sustained by the U. S. Supreme Court, where it is pending on appeal.

There is difference of opinion in the trade whether the companies should fight the New York anti-trust suit, or yield.

Among those involved, one big major company is so convinced that divestiture must come that it is already busy engaged trying to find a way to separate its exhibition side from production and distribution, to retain exhibition only.

That North Dakota law has a lot to do with this attitude. It is thought that, once approval of the statute outlawing producer and distributor owned theatres in North Dakota is upheld in Washington, agitation will

Columbia Quarter
Net Loss $233,612

Net loss of $233,612, after all charges and provision for Federal and other taxes, is reported by Columbia for the first quarter of its fiscal year, ended Sept. 24.

At the end of the period the company’s working capital amounted to $10,740,000, of which approximately $2,300,000 was in cash. Gross income for the quarter amounted to $4,469,770; amortization of production costs, $2,603,631, and general, administrative and selling expense was $1,590,841. Ratio of current assets to current liabilities is over eight to one.
**Out Hollywood Way**

**HOLLYWOOD, Nov. 28.—**George Sanders has been signed to play the lead in RKO's "The Saint" series, replacing Louis Hayward, originally scheduled. Hayward, who made the first of the series, is with Edward Small, preparing for the title part of "The Man in the Iron Mask."... Wendy Barrie has been signed by RKO for three pictures, first of which will be in "The Saint Strikes Twice"... Jimmy Durante is out of the cast of "Song of the West," M-G-M, because his Chicago night club engagement would not permit him to travel. Gale Page will play opposite Edward G. Robinson in "Brother O'Brien," at Warners.

Next of Warners' patriotic shorts will be "The Story of Benjamin Franklin," with John Lyle as usual in a leading role, and Wally Wiper will direct... Universal has placed Robert Wilcox and Constance Moore in "Fortunate Boys," which Max Golden will produce. Frank Ross, story editor for Hal Roach, becomes associate producer on Roach's "Captain Midnight," in addition to carrying on his other duties. Roman Ahern and Victor McClaglen will be starring... George Raft and Dorothy Lamour will be costarring in Paramount's "Two Time Loser," original by Arthur Sheekman.

**CASTING.—**Walter Connolly to "Huckleberry Finn," M-G-M... Maxie Rosenbloom to "Sweetstakes Winner." Warners... Kaye and Regis Toomey to "Union Pacific," Paramount... James Burke and Olin Howland to "Dodge City," Warner Bros... Jane Wyman to "Broadway Cavalier," Warners.


Contracts—Warners extend the contracts of Vincent Sherman, Don Ryan, Anna Mackenzie, Ivan Trier, and Ronald Reagan, player... M-G-M has extended the contract of George Murphy, player; Norman Taurog, director. James Cagney gets a one-year pact extension at Paramount as a director.

**WRITERS.—**Paramount assignments: Brian Marlow on "Me and My Gal"; Laura and S. J. Perelman on "Campus Dormitory" and "Deng." Foster on the Gene Krupa vehicle... George Bruce on "Navy Nurse"... Anthony Colley working on the script for Warners' "Student Nurse"... and Warren Duff on "Glitter."... Jack O'Donnell is preparing "Production Nurse" for Warners... "Women Make News," Michael Sternstein and Steve Vass on "Capital Punishment," all at Republic.

**DIRECTORS.—**Warners has assigned William Clemens to direct "Torchy for Mayor," William McGann, Glenn Ford, Richard Whorf, and Smith "Smashing the Money Ring."
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”ttractions!

(AS WE GALLOP TO PRESS! “Out West With The Hardys” Held Over 2nd Week in 29 Out of 34 Openings!)
Kent Heads Group Going West Dec. 8 For Product Talks

Sidney R. Kent, president of 20th Century-Fox, will head a home office delegation leaving Dec. 8 for the coast to attend a meeting with Darryl F. Zanuck, John M. Schenck and other studio executives.

In the 1939-40 production budget and sales policies are outlined to be at the meeting, which is scheduled for Dec. 12 and is expected to last most of the week. This is the first instance in the history of the company that field executives have been called in to aid in directly setting the budget and deciding other plans for the year.

Zanuck will outline 1939 production plans, and films completed for release in the first quarter of the year will be shown. Sol M. Wurtzel will discuss plans for his under the higher budget policy put into effect last week.

William Goetz will also participate in the meetings, which will be attended by division and district managers and others.

Jersey Allied Will Hold Meeting Today

Allied of New Jersey will hold a meeting today at the Cockeye House, Newton, as one of a series of meetings to be held outside New York.

New York Allied has scheduled a statewide meeting for next Monday at the Statler Hotel, Buffalo. Max Cohen, president, and others from New York will attend.

Robert Soto Seeks Own Mexico Film

MEXICO CITY, NOV. 28.—Robert Soto, Mexico's fattest stage actor, who had a bit part in Paramount's "Tropic Honeymoon," has signed a new production contract. He is making "La Marche Zacatcas," ("Zacatecas March"), story of Mexico's most stirring march.

Reel-Union Talks Set

Conference between M. P. Laboraty Technicians, Local 702, and Paramount Newsreel officials is set for today.

The union seeks recognition and a closed shop for lab employees. Jack Rugge, president of 702, and Richard Walsh, of the I. A. T. S. E., will act on behalf of the union.

Miss Peck Ohio Censor

CINCINNATI, NOV. 28.—Jessie Peck, Postsor, has been appointed assistant censor by E. N. Dietrich, state director of education. The board has been functioning with only two members since March when the post of assistant censor, held by Edith Leutti, was abolished.

Dillon to Diamond House

KANSAS CITY, NOV. 28.—Eimer Dillon, formerly with Warners, has gone to Kansas City, Kan., to manage the Howard, which Gus Diamond recently acquired.

Rosenblatt in Georgia

Sol Rosenblatt spent the Thanksgiving Day holidays at Warm Springs.

Hollywood Preview

"Out West with the Hardys" (M-G-M)

Hollywood, Nov. 28.—M-G-M has devised a sure-fire plot for the Hardy Family picture to follow "Love Finds Andy Hardy" and found it in the good old-fashioned Western formula wherein an avaricious rancher seeks to acquire an honest neighbor's acreage by depriving him of his water supply. This is the deeply buried but efficacious foundation of the fifth unit in the Hardy series and upon it has been erected a series of incidents individually and collectively strong enough in human interest and humor to keep the preview audience completely captivated.

To George B. Seitz, director, and to Kay Van Ripper, Agnes Christine Johnston and William Ludwig, a salvo for solving a difficult box-office problem triumphantly in the screenplay.

Prominently handled in the action are the experiences of Mickey Rooney on arrival at a ranch, his attempts to become a bronco buster, his repeated embarrassment by an 8-year-old girl (Virginia Weidler), expert in horsemanship, firearms and other manly pursuits, his heartbreak when disaster of his making overtakes her horse—a memorable sequence that brings spontaneous applause, after tears—and, as a sort of postscript to the picture proper, his readjustment of his friendship with his feisty girl, Ann Blystone portraying effectively in little footage the ranch owners Judge Hardy goes West to rescue from threatened adversity.

The film is at its best in the western setting, which accounts for about 90 per cent of the running time. Running time, 84 minutes. “G.”

Roscoe Williams

New York Preview

"Pygmalion" (Pascal-M-G-M)

Sophisticated audiences may be expected to rave over this delightful whimsy. As translated for the screen by Gabriel Pascal with the direction of Anthony Asquith and Leslie Howard, who also stars, this first of Bernard Shaw's plays to be made into a film has disproved the sage's fears that picture producers are incapable of understanding the spirit of his work.

The story is basically the development of the Cinderella theme, but with an originality that contains many surprises to filmgoers. Many Americans, however, will find the English inflections hard going.

Howard is always master of his role as the impulsive Professor Higgins, specialist in phonetics, who accepts a challenge to transform a Covent Garden flower girl—guttersnipe, he calls her—into the social equal of Mayfair's best. But it is Wendy Hiller who will be hailed, for her ability no less than for her freshness and charm. She delivers an overshadowing performance as the wasteful Cockney waif, Eliza Doolittle, who submits to the professor's molding of her into a lady. Shaw's steady girl, Anne Blystone becomes verse in this, and this is the picture's only weakness, which the directors evidently sought to avoid by keeping camera and actors in motion. Viewed largely, the film emerges as a burlesque on English middle class manners and morals, literate entertainment done with near perfection.

Eliza's lover is priceless as Mr. Doolittle, and the other parts are excellently taken by a cast which is mostly renowned on the English stage. Running time, 87 minutes. “G.”

Al Finestone

40"G" denotes general classification.

Remodel Ontario House

TORONTO, Nov. 28.—Sam Ulster and Sidney Goldstone, Toronto independent, are remodeling the Royal in Peterboro, Ont., a 600-seat house which has been dark for years.

Dr. Brin Take House

SEATTLE, Nov. 28.—Paul R. Aust, owner of the Broadway, and L. K. Brin, former local Grand National branch manager, have acquired the Empress in Spokane.

Variety Club

INDIANAPOLIS, Nov. 28.—Fred Greenberg, Warners branch manager, has been elected chief banker of the Indianapolis tent succeeding A. C. Zaring.

Other officers are Louis Stockman, first vice-president; Lawrence Shub, second vice-president; Al Blocher, treasurer, and Sol Greenberg, reelected secretary. Board of directors include three presidents, Zaring, Carl Niesse and Marc Wolf, with Wade Wilman, Harry Marks, Earl Peskin, Claude McKean, Sam Gardner and Tom Baker.

Washington

WASHINGTON, Nov. 28.—A. E. Lichtman has been elected chief banker of the Washington Variety Club.

Harrie Meakin was named first assistant chief banker; Sidney Lust, second assistant chief banker; Harry Brown, secretary, and Sam Galanty, reelected treasurer. Ray Bell was reelected assistant secretary and Julian Brylawski, the club's current chief, was reelected as the council of the national Variety Club.

Cincinnati

CINCINNATI, Nov. 28.—Local tnt is scheduled to have a house-warming upon completion of remodeling, which includes the addition of two adjoining apartments to the first set for about two weeks.

Louis Wirth, of the suburban Board, has been accepted as a resident member.

Cleveland

CLEVELAND, Nov. 28.—Nat Wolf, Variety Club chief banker, has appointed M. B. Horwitz head of the Club Loan Campaign.

Assisting Horwitz on the committee are I. J. Schmertz, Frank D. Green, reelected treasurer; Herbert Ohls and Jack Shulman.

Otterson-Thomas Set

Harry H. Thomas, independent distributor, will handle the eastern distribution of John E. Otterson's Tri-National Films releases under a partnership deal just completed. The deal is the fifth in Tri-National's plan for national distribution of its imported films.

Plan Carolina Theatre

CONCORD, N. C., Nov. 28.—North Carolina Theatres, Inc., will open a structure costing about $75,000.
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'
<table>
<thead>
<tr>
<th>Date</th>
<th>Columbia</th>
<th>M-G-M</th>
<th>Monogram</th>
<th>Republic</th>
<th>RKO Radio</th>
<th>20th-Fox</th>
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<tbody>
<tr>
<td>Oct. 21</td>
<td>Homicide Bureau</td>
<td>Bruce Cabot</td>
<td>Rita Hayworth</td>
<td>Listen, Darling (G) (C)</td>
<td>Barbara Stanwyck</td>
<td>Judy Garland (904)</td>
<td>Mysterious Rider (G) (O) (3907)</td>
<td>The Mad Miss Manhattan (G) (C)</td>
<td>Stearns and Fonda (906)</td>
</tr>
<tr>
<td>Oct. 28</td>
<td>The Little Adventures of the Texan (O)</td>
<td>Edith Fellows</td>
<td>Cliff Edwards</td>
<td>The Citadel (G) (D)</td>
<td>Robert Donat</td>
<td>Ronald Russell (907)</td>
<td>Men With Wings (G) (D)</td>
<td>MacMurray</td>
<td>Tarnished Angel (G) (D)</td>
</tr>
<tr>
<td>Nov. 4</td>
<td>In Early Arizona</td>
<td>Bill Elliott</td>
<td>Dorothy Gulliver</td>
<td>Turpel Mozart (M) (D)</td>
<td>Luis Reiner</td>
<td>Fernando Gravet</td>
<td>Illegible (G) (D)</td>
<td>I Stand Accused (G) (D)</td>
<td>Robit, Cummings</td>
</tr>
<tr>
<td>Nov. 11</td>
<td>Adventure in Sahara</td>
<td>Paul Kelly</td>
<td>Lorna Gray</td>
<td>Spring Madness (G) (D)</td>
<td>Lew Ayres</td>
<td>Burget Meredith</td>
<td>Shenandoah (G) (D)</td>
<td>If I Were King (G) (D)</td>
<td>Calvin O'Brien</td>
</tr>
<tr>
<td>Nov. 18</td>
<td>Out West with the Hardys</td>
<td>Lewis Stone</td>
<td>Mickey Rooney</td>
<td>Little Tenderfoot (O)</td>
<td>Tex Ritter</td>
<td>Say It in French</td>
<td>Ray Milland</td>
<td>Arrest Bulldog Drummond (G)</td>
<td>Orphans of the Street</td>
</tr>
<tr>
<td>Nov. 25</td>
<td>Blondie</td>
<td>Penny Singleton</td>
<td>Arthur Lake</td>
<td>Flirting with Fate</td>
<td>Joe E. Brown</td>
<td>Leo Carrillo</td>
<td>Song of the Buckaroo (G) (O)</td>
<td>Tex Ritter</td>
<td>Little Orphan Annie (G)</td>
</tr>
<tr>
<td>Dec. 2</td>
<td>Rio Grande</td>
<td>Charles Starrett</td>
<td>Ann Doran</td>
<td>Dramatic School</td>
<td>Robert Farnsworth</td>
<td>Alan Marshall</td>
<td>I Am a Criminal (G) (D)</td>
<td>John Carroll</td>
<td>Mary Kornman</td>
</tr>
<tr>
<td>Dec. 9</td>
<td>Strange Case of Dr. Meade</td>
<td>Jack Holt</td>
<td>California Frontier (O)</td>
<td>A Christmas Carol</td>
<td>Reginald Owen</td>
<td>Terry Kilburn</td>
<td>The Frontiersman (1798)</td>
<td>William Boyd</td>
<td>Western Jamboree (O)</td>
</tr>
<tr>
<td>Dec. 16</td>
<td>There's That Woman Again</td>
<td>Dougie Bruce</td>
<td>Michael Logan</td>
<td>Wild Horse Trail (O)</td>
<td>Jack Randall</td>
<td>Tom Sawyer, Detective</td>
<td>One Third of a Nation</td>
<td>Sylvia Sidney</td>
<td>Rogers</td>
</tr>
<tr>
<td>Dec. 23</td>
<td>The Dawn Patrol</td>
<td>Jack E. Leonard</td>
<td>Larry D. Mann</td>
<td>Wild Horse Trail (O)</td>
<td>Jack Randall</td>
<td>Tom Sawyer, Detective</td>
<td>One Third of a Nation</td>
<td>Sylvia Sidney</td>
<td>Rogers</td>
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**MOTION PICTURE DAILY'S HANDY BOOKING CHART**

*Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action.*
Motion Picture Daily

Tuesday, November 29, 1938

Studios Busy on New Productions With 41 in Work

Hollywood, Nov. 28.—Forty-one pictures were before the cameras this week, as 12 finished pictures reached the laboratories. Twenty are being prepared and 74 are in cutting rooms.


M-G-M started two short subjects and RKO one. Five are being prepared: two finished, and 11 are being edited.

Cagney, O'Brien Are W. B. Drive Captains

Pat O'Brien and James Cagney have been designated as captains of the western division and eastern division, respectively, of the Warner Sales drive, which begins Dec. 25 and runs through April 16. O'Brien will head the western and southern division of Ben Kalmenson and Cagney the eastern and Canadian division, managed by Roy Haines. Prizes totaling $25,000 will be distributed to winning districts and branches. Carl Leserner, assistant sales manager, will head the drive.

-to Vote on AFA Terms

San Francisco, Nov. 28.—Ratification of the 1939 contract of the American Federation of Actors will be voted on Dec. 5 by the local. A $30, $50 per week scale is provided. Up for reelection at the meeting will be AI Smith, local representative; Charles Ferguson, business agent, and Connie Mitchell, treasurer.

$50,000 Blast Damage

Hollywood, Nov. 28.—Damage caused by a blast last night at the William's Laboratory, an independent film lab located at 8040 Cahuenga, No. one was hurt by the blast which occurred in the developing room. Four employees who, by chance, were in the present office, narrowly escaped in jury.

Int'l Casino Plans Refugees' Benefit

Employees and management of the International Casino will participate in this year's benefit dinner for German refugees at the Casino on Dec. 18. Actors in the show and other employees will work without compensation for the evening. The management, for its share, will provide the meal at cost. A dinner will be served at $3 and $10 a plate and the entire evening will be given over to the event, with no sup- per patrons accepted. Borough Presi- dent John H. Vachel and other city of ficials will act as honorary chairmen. Secretary Isais will chair the committee. "It's to begin by 7:30, is advertised for all year-round, and will cover all the season's events. The hotel is located 1 block from the central part of the city. There is also a restaurant and bar in the hotel. The hotel is located near the boats and ferries that travel to and from the islands. The hotel is located near the boats and ferries that travel to and from the islands. The hotel is located near the boats and ferries that travel to and from the islands.

Close CoastDrive Office December 3

Hollywood offices of Motion Pic- tures Greatest Year will close Dec. 3, following completion of the corre- lation of coast activities with the national drive. Gabe Yorke, on leave from Coast, will return from Hollywood home office during a large part of the campaign, the office operated as a coast publicity bureau, with George H. Thomas in charge.

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ReneW Texaco Show With Talent Changes

Hollywood, Nov. 28.—Texaco The- atre Air with Bob Hope on CBS from here with Max Reinhardt, Una Merkle, Adolph Menjou, Ned Sparks, Charles Ruggles and Jane Darwell, has been renewed for an- other 13-week cycle, but with various changes in staff to be effected.

A letter has been dropped and Billy Bacher, who formerly di- rected but half of this program, will now assume production charge of the entire show. Another change will find Frances Langford replacing Miss Frohman and the renewals of Sparks and Menjou are to be decided upon next week. John Barrymore has previously been announced as replacing Menjou.

WVO To Restrict All Program Commercial

A new restrictive policy will be placed on the offering of WVO to all TV stations in New York, on Jan. 1, when announce- ments on commercial programs will not be aired unless specifically asked for. The station will be allowed to increase its effective time and also to become effective the first of the year is the limiting of spot announcements to 60 seconds.

Word of this new policy is to be made known this week by a letter to advertising agencies from Hyla Kicakos, general manager of the stations.

WMCA Ground System

WMCA yesterday placed in opera- tion a new portable antenna, which sends F.C.C. signals in a horizontal direction. The station is authorized to place 150-watt, 1,000 kilocycles, 1,000 watts, day only, and 250 watts.

"Harum" Is Renewed For Year by Babbitt

B. T. Babbitt Co., sponsoring "David Harum" to the NBC Red, Mondays through Fridays from 11 to 11:15 P. M., has renewed the series for another year, extending its run of 1938. Blackett-Sampson-Hammert handled the placement.

Another deal just closed is placed by the Jacob Ruppert Brewing Co., spon- sorship the musical series, "Relaxation Time" over WEAF. The renewal, for 13 weeks, becomes effective Dec. 20, Lenn& Mitchell is the agency.

CBS Dedicates Show To WLW Transmitter

A special broadcast dedicating the opening of the new 50-kwatt transmit- ter of WLW has been scheduled for tomorrow from 10 to 10:30 P.M. WLW is the network's af- filiate in New Orleans. Appearing in the broadcast will be WLW, WCJC, and WLCB. The program will be distributed to WLW, WLCB, and WLCJ.

"Jury Trials" Taken By Two New Sponsors

"Famous Jury Trials," sponsored co-operatively on the Mutual network, has just been sold to clients in Cin- cinnati and San Francisco.

In Cincinnati, over WSAI, the series will be presented by the Bavarian House in San Francisco, over KFRC, it will be heard under the auspices of the Yellow Cab Co.

"Mrs. Wiggs" Off Dec. 23

"Mrs. Wiggs of the Cabbage Patch," long a network serial fea- ture, will fade from the air Dec. 23. Sponsored by Bostol, the program has been heard six mornings weekly from 10 to 10:15 A. M. on NBC.
Divorce Held Likely
In Two Years

(Continued from page 1)
follow throughout the country for various legislatures to enact similar statutes in other states. 

Relating to the Government's anti-trust suit to separate this legislation may be incidental but certainly important. Fact is that in the Government's complaint, the Department of Justice was frank in warning the defendants that should the remedies sought by the suit not be had by court action, then remedial legislation to achieve the same purpose would be sought.

Here we get it. The industry has but the one choice, under the present circumstances or outlook. The anti-trust suit might very well prove an excellent exploratory ground from which the Government experts would find a foundation upon which to build future discriminatory legislation against the big firms.

Whether divorce will be a boon to business and an advantage to the industry remains a matter of opinion. There are opposite schools of thought on this. There areShown who believe that once the complex financial and merchandising adjustments shall have been made, divorce will not entail any important hardship; and also regard theatre expansion as a natural and essential phase of industry development.

On the question, these experts see a good effect, in that this field would be broadened and provided with greater opportunities for independent action and initiative, which advantages would impress their good effect also on the theatre screen and theatre operation.

Milwaukee Operators Refuse Cut in Wages

MILWAUKEE, Nov. 28.—Operators' union, Local 164, has refused the exhibitors' request for a 12½ per cent reduction in wages, but negotiations to secure relief are being continued by the theatre owners.

County exhibitors have a two-year contract with the union, providing a 2½ per cent increase on Nov. 1, which the theatre operators have been obliged to pay.

Admissions among subsequent runs here are dropping with an increasing number of spots playing 10-cent nights several times a week. Not only independents but at least six Fox neighborhood houses are running 10-cent nights.

Monogram Deals Are Set in 19 Circuits


To Sell Film Art
Work for Benefit
Of Reich Refugees

Plans for a nationwide sale of art works, the proceeds to go to German refugees, are now in the making. A meeting of film company art directors and advertising and publicity representatives at Sardi's yesterday. The Motion Picture Fund for German Refugees was formed as the fund-raising agency.

The sale will be held Feb. 12 at a place to be decided. A dance may be held in connection to raise additional money for relief. Tickets for the sale will be priced at books of 20 and sell for 25 cents each.

Vincent Trotta, chairman of the art committee, reported that between 50 and 100 oil paintings might be contributed by leading artists. Max Kalish, well known sculptor, is honored as man of the art committee.

Al Margolies, president of yesterday's meeting, as temporary chairman, Monroe Green, was named to chair the committee. The nominating committee, besides Margolies, includes Gordon S. White, Alex Moss and Morris helpin.

The finance committee consists of helpin, chairman, George Fraser, David Strumpf and Margolies. Haj Dausow heads the ticket office. Departmental representatives are: Carl Krueger, ticket distribution; Leonard Gaynor, Herb Berg and Paula Fraser, secretary. Each company is to be represented on each committee.

Loew's Injury May Delay Suit in Phila.

PHILADELPHIA, Nov. 28.—Herbert Elliot, local exhibitor, who is plaintiff in the most recent anti-trust suit against major distributors and affiliated theatres here suffered two broken ribs and other injuries in an automobile accident over the weekend. Indications are that Elliot's injuries may force a postponement of the hearing on the anti-trust suit scheduled for Thursday.

Korda Will Sail for
This Country Friday

LONDON, Nov. 28.—Alexander Korda will sail for the United States on Friday and will take up definite production steps in Hollywood.

Irving Asher also may sail for America in a few days but only for a visit.

Coast Ready to Meet Andrews On Wage-Hour

(Continued from page 1)
here, it is regarded as possible that the Department of Labor administrator during his visit.

Harold V. Smith, I.A.T.S.E. representative, plans discussions with studio owners before Wednesday and expects to reach a tentative decision on the hour problem before the conference under way. Any decision reached, however, will be subject to approval by Andrews.

19 Films Approved
By Decency Legion

National Legion of Decency for the current week approved all 19 pictures reviewed and classified, 14 for general patronage and five for adults. The new films and their classification follow:


Elliott's Injury May
Delay Suit in Phila.

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First "Raffles" for
Goldwyn in England

San Francisco, Nov. 28.—First of the two releases of "Raffles" pictures for Samuel Goldwyn will be made in England. The story will be called "Colum," directed by Vincente Minnelli and in the detective series planned for David Niven will be made later in Hollywood.

Name C. W. Thornton
Small's Business Mgr.

Hollywood, Nov. 28.—Edward W. Small Productions has signed as new office manager C. W. Thornton, who leaves his post as secretary-treasurer of General Service studios.

W.B. Refunding
Is Extended To March 15

(Continued from page 1)
refunding. The company can declare the plan in effect when 75 per cent about $22,000,000 of the $29,000,000 principal amount, is paid.

The plan of exchange provides that the new debentures: (1) will bear the same rate of interest as the present debentures, six per cent; (2) will be entitled to the benefit of a sinking fund under which there will be retired, on Dec. 15 of each of the years 1939, 1940 and 1941, three per cent of the largest aggregate principal amount of the new debentures which shall have been outstanding at any one time—on Dec. 15 of each of the years 1942, 1943 and 1944, four percent of such largest aggregate principal amount and on Dec. 15 of each of the years 1945, 1946 and 1947, five per cent of such largest principal amount, (3) will not be convertible into coupon stock.

Poor traffic conditions, snow and low temperatures hampered the boxoffice over the holiday weekend but several outstanding films proved their audience appeal. "Angels with Dirty Faces," helped by the Ted Lewis band on the stage, drew an estimated $35,000 in its first three hours. "Cowboy Andy and the Lady" grossed an estimated $72,000 at the Music Hall in four days and will continue for a second week.

"Submarine Patrol" produced an estimated $20,500 at the Roxy in the first three days of its second week. "Just Around the Corner" is next. "Arkansas Traveler," in its second week at the Paramount, brought an estimated $15,000 for Friday, Saturday and Sunday. It will probably do $30,000 for the week. At the Rivoli, "Little Girl in the Big City" grossed an estimated $7,500 and was held over. "Mr. Wong, Detective" at the Globe brought in an estimated $7,500 and played well for a Holid
day. For its 15th week at the Astor, "Marie Antoinette" grossed an estimated $1,800.

Association of Foreign Press Correspondents will sponsor the premiere of "Abused Confidence" at the Bel
Charges NBC Turning Quiz Into Web Ad

McNinch Calls Testimony “Frills, Puffing”

WASHINGTON, Nov. 29.—Chairman McNinch of the F.C.C. charged at today’s radio monopoly hearing that NBC witnesses were attempting to turn the hearing into advertising for the network. The charge followed efforts of Philip J. Hennesey, Jr., NBC counsel, to introduce exhibits he claimed would show how the American Broadcasting system developed.

“My hope is that you will not take up the committee’s time by offering material that is purely and obviously advertising,” McNinch said after an argument over pamphlets describing Radio City and the NBC setup. McNinch called them “frills, advertising and puffing.”

F.C.C.’s allocations policy is hamp-pering the development of radio. [Continued on page 8]

Rush Preparations For Schine Dinner

ALBANY, Nov. 29.—Arrangements are being rushed for the 25th anniversary testimonial dinner to be tendered to J. Louis and Meyer Schine in honor of their service in the film industry. Already 75 reservations have been received, and many more are expected. The dinner will take place at the Ten Eyck Hotel on Dec. 19. Philip C. Fox, Columbia branch manager here, is in New York arranging for speakers and a toastmaster. Gov. Herbert H. Lehman.

(Continued on page 8)

Drugs Are Leading Source Of Questionable Radio Ads

WASHINGTON, Nov. 29.—There still is a tremendous amount of questionable advertising being broadcast in radio. The most extensive sources of such questionable business propaganda are the manufacturers of drug products and remedies, which are leaders on the air.

During the fiscal year ended June 30 last, there were 22,959 radio scripts which were held by the Federal Trade Commission for further study as containing representations which may have been false or misleading, and in fact formed the bases of 8 R.F.C. prosecution cases. Altogether during the year the Federal Trade Commission read and marked 490,612 scripts.

(Continued on page 8)

Strike May Close All Paris Houses

Paris, Nov. 29.—Paris will be without an opera tonight if the general strike is made effective. Although theatre employees do not join in the strike the houses will be unable to open because of the shutdown of electrical service which the strikers hope to effect.

Even in the event the strike is broken by the military, widespread public disturbance would be expected to follow from which theatre attendance would suffer severely.

Israel Appointed Executive Aid to Balaban at Para.

Arthur Israel, member of Paramount’s box office legal staff for the past 10 years, has been appointed an executive assistant to Barney Balaban, Paramount president. In his new capacity Israel will relieve the company head of many details resulting from Balaban’s added duties as head of the company’s theatre operations. Israel’s duties, it is understood, will include both theatre and executive detail. In addition, he is continuing, for the time being at least, certain legal assignments on which he was working at the time his new appointment was made. He established his office yesterday in quarters adjoining those of Balaban.

Increased duties in theatre department administration have also been assigned to Leon Netter, as a result of the appointment of Y. Frank Freeman, former Paramount theatre head, to his new post at the studio.

Writer Sues M-G-M Seeking $1,500,000

HOLLYWOOD, Nov. 29.—M-G-M was named today in a $1,500,000 suit charging plagiarism by Frank Walsh, writer, who alleges the studio used his original “I Pound Kinley,” as the basis for “Too Hot to Handle.” The story, Walsh said, was submitted three years ago and rejected.

Schaefer Doesn’t Intend Extensive Changes In Studio

HOLLYWOOD, Nov. 29.—Rumors of extensive revision of the RKO studio organization are without substantial foundation and no sweeping policy changes are contemplated, George J. Schaefer, operating head of RKO, indicated today, after two days at the studio.

This is his first visit to the coast since assuming executive charge of the company. Emergence of RKO Radio Pictures from receivership, which Schaefer expects before Jan. 1, will affect the company’s personnel morale beneficially, he declared.

He made it clear that he will not become what is known in Hollywood as a “production president.” He expects to return east in two weeks.

Schaefer expressed much gratification with the next six months’ product, and said it would be hard for an studio to match “Gunga Din,” “Love Affair” and the Astaire-Rogers picture.

(Continued on page 8)

Rodgers To Be at Chicago M-G Meet

William F. Rodgers, M-G-M general sales manager, and other home office executives will attend a district managers’ meeting in Chicago on Saturday. Sales progress to date during the current season will be discussed as well as future possibilities, and an outline of forthcoming product will be given.

Rodgers plans to leave for Chicago tomorrow, in which event he will attend the testimonial dinner there Friday night to Jack Kirsch, Illinois Allied president.

Shauer Quits Paramount

HOLLYWOOD, Nov. 29.—Mel Shauer, who served in Paramount’s exhibition and production branches, today resigned as associate producer. Prior to becoming a producer in 1936 he was in charge of the talent department. He said he has no immediate plans.

RKO Theatre Divisions in N. Y. Shifted

O’Connor Creates Fourth Unit Under Schwartz

So that the division managers may apply themselves more thoroughly to the operation of the theatres which they run for the company, John O’Connor, vice-president in charge of RKO’s theatre division decided to reduce the number of theatres operated by each division manager, and thereby making it possible also to create an extra division. The new arrangement becomes effective tomorrow. RKO has 46 metropolitan theatres.

The new operation has become organized along geographical lines rather than corporate lines. Soi Schwartz, who has been operating the Fordham in the Bronx and the Albee in Brooklyn, has been made a division manager in charge of the newly created Bronx group. This group includes RKO’s houses in Yorkville and Harlem.

It is understood that Lawrence Greib, who has been in charge of the Yorkville houses, will shift to the Albee.

In the new arrangement, a change may be effected in the publicity

(Continued on page 8)

World’s Fair Films Row in Parliament

London, Nov. 29.—Current heated controversy over British films at the New York World’s Fair reached the House of Commons tonight with a member challenging the Government on the constitution and work of the joint committee appointed for their selection.

The government spokesman defended the committee, claiming the British Council and Travel Association as well as the Postoffice, Foreign Office and the department of overseas trade are represented. The Government claims the committee is working closely with the industry and plans to arrange representation for features as well as newspapers and documentaries.
Insiders' Outlook

THERE still is that chance that Russell Birdwell may leave Selznick-International. And it can happen in February or early April, if he doesn't. Should Birdwell depart, the opportunity is known to exist for a number of important talents. Whatever path out of S-I Birdwell chooses to take isn't known. Perhaps he will write a book. Also, it has become generally known that Birdwell is seriously considering thinking about going into the advertising agency business. Whatever happens may now prove no surprise.

Harry H. Thomas, veteran independent distributor whose background in the trade goes back many years, firmly believes that the time is psychologically ripe for an increasing influx of foreign makes, into the U. S. Such strong faith explains Thomas' connection with Tri-National films, which he distributes. Thomas, a family name of British nationality. It is quality that counts and the increasingly better French and English films which have been imported here attest to his conclusions, Thomas avers. But he has an additional angle, which is that conditions abroad have focused American interest in salvaging that which is good abroad before the Huns destroy it all.

Those who think that now the trade practice program is about to be reduced to formal writing, the industry lawyers who have been engaged on the matter can now turn to the anti-trust litigation which is encompassing the trade, with more thoroughness, are underestimating the lawyers of the trade. That voluminous brief filed the other day on the pending anti-trust case in New York fully testifies to the ingenuity of the barristers employed in the business. And that isn't all, for the lads are wresting with another plaguing head-ache for which they are getting scant credit and that is the wages and law and how it may be applicable to the film business—east and west.

To Quiz Lee for Regal

Arthur A. Lee, vice-president of Gaumont British, has been ordered to appear for examination before trial attorneys of Regal Distributing Corp. and Kayart Theatres Corp. in drawing a complaint against G. B. Pictures Corp. of America and G. B. Pictures Corp. The plaintiffs charge plagiarism of the film "Rothchild" in "Mr. Hobo." No date was set for the examination.

To Mainline to Chicago

W. T. Mainline, manager of the New York City theatre, will be honored tomorrow at a luncheon given by theatre producers, directors, and executives.

Warner, Musicians Agree

PHILADELPHIA, Nov. 29.—A planned observation that a line agreement between Warner's and the musicians' union on the employment terms, which would prevent a threatened closing of the Earle, is given in a new booklet for the business. The conference threatened to close the Earle Dec. 2 in the event the dispute between stage shows here and the union was not settled by then.

Honor Van Schmus

HOLLYWOOD, Nov. 29—W. G. Van Schmus, managing director of the Music Hall in New York, will be honored tomorrow at a luncheon given by theatre producers, directors, and executives.

Fly United's DeLuxe *

TO CHICAGO—8 fast flights daily—
all over shortest route! 

8 fast flights daily—
all over shortest route!

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"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!
The reviews in important key situations prove that Loew's are right in boosting Blondie to their patrons.

"The Shining Hour" is for adults but its program partner is notably for the family...It's BLONDIE and it's a blamed good little comedy based on the newspaper comic strip of the same name. Arthur Lake, Penny Singleton, Gene Lockhart, little Larry Simms and the others do a capital job with roles and scenes. The Simms youngster is corkscrewing as Baby Dumpling, and Lake and Miss Singleton do Blondie and Dagwood, his parents, credibly and amusingly. As a rich real estate man who likes to tinker, Lockhart adds a deal to the fun. And there's Daisy, the dog, one of the most humorously expressive performers of the lot."

...Rochester Democrat & Chronicle

"Chic Young's comic strip, BLONDIE, has been the inspiration for the film of that name and it is amazing how faithfully the screen characters bear likeness to the pen and ink sketches. If you turn back to the funnies and then visit Loew's you will see how accurately the job has been done."...Louisville Courier-Journal

Test Engagements
(Single Feature) at the
Senate Theatre, Springfield, Ill.; State Theatre, Richmond, Va.; RKO Lyric Theatre, Cincinnati, O., prove that "BLONDIE" is one of the Year's Best Audience pictures...Not only GOOD business but GOOD WILL BUSINESS!

Arthur Frudenfeld—R. K. O. ...Lyric Theatre, Cincinnati, O., says:—"It will turn in one of the best grosses of the year—in spite of snow storm on opening day."

Sam Bendheim—Neighborhood Theatres ...State Theatre, Richmond, Va., says:—"BLONDIE is one of the BEST AUDIENCE pictures we ever played..."

Dave Jones ...Senate Theatre, Springfield, Ill., wires:—"We played it up as a test spot preview and had the patrons fill out preview cards. Everyone enjoyed the picture and would like to see more in this series."
IF YOU ARE A SHOWMAN, YOU WILL GET BEHIND BLONDIE WITH EVERYTHING YOU'VE GOT! YOU'LL NOT ONLY MAKE GOOD MONEY WITH BLONDIE, BUT YOU'LL MAKE GOOD NEW FRIENDS FOR YOUR THEATRE!
Hollywood Preview

“The Beachcomber”
(Paramount-Mayflower)

Hollywood, Nov. 29.—Adults who revere virtuosity in performance, craftsmanship in narration, and are not averse to sex themes in their entertainment, may be confidently informed by showmen playing this picture that here is a genuinely advanced and superbly wrought film. Children have no more business attending its exhibition than reading Freud or Jung. Charles Laughton's performance in the title role is by wide margin his most masterly character portrayal and Elsa Lanchester (Mrs. Laughton) gives American and foreign actresses lessons in her delineation of the sex-starved spinster whose love for the bestial beachcomber wears a persecution complex as disguise until rationalized under pressure of contact and circumstance. The picture is made up of strong materials, bluntly yet artistically handled, a truly adult production in all senses of the term.

“The Beachcomber” is the first film produced by Mayflower Pictures, the English company formed by Laughton and Eric Pomer, producer and director. It is, technologically, up to Hollywood par and, in many particulars, beyond. Save for the age-level limitation, which applies as positively in the British Empire as in the States, it is as screenworthy in one English-speaking community as another. That screenworthiness is, reportedly, the standard Laughton and Pomer sought when founding and chartering their company.

The story of “The Beachcomber” is W. Somerset Maugham's “Vessel of Wrath,” written for the screen by Bartlett Cormack. The locale is the Dutch East Indies. Laughton is seen as an utterly dissolve remittance man, drunkard, wastrel, liar, libertine and cheat, given to enticing young girls from the fringe of the frigid Miss Lanchester, maiden sister of the resident missionary. Jailed after one such escape, Laughton is sentenced by the Dutch “controleur,” who despairs of reforming him, but has made him face in his loneliness, to hard labor on an island full of accommodating native belles who have no irksome labors for him to perform. Returning, he and Miss Lanchester, mottled violent of his righteous exchequer, chooses the frigid island where she mistakes his disgusted indifference for intrinsic gallantry. From here on she applies herself to reformation and conquest of the delirious, successfully.

There are no stereotyped incidents, trite speeches or commonplace developments. Some of the dialogue is highly unvarnished, yet belongs, such as the beachcomber's winner stand declaration that all the excitement among the feminine population of the island is due simply to “a bit of normal virility in a man.” The film is, in large, an embroilering of that basic situation.

Running time, 88 minutes.

ROSCO WILLIAMS

“Everybody’s Baby”
(20th Century-Fox)

Hollywood, Nov. 29.—The “Jones Family” always has some problem to solve in its pictures and what to do about the new baby is the one engaging their attention in “Everybody’s Baby.” Like all its predecessors, this picture is funny, but the appeal is more to adults than to adolescents and juveniles.

As usual, the regular members of the family, Jed Prouty, Shirley Deane, Spring Byington, Russell Gleason, Ken Howell, George Ernest, June Carlson, Florence Roberts and Billy Mahan are featured and important roles are enacted by Reginald Denny, Claire DuBrey, Hattie Mackay and Darwin Stephens. In directing the Hilda Stone-Betty Reinhardt story (which is not too bad, Robert Chappin, Frances Hyland and Albert Ray wrote the screenplay, Malcolm St. Clair continues his careful timing, spotting of gags and situations and treatment of characters.

Influenced by quick-tempered Denny. Miss Shirley decides to bring up her baby the modern way. The new-fangled ways don't set very well with the family, who want to indulge in an orgy of old-fashioned petting and cooing. Nurse DuBrey's rigorous enforcing of Denny's rules and regulations creates discord which drives husband Gleason from home and inspires Granny Roberts to do something about it. Her action, in which she is helped by the gangs of the oppressed family members, makes Denny the victim of much slapstick abuse, but it reconciles Miss Deane and Gleason, exiles Miss DuBrey and permits the family to do what they wish in bringing up the child. A couple of gags—the mistaken kidnapping and one that has the baby lined up with a batch of negro infants at a colored baby show—add to the merriment.

Running time, 60 minutes.

**A**

G. McC.

*“A” denotes adult classification.

### Capital Steps Out With ‘Shining Hour’ Which Gets $21,000

WASHINGTON, Nov. 29.—“The Shining Hour” at Loew's Capitol, with a gross of $21,000, was the week's bell-ringer. The Sisters’ at Warners' Earle did $16,500.

A heavy snowfall which hit the Thanksgiving trade was responsible for a rather poor weekend.

Estimated takings for the week ending Nov. 24:

- **The Shining Hour** (M-G-M)
  - Loew's Capitol—$1,414 (25c-35c) 7 days, Gross: $10,008.
- **Suey** (20th-Fox)
  - Loews Columbia—$1,214 (25c-35c) 7 days, Gross: $9,008.
- **If I Were King** (Para.)
  - Loew's Palace—$2,328 (25c-35c) 7 days, Gross: $17,008.
- **Service De Luxe** (Univ.)
  - RKO-Kathie's—$830 (25c-35c) 7 days, Gross: $6,008.
- **The Sisters** (W. B.)
  - Warners' Eable—$2,218 (25c-35c) 7 days, Gross: $16,508.
- **The Bird Rat** (W. B.)
  - Warners' Metropolitan—$1,191 (2sc-66c) 7 days, Gross: $8,500.

**Schwartz with Reinhart**

CANTON, Nov. 29.—Ben Schwartz has resigned as manager of Warners' Ohio to become general manager of Harman-Reliance three houses. William Harwell of Atlantic succeeds Schwartz at the Ohio.
Milwaukee Enjoys
The Waltz’ $9,000; My Heart’ $7,800

MILWAUKEE, Nov. 29.—“The Great Waltz” and “Always in Trouble” collected high money for the week with $9,000 at Fox’s Wisconsin. Second money went to “There Goes My Heart” and “Nancy Drew, Detective,” with $7,800 at the Warner.

“You Can’t Take It With You” was brought back to Fox’s Palace on a dual with “The Gladiator,” and was good for $5,500. Others were off.

Estimated takings for the week ending Nov. 24:

“You Can’t Take It With You” (Col.)
PALACE—$3,000 (25c-60c) 7 days. Gross: $9,000. (Average, $1,286)

“The Gladiator” (Col.)
RIVERSIDE—$2,000 (25c-36c) 7 days. Stage: Gracie Berruto and rewrite. Gross: $4,500. (Average, $643)

“Arkansas Traveler” (Para.)
STRAND—(1,400) (35c-6c) 7 days. Gross: $4,000. (Average, $571)

“There Goes My Heart” (U. A.)
GRAND—$2,000 (40c-6c) 7 days. Gross: $7,000. (Average, $1,000)

“The Great Waltz” (M-G-M)
AUGUSTA—$1,000 (25c-40c) WISCONSIN—$2,000 (35c-6c) 7 days. Gross: $9,000. (Average, $1,286)

“Algers” $3,500 Is Best in Oklahoma

OKLAHOMA CITY, Nov. 29.—“Algers” did the best comparative gross here, with $3,500 at the State, in a week of sub-freezing temperatures which did the box-office no good.

“King of Alcatraz” duelled with “Touchdown Army,” at the Liberty took a fair $2,600.

Estimated takings for the week ending Nov. 24:

“King of Alcatraz” (Para.)
CRITERION—(1,000) (25c-5c) 6 days. Gross: $4,500. (Average, $750)

“Touchdown Army” (Para.)
LIBERTY—$2,000 (25c-6c) 6 days. Gross: $2,000. (Average, $333)

“Brother Rat” (F. N.)
MIDWEST—$1,000 (25c-40c) 7 days. Gross: $4,000. (Average, $571)

“Algers” (U. A.)
STATE—$1,000 (25c-40c) 7 days. Gross: $3,000. (Average, $429)

“Drew” and ‘Heart’ Get $6,000 in New Haven

NEW HAVEN, Nov. 29.—“The Young in Heart” and “Nancy Drew, Detective” led with $9,000 at the Roger Sherman. At the Loew-Pool, “The Shining Hour” and “Blondie” grossed $9,000. “Dark Rapture” and “Affairs of ‘Annabel’” at the college did 3,800.

Estimated takings for the week ending Nov. 24:

“Dark Rapture” (Univ.)
COLLEGE—$1,400 (35c-5c) 7 days. Gross: $6,000. (Average, $857)

“The Shining Hour” (M-G-M)
BRIXTON—$1,000 (35c-6c) LOEW-POLL (Para.)—(1,000) (35c-6c) 7 days. Gross: $2,000. (Average, $333)

“Nurse from Brooklyn” (Univ.)
GRANDE—$1,000 (35c-6c) (Univ.)—5 days. Gross: $3,000. (Average, $600)

“Nancy Drew, Detective” (W. B.)
ROGER SHEPHERD—$1,200 (35c-9c) 7 days. Gross: $6,000. (Average, $857)

Cincy Show Raises ‘Annabel’ to $16,500

CINCINNATI, Nov. 29.—“Affairs of ‘Annabel’” with “The Battle of the Bands,” composed of Don Bestor’s and Clyde McCoy’s orchestras on the RKO Shubert stage, collected $16,500. “Brother Rat” took $13,000 at the RKO Palace.

“The Great Waltz” had a $3,000 second week at the RKO Grand, and “There Goes My Heart” took $6,500 in its second week at the RKO Capital.

Estimated takings for the week ending Nov. 24:

“Brother Rat” (F. N.)
RKO ALBEE—$3,000 (35c-40c) 7 days. Gross: $10,500. (Average, $1,500)

“The Great Waltz” (M-G-M)
GRAND—$2,000 (25c-40c) 7 days. Gross: $8,000. (Average, $1,143)

“Affairs of ‘Annabel’” (RKO)
RKO SHUBERT—$2,100 (35c-6c) 7 days. Gross: $16,000. (Average, $2,314)

“Tark’s ‘Heart’” (U. A.)
RKO CAPITAL—$2,000 (35c-40c) 7 days. 2nd week. Gross: $6,000. (Average, $857)

“The Great Waltz” (M-G-M)
THEATRE—$2,000 (25c-40c) 7 days. 2nd week. Gross: $8,000. (Average, $1,143)

“Men With Wings” (Para.)
RKO LYRIC—$1,000 (35c-6c) 7 days. 2nd week. Gross: $3,000. (Average, $429)

“Battle of Bands” (Col.)
THEATRE—$1,000 (40c) 5 days. Gross: $2,000. (Average, $400)

“Sharpshooters” (2th-Fox) (3 days)
RKO FAMILY—$1,000 (35c-6c) Gross: $2,000. (Average, $667)

“Young Dr. Kildare” (M-G-M)
THEATRE—$1,500 (35c-40c) 7 days. Gross: $4,000. (Average, $571)

Dull K.C. Expects “Wings” for $12,400

KANSAS CITY, Nov. 29.—“Men With Wings,” outdoes the pre-holiday lag and the shock of freezing weather with $12,400 at the Newman and was held.

“Five of a Kind” and a stage show gave the Tower $10,100.

Estimated takings for the week ending Nov. 22:

“Thirsting Hour” (Univ.)
ESQUIRE—(300) (25c-40c) 7 days. Gross: $2,000. (Average, $286)

“Dark Rapture” (Univ.)
UPTOWN—(200) (35c-6c) 7 days. Gross: $1,000. (Average, $143)

“Blondie” (Col.)
PROMPT—$400 (35c-6c) 7 days. Gross: $1,000. (Average, $143)

“Nancy Drew, Detective” (W. B.)
FOX TOWER—$1,000 (25c-40c) 7 days. Stage: Boys’ Town Road Show, with A. Capella Choir. Gross: $10,100. (Average, $1,443)

“Shifle Warner Managers
PITTSBURGH, Nov. 29.—Warner management changes include the following: William Martin resigned as manager of the Elma in Etna, Pa., and replaced by Harold Friedman, moved from the Ritz; Max Silverman from the Manor to the Ritz with_assistant, Charles Bricker; W. H. Warrington from assistant at Warner to a similar post at the Enright; Edward Engagement, from the Movie to the Warner assistant post and Harry Campbell gets the Model post; Jack Kahl of the zone office advertising department assistant at the Manor.

Cincinnati Amusement Enterprises, Owners, delighted. Say that Simplex Four Star Sound System is the finest they have ever had.

Manufactured by INTERNATIONAL PROJECTOR CORPORATION B/N-96 GOLD STREET, NEW YORK, N. Y.
DISTRIBUTED BY NATIONAL THEATRE SUPPLY COMPANY BRANCHES IN PRINCIPAL CITIES
MOTION PICTURE DAILY

Wednesday, November 30, 1938

RKO Theatre Divisions in N. Y. Shifted

(Continued from page 1)

dvertising department, now run by John Dowd.

Charles McDonald, veteran RKO operator, will have charge of the big-
dest division, comprising the West Side and Queens group of theatres.

Louis Goldberg will have charge of Brooklyn and the Rockaway theatres,
and Russell Emde will run the West-
chester and Northern New Jersey theatres.

Coney Island is included in Gold-
berg's division. In McDonald's divi-
sion are included the RKO Broad-
way theatres, including the Albee and the Orpheum, in Brooklyn.

McDonald will run 14 theatres;
Goldberg, 12; Emde, 11 and Schwartz, 1.

The changes have been made for
purposes of increasing the efficiency of organization and to afford the new
arrangement, to fulfill this aim, the
division managers now will have juris-
diction in their territories of both
first run and second run houses.

In the past there have been in-
stances where runs were split. Thus a
second run in a particular neigh-
borhood was part of one division,
while the RKO first run in the same
locality might have been under dis-
tribution of another division manager.

This has been altered.

Grainger Leaves for
Tour of Middle West

J. R. Grainger, president of Repub-
ic Pictures, left yesterday for a tour of
the middle west including St. Louis, Cincinnati, Cleveland and In-
dianapolis.

Republic has closed a deal with the
Skoorahs for theatre operation-
ing 65 theatres, on the current season's
product, Morris Epstein, New York
sales and theatre manager for Republic, and John Benas of Skoorahs, who
made the deal. Morris Goodman, Republic foreign manager, has closed a deal
with An-
101, 102 and 103, Alexandria, Va., in 1937-38 features and westerns, and
1938-39 serials.

Rush Preparations
For Schine Dinner

(Continued from page 1)

and the mayors of Albany, Syracuse,
Gloversville and Amsterdam have
been invited. Two special trains from
New York City and another from the
west will bring special guests from
these points. Ralph Pielow is in
charge of transportation.

Among those who have made reser-
vations are George J. Schaefer, Ed
Golden, Herbert Yates, Jay Emanuel,
W. W., and second run houses. Emde's
plan is broadcast Tuesdays and
Thursdays at 7:15 on the NBC-Red,
H. W. Kator & Son is the agency.

U. A. Asks Severance
From Anti-Trust Suit

United Artists, yesterday, filed a motion in Federal Court to have stricken
from the U. S. anti-trust complaint
against the film companies, the major part of the Gov-
ernment allegation insofar as
it refers to United Artists.

Inanuch as those parts of the
complaint which refer to U. A. are fairly vague, the granting of such a motion
would amount to virtual dis-
missal of the action in favor of
U. A. This motion was
filed for U.A. in support of a
plea for a bill of particulars from
the Government, such as
was sought by other def-
endants.

No court action on the
motion is expected for a couple of
weeks, but Columbia and
Universal may ask similar re-

MOTION PICTURE DAILY

NBC Adding Three
Stations to Nets,
Making Total 165

NBC's networks expand from 162
to 165 stations with the additions
three new stations, WEEU, WRAW
and WNBC. Contracts making the
three stations part of NBC were
effected yesterday.

Two of the stations, WEEU and
WRAW, join the Red hookup as
optional stations, while WNBC joins the
Blue.

Rates for the new units per evening
hour are: WNBG, $120; WEEU, $140;
WRAW, $120.

WEEU and WRAW are located in
Reading, Pa. The former is a day-
time station, 830 kilocycles, 1,000
watts, owned by the Burks Broadcast-
ing Co. WRAW operates full time,
on 1,000 kilocycles, 1,000 watts.

WRAW will carry Red commercials,
but will both take Blue network su-
tenance.

WNBC is located in New Britain,
Conn., and maintains studios both in
New Britain and Hartford. It oper-
est full time, on 1,380 kilocycles,
1,000 watts by day and 250 watts
during evening hours. It is operated by
the State Broadcasting Corp.

Schaefcr Does Not
Plan Studio Shakeup

(Continued from page 1)

This is a plan that is not
likely to be carried out, as it was
completed by spite of the
assurance of the author.

Approval of RKO's pending reor-
ganization plan by Federal Judge
William O. Bondy, tomorrow, may
mean that RKO can emerge from
273 by the first of the year. RKO
has been in bankruptcy for 15 to 6 years. That's a record. At the
last hearing, the court indicated its
possible approval, although certain
amendments may be ordered to the
plan.

Drugs Are Leading Source
Of Questionable Radio Ads

(Continued from page 1)

ers are principals in 30.5 percent
of the complaints handled by the
agency, and in 32 percent of the
complaints, it is claimed, the
community, radio and refri-
gator advertising was a source of
nine per cent of the F.T.C. com-
plaints; food products accounted
for 25 per cent; cosmetics 12 per cent; health
products, 5.3 per cent.

Apparantly, however, the job is
an impossible one and requires
constant watching. Of course, the
drug people are not alone in their misuse of radio. Sales promotion plans are the second
most prolific cause of complaints.

These account for 14.9 per
cent of the complaints heard by the
commission. Additionally, there are
the flow of blunders, school sales
signs, stamp, coin, astrological and other
similar subjects, and these account for
3.4 per cent of the complaints.

The F.T.C. report points out that
during the fiscal year ended June 30,
last, there were submitted to it 490-
750 commercial radio continuities.

Those continuities comprised 1,0099
444 pages of typescript

Charges NBC
Turning Quiz
Into Web Ad

(Continued from page 1)
fidelity radio. O. B. Hanson,
NBC chief engineer, charged today.

In a letter to NBC president,
he charged there is no separation
between channels makes it neces-
sary to design receivers to cut
off side-band reception in order to
prevent interference from adjacent
channels.

George Porter, F.C.C. counsel,
challenged the statement, saying no
separation less than 40 kilocycles
is now used for stations in the same
town.

Physical setup for handling net-
work programs was explained by
B. F. McCleary, NBC traffic
manager. Prior to the organization of NBC, he said, it was almost impossible to ob-
tain transmission facilities except at
great expense. To meet this, RCA
entered into a contract with A. T. &
T. for wires at reasonable cost,
the agreement providing that the bene-
ties would extend to RCA sub-
sciribers, and thus make the NBC
network possible.

N. A. B. Will Move to
New Quarters Jan. 1

WASHINGTON, Nov. 29.—Increased
activity resulting from last spring's
reorganization has made it necessary for the National Broad-
casters to transfer headquarters from the National Press Building.
The offices will be moved Jan. 1 to
a new building, as yet unnamed, on
K St., where the entire ninth floor has
been leased. A number of broadcast-
ing attorneys and engineers are mov-
ing to the same building.
The new quarters will provide office
facilities for visiting members.

Move Harvester Show
CINCINNATI, Nov. 29.—Boone
County Jamboree, hillbilly commer-
cial stage show sponsored by Interna-
tional Harvester Co., began the week
P. M., Fridays, with the program from 9 to 9:30 aired over WVL, will
move Des Pres, 2,200-seat Emery Auditorium to the 6,000-seat Music
Hall from which it will there-
after originate.

G.E. Will Exhibit
Television at Fair
Schenectady, Nov. 29.—Gen-
eral Electric is completing arrange-
ments for a television exhibit at the New York
World's Fair next year. The
exhibit is expected to include demonstra-
tions of television sets to be
created by both RCA-NBC and CBS.

G. E. laboratory here cur-
rently is well equipped with the appli-
cation of motion pic-
tures to television. However,
it has no plans to produce its own films for televising at its motion picture production
laboratory here.
Agreement for Australia Now Faces Setback

Exhibitor Group Presses For Legislation

SYDNEY, Nov. 8.—Plan for a general agreement on Australian exhibitor-distributor problems, which centered about the drafting of a standard exhibition contract, has received a setback.

Claiming the distributors are "stalling," the New South Wales Motion Picture Exhibitors' Association, strongest exhibitor organization in Australia, has joined with local producers in a plea to the state government for legislation which involves the fundamental operation of the industry.

Pressure is being exerted on Premier Stevens of New South Wales for the establishment of an independent film commission of three members, setting of a British film quota, restriction on theatre licenses, increase in rejection privileges, prevention of overbuying in competitive situations and other matters.

William Harrop, business manager of the M.P.E.A., expressed confidence that legislation would be forthcoming.

Fabian Acquiring 7 on Staten Island

Papers are being drawn whereby the St. Fabian circuit will take over seven Staten Island theatres from Parkland Theatres on long term leases.

One of the theatres is the Paramount, 2,274-seat house at Stapleton, which is owned by Paramount but pooled with the independent circuit. Negotiations were with the estate of the late Sol Brill, who formerly owned the Staten Island circuit. Harry Shifman is general manager of Parkland.

Artists Promise to Aid Refugee Benefit

That leading American artists—painters and sculptors who would cooperate with the Motion Picture Art Fund for German Refugees was assured by Max Kalesh, sculptor and associate member of the National Academy, and honorary chairman of the committee.

A nationwide raffle of art works, to be held Feb. 12, was discussed at Sardi's by film company art directors and publicity representatives.

Paris Houses Open in General Strike

Paris, Nov. 30.—Theatres here were open as usual and the film industry escaped almost unscathed during the unsuccessful general strike today. Stagehands and electricians in theatres had been called out, but few if any of the tiers were reported. Studios and distributing offices were not affected. Operation of transportation service and public utilities in Paris was almost normal.

U.A. Directors Get Facts on Producer Profit Sharing Plan

Murray Silverstone, operating head of United Artists, at yesterday's meeting of the company's board of directors outlined the mechanics of the firm's non-owner producer profit sharing plan. Under this plan, 50 per cent of the company's profit is devoted to non-owner producers.

Also, the directors heard a plan by U. A. to produce especially for the Latin-American market. Loyd Wright, of California, representing a prospective producer who wished to undertake this end for U. A., is here now discussing the matter with Silverstone.

The board meeting lasted nearly six hours and was adjourned until Friday, Dec. 9, in order that Alexander (Continued on page 2)

David Selznick Set With United Artists

CHICAGO, Nov. 30.—Enroute to the Coast, David Selznick revealed he was set on a six-picture deal at United Artists. Nothing was stated regarding the nature of this program or financing of same, nor how the deal was to be spread, whether over one year, three years or more. He stated that he was to start on his U. A. schedule following completion of "Gone With the Wind." This film goes before the cameras around the middle of January. He didn't say when it might be completed, but did indicate it was ready for release around Thanksgiving Day, next year. He is contemplating making the picture 16 reels long.

Radio P. 7

Imperial Offering 424,000 Shares of New Common Stock

Issue of 424,000 shares of Imperial Pictures, Inc., common stock is being offered today at an initial price of $1.50 a share. Smith, Frizifferential & Co. has underwritten the issue.

The company plans to use the proceeds for the production and distribution of low cost pictures. The prospectus states: Imperial contemplates distribution of one picture per month during the current season through a nationwide exchange system. The cost of acquiring distribution is given as $6,000, of which $250,000 is expected to be recouped during this season, according to the prospectus.

Proceeds from the stock issue will (Continued on page 8)

Rose, Hicks Coming For Para. Confabs

David Rose, supervisor of Paramount's British production, will accompany John W. Hicks, Paramount foreign head, to New York for a week of conferences here to participate in the office on the company's British operations. The two will sail from England Saturday on the Normandie, arriving here Monday.

Adolph Zukor, Paramount board chairman, is expected in New York this week in time to participate in the conferences here before sailing for London to take up his new post as head of the company's European operations. Zukor, Hicks and Rose probably will attend the adjourned meeting of the Paramount board, scheduled for Dec. 8.

The Paramount executive committee will meet tomorrow.

Warners Entertain Champion Film Fan

Hollywood, Nov. 30.—Styling himself the "world's champion movie fan," W. C. Van Schouw, managing director of the Radio City Music Hall, New York, at a luncheon tendered him by Warner executives, players and directors, today declared that he was glad to see that "motion pictures are now not understanding the intelligence of audiences."

"Audiences in recent years have become more shrewd in the selection of pictures," he declared. "They know, of course, that 'the play's the thing,' but they appreciate fine performances."

Van Schouw predicted that this year's yield of films would prove to be the finest in years. A testimonial scroll signed by Warner actors and actresses was presented to him.

Set Anti-Ascap Bills in Iowa And Colorado

Score Charge Not Music Tax, Says Mills

New anti-Ascap legislation with exhibitor backing has been prepared for introduction in the Iowa and Colorado legislatures next month. Sponsorship of the measures is attributed by Ascap in part to the encouragement given anti-Ascap legislation at the recent M. P. T. O. A. Oklahoma City convention.

Taking cognizance of the spread of these state measures, E. C. Mills, chairman of the Ascap administrative committee, yesterday addressed protests to major distributors against identification of the score charge as a "music tax" within the industry. Mills protested that the erroneous impression that Ascap benefits from score (Continued on page 8)

New Tax Forms to Simplify Returns

Washington, Nov. 30.—Exhibitor and other corporations with total receipts not exceeding $250,000 a year and net income of less than $25,000, will be relieved of much detail in preparing income tax reports next year by a new four-page corporation form which will replace the highly complicated six-page return heretofore used, the Treasury Department announced today.

New forms have been stripped of all questions which must be answered only by concerns with more than $250,000 incomes and will simplify work for approximately 85 per cent of the country's corporations, the Treasury said.

First in Film and Radio News Brief

Accurate and Impartial

TEN CENTS

MOTION PICTURE DAILY

NEW YORK, THURSDAY, DECEMBER 1, 1938

Alert, Intelligent and Indispensable to the Motion Picture Industry
FELICIA, six-year-old daughter of Jimmy Savage, photographer, youngest member of the Children’s Opera Co., will have a leading role in the forthcoming “Snow White” opera-to be given during the Christmas holidays under the direction of EVA LION on the Lyceum Theatre. George Blumenthal is the producer. Felicia will have the role of “Dopey.”

JULIAN L. LESLER, son of SOL LESLER, and GENE MAE KORACHES, married yesterday in New York, set for a honeymoon of several weeks in Bermuda.

JEAN GACON DE CAVAIGNAC, French film producer, arrives today on the Champlain and may go to Hollywood. Topo DUNCAN, English actor, is arriving on the same boat.

JOHN J. PAYETTE, Warner Theatres Washington zone manager, is the father of a boy, RONALD CRANDALL, weighing 7 1/2 pounds, born at Columbia Hospital, Washington.

LYNN FARNOL, United Artists advertising and publicity director, left for the coast yesterday for three days of conferences with company producers.

SAMUEL Rinzler of the Randforce Circuit is confined to his home with an injured leg. He expects to be back to his office within two weeks.

STEPAN CROFWS, chairman of the Paramount executive committee, will leave for a Florida vacation in the near future.

JAMES MULVEY, eastern representative for Samuel Goldwyn, will leave for the coast today to be gone about three weeks.

WILLIAM F. RODGERS and TOM CONNORS will represent the M-G-M home office at the Jack Kirsch dryer in Chicago tomorrow.

E. M. HARTLEY, manager of the sound department of National Theatre Supply, is on a tour of the southern branches of the company.

CLIFFORD W. SMITH left for the coast yesterday to assume his new post as general west coast manager of Erpi.

J. CHEEVER COWDEN is expected in Hollywood on Saturday for conferences with NATE BLUMBERG.

Kenyon and Husband Return from Europe

Doris Kenyon and her husband, Albert D. Lasker, returned yesterday from their honey moon, abroad. Miss Kenyon is a famous film actress and concert singer. Her husband is in the advertising business. Word has not been had whether Miss Kenyon will continue her professional career.

Purely Personal

Insiders’ Outlook

PERHAPS today the distributors may conclude the drafting of the trade practice program. Sidney R. Kent, president of Kent Inter-State, left from the south this morning, and the matter undoubtedly awaits his attention. William F. Rodgers, general sales manager of Metro, and chairman of the distributors committee, may issue a statement on the matter today or tomorrow. What that statement will reveal is not known.

It doesn’t seem likely that the distributors will announce the program prior to submitting it for final approval to the exhibitor bodies. That is only a natural course of business. But of course this may have already been done or will be before the distributors publicly indicate what the program shall be. Naturally, a public indication from the distributors at this time would be presumptive of the fact that the program had been completed. Perhaps that’s what the distributors will reveal essentially.

But in the trade it is regarded as momentous, no matter what the final program will show, that the various factions in the trade shall have concluded a fair practice policy under which all in the business can operate. That, of course, is the important angle of the situation. Considering discussions before they are finally put in to effect, perhaps, also that by the U.A.’s South American expansion plans will be ready. Korda arrives Dec. 8.

Whether or not a shareholders’ meeting also will be held while Korda is in New York remains to be determined. Korda will go to Hollywood after a brief New York stay. He plans to produce a film or two on the Coast. One of these may be “Pocahontas,” with Merle Oberon. Whether or not the shareholders’ meeting will take action regarding the departures of officers has not been revealed.

Levy Pleads Guilty

In Waterbury Case

WATERBURY, Conn., Nov. 30.—Ed- ward G. Levy, general counsel for the M. P. T. O. A. and Connecticut M. P. T. O., pleaded guilty yesterday in Superior Court here, as 27 other de- fendants went on trial on conspiracy charges, accused of defrauding the city of Waterbury of more than $1,000,000. Levy’s New Haven law firm, Levy and Levy, had participated in a re- vamping of Waterbury’s light rates, as a result of which he is said to have saved the city $250,000 in a few years, and for which he collected fees which are now in dispute. He has been serv- ing the M. P. T. O. A. since 1932 and the state unit since 1927.

Final Briefs in US Suit Ready in Week

(Continued from page 1)

memorandum but is expected to do so this week.

Thereafter, the Government will re- quest additional time to study all briefs and submit its own. It is expected that the Government will not start its reply until the U. S. brief is received.

Ross Transfers Gearth

KANSAS CITY, Nov. 30.—P. H. L. Gearth, assistant to W. O. Redden of Ross Federal Service here, has been transferred to Chicago. W. C. Gearth, field representative, succeeds him.

Du Pont Seeks Hold On Pathe Stock Sale

E. I. du Pont de Nemours & Co. filed suit in the U. S. District Court here yesterday against Pathe Film Corp. to enjoin the transfer of Duf- Pont Film Corp. stock to Pathe stock- holders under the proposed plan of dissolution without first offering the stock to the public. In the alternative, the complaint asked that Pathe be required to stamp each stock certificate a statement to the effect that they are subject to a contract with Du Pont.

O. H. BRIGGS, president of Pathe, declared that the suit was based on a contract made in 1925, under which Pathe agreed not to sell or otherwise dispose of the stock. Subsequent agreements superseded his original contract and omitted the words “or otherwise dispose of,” according to Briggs.

The complaint set forth that the proposed plan threatened a breach of contract and would cause “irreparable injury.” Under the plan, a number of small stockholders would be created, it was alleged, and the result would be that as many as 3,500 shares of Dupont Film now held by Pathe.

Public Gets Lamon

Hollywood, Nov. 30.—M. A. Arts has suspended production here until after the first of the year. Charles Lamon, associate producer, signed to-day with the company to direct “Pride of the Navy.”

U.A. Directors Get Facts on Producer Profit Sharing Plan

Korda might have the opportunity of being present at the long-expected discussions before they are finally put in to effect. Perhaps, also that by the U.A.’s South American expansion plans will be ready. Korda arrives Dec. 8.

Whether or not a shareholders’ meeting also will be held while Korda is in New York remains to be determined. Korda will go to Hollywood after a brief New York stay. He plans to produce a film or two on the Coast. One of these may be “Pocahontas,” with Merle Oberon. Whether or not the shareholders’ meeting will take action regarding the departures of officers has not been revealed.

Sears Leaves for Sales Drive Tour

Gradwell L. Sears, Warner sales head, has left on a swing of exchanges in connection with the annual sales drive which runs for 16 weeks from Dec. 25, and will obtain field reaction for guidance in setting the new program. Hal B. Walls, S. Charles Einfeld and Jack L. Warner will leave for the coast tonight, following conferences here. Sears is scheduled to ar- rive at the studio about Jan. 15.

Alignment of releases for the period of the drive and merchandising campaigns were also set during the meetings here. “Dawn Patrol” has been set as the Christmas Week re- lease, with other December dates fol- lowing. “Comet Over Broadway,” Dec. 3; “Heart of the North,” Dec. 10; “Going Places,” Dec. 31. Others are “Wings of the Navy,” “Crime Is a Rainbow,” “Bold Victory,” “Oklahoma Kid,” “Yes, My Darling Daughter” and “Blackwell’s Island.”

U.S. PATENT OFFICE

(Regulated U. S. Patent Office)

U.S. PATENT OFFICE

(Regulated U. S. Patent Office)

(Continued from page 1)

**Hollywood Preview**

**Flirting with Fate**

(M-G-M-David L. Loew's)

Hollywood, Nov. 30.—This time the misadventures of Joe E. Brown take place in the South American gaucho country. Based on a simple premise—the hero is trying to get his troupe of showfolks back to New York—the production is a series of ridiculous gags. Brown is, of course, the focal point of all that transpires. However, not only is he fully supported but the picture takes on added name value from the presence of Leo Carrillo, Beverly Roberts, Steffi Duna, Wynne Gibson, Charles Judels, Stanley Fields, Leonid Kinsky and Chris Martin in the cast.

Trouble starts for Brown and his troupe when, instead of getting a theatre manager's auto, a black chauffeur with the fury gentleman further into it. Determined to commit suicide, so that his life insurance money will provide passage funds, the ant poison he drinks turns out to be无效 water. Inebriated, he bears a beads and (Carroll) in his hair, insolts that worthy to a face-thee-well, yet escapes the firing squad. Masquerading in a bull's hide, he stages a rough brawl with a tough bull, but still lives. He goes through a revolution unleashed. But, his actors having been involved in the wild goings on, Brown threatens to blow up all and sundry with a bottle of nitro-glycerine which he thinks is water. Guaranteed safe passage, he does throw the bottle over his shoulder, but it does no damage and the happy ending is attained.

Dan Jarrett and A. Dorian Ovits wrote the story, for which the screenplay was done by Joseph Moneere March. Edith Blalanche, Charlie Melson and Harry Clark. Frank McDonald directed. The effects and the writing were paid and cast were pointed toward serving up a typical Joe E. Brown comedy.

Running time, 70 minutes. "G".

G. McC.

**Little Orphan Annie**

(Paramount)

Hollywood, Nov. 30.—Producer John Speaks, director Ben Holmes, writers Bud Wilson Schulberg, Samuel Ornitz and Endre Bohem seem to have striven to retain in this filming of an episode in the adventurous life of Harold Gray's cartoon heroine the essence of that attained plausibility and exaggerated melodrama which is the hallmark of the modern comic strip. A noble endeavor, it is regrettable that report that large sections of the preview audience didn't wait to see how it came out. Such laughter and excitement as were manifested came from the very young, and briefly.

Ann Gillis as Annie is personable and charming but has impossible things to do. J. Farrell MacDonald, Robert Kent and June Travis, the adult principals, are similarly handicapped. The setting is a poor section of New York City and the tale is about a young boxer financed secretly by the impoverished citizens in hope of reward through victory. A gangster-ish loan shark somehow implausibly kidnaps the boxer to do with him and the ladies of the community beat up the gangster and his lackeys with rolling pins in a protracted slapstick sequence which might be much funnier in pen and ink than it is in this form.

Running time, 88 minutes. "G".

*"G" denotes general classification.*

**Frisco Gives Nice $14,500 To 'Cowboy'**

San Francisco, Nov. 30.—"Cow- boy" has turned out to be $14,500 at the United Artists. "You Can't Take It With You" also displayed a hot-office kick, taking $11,000.

"The Great Walts" paired with "Road Demon" was disappointing at the box office.

Estimated takings for the week ending Nov. 22:

**A Man to Remember** (RKO)

GOLDEN GATE—(1,800) (15c-35c-50c) 7 days. Stage: vaudeville. Gross: $13,300. Average: $1,900.

**The Cowboy and the Lady** (U. A.)

ASTOR THEATRES—(1,200) (25c-50c-75c) 5 days. Stage: vaudeville. Gross: $11,000. Average: $2,200.

**My Lucky Star** (20th-Fox)

ST. FRANCIS—(1,800) (35c-50c-75c) 7 days. Stage: vaudeville. Gross: $9,900. Average: $1,400.

**Man of Affairs** (M-G-M)

ASTOR THEATRES—(2,100) (65c-75c-90c) 4 days. Stage: vaudeville. Gross: $3,200. Average: $800.

**Road Demon** (Univ.)

PEADEVILLE—(2,000) (35c-50c-65c) 7 days. Stage: vaudeville. Gross: $6,000. Average: $857.

**Road to Rome** (Univ.)

MANNVILLE—(2,000) (35c-50c-65c) 7 days. Stage: vaudeville. Gross: $5,000. Average: $714.

**Girls' School' Gets $15,300 in Cleveland**

Cleveland, Nov. 30.—"Brother Rat" has taken off for the second consecutive week, with $5,900 at the Allen.

Miss Rose Lee, vaudeville headliner at the RKo School, was the big draw with "Girls' School" as the screen attraction, at $15,300. Weather was the chief factor of the week with extreme cold and heavy snow the last half.

Estimated takings for the week ending Nov. 22:

**Brother Rat** (W. B.)


**Submarine Patrol** (20th-Fox)

HIPPODROME—(3,000) (35c-50c-65c) 7 days. Gross: $2,600. Average: $371.

**The Shining Hour** (M-G-M)

LOEW’S—(3,000) (35c-50c-65c) 7 days. Gross: $2,300. Average: $328.

**ON THE ROAD** (Univ.)


**The Great Walts** (M-G-M)


**Grand Illusion** (Warners)

LOEW’S—(2,800) (35c-50c-65c) 7 days. Gross: $2,000. Average: $286.

**Monopoly** (Univ.)


**Expunge Old Para. Claim**

Claims totaling $1,397,417 of G. B. Theatres Corp., against the Paramount-Publix Corp., have been expunged in a consent decree entered last week by District Judge John E. Joyce, of Chicago, upon recommendation of Special Master John E. Joyce. No objection was made by either side to the expunging of the claims. The suit is based upon the assumption in 1925 by Paramount-Publix of two indentures given by C. B. when the latter's assets were taken over. Olympia Theatres Inc., subsequently undertook payment of the amounts, and they were liquidated in the Olympia receivership.
NATURE SAID, "LET THERE BE A GREAT LAND, BRAVE WOMEN... AND BOLD MEN TO GUARD THEM!"

Rushing rivers... sky-piercing peaks... trackless plains of the Great Northwest...
... Land of rich furs and yellow gold, luring reckless men to adventure!... Land
where civilization fades and a woman's lips set a wilderness afire... Guarding
this vast dominion, a handful of red-coated heroes blaze their legend, "Get your
man!"... and law at the point of a rifle hangs crime on the end of a rope!...
Here at last—in living color—is the romance of Canada's Royal Mounted!...
Here—in the grandest scenes on earth—is the epic of America's last frontier!...
Here's courage in a thousand dangers, and love for him who wins it fighting!

WARNER BROS. PRESENT

HEART OF THE NORTH

IN TECHNICO

[THEATRE IMPRINT HERE]
On the Screen and In the Papers
For a Mid-December Mop-Up!

TO BE READ THRU THE LENGTH AND BREADTH OF THIS LAND BY MORE THAN 28 MILLION FAMILIES! CLIMAX OF THE ACTION-PACKED CAMPAIGN BEHIND THIS ACTION-JAMMED JAMBOREE FROM WARNER BROS!

It runs full-page size in full color in The American Weekly (top circulation of any publication anywhere!). It's timed to catch the picture's national release...wire your booking now and your own theatre name will be carried in the ad!
**Drums’ Leads Seattle With Great $8,700**

**Seattle, Nov. 30.—**“Drums” led the town with $8,700 at the Liberty. A sequel to “Submarine Patrol” and “Swing That Cheer” at the Paramount was strong at $7,150. “Stablemates” and “Touchdown Army” at the Fifth Avenue was fair. The weather turned colder.

Estimated takings for the week ending Nov. 25:

- **Suez** (20th-Fox) BLUE MOUSE—(090) (3c-40c-5c) 6 days, 2nd week, extended run from Paramount. Gross: $1,280. (Average, $4,000)
- **Stablemates** (M-G-M) TOUCHDOWN ARMY (Param.) FIFTH AVENUE—(2500) (3c-40c-5c) 6 days, 2nd week. Gross: $800. (Average, $1,600)
- **Suez** (U. A.) LIBERTY—(1,800) (20c-30c-40c-5c) 7 days. Gross: $2,800. (Average, $4,000)
- **The Great Walls** (M-G-M) MUSIC BOX—(090) (3c-40c-5c) 6 days, 1st week, extended run from Fifth Avenue. Gross: $1,000. (Average, $1,600)
- **The Gipsy** (M-G-M) ORPHEUM—(2,450) (3c-40c-5c) 6 days, 2nd week. Gross: $3,250. (Average, $6,000)
- **Shadows Over Shanghai** (G. N.) PALOMAR—(1,500) (3c-25c-35c-4c) 7 days, 1st week. Preferred. Debbie. Gross: $3,400. (Average, $4,000)
- **Submarine Patrol** (20th-Fox) Swing That Cheer** (Univ.) PARAMOUNT—(3,050) (3c-40c) 6 days, Gross: $1,150. (Average, $1,600)
- **Suez** (U. A.) FIFTH AVENUE—(1,950) (20c-30c-40c-5c) 6 days, $7,150. (Average, $1,600)

**Marino Sets 2nd Short**

Sam Marino, who recently completed “Jai-Lai” as the first of a series of short subjects on novelty sports subjects, will feature an all-girl football team in his second production now in preparation.

**Kennedy Joins G. N.**

SAN FRANCISCO, Nov. 30.—L. E. Kennedy, former Palace branch manager in Denver, has been added to the San Joaquin Valley sales force of Grand National.

**Hollywood, Nov. 30.—**Bryan Foy has arranged a deal with the San Francisco World’s Fair executives to give a screen fair for a background of the “Torchy Blane” series. It will be titled “Torchy at the World’s Fair.”

Ely Culbertson, bridge expert, has been signed by Paramount as technical advisor on bridge sequences in Paramount’s “Midnight.”


After a five year absence from the screen, Ina Claire has signed a term contract with M-G-M and will appear in “I Take This Woman,” costarring Spencer Tracy and Hedy Lamarr.

Virginia Bruce has been given the feminine lead opposite Nelson Eddy in M-G-M’s “Song of the West.”

Brian Donlevy is now the actor who will feel the lash of a 20-foot bull whip in Armin Touniroff’s band in Paramount’s “Union Pacific.”

Charles Bickford passed up the part of a gangster in the work of a Warner picture as Jimmy Cagney’s. “Whadda hear, whadda say?” used in “Angels With Dirty Faces,” has been used as a title of a song written by Harry Warren. Irving Foss is doing the lyrics. Wizmark will publish it.

**Contract**—JERRY COLONNA and LUT ALBERTI to “Always Leave Them Laughing,” Warners… DICK PERDON to “Tough Kid” Monogram, which will star FRANKIE DARRO… MARJORIE REYNOLDS and MILBURN JOHNSTON have been offered by M-G-M for roles in the five “Tails in Tommy” features to be produced by JOHN TRENT… WALTER CONNOLLY and RODNEY COX have been signed by M-G-M for “Huckleberry Finn”… VIRGINIA GREY and RITA JOHNSON to “Torchy Blane”… Gordon, of Paramount has obtained the Don COSSACK chorus for “Hotel Imperial” role, and J. CARROLL NASH for “Springtime” boys… M-G-M… SARAH PEPPIK and BEA JACOBS to “Song of the West”… M-G-M… BARBARA BEVER and the阵容 of “Kathrina,” at the same lot.

Contracts—M-G-M has signed JUNE PREBEESE, comedienne and acrobat, to a term contract and renewed the pacts of RUTH HUSEY, featured player, and REINHOLD SCHULTZ, ROBERT SCIRCLA and DOUGLAS LEISURE, directed by LEON McDONALD. Paramount has signed FREDERICK JACOBS to a term contract, assigning him to the ANAHEIM stone unit, following his work on “Say It With French.”

Writers—GROVER JONES has been signed by Hal Roach to write the script for “Captain Midnight,” which will star BRIAN AHRENE and VICTOR McLAGLENG. War assignments: Warren Duff on the script of “Glitter,” RAYMOND SCHROCK on an “Angels” “Girls!” Reform School,” FRED NELD, Jr., on “The Return of Dr. X.” ANTHONY COLDWATER on “Student Nurse” and VINCENT SIEGEL on “Gunshot.”

**Mantan,’ Heidt Beat Pittsburgh Storm at $30,800**

PITTSBURGH, Nov. 30.—A traffic record was raised here, with grosses for Thanksgiving Day, ending a week of spotty business. The “Mad Miss Mantan” and HORACE HEIDT and band, brought $30,800. The “Cidetel” in its second week gave the Warner a good $6,300. “Dark Rapture” at the Fulton brought in $5,200, and won a second week.

Estimated takings for the week ending Nov. 24:

- **The Mad Miss Mantan** (RKO) STANLEY MEMORIAL—(2,500) 6 days. Gross: $7,200. (Average, $1,200)
- **My Wife** (20th-Fox) FULTON—(1,800) 7 days, Gross: $5,300. (Average, $750)
- **The Shining Hour** (M-G-M) PARAMOUNT—(1,050) 7 days, Gross: $1,200. (Average, $160)
- **The Cidetel** (M-G-M) FULTON—(2,100) 7 days, Gross: $1,600. (Average, $220)

**424,000 Shares**

**Imperial Pictures Inc.**

<table>
<thead>
<tr>
<th>Common Stock</th>
<th>($1.00 Par Value)</th>
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<tr>
<td>Initial Offering Price</td>
<td>$1.50 per Share</td>
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Copies of the Prospectus may be obtained from the undersigned.

**SMITH, FRIZZELLE & CO. INC.**

60 Wall Tower, New York

Phone HNoaver 2-9140
Bell System Teleype NY 1-1838

**‘Boy’—‘Sisters’ Strong in Hub With $16,000**

BOSTON, Nov. 30.—“The Sisters,” doubled with “Gangster’s Boy” at Magazine Square, were strong with “Hard to Get” and “Ce Legal Traffic,” The dual brought $5,200 at Fenway and $10,500 at the Paramount.

Estimated takings for the week ending Nov. 26:

- **Hard to Get** (W. B.) FENWAY—(1,100) (25c-40c-5c) 7 days, Gross: $9,200. (Average, $1,300)
- **Stablemates** (M-G-M) ORPHEUM—(2,000) (3c-35c-40c-5c) 7 days, 2nd week. Gross: $3,500. (Average, $500)
- **Stablemates** (M-G-M) ORPHEUM—(2,000) (3c-35c-40c-5c) 7 days, 2nd week. Gross: $8,500. (Average, $1,200)
- **The Sisters** (W.B.) PARAMOUNT—(2,500) (3c-35c-40c-5c) 7 days. Gross: $6,100. (Average, $1,200)

**Dismiss Van Beuren Suit**

N. Y. Supreme Court Justice William T. Collins has dismissed the RKO Monogram, brought by Joan Lowell against the late Amedee J. Van Beuren for failure of the plaintiff to prosecute her action. The complaint charged that the defendant had “interfered” with a contractual relationship between the plaintiff and the Van Beuren Corp.
FCC Calendar

WASHINGTON, Nov. 30.—Federal Communications Commission has assigned tentative dates for hearings on broadcasting applications, as follows:

Jan. 9: Applications of Lawrence J. Heller for a 1,310-kilocycle station in Washington, with 100 watts night, 1,000 watts day; for a 640-kilocycle, 5,000-watt station at Monticello, Cal., and WFIL, Philadelphia, for increase of day power from 1,000 to 5,000 watts.

Feb. 6: Applications of Northwestern Broadcasting for a 1,310-kilocycle, 100-watt station at Evanston, Ill.; Bureau of Education for a 1,420-kilocycle, 100-watt day-time station at Monticello, Cal., and WFIL, Philadelphia, for increase of day power from 1,000 to 5,000 watts.

Puerto Rico Hearings Set

Feb. 14: Applications of Enrique A. Marti and for a 590,000-kilocycle station at San Juan, P. R., with 1,000 watts night, 5,000 watts day, and United Theater Inc., for a 580,000-kilocycle, 1,000-watt station at San Juan, P. R.

Feb. 27: Application of WNLW, Port Huron, Mich., for extension of time from day to unlimited with 100 watts night, 250 watts day.

The commission has ordered hearings on the applications of Public Broadcasting, Inc., for a new 1,430-kilocycle, 1,000-watt broadcast station at Asheville, N. C., and Elgin Broadcasting Association for a 1,500-kilocycle, 100-watt daytime station at Elgin, Ill., and Vincennes Newspapers, Inc., for a 1,290-kilocycle, 100-watt station at Vincennes, Ind.

FCC to Hear Plea of WLW For Super Power December 15

Washington, Nov. 30.—Preparing to determine finally the desirability of super-power early next year, the Federal Communications Commission today declared oral argument on the WLW application, and commencement of its super-power permit will be heard Dec. 15.

The commission had ordered hearings on the application for extension of the permit held up, the station for many months has been operating on a temporary status. Lengthy hearings were held on the application last summer, following earlier hearings on the question of whether super-power use should be made more general.

Manufacturers, NAB

In Chicago Meeting

CHICAGO, Nov. 30.—Committees of the Radio Manufacturers Association and the National Association of Broadcasters are meeting here today to discuss ways and means for mutual cooperation on promotion matters and problems concerning their activities.

It is learned that each committee will report back to its own group, with subsequent working out of specific plans.

Form Broadcasting Corp.

SAN FRANCISCO, Nov. 30.—Headed by William J. Croserson, former manager of KQW, Oakland, and the Broadcasting Corp. of America, capitalized at $25,000, has filed articles of incorporation in Sacramento. Also named as leaders in the new group are E. W. Laiser, head of the Progressive Optical System, which used to be known as the Laiser Optical, and Kelly of Riverside.

Reed KROW Manager

SAN FRANCISCO, Nov. 30.—J. E. Reed, former Fanchon and Marco vaudeville performer, has been named manager of KROW's local studios.

Gulf Gas Finally Signs Guild Show

Screen Actors' Guild program for the Gulf Gas has been finally set, according to Mr. Stetson, the studio's representative.

The deal culminates months of negotiations between the S.A.G. and the sponsor. The guild was represented by the Music Corp. of America, while Young & Rubicam, Gulf's agency, acted for their client.

Every detail of the program, from script production, and choice of presentation of the players, will be handled by the S.A.G. All salary payments will be turned over by the sponsor directly to the Motion Picture Relief fund.

Post Series on WOR Starts Next Sunday

New York Post will sponsor a Sunday full hour program on WOR for 15 weeks, starting next Sunday.

The series will be in behalf of the Post's current circulation drive with give-aways of an album of recorded classics as premiums.

The series will consist of playbacks of recordings contained in the album Amos Parrish & Co. placed the contract.

Ira Phillips to Coast

Ira Phillips, author of “Guiding Light,” “Woman in White” and “Road of Life,” is leaving today to negotiate the sale of a new radio script with a Hollywood sponsor.

NBC Explains Its Purchase of WPTF

William S. Hedges, NBC vice-president in charge of station relations, will start on Monday, Nov. 28, with a search for an arrangement of NBC's purchase of WPTF, Raleigh, N. C.

Hedges is expected by the Durham Life Insurance Co., originally was restricted to daytime operation only.

In order to remain on the air after sundown, the owners made a deal with NBC to use the 680-kilocycle channel of NBC's San Francisco station, KPO. In order to protect KPO's channel, Hedges states, the network asked for and obtained an option on the station's capital stock. This arrangement continued satisfactorily until recently, when the Durham Insurance Co. declared itself unwilling to continue with the arrangement. This action, according to Hedges, allowed NBC no alternative except to exercise its option.

NBC has paid $210,000 to the Durham Insurance Co. The first option given by Durham was for $75,000. The offer, however, has been advanced with each renewal and in the course of five years advanced to the $210,000 figure.

The new station apparently of unfavorable press and business reaction in North Carolina, Hedges' statement gives assurance that the station will continue to be operated by North Carolinians if such a deal can be arranged.

Philsheker Gets New Westinghouse Post

Herbert E. Polsheker, who for more than 11 years has been a member of the advertising force of Westinghouse Electric and Mfg. Co., lamp division, has been appointed sales promotion manager of that department, succeeding J. F. Cooney. Polsheker was formerly with the Pratt & Lindsey Advertising Co.

WABC Shows via Wayne

Effective at once, all CBS programs broadcast over WABC will be sent to the transmitter in Wayne, N. J. over substantially new circuits. The new circuits have a total range of nine octaves, which means, according to engineers, that picnics will be clearer and sharper than heretofore, especially musical programs.
MOTION PICTURE DAILY

Thursday, December 1, 1938

Set Anti-Ascap Bills in Iowa And Colorado

(Continued from page 1)

charge collection has been permitted to
be
a
reduction in a result of the action which exhibitors feel toward the music licensing soci-
ety. He attributes exhibitor support of anti-Ascap legislation to this im-
pression, whereas, he asserts, Ascap has nothing to do with the score
charged on a contract only its profit
leav from theatres for music perform-
ance rights.

Advised that the separate score charge is being eliminated under the pending industry proposal to this agree-
ment, Mills said that "all exhibitors
are aware that the charge will be added to film rentals" and that Ascap, therefore, believes it to be essential that exhibitors understand that no part of the score charge goes to Ascap.

Tri-National and
Normandie Bow In

John E. Otterson's Tri-National Films made its debut in this country last night with the opening of its "French-made "Sacrifice D'Homme," starring Anoulla, at the new Nor-
mandie Theatre, Park and 53rd.

French consular attache were present and a stimulus of French au-
torables, at the first performance of New York's newest "art" theatre. John Harris, Sam Harris, John Ott-
erson, Joseph McGoldrick, John Eber-
son, Leo Abrams, Bob Wolf and Nat Byer were on hand among the $80 top not-and-ermine celebrities.

The new Normandie is patterned on the lines of the S. S. Normandie, a steamliner cut for the film audi-
cerance, including the port-holes. The main lobby and auditorium were built along lines suggested by the Music Hall.

Harry Brandt and David Weinst-
ock built the theatre, which will be operated with a continuous run policy, $1.25 top price evenings, and a 75-
cent top afternoons.

First runs of foreign pictures will be the policy in the main, giving partic-
ticular attention to Tri-National's im-
portations from France and England.

Imperial Offers New
Common Stock Issue

(Continued from page 1)

total $446,250, after deducting ex-

penses of registration and sale, the prospectus states. William M. Fazore is president of Imperial. Leven Peor of Philadelphia is vice-president and treasurer.

The company has an authorized cap-
italization of 1,000,000 shares of $1 par value, of which 39,714 shares are outstanding.

G. N. May Reduce
Slate to 36 Films

Grand National's announced schedule of 44 features for this season may be reduced to 36 as a result of the recent agreement for a takeover of the assets of Fine Arts Pictures by Earle W. Hammons and associates. A de-
cision on the reduced production schedule will be made this week.

Transfer of Fine Arts' assets has been delayed due to the insistence of Franklyn Warner, head of that com-
pany, on formation of the new Ham-
mons' company prior to the turnover. This makes it unlikely the old company had not been completed at the time the purchase agreement was reached that Warner, head of that com-
pany, prior to the turn over.

Adelle Gutman Nathan has been named G. N. eastern story editor.

Government Film
For Pan-American Relations Urged

WASHINGTON, Nov. 30.—Produc-
tion and distribution of Government-
made films throughout South America has been recommended, by the Pan-
American republics, recommended Tues-
day by the Interdepartmental Com-
mittee in a report to the President. Expenditure of $176,500 was recom-

mended for the production of two
films, distribution of six existing
films, and projection equipment for embassies.

The report proposes two films, one to be made here and distributed in South America, and another to be made there and distributed there, each at a cost of $45,000. Six existing films would be dubbed in Portuguese and Spanish at a total cost of $30,000. The U. S. Film Service would supervise the dubbing and the films would deal with "various activities of the Government, including those in the technical and scientific fields."

The Service likewise act as a co-
ordinating and clearing house for motion picture matters of interest to all American republics.

Although no plans have been de-
volved for broadcasting, the F.C.C. is now considering engineering stand-
ards and the elimination of inter-
currence and is expected to report to the
President in January.

Bernhard Returning
From Zone Meetings

Joseph Bernhard, head of Warner
theatres, and Harry Goldberg, ad-
vertising director, returned today
holding zone meetings in Chicago
Tuesday and in Pittsburgh yesterday.

Harry Goldberg is again being sup-
ervised by James Coston, zone manager, on the National. Harry Kalmine presiding in Pitts-
burgh. All district, theatre and pub-
licity executives attended.

New Mexico City House

MEXICO CITY, Nov. 30.—This city is to have another de luxe neighbor-
hood house when the Cinema, a
1,500-seat theatre owned by the
Samuel and Oscar Granat circuit
opens shortly.

Loew's, Ltd. Pays $350

TORONTO, Nov. 30.—Loew's The-
arre is to pay the Joseph B. Fa-
dom of $3.50 per share on the seven
cent preference shares, payable Dec. 15 to holders of record Dec. 3. This makes a total of $10.50 per share for 1938. Now in arrears is the equivalent of $18.50 per share.

Tri-National Films is currently producing two films, one to be made here and distributed in South America, and another to be made there and distributed there, each at a cost of $45,000. Six existing films would be dubbed in Portuguese and Spanish at a total cost of $30,000. The U. S. Film Service would supervise the dubbing and the films would deal with “various activities of the Government, including those in the technical and scientific fields.” The Service would likewise act as a co-ordinating and clearing house for motion picture matters of interest to all American republics.

Although no plans have been developed for broadcasting, the F.C.C. is now considering engineering standards and the elimination of interference and is expected to report to the President in January.

To Honor Wall Today

LONDON, Nov. 30.—Exhibitors, labor representatives, musicians and all members of the London combination board tomorrow will honor A. Wall, general manager of the London Trades Council, at a luncheon. Wall was the first labor leader to champion film workers and was largely responsible for the London wage-hour agree-
ment and conciliation board.

Loew's, Ltd. Pays $350

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Sound City's Year
Profit Is $15,650

LONDON, Nov. 30.—Sound City studio reports profit for the year ended May 31, 1938 of $15,650, compared with $128,645 for the previous year. Directors voted to open a pleasure park and zoological gardens.

Newsreel Speed

SYDNEY, Nov. 8.—Fox Movienews here set some kind of a record on the Mel-
bourne evening newsreel, complete with fashion clips, hit Sydney screens four times in one day. The plane, 582 miles away. Harry Guin-
ness, editor, installed a processing plant in a plane and when the plane reached Sydney, the reel was ready for release.
Tenn. Halted In Enforcing Of Ascap Law

State Agrees, Awaiting High Court Ruling

KNOXVILLE, Dec. 1.—Temporary order restraining Tennessee state officers from enforcing an anti-Ascap law enacted in May, 1937, was granted to the music licensing society by a three-judge Federal statutory court here today.
Louis D. Frohlich and Herman Finkielstein, New York, the state's attorneys, argued that the statute is discriminatory, unconstitutional and in violation of the Federal copyright laws. Edwin F. Hunt, Tennessee Assistant Attorney General, did not oppose the society's application, indicating to the court that the state was

(Continued on page 5)

Loew's Ready for Stockholder Fight

Defendants in the minority stockholders' suit against Loew's, Inc., and its officers and directors asked N. Y. Supreme Court Justice Louis A. Velante to dismiss the action at the conclusion of the trial. Taking of testimony starts Monday. In the second day of the trial, Joseph M. Proskauer, attorney for the defendants, finished his opening address to the court. The plaintiffs are expected to ask permission to amend their complaint when hearings are resumed.

All Firms But Metro-20th in Texas Benefit

By HARRY McCORMICK

DALLAS, Dec. 1.—All distributors except 20th Century-Fox and M-G-M have consented to donate film for the 137 Interstate Circuit and Texas Consolidated houses which will give one day's gross receipts to the Joint Distribution Committee for aiding refugees of all creeds.

Final arrangements for the benefits were completed here today by R. J. O'Donnell and Carl Hohblitte. About 30 cities and towns in which the 137 theatres are situated will participate. Elliott Roosevelt, son of the President, and head of a Texas radio network,

(Continued on page 5)

49 Completed Pictures in Vaults of Eight Companies

Hollywood, Dec. 1.—Until this week, in the vaults of eight companies, there were 49 pictures which although having been completed, still await a scheduled release date. Paramount led with 13; Warner Bros., 10; 20th Century-Fox, 6; Columbia, 5; RKO, 5; Universal, 5.
Following is a listing of the films and the date on which shooting was finished:


(Continued on page 5)

RKO Hearing May Be Delayed Today

Creditors were unusually reticent about the possibility of confirmation of RKO's reorganization plan, today. Comment has been refused, which makes it appear that the hearing may likely be postponed. However, it is felt that the postponement will not be for long and that if it is up to Federal Judge William O. Bondy, RKO's 77th ringlet will be lifted by the first of the year.

There may be certain technical details which compel such a delay. However, whatever may be has not been revealed.

NLRB PROPOSES TO OUST BASIC PACTS

Trade Reforms On Program to Make History

Filmdom's trade practice program, which is soon to be promulgated, will include reforms of a history-making nature in the trade. There will be a system of arbitration established.

Also the new trade practice policy will outlaw the practice of move-over on a lower scale.

It is understood that the distributor's draft on trade practice was completed yesterday, and this may be disclosed by the weekend. Final approval will come after the M. P. T. O. A. and Allied shall put their stamp upon it.

The new program intends to establish reforms such as to alleviate the oppressive zoning and protection situations wherever existing.

Other reforms, of course, are already known, are the cancellation clause and the removal of strike charges. One thing highly important is that there will be no force

(Continued on page 5)

Y. Frank Freeman Sees Films Uptown

HOLLYWOOD, Dec. 1.—"Month of November was only five per cent below the figure for last year, and December gives every indication, in point of quality of product, of topping November's figures," Y. Frank Freeman declared today as he arrived to take up his duties as co-ordinator of Paramount home office and studio operations.

"The taste of film audiences has reached a point bordering on fastidiousness," he asserted, "and only by turning out a high grade product has Hollywood been able to stem the tide of box office depression and bring about an upturn. The first nine months of 1938 were extremely bad from a box office standpoint and the condition was due to inferior pictures. Hollywood snapped out of it, and began to improve the quality of its product and the result was immediately apparent."

Studies and Unions Are Asked to Agree on New Election

HOLLYWOOD, Dec. 1.—Proposal that the 1935 basic agreement be abrogated with respect to four studio locals of the L.A.T.S.E. was made today by N.L.R.B. Director Towne Nylander, after an informal hearing. Charges of company unionism against the L.A.T.S.E. were brought by the M.P. Technicians Committee, a factional minority group within the L.A.T.S.E. and Local 724, Studio Utility Employees.

Three additional points were put forth by the various proposals resulting from private conferences between Nylander, L.A.T.S.E. leaders and others. The three points are:

(a) Consent by all parties to a bargaining agency election.
(b) Studios to comply with a cease and desist order to enforce the agreement.
(c) Studios to post a notice setting forth the various points.

Such an election would be held to determine whether the basic agreement now effective under N.L.R.B. regulations still applies to present membership.

The proposal came as a complete surprise to studio executives, who came to attend the public conferences. They asked and were granted an adjournment until Feb. 14.

A.S.C. Files Request

HOLLYWOOD, Dec. 1.—American Society of Cinematographers, which now holds collective bargaining agreements for cameramen at all major studios, today filed a request with the N.L.R.B. for certification as the sole bargaining agency for cinematographers and their assistants.

Warners to Make "Spy Confessions"

Even if it may be known generally, it is worth noting again that Warner Bros. apparently are ready to proceed with making "Confessions of a Nazi Spy." Warners, it will be recalled, were named by Leon G. Troupou, former U. S. Intelligence Officer. It is understood that Millom Krems, writer and other W.B. officials have been watching the local spy trials for facts and color.
Purely Personal

ALBERT MARGOLIES, advertising and publicity head of G. B., will leave for the Midwest tomorrow for the opening of "The Lady Vanished" at the Little in Milwaukee. He will return in a week.

ST. SEABER, M-G-M advertising manager, and William R. Ferguson, exploitation head, leave today for Chicago to attend the company's district manager meeting, to be held tomorrow and Sunday.

ALBERT S. HOWSON, director of censorship for Warners, will address the Trades Committee of the Junior Federation of Brooklyn Charities on Dec. 7 at the Jewish Hospital Auditorium.

O. C. DOERING, Jr., of counsel to the RKO trustee, is back in New York after attending to legal work in Chicago in connection with the Government contempt action there.

JON HARRINGTON, manager of Monogram's film and accessory department, is on a tour of exchanges, and is due back in three weeks.

CHEVER WOOLL, Universal board chairman, plans to leave for the coast by plane tonight and returns to New York early next week.

ARTHUR EDY of the Warner Studio publicity staff has been in New York this week with Mrs. Edy he leaves for the coast Saturday.

JACK OAKIE and his wife, VENITA VARDEN, sail today on the Queen Mary. Ralph Deatsky, composer of "White Horse Inn," also sails.

CARLOS MORA, Monogram's Latin American head, is back from Mexico, Central America, Colombia and Venezuela.

LOUIS D. FRIELICH and HERMAN FINKELESTEIN, of counsel for Ascap, return to New York today from Knoxville, Tenn.

MARTIN SCHIFF of the Warner foreign department is the father of a boy, MARTIN, JR., born at French Hospital.

HOWARD STRICKLING, M-G-M studio publicity director, is ill at Monte Sano Hospital, Los Angeles.

JACQUES DALLIN, French composer, has signed with Sam Fox Publishing Co.

ARE COHEN, cashier at the Columbia Exchange, is mourning the loss of his sister, LILLIAN.

GEORGE W. WEEKS, Monogram sales manager, left yesterday for a two-week tour of exchanges.

MAREN DREITZ is scheduled to leave for Hollywood tonight.

FRANKLYN WARNER is expected in New York from the coast by plane today.

FRANK C. WALKER has gone to Warm Springs, Ga., for a few days.

Insiders' Outlook

A NEW class film magazine will soon be put on the market by Conde Nast. This can be taken to indicate the high place Hollywood now holds in the fashion world. Undoubtedly the fashion angle is prominently in the background of Conde Nast's intentions by this new publication.

In July of this year few people outside of the phonograph record business realized that the excise tax on records had been removed. The tax amounted to five per cent, and may have made the difference between profit and loss for some firms. Probably the man principally responsible for this great benefit to the record business is Milton Diamond, internationally known attorney. Diamond fought the matter through in Washington, when lawyers considered the task hopeless.

"Three Harbours," by F. van Wyck Mason, (J. B. Lippincott Co., publishers) is an adventure novel of the early years of the American Revolutionary War which has the makings of a distinguished motion picture. Its romantic interest is varied and sustained; its action, of which there is plenty, holds genuine drama.

Action centers primarily in Norfolk, Boston and Bermuda. In the sweep and intensity of the story's movement there is a resemblance to both "Anthony Adverse" and "Gone with the Wind." It may even be said that "Three Harbours" reduces the Revolutionary War to the same popular terms of individual and family experience which mark the treatment of the Civil War in "Gone with the Wind," and which George S. Kaufman so successfully made the case for his play and success and value of the latter as a film property. "Three Harbours" would seem to fit nicely into the pattern of a rich and outstanding audience romance.

Although specifically, the film industry does not figure in the monopoly study by the Federal Trade Commission, none-the-less, industry lawyers will have certain new, prospective legislation to think about when the F.T.C. recommends to the next Congress that the Clayton Act be amended to prevent interstate corporations from acquiring physical properties of competitors. This would hit at theatre combinations and studios.

Of course, should some tight-witted law maker attempt to define "physical property" there is no telling what can happen.

A dinner was held at the Astor Hotel last night in honor of the birthdays of two men, one 38 years old, the other 74. The "youngster" was John Barbirolli, conductor of the New York Philharmonic; the older was John Wade, doorman for the past 45 years at Carnegie Hall.

Fox Transfers Glass

DENVER, Dec. 1.—Fred Glass, manager of the southern division of Fox theatres International division, has been transferred to Salt Lake City as assistant manager. Robert Garland, booker, succeeds him in the Denver job.

Sussman to Buffalo

William Sussman, 20th Century-Fox eastern division manager, will attend the testimonial dinner to Sunday Samson, Buffalo branch manager, to be held at the Variety Club there Monday night. A number of upstate exhibitors will attend.

The Newsreel Parade

Blefinition of Mother Cabrini in Rome of which Cardinal Mundelein officiated, and the crash of an airliner in California are important subjects covered in this week's newsreel items. Shipping of Christmas presents and skihing season opening are timely items. The news and their contents follow.


Who's America's favorite girl friend?
"Little Orphan Annie"
Who's America's favorite pitcher company?
PARAMOUNT

On account of they got me in a swell pitcher!

TURN PLEASE
YACAN'T WIPE THESE FACT'S OFF THE SLATE

19,000,000 DAILY NEWSPAPER READERS LOVE "LITTLE ORPHAN ANNIE"

61,500,000 RADIO LISTENERS LOVE "LITTLE ORPHAN ANNIE"

ANN GILLIS IS A NATURAL FOR THE ROLE OF AMERICA'S FAVORITE COMIC STRIP CHARACTER. ROBERT KENT, JUNE TRAVIS, J. FARRELL MACDONALD LEAD A SLICK PARAMOUNT CAST

SOME SET UP!
49 Films in Vaults
Of Eight Companies

(Continued from page 1)

"Landscape" Opening
American Landscape,
latest dramatic offering by
Elmer Rice, will open tomor-
row at the New York Court as the
production of the Play-
wrights' Co. A Connecticut
family will be taking over a fac-

tory site for use as a farm

camp, but the ghosts of
former American soldiers rise
to prevent their sale. The cast
of 22 includes Charles
Wal-
dron, Rachel Hartzell, Phoebe
Foster, Jerome Cowan, Howard
Cook and Lillian Foster.

Postpone Chicago
Hearing One Week

CHICAGO, Dec. 1—Federal Judge
Woodward today postponed until Dec.
8 the hearing on motions for a bill of
particulars. Under these motions of
time, impounding of documents and
quashing of subpoenas in the Govern-
ment contempt action against Bala-
dine & Company, Inc.

He also ruled that Barney Balaban,
president of Paramount, and other
witnesses will not have to appear at the
Dec. 8 hearing. Judge Woodward
said today he was not prepared to hear
the pleas, and his decision setting back
the hearing long enough for both 
Government and defense attorneys by surprise.

Far Reaching Trade
Reforms Are Planned

(Continued from page 1)

ing of shorts of any nature, including
newspapers and trailers, or even fea-

tures. It is a wide sweep. The industry is
coming clean.

Move-overs will be permis-
sable only where such move-overs will continue
at the same scale of prices as the original run. As already has been
frequently indicated the granted can-
celation on the basis of 10, 15 and
20 per cent of the whole program of any company is going to be of no
advantage to the store and to the
strain of the strain of block booking.

The companies are going to
make every effort, it is understood, to out-
law the so-called "move-over" situations,
which in combination with the move-over
policy, are bound to develop the right to buy,
and create a more favorable situation in that respect. However,
when the full policy and the exact
definition of these tremendous changes
which will possibly restructure basic
policies and operations of the business
will be promulgated is yet not
known.

Defense Starts in
Indianapolis Suit

INDIANAPOLIS, Dec. 1—Indianapo-
lis Amalgamated in a petition
of $226,000 anti-trust suit here against Paramount-Publix, M-G-M, Univer-
sal, U. A. and E. W. H. New

graphic, considered the side of the case
today. Defendants, who seek to show
that the plaintiff's bankruptcy in 1927
was caused by mismanagement
and not losses through block-book ing,
placed three witnesses on the stand.

M-G-M Signs Schunzel

Hollywood, Dec. 1—M-G-M has
signed Reinhold Schunzel to a long
term directing contract.

Mandel to Succeed
Dowd in RKO Post

Harry Mandel will succeed John
Dowd as advertising and publicity
manager of RKO Theatres, Mandel
has been with the firm several years
and has been in charge of publicity for
that division of the company which
is operated by Charles McDon-
ald. The appointment was made
by John O'Connor, vice-president and
general manager of RKO Theatres.

It is in line with the present realign-
mant of RKO metropolitan theatre
operations.

Dowd transfers to the World's Fair.
His place in the RKO for quite
some years. That a change
would be made was no surprise to the
trade, since the imminence of the move
had become fairly well known around.

Tenn. Anti-Ascap Law
Halted by State Court

(Continued from page 1)

willing to forego enforcement of
the Anti-Ascap measure pending
debates before the U. S. Supreme
Court. The suit was brought by
Florida and Washington.

The rulings are expected from the
court near the end of the week.

If the Supreme Court decisions
are unfavorable to Ascap the litiga-
tions will be disposed of.

The restraining order, which per-
mits Ascap to resume business in
Tennessee after an interruption of about
18 months, was signed by Circuit
Judge Neus Hicks and District Judges
George Taylor and John Gore.

UA Sets Deals with
Schirne, Hoblitte-

United Artists has closed deals on
the 1938-39 product with the Schirne
company for 75 houses in New York, Ohio, Kentucky and Maryland,
and with Hoblitte & O'Donnell
of the Interstate and Consolidated
circuits, involving more than
100 theatres.

George Lynch and Meyer and Louis
Schirne represented that circuit and
Charles Stern and Bert Stern acted
for U. A. on one deal, and R. J.
O'Donnell acted for the Texas circuit,
and Harry L. Gold and Hugh Owen
for U. A. on the other.

The company also has closed
with Balaban & Katz and the Great States
in circuit, as per custom, involving
75 key city houses in the Chicago ter-
ritory. Walter Inmaner acted for
the circuit and L. J. Schlacter
for U. A.

Para. Plans Six for
English Production

LOSTOCK, Dec. 1—Six features have
been set by Paramount for production
here, John W. Hicks, vice-president
and foreign head, said today. The first
three are "French Without Tears" and "The
Admirable Crichton." Details of the other three.

The last two directors will be
decided at home office
conferences after the arrival of
Hicks and David Rose in New York.

They sail Saturday on the Norman-
die.

Stein Heads Col.
Distribution in
France, Algeria

A. Stein has been placed in charge
of Columbia's new distributing
organization in France and Algeria, which
competes the company's worldwide sales
setup. Jack Coh, vice-president
of Columbia, revealed this upon ar-
rial yesterday from London.

An exchange of the production contract
with the Den-
ham studios in London, which is
making Columbia quota films, will be
discussed in New York after Alexander
Korda arrives here Dec. 8. Cur-
rently Denham is making three multiple
quota films for Columbia, which
Ivory Angus is supervising.

Columbia has signed for distribution
four of Par., formerly known as the seven which have already been
acquired for American release, Cohn
reported.

Joseph A. McConville, foreign
manager, and Jack Segal, assistant, are
now in Paris setting up the company's
exchange system for France and Al-
geria. Branches will be open in
Lille, Marseilles, Lyons, Bordeaux
and Nantes, with the central office
in Paris.

McConville is expected back before
Christmas. Segal will remain in Paris to complete the new
exchange setup.

Skirball, Alperson
Off to Studio Today

Jack Skirball, Grand National produc-
tion head, and Edward Alper son,
general sales manager, leave tonight for
the coast to speed up production.

The company is slightly behind re-
lease schedule, although five inde-
pendent pictures are now in the cutting
room. It is planned to put "My Son" and a western in production in about
two weeks.

Monopoly Quiz May
Not Discuss Films

Washington, Dec. 1—Film
matters are not expected to be
discussed by the Tempora-

ry National Economic Com-
mittee for some time, if at
all, it was indicated at the
opening of hearings today.

However, it is possible that
Assistant Attorney General
Thurman Arnold, due to testi-
ify next week, may touch on
films to bring out his point that
the anti-trust laws should be revised to apply to
industries individually rather
than as a whole.

Dr. Isador Lubin, Commi-
nissioner of Labor Statistics,
said yesterday that such a step
could be given a $2 a day
in income, the film industry
"could look forward to a trip-
ing in admissions."

Such an increase would mean an increase in film ad-
missions, if it were spread over the $5,000,000
per year. The $2 daily increase for all wage
earners could give $25,000,000
additional income to the motion pictures, Lubin
said.

5
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*
James Roosevelt Assumes Film Post With Goldwyn

Sixth Ave. Preens Itself
With Dooming of the “L”

By SAM SHAIN

New York City's tired, old "L," the 6th Avenue Line, stopped running at 11 P. M. last night. In three months this five-mile elevated railway which ran parallel to Broadway but only touched the corner of the Main Stem where it traversed overhead on W. 53rd St., will be in the scrap heap. That's by city edict. And 6th Ave. is beginning to primp up. Broadway now has a potential rival.

Everybody has believed that it was anticipation of the early demolition of the 6th Avenue "L" which partly prompted the erection of Rockefeller Center, and its Radio City Music Hall, the once contemplated R. C. Opera House and now the Center Theatre.

And so it has come to pass, and it

Estimate "U" Last Quarter's Earnings
Around $100,000

Wall Street estimates a net profit of around $100,000 for Universal's fourth quarter, ended Oct. 31. Period is Universal's first in more than eight years to show a profit and comes on the first anniversary of the present management headed by Nate J. Blumberg.

Company's operations have been improving steadily throughout the year with the result that world gross for the fiscal year ended Nov. 1 is estimated at around $20,300,000 or more than $20,000,000 better than the gross operating revenue of $18,150,876 for

(Continued on page 3)

Legal Technicalities Cause Adjournment Of RKO's 77th Plan

Decision on the RKO plan of reorganization received a temporary setback on Friday when technical objections to the consents to the plans filed by majority stockholders caused an adjournment prior to the beginning of the hearing.

It was decided that the adjournment would be required to take place on the 10th day of the hearing, the date set for the hearing.

The plan was adjourned until Dec. 16, and it has been granted the postponement request of Hamilton C. Rickaby, attorney for Atlas Corp., proponents of the plan.

Rickaby declared that he could clear up the technicality before the expiration of the two weeks, so as not to delay the reorganization further, and that if Judge Bondy approves the plan, RKO would be out of 77b by the first of the year. The objection was one of three points presented by John S. Stover, attorney for Ernest W. Stin, holder of 1,254 shares of unconverted RKO Class "A" stock. Stover maintained that he was not attempting to delay the court's decision and

(Continued on page 3)

M-G-M Sells Second Picture to Music Hall

Opening of "Dramatic School" at the Music Hall on Thursday will mark the second occasion an M-G-M film has been looked at the house. The first one, "Young Mr. Kildare," opened there on Oct. 27. "Angels With Dirty Faces" led Broadway business last week with a smash $40,000. Four films released by Twentieth Century-Fox were on the stage. The "Cowboy and the Lady" now in its second

(Continued on page 3)

Hays Urges Special So. American Films

Hollywood, Dec. 4—Production of films especially suitable to the South American market is reported to have been urged by Will Hays, M. P. P. D. A. president, in his semi-annual report to the Motion Picture Producers Association prior to leaving for New York by train Friday night.

(Continued on page 3)

Alfred Urges Aid
For Texas Benefit

Austin, Tex., Dec. 4—Gov. James V. Allred has asked Texans to raise a fund with the plan to raise funds for German refugees by the Inter-State Circuit on Dec. 24.

The Governor said, "This is certainly a most worthy cause. The Inter-State Circuit raised more money for the Rogers Memorial than in any other state. I feel confident that Texans will give the maximum in prayers and money in this humanitarian move."

Magus Undisturbed
By Nazis-Jap Troup

Recently concluded agreement which provides, among other things, for production and exchange of propaganda pictures between Germany and Japan, arouses no concern whatever among American distributors. The all-too-obvious reason is that neither nation has ever produced films which attained even a semblance of popularity with the people of the other. There is no reason to suppose, distributors say, that the new agreement will alter either the production capabilities of the Nazis or the film tastes of the Japanese people. They foresee no diminution of the popularity of Hollywood product with Japan's film patrons.

Radio—Page 7

Eldest Son of President Starts Work Today
As V. P.

Although, recently, Samuel Goldwyn's Hollywood office had "confidentially" indicated that James Roosevelt was not to join that organization, the eldest son of President Franklin D. Roosevelt, and who also had served as FDR's secretary, began work today as vice-president of the Goldwyn organization.

Coming on top of the Government's efforts to stimulate trade with the South American nations, and the likelihood of films playing a tremendous role in this respect, the fact that a member of the President's household and official family has taken up a post in the business is highly important.

The President, himself, is known to be friendly to the film business, and his deep interest in the trade has been shown on various occasions.

Perhaps the recent denial by Goldwyn's Hollywood office was a matter of form, in order not to embarrass the White House, until the matter was properly attended to. Whether or not White House approval was sought prior to the announcement, in Hollywood, Sunday, isn't known. Will Hays has visited the President on several occasions in the past several weeks, but there has been no indication that the Goldwyn-Roosevelt matter was discussed then.

Naturally, both the film business and Washington is agog about it. Politicians and showmen will conjecture about it to read some unknown angle into the matter. But Samuel Goldwyn, curiously enough, was brief and direct.

(Continued on page 3)
Insiders' Outlook

A YEAR ago Gabriel Pascal was broke. He was as good a producer then as he is now, but he was starring. He couldn't obtain a job. Today, as the producer of George Bernard Shaw's "Pygmalion" he is just about the most sought for producer in the world of films.

George Bernard Shaw undoubtedly would have disposed of the hit he is getting round, good sum. It is understood that he had some very fancy offers, perhaps even fantastic ones. The Irish bard never had much enthusiasm for those in films. He wouldn't trust his properties to them. And that he did turn it over to a penniless producer, who could not even guarantee him a royalty return, let alone a specific and large payment for the rights to the play, explains something about Shaw.

And so it happened one day Pascal, in desperation, called upon a literary agent whom he knew in London, persuaded him to make an appointment with Shaw, and told the agent that he wanted to see Shaw in order to obtain "Pygmalion" for film production. Shaw's agent was a bit nonplussed, to say the least, but he was a friend of Pascal and Pascal needed assistance. Thus an appointment was arranged but, and here is the interesting angle, Pascal said to the agent:

"Before we go, I'd like to have lunch, but I'm broke. Will you lend me a pound note?"

This the agent did.

When they met Shaw at the latter's cottage in the country, Shaw said:

"What can I do for you?" Pascal said he'd like to make "Pygmalion" in pictures. Shaw said:

"Oh, you would, wouldn't you! How much money have you got?"

Pascal turned his pocket out and took out the change from the pound note and showed it to Shaw, saying:

"That's all the money I've got in the world."

Shaw said: "You play yours," and a deal was made without any advance but distinctly on a royalty basis. "Pygmalion" is an English-made picture, and is now being distributed by Metro-Goldwyn-Mayer.

Those Hollywood reports that the William Morris office was tied in with talent with Paramount and the DuMont Laboratories, on television, must have proved surprisingly interesting to Bill Morris and Abe Lastfogel, who ought to know what their firm is doing on anything. There just didn't happen to be anything to the report. Of course, the curious link to the report may have been vaulted from the fact that the William Morris office acted as agent in the original film version of Shaw's transaction whereby Paramount purchased an interest in the television firm.

An unusual feature of the M.V. Post today was the disclosure of Adolph Hitler's telephone number — Berlin 116919. It was taken from the British Who's Who. The paper gave it top display, using it in a dog-ear box above the masthead on the front page, where it couldn't possibly go unnoticed. Consequently, the New York Telephone Co. did land a transatlantic business. Not only did the Post telephone the moustached German, but several other newspapers took the opportunity.

The overseas operator, however, after a 10-minute pause told the Post reporter:

"Herr Hitler refuses to take the call."

No doubt, now, the number has been changed.

"The phone rate from New York to Berlin is $24 for three minutes," the Post stated. "Profanity is prohibited."
Estimate "U" Last Quarter $100,000

(Continued from page 1)

The preceding 12 months. Universal's net loss for the fiscal year ended Nov. 1, 1937, was $1,084,999. One month later Blumberg was selected to head the company and the loss was trimmed in each succeeding quarter until, during September, Universal's operations moved into the black for the first time in years. The company's operating profit for October showed a further increase sufficient to put the final quarter in the black.

The improvement noted actually was accomplished during only 10 months of operations under the new management, which took over after Jan. 1 of this year.

Universal's working capital and general financial resources were strengthened further by the current fiscal year by the closing of a $2,500,000 credit with a banking syndicate, which was negotiated over an extended period, during which the company's operating profit for October showed a further increase sufficient to put the final quarter in the black.

Legal Technicalities

Cause Adjournment Of RKO's 77th Plan

(Continued from page 1)

agreed to go before the court as soon

as motion papers were prepared by

Ricky.

Stower contended that consents filed

by majority stockholders are not

proper because they failed to present

the motion picture to the court. He

pointed to an order made in 1932 by Federal Judge Alfred C. Leedy, which required executives of the company to present certificates before they could "participate" in the suit. Judge Bondy upheld the contention, but indi-

cated the law "participation" should have referred only to participa-

tion in the proceedings after confirma-

tion. However, to avoid later com-

plications, it was agreed to have the

order of Judge Cotex amended to per-

mit consents to be filed without the

physical presentation of the certificates.

Upon Stower's insistence that the

motion be made in writing rather than

orally, it was also agreed that the

next hearing be the one

motion would be heard by Judge Bondy in his chambers. In addition, Judge Bondy is awaiting an affidavit from

Stower in which all alleged irregulari-

ties on proxies used in the 1931 reor-

ganization are set out. The affidavit is

incomplete, to the extent that it was not possible to present these
to the court on Friday as promised, but that they would be filed today.

He has been holding

briefs for two solid weeks and

that the last one came in as late as

Thursday.

Cassidy Is General P.A. Under Mandela

Under the direction of Harry Man-

del, who succeeded John Dowd as
direct of advertising, publicity

and exploitation for RKO Theatres, John A. Cassidy will serve as general public-ist for RKO. Donald H. Enders, Fred Herkowitz continues with Divi-
nion Manager Louis Goldberg, and Edward E. James and R. R. Stover. Harris joins Sol Schwartz in the newly created division, and

Patrick Grosso has been assigned

to New York. Dan Blance, whose

Livingston remains in charge of trailler-

and newsreels.

New Mono, Chicago Office

Chicago, Dec. 4—Monogram plans to

build a new exchange here adjacent
to the new 20th Century-Fox branch on

Wabash Ave. Work started in

January, with the building to be ready

in August.

James Roosevelt Is A V. P. for Goldwyn

(Continued from page 1)

in his announcement, giving no clue as
to what more the move was behind the

move, other than a pure business ar-

rangement:

"I am with pleasure I announce," states Goldwyn, "that Mr. James Roosevelt has joined my organization as vice-president.

The younger Roosevelt had this to say:

"I am very happy to be associated with the motion picture industry. For a

real time I have contemplated being

identified with an industry in which

service to the general public is an

outstanding feature.

"I consider myself fortunate now to

have the opportunity to join the motion

picture industry to work with Mr. Goldwyn in continuing the record of service which this industry has so

long maintained."

Whether the younger Roosevelt

signed a contract in connection with

the post isn't detailed. The nature of

his activities has not been

announced, but it is considered hardly likely that he will serve on the creative or picture

making end. Rather, his services will be devoted to the busi-

ness end. Apparently he is filling

the post made vacant by the departure of Dick Powers with Paramount.

Only other v. p. in the Goldwyn or-

ganization is James Mulvev, eastern represen-

tative, who is expected to re-

turn from the Coast, soon.

Newsreel Theatre Is Open in AP Building

Fourth unit in the Newsreel The-

atre circuit opened Friday to

fairly steady business. The latest

house, located in the Associated Press

Building of Rockefeller Center, has

450 seats and is furnished and decorated in the modern style.

Theatre seating is employed inside

the screening to prevent eye

strain in the one-hour show of news-

reels and selected shorts. The seat-

ing is excellently far apart to permit

comfortable access. The lounge is

spacious and furnished with light mod-

ern furnishings.

More than 700 guests attended the

invitation preview on Thursday. Jim

Brightwell, who manages the Embassy and other Newsreel units, is

in charge. The house is now in-

cluded as one of the sighting spots

in the tour of Radio City.

Hays Urges Special So. American Films

(Continued from page 1)

Addressing the closed session of the

full membership, Hays is understood to have discussed the status and trend of the European and South American

markets. He is believed also to have

covered trade practice understanding and the production of an industry film for the New York and San Fran-

cisco World's Fairs.

Cliff Work of Universal and J. R.

McDonough of RKO were elected to

the board of directors.

Trade Program Is Sent to Washington For DFR Perusal

(Continued from page 1)

"aggressive" action by circuits and the outlaying of "permanent" franchi

ses. "Moreovers" at reduced sales are exhibited.

Exhibitors are accorded an un-

restricted, graded cancellation privilege of 20-15-10 weeks. Such a shuf

benefit the small exhibitor mostly.

An arbitration system assuring fulfill-

ment of the aims in the new trade practice policy is to be estab-

lished. Such a system will serve as a curb on all "aggressive" action by

any faction or group.

On Friday, the distributors' com-

mittee issued the following statement by W. P. Rodgers, general sales

manager of Metro and chairman of the distributors' committee:

"The Distributors' Committee on trade practices has today forwarded to the interested exhibitor bodies a memorandum of the understandings reached in principle at conferences conducted by their respective committees.

"To cover all subjects considered as "normal" in their trade practices it became necessary to organize the model by which the trade relationships have been defined. The committee has decided to organize the model by which the trade relationships have been defined. The committee has decided to

smallest group of exhibitors that was

in agreement with the principles of the

model, and to invite such exhibitors

to join in the organization."

"Every subject of general impor-

tance involving trade practices has been discussed fully, and we believe the suggested means of solution will create a better understanding between all branches of our industry."

Smith to Century Or Florida Group

There seem to be two possibilities for Andrew W. Smith, Jr., former general sales manager at United Art-

ists during George Schierr's tenancy, an information, both of which have to do with the theatre end of the business. In one connection there is some talk of his possibly acquiring an interest in the Isle Theatre Corp. (Shiff-

man). Another would link him to the Florida (Century Corp.) which operates mainly on Long Island.

M-G-M Sells Second Picture to Music Hall

(Continued from page 1)

week at the Music Hall, drew an es-

limated $350,000 for the first week. "The Great Waltz" attracted an es-

timated $350,000 at the Capitol and is another holdover.

"The Arkansas Traveler," finished its second week with an estimated $31,000 at the Paramount, and the second week of "Submarine Patrol" at the Roxy was good for about $25,000.

Faith Plans 2 in Conn.

UNIONVILLE, Conn., Dec. 4—Joseph Faith of the Mayfair, Terryville, plans a 600-seat house here and another in

Fadiman Takes "Mioche"

Edwin Fadiman's National Pictures has acquired "Le Mioche," French film, starring Madeleine Robinson.
"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
New York Preview

"Just Around the Corner"
(20th Century-Fox)

Here is the gay, dramatically light material which audiences throughout the world have come to expect of a picture in which the inimitable Shirley Temple appears. A little song, a little dance, a good deal of comedy and a serious note of drama which involves a pep talk for the nation in its business slump, all add up to excellent entertainment.

Shirley is supported by Charles Farrell, as her architect father made poor by depression; Joan Davis and Bert Lahr, as servants who provide many laughs; Bill Robinson, for a tap routine with Shirley; Franklin Pangborn, Amanda Duff, in love with Farrell, and Claude Gillingwater, business tycoon, whose name, "Uncle Sam," causes the child to confuse him with the mythical American symbol her father has told her about.

It is Gillingwater who has refused to back Farrell's ambitious building plan, despite the efforts of Miss Duff, his niece, until Shirley goes to work on him. The highlight of the film is the party among the sham children organized by Shirley to "help" poor Uncle Sam, whom she believes is in a bad way, and which causes a newspaper sensation.

There is also much that is amusing in Shirley's successful efforts to make a man of young Bennie Barletti, grandson of Gillingwater, as she shaves his curls, succeeds in getting him a black eye and old clothes, which delights the grandfather and causes his mother to faint. Irving Cummings directed from a screenplay by Ethel Hill, J. P. McEvoy and Darrell Ware and original story by Paul Gerard Smith. Running time, 71 minutes. "G."

*K*"G" denotes general classification.

Kirsch Is Honored
At Chicago Dinner

CHICAGO, Dec. 4.—More than 450 film men from this city and around the country filled the Casino at the Congress Hotel to capacity here Friday night at the testimonial dinner to Jack Kirsch, president of Allied Theatre Owners of Chicago.

It was the largest and most enthusiastic gathering of its kind held here in years. The atmosphere of film and civic leaders among the speakers.

Heading the list of speakers was Mayor Edward J. Kelly of Chicago. Others were: Alderman Jacob M. Arvey, Charles C. Pettijohn, general counsel of the M.P.P.D.A.; William F. Rodgers, general sales manager of M-G-M; Al Strover, national Allied leader; Edward Golden, sales chief of Monogram; Judge Michael Iggo, Jack Schlatter, United Artists sales executive; H. M. Richey and Jack Miller.

An excellent bill of entertainment supplemented the speeches, which uniformly paid tribute to the record of Kirsch as an exhibitor leader in the few months he has occupied his post.

Proceeds of the evening's affair were given to charity.

Final Regional of Columbia in Frisco

Columbia's third and final divisional sales meeting will be held next Saturday and Sunday at the St. Francis Hotel, San Francisco. Abe Monague, general sales manager, left New York over the weekend to attend the meeting and Rube Jacker, assistant sales manager, leaves today.

Jerome Safron, western division manager, and managers and salesmen from the Denver, Salt Lake City, Seattle, Portland, Los Angeles and San Francisco branches will attend.

Loom Doom Preems
6th Ave. as New Show-Shop Lane

(Continued from page 1)

Street of Contrast

Soon 6th Avenue will have its own subway. It has been under construction for several years.

Like so many New York thoroughfares, 6th Avenue is a street of amazing contrasts. At the uppermost end, it has the swank hotels and restaurants, and fine shops. A class neighborhood which entwines with the Central Park south front, and borders on the city's big cafe belt, and night-time rendezvous.

Just a few blocks above, beginning where the Music Hall stands, at W. 59th St., much improved though it is since Radio City was constructed, 6th Avenue houses the employment agencies in its fabled low dwellings which have for so many years attracted a motley array of men and women job hunters, from camp cooks and lumberjacks to building photographers. Here they assemble and congregate before the bulletin boards posed on the buildings housing the agencies for jobs, near and distant.

Eating Places Galore

Sixth Avenue has its restaurants, from the lowly counter tile coffee shop to the nobody spot. When it crosses Forty-second Street, the big store area begins, department stores and furniture shops, until into Greenwich Village, after passing Bryant Park back of the Public Library, and the foreign eating places, French, Greek and Italian restaurants, are encountered, additional to the quaint art and literat neighborhood. Above this, in the middle twenties, is the wholesale florist district, where show business buys its flowers. Then the Battery and surrounding neighborhood where the East River and the Hudson unite. Florenz Ziegfeld saw the future of 6th Avenue before the Rockefellers and he built the Ziegfeld at W. 54th Street, a block above where the "L" cuts off.

Low owns that spot now, operating it as a class grill. Across the street is the swank Warwick Hotel, which was once a Hearst property.

And with the "L" razing, New York and the show world wonders. Will Broadway move over?
Fair Broadcasts
To Start Jan. 1

Regular broadcasts from the World's Fair are to begin New Year's Day. Several programs are to be linked up to participating stations in the series to be known as "Salute of Nations." The three coast-to-coast networks — CBS, NBC, and Mutual — will broadcast the programs jointly.

The programs will be presented from 1:30 to 2 P.M. each Sunday starting April 23, and President Albert Lebrun of France will be the first speaker in the series. In all, 14 European nations, including Canada, Brazil and Japan, will take part in the series.

The European nations which will participate include: Belgium, Denmark, the Netherlands, Russia, Romania, Norway, Belgium, Yugoslavia, Italy, Hungary, Poland, Sweden and France. The list of speakers to be heard during the series represents the greatest array of rulers of nations. The following list includes, among others, President Lebrun of France, President Hyde of Eire, King Christian of Norway, King of the Netherlands, Lord Tweedsmuir of Canada, King Carol of Romania, King Haakon of Norway and Prince Paul, Regent of Yugoslavia.

2 Heater Programs Renewed on Mutual

Gabriel Heatter's contracts for his program, "Heatter's Network," have been renewed for 13 weeks by the Mutual Broadcasting System, and for 13 weeks, Erwin, Wasey & Co., handled the placement.

Another contract placed at Mutual is for participation by a new client in the Uncle Don series. It is by the London-based Laboratory of Belgium and Prince Paul, Regent of Yugoslavia.

Lohr Will Address Council of Churches

Lenox R. Lohr, president of NBC, will speak at meeting of the National Council of Churches in America Wednesday at the Hotel Statler in Buffalo. Lohr will speak on "Radiation and Religion." He will be the second lay person ever to have addressed the conference, the other having been President Roosevelt.

McNinch on Intolerance

Chairman Frank N. McNinch of the Federal Communications Commission will present attacks on the Catholic and Jewish faiths in a special broadcast Dec. 11 from 3 to 3:30 P.M. This is in connection with NBC's annual conference titled "The Organized Attack on Religion." The talk will be before the American Bible Society.

Hold Rites for Peters

Funeral services were held Friday at Campbell's Funeral Church in Buffalo. Frederick Peters, 66, died at his home in Englewood, on Thursday. Violinist and composer, he wrote the first original score for "Lady of the Lake," "Orphans of the Storm," "Under the Red Robe" and others.

N.Y. Allied Holding
Buffalo Meet Today

Max Cohen, president, and Harry G. Koscielny, general manager, Owners of New York, will be principal speakers at a meeting of the organization at the Statler Hotel, Buf-
falo, today. A discussion of the proposed industry trade practice program will highlight the session, which will last all day.
The Right Combination

- The excellence of Du Pont Superior Pan springs not from a single quality. Rather it arises from the careful combination of a great many properties, proven to be practical by six years of widely diversified use.

- For superb photography in your next production, rely on Du Pont Superior Pan.

Du Pont Film Manufacturing Corporation
INCORPORATED

9 Rockefeller Plaza  SMITH & ALLER, LTD.
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Plant... Parlin, N.J. Hollywood... California

BETTER THINGS for BETTER LIVING through CHEMISTRY
Jim Roosevelt Gets 5-Year Goldwyn Pact

President’s Son to Put In 2 Months Here

By ROSCOE WILLIAMS
Hollywood, Dec. 5.—James Roosevelt’s contract with Samuel Goldwyn is for five years and the President’s son will spend the first two months of the period in New York “learning that end of the business.”

After that he will return to Hollywood where he will establish permanent residence and do “whatever Mr. Goldwyn tells me to do.” The producer isn’t sure yet what that will be but he has ideas—“I always have ideas,” he said today.

Asked whether he felt his relationship to the Chief Executive of the nation and his experience as White House assistant he said: “(Continued on page 5)

Marquee Hearing

Set for Tomorrow

Public hearing on a local law to permit 9-foot marques on theatres will be held by Mayor Fiorello H. LaGuardia at City Hall tomorrow at 9:30 A. M. The bill was conceived and introduced by Charles E. Keegan, Bronx councilman. Keegan was formerly secretary to Mayor James V. McKee and once a member of the staff of the old World. The bill has already received the approval of the city council and now goes to the Mayor for signature. It was vetoed several months ago because it was not

Wage Law Effect on Producing Discussed

Hollywood, Dec. 5.—Meeting of attorneys for major producers was held here today for a discussion of the application of the Wages and Hours Act to the production end of the film industry. At the end of the session, a program was drawn up for another meeting tomorrow at which studio managers and Pat Casey, labor contact man for major companies will be present.

Attorneys present at the meeting refused to divulge the nature of the discussions. It was learned, however, that considerable confusion exists as to the interpretation of the law.

Radio—Page 8

Brandt, Weissman to Confer with Arnold

Harry Brandt, president of the T.T.O.A., and Milton C. Weissman, counsel for the organization, leave for Washing-

PACT DRAFT NOT

U.S. SUIT ANSWER

Justice Dept. Apparently

Not Concerned Over
Trade Program

ITALY DELAYS

Films Decree

For 6 Months

a conference with Thurman Arnold, associate U. S. Attorney General, this afternoon.
The conference pertains to the legality of theatre acquisi-

ROMEx Dec. 5.—American distribution representatives here have been advised by Government officials that Italy will postpone the effective date of the film distributing monopoly decree for six months from Dec. 31.

Terms of the postponement have not been made known, but it is certain that all distribution companies or only certain ones are to be included in the enforcement suspension. Likewise, it is not known whether limitations will be placed on the amount of production which may be brought in during the period of grace or whether more drastic financial restrictions than those now in force will be invoked after Jan. 1.

Home office foreign officials said no official notification had been received from Rome as yet that Italy would alter enforcement of its film monopoly decree for six months. The inclination of most foreign depart-

ments was to withhold comment until

First in

Film and

Radio News

Brief

Accurate

and

Impartial

MOTION PICTURE DAILY

NEW YORK, TUESDAY, DECEMBER 6, 1938

TEN CENTS

INDIANAPOLIS, Dec. 5.—A Federal jury in U. S. District court here today returned a verdict in favor of the seven film company defendants in the Indianapolis Amusement Co. $266,000 anti-trust suit after deliberating less than an hour.

Defendants in the action were M-G-M, Universal, United Artists, 20th Century-Fox, Paramount, Vitaphone (Warners) and Educational.

Indianapolis Amusement, which formerly operated the Colonial and Regent here, went into bankruptcy in 1927. Its action claimed that through block booking it was obliged to buy product of inferior box-office value which injured its business.

Major Win Trust

Suit Jury Verdict

In Indianapolis

Justice Department and Majors

To Explain Theatre Compromise

In the Motion Picture Daily on Monday, Dec. 12, there was printed a feature that the film companies have agreed not to acquire or sell theaters without the knowledge of the government. The companies agreed to submit day-to-day reports on theatre deals to the Department of Justice.

This was the compromise reached between the defendants in the government’s pending anti-trust suit, in New York, in lieu of a standstill agreement as was previously sought by the government.

Now, both the Department of Justice and the defendants are about to issue explanations for this compromise.

When this shall be done has not been indicated. The defendants have hired Steve Hangan to present their side, and he has prepared a statement for the companies, which is presumed will soon be issued to the public.

It is understood that the D. of J. under the compromise, has the right to enjoin any deal which may be undertaken by the defendants if the Government deems so to do.

Also, the statements which will be issued very likely will be identical in subject matter but of course each will treat the subject from the respective views.

But how the Department of Justice will explain the compromise is a matter of not a little speculation.

Justice Dept. Apparently Not Concerned Over Trade Program

WASHINGTON, Dec. 5.—Officials of the Department of Justice will read the trade practice suit with interest when it is received. They do not believe, however, that it is the answer to the problems raised by the pending anti-trust suit in New York.

Apparentely the department has not yet received the industry’s reform program, and does not seem to be particularly interested in the matter, having refrained from sending any representatives to conferences at which it was discussed.

Officials do not believe that the trade practice program can cover the whole gamut of practices and conditions cited in the New York suit.

It is the intention of the industry, once the exhibitor organizations and participating bodies approve, to arrange a meeting with Thurman Arnold, associate U. S. Attorney General, in Washington, and to discuss with him and other Department of Justice officials the new trade practice reforms.

By the middle of this week, such bodies or their representatives shall have completed their study of the draft of the new trade code and be ready to further conferences with the distributors’ group on the matter.

On Thursday the distributors meet with the M. P. T. O. A. representatives for a final discussion of the trade code merits.

Casa Manana Will Become Vaude Spot

Despite a gross of $30,000 to $40,000 weekly at the Casa Manana, Billy Rose will close the theatre restaurant Dec. 17, reopening New Year’s Eve with two-a-day vaudeville.

Rose said that the closing and change of policy is due to the demand of the waiters’ union for a 33 per cent increase in wages. The union, Local 16, told Rose that the waiters would walk out if the demand was not met.

Operation of the Casa Manana has brought Rose added prestige as a showman. He will close the club in the midst of a successful season, with a box-office which proved to Rose that the public wants the vaude-

ville type of entertainment again. He will remodel the club.
Insiders’ Outlook

NOW that Russell Birdwell suggests licensing of press agents, maybe the newspapers should counter with a suggestion that they be fingerprinted.

In a letter to the Worcester Telegram, Kenneth Clark of the Hays office, points out that out of 17,500 theatres in the country, 1,500 are entirely independent of any producing or distributing company.

Of the 15,200, there are 379 companies which operate four or more theatres as circuits. These independent circuits operate and control approximately 3,850 theatres, which leaves 11,350 theatres customarily classed as independent theatres. These, 11,350 theatres, of course, are unaffiliated or independent theatres.

The letter was written as a response to an editorial in the paper which stated: "The movie picture houses throughout the country are owned largely by a few companies."

Proxies in support of the Pathé liquidation plan are coming in slowly. This development may be of more significance than the directors of the Pathe and Pathé stockholders court actions, in possibly halting liquidation. The law requires 80 per cent stockholder approval.

To Drop “Lucknow” Filming in England

London, Dec. 5.—Following objections of the India Office to the production and release of “Lucknow,” by Pathé Film Service, Maurice Breyer, director, is expected to abandon it.

Believing that the risks of Government censor objections are too great, the planned employment of 800 staff technicians and cameramen has been abandoned.

Tippet Quiz Date Set

John D. Tippet, president of John D. Tippet, Inc., was ordered to appear for examination before trial on Dec. 20. N.Y. Supreme Court Justice William T. Collins in connection with the company’s 600,000 breach of contract suit against Universal Pictures. The complaint alleges breach of a 1932 contract under which Universal allegedly agreed to purchase one-half of its raw film requirements from the plaintiff.

Rose Sets Para. Film

London, Dec. 5.—Prior to leaving for the United States, Maurice Breyer, in charge of Paramount British production, set plans to make “Chinese Fish,” as a single quota release, to be directed by J. Elder Wills and to star Valerie Hobson.

CBS has issued a splendid promotional volume giving in detail the part the network played in the 20 crucial days of the Czechoslovakian crisis when it appeared that a general European war was inevitable. The volume contains 175 pages of analytical detail and comment, and rates an honored position in any library about radio.

By this, Dudley Murphy will learn that a company making the trade press, the A.M.P.A. describes William Howard, who will be the society’s guest of honor at the Astor, Thursday, as he who is now completing work on ‘One Third of a Nation.’

According to 20th Century-Fox advices, King Farouk of Egypt has written enthusiastically about “In Old Chicago,” which the monarch viewed at a special Cairo screening. Understood that the royal letter went to L. Gior- dano, the company’s Near-East supervisor.

To Hear Appeals on Canada Royalty Fees

Toronto, Dec. 5.—A meeting of the Copyright Appeal Board has been called for Friday to consider any objections to the schedule of fees which the Canadian Performing Right Society, Ltd., proposes to collect from radio stations, paid to 26 per cent of the royalties and other amusement operators for the use of its musical works during 1939 under the provisions of the Canadian Copyright Act. The society has not asked for any increase in the license fees which it will collect from stations on a basis of seating capacity.

Paramount May Shift Al Wilkie to Studio

Al Wilkie, Paramount publicity head, may be transferred to the studio under a revamping of the department which is being worked out on the coast by Robert Gilham, advertising and publicity director. C. N. Odell, of the home office publicity staff, would replace Wilkie while the latter is at the studio. There is a possibility that Wilkie will alternate between the home office and studio.

Newkirk to Be Reopened

Murray Ginsberg, owner of the Newkirk in Brooklyn, will reopen the theatre this month after remodeling it at a cost of $10,000.
"RIDE A CROOKED MILE"
A Paramount Picture with
Akim Tamiroff • Leif Erikson
Frances Farmer • Lynne Overman

He's box office dynamite in Paramount's

"RIDE A CROOKED MILE"

**Variety Club**

**New York Preview**

**“Sacrifice D’Honneur”**

(Tri-National)

“Sacrifice D’Honneur,” first of Tri-National’s product in French but with ample English titles, is a somberly treated story of an eternal triangle, albeit not a sodden one, presented against a sweeping background of French naval warfare. A few attempts have been made to insert some Gallic wit as relieving touches, however, with effective results. The premiere was before a distinguished audience at the distinctive new Newmark Theatre on Park Ave.

The story deals with a middle-aged French naval officer married to a beautiful young girl, Annabella, who, despite an earlier indiscretion with another French officer, is devoted to her husband. The picture reaches its emotional climax following the torpedoing of her husband’s ship by an enemy vessel which gives French signals. At the court martial his story about the signals is not believed until his wife, sacrificing her own honor, reveals that she too had seen the signals while in the stateroom of the young lieutenant with whom she had staged her indiscretion prior to her marriage. The court, thinking her story a fabrication to protect her husband, finally clears him of charges when another officer admits he, too, had seen the signals.

Annabella, as usual, photographs strikingly and gives an admirable performance. Victor Francen gives an effective characterization as the middle-aged naval officer. The battle scenes are action-packed and realistic. Marcel L’Herbier directed.

Running time, 75 minutes. **“A”**

**Jack Banner**

**“Gang Bullets”**

(Monograph)

This is unpretentious but active, well-paced screen fare, which should serve its purpose in the smaller spots where active dramatic material is suitable. Although put together without any elaboration, this E. B. Darrin production, directed by Lambert Hillyer, has definite values for many audiences.

Robert Kent, Anne Nagel, Charles Trowbridge, Morgan Wallace and J. Farrell MacDonald have the leading roles, and all handle themselves in satisfactory fashion.

The original screenplay by John T. Neville finds Wallace, big-time racket boss, tossed out of many towns and finally starting his activities, operating gambling joints,shake-down protection “associations” and the like in the town where Trowbridge is district attorney. Kent is his assistant and Miss Nagel, Kent’s fiancée, is Trowbridge’s daughter.

Trowbridge is faced with outwitting the office because he cannot arrest and convict Wallace, and when evidence makes it appear that Trowbridge is conspiring with the gangster, Kent seeks to convict him. Only at the last minute, in an active climax, it appears that Trowbridge was trapping Wallace, successfully, and the misunderstanding between Kent and Miss Nagel is cleared up.

Running time, 63 minutes. **“G”**

**Charles S. Aaronson**

**“Santa Fe Stampede”**

(Republic)

The dependable “Three Mesquites” perform their usual hard-riding, fast-shooting and expert villain-busting in the latest in their Republic series, “Santa Fe Stampede.” It has excellent outdoor photography and pace. Juvenile and adults who go for westerns will like it.

The “Mesquites,” having grubstaked a pal, Dave Carson, who has gotten too rich and funny, are sent for by Carson to receive a half claim in the mine. But Gil Byron, a villainous mayor, learns of the strike and sic his mob on the boys and Carson. The ensuing action sees an ambushing, with the death of Carson and his little daughter, a false murder charge against Stony Brooke, leader of the “Mesquites,” a near lynching of Byron when Byron stirs up the townsfolk, and in the end the inevitable triumph of justice and law and order. There is a love interest between Brooke and Carson’s grown daughter, Nancy, but it’s safely treated. John Wayne, Ray Corrigan and Max Terhune are again the “Three Mesquites.” George Sherman directed.

Running time, 58 minutes. **“G”**

**Jack Banner**

**‘Citadel’ and ‘Blondie’ Hub High, $37,500**

BOSTON, Dec. 5.—Boston’s box-office talking racket topped the $37,500 mark, more than 60 per cent above average last week. “Citadel” and “Blondie” led with $7,000 at Loew’s Orpheum. Grand total for the week, Newburgh, N. Y., and Orpheum, was $37,500. At the Metropolitan “Angels with Dirty Faces” and “Down on the Farm” ran a strong second taking a clear $20,000.

“Drums” and its co-feature, “Swing Cheer,” was third and strong enough for a holdover, at $18,000. Estimated takings for the week ending Nov. 30:

**Angels With Dirty Faces** (W. B.)

Down on the Farm (20th-Fox)

METROPOLITAN—(4,313) (25c-35c-40c-55c) 7 days Gross: $20,000. (Average, $2,857)

“Citadel” (M-G-M)

Blondie (Col.)

LOWE’S—STATE—(3,517) (25c-35c-40c-55c) 7 days Gross: $6,500. (Average, $914)

“The Citadel” (M-G-M)

Blondie (Col.)

ORPHEUM—(2,907) (25c-35c-40c-55c) 7 days Gross: $7,250. (Average, $1,036)

Susa (20th-Fox)

“Torchy Gets Her Man” (W. B.)

PARAMOUNT—(4,797) (25c-35c-40c-55c) 7 days Gross: $7,000. (Average, $9,929)

Torchy Gets Her Man (W. B.)

“Susa” (20th-Fox)

“Torchy Gets Her Man” (W. B.)

(25c-35c-40c-55c) 7 days Gross: $5,000. (Average, $714)

Examiner Dates Set For Newburgh Action

Dates for nine examinations before trial in the anti-trust suit brought by Orange County Theatres, Inc., against Eugene and Paul Walsh, Netco Inc., Loew’s Orpheum Corp., Paramount, 20th Century-Fox, Big “U” Film Exchange, United Artists, RKO and Joseph Lee have been set by Federal Judge Edward A. Conner. Judge Conner ordered the appearance of Harry Buxton, Union’s president of Orange, must appear Dec. 15.

Books and records which list all films shown in Newburgh, N. Y., from 1935 to 1937 must be produced by the defendants. The plaintiff seeks $225,000 damages for an alleged conspiracy to restrain trade in violation of the Sherman and Clayton anti-trust laws.

**Chicago Union Deal Same As This Year**

CHICAGO, Dec. 5.—Terms of the new contract here for projectionists are understood to be the same as for the present agreement, which expired yesterday; Sidney R. Kent, today; Neil F. Agnew and M. S. Kusel, Dec. 7; Walsh and Levy, Dec. 13 and William Kusman on Dec. 21. The agreement, President of Orange, must appear Dec. 15.

The signing of the contract is awaited only the working out of individual problems with certain exhibitors. The conclusion of an agreement ends the long fight between the unions and exhibitors over the union’s attempt to win a pay increase.
Zukor Is Here On Paramount British Policy

Paramount’s new operating policies in Britain will be determined during the next 10 days while Adolph Zukor, chairman of the board, meets with Mrs. Zukor, in New York. A postponed meeting of the company’s board will be held tomorrow and several members of the company’s board will get under way immediately following the arrival from London on Friday of W. H. Hicks, London head, and David Rose, Paramount’s British production representative.

The conferences are expected to cover the company’s future production policy in England, theatre expansion abroad and the executive setup for England and the Continent. Zukor said on his arrival here that a number of story properties, which he declined to identify, had been withdrawn from the Hollywood schedule in the belief that they were better adapted for production in England. Producers, directors, cast members and technicians will be sent to London from Hollywood for work on some of these while others will be made with British personnel.

The London stopover will be followed by another leg of Zukor’s tour of Europe that will include a visit to Paramount’s German office in Berlin.

To Add to Theatre Holdings

Zukor said he assumed the company would continue to add to its theatre holdings abroad inasmuch as it had maintained a policy of theatre expansion for many years. Decision on appointment of a successor to J. C. Graham, whose former post as managing director in Britain has not been filled, would be up to Hicks.

Zukor has said he might relinquish his post as chairman of the company’s board, Zukor said, “I have given the matter no thought.” High company officials have denied reports that Zukor would be replaced by a new board chairman on leaving for London.

Mr. and Mrs. Zukor stopped off in Tucson for a week to visit their daughter, Mildred Zukor Loew, and her son. Barney Balaban, Paramount president, was at the station to meet the Zukors. The latter will sail some time next week.

Also arriving on the 20th Century-Fox airliner were William H. Flays and Mrs. Hays, who had been in Hollywood for about four weeks, and an M-G-M film office delegation returning from a weekend sales meeting in Chicago. In the latter group were W. F. Rodgers, Fred Quinby, Tom Connors and Si Seidler.

Canadians to Weigh Contract Revisions

Toronto, Dec. 5.—A meeting of the Conciliation Committee of the Independent Theatres Association for revision of the standard license agreement, including the elimination of the gross charge and changes in clearance schedules, is to be held tomorrow.

The chairman of the committee is J. T. Braig, secretary of Famous Players Canadian Corp., while N. A. Taylor represents the I. T. A.

High Court to Hear W.V.A. Tax Argument

Washington, Dec. 5.—U. S. Supreme Court this week will hear argument on the applicability of the West Virginia “use” tax to pictures distributed by out-of-state companies, on appeal of the state’s acting tax commissioner against a district court decision holding United Artists not engaged in business in West Virginia and its activities beyond reach of the use tax as interstate commerce.

Statute provides for collection of one per cent of gross proceeds of companies engaged in business in the state. The tax commissioner contended U. A. was sufficiently engaged in business in West Virginia to be subject to the tax and not engaged in interstate commerce, relying to a large extent on the Supreme Court decision in 1941.

The case is one of several involved in the tax case against Associated Film Distributors, Inc., a subsidiary of 20th Century-Fox.

Marquee Hearing Is Scheduled Tomorrow

(Continued from page 1)

limited to theatres, but in its present shape, is receiving the mayor’s attention.

In effect, the present bill would restore the law to the same as existed prior to the adoption of the new city charter. The present code, however, limits marqueses and signs on marqueses to a two-foot width. David So-linger, attorney for Newsreel Theatres, Inc., is conducting litigation to determine the right of the Board of Standards and Appeals to waive the two-foot law, and he is expected to appear at the hearing to favor passage.

Committee of General Welfare of the council now has under consideration an amendment to the administrative code to ban all marqueses from Broadway between 90th St. and 120th St. and from Sen. to Riverside Ave. and Riverside Dr. This bill also includes a ban on the area on side streets within two feet of Broadway. The committee held a public hearing on the bill last Wednesday.

Myers, Samuelson to Attend Phila. Meet

Philadelphia, Dec. 5.—With Alvin F. Myers, general counsel of national Allied, and Sidney Samuelson of New Jersey as speakers, final plans for an Allied unit in Philadelphia are expected to be completed at an organizational meeting here tomorrow.

Roosevelt Pact Is To Run Five Years

(Continued from page 1)

House secretary would aid or hinder him in his connection with any motion picture of controversial nature which he might have to work on, Roosevelt said, “Mr. Goldwyn doesn’t make controversial pictures” and Goldwyn promptly affirmed the assertion.

Roosevelt plans to remain in Hollywood for about ten days and will return to N. Y. headquarters on Jan. 2, the date when his contract becomes operative.

Amplifying his preliminary statement that he had been attracted to the industry by its record of service to the general public, Roosevelt said he had long sought a chance to identify himself with a “growing industry” and indicated he believes the motion picture has by no means attained its full stature. Goldwyn said the employment of Roosevelt was in keeping with his long known policy of obtaining the services of “able young men” and that “probably nobody is so well acquainted with public taste as Mr. Roosevelt.”

A question as to whether the five-year pact has the usual option clauses was allowed, gracefully, to go unanswered although an answer to an earlier question had concluded with “if I’m here a year from now.”

Roosevelt declined to discuss the amount of his salary beyond saying re- ports that it is $50,000 a year are “high.”

Italian Decree Is Delayed 6 Months

(Continued from page 1)

the terms of the extension became known. Some indicated the belief that the postponement might be designated to allow to certain companies, not in, in order to break the solid front of the American distributors’ opposition to E. N. C. I. C. Metro, 20th Century-Fox, Paramount and Warners, which have their own branches in Italy, have given notice to employ and make arrangements for liquidating their Italian offices Dec. 31. It is assumed, however, that the notifications would be cancelled if the official terms of the postponement of the effective date of the decree are acceptable.

Confer Today for Future GN-FA Pact

Hollywood, Dec. 5.—Jack Skirball, production head of Grand National, unit which under other Pact would continue to release through G.N. or break away entirely. He arrived here from N. Y. with Edward Alperson, G.N. sales chief.

A conference has been set for tomorrow between Skirball, Alperson and Franklin Warner, A.G. and an announcement of future G.N. and F.A. relations was promised for this week. Skirball declared that production would start shortly on six musical westerns which will feature Tex Fletcher. Other production activity will also be speeded in order to catch up with the release schedule which fell by the wayside when F.A. suspended activity.

Group Service Altec Plan

Altec Service Corp., is inaugurating a plan for making servicing available to exhibitors at reduced rates through contracts with regional service organizations. The group servicing deals will be made with any “recognized” exhibitor unit. Negotiations are underway now with several regional theatre associations.

Mister Average Man

...as artist Steig kids him!

“...but other ADELA ROGERS ST. JHONS takes him seriously!"

“Thanks for Everything”

(Released December 23rd)
<table>
<thead>
<tr>
<th>Oct. 28</th>
<th>COLUMBIA</th>
<th>M-G-M</th>
<th>MONOGRAM</th>
<th>REPUBLIC</th>
<th>RKO RADIO</th>
<th>20TH-FOX</th>
<th>U. A.</th>
<th>UNIVERSAL</th>
<th>WARNERS</th>
<th>G. B.</th>
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<tbody>
<tr>
<td></td>
<td>The Little Adventurers (G)</td>
<td>The Citadel (G)</td>
<td>Robert Donat</td>
<td>Suez (G)</td>
<td>Tarnished Angel (G)</td>
<td>The Storm (G)</td>
<td>The Lady Vanishes (G)</td>
<td>Brother Rat (G)</td>
<td>The Lady Vanishes (G)</td>
<td>The Frog (C)</td>
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<td>Edith Fellow (D)</td>
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<td>Rosalind Russell (905)</td>
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<td>Wayne Morris (G)</td>
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<td>Nov. 1</td>
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<td>Nov. 4</td>
<td>In Early Arizona (G)</td>
<td>The Great Waltz (G)</td>
<td>Luise Rainer</td>
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<td>Exposed (G)</td>
<td>Hard to Get (G)</td>
<td>The Frog (C)</td>
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<td></td>
<td>Bill Elliott (D)</td>
<td>Waltz (G)</td>
<td>Luise Rainer</td>
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<td>Nov. 15</td>
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<td>Nov. 11</td>
<td>Dorothy Gulliver (O)</td>
<td>The Great Waltz (G)</td>
<td>Luise Rainer</td>
<td>(G)</td>
<td>(G)</td>
<td>(D)</td>
<td>(G)</td>
<td>Nancy Drew (D)</td>
<td>Climbing High (O)</td>
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<tr>
<td>Nov. 18</td>
<td>Spring Madness (G)</td>
<td>Gun Packer (O)</td>
<td>Jack Randall</td>
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<td>(D)</td>
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<td>Torchy Gets Her Man (G)</td>
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<td>Nov. 25</td>
<td>Adventure in Sahara (D)</td>
<td>Spring Madness (G)</td>
<td>Lew Ayres</td>
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<td>Little Tough Guys in Society (G)</td>
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<td>Dec. 2</td>
<td>Blondie (G)</td>
<td>Out West with the Hardys (O)</td>
<td>Lewis Stone</td>
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<td>Angels with Dirty Faces (G)</td>
<td>(D)</td>
<td>Shadows Over Shanghai (D)</td>
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<td>Dec. 9</td>
<td>Charles Starrett (O)</td>
<td>Little Tenderfoot (O)</td>
<td>Tex Ritter</td>
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<td>(G)</td>
<td>Frontier Scout (G)</td>
<td>James Dunn (G)</td>
<td>Nov. 14</td>
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<td>Dec. 16</td>
<td>Ann Doran (O)</td>
<td>说 It in French</td>
<td>(D)</td>
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<td>(G)</td>
<td>Strange Faces (G)</td>
<td>Ralph Morgan (O)</td>
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<td>The Girl Downstairs (O)</td>
<td>Song of the Buckaroo (O)</td>
<td>Tex Ritter</td>
<td>(D)</td>
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<td>(G)</td>
<td>Comet Over Broadway (O)</td>
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<td>Dec. 30</td>
<td>Douglas Bruce (O)</td>
<td>Little Orphan (O)</td>
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<td>Titans of the Deep (O)</td>
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<td>Pretty Peggy (C)</td>
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<td>Dr. Beebe (O)</td>
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<td>Sky Pirate (O)</td>
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<td>Joan Woolbury (O)</td>
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**Notes:**
- Dates are based upon national release schedules and are subject to change.
- This chart is revised weekly. Letters in parentheses after the titles denote the following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action.
- The Lady Vanishes (G) (C) Margaret Lockwood Paul Lukas (Nov. 1)
- The Frog (O) (C) Nov. 15
- Climbing High (O) (C) Dec. 1
- Shadows Over Shanghai (D) (G) (O) James Dunn (G) (C) Ralph Morgan (Oct. 14) (311)
- Frontier Scout (G) (O) (C) George H. Houston (Oct. 21) (325)
- Titans of the Deep (O) (G) (C) Dr. Beebe (O) (C)
- Cipher Bureau (G) (D) (O) Joan Woolbury Leon Ames (Nov. 4) (312)
- Sunset Strip (O) (C) Sally Rand (Nov. 11) (345)
English Film Loans Getting Court Test

London, Dec. 5—Two actions to establish the legal status of bank loans for production financing on major insurance policies have been posted as security were begun in the Commercial Courts here today. The two actions involve 24 companies and an estimated $10,000,000 of production financing. Others will be filed later, it is believed.

The first action was brought by the Westminster Bank against Rafti Bros., and the second by Guild Hall Insurance Co. against Poland, Cockell and Stott with Skouras Theatres on.

The actions are regarded here as test cases to establish liability resulting from production losses in instances in which the loans were secured by insurance policies.

$500,000 Suit Filed Against Movie Quiz

Movie Quiz was subjected to its first legal attack yesterday when Milton Spitz, copyright owner of U-Spot-It-IC, filed an infringement suit in the U.S. District Court here against Motion Pictures Greatest Year, Inc., Columbia, M-G-M, Paramount, RKO, 20th Century-Fox, Universal, Warners, Monogram, Bobbydick, Inc., operators of the Globe, and Morrisdale Realty Corp., operators of the Capitol. A permanent injunction restraining the Quiz, $500,000 damages and an accounting of the profits is sought.

Pending trial of the suit, a motion for a temporary injunction will be made.

Annexed to the complaint is a booklet copyrighted in March, 1936, which describes "U-Spot-It."

"It will be used for a distribution of identification tickets to the audience. The patron will be given the clue for a shot which would refer to his identification and, if found, would go to the platform to answer questions concerning the story."

Para-Skouras Start Contest on "French"

Paramount has launched a Neil F. Agnew exploitation contest in cooperation with the Motion Picture Experiential Co. to win the title of "Say It in French." Prizes totaling $500 will be awarded to Skouras managers who contribute the best exploitation campaigns and tally the best comparative grosses on the film.

The contest will end on March 8, 1939. The judges will be S. P. Skouras, E. F. Zabel and George H. Balsdon on grosses, and Alec Moss, Paramount advertising manager, on exploitation.

Reserve Pathe Decision

N. Y. Supreme Court Justice Philip J. McCook reserved decision yesterday on the motion for a temporary injunction made by Samuel Levinger, a stockholder, to restrain the Dec. 13 meeting of the company when a vote will be taken on the proposed disso-

Sacrewy Quits Universal

Hollywood, Dec. 5—Barney Sacredy, associate producer at Universal since 1936, wound up his contract there and left for New York.

Hollywood Preview

"Dramatic School" (M-G-M)

Hollywood, Dec. 5—The M-G-M search for films to fit the unique talents of its two-time Academy winner, Luise Rainer, led in this instance to use of a Hungarian play by Hans Szekely and Zoltan Gayed dealing with the acting career of just such an actress as Miss Rainer.

This fact would seem to provide useful exploitation material for showmen offering the attraction.

Miss Rainer's role is that of a Paris factory worker who attends dramatic school and whose more adequately financed but less talented fellow students stimulate her to the inquest of boastful fictions which circumstance and strangers instinctively sympathetic to her ambition conspire to make her true. Chief among these fictions is that Alan Marden, his owner of a bar, does and is, for a time, but his interest cools and the hurt of his desertion spurs her to dramatic virtuosity and box-office triumph. She plays the role in the plain, repressed manner of her previous appearances.

Robert B. Sinclair directed for producer Mervyn LeRoy and the screenplay is by Ernest Vajda and Mary C. McColl, Jr. Paulette Goddard shares top billing with Miss Rainer and plays a professional rival. Gale Sondergard and Henry Stephenson are outstanding in support with Melvile Cooper, Lana Turner, Anthony Allan, Genevieve Tobin and Ann Rutherford among the members of a very large cast. The production is excessively ample and contains a number of effective passages. It is mature in tone and treatment, although equipped with dialogue lines which specifically define the "angel"-actress relationship as immaterial, and depends rather completely on the Rainer popularity.

Running time, 82 minutes. "A."*§

*"A" denotes adult classification.

New York Preview

"Ride a Crooked Mile" (Paramount)

Showmen have a combination of gangster, prison, army, Russian exile and filial love themes to sell in this picture, as well as a first class job by Akin Tamiroff, that sterling character actor.

There are also Leif Erikson in a strong performance and Frances Farmer in the role of a patient sufferer.

Tamiroff is a transplanted Russian Cossack who has amassed wealth by bigtime cattle rustling somewhere out west. He discovers he has a grown son, who proves to be a chip off the old block. Tamiroff's resolve to go straight is interrupted by the F. B. I. men, who send him to the Federal pen at Leavenworth. Erikson joins the cavalry and with Miss Farmer's help to escape of Tamiroff and a cellmate, Lynne Overman. There's a smash climax as Erikson, who finds that duty comes before paternal ties, leads a troop in pursuit of the escaped convicts.

The picture is full of action. Jeff Lazarus produced, Alfred E. Green directed, Ferdinamady Reyher and John C. Moffatt did the original story and screenplay.

Running time, 78 mins. "G."§

*"G" denotes general classification.

Warners Plan Big Ad Campaign on "Patrol" (Paramount)

Advertising plans for "Dawn Patrol" by Warners include full page ads in color in Life, Look and Click which will appear immediately following the release of the film, set for Dec. 25. In January, issues of Modern Screen, Modern Movies, Photoplay, Screenland and Silver Screen will also carry ads.

Horwitz Recovering

Cleveland, Dec. 5—M. B. Horwitz, independent circuit owner is on the mend at Lakeshane's, after his heart convalescing from pneumonia.

KMTA Is Planning Regional Meetings

Kansas City, Dec. 5—Kansas-Missouri Theatres Association plans a series of regional meetings to be held in Kansas and Missouri during Dec. 15 to Jan. 15. Tentatively, the meetings have been set for Pratt, Stotcot, Salina, Topeka and Independence, and Joplin, Eldon and Maryville, Mo.

Purpose of the meetings is to gain the full cooperation of all theatre-affiliated and non-affiliated, and to provide an opportunity to discuss legislative and other problems, Frank Cass, president, said. All members of the board will attend.

Depositions Read In Loew's Action

First day for the taking of testimony in the suit of Loew's minority stockholders to compel the company and its officers and directors was consumed by the introduction of depositions and written exhibits. The stockholders plan to amend their complaint to include 20 additional charges. Most of the allegations referred to in the complaint are favoritism and concessions granted to relatives of officers. Norman Shear, Edward Loew and Bank of America, among stockholders of the estate of Irving Thalberg, were named as defendants.

The deposition of Louis B. Mayer, which traced the history of the company's development, was read into evidence and was followed by the deposition of J. Robert Ruhe, Reading president of Ruhe's Calif. will be completed today. A total of 85 exhibits were also admitted. The trial continues today in the Y. M. C. A. Court before Justice Louis A. Valente.

Legion Approves 10 Of 11 New Pictures

National Legion of Decency for the current week approved 10 of 11 pictures reviewed, one instance being found objectionable in part. Of those approved, eight were found unobjectionable for general patronage and two for adult patronage. The new films and their classification follow:


Class A-2, Unobjectionable for Adults—"Comet Over Broadway," "Shadow of Shadshahit.

Class B, Objectionable in Part—"The Story of a Cheat."

M P Art Fund to Sell 42,700 Benefit Tickets

M. P. Art Fund for German Refugees has set up plans to sell 42,700 tickets for the benefit. Sale of tickets starts this week. Assisting Carl Krueck's plan, in the sale are Jimmy Boyle, RKO, Ruth Weisberg, Warner, Al Sherman, Columbia, Charles Garrett, Gaumont-Brithish, Arthur Jeffrey, U. A., Leon Schrablemn, Republic, Gene Murphy, M-G-M and Loew's, Lou Shaulah, 20th Century-Fox, Marion Orford, Universal, Ruth Schwerin, Monogram, and Milton Silver, National Screen Service. Gus Eysell, managing director of the Music Hall, will appoint a member of his staff within the next few days.

Pascal's Next to Be "Doctor's Dilemma"


George Bernard Shaw is writing an original for stage and picture production. KMTA's policy will be to alternate between England and Holly- wood on production.
Radio Personalities

Guy Lombardo has been appointed as head of the Radio Division of the Christian Committee for the Relief of Jewish Refugees. He went to St. Louis and Cincinnati to fulfill concert dates... Snuff Smith's orchestra set a step has been taken by Chicago, by Stan Zucker, general manager of Consolidated Radio Artists... Myron Selznick, president of Motion Picture Herald, just set a guest appearance for Fredric March on Eddie Cantor's Camel Caravan program Dec. 12. The deal was arranged by Herman Berno.

Adding another milestone to a bright career, Guy Lombardo's orchestra celebrates its 10th big birthday this weekend... In Indianapolis, Carl, Nan Wynn and Ray Block's orchestra set a new show for their own on CBS, starting next Wednesday day at 10:30 P. M... Robert Montgomery and Olivia De Havilland will be heard in "Scarlet Pimpernel" in the Lux "Radio Theatre" Dec. 12.

High Fidelity Set Marketed by WQXR

WQXR, New York City's highfidelity station, is marketing a highfidelity radio receiver, the first time such a set has been taken by any station. The set is designed by WQXR's engineering staff under the direction of John V. L. Hogan, owner of the station, and is built to improve reception of highfidelity broadcasts.

Angley Radio Corp, is manufacturing the sets, which will go on display some time next week.

Rodzinski to Direct Four NBC Concerts

Arthur Rodzinski will direct the NBC Symphony orchestra in the Saturday night broadcasts of Dec. 10, 17, 24 and 31, while Arturo Toscanini is on vacation. The latter will return Jan. 7.

Will Honor Sarnoff

David Sarnoff, president of RCA, was notified yesterday that he is to be this year's recipient of the Poor Richard Club's gold medal of achievement, for "contributions to American civilization." The presentation will be awarded in Philadelphia at a club banquet Jan. 17.

Manchu Himself

Radio Attractions, Inc., did it right when they sent out invitations to a preview of the radio production of "The Shadow of Fuh Manchu" at the Warner-Monroe. They printed the invitation on a be-robinbed paper resembling parchment and had it delivered by a fancy dressed figure dressed as a storied Chinese mandarin, accompanied by a Chinese girl in native dress.

F.C.C. "Forgives" Welles Broadcast

Washington, Dec. 5.— Orson Welles' "War of the Worlds" program of Oct. 30 was forgiven today by the Federal Communications Commission, in an announcement that complaints regarding the program will not be considered in approving renewal of the stations carrying the broadcast.

The commission explained that "in its judgment," steps taken by CBS since the broadcast are "sufficient to protect the public interest" and expressed the belief there is no likelihood of a repetition of incident. Public sentiment on the broadcast, which created panics in several localities, was known by the commission to have been divided.

New CBS Sustainer Taking Welles Spot

With the Orson Welles series vacating the Sunday 8 to 9 P. M. spot on CBS to begin a new commercial schedule, CBS will fill the period with a new sustaining series, tentatively titled "This Is New York," with James Montgomery Flagg, the illustrator, as the m.c. Initial guests are to be Alexander Woollcott and Louis Armstrong.

Dock Stevens' orchestra and Lynn Murray's choral group will be heard permanently in the series. Ed Gardner will produce the program. Starts Dec. 11.

RCA-Amperite Trial Set

Trial of the infringement suit brought by RCA and Western Electric against Amperite Corp. and Samuel Hofer has been set for Jan. 16 by U. S. District Court Judge John M. Woosley. The suit charges infringement of four patents covering improved transmitters and amplifiers. An accounting of profits, damages and injunction sought.  

New CBS Program Gives Studio Tieuq To RKO Theatres

Direct tieups with all RKO theatres and the studio will be the basis of the radio series which RKO and the William Morris Agency have specially written for the CBS network, beginning Jan. 8.

The new program, known as "Gateway to Hollywood," will be directed to the discovery of new talent. Application blanks for tryouts will be obtainable only at RKO theatres. Arthur Witty, RKO eastern talent chief, will interview applicants at the company's exchanges throughout the country, with the appointments for promising talent being made in advance by mail. Regional contests will be arranged for those selected by Witty and winners will be notified six months' employment at $125 a week at the RKO studio. All talent entered in the contest will be available for "Alice Eden" and "Jack Archer." Central Casting Bureau, Hollywood, is participating in the plan and the names of successful contestants will be handled by it.

Idea for the program originated with Jesse L. Lasky, who will supervise the series on the West Coast, and Claude Willman, who will be over a 60-station hookup, Sundays from 6:30 to 7:00 P. M., Eastern Standard Time.

Ethyl on 61 Stations

Ethyl Gas Co will use 61 stations to carry a new series on CBS, beginning in Jan. 12 from 10 to 14.5 P. M. The program will be the sponsor's first attempt at network radio. Barton, Barton, Dursline & Osborn is the agency. The talent comprises Andrew Kostelanetz, Kay Thompson's vocal group and Walter O'Keefe.

Bette Davis on "Theatre"

Bette Davis has been signed for two appearances in the "Silver Theatre" on CBS, Dec. 11 and Miss Davis will make the first of these on Dec. 11 and show a story, "Broken Prelude," which will be in two installments.

Network Chiefs and N.A.B.
Meet on New Industry Code

Network executives sat with a committee of the National Association of Broadcasters in all network programs yesterday to act on formation of a new industry code. The meeting follows a recent suggestion made to that effect by David Sarnoff, president of RCA, at the monopoly hearings in Washington.

The entire day was devoted to a review of past network program standards and policies and to a review of the old National Association of Broadcasters code, which was adopted in 1935. Since adoption of the old code, the NAB has been completely dissolved, and Neville Wolf, chairman in last July as the association's first "paid" president.

From yesterday's meeting, according to those who attended, will evolve a preliminary approximation to formation of an entirely new NAB code.

The committee stated frankly it recognized that the code in force is inadequate for present day broadcast developments and would not make known what recommendations for change it considers making. However, its recommendations will be presented to the board of directors of the NAB at special meetings in Washington Dec. 12 and 13.

There were attendees yesterday's meeting include Neville Miller, president of the NAB; Lenox Lohr, president of NBC; Ed Klauber, executive assistant to President J. W. Axtell, of CBS; W. H. Haggerty, president of Mutual; Earl Edgill of Peoria, III.; Ed Craney of Mutual; Tom Romanov of Hartford, Conn.; Ed Spence, secretary-treasurer; Arnold Bennett, attorney, and Ed Kirby, public relations, all of the NAB; Frank Mason and Niles Trammell, NBC vice-presidents, also attended the afternoon session.

FCC Calendar

WASHINGTON, Dec. 5.— The Federal Communications Commission has assigned for hearing Dec. 19 the application of Yuba-Sutter Broadcasters, Inc., for new 1,620-kilowatt station at Marysville, Cal.

The commission also ordered hearings, to be held Jan. 10, on the application of J. P. Hopkins, trustee, for a new 1,400-kilowatt, 250-watt station at Ann Arbor; WKOK, Sunbury, Pa., for extension of time from station to time unlimited; WJEJ, Hagerstown, Md., for increase of day power from 100 to 250 watts.

Hearings have been ordered on the applications of the Dalhart Broadcasting Co., for a 1,500-kilowatt station at Dalhart, Tex., with 100 watts power night, 250 watts day; Cooper County Broadcasting Co., for a 1,570-kilowatt station at Hancock, Mich, with 100 watts night, 250 watts day; Martinsville Broadcasting Co., for a 1,420-kilowatt station at Martinsville, V. A., with 100 watts night, 250 watts day; Albenear Broadcasting Co., for a 1,500-kilowatt station at Erie, Pa., with 100 watts night, 250 watts day; Albenear Broadcasting Co., for a 1,500-kilowatt station at Elizabeth City, N. C., with 100 watts night, 250 watts day, and WFMD, Frederick, Md., for extension of time from day to unlimited.

WOR-Mutual Record Last 6th Ave. "E" Run

The last railings of the last train to traverse the Sixth Avenue "E" line were recorded for radio listeners and for posterity by WOR-Mutual, with Dave Driscoll working in the 38th St. station, and Al Jolson riding aboard the final "limited."

The broadcast, was on the air at 12 midnight, and lasted for 10 minutes. The purpose of the recording was to depict the departure of the final ride of a train on the elevated structure, WOR-Mutual followed with ten minutes' description of the activities of the building of the Sixth Avenue subway.

The broadcast on the "L" platform almost came a cropper when Joseph Marzella, riding on the train, could not get off at the 38th St. station with passengers he had obtained for interview purposes. The "limited" has been for Joseph to disembark with some passengers and join Driscoll at the 38th St. platform, but the motorman elected to ride straight to 42nd St.

Olsen-Johnson Star

In New CBS Program

Olsen and Johnson have been set for new program on CBS to begin within the next few weeks. The radio program will be styled along the lines of their "Broadway Meets Hollywood" and will be titled "What's Poppin."

The series will take the Sunday 5 to 6 P. M. slot, once occupied by a sustaining show. Fred Mayer, independent producer, is lining up the show and has already signed a number of names. It is believed the program will have about 35 sponsors over as many CBS outlets by the time the program starts.
Fairbanks May Produce at S-I Coast Studios

Selznick May Share in New Company

Negotiations under which Selznick International may obtain a participating interest in the new producing company being formed by Douglas Fairbanks, Sr., in return for use by the latter of the S-I studio and production facilities are under way. S-I has not made and does not contemplate making a financial investment in the Fairbanks company. The negotiations may be continued with the return to New York from Europe of Fairbanks and Montague Mundin, who are at present in the latter, and Adrian Balfe represent British interests, (Continued on page 7)

Butterfield Quits Pathe News Post

Allyn Butterfield has resigned as managing editor of Pathe News after three years with the newsreel, Frederic Ullman, Jr., vice-president and general manager, has taken over the post, at least for the time being. A successor may not be named for some time.

Dividend Totals Are Aired in Loew Suit

Charges that five Loew employees received $12,800,000, during the period from 1934 to 1937, while common stockholders received $21,612,000 during the same period were aired yesterday in the N.Y. Supreme Court before Justice Louis A. Valente in the minority stockholders' suit, Bernard J. Reis, an accountant, testified that he had made an examination of the books to determine the figures. It is expected that the plaintiffs will later charge that the amount received as dividends was too low.

The five men who participated in the $12,800,000, according to Reis, were Louis B. Mayer, Jr., Robert Rubin, Nicholas Schenck, David Bernin, Irving Thalberg and Arthur Loew. Most of the day was taken up with the reading of depositions of Rubin, which had started on Monday. Schenck, Bernstein, Theodore Frey and John Hazel. The trial will continue today.

Radio—Page 8

MOTION PICTURE DAILY

NEW YORK, WEDNESDAY, DECEMBER 7, 1938

TEN CENTS

Program Not Full Solution, States Myers

Tells Phila. Allied Vital Point Is Conciliation

PHILADELPHIA, Dec. 6.—Talking on the trade practice act before the newly formed Allied group here, Abram Myers, general counsel of Allied States, explained its advantages but said, "I would like to point out to you exhibitors that the schedule as published is not the end of the road, nor is it self-executing, and it doesn't mean exhibitors will find every solution.

The new organization formed here adopted the name Allied Independent Theaters of Eastern Pennsylvania, and set an annual budget of $25,000 of which half was raised today. A total of 45 exhibitors was present, many formerly active in the United M. P. T. O. here.

Myers declared the most important factors in the trade practice act are (Continued on page 7)

Laurel Sues Roach Asking $700,000

Hollywood, Dec. 6.—Charging breach of contract, Stan Laurel today filed suit for $700,000 against Hal Roach and Hal Roach Studios, Laurel charged that Roach cancelled a contract under which he was to star with Oliver Hardy in two two-reel pictures. The pact, made in 1937, called for four pictures, of which two were made, he said. After the contract was abrogated Hardy was co-starred with Harry Langdon, the complaint states.

Church Film Boards Asked for Canada

Montreal, Dec. 6.—Separate Protestant and Catholic school board censor units to rule on films for children were believed to have been suggested today in a report of the pedagogical committee of the Montreal Catholic School Commission.

The report, which supports the "Children's Drive," was the result of a month's study of the question. The proposal that the 8-year-old law limits the admission age to 16 years and over.

Boom in Phonograph Record Business Drawing Wall St.

By SAM SHAIN

Phonograph record business has been booming so that the business is attracting the attention of financiers in Wall Street, and when that happens, it's a sure sign that the business has a future. Now there is to be heard talk about mergers and combinations in the disc business.

Almost a year ago Decca and American Record Co. (Yates) discussed a merger, and today it is CBS and American. The American Record Co. is a combination of Columbia, Brunswick and Vocalion. Brunswick was formerly owned by Warner Bros., in their talk shop. That was when Warners bought the record and phonograph business from Brunswick-Balke-Collender and paid something like $12,000,000 for them. It was one of those hectic periods like a gold rush in the film business. Sound had come in. Everybody was sound conscious. For Warners it meant a new outlook and future in the film business.

Some time after that Herbert Yates (Comstock and Laboratories) who, as everybody knows, is in the processing business, felt that he had to do something to protect his business. Yates also is the head of Republic Pictures, important film company. And so he went to Scranton and purchased a button stamping factory in order to be protected in the new sound wave.

Vitaphone at that time, which was owned by Warners, used the disc, and...

Cutting Rooms Are Busy on 78 Films; 41 Before Cameras

Hollywood, Dec. 6.—Forty-one productions are before the cameras this week, as seven finished and seven started. Twenty-one are being prepared, and 78 are in the cutting rooms.

Started were: "Paroled to Exile", Monogram; "I'M Yours, and My Girl", "Sudden Money", Paramount; "Twelve Crowded Hours", RKO; "Winners Take All", The Jones Family; Hollywood; "20th Century Wise 

Porchay Blane Runs for Mayor.

In addition to these, shooting were: "Lonely Wolf No. 1", and "Let Us Live", Columbia; "Ice Follies of 1939", "Hollywood", "The Wizard of Oz", "It's a Great Pertinence", "I Take This Woman", "Burn Em Up O'Connor", "Broadway Serenade", "Song of the West", M-G-M; "Cafe Society". (Continued on page 3)

Studio Men Tackle Wages-Hours Plan

Hollywood, Dec. 6.—After a meeting today with 46 representatives of the studios to discuss procedure under the wages-hours law, Pat Casey, producer, made contact, said that no program would be established until after a second meeting on Friday. The question causing most discussion is that of classification of workers and there are about 80 in the industry and some may be declared professional and not under the jurisdiction of the act.
Purely Personal

J OHN GARFIELD, Warner player, arrived yesterday by plane from the East where his father, who is ill here, will return to the studio soon.

E. C. RHODES, Fox Midwest division manager in Kansas City, is in town conferring with SPIROS SKOURAS.

MIKE CULLEN, Loew's district manager at Pittsburgh, will leave today with Joe Vogel at the home office.

HUNTER PERRY and SAM PINANSKI are at the Paramount home office for conferences with BARNES BALABAN.

NED E. DEPHEN returned from Charlotte yesterday. DAVE PALTERMAN is due from there today.

J. ROBERT RUBIN of M-G-M was on the sick list yesterday.

HAL HORES is expected back from London next week.

ED KUYKENDELL will arrive in New York today.

Kent Leaves Friday For Studio Meeting

Sidney R. Kent, president of 20th Century-Fox, leaves Friday for the studio to attend a meeting of production and distribution officials which will start early next week.

Other home office executives and others from New York will leave to-morrow night. On Friday they will be joined by district managers from other parts of the country in Chicago, from where they will proceed to Los Angeles, arriving there Sunday.

Van Doren Plans House

WATERBURY, Conn., Dec. 6—Frederick Van Doren of the Hamilton plans a 650-seat theatre here.

Insiders' Outlook

BERNARD HAYMAN has suggested to major networks establishment of a general charity tax of 10 cents per person, upon free radio auditions for the benefit of Jewish refugees, and when the Nazi scourge is removed, to fire victims in stricken areas.

Some indication of the exhibitor mind regarding Samuel Goldwyn's employing James Roosevelt may be had from the following comment which appears in the Allied States bulletin, of Dec. 3: "A few exhibitors have become unduly alarmed by the report (denied this in the New York Times) that the President's son, James Roosevelt, will be going to take a position with Sam Goldwyn, pretending to see in the affair an effort to stifle the White House in securing the dismissal or abandonment of the Government's prosecution against the motion picture trust: "This imputes to the President's son a motive so unworthy that no one who seriously reflects on the matter can fairly entertain it."

Incidentally, it looks like the younger Roosevelt is fortunate in more ways than one, for he is to have the benefit of being tutored in the trade by James Mulvey, vice-president and eastern representative for Samuel Goldwyn, on coming east. Quarters are being prepared for the new vice-president adjoining those of Mulvey, in the Goldwyn home offices, here.

Hollywood committees are planned by the Motion Picture Arts Fund for German Refugees to cooperate with the New York group in the nationwide campaign to raise money for refugee relief. The figure of 47,200 tickets for the art drawing sponsored by the Fund was conceived unauthoritatively by a trade paper contact for the purpose. Fund committees plan a nationwide distribution of 200,000 tickets. Distribution will be made through the exchanges. The tickets should be off the press late this week.

A Hollywood personality may be named national executive chairman. Al Margolies is permanent chairman of the Fund.

About 60 paintings have been contributed to date, with Dean Cornwell, Max Kalifsch and other prominent artists making donations. The Fund committees hold a joint meeting today at the Piccadilly.

Loew's Xmas Hosts To 80,000 Children

Fifty Loew theatres in the metropolitan area are preparing to entertain 80,000 youngsters at special Christmas Day morning shows. The children will be invited from orphanages and other institutions. Gifts such as candy are being donated by neighborhood merchants.

The circuit estimates that 100,000 youngsters will be similarly entertained at 73 theatres out of town.

Deny Plea to Study Smith Firm's Books

N. Y. Supreme Court Justice William T. Collins has denied William Mayer the right to examine the corporate books and records of S. M. M. Corp.; organized to market a patent for a non-intermittent camera and projector. According to the papers filed, Mayer is a 10 per cent stockholder and Courtland Smith and Saul Rogers are officers of the corporation. Similar applications to inspect the books of Studio C. Lens Corp. and the Smith Lenses Co. were denied.

Loew-Skouras in Deal

Arrangements are expected to be completed this week whereby Loew's will enter in a joint operation deal for two Skouras theatres on upper Broadway. Loew's have two theatres in the area, the Lincoln Square at 660 W. 10th St., and Broadway, and Loew's 83rd.

To Ask Chamberlain About 'Lucknow' Ban

London, Dec. 6—Prime Minister Chamberlain will be questioned by members in Commons on the censorship of "Lucknow," Butcher Films picture which has been abandoned on objections from the India Office.

Chamberlain will be asked, it is understood, whether the Government is considering the establishment of a state censor board.

Johnson President Of Exchange Union

Lou Johnson of the Loew exchange was re-elected president of the Film Exchange Employes' Union, Local B-51, at the annual election. Votes were cast by 232 of the total membership and 136 ballots were cast for several social events which will take place after the first of the year.

Other successful candidates were: Leo Braun, Paramount, vice-president; David Newman, Warner, secretary; Walter Loew's, recording and corresponding secretary; Augustus Kuhrt, Loew's, sergeant-at-arms; Florence, 20th Century-Fox; Leonard Brooks, Warner; Selig Epstein, RKO; Victor Peitig, Columbia; James Pope, Loew's; Oscar Forschner, Loew's; Frank Gollo, Universal, and Harry Newman, U., A., members of the executive board; Irving Damrauer, Columbia, and Murray Engel, 20th Century-Fox, trustees.

Ohio Censor Cuts 47

COLUMBUS, Dec. 6—Ohio censor reviewed 665 reels, from which 47 eliminations were ordered during the five days. Eight reels were rejected during week ending Nov. 4, and a like number for the week ending Nov. 18. These figures compare with 114 reels reviewed, with 24 eliminations in October, and 62 reels and 55 eliminations in November, 1937.

The "CONTINENTAL" To LOS ANGELES

Deluxe overnight Sleeper

L. FOX ON AD FILMS

Hollywood, Dec. 6—Lawrence W. Fox, Jr., president of General Film Co., which produces the Crime Club shorts for Universal release, has formed the General Commercial Film Co. to produce advertising films. He will continue with the Crime Club productions.

Cocalis Takes Riviera

Sam Cocalis has taken over the Riviera, St. John's Place, Brooklyn, from Randall. He expects to reopen it at Christmas with a policy of vaudeville and films.

The “CONTINENTAL” to LOS ANGELES

Deluxe overnight Sleeper

Latest operating departure—5:20 p.m.—will arrive for morning business in Hollywood. To take United's famous Overland Flyer, another section of the "CONTINENTAL" to Los Angeles.

Fast, luxurious, finest stops at San Francisco, Los Angeles, 72nd St., Hollywood, Santa Monica, Mt. Wakulla, Death Valley, Oil Springs, El Paso, Salt Lake City, Denver, Denver, Denver, Chicago, Detroit, New York. For reservations call Your Travel Agent. Inquire about the "CONTINENTAL" from New York, Chicago, St. Louis, Los Angeles, San Francisco, San Diego, El Paso, Denver, Salt Lake City. For information, write the Continental Express, 2000 Broadway, New York, N. Y.

For reservations call your Travel Agent or Vanier 3-2890. Tickets Office 45 Vanderbilt Ave., and Rockefeller Center, 18 W. 49th St.
Seattle Slips
But “King” Has
Strong $8,350

Seattle, Dec. 6.—Best bet of the week was “If I Were King” at the
Pantages, which took a net $8,350. The only other house to better average was the Fifth
Audience, with “The Shining Hour” and “Road Demon,” at $7,900. The weather was rainy.
Estimated takings for the week ending Dec. 2:

Stablamites (M-G-M)
Touchdown, Army (Param.)
BLUES MOUSE—(Fox) 7 days 3rd week, extended run from Fifth.
Gross: $3,800. (Average, $540.)

The Shining Hour (M-G-M)
Road Demon (20th-Fox)
FIFTH AVENUE—500 7 days 3rd week, Gross: $7,900. (Average, $1,100.)

Drums (RKO)
LIBERTY—1,000 7 days, Gross: $6,600. (Average, $900.)

Submarine Patrol (20th-Fox)
Swing That Cheer (Univ.)
MUSIC BOX—1500 7 days. 3rd week, Gross: $2,320. (Average, $330.)

Just Across the Street (Fox)
Mr. Doodle Kicks Off (RKO)
ORPHANS—500 7 days. Gross: $3,500. (Average, $500.)

Prizette Name (Rep.)
Mr. Wong, Detective (Mon.)
PALOMA—1100 7 days. Vaudeville, Gross: $4,000. (Average, $570.)

If I Were King (Param.)
PARAMOUNT—600 7 days. Gross: $3,500. (Average, $600.)

M. P. Lawyers Talk
With Mayor on Tax
Industry representatives met yester-
day with Mayor LaGuardia for a discussion of the principles underlying the city's current efforts to assess distribute-
tors and interested in non-payment of the two per cent city sales tax during a period in which the industry believed it was exempt from the levy.

The Mayor heard the industry’s story from Arthur H. Schwartz of Schwartz & Frolich, counsel for Colum-
bia, and indicated that his views in the matter would be made known later.

In the industry delegation in addi-
tion to Schwartz were Harry Buckley, United Artists; Peyton Gibson, Un-
iversal; Carl Leserman, Warners, and Walter Frye and Arnold Bernstein, M-G-M.

Three Slates After
802 Executive Posts
Three rival slates are in the running for the annual elections of Local 802, American Federation of Musicians. Jack Rosenberg, present incumbent; Arthur Pryor and Abraham Silver have been announced for the presi-
Other nominations are: For vice-
president, M. H. Minden, incumbent; Jacob Blankleder, Sam Holder, An-
thony Mulieri and Burt H. Smith; for secretary, William Feinberg, in-
cumbent; W. Earl Duncan and Emil Hollander; for treasurer, Harry A. Su-
er, incumbent; Irving H. Carneol, William E. Richards.

Hollywood Previews

“Thanks for Everything”

20th Century-Fox

Hollywood, Dec. 6.—This is a lively and attractively contrived comedy.

of situations, plus songs, running the scale of humorous devices from

sarcasm to slapstick. Produced by Jack Haley, Jack Cohn and Roy Attenbur-
row. Roostered in a radio contest, the story by Gilbert Wright is freshly turned and the
screenplay by Harry Tugend makes capital of every kink in it. Preview audience reaction was loud and laudatory.

Haley plays a small town youth whose 100 percent correct answers to "Yes, No” questions in a radio contest seeking the "average American" inspire the head of the advertising agency to delay delivery of the prize money and use Haley as a guinea pig whose reactions form the basis of predictions on which the agency prospers prodigiously. Haley's romance is snarled in the process and extreme measures are resorted to by way of preserving the accuracy of his responses to stimuli. Final undertaking of the agency is to find out for a foreign power what degree of incertitude is required to make the average American want to fight for his country and the picture gives a popular answer convincingly without departing even momentarily from the comedy vein. It is as nice a job of picture plotting as has come across the screen in months.

Interest is chiefly in Haley. Menjou and Oakie, with Arleen Whelan, Binnie Barnes and Renie Riano doing the relatively minor feminine chores competently. It's a Harry Joe Brown production directed for every laugh that in it, which are many, by William A. Seiter. It contains four songs by Mack Gordon and Harry Revel for good measure and Tony Martin sings them. It's an all-round, all-purpose comedy for any time or place.

Running time, 70 minutes. "G." Roscoe Williams.

“I Am a Criminal”

Monogram-Crescent

Hollywood, Dec. 6.—“I Am a Criminal” is a melodrama of regenera-
tion. The basic story, a freshly devised original by Harrison Jacobs, is
sound and logical. Off the beaten path, it introduces a wealth of novel
in plot, situations, characterizations, dialogue and action. Intelligently

directed by William Nigh, the plot is naturally and convincingly acted by
John Carroll and young Martin Spellman especially, supported capably
by Kay Linaker, Craig, Reynolds, Mary Kormann, Robert Fiske and
Lester Matthews. Class of production given the film by E. B. Derry
causes it to compare favorably with others that have had the benefit of
larger budgets.

To win public sympathy for Collins, a gambler arrested on a murder
case Attorney Fiske hires press agent Reynolds to publicize him as
philanthropist and humanitarian. Reynolds' big stunt is to have the
racketeer adopt will Spellman. As Collins' attachment for the boy,
Reynolds doubles cross him by cutting in on Collins' girl friend,
Miss Linaker. As the day of his trial approaches, Collins is deserted by
all but Spellman and his house keeper, May Beauty. Then, rather than face the charge, he skips out but is surprised to find the boy accompanying
him. In a mountain hideout Camelot between the two grows

Gainsborough Year
Profit Is $13,500
London, Dec. 6.—A profit of $13,500 is recorded by Gainsborough Pictures for the year ended June 20 last, as against the loss in the previous year of $55,485. The balance from trading and sundry income amounted to $83,135. Interest, depreciation and amounts written off total $62,985.
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, starting December 8th. 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
"Scouts to the Rescue" (Universal)
If the first three episodes in Universal's new 12-chapter serial are any indication, "Scouts to the Rescue" should prove an attractive addition to the program. It has all the elements—boy Scouts, G-Men and Indians—Jackie Cooper plays the lead as the assistant scoutmaster of his troop. Skeet Scallon (Cooper) finds a map of hidden treasure and the scouts go off to dig it up. It is really counterfeiter money.

"Man's Greatest Friend" (M-G-M)
Pette Smith relates, in his usual intriguing style, how man and dog have been companions throughout the ages.
Most of the footage is devoted to Louis Pasteur's search for a cure for rabies, and his successful experimentation. If anyone has any doubts that the dog is man's best friend, this will go a long way to dispel them.
Running time, 10 mins. "G."

"Jaipur, the Pink City" (M-G-M)
FitzPatrick TravelTalks describe the fabulous city in India where the buildings have a pink hue, which is brought out in the color tones. The strange customs of the natives, their religion and the interesting aspects of anything that lives, the primitive industry of the residents and their children, are among the topics that come before the camera.
Running time, 8 mins. "G."

"The Miracle of Salt Lake" (M-G-M)
That America has not been immune to religious intolerance is dramatically shown in the persecution of the Mormons.
 Brigham Young leads his flock to the western wilderness where they will be free to practice their religion. But a modern menace arrives, hordes of grasshoppers which threaten to destroy the crops wrested from an almost barren soil. The Mormons pray to the heavens and, answered, and seagulls destroy the destroyers. Carey Wilson poises the question, "Was this a miracle?" Well done. Running time, 11 mins. "G."

"The Captain's Christmas" (M-G-M)
Mildly amusing are the antics of the cartoon characters, "The Captain and the Kids," in a holiday short. The Captain prepares a holiday for the kids but Long John Silver ruins things, then repent's and makes amends.
Running time, 9 mins. "G."

"Stranger Than Fiction, No. 57" (Universal)
Eight oddities are assembled to make up a diversified and interesting subject. A millionaire Santa Claus, guerilla calves, a new type of metal sculpture, religious services for the deaf, a family of 13, miniature art, world's smallest post office, and an accordion dancer who can walk on her feet and elbows at once. Running time, 9 mins. "G."

"Costa Rica" (Paramount)
A trip to the fascinating South American republic in color of the Latin-American people. Costa Rica's ancient customs and its modern life are contrasted. Done in the routine manner of travelogues. Running time, 10 mins. "G."

"Football Romeo" (M-G-M)
Our Gang goes in for football, but Alfalfa refuses to play in the crucial game against Butcher Billy, which he knows will spell the destruction of anything that lives, the primitive industry of the residents and their children, are among the topics that come before the camera.
Running time, 10 mins. "G."

"Opening Day" (M-G-M)
City Treasurer Robert Benchley of Shrewesport substitutes for the baseball manager and in a fit of anger over the high cost of operating the park, he refuses to hand out the tickets and sequesters the players. The game is over. Running time, 8 mins. "G."

"The Night Watchman" (Vitaphone)
In this well-paced Merrie Melody cartoon, Tommy Cat, night watchman of the kitchen, becomes too ill to attend to his ascription duties and sends Tommy Jr., to substitute.
The mice take advantage of the little fellow and stage a raid. After several amusing scenes, Junior gathers his courage and repulses the invaders.
Running time, 7 mins. "G."

"The Daffy Doe" (Vitaphone)
Daffy Duck and Porky Pig are on view in this "Looney Tune" cartoon. Daffy tries his hand at surgery, but is jeopardised by the hand surgeon. Porky, however, finds Daffy discovers Porky, however, and drafts him as a patient. Porky's efforts to escape and the complications of the fate of the "Iron Lung" will earn a chuckle.
Running time, 7 mins. "G."

"Stardust" (Vitaphone)
Eight variety acts introduced by Benny Davis, the song writer, are presented here. Several attractive dance numbers are included, among which is a specialty number by Rollo and Ver-non Pickert who dance on stilts. Davis continues by singing several of the outstanding songs he has written. A good program filler but a trifle long.
Running time, 22 mins. "G."
Program Not Full Solution, States Myers

(Continued from page 1)

conciliation and arbitration boards, as said that Allied had insisted in the practice meetings that rules and machinery for conciliation should be fully defined to insure "proper and fair administration." He cited the non-forcing clause as a case in point, stating that while the distributor is not allowed to force newsmen and trailers, his selling of them might conceivably lead to coercion without fair arbitrating.

On the subject of organization, he noted three "enemies" in exhibitor ranks—leadership, sympathy, and leadership, leaders with too great a sense of so-called gratitude to distributors and scatter-brained readers who grasped at any concession.

Sidney Samuelson, Morris Wax and David Yaffe also spoke.

Effective Date Uncertain

Effective date of the industry trade practice program remains to be determined and the vital point to be determined before the program is placed in final form and approved by exhibitors. Likewise, some exhibitor effort to have provisions of the plan made retroactive to the current season's contracts which are now in force appears certain.

Preliminary drafts of the program which were dispatched to exhibitor representatives over the last week indicate that its provisions are not to become effective until the 1939-40 buying season except in the cases of new contracts made prior to that time and in respect to the score charge elimination, which is to be made operative immediately upon ratification of the plan. These drafts, however, prepared by the distributors' negotiating committee, are tentative and subject to the outcome of final discussions with the exhibitor representatives.

M.P.T.O.A. Wants Conciliation

M. P. T. O. A., which resumes its negotiations with the distributors and exhibitors committee, is definitely committed, on instructions from its board of directors, to insist upon the program being placed in effect immediately upon completion of the plan. The M. P. T. O. A. will also urge the inclusion of definite provisions for establishment of conciliation machinery in the program in addition to the plan's tentative provisions for settlement of trade disputes by voluntary arbitration.

The preliminary draft of the program makes only a passing reference to conciliation as a method of handling trade practice complaints. This makes no attempt to suggest means of setting up local conciliation boards in key cities.

Allied States' attitude on the effective date of the program may not be determined until the organization's board of directors acts on the program as a whole. This will not be until after the organization's negotiating committee has given final study to the distributors' preliminary draft and an analysis of it which is being sent to committee members by Abram F. Myers, Allied chairman. The next regular meeting of the Allied board is scheduled for Jan. 17 and 18.

Col. H. A. Cole, chairman of Allied's negotiating committee, may be prevented from taking an active part in any negotiations which may occur within the next few weeks. He underwent a gall bladder operation recently at Baylor Hospital, Dallas. Reached there yesterday, he said he did not expect the Allied committee to meet until after the holidays. He reiterated his earlier statement that the understanding which has been reached with the distributors is on general principles only.

Allied T. O. of Iowa, an unaffiliated unit, will hold a series of district meetings in the next two weeks to present the draft to the directors and membership for action.

Butterfield Quits Pathe News Post

(Continued from page 1)

U. S. Strength in Chicago Case May Show Tomorow

(Continued from page 1)

mount. There seem to be more film company lawyers on hand for this case than have been prevalent in these parts for many years. It is understood that the Government is not less covered by numerous investigators besides U. S.\n
orries.

More than 7,000 documents are sought by the Government for its information. Most of this information is similar to that which is being sought in the pending independent anti-trust suit against B. & K. and the majors.

The latter suit comes up for hearing again on Dec. 15.

Jean Hersholt to Be Santa Claus to 12,000

SAN FRANCISCO, Dec. 6—Jean Hersholt, who plays "Dr. Christian" in the radio serial of the same name, will play Santa Claus at a Christmas Eve party in the Civic Auditorium, with 12,000 youngsters expected to attend. The show is sponsored jointly by the city and the Call-Bulletin, local newspaper. Arrangements are being made to broadcast.

Gets Role with Laughton

LONDON, Dec. 6—Maureen O'Hara, an unknown player, has been cast opposite Charles Laughton in "Jamaica Inn."

Fairbanks May Produce at SI Coast Studios

(Continued from page 1)

who are supplying financing in association with Swiss banking interests. Initial capital will be $2,500,000.

The new producing organization will be known as Fairbanks International and if the negotiations with John Hay Whitney are consummated, "The Californian," will be the first of three pictures it will distribute through United Artists during 1939, will be made at the Culver City plant. Royal Walsh may direct.

The other two pictures will be "The Tenth Woman," a Technicolor picture based on the life of Lord Byron, and "The Three Musketeers," also in Technicolor. They may be made either at Denham, Pinewood or in Continental Europe.

Marks will sail from England Saturday on the Queen Mary and Fairbanks will follow in about three weeks.

Sues M-G-M on "Ney"

CHARLOTTE, N. C., Dec. 6—Copyright infringement suit has been filed in the Federal Court here by LeGetue Blythe, author of "Marshall Ney: A Dual Life," against Lear's, Inc. and M-G-M, for alleged plagiarism of the book in the short film, "The Brave of the Brave." Damages of not less than $250,000 are sought.

“Clowns” Tonight

"Here Come the Clowns," the story of vaudeville, transplanted to a metaphysical setting, by Philip Barry, opens tonight at the Booth. The cast includes Eddie Dowling, Madge Evans, Doris Dudley, Leo Chalzel, Russell Collins, Hortense Alden and others. Dowling is also producer, and Barry is reported to have furnished some of the financial backing. Robert Milton did the staging.

Buses House in Conn.

SOUTHAMPTON, Conn., Dec. 6—John W. Walsh of West Hartford has bought the Colonial Theatre property from Abraham Schuman and Joseph A. Davis, for a reported $100,000, including the 800-seat house, three stores, offices and apartments.
Radio Personalities

MURIEL WILSON has just recovered from a two-week siege of grippe. Six stations will be added to Guy Lombardo's CBS commercial this week. Connie Boswell will appear as Tom Sawyer. Aileen Soares has joined NBC's press department to handle religious publications. She was formerly with the Federal Council of Churches.

John H. Mason has been transferred from WABC's technical division to become an assistant program director in the production department. Jean English, CBS studio engineer, has been transferred to Hollywood, effective Jan. 16. Felix Knight has been renewed for 13 weeks on the Schaefers Revue. Bruce Boyce, Canadian, has been transferred from WOR to WQXR of all classical programs.

John, the latest to join the World Transcription Network.

Radio News

First Commercial
Dorothy Gordon, who used to be heard in a children's series over CBS, has been signed by the Wheelers to replace Ford Rush's program on Mutual. Miss Gordon will start her stint on Dec. 16, and will be heard Mondays, Wednesdays and Fridays from 3-5 p.m. The show has been a regular commercial series, despite years in radio. Rohraugh & Gibson is the agency.

Funkhouser Counsel in FCC Air Quiz

WASHINGTON, Dec. 6—Appointment of S. King Funkhouser of Revised and radio, as special counsel for the monopoly investigation was disclosed today by the F. C. C. Funkhouser has been engaged in general practice for many years and was at one time in the legal department of the National Recovery Administration. He also held the appointment of William Koplowitz, of St. Louis, to the position formerly held by William J. Dempsey, who became general counsel. Koplowitz, a McNich purist, has been acting general counsel for the Federal Power Commission, and is one of the staff of theGBK

Dogs of war

The Newsreel Parade

The Newsreel Parade

Ending of the 60-year career of New York's 6th Ave. "L" captures the newsreel spotlight in the new issues, outing the 4,953 little cars that pass over C. Climaxes the season—football games. The reels and their contents:


Cable Cut, Charges Montreal Mayor

MONTREAL, Dec. 6—Former Mayor Camille Houde, whose radio campaign speeches for reelection last month were interrupted by a breakoff, charges that a cable to the studio of CHL from the meeting hall of the technical officials at the studios and telephone repairmen insist, however, that the breakoff was purely an accident and claims that several political opponents to keep him off the air.

Dickson to Replace Eddy

Donald Dickson, according to reports, is to replace Nelson Eddy as the featured vocalist on the Chase and Sanborn show on Feb. 5.

Plea of CBS To Eden Wins Airing of Talk

By the intervention of Anthony Eden, to whom CBS made a personal appeal by ship-to-shore telephone, its network has been able to obtain the right to broadcast part of the National Association of Manufacturers dinner, Friday, Dec. 6, with NBC's Mutual.

CBS was definitely out of the picture until the plea to Eden, abroad dramatized by Eden himself, was understood. It was understood that Eden, therefore, cabled the N.A.M. to the effect that his speech was to be broadcast, he thought it was "the important message," to be so.

When NBC and Mutual made their announcement on the N.A.M.-Eden broadcast to make special representation of the fact that NBC and Mutual apparently had obtained exclusive privilege on the broadcast. The CBS part of the broadcast will be from 10-11 p.m. While NBC and Mutual will be on from 10-11 p.m., CBS will be on with the Eden speech at 10 p.m. because "Grand Central Sketches," a regular Friday night commercial, interferes.

Dodgers Set Deal For Air Games

Consummating a move which has been pending in radio and sporting circles the last six months, the Brooklyn Dodgers baseball club yesterday, through its general manager, Deeap, New Orleans, announced completion of a two-year deal for the airing of the club's games, with the sponsorship of General Mills Co. and Socony Vacuum Co.

The action of the Dodgers abrogates leases with the Yankees, Dodgers and Giants clubs. It is considered a certainty now, in the baseball world, that this means that the management of the Yankees and Giants clubs also will sign agreements for commercial sponsorship of descriptions of their games.

It is understood that the Dodgers will be paid $1,000 a game by the sponsors in the first year of the season. It is not known which, if any, of the three major networks will broadcast the games, but the possibility still exists that a special network of independent stations may be formed for the games.

NBC to Help Salute New A. P. Building

Delicately of the new Associated Press Building will be saluted by NBC in a special program on the Blue network Christmas Day, from which television stations can inject the leading stories of the past year, and as a special feature, dramatizations of highlights of the past year. Louis C. Price, executive news editor of AP, will speak.

Stories of the past century to be broadcast in the evening, starting with the AP, assassination of Abraham Lincoln, Custer's last stand, sinking of the Maine, San Francisco earthquake and the Civil War.
One Big Union Plan of 4-A’s Is Premature

Gillmore Says They Must Set House in Order

Efforts to go forward with plans for “one big union” for the Association of Actors and Artists of America at the present time would be “premature,” Frank Gillmore, president, declared after an executive board meeting yesterday. The meeting was called principally to allow Kenneth Thompson, executive secretary of Screen Actors’ Guild, to meet with other 4-A representatives for the mutual exchange of information.

“We must first set our present house in order,” Gillmore pointed out, “before going forward with plans for consolidation. The present organization plans of the American Federation of Radio Artists, and the American Guild of Musical Artists are occupying our full attention at the present time.”

Primary stumbling block still remains the lack of dues in the event of (Continued on page 8)

Epes Sargent Dies;
Won Note as Critic

Epes Winthrop Sargent, 66, veteran chronicler of theatrical news, died Tuesday night at midnight at his home, 140 East Ninth St., Brooklyn. According to a letter of funeral instructions he left for his wife the funeral services, which will take place at the Sargent home Friday night, will consist of the Masonic rites, a simple prayer and cremation.

Sargent began his career in the theatre as an usher at Pat Harris’ Washington Bijou. His first job in New (Continued on page 8)

Mamlok Files Suit Against “Mamlock”

Suit was filed yesterday in the N. Y. Supreme Court by Hans J. Mamlok against American Corp., a Philadelphia production company, and Edward A. Perlmutter, a company officer. The suit asks $100,000 and an injunction restraining exhibition of the picture, “Professor Mamlock.” The plaintiffs claim prosecution of Section 81 of the Consent decree in that his name is used in the picture and states that for 25 years he was a professor in Berlin and a dental authority.

Chase Disposes of 50,200 20th-Fox Shares in October

WASHINGTON, Dec. 7—Disposition in October of 50,200 shares of 20th Century-Fox common stock by the Chase National Bank in a series of transactions extending throughout the month was reported today by the Securities and Exchange Commission in its monthly summary. As a result of the sales, the volume of the stock still held by the bank was reduced to 297,138 shares.

The Chase National Bank also disposed of 10,000 shares of the film company’s $1.50 cumulative preferred stock, reducing its holdings to 671,916 shares. Other transactions in 20th Century-Fox stocks included the acquisition of 100 shares of common stock by Sidney R. Kent, bringing his holdings to 3,435 shares, and disposition of 10,000 shares of common by Darrel F. Zanuck, reducing his holdings to 132,130 shares. The report showed (Continued on page 8)

GOVERNMENT PAT ON DIVORCIMENT

20th-Fox Handling GB Sales, Booking In United States

Under plans now being discussed, 20th Century-Fox may take over the handling of all Gaumont British business, in America. This appears to be in line with the policy of the 20th Century-Fox firm to extend its cooperation and aid to the British company. The move, which is being talked of, is in the interest of G.B. economy, and assures the continued distribution of G.B. films, over here.

Physical distribution and booking of G.B. films already handled through 20th Century-Fox, so that the handling of the sales end additionally will not prove complex.

At the same time, the move will link the two firms more closely. There will be several G.B. films released through 20th Century-Fox, under the new plans.

‘Pygmalion’ Benefit Attracts Notables

Society notables and industry leaders mingled with personalities of the show world at the brilliant opening of “Pygmalion” at the Astor last night.

The premiere was one of the most impressive outpourings of distinguished citizenry. They came in response to the appeal of Nicholas M. (Continued on page 6)

WPA May Drop Play Satirizing Industry

Chicago, Dec. 7—John McGee, director of the Federal Theatre for the Midwest has resigned to engage in a private enterprise. McGee, co-author of “Horse-Opera” was a leading factor in the plans of the local group to produce the play which was to have been a satirical “expose” of Hollywood and the film industry.

Plans for the production, which was to have been ready for the public by February, may be dropped as the Federal Theatre is concerned, as it does not own the play, it is reported.
JOSEPH BERNHARD, general manager, at leisure from Warner Theatres, left last night for Cleveland, where he will address the Ohio zone men today. Harry Golding, circuit advertising manager, accompanied him.

Dr. Herber T. Kalmus is back in New York from the coast and plans to sail for England Dec. 17 after a meeting of the company’s board next week.

Ed Kuykendall, M.P.T.O.A. president, will leave New York tomorrow evening for Memphis. He goes to his home at Columbus, Miss., from there.

Hal Sheridan, manager of Tristate’s Paramount in Cedar Rapids, Ia., sponsored the couple who won locally in the "Great Waltz" contest.

Gabriel Pascal, producer of "Pygmalion," is sailing for New York on the Queen of May, scheduled to arrive here Dec. 15.

Ed Schenitzer, Warner Bros. district manager, is due back the end of this week after a brief stay at the Buffalo branch.

Walter Reade, Jr., of Walter Reade Theatres is expected to return tomorrow or Saturday after a tour of upstate theatres.

Sam Goldstein of Guaranteed Pictures returns tomorrow on the Washington from a two-month business trip to Europe.

Herbert Wilcox and Anna Neagle will arrive in New York from the coast tomorrow en route back to London.

W. G. Van Schmus, managing director of the Music Hall, is due back from the coast tomorrow.

Norman Z. McLeod has arrived in New York from the coast for a short vacation.

Leo Spitz, RKO special counsel, left New York for Chicago yesterday.

Para. Board Votes Quarter Dividends

Usual quarterly dividend of $1.50 per share on Paramount first preferred stock and 15 cents per share on the common was voted by the board of directors yesterday. Dividends are payable Dec. 24, 1937.

Directors’ meeting lasted only 45 minutes, one of the briefest held at Paramount for months. Adolph Zukor, Louis B. Mayer, Herbert J. Zanuck and Joseph D. Richards of New Orleans, whose appearances at board meetings have been infrequent, attended the session yesterday.

20th Cent.-Fox Group Heads West Today

Division Managers William Sussman, William J. Kupper and W. C. Gehring, head the 20th Century-Fox home office delegation leave today for a two-day meeting in Los Angeles. Attending the sessions, in addition to distribution executives, will be Everett C. Zare, vice president; Herbert Schenck, William Goetz and Sol Wurtzel. S. R. Kent, president, leaves tomorrow. Herman Wobber, conference manager, is already on the coast.


George A. Roberts, district head at Cleveland, will join the party en route, as will District Managers at E. K. Levy, C. E. Martin, F. Clyde W. Eckhardt and E. Scott.

Delay Marquee Hearing

Hearing before the Mayor on the Keegan bill to fix the size of marquees at nine feet instead of two was adjourned indefinitely yesterday. In brief, the Board of Estimate will act on the bill this morning at 10:30. Film representatives, who were present, indicated they will be hearing the case at the Board’s meeting today.

MOTION PICTURE DAILY
(Registered U.S. Patent Office)

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THE BOYS HAVE A LOT TO CELEBRATE!

Four Daughters
The Sisters
Brother Rat
Angels with Dirty Faces
Heart of the North
The Dawn Patrol

(In Technicolor!)

. . SO THEY’RE ALL

GOING PLACES

NEW YEAR'S EVE!

C'mon Along!
A Cosmopolitan Production With a Big Cosmopolitan Newspaper Campaign!

Starring

DICK POWELL
ANITA LOUISE
RONALD REAGAN

Allen Jenkins • Walter Catlett
Harold Huber

Songs — of the Best! (By the writers of 'Girl Friend of the Whirling Dervish', Warren and Mercer) 'Say It With a Kiss' 'Jeepers Creepers' • 'Mutiny in the Nursery'

1939's Big Swing Scoop!
LOUIS (Satchelmouth) ARMSTRONG
MAXINE (Loch Lomond) SULLIVAN

Directed by RAY ENRIGHT
Screen Play by Sig Herzig, Jerry Wald and Maurice Leop • Based Upon the Play, 'The Hottentot' by Victor Mapes and William Collier, Sr. • A First Nat'l Picture
Hollywood Preview

*“His Exciting Night”* (Universal)

HOLLYWOOD, Dec. 7.—Risible comedy, with three top-notch funmakers, Charlie Ruggles, Maxie Rosenbloom and Stepfen Fetchit, is the essence of “His Exciting Night.” In addition to providing lots of amusement for its own sake, the show provides exhibits with a wealth of exploitation material.

All that happens is the result of a prank, partly serious but generally hilarious in conception, played on a groom on his wedding night. Terrorized by his boss, Richard Lane, Ruggles dredges more his prospective amit-in-law Georgia Cairo. He is easy prey for a stunt that will leave him alone with his bride, Olga Munson, on their marriage night. But the plan goes awry when he and Martin Marion, a blonde who has been hired to show him up as a philanderer, are kidnapped by taxi driver Benny Baker. The pair escape a near tragedy only to be confronted with one more menacing when Rosenbloom, a dumb strong man, who doesn’t quite understand what its all about, comes looking for his wife, Miss Martin. The situations established are amusingly developed as Ruggles gets out of his predicament after the manner of a timid lamb turned roaring lion.

Based on a story by Katherine Kavanagh, the screen play prepared by P. C. Flick, Edward Eltis and Morton Grant is deft. Gus Mena directed. It should serve well where laughter is appreciated.

Running time, 55 minutes. “G.76” G. McC.

*“El Trovador de la Radio”* (*The Radio Troubador*) (Paramount)

HOLLYWOOD, Dec. 7.—Second of Paramount’s all-Spanish productions starring Tito Guizar and first to be produced by Dario Fariolla, “El Trovador de la Radio” can be ranked among the best to come from Hollywood in this particular field. A musical melodrama, it strikes a bull’s eye in the market at which it aimed—the ever-widening Spanish market. It introduces as a leading lady Robina Duarte, erstwhile night club singer, who with Guizar, is supported by Tana, Paul Ellis, Faco Moreno, Barry Nortons, Carlos Villarias, Ludio Villeges, Martin Carralaga, Jose Pena Pepet, Sara Wooten, Luz Segovia, Mario Borelo, Helen Martinez, Rosita Granada, and El Charrro and his Caporales. Richard Harlan directed the picture and on the basis of this, was signed to direct the following three. The screenplay was written by Arthur Vernon Jones with Spanish dialogue by Dario Navarro. It was based on a story by Bernard Lubner and Renette Norige.

Guizar sings five songs written by himself, Renette Norige and Rafael Gama.

Guizar, a radio singer, has his love for a nurse frustrated by his thieving secretary. Confronted with her pilfering, the secretary poisons Guizar, causing him to lose his voice. In the strain of emotional excitement caused by the denouement, he regains it.

Running time, 60 minutes. “G.76” VANCE KING

*“The Last Warning”* (Universal)

HOLLYWOOD, Dec. 7.—Good characterizations, glib dialogue, provocative situations, and all the mystery that anyone could desire establish “The Last Warning” as one of the best of the “Crime Club” series. It’s comedy crime melodrama that challenges solution.

With Preston Foster and Frank Jenks featured as a pair of playboy detectives who would rather pay attention to the girls than the job for which they were hired, the thin plot points of interest, Joyce Compton, Kay Linaker, E. E. Clive, turn in support performances that seldom permit attention to go wandering off onto other subjects. A mysterious character, “The Eye,” threatens socialite Parker and his sister, Miss Robinson. Foster and his stooge, Jenks, are called in to find out what they can do about the menace. But there are a lot of batting-suit clad girls, especially Miss Compton and Miss Linaker hanging around the swank mansion. Meanwhile, couple of murders are committed, Miss Linaker is mysteriously slain, and Miss Robinson kidnapped. But, giddy as Foster is, he is not so dumb and nails the real criminal.

The picture is based on Jonathan Latimer’s “Crime Club” novel “The Dead Don’t Care.” The screenplay was by Edmund L. Hartman and Al Roger directed.

Running time, 62 minutes. “G.76” G. McC.

*“G” denotes general classification.

**Angels’ High**

In Loop with $41,000 Take

CHICAGO, Dec. 7.—“Angels With Dirty Faces” made a clean sweep in the Loop, grossing an excellent $41,000 and holding at $6,500. “Just Around the Corner” gave the Apollo a net $6,500. “Road to Reno” scored $16,500 at the Oriental. “House sadly there was just fair.

The weather was unsettled most of the week and rather cold.

Estimated takings for the week ending Nov. 29-Dec. 3:

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<tr>
<th>Theatre</th>
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<tr>
<td><strong>Angels With Dirty Faces</strong> (W.B.)</td>
<td>7</td>
<td>$41,000</td>
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<tr>
<td><strong>Just Around the Corner</strong> (20th-Fox)</td>
<td>7</td>
<td>$6,500</td>
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<tr>
<td><strong>Road to Reno</strong> (Univ.)</td>
<td>4</td>
<td>$16,500</td>
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**‘Great Waltz’ at $17,000 Leads the Way in Washington**

WASHINGTON, Dec. 7.—“The Great Waltz” at Loew’s Palace was the leader of the week at $17,000. “Angels With Dirty Faces” was not far behind at $21,000 at Warners’ Earle.

Most of the other downtown attractions failed to show a profit.

Estimated takings for the week ending Dec. 2:

<table>
<thead>
<tr>
<th>Theatre</th>
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<td><strong>Loew’s Palace</strong></td>
<td>7</td>
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**Film Council Formed**

DENVER, Dec. 7.—Motion Picture Council of Denver, organized with the cooperation of the local theater men, was to recommend better films to moviegoers, among which are the Parent-Teacher Association, Denver Women’s Press Club, National Council of Jewish Women, National Council of Catholic Women and the Denver Council of Church Women.
British Censors Bow To Pressure, Charge

LONDON, Dec. 7.—Subject of film censorship was revived by Parliament again today with the allegation being made that the conservative Central Office is not interested in the matter of restriction of some screen material. The protest was raised that censorship is consistently used against the opposition.

The board of censors came in for criticism as an unofficial body of allegedly moral guardians but not above acting politically. The recent Paramount Newsreel incident, various March of Time reels, the Indian mutiny picture and many sequences criticizing Fascism and Nazism were cited among the material cut or altered allegedly as a result of Government pressure.

Some spokesmen countered that the film trade had only itself to blame for bowing to dictates in political matters, and deplored the lack of a “Hays organization” here. The withdrawal of the Paramount red was cited as “a great service to peace,” however.

Sir Samuel Hoare, Home Secretary, replying to the charges, categorically denied allegations of Government influence in censorship, again admitting, however, that the Government had allowed Ambassador Joseph P. Kennedy to attend the Paramount film which was shown on the most critical day of the recent crisis.

RKO Up Tomorrow

Federal Judge William Bondy has set tomorrow as the date for a hearing in the RKO reorganization proceeding. Minority stockholders will be required to show cause why physical presence of stock certificates should not be waived in connection with the filing of consents. The hearing will be held at 5 P.M. in Judge Bondy’s chambers.

‘Hardy’s’ Loew’s Holiday Booking

Loew’s circuit in the metropolitan area has set up its holiday bookings so that “Out West with the Hardys” will play “across the board” without the normal clearance between runs. The picture starts at the Capitol today. On Dec. 22 it will go into the first group of Loew houses and a week later into the second, stretching over Christmas and New Year’s dates. For normal purposes, the circuit is divided into four or five different runs with clearance of one to two weeks between.

Loew’s, however, claims that a similar booking method is adopted for other pictures, depending on what is available for the circuit. Thus, “The Great Waltz,” which closed last night at the Capitol, goes into all Loew first-run houses except the Metropolitan in Brooklyn, on Dec. 15. This is a week’s wait instead of the usual two weeks.

G. N. Withdrawal of Common Is Approved

WASHINGTON, Dec. 7.—Withdrawal of Grand National for its $8 first common stock, effective March 1, 1939, will be the close of trading Dec. 9 was granted today by the Securities and Exchange Commission.

Commission explained that the action was sought for the reason, among other things, that the company is a developer in procedure under 77B; has ceased to exist except as corporate shell, and trading in its common stock on the New York Curb Exchange has been very slight.

Patricia Ellis at Ampa

Patricia Ellis of the cast of “Frankie,” which is shooting at Astoria, is scheduled to appear at the Amphi Theatre at the Astor today. William K. Howard, producer of the film, will speak. John Waller, the film’s production manager, also will be present.

Open “Winds” in Philo

“Trade Winds” will have its world premiere at the Aldine, Philadelphia, Dec. 7. Fredric March, star of the picture, and Tay Garnett, producer-director, will go to Philadelphia to attend a press luncheon in advance of the opening.

Cohen Joins Warners

Ben Cohen, formerly with United Artists and Paramount, has joined Mort Blumentock’s eastern advertising and publicity department at Warners.

Rome Grants Extension to Only 4 Firms

(Continued from page 1)

This course would be necessary in order for them to remain in business in the year 1939 to continue their distribution of the American films which they have on hand now.

No official indication has been given as to whether or not the extension will be made applicable to Loew’s, RKO, Fox and Warners on the same or comparable basis. Meanwhile, however, these companies have not rescinded their orders for liquidation of their branches here by Dec. 31.

Home office foreign departments were without official information yesterday on the granting of a six-month period of grace to the Italian representatives of Columbia, United Artists, Universal and RKO. They have been advised, however, that details of the Italian subsidiaries’ proposal is being forwarded to their Continental managers in Paris and will be called to New York from there. Lacking official advices, none of the four companies would state whether or not they would consider remaining in business purely under Dec. 31 under the indicated circumstances.

General Industry opinion, however, is that the move by Rome is probably a strategic maneuver to break the solid opposition of the American companies to the projected film monopoly in Italy, by encouraging the four companies to continue in the hope that the other four will be forced to do so by competitive factors. No indication of such a break through the deadlock was in evidence here yesterday, however.

Industry spokesmen also pointed out that if the cables’ advices from Rome are correct, the procedure being followed by Italy is flagrantly discriminatory against the four companies which operate their own distribution systems in Italy. These spokesmen point out that the Italian subsidiaries of Loew’s, Paramount, 20th Century-Fox and Warners are Italian companies, organized and operated under Italian laws, and that discriminatory measures against them eventually might warrant the attention of the Italian courts and the American State Department.

All such observations, however, were made on the supposition, as yet unverified, that the extension is not intended to apply to all companies.

The Real Thing

Oklahoma City, Dec. 7.—Guns blazed on the screen as Bill Boyd put the finishing touches on the villains in “Borderland.”

Then pieces of plaster began falling on the stage.

Manager Johnny Ryan of the Joy assured his patrons it was not gunfire but a 13-year-old boy who had been stapling on the roof.

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MOTION PICTURE DAILY

Thursday, December 8, 1938

‘Pygmalion’ Draws Many Notables to Benefit Opening

(Continued from page 1)

Schenck, president of M-G-M, who sponsored the special showing for German refugee relief.

Those attending, in lieu of paying for the tickets, were invited to contribute voluntarily, the proceeds going to succor the victims of the Nazis. The response was generous.

You've Never Seen Anything Like This!

Here is something sensationally new in motion picture theatre showmanship. Here is a plan that offers continuous, ever increasing patronage for your theatre at an unbelievably low cost. Proved principles applied to a new and revolutionary plan of selling seats at your theatre.

WHAT'S IT ALL ABOUT

A nation-wide radio program—a coast-to-coast club of hundreds of thousands of enthusiastic members—a raging hobby that is gaining momentum by leaps and bounds. Three great sources of untold power, harnessed to a driving force that herds the crowds of paying patrons into your theatre. This is the first time that such a forceful method of seat-selling has ever been applied to YOUR theatre.

YOUR OWN RADIO SHOW

A gigantic campaign that will include sensational broadcasts over important coast-to-coast radio stations. Millions of your potential patrons will be within the range of these broadcasts that will cover the Nation. Every one of these programs will be, in effect, your own radio show, building up business at your box office.

These broadcasts will present dramatically and entertainingly the activities of the Bob Gale Stamp Club and the new Motion Picture Stamps to be issued weekly by the club. These beautiful stamps, unlike any ever issued before, are not pictures of screen stars, but actual, striking scenes from important motion pictures. And these stamps can not be bought . . . from us or any one else; they can not be obtained for coupons or box tops. The only way any one can get these stamps (eight new stamps each week) is by going to YOUR THEATRE for them.

THOUSANDS OF LETTERS WEEKLY

A most gratifying response has poured in from the very first broadcast. Hundreds of letters arriving daily. Letters from children, boys and girls, mothers and fathers, 6 to 60, each and every one expressing enthusiastic interest.

The writers anxious to get these new, different sensational motion picture stamps, which can be secured ONLY from your theatre. This exciting, planned radio campaign will create compelling interest that will bring present and new patrons back to your theatre regularly each week on Motion Picture Stamp Day.

BOB GALE'S STAMP CLUB

155 EAST 44th STREET

NEW YORK CITY

Murray Hill 2-8560
One Big Union Plan of 4 A's Is Premature

(Continued from page 1)
consolidation of all branches. However, individual branches are planning separate action to establish joint offices in cities where they are interested.

Agreement on Major Points
Thomson, who returns to the coast tomorrow, disclosed that he had conferred with all eastern studio representatives, all of whom said that major all point modification agreement had been reached. As an inducement to the studios a simplified arbitration plan was introduced. Instead of an arbitration board, a committee of three will be set up consisting of one member from that union, another from the studios, and the third selected by agreement between the two designated members.

Although the plan will not have as broad powers as a committee on the coast, it is expected that minor difficulties will be obviated. Studies hope that if there are any minor salary disputes, arbitration has proved too expensive. The committee idea is the substitute.

Denies Serious Difficulty
Emily Holt, executive secretary of A.F.R.A., denied published reports that there was any serious difficulty between the organization and Radio Writers' Guild, a subdivision of the Authors League. Mrs. Holt is continuing negotiations with the American Association of Advertising Agencies for a contract on commercial programs. An executive board meeting will be held today to discuss the situation and further talks with the association are expected next few days. No special significance is to be attached to the fact that a recent request had been made to Actors' Equity for funds. This money had been pledged in October of last year, and the unpaid balance of the pledge had been asked.

Efforts to obtain legislation to relieve actors of heavy income tax burdens will be pushed. Gilmore will discuss this with Senator Robert Wagner when the latter returns to the city late this month. Paul Turner, counsel to the 4 A's, is also preparing legislation to remove unfair social security taxes from actors' salaries.

Epes Sargent Dies; Won Note As Critic
(Continued from page 1)
York, which marked the beginning of his career of criticism, was with the old Dramatic Mirror, for which he did his earliest work.

The criticisms which won him notice under the name of Chicoct began in the Sunday Mercury, now defunct. Later he became general press agent for the Proctor circuit, served the William Morris agency and about seven or eight years ago returned to Variety, where he has been since in an editorial capacity.

Chase Disposes of 20th-Fox Shares
(Continued from page 1)
that Zanuck also holds 21,946 shares of the preferred.

Reports on Columbia Pictures showed that Jack Cohen disposed of 1,000 common voting trust certificates during October, reducing his holdings to 31,817; a late report for September showed that he acquired 260 common and 13 shares of common stock in that month, bringing his holdings of the latter to 542 shares.

Other reports filed with the commission showed that Leopold Friedman disposed of 200 shares of Loew's, Inc. common stock, reducing his holdings to 4,000 shares at the end of October; Gurdon W. Wattles acquired 300 shares of Pathe common, bringing his holdings to 900 shares; Peyton W. Plack acquired 500 shares of Universal Corp. common voting trust certificates, giving him total holdings of 800, and Daniel M. McKechnie acquired 500 certificates, giving him a total of 16,000. Universal Corp. in September acquired 2,000 shares. Pictures common stock, making its holdings 230,927 shares; the company also held 230 shares of first preferred and 26,500 common voting trust certificates.

Reports on the holdings of persons becoming officers or directors of corporations showed that Preston Davies added to the directorate of Universal Corp. Sept. 8, last, held no securities in that company direct but through Standard Capital Co., held 26,500 common voting trust certificates and 1,283 common voting trust certificate warrants.

U.S. Suit Briefs to Capital for Study
Briefs by defendants in support of motions for a bill of particulars and to strike out portions of the complaint in the U.S. suit brought to Washington by Moses H. Lewis, assistant attorney in charge of the N. Y. office. They will be heard there and reply will be air-mailed back for filing on Monday.

Federal Judge William Bondy, who has the motions under advisement, is sitting on the criminal part of the court at present, and it is problematical when he will undertake decision of the motions.

Pickett Honored in Troy on Retirement
Troy, Dec. 7—John T. Pickett, a member of the current anti-trust suit out tonight, when 75 friends tendered him a dinner at the Elks' Club. Pickett, who has been assistant to Harry Blum, Troy's President for 17 years, is resigning to enter the insurance business.

A group of executives, Troy exhibitors and every major company branch manager from Albany's film row was in attendance. Albany group included George Hopper, G. Golding, Sid Deneau, Larry Cowan, Oscar Perrin, Alexander Sayles and Ralph Pelvo, while Schenectady managers present included Joseph Share, Phil and Louis Rapp, Richard Murphy and Robert Fox.

Para. Dakota Plea
Extended to Jan. 5
Time for completing and filing Paramount's appeal to the U. S. Supreme Court on the North Dakota suit was extended yesterday to Jan. 5. An earlier extension of the appeal period was to have expired Dec. 15.

Minority Fails to Halt Pathe Meeting
Minority stockholders lost yesterday in their attempt to block the Dec. 13 stockholders' meeting of Pathe Film Corp. when dissolution of the corporation was voted upon. Mr. Samuel Waxen, former Supreme Court Justice Philip J. McCook, denied a motion for a temporary injunction. He pointed out that 80 per cent of the stockholders voted for dissolution and that at least $1,000,000 in taxes can be saved.

Shift Turnessa Suit
Suit brought by six Turnessa brothers, golfers, against Pathe News, Inc., RKO and R. H. Macy & Co. was transferred yesterday from the N. Y. Supreme Court to the U. S. District Court here because of the diversity of citizenship among the parties. Plaintiffs allege they appeared in an RKO 'Sportscope' and claim they were using a 'Power' ball which is exploited by Macy's, and that the alleged advertising was put in without their permission.

Tri-State M.P.T.O. Will Meet on Sunday
Memphis, Dec. 7—Annual convention of the Tri-State (St. Louis, Memphis and Nashville) will open here Sunday at the Gayoso Hotel. Meeting will run for two days and include special events marking the opening of the Memphis Variety Club, with headquarters in the same hotel, over the weekend.

Ed Kuykendall, M.P.T.O. president, and David Palfreyman of the M.P.F.P.A. are scheduled to attend.

U. S. Pat On Divorce; No Half Way
(Continued from page 1)
action on the draft would not be taken until February. Further, meetings of its negotiating committee had been held and the organization's board approved an ultimate draft. Several of those meetings may be held before the year-end but a meeting of the full M.P.T.O. will not be set until January. The meeting of the negotiating committee which had been scheduled for today has been called off indefinitely pending completion of study of the distributors' first draft of the trade program.

This coincides with the prospect of no decisive action on the program by State board of directors before mid-January.

While expressing his optimism over prospects for an eventual exhibitor-divorcer, Mr. Kuykendall clearly indicated that he was not satisfied with the distributors' draft as it now stands.

"While the draft displays a sincerity of purpose in the distributors' approach," he said, "it still does not include some of the things we are insisting on.

He verified Motion Picture Daily's statement of yesterday that the M.P.T.O. will insist upon the posters and trade media forms immediately upon completion, rather than at the start of the 1939-40 season. He also indicated that the organization will insist upon changes in philosophy in the present draft and for more specific provisions for local conciliation and arbitration.

Kuykendall hit at unnecessary delay from any quarter in completing the program, including the submission of industry problems to the Department of Justice for its consideration.

Allied Not Satisfied Yet
Fall River, Mass., Dec. 7—Allied regards the distributors' draft of the proposed trade practice program as unacceptable and will seek further concessions, it is declared by Nathan Yamin, president.

In a statement to Motion Picture Daily, Mr. Yamin said: "The trade practice draft as submitted contains a large part but not all of the concessions that the distributor committee agreed to undertake to secure for exhibitors.

"Some very important matters are not included and remain to be worked out. It would be a mistake to conclude that the draft as submitted is acceptable to Allied's negotiating committee.

"When the important matters referred to have been worked out and submitted to our committee by the distributor committee it will be submitted to Allied board of directors for final action with such recommendations as our committee may make.

"It should be clearly understood that this agreement rests with our board of directors.

The Allied board is not scheduled to meet until Jan. 18.
Radio

**Personalities**

HUDSON Hawley, formerly in charge of European offices of International News Service, has been appointed to the newcreated position of news editor of the international division of NBC... Another news correspondent, W. W. Chaplin, has been given a news series on WNEW... Warner S. Shelly, recently elected vice-president of N. W. Ayer & Son, has been placed in charge of the New York office, coming here from Philadelphia.

Mel Allen and Leith Stevens go off the CBS "Swing Session" Dec. 17, to be replaced by Walter Gros as bandleader and Dan Seymour as commentator. Art Shaw will be the guest on Buddy Clark's show Dec. 14. Howard L. Hausman has joined the legal department at CBS.

Baldwin Airs Plea

**To Canada Today**

MONTREAL, Dec. 7—Speeches by British statesmen figure prominently on the line-up of Canadian Broadcasting Corp. programs for mid-December. Three will be heard in less than a week.

Tomorrow afternoon Earl Baldwin, former prime minister of England, goes on the National network, his "Appeal for Jews and Non-Aryan Christians" coming short-wave from BBC. Friday the corporation will air coast-to-coast NBC's broadcast of an address by former British Foreign Secretary Anthony Eden, before the National Association of Manufacturers in New York, and next Tuesday afternoon, Prime Minister Neville Chamberlain will be heard in Canada as he addresses the annual dinner of the Foreign Press Association in London.

**Donnell on Publicity For Wrigley Program**

SAN FRANCISCO, Dec. 7—Darrell Donnell, former E Wrigley radio editor, has been appointed publicity director for the new RKO-Wrigley radio show, to start Jan. 8 on the CBS network.

Donnell will handle contests in principal cities to select young actors with talent, in cooperation with local theaters. Winners of local contests will go to Hollywood for the finals, with a chance to appear in an RKO picture next year.

It's a Sellout

If anyone wants to buy spot announcement or station-break time on WRBL, the waiting line forms to the right, for according to associate director Arthur Pettee, the station is operating on a 100 per cent commercial basis on these announcements, with all available time sold out.

**Nazi Embargo Query Brings Record Mail**

"People's Rally," network show, recently caused a rumour when it asked for aid to the troops or for the removal of the United States to declare an embargo against German goods. It was as a result of the provocative subject that WLS, Cincinnati, refused to broadcast the show.

It has now received a record mail of approximately 10,000 pieces. Eleven from the centre of the house who responded voted in favor of an embargo.

**Discarding of FCC Denied by McNinch**

WASHINGTON, Dec. 7—Published stories that legislation is being drafted for a three-man board to supersede the FCC were formally denied today by Chairman Frank R. McNinch as "utterly without foundation.

McNinch charged the "misformation" must have come from a source "desirous of sabotaging the commission's work and seeking to discredit functional reorganization which is bringing about much more effective administration of the communications act."

One article stated that McNinch was dissatisfied with the present set-up and was backing legislation for a three-man board operating under larger quasi-judicial board as means of eliminating friction between present members.

**Stars Pledge Aid to Screen Guild Series**

Carole Lombard, Jack Benny, Deanna Durbin, Bing Crosby, Clark Gable, Jean Hersholt, Frank Morgan, Bing Crosby, Gloria Stewart, Joan Crawford, William Powell, Preston Foster and other leading screen players have personally guaranteed that they will participate in the forthcoming Screen Actors' Guild show, which is to start on the CBS network Jan. 8 for the Gulf Oil Co.

The S.A.G. show will be one of the most elaborate regular radio series ever to be presented, for the charity angle behind the show has been a tremendous lure, and Hollywood is giving wholehearted support, according to the local Young & Rubicam office, the agency which negotiated the series.

Nothing has been said officially as to how much money will be paid to the S.A.G. by the sponsor, but it is learned that the fee will be a flat $10,000 a week for the first 26 weeks, with even more money forthcoming if the show continues beyond that period.

The fees in their entirety will be used by the S.A.G. to establish a fund for use in the building and maintenance of a hospital for the needy actors of Hollywood, and the construction of a hospital for the same purpose. Associated with the S.A.G. in the presentations are the Screen Writers Guild, Motion Picture Producers Association, Screen Directors' Guild, and other industry units.

**Stein Leaving Time**

Aaron Stein, who left the New York Post last year to become Time Magazine's first radio editor, is leaving and probably will devote himself to writing mystery novels. He is the author of several such books. His successor has not been chosen, but it is believed the post will be filled from within the Time staff.

**Gilman Returns West**

Don Gilman, NBC vice-president on the west coast, left New York yesterday to return to California after spending a few weeks in the east. NBC denies reports Gilman is to be transferred to the New York office.

Radio

**Wage-Hour Ruling Puts Broadcasting Stations Under Law**

WASHINGTON, Dec. 7—Broadcasting stations are not "service establishments" exempt from wage-hour provisions of the fair labor standards act. It was held today in a ruling by the general counsel's office of the Wage-Hour Division.

Admitting that stations perform "service," the ruling holds it is not the type of service intended by Congress to be exempt from the act, in that they do not render service to the ultimate consumer in intrastate commerce.

**Industry Gets Peek At Radio Attractions**

Radio Attractions, Inc., made its bow to the industry yesterday at the Waldorf with an audition of its recordings. The company, headed by Herbert R. Ebenstein and George W. Brandt, son of William Brandt, local theatre operator, specializes in the production and distribution of recorded program series.

The first, "Fu Manchur," is being released to stations, and subsequent ones will be "Ella Cinders" and "Hop-a-Long Cassidy." The company plans to distribute six series a year, on a plan similar to the release of films to theatres. Ebenstein drawing from his experience as a former film executive in arranging the plan. Production is by Fields Bros. on the Coast.

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**MELVYN DOUGLAS and VIRGINIA BRUCE**

**Melvyn is delinquent in criminal past?**

**While his gem of a femme manufactures a mystery?**

**WHIN to Air Benefit**

WHIN will broadcast the meeting of the Christian Committee Relief of Jewish Refugees from the Hotel Commodore today from 6:15 to 7:00 P. M. Helen Hayes, Jack Dempsey, Vera Zorina, Attorney General John J. Bennett, Comptroller Frank J. Taylor and Assistant Attorney General Martin McLaughlin will be among the speakers.
Eddie Small, whose productions of "The Count of Monte Cristo" and "The Last of the Mohicans" still hold many house records

CELEBRATES HIS RETURN TO UNITED ARTISTS with "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

World Premiere
Thursday, December 15th
at
RADIO CITY MUSIC HALL

Definitely a hit...definitely a big hit...that's the word its coast preview has already spread thru the trade. Prints soon in all United Artists Exchanges where you can share its pleasant box-office surprises at an early screening.

★ ASK ABOUT IT TODAY!
Silver Anniversary
Kansas City, Dec. 8—Summit, oldest theatre in continuous operation under management here, will celebrate its 25th anniversary, Dec. 12. The theatre, opened in 1913 by Mr. and Mrs. C. H. Burkey, has been operated by Mrs. Burkey since 1934, when her husband died.

During most of its history, the subsequent run Summit has changed programs daily, and once in 10 and 15 cents. It seats 800.

Films’ Assets
Human, Kent
Informs Court

“The assets of the motion picture industry are the human assets. Money can’t stand alone,” Sidney R. Kent, president of 20th Century-Fox, informed the N. Y. Supreme Court, testifying yesterday in the minority stockholders’ suit against Loew’s. In Kent was the day’s only witness.

To the men who are now being sued and criticized by the defense, Kent testified: “The rise and success of the Loew company. The head of 20th Century-Fox told the court that should the present employment contracts of these executives of Loew’s be abrogated or invalidated, that Loew’s would be wrecked.

Would Take Executives

If the Loew company wants to let these men go, his company would be willing to take them on, Kent testified.

When questioned about a drop in Loew studio earnings from $9,900,000 in 1930 to $3,800,000 in 1932, Kent declared that in 1932 Fox Films lost $12,000,000, of which $9,000,000 was a loss on studio operations. He expressed approval of the action of Loew executives for increasing production operations and refusing to invest in costly theater operations. This refused helped Loew’s in earning profits while competitor companies were experiencing financial difficulties.

Arthur Mayer Calls
At Justice Division

Washington, D. C., Dec. 8—Arthur Mayer, operator of the Rialto, New York, was another independent exhibitor to confer with Department of Justice officials here this week.

N. Y. Exhibitors
Will Kill Games

Name Schenck
To Air Trade ’39 Forecast

Joseph M. Schenck, president of the Motion Picture Producers’ Association, will forecast the business outlook for the industry in 1939 in a special network broadcast Dec. 29 which will present leaders of America’s nine leading industries. The broadcast, networked by NBC, will be heard over the Blue network, from 8:30 to 9 P.M. Schenck will speak from Hollywood.

In addition to the film industry, the feature will present spokesmen of the banking, railroad, newspaper, food, clothing, drug, automobile, iron and steel fields.

Philip A. Benson, president of the American Bankers Association; Dr. Levy, president of the Steel Institute.

Annual Lotteries Total $3,000,000; Moss Warns Theatres

By AL FINESTONE

Given the alternative of cleaning their own house or having the law do it for them by License Commissioners Paul Moss, New York exhibitors, at a meeting yesterday at the Astor Hotel, decided to study means to eliminate, at least, chance games from the theatres of the city.

The hope is that the exhibitors may go even further and discard other forms of giveaway. The yearly total of cash and other giveaways is estimated by William Brandt at $3,000,000.

This was a meeting of the L.T.O.A., of which Harry Brandt is president, and was attended by non-members and representatives of the affiliated circuits as well.

“Eradicate the Cancer”

Commissioner Moss urged the exhibitors to “eradicate the cancer,” and warned that he is determined to put an end to thestitution, that the chance games are illegal. He warned them further that unless this was accomplished he had the one alternative, to suspend the license of those who persisted in the practice. His office had received many complaints, including one by the Society for the Prevention of Crime. The Society’s lottery charges against Max Cohen’s Mason Theatre in Harlem are to be heard in special sessions court Monday.

Following Moss’s address, Brandt was authorized to name a committee of six, to draft a citywide program to which exhibitors in the Metropolitan area will be asked to accede. This committee will be composed of

(Continued on page 10)

“Ballerina” Coast
Rights to Laemmle

Sale of the west coast rights of the French film, “Ballerina,” to Carl Laemmle has been made by Arthur Mayer and Joe Burstin, its distributors. The fourth week at the Little Carnegie Playhouse the film is reported to have broken all records for the theatre.

“Ballerina” is scheduled to open in Baltimore and Philadelphia on Christmas Day.
Insiders’ Outlook

Friday, December 9, 1938

J. CHEEVER COWDIN, University of California board chairman, is prolonging his stay at the studio a few days and, in consequence, is not expected here until Sunday. As usual, he will return by plane.


ALEXANDER Korda, John Hicks, Jr., Max Miller, James Whale, George Arliss, Douglas Fairbanks, Jr., Gary and Mrs. Cooper and Lili Ditta are due on the Aquitania later today.

THURMAN ARNOLD, assistant U. S. attorney general in charge of the Government anti-trust suit against the industry, has been added to the list of sponsors of Films for Democracy. Inc.

JIM KINSEY, manager of the Davenport, Des Moines, Iowa, district for Tri-States, has taken a month’s leave on account of his health and will spend the time in Florida.

U. S. Ambassador Joseph P. Kennedy will arrive here on the Queen Mary, Dec. 15, for the holidays. The Ambassador and his family will go to Florida.

WILLIAM F. ROGERS leaves New York today or tomorrow for product conferences with Al Lichtman and others at the M-G-M studio.

JACK COHEN of Ottumwa, Ia., partner with his Statesides, has several houses was host at a duck dinner at the Hotel Fort Des Moines.

SAM RINZLER is confined to his home in Brooklyn with a sprained foot. He may be laid up several weeks.

E. V. RICHARDS and HUNTER PERRY have left New York after conferences at the Paramount Home office.

JOE J. DITZCH, Des Moines bookkeeping head for Tri-States, is vacationing in California.

NICHOLAS M. SCHENCK plans to open his winter home in Florida shortly.

Mr. and Mrs. JIMMY RITZ will arrive in New York tomorrow from the coast.

EARL WINGART of 20th Century-Fox is nursing a case of laryngitis.

C. C. PETTITTON is fighting a cold acquired during his trip to Chicago.

GEORGE SCHAEFER, RKO chief, returns from the coast next week.

MARJORIE NOBLE returns to London on the Aquitania tomorrow.

LLOYD WRIGHT will leave for the coast today.

THE facsimile people are also anxious to get into the consumer belt, with television. Those close to Finch Telecommunications Laboratories set forth conclusions of a transaction with a company, known as William A. Bruno Co., by which the latter may manufacture special facsimile telecast kits for the home market. At the present time, these experts hold, there are several radio stations in the country operating visual facsimile on an experimental basis, and that such forms could form the nucleus for a facsimile network.

When Mrs. F. D. Roosevelt handed Jack Benny a one-dollar bill for a 25-cent ticket in the German refugee aid fund drawing yesterday, she asked: “Have you the change?” “I’ll send you the change if you can get two miles enough,” Benny quipped. The first lady left last night for Washington.

The Newsreel Parade

Scenes of President Roosevelt at the University of North Carolina, of which he receives a degree, and the U. S. delegation at the Pan-American conference are shown in all the new issues of the screen, yesterday. The reels and their contents follow:


B & K Circuit Staff Gets 6-Million Policy

CHICAGO, Dec. 8—On Dec. 15 a coverage of $6,000,000 will be effective for employes of Balaban and Katz theatres and Publici Great States. More than 2,200 will come under the plan, appointment of John M. Galligan, who made the announcement today. This, according to the announcement, is the first quadruple group insurance plan written by Equitable which is paid for entirely by the employer.

Ament to Be M. E. Of Pathe Newsreel

Walton C. Ament, new editor of Pathe Newsreel for the last year, will be named managing editor of the newsreel in the near future. He will replace Allyn Butterfield, who resigned recently.

Ament, who before joining the newsreel was a member of the RKO trustee’s legal staff at the home office, already is handling much of the work which was done by Butterfield.

Howard Addressesampa

"Good pictures are not a matter of geography," said William K. Howard, who recently completed "Back Door to Heaven" at the Eastern Studios, asserting that the fortieth luncheon of the campaign, principal remaining feature of the campaign, nears its end Dec. 31. Staff will be reduced to a minimum already. Coast office of the campaign was closed down recently.

Drive Office Closes Soon

Motion Pictures’ Greatest Year campaign headquarters in the RKO Building will be closed within the next few months. The newsreel, a test, principal remaining feature of the campaign, nears its end Dec. 31. Staff will be reduced to a minimum already. Coast office of the campaign was closed down recently.

Defense Plea Heard In B & K Motion on Bill of Particulars

CHICAGO, Dec. 8—Hearing on defense motions for a bill of particulars in the Government’s criminal contempt proceeding against Jack S. and Jack K. Brandt, and the majors for alleged violation of a 1932 consent decree was held before Federal Judge H. B. Schirmer. Defendants seek an itemization of charges against them.

R. E. ROBERTSON, Robert Golding, appeared for B. K. & K. and Paramount, Edmund Adcock, of Spitz & Adcock, RKO and Universal, Frederic Burnham, for Lowy’s, David Levinsky, for U. A., and Otto A. Kogel, of Dwight, Harris, Kogel & Caskey, for 25th Century-Pox. Argument will be concluded tomorrow when Vincent O’Brien will appear for Warner Bros. and Robert Wright, of the Government staff, will present the opposition. Following the conclusion of debate counsel for both sides for a bill of particulars, motions to quash summons and for extension of time to answer will be made.

To Reelect Warner Directors at Meet

Five Warner directors whose terms are expiring are slated for reelection at the annual meeting of stockholders in Wilmington on Monday. They are Samuel Carlisle, Sam E. Morris, Stanleigh P. Friedman, Morris Wolf and Harry M. Warner. The directors will meet in New York to elect officers, with the present slate expected to be re-elected.

Stanley Corp. of America, Warner’s theatre subsidiary, will also hold its stockholders meeting on Monday, with reelection of directors scheduled.

Para. Sets B. A. Meet

A sales convention of Paramount Films, S. A., has been called for next Monday and Tuesday in Buenos Aires. John B. Nathan, managing director in charge of Argentina, Uruguay and Paraguay, will preside. New season’s product will be discussed.

MOTION PICTURE DAILY

(Registered U.S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES C. C. CRIDER, Assistant Editor; KENNETH B. ADAMS, Executive Secretary; C. C. PETTITTON, Columnist; SIDNEY A. MAUS, Assistant Editor; A. B. ALBERT, Assistant Editor; ROBERT A. ADAMS, Assistant Editor; F. E. POST, Assistant Editor; FLORIDA STONE, Assistant Editor; W. S. MILLER, Assistant Editor; PABLO M. VAZQUEZ, Assistant Editor; J. W. COOK, Assistant Editor; J. V. DONNELLY, Assistant Editor.

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'Cowboy' Has Big $11,500 Denver Take

DENVER, Dec. 8.—"The Cowboy and the Lady" took a strong $11,500 at the Denver for the best gross, and was followed by the Aladdin for a close second.

Brother Rat" and "Gangster's Gals" took a good $4,000 in the second week at the Rialto, with "If I Were King" for good $6,500 in its second week at the Denham.

Estimated takings for the week ending Dec. 7:

- "Moonlight Sonatas" (Select)
  - ALADDIN — $1,000 (25c-40c) 7 days. Gross: $3,000. (Average, $430)
- "Young Dr. Kildare" (M-G-M)
  - MAD MISS MANON (RKO)
  - BROADWAY — 7200 (25c-35c-40c) 3 day holders. Gross: $1,000.
- "Out West with the Hardys" (M-G-M)
  - DENHAM — $1,500 (25c-35c-40c) 7 day. 2nd week. Gross: $6,000. (Average, $850)
- "The Cowgirls and the Cowboy" (M-G-M)
  - DENVER — 2,055 (25c-35c-40c) 7 days. Gross: $1,500. (Average, $215)
- "Out West with the Hardys" (M-G-M)
  - ORPHEUM — 2,000 (25c-35c-40c) 6 day holders. Gross: $3,000.
- "The Great Salty" (M-G-M)
  - "Spring Madness" (M-G-M)
  - BROADWAY — 7,800 (25c-35c-40c) 4 days. Gross: $5,000. (Average for week, $750)
- "Brother Rat" (RKO)
  - "Gangster's Boy" (Monos)
  - PARAMOUNT — 2,800 (25c-35c-40c) 7 days. 2nd week. Gross: $4,000. (Average, $560)
- "Just Around the Corner" (20th-Fox)
  - "Exposed" (U.P.A.)
  - RIALTO — 795 (25c-40c) 7 days. Gross: $2,000. (Average, $270)

*Submarine Patrol* (20th-Fox)
- ESQUIRE — 800 (25c-40c) 8 days. Gross: $2,000. (Average, $270)
- "Men with Wings" (Param.)
- NEWMAN — 1,500 (25c-40c) 7 days, 2nd week. Gross: $2,000. (Average, $290)
- "Submarine Patrol" (20th-Fox)
- UP TOWN — 1,500 (25c-40c) 8 days. Gross: $3,500. (Average, 8 days, $438)
- "Out West with the Hardys" (M-G-M)
- ADVENTURE IN SAHARA (Col.)
- MIDLAND — 2,000 (25c-40c) 8 days. Gross: $4,100. (Average, 8 days, $512)
- "Angels with Dirty Faces" (B.)
- ORPHEUM — 1,500 (25c-40c) 8 days. Gross: $2,000. (Average, 8 days, $250)
- "Campos Conquistadores" (Pat.)
- FOX TOWER — 2,200 (15c-35c-40c) 8 days. Stage: Connee Connels & His Orchestra, featuring Connee Connel & Walter Cummins, Servo, Conels, Spence, Tommy Martin. Gross: $850. (Average, 8 days, $106)

Test Sunday Closing

CAMBRIDGE, O., Dec. 8.—Daniel Gil- hula, local exhibitor, and three of his employees, arrested for violating the Sunday closing law, have been released on bond pending trial. Voters in the recent election expressed a preference for Sunday closing, and Gilhula is making a test case.

Out Hollywood Way

HOLLYWOOD, Dec. 8.—MAJOR H. D. DETWEILER, commanding officer of Fort McArthur, San Pedro, will con- fer with Capt. Wiliam F. Cox, S. A. Retired, on "Invasion," forthcoming Paramount picture dealing with an invasion of North America by an enemy. M-G-M has pur- chased the story of "Some Better Day" by Buck Barnett, story of Texas oil fields, by JAMES EDWARD GRANT. Due to complications following an appendectomy, LANA TURNER is one of the "Tales of Tomorrow." PEGGY MONTGOMERY gets a featured role in M-G-M's "Burn 'Em Up O'Connor," Warners will reunite JAMES CAGNEY, PAT O'BRIEN, HUMPHREY BOGART, ANNE SHERRIDAN and the "Dead End" kids, who appeared in "Angels with Dirty Faces," in the forthcoming "The Battle of City Hall." MICHAEL CURTIS will direct.

Universal has re leased "Three's Company," the Bing Crosby picture, as "East Side of Heaven." LIEUT JACQ REYNOLDS LINDECE has joined LeROY JOHNSTON'S publicity staff at WARNER WAGNER'S, replacing RUS- SELL FIELD, who has joined 20th Century-Fox's writing staff. FOR HOPE and SHIRLEY ROSS will be teamed in "Some Like it Hot," vehicle for GEORGE KRAPA and his orchestra at Paramount.

Writers—WARNER assignments: SATON I. MILLER is writing a new treatment for "The Sea Hawk," LAWRENCE KINKLE AND SIG HERZIG are writing "The Holy Terror," MICHAEL FESSLER is on an untold original dealing with a famous medical center. GILBERT GABRIEL and ROBERT TRODEN are working on "The World's Applause" at Paramount.

Contracts—Warners has extended the pact of GABRIEL DELL and HUNTZ HALL of the "Dead End" kids.


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Weather Hits Pitt. "Angels" Takes $19,200

PITTSBURGH, Dec. 8.—Winter weather took a big "bite" out of grosses. "Angels with Dirty Faces" led the list with $19,200 and won another week downtown at the Warner. The Stanley hit $18,700 with "There Goes My Heart," and a stage show.

Hardest hit was the new Harris Senator, which made its bow Thanksgiving Day. Playing a stiff fee for John Boles, screen singer, took a goodly share of the receipts which totaled $5,810.

Estimated takings for the week ending Dec. 2:

- "Just Around the Corner" (20th-Fox)
  - ALVIN — 1,500 (25c-40c) 6 days. Gross: $5,600. (Average, $933)
- "Little Tough Guys in Society" (Univ.)
  - FULLTON — 7,000 (25c-40c) 6 days. Gross: $6,500. (Average, $1083)
- "Angels with Dirty Faces" (W.B.)
  - PENN — 1,500 (25c-40c) 7 days. Gross: $9,200. (Average, $1,310)
- "Service De Luxe" (Univ.)
  - SENATOR — 2,000 (25c-40c) 7 days. Stage: John Boles. Gross: $8,100.
- "There Goes My Heart" (U.A.)
  - STANLEY — 7,750 (25c-40c) 6 days. Stage: Maxine Sullivan, Dick Foran, Ann Miller and Roger Pryor's Band. Gross: $11,700. (Average, $1,950)
- "A Man to Remember" (RKO)
  - "Harry Drummond Detective" (W.B.)
    WARNER — 2,000 (25c-40c) 7 days. Gross: $3,800. (Average, $540)
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!
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
CAN YOU STAND IT?
- THE MENACE OF RATHBONE
- THE FRIGHTFULNESS OF KARLOFF
- THE TERROR OF LUGOSI
- THE HATE OF ATWILL

in 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

Original Screenplay by Wilkie Cooper
Directed by Rowland V. Lee

Emma Dunn • Donnie Dunagan • Edgar Norton
A Rowland V. Lee Production
**Take It** in Twin Cities Is $20,000 Lead

MINNEAPOLIS, Dec. 8.—Best grosser in Minneapolis for the week was "You Can't Take It With You" at the Orpheum at $12,000. At the State, "The Sisters" got $5,500, and "Moonlight Sonata" was good for $2,600 at the World.

In J. Paul, "You Can't Take It With You" was also best, bringing $8,000 to the Orpheum.

Estimated takings for the week ending Dec. 8:

**Minneapolis:**
- *Arrest Bulldog Drummond* (Para) $7,900
- *Tarnished Angel* (RKO) $5,500
- *The Mad Miss Manton* (RKO) $5,000
- *Chant of the Century* (20th-Fox) $5,000
- *Moonlight Sonata* (M-G-M) $4,500

**Cleveland:**
- *Out West With the Hardys* $7,500
- *The Three Musketeers* $4,500
- *The Three Musketeers* $4,500
- *The Three Musketeers* $4,000

**Indianapolis:**
- *Young Dr. Kildare* $6,800
- *The Three Musketeers* $6,000
- *How to Marry a Millionaire* $4,500

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**'Angels'** $14,000

Is Cincinnati Hit

CINCINNATI, Dec. 8.—"Angels With Dirty Faces" took a money lead last week with $14,000 at the RKO Palace. Count Berni Vic's "Stars Over Broadway," which helped on RKO Shubert stage helped on "Light's Darling" to a $10,000 gross, and "Brother Rat," grabbed a $6,000 take in its week at the RKO Capitol.

Estimated takings for the week ending Dec. 1:

- *The Shining Hour* (M-G-M) $5,000
- *Angels With Dirty Faces* (RKO) $5,000
- *Brother Rat* (M-G-M) $5,000

**To Build Ohio House**

CINCINNATI, Dec. 8.—The Queen City Housing Co., composed of Nat Galley, local man; J. S. Jossey, Cleveland, and others, has acquired a site in the Queen City, on which a 750-seat house will be built.

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**'Angels'** $9,000

With 'Service' Is Top in Milwaukee

MILWAUKEE, Dec. 8.—"Angels With Dirty Faces" and "Service de Luxe," topped the week's takings with a $9,000 gross at the Warner.

Runner-up was "If I Were King," and "Angels for the Memory," which grossed $8,400 at Fox's Palace. The Stroud Twins and "I Stand Accused," collected $6,800 at the Riverside.

Estimated takings for the week ending Nov. 30-Dec. 1:

- *Angels With Dirty Faces* (F. N.) $13,000
- *Hardys' Lady* (WARNER) $12,000
- *Down on the Farm* (20th-Fox) $10,000
- *Wisteria* (S-000) $8,500
- *I Stand Accused* (M-G-M) $8,000
- *Submarine Patrol* $6,000
- *Submarine Patrol* $5,000
- *Bulldog Darling* $4,000

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**'Cowboy' Rides 'Em In Buffalo $11,500**

BUFFALO, Dec. 8.—"The Cowboy and the Lady" took the honors, with $11,500 at the Great Lakes. "Little Tough Guys in Society" dually with "The Takeover Express," by Lafayette, took a strong $9,100. "Submarine Patrol" held up well, drawing $7,800 at the Century.

Estimated takings for the week ending Dec. 3:

- *The Shining Hour* (M-G-M) $11,500
- *Taking a Chance* (M-G-M) $10,000
- *The Lady and the Camel* (20th-Fox) $8,500
- *The Great Lakes* (Univ.) $8,000
- *The Takeover Express* (Univ.) $7,500

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**'Hardys'** Manton N. H. High, $11,500

NEW HAVEN, Dec. 8.—"Angels With Dirty Faces" and "Road to Reno" scored with the Roger Sherman on both the Stroud Twins and the "Hardys" and the "Mad Miss Manton" grossed $11,500 in eight days.

"The Shining Hour" and "Blondie" did $2,800 at the College.

Estimated takings for the week ending Nov. 30:

- *The Shining Hour* (M-G-M) $7,500
- *Blondie* (Col.) $7,000
- *The Hardys' Lady* $6,800
- *The Three Musketeers* $6,500

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**Frisco Bows To 'Angels'** At $24,000

SAN FRANCISCO, Dec. 9.—"Angels With Dirty Faces," paired with "Listening at the Fox," took the lead with $24,000.

"The Cowboy and the Lady" was fairly strong, but unusually were "You Can't Take It With You" which drew $10,500 in second week at the Alexander, Leo Frank at the Palace, and the "Lady," drawing $10,000 in second week at United Artists.

Estimated takings for the week ending Nov. 29-Dec. 2:

- *Peck's Bad Boy With the Circus* (RKO) $15,000
- *Hardys' Lady* (M-G-M) $10,000
- *The Millionaire* (RKO) $8,000
- *Gold Diggers* (M-G-M) $6,000

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**'Hardys'** Is Omaha

Best With $12,200

OMAHA, Dec. 8.—"Angels With Dirty Faces" grossed a strong $8,200 in seven days at the Brandonia, and was first.

"Out West With the Hardys," dually with "Exposed," pulled a smash $12,200 at the "Shining Hour" and "Mysterious Mr. Moto" did a good $7,900 at the Omaha.

Estimated takings for the week ending Nov. 30:

- *Angels With Dirty Faces* (F. N.) $6,000
- *Tobacco Road* (M-G-M) $5,000
- *I Stand Accused* (M-G-M) $4,500
- *The Millionaire* (M-G-M) $4,000
- *The Hardys' Lady* $3,500

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**Moreels Joins Monarch**

PITTSBURGH, Dec. 8.—Edward Moreels, left the Monarch company here several months ago, has joined Lew Leiton's Monarch Office as a salesman. He replaces Joseph Fleshman, who resigned recently to go with the Bien Theatre Poster Supply Co. in Cincinnati.
Radio Personalities

JIM BARRETT, president and editor of the Press-Radio Bureau, will speak Sunday over WHIL on "From the Press to the News." Mr. Wynn, CBS singer, flies to Buffalo tonight to appear at the annual Horse Show banquet. Jan. 12, rider of the talent at the affair will be called from the staff of the Buffalo Broadcasting Corp. . . . Jimmy Atkins, who recently took over the New York studio of Hy Gardner of the Brooklyn Eagle, and Henry L. Jackson, editor of Eau Claire, will describe the ideal way to spend an evening in New York on WFN next Tuesday at 9:30 P.M.

"Good News" Show Renewed for Year

M-G-M's radio series, "Good News," has been renewed for 52 weeks, proof that the studio and sponsor, General Foods, are satisfied with the program. Previous renewals were for 13-week periods.

"Good News" started last year. It is heard Thursdays over 82 stations of the NBC-Red network, plus the CBC network in Canada. The renewal becomes effective Jan. 1, 1939. Benton & Bowles is the agency.

Another major Hollywood program which yielded a year's renewal is the Chase & Sanborn hour, broadcast over 29-station group on the Red network. J. Walter Thompson is the agency.

Also renewed were General Electric's "Hour of Chime," for 13 weeks, through the Maxon agency, and Ward Baking's dramatic strip, "Jane Arden," for 12 weeks. Sherman K. Ellis Co. is the agency.

CBS Artist Bureau

CBS Artist Bureau, under the direction of Herb Rosenthal, this year has enjoyed its most prosperous season by virtue of a number of major deals recently closed. Deals which helped put the bureau over the top include Orson Welles, Andre Kostelanetz, Raymond Page, Raymond Scott, H. V. Kaltenborn, Ray Thompson and others.

Welles and his Mercury players were sold by the bureau to Campbell Soup Co. for the series which starts tomorrow. In addition Columbia Artists set the orchestra under the direction of Bernard Hermann on the show. Kostelanetz and Miss Thompson were sold to the Ethyl Gas Co. for that series, starting Feb. 9, and Raymond Scott to the American Tobacco Co. on the "Hit Parade"; Page and a 100-piece orchestra, and Hildegarde to the U. S. Rubber Co., starting Feb. 22; Kaltenborn to Pathe News as consultant and adviser on foreign affairs. Other deals include the booking of Danton Walker of the dancing Boys on the U. S. Tobacco series.

Vallee Heads Three NBC Show Renewals

Three important renewals, headed by the re-signing of the Rudy Vallee show, have been effected at NBC.

Vallee's show, sponsored by Standard Brands for Royal Dessert, has been taken up for another year, effective Jan. 5. Series is heard on the Red from 8 to 9 P.M. on Thursdays, over a 53-station hookup. J. Walter Thompson is the agency.

Fitch "Bandwagon," sponsored by the Fitch Co., a musical series which began in the fall, has been renewed for 52 weeks effective Jan. 8. It is broadcast from 7:30 to 8 P.M. on the Red. L. W. Ramsey Co., Davenport, la., is the agency.

Wander Co., sponsoring "Little Orphan Annie," script show based on the cartoon of that title, will be heard again in the air for another year, through a renewal placed by Blackett-Sample-Hummert. Broadcast Mondays through Fridays, the series is heard on the Red at 5:45 P.M.

Begin New NBC Antenna

Installation has been started on new short-wave antenna by NBC for its foreign transmitters W3XL and W3XAL which will enable the network's international division to extend its service to Latin America to 16 hours a day, without diminishing the service to Europe, upon completion. The network is now broadcasting nine hours a day to Latin America.

FCC Calendar

Washington, Dec. 8—Hearings on broadcasting cases have been set by the Federal Communications Commission for hearings, as follows:

Dec. 15: Applications of Colonial Broadcasting Corp. for a 1,370-kilocycle station at Norfolk, with 100 watts nighttime power at Nankeen, Va.; for increase of power from 200 to 500 watts; and WLAG, Lawrence, Mass., for extension of time from day to sunset at KPO.

Jan. 10: Applications of James F. Hopkins, Inc., a 1,400-kilocycle, 250-watt station at Annapolis, Md.; WFRG, Hagerstown, Md., for increase of power from 100 to 250 watts; WKOK, Sunbury, Pa., for extension of time from day to unlimited; and WSNJ, Bridgeton, N. J., for extension of time from day to unlimited with 100 watts night, 250 watts day.

Jan. 24: Application of St. Lawrence Broadcasting Corp. for a 1,310-kilocycle station at Ogdensburg, N. Y., with 100 watts night, 250 watts day.

Jan. 28: Applications of Bowling Green Broadcasting Co. for a 1,310-kilocycle station at Bowling Green, Ky., with 100 watts night, 250 watts day, and WYAL, Mobile, Ala., for increase of night power from 500 to 1,000 watts.

Feb. 6: Applications of Central Broadcasting Co., for a 1,500-kilocycle station at Worcester, with 100 watts night, 250 watts day; Kingston Broadcasting Corp. for a 1,500-kilocycle, 100-watt daytime station at Kingston, N. Y.; WCBS, Springfield, Ill., for change of frequency from 1,420 to 1,290 kilocycles and increase of power from 100 watts night, 250 watts day to 1,000 watts, and WSGN, Birmingham, Ala., for change of frequency from 1,310 to 1,290 kilocycles and increase of power from 100 watts night, 250 watts day to 1,000 watts.

Feb. 20: Application of Julius H. Dixon for a 1,500-kilocycle station at Tupelo, Miss., with 100 watts night, 250 watts day, and WLAC, Nashville, for increase of power from 5,000 to 50,000 watts.

Application for a new station to operate on 1,420 kilocycles with 100 watts power was filed by the Gazette Co., Cedar Rapids.

Other applications included WOC, Davenport, la., for change of frequency from 1,370 to 1,500 kilocycles and increase of power from 100 watts night, 250 watts day to 1,000 watts, and move of transmitter from Davenport to Bettendorf, la., and WHBY, Green Bay, Wis., for authority to move from Green Bay to Appleton.

Hearing set for applications of the Suffolk Broadcasting Corp. for a 1,420-kilocycle station at Suffolk, Va., with 100 watts power night, 250 watts day; KAND, Corsicana, Tex., for extension of time from day to unlimited with 100 watts night, 250 watts day; WDNY, Royal Oak, Mich., for change of frequency from 1,310 to 1,300 kilocycles and increase of power from 50 to 250 watts; and WJZ, Rockefeller's orchestra and the Eton Boys on the U. S. Tobacco series.
N. Y. Theatres Map
Plan for Abolition Of Cash Premiums

(Continued from page 1)
an equal number of representatives from the independent and affiliated and non-affiliated exhibitors. The 2-2-2 committee is to report back at a meeting tentatively called for Dec. 21.

There were about 100 showmen at the meeting and discussions were held. cosy Moussell, one of the more important leaders present were Charles C. Moskovitz, executive op- Disconnecting J. O'Connor, operating head of RKO theatres. Moskovitz pledged the co-operation of his circuit as soon as everybody else is willing to go along, and said that Loew's is even agreeable to head the way. O'Connor asked the Commission whether his ban would apply to chance games in churches, fraternal halls and clubs. To this Moos replied affirmatively and indicated that it is something to be taken up with Mayor F. H. La-Guardia and Police Commissioner Lewis.

Walter Reade brought up the question of other commercial fields giving premiums, and expressed the opinion that as long as this persisted, exhibitors should be permitted the same privilege.

It was William Brandt who pointed out that there were theatres in New York giving away as much as $1,000 weekly, with the RKO Fordham distribution $300 per night, two nights of every week. Circuits operating in the Bronx, which are already set to have a need to the bar of Loew's, RKO, Consolidated, Springer-Cocalis, Brandt, Moe Rosenberg, Ben Knobul and Strausberg-Leff.

20-Fox GB Deal
Effective Monday

Announcement that 20th Century-Fox will handle all Gaumont British business in America was made yesterday and the deal will go into effect Monday.

Sidney R. Kent, 20th Century-Fox president, issued the following statement: "We have handled the physical distribution of Gaumont British for several years in this country. Naturally, there has been considerable complication of this arrangement, so, under the new plan, we will be able to make several economies both for Gaumont British and ourselves."

Arthur A. Lee, GB vice-president, may make a statement on his future plans early next week. He will not be associated with 20th Century-FX between the new arrangement. Lee has a contract with GB which has about one year to go.

Marquee Bills to Mayor

Two bills which will permit foot-marquees instead of limiting them to two feet as they are under the present law, were introduced yesterday by the Board of Estimate to the Mayor's office for final action. The board refused to back legislation over the legislation on the ground that no city appropriation was involved.

Interstate Gives $70,000 to Refugees; Art Drive Opens

Mrs. Franklin D. Roosevelt yesterday inaugurated the ticket selling by the Motion Picture Art Fund for Ger- man Refugees by buying the first four tickets from Jack Benny.

With Paramount and Universal newsmen, camera crews in action, in a room on the ninth floor of the Par-amount Building, Benny told Mrs. Roosevelt he was happy to sell her the first 25-cent ticket to the art fund. The First Lady responded that she would be "happy to contribute." She handed Benny a dollar bill, thereby be- coming the possessor of three addi- tional tickets.

Distribution Is Under Way

Distribution is already underway of the expected total of 200,000 tickets for the drawing of art works contrib- uted by prominent artists. It is planned to hold the drawing Feb. 12 on the steps of the City Hall, with Mayor F. H. La-Guardia officiating.

Four agencies for German refugee relief will benefit by $15,480.75, the sum collected through voluntary contrib- utions by those attending the bene- fit premiere of "Pygmalion," spon- sored by Nicholas M. Schenck at the Astor Wednesday night.

Interstate Collections Big

Day, Dec. 8—A total of $70,000 is estimated to have been collected in the refugee benefit performances held in all F. A. and Interstate Cinemas. It is expected $10,000 will have been returned by Dallas theatres alone. Performances were held today in theatres in Albuquerque and Fort Worth, and yesterday, in 123 other Texas and New Mexico spots. The difficulty of checking on advance sales in outlying situations will make it impossible to obtain a complete check.

Boston Trans-Lux Benefit

Boston, Dec. 8—A. W. Lauer, manager of the Trans-Lux here, act- ing on instructions from Major Leslie Thompson, president, and Percy Further, board chairman of the circuit, has placed 100,000 tickets at the disposal of several local charitable organi- zations. The plan is designed to raise $25,000 for the relief of refugees from Germany.

Eleanor Roosevelt buys the first ticket from Jack Benny for the Motion Pic- ture Art Fund for German Refugees. Arleen Whelan and Shirley Ross are at left and Kitty Carlisle is at right.

Boston gives 'Corner" Twin
Run $20,000

Boston, Dec. 8—Dual of "Just Around the Corner" and "Alluring Bull- dog Drummond" at the Fenway had the best take of the week, compara- tively. At the Paramount the take $11,000. Close behind were Swing That Cheer" and "Drums" at the Keith Memorial, with $17,000; and Loew's, Orpheum, doing $16,000, and "Angels With Dirty Faces" and "Down on the Farm" at the Metropolitan, also taking $16,000. Estimated takings for the week end- ing Dec. 7:

Boston (U. A.)
"Swing Cheer" (Univ.) KEITH MEMORIAL—(2,970) (25c-35c-40c-55c) 7 days. Gross: $17,000. (Average, $2,428.)
"Swing Cheer" (Univ.) RKO—(25c-35c-40c-55c) 7 days. Gross: $16,000. (Average, $2,286.)
"Down on the Farm" (20th-Fox) LOEWS—(Para.) 7 days. Gross: $16,000. (Average, $2,286.)
"The Citadel" (M-G-M) MILTON—(Para.) 7 days. Gross: $16,000. (Average, $2,286.)
"Blondie" (Col.) LOEWS STATE—(25c-35c-40c-55c) 7 days. Gross: $16,000. (Average, $2,286.)

Just Around the Corner" (20th-Fox) ARLEEN WORTH; 7 days. Gross: $15,000. (Average, $2,143.)
"10,000 to Fight" (RKO) 2,900. (25c-35c-40c-55c) 7 days. Gross: $1,906. (Average, $272.)

40c-55c) 7 days. Gross: $1,906. (Average, $272.)

Cowboy' $7,850

In Oklahoma City

OKLAHOMA City, Dec. 8—"The Cowboy" led the best business here, with $7,850 at the Crite- rion. Dual of "The Miss Madison Man- ton" and "A Man to Remember" at the Liberty took in a strong $4,000.

Girls' School" and "Romance of the Limberlost" at the State, and "The Young in Heart" at the Tower, were fair.

Estimated takings for the week end- ing Nov. 30:

The Cowboy and the Lady" (U. A.) CRIT—(1,200) (25c-35c-40c-55c) 7 days. Gross: $7,850. (Average, $1,121.)
"A Man to Remember" (RKO) RKO—(900) (25c-35c-40c-55c) 7 days. Gross: $5,200. (Average, $743.)
"The Miss Madison Manton" (20th-Fox) 1,800. (25c-35c-40c-55c) 7 days. Gross: $4,000. (Average, $571.)
"A Man to Remember" (20th-Fox) MIDDLETOWN—(1,800) (25c-35c-40c-55c) 7 days. Gross: $4,000. (Average, $571.)

Girls' School" (Col.) ROMANCE OF THE LIMBERLOST—(200) 7 days. Gross: $1,906. (Average, $272.)

State—(1,000) (25c-35c-40c-55c) 7 days. Gross: $3,900. (Average, $557.)
"The Cowboy and the Lady" (U. A.) TOWER—(1,000) (25c-35c) 7 days, 2nd week. Gross: $2,600. (Average, $364.)

K-A-O Votes Dividend

Dividend of $3.50 per share on the seven per cent cumulative convertible preferred of Keith-Albee-Orpheum Theatres Inc. was voted by the company's board yesterday, payable Dec. 23 to holders of record on Dec. 19. The dividend, payable out of end-of-year surplus, is for the quarters ended Dec. 31, 1935, and March 31, 1936.
FAME
The Audit of Personalities

SCREEN
RADIO
CONCERT

Now in preparation by the world-wide staff of Quigley Publications — edited by Terry Ramsaye

NEW YORK • CHICAGO • LONDON • HOLLYWOOD
"I Break The Law!"

He killed without mercy... stole without fear... till a boy touched the heart that bullets couldn't reach!

"I AM A CRIMINAL"

WITH

JOHN CARROLL
KAY LINAKER • MARTIN SPELLMAN
CRAIG REYNOLDS

Produced by E. B. DERR
Directed by WILLIAM NIGH
Associate Producer FRANK MELFORD
Screenplay by JOHN W. KRAFFT
Story by HARRISON JACOBS

"One of Monogram's best offerings. Good action entertainment for the entire family, and a credit to Monogram."
—Joy Emerson

"It packs more entertainment value than many a million dollar colossal."
—Jimie Ridler

"Will give action fans more than usual allotment of solid entertainment. Carroll, Spellman top capable cast."
—Hollywood Reporter

"Monogram scores with fine story that should please any audience. Well directed, splendidly cast, fine production values."
—Showmen's Trade Review

"Setting a new and higher standard of production for Monogram, it moves forward as that organization's strongest bet this year. Human story, splendid characterization and excellent mounting."
—Daily Variety

A MONOGRAM PICTURE
AFRA Submits Network Base Pay Schedule

Agency Group to Render Decision Dec. 22

Efforts of the American Federation of Radio Artists to obtain a contract for radio artists appearing in sponsored network programs neared a climax over the weekend when the radio guild submitted to a committee of the American Association of Advertising Agencies a contract governing minimum artists’ pay, and a code of fair practice. The 4-A’s will render its decision on Dec. 22.

The standard contract provides that artists and announcers may not be discharged, except for cause; that players and announcers may not be used except for live broadcasts unless the client or agency receives the approval of the artists and A.F.R.A.; that the... (Continued on page 5, column 3)

Blumberg Is Due In New York on Friday

Hollywood, Dec. 11.—Nate J. Blumberg, president of Universal, will leave here on Tuesday for New York. He will arrive either Friday or Saturday.

Arbitration Will Be Up to the Exhibitors

Exhibitors, themselves, are to determine whether it shall be arbitration or cancellation. The distributors, engaged in formulating trade practice reforms, are leaving it up to the exhibitors. Such exhibitor determination may be had in January, at meetings of the various exhibitor groups, to discuss terms of the draft on trade practice reforms, which is now before them.

Of course, once this is determined, the industry’s next problem will be to set up the machinery for putting the reform in practice. That will consume considerable effort and time. As everybody knows, decisions are... (Continued on page 6)

Britain Anticipates Drought Of Own Films This Summer

British production has slackened and England is faced with a drought of native-made films, in the summer. This view was brought back from England by John W. Hicks, vice-president in charge of foreign films for Paramount, who returned on the Aquitania, Friday, accompanied by David Rose, Pat’s boss of British production. Adolph Zukor leaves for London about Dec. 31. He becomes the liaison between Paramount’s American and European operations, serving in a consultory and supervisory capacity.

Post of managing director for Paramount, in London, is still held by Hicks, but he will relinquish this post as soon as the company decides upon a qualified permanent successor to John C. Graham, who resigned some weeks ago.

David Rose has been abroad for three months, studying the London production side. He will present his views to the company board, while here, sailing back for England, next Saturday.

Present plans are for Paramount to make seven quota films, if possible, for the coming year, and 10-12 films in London, for the year following. First on the schedule will be “French Without Tears,” a double-quotafilm and “Hatter’s Castle,” by A. J. Cronin, a triple-quotaproduct is also listed. C. J. Dickinson has been named general sales manager of Paramount Film Service, Ltd.

Lubitsch Expected To Produce for UA

That Ernst Lubitsch will produce for United Artists appears fairly certain. Discussions are said to have reached a definite stage. If a deal is concluded, it may run for five years, under which Lubitsch perhaps would make at least one picture a year for United Artists distribution. He would provide his own financing.

Naturally, this Lubitsch deal cannot become effective this season. The indications are that a deal may be concluded whereby Lubitsch will join the United Artists concern for the 1939-40 program.

Major Will Seek Basis for Decree

U.S. Firms Won’t Yield to Italy; See Trick in Extension

Despite Italy’s decision to extend for six months the privilege of doing business in that country to four American distributors, the American companies will not yield, but will withdraw from Italy as soon as convenient.

There has been no change in the status of these companies as regards Italy. Although, pro forma, a meeting in Paris will be held this week by continental managers of American distributors, that meeting is expected about a reaffirmation of the American determination to withdraw from Italy.

Trick in Italy’s Decision

There is a trick in Italy’s decision to extend the privilege of doing business to four American companies—Columbia, RKO, United Artists and Universal—that is that these companies have to convert their contracts at the expiration of this extended period.

In June these four companies, under this new edict, must turn over their business to Rome on a flat rate basis, on terms dictated by Rome. This flat rate, a scheme by which Rome is trying to take away the distribution business of the American film companies, runs perhaps from 20 to 35 cents on the dollar. It is understood that Rome is offering somewhere between 10,000,000 and 20,000,000 lire flat for all the American business, while the American business runs to approximately 100,000,000 lire a year. In American money that might mean, all told, about $4,000,000. Rome is offering about $1,000,000 or less, according to estimate.

Chicago Case Goes Over Until Jan. 16

CHICAGO, Dec. 11—Federal Judge Woodward on Friday took under advisement the motions for a bill of particulars in the Government anti-trust suit against Balaban & Katz and said he will act on the motions on Jan. 16.

On the January date, the judge indicated, he also will set a time for the filing of the answers.

Goldwyn Offered Shearer $250,000

That Norma Shearer, although offered $250,000 a film, plus 50 per cent of the profits by Samuel Goldwyn, preferred a contract with Metro for two pictures at a year at $150,000 a picture, plus a profit-sharing arrangement, was revealed in the trial of the minority stockholders suit against Loew’s, before Justice Louis A. Valente, in the N.Y. Supreme Court Friday.

It was also shown that the Metro payroll in the last few months had been reduced considerably. There were depositions read at this trial by defense counsel, including those of AI Lichtman, David Bernstein, Louis B. Mayer, Edgar Manns, and former Federal Judge John R. Hazel. Judge Hazel was a former trustee of the Old Film Securities Co.


Insiders’ Outlook

**Purely Personal**

FELIPE MIER, president of CISA, Spanish language film producer in Los Angeles, is conferring today for conferences with the home office executives at United Artists.

GARY COOPER, accompanied by his wife, returned from a month’s vacation in Europe on the Aquitania Friday, and starts work on his next Goldwyn picture, “The Last Frontier,” in January.

LOUISE ROUSSEAU, assistant to Frank Donovan, RKO Pathé production manager, will return about the end of the year from a nationwide tour visiting exhibitors.

W. A. SCULLY and F. J. A. MCAULIFFE of Universal returned to New York over the weekend from a tour of the company’s southern exchanges.

GEORGE TREENE of United Detroit Theatres returned to Detroit over the weekend from the Eastern sales conference at the Paramount home office.

KARL MACDONALD, Latin America supervisor for Warners, left last night on a week’s business trip to Havana and Kingston.

JAMES MULVEY, SAMUEL GOLDWYN’s eastern representative, returns from the coast today.

SIG WITTMAN, assistant to EDDIE ALPERS, is confined to his home with a cold.

W. G. VAN SCHIJN, managing director of the Music Hall, returned on Friday from a periodical visit to Havana.

JEAN BENNET-LEY, director of “La Maternelle” and “Ballerina,” leaves Paris this week for a New Year vacation.

**Dual “Wings” Premiere**

Warners will open “Wings of the Navy” at the U. S. Naval Stations at Pensacola, Fla., and San Diego, Calif., simultaneously, in February.

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**Unreasonable** RKO Order May Be Eased

Application for modification of an order calling for stockholders to present their certificates to the court upon filing their approval of the Atlas reorganization plan for RKO was made Friday before Judge Bondy. He indicated that he would consent to modification unless the action should conflict with provisions of the Chandler Act. He termed the original order “unreasonable.”

All attorneys present concurred in the application except John S. Stover, attorney for Ernest W. Stirn. He objected on the ground that his client was the only one who had filed his consents properly.

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**Durst Sent to Coast By Int’l Projector**

Jack Durst of International Projector Corp. has been assigned as factory representative in Hollywood.

Durst has been identified with the development of the new Simplex Four Star Sound Equipment. His experience in the industry dates back to 1928.

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**“Waltz” Test Finals At Waldorf Tonight**

National finals of M-G-M’s “Great Waltz” test session are to be held tonight at the Waldorf-Astoria with the entire proceeds going to the Red Cross. Winning couples from the 13-zone contest will compete for a three-month contract at the M-G-M studios.

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**National Movement For Nazi Boycott Started on Coast**

Hollywood, Dec. 11.—President Roosevelt has been petitioned by some 20 to 30 million people to declare an economic boycott against Germany. A movement started Friday by a group of outstanding motion picture figures proves successful.

Meeting at the home of Edward G. Robinson, several producers and directors sent letters to national editors asking that they present a draft of the petition which will be given national circulation through the newspapers and schools for additional signatures. The petition calls for dissolution of all economic relationships by the preceding year, and Germany through embargo and boycott.

The meeting was presided over by Melvyn Douglas. Others who attended included Ira Gershwin, Ben Welden, David White, Sy Gold, Jack Saul, Charles H. Horning, Jules White, Jack Davis, and Walter Wanger, and Carl Laemmle.

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**Move “Wreckage” Suit**

ALBANY, Dec. 11.—Legal action of Cinematograph Service Corp. to compel the N. Y. censors board to issue an exhibition license for “Human Wreckage,”

social hygiene film, has been transferred from the New York Supreme Court to the United States District Court to which it had been transferred from the United States District Court.

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**G N in AP Building**

Educational and Grand National moved into their new consolidated headquarters in the recently completed Associated Press Building in Radio City over the weekend, after educational vacated the Paramount Building, where its home office has been for more than 10 years.

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**Motion Picture Daily**

(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher, the SHAIN-N Editor; JAMES A. CRON, Advertising Manager. Published by Associated Press, Tuesday and Friday; Editor, Martin Quigley; president, J. E. Shade, jr.; vice-president, treasurer, S. H. Shaw. Publication office: 1270 Sixth Avenue, New York City. Telephone: National 7-1000. Address: Quigley Publishing Company, Inc., 1270 Sixth Avenue, New York City. Subscription rates per year $6.00 in the United States, or $7.50 elsewhere.

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**“Great Waltz” Test Session**

National finals of M-G-M’s “Great Waltz” test session are to be held tonight at the Waldorf-Astoria with the entire proceeds going to the Red Cross. Winning couples from the 13-zone contest will compete for a three-month contract at the M-G-M studios.
...marching into RADIO CITY MUSIC HALL, Thursday, December 15th ...in step with the high traditions of America's Number 1 theatre. A story of youth winning its badge of courage ... cheered tumultuously at its preview...made by the producer of "The Count of Monte Cristo" and "Last of the Mohicans".
Hidden Clause in U. S.-Canada Pact Cuts Negative Tax

TOLEDO, Dec. 11.—A hidden clause in the trade agreement between the United States and Canada has brought a hitherto unannounced reduction in the Canadian duty on film negatives imported from the States from 22½ to 2½ per cent. This concession was not realized at the time the pact was signed at Washington when general details were revealed because of the ambiguous wording of the clause governing the importation of negative films.

The actual description, as taken from the agreement, reads: "Manufactures of pyroxylon plastics, or of which pyroxylon plastic is the component of chief value,"

According to experts of the Customs and Excise Divisions of the Department of National Revenue, this means exposed negative films, among other things, and accordingly the film industry in the Dominion gains another benefit under the pact which will become effective Jan. 1. This change is comparable with the reduction in duty on positive prints from three cents to 2½ cents per linear foot. The special three per cent excise tax is also to be removed, of course.

No change has been made in the Canadian tariff on imports of 16 mm. films from the U. S., which remains at 20 per cent ad valorem.

Metro Gets Xmas Bill at Music Hall

Another Metro picture will play the Music Hall during Christmas Week. It is "Christmas Carol." This is the third Metro film to play the Music Hall this season. It is not unlikely that before the season expires other Metro pictures will play the Music Hall.

These deals have no effect on the Capitol, Broadway, which is operated by Loew's. The transactions with the Music Hall on individual pictures are entirely separate deals, distinctly unrelated to the Capitol Theatre, or Loew's operation of same.

Majors Will Seek Basis for Decree

(Continued from page 1)

are certain defendants who are now trying to determine how to accomplish divestiture on their end. The purpose of such a draft as that which is to be prepared, it is understood, is primarily to furnish a starting point from which negotiations can be pursued toward achieving a final settlement of the case and a formal consent decree, which shall be feasible to the defendants and meet the Government's demands at the same time.

It is understood that submitting such a draft or the preparation of the same commits the defendants to nothing. In receiving such a draft and discussing it with the defendants, the Government is not committing itself.

Completion of the industry's trade practice program may suggest and simplify the work of preparing an initial draft for Washington's perusal on the trust case.

Marcus Loew Holders In Dividend Protest

TORONTO, Dec. 11.—Shareholders of Marcus Loew's Theatres, Ltd., holding 698 shares of preferred stock, have entered protests to the dividend protest of the company to what is declared to be inadequacy of liquidation of arrears in dividends on the stock, which now amount to $38.50 per share following the current payment of $3.30 for the half-yearly period ending Sept. 30, 1934.

In a letter, it is pointed out that working capital was built up from $4,000 to $164,000 in the period from Jan. 4, 1932, to Aug. 20, 1937, during which time a substantial amount was spent on redecorating, it is declared. No dividends were paid for many years up to June 30, 1934.

Whale Wants Junior Fairbanks in Picture

James Whale, director, has talked to Douglas Fairbanks, Jr., about taking a role in "The Man With the Iron Mask" which was once played by Douglas Fairbanks, Sr., in silent days. Both returned on the Agatauna Friday. Whale goes to the coast next week to direct the film for Edward Small, U. A. producer.

Canada ITA Accept 1939 Royalty Fees

TORONTO, Dec. 11.—Independent Theatres Association of Canada have not prepared any objections to the proposed schedule of fees to be imposed against theatres in 1939 by the Canadian Performing Right Society. As no change had been made by the musical copyright body for the last 15 years, it has been decided to remain as before.

Broadcasting stations, hotels and other places of amusement rendered complaints before the Federal Copyright Appeal Board Friday, however, because of substantial increases in fees for performance of musical works, and these were taken under advisement by the board.

Censor British Reel

LONDON, Dec. 11.—British Censor Board yesterday refused an exhibition certificate for "England Expects," a topical reel concerned with bombing of British ships by Spanish nationalists. Cuts were demanded, but the distributor has threatened to screen the film in the West End, Monday, regardless.

Womersley for C. E. A. London, Dec. 11.—Sir Walter Womersley, assistant Postmaster General, will be guest speaker at the C. E. A. banquet here Tuesday.

Rangers to See "Duke"

Lester Patrick and his New York Rangers hockey players will be accorded a special preview showing of Ed Small's "Duke of West Point" at United Artists Preview Theatre tonight.

Detroit Goes for "Angels" and "Get" To Tune of $20,000

DETROIT, Dec. 11.—Michigan did well with the double bill, "Angels with Dirty Faces" and "Hard to Get," for a take of $20,000. Suburban "Patrol" gave the Fox $16,000. Second week of "The Hardys" drew $7,000 at the United Artists.

Estimated takings for the week ending Dec. 9:

"Dark Rapture" (U.)
Loew's—(950)
Average, $3.00

"The Road to Ruin" (M-G-M)
Fox—(950)
Stage, 30c-40c-50c 2 days;
Suburban, 75c-

"Journey to the Center of the Earth" (U.)
Palms-State—(3,000) 7 days
Average, $6.00

"Men of the West" (M-G-M)
United Artists—(3,000) 7 days
Average, $5.90

"7/4 Angels" and "Girls"
$7,400 in Seattle

SEATTLE, Dec. 11.—"Angels with Dirty Faces," duelled with "The Girls at the Orpheum, took a strong $7,400 to lead this week. "The Young at Heart" and "Service de Luxe" was good for $6,700 at the Fifth Ave., and "Flight Path" and "Kid Mouthpiece" at the Palomar took $5,900.

Estimated takings for the week ending Dec. 9:

"Stablemates" (M-G-M)
Touchdown Army (Para.)
Average, $4.00

"The Road to Ruin" (M-G-M)
Average, $3.00

"Service de Luxe" (Univ.)
Average, $4.00

"The Road to Ruin" (MG-M)
Average, $4.00

"Road to Ruin" (MG-M)
Average, $4.00

"Stablemates" (M-G-M)
Average, $4.00

"Flight Into Nowhere" (Ga.)
Average, $4.00

"Kid Moulthropine" (Rep.)
Average, $4.00

"Flight Into Nowhere" (Ga.)
Average, $4.00

"The Road to Ruin" (MG-M)
Average, $4.00

"Flight Into Nowhere" (Ga.)
Average, $4.00

Pre-Holiday Slump Hits B'way Grosses

Broadway houses continued slow in the pre-holiday lull. Bad weather also affected grosses. "Just Around the Corner," grossed an estimated $2,800 at the Roxy. "December Nigh of "Angels With Dirty Faces" drew an estimated $42,000. It will continue for four weeks. "The Cowboy and the Lady" grossed an estimated $71,000 in its second week at the Music Hall, and "The Great Waltz" did an estimated $26,000 at the Capitol.
AFRA Submits Basic Network Pay Schedule

Kai-Shek's Station
Is Now Heard Here

San Francisco, Dec. 11.—Station XGOX, new Chinese Government station at Chiang Kai-Shek's new capital of Chungking, may now be heard through the United States at 9 A.M. E.S.T., in English, French and Chinese, according to word received here by Chinese Consul-General C. C. Huang.

N. A. B. Will Discuss
Program Code Today

WASHINGTON, Dec. 11.—Recommendations of a committee which met in New York last week to develop a set of program standards for the radio industry will be considered by the National Association of Broadcasters at a meeting tomorrow. It is expected that suggestions for a broad code which the development meeting was approved by the N.A.B.

At the committee meeting in New York were President Neville Miller, N.A.B. president; Leon H. Lohr, NBC; Edward Klauber, CBS; Theodore Streibert, KGIR; and Paul Mooney, WITC. For representing in the meeting were Frank Mason, NBC; Gilson B. Gray, CBS, and Andrew Bennett, Ed Spence and Ed Kirby, of the N.A.B.

WCPO of Cincinnati
Plans Hamilton Hour

CINCINNATI, Dec. 11.—WCPO, Cinci-ninnat Post station, inaugurated a series of "Hamilton Hour" commercial programs today, sponsored by local merchants and manufacturers of near- by Hamilton, O., to be aired from 3 to 4 P.M. Sundays. Transcripts of the programs are free to all agencies.

Erpi Offers New "Mike"

Erpi is putting on the market a new Western Electric microphone which is said to give the pick-up engineer positive control over the direction of sound. The instrument has been tested in coast studios and is said to have won approval of engineers. It is a development of the Bell Laboratories.

Shoe Firm in KGO Deal

SAN FRANCISCO, Dec. 11.—Fifty- two weeks ahead of the regular musical programs a week has been signed with KGO, Blue network outlet, by the Felten &缅imum chain. The show is called in the Will Aubrey, singing "Bard of the Byways."

Harshbarger Quits NBC

HOLLYWOOD, Dec. 11.—Dana Harsh-barger has resigned as head of NBC's artists' service here after three and a half years. No successor has been named. Harshbarger, who established the artists' bureau for NBC here, plans to retire.

MOTION PICTURE
DAILY

Radio

WASHINGTON, Dec. 11.—Applications for authority to construct two KIRO stations on the coast will be filed with the Federal Communications Commission.

The applications disclosed that Joseph A. Lattimore plans a 1,370-kilocycle station at Shelby, N. C., with 100 watts power at 100 watts day, and Martin K. Calvin and Harry S. Hooper plan a 1,320-kilocycle, 200-watt station at Marysville, Calif.

An increase in night power from 1,000 to 5,000 watts was asked of the commission by KSCJ, Sioux City.

Dates for hearings on broadcasting cases were set by the commission as follows:

Dec. 15: WLW, Cincinnati, for extension of super-power license.

Jan. 13: Applications for a 1,140-kilocycle, 250-watt limited time station at Bridgeport, Conn., and application for increase of day power from 100 to 500 watts.

Feb. 7: Application of Monocacy Broadcasting Co. for a 1,140-kilocycle, 250-watt daytime station at Rockville, Md.; Vincennes Newspapers, Inc., for a 1,420-kilocycle, 100-watt station at Vincennes, Ind., and KTAT, Fort Worth, for authority to move to 500 watts and increase night power from 1,000 to 5,000 watts.

Displays in Studio

Philadelphia, Dec. 11.—WFIL's new $650,000 auditorium for its sponsors is now allowing them to place displays in various sections of the hall as an added service.

WCLO, WLS Plan
Program Interchange

JANEVES, Wis., Dec. 11.—Affilia-
tion of WCLO, Full-Service, and WLS, Chicago, providing for an interchange of programs, has been effected.

The latest addition to the local station is Harry Burge, announcer, for- merly with WVL, Cincinnati. Other members of WCL0's staff of an- nouncers are Mona Asselin, John Dixon, Joe Wilson and Ruth Gilf-

Harrington Is Named
Agency's Radio Head

Tom Harrington, manager of Young & Rubicam's Hollywood office, will become vice-president and WLS, Chicago, providing for an interchange of programs, has been effected.

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Trammell Omega Speaker

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Harrington will take up his new duties on Jan. 1 in New York.

FCC Calendar

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Here comes the

Heart of

Full-page Sunday ad in full color reaches the 28 million readers of the nationally syndicated American Weekly!

Directed by Lewis Seiler • Screen Play by Lee Katzu and Vincent Sherman • Based on a Novel by William Byron Mowery • A First National Picture
Available now... Warner Bros.' action-packed pre-Xmas follow-up to 'Angels' and 'Brother Rat'!

In Technicolor
Coast Talks Show Wages and Hours Touches All Help

Hollywood, Dec. 11.—By far the larger number of studio employees are within the Federal Wage and Hour law's provisions because of a 40-hour maximum work week obtained by office employees under a baragining with the studios some time ago, Pat Casey, producers' labor contact, indicated here.

Casey estimated that not more than 200 workers here would be affected by the outcome of the current conferences of the office representatives and terms being held to determine which employees come under the law. Despite this, however, he said four or five meetings would be necessary to complete the work, due largely to the different classifications which individual studios give employees engaged in the same work.

Decision Reserved

On duPont Motion

Federal Judge Alfred C. Coxe on Friday reserved decision on the motion of duPont Film Mfg. Co. for a temporary stay to restrain Pathé Film Corp., from transferring duPont stock to Pathé common stockholders under the proposed dissolution of Pathé.

DuPont contended that under the terms of its contract with Pathé, transfer of the duPont stock was required in an agreement in motion, O. H. Briggs, Pathé president, stated that the association of Pathé and duPont has not been one of complete mutual assistance, but that Pathé's interests frequently have been disregarded, "contributing to the greatest possible advantage of its processing laboratory business." A "hostile attitude" has been one of the contributing causes of the proposed dissolution, the action having been claimed by the company being dissolved to preserve the assets and save over $1,000,000 in taxes.

Arbitration Will Be Up to the Exhibitors

(Continued from page 1)

enforceable, under arbitration, while under mediation, there exists no authority to make decisions effective. Ed Kuykendall, M.P.T.O.A. pres., saw Sidney R. Kent, president of 20th-Century-Fox, and leader of the distributors' group, prior to the latter's departure for California, on company business. The exhibitor leader offered no comment regarding his talks with Kent.

Kent also left town, but expects to return to New York early in January for resumption of trade practice discussions with distributors. Allied States' representatives and representatives of unaffiliated exhibitor organizations are also expected then.

News. CALIF. I. T. O. TO MEET

Hollywood, Dec. 11.—Directors of the I. T. O., California and Arizona met Friday to discuss the proposed trade agreement.

Amusement Division of the Federa- tion for the Support of Jewish Philanthropic Societies, under the chairman- ship of David Bernstein and Major Albert Warner, will hold a report meeting at the Astor to- morrow, with the assistance of the New Progress in the campaign to raise $225,000 will be given. The amount to be raised this year is a quarter of last because of the increase in budgetary re- quirements.

A highlight in the division's efforts will be the luncheon in honor of Ben Ben- net sponsored by Eddie Cantor, at the Astor Dec. 19. A committee of 30, representing every branch of the amusement field, is working with Can- tor for the success of the luncheon.


U.A. Stockholders Will Meet on Coast

United Artists will hold its annual shareholders' meeting, on the Coast, in January. There was a board meet- ing here, Saturday. Alexander Korda attended the meeting, prepara- tory to leaving for Hollywood. Korda arrived on the Aquatania from England, Thursday. The mechanics of the compa- ny's profit sharing plan for non- owner producers was again discussed at the board session, and likely ap- proved informally, if not finally.

With Korda, from England, this time, there has come C. H. Brown, Australian counsel.

In Hollywood, Korda will lay the plans for his coming American pro- duction, which may be "Focahontas," with Merle Oberon. He expects to return to London, around the close of the month, sailing from here, Jan. 20. In July he may again come to America.

Four other films which are planned include "Four Feathers," now in pro- duction and expected to be completed in March, the first; "Thief of Baghdad" and Kipling's "Jungle Book," both with Sabu, in addition to another film with Miss Oberon.

Schaefer Will Leave Hollywood Tomorrow

George J. Schaefer will leave the coast for New York tomorrow and will return west late in January. Schaefer is scheduled for election to the board of M. P. P. D. A. at the quarterly meeting Wednesday.

Ask Non-Flam Briefs

London, Dec. 11.—The Film Advis- ory Committee has invited the Cine- matograph Exhibitors Association and the Sub-Standard Cine Association to submit briefs on the non-flam situa- tion next month.

Detective Mel thinks she looks swell

But her eyes—he'd like the new kind

Not green, or hazel, or even brown

Just the black-and-blue kind!

Melvin DOUGLAS — Virginia BRUCE

THERE'S THAT WOMAN AGAIN
Exhibitors Get 25% Rejection In South Wales

Up from 121/2%; Quota to Remain at 3%

Exhibitors' rejection privilege has been increased from 12 1/2 to 25 per cent under the terms of a new film quota law passed by the legislature of New South Wales. The increase is seen in distribution circles here as presenting a serious problem, since exhibitors thus may reject onequarter of a distributor's products.

The quota on American films in the Australian state remains the same as in the past, three per cent. However, American companies have made no attempt up to this time to follow the quota regulations, on the advice of their attorneys that the quota provisions were unconstitutional, but it is understood the new law overcomes that situation. It provides that the three per cent must

(Continued on page 4)

In Ownership Fight On Mexican Station

MEXICO City, Dec. 12—American-owned radio station, XEPN, at Piedras Negras, across the border from Eagle Pass, Tex., is in a state of siege, according to W. E. Branch, president, who is holding the fort as the result of a conflict over the ownership of the station.

Fox, Kranze Here on Schine Dinner Plans

Phil Fox and G. B. Kranze arrived here yesterday from Gloversville to complete arrangements for the testimonial dinner to Meyer and Louis Schine, which will be held at the Ten Eyck Hotel, Albany, next Monday. The two are in charge of arrangements for the affair.

Harry Hershfield will be toastmaster at the dinner and Louis Nizer one of the principal speakers. Broadway entertainers are being lined up by M. N. Grassgreen, chairman of entertainment committee, for the program which will follow the dinner.

Transportation arrangements have been made by Ralph Pielow for two special trains, one leaving New York 4:50 P.M., the other from Buffalo at 1:30 P.M. The Gloversville delegation will be picked up at Fonda by the latter train.

Radio—Page 11

Wm. Fox Subpoenaed In Low Stock Suit

William Fox will be subpoenaed to testify by minority stockholders in connection with their pending suit against Loew's, Inc., now being tried in the N. Y. Supreme Court before Justice Louis A. Valente. At yesterday's hearing, Bernard Reis, accountant, testified as to reference to his study of Loew books.

Injured Night Guard Gets Award; Denied Boothman

Oklahoma City, Dec. 12—The Oklahoma State Supreme Court has held that a night watchman shot while on duty is entitled to workers' compensation payments, but that a motion picture projectionist burned in a projection booth is not.

The court affirmed an industrial order calling Dolce Brothers Co. to pay $9.23 plus a week's compensation to John D. Purdie, night watchman at the company's rock crusher near Bristow, Okla. For the was killed by a shotgun blast fired by an unknown assailant.

The court set aside a compensation award of $3,125 to Albert George Johnson at the rate of $10 a week for burns he suffered while operating a projection machine for Oscar Berry, owner of the Fox at Ardmore, Okla. Johnson claimed permanent total disability due to night hand and partial disability of the left.

Six justices concurred in the opinion that state laws do not class occupation in the theatre industry as hazardous employment and the fact that there were electric motors, generators, and projectors present does not classify a projection booth as a work to which would bring it within the Oklahoma workers' compensation laws.

George Burns in Plea of Guilty of Smuggling Charge

George Burns, of the comedy team of Burns & Allen, pleaded guilty in the Federal Court here yesterday to two indictments which charged him with smuggling. Sentence was delayed until after the trial of Albert N. Chaperon and Paula Gheyskens, who were indicted with him. Burns was paroled in the custody of his attorneys and he left for the coast last night.

The indictments became known when Judge William Bondy opened sealed true bills which had been voted by the Grand Jury last week. Burns, who was present in court, stepped forward and pleaded guilty to all counts.

The charges relate to receiving, concealment and transporting jewelry (Continued on page 4)

Para. Deives Negative Film For Telecasts

Paramount has developed a special process to produce a negative process picture which will be used in television broadcast, upon the assumption that such soft-tone product will prove superior in telecasting to the black-and-white.

The company is preparing to experiment in telecasting this special process on Jan. 15.

Whether the new black film, a kind of sepiatone, or mauve color, will replace the black-and-white, and the latter for television, can't be detailed.

Investigation by Paramount's television experts seems to have convinced them that the black-and-white product is not as good as the softer tone product for television.

The experimental broadcasts which are to be undertaken on film by Paramount will serve a two-fold purpose, in that it will test the use of the new (Continued on page 4)

High Court Denies Steelman's Appeal

WASHINGTON, Dec. 12—U. S. Supreme Court today dismissed the appeal of Hiram Steelman, trustee in bankruptcy for William Fox, from the Third Circuit Court of Appeals' decision holding that the All-Continent Corp., was not within his jurisdiction.

Steelman's appeal was another move in the long drawn out campaign to secure access to the books of All-Continent, owned by Fox's wife, which the trustee claims is W. E. Hornung creation of the Fox family and created by William Fox, who transferred all his assets in it before the bankruptcy was initiated.

The court made no explanation of its action.

6 Plays Bought In Nov.; None On B'way List

12 Companies Acquire 59 Properties in Month

Broadway was ignored by the film companies, in the purchase of stories for films, during November. There were six plays bought in that month but none is from the current legitimate crop. Altogether, 12 producing firms bought 59 story properties last month.

Of these 34 are original stories. There are six published novels among the group.

The biggest buyer was Metro-Goldwyn-Mayer, which purchased five original, one novel, two plays and 12 magazine yarns.

Universal purchased 11 manuscripts, nine original and two novels. Warner bought three plays, two original stories, one novel and one magazine story.

Paramount bought five stories and RKO and Columbia, each purchased three. Tri-Art, 20th Century-Fox, Republic, Monogram each bought two.

United Artists and a small known as Collective Film Producers each purchased one.

Warner bought the following plays, "Barber of New Orleans," Edward Child Carpenter; "Footsteps in the (Continued on page 4)

Allied of Northwest Vote Pact Rejection

Minneapolis, Dec. 12—Recommendation that the national board of Allied States reject the industry trade practice program in its present form was voted by members of the Northwest Allied at a meeting here over the weekend.

Action was taken by the members over the opposition of W. A. Steffes, a member of Allied's negotiating committee who helped to complete the draft. Steffes, who for years headed the Northwest Allied unit and is still regarded as an exhibitor leader for this territory, urged acceptance of the draft on the ground that it would provide immediate benefits for all exhibitors.

The national Allied board is scheduled to meet and act on the trade program Jan. 18.
G. A. B. CHANDLER of Ken- tucky and party will be luncheon guests of Lucille L. B. Roven today at that M-G-M coast studio. In the party will be Mrs. Chandler and her daughters, Marcelly and Mil- lard; Lucille, Gov. and Mrs. Kermit Johnson, Mayor Wilson of Lex- ington, Mayor and Mrs. Schultz of Louisvile.

H. A. Ross, president of Ross Fed- eral Service, returned to the home of- fice after a six-week trip through the west. American Duffilco, national supervisor, and Harold Lund, dis- trict manager, returned to the field yesterday after a short visit here.

William J. Quinn, formerly man- aged of the Astor and Mayfair, and at one time head of RKO Theatres personnel department, has been named manager of the new Normandie Theatre.


Lucien Hubbard’s first production under his new M-G-M contract will be “Wings Over the Desert,” an orig- inal screen play by Harold Buckley.

Clifford B. Ross is now the father of a second son, Stephen, born at the New Rochelle Hospital.

Harry Charnas, who flew to Cleveland to attend the funeral of his brother, Joseph, is spending two weeks there.

David Rose, Paramount British production supervisor, plans to leave New York on the Queen Mary Fri- day for London.

Russell Moon, for some time at the Veterans Hospital, Kingsbridge Road, is on the mend there from his recent illness.

Sam Marino, producer and director, is the father of a girl born yesterday at the Jewish Memorial Hospital in Brooklyn.

Leo Spitz is in New York, having returned from Chicago over the week- end.


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Insiders’ Outlook

NEVILLE MILLER, presi- dent of the N.A.B., at the Variety Club dinner Sun- day night in Philadelphia, speaking for radio, said that radio wants the same freedom of ex- pression which is accorded the press, religion and assembly. It wants the free exchange of ideas. It does not want what they are having in Europe—it does not want censorship.

Presumably, Lenox R. Lohr, president of NBC, is thinking along similar lines. Stating the policy of the network, he de- clares: “There is no NBC pol- icy preventing discussion of con- tradictory subjects during its sustaining periods. On the con- trary, we invite discussion of controversial subjects in which the public may have an interest and furnish our facilities gratis for discussion by responsible per- sons on both sides of a ques- tion.”

Prof. G. W. Norvell, State Depart- ment of Education, has called upon educational systems through the country to recognize the potentialities of motion pictures for “good and evil.” He likened the pictures to us closely allied to literature and feels that fiction films and historical films could easily be employed in the classroom.

Alfred Segal, Cincinnati Post column- ist, is writing a series of programs for WKYC, which will start on that station, Christmas Day.

M-G-M claims capacity audi- ences at every performance of “Pygmaion” to date. Week- end attendance brought the total of ticket sales to 26,500 for the four days since the picture’s opening. The unusual character of the production and its attendant marketing problems the business being done by the picture at the Astor is being watched with interest through- out the trade as a guide to fu- ture policy for both this type of production and the selling methods.

Clark Robinson’s second novel, “Behold This Woman,” (God- win) is a story of pre-war soci- ety at Newport and the various horse-breeding spots of America. It deals with the murder of a prominent society leader and the romance of his daughter.

Robinson is the author of 100 short stories and articles. His first novel was “Fate Is a Woman.”

Philadelphia Variety Club’s an- nual banquet and entertain- ment for the aid of infantile paralysis victims which was staged in the Bellevue Stratford, Saturday, drew 1,200 showmen and guests.

William E. Dodd, former ambassador to Germany, was the principal speaker. Other guests included Governor Rich- ard McMullen of Delaware; Harold G. Hoffman, former Gov- ernor of New Jersey, and Ne- ville Miller, N.A.B. president.

George Jessel was toastmaster and Joe E. Lewis, master of cere- monies. William Clark was named the tent’s new chief banker.

Denver public schools are go- ing into production as well as exhibition. They expect to make five films of local character to be used in visual education courses.

The American Council on Edu- cation in Washington is sending Charles F. Hoban, Jr., and F. E. Brooker to assist in the series.

The films will be available to civil bodies, as well as the schools.

“Duke of West Point” is a picture the kids will hug to their bosoms and which delivers a patriotic boost for America deserving to be screened every- where.

20th-Fox Deal Fails to Affect GB in Canada

Toronto, Dec. 12.—The deal by which 20th Century-Fox takes over the distribution of the pictures of the United States, will have no effect on the distribution of G.B. films in Can- ada, it was declared here.

The films have been distributed in the Dominion for five years by Em- pire-Universal Films, Ltd., in which N. L. Nathanson, president of Famous Players Canadian Corp., has a con- trolling interest. This arrangement is to continue for the 1938-39 season and the agreement may be extended, it is declared.

Eight New Pictures Get Legion Approval

National Legion of Decency for the current week approved all of the eight pictures reviewed and classified. Those approved were found unobjectionable for general patronage and three for adults. The new films and the classification follow:


Early season expectations for legiti- mate plays on Broadway have failed to materialize and few of the openings remain on the boards. Of these, “Sing Out the News” has suspended perform- ances, “The Grasshopper” and two- pot, “Great Lady,” and “Victor- Regina” are due to close Saturday. Openings are scheduled for this week. One new play has opened which this season are destined to continue with the remainder holdovers from last season and new. Openings since Nov. 1 totaled 16 and five survive. The rest closed with an average of eight performances apiece.

A rush of openings is expected to begin next week when five are set and it may continue well into the new year.

However, out-of-town tryouts and financial difficulties will probably reduce this number considerably.

Efforts to induce film companies to present Broadway productions continue. Another meeting between officials of the Dramatists’ Guild and the American Players’ Union is scheduled for the next day after J. B. Granger, Republican president, started negotiations for it.

Republic has a closed deal with the Legion and Jenkins, involving 37 theatres in Atlanta and surrounding Georgia towns. Carl Floyd, Atlanta, has announced the deal after J. B. Granger, Republican president, started negotiations for it.

Republic in Australia signs a “Gordon Ellis” serial drive during January, when Ellis, managing direc- tor, will visit the home office.

Edward Hudson Buys Exchange in Seattle

SEATTLE, Dec. 12.—James O’Neal has sold his General Film Attractions Exchange, making an exchange ex- change, to Edward Hudson of this city. Hudson, a local newsreal cameraman, has appointed Arthur Bushell as manager of the company.

B’way Play Flood Falls Below Hopes

בורו פלי פלד פפה בלו היופס

B’way Play Flood Falls Below Hopes
“HUCK” FINN

...One of the most beloved characters ever created by America’s most beloved humorist, Mark Twain, lives again upon the screen in Paramount’s rousing comedy, “TOM SAWYER, DETECTIVE.”

For Paramount’s grand new kid star, Donald (“Small Fry”) O’Connor, plays Mark Twain’s barefoot youngster as he’s never been played before. Billy Cook plays “Huck’s” pal, “Tom.” And Paramount, of course, surrounds these two surefire child stars with a typical cast of boxoffice favorites to give you a boxoffice winner for the holiday trade.
1937 Canada’s Biggest Film Year Since ’30

Attendance at 134,374,061, Receipts $32,499,300.

TOKYO, Dec. 12.—Attendance at film theatres in Canada reached the highest point since 1930 and revenue was the highest since 1930, according to the latest monthly report for the 12 months of 1937 by the Department of Trade and Commerce shows. Paid admissions at the 1,474,888 films, 356,061 engagements were reported for the period ending Dec. 12, compared with 1,274,41,574 for the previous year, while receipts amounted to $32,499,300 against $29,611,300 for 1936 and $37,475,500 for the all-time record in 1930. The annual payroll for 1937 was reported at $5,657,300, compared with $4,928,700 for the previous year when the number of theatres in operation was 959, or 88 less than on Dec. 31 last. In 1935 the number of theatres in the Dominion was 862, so the increase for the two years was 185.

Ontario headed the list of provinces, with receipts for the period of $14,457,000 for 356 theatres, compared with revenue of $12,888,400 in 1936. All provinces showed gains in receipts with the exception of Saskatchewan, where grain production has been hard hit by drought, the revenue for the Prairie Provinces dropping to $1,351,000 from $1,369,000.

The expenditure for film entertainment per person in British Columbia was $4.82 in 1937 compared with $4.31 in 1936 and $4.05 in 1935, this being the highest figure for any section of the Dominion. The average per person in Ontario was $3.90 last year and $3.49 in 1936.

With 88 new theatres coming into operation during the year and increased by 35,410 to 61,011 one year ago, according to the Government inspector, the total number of theatres were given a valuable picture of $67,538,400 for property and equipment, the average theatre valuation being $46,500.

Motograph Names Davee

Lawrence W. Davee has been named eastern sales manager of Motograph, Inc., by Joseph B. Kleckner, president.

Obituaries

Benjamin Faye

SEATTLE, Dec. 12.—Benjamin W. Faye, owner and operator of Faye’s Theatre in Renton for many years, died here after a brief illness. He came to Seattle in 1919 and operated the Market here until 1925, when Faye moved to Renton to open the New Renton Theatre. He is survived by his widow and a son, Erwin.

Ken McGaffey

SAN FRANCISCO, Dec. 12.—Ken McGaffey, key man in the New York office of the Daily Variety, first press agent, died here of a heart attack after an illness of six weeks. For the past four years he served as advertising and publicity manager for the Golden Gate Theatre here.

Holmes to Head Americanization Unit at Warners

Jack Holmes will head the new Americanization department at Warner Bros. in cooperation with American Legion posts and other patriotic associations, with regard to the showing of historical short subjects. Holmes will work under the supervision of Bob Tapper, studio publicity head.

Holmes will make a tour in connection with this new “Dulcy” by contact various organizations around the country, who are destroy of screening the Warner historical shorts to bring the history of the country visually and directly to the citizenry.

The three Warner brothers, Harry, Jack, and J. V. Albert, are known personally and interested in this new patriotic move and are lending their personal assistance to the cause.

“Lincoln in the White House” is the newest patriotic release, and will have its premiere at the Radio City Music Hall. Others are “The Man Without a Country,” “Romance of Louisiana,” “Give Me Liberty,” “Song of a Nation.”

Waltz Champs!

Winners of the grand prize in the 1937 Mr. and Miss Waltz contest, finals of which were held at the Waldorf-Astoria last night, were Mr. and Mrs. Charles Smith of Canandaigua. They triumphed over 11 couples, preliminary winners in 12 zones throughout the country. The grand prize winners get a three month Moiré contract. Terms are not revealed. Katherine Buda and Herman Bodendorfer, of Los Angeles, runners-up, received a cup.

George Burns Pleads Guilty in Smuggling

(Continued from page 1)

after it had been smuggled into the country. The jewelry was valued at $4,085 and had allegedly been smuggled into the country between January, 1936 and May, 1938.

Joseph T. Delany, assistant U. S. Attorney in chief of the Southern District of New York, declared that additional evidence would be presented to the Grand Jury which would involve nationally known figures, but it was not revealed what other film figures would be brought in.

Burns was represented by three attorneys, W. H. Smith, Walter N. Thayer and Carl E. Newton. After the hearing, a statement by Mr. Delany was issued. Mr. Delany said, in part, that Burns "has entered a plea of guilty to the misdemeanor charged in the indictment. While he had no purpose or intent to offend against the laws of the United States, he has been advised that the circumstances of this case indicate violations of the customs laws with respect to some novelty jewelry which Mr. Burns purchased in New York City. For that reason, upon being advised of his indictment, he flew here from California to enter a plea of guilty in the jurisdiction of the court."

Burns has continued his weekly broadcasts from the coast and has made his annual appearance at the after plane trips from Hollywood.

5 Directors Renamed At Warners Meeting

WILMINGTON, Dec. 12.—Five directors of Warner Brothers Pictures were re-elected at the annual stockholders meeting here today. They are Stanleigh P. Freidman, Samuel Cohn, Charles E. Logan, Morris Wolf and Sam E. Morris. Holdover members are Harry M. Warner, Albert Warner, Jack L. Warner, Jeffery Hayden and Robert W. Perkins and Waddell Catchings.

File Dallas Appeals With Supreme Court

Appeals in the Federal conspiracy action against Interstate and Texas Guano companies to distributors have been completed and filed with the U. S. Supreme Court in Washington, Paramount attorneys reported yesterday. The appeal period was to have expired tomorrow.

Case has been placed on the high court’s calendar for hearing during the first week in January but may not be reached until the following week.

London Films’ Net Profit for Fiscal Year Totals $3,780

LONDON, Dec. 12.—London Film Productions (Alexander Korda), who reported a net profit of $3,780 for its last fiscal year, the company’s actual profit was $82,350, before deducting $78,720 to compensate for cancellation of a corporate contract.

London Films will hold 10 shares of stock in the newly opened Pinewood studio combine. This new studio company has been formed with a capitalization of $3,750,000. Control of the hands of Prudential Assurance, financial backer of London Films, indicating that the latter may be in charge of operations through its financial connection.

In consideration for the transfer of London Films’ assets to the new studio company, the latter will assume certain London Films’ liabilities, chief among which are $1,500,000 of first mortgage debentures and $2,750,000 of bonds outstanding.

London Films’ inventories of completed films and its interest in other film projects, which appeared in the financial report at $6,897,270.

Exhibitors Get 25% Of S. Wales Rejection

(Continued from page 1)

be produced in Australia, and that after 1939 a decision will be made on the future of the project.

The new law also provides for the formula of a new standard exhibiters dues plan which are already being written by distributor and exhibitor groups, and calls for the establishment of a Film Commission to decide on applications for new theatre construction, among other things.

The new law will be effective on the signing of the premier, which is expected shortly.

Gordon Ellis, executive of Greater United States, is due here shortly to discuss the possibility of United States and American distributors and Australian exhibitors and producers.

It is at least possible that other Australian states may follow New South Wales in the matter of State film control, since that state, most important in the country, is generally the leader.

U. S. Catholics Renew Film Legion Pledges

Legion of Decency pledges were renewed by Catholics in more than 10,000 churches in the United States last Sunday. National headquarters of the Legion here reported that no official estimate was available of the total number of persons who took the pledge but indicated that it would approximate the total number of Catholics in this country.

Powell, Blondell Finish

HOLLYWOOD, Dec. 12.—Under the amicable settlement reached with Warners over the weekend, Dick Powell and Roberta Blondell, whose contract has two months to go, will leave the lot on finishing work in “The Professor and the Kid,” and Joan Blondell will follow on completing “Broadway Cavalier” around Christmas.
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'

A superb production of Charles Dickens' immortal classic. The Holiday offering par excellence. Tremendous human punch! Real heart interest! —FILM DAILY

"Explosive, 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

Thrills for a thousand movies, plundered for one mighty show!

GUNGA DIN

starring
CARY GRANT • VICTOR McLAGLEN
and
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 Noel Soule and Fred Guiol
Phila. Gives “Hardys” Big $18,000 Gate

PhilADELPHIA, Dec. 12.—“Out West With Hardys” won $18,000 and a holdover at the Stanley. The stage-screen show at the Earle also clicked nicely with $15,000. “Up the River” was the film and the stage had Philip Lords’ radio “Gang-Busters” and “Stuff” Smith’s Orchestra.

Estimated takings for the week ending Dec. 8:

“Cowboy and the Lady” (U.A.)
ALDIXE—(1,300) (30c-35c-42c-75c), 7 days, 2nd week. Gross: $9,900. (Average, $1,300)

“The Great Waltz” (M-G-M)
ARCADIA—(500) (25c-45c-85c), 7 days. Gross: $5,200. (Average, $750)

“Spring Madness” (W.B.)
BOYD—(2,000) (40c-55c-65c), 7 days. Gross: $9,500. (Average, $1,350)

“The Gaucho” (RKO)
“Up the River” (20th-Fox)
EARLE—(2,000) (40c-55c-65c), 6 days, Stage: Stuff Smith band; “Gang-Busters.” Gross: $1,000. (Average, $150)

“Angels With Dirty Faces” (W.B.)
FOX—(1,000) (40c-55c-65c-75c), 7 days, 2nd week. Gross: $16,000. (Average, $2,281)

“Pee Wee the Kid With Circus” (RKO)
KARLTON—(1,000) (35c-50c-85c), 2 days. Gross: $350. “Roam Hood” (W.B., revial), 3 days. Gross: $2,000. (Average, 7 days, $493)

“Submarine Patrol” (20th-Fox)
KEITH’S—(2,000) (40c-50c-65c), 7 days. Gross: $1,500. (Average, $214)

“Out West With the Hardys” (M-G-M)
STAY—(2,000) (35c-40c-50c), 7 days. Stage: Herbert Hardys. Gross: $1,000. (Average, $140)

“The Storm Over Bagdad” (RKO)
STANFORD—(1,200) (25c-40c-50c), 7 days. Gross: $4,200. (Average, 5,700)

Hollywood Preview

“Swing, Sister, Swing”

HOLLYWOOD, Dec. 12.—Desirous of cashing in on the “jitterbug” craze, Universal pressed into production “Swing, Sister, Swing,” a story of a group of “hepatas” and “alligators” whose dance takes the country by storm. The “jitterbug” revels are superimposed on a background of show business and Broadway, with the accompanying factual and fictional heartbreaks.

Heading the cast are Ken Murray, an impromptu Broadway press agent, Johnny Downs, Kathryn Kane and Eddie Quillan as three small-town pals who go to New York to start a dance craze; Ernest Truex as the New York dancing teacher who sponsors the routine as its “creation,” and Ted Weens and his orchestra. Others in the cast are Edna Sedgwick, Nana Bryant, Esther Howard, Herbert Heywood and Clara Blundick. Joseph Santley directed from the screen play of Charles Grayson. Burly Kinsey, associate producer, wrote the original story.

Exploitation campaigns should be aimed at the youngsters and the oldsters of the nation who a.e. “in the groove,” of whom there are many.

Lured to New York to exploit their dance creation, “The Baltimore Bubble,” Miss Kane, Downs and Quillan make an agreement with Truex and Murray to split the take. Soon they go on a national tour and, returning to New York after the craze dies out, split up. Downs prefers to remain and try his luck again. His new dance step fails, and he returns to join his friends in his home town.

Running time, 63 minutes. “G”

*“G” denotes general classification.

Tovolaria in Frisco

SAN FRANCISCO, Dec. 12.—Louis G. Tovolaria, former executive for Fox West Coast Theatres has been named manager of the El Capitan here.

Nelson Unit Helps “Room” to $16,000 Take in Cleveland

CLEVELAND, Dec. 12.—Ozizie Nelson with Harry Hilliard on the RKO Palace stage with “Room Service” on the screen was the best draw of the week at $16,000. It was the only bill to better average.

“The Young in Heart” at Loew’s did $12,000. “Angels With Dirty Faces” in its second week at Warner’s High Point took $10,000. “Out West With the Hardys” at Loew’s Stillman came up with $5,000.

Estimated takings for the week ending Dec. 9:

“Girls On Probation” (W.B.) 3 days
“Secrets of a Nurse” (Univ.) 4 days
“Out West With Dirty Faces” (W.B.) 7 days, 2nd week. Gross: $10,000. (Average, $1,400)

“The Shining Hour” (M-G-M)
WARNERS’ HIPPIODROME—(3,000) (30c-45c-50c), 7 days, 2nd week. Gross: $9,000. (Average, $1,286)

“Service De Luxe” (Univ.)
RKO PALACE—(3,100) (30c-45c-50c), 7 days, Stage: Ozizie Nelson, Harry Hilliard and Co. Gross: $16,000. (Average, $5,100)

“The Storm Over Bagdad” (M-G-M)
LOEY’S STATE—(3,500) (30c-40c-50c), 7 days, Gross: $5,000. (Average, $714)

“Out West With the Hardys” (M-G-M)
LOEY’S STILLMAN—(1,900) (40c-50c-65c), 7 days, 2nd week. Gross: $3,000. (Average, $430)

King Replaces Evans

MONTREAL, Dec. 12.—Maurice Evans, who cancelled an arrangement with the Canadian Broadcasting Corp., to play the lead in “Hamlet,” last of the CBS Shakespeare series, Dec. 18, has been replaced by Dennis King.

James Hone Injured

SEATTLE, Dec. 12.—James H. Hone, executive secretary of the MPTO of Washington, suffered broken ribs and other injuries in an automobile crash here.

“Take It” Is $7,500 Top in Minneapolis

MINNEAPOLIS, Dec. 12.—In its second week at the Orpheum, “You Can’t Take It With You” was high grossed with $7,500. “The Great Waltz” in nine days got $7,000 at the Century, while “The Shining Hour” was good for $5,500 at the State.

In St. Paul, top money getter was “Way Down Yonder” at Loew’s, $5,000 at the Orpheum, with “The Shining Hour” doing $4,140 at the Paramount.

Estimated takings for the week ending Dec. 9:

Minneapolis:

“ShadowShooters” (20th-Fox)
“Adventures in Sahara” (Col.)
“Torchy Gets Her Man” (W.B.)
“The Girl From Jones Beach” (M-G-M)
“GIRLS OF THE CIRCUS” (20th-Fox)
“The Great Waltz” (M-G-M)
“GOOD MOON” (RKO)
“Reckless” (W.B.)
“Anchors Aweigh” (M-G-M)
“Moonlight Sonata” (M-G-M)

“Cowboy” Clicks in New Haven $5,900

NEW HAVEN, Dec. 12.—“Cowboy and the Lady” and “His Exciting Night” led at the Roger Sherman with a $5,900 take. Second week of “Out West With the Hardys” and “The Mad Miss Mantour” pulled $5,600 at the College.

The Loew-Poli, with “There Goes My Heart” and “Spring Madness,” was second at the Paramount, with “Thanks for the Memory,” and “Time Out for Murder” were hit by the pre-holiday hul.

Estimated takings for the week ending Dec. 9:

“Out West With the Hardys” (M-G-M)
“Lost” (M-G-M)
“GIRLS OF THE CIRCUS” (20th-Fox)
“Torchy Gets Her Man” (W.B.)
“Anchors Aweigh” (M-G-M)
“Reckless” (W.B.)
“Anchors Aweigh” (M-G-M)
“Moonlight Sonata” (M-G-M)
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<tr>
<th>Date</th>
<th>Columbia</th>
<th>M-G-M</th>
<th>Monogram</th>
<th>Para.</th>
<th>Republic</th>
<th>Rko Radio</th>
<th>20th-Fox</th>
<th>U.A.</th>
<th>Universal</th>
<th>Warners</th>
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<tr>
<td>Nov. 4</td>
<td>In Early Arizona</td>
<td>Bill Elliott</td>
<td>Dorothy Gulliver</td>
<td>The Great Waltz (G) (M) Lute Rainer</td>
<td>Gaston's Boy (G) (D) Jackie Cooper</td>
<td>Illegal Traffic (G) (D) J. Carroll Nash</td>
<td>I Stand Accused (G) (D) Robie, Cummings</td>
<td>Lawless Valley (G) (O) George O'Brien</td>
<td>Always in Trouble (G) (C) Jane Withers</td>
<td>Exposed (G) (C) Glenda Farrell</td>
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<td>Nov. 11</td>
<td>Spring Madness (G) (D) Lew Ayres Burgess Meredith</td>
<td>King (G) (D)</td>
<td>Colman</td>
<td>If I Were King (G) (D)</td>
<td>Rhythm of the Saddle (G) (O)</td>
<td>Gene Autry</td>
<td>Rhythm of the Saddle (G) (O)</td>
<td>Lucille Ball (908)</td>
<td>Just Around the Corner Shirley Temple Charles Farrell</td>
<td>(915)</td>
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<td>Nov. 18</td>
<td>The Shining Hour (A) (D) Crawford Sullivan Douglas</td>
<td>The Shining Hour (A) (D)</td>
<td>Jack Randall</td>
<td>Great Smoky Mountains</td>
<td>Great Smoky Mountains</td>
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<td>Nov. 25</td>
<td>Blondie (G) (C) Penny Singleton Arthur Lake</td>
<td>Out West with</td>
<td>Louie Stone Mickey Rooney</td>
<td>Out West with</td>
<td>Out West with</td>
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<td>Dec. 2</td>
<td>Terror of Tiny Town</td>
<td>Ted Buell's</td>
<td>The Midgets</td>
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<td>The Migrant</td>
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<td>Dec. 16</td>
<td>Strange Case of Dr. Meade Jack Holt California Frontier (O)</td>
<td>A Christmas Carol</td>
<td>Reginald Owen Terry Kilburn</td>
<td>I Am a Criminal John Carroll Mary Korman</td>
<td>I Am a Criminal John Carroll Mary Korman</td>
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<td>Dec. 30</td>
<td>Smashing the Spy Ring Fay Wray Ralph Bellamy</td>
<td>Stand Up and Fight</td>
<td>Robert Taylor Wallace Beery Florence Rice</td>
<td>Stand Up and Fight</td>
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<td>Jan. 6</td>
<td>North of Shanghai Betty Furness James Craig</td>
<td>Sweetharts</td>
<td>MacDonald Nelson Eddy</td>
<td>Tough Kid Frankie Darro</td>
<td>Tough Kid Frankie Darro</td>
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*Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action.*
COLUMBIA'S SCOOP IS YEAR'S BIGGEST PAGE ONE STORY
Radio Personals

WILLIAM A. SCHUDT, JR., general manager of WKRC, is spending 10 days here on business. ... Cary Grant has been signed for a radio series, which begins Jan. 15 over NIB-Red. Al A. Schillinn has resigned at WINs sales manager. ... James L. Kligeren, L. N. S. feature writer, will begin his commentary series over WNEW at 10 P. M. tomorrow. ... Radio stations appear Thursday night at the five benefits being staged by the Radio Division of the Christian Committee for the Relief of Jewish Refugees in Manhattan, Bronx and Brooklyn.

KSO in Des Moines Doubles Its Power

DES MOINES, Dec. 12.—KSO of Des Moines has become a 5,000-watt station, doubling its power and increasing its potential listening audience to over 1,000,000 persons, the station management estimated.

With the increased wattage, new equipment was added, including new power amplifiers and a new 172-foot tower at the KSO transmitter. Plans are also under way for the installation of the new Miller tape transmission methods for transcribed radio programs.

Two Writers Share New Series on NBC

Two Washington newspapers, Mark Sullivan and Jay Franklin, will be heard in a new series on NBC titled "Public Interest in Democracy." They will analyze America's major problems, and offer their own solutions. Sullivan will represent the conservatives, Franklin the liberals. The show will be broadcast from 10:30 to 11 P. M. Wednesdays on the Blue.

KOIL, WNNC Join in CBS Web in Spring

KOIL, Omaha, and WNNC, Asheville, N. C., will join the CBS network lineup in the spring, at which time their existing network affiliation with NBC will end.

KOIL, operating with 5,000 watts daytime, 1,000 watts at night, will join the CBS basic network on or before April 26, 1939. WNNC, 1,000 watts day and night, will become a member of the CBS Southeastern group by June 1.

Kyser Series Renewed

Kay Kyser's quiz series for the American Tobacco Co. has been renewed for another 13 weeks, effective Jan. 4, 1939. The series is broadcast Wednesday of each week, 1 P. M. over 89 stations of the NBC-Red. Lord & Thomas is the agent.

Burke Replaces Strous

Frank Burke, formerly publicity director for Consolidated Radio Artists, will take over Irving Strous duties as head of Leading Attractions, Inc., Paul Whitman's booking and publicity setup.

FCC Denies WLW Super-Power Plea

WASHINGTON, Dec. 12.—F. C. C. today denied the petition of WLW for abandonment of its station's super-power permit.

December 16, 1938

The station asked the commission to instruct the super-power committee to modify the station's authorization for a period of three months, to make it possible for WLW to go on the air after December 16. It is managed by the station.

Suit of RCA Against WBO Is Under Way

Trial of the copyright infringement suit brought by RCA against WBO Broadcasting Corp., operator of WNEW, started yesterday in the U. S. District Court here before Federal Judge Vincent L. Leebell. RCA contends that programming of the station from broadcasting RCA-Victor recordings of Paul Whiteman and his orchestra. Trial continues tomorrow.

At the same time, a stipulation was filed dismissing Whiteman's suit against the station.

Fibber McGee Heads WOW Xmas Show

OMAHA, Dec. 12.—Fibber McGee will headline WOW's Christmas Charley Show at the Al-Saenz Coliseum on Dec. 18. Three shows will be given with proceeds going to charity.

Directed by Lyle D'Moss, producer of the show, it will include WOW "Follies" of 40 staff members, including Fred Ebner's orchestra, choir, units and novelty numbers.

WLW Promotes Bailey

CINCINNATI, Dec. 12.—J. N. Bailey, director of WSAI and WXAI, has been named head of WLW newsroom, succeeding Harold McElwain, just resigned, as is the joint WLW-WLW news department.

Brennan Quits NBC

SAN FRANCISCO, Dec. 12.—Tom Brennan, veteran coast radio personality, has resigned as CBS program director here to join Long Ad- don publications. His place is taken by Van Fleming, formerly with NBC's production staff at KPO.

Renew "Man's Family"

"One Man's Family," popular network dramatic series sponsored by Trenderleaf Tea Co. on the NBC-Red network, has been renewed for another year, effective Jan. 1. Walter Thompson is the agency.

Pepsondoll Show Off

Pepsondoll Co.'s "Candid Lady" series, a daily except Saturday and Sunday dramatic strip on a split NBC network, will leave the air Dec. 16, to be replaced. Lord & Thomas is the agency.

Thompson Agency to Aid SAG by Releasing Artists

HOLLYWOOD, Dec. 12.—Cooperation of the J. Walter Thompson Agency will be a Screen Actors' Guild program today by Danny Danzler who declared that artists would be assisted by the agency. The show will be released for the S.A.G. radio show "whenever the artist can be released and such conflict in schedule or interest to our client and his program."

The S.A.G. under its contract with Gulf Oil Co., which will sponsor the program, will be able to have top stars appear on the show. A temporary difficulty arose when it was discovered that the Thompson agency had several of the top ranking performers under exclusive contracts.

Elimination of the slump was accomplished after a conference between Dana, Mike Levee of the Artists' Managers' Guild, and Ralph Morgan and George Murphy of the S.A.G.

Levy Sells 370 CBS Shares in October

WASHINGTON, Dec. 12.—Disposition by Levy, program director, of 370 shares of Class "B" Columbia Broadcasting System stock in October was reported yesterday and added to the company's stock in its semi-monthly summary.

At the close of the month, the commission stated, Levy held 44,530 shares of the Class "B" and 37,850 shares of the Class "A" stock.

KPO-KGO Drops Three

SAN FRANCISCO, Dec. 12.—Commentator Coleman Cox, "mistress of charm" Sharon Merrill and Dorothy McKenzie, woman commentator on "The Team," are out of KPO-KGO here in an economy move. Other retrenched include cutting "Jingletown Gazette," variety, from Sunday program of a couple shows; and "Crosscuits from Log of the Day" from five shows to two a week.

Breneman on NBC

SAN FRANCISCO, Dec. 12.—Tom Breneman's weekly "Spelling Bee," sponsored by Marco Dog and Cat Food on KSFQ, CBS outlet, switches to NBC's Red network station, KPO, Dec. 30, for six months. Breneman will remain as M.C. He recently resigned as director of programs for CBS here.

Baker on Dole Show

Phil Baker will begin a new series for the Dole Plantcose interests of CBS Jan. 14, through a placement just effected by Young & Rubicam. The series is to be heard Saturdays from M. M. Beyond Neither Baker, no other program details have been concluded.

"Revivals" Adds Stations

"Old Fashioned Revivals," coast-to-coast Mutual sponsored show, has added six stations of the Oklahoma network, plus WSAI, Cincinnati, through a placement by R. H. Alter Co., agency handling the series. Program features Dr. Charles A. Fuller.

FCC Calendar

WASHINGTON, Dec. 12.—Change of frequency from 1,140 to 1,070 kilocycles, exclusive of current programming, with KVVO to unlimited, and an increase of power from 5,000 to 50,000 watts have been asked by WAPI, Birmingham, Ala., in an application filed with the Federal Communications Commission.

An increase in power, from 100 to 250,000 watts was filed by the commission for KSAM, Huntsville, Tex.

Three applications for new stations have been filed by CONEL, the subject of a hearing Jan. 23, following a hearing on the application of WFLI, Philadelphia, for an increase in day power from 1,000 to 5,000 watts.

Trading as the Northwestern Broadcasting Association, CONEL is seeking a 1,510-kilocycle, 100-watt unlimited time station at Evanston, Ill., as Bureau of Education, a 1,420-kilocycle, 100-watt daytime station at Montello, Cal., and as Elgin Broadcasting Association, a 1,500-kilocycle, 100-watt daytime station at Elgin, Ill.

A hearing will be held Jan. 20, on the application of CONEL for an increase of power from 500 to 1,000 watts.

Lee Named Manager Of KGFF, Oklahoma

OKLAHOMA CITY, Dec. 12.—Joseph W. Lee, for the last year and a half general manager of KTOK here, and managing director of the Oklahoma network, has been appointed manager of KGFF-Wayne, Okla., a network station.

W. G. Dunn, who has been serving as manager for the last few months, will devote his full time to the management of the Shawnee News and Star, with which the radio station is affiliated.

New Show Over KFBK

SAN FRANCISCO, Dec. 12.—Children of northern and central California will have a new children's program over KFBK, Sacramento, sponsored by Frozen Fudge Service Co. of that city. The program is called "Station KIDS," will be heard three times a week, and may later be added to stations in the bay area here.

WBRY Added to CBS

WATERBURY, Dec. 12.—WBR Y. Waterbury and New Haven, is the latest CBS outlet in this territory.

Total of 101 Radio Stations in Mexico

Mexico City, Dec. 12.—Mexico has 101 radio stations as of Dec. 1, of which 96 are in regular operation, according to the Ministry of Communications and Public Works and the government, which have overall affairs in this country. Of the total stations, eight are Government, and 10 are foreign-owned. Twenty-seven of all the stations are in the Federal District, which includes this city. Thirty-one of the stations are in American border communities.
Selznick International and United Artists bow their appreciation to J. J. Parker, owner of the BROADWAY, PORTLAND, OREGON, and his advertising director, Ted Gamble. By linking a great picture with a superlative campaign, business soared far above “Star Is Born” and “Prisoner of Zenda”... and that means receipts were in the highest record brackets!
FCC Tightens Renewal Rule For Licenses
Must Apply Over 60 Days Before Expiration

WASHINGTON, Dec. 13.—Rules requiring radio stations to apply for license renewals more than 60 days in advance of the expiration of the license, heretofore loosely applied, hereafter will be strictly enforced, it was stated by the Federal Communications Commission today.

No temporary license or extension of license will be issued under any circumstances where stations fail to file application for renewal, the F. C. C. also ruled. When an application is received less than 60 days before an expiration, a temporary extension of license only will be granted.

Broadcasters also were ordered to exercise more care in filing applications for renewal and to see that they reflect "actual conditions" at the time of filing, in order to obviate the necessity of returning applications for correction.

Jim Roosevelt Is on Way Here for Xmas

CHICAGO, Dec. 13.—James Roosevelt, vice-president of Samuel Goldwyn, Inc., arrived here today from Rochester, Minn., en route to New York and Washington to spend the holidays with his family. He plans to remain here until Friday on personal business.

Labor Chiefs Warn Mexican Stations

MEXICO CITY, Dec. 13.—Radio stations throughout Mexico were warned of a strike by unionists if they persist in broadcasting information derogatory to Vincente Lombardo Toledano, chief of the Confederation of Mexican Workers, Mexico's labor czar, and Luis Rodriguez, president of the Party of the Mexican Revolution.

Pathé Plan Out; New Scheme to Be Ready Soon

Liquidation plan for Pathe Film Corp., was also disclosed. This plan would liquidate Pathé's physical assets. Other assets, including the duPont Film Manufacturing Corp stock, Monogram Pictures stock and RKO notes, would be retained by Pathé Film.

It was not disclosed what proposal would be made under the new plan for disposition of the Bond Brook laboratory. However, it probably will be offered to the highest bidder, with a new company, headed by O. H. Briggs, Pathé president, and associates, making an offer which may be incorporated in the new proposal.

The abandoned liquidation plan had been (Continued on page 4)

Federation's Aim Is 1,000 Guests At Bernie Lunch

It is the plan of the Amusement Division of the Federation for the Support of Jewish Philanthropic Societies of N. Y., under the chairmanship of David Bernstein and Major Albert Warren, to bring the attendance at the Ben Bernie testimonial lunch at the Hotel Astor on Dec. 19 to more than 1,000 persons. Eddie Cantor is host at this luncheon.

At yesterday's meeting of members of the several subdivisions and sub-committees, at which Jack Coen of Columbia presided, reservations for several tables were subscribed for. The luncheon yesterday was for the purpose of discussion and for reports by the various chairmen on the progress of the campaign to raise $250,000, the quota set this year by the film and theatrical division of the federation. Besides Coen, among those who addressed the meeting were Harry Brandt and William Brandt of the Independent Theatre Owners committee; Benjamin S. Moss, head of the theatrical accessories group; Louis Bernstein, chairman of the song publishers and composers committee; William Miller, president of the agents and managers division; William Klein, chairman of the legitimate theatres group; Sipros P. Skouras, Joseph Seidelman of Universal; Sam E. Morris of Warners; Malcolm Kingsberg of RKO; Her- (Continued on page 4)

Michalove Returns From Sydney Jan. 9

Dan Michalove, assistant to S. R. Kent, 20th Century-Fox president, is due back Jan. 9 from Australia where he has completed a survey of Hoyts Theatres properties, in which the film company has an interest.

Michalove, accompanied by Irving Barry, assistant to Skouras, already has sailed from Sydney.

160 New Yorkers On Schine Dinner List

ALBANY, Dec. 13.—Every phase of the film industry will be represented by 160 guests at the annual dinner of honor J. Meyer Schine and Louis Schine. List of the reservations, read at yesterday's meeting of the Schine dinner committee, included 160 metropolitan New York friends of the Schines.

Speakers are to be announced today. Philip C. Fox, Columbia branch manager and committee chairman, said that the downtown section of Albany (Continued on page 4)

ITUOA Seeks 100% Accord On Giveaways

RKO, Loew's to Hold Off Until It Is Obtained

Loew's and RKO, before eliminating cash giveaways, are going to make certain that the independents are sincere along the same line. Already a majority of the I.T.O.A., of which Harry Brandt is president, is understood to have subscribed to the movement for abandoning the games in metropolitan New York.

To obtain action from the affiliated circuits, the independents are making an effort to achieve a 100 per cent accord among themselves.

There has been much history written in the trade that gives general and exhibitor intentions to eliminate them. In New York in the early spring of 1937, both RKO and Loew banished box office stimulants in all their theatres in the metropolitan New

Lurie Steps Out of Mae West Company

HOLLYWOOD, Dec. 13.—Louis Lurie, San Francisco financier, is understood to have withdrawn from business association with Mae West in film production.

The reported deal whereby Miss West's pictures would be released through United Artists is understood to be out, too.

National Anthem in All Warner Houses

Pursuant to the wishes of Harry M. Warner, president of Warner Bros., Joseph B. Schine, manager of Warner Theatres, has instructed all the company's managers that "The Star Spangled Banner" must be played every day in all Warner theatres throughout the country. Mr. Warner's purpose is to stimulate devotion and loyalty to American ideals.

It is an enlargement of the Warner patriotism campaign, a feature of which is the production and display of two-reel color historical shorts, based on patriotic incidents in the nation's history.
INSIDERS’ OUTLOOK

J. A. McConville, Columbia foreign manager, Joseph Friedman, managing director for England, and Mr. Friedman, will arrive from London tomorrow on the Queen Mary. McConville has been abroad for six weeks. Friedman will be here several weeks for home office conferences.

W. A. Scully, Universal sales manager, and W. J. Heineman, assistant, are in Chicago to meet Nate Blumberg, president, on route east, tomorrow. They are due back Friday.

Jules Levy, RKO general sales manager, is in Chicago conferring with Walter Branson, midwest district head, and Jack Osserman, branch manager.

Ray Milland arrived in New York by plane yesterday and will sail with Mrs. Milland on the Queen Mary on Friday to spend eight weeks in England.

Richard Carlson, of “The Duke of West Point,” will be host at the showing of “Two Foot Line” at the Music Hall tomorrow evening.

Chester Morris will leave for the coast Friday after a two-week vacation here, stopping off in Albany en route west.

Harry Curb of London is back in New York to confer with J. H. Horstman, who returns from the coast next week.

Morris Legendre, North Carolina theatre owner, is stopping here on route to Washington.

Harry Goldberg, advertising and publicity head for Warner Theatres, is ill with the flu.

Gabriel Pascal, producer of “Pygmalion,” arrives on the Queen Mary tomorrow.

Arlen Wieland will leave New York for the coast today after 10 days here.

June Travis is in town.

THE MERCURY

OVERNIGHT TO LOS ANGELES

Fly the Southern SUNSHINE route overnight to Los Angeles. Through service. No change of planes. Giant SKYSLEEPERS. Complimentary meals cubed by stewardesses. Mercury Southern
Lv. 5:10 p.m. (600-10 caps.)
For reservations: Call Your Travel Agent or VANDYKE 3-2500. Ticket Officers 40 Vanderbilt Ave. and Rockefeller Center, 16 W. 49th St.

AMERICAN AIRLINES

OPINION exists in Wall Street that tentative approval of RKO’s reorganization plan may be granted Friday, followed by a final decision by William O. Bondy. Such opinion is premised upon the known desire of the courts to hasten RKO’s emergence from 77b, providing all legal requirements are met.

Whether the court will predicate its approval upon making certain changes in the plan, is not known.

There is some speculation in creditor circles regarding the possibility of an improved conversion right for debenture holders to be secured by Blumberg, that might condition granting greater rights also to creditors, in return.

George Jessel, the nonpareil, has been booked solid for the next two weeks as an after dinner speaker in a dozen or more cities. Starting with the Philadelphian Variety Club at Christ, Jessel is visiting Worcester, Bos ton, Washington and midwest cities to preside at dinners. Sunday night he will talk at the Broadway Temple Methodist Church on “Religion.”

Thomas Feeney, chairman of the London and Home Counties Branch of the C.E.A., referring to current political propaganda, insisted the exhibitors’ business is to sell entertainment, not politics. He spoke at the annual banquet last night at which the escort of honor was Sir Walter Womersley, Assistant Postmaster General, who substituted for Anthony Eden.

Benefit show runs by Interstate Circuit in the southwest for German refugees grossed a total of $40,000. Attendance was above average in the large cities, but slipped in the small towns, where publicity was slight and general interest small. Dallas led with $8,900, Houston had $6,500, San Antonio, $5,500, Fort Worth, $3,600.

Variety Club of Twin Cities have voted to raise $25,000 for the German refugees through the sale of 100,000 theatre tickets at 50 cents.

Technicolor’s Profit For 1938 $1,200,000

Technicolor’s consolidated net profit for 1938 is estimated at about $1,200,000, before Federal taxes, by Herbert T. Kalmus, president and general manager. This compares with $71,395 for 1937.

Company directors yesterday voted a dividend of 15 cents a share, payable Dec. 28, to stockholders of record Dec. 21. This makes a total of $1 a share paid this year, and compares with 75 cents paid during 1937.

M.P.P. D.A. Meeting Off to Next Tuesday

Quarterly meeting of the board of M. P. P. D. A. scheduled for Dec. 14, will be postponed to next Tuesday because of the absence from the city of Sidney R. Kent, Nate J. Blumberg and George J. Schafer. The board will be in session at the office of Monday, Dec. 11.

Two Sign with Guild

Triple A Productions (Harold Orlob) and West Coast Sound Studio have signed the modified form of Screen Actors’ Guild basic agreement. They are the first production organization to sign the new contract form.

A. T. P. Loss $177,215

London, Dec. 12—A net loss of $177,215 is reported by Associated Talking Pictures for the year ended June 30 last. Production profits and sundry revenue amount to $105,740 and profits were made for losses by subsidiary companies.

PRODUCTION SPURTS WITH 47 PICTURES SHOOTING ON COAST

Hollywood, Dec. 13.—Production squads in the studios before the cameras, highest since the production rush last July. Twelve pictures started, six finished; 13 are adding to their rolls, and 75 are in the editing rooms.


OTHERS SHOOTING


RKO started one short subject, which is still shooting. Columbia finish with two feature are being prepared, and 14 edited.

MOTION PICTURE DAILY

(Related U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.
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The Light Before Xmas

RELEASED DECEMBER 24TH
PRECEDED BY SPECTACULAR
COLOR ADS IN LIFE, LOOK,
CLICK AND 14 OTHERS!

ERROL FLYNN
IN
DAWN
PATROL

WARNER BROS., Producers

BASIL RATHBONE, DAVID NIVEN
DONALD CRISP

Melville Cooper • Barry Fitzgerald • Carl Esmond
Directed by EDMUND GOULDING
Screen Play by Seton I. Miller and Don Taitereh • From an
Original Story by John Monk Saunders • Music by Max Steiner
MOTION PICTURE DAILY

Wednesday, December 14, 1938

The Newsreel Parade

Anthony Eden speaking before the National Association of Manufacturers in New York and the initiation of Alfred Landon into the Ancient Order of Shebbeces were the major events in the newsreel world in the past week. The reels and their contents follow:


U. S. Hits Plea for Bills of Particulars In Anti-Trust Suit

The Government's views in the anti-trust suit, New York, are clearly expressed in briefs filed with Federal Judge Kelley by the Government. The Government demands the return of independent companies for bills of particulars as "directed toward procuring the trial brief of the Government's case with a full disclosure of all evidentiary matters as well as the names of its witnesses."
The Government revealed in these briefs that such requests would delay the trial for many months and would require a petition 500 pages long.
The Government charges "flagrant misrepresentation" of remarks made by Assistant Attorney General in connection with the motion by United Artists to strike out a page of the Government's original complaint.

It is denied by the Government that its aid is under the alleged conspiracy, and that Williams had meant that U. A. had no part in the charges on monopsony.

Charge "Unfair Practices"
The Government briefly declared that it was not necessary for each co-conspirator to be connected with every phase of the conspiracy. It is also stated that the conditions charged unfair "trade practices imposed upon independent exhibitors" are "applicable to defendants by virtue of the actions of each other."

The briefs were filed by Moses H. Lewis, special assistant Attorney General in charge of the N. Y. office, and Benjamin L. Franklin, Arnold, Paul Williams, J. Stephen Doyle, J. John F. Cloggott, Jr., Shelley Fitz, Seymour Simon and Seymour Krige.

160 New Yorkers on Schine Dinner List

(Continued from page 1) is to be given over to the out-of-town film guests Monday night in an elegant dinner and reception to be held at the Waldorf Astoria Hotel from 6:30 to 8:30 P.M.

At least 10 cars will be in the Schine section of the Commodore Van-"delt, leaving Grand Central at 14 420, 6:59 P.M. Eight cars are reserved from Buffalo to pick up the western New York. The names are: Gross, Bell and Beloit, delegations. Clevelanders listed to attend are Harry Gold-stein, "Duke" and Clark, Dave Miller, Bert Stearn, A. M. Goodman, L. Schmertz and Nat Barach.

Empire State Express will have a special connection to Rochester, Syracuse, Utica and Florida.

Gates "Ballerina" in NE

Arthur Mayer and Joseph Burstyn have sold the New England rights on "Ballerina" to Abraham J. Zimmerman, the New York manager. Four other Mayer-Burstyn films were included in the deal.

Keith Memorial Has Loss

Keith Memorial Theatre Corp. reports for 1937 a net loss of $53,889.

ITOA Is Seeking Giveaways Accord

(Continued from page 1) York area. This ban was effective for several weeks.

At least there was an understanding that the independents would take similar action as the big circuits, especially in view of the fact that the independents initiated and launched the game at that time.

However, the Loew and RKO groups failed to follow through, and Loew and RKO got nowhere with their plan.

A committee of seven named by Brands in connection with the campaign to drive "gaming" out of theatres will meet at no late date at the Hotel. C. C. Moskowitz, executive operator of Loew's theatres and J. J. O'Connor, general manager of RKO theatres, are on this committee. Others are Max Cohen, Walter Reade and Leonard Weintraub, to represent the unaffiliated circuits. The smaller operators are represented by Abe Shenk and Samuel Seelen.

Suits Caused Hitch

statement issued by the company followed that the necessary amount of stock to carry the proposal would have been obtained except for the restrictions filed by duPont and minority stockholders, both of which, however, were dismissed in Federal court prior to the stockholders' meeting.

Briggs told the meeting that negotiations by Pathe for the acquisition of one of the largest and two in the east from a "major company for about $2,000,000 in Pathe stock had been abandoned prior to formation of the liquidation plan. The negotiations included a contract for the major company's printing to be done by Pathe, and the price was regarded as too high and limitations placed on future printing charges to the company the end too strict. In reply to stockholders' question, Briggs declined to state whether the company referred to was Paramount.

Replying to another question, Briggs said that inquiries concerning purchase of Pathe buildings had made last summer but no "firm offer" was ever received.

Loew Net For 1938

Is Near $11,000,000

(Continued from page 1) preceding 52 weeks. Universal has been operating in the black since Sept. 1. November operations showed a substantial profit and the pace is being maintained currently, giving indication that the company will exceed last year's $10,525,000

Paramount's 1938 earnings are estimated in the neighborhood of $1,000,000 or slightly higher. Dividends from theatre subsidiaries are estimated to supply the bread-and-butter earnings which the picture company is in the black.

National Theatres, in which 20th Century-Fox has a 42 per cent interest, may show a profit for the year of around $2,500,000 according to current Wall Street estimates.

Montgomery GN Head

SAN FRANCISCO, Dec. 12.—George N. Montgomery, special representative for Grand National, has taken over management of the local exchange, replacing H. Bradley Fish, resigned.

Mayer on Stand in Loew Suit Monday

Louis B. Mayer is expected to take the witness stand on Monday in the minority stockholders' suit against the company now being tried by Judge King in the N. Y. Supreme Court. William Fox will follow on Dec. 17. This was stated in informal conversation between the court and counsel for the suit.

The plaintiffs' accountant testified yesterday and, in addition, portions from the depositions of Loew stockholders were read into the record.

ITOA to Discuss Pact Draft Friday

Details of the first draft of the trade practice program, recently submitted by the distributors to exhibitor groups, will be discussed at a meeting of the ITOA on Monday, the meeting scheduled for Dec. 21. The ITOA has one of seven unaffiliated groups which conferred with the distributors.

William F. Rodgers of M-G-M, who has acted for the distributors, has been advised by the exhibitor committees that they are studying the draft, but no specific criticism has been received as yet.

1,000 Guests Is Aim At Bernie Luncheon

(Continued from page 1) man Robbins of National Screen Co., and Herbert J. Yates. Additionally among those present were Jules Brulatour, Irving Caesar, Samuel M. Forrest, Harry M. Goetz, Leon Goldberg, Max Gordon, Marcus Heiman, Aaron Israel, Jr., Herman H. Landweber, Abe Lastfogel, Mark Levy, Lemuel Livingstone, Sidney Pierrmont, Jack Robbins, Beld Rogers, Sam Rosen, Sam Sax, Aubrey Schenck, Marvin Schenck, Abe Schneider and Joseph Somlo.

"40 LITTLE MOTHERS"

National Pictures Corp. will distribute "Le Motheo" in this country as "40 Little Mothers."

To Vote on Sunday Films

SMITHFIELD, N. C., Dec. 13—Citizens of this town will vote Jan. 10 on whether or not Sunday films will be permitted.

Theatre Plan Is Out; New Proposal to Be Ready Shortly

(Continued from page 1) been proposed under a new provision of the U. S. Revenue Act which required that the stockholders have the approval of 80 per cent of the stockholders and that the liquidation be completed by the end of the month. Approximately 325,000 shares, or 55 per cent of the total outstanding, were counted in favor of the plan and an estimated additional five per cent was said to be on hand but uncounted. An adjournment of the meeting to conclude before the stockholders' meeting.

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Montgomery GN Head

SAN FRANCISCO, Dec. 12.—George N. Montgomery, special representative for Grand National, has taken over management of the local exchange, replacing H. Bradley Fish, resigned.
...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.
and
THE LITTLE TOUGH GUYS

Directed by HAROLD YOUNG
Associate Producer KEN GOLDSMITH
Screenplay by GORDON KAUN
Original story by Gordon Kahn and Charles Grasson

FOR RELEASE
DECEMBER 23°
‘Cowboy Lady’ Leads in Loop With $18,600

CHICAGO, Dec. 13.—“The Cowboy and the Lady” were the most popular folks in the Loop last week, the Cooper film garnering a smart $18,600 at the United Artists theatre for the opening week. John Boles, in person, at the Chicago gave impetus to “Angels With Dirty Faces” and the second week of that picture was a strong $32,000.

Loosely and “Secrets of an Actress” at the Oriental kept house in the big money with a $16,000 gross. Elsewhere business was not much better than in many places less than that as the Christmas slump started to gain momentum. The weather was unsettled most of the week and that didn’t help any.

Total first run business was $103,400. Average is $103,000.

Estimated takings for the week ending Dec. 6-10:

“The Great Waltz” (M-G-M) APOLLO—$1,400, (35c-55c) 7 days. Gross: $6,200. (Average, $860.)

“Angels With Dirty Faces” (M-G-M) CHICAGO—$4,000, (35c-55c) 7 days. 2nd week. Stage: James and Revue. Gross: $32,000. (Average, $4,600.)

“Men With Wings” (Para.) GARRICK—(900) (35c-40c-50c) 7 days. 2nd week. Gross: $4,000. (Average, $600.)

“Secrets of an Actress” (F-N) ORIENTAL—(400) (25c-30c-40c) 7 days. Stage: Lois Lane and Revue. Gross: $16,000. (Average, $2,300.)

“Out West with the Dudes” (Radio) PALACE—(2,500) (35c-55c) 7 days. Stage: Revue. Gross: $6,000. (Average, $850.)

“Stalagmites” (M-G-M) ROOSEVELT—(1,300) 7 days. Gross: $12,000. (Average, $900.)

“Cowboy and the Lady” (RKO) UNITED ARTISTS—(1,700) (35c-55c) 7 days. Gross: $12,000. (Average, $1,700.)

Poli Theatres Heads Assessments in N. H.

NEW HAVEN, Dec. 13.—Poli New England Theatres, Inc., heads the theatre assessments on the new list here, with an assessment of $1,516,925. Among the 264 taxpayers who have assessments in excess of $100,000 are also the Arena Co., $509,000, Bernehart & Hoffman et al, $137,480, Howard Theatre Co., $105,460, Harry L. LaVietes, $114,680.

“A Christmas Carol” (M-G-M)

HOLLYWOOD, Dec. 13.—In the whole English literature there is probably a no more dated story than Charles Dickens’ “A Christmas Carol.” In its merit as a human interest story, one that is strong in its power to effect more sentimental emotions, it has few rivals in any language. No work is more timely to the Christmas season.

The theme of Dickens’ allegory needs no reiterating. Its moral is just as modern, as pointed and significant to the world of today, as was it when it was written almost 100 years ago. Sufficient to say its producer, Joseph L. Mankiewicz, his director, Edwin L. Marin and all the players, those important in its plot and those incidental to the action and detail—have brought it to screen realism in full keeping with all the fine traditions about the classic.

In comparison with the pictures of today, the styles they adapt and the preoccupations of one kind or another they attempt, “A Christmas Carol” may be considered by many as a lot of hokum. It is hokum. But it’s the kind of hokum that sometimes makes people shudder. It makes them laugh, too. And, inevitably, it brings tears. No doubt those who see it will be inspired. Most likely they will leave the theatre resolved to make this Christmas happier for themselves; happier for those less fortunate.

Reginald Owen is an exceptional “Ebenezer Scrooge.” He makes the early “Scrooge” a mean man, but one who is not so much a “horror” as was the product of Dickens’ imagination. When he dreams his dreams, though, later to become a real human being, he is all the author envisioned. The other characters, played by Gene Lockhart, Kathleen Lockhart, Terry Kilburn, Barry Mackay, Lynne Carver, Leo Carroll, Lionel Braham, Ann Rutherford, and Ronald Sinclair, are as Dickens created them. Similarly the production effects, settings and details substantiating the story are aesthetic of the London of 1840. Few dialogue changes were made by Hugo Butler, who did the screenplay.

Running time, 65 minutes. “G” McC.

#“G” denotes general classification.

Indiana Circuit to Offer Common Issue

WASHINGTON, Dec. 13.—Registration statement covering proposed issue of $10,000 shares of 5% par Class “A” common stock, to be offered at $6 per share, was filed with the Securities and Exchange Commission by Pix Theatre Circuits, Inc., Gary, Ind.

The company plans to use $8,000,000 derived from sale of the stock for the purchase of three theatres and equipment for working capital. Samuel B. Niswalt is president of the corporation and Warren Franklin Corp. is the principal underwriter.

Bittner, Feist File Suit Against MGM

Bill of complaint has been filed setting forth the details in the breach of contract suit brought by Edgar F. Bittner and the estate of Leo Feist against M-G-M Corp. The complaint alleged that in October, 1935, M-G-M purchased 1,450 shares of Leo Feist, Inc., which carried with it a control of the company. The purchase price allegedly was $170,000 apiece to Feist and Bittner, payable in installments of $44,250. It is claimed that the last installments to Bittner and Feist were unpaid.

‘School’ and Kemp Boost Milwaukee’s Leader to $10,000

MILWAUKEE, Dec. 13.—“Girls’ School” and Hal Kemp’s orchestra will win the week’s favorite with $10,000 at Fox’s Palace. Second went to “The Storm” and Ina Ray Hutton at the Riverside for a $7,500 gross.

“Out West With the Hardy’s” and “Listen, Darling” was the only other bill to break par, collecting $8,500 at Fox’s Grand. Estimated takings for the week ending Dec. 7-8:

“Angels With Dear Faces” (F.N.) “Service De Luxe” (Univ.) WARNER—$2,400, (35c-55c), 7 days. 2nd week. Gross: $5,000. (Average, $700.)

“Out West With the Hardy’s” (M-G-M) WARNER—$7,000, (35c-55c), 7 days. Stage: Hal Kemp, Gross: $10,000. (Average, $1,420.)

“The Stolen” (U.A.) RIVERSIDE—(2,000) (35c-55c), 7 days. Stage: Ina Ray Hutton, Gross: $7,500. (Average, $1,000.)

“If I Were King” (Para.) WARNER—$2,000, (35c-55c), 7 days. STRAND—(1,400) (35c-55c), 7 days. Gross: $3,200. (Average, $450.)

“Hardys’ at $15,500

Smash in Cincinnati

CINCINNATI, Dec. 13.—Horace Heidt and orchestra helped “Hard to Get” to $16,000 at the RKO Shubert. To date with the “Hardys” collected $15,500 at the PKK, and “The Cowboy and the Lady” was good for $12,000 at the RKO Albee. Estimated takings for the week ending Dec. 8:

“The Cowboy and the Lady” (U.A.) RKO ALBEE—$3,000 (35c-42c), 7 days. Gross: $16,000. (Average, $2,300.)

“Out West With the Hardy’s” (M-G-M) RKO SHUBERT—$4,000 (35c-40c-50c) 7 days. Gross: $16,000. (Average, $2,300.)

“Many Men” (RKO) RKO SHUBERT—$2,500 (35c-42c-50c), 7 days. Gross: $9,500. (Average, $1,350.)

“A Man To Remember” (RKO) RKO SHUBERT—$1,500 (35c-42c), 7 days. Gross: $2,800. (Average, $400.)

“Brodie Rat” (F.N.) RKO GRAND—$1,500 (35c-40c), 7 days. Gross: $2,800. (Average, $400.)

“Last Express” (Univ.) 2 days. Gross: $1,500.

“Swept Away” (RKO) 3 days. Gross: $2,800.

“Thanks for the Memory” (Para.) RKO ALBEE—$1,500 (35c-42c), 3 days. Gross: $3,000. (Average, $1,000.)

Table Bill in Cinco

On Child Attendance

CINCINNATI, Dec. 13.—Pending an agreement with school authorities and parent-teacher associations, the City Council has tabled an ordinance requiring theatres to file registration with an additional annual operating license, and prohibiting attendance of children under 16 during school hours, and not later than 9 P.M. Billing preceding a school day, even if accompanied by parents, with license revocable by the City Manager for violation. Councils in action directing the measure was influenced by Charles D. Meeks, manager of a suburban theatre group.

Wednesday, December 14, 1938
and a cheer for another swell Columbia comedy....
funnier than "There's Always A Woman"....

FOR XMAS...GIVE YOUR PATRONS A SCREAMLINED GIFT

THERE'S THAT WOMAN AGAIN

Co-starring

MELVYN DOUGLAS • VIRGINIA BRUCE

MARGARET LINDSAY
STANLEY RIDGES

Screen play by Philip G. Epstein, James Edward Grant, Ken Englund

Directed by ALEXANDER HALL

A COLUMBIA PICTURE
‘Shining Hour’ Is Capital Best Bet, Capturing $5,800

WASHINGTON, Dec. 12.—“The Shining Hour” grossed a good $5,800 at Loew’s Columbia, to lead competitively, “The Great Waltz,” in its second week at Loew’s Palace, took $10,500, and “A Man to Remember” drew $10,000 at RKO Keith’s.

Estimated takings for the week ending Dec. 8:

**Drums** (U. A.)
LOEW’S CAPITOL—$450 (25c-45c) 7 days.
Stage: Jay C. Flippin, Voc. & Walters, Diane Jansis. Gross: $14,800. (Average, $2,114.29)

**The Shining Hour** (M-G-M)
LOEW’S COLUMBIA—$420 (25c-45c) 8 days.
Stage: Jay C. Flippin, Voc. & Walters. Gross: $5,900. (Average, $738.75)

**The Great Waltz** (M-G-M)
LOEW’S PALACE—$270 (25c-55c) 2nd week, 7 days.
Gross: $9,500. (Average, $1,357.14)

“A Man To Remember” (RKO)
RKO KEITH’S—$360 (25c-45c) 7 days.
Stage: Dick Foran, Arne & Broderick. Gross: $9,000. (Average, $1,285.71)

“Hard To Get” (W. B.)
WARNERS’ EARLE—$270 (25c-45c) 6 days.
Stage: Dick Foran, Arne & Broderick. Gross: $4,000. (Average, $666.67)

“Men With Wings” (Para.)
WARNERS’ METROPOLITAN—$290 (25c-45c) 7 days.
Stage: Dick Foran, Arne & Broderick. Gross: $3,800. (Average, $542.86)

W. E. Declares Dividend

Western Electric board of directors yesterday declared a dividend of 25 cents per share on the common stock, payable Dec. 28 to stockholders of record Dec. 23.

**Hollywood Preview**

*Heart of the North* (Warner’s)

HOLLYWOOD, Dec. 13.—Action, adventure and romance are the entertainment and commercial qualities of “Heart of the North.” Done in color, with practically all action taking place outdoors against picturesque scenic backgrounds, the show features Dick Foran, Gloria Dickson, Gale Page, Allen Jenkins, Patrick O’Neal, Janet Chapman, James Stephenson, Anthony Averill, Joseph Sawyer and Joseph King in a Royal Canadian Mounted Police story.

Though Sawyer, minion of factor King, holds up a river boat, looting it of its gold and furs, suspicion for the crime is pointed towards Russell Simpson. While inspector Gere is willing to accept King’s advice, troopers Foran and Jenkins have other ideas. For following Sawyer’s trail, against orders, both are suspended from the service and ordered confined to quarters. Following the sensational blasting of a dam, they steal an airplane and quickly catch up with Sawyer’s gang. The customary shooting episodes follow as well as a hair raising battle on the brink of a cliff before the disobedient “mounties” return with their men. They arrive just in time to prevent Simpson being lynched, force Miss Page to confess that she lied when she identified him as the bandit and as King is killed, Foran and Jenkins are restored to duty and promoted. As Miss Page leaves for civilization, there is no further menace to the romance between Foran and Miss Dickson.

Melodramatic action and excitement is the essence of the Lee Katz and Vincent Sherman screenplay, based on William Mowery’s novel which Lewis Seiler directed.

Running time, 80 minutes. “G”

G. Mcc.

**Schaefer Due Monday**

George J. Schaefer, chief executive of RKO, returns Monday from studio conferences.

**Wings** $12,000

*Is Montreal High*

MONTREAL, Dec. 13.—“Men With Wings” soared high for the week when it grossed $12,000 at the Palace, and was well.

“The Cowboy and the Lady” did well with a $5,000 take at the Orpheum, while “Service De Luxe” and vaudeville brought $7,500 to Loew’s Theatre. The weather continued mild.

Estimated takings for the week ending Dec. 10:

“Sure” (25c-45c) 7 days. Gross: $6,500, 2nd week. (Average, $928.57)

“Service De Luxe” (Uni.)
LOEW’S—$2,800 (25c-40c-55c-65c), 7 days. Stage: Hollywood Star Dambly and vaudeville. Gross: $7,500. (Average, $1,071.43)

“The Cowboy and the Lady” (U.A.)
ORPHEUM—$2,700 (25c-35c-50c), 7 days. Gross: $5,000. (Average, $714.29)

“Men With Wings” (Para.)
PALLACE—$2,600 (25c-40c-55c-65c), 7 days. Gross: $12,000. (Average, $1,714.29)

“Garden of the Moon” (F.N.)
RACKET BUSTERS (W.B.)
PRINCESS—$2,725 (25c-35c-50c), 7 days. Gross: $6,000. (Average, $857.14)

Conference on K.M.T.A. Meetings in January

KANSAS CITY, Dec. 13—Frank Cassil, president of the Kansas Missouri Theatres Association; George Hartmann, secretary; John Stapel and R. R. Buechele conferred in Kansas City with Fred Wehrenberg, president of the M.P.T.O. of Eastern Missouri and Southern Illinois, and the association’s board of directors.

Purpose of the conference was to coordinate the series of exhibitor meetings in the eastern and western parts of the state. The K.M.T.A. will begin its series in Kansas the week of Jan. 9. The following week the Missouri sessions will be held. Mutual problems will be discussed.

**Canadian May Not End Film Tax Until April**

TORONTO, Dec. 13.—Intimation from the Customs and Excise Division of the Department of National Revenue is that the removal of the three per cent excise tax, imposed under the Special War Revenue Act on many imports from the United States and now scheduled to be abolished in the new trade agreement, will not take place until after the close of the Dominion fiscal year March 31, 1939.

Abolition of this tax must be approved by Parliament and it is believed that the legislative machinery cannot be speeded up to guarantee contained in the pact, although all other provisions of the agreement become effective Jan. 1. The special excise tax is applied against the duty-paid value of all film positives and negatives, projection equipment, cameras and parts, accessories and theatre supplies, the custom duties on which are being reduced.

**Record Closes Deals On 2 New Pictures**

Fred McMann of Record Pictures has arranged distribution on Herbert Wilcox’s “The Gang” with Syndicate Exchanges, New York and New Jersey; Big Feature Rights Exchanges, Ohio, Kentucky and Tennessee; Progressive Picture Co., Buffalo and Albany; Hollywood Film Corp., Philadelphia; Cameo Screen Attractions, New England; Jack Amusement Enterprises, Atlanta, Dallas and Chicago. “Convicts at Large” has been sold to Cameo-New England; Principal Film Exchange, New York and New Jersey; Monarch Pictures Co., Pittsburgh; Big Feature Rights, Ohio, Kentucky and Tennessee; Hollywood Film Corp., Philadelphia.

**RCA In Two Circuits**

Contracts have been signed for installation of RCA Photophone equipment in the 80 theatres of the Blane Circuit in the midwest and of the Commonwealth Circuit in the west.

Myron Blank and Dave Dewey of the Blank circuit and Clarence A. Schults and Dick Ocre, Commonwealth representatives, negotiated the contract with RCA.
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*
Radio Personals

A RTHUR BORAN has been appointed to head the radio show of the Christian Committee for the Relief of Jews to be broadcast tomorrow at the Academy of Music. . . . Abbott and Costello, formerly of the Kate Smith program, and being considered for a picture berth by Warners. . . . Rosalind Sherman, formerly of WINS, has joined the WNEW staff and will conduct her interviews over that station afterward.

Frank Parker returns to the Burns and Allen show as the regular vocalist Dec. 16. . . . Carl Lloyd, a newcomer to radio, has joined the night press staff at CBS. . . . John Edwards has replaced Bob Barth on the overnight trick in the same publicty. . . . Eddie Davis, bandleader father of Hal Davis of the CBS press staff, has joined with Martin Dicker in a new radio production setup.

Horton Is Appointed Head of WEEI

Kingston Horton, for the past two years account-executive at Radio Sales, has been elevated to creative director for CBS owned and operated stations, has been named sales manager of WEEI, Boston, and will start his new duties Monday. He will be succeeded at Radio Sales by Frank R. McDonnell, formerly head of Advertisers Service Inc., a transcription subsidiary of Gene Grombach.

Has Frisco Fair Show

SAN FRANCISCO, Dec. 13—Homer Griffith, former WLW commentator who conducted promotional programs for the Will Rogers estate, has been asked to produce exhibits, has started a similar show on KJBS here for the 1939 Golden Gate International Exposition. Asst. Mrs. Griffith, he plans a "chatty" guide to various attractions at the forthcoming fair.

Ayers On WOR Today

Col. Leonard P. Ayres, economist and banker, will be heard over WOR-Mutual today from 1 to 1:30 P.M. in a talk on "The Outlook for Business in 1939" to the Cleveland Chamber of Commerce. The broadcast will be recorded and broadcast again over WOR-Mutual from 11:15 to 11:45 P.M.

FCC Calendar

WASHINGTON, Dec. 13—Extension of time for KATE, Alhambra, Minn., from day to unlimited with 100 watts power limit, 250 watts day, has been approved by the Federal Communications Commission.

Acting on a number of broadcast cases, the commission denied the application of the Florida Broadcasting Co., for a 1,300-kilocycle, 250-watt daytime station at Ft. Pierce, Fla.; Pawtucket Broadcasting Co. for a 1,390-kilocycle, 1,000-watt station at Pawtucket, R. I.; George H. Payne for a 1,440-kilocycle, 500-watt station at San Jose, Calif.; and W. A. Steffes for a 1,310-kilocycle, 250-watt daytime station at Minneapolis.

A number of applications were set for hearing, including those of Great Union High School District for a 1,420-kilocycle, 100-watt daytime station at North Sacramento, Calif.; Niagara Falls Gazette Publishing Co., for a 1,260-kilocycle, 1,000-watt daytime station at Niagara Falls, and KERN, Bakersfield, Calif., for change of frequency from 1,410 to 1,500 kilocycles and increase of power from 100 to 1,000 watts; KMJ, Fresno, Calif., for increase of day power from 1,000 to 1,500 watts; WTVL, Green Bay, Wis., for increase of power from 1,000 to 5,000 watts, and WDAN, Danville, Ill., for extension of time from day to unlimited with 100 watts night, 250 watts day.

Authorization to erect a new 1,270-kilocycle, 350-watt daytime broadcasting station has been asked by the Broadcasting Corporation of America, River- sloth, N. C.

An application also has been filed with the commission by WKRK, Youngstown, O., asking for an increase in day power from 300 to 1,000 watts.

Sues CBS on Song

LOS ANGELES, Dec. 13—Austin Corcoran has filed suit in Federal Court, asking $75,000 from CBS, Montgomery Ward & Co., and Wills Cordell, producers of the musical comedy, "Plain Bull," which was made into a song and sold on records. CBS is alleged to have broadcast the song.

There Is No Santa Claus

Foreign public managers of major companies at a meeting at M. P. O. A. headquarters voted to dispense with the Christmas banquet this year.

NAB Affirms Vote for New Standard

WASHINGTON, Dec. 13—National Association of Broadcasters' directors meeting here yesterday, affirmed the four resolutions adopted at the New York meeting on re-evaluation of the N.A.B. and network heads last week. It was voted that:

1. In view of the growing complex order of American life, a committee be appointed to re-evaluate the N.A.B. code of 1935.

2. Every committee secure from all stations and networks copies of existing program policies and practices.

3. That following a study of these, a new Standard of Practices be written for N.A.B. member stations.

4. That a copy of the Standards of Practices, when approved by the N.A.B., be submitted to all N.A.B. broadcasters for study, prior to the next annual meeting, that in the meantime the entire membership will consider the matter in convention.

The N.A.B. also adopted a resolution today saying, "it is the sense of the N.A.B. that American broadcasting stations should not carry advertising for distilled spirits and that it is distinctly explained that by distilled spirits is meant "hard liquor."

Bowery Mission Is Renewed Over WHN

Gottfried Baking Co., sponsoring the "Bowery Mission" program over the last year on WHN, has closed a contract to continue its sponsorship for another 52 weeks, beginning with the broadcast of Jan. 8.

Community Opticians, in another WHN deal, has renewed sponsorship of the "Bird" program for another 18 weeks. The series is a part of sponsorship. Commonwealth Advertising Co., handled the work.

Nesle-Lemur Co. has renewed its contract for participation in the "Polly, the Shopper" show, for the 12 months period. Monro F. Dreher, Inc., is the agency.

Renew 3 NBC Shows

J. B. Williams Co. program, "True or False," heard Monday 10 to 10:30 P. M. over the NBC Blue and "Getting the Most Out of Life," sponsored by Standard Brands and heard from 11:45 to noon, have been renewed for 52 weeks effective Jan. 2. J. Walter Thomson is the agency. "Tale of Today," for Princess Fat Cat, which over NBC also has been renewed for 52 weeks, effective Dec. 18. Gale and Pietsch is the agency.

Grant to Kellogg Show

Cary Grant has been signed by the J. Walter Thompson agency to co-star with Carole Lombard, previously signed under the production agreement for the work of the Kellogg Co., which begins over the NBC-Red network Jan 5. 5 M. P. M. Remainder of the cast still is unsigned.

Mutual to Air Grid Game

Mutual will broadcast exclusively the play-by-play description of the annual East-West all-stars football game on Jan. 2, from 4:45 P.M. until the half-time game. The broadcast will originate through the facilities of Mutual's affiliate KFRC.

Authors Sue NBC

Suit for $175,000 damages against NBC has been filed in N. Y. Supreme Court by Lodewick "Pete" and George W. Butler, authors for alleged breach of contract. The authors claim that NBC agreed to obtain a sponsor for a series of programs under the title "Students in the Studio Hour," for 26 weeks at $1,000 weekly. In addition, they charged that the idea was used with modifications which devalued the title of the program and that they are now unable to market it.

Axton-Fisher on WNEW

A noted-Fisher Tobacco Co. has closed with WNEW for 30 spot announcements weekly on a $2,500 week deal, while Henneman-Erickson, Inc., is the agency.

You Asked for Them? Your Audience Wants Them

"THE SCREEN TRAVELER" Quality Travel Shorts

EXCELLENT—ARTS & P. M. Daily.

... EXCELLENT—M. P. Herald.

... MAGNIFICENT—OUTSTANDING—SCENIC DELIGHT—Film Daily.

FASCINATING—EXCELLENT—SUdUB—Showmen's Trade Review.

First run bookings in New York City at Radio City Music Hall, Roxy, Rivoli Theatres, etc.

United Artists

PAUL P. DEVLIN

30 Temply Subjects

New York, N. Y.
Recording the elections of the box office public as set down by vote of showmen of the world
Sure 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!
Several Firms to Pay Xmas Bonuses

Christmas bonuses will be paid this year by several major companies, as in other years. United Artists has approved a bonus of one week’s salary for all employees. Loew’s, 20th Century-Fox and Paramount are considering bonus payments and may take action on the same basis as last year.

Other companies were non-committal on the subject, indicating that no decisions on the extra payments had been made yet.

RKO May End Current Year
In the Black

With a net profit of $250,000 for October, RKO is expected to overcome the $480,000 loss for the first six months of 1938 and may finish the year in the black. Third quarter earnings are estimated at around $125,000. Operations during July were about even, while the company was in the black by a modest margin during August and September. With the October results, the deficit for the year was reduced to around $140,000. November and December operations are in the black, although not up to the October pace. Regulations provided for the final quarter may run around $350,000, giving RKO either a break-even or a small profit for the year.

Significance of the figure for 1938 lies in the fact that it is arrived at after including provision for $765,000

Schenck to Testify In His Own Defense

Nicholas M. Schenck probably will be the first witnesses for the defense in the minority stockholders suit against Loew’s, Inc., in the N. Y. Supreme Court. The plaintiffs are expected to end their testimony today.

Following Schenck the expected witnesses will be Eugene Leake, J. Robert Rubin and David Bernstein, H. M. Bartid of the Bank of America, one of the executors of the estate of Irving Thalberg, also may be called. The appearance of Louis B. Mayer on the witness stand is questionable as his services are required on the project. Reading of depositions continued at yesterday’s hearing.

Kane Sailing for Home Office Talks

London, Dec. 14.—Robert T. Kane, head of 20th Century-Fox, British production, will sail for New York early in January, it was announced by Sidney R. Kent, president, and Darryl Zanuck, the company’s production chief.

Walter J. Hutchinson, foreign manager for 20th Century-Fox, is expected in New York Dec. 22. He will sail from here accompanied by P. L. Hartley, 20th Century-Fox British manager, and Ben Miggins, continental chief.

The company’s quota program of “A” pictures for next season, to be produced by Gainsborough (G. B.), includes two with Amabelita, and two films with Grace Fields and Will Fyffe, in addition to “Crazy Gunt,” “Rob Roy,” and possibly also “Hindle Wakes.” “Rob Roy” will be in color, Monty Banks will direct one of the films.

These pictures will be made under Kane’s supervision by Maurice Oster and Edward Blatt.

Goldsmith to Coast For Talks on “Souse”

Judge Frederick E. Goldsmith, former for James Gillespie, left for the coast yesterday to confer on disposition of the film rights to “The Life of John Philip Sousa,” which are held by Gillespie.
SEATTLE UNIONS ELEC

SEATTLE, Dec. 14.—New officers of the I.A.T.S.E. Seattle locals for 1939 are as follows:

Local 154, projecti onists: Harry Lampman, president; Byron F. Moore, vice-president; Jay Brown, recording secretary; Robert Cameron, financial secretary; James McNab, business agent; Frank Myers, treasurer; P. A. Snider and Donald Dvorak, members-at-large; Warren Smith, Frank Cook and Harry Clark, trustees.

Local 15, the stage employees: Charles Crickmore, president; E. A. Clark, financial secretary; E. G. Booth, recording secretary; Colin Durie, treasurer; Basil Grey, business agent; Al McKay, sergeant-at-arms; Earl G. Gunther, Central Labor Council delegate, all reelected.

OSTER FIGHT IN COURT

OKLAHOMA CITY, Dec. 14.—A dispute over dismissal of two employees of the L.A. T.S.E. union into district court with an application for an injunction against Standard Theatres, Inc., has been brought to court.

The union cited a contract negotiated Oct. 11 by Joe Campbell, agent for the union, and Byron F. Moore, general manager of Standard, which provided the number of union employees to be hired. The contract, the suit alleged, provided for hiring of two additional maintenance men whom Moore said he planned to dismiss. A temporary restraining order was issued and heard for the Dec. 30.

STAGEHANDS TALK RENEWALS

Stagehands Local 1, I.A.T.S.E., met last night to consider terms for renewal of the contract with circuits operating in Manhattan, Bronx and Staten Island. The meeting started at midnight. Under consideration were proposed wage increases and whether the contract should run until September, 1939 or September, 1940.

RESTORE CLEVELAND CUT

CLEVELAND, Dec. 14.—Cleveland opera- tors union, Local 160, have restored the 10 percent pay cut, effect ed in the early fall for a 10-week period.

ROGERS CAROLINA HEAD

Winston-Salem, N.C., Dec. 14.—Harry Rogers has been reelected president of I.A.T.S.E. Local 635. Other officers elected were Paul Peddycord, vice-president; H. L. Zippier, recording and corresponding secretary; John Robertson, financial secretary; O. I. Zippier, treasurer and business representative; Lee Craver, sergeant-at-arms; Johnny Keenan and P. D. Peddycord, trustees.

Equity Council to Study Cooperative, Experimental Issue

In an effort to stimulate interest in the experimental and cooperative legitimate theatre, the council of Actors’ Equity Associations, in its recent meeting, asked the council the study the matter. General complaint from actors and directors is that re- turned costs and minimum wage scales required from commercial producers, prevent groups of actors from getting together in experimental groups.

Heretofore, the council has imposed the same terms on cooperative and experimental enterprises on the theory that if the returns were reduced, commercial producers would use it for tryout purposes and evade the regular requirements. The councils here composed entirely of Equity members, has three members who are successful directors. Margaret Webster, George M. Cohan and Antoinette Perry are the directors who will serve with Hugh Rennie and Winifred Lankenau.

Regular quarterly membership meeting of Equity will be held tomorrow at 2 P. M. at the Astor. Subjects to be discussed are the threatened WPA layoffs and new regulations covering penalties for members who pay excessive commissions to agents.

Grainer Leaves to Spend Xmas in West

James R. Grainer, Republic president, left last night for the coast to spend the holidays with his son, Ed- mund, in Beverly Hills. He is making stopovers in Chicago, San Francisco and New York. Mrs. Grainer accompanied him to Chicago and is proceeding to the coast.

He expects to return about Jan. 15, stopping in southern cities for conferences with franchise holders on route.

Arthur C. Bromberg, head of Republic’s eastern office, has closed a new five-year agreement with Republic, for distribution of its product through his five exchanges. The exchange will be 100 percent company-owned.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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**MOTION PICTURE DAILY**

Thursday, December 15, 1938

**'Manton' Dual Pulls $16,000 In L.A. Slump**

**ANGELES, Dec. 14—Pre-Christmas shoppers and other fancy cut into grosses here. Best comparative gross went to the dual of "The Mad Miss Manton" and "Spring Madness" which grossed $7,800 at the Hillstreet and $8,200 at the Pantages.

"The Mad Miss Manton" took a good $4,842 at the 4 Star, while "The Shining Hour" and "Spring Madness" drew a strong $8,500 at the Alvin. "Angeles With Dirty Faces" was $8,500 at the Warner, and "Brother Rat" took a par $6,150 at the Pen.

Estimated takings for the week ending Dec. 14:

- "The Shining Hour" (M-G-M) $11,832 (7 days)
- "Spring Madness" (M-G-M) $10,500 (7 days)
- "GIENNES" (25c-35c) 7 days Gross: $7,100 (Average, $1,014)
- "Cradle" (M-G-M) $7,000 (7 days)
- "Blackboard Jungle" (M-G-M) $6,500 (7 days)
- "The Shining Hour" (RKO) $5,800 (6 days)
- "Spring Madness" (M-G-M) $5,500 (6 days)
- "LOEW'S STATE" (25¢-35¢) 7 days Gross: $4,215 (Average, $602)
- "The Mad Miss Manton" (RKO) $4,215 (6 days)
- "A Man to Remember" (RKO) $6,215 (6 days)
- "PANTAGES" (25¢-35¢) 6 days Gross: $4,200 (Average, $700)
- "Thanks for the Memory" (Par.) $4,000 (6 days)
- "Heart of the North" (W.B.) $4,000 (5 days)
- "Cinot Over Broadway" (F.N.) $3,500 (3 days)
- "Warner Bros. (Downtown)" (25¢-35¢) 5 days Gross: $2,000 (Average, $400)
- "Heart of the North" (W.B.) $2,000 (5 days)
- "Cinot Over Broadway" (F.N.) $1,500 (3 days)
- "Warner Bros." (Downtown) (25¢-35¢) 5 days Gross: $1,000 (Average, $200)

**Santa Is No Match For "Patrol" with $8,500, Pittsburgh**

PITTSBURGH, Dec. 14—Although department store Santa Chases and toy stalls attracted much attention, "Angeles Patrol" drew a strong $8,500 at the Alvin. "Angeles With Dirty Faces" was $8,350 at the Warner, and "Brother Rat" took a par $6,150 at the Pen.

Estimated takings for the week ending Dec. 14:

- "Submarine Patrol" (20th-Fox) $11,832 (7 days)
- "Down on the Farm" (20th-Fox) $11,832 (7 days)
- "Jury of 12" (UA) $11,832 (7 days)
- "Fulton" (20th-Fox) $11,832 (7 days)
- "Brother Rat" (W.B.) $11,832 (7 days)
- "The Lady Objects" (Col.) $11,832 (7 days)
- "The Storm" (Univ.) $11,832 (7 days)
- "Senator" (25¢-40¢) 7 days Gross: $2,000 (Average, $286)
- "Young Dr. Kildare" (M-G-M) $2,000 (6 days)
- "Stanley" (20th-Fox) $2,000 (6 days)
- "Angeles With Dirty Faces" (W.B.) $2,000 (6 days)
- "WARNER" (25¢-40¢) 6 days Gross: $2,000 (Average, $333)

**'Pygmalion' Draws $16,000 for Week**

First week of "Pygmalion" shown at popular prices at the Astor, drew a capacity crowd each day and finished with an estimated $16,000. "Out West with the Hardys" brought an estimated $15,000 at the Capitol, and holds over there. "Dramatic School" was weak with an estimated $4,600 at the Music Hall. "Duke of West Point" opens there today.

"Thanks for the Memory" totaled an estimated $3,400 at the Paramount and is in its second week. At the Strand, "Angeles With Dirty Faces" goes into its fourth week Friday.

"Last Warning" attracted an estimated $5,000 at the Rialto. On Dec. 21, "Heart of the North" starts there. "40 Little Mothers" (National Pictures) opens at the 55th St. Playhouse Dec. 23. It is a French production, formerly known as "Le Moitie."

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**Workers Film Group Is Active in London**

LONDON, Dec. 14—Workers Film Association, under the banner of which are labor party, trade union, and co-operative groups, has begun active work. A special conference and display was organized by the National Council of Labor to enable organizations in the movement to become acquainted with its aims and activities. The association will advise bodies on production, and will engage in the hiring out of films, projectors, cameras and road shows of labor pictures.

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**RKO Is Expected To Finish Current Year in the Black**

(Continued from page 1)

interest on $11,000,000 of debentures outstanding. Under the RKO reorganization plan these interest charges will be eliminated, with the debentures being replaced by $11,600,000 of six per cent first preferred. Thus, 1938 operations would be equivalent to a net of around $775,000 before first preferred dividends, when considered on the capital basis of a reorganized RKO. Figure means that even 1938’s modest net is more than sufficient to meet the dividend on the new first preferred of a reorganized RKO.

RKO theatre companies are maintaining a good profit-pace and the picture company has been breaking about even or possibly showing a small profit for the past several months. Cash position of the parent company continues healthy. Dividends of some theatre subsidiaries have been and will be passed during this quarter, with the cash permitted to remain in the treasuries of the subsidiaries for no other reason than that the parent company is in no need of additional funds.

RKO’s only high negative cost production currently is "Gunga Din." An amortization reserve could be set up out of earnings for the final quarter, if deemed advisable, in which case current estimates of 1938 earnings would be reduced in proportion to whatever reserve was created. However, at this time no other special charges which would materially affect the 1938 report are in view.

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**Delay Granted on WLW’s Power Plea**

WASHINGTON, Dec. 14—F. C. C. today granted the petition of the Crosley Radio Corp. for extension of oral argument on the WLW application for extension of its super-power permit. The hearings scheduled for tomorrow, now is set for Dec. 22 and, in order that all members of the Commission may attend, the monopoly investigators will meet Friday to discuss the Christmas holiday on Dec. 21 instead of Dec. 23, as originally planned. The monopoly hearing will resume Jan. 4.

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**CEA to Renew Study of Doubles Problem**

LONDON, Dec. 14—General Council of the Cinematograph Exhibitors’ Association has formed a new negotiating committee empowered to report on the problem of two “A” features on one program.

Birmingham and Bristol branches of the C.E.A. challenged the former committee’s decision that there is no solution to the problem. The new committee was instructed to approach collectively those houses running double bills of “A” films.

---

**Mark, President of WOL, Passes at 61**

WASHINGTON, Dec. 14—LeRoy Mark, president of the American Broadcasting Co., which operates WOL here died early this morning. He was a native of Washington, son of George A. Mark, librarian of Congress from 1896 to 1899. He was survived by his widow and four children.

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**Radio Company Formed**

ALBANY, Dec. 14—Vacutron, Inc., has been licensed to conduct a radio, broadcasting and wireless business in New York state. Leo Rosen, and James and Raymond Alexandre, New York, are directors.
Some Exhibitor Groups Don't Like Industry Program  

(Continued from page 1)

the tentative terms were to be con- 

sidered by the L.T.O., expressed keen 

disappointment with the draft, declar- 

ing it does not in most instances "com- 

prise the intent or the substance of 

the points presented by the Assoca- 

tion's delegates at the New York con- 

ferences." 

The unit's directors went on record as 

asking that the distributors' com- 

mittee reconsider its proposals in order 

to meet exhibitors' objections. Gal- 

ston has written to F. Rodger's, 

M-G-M sales chief and distributor 

committee member, to that effect. 

"We cannot believe that the dis- 

tributor committee was unanimous in the 

final adoption of its draft," Galston 

said. "We will continue our negotia- 

tions and hope all differences and 

objections to some of the im- 

portant provisions. 

A meeting of more than 100 mem- 

bers of the Buffalo unit, early this 

week, recommended that the clause 

regarding box-office reports be 

deleted and that the proposals 

become effective immediately on 

all contracts.

M-G-M Auditors to Hold Meeting Dec. 27

M-G-M will hold its annual auditors 

meeting at the Astor on Dec. 27 

at 4 o'clock. B. S. Abelson, in charge of exchange operations, and C. 

K. Stern, assistant treasurer, con- 

duct the meeting.

Nine traveling auditors and head 

quarters representatives will attend. New 

methods of branch operation and 

plans for the coming year will be dis- 

cussed. William F. Rodgers, Tom 

Connors, E. M. Saunders and other 

headquarters executives will talk to the 

men.

Goldwyn Advocates Theatre Separation  

(Continued from page 1)

the Government suits against certain 

members of the film industry. I do 

this only because of certain informa- 

tions which have given the impression that 

my connection with the film industry has 

been occupied with this thing.

Roosevelt will spend six weeks in 

the east studying distribution in the 

Goldwyn office and return to Holly- 

wood in February.

He has not spoken with any theatre 

men here nor has he any such inten- 

tion.

Scotch Showmen Hit School Group Rating

LONDON, Dec. 14.—Exhibitor circles 

in Scotland are disturbed at a recent 

report of the Edinburgh Education 

Committee, which classifies the film 

theatre as an employment source unsu-

suitable for boys under 15 asking for 

exemption from the school age limit.

The inclusion of the theatre in that 
category is thought to blacklist it as an 

occupational occupation and Edin-

burgh exhibitors have decided to send 

a letter of protest to the committee 

and are also discussing the merits of 

giving the great opportunities for promotion 

and advancement for young people in 

the industry.

Quizzo Charges Are Dismissed in Phila.

PHILADELPHIA, Dec. 14.—Gambling 

charges against Nat-and-Abelove and 

Alfred Shrier of the Ritz, in the 

Quizzo test case, were dismissed today 

by Judge Bonnwell.

In dismissing the case Judge Bonn- 

well said that the people have to 

play Bingo or numbers while a few 

can play the stock market and be 

described philanthropic.

Cinécolor Votes Dividend

HOLLYWOOD, Dec. 14.—Dividends to 
totaling $12,210, covering a five-month 

period, are to be paid to holders of com-

mon stock of Cinécolor, Inc., on Dec. 23, it was announced today. A 

similar amount was paid last June.

Canada’s License Fee Less Than US Charge

TORONTO, Dec. 14.—Col. O. M. Big- 
gar, solicitor for the Canadian Per-

forming Rights Society, has answered 

the strong protests of the Canadian 

Association of Broadcasters to the pro-

posed increase in the society's license 

fee for performances next year. Big- 
gar present total of $83,081, by declar- 
ing that the new charge is only 7½ per 

cent more than the levy collected in the 

United States.

The new Canadian rate averages 14 

cents per licensed recording set as com-

pared with the previous fee of 8 cents charged by the Canadian society and, according to 

Girgin, the levy in Canada is consi-

derably less than that charged in 

other English-speaking countries. In 

Australia, he said, the charge is 33 

cents, while that in New Zealand is 

18 cents.

These figures have been challenged 

by the British Broadcasting Corpora-

tion, who declared that the royalties 

collected in other countries were 

bearing more than their proper share 

and should be given a larger share 

in the total load. The Canadian license fee for music used on the air should be fixed on Canadian 

conditions and the costs of local 

and regional broadcasting points. Canadians 

are more expensive to foreign 

stations, notably the United States, 

told listeners in other countries. 

All these factors should be taken 

into consideration by the Copyright Appeal 

Board before approval is given to the 

Canadian schedule. Mr. Girgin and the 

society should prove conclusively 

that any increase was warranted.

Will Appeal Fines For Sunday Opening

CAMBERIDGE, O., Dec. 14.—Dan Gil-

hula, operating the Cort, and three 
of his employees, recently arrested for 

violation of the Sunday closing laws 

have signed intention to appeal their 

cases, following imposition of fines of 

$50 each in Municipal Court.

The prosecution was voted down 

at the November election, and Gilhula 

proposes to make a test case.

Only 28% of Canada Seats Are Occupied at All Shows

TORONTO, Dec. 14.—Government re-

port on the box-office returns in the 

Dominion reveals that only 28 per cent 

of the total seating capacity of 1,047 

theatres in the country is occupied at 

performances. The average for the 

year before was 29 per cent, while there were 88,000 seats in the total seating 

capacity of all theatres is given as 

601,611, and, therefore, 168,000 

seats are occupied on the average.

Further statistics show the average 

percentage of seats occupied in cities 

of 100,000 population and over was 

20 per cent. In the smaller centers the 

average was 26 per cent. The ratio is 

relatively higher in theatres having 

accommodation for less than 800 persons 

with an average of approximately 31

per cent for all performances. The 

total number of employees for the 

1,047 Canadian theatres was 6,950, or 

two persons for every 284 were 

employed.

In its subsequent report, the Gov-

ernment showed that the average per 

centage of seats occupied in 1937 was 

29 per cent. A capacity during the year 

1937, based on a population of 

11,120,000, was $2,93, as com-

pared to $2,70 in 1936 and $2,33 in 

1933. Figures for the respective pr-

inces for 1937 were given as follows: 

British Columbia: $4.82; Ontario: 

$2.85; Nova Scotia: $2.41; New 

Brunswick: $1.86; Prince 

Edward Island: $1.23; Manitoba: 

$1.87; Saskatchewan: $1.48; Alberta: 

$2.44.

Neagle Will Make Film for RKO in Deal With Wilcox

Anna Neagle, star of Herbert Wil- 

cox films, will make a picture for 

RKO in Hollywood next year, play-

ing the part of an English girl in 

American setting. This is part of a 

cooperative project between the two 

companies. According to the pact 

with Neagle, she will star in at least 

two pictures a year for RKO in 

England.

Goldwyn will participate in the fin-

alizing of the films to be made by the 

company, Imperator-Radio Pictures, 

Ltd. The company also will make available other radio talent, according to the plan. Wilcox and Miss Neagle sail tomorrow on the 

Queen Mary and return around Jan. 1.

The plan is outlined by Goldwyn at 

a luncheon at the Ritz-Carlton 

yesterday attended by the trade 

press and British correspondents. Also 

present were Fred E. DePatie, RKO 

distribution chief; Phil Reisman, for-

cogn chief; William Hamilton, mem-

ber of the RKO board; and C. V. 

Schum, managing director of the 

Music Hall; A. H. McCausland, 

RKO trustee's representative; S. Bar-

man, national advertising and public-

ity; G. H. Middleton, British vice-consul, and others.

Plan National Study Of Giveaway Effect

(Continued from page 1)

David Weinstein, Abe Shenk and 

Samuel S. Lerner, for the exhibitors, 

also a week ago, warning them to 

eliminate chance games in theatres and 

to eradicate the "cowper" from the play-

ing houses, the indications were that 

speedy action would follow by the 

exhibitors. to meet the Commissioner's 

three.

File Chicago Trust Answers on Friday

CHICAGO, Dec. 14.—Answers of the 

eight principal defendants in the 

independent exhibitors' anti-trust action 

against B. & K. and independent 

distributors, which were expected to be 

filed today, will not be ready until Friday. 

Indications are that eight separate 

answers will be filed.
Bernstein Is Finance Genius Says Schenck

Lauds Loew Executive in Testimony at Trial

"David Bernstein, vice-president and treasurer of Loew's, is one of the world's greatest financial minds," Nicholas M. Schenck, yesterday, informed the New York Supreme Court, where Justice Marshall E. Jones is trying a minority stockholders' suit against Loew's. Bernstein was testifying for the defense. He was the first witness called by that side, after the court had turned down a motion to dismiss the suit, a usual procedure in such cases.

After expressing this tribute to his friend and associate, Schenck turned to where Bernstein was sitting, nearby, among the spectators, and added: "I am glad he is in court to hear me say so."

Credits Executives

In his testimony, Schenck traced his own association with the industry since 1906, with the late Marcus Loew. It was Loew, who personally began negotiations with the late Irving Thalberg, Louis B. Mayer and J. Robert Rubin which led to their joining the Loew organization.

To these men, Schenck gave credit for the tremendous production development of Metro and Loew's. He testified about the fact that he might have left the company, during the lifetime of Marcus Loew, and how it was Loew, himself, who offered him at that time 2¼ per cent of the company's profits.

Bernard Reis, a witness for the plaintiffs, testified that options have been exercised by officials of Loew's on 134,488 shares of the company's stock, out of 75,000 shares which were under such options.

Another Suit Started

Another minority stockholders' suit was started against Loew's, Inc., yesterday. Plaintiffs are Norman Wolf, owner of 100 Louis A. Valentine is trying a minority stockholders' suit against Loew's, Nicholas M. Schenck, David Bernstein, Arthur M. Loew, William Fox, Erle, Western Electric, Chase National Bank, Chase Securities Co., Halsey, Stuart Co., Inc., estate of Irving Thalberg, Louis B. Mayer, J. Robert Rubin, Edward Mamix and 27 members of the board of directors.

Expect RKO Plan to Be Confirmed Today

Formal confirmation of the RKO reorganization plan by Federal Judge William Bondy at today's hearing is hoped for in creditor circles, but still is not certain. Indications are that several changes in the plan may be suggested by the court today and an approval of the reorganization, conditioned upon the making of such changes, may then be given. Final confirmation of the plan will still be had before the end of the year for any changes which may be forthcoming are not too drastic.

Zukor Will Be Good Will Boss For Paramount

Adolph Zukor becomes a consultant on Paramount's world-wide operations and will contact the company's representatives and exhibitors customers in all leading foreign markets. One of his aims will be to make the company's operations understandable to those who man its distant units throughout the world.

His first survey, as originally planned, will be of Paramount's British operations. He sails with Rose today on the Queen Mary for England, where he will be joined about Jan. 20 by John W. Hicks, vice-president and foreign manager. The two will then consult on coordination of (Continued on page 6)

STUDIOS ADOPT 44-HR. WEEK PLAN

Moss to Hold Off Action on Chance Games

Until the exhibitors have embarked upon a feasible plan for the elimination of chance games in the metropolis area, the Commissioner of Licenses, Paul Moss, will withhold judgment. The Commissioner's office is inclined to wait until the exhibitors have a definite plan of action for abandoning the chance games. However, it has been officially indicated that the Commissioner will act at once in cases where theatre owners shall have been convicted of lottery charges, presumably to cause theatre licenses held by such owners to be revoked.

The Commissioner will not be hasty about the present situation, although he is known to be opposed to chance games in theatres, as was shown by his address before the exhibitors meeting at the Astor Hotel a week ago. It is understood that the chance game owners who distribute to New York theatres have become apprehensive over the possibility that the New York exhibitors may eliminate these stimulants.

From the Commissioner's office it was learned that one of these distributors conferred with city officials and that the particular distributor involved expressed himself as willing to give up the business but was apprehensive lest the copyright company with which he had a contract might sue him.

Whether the copyright stand can hold up if the games are declared illegal is one of the questions yet to be answered.

RKO Plans to Make "Saint" in England

Hollywood, Dec. 15—RKO plans to make "The Saint in London" at an English studio, with William Sistrom as associate producer on the film. George Sanders will be starred.

Effective Next Week; Professional, Executive Groups Exempt

Hollywood, Dec. 15—Progressive establishment of a general 44-hour week in the studios will be started next week, according to an announcement made after a meeting of studio managers and attorneys today.

All workers normally affected except those specifically exempted under the Federal wages and hours act or not employed under labor contracts which prescribe other periods.

Procedure to be followed under the 44-hour week was mapped today, at a meeting of studio representatives with Pat Casey, producer labor contact man. The new working time will be put in effect simultaneously in all the studios because of divergent working conditions.

Appointment of a committee to draft a statement of the position of the industry in the present situation was announced after the studio meeting.

Among those considered exempt from provisions of the Federal act are executives, administrators, professional employees, artists and various workers now employed under labor contracts.

Stanley Net Profit $2,063,703 in Year

Net operating profit of $2,063,703 is reported by Stanley Co. of America, theatre subsidiary of Warners, for the 52 weeks ended Aug. 27. This compares with $2,028,800 for the year ended Aug. 28, 1937.

Net income was $2,644,749, in addition to $19,567 interest earned and $4,174,455 dividends received. During the year the company paid $273,277 in dividends, compared with $2,714,397 the year before.

Amortization and depreciation of properties was written off at $2,823,297, and income taxes totaled $371,750 and surtaxes $108,300. Earned surplus as of Aug. 27 is figured at $5,007,582.

Rodgers, Saunders Leave Coast Today


‘What The Industry Faces in 1939’ an article by Martin Quigley—p. 3
Columbia May Do Four Triple-Quota Films in England

Columbia for next season may boost its British production program to four films of triple-quota credit plus one or two single-quota films depending on requirements, it was disclosed by Joseph A. McConville, foreign manager, on arriving yesterday on the Queen Mary.

Irving Asher, associate producer at Desham studios, who supervises Columbia's English films, is expected early in January to confer on season's plant. For this season Asher is making three pictures for Columbia. He may bring a print of the first, "Q Planes." The second will be "Spy in Black."

Columbia has arranged for the production of three French films, one of which will be "Six Men in Hell," to be directed by Julien Duvivier. McConville said that eight offices are being opened, in France, Algiers and Brussels. Jack Segal will remain abroad until March and will visit Continental branches as well as make a flying trip to India to confer with Columbia's Far East representative.

Joseph Friedman, Columbia's British manager, arrived with McConville.

English Censor Is Defended by Hoare

LONDON, Dec. 15—Sir Samuel Hoare, defended the British Board of Film Censors in reply to questions on political censorship in the House of Commons today and demanded for a committee investigation.

He defended the censor operation on the grounds that local authorities have the power to reach the decisions of the censor, that there is no truth to the suggestion that the censor board is influenced by political considerations, and that the trade and the public have registered no complaint regarding the operation of the censor board.

Doran and Durant Form New Company

HOLLYWOOD, Dec. 15—D. A. Doran, former Columbia story editor, and Tim Durant have formed a producing company. They have the rights to "Variety," a German film.

Shift Loew Managers

Changes in theatre staffs in the metropolitan area for Loew's include: George Ahrens, 83rd St., promoted to assistant manager at the Dyckman; Frank L. Cronon, assistant at the Warwick, shifted to the Astor as an assistant manager; Herbert Schubel from the Lexington staff to assistant manager at the Warwick; Daniel Haggerty, assistant manager at the Metropolitan, to the Prospect; John Cusack, assistant at the Prospect, to the Metropolitan.

RKO Signs Wendy Barrie

HOLLYWOOD, Dec. 15—RKO has signed Wendy Barrie to star in three films annually for five years.

The Newsreel Parade

Anthony Eden again takes the newsreel spotlight this time as he visits the White House. Signing of the French-German peace pact is also covered. The reels and their contents follow:


WHAT THE INDUSTRY FACES IN 1939

An Outline of Problems and Possibilities in Production, Distribution and Exhibition, Due for Action in the New Year

By MARTIN QUIGLEY

LITTLE DOUBT remains that the American motion picture industry will face a variety of thorough-going changes during the coming year. Out of the changes that are in prospect there is hope of a better business. This is fortunately so because the recent trend has been almost evenly in the wrong direction.

Looming large on the horizon is the government suit, the outcome of which, despite the perverse or studied indifference of many in the industry, is almost certain to have a profound effect on the business and its future operations. There is naturally a devotion to the status quo on the part of its beneficiaries even though there must be few who are prepared to admit satisfaction over the present condition in industry affairs. It perhaps cannot be demonstrated in advance that extensive alteration in industry procedure will increase the general prosperity. But if the year 1938 may be taken as the fruition of existing policies, something in the way of experimentation for the future seems to be in order.

Whatever the readjustments and revisions that are destined to arrive in the New Year, it is certain that the process of accommodation to the new order will in many cases be neither easy nor agreeable. There will be much need for goodwill and the long view. Without these the operation to some may be painful, if not actually disastrous.

For reasons which no one seems prepared definitely to explain, there has been during the past year an inadequacy in the supply of product of acceptable standards. Hollywood's performance, generally, has not been of a character calculated to create confidence for the coming year. Despite the patent necessity for lower costs and despite all of the attendant pressure in that direction which has been exerted, Hollywood's energies for cost-saving have largely been spent on small-fry economies, leaving virtually unscathed those practices and those persons whose financial exigencies result in production costs which the market has been unable profitably to support.

The product situation and the accompanying question of costs admits of almost innumerable explanations, but one that inevitably bids for attention is the iron-ring status, that condition under which new people and new ideas are not necessarily excluded, but their admission depends not upon what they may show in a competitive test but, rather, upon their good fortune and right connections useful in penetrating the wall which has been created to keep the insiders in and the outsiders out.

The oligarchic rule which prevails is a staggering responsibility in relation to the production of motion pictures, especially in such times as these.

If the condition of the business were prosperous, those in the saddle would claim the credit. And in this they could not be gainsaid. But when the condition is not prosperous, the right of inquiry and examination may well be asserted. It is not intelligently satisfying to listen indefinitely to explanations which only transfer the blame elsewhere. Especially is this not so when much of the available explanation is predicated on the theory that everyone is out of step but Hollywood.

Added to the problems that have arisen out of the Hollywood scene is the undeniable fact that the processes of distribution, embracing as they must the essential function of promotion, have lagged both in policies and in energies. How much the results may be blamed on policies that no longer fit the exigencies of the business and how much on lack of aggressive procedure is a question difficult to judge. But it is not at all difficult to reach the conclusion that most decidedly it was not out of the slow-paced movement of the past year that the present greatness of the industry was created.

There seems little reason for attributing in full the situation which has obtained during the past several months to the general business conditions affecting the country. General business conditions have not been flourishing, but the motion picture is not a luxury service which depends upon great general prosperity for profitable operation. This is not a business which is inevitably linked to economic cycles such as certain of the heavy industries and various specialties which are strictly subject to the prevailing trend. The motion picture provides amusement which in the modern world is a staple. It is the best and cheapest amusement available to the whole public. There never has been an indication of any waning devotion of the public toward the types of amusement which motion pictures represent.

When the public stays away it is because of a particular poor attraction which is presented currently. Virtually without exception the industry which asks the public to patronize the particular, poor attraction knows very well, and long in advance, that it is a

(Continued on following page)
poor attraction. Release date requirements, inability of the theatre to book a better attraction, a picture contracted for sight unseen—all these and others may all serve to explain how the poor picture got into the theatre. But they afford little satisfaction to the public which after paying the admission price has not been entertained.

As to the many pictures of real value which would have served more effectively to enhance the reputation of the screen, increase theatre audiences rather than decrease them, some of these have been allowed passively to drop into the mill of distribution without receiving that kind of enthusiastic presentation and promotion which is essential toward the creation of an interested state of mind, the absence of which invariably has a lethal effect upon any entertainment product.

The industry-wide promotion campaign, inaugurated at the commencement of the current theatrical season, might have done much toward countering the doldrums of the preceding months. But unfortunately it did not. There are many opinions and explanations to account for this result. One fact that cannot be ignored is that there was too much attention to abstractions and too little emphasis on pictures. Some motion pictures, but not all of them, are the public's best entertainment—a fact which the public understands clearly and is not likely to forget. Motion pictures in the abstract are not successfully advertisable, no more than groups of pictures under brand names. This is a lesson which was learned many years ago at no little cost.

Another fact that looms conspicuously in the record of this not too memorable experiment is the lamentable lack of a logical coordination of the processes of the industry, in the absence of which there was a breakdown in the promotion of the campaign by the distributor to the exhibitor. The established media of communication between the distributor and the exhibitor were either ignored or only slightly used, leaving a situation under which the exhibitor was left inadequately informed and inadequately enthused.

This campaign, or any such campaign, must be mainly dependent upon product.

Exhibitors needing product data to support the arguments of the campaign were largely left empty-handed.

Abstract assurances were found unconvincing by both the exhibitor and the public.

The exhibitor looked for the presentation of product and product news that would give vitality and purpose to the campaign. In this he was disappointed, and the public as well.

There is, naturally enough, much speculation on the economic results of the condition of bureaucratic operation which has come to characterize various activities of the business. Distributors, in some instances, by virtue of their power to dictate time and conditions of exhibition undertake, in effect, to run theatres, frequently against the experienced judgment of the actual operators. If these many intricate and involved arrangements proved to be materially advantageous to the distributor, there would be that much, at least, to be said in their favor. But it becomes frequently the case that, while an advantage to the distributor is sought, none actually is gained. And the exhibitor, curbed and handicapped in taking the line his judgment dictates, finds his chance of sustaining profitable operation diminished week by week. This and similar conditions are not matters which half-way measures are likely to correct. A new concept as to what constitutes healthy and constructive trade practices is needed.

The disappearance of the old order of spirited merchandising of the motion picture to the public is well exemplified in certain of the large theatre circuits where the procedure has become as humdrum and routine as that of a railroad office. Here may be seen applied in its full bloom the adage—so beloved by banker and bookkeeper—that a dollar saved is a dollar earned. Advertising budgets have been pruned to the vanishing point, the process meanwhile pleasing highly its sponsors who are so rapturously immersed in expense curtailment tabulations that they fail to comprehend the import of the figures which trace the descending line in attendance.

The motion picture as a public attraction has lost many of its early, unique advantages. Radio is not an ally. It is a competitor of formidable proportions. What was once the magic of the motion picture has come to be commonplace. The picture of merit is still the unequaled medium for public entertainment. The public knows what it wants—but only after it sees it. The business of motion pictures must, to survive prosperously, see to it that every good picture is vigorously exploited. Any system designed to insure that the public will see the poor pictures as well as the good pictures is economically and strategically unsound. Good pictures must be enabled to earn larger revenues and poor pictures allowed less.

On Broadway the show that fails to satisfy the public demand is quickly and decisively hauled to the storehouse. But the early wise men of the industry, foolish in their wisdom, sought and suc-
ceeded in contriving a system that serves to perpetuate the picture that has failed in its entertainment purpose. This has proved to be a disastrous accomplishment which in these latter years brought about increasingly adverse results.

The industry's greatest asset is the reputation of the motion picture. It should be cherished and preserved. This most decidedly is not done when pictures which are known to be below acceptable standards are forced upon the screens of thousands of theatres, not by any demand that exists for them—on the part of either the public or the exhibitor—but rather by a system which automatically insures their distribution. If one wants to find out where and how the motion picture has lost caste he will do well to inquire along this line.

No matter how intelligently conceived and executed, all pictures undertaken cannot be expected to turn out to be sterling attractions. But under prevailing conditions the good pictures do not obtain the revenue to which they are entitled. The poor ones obtain too much, however little that may be. In addition, the failures serve to break the theatre-going habit, to cause the public to wonder what has happened to pictures as they pass on in search of entertainment elsewhere.

It must be recognized that an automatic classification of theatres has come about out of the industry's experience in serving the public's taste. There are different types and kinds of audiences, each with an inclination toward a certain grade or class of film. Occasionally—but only occasionally—is there the picture of universal appeal. Normally the market calls for pictures that vary in many material respects, including the bracket of production cost. In certain localities a low-cost action picture may be a first-rate attraction. Another picture, gauged in budget and other arrangements as an "A" production but which has proven to be a "B minus" in attraction value, is not a successful substitute for it. Pictures succeed or fail in the market stratum for which they are intended. The picture which has the necessary elements of popular appeal, irrespective of its class or cost bracket, is entitled to circulation and support. The picture which fails in popular appeal for the market stratum for which it is intended is not.

The argument that unless the indifferent films are distributed and allowed to collect some revenue the better productions would be prohibitive in cost is unconvincing. A production company succeeds or fails on the basis of total revenues collected against the total costs of production. It is immaterial whether a stated volume of revenue is obtained out of twenty-five pictures or out of thirty pictures. If a program of thirty pictures costs $15,000-000, the producer's situation is better and not worse if he recoups his costs through the distribution of only twenty-five instead of the whole thirty pictures because he has saved the costs of distribution. The automatic rejection at the source of pictures which unquestionably are below acceptable standards would confer a great benefit on the public and on the exhibitor and at the same time would inevitably lead to an enhancement of the reputation of the motion picture. Admittedly, however, such a policy would not serve to monopolize screen time to the exclusion of other product.

It is a reasonable ambition for a producer-distributor to seek to pre-empt as much screen time as possible, but it is not reasonable that he should seek to accomplish this with indifferent product which only tends to cut short the playing time of meritorious product in some cases and in others to preclude its being played at all.

A solution of many of these problems and others would be served if pictures were subjected in advance of selling to some test of their attraction value, either through expert examination or public reaction. Such a policy would automatically achieve the result of eliminating from the channels of distribution pictures which fail to measure up to acceptable standards. It would effect a concentration upon pictures of demonstrable box-office value, leading doubtlessly to a return of that kind of promotional effort for which the industry was once famous. It would inaugurate in Hollywood a merit system which would soon dispel the prevailing fog, in the midst of which even responsible management must, perforce, grope, half-blindly.

The coming year, for reasons referred to and others, is likely to become a turning point in motion picture industry affairs. The present procedure if kept prosaically intact promises only a postponement of a serious day of reckoning. There are now, and have been for some time, danger signals all along the right of way. The great question which 1939 proposes is whether out of the vast store of accumulated knowledge and experience the industry in its several component parts will determinedly set itself to the task of recapturing that spirit of enterprise and progress out of which its greatness was born.
Kennedy in From England on Boat With Film Folk

Joseph P. Kennedy, U. S. Ambassador to Great Britain, who arrived yesterday on the Queen Mary, will leave today for Washington to report to President Roosevelt. Later he will go to Florida. He is accompanied by his son, John. They will return to England after the holidays.

Montague Marks, associate of Douglas Fairbanks in Fairbanks International, was another passenger from London. He may leave for the coast today or tomorrow. Fairbanks will arrive early in January to start operations.

The company plans three films for United Artists release. The first will be "The Californian." It is planned to start "The Tenth Woman" in September. "The Three Musketeers" is tentatively scheduled and may be in color. One film may be made in England this summer.

Robert Ritchie, a director of M-G-M's British studio, arrived for conferences on future production. He will go to the coast for talks with Louis B. Mayer.

Hal Horne, Walt Disney representative, another arrival, was gone several weeks during which he checked up on the reception of "Snow White" in foreign languages.

George Arliss, who arrived after a stay of about four years in England, said he has no American commitments but will leave for Hollywood next week to discuss a projected film.

Blumberg Due Today From Visit to Coast

Nate J. Blumberg, Universal president, arrives in New York today after a studio visit. W. A. Scully, general sales manager, and F. J. A. McCarthy, his assistant, will arrive with Blumberg after meeting him in Chicago yesterday. The trio will conduct a divisional sales managers' meeting at the home office today.

J. Cheever Cudin, Universal board chairman, arrives from the coast by plane later in the day.

**New York Review**

"The Duke of West Point" (United Artists)

Entertainment with immense popular appeal is the way "The Duke of West Point" stacks up for the exhibitor anywhere. The Edward Small production has a title which should be attractive of patronage, and the service academy has long proved a setting for the screen of unquestioned drawing power.

This story is not strikingly new in its general theme, that of the highly conceived Cambridge graduate who follows the family tradition by going to West Point, manages to get himself cordially disliked by many, then redeems himself in the eyes of the cadet corps. Comedy and romance are woven aptly into the original screenplay by George Bruce, and a rapid pace is maintained throughout in the direction of Alfred E. Green. The players do their work skillfully.

Louis Hayward in the lead is exceptionally good, as the conceived boy who proves he can take it; Joan Fontaine, the trainer’s daughter, forms the other half of the romance; Tom Brown and Richard Carlson are Hayward’s loyal roommates, and Alan Curtis is the upper-classman whose girl Hayward appropriates, with whom he competes in athletics, and who leads in restoring Hayward to cadet life.

Running time, 109 minutes. "G."*  

Charles S. Aaronson:

"G" denotes general classification.

**Hollywood Preview**

"Paris Honeymoon" (Paramount)

Hollywood, Dec. 15.—The thespian aplomb and vocal virtuosity which are Bing Crosby's special gifts serve him adequately in this strange story about a wealthy American westerner who goes to Paris to marry an heiress and lands in a mythical European country where he marries a pleasant peasant instead. The self-styled "old groaner" and prefix of KMH sings four Rainier and Robin ditties the while, two of which have popular characteristics.

Franciska Gaal plays the peasant girl in a charming manner and Shirley Ross handles the heiress assignment. Akim Tamiroff pours his impressive artistry into a character comedy portrayal which stands out and Edward Everett Horton plays a manservant with precision. Ben Blue also has a couple of comedy sequences.

Produced by Harlan Thompson and directed by Frank Tuttle from a screenplay by Frank Butler and Don Hartman based on a story by Angela Sherwood, the picture relies upon individual performances for effectiveness.

Running time, 85 minutes. "G."*  

Roscoe Williams.

*"G" denotes general classification.

Korda Leaves for Hollywood Today On Product Talks

Alexander Korda leaves New York for the coast today where he will spend about two weeks conferring on his future production activities in Hollywood.

Despite the fact that four of the company's five owners will be on the coast next week, there is no certainty yet that the annual meeting of stockholders will be held. No date for the meeting has been set, but one may be arranged after Korda's arrival.

Mary Pickford, Samuel Goldwyn and Frank Shaw, other future productions are in Hollywood now. Douglas Fairbanks, the company's fifth owner, is in Europe, but could be represented by proxy if a meeting is arranged.

Dividend action may be taken and directors re-named if the session is held.

Maurice Silverstone, United Artists chief executive, plans to leave for London on a business trip within the next week. He will be away about a month.

Pascal to Produce "Disciple" on Coast

George Bernard Shaw's "Devil's Disciple" will be made in Hollywood by Gabriel Pascal next summer or fall, Pascal having the rights to three Shaw plays, the British producer said when arriving yesterday on the Queen Mary.

The other two are "Doctor's Dilemma" and a recently completed story called "The Green Goddess," which is as yet untitled. Pascal said he has committed his Shaw films to M-G-M, which is releasing his "Pygmalion," also a Shaw play.

"Doctor's Dilemma" will be an exception, since this is pledged to General Film Distributors of England. The film will be made in England, possibly with Hollywood players in the cast.

Pascal said he has signed Wendy Hiller, of "Pygmalion," for five years and will star her in one film a year. Manager of Paramount's coast Sunday to dub "Pygmalion" in Spanish for Latin American release by M-G-M.

Zukor Is Good Will Boss for Paramount

(Continued from page 1)

the company's production, distribution and exhibition activities in Britain.

In February, Zukor and Hicks will visit the company's Continental European branches together. Thereafter, Zukor will sail from Europe for Central and South America, continuing his survey of the company's operations. From Latin America, he will return to the home office for an interval before rejoining Hicks on an extended trip which will include New Zealand, Australia and the Far East.

Rose's assignment gives him the direction of Paramount's distribution, production and exhibition activities in the British Isles, the post which was held by Charles Chaplin during the past few months.
**Kansas City**

**Kansas City, Dec. 15. — Frank Hensler of the Variety Club and Bernie Mehl, Kansas City Star, are in charge of the Variety-Story bowling tournament again this year. The two-day event, proceeds of which will go to provide scholarships for four high school children in the two Kansas Cities, will be held Dec. 17 and 18 at the Plamor in Kansas City, Mo., and at Grindel-Lambke, Kansas City, Kan. J. W. Lewis is in charge of sales in Kansas City, Mo., and George Baker in Kansas City, Kan.

Chempay Club will hold a party at the Variety Clubrooms Dec. 21. Admission will consist of two cans of food which the club will present to the “Xmas family” of needy persons this month. The club has adopted one of the Kansas City Star families.

**Detroit**

**Detroit, Dec. 15.** The following officers have been elected by the local Variety Club for next year: Charles C. Perry, chief tracker; Harold C. Robinson, assistant; William F. Plemion, assistant; David Newman, property master; Jack Saxe, dough boy; Carl Bieneke, Frank Downey, Morris Silverstein, Jack Stewart, John Howard, Lew Wisper, canvassing.

The club will give a Christmas party in the clubrooms Dec. 24, at which local exchange managers will entertain their staffs.

**Minneapolis**

**Minneapolis, Dec. 15.** — New officers of the Variety Club of the Twin Cities include W. A. Steffee (re-elected); chief tracker; first assistant chief tracker, Benjamin F. Stolte; second assistant chief tracker, Paul Mans; treasurer, Norwood Hall; secretary, W. H. Workman; board of governors, George Gramstrom, Don Bucklev, E. R. Ruben, A. A. Kaplan, Ray Wylie and Harold Johnson.

**Cleveland**

**Cleveland, Dec. 15.** — Nat Wolf, Warner producer, who has been serving as chief tracker of the Cleveland Variety Club during the unexpected term of Dave Miller, has been elected chief tracker for next year. Other officers for the year are: "Duke" Clark, first vice-president;}

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**Out Hollywood Way**

**Hollywood, Dec. 15.** — J. Walter Ruben's first picture as a producer at M-G-M will star Wallace Beery. Josef von Sternberg will direct the picture, which will star Wallace Beery.

**Sweepstakes residents.** My Allen the Barker, on Saturday afternoon at 4:30, will be shown at the Century, to make pictures on the outside until Frank Capra is ready to direct "Chopin." Capra is preparing "The Gentleman from Montana," which will star Gary Cooper, and the original deal was that the Dietrich vehicle would have been first. Robert Montgomery's next picture at M-G-M will be "Maiden Voyage," from the story by Virginia Faulkner and Gottfried Reinhardt.

Dr. Eugene Frenke is planning three additional pictures for his wife, Anna Sten, developing stories with the view of rough cuts of "Exile Express." This picture and the others will be released through Grand National.

**First time.** Madeleine Carroll and Fred MacMurray will be co-stars in Frank Capra's "Angels in Furs," story by W. B. Courtney for Jud Lazard.

**Rosenberg.** The first time in the history of Variety to write the script... M-G-M is perpetuating the annual "Our Gang Folies," the musical short subject on the yearly agenda of the youngsters. George Sidney will direct.

**Casting — Don Stannard to "Flight of the Flying Irishman."** RKO... Paul Porcasi to "Juarez." Warners... Rosella Towne gets the lead in Warners' "Smashing the Money Ring"... Edward Gargan to "Y's Darling Daughter," Warners... William Prawley, John Glaud and Mary "Pumkins" Parker to "Sudden Money," Paramount... Allen Jenkins and June Genet to "Sweepsprize Winner," Warners... Stefi Duna to "Smashing the Money Ring.""}

**Des Moines**

**Des Moines, Dec. 15.** — Variety Club, inactive for some months, are now holding noontime lunches each Saturday at the Savery Hotel, with an outstanding person as guest speaker at each meeting.

The club is making plans to hold its annual Christmas party for shut-ins, including all residents of Des Moines old people's homes, children's homes and the like. Art Stolte of the Tri-State Theatre Corp. and R. M. Devlin, manager of the Paramount exchange, are in charge of arrangements. It will be at the Paramount Dec. 17.

**Milwaukee**

**Milwaukee, Dec. 15.** — The committee consisting of Sam Sheehan, M-G-M; Art N. Schmitz, RKO, and Oscar Ruby, Columbia, is in charge of ticket sales on the Variety Club's drive to raise $2,000 for the purchase of two therapeutic tanks for the Children's Hospital here.
Radio Personalities

JAMES J. WALKER will be featured on “This is New York” program over CBS Sunday... Ricci and his “Roxy Stars and Shows” will be guests at the Benny Goodman swing session on Tuesday... Three members of the KDLT, Salt Lake, staff have recently taken new assignments as... P.M. also capital reporting New... Ray of Minnesota taking... Former new P.M. he WHN’s “Refugee” [$938..."

MOTION PICTURE DAILY
Friday, December 16, 1938

Radio Personalities

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FCC to Aid Press
In Reporting News

WASHINGTON, Dec. 15.—Federal Communications Commission has set aside radio facilities to aid the press in reporting news events. Issuing new rules for miscellaneous radio services, the commission has designated a new group called press relay stations, integrated to be licensed to publishers or news associations for news reporting where “other communication facilities are not available.”

A reporter aboard a burning vessel, for example, could send his story via a relay station, which in turn would communicate to the newspaper. Five frequencies above 30,000 kilocycles have been set aside. Under the plan licensees for the stations will be issued on a permanent basis, whereas heretofore, special licenses had to be obtained for mobile press units.

Baer Files Suit for Int’l Television Stock
Fred E. Baer has filed suit in the Federal Court against International Television-Radio Corp. and Electric Power and Patent Holding Corp., charging the delivery of 40,000 shares of International stock. He asks $25,000 damages in the suit.

Baer alleges that he rendered public service for the defendants in 1934 and received the stock as consideration for his work on the stock for tax purposes, and when he demanded new certificates on Dec. 7, the demand was refused.

Robinson on the Show
Edward G. Robinson and Wayne Morris have been cast in their original roles when “Kid Galahad” is dramatized on the Lux “Radio Theatre” over CBS Monday, Joan Bonnet and Andrea Leeds will take the feminine leads. During intermission, Jack Dempsey and Gene Tunney will broadcast from Buffalo and New York, respectively.

Farnsworth Forms New Research Unit
DOVER, Dec. 15.—Farnsworth Television & Radio Corp., has been formed in New York to conduct scientific research with a capital of $2,000,000. J. M. Townsend, A. L. Raughey and M. S. Cook of Dover are the incorporators.

New Shows on the Air

Motion picture industry’s one-hour patriotic program Wednesday night over NBC, emanating from Hollywood, will be a frank contribution to the campaign to make Americans conscious of their heritage.

NBC officials estimated that 20,000,000 persons heard the broadcast, 10 to 11 P. M., EST, locally over WJZ. The program, stars Meredith Wilson’s symphony orchestra carrying Tony Martin, tenor, into Irving Berlin’s “God Bless America.” Highlights of the broadcast is continued in talks by Dr. Robert A. Millikan, president of the California Institute of Technology, Los Angeles attorney, and Paul Muni, who spoke on the difference of national policies between America and other nations.


There were also a “Hardy Family skit with a cast including Lewis Stone, Fay Holden, Mickey Rooney and W.C. Fields” but the program was never heard.

The program was in connection with “Rededication Day,” sponsored by numerous patriotic and civic organizations.

MAC Newsletter

About the Country

Philadelphia
Powers Gouraud, WCAU’s “City Owl,” has shifted from 11 P.M. to 6:00 P.M. five times weekly, Gouraud said, “progressing to Yellow Cab Co.,”.. Dixie Lee, erstwhile scrib for Evening Ledger now doing weekly comics, KPC, director’s Paul youth via KYW-WPEN... WIP is first station in town to inaugurate all night program... show is recorded dura tines six times weekly called “Dawn Patrol,” Fred Woods, recent addition to WIP’s announcing staff, is handling the program... Jan Savitt, KYW house band master, is taking leave of studio chores to tour with his Toppers group.

San Francisco
Peter Hollywood announcer Bert Symes now on KYA staff... Agatha Turley, former KYA soprano, now on KRC staff singing “Feminine Fancifoxial two years... Carl Schwartz added to KYA’s technical staff... KYA has added two hour nightly feature, now publicizing eight selected transcriptions... Former KGO manager Howard Milholland, returned from world tour, has re ceived the new nightly program of poetry, accompanied by Mrs. Milholland (Eva Garcia), on piano and Mrs. Martin has resigned, and will go to New York in February... KFRC musical direct or, Jack Smith has introduced a new show called “Rhythm Riddles,” a musical quiz... Minnesota Consolid ated Cameritas and Manhattan Soap Co. are sponsoring of KGO’s “Home Forum,” which features Gladys Crockhite.

Albany
Newest addition to WABY’s staff is Carl Mattson, formerly WMFF, Plattsburg, announcer. John Lee is subbing for Forrest Willis on the D’Jimas program, while Willis is in Bermuda... Leo Bolley doubles back and forth between WFGF, Syracuse and WGY, Schenectady to make 17 Troy programs weekly... Harold Smith, general manager of WOKO, leads the station orchestra on a weekly air concert... New day time station set to go in Troy next month is owned by Colonel H. C. Wilder, who is also connected with WSYR, Syracuse: WJTN, Jamestown, and WNBF, Springfield, Vt.

Cincinnati
Ray Shannon, WLW-WSAI player since 1936, has been re-signed for another three years... Jerry Cooper on “Vocal Varieties” for Tums, a Tuesday evening program originating at WLW and piped to NBC-Red, has been running now three weeks... Bill Robinson, in WLW program department until six years ago, when he was in New York, returned to WLW, has rejoined Crosley as salesman at WSAI, replacing M. Harrison.

Des Moines
Robert Burlingame has joined the news staff of WHO, replacing Otto Weber.

FCC Calendar

WASHINGTON, Dec. 15.—Application for authority to construct a new broadcasting station and operate on 1,370 kilocycles with 100 watts power night, 250 watts day, has been filed with the Federal Communications Commission by John B. Cooley, Minot, N. D.

The commission also received an application from WHMA, Aniston, Ala., for extension of time of operation from day to unlimited, using 100 watts power.
Loew’s Is Not Dependent On Any Single Man

Schneck, at Trial, Says He Is Replaceable

Loew’s is so rich in manpower, the company no longer is dependent on any one man, even himself, Nicholas M. Schneck, president, told the Supreme Court of Justice Louis A. Valente, at the trial of the present minority stockholders suit against Loew’s and its executives. Schneck revealed that in 1936, when he induced Arthur M. Loew not to quit and to remain with the company, he told young Loew that some day the latter might succeed him as president.

Everybody, including myself, can be replaced. Our present executive staff is the finest the industry has ever known. Loew’s success is due to these men and Schneck outlined to the court how important it was to have competent executive manpower properly compensated.

“Loew’s Comes First”

“Loew’s comes first, last and always with me,” Schneck told the court, “and everybody in the business knows this.

To Arthur M. Loew, Schneck credited the rise and development of the company’s foreign trade, until today Loew’s is pre-eminent in that end of the business, too, doing approximately $48,000,000 annually in foreign business.

He told how the purchase of the Guilmot British theatres was first brought up in 1926, and that 10 years later, he found John Maxwell, British film magnate, deprecating for these pictures. It took considerable negotiation to induce Sidney R. Kent, president of 20th Century-Fox to dispose of half of the company’s equity in G. B. to Loew’s for $3,500,000.

Properly managed, Schneck told the court, the G. B. circuit would become one of the most important in Europe.

G. N. Names Bernerd, Wilson British Heads

London, Dec. 18.—Grand National has announced the joint appointment of Jeffrey Bernerd and Maurice Wilson as joint directors of the British part of that company. The U. S. interests in G. N. are represented by Edward Russell. It was announced also that it is the company’s intention to distribute 16 British pictures and 32 American, apparently for the independent market.

Distributors Stand Firm on Italy Edict

All distributors without exception reaffirmed their stand against compliance with the Italian distribution monopoly decree after Dec. 31, when it might otherwise destroy all chance of the company’s merger with RKO this year.

This was revealed by Carlo Isreali, of the downtown firm of White & Company to the court having the hearing on the amended plan.

Korda Not on Studio Board; Stays Head Of London Films

London, Dec. 18.—Pinewood-Denham studio merger was closed Friday at the annual meeting of the London Films stockholders. Eight directors were appointed to the board of the new company. They are Charles Beat, E. Ronald Cramp, E. H. George, Sir Connor Guthrie, Arthur Lever, Capt. Richard Roman, J. Arthur Rank and P. C. Stapleton.

It was stated following the meeting that the amalgamation will not interrupt production activities of individual interests at other studios.

Korda Heads L. F.

Alexander Korda was not re-elected to the London Films Board. John R. Sutro and E. H. George were both returned to the board. Sutro explained that Korda’s re-election to the board was unnecessary, as Korda is managing director of London. He has no position on the studio board.

The meeting authorized London Film directors to establish agreements with Pinewood, Prudential Assurance and Equity Ltd. Assurance, all three of which are financially interested in the merger of the Pinewood and Denham studios. The meeting also approved the company’s balance sheet for the fiscal year just closed.

Capacity Crowd Due At Bernie Luncheon

An attendance of more than 1,000 is expected at the testimonial luncheon to Ben Bernie, which Eddie Cantor is giving at the Astor today. The luncheon is a part of the drive of the Amusement Division of the Federation for the Support of Jewish Philanthropic Societies of N. Y. to raise its $22,000 quota.

Approximately 800 reservations had been received up to Saturday, giving indication that the attendance might pass 1,000 today. Bernie and Cantor will be the principal speakers at the luncheon. David Bernstein and Major Albert Warner are co-chairmen of the Amusement Division for the drive.
Philadelphia Likes 'French' For $16,000

PHILADELPHIA, Dec. 18.—Usual pre-holiday slump hit Philadelphia grosses. The best possible figure was the $16,000 at the Earl for "Say It in French" on the screen and Richard H. Benjamin's "Dramatic School" only drew $11,000 at the Boyd. Third week of "Cowboy and the Lady" was a fair $7,000 at the Rich...
New York's I.T.O.A. (Harry Brandt) rejects the tentative terms of the proposed trade practice program. One objection made by I.T.O.A. is that the rejection is upon general grounds. The organization's attitude has been expounded in a letter to William F. Rodgers, general sales manager of Loew's, and chairman of distributors' negotiating committee.

Specifically, the Brandt organization objects to Sec. 14, of the tentative draft, which portion of the terms relates to the proposed abandonment of the practice by exhibitors of making false box-office reports to distributors. Brandt's group finds fault for including this provision in the draft as a reflection upon the integrity of exhibitors, in general.

The I.T.O.A. took this action on Friday. The organization's letter to Rodgers follows:

I.T.O.A. Letter

"My committee has given careful consideration to the memorandum of proposals accompanying your letter of Dec. 1.

"It is the unanimous opinion of our committee that far from being a satisfactory solution of the matters complained of, the proposals fail to meet even the minimum of the conditions we appeared to be in agreement with your committee at our joint conference.

"We are obliged, therefore, to state that this Association cannot give its approval to the proposals you submitted.

"We cannot, moreover, fail to protest against the inclusion of your point No. 14 with its inference that there is a reflection upon the honesty of every exhibitor in the land. It is regrettable that such a matter was ever brought for publication.

"We reiterate that it is our desire to cooperate with you in establishing proper relationships between the various factors in the industry, but the proposals submitted by you do not, in our opinion, approach the matter in a fair and helpful manner."

**To Hold Warner Zone Conference Tomorrow**

Operating policies will be discussed at a Warner theatre zone managers' meeting tomorrow at the home office. Joseph Bernhard, general manager, will preside.

Home office executives participating in the discussions will include Clayton Bond, film buyer; Ed Hinchy, Leonard Schlesinger, Harry Goldberg, director of advertising and promotion, and Sid Phelps, director of labor relations; Nat Felman, Abi Vidor, W. Stewart Cohen, Sid Schuman, Abe Kaufman, Herman Maier, construction chief, and Frank Calhii.

Zone managers attending will be James J. Connelly, manager at Wolf, Cleveland; L. J. Hoffman, New Haven; Don Jacocks, Newark; Joe Silver, Albany; Ted Schrager, Philadelphia; Harry Kalmine, Pittsburgh; John Payette, Washington; Herb Copelan, Atlantic City, and Howard Vaugh, Memphis.

**Monogram Appoints Agren Comptroller**

Ben Agren, formerly in charge of Columbia's tax department, and head of Monogram's auditing department for the past 10 months, is now monogram comptroller by W. Ray Johnston, president. Agren succeeded J. P. Friedhoff, who was transferred from Hollywood as treasurer of Monogram Prod. recently.

**18 Plays on B'way**

Closing of "Great Lady" after performances and the revival of "Victoria Regina" the "Great" has 18 plays in the Broadway legitimate playhouses. On Thursday, a revival of "Outward Bound," I.A.C. and the new playhouse. It will be followed on Friday by "Window Shopper" at the London cinema and on Saturday by "Blackbirds."

**Equity Asks Council To Press for Action On Card Exchange**

Resolution asking that Actors' Equity council take the initiative in pressing for interchangeability of cards among the 13 branches of the National Association of Theater Owners of America was passed at the quarterly meeting of Equity held at the Astor Hotel last week. Although the discussion on the resolution pointed to the many difficulties which stand in the way of allowing interchangeability among the membership, that some action was required and that Equity should take the lead.

The policy which permits suspension for six months and a $500 fine for members who pay their agents exchange commission was endorsed. The production program of the WPA Federal Art Theatre came in for some criticism but a motion on the subject was referred to the Federation of Arts Unions for action. Arthur Byrson president and 776 members were present.

**If I Were King Gets $5,600 in Okla. City**

OKLAHOMA CITY, Dec. 18—Competition of Christmas shopping cut into the grosses here. If I Were King," at the Criterion, drew $5,600 last night, the last proposal to open and "I Am the Law," at the state, each captured $4,000. Estimated takings for the week ending Dec. 7.

"If I Were King" (Para) CRITERION—$1,600 (20c-50c-60c) 7 days Gross: $1,000. (Average, $143)

"Secrets of an Artiste" (F. N.) Valley of Giants" (W. B.) LIBERTY—$1,200 (20c-25c-25c) 7 days Gross: $820. (Average, $117)

"Submarine Patrol" (20th-Fox) MIDWEST—$1,000 (20c-25c-40c) 7 days Gross: $640. (Average, $92)

"I Am the Law" (Col.) TOWER—$1,000 (20c-25c) 7 days Gross: $440 (Average, $63)

"I Am the Law" (U. A.) TOWER—$1,000 (20c-25c-60c-80c) second week, 7 days, moved from the Criterion. Gross: $2,200. (Average, $320)

**Snow White' Draws $10,000 in Detroit**

DETROIT, Dec. 18—"Snow White," brought back to United Artists, did $10,000 on 500 houses. Fox ran at $1,100, good at $13,000 with "The Mad Miss Manton" plus stage show. Michigan took $10,000 with dual bill "Dramatic Scare" and "The Outlaw," which is expected to last.

**B'way Films Off: Look for Upswing**

Broadway continued in the dotbins last week, but looks forward to a considerable holiday upsing. "Thanks for Everything" finished with an estimate of $6,000 but will open first week at the Roxy and continues there until Fri day when "Kentucky" will be offered. Other than the Roxy, "Hungry Face" will open at the Strand on the same day. Third week of "Angels with Dirty Faces" grossed an estimated $26,000.

"Artists and Models" starts Wed nesday at the Paramount with Glen Gray and the Casa Loma orchestra on the stage. "Blonde" opens Thurs day at the Criterion, Manhattan, a New York local, has its premiere at the Continental Saturday.

**Walder, of National, Returns to London**

Sir Samuel Walder, a director of National Studios, Ltd., Sydney, Australia, sailed Friday (4) on the Queen Mary for England. He was here several weeks. Films are one of several industries in which he is interested.

National Studios last year made two features, prints of which Sir Samuel brought over with him. They are "The Flying Doctor" and "Wrange River." His company will devote itself in the future to producing shorts and commercial films, as it believes that it is a very Australian-made features is limited.

Dr. Herbert T. Kalmus, president of Technicolor, who also sailed, will remain a month in London, where the company has a subsidiary.

Among other passengers were Sam Giorgio, the producer, and his wife, who are travelling; Solon Sagall, managing director of Scott, and G. C. Smith, who are to return next month; Herbert Wilcoxon, British producer, and Anna Neagle.

**Saxe Dies in Milwaukee**

MILWAUKEE, Dec. 18—Thomas E. Saxe, 65, pioneer Wisconsin exhibitor and; associated in the operation of the Warner theatres, died here Fri day. He had been in the theatre business here since 1899.

Universal studio is slightly ahead of its production schedule for the 1936-37 season and will have the flexibility either in completing the full schedule or meeting regular release dates in the months ahead, according to Harry Blumberg, president, said on his return to New York Friday from a four-weeks trip abroad.

Blumberg was accompanied from Chicago by W. A. Scully, general sales manager, and several of the company's division managers who gathered in the latter at the home office for discussions on Universal's coming product and selling plans for it.

**Important Films Coming**

Since the company's most important picture of the year is due for production now, including the Bing Crosby picture; the W. C. Fields-Edgar Bergen comedy; the new talkie production, "You Can't Cheat an Honest Man," the Deanna Durbin picture, "Three Smart Girls Grow Up," and "Son of Frankenstein."

Universal's current production pace marks an important change-over from earlier seasons when failure to meet release dates prevented the company from fulfilling its seasonal schedules.

Matthew Fox, Universal vice president, is expected in New York from the studio headquarters at Hollywood, and will accompany Blumberg west when the latter returns to the coast about Jan. 15.

**Refugee Fund Sale Gets 100 Art Pieces**

More than 100 pieces of art, including paintings, sculpture and cartoons, have been contributed for the nationwide sale of art sponsored by the Motion Picture Art Fund for German Refugees.

Among the prominent artists contributing their work are Norman Rockwell, Norman Rockwell, Dean Cornwell, George Petty, Max Kalish, Carl Hoff, Frank Nokie, Abner Dean, Sam Bergman, Vargas, Seguso and others. The sale will take place in New York on Feb. 12.

**Court Asks Details In Lloyd Litigation**

Judge Alfred C. Cox in Federal district court has directed Lowell Brentano and William Jordan Rapp to give the specific allegations of their $75,000 damage suit against Harold Lloyd and Harold Lloyd Corp. The plaintiffs charge they submitted a script to Lloyd and parts of it were used in "Professor Beware." Louis Nizer, attorney for Lloyd, asked for a copy of the draft. Lloyd's answer was filed. He urged there is complete dissimilarity between the plaintiffs' script and the picture.

Judge Cox directed the plaintiffs to file a counter-statement with detailed elaborated and explain what parts are claimed to be in the picture. This is a newly adopted procedure in Federal actions and one of the first rulings under it.
Two Careers Consolidated in a
20-Year Record of Showmanship

Beginning in showbusiness in 1918, with a single nickelodeon-type motion picture theatre, J. Myer and Louis W. Schine celebrate today the completion of two decades in exhibition, with their theatre properties grown to a total of 129. In these pages Motion Picture Daily joins with leaders of the industry and of government, and with their business associates in tribute to their enterprise and success.

GREETINGS TO THE MOTION PICTURE INDUSTRY:

It is with extreme appreciation that we receive the many fine sentiments expressed by our friends, within and without our industry, who are according so splendid a tribute to ourselves and our organization.

We are grateful to the press, to the trade papers and particularly to Martin Quigley, all of whom have been so generous in their efforts upon this occasion. We are equally appreciative of the personal activity and interest taken by the various chairmen and committee members who have made this event possible.

There is no more fitting time than now for us to state that what success we have had during the past twenty years has largely been due to the loyalty, enthusiasm and tireless support we have received from our executives, managers and employees, of whom we feel we are justly proud.

We are very happy to be members of the motion picture fraternity because aside from the commercial aspect, this industry has the fortunate privilege of rendering a real public service.

J. Myer and Louis W. Schine

Where the Schine Circuit Began

The Hippodrome theatre in Gloversville, N. Y., in 1918.

TRIBUTE FROM INDUSTRY AND GOVERNMENT LEADERS

By Will H. Hays
President, MPPDA

J. Myer Schine and Louis Schine have been exhibitors of motion pictures for twenty years. As we ordinarily reckon time, that isn't so long. Yet, in motion pictures it is half the life of the industry.

When Myer and Louis Schine first entered the business, motion pictures had hardly emerged from infancy. Today this great art-industry touches all parts of the world and has become the universal entertainment medium of the millions everywhere. This service of entertainment imposes great responsibility on us all.

Our primary obligation is to serve the public. To do this best requires collaboration, cooperation and team work between all branches of the industry.

It is a pleasure to join in extending best wishes and congratulations to Myer and Louis Schine on this twentieth anniversary.

Will H. Hays

By Herbert H. Lehman
Governor of New York

Mr. Sam Shain, Editor, Motion Picture Daily, Rockefeller Center, New York, N. Y.

Dear Mr. Shain:

I have received an invitation from Mr. Phil Fox, Chairman of a Committee arranging a Testimonial Dinner for Messrs. J. Myer and Louis Schine, of Gloversville, who are celebrating their Twentieth Anniversary in the motion picture business.

Official engagements prevent me from accepting the invitation to the dinner but I do desire to extend my congratulations to Messrs. Myer and Louis, and my best wishes for their continued success.

Very sincerely yours,

(Signed) Herbert H. Lehman
Representative Schine Theatres Today

Above: The Hippodrome, first Schine theatre, as it appears today, completely modernized. At left and below, front and auditorium views of the Auburn in Auburn, N. Y., newest Schine house, designed by John Eberson.

Opening night in a typical Schine location—the Colonia in Norwich, N. Y.
HIGH OVER

The Pace-Setters
SHINING ITS BRIGHTEST THIS WEEK!

For the part we played throughout the twenty successful years of brilliant Schine showmanship Warner Bros. are indeed gratified.
Red-blood and gunpowder heroes . . . roaring for battle or ready for love!

starring

CARY GRANT • VICTOR McLAGLEN
and
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 NOLL SNEE and Fred Graet
How long is it since
you've had a show that really deserved a big special campaign?

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 Garson Kanin • Produced by Cliff Reid • Screen Play by John Twist
CONGRATULATIONS AND BEST WISHES
TO THE SCHINE CIRCUIT
ON THIS 20th ANNIVERSARY
WE ARE HAPPY AND PROUD OF
THE PRIVILEGE OF ASSOCIATING
WITH THE FINE PERSONNEL OF
THIS STERLING ORGANIZATION

IDEAL SEATING COMPANY
GRAND RAPIDS, MICH.

BEST WISHES
TO
J. MYER AND LOUIS
SCHINE

ALTEC
SERVICE CORPORATION
250 West 57th Street
NEW YORK CITY

THE SERVICE ORGANIZATION
OF THE MOTION PICTURE INDUSTRY

Schine Careers Founded
On Loyalty and Service

By GENE CURTIS
Advertising and Publicity Manager
Schine Theatres

From a single office in the old
Hippodrome Theatre in 1918, Schine
theatres have increased until their or-
organization, today, occupies a two-
story building of its own which covers
half a city block. Many of the depart-
ment heads now with the company
have been with it almost from its start.
Fifteen years ago there were only
seven people on the Schine office staff.
Today that staff comprises 73 men
and women.

While one of the brothers was away
at war, the other looked after their
little business. Louis had joined the
service in 1918.

McKay an Old Timer

Among the old timers was Willard
S. McKay, general counsel and vice-
president of the company, who has
helped guide the Schine brothers
through most of their trials and tribu-
lations.

John A. May, present comptroller
of the company, was one of the first
to be associated with the Schines. He
joined them in 1925. He was formerly
connected with the Federal Reserve
Bank in New York City. Florence D.
Thompson, office manager, is another.
She is a very important executive of
the firm. David Salvious is her assis-
tant. George V. Lynch is chief film
buyer. He also grew up with the
company, and is looked upon as a valu-
able associate. The chief booker is
Louis Goldstein. His assistants are
William Kraemer, Joel Golden, Harry
Thompson, Ray Frisz, Bryan Dashier,
Seth Field, Richard Eason and Alan
Kennedy.

Harold F. Sitzer, who is assistant to
Louis W. Schine, general manager in
charge of operations, has been very
instrumental in helping to build the
organization. He joined the company
in 1933. He was formerly with Para-
mount-Publix and later executive with
the old Fox Theatres company.

College Men Preferred

Guy Selmers is in charge of con-
struction and maintenance, another
pioneer member of the Schine staff.
Having joined the company in 1923,
Assisting Selmers is J. Dewey Leiderer,
who is a graduate of the Yale School
of Engineering.

The personnel department is under
the direction of E. Douglas Leishman,
who conducts a school for theatre
managers, college graduates preferred.

Schine managers are taught to be
active in civic and community affairs
and in Chamber of Commerce activi-
ties, in other words, to make the the-
aire an integral part of community
life.

Nutter Statistician

Alfred Nutter, who is head of the
statistical department, is a Harvard
graduate.

The insurance department is headed
by Francis Barter. He formerly was
personal secretary to Louis W.
Schine. Miss Bert Luss is his assis-
tant.

The real estate department is headed
by Maurice Glocner, a former
faculty member of New York
University and Columbia.

Assisting Willard McKay, general
counsel, are Howard Antevil, Edward
M. Byrne, in the home office, Peter
Klein and William H. Townsend.

In the Field

Among the more popular and better-
known of the Schine field execu-
tives is Gus Lampe, who operates the
RKO-Schine theatres in Syracuse.
Louis Lazar is another with a fine
record, who joined the Schine organi-
zation in 1935 to take charge of the
Ohio division, from which point he
operates Schine theatres in Ohio and
Kentucky. His assistant is Saul Sil-
verman, former district manager.

Clint Young, district manager in
central New York, is another old-
timer with the company. Other dis-
trict managers are William Tubbert
in northern New York, and Louis
Levitch in Rochester. Seymour Mor-
ris is district manager in southern
New York. City manager of Auburn
is Joe Schwartzwalder.

Heiss in Northern Ohio

In northern Ohio, William Heiss
is district manager, having grown
with the company.

In southern Ohio, the district man-
ger is Jim Levine. He was at one
time director of the Paramount-Pub-
liv managers' school, and also man-
ager of the Globe in Gloversville.
Lew Henkel, district manager in Ken-
tucky, and Marsh Gollner, district
manager in Maryland, joined the
Schine circuit when the latter took
over the Maryland theatres. Lee Ins-
ley joined about the same time.

Following are the theatres of the
Schine Circuit:

Eastern Division

HOMOFFICE DISTRICT
Regent, Amsterdam; Harold Gates; Rialto,
Amsterdam, F. K. O'Kelly; Strand, Amster-
dam, Arnold Rittenberg; Empire, Glove.

(Continued on page 19)
FLASH . . . this is New Year's Booking No. 309 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.
Our Sincere Congratulations to SCHINE BROTHERS on your 20th Anniversary.

Pyramid Exchange
505 Pearl St. Buffalo, N. Y.

May we add Our Congratulations to SCHINE BROTHERS on your 20th Anniversary.

Rambusch
Designers, Decorators and Craftsmen
2 West 45th St. New York City

Heartiest Congratulations to THE SCHINES
Leathercraft Corporation
Upholstery Leathers
35 East 2nd Street New York, N. Y.

Compliments of
Charles H. Kenny Studios, Inc.
Draperies
112 W. 44th St. New York City

Congratulations to J. Myer Schine on your 20th Anniversary.
R. M. Savini
Astor Pictures Corporation
1501 Broadway, N. Y. C.

To SCHINE BROS. our Heartiest
Congratulations on your 20th Anniversary.

Maragliotti Studios
Mural and Decorative Painting
15 Vanderbilt Ave. New York City

Congratulations to J. Myer & Louis M. Schine on your 20th Anniversary.
Keller-Ansell Ticket Co., Inc.
723 7th Ave. N. Y. C.
Best
Wishes
Twentieth Anniversary
Schine Circuit

and for a glorious future ahead—

Universal
Congratulations and Best Wishes
May You Enjoy Many More "Twentieth" Anniversaries

JACK BERKOWITZ
BERNIE MILLS
Republic Distributing Corp.

Willard McKay One of Schines' Guiding Forces

One of the chief guiding forces of the Schine Theatres organization is Willard S. McKay, general counsel and vice-president. From his initial contact with the Schine company, in 1925, he has been most closely associated with the circuit. He is among the leading lawyers of the trade.

Counsellor McKay was born in Brooklyn, Aug. 21, 1895. He graduated from Yale College in 1917. His law studies at the Yale Law School were interrupted when he joined the country's air service, upon the nation's entry into war. When he returned from war, McKay finished his law course at Fordham University Law School, and was admitted to the New York Bar in 1921. He was associated with Siegfried F. Hartman, who was then general counsel for Universal. That was in 1930.

In March, 1938, McKay resigned as general counsel for Universal, but continued as special counsel and opened offices in association with Sol A. Rosenblatt and William B. Jaffe, at 630 Fifth Avenue, N. Y. C.

Congratulations to The Schine's Circuit on their Twentieth Anniversary as Successful, Progressive Showmen

SIMPLEX E-7 PROJECTOR
INTERNATIONAL PROJECTOR CORPORATION

BETTER PROJECTION PAYS
88-96 GOLD STREET
NEW YORK, N. Y.
Congratulations and advice to the Schines on their 20th Anniversary.

Date as soon as possible
Columbia's Comedy Hit!...

MELVYN VIRGINIA
DOUGLAS · BRUCE
THERE'S THAT WOMAN AGAIN

MARGARET STANLEY
LINDSAY · RIDGES

Screen play by Philip G. Epstein, James Edward Grant, Ken Englund
Directed by Alexander Hall · A Columbia Picture
Industry Leaders Pay Tribute to Schine Boys

Congratulations to J. Myer and Louis Schine have poured in from leaders of the industry throughout the country. There have not been many in the business who have been so commended. Many who should have liked to attend the dinner, because they have not been able to avail themselves of that opportunity, have wired or written their regrets. These messages indicate the esteem in which the recipients of tonight’s testimonial are held by the important people of the business. These letters, addressed to J. Myer and Louis Schine, follow:

Sidney R. Kent:
"It is fitting that your twenty years in this business should be observed with a testimonial dinner. You are to be congratulated upon your long service. I wish you and your friends a most enjoyable evening."

George J. Schaefer:
"I regret exceedingly that it is impossible for me to be with you and your many friends at the celebration of your twentieth anniversary in the industry. This celebration in recognition of your place in the industry is well deserved. It would have given me very great pleasure to have been able to be with you personally, and add my voice to the tribute. My very best wishes are yours. May you continue to have great success."

Nate Blumberg:
"My heartiest congratulations on your twentieth anniversary. I can think of no finer tribute than the assembly planned for Monday night. Having been associated with you, I know that such a tribute is well deserved by you both. I hope there will be many more similar occasions on which your associates will again gather together to extend felicitations. There are no finer or more honest gentlemen in our industry than you two and any tribute that we can offer fails to express adequately our respect for you as businessmen and our affection for you as fellowmen."

Samuel Goldwyn:
"I want to be one of those who join with the others of the motion picture industry in congratulating you on the twentieth anniversary of your fine service to motion pictures. It is indeed fitting that the people of this industry are holding a dinner in your honor and I only wish that I were free to be back at the Ten Eyck Hotel in Albany on the night of Dec. 19 to pay you my tribute personally. May you have many more years of service to the motion picture industry."

Jack L. Warner:
"Let me add my congratulations to the hundreds you must be receiving as you observe your twentieth anniversary in the motion picture business. In an industry which is as highly competitive as ours, twenty years is certainly a long time for any organization to successfully carry on. That record is indeed a striking tribute to you."

(Continued on page 19)
its executive manpower. May your next twenty years be as successful as your past twenty. Kind regards to you both.

Hal B. Wallis:
"It affords me a great deal of pleasure to congratulate you both on your twentieth anniversary in the film industry. Under your guidance, the Schine enterprises have definitely established themselves as one of the country's outstanding theatre operations.

William F. Rodgers:
"You are to be congratulated that so many of your business associates and friends are gathering together at this testimonial and I hope that you both will enjoy a long life and a happy one, and that all of those gathered with you will have an enjoyable evening.

J. R. Grainger:
"I know of no individuals or company that has more respect in the motion picture business than have the Schine's. Your reputation in the industry of fair and square dealing, and the loyalty of your employees indicates that you both are a credit to the motion picture business.

Y. Frank Freeman:
"I join with all of my other friends in extending my heartfelt congratulations and best wishes."

Neil Agnew:
"Congratulations and best wishes for the future on your joint anniversaries. I hope the next twenty years are even more pleasant and prosperous than your preceding two decades in this industry which we all join with you in celebrating today.

George P. Storuran:
"I was happily surprised to learn from the invitation sent to me and the reports in the trade papers that a testimonial dinner is to be tendered to you and your brother, Louis, on Monday, Dec. 19. I take this opportunity to add my congratulations and also to express the sincere respect and admiration that I have for both of you. My business association with you has only enhanced the high esteem that I already had for you. Wish you all the good luck you deserve and hoping that your 25th anniversary in the business will be even more glowing.

Barney Balaban:
"My sincerest congratulations and best wishes on your twentieth anniversary. In an industry as young as motion pictures it is gratifying to find men who have the vision and courage to enter the exhibition field in its pioneer days and who have achieved the success which this vision and courage merited.

Ned E. Depinet:
"As great as our industry has become, it would be still greater if we had more Schines. I congratulate you on this great occasion and wish you many, many more years of happiness and prosperity.

Harry L. Gold:
"Your twenty years of achievement stands as an inspiration to future generations of the motion picture industry."

Edward A. Golden:
"We in the motion picture industry are happy to pay tribute to J. Myer and Louis Schine on the occasion of their twentieth anniversary. Our congratulations and best wishes for their continued success are hereby tendered J. Myer and Louis Schine.

Schines' Career Based on Loyalty
(Continued from page 12)

Monday, December 19, 1938

Industry Leaders Offer Tribute to Schine Brothers

(continued from page 18)

FABIAN THEATRES CORPORATION

OUR SINCERE CONGRATULATIONS TO SCHINE BROTHERS IN YOUR 20TH ANNIVERSARY
In congratulating the Schines on their Twentieth Anniversary we pay public tribute to their square business dealings... their sincerity... their modesty and their fine characters.
MGM's 1938-9 Contracts Hit 9,300 to Date

Increase of 1,100 Over Last Year Noted

M-G-M's sales to date total 9,300 exhibition contracts, about 1,100 more than last year at this time.

Every large circuit has already been closed. The Golden State Circuit in San Francisco was signed by William F. Rodgers, general sales manager, and E. M. Saunders, western sales manager, on the trip to the coast from which they returned yesterday.

Rodgers also visited the studio, and said that no 1939-40 plans have been discussed. It is probable, however, that M-G-M's sales meetings will be held earlier next year.

U.A. Owners' Meet
Jan. 12; May Elect

Annual meeting of United Artists stockholders has been set for Jan. 12 in Hollywood. All five owners, Mary Pickford, Samuel Goldwyn, Alexander Korda, Douglas Fairbanks and Charles Chaplin, will attend. There is a possibility that Maurice Silverstone will be elected president of the company at the meeting, although the step is regarded as unnecessary for administrative purposes inasmuch as Silverstone has already been given the executive authority equivalent to the title.

United Artists board members held a routine meeting over the weekend with no action taken on important matters due to the absence of Mary Pickford from the city and the need for an early adjournment to permit (Continued on page 4)

Industry Honors

Schines at Albany

Albany, Dec. 19.—About 500 industry personalities were on hand at the Ten Eyck Hotel here tonight to honor J. Myer Schine and Louis W. Schine on their 20th anniversary in the industry.

Harry Hirshfield served as toastmaster. Among the speakers were William Scully, H. J. Yates, Sr., Jack (Continued on page 4)

Radio—Page 8

Kent Off to Europe
Soon for Survey of 20th-Fox Interests

Sidney R. Kent, 20th-Century-Fox president, plans a visit to London and the Continent in the near future for conferences on the company's European operations, he said yesterday on his return from the coast. No date for his departure has been set yet.

Kent attended the company's sales meeting in Los Angeles last week and told his salesmen that he planned to be overseas by the end of the year. A few days ago, he appointed Darryl F. Zanuck. He said, however, that any statement on 20th-Fox's new schedule for the year is premature now. He also declined to comment on the rejection of the tentative draft of the distributors' trade practice program by several exhibitor organizations during the past week.

Charles E. McCarthy, advertising manager, also returned yesterday. He has been busy with the annual sale. The 20th-Fox offices were closed yesterday and will remain closed until the holidays. Jack Siegelman, assistant to Wobber, is due back next Monday.

Lowc Minority Suit Due to End Tomorrow

End of the minority stockholders' suit against Lowc, Inc., is expected tomorrow morning. The case concerns the Cross examination of Nicholas M. Schenck was completed yesterday. Eugene Berman, W. S. Berman, Leake, Stephens & Black, a former (Continued on page 4)

Exhibitor Drive Quiz
Lacked Authorization

An elaborate questionnaire which was sent out to exhibitors inquiring into various details in connection with their business promises to add compilations to the closing days of the Greater Year Campaign Committee.

Inquiry reveals that the questionnaire was not officially authorized, but was a scheme conceived by Harold B. Franklin and dispatched broadcast from the committee headquarters.

Various company executives were surprised to learn that the questionnaire sought information concerning competitive data such as product and play, newsreels shown, box-office value of stars, condition of business during past three months, etc.

On account of the scheme having lacked official approval and because of the character of various of the questions asked the replies received are to be impounded.

Discussion of future activities of the committee, including the question of Franklin's connection with it, has been awaiting the return from Hollywood of George J. Schaefer, Schaefer returned to his New York office yesterday.

Luncheon for Bernie Brings
$125,000 to Charity Drive

Approximately $125,000 was donated to the Amusement Division of the Federation for the Support of Jewish Philanthrophic Societies of N. Y. at the testimonial luncheon to Ben Bernie at the Astor yesterday. The donations sent the Amusement Division of the drive past the all-way mark in the raising of $225,000 quota.

About 1,000 persons from all branches of the amusement industry attended the luncheon, which was attended by the famous pianist, marveled that Bernie could attract such a turnout in mid-day during the week before Christmas when business is no good anywhere. Bernie responded that it was the first time in his career he had had the role of a "decoy." He then urged the worthiness of the cause, pointing out that the Amusement Division of it is probably the most known of its type in the world. A separate non-sectarian institution in Greater New York which will be aided by the drive.

Cantor made public the names of some of the donors and the amounts contributed at the luncheon. Among them were William S. Paley, $15,000; National Screen Service, $9,500; Albert Warner, $7,000; Al Jolson, $5,000; Sayre, Abe, $3,500; RKO, $5,500; Eddie Cantor, $3,250; Irving Berlin, $3,000; Ben Bernie, $2,000; Jack Cole, $2,500; Music (Continued on page 4)

Local Practice
Agreements to Be Negotiated

Will Be Supplemental to National Pact

Local agreements will be negotiated with exhibitors apart from the national trade practice program, and these are expected to meet many of the objections of those who have been opposed by exhibitor groups after studying the first draft of the proposed program formulated by the distributors' committee.

The committee emphasizes that the draft contains only tentative terms, and that many long standing items could not be handled in a national program.

Much will be left to local agreements as it is generally conceded that there are many problems that can be better handled by each individual territory which call for individual handling. The solutions may also be found through local conciliation or arbitration boards, where problems are amenable to such procedure.

No additional meetings have as yet been scheduled with the exhibitors and further proceedings in negotiating a complete program has not been determined. W. F. Rodgers and S. R. Kent, members of the distributors' (Continued on page 4)

Ignore Nazi Protest

Hollywood, Dec. 19.—Warners are proceeding with preparations on "Confessions of a Nazi Spy," despite protest by Dr. George Gyseling, German consul at Los Angeles. Gyseling protested to Warners and the Hays office, with the warning that "there may be trouble ahead" if the picture is made.

The Hays office said the consult's letter had been acknowledged without comment.

To Meet Here on
Studio Basic Pact

Company heads and presidents of the international unions which are signatories to the basic agreement will meet here with Pat Casey, producers' labor representative, shortly after the first of the year to discuss whether or not the basic agreement will have to be revised to comply with the Federal Wages and Hours Law. The agreement provides for a work week in excess of the 44-hour Federal maximum in the case of several of the unions. Some opinion holds, however, that such contractual agreements which are the result of approved negotiations, are not affected by the law.

Casey arrives in New York today from the coast where he recently completed negotiations with production heads arrangements for the progressive establishment of a 44-hour studio week for all workers engaged in production except those specifically exempted by the Federal act and those covered by (Continued on page 4)

Alert, Intelligents and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

VOL. 44. NO. 129
NEW YORK, TUESDAY, DECEMBER 20, 1938
TEN CENTS
Insiders’ Outlook

ROKO theatre companies will pay a Christmas bonus to lower salaried employees. The same procedure was followed in other years. A bonus fund of $2,000 will be divided by 30 employees of Cine-color's Hollywood office, shares being based on the company's prior to last July 1 and will be apportioned on a basis corresponding with the individual's length of service. Maximum payments will be two weeks' salary to those in the company's employ for 10 years or longer.

Audience health protection in connection with motion pictures is the purpose of a plan proposed in the City Council of Milwaukee. A committee of five has been appointed to study the situation. The committee was recommended by the Public Utilities and Health Committee of the City Council.

Alderman Samuel Soref sponsored the measure. Presumably remedial legislation would be sought, depending upon what the study reveals. In opposition to Soref there is Frank B. Metcalfe, chairman of the city's Film Commission, who is skeptical of the plan, pointing out that the Soref measure, and not at all sure about what benefit the proposed committee's study would be to the public. However, Metcalfe is willing to see the effort undertaken.

Niles Trammell, executive vice-president of NBC, in an address before the Omaha Advertising Club, credited radio broadcasting with raising the American standard of living. Trammell gave radio credit for helping to lower prices by increasing sales. His reasons for the success of a radio station is one which adheres strictly to good taste in program presentation, and maintains a broad-minded attitude on controversial public questions.

In Terre Haute, believe it or not, in answer to the Fourth Avenue Amusement Company's advertising on the "Frankenstein" and "Dracula" horror double, a near-riot followed. Some windows were smashed, traffic was blocked near the American Theatre, and a police squad had to be dispatched to the scene. Several women fainted, necessitating the utilization of several ambulances. And that's according to M. P. Daily's own correspondent, M. P. Dehney.

Industry lawyers have their eyes on North Dakota and the U. S. Supreme Court, awaiting that court's decision on the N. D. divorcement statute. That court's decision, one way or another, may have far-reaching effect on the attitude of these men regarding the industry's future action in relation to pending U. S. anti-trust suits.

Station XEPN, in Piedras Negras, Mexico, opposite Eagle Pass, Texas, was damaged to the extent of $15,000 in a dynamite blast. There has been a dispute over ownership of the station, and factions had been besieging the station for several days.

A resolution urging appointment of a Catholic woman on every theatre censor board and library board of every city in the diocese of Seattle was passed in that city by the executive board of the Diocesan Council of Catholic Women. Women in Seattle and neighboring towns are members of the council, whose president is the Most Rev. Gerald Shaughnessy, bishop of Seattle.

Gov. Herbert Lehman is an ardent film fan, as was his predecessor, Franklin D. Roosevelt. Whenever Gov. Lehman desires to see a picture, one of the companies along Albany's Film Row obliges by arranging a private screening at the Capitol where the Roosevelt screen and equipment are still in use.

Russell Birdwell addresses film editors with the brief reminder that, in compilation of "best" pictures, 1938 may show a trend toward a full understanding of the idea that Selznick International during the year released "The Adventures of Tom Sawyer" and "The Young in Heart."
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.
Monday, December 20, 1938

**Murphy Is President of American Record**

Adrian Murphy was named temporary president of American Record Corp. yesterday by CBS, which purchased the corporation on Saturday for $700,000. Other officers named, also on a temporary basis, were Fred W. K. White, treasurer, Budd Boydston, assistant treasurer, and Ralph P. Colin, secretary.

The purchase included the subsidiary radio station Philco, Inc., Brunswick Record Corp., American Record Corp. of California, Master Records, Inc., and several inactive companies. Columbia Phonograph was the parent company of CBS some years ago. Of the stock acquired by CBS, 20 per cent will be held by minority group with an option to CBS to re-purchase.

**Appeal Is Dismissed In Lipman RKO Suit**

"Ideas cannot be copyrighted, but sequence of events can," the U. S. Circuit Court of Appeals held yesterday. However, a judgment dismissing the appeal of Clara Lipman and the estate of Samuel Lipman against their suit against RKO was affirmed.

The authors claimed an infringement of their copyright in their play "Dependons on the Woman" in the RKO picture, "I Dream Too Much." The court ruled that there were variations in the sequence, the less likely it was that a court would find an infringement.

**Unions to Meet Here On Studio Basic Pact**

**Local Trade Pacts Will Be Negotiated**

A meeting of the board of Film Securities and the representatives of the American Union of Musicians was held Tuesday afternoon at the offices of the American Record Corp. of California in New York, and it was expected that a tentative agreement as to terms of the studio basic was expected today.

Principal Lays Off Snell, Four Others

Hollywood, Dec. 19.—Paul Snell, principal productions production director, and five other studio employees were laid off today for two months. Slackening of Sol Lesser's production schedule caused the layoffs. Snell will become Pacific coast representative of Steve Hannegan and will return to Principal the last part of February on a picture-to-picture basis.

**Asher Sailing Dec. 30 For Columbia Confab**

London, Dec. 19.—Irrving Asher, head of production in England for Columbia, will sail for the United States on Dec. 30, bringing with him a print of "Q Planes," which Columbia will release throughout the world.

**Holloway De Lapp Aide**

Hollywood, Dec. 19.—Bert Holloway has been made assistant to Terry De Lapp, Paramount studio publicity head, and other members of the department have been given new assignments to increase the efficiency of the department. The rearrangement eliminates the earlier practice of having Willie from the home office to head the department here. No resignations are involved in the changes.

**Selznick Casting "Wind"**

Hollywood, Dec. 19.—Oscar Polk, colored actor who played the role of Gabriel in "Green Pastures" was given the role of Port in " Gone With the Wind" at the Selznick International studio today.

**Conferees on British Plans**


Bernie Luncheon Garners $125,000

Publishers Guild's luncheon, $2,500; Walter Reade, $2,250; J. I. Fox, $2,200; Milton C. Weisman, $2,000; Frisch & Kline, $1,900; RCA, $1,850; Abe Lastoggeb, $1,250; Leo Brecher, $1,012.

Also, Louis Bernstein, $1,000; Jack Koldban, $1,000; Leo Feist, $1,000; Richard Rogers, $1,000; Sam Morris, $1,000; Sam and Arthur Lyons, $1,000; Spyros Skouras, $1,000; Ben Hays, $1,000; Abe Edelstein, $1,000; Abe Gold, $1,000; John Golden, $1,000; Phil Baker, $1,000.

Also, the Picker Family (Loew's), $750; Si Fabian, $300; Abe Montague, $550; Abe Schneider, $500; William Morris, Jr., $500; Roy Nort, $500; Variety, $500; Nate J. Blumberg, $500; Sam Berman, $500; Joseph Bernard, $500; Joe Potash, $550; Hal Horne, $500; Olsen & Johnson, $500; Jack Skirball, $400; Louis Nizer, $350; Jack Pearl, $250; Marv Scheck, $250; Sam Sax, $200; Ned E. Depinet, $200; "Ham" Fisher, $200; Oscar Doob, $200; Louis Sobol, $100; Robert H. Ballantine, $100; Howard Sonin, $100; Howard Dietz, $100; Dave Appolon, $100; Sam Briskin, $100; I. J. Buell, $100; Budd Rogers, $100; Lou Hotz, $100; Vincent Lopez, $100; Harry Saltzer, $100; Arthur Price, $100, and William Murray, $100.

At the dais with Cantor and Bernstein were Will H. Hays, Maurice Silverstone, Frank Gilmore, Harry Brandt, Fred Stone, John Golden, Phil Baker, Jack Cohn, Max Gordon, Felix Warburg and Raymond Massey.

**Second Run Theatres Lose in Coast Action**

Los Angeles, Dec. 19.—Second run theatre operators do not affect interstate commerce, Federal Judge Harry Hollzer ruled today. The ruling was in suit brought by United Artists Corp. against West Coast Theatres and eight major distributors. It was dismissed.

Judge Hollzer said that the defendants' acts were insufficient to warrant a charge of intent to restrain interstate commerce and that an amended complaint was granted.

**British Film Group Delays Dissolution**

London, Dec. 19.—Producers' group here, which recently decided to reorganize under an entirely new setup, today decided to suspend final action in its proposal to dissolve. The decision to continue for another three months as the Films Group of British Industries, is believed to have been taken as a result of the continued reluctance of various members to join the movement for a revised organization.

The group originally decided to disband its present setup because of lack of cooperation of many member companies, and the consequent inability to accomplish its objectives.

**Hold Marquee Hearing**

Public hearing on the Keegan bill which would permit nine-foot theatre marquees instead of the present limitation of two feet was held by Mayor Fiorello H. LaGuardia at City Hall yesterday. Reality interests attacked the bill on the ground that it would make a "Coney Island and Times Square" of the entire city. Labor unions and circuit heads urged the mayor to sign the bill.

**Sues on Johnson Film**

Osa Johnson, as executrix of the estate of Martin Johnson, filed suit in the N. Y. Supreme Court yesterday against Co-First and Joseph Briskman for a permanent injunction restraining further distribution of the film, "The Woman With the Johnsons," a return of the negative and an accounting of the profits.

**"Mamlock" Writ Denied**

Application for a temporary injunction against further exhibition of the film "Mamlock" denied by the N. Y. Supreme Court Justice Philip J. McCook yesterday. Hans J. Mamlock is suing Aminko Corp., Levrad Aminko Corp., Cameo Theatre Co., Inc., Lenfilm, Charles S. Levin, Benjamin I. Radin and Friedrich von Wulffen, who bought a copyright for the film based on his life and that it libels him.

**Orpheum Fees Stand**

U. S. Circuit Court of Appeals yesterday affirmed an allowance of $5,500 to Marcus Heiman, trustee in bankruptcy of Orpheum Circuit, Inc., and $20,000 to his attorneys, Beckman, Bogue, Leake, Stephens & Black. A creditor, Philip J. Snyder, had appealed the allowance as excessive. Heiman had sought $7,172 and his attorneys $50,000.
BOSTON, Dec. 19.—With the Christmas shopping rush making only a slight dent in the business, "Submarine Patrol" and "Thanks for the Memory" pulled a net $16,500 at the Metropolitan, "The Young in Heart" and "Spring Madness" took a good $15,000 at Loew's Orpheum and hit $10,000 at Loew's State. "Heart of the North" and "Sharpshooters" did well with $5,000 at the Fenway but took only $7,500 at the Paramount.

Estimated takings for the week ending Dec. 15.

"Drums" (U. A.)
Next Time I Marry (RKO)
RKO MEMORIAL (25c-35c-40c-55c) 7 days. Gross: $12,500. (Average, $1,500.)
Submarine Patrol (20th-Fox)
PARKACO (25c-35c-40c-55c) 7 days. Gross: $10,000. (Average, $1,000.)
Spring Madness (M-G-M)
LOEW'S ORPHEUM (25c-35c-40c-55c) 7 days. Gross: $12,500. (Average, $1,500.)
The Young in Heart (U. A.)
Spring Madness (M-G-M)
LOEW'S STATE-Fox (25c-35c-40c-55c) 7 days. Gross: $10,000. (Average, $1,000.)
"Heart of the North" (V. B.)
Sharpsktters (20th-Fox)
PARAKACO (25c-35c-40c-55c) 7 days. Gross: $7,500. (Average, $1,000.)
"Heart of the North" (U. A.)
Sharpsktters (20th-Fox)
FENWAY — (25c-35c-40c-55c) 7 days. Gross: $5,500. (Average, $4,500.)

Gross: $11,300.

"Heart" is $11,300

CINCINNATI, Dec. 19.—High money went to "The Young In Heart," which gave the RKO Palace $11,300. "Angels With Dirty Faces" did well with $3,500 in its third week at the RKO Grand, and "Out West With the Hardys" took $5,300 at the RKO Capitol, in its second stand.

Estimated takings for the week ending Dec. 15:

"Submarine Patrol" (20th-Fox)
RKO ALBEE—(35c) (35c-60c) 7 days. Gross: $9,500. (Average, $1,350.)
"The Young In Heart" (U. A.)
RKO PARADE—(20c) 7 days. Gross: $11,500. (Average, $1,000.)
"Spring Madness" (M-G-M)
RKO SHUBERT—(25c) (35c-40c-60c) 7 days. Stage: "Hollywood to Broadway" Revue with Leo Lant and Jack Durrant. Gross: $10,000. (Average, $1,000.)
"Out West With the Hardys" (RKO)
RKO CAPITOL—(25c-30c) 7 days. 2nd week. Gross: $5,500. (Average, $550.)
"Dark Rapture" (Univ.)
RKO LIVING—(1,000) (35c-45c-60c) 7 days. Gross: $4,500. (Average, $650.)
"Angels With Dirty Faces" (F. N.)
RKO GRAND—(25c-30c-40c) 7 days. 2nd week. Gross: $3,000. (Average, $450.)
"I Stand Accused" (Republic)
(2 days)
"The Storm" (Univ.)
(2 days)
"Law of Tombstone" (Radio)
(3 days)
"Our Family—(1,000) (35c-65c). Gross: $2,500. (Average, $833.)
"I've Got a Woman at the Orpheum" (U. A.)
KEITH—(1,000) (35c-60c) 7 days. 2nd week. Gross: $3,500. (Average, $500.)

First W. B. "Heroes" Set

Hollywood, Dec. 19.—First of the Warner four-reel color series, "Heroes of the Western Hemisphere" will be "Bolivar of South America," with a life story of General Jose Arengas next.

"Sweethearts"

Hollywood, Dec. 19.—"Sweethearts," fifth co-starring feature for Jeanette MacDonald and Nelson Eddy, is sweet entertainment every minute. There are 110 minutes in which these sophisticates and masses, who appreciate fine music and enjoy romantic love interest, comedy, staging beautifully photographed in color and spectacle are offered much to delight them.

Only the title, the only part of the original Victor Herbert musical compositions and the memory of "Sweethearts" are retained in the piece. Otherwise everything is new. The sparkling screenplay, prepared by Dorothy Parker and Alan Campbell, is the first modern theme that the MacDonald-Eddy duo have had. The up-to-date lyrics and music by Bob Wright and Chet Forrest, the picturesque settings created by Cedric Gibbons and the dances and ensembles arranged by Albertina Rasch accentuate the several entertainment elements. In his handling of stars and supporting personnel, the wealth of production detail and settings, W. S. Van Dyke again warrants his rating as one of the industry's top directors. It is a Hunt Stromberg production and one to be proud of.

After six years of starring in "Sweethearts," appearing in benefits and on radio broadcasts and doing all that is expected of members of royal families of Broadway, happily married Miss MacDonald and Eddy succumb to the lure of Hollywood. As his "kiddies" prepare to depart, the bottom drops out of producer Frank Morgan's life. But not for nothing is Mischa Auer a great playwright. Stealing love letters which Eddy has written his wife, he concocts a script that, when read to Miss MacDonald, sows the seeds of jealousy in her mind. Faithful secretary Florence Rice is set up as the "other woman." The split pair go out separate road company tours and suffer all the agonies of those whose love has been taken away from them, until they discover they have been duped. Hollywood is forgotten as, reunited, they continue in "Sweethearts."

The MacDonald-Eddy name value is supplemented by that of a host of important screen personalities. It may be expected that not only will the show be attractive to their regular following, but also to those patrons who turn out only when an unusual show is available.

Running time, 110 minutes. **G,**

G. McC.

Mississippi Judge Upholds Bank Night

BILoxi, Miss., Dec. 19.—An effort to halt theatre Bank Nights in Biloxi failed when Justice of the Peace E. D. Lawrence dismissed the case of State of Mississippi vs. M. E. Ferrera, manager of the Saenger here.

Judge Lawrence said: "There having been no case handed down by the Supreme Court that theatre Bank Nights has proved to be a lottery, it is the discretion and decision of this court that the defendant, charged with advertising a lottery, is not guilty." Albert Sidney Johnston, who signed the affidavit against the theatre manager, was among the state witnesses.

Lid on Games Asked By Wisconsin ITPA

MILWAUKEE, Dec. 19.—Able to go into theatre receipts substantially, Milwaukee county members of the Independent Theatres Protective Association of Wisconsin have called upon authorities to enforce all laws pertaining to lotteries, gambling and all games of chance against "any and all parties" violating ordinances or statutes.

Exhibitors indicated their willingness to discontinue games of chance in theatres provided all forms of games be stopped in halls, taverns and churches. Police Chief Joseph T. Kluchesky has permitted Bingo where it is conducted by church and similar organizations and the game has been attracting thousands weekly.

Trenton Bans Bingo

TRENTON, N. J., Dec. 19.—Bans on Bingo and novelty parties in Mercer County by county authorities does not affect cash games in theatres. The edict is that such parties cease immediately. William A. Dooling, Trenton police chief, says criminal charges of operating a lottery will be brought on sufficient evidence.

Stromberg on Coast

| Nov. 11 | Spring Madonna (G) (D) Lew Ayres Burgess Meredith | If I Were King (G) (D) Colman Rhudhoe (3810) | Annabel Takes A Tour (G) (C) Lucille Ball (908) | His Exciting Night (G) (C) Charles Ruggles Ona Munson |
| Nov. 18 | Adventure in Sahara Paul Kelly Lorna Gray | Gun Packer (O) Jack Randall | Storm Over Bengal (G) (D) Bob Hope Shirley Ross (3811) | Mars Attacks the World Larry Crabbe Jean Rogers Cooper Uron |
| Nov. 25 | Blondie (G) (C) Penny Singleton Arthur Lake | Out West with the Hardys Lewis Stone Mickey Rooney | Santa Fe Stampede (G) (O) Orphans of the Street | Little Tough Guys in Society (G) (C) Roland Horner |
| Dec. 2 | Terror of Tiny Town Ted Buell's Midgets | Flirting with Fate (G) (C) Joe E. Brown Leo Carrilo | Little Orphan Annie (G) (C) Ann Gillis Robert Kent (3814) | Road Demon (G) (D) Richard Green Nancy Kelly Preston Foster (909) |
| Dec. 9 | Rio Grande (O) Charles Starrett Ann Doran | Dramatic School Rainer Goddard Alan Marshall | Ride a Crooked Mile (G) (O) Farmer Tannaroff (3815) | Strange Faces (G) (D) Dorothy Kent Frank Jenks Andy Devine |
| Dec. 16 | Strange Case of Dr. Meade Jack Holt California Frontier (O) | A Christmas Carol (G) (D) Reginald Owen Terry Kilburn | I Am a Criminal (G) (D) John Carroll Mary Kornman | Heart of the North (G) (C) Dick Foran |
| Dec. 23 | There's That Woman Again (G) (C) Douglas Bruce | The Girl downstairs Tone Glad Connolly | I'm a Frontiersman (G) (O) William Boyd (3856) | Secret Service of the Air Ronald Reagan John Litel Ila Rhodes |
| Dec. 30 | Smashing the Spy Ring Fay Wray Ralph Bellamy | Wild Horse Canyon (O) Jack Randall | Red River Range 3 Mesquites | The Dawn Patrol Errol Flynn Rathbone |
| Jan. 6 1939 | North of Shanghai Betty Furness James Craig | Tough Kid Frankie Darro | Tom Sawyer, Detective (3816) | Going Places Dick Powell Anita Louise |
| Jan. 13 | The Thundering West Starrett Meredith | Stand Up and Fight Robert Taylor Wallace Beery Florence Rice | Federal Man Hunt Livingston (3817) | Devil's Island Karloff |
| | | | King of Chinatown Anna May Wong Tamioff | | |
| | | | Fighting Thoroughbreds Ralph Byrd Mary Carlisle Robert Allen | | |
| | | | Pacific Liner McClanahan Chester Morris Wendy Barrie | | |
| | | | The Pure in Mind (Testive) Anne Shirley Roger Danlieys | | |
| | | | Tie Spin Alice Faye Constance Bennett (925) | | |
| | | | Son of Frankenstein Rathbone Karloff | | |
| | | | They Made Me a Criminal John Garfield "Dead End" Kids Claude Rains | | |
MOTION PICTURE DAILY

Tuesday, December 20, 1938

‘Heart’ Grabs Good $33,000 In Loop Lull

CHICAGO, Dec. 19.—“The Young in Heart” got off to a fast start at the Chicago house on $33,000 and was holding steady.

With the Christmas rush at full tilt, business in the Loop fell off 70 per cent without themovies pushing.

“Cowboy And The Lady” did well over a second week at the U.A. and “Angels With Dirty Faces” was red hot in a third week at the Apollo.

Estimated takings for the week ending Dec. 17:—

“Angels with Dirty Faces” (W. B.), ApOLLO—$1,400 (35c-55c) 7 days.

“Young in Heart” (U. A.), CHICAGO—$3,500 (35c-55c) 7 days.

“Comet Over Broadway” (W. B.), GABRIELL—$1,000 (35c-40c) 7 days.

“Breaking the Ice” (RKO), ORIENTAL—$1,100 (25c-30c) 7 days.

“The Storm” (Univ.), PALACE—$2,000 (35c-55c) 7 days.

“Cowboy and the Lady” (U. A.), UNITED ARTISTS—$1,700 (35c-57c) 2 days, 2nd week.

New Haven Slips But “Patrol” Hits $7,300

New Haven, Dec. 19.—“Submarine Patrol” was the only feature to keep above water. In a deal with “Attack Bulldog Drummond” at the Paramount, it took $2,700.

“Up the River” (20th-Fox) took $1,200 at the Coliseum, and “Drums” took $7,000.

Estimated takings for the week ending Dec. 16:

“Up the River” (20th-Fox), COLLEGE—$1,490 (25c-35c) 7 days.

“Just Around the Corner” (20th-Fox), DRUMS—$1,000 (35c-50c) 7 days.

“Submarine Patrol” (20th-Fox), ARMOR BUILDings Drummond” (Para.), PARAMOUNT—$2,340 (35c-50c) 8 days.

“Brother Rat” (W. B.), TONGA CAFE, Manhattan (W. B.), ROGER STONE (25c-40c) 3 days (3-day and 4-day re-engagement). Gross: $900. (Average, $300).

31% of Brits Are Weekly Cinema Goers

LONDON, Dec. 19.—About 31 per cent of the British population are habitual weekly cinema goers, a survey by the London News Chronicle shows. About 13 per cent go twice a week; three times and two per cent four times or more.

About 12 out of every 100 Britishers never go to the cinema. They are mostly elderly folks. The ratio rises from four per cent from the age of 21 to 25 per cent at the age of 50 and over.

“Comet Over Broadway” (Warners), HOLLYWOOD, Dec. 19.—In “Comet Over Broadway.” one of her pictures for Warners, Kay Francis turns in one of her best performances. She has a good story and she takes advantage of every opportunity. The cast, supporting her particularly Ian Hunter, John Litel, Donald Crisp, Ginni Goodall, Sylas Jason, Melville Cooper, Ian Keith and Leona Maricle, are excellent.

Based on a Faith Baldwin Cosmopolitan Magazine story, with screen play by Mark Hellinger and Robert Buckner, the appeal of “Comet Over Broadway” is to women. The work of the cast together with that of director Busby Berkeley is pointed to accentuate that interest.

A stage struck country girl, Miss Francis becomes involved in a situation that results in her husband, Litel, being sentenced to jail for life for murder. Realizing her responsibility, Miss Francis dedicates her life to freeing Litel. She goes into vaudeville and in her barquele career makes a fast friendship with old trouper Miss Gombell. Professional jealousy on the part of actress Miss Maricle causes her to lose a Broadway chance and apparently costs the friendship of producer Hunter. However, as Miss Gombell becomes guardian to her child, Miss Francis becomes a star of the London stage. Seen there by Hunter, he invites her back to New York to star in his show. His second objective is romance. At the hour of American triumph comes word that Litel is to be paroled. Sacrificing her chance for fame, she returns to her country home as his wife and mother of their child.

Running time, 65 minutes. “G.”

“Gambling Ship” (Universal), HOLLYWOOD, Dec. 19.—This is another of those swift, practical little pictures, more effective than fancy, that have been coming from Universal since Nate Blumberg and his box-office trained associates took over. This narrative story is told in a compact story concisely and realistically, makes 60 minutes seem a short hour.

Robert Wilcox and Helen Mack are the youthful romantics caught up in an underworld series of goings-on which include a murder, an abduction and, finally, the capture of the arch gangster, played proficiently by Irving Pichel, through use of a film camera. In the dialogue, incidentally, and belonging there, is a speech which goes, “Remember—motion pictures are your best entertainment.”

The story by G. Carleton Brown and Emanual Manech and screenplay by Alex Gottlieb is a smooth tale about a crook who covets an honestly operated gambling ship, the girl who owns it, the officer who masquerades as a criminal to get the goods on the crook, the means whereby he does so and what follows. Ed Brophy and Joseph Sawyer play a pair of slug-uglies potently. Irving Starr produced and Aubrey Scott directed.

Running time, 60 minutes. “G.”

“Three’s That Woman Again” (Columbia), HOLLYWOOD, Dec. 19.—Showmen can call this a comedy, a melodrama, a detective mystery or all three, and count on the picture backing them up. They can say that Melvyn Douglas and Virginia Bruce are as flippantly fascinating as any other Mr. and Mrs. Detective the screen has seen and depend on their performances to make good this promise.

The film is tip top as production, topnotch as to direction and aces as to story. It had a Hollywood preview audience guaffing.

It took five writers to piece out the plot and there is credit enough to G. Epstein, James Edward Grant and Ken Englund wrote the screenplay from a story by Gladys Lehman, who got it from an original by Wilson Collison. Associate producer B. B. Kahane and director Alexander Hall gave it depth, dressing, freshness, momentum, coherence, gloss, point and—in short—just about everything that a comedy-melodrama requires to make the paying guests glad they paid.

The place is New York, the time now, and the detective has been employed to put an end to a series of robberies occurring in a jewelry store at Fifth Ave. and 50th St. His wife helps, against his will, Tom Englund, under there are two murders before it turns out that the lady who owns the place is responsible for all the deviltry. Margaret Lindsay plays this highly criminal person cleverly.

Running time, 70 minutes. “G.”

“Hour’ and ‘Carol’ Dual Hits $10,000 As Milwaukee High

MILWAUKEE, Dec. 19.—Best bets in a slow week were “The Shining Hour” and “A Christmas Carol”, grossing $10,000 at Fox’s Wisconsin.

“The Shining Hour” (20th-Fox) grossed $6,000 at the Palace, while “The Young in Heart” and “Peek’s Bad Boy With the Circus” were good for $5,400 at the Warner. Estimated takings for the week ending Dec. 17:

“The Young in Heart” (U. A.), PEAK’S BAD BOY WITH THE CIRCUS” (RKO) WITH “‘The Shining Hour” (20th-Fox). PALACE—$6,000 (35c-50c) 7 days. Gross: $6,000. (Average, $857).

“Little Adventuress” (Col.), RIVERSIDE—$2,300 (35c-50c) 7 days. Gross: $2,300. (Average, $329).

“A Christmas Carol” (M-G-M) WISCONSIN—$2,000 (35c-50c) 7 days. Gross: $2,000. (Average, $286).

None Cracks Par in Slow Montow Week

MONTREAL, Dec. 19.—“Too Hot to Handle” was fair at $8,000 in a poor week. No “Brother Rat,” which “Just Around the Corner,” figuring on a double bill at the Princess, accounted for $5,500.

“Brother Rat,” on a dual brought $6,500 to the Capitol and and the second week of “The Cowboy and the Lady” recorded $3,000 at the Orpheum. Snowy weather helped the shopping but not the theatres.

Estimated takings for the week ending Dec. 17:

“Brother Rat” (W. B.), BROOKLYN—$3,000 (35c-50c) 7 days.

“Just Around the Corner” (20th-Fox), SYCAMORE—$1,500 (35c-50c) 7 days.

“A Christmas Carol” (M-G-M), ORPHEUM—$1,000 (35c-50c) 7 days.

Algers,’ ‘Kildare’ Draw $9,100, Omaha

OMAHA, Dec. 19.—Pre-Christmas slump hit theatre grosses with “Alger’s” doubled with “Dr. Kildare,” getting a good $9,100 at the Orpheum.

“Sisters” and “Always in Trouble” grossed $7,200 at the Omaha while the Brandes took $5,300 for “Girls School” and “Comet Over Broadway.”

Estimated takings for the week ending Dec. 14:

“Girls School” (Col.), COMET OVER BROADWAY” (W. B.), BRANDIS (1,200) (25c-40c) 7 days. PHILADELPHIA—$1,200 (25c-40c) 7 days. Gross: $1,200. (Average, $167).

“Sisters” (W. B.), ORPHEUM—$600 (25c-40c) 7 days. Gross: $600. (Average, $85).
Inquiry Is Planned
On Patent Situation
In Radio by N.E.C.

WASHINGTON, Dec. 19.—Investigation of the patent situation in the radio industry by the National
Economic Commission may be
started when it re-convenes after
a holiday recess, it was indicated here
true side. The committee has just com-
pleted studies of the automobile pat-
en pool and the patent situation in the
industry.

After the new Congress has or-
organized, it is probable that other in-
dustries, including radio and oil,
will be given a major factor will be
investigated.

Radio Is Peace Tool
British Group Heurs

LONDON, Dec. 19.—That every wire-
less manufactured by the industry is
an ambassador for Britain and a po-
tential instrument for peace, was the
view expressed by J. A. Ogilvie, di-
rector general of the B.B.C., at the an-
nual banquet of the British Radio
Manufacturers' Association.

Ogilvie said that short wave broad-
casting is only beginning and that be-
fore 1950 short wave reception from
broadcasting from foreign bands
would be generally as accessible as
medium wave reception at home today.

Television, he asserted, had already
been experimented with to the level of en-
tertainment, even though it was in an
early stage.

Crosley Station to
Run on 50,000 Watts

CINCINNATI, Dec. 19.—Crosley sta-
tion WXAI, will operate on 50,000
watts. The license was granted by the F.C.C., and will be
permitted to use four more interna-
tional broadcasting frequencies.

The station now uses 10,000 watts, and operates in the six and nine meg-
hertz bands. Crosley also plans to
enable it to also broadcast in the 11,
15, 17 and 21 megacycle bands.

Two transmitters instead of one will be used on the new power, making
possible instantaneous switching from one frequency band to another, allow-
ing the station to adjust its geographical and atmos-
pheric conditions without loss of time.

A special antenna, now under develop-
ment, will be used, making it possible
to aim the broadcast beam at any
chosen country or city.

"Lamplighter" on WOR

"The Lamplighter" is the new I. J.
Fox, Inc., program on WOR. Ster-
ing Advertising Agency placed the
show, which will be heard Sundays
at 12:30 P.M. Richfield Oil Co. will
be featured in the weekly 15-minute Tele-
vision broadcast on the station on
Sundays at 12:45 P.M. starting Jan.
15. Sherman K. Ellis & Co. is the agency.

Lasky Names Two Aides

Jesse L. Lasky has named Hobart
Bosworth and Bryant Washburn as
his personal representatives for the "Pal-
tent Quest" program which makes its
debut Jan. 8 over CBS.

FCC Will Resume
Quiz of NBC Today

WASHINGTON, Dec. 19.—The Fed-
eral Communications Commission in-
vestigation alleged recently in broad-
casting tomorrow will begin the wind-
ing up of its study of the organization
of the Columbia Broadcasting Sys-
tem, preparatory to recessing
hearings over the Christmas holiday.

On Jan. 4, officials of the Columbia
Broadcasting System will be called to
explain the setup and activities of that
chain.

Survey of Columbia is not expected
to require the six weeks which, with
the New Year's Day recess, were neces-
sary for the NBC study, and the com-
mision hopes to reach the Mutual
Broadcasting System, the last of the
national nets to be investigated, by the
end of January.

Butcher Sells 300 "A" Shares of CBS Stock

WASHINGTON, Dec. 19.—Disposition in question by Harry M. Curtis,
president, of 300 shares of Class "A"
Columbia Broadcasting System stock,
his entire holdings in that class, has
been reported by the Securities and
Exchange Commission.

Only two small stock transactions
were reported by the SEC last week,
which showed that in September Ab-
raham Schneider, New York, received
two common voting trust certificates
of Columbia Pictures Corp., as a stock
dividend, increasing his holdings to
102.3, and Mabel M. E. Brown, New
York, disposed of 55 shares of Pathe
common stock, her entire holdings.

A commission chairman, in a report
filed by Harold Saxe, New York,
showed that he held no equity secur-
ities of Educational Pictures when
becoming an officer in that com-
pany on April 1, last.

To Air Transit Service

CINCINNATI, Dec. 19.—As a matter
of public service, WCKY, in a trip
with the Cincinnati Street Railway
Co., will broadcast emergency an-
noncements in cases of fire, as well
as other conditions which affect the local
transportation systems. Information
will be accepted by WCKY an-
noncers if telephoned in by any one
of four company officials, who will be
a word to prevent false an-
nouncements being dispatched.

Catholic Guild Series

TROY, Dec. 19.—Catholic Radio
Guild here is sponsoring a Monday
night series over WHAZ, experiment-
alar station operated by the Ren-
seller Polytechnic Institute. Rev.
Raymond Halpin acts as master of
ceremonies.

Shadwell Joins WSAI

CINCINNATI, Dec. 19.—Clair Shad-
well, former co-producer of the "Radio
Watchman" program over NBC, will
join WSAI, as master of ceremonies
for the Night Hawk program for
morning commercial sponsored by Dow
Drug Co.

Bagyuk Reneews Program

Bago Yuc Cigar Co. has renewed for
18 weeks its three-times-weekly pro-
gram, "The Inside of Sports," over the
WBY and Ellington is the
agency.

R E P O R T

ROBERT TAYLOR returns to
"Good News of 1939" on Thurs-
day evening. Charles Roe is the
new production manager at WGL and will
handle special feature assignments at
the station and WOWO... Conrad
Nagel, a three-year veteran at "Sailor
Permanen" will star in the next two productions with Ida Lupino on Christmas and New
Year's Eve... "Schlep-
perman" will be guest star of Fibber McGee tonight on NBC-Red.

Harry von Zell will do the
announcing for "Hollywood Bound" which starts on CBS Jan. 14 at 9 P.M.

Adolph Menjou and Frances Dee will
star in the next presentation of "Silent
Street" for WBOY.

Walt Disney will be interviewed by
Cecil B. de Mille on the "Lux Ra-
dio Theatre" between acts of "Snow
White and the Seven Dwarfs" early
Monday... Kate Smith will spend Christmas Eve with her mother in
Washington, D. C.... Jean
accompanied by his wife, will spend
the holiday in New York... Alfred
Segal, Cincinnati Post columnist, starts
series in the next week... Russell
Pratt starts a new six-week series for
KDKA and the first show... N. Bailey
has been appointed editor of the news
room of WLW and WSAI to succeed
H. L. MacEwen, resigned.

WBRY Brings CBS
N. E. Outlets to Ten

Addition of WBRY, New Haven, to
Friday broadcast of the number of out-
lets on Columbia's New England net-
work up to 10. Rate card issued shows
$1,750 for full night hour and $875
for day. For half hour programs
$1,050 night, $529 day; quarter hour,
$700 night, $350 day. Discount of 10
per cent is allowed for programs go-
ing 52 consecutive weeks.

On April 30, KOIL, Omaha, will be
connected to the CBS basic network.
Base rate will be $175 a night hour and
$88 day.

Frances Wood to WCLO

JANESVILLE, Wis., Dec. 19.—Frances
Wood has returned to Janesville after
Juliet, Ill., where she was heard from the Rialto, has named musical
director at WCLO here.

Heading WISN Sales

MILWAUKEE, Dec. 19.—Fred E.
Zindler, formerly advertising salesman
for the Milwaukee Journal, owner and
operator of WISN, has been named
sales manager of WISN here.
Self-Regulation Halted Until Government Acts

Producers and international studio unions will take the position that union workers employed under terms of the basic agreement with studios are not affected by the Federal Wages and Hours Law, Pat Casey, producers' labor representative, said yesterday after his return from Hollywood.

This stand, seemingly confirmed by negotiations at M.P.S.U., D.A., headquarters during the day, eliminates earlier plans for meetings between company heads and the heads of unions which are signatories of the basic agreement for the purpose of revising the pact to conform with the Federal act.

Agreements of this kind, arrived at through negotiations with accredited labor representatives, are not nullified by the Federal act. The international unions are taking the same position.

No formal ruling on the question involved has been made yet by the administrator of the Federal act, however. The arrangement complete the industry's efforts to conform with the law in all branches affected.

Casey will remain in New York for resumption of the conferences on re-employment of musicians in the industry, which are scheduled for Jan. 9.

Coast Unions Not Affected By Wage Bill

Quota Law Hit By Commons As Damaging

Hampers Industry, Head of Trade Board Is Told

LONDON, Dec. 20.—Members of the House of Commons today bombarded Oliver Stanley, president of the Board of Trade, with declarations that the new Films Act was gravely hampering the film industry. The members cited a numerical drop in production, industry unemployment and a shortage of films on the market.

Stanley defended the act as having the standards of production. He claimed the objective of higher quality is being achieved by the law. He said he was aware of the shortage of product, and expressed the hope that the quality improvement would serve to attract new financing. He contended the film decrease was due to outside causes, but did not specify them.

68 Films Registered

A total of 68 British features have been registered since April and six others are under consideration. The Films Council is already functioning, Stanley said, and no new commission is contemplated. The council will report on its work in a few months.

Questioned on the inquiry into cinema conditions in Great Britain, anticipated some time ago, Stanley said action was suspended partly at the request of stockholders. (Continued on page 3)

"U" Acquires "Mikado"

Universal has acquired the North and South American and Far East distribution rights to the film version of Gilbert & Sullivan's "The Mikado," from General Film Distributors, London, Universal's British associate.

Chaplin Will Play Two Roles in His First Talking Film

HOLLYWOOD, Dec. 20.—Charlie Chaplin will play not only his old familiar self, but a new character, the industry will be, have heard for the first time, in his forthcoming film, scheduled to go into work shortly after the New Year.

The comedian's first all-talking picture, the film is tentatively titled "The Dictator," conceived and written by Chaplin himself.

Exclusive of the "Tintam" number which Chaplin sang in "Modern Times," the film will mark the first time he will be heard on the screen.

Schaefer Elected To MPPDA Board

George J. Schaefer, RKO chief executive, was elected to the M.P.P.D.A. board at a quarterly meeting of the organization's directors yesterday. Schaefer succeeds Leo Spitz, former head of RKO.

Board received a formal report on the decisions of all major distributors to withdraw from Italy Dec. 31, when E.N.C.I., the Government-controlled film distributing monopoly, begins operations. Companies took the position that enforcement of the Italian film decree breaches their existing contracts in Italy.

Will H. Hays reported to the board on preparations in Hollywood for compilation of two feature pictures depicting highlights of American history for exhibition at the New York and San Francisco World's Fairs next year. Material for the pictures will be selected from more than 2,000,000 feet of available film, comprising 211 features and 24 short subjects, now in the industry's film vaults.

A production committee has been designated to select and compile the material in Hollywood. It will be presented in 15 main historical episodes to conform with an outline made by Dr. James F. Shaw of the Carnegie Endowment for International Peace. Some new material will be produced under the direction of Cecil B. DeMille.

The Hays board meeting adjourned to Jan. 4.

Trade Practice Program Threatened Unless U.S. Gives Aid

Unless there is reaction from the Government regarding the tentative trade practice terms which have been submitted for study to the Department of Justice, the self-regulation program will remain stymied.

Distributors are waiting for the Government's reaction to the preliminary draft before proceeding further.

Should the Government take no official cognizance of the program, self-regulation in the industry may become a dead issue. The indications are that further action is possible until the Government's views shall have been had.

Government Has Draft

Terms of the tentative draft were presented to the Department of Justice, at the same time that the terms were submitted to exhibitor negotiators.

But there is only the faintest hope that the Government will give the self-regulation program official notice. That the Government would not do this was indicated in Washington, hardly a week ago.

At that time also it was indicated that the Government would not consider the self-regulation program in connection with the pending anti-trust suit.

The Government looks upon the trade practice program purely as an intra-industry matter. Additionally, the trade practice terms have yet to receive the universal approval of all industry interests. In some trade quarters there is definite opposition.

Ghetto Film Houses Planned in Germany

Ghetto film houses are being planned in Germany, according to newspaper accounts. They are to be operated by the Jewish Culture League, a new organization which sponsors all Jewish cultural activities and is reported to be the organization that would like to make the League's self-supporting.

A limited number of foreign films and selected German pictures are planned for the theatres when they open.

Colman Signed for Kellogg Air Show

Hollywood, Dec. 20.—Ronald Colman, who has never appeared on the radio before, has been signed by the J. Walter Thompson agency for regular appearances on the Kellogg program on the NBC Red, said Radio Jan. 15.

Lawrence Tibbett also has been added to the cast, which already includes Carmen Grant and Carole Lombard. Robert Emmett Dolan will conduct the orchestra.

Joseph Schenck on Marcus Loew Board

TORONTO, Dec. 20.—Joseph M. Schenck, chairman of the board of 20th Century-Fox, has been elected to the board of Marcus Loew's Theatres. Ltd. He succeeds Alfred Wright, attorney.

Loew's, Inc., has a minority interest in Marcus Loew's Theatres, which owns two theatres in Toronto. These are the Young Street, operated by Loew's, and the Uptown, which is operated by Famous Players Canadian under a long-term lease.

At the annual meeting of the company here, F. M. Kimbark, vice-president, announced a new directors' plan for the liquidation of dividend arrears on the seven per cent preference stock now amounting to $38.50 a share.
**Insiders' Outlook**

"PYGMALION," the British-made picture which went begging for a release until M. Loew paid $150,000 for the distribution right here, may become one of the prize films of 1938. Picture has averaged $2,000 a day at the Astor since its opening Dec. 8, and the daily gross picture has fallen below $1,900, at a 65 cents top.

Its performance to date compares favorably with that of any good Hollywood product which plays Broadway on a grind policy at 55 cents top.

Veterans in the Loew's organization are no less surprised at the business being done by the picture than old Broadway observers. "Pygmalion" came to them to sell in pretty much the role of an unknown quantity. Nothing quite like it in "class" or "highbrow" screen material has been made or sold in this country to provide a precedent for selling and exhibiting it. It was a problem for Loew's men to start from scratch on, and they started with some misgivings. What houses would book it? What type of audience would it appeal to? Could it be sold only to the George Bernard Shaw followers and, if so, would they patronize a grind house? Could it be sold to the masses? On what policy? Loew's started it off at the Astor with a benefit performance for German refugees sponsored by Nicholas A. Schenck, which netted $1,023.

The plan was to follow this procedure in other cities; not selling to exhibitors but giving it to houses which preferred it. Whether "Pygmalion's" healthy performance at the Astor may change all this, remains to be seen. The Gabriel Pascal picture may be something that exhibitors will want.

Walter Wanger urges complete withdrawal of American films from so-called "dictator nations" rather than submit to their censorship.

"The motion picture industry has refused to accept political dictatorship," Wanger said. "During 1938 the American industry has courageously persevered to withdraw its pictures from dictator nations rather than accept censorship of its own high ideals. Dictator nations showed the same this year. Democracies will not give in 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. We must make more important pictures; more pictures based on modern thought, moods and standards. We must support experimental pictures which advance our art. We must give the screen its proper importance and recognition."

W.H. Loew-owned station, here, is studying the possibility of cooperating with Metro.

League of New York Theatres, which represents managers of Broadway legitimate plays and theatres, is negotiating a contract with the Building Service Employees Union. The League has agreed to recognition, and it is understood an agreement on terms is near.

"Dawn Patrol" grossed $142, 100 over Saturday and Sunday in its current runs at the Hollywood, and Downtown, Los Angeles, according to official company claims. Figure at the first house was about $1,000 over that for the second on the two days. Performance is exceptional in view of the recent or the over the weekend and the pre-holiday tapering off of theatre patronage. Picture was set for a second week at both theatres on the strength of the opening.

Erpi Adds Foreign Line

Erpi will distribute full lines of projection booth equipment in about 19 foreign territories for American manufacturers after Jan. 1, E. S. Gregg, Erpi foreign manager, said yesterday. The move is being made, Gregg said, to facilitate the purchase of supplies by foreign exhibitors.

**ITO Plans Second Giveaways Confab**

Further discussion of the proposed elimination of cash giveaways in the foreign territories will take place next Wednesday at a meeting of the exhibitor committee on give-aways recently attended by Harry Brandt, president of the I. T. O. A.

Additional members who have been asked to serve on the committee are expected to attend. The committee will have the representative of all exhibition meetings in Greater New York.

This will be the second meeting of the committee. At the meeting last week, it was decided to conduct a nationwide survey on the effect of elimination of cash giveaways and also of other items when they have not been used. This survey will shortly be started.

The proposed voluntary agreement will be discussed at a meeting of the I. T. O. A. today at the Astor. The organization's trade practice committee will facilitate the approval of the first draft of the distributors' proposals for a program of self-regulation.

**Vitaphone's Troupe At Sing Sing Today**

Sing Sing will be entertained this afternoon by the annual show of the Brooklyn Vitaphone studios. The studio contingent will give the performance from the Astor, a Vitaphone theatre. Executives watching the trip include Sam Sax, in charge; Lee Stewart, Ed Savin, Arthur Leonard and Dick Wills.

Entertainers include David Mendosa and the Vitaphone orchestra, Red Sullivan, Stanley Myers, Harry Taylor, Hal LeRoy, Rosie Moran, Roy Brothers, Evelyn Case, Valentine Vox and others.

**Warner Managers Leave**

Ten Warner theatre zone managers ended a meeting Monday at the studio office to return today to their territories. The meeting was conducted by Joseph Bernhard, general sales and production manager.

**THE MERCURY**

**Overnight to Los Angeles**

Fly the Southern SUNSHINE route overnight to Los Angeles. Through service. No change of planes. Giant SKYSLIPPERS. Complimentary meals served by stewards.

**MOTION PICTURE DAILY**

Wednesday, December 21, 1938

**Purely Personal**

**MADELEINE CARROLL** is en route from the Coast and will sail on the Norwegian York to New York shortly after New Year's.

**STANTON GRIFFIS,** chairman of the Paramount executive committee, leaves tomorrow for a Florida vacation. He will be back in New York shortly after New Year's.

**GOY, A. HARRY Moore of New Jersey bought the first ticket for the showing of "Marusia," Ukrainian musical film, which was made in North Plainfield, N. J.

**AL SELIG** has undertaken to write a story based on the F. DONALD CONRAD-McKESSON & ROBINSON picture. SELIG's title is "The Man Who Lives Two Lives."

**WOLF COHEN,** Canadian district manager for Warners, returns to his Toronto office the end of this week after conferring with Roy Haines.

**KATHERINE HERBURN** will have a leading role in the Theatre Guild production of PHILIP BARRY's new comedy, "The Philadelphia Story."

**JOE LEE** and Harry Buxbaum, sales manager and branch manager of RKO, respectively, are due back from the coast Jan. 1.

**MARJORIE FORD** is back from the road tour of "Blossom Time." A revival opens at the 46th Street Theatre, Dec. 26.

**JOE VOGEL,** Loew theatre executive, sprained an ankle during a trip with Basie A. Door to several eastern cities.

**GARY MORRAY** and Jacques Erbein, French players, are due tomorrow on the Normandie.

**HARRY BRAUNE** accompanies his family to Miami today. He will remain there two weeks.

**THE MERCURY**

**Giant SKYSLIPPERS**

**Overnight to Los Angeles**

Fly the Southern SUNSHINE route overnight to Los Angeles. Through service. No change of planes. Giant SKYSLIPPERS. Complimentary meals served by stewards.

**MOTION PICTURE DAILY**

Wednesday, December 21, 1938

**Mainliners to Chicago!**

8 fast flights daily - all over shortest route!

To CHICAGO - 4 hrs., 55 mins.

Mainliners are tops in luxury and comfort! Only United flies the famous deluxe Skyhouse Mainliners on non-stop flights—save 12:45 p.m. or 8:50 a.m. Fares: Round trip economy rates: Reservations: 58 E. 42d St., MTL. 2-7500. Or travel bureau, hotel.

**United Air Lines**

**The Main Line Airway**

**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

**MARTIN QUIGLEY,** Editor-in-Chief and Publisher; **SAM SHAIN,** Editor; **JAMES A. CRISS**, Advertising Manager.


Other Quigley publications: Marylin Picture, Screen, Screenwriter, Theatrical Exhibitor, World, and All Day, International Motion Picture Almanac.


Entered as second class matter Sept. 23, 1938, at the post office at New York, N.Y., under the act of March 3, 1879.

Subscription rates per year $6 in the American and $5 foreign. Single copy 50c.
The curtain rises on its world premiere engagement at the Aldine, Philadelphia.

Walter Wanger presents

Fredric March
Joan Bennett

in

TRADE WINDS

with

Ralph Bellamy, Ann Sothern
Sidney Blackmer, Thomas Mitchell, Robert Elyott

a Tay Garnett production

Released thru United Artists

INTENSIVELY PRE-SOLD BY FULL PAGES IN NATIONAL MAGAZINES...

The Tip-Off...

"TRADE WINDS' is one of the most entertaining films of the new season."
— Philadelphia Inquirer

"A GOOD SHOW—and an entertaining one."
— Philadelphia Record
TRADE WINDS
BLASTS INTO 2,200,000 HOMES IN GALE OF NATIONAL ADVERTISING!

in the CHRISTMAS issue of
LOOK
full page, back cover, in full color

in the CHRISTMAS issue of
Esquire
full page

U.A.'s Holiday Attraction Will Be a Field Day For You!
National Anthem Idea Spreading

All houses in the Five-Boro and Interboro Circuits will introduce the program each day with the playing of "The Star Spangled Banner" prior to the feature. All shows will go into effect as soon as appropriate trailers are ready.

N. Y. Theatres have instituted the practice of playing the national anthem in all houses of the circuit throughout the country.

Kincey Gives Bonus Of 3 Weeks' Salary

CHARLOTTESVILLE, Dec. 20.—Herbert F. Kincey, president of North Carolina Theatres, Inc., has given a Christmas bonus of three weeks' salary to each of the 400 employees of the circuit. A word from the Robert E. Lee Hotel was given by Kincey to 150 managers and their wives.

Fairbanks, Bailie To Attend U.A. Meet

LONDON, Dec. 20.—Douglas Fairbanks, Sr., and Sir Adrian Bailie, financial associate of Fairbanks in his British undertaking, will sail for New York around Jan. 1 to attend a United Artists producers' conference in Hollywood. Montague Marks, also associated with Fairbanks, is in Hollywood now and will remain there for the conference, which will be attended by all producers associated with United Artists.

In addition, Fairbanks will attend the opening of "Sixty Years," the French-British production, in London Thursday, and Sir Adrian Bailie, who has returned from America, will attend the opening of "Les Anges," in Paris, on Thursday and Friday.

Mary Pickford leaves New York Friday for New Orleans and will go on from there to the famous city of Havana, where her pictures, will sail for New York around Jan. 1 to attend a United Artists producers' conference in Hollywood. Montague Marks, also associated with Fairbanks, is in Hollywood now and will remain there for the conference, which will be attended by all producers associated with United Artists.

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Para. Cuts Drama School

Hollywood, Dec. 20.—Paramount will discontinue its stock company and dramatic school on Jan. 12 when Oliver Hines, drama coach, finishes his contract and leaves the studio. In place of the school, Paramount will hire coaches for individual players when needed.

Hugh Herbert Injured

Hollywood, Dec. 20.—Hugh Herbert and Frankie Van, a stand-up comedian, were badly hurt today in a three-car automobile smash. Injuries were reported as slight.

N. J. Allied Meets Today

Allied of New Jersey will meet tomorrow at Passaic, in line with the unit's plan to hold one meeting a month in a New Jersey spot. Others are held in New York.

Abandon Datlight Saving

Toronto, Dec. 20.—The electorate of Smiths Falls, Ont., has voted to abandon daylight saving starting next year, as the result of a long discussion in which the City Council referred the question to the people.

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Fine Arts to Make 32 G. N. Features

Fine Arts Pictures will contribute 32 features to Grand National's current schedule of 36 under an agreement reached yesterday by Earl W. Hammons, Educational-Grand National's manager, and Franklyn Warner, head of Fine Arts.

Apparently, arrangement means that Educational will produce no feature. Grand National's agreement is exclusive, and去年同期, when the company's schedule of 44 features was announced, only two months ago. The 32 from Fine Arts are six more than were announced at that time from this company. The remaining four will come from other Grand National producers.

Patching up of the Fine Arts-Grand National ritt was accomplished in Hollywood by Loyd Wright, former co-trustee of Grand National, and Warner. The latter agreed several weeks ago to abandon plans for seven features from Hammons for Fine Arts' assets when differences between the two brought about the rift. The deal, however, was not consummated.

Philadelphia Judge Hits Negro Pickets

PHILADELPHIA, Dec. 20.—Members of the North Philadelphia Civic League, a Negro organization, were recently criticized by Judge Mullar today for picketing a theatre which it is alleged resulted in the discharge of three white men. Although he denied the three an injunction, Judge Mullar told counsel for the Negro group that there was nothing to justify them in saying that somebody ought to be discharged because he is white.

Murray Dulaney, proprietor of the theatre, told counsel that he had been coerced by the league in discharging the men, Earl J. Matthews, Charles Dinlock and Leroy Mundy.

Friedman, Rubin on Stand in Loew Suit

Leopold Friedman, Loew's secretary; J. Robert Rubin, vice-president, and William L. Keating, of Miller, Donaldson & Co., attorneys, were witnesses yesterday in the minority stockholders' suit against Loew's in the N. Y. Supreme Court. Testimony centered around valuation of company.

Appeal "Puritan" Ban

ALBANY, Dec. 20.—Board of Regents today received notice of appeal from Leopold Friedman, from Loew's notice on the "Puritan," French film rejected recently by Irvn Esmond, chief film censor of New York State. The film will be screened and the appeal heard in New York City early in January by Susan Brandis, Gordon Knox Bell and George Ryan.

Spitz Off to Chicago, Then Goes to Florida

After a fortnight in New York, Leo Spitz leaves today for Chicago, accompanied by Mrs. Spitz. They will likely remain in the Windy City for several days and spend Christmas there, before going to Florida.
“Home on the Range”  
(Columbia)  
Andy Clyde finds his real estate business and his home life complicated by the presence of an ambitious brother-in-law. Some amusing scenes develop when he mistakenly understands a conversation and believes that poison intended for his dog is meant for him. Running time, 17 mins. “G”.

“Province of Quebec”  
(Columbia)  
The Old World flavor of Quebec is captured in this color subject. Done in the usual style of travelogues, it introduces the cities of Montreal and Quebec and provides a quick glimpse of the surrounding country. Running time, 10 mins. “G”.

“Ski Rhythm”  
(Columbia)  
Winter sports are back and this timely reel shows some of the world’s most prominent skiers in action. One graphic shot catches a party of ski enthusiasts cutting figure eights in the snow. Set in the Alps, the subject should prove attractive. Running time, 10 mins. “G”.

“Vivyan Donner’s Fashion Forecast”  
(20th Century-Fox)  
Much more than the usual production effort and value has gone into this short subject with results which mark it above the average in about the same proportion. It is a display of fashions for winter resorts—both north and south—modeled by a selected group of 25 professionals, each of whom has been a winner in some department. The models are: Ilka Chase, well known stage actress, does an amusing narration, entertaining as well as descriptive. Natalie Kalmus supervised the color work, which, in itself, is distinctive. Camera work is exceedingly good.

 slanderly it satirizes the musical westerns. Gob" (Paramount)  
Andy Clyde plays the part of a screwball director with delightful lack of restraint. It is a laugh winner. Plenty of funny action, plus various song and dance numbers. Warner takes smart advantage of its stars b) developing them each in the community. Crane Wilbur directed. Running time, 18 mins. “G”.

“Two Boys and a Dog”  
(Paramount)  
To the popular series of swing band shorts, Paramount adds one with an original score. Larry Clinton and his band play full tunes written especially for the film, "Love Doesn’t Grow on Trees," "I Fell Up to Heaven," "Heart and Soul" and "The Devil With the Devil." Ford Leary and Bea Waters singing. Should please. Running time, 10 mins. “G”.

“Viking Trail”  
(20th Century-Fox)  
Norway’s fjords, coastal and Arctic Circle scenery, village life and native customs get the attention of the Magic Carpet of Movietone in this addition to the series. The subject is up to Paramount’s standard of charming, photographic and narration, by Lowell Thomas, which means that it should prove highly satisfactory to the travel-minded everywhere. Running time, 10 mins. “G”.

“Gadgeteers”  
(Warners)  
A story of a genie and his charming secretary from musical comedy, Marjorie Stafford (Ford), decide to invest some money in the very latest gadgets. Before doing so, they spend 10 hilarious minutes looking over the most developments. The newest in eating implements, medicine cabinets and automobile tires that print advertisements on the road, etc. Highly entertaining. Running time, 10 mins. “G”.

“Frosty Frolics”  
(Leoniey International)  
The delights of winter sports at St. Moritz, Switzerland, are caught by the camera in this subject, which pictures effectively skiing, skating and general winter sports. However, the subject contains little that has not been shown before, many times. Running time, 11 mins. “G”.

“On with the New”  
(Fleischer-Paramount)  
Betty Boop finds work in a restaurant too difficult and obtains a position in a baby nursery. However, the tots provide too much excitement and she is glad to get her old job back. The animation is fast and the action amusing. Running time, 7 mins. “G”.

“Unusual Occupations L-E-3”  
(Paramount)  
A roof Thatcher, a woman who makes feminine accessories from fish nets, a Mexican metal sculptor, a man who makes crazy quints from tobacco sacks, and a visit to Madame Tussaud’s wax works are included in this issue, done, as usual, in color. Warren William introduces a new gag of his own invention. Should prove attractive, especially for the Warren William fans. Running time, 11 mins. “G”.

“Mutts to You”  
(Columbia)  
The Three Stooges operate a dog wash establishment and become involved in a kidnapping. A machine which washes the canines will provide some laughs, especially when it is used on the dogs, and the practical joke really is amusing. Running time, 18 mins. “G”.

“Oh Say, Can You Ski?”  
(Paramount)  
Although most ski films emphasize the good beauty ofskiing, this one shows how it’s done. A group of novices set out for Sun Valley, Idaho, where they start a 10-day class to learn the art ofskiing. Action and narration teach the fine points. Color is good but the night shots, also in color, are outstanding. An unusual item. Running time, 10 mins. “G”.

“Porky the Golfer”  
(Warners)  
Leon Schlesinger’s stammering Porky again goes through a series of amusing adventures, this time as a sailor on a battle cruiser. Well done. On the high seas, Porky’s menagerie companions take off by plane to hunt a pirate sub, leaving Porky in command of the ship. Follows a battle scene wherein Porky single-handedly captures the submarine. The animation is excellent. Running time, 7 mins. “G”.

“Nature’s Mimes”  
(Warners)  
An assemblage of oddities present themselves in their own unique way. Presentation is in color and the sequences are routine, with small jugulating, Bulls racing, monkeys performing in the zoo, etc. A sequence showing pigeons doing tricks is the most interesting feature in the reel. Running time, 10 mins. “G”.

“Little Moth’s Big Flame”  
(Columbia)  
In this Color Rhapsody, young Miss Moth is attracted to Mr. Flame. She is enticed into his apartment and while there her wings are singed. When she returns in the early morning hours, her father seeks vengeance. Well done, with exceptionally good use of the color medium. Running time, 8 mins. “G”.

(Columbia)  
Some of the details of the mechanics of government are explained in this interesting and educational subject. Tinted and in color, even the dispositions of the nation’s capitol, we see Congress in session, an underground railway, the White House, the Treasury, the Commerce and Labor, the Post Office, the Bureau of Standards, the Treasury and the Department of Justice. Running time, 10 mins. “G”.

“G” denotes general classification.
Never did a single reel tell a more exciting marquee story! All the things all Americans want to know about FDR's house...about the seat of government in the greatest of all democracies! The grandest reel of its kind ever made...topping the smash appeal of "WASHINGTON, D. C.", No. 1 of the series, now playing!

A COLUMBIA PICTURE

A Single Reel Classic!
Released January 6

Story by
HARRY NEWMAN
Publisher - Editorial Director of "THE JUDGE" Magazine, the man who knows all the ins and outs of Washington!

No. 2 in THE WASHINGTON PARADE Series of Shorts!
"Angels" Hits Strong $8,800 in Minneapolis

**Hollywood Previews**

**"Going Places"** *(Warners)*

Hollywood, Dec. 20.—This is, as advertised, a modern version of "The Hottentot," the play by Victor Mapes and William Collier, Sr., which was a best-selling picture several years ago with Douglas MacLean doing the involuntary steppeechee riding. The present screenplay, altered slightly in behalf of laughs, is by Sig Herzig, Jerry Wald and Maurice Leopold, and the present rider is Dick Powell. The story has the advantage of modern technique, narrational as well as mechanical, and the presence of such players as Allen Jenkins, Walter Catlett, Anita Louise, Harold Huber, Romdi Reagan and—most particularly—Louis Armstrong and his trusty trumpet. Maxine Sullivan also appears, but is given little footage in which to swing her stuff.

Benjamin Glazer produced this version and Ray Enright directed. They have relied upon individual comedy hits and sequences somewhat more than upon story, but the plot is by no means neglected and the hair-raising steppeechee which is the story's big incident is as headlong and exciting as the highly successful original, plus music.

Music and lyrics are by Harry Warren and Johnny Mercer, outstandings among them 'Jeepers' Creepers,' an integral part of the plot and a distinctly whistleable tune. There are three others, including one formal comedy number put across to Hollywood satisfaction by four male principals. Powell does relatively little singing in the film. "Mutiny in the Nursery" is an opulent production number sung and danced by colored and white principals in alternation. Here and elsewhere ducky Armstrong is the dominant entertainer.

The story, it will be recalled, is about a sporting goods salesman who poses as a famous gentleman jockey and is forced to ride a fractious steed to prove himself.

Running time, 85 minutes. *G.*

ROSE WILLIAMS

**"Charlie Chan in Honolulu"** *(20th-Century-Fox)*

Hollywood, Dec. 20.—"Charlie Chan in Honolulu" is probably the most important of all the "Chans," oldest of the "series" pictures. It is of uncommon commercial significance because in it Sidney Tolmer succeeds Warner Oland, creator of the role, and San Yung replaces Keye Luke, who was important in several of the immediately preceding pictures. Neithe, or any of Chan's products, is more skillfully directed by H. Bruce Humberstone, attempts to ape the characteristics evolved by his predecessor.

Other than the novelty of the two new players, "Charlie Chan in Honolulu," for which Charles Belden prepared the screenplay, follows the established "Chan" formula closely. In substance the story is mystery, melodrama and comedy. All action takes place aboard a liner in Honolulu harbor. A man has been killed and Yung, anxious to be a detective himself and to help his father, begins preliminary investigation of the case. His efforts serve to complicate things seriously and to place Chan, the grandchild, in the matter. Chan has been awaiting the birth of a grandchild, eventually comes into the case. Then, although he has a multiplicity of suspects before him, and a bewildering array of motives, Tolmer, through the application of Oriental shrewdness and detective acumen, traps the culprit. He, of course, is the least suspected.

The list of suspects includes Phyllis Brooks, John King, Claire Dodd, George Zucco, Robert Barrat, Marc Lawrence and Richard Lane. Special comedy is contributed to the piece by Eddie Collins.

Running time, 65 minutes. *G.*

G. McC.

**"Angels" in Third Week**

**Tallies Big $5,000, Cleveland**

Cleveland, Dec. 20.—"Angels With Dirty Faces," playing a third week at the伦顿, again held top spot, doing $5,000.

Bob Crosby and his "Bobcats" on the "Polo Palace" continued with "Listen Darling" on the screen brought $1,800.

Weather was perfect. Christmas shopping and free department store attractions for children proved heavy competition.

Estimated takings for the week ending Dec. 16, 1938:

- "Angels With Dirty Faces" (W. B.)
  - ALLEN—$8,000 (25c-40c-75c) 7 days.
  - Gross: $5,000. (Average, $714.)

- "NEWMAN—$13,000 (ZOth-Fox)
  - WARNERS' HIPPODROME—$13,000 (35c-40c-75c) 7 days.
  - Gross: $8,800. (Average, $1,257.)

- "Listen Darling" (M-G-M)
  - PARAMOUNT—$13,000 (25c-40c-75c) 7 days.
  - Gross: $8,500. (Average, $1,214.)

- "The Cowboy and the Lady" (U. A.)
  - WARNERS' UPTOWN—$11,000 (35c-40c-75c) 7 days.
  - Gross: $11,000. (Average, $1,571.)

- "LOEW'S STILLMAN—$11,000 (35c-40c-75c) 7 days.
  - Gross: $2,000. (Average, $286.)

**Secrets'** $9,700;

**Holiday Hits K.C.**

KANSAS CITY, Dec. 20.—The photo was said to have broken records and the "Ray" branch of the Fox Theater. Weather was cold but business good. The tallies for the week ending Dec. 14-15:

- "Say it in French" (Para.)
  - ESQUIRE—$1,000 (25c-40c-75c) 7 days.
  - Gross: $1,000. (Average, $143.)

- "Young Dr. Kildare" (M-G-M)
  - WARNERS' RIVIERA—$1,000 (25c-40c-75c) 7 days.
  - Gross: $1,000. (Average, $143.)

- "Cyclone Buster" (G. N.)
  - ORPHEUM—$1,000 (40c-75c) 7 days.
  - Gross: $1,000. (Average, $143.)

- "Secrets of a Nurse" (Univ.)
  - WARNERS' RIVIERA—$1,000 (25c-40c-75c) 7 days.
  - Gross: $8,500. (Average, $1,214.)

- "Up the River" (Univ.)
  - WARNERS' RIVIERA—$1,000 (25c-40c-75c) 7 days.
  - Gross: $1,000. (Average, $143.)

- "RIO" (25c-40c-75c) 7 days.
  - Gross: $1,000. (Average, $143.)

**Carolina Town Plans Censorship of Films**

GASTONIA, N. C., Dec. 20.—City Attorney Ernest R. Warren has been instructed by the City Council to draw up an ordinance forbidding indecent, immoral or salacious vaudeville, stage attractions, films or indecency in any form of entertainment in Gastonia.

The city council has passed the ordinance at their next meeting in January. The mayor will appoint a board of five citizens to exercise power over stage and film attractions as soon as the ordinance is passed.

**Al Bloom Gets GN Post**

SEATTLE, Dec. 20.—Al Bloom has been appointed manager of the Grand National exchange here, effective this week.
Are YOU getting FULL MEASURE for your advertising dollar?

You buy sugar by the pound... coal by the ton... electricity by the kilowatt... and if you are wise, you buy advertising space by an equally accurate measure.

TODAY more than ever, successful advertising depends on careful selection of media.

To judge a publication's worth without knowing exactly the nature and extent of its circulation, is as unbusinesslike and wasteful as buying coal without a standard of weight.

For any publication... newspaper, farm paper, business paper, magazine... the true measure of advertising value is NET PAID CIRCULATION. How much is there? Where is it? How was it obtained? A.B.C. reports answer these questions completely. They give verified information on the quantity, and an important index of the quality of circulation.

Always make A.B.C. reports your starting point in buying advertising space. If you do not have the latest A.B.C. report on any publication in which you may be interested, ask for it. Demand it. Study it. Then, judge soundly how the circulation fits in with your sales program.

Our A.B.C. report is ready for all advertisers. Ask for it today!

MOTION PICTURE HERALD  An A. B. C. Publication

A.B.C. = Audit Bureau of Circulations = FACTS as a yardstick of advertising value
Basil Rathbone and Benita Hume will be guests on the "Kraft Music Hall" tomorrow at 10 P.M. on NBC-Red. Ruth Fair, script writer, will be guest of Quaker Party on Saturday at 8 P.M. Lew Dennis will continue appearances on "Road to Fame" over WMCA. Dorothy Duncan, radio copy writer, and WOR's Comptometer Advertising agency veds George C. Zeller, of Metropolitan Magazine advertising staff, tomorrow. Franchot Tone will be "Kate Smith's Variety Hour" over CBS Dec. 29.

Geraldine Farrar will make a short address and sing one of her own compositions between acts of "Lucia di Lammermoor" over NBC-Red Saturday at 1:35 P.M. Richard Bonelli, Metropolitan Opera tenor, will be soloist on the "Kate Smith's Variety Hour" on CBS at 9 P.M. Tommy Dorsey will bring a singing ottette, "The Four Aces." His program over NBC-Red at 8:30 P.M. on Dec. 28, Leslie Allen, singer, and Marie Pons, mother of Lily Pons, arrive on the Choral Union tour over CBS tomorrow at 12 noon. Dickie Moore, from the films, will do a Christmas play with E. Brown over CBS at 7:30 Saturday.

Bailey Gives Dinner
CINCINNATI, Dec. 20.—Approximately 50 radio executives, newspaper editors and trade paper representatives attended the dinner given by William Bailey at the Netherland Plaza yesterday in honor of his recent promotion from press relations director of WLW-WSAI to editor of the newsroom of the two stations.

Gluck in Housing Post
CHARLOTTE, N. C., Dec. 20.—Earl Gluck, general manager of WSOC, here, has been named by Mayor B. E. Douglas as a member of the local housing authority. He will serve for a term of four years.

Nichols on WQXR
Dudley Nichols, former president of the Screen Writers' Guild, will be interviewed by Sidney Kaufman on WQXR film critic tomorrow at 8:45 P.M. Subject for discussion is "Films for Democracy."

Radio Legislature
Albany, Dec. 20.—Sole legislator in the east to be listed as a radio announcer and news commentator is State Senator-elect Phelps Phelps, over WOR. Mr. Phelps is a New Yorker and is heard over WMCA. New clerk's manual, just issued by the State of New York, credits Phelps as an announcer.

Reverse English
Jim O'Hara, of the New York Daily News composing room, will have the privilege of spelling words backwards when he appears on the "Electric Screen Bee" over NBC-Red Christmas Day. O'Hara is compelled to read backwards in his work and can spell them backward. Other members of the News' team, which will oppose a group of professional women, will be Robert B. Sullivan, copy reader, Russ Symmowtew, rewrite man and assistant city editor, Heizer Wright, copy reader, and Jack Purcell, junior reporter.

BBC Anticipates $5,000,000 Gain
In 1939 Revenue
LONDON, Dec. 20.—British Broadcasting Co. is expected to show an increase of approximately $5,000,000 over 1938, it has been unofficially but authoritative indicated here.

The company, Government-controlled, derives its revenue from broadcast licenses and from way-bill charges on goods. Profits collected by the General Post Office. The Post Office, at present, is paying a license fee of 10 pence on every radio set, in the future will lower the fee to two pence per receiving set.

Monopoly Suit Filed
Suit charging conspiracy to form a monopoly in the field of manufacture and sale at wholesale of radio receiving sets was filed in the Federal Court yesterday against Majestic Radio & Television Corp., Thomas A. Edison, Inc., and RCA Manufacturing Co. Inc., by Ralph Holland, owner of two retail stores.

Cincy Musicians Elect
CINCINNATI, Dec. 20.—Oscar F. Field was reelected president of the Cincinnati Musicians Association. F. S. Of M. others elected were Joseph Lingar, vice-president; Volney Hoff- man, secretary; Charles Joseph, treasurer. Trustees are: Arthur Boser, Robert Moore, Wilbur Myers, Robert Sidell and George Smith.

I. J. Fox on WNEW
I. J. Fox has signed with WNEW to sponsor "Millman's Matinee" one hour daily, five days weekly. Duration is indefinite. W. R. Thorne, Inc., and Motzkin Bros. will handle six days weekly in "Westchester on Parade."

Heidt Ends Commercial
Horace Heidt and his Brigadiers will make their first series of Stewart-Warner Sunday but will continue on NBC-Red as a sustaining feature.

Barrett Joins WOR
Halsey V. Barrett has joined the WOR sales promotion department.

CBC to Broadcast Xmas Greetings to Canadian Outposts
BY COLIN R. BAWORTH
MONTREAL, Dec. 20.—Unique in broadcasting the world over, the Canadian government's "Bringing Christmas to the Frontier" program will be put on again this year to send holiday greetings to residents in the remotest outposts of the Dominion.

Each year since 1934 at midnight on Christmas Eve, CBC stations have broadcast messages spoken by relatives and friends of residents in the frozen north. About 200 such messages are handled annually. The national network will air the greetings to all listeners.

This year's two-hour program is under the direction of Fred B. Brown of CBC Toronto. Messages will originate from CJBC, Sydney; CFR, Charlottetown; CKW, Moncton; CHSJ, Saint John; CFNY, Fredericton; CBV, Quebec; CBM, Montreal; CBO, Ottawa; CBL, Toronto; CKOC, Hamilton; CFPI, London; CFCA, Chatham; CKPR, Fort William; CKY, Winnipeg; CKK, Brandon; CKCK, Regina; CKBE, Moose Jaw; CFQC, Saskato- on; CBKI, Prince Albert; CFAC, Calgary; CJCA, Edmonton; CBC, Victoria; and the CBC Studios, Halifax.

Mass. Taxpayers On Yankee Web Program
Boston, Dec. 20.—Massachusetts Federation of Taxpayers' Association will sponsor a series of 26 15-minute "What's Happening in Massachusetts," over the Yankee net- work, Bayuk Cigars has renewed "Inside the News" for 54 programs. Gillette Safety Razor has renewed participation for 13 weeks in the net- work news service.

C. H. Maudsley has signed for 26 participations in the Gretchen McG- Mullen program. Series of spot announce- ments have been taken by Gillette, Cams Petrolatum, Reddick, Penick & Ford, Ltd., and W. H. Graham Corp.

Sues on WOR Name
Bamberger Broadcasting Co. has filed suit in the Federal Court here against William W. Orloff for alleged use of the name 'WOR Printing Co.,' which the plaintiff claims Orloff has no right to use as it conflicts with the radio station's call letters. A permanent injunction, accounting of profits and damages are sought.

Baer Trial Jan. 10
Trial of the suit brought by Fred E. Baer against Intercontinental Vision-Radio Corp. and Electric Pat- ent Holding Corp., has been set for Jan. 10 before U. S. Supreme Court Justice Philip C. C. Roche. Baer seeks the return of 40,000 shares of International stock.

Owings to Attractions
Dorsey Owings, formerly with Hearst Radio, Inc., has joined the staff of Radio Attractions, Inc. Owings left Monday for a tour of New England.

FCC Calendar
WASHINGTON, Dec. 20.—Federal Communications Commission has scheduled a hearing Feb. 8 on the application of the Bamberg Theatre, Inc., for a new 1,430-kilo- cycle, 1,000-watt broadcasting station at Asheville, N. C. Applications also ordered held, at dates to be set later, on the applications of WTAR, Norfolk, for increase of power from 1,000 to 250 watts; KFPW, Fort Smith, Ark., for increase of day power from 100 to 250 watts; and Southern Oregon Broadcasting, Inc., for 1,310 kilocycle, 100-watt station at Grants Pass, Ore.

Three Renewals Set By Colonial Network
BOSTON, Dec. 20.—Four renewals and three of spot announcements have been signed by the Colonial Network. Gospel Broadcasting Association will continue to sponsor "Old Fashioned Revival" a one-hour program, during 1939. Aurora Laboratories has renewed their offer of "Hollywood News Girl" for 78 programs. Lydia E. Pinchuck has re- viewed "Voice of Experience" for 156 programs, and Prince Mackeron Manufacturing Co. will continue for 78 programs. All are 15 minutes. Spot announcements will be made by Peter Paul, Inc., Mitchell Baking Co. and M. J. Breitenbach Co.

Dismiss Aerovox Suit
Suit brought by Aerovox Corp., formerly the Aerovox Wireless Corp., against Cosmic Radio Corp., for alleged infringements of a patent covering improvements on electricity that has been dismissed in the U. S. District Court by Judge John C. Knox for failure of the plaintiff to prosecute according to the stipulation.

WHO Pays Xmas Bonuses
DESMOINES, Dec. 20.—Central Broadcasting Co. will pay a Christmas bonus to all WHO employees who have been with the company a year or more. The payment is based on a percentage of the yearly salary, with 10 per cent for those employed five years or more. Five per cent will be paid on the first year.

Three WHN Deals Set
Three contracts for spot announcements have been signed by WHN with B. C. Remedy Co., Washington State Apples, Inc. and Peter Paul, Inc.

Reserved for 1940
Yankton, S. D., Dec. 20.—Robert Tincher, station manager for WHO, L. A. A. Yankton, claims credit for the earliest political reservation for the coming 1940 campaign. R. F. Jennings, with the Dakota Republican state central committee, has entered a time buying contract for the next year between 11:30 and noon, Mon- day, Nov. 4, 1940.
Studio Fight On NLRB to Highest Court
Board to File Complaint In S.W.G. Battle

Hollywood, Dec. 21.—Studios will carry the fight against National Labor Relations Board jurisdiction over the industry to the U. S. Supreme Court, as a result of the Screen Writers' Guild battle for recognition as a collective bargaining agency.

The next step will be by the N. L. R. B. in Washington, which will issue complaints against the studio charging failure of the Board to act on charges a union has made. The next move is expected to take the action out of the hands of the local N. L. R. B. office, carrying the jurisdictional fight to the Ninth District Court of Appeals and then, on appeal, to the U. S. Supreme Court.

Decision was made by Dr. Towny Nylander, local N. L. R. B. head, who, upon information from studio attorneys of the fight on the S. W. G. certification as collective bargaining agency, recommended that Washington issue complaints. Leonard Janodsky, guild attorney, said complaints charging intimidation and coercion of S. W. G. members also will be filed.

Kane, Hutchinson, Harley Due Today
Six 20th Century-Fox executives arrive today from abroad. The Normandie will bring Walter J. Hutchison, director of foreign distribution; Robert F. Kane, chief of the company's British production; E. L. Har-

OLSON MAY EASE CALIF. TAX RAP
Unger Will Direct Para. Canada Sales; Plan Southern Unit

Paramount's Canadian distribution will be brought under home office direction with J. J. Unger, eastern division manager, in charge and a new southern sales division will be established under an organizational revision completed yesterday by Neil F. Agee, vice-president and distribution chief.

This will have general charge of the entire Canadian division in addition to the eastern division. Six southern exchange territories which are now included in the eastern division, however, will be withdrawn to form the new southern division. Oscar Morgan will be in charge of the new division and will establish headquarters at the home office. Harold F. Wilkes, New Orleans branch manager, succeeds Morgan as district manager at Atlanta. The new southern division will include, Atlanta, New Orleans, Memphis, Charlotte, Dallas and Oklahoma City.

Ermann B. Price, in charge of the Jacksonville office, has been named New Orleans branch manager. Jacksonville is a part of the Atlanta exchange territory. Additionally, San Antonio is added to the Dallas exchange territory. Floyd Tones, Dallas branch manager, becomes sales manager of the combined territories.

Maine and New Hampshire territory, formerly served by Portland, is combined with the Boston exchange territory. Harold Stevens of the Portland office goes to Indianapolis as branch manager, succeeding the late E. J. Barnard. The Sioux Falls territory is combined with the Minneapolis branch.

Films, Radio Face Attack When Congress Reconvenes

By BERTRAM F. LINZ
Washington, Dec. 21—Congressional proponents of motion picture and radio reform are expected to introduce the usual quota of bills at the opening of the new session Jan. 3, but may await developments in the Government's foreign policy and the Administration's investigation of the Four Corners gambling ring probes before pressing for consideration.

Anticipated by the governmental legislative staff are the usual measures outlawing block booking, amending the copyright laws and repealing the ban on foreign films.

Also looked for is legislation setting up a bureau of fine arts in the Government, a subject on which House and Senate committees held lengthy hearings last session, although the matter got no further than the filing of a favorable report by Representative William I. Sirovich, chairman of the House Patents Committee.

Recent developments in Europe also may bring about a revival of agitation (Continued on page 4)

Para. Sues Catlett On AWOL Charge

Hollywood, Dec. 21—First suit in years by a radio to recover damages from an actor for failure to appear for work was filed today when Paramount started action against Walter Catlett for $8,000 and costs. Complaint charges that Catlett failed to show up Dec. 12.

Radio—Page 7

Seek Theatre Aid On Fair Ballyhoo

World's Fair officials want Broadway film theatres to get behind the "Dawn of a New Day" Fair ballyhoo, planned to start New Year's Eve, four months prior to the opening of the Fair.

Officials would like the houses to decorate their marquees with the perspex-tron insignia, play the Fair theme song and show a trailer.

On New Year's Day at 10 A.M., formal dedication of the "Dawn of a New Day" will be held at the Music Hall.
Tyrone Power will arrive in New York today from his South American vacation. He will fly to the coast to resume work on the 20th Century-Fox lot.

William H. Larned goes to his Sullivan, Ind., farm tomorrow to spend Christmas. He plans to be back in New York Tuesday.

James Roosevelt, Goldwyn vice-president, is due in New York after the holidays, following a visit to Washington.

Colonel John A. Cooper of M. P. Distributors of Canada is in New York for conferences at M.F.P.D.A. headquarters.

Jean Hersholt will arrive in New York for the holidays Dec. 24 having completed work in a "Mr. Moto" picture.

George Demrow of National Screen Service is due today or tomorrow from the coast.

H. M. Richely of RKO leaves for Detroit tomorrow to spend the Christmas holidays.

Sam Demrow, Jr., plans a trip to Florida next month with his family.

Billy Brandt has gone to Florida.

THEATRE does not sell merchandise or render service. It admits or licenses its patrons to view the performance. It is not required to grant the privilege to all comers. It is free to admit only those it chooses to admit, except that under the Civil Rights Law, it may not make race, creed or color as the basis of exclusion.

This was the ruling in a criminal proceeding brought by N. Y. City Magistrates’ Court against Roxy Theatre, Inc., by John S. Zvirin. Zvirin alleged that the house had been guilty of “false and misleading” advertising by claiming that it admitted patrons up to 1 P.M. for 25 cents and that children were admitted at all times for 15 cents. In dismissing the charges, the court said that the section does not apply to theatre advertisements. He declared that Section 421 of the Penal Law refers to merchandise and services and that the motion picture house does not sell either.

"Admission tickets are not merchandise or securities, but only a convenience the theatre uses between the cashier’s stand and the entrance to the theatre proper, instead of following a practice of requiring payment to an entrance usher."

Zvirin alleged that he had been charged $12.15 P.M. and was therefore entitled to be admitted at the lower price. He reached the box-office at one half minute past one o’clock. Further, he charged that when he attempted to pay 15 cents for his 12-year-old daughter he was told she was "too big."

Magistrate Abeles held, however, that failure to specify any age in the advertisement left the exhibitor free to decide who was to be admitted at the lower price as each occasion arose at the box-office. By implication, it was further held that an exhibitor might advertise one price and then, later, change his mind.

According to the decision, a “promise” to admit a patron at a lower price during stated hours, is not a “statement of fact” under the meaning of Section 421 which forbids misleading advertisements.

During a discussion of the proposed elimination of cash giveaways in the New York metropolitan area, at a meeting of the I.T.O.A. yesterday at the Astor, it was apparent that a majority of the independent exhibitors in the city favor the move.

The consensus was that the voluntary ban proposed for all the houses in the city should be given a fair trial. An exhibitor committee representative of all theatre interests is attempting to work out a plan.

Operators who have one or two houses whose meetings have been inclined to oppose cash game elimination, expressed approval of the idea at yesterday’s meeting.

Max A. Cohen, president of New York Allied, was a guest at the meeting. He reported that his organization is on record as opposed to discarding cash games until independents get a better break in the allotment of runs. Cohen also has views on the first draft of the proposed trade practice program. They coincided with the opinions of other exhibitors present that the distributors’ proposals do not go far enough.

Idea of injecting a patriotic note into film theatre programs is gaining momentum. The latest circuit to join the parade is Brandt Theatres. The national anthem opens the day’s showings at all Brandt houses, and a trailer showing the Stars and Stripes in color is run before each performance.

Paramount will pay a bonus of one week’s salary to all home office employees earning $50 per week or less. Maximum payment, however, will be $40. Bonus will also apply to employees of Paramount-Broadway Corp., (Paramount Bldg.) and probably to employees of N. Y. Paramount Theatre.

M-G-M and Loew employees are to receive Christmas bonuses not exceeding $50. Those employed a full year, and whose salaries do not exceed $100 a week, will get two weeks’ salary, but in no event will the bonus be more than $50. Those employed six months will receive one week’s salary, the same maximum applying.

The bonus, which will total around $30,000, will affect more than 12,000 workers. It applies to employees of theatres, studios and exchanges throughout the world.

Warners and Hal Roach are considering “Three Harbours,” the Revolutionary War novel by F. A. Wood, Mason, as production material.

New salary of Adolph Zukor is $2,000 weekly.

PLANS CHICAGO HOUSE Chicago, Dec. 21—S. Greiser and Rube Levine will build a $300,000 theater and night club on the East Side near Park district starting in the spring. The new house will seat 900.

BUYS IN KANSAS Kansas City, Dec. 21—W. P. Huston has reacquired the Crawford and Kansas at the latter’s Kan. East the Plaza Theatre Co., which has been operating the two houses for about a year.

LIGHTMAN BUYS HOUSE Memphis, Dec. 21—M. A. Lightman, owner of the Memphis Theatres, Inc., has purchased the Memphian, operated under lease for several years. The house will be redecorated.

SECOND IN MENA, ARK. Meno Park, Dec. 21—Manager E. W. Gwaltney of the Rex will open a second theatre here about January 15. W. I. Green, Jr., will be manager of the new house, which will seat about 350.

ANOTHER IN CAROLINA Burlington, N. C., Dec. 21—Construction of a new theatre, to seat 800, has been started by J. R. Qualls. It will cost approximately $40,000.

THE CO-ED UNDER WAY Brevard, N. C., Dec. 21—Work has started on the new co-ed theatre. Frank D. Clement and his son, Verne, will operate the 500-seat house.

WALSH REMODELING Kansas City, Dec. 21—Ray Walsh, operator of the Mainstreet at Chautauqua, is remodeling and re-decorating his theatre.

PURCHASE IN GEORGIA Sparta, Ga., Dec. 21—John W. Peck, owner of the Rex here and at Eatonton, has purchased the Cherokee at Monroe.

FORM VIRGINIA FIRM Newport News, Va., Dec. 21—Indians’ Amusement Corp., capitalized at $50,000, has been chartered to operate theatres. Julian Gordon is president.

MOTION PICTURE DAILY Thursday, December 22, 1938

Theatre Changes

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KILLER BOGART

Sensational As

King Of The Underworld

From WARNERS with a bang!
**Decision Seen In Loew Suit by Jan. 1**

(Continued from page 1) Weary defendants could not be required to account for every transaction, it was contended, and further, this would affect only the accounting phase of the suit, but would not bar an injunction against the employment agreements from being issued.

William R. Donaldson, Loew accountant, testified that German companies owed Loew's 1,238,000 marks ($496,500) in 1938 as compared with 2,800,000 marks ($1,125,000) in 1937. Total obligations due Loew are $1,972,500, of which $1,700,000 (891,000) are due at present.

For the purpose of shortening the trial, counsel stipulated that if Winthrop Aldrich, president of Chase National Bank, and officers and directors of Loew's were called, their testimony would be similar to that already given by the defense. Trial is expected to end today after an hour of rebuttal testimony.

Loew's net profit for the first quarter ended Nov. 30, 1937, is esti-

mated to be $1,600,000, or a profit of $2.75 per share. During the last quarter in 1937, Loew's earned $2,917,409.

The company will report a net of approximately $10,000,000, after all charges, for the fiscal year ending Aug. 31, last.

**Olson May Ease Calif. Tax Rap**

(Continued from page 1) meeting down the street could go free-

ably noticed, although there citizens would be aware something about their civic duties.

There was no comment from him on the consequences of a possible divorce-

ment bill in California, were that to be proposed. It is his opinion that the U. S. actions will determine what kind of situation will result before the point of action by state officials.

He doesn't approve of block booking because it tends to standardize films in many cases, rather than to offer writers and producers the chance of making the pictures they wish to pro-

duce.

The motion picture situation was not discussed in his Washington visits, the Governor-elect stated.

**Rice Shifted at Denver**

DENVER, Dec. 21.—Harold Rice, Fox Intercontinental city manager, has been transferred to the Paramount here. He succeeds Jack Copeland, who moves to the Aladdin, Sterling Way, Amsterdam, goes to Laramie as city manager.

**Para. Shifts McClintock**

J. W. McClintock, former Paramount Tucson, Arizona, manager, has been shifted to Dallas.

**Film Fan Record**

Arkansas City, Kan., Dec. 21.—A record number of six years is the film fan record of Jimmy Farrow, stu-

dent at the junior college here. He keeps a record. Big year was 300, just about six every seven days.

**Films, Radio Face Attack When Congress Reconvenes**

(Continued from page 1) for the barring of alien actors, for which Representatives Samuel Dick-

stein, chairman of the Hearings and Investigations Committee, last session sought legislation, which was defeated in his opposition to efforts of the Califor-

nia delegation.

Another possibility is the reintroduc-

tion of measures providing for the taxation of the proceeds of pictures activities in one organization to be set up in the Government Print-

ing Office, but such a move is being anticipated by the Administration, which is gradually centering its most important film activities in the Na-

tional Emergency Council.

Pressure for consideration of block-

booking legislation is seen as depend-

ing to great extent upon developments in the Government's New York suit, as well as the success of the distribu-

tors in drawing up and adopting a program of conciliation.

With world conditions highly unset-

tled, pressure for enactment of legis-

lation amending the copyright act to permit United States registration of works in the international copyright convention has materially abated. Bills looking to the establishment of registration stations, last session, were but never given any consideration.

Patent legislation, of importance to the film and radio industries, may be re-introduced, but action on this subject is seen as depending upon the views of the Temporary National Eco-

nomic Committee now studying the question of monopoly in industry. Members of the committee, following its conclusion of the competition-stifling purposes to which patents are put in the glass container industry, have agreed that the laws should be amended, but there is a general disposition to deal with all phases of monopoly in one comprehen-

sive measure rather than to attempt piece-

meal legislation.

In radio, major measures foreseen are those providing for a Congress-

ional investigation of the Federal Communications Commission and for establishment of a Government owned and operated transmitter to broadcast internationally to the Latin-American countries.

The former is seen as having a good chance of adoption, in view of the con-

tinued friction among members of the Communications Commission and the slow progress of the F. C. C.'s monop-

oly investigation, which Chairman Frank R. McNinch promised last ses-

sion would be made if the House rejected proposals for an investigation of his organization.

Action on bills providing for a Gov-

ernment agency, subject to veto, last session, will depend upon Presi-

dent Roosevelt's attitude on the subject. A special committee, headed by Abbot Lawrence, has been engaged in a study of the question for some months and is expected to file a report at the White House some time in January.

**Canadian Cities Act To Tax Church Halls Housing Film Shows**

TORONTO, Dec. 21.—Canadian mu-

sic halls and churches have begun a move to assess and collect property taxes on church halls, club-

houses and other hibitro tax exempt organization headquarters in which motion pictures or other entertain-

ment open to the public are staged.

The move, if successful, will deal a severe blow to non-theatrical com-

petition, especially from motion picture, throughout the Dominion. It is the backing of Canadian exhibitors whose own theatres are taxed heavily in numerous ways.

The attempted municipal tax ass-

essments against properties provid-

ing entertainment, regardless of the ownership of such structures, will be levied for 1939. The municipalities contend that church halls and other structures in which amusement is pro-

vided are not places of worship eligible for exemption under the Dominion Assessment Act. The move is also aimed at scientific and literary soci-

ties which conduct concerts, theatricals and other entertainment in which they do not own but which, heretofore, have been tax exempt.

**Monograph N. H. Branch**

Monograph has opened a new branch in New Haven, known as Monograph Pictures, Inc. and with Phil Sherman in charge.

**Girault Theatres Formed**

LITTLE ROCK, Dec. 21.—Girault Theatres, Inc., has been incorporated by H. L. Girault, William P. Woods and J. B. Girault, all of Little Rock.

**Buys Lena Rivers' Rights**

DALLAS, Dec. 21.—Sack Amuse-

ment Enterprises has acquired na-

tional rights to Tiffany's "Lena Rivers" and is considering this Sidens Bishoff production under the title of "The Sin of Lena Rivers."

**Newsreel Theatres Sued**

M. & H. Hess, Inc., has filed suit in the Supreme Court against Newsreel Theatres, Inc., for $4,350. The plaintiffs claim real estate broker-

age commissions for obtaining a site on 34th St. for the defendant.

**Love Shifts Donaldson**

KANSAS CITY, Dec. 21.—Ben Don-

aldson, who has been with the Plaza, Omaha, has been transferred to the manager of the Star at Holsington, Kan., by F. L. Lowe.

**Miss Sherman to WNEW**

Rosalind Sherman, radio intervie-

wer for the staff of WNEW, will be heard in a series of inter-

views at 1:45 P. M., Monday through Friday.

**Aides Honor Ashmann**

Managers of the Five Boro Circuit presented a gold watch to Maury L. Ashmann, general manager, at a meeting at the Zenith.

**Variety Club**

CINCINNATI, Dec. 21.—Joe Oll-

ahan was reelected president, Joe Kolling, secretary, and Ralph Kins-

ler, treasurer of the local Variety Club. Art Hearst was reelected first vice-president, and Jim Gray, second vice-president. Trustees are: Mike Greenberg, Joe Gore, Ralph Kinsler, Maurice Finton, White and Andy Nehedntul, Wm. Ollahan, Paul Krieger and Kahoot for sixth trustee. This will be decided by postcard ballot.

**Kansas City**

KANSAS CITY, Dec. 21.—George

Baker, who during the last week in November and December 1938, served as chief Barker on the Manhattan. J. C. Bateman, managing director of the Palace, was elected chairman of the Palace Variety Club.

Baker was reelected as chief Barker in 1934.

**Kane, Hutchinson, Harley Due Today**

(Continued from page 1) ley, manager for Columbia, in the United Kingdom, and Ben Miggins, Continental head.

James Pattinson, assistant to R. Sutton Dawes, United kingdom sales manager, arrives on the Manhattan. J. C. Bateman, managing director in the Palace, was reelected chairman of the Palace Variety Club.

Hutchinson is completing a five-

month trip to South America, South Africa, Paris and London. Kane will confer with S. R. Kent, president, and will go to the coast for talks with Darryl F. Zanuck on new season's plans. Kane and Harley also may go to the coast.

**Krasna Signs Pact**

(As Writer at RKO**

Hollywood, Dec. 21.—Norman

Krasna, who recently resigned as M-G-M associate producer, today signed a contract as writer at R.K.O. His contract stipulates he will work only with director-producers. First producing director with whom he will work is George Stevens.

**In Pictures!**

Knoxville, Dec. 21.—Double explo-

itation of radio and "home town" films are used by Charlie (Monk) Harris and Sam Jones, WNOX "Midday Merry - Go-Round."

When the act is booked into one of the larger towns, cameramen take 16mm, films of street scenes and civic spots and combine them with a reel of WNOX studio, shows and stars. Window cards then play up the "see yourself in pictures' angle."
DENVER, Dec. 21.—Christmas shopping combined with a cold wave and snow to put a crimp in grosses here. A dual effort of "The Cowboy and the Lady" and "Strange Faces at the Rialto" was the only bill to do better than average.

Estimated takings for the week ending Dec. 21:

"Angels With Dirty Faces" (F. N.) ALADDIN—$2,000; 7 days, after a week at the Denver. Gross: $3,500. (Average, $500.)

"The Shining Hour" (M-G-M) DENVER—$1,100; 7 days, gross. Average: $157.50.

"Say It in French" (Para.) DENVER—$175; 25c-40c; 7 days, gross. Average: $24.70. (Average, $59.50.)

"Submarine Patrol" (20th-Fox) DENVER—$50; (1,100) 25c-40c. 7 days. Average: $35.70. (Average, $50.)

"Strange Faces" (Univ.) RIALTO—$105; (25c-40c) 7 days, after a week at the Denver and Aladdin. Gross: $2,000. (Average, $285.70.)

"Heart" $8,500
In Indianapolis

INDIANAPOLIS, Dec. 21.—With one first run—the Circle—closed for redecorating, business was only fair here. "The Young in Heart" and "Listen Darling" cracked the calm at Loew's with $3,900 at the Lyric.

"Road Demon," with Hal Kemp's band on the stage, drew $9,500 at the Lyric.

Estimated takings for the week ending Dec. 16:

"His Exciting Night" (Univ.) "Palace's Baby" at the Palace (RKO) APOLO—$1,100; 25c-40c. 7 days. Gross: $25.70. (Average, $3,500.)

"Thanks for Everything" (20th-Fox) "Turbanned Angel" (RKO) INDIANA—$2,000; 25c-40c. 7 days. Gross: $300. (Average, $42.85.)

"The Young in Heart" (U. A.) "Listen Darling" (M-G-M) LOEW'S—$1,100; 25c-40c. 7 days. Gross: $1,500. (Average, $214.29.)

U.A. Theatre Circuit
To Reelct Officers

Present officers of U. A. Theatre Circuit, Inc., will be reelected at the next board meeting, date for which is to be set.

Joseph M. Schenck, president; Lee Shubert and Dennis F. O'Brien, vice-presidents; William P. Phillips, vice-president and treasurer; Bertram S. Nayfeld, secretary, and A. M. Georger, comptroller.

Para. Board Meet Today

Monthly meeting of the Paramount board of directors will be held today instead of next Thursday, the scheduled meeting day, to accommodate a number of board members who are leaving town for the holidays.

Exhibitors Pledge Help to Refugees

Pittsburgh, Dec. 21.—M. P. T. O. of Western Pennsylvania has resolved to pledge itself to aid victims of persecution, and to support the Government in its policy of "maintaining and fostering our traditional democratic institutions."

The resolution strongly opposed the oppression and mistreatment of minority groups of all religious affiliations, and declared Americans "must join all lovers of tolerance and democracy in protest against these atrocities."

Legion Approves 13 Of 15 New Pictures

National Legion of Decency this week approved 13 of 15 new pictures, 11 for general patronage and two for adults, classed one as objectionable in part, and condemned one. The new films and their classification follow:


Si Fabian Deal for Par-Land Group Set

Deal whereby the Si Fabian circuit takes over the Par-Land group of eight houses on Staten Island is completed except for signatures. The papers are expected to be signed within a week. The deal includes the 2,300-seat Paramount, which is pooled with Par-Land. Acquisition is from the estate of the late Sol Brill.

32,000 Baskets Donated

CHICAGO, Dec. 21.—Checkup today revealed that 32,000 baskets of food were collected yesterday at the third annual film basket party.

Finish Nine Films With 44 Shooting

Hollywood, Dec. 21. — Forty-four pictures were before the cameras this week, as nine finished and six started. Twenty are being prepared and 77 are being edited.


One short subject is shooting at M-G-M and one at RKO, Columbia and RKO each finished one. Fourteen are being prepared.

Vaudeville at Rivera

Vaucluse gains another recruits when the Rivera, St. Johns Place, Brooklyn, reopens Christmas Day. Sam Coacis recently took the house, which will be engaged with actors of the company. Films will be vaudeville and films at 40 cents top. Bill for the first four days is the N. T. G. show and following, for four days, will be a program headed by Henny Youngman, Buck & Bubbles and Frances Fay. John Fernsnes will manage the house. It seats 2,300.

QUEBEC PLAN TO TAX
School Films Fought By Protestant Board

MONTREAL, Dec. 21. — Demand for amusement tax on programs shown under the Protestant Education Board's educational releases and to make the programs more interesting threw in an occasional animated cartoon. To cover costs children were asked to pay five cents and the tax demand was based on the charge to the children. Licensing of the projector by the Department of Labor and penalties for infractions also was demanded.

Catholic committee of the Council of Education has followed the lead of the Protestant group in compiling a film library. Dr. W. P. Percival, Protestant director, claims that a test of 11,000 students showed the film group excelled the non-group film in learning by 33 per cent.

RYDER HEADS COAST
Section of S.M.P.E.

HOLLYWOOD, Dec. 21.—Loren Ryder, head of the Paramount studio sound department, has been elected president of the Pacific Coast Section of the Society of Motion Picture Engineers for 1939. A. M. Gundelfinger has been elected secretary and Wesley Miller has been named manager for a two-year term.

Vaudette at Rivera
**Out Hollywood Way**

**HOLLYWOOD, Dec. 21.—David O. Selznick is negotiating for Ronald Colman for the lead in "Rebecca." GAB, Patrick has been signed by Republic for the lead of "Wagon Westward." She was borrowed from Paramount... KATHERINE DeMILLE will play opposite Jack Holt in Durham's "Sabbotage," for Columbia release... JAMES ELLISON draws the lead in RKO's "Terror." Les Goodwins will direct from a Harold Shumate original screenplay, co-authored and produced by the prolific Bernard McConville, has been bought by RKO for George O'Brien... F. O. B. Detroit, novel by Wessell Smidt, has been purchased by Paramount, which will star Fred MacMurphy and Robert Preston. William Wellman will produce and direct.**

**Robert Montgomery replaces Melvyn Douglas in M-G-M's "Fast and Loose." Rosalind Russell is co-starred. Frederick Stephani will produce and Edward Maren will direct. Paramount has purchased the film rights of "Out of the Human Encyclopedia" stories written by Frank Gruber and will star Lynn Overman in them. JERRY Factor, nephew of the late Max Factor, has joined his cousin's advertising and publicity agency, the Ted H. Factor agency, as an account executive... MARGARET LINDSAY, John Litt, Janet Chapman, Herbert Harrigan and James Stephenson draw the leading roles in Warners' "The Woman in Shadows," formerly "The Strickland Case." Universal will star Jackie Cooper in a remake of "Tom Brown of Calver," made in 1932 with Tom Brown in the title role.**

**Castig—Harry Carey to "Code of the Streets." Universal... REGIS Keenan and SHIRLEY Blackmer and HOLMES HERBERT in "S sabotage," formerly "The Enemy Within." Darm-Columbia... EDWARD Ellis to "Wagons Westward." Republic... Bob SHEERWOOD, radio announcer, to "Always Leave Them Laughing." Warners... HENRY O'NEILL, EDWARD Norris and Larry Williams to "On Trial." Warners... RICHARD BARTELHEIM has been given a leading role in "Plane No. 4." Columbia... ANNE MORGAN to "Four Girls in Hollywood." Orleans gets the feminine lead in Republic's "Riding the Range."... LYLE TALBOT and M. A. Murphy to "Forged Passport." Republic.**

**Hollywood Preview**

"Tom Sawyer, Detective." (Paramount)

**HOLLYWOOD, Dec. 21.—Mark Twain's millions of readers, young and old, will find in "Tom Sawyer, Detective," 64 minutes of homespun entertainment and heart throbs. Though not given expensive mounting, the picture is nonetheless acceptable. It presents Billy Cook and Donald O'Connor in the respective roles of "Tom" and "Huck" and they do entirely creditable jobs as the lovable rogues. Supporting them are Porter Hall, Philip Warren, Janet Waldo, Elizabeth Risdon, William Haade, Edward J. Pawley, Cleen Bevans, Raymond Hatton, Howard Mitchell, Stanley Price, Harry Worth, Clara Blandick, Si Jenks, Etta McDaniel and Oscar Smith.**

The director, Anthony wrote the screenplay making most of the situations. Louis King directed the Edward T. Lowe production. Pawley, angered because of Hall's refusal to permit him to marry his daughter, embarks on a campaign of villification. A murder is committed and Pawley switches identity of the body to that of his half-breed brother, and Hall is blamed for the crime. Billy Cook and Donald O'Connor, by doing a bit of graveyards sleuthing, expose the criminals in a tense courtroom scene.**

Running time, 64 minutes. "G."**

**VANCE KING**

*"G" denotes general classification.*

**MOTION PICTURE DAILY**

**Labor News**

**N. H. UNION NAMES O'CONNELL**

**NEW HAVEN, Dec. 21.—** John O'Connell has been elected president of Local 74 of the I.A.T.S.E. for the five-year term ending Dec. 31, 1934. Vice-president, Dan Cummings, business agent, Robert Watson, secretary, and Sam Wasserman, treasurer.

**ORDERS CENSOR RULING**

**COLUMBUS, Dec. 21—** Judge Joseph T. McEachron, of the Juvenile Court, has ruled that the Ohio censor has the right to approve or reject before Jan. 7, the films for showing at labor gatherings, which has been held up since Nov. 20, 1937.

**HARTFORD BAL BALL**

**HARTFORD, Dec. 21.—** The annual ball for the benefit of I.A.T.S.E. sick fund will be held at the Hotel Bond on Jan. 27, with dancing, vaudeville and other entertainment.

**ELECT IN HARRISBURG**

**HARRISBURG, Dec. 21.—Lawrence J. Katz has been reelected president of the Pennsylvania I.A.T.S.E. union here. Local 490. Other officers are: H. H. Gladieter, vice-president; M. C. Miller, recording secretary; F. F. Patterson, financial secretary; S. A. Ruben, business agent.

**OPERATORS AID NEEDY**

**Projector's Square Club, consisting of members of operators' Local 306, is distributing 100 Christmas dinners to 75 members of the theatrical crafts, including Local 306, musicians' Local 812, cameramen's Local 52, stagehands' Locals 1 and 4, Jewish and Catholic Actors' guilds and the N. V. A. Pincus D. Herbst is president of the club.**

**Warnings, Stanleys, Reel All Officers**

**Directors of Warners and Stanley Co. of America, theatre subsidiary, yesterday reelected all officers at annual meeting.**

**Harry M. Warner is president of the company, and Jack Warner, L. Warner, Samuel E. Morris, Herman Starr, Stanleigh P. Friedman, Joseph H. Hazen, vice-presidents; Albert Warner, treasurer; Samuel Carolin, W. Stewart McDonald, Cyril H. Wilder, assistant treasurers; Robert W. Perkins, secretary and general counsel; Harold S. Bareford, Edward K. Hessberg, Roy Ohringer, Herbert Preston, assistant secretaries; Samuel Carlisle, comptroller; Thomas J. Martin, auditor.**

**Resume Scale in K. C.**

**KANSAS CITY, Dec. 21.—** After experimenting several months with a 25-cents-ticket price, Bob the Fox, Tower, first run combination house here, has returned to its former 25c-40c policy. The house will continue to feature vaudeville and first run films.

**Warnings Plan New Series**

**HOLLYWOOD, Dec. 21.—** Warners plan a new series of subject warnings. "What the Constitution Means to You." Bryan Foy will produce the series, but he is undecided whether to make it short subject or feature length.
Radio Personalities

DE. ARTHUR RODZINSKI

ends his series as guest conductor of the NBC Symphony Orchestra. Dr. Rodzinski will give a press rehearsal at Carnegie Hall at 2 P.M. today in preparation for his Christmas Night concert. Mr. Rodzinski, who heads Columbia's Pacific Network sales department, is the father of an eight-pound baby girl delivered last week to Mrs. Viola Louise, president of Farmers' Union, and James Graves, secretary, who will speak on the "Farmers' Union Hour" over NBC-Dec. 31. Regular "Rushmore" casts, writer, will be guest of Alexander Woolcott on the "This Is New York" program over CBS Dec. 25.


Marie Wilson, from the films, will be the guest of the "Kraft Music Hall" over NBC-Red. Dec. 28. Yesta Eals has joined WJSV as literary commentator, and is heard Thursdays at 2:15, under the able editor of Variety, Dr. W. G. Wallace, director of the Institute of Public Opinion, and Fred Allen will be guests of John Vosburgh, president of NBC-Dec. 27 at 8:30 P.M. . . . Paul Kain's band has been named as staff orchestra at WJZ. . . Mrs. Helen Casey, Pennsylvania's leading Woman of the American Legion Auxiliary, discusses "Child Welfare" at KDKA Jan. 4 at 5 P.M.


Mieczyslaw Fogg, Polish baritone, makes his American radio debut over WHOM at 11:30 P.M. Dec. 24.

Richard Bartheim will play the lead in "Rudolf and the Variety" tonight over NBC-Red at 8 P.M. . . . Mrs. Elinor M. Herrick, regional director of N. L. R. B., will speak Dec. 30 at 8:30 P.M. . . . Louis Armstrong and his orchestra will be guest band Dec. 28 on "Amateur Night" in Harlem Tavern at 7 P.M.

John Vosburgh will conduct, and the Jewish stage tragedy, starts a new program, "Dear Editor," this Sunday on WMCA at 7:30 P.M.

Renew 'Scattergood' Wrigley's has renewed the "Scattergood Barnes" program for 52 weeks over CBS, retroactive to Nov. 7.

Traveler
Cincinnati, Dec. 21 . . . Some one at WLW with a flair for statistics, comes forward with the information that James D.ouse, vice-president of the Crosley Corp. in charge of broadcasting, has covered practically the distance around the world at the equator in his 21 round trips to the skies this year. He has a total of 21,210 miles.

To Hear Dr. Butler On New WOR Series
Dr. Nicholas Murray Butler, president of Columbia University, will be a guest at first of "University Life" broadcasts to be heard over WOR and Mutual network Jan. 7 from 1:00 to 1:30 P.M. This new weekly series of discussion programs is a cross section of university and college life.

Members of the public discussion council of Columbia College and University faculty members will take part in informal conversations.

3 Renewed on CBS By Colgate Company
Colgate-Palmolive-Peet Co. has renewed for 52 weeks the program broadcast over CBS. All are heard from Monday through Friday for 15 minutes.

Super Suds' "Myrt and Marge" at 10:15 A.M. will go out over 52 stations, including Palmolive - "Hilltop Lodge," will follow at 10:30 over 51. Both renewals are effective Jan. 3. The contract with "Stepmother" will be aired at 10:45 A.M. over 17 stations with the renewal effective Jan. 16.

'Westchester' Sponsored
Three participating sponsors for 10 weeks have been obtained by WNEW for "Westchester on Parade." They are the Stanley Stores, Suburban Fuel and Dairy and Palmolive. China Chipper Restaurant has signed for six spot announcements weekly for four weeks on "Millman's Mustard."

Union Pacific Series
Hollywood, Dec. 21. — Union Pacific Railroad has signed to sponsor 39 five-minute recorded programs over KNX at 8:40, Mondays, Wednesdays and Fridays. Contract runs from Jan. 4 to April 3.

Jergens Renewed on NBC
Andrew Jergens Co. has renewed with NBC for 13 weeks for "Holly-
wood Playhouse" at 10 P.M. Monday, and "Jergens Journal" with Walter Winchell at 9:30. Both go out over the Blue network. Lennen & Mitchell is the agency.

Vote "Curie" 1938 Best
Women's Press Club of New York has voted the CBS "Workshop" ad-
visory committee "Curie" the best performance of a new play written for radio in 1938.

New Des Moines Series

A.F.R.A.-Agencies
Talks Off to Dec. 27
Meeting set for today between the American Federation of Radio Artists and the American Association of Advertising Agencies has been postponed to Dec. 30. It was announced that the postponement is to permit Eddie Cantor, president, to be present. Matters to be considered are basic pay schedules for performers, standard contracts, and a code of fair practice. Eddie Cantor, president, has no power to act for its member agencies, any agreement reached at the conference is only to carry a desirable weight. No indication of agency reaction to the union's proposals has been made. At the last meeting, held Dec. 8, representatives from the Screen Actors' Guild, Actors' Equity, American Guild of Musical Artists and the American Federation of Actors were present to lend moral support to the union demands.

Nazi Refugees to Air Stories on WMCA
Outstanding Jewish refugee artists from Nazi Germany will be heard over WMCA's "Script" series, beginning Friday, broadcasts over WMCA starting next Wednesday from 7:30 to 8:00 P.M. They will dramatize the adventures of a refugee group.

Three who will appear as permanent members of the company are Alexander Godunov, Paul Hasuhn and Hans Heine. The rest of the cast will be recruited each week from refugees now in the city. Horowitz and Margaret sponsor the program.

Reserves Decision
In Whiteman Action
Federal Judge Vincent L. Leibell has reserved decision in the in- juncti
on brought by RCA against WBO Broadcasting Corp. operators of WNEW, Paul Whiteman and Ellin, Inc. Both sides were given until Jan. 14 for the submission of briefs. The RCA alleged that RCA-Victor recordings of Whiteman music were broadcast over WNEW without permission, in addition to the injunction damages, and an accounting of the profits are sought.

CBS Plans New Series
New serial script show will be started on 29 Columbia stations Jan. 16 sponsored by Personal Finance Company through Blackett-Sample-Hammont. Program will be heard from 2:00 P. M. to 2:15, Monday through Friday.

Boat Show to Get News
Evening news series on WABC, from 6 to 6:45 P.M. will be sponsored by the annual Motor Boat Show from Jan. 6 to 12. George Putnam will deliver the United Press news. Mutual Advertising Agency is in charge.

WHN on Air to 4 A. M.
WHN will remain on the air until 4 A. M. daily after Dec. 26. Don Fox will sponsor "All Night Party," a program of dance music from one to four in the morning.

MOTION PICTURE DAILY

Radio

WASHINGTON, Dec. 21.—Application for a commercial permit for a new broadcasting station to operate on 1,370 kilocycles with 100 watts pow-
er. night, 250 watts day, has been filed with the Federal Communications Commission by the Cabarrus Broadcasting Co., Concord, N. C. The application was received from WJMS, Inc., Ashland, Wis., seeking a permit for a net station, asking for a frequency of 1,570 kilocycles instead of 1,130 kilocycles and a power of 100 watts night and day instead of 100 watts night, 250 watts day.

It was announced by the commission that a hearing would be held Jan. 5 on the application of Peter Calhoun for a 1,270-kilocycle, 250-watt daytime station at Prov-

CBS Will Expand
Foreign Coverage

W3XAU, CBS's international station in Philadelphia, will have the use of five different frequencies for short- wave broadcast to Africa and Europe as soon as its two new directional antennas are completed.

The Federal Communications Commission has assigned three new frequencies, 15,270, 21,520 and 25,725 kilocycles to W3XAU and the station retains 6,000 and 9,590 kilocycles, which were used on the non-directional antenna. Philadelphia transmi-
ter is to combine its service with that of W2XE, CBS's international station in New York, to give Colum-
bia a complete coverage of Latin-America and Europe.

Stars to Be Guests On CBS Talent Show
Talent quest program "Gateway to Hollywood" on Jan. 28 will have as guests Josephine Crowe, Mina Harker and Edward Arnold. The program over WABC and CBS will be from 3:00 to 7:00 P. M.

RCA Victor featured in supporting roles in a dramatic presentation with two discoveries in the talent search which is being conducted in 24 key cities.

Raymond Sooy Dies
Raymond R. Sooy, RCA Victor recording chief, died Tuesday at his home at Meriden, Conn. He was 59 years old. He joined Victor as a records sales agent 35 years ago and succeeded his brother, Harry, as head of the recording department on the latter's death in 1927.

'Dr. Christian' to N. Y.
Cast of "Dr. Christian" moves on Dec. 27 from Hollywood to New York and will broadcast from here for the next four or five weeks.

LeRoy Renewed on WHN
P. J. LeRoy has renewed his contract with WHN for 52 weeks. Le-
Roy is heard twice daily Monday through Friday. The account was placed direct.
General J. L. Benedict, Commandant of the United States Military Academy, congratulates Richard Carlson and W. G. Van Schmus, Managing Director of Radio City Music Hall.

"THE GREATEST WEST POINT PICTURE EVER MADE"

"TAKE MY WORD FOR IT"
Says CHRIS CAGLE
Famous All-American backfield ace, one of the greatest football stars that ever played for Army.

After my years at the 'Point', I have long hoped that such a picture as this would some day be made. I have hoped for a vivid screen portrayal of the laughter and the sorrows, the thrills, the heartaches, the fine traditions of our great Military Academy...to show the youth of our land, and their parents and sweethearts, how boys become men, and men become officers, behind those gray battlements on the Hudson.

"My hopes have been realized. Take my word for it that 'The Duke of West Point' is the most authentic, the most thrilling, the most stirring picture of the Corps of Cadets that you are ever likely to see. Don't miss it! It's fast as lighting...grand entertainment!"

P.S. It's the best hockey I've seen on the screen or off in a long time.

LESTER PATRICK
Mgr., N.Y. Rangers

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

UNITED ARTISTS

BIGGEST PRE-HOLIDAY BUSINESS IN FOUR YEARS AT RADIO CITY MUSIC HALL "...AND BROADWAY'S TOP MONEY PICTURE"
South Africa Is Enjoying Huge Building Boom

20th-Fox, UA Distribute Directly There

By AL FINESTONE

South Africa theatre construction is booming, with 33 houses to be completed or nearly so by next March. This was reported by Walter J. Hutchinson, producer of 20th-Century-Fox foreign distribution, who arrived yesterday on the Normandie after a five-month trip during which he surveyed the South American and South African markets.

He was met upon arrival by Sidney R. Kent, president.

Within a year and a half, Hutchinson expects that there will be a total of 60 new houses in South Africa served by 20th-Century-Fox and United Artists. 20th Century was the first to distribute directly in that part of the world. United Artists expects to join 20th Century in Johannesburg in February.

Met Arthur Kelly

Hutchinson and Arthur W. Kelly, U. A. foreign head, conferred in Johannesburg. Kelly is now in London and is expected here next month.

The new theatres will give South Africa a third group, the other two being M-G-M and Consolidated (S. African). While M-G-M has its own distributing system and is a theatre

(Continued on page 8)

Broadway Gets Ready For Holiday Business

Broadway houses are hanging their bally decorations and preparing for the holiday business. Last week's business suffered from the usual seasonal slump. Makers of 'West Point' at Music Hall finished with an estimated $61,000, considered fairly strong for this week. "Pygmalion" continued to draw at the Astor with $15,000 estimated for its second week. "Thanks for Everything," at the Roxy attracted an estimated $24,500, and "Our West With the Hardys" at the Capitol, did an estimated $21,000. Both were second week holders.

"Angels With Dirty Faces" wound up a four week run at the Strand with $33,000, estimated. At the Rialto, "Cipher Bureau" drew an estimated $5,000. "Secrets of a Nurse" grossed $4,500, at the Globe.

Radio—Page 8

Shirley Temple Is Voted Biggest 1938 Money Star

Lubitsch to Direct Garbo for Metro

Hollywood, Dec. 22.—Ernst Lubitsch will direct Greta Garbo's next picture, "Ni- rach of Them," out of M-G-M. This will be his first assignment as a producer for Metro. He also will produce "She Around the Corner," in which James Stewart and Margaret Sullivan will be starred.

Lawyers Laud Judge As Loew Trial Ends

At the conclusion of the Loew trial, yesterday, Emil K. Ellis, plaintiff's attorney, told Justice Louis A. Valente, "I can truthfully say that we all like you." Justice Valente peered over the bench and replied, "I hope you feel the same way about it after my decision."

"In his expression of thanks to the court, I find myself in agreement with Mr. Ellis for the first time during the

(Continued on page 2)

Clark Gable Second in Annual Herald Poll Of Nation's Exhibitors; Gene Autry First Among Western Players

The exhibitors of the United States have voted Shirley Temple, nine years old, the biggest Money Making Star of 1938, in the annual poll conducted by Motion Picture Herald and Fame to determine the 10 players who "drew the greatest number of patrons to your theatre" during the season from Sept. 1, 1937, to Sept. 1, 1938. For the fourth successive season the child star has captured the top rating of the nation's exhibitors.

Following Shirley, these nine players were adjudged by exhibitors sufficiently powerful magnets at the box-office to rate in the first 10 classification:

Clark Gable, second; Sonja Henie, third; Mickey Rooney, fourth; Spencer Tracy, fifth; Robert Taylor, sixth; Myrna Loy, seventh; Jane Withers, eighth; Alice Faye, ninth, and Tyrone Power, tenth.

More than 200 players in all received mention from the country's show- held commanding heads over the rest when the tabulations were made.

The separate poll for western play-

ers resulted in the selection of Gene Autry as the Money Making Western Star of 1938, a place he also won in the 1937 annual poll of exhibitors. Following Autry were: William Boyd, second; Buck Jones, third; George O'Brien, fourth; Three Mes- quiteers, fifth; Charles Starrett, sixth; Bob Steele, seventh; Smith Bailey, eighth; Tex Ritter, ninth, and Dick Foran, tenth.

32 Western Players

In all, 32 other western players re-ceived votes from exhibitors, and thereby won honorable mention listing in the poll's results.

Behind the leading 10 in the regular feature rating, are designated 15 others as Honor Stars. Following in the order of their ranking by exhibitor ballot, they include: Gary Cooper, Wallace Beery, Bing Crosby, Jeanette MacDonald, Deanna Durbin, Don

(Continued on page 7)

Hollywood Is Just Another American Town For Xmas

By ROSCOE WILLIAMS

Hollywood, Dec. 22.—Tis the week before Christmas and if the rain that's been coming down steadily for seven days and nights were snow, Hollywood would be a scenic double for Binghamton, Billings or Baraboo. Rain or shine, it is identical twin to the Midwest and to every other plain American community in every essen- tial particular of its approach to Dec. 25. The single spectacular thing about Hollywood's Christmas is that it's not going to be spectacular. Man will not bite dog, even for the newsreels.

It's Nobody's Business

Plagued by resident correspondents of the fan press and pestered by columnists with voracious appetite to feed, the studio publicity men have duti- fully furnished the great American reader with itemized accounts of the holiday goings and comings of the marque personalities. It's a part of their job, so they do it, but they don't like it.

There prevails in this strangest of all towns and among these not-so-strange people a firm belief that even the famous have a right to observe Christmas unobserved. The great, the near-great and the humble of Hol- lywood are going to do just that, and, to quote the chief dispenser of quotes for one of the largest studios literally, "It's nobody's damned business."

When all of the much that is wrong with Hollywood has been written up in the text books, the Hollywood manner of spending Christmas will not be among the chapter headings. Actu- ally, and not at all newsworthy, is the fact that it is adjudged by the cop- desk, Hollywood is guilty of Christ- maslike behavior in the first degree.

Your reporter has before him the names of 189 ranking executives, com-

(Continued on page 7)

MERRY XMAS Motion Picture Daily will not publish Monday, which is Christmas Day.
Insiders’ Personal

“Dinty” Doyle’s guest stars for his stage show at Loew’s State during this week include Lew Lehr, Fred Allen, Elliott Carman, Sheila Burnette, Phil Baker, Connie Boswell, Kate Smith, Paul Whiteman and Ted Collins. Each will appear at one performance.

Joseph Bernhard, general manager of Warner theaters, who has been ill, is now recuperating. Harry Goldbloom, advertising and publicity head, who has been ill, may return to his desk on Tuesday.

Iz Weiner, Columbia exchange manager in Omaha; Harry J. Shumway, M-G-M chief there, and Joe Scott, 20th-Century-Fox branch manager there, celebrated wedding anniversaries this week.

James Stewart arrived by plane from the metro studio yesterday, and left again today. He is in Pittsburgh to spend the holidays before returning west.


Felipe Mier of Mexico City, distributor for Simplex and National Theatre Supply Co. products, is in town on a visit.


Lillian Da Costa, secretary to Al Wilcox at Paramount, is vacationing in Florida.

John Garfield, Warner player, has returned to the coast studio for work in “Juarez.”

Claude R. Collins, formerly with Pathé News, is now newscast contact for the World’s Fair.

Jaque Catelin, French film player, arrives today on the Normandie.

Harry Arthur is in town from St. Louis.

“Window Shopping” Will Open Tonight

Openings of legitimate plays are starting again, now that the pre-holiday off season is over. Tonight, “Window Shopping,” a story by Louis E. Sherer and Normon Clark, opens at the Longacre. Production is by Tony Martin, who produced and included in the cast are George Sidney, Greta Rossan, Philip Huston, Ruth Lee, Sally Ward and Allan Lane.

Also for tonight is another edition of Lew Leslie’s “Blackbirds” at the 44th St. Theatre. Nat N. Dorfman, representative, has provided the dialogue and the songs are by John Mercer, Rueb Bloom, Dorothy Sachs, Louis Hauer, Van Mizzy and Irving Taylor. The all-Negro cast includes Lena Horne, Hamtree Harrington, Dewey Markham, Tim Moore, Bobby Evans and others.

Last night “Outward Bound” was revived at the Playhouse.

Pact Draft Approved

By LMP and Ed. of Penn., NJ and Del.

PHILADELPHIA, Dec. 22—First draft of the proposed trade practice program as submitted by the distributors’ committee has been approved in principle by representatives of the United Motion Picture Theatre Owners of Eastern Pennsylvania, Southern Maryland and Delaware. The board declared the draft is a step forward but not a complete solution of the existing problems of the industry. It was pointed out that while the organization regards the benefits to be derived from the code,实业ists represent concessions never before given exhibitors.

The vote of approval contained the reservation that instead of the program becoming effective with 1939, 40 contracts, it be made to apply commencing Jan. 1.

The board went on record against the proposed municipal tax on film grosses, either of a direct tax or a three per cent sales levy. Lewin Pizor, president, and Virgil J. Hoed, registrar, endorsed the board’s objection to the proposed tax at a hearing today before the City Council’s finance committee. It was instrumental in defeating a similar proposal last year.

Exhibitors were called upon to play the national anthem at all performances, in a resolution passed by the board, Pizor suggested that theaters hold “tin can” mattreses for the needy during the holiday season was endorsed.

House on Committee

CINCINNATI, Dec. 22—James D. Shouse, vice-president of Croley Corp., in charge of the hearing, has been selected to serve on a special representative committee to make arrangements for the Centennial Banquet of the Chamber of Commerce, Jan. 11.

A.B.P. Sets Dividend

LONDON, Dec. 22—Associated British Pictures will divide a 10 per cent interim dividend of 10 per cent on the ordinary shares for the year ending March, 1939.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher, W. H. HUM, Editor; JAMES A. CRON, Advertising Manager.

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Newscast cameras focus on light subjects here and abroad for the new year. Congressmen arriving in Washington, fashions, a radio-controlled boat, and events in China, Palermo and Trinidad are included. The reels and their contents follow:


"SWEETHEARTS" for NEW YEAR'S

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!)
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<td>Dec. 23</td>
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**MOTION PICTURE DAILY'S HANDY BOOKING CHART**

Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action.
Hollywood is Just Another U.S. Town

For Xmas Holidays

(Continued from page 1)

Many officials, producers and directors, and the news about 13F of them is that they will send a quiet Christmas at home with family or relatives or both. The other two haven't any of the above. The only one we have found of inquiry your reporter stopped asking.

Not Always Thus

Oldsters hereabout say it was not always thus. Once the town was rife at this season with ostentatious display. Lavish public display of expensive giving, staid dinners for the poor and floodlighted donations to charity. The only showmen who were the pioneers. The giving goes on. Bigger and better giving, with no need of doing away with any money—or than were dreamed of in the crazy, cradle years.

This year, as usual, individual studio clubs will hold their private Christmas parties and attend quietly to their separate disbursements in behalf of needy neighbors. This year's achievements of the Motion Picture Relief Fund will touch a new high in tangible service to distressed members of the profession and a new low in talk about it. For a month directors have been shooting crowds scenes on their scripts first, for a mob scene buy a lot of extra their Christmas dinners—shooting, not shouting.

Not Hollywood at Xmas

This year the distribution of sables, saphires and chalets to the fabulous few will dip below even the 1920 level, but thousands of families in remote and less congenial climates will eat better. And this year many a Hollywood personality whose greeting cards of past years have become museum pieces and collectors' items, are sending ready-printed fill-in jobs which explain formally that the money has gone to this or that organized charity.

It has been said that publicity is the life blood of Hollywood and it is. But Hollywood is not Hollywood at Christmas time. Then it is just a small town fortunately situated geographically and inhabited by plain people well supplied with worldly goods and grateful to all of their gods for the circumstance. Gratitude is not glamorous. Sincerity is not sensational. Simple virtue begets no headlines. The day after Christmas, Earl Carroll's fantastic new night club will open with a bang and that will make copy. New Year's Eve will furnish plenty of morning after art, keyhole chatter and spot broadcasts. Hollywood will prerun and pose on these occasions. It will spend Christmas off parade.

GB Sues Theatre Firm

Gaumont British Pictures Corp., of America filed suit in the U. S. Supreme Court yesterday against United Theatres, Inc., a Puerto Rican corporation, for $3,500 damages for alleged failure to accept films contracted for. The defense will move today for dismissal on the grounds that the court has no jurisdiction over the company.

Hollywood Preview

“Trade Winds”

(Wanger—United Artists)

Hollywood, Dec. 22.—There are two distinctive novelties in “Trade Winds.” One is the freshly unique manner in which the basic story and its romance, drama, comedy and adventure is pictured. The second is the expert and different manner in which backgrounds have been made a part of production detail. Both have entertainment and commercial value.

Although a great many players participate in the picture, Fredric March, Joan Bennett, Ralph Bellamy and Ann Sothern carry the load.

Sure that she is a murderess, Miss Bennett flees San Francisco and March, a detective who has a way with women, is called into the case. Accompanied by unimagination able Bellamy, and secretly trailed by his secretary, Miss Sothern, March starts his way across the Pacific. Eventually the trio catch up with Miss Bennett, for whom Miss Sothern knows there is a $100,000 reward. But March, falling in love with her, visions an idyllic existence in the South Seas. The insistence of Miss Bellamy and Bellamy that the girl be returned to the scene of the Crime builds to the climax in which March proves that Miss Bennett did not do the killing, and traps the one who did.

The breezy, easy-going story written and directed by Tay Garnett, with screenplay by Dorothy Parker, Alan Campbell and Frank Adams, is expertly designed to interest and amuse practically all segments of audience patronage.

Running time, 90 minutes. “G.”

G. McC.

*G* denotes general audience classification.

Shirley Temple Voted Biggest Money Star for 1938 Season

(Continued from page 1)

Ameche, Dorothy Lamour, Ginger Rogers, Nelson Eddy, Bob Burns, Errol Flynn, Jeanette MacDonald and Nelson Eddy, listed as a team: Irene Dunne, Paul Muni and William Powell.

In addition, three other groups are given mention, in the order of their ranking, also. In Group I are 35 players, in Group II 36, with several “teams” listed as one by the vote of exhibitors, and in Group III 135.

The relative rankings in the poll were determined by allotting 10 points to each for first, five points for second and so on down to one point for tenth.

Gable’s record in the poll is nearly as impressive as Shirley Temple’s. He has attained second place for the third successive year, and his name has been among the 10 leaders in each of the seven years the poll has been conducted. The gap between his place and first has steadily become smaller.

Sonja Henie, Jane Withers, William Powell and Myrna Loy were new to the list of 10 leaders last year, and with the exception of Powell, they held their ranking this year. Neither Mickey Rooney, Alice Faye or one Power were within the first grouping of 25 during 1937. Spencer Tracy did not reach the top last year, but did capture the Academy Award in 1937.

Bicycling’ Increase Is Noted in Report Of Copyright Bureau

“Bicycling” violations outnumbered “holdover” violations two to one, according to the annual report of the Copyright Protection Bureau for the year ending Oct. 31, 1938. The Bureau interprets the condition as a return to the predominance of bicycling which existed for a few years after the bureau was established in 1927. Thereafter, and until 1936-37, there were more “hold-over” violations.

Jack H. Levin, director of the bureau, said violations were found in only 167 per cent of the theatres investigated during the year, as compared with 44.6 per cent for 1930 and 1931, for example. In 1937 the violations were 38.4 per cent. Thirty-four states were covered in the past year.

The activity in bicycling is attributed to an influx of new exhibitors, acquisition of one or more additional houses by exhibitors formerly operating single units, and the increase in the number of theatres in the country since 1938.

According to the report, the bureau cooperated closely with exhibitor organizations and individual exhibitors who sought aid on “free shows,” although most were found to be 16mm, showings. A special study of illicit distribution of duped and bootleg prints is still pending. Gabriel L. Hess, counsel for the distributors on copyright matters, discusses decisions in Federal courts on exhibition rights under copyright.

Grainger Closes Deal

San Francisco, Dec. 22.—In route to spend the holidays in Los Angeles, James R. Grainger, Republic president, stopped off here and signed the Blumenfeld circuit of 14 theatres for the company’s product. Joseph Blumenfeld signed for the circuit.

Robinson in “Naiz Spy”

Hollywood, Dec. 22.—Edward G. Robinson has been selected by Warner’s for the starring role in “Confessions of a Nazi Spy,” which will be put into production soon.

“We are starting to write a new chapter in film history with 375 new year’s bookings for M-G-M’s SWEETHEARTS’. Watch!”

(It’s the Jeanette MacDonald—Nelson Eddy Technicolor Sensation from M-G-M)
U. S. Radio Is Picking Up in Latin America

By JACK BANNER

John Royal, NBC vice-president, who attended the Pan-American convention in Lima last week, back home yesterday that the United States is being heard more frequently in the Spanish-speaking world because of the improvements in short-wave transmisions, and that Latin Americans are showing a better appreciation of what the United States is broadcasting.

American broadcasters, he stated yesterday, are now successfully meeting the competition from Europe and Asia, and with new reciprocal program agreements between the United States and the other countries about to be classified as the forces of a bright picture of harmony wrought by radio.

U. S. Radio Popular

Royal talked with the representatives of the 21 American nations at the convention, and he expressed great enthusiasm for American radio. Of paramount importance, he said, was the growing practice of the United States to pick up American programs direct, and then rebroadcast the shows over their own long waves. In this fashion they are now being received in Latin American listeners more clearly than when viewed from the west and then picked up by short-wave. A great many programs from the U. S. are now being heard in Latin America in this fashion, he said, and the system is growing.

He said program reception from the United States is much clearer than at any time in the past, and attributed the improvement to new equipment recently put in operation here by operating companies, such as NBC, CBS, General Electric and others in the international short-wave field. The recent increase in the number of home receivers now in operation in Latin America, but a representation at RCA later said there are approximately 200,000 sets, and that approximately one-half this number are capable of receiving short-wave American programs.

Avid for World News

Royal said he listened to programs sent by Germany and Italy, and judged them below the standards of those from the United States. He said the Latin Americans were avid for world news, and that they accepted the news from American stations almost without question, whereas they were often doubtful about the news from foreign stations.

Flynn Lux Radio Guest

Hollywood, Dec. 22.—Errol Flynn will be the star on the "Lux Radio Theatre," Jan. 2, in a bit from "Dawn Patrol."
NBC Billings
Set Record at
$40,000,000

CBS Gross $27,000,000; Mutual, $3,000,000

Network radio enjoyed its greatest prosperity during 1938, with NBC's gross billings for the year estimated at more than $40,000,000, Mutual accounting for slightly under $3,000,000, and the CBS gross for the year amounting to more than $27,000,000.

NBC's figure is the highest in all network history. The company's cumulative 11-month total amounts to $37,575,607, and the December billings will boost the company's gross beyond the $40,000,000 mark, based on December expectations. Last December NBC's billings for the month were more than $3,000,000, and this December the gross is expected to surpass the December, 1937, total by almost $1,000,000, according to estimate.

NBC's gross income for 1938 has been estimated by Mark Woods, treasurer, at $38,432,170. This figure represents the official gross income of the network, excluding at the gross income figure, discount as well as company revenue from sources other than time sales, which are taken into account.

Mutual's gross income for 1938 is estimated at $2,932,955, which will represent an increase of over 30 per cent for the 12 months. Mutual's December billings are expected to approximately $327,000, which is estimated.

The CBS gross for 1938 is estimated at $27,343,337, which, compared to the 1937 total of $28,722,118, will represent a decline of 48 per cent for Columbus. The total for the first 11 months of 1938 amounts to $34,816,337, with the total for December expected to amount to $2,527,000.

Milder Heads Group
Sailing for Europe

Among those listed as sailing on the Normandie yesterday were: Max Milder, Warners, managing director in the United Kingdom; William Skirball, Cleveland exhibitor and brother of Jack Skirball of Grand National; Joseph Somlo of General Film Distributors, London; Madeleine Carroll, who is going to France; Louis Dreyfus, president, Crawford Music Corp.; Clifford and Mrs. Fischer, Henry Sheek and James M. Cain.

13 B'way Houses
Back Fair Drive

World's Fair officials say that 13 Broadway film theatres have been lined up to cooperate in "The Dawn of a New Day" exploitation for the Fair, starting New Year's Eve. Virtually all first runs and several second runs are included in the list. Exploitation will include dressing ushers and other attendants in the colors of the nations, orange and blue, decorations for marquees and lobby displays. The Fair is lining up additional theatres.

May Waive $50,000
Tax Penalty, Mayor
Informs Distributors

Mayor La Guardia has indicated to movie companies following a series of hearings, that the penalty provisions amounting to almost $50,000 for non-payment of the two per cent city sales tax will be waived if an agreement on interest on the deferred payments can be reached with the city comptroller.

Concessions on the amount of interest for the 18 months' period during which distributors withheld sales tax payments on the theory that films were exempt from the tax are now under way between city officials and counsel for the distributors. Indications are that the Mayor's decision that penalties should not be assessed may save the companies around $50,000. Interest, however, may amount to almost as much.

An agreement is expected this week.

Hart Goes to Coast
On Production Code

Vincent G. Hart left for Hollywood over the weekend to spend three months in the Production Code Administration headquarters there. His assignment is in line with the policy of rotating members between the eastern and west coast offices to further a uniform interpretation of the Production Code.

Hart will undertake further efforts to extend Production Code service to foreign producers on his return to New York in April. Eastern office of the Production Code reviews foreign films and has been making a continuous effort to advise foreign producers of code regulations and interpretations in advance of production, rather than to be placed in the position of having to correct mistakes in a finished picture.

INDENCILS LED IN '38 HOUSE BUYS

Work Is Resumed
On New Erpi Pact

Acquired 360 in Year to 3,830; Affiliated
Gain 50

There has been greater expansion of independent circuits in 1938 than of affiliated circuits. The ratio was about seven to one. Final figures for the year probably will show an aggregate of 3,630 independent circuit theatres. This is a rise of 350 houses over the total in 1937, which was 3,280. Affiliated circuits indicate a gain of approximately 50 theatres, which brings the aggregate number of affiliated circuits in the country to 2,940. In these figures four or more theatres are regarded circuit-wise, and from it there is to be gathered that there are 9,000 theatres which are in open operation in the country, under independent auspices.

Paramount Bought 40

Most interesting is the fact that of the affiliated circuits the company which expanded most is Paramount. That company, through affiliates, naturally, acquired an additional 40 theatres. Paramount's theatres are operated on a decentralized basis through partnerships and management participation among associates. There was only one theatre, apparently, acquired by Loew's during 1938. However, Fox, West Coast (National) added seven. Warners acquired six new houses.

The only affiliated circuit to finish the year with fewer houses than in 1937 was RKO. This company winds up its 1938 calendar with three houses less than the number it operated the previous year.

Paramount's principal acquisitions were through the Malco Circuit (Tennessee; Mississippi; Arkansas); Butterfield (Michi-tan-Otioh); Sparks (Florida) and Blank (Iowa-Nebra-

The Griffith Circuit of Texas, Oklahoma and New Mexico, among the independent circuits, has led in

(Continued on page 4)

Stoll Theatres Show
Gain in '38 Balance

London, Dec. 26.—Stoll Theatres Corp. show a balance of £11,448 ($572,425) in their profit and loss account as compared with £109,659 ($548,295) the previous year.

Stoll Theatres Corp., is a property owning organization whose policy is the realization of properties in which it is interested.
CHARLES SKOURAS, Fox West Coast head, sails Jan. 7 on the Conte di Savoia for his first visit to Greece since leaving his native land many years ago. He will be accompanied by Mrs. Skouras and their daughter. •

COUNTRESS KELSER, producer of World Windows, color shorts released by United Artists, sailed for London yesterday on the Normandie. •

MARY PICKFORD left for New Orleans over the weekend and goes to Hollywood from there for the United Artists annual stockholders' meeting Jan. 12. She is due back in New York around the end of January. •

FRANK S. SPERDIE, president of Eastern Service Studios and Audio Productions, Inc., will be at Sea Island, Ga., over the holidays. •

R. F. CHAPMAN, Audio Productions director, has been appointed executive assistant to CHARLES G. GEFF, vice-president of Eastern Service Studios. •

R. M. COPELAND, Des Moines Paramount exchange manager, and SLATER O'HAS, Paramount salesman, are spending a two-week vacation in town. •

FREDERICK L. HERRON, M.P.P.D.A. foreign head, returns to New York tomorrow from a holiday visit in Indiana. •

NORMAN ALLEY of Universal News-reel has returned to the coast via TWA. •

PAULETTE GODDARD, accompanied by her mother, arrived from abroad on Friday on the Europa. •

GENE MURPHY of Loew's theatre department has gone to Chicago. •

WILL H. HAYS returns to New York from Sullivan, Ind., tomorrow. •

Open Resort Theatre

MONTRÉAL, Dec. 26.—The class first run theatre opened here over the weekend to serve the winter sports clientele at Domaine Désertel, St. Marguerite, Domaine, a leading Laurentian mountain resort, is owned by Baron Empain, Belgian financier. The new theatre, seating 300, will use American and European feature and shorts and will operate nights and weekend matinees.

MOTION PICTURE DAILY

Insiders' Outlook

M-G-M next month will launch a new series of one-column, semi-institutional ads on the theme of "Lion's Roar." To run regularly for a year in five national magazines, McColl's, Pictorial Review and Red Book, monthlies, and Look and Liberty, weeklies. The company has appropriated $15,000 a month for the ads, with Donahue & Coe as the agency. The column has been running as part of full-page ads in the fan magazines for the past two months.

Walter Huston has no film plans. "What plans are there to make," he asks, "I am still in Knickerbocker Holiday and there's no telling how long it will run." Asked if there have been any discussions about making his hit play as a film, Huston said there might have been, but the process might be a difficult one, as the film makers probably would have to take out the political angle and inject a "boy meets girl" angle. "Which," Huston added, "has been done before.

He has received offers to turn to Hollywood, Huston said, but it's no deal as long as his present vehicle on Broadway continues to draw.

A pre-Christmas opening day record was set at the Rialto, Louisville, by "Kentucky," new 20th Century-Fox release. As the first day's business was $1,075, big for this time of year. "Alexander's Ragtime Band" and "In Old Chicago" garnered more on the same holiday day as both pictures started their runs on holidays and earlier in the year.

Donahue & Coe, advertising agency, has distributed Christmas bonuses of one week's salary to all employees.

A film, titled "Health and Happiness," will be made in Montreal under the auspices of the Provincial Committee for the Prevention of Tuberculosis, with the aim of enlightening the public on the disease.

It is planned to show the picture in every vocational high school, college and convent in the Province of Quebec. The scenario was written by Robert Chouquette and Cine Craft Studio will produce. Running about 2,000 feet, the film is expected to be completed by March.

Sidney Samuelson may head the new Allied unit in Philadelphia. All Allied Independent Theatre Owners of Eastern Pennsylvania. Organization of this unit may be completed by Jan. 1, at which time formal announcement may be made.


Maurice Silverstone, operating head of United Artists, was the guest of executives and employees at a Christmas party, held the same day at the company's New York exchange.

National Screen Service is producing a series of trailers on patriotic subjects. They were first tested on the Interstate Circuit in Texas. Audience reaction prompts the company to make a series of "The All-American Spangled Banner" and "The Constitution" are completed. "The Bill of Rights" is in production with others to follow.

The Fox in Hutchinson, Kans., has been turned over to the First Methodist Church for use in holding services while the church building is being remodeled.

Nov. Tax Revenue Totals $1,985,127; Gain Over October

WASHINGTON, Dec. 26.—Releasing season at the last minute, attendance and admission tax collections in November showed a marked gain over the preceding month, amounting to $8,446,199 against $7,660,367, it was reported by the Internal Revenue Bureau.

The month's collections, however, were considerably under those of the corresponding period last year, when they amounted to $2,242,573, although $1,629,881 in collections of $1,505,674 and the 1935 total of $1,866,915, it was said.

Failure of business to hold up to the 1937 level further widened the gap between 1937 and 1938 tax collections, bureau figures showed, revenues for the first 11 months of the current year being $19,640,980 as compared with $18,684,006 in the corresponding period last year.

Collections in the Third New York (Broadway) District more than doubled in November as compared with the same month last year.

Total collections in the district last month were $39,502, against $28,355, and the collections for the year to the 1937 level which was $68,112 in November, the gap between the two years was far less than that of the preceding month, which compared with $604,487.

Box-office taxes jumped from $247,637 in November of 1936 to $329,546, in November of this year, it was stated, but collections from free or reduced rate admissions in $4,220 against $3,466, on tickets sold by brokers from $4,000 to $26,362; on tickets sold in excess of established prices to $576; on permanent use or lease of boxes and seats from nothing to $22; and from admissions to roof gardens and cabarets from $29,251 to $43,155.

Para. Names Jacobson

Hollywood, Dec. 26. Arthur Jacobson was appointed head of the Paramount talent department following the resignation today of Ted Leser, John Zinn, formerly legal advisor of the Paramount talent department.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor in Chief and PUBLICATIONS, Editor; JAMES A. CRON, Advertising Manager.

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Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.
Make your NEW YEAR'S Reservations NOW!

For the biggest New Year's Show in town!

Starring the one and only

JACK (BUCK) BENNY
No. 1 Funny-Man of Screen and Radio!

Starring glorious, glamorous

JOAN BENNETT
She's Lovely...She's Luscious...She's Yum-Yumm-Yummm!

In Paramount's

"ARTISTS AND MODELS ABROAD"

Laugh with Mary Boland! Laugh with Charley Grapewin! Laugh with Fritz Feld! Thrill to Joyce Compton! Roar at the antics of The Yacht Club Boys...

Hear that Sensational New Radio Smash "What Have You Got That Gets Me?" sung as it should be sung. Dance to the Lulling Melody of "You're Lovely, Madame." Clap Callused Palms to the Rhythmic Beat of "Doing The Buckaroo."

Feast Your Eyes on the Fascinating Fashions of the Rue De La Paix, the latest and most bewitching creations of Schiaparelli, of Lanvin, of Patou displayed by the most beautiful living models ever to march their radiant splendor across the silver screen...

Meet the Glamour Girls of Hollywood on Parade! See Them in the Magic Foam Bath...Not Naughty, but very nice...Thrill to the Most Colossal Cavalcade of Beauty ever to meet the eye of mortal man.

All under the Personal Direction of MITCHELL LEISEN
Produced Lavishly, Magnificently, by the World's Greatest Producer PARAMOUNT
Independents Lead Affiliated Circuits In 36 Acquisitions

(Continued from page 1)

the number of new theatres which were opened in 1938. Other large expansion moves were made by Roy Martin (Georgia); and the Schneiders in Pennsylvania, Cincinnati, Kentucky and Maryland.

These four independent circuits acquired just about 50 per cent of the aggregate number of issues made by independents during the year. That means that these four acquired approximately 180 issues.

The independent circuits comprise 370 individual organizations operating in 2,084 cities and towns of the country.

Their growth has been fairly constant for the past five years. In 1933 there were 223 independent circuits, which in 1936 operated in 1,006 cities and towns.

It is entirely too premature to con- clude from the trend of the pending Government anti-trust suit on expan- sion activities by the affiliated circuits. The circuits affiliated with major companies. The complete absence of any movement on the pending suit, have an understanding with the Government, by which they report their plans to the theatre plans to the Government daily.

It was in 1930 that the affiliated theatres reached their peak in numbers. Since 1933 the average gain per year has been under 100 theatres for the five national circuits, Paramount, Fox, Coast, Loew's, RKO and Warners.

Thus there seems to be a definite trend away from exclusive expansion which became so burdensome to these companies in 1931 and 1932. Perhaps a factor in limiting ex- pansion by these circuits has been the improved business conditions following the depression of 1931-32. Owners having profitable theatres are not so keenly disposed to spend and gen- erally the purchase price is higher than at other times, so that prospective purchases are discouraged.

National Screen

Sues Trailer-Made

National Screen Service on Friday filed suit in Federal court for an accounting, damages and penalties against Trailer-Made, Inc., charging that Trailer-Made has taken sound tracks owned by National Screen and put them in their trailers.

Of 30 trailers examined by National Screen, 10 were found to have appropriated National’s sound tracks, according to the complaint. N. S. and Trailer-Made submitted for examination all of its 500 or more trailers already produced.

National Screen owns, in its music library, many hundreds of original copies from which it has orchestrated and recorded in its own sound tracks at great expense, it is claimed.

National Screen asks for an injunction against further distribution and use of all trailers with its music. Is- adore Schwartz and Pathe Film Corp., which processes many of Trailer- Made’s products, are made defendants.

Winnipeg Winner

In S.R. Kent Drive

Winnipeg’s 20th Century-Fox branch placed first and Montreal second in the 18-week S. R. Kent Drive which ended Dec. 17. The contest was on accumulated delivery for the period against quota.

In the overseas division, China took top money, leading 36 other countries. William C. Gehring’s central di- vision led the others, with the western division second, Gehring’s division received 40th of the 12 prize winning branches, with the western division accounting for the other three.

Winnipeg branch employees will re- ceive five weeks’ salary, with prizes for the other winning offices in propor- tion. Montreal, the runner-up, placed second in percentage. Production, Mont- real, first, was as follows: in order, are: Des Moines, St. John, Omaha, New Orleans, Chicago, Cal- gary, Seattle, Memphis, Minneapolis and Toronto.

Although the final week of the drive fell in the pre-Christmas slump, 32 of the branches surpassed the Winnipeg at Jacques Forontnos. Joseph Huber is manager of the Winni- peg branch. T. E. Lopato is man- ager in Omaha. Robert O. O’Toole was drive leader. E. V. Lomba con- ducted the overseas drive.

Christmas Activity

Knocks Bottom Out

Of Detroit Grosses

DETROIT, Dec. 26.—Christmas took its toll at the box-office. The Fox circuit’s $3,000 worth of “School” plus Major Bowes “Swing School” on stage, “Snow White” gave the United Artists $6,000. “There Goes My Heart” and “Snow White” at the Michigan did $10,000 for the week.

“Storm” (Univ.)

The Little Adventurress” (Col.)

FOX (125c-50c) 7 days. Gross: $3,000. (Average, $450.)

“Girls’ School” (Col.)

FOX—(3,000) (30c-65c) 7 days. Stage: $4,000. (Average, $570.) Gross: $10,000. (Average, $1,425.)

“The Goon, My Heart” (U.A.)

“Storm Over Bismarck” (Rep.)

FOX—(2,000) (10c-25c) 7 days. Gross: $3,000. (Average, $450.)

“Ride a Crooked Mile” (Para.)

“Black Angel” (Rep.)

PALMIS STATE—(3,000) (15c-50c) 7 days. Gross: $6,000. (Average, $850.)

“Snow White” (RKO)

Arrives—(2,000) (30c-65c) 7 days. 2nd week. Gross: $6,000. (Average, $850.)

W. B. Buys Lawsry Story

HOLLYWOOD, Dec. 26.—Warners has purchased “Invisible Stripes,” original story by Brandon Lewis E. Lawes of Sing Sing, and Jonathan Finn.

Seven Opening on Stage This Week

Four openings today, two openings yesterday and one more tomorrow are this week’s addition to the Broadway stage. The coming week will bring the total on view to 28.

Opening today are: “Policy King,” at the Bayes, by a musical by Michie, and starring songs by James Johnson and Sam Manning. The policy racket is the theme. Ashwood is producer, the cast includes Enid Reching, Boston Strong, Cora Green, Basie de Saussure and Niles Wells.

“Don’t Throw Glass Houses,” at the Vanderbilt, is a comedy satire by Ronald Franken and produced by Contemporary Stage. Cast includes Gaylord Clem, John Cram, John Raby, Margaret Randall and others.

“Sweepstakes,” at the Golden, is a light comedy by William DuBois about a romantic school teacher with literary ambitions. Production is by Doremus and cast includes Arlene Francis, Onslow Stevens, Lee Patrick, Edmund Dodgers and others.

Yesterday’s Openings

Yesterday’s openings were: “Every- where I Roam,” at the National. It is a story about farm life in the west and is a collaboration by Marc Connelly and Arnold Sundgaard. Connolly also directed the staging and with Bela Blau, produced the play. Cast includes Dean Jagger, Katherine Emson, Joseph Huber, Robert Porterfield and others.

“Blossom Time,” at the 46th St., is a revival of the 1931 operetta by the Shubert’s. Present cast includes Everett Marshall, Charlotte Lansing, Mary McCoy, Roy Cooper, Mar- jorie Main and others.

Tomorrow, “The Merchant of “Yonkers” bows in at the Guild. Thornton Wilder has fashioned a foot farce from Johann Nestroy’s “He Will Be the Devil of a Fellow.” To this has been added staging by Max Reinhardt and presentation by Herman Shumlin. The large cast is headed by Jane Cowl, June Walker, Percy Waram, Joseph Sweeney and Tom Ewell.

British Theatres Pay $227,385 Sunday Tax

LONDON, Dec. 26.—About $25,477 ($227,385) has been paid into the Cinematograph Fund by British ex- hibitors, the last payment being made ending March 31 as their tax on the Sunday opening of cinemas. . . . The fund now has a balance in hand of $12,000 ($65,000).

Schlesinger Leaves

For New York Today

HOLLYWOOD, Dec. 26.—Leon Schles- inger, Warner Bros. cartoon pro- ducer, leaves tomorrow with Mrs. Schlesinger, for New York. They will remain east for about a month.
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 CIANNI - 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
ROUYARD KIPLING'S Poem - Screen
Play by Joel Sayre and Fred Guiol
**“Patrol” High $34,000, But L.A. in Slump**

LOS ANGELES, Dec. 26.—Christy Henry shot and exceptionally bad weather, with many days of continuous rain, hit virtually all local grosses. The double hit of “Patrol” and “Nancy Drew, Detective,” however, went well over average, taking $17,500 at the Warner Hollywood and $17,100 at the Warner auditorium, for a combined gross of $31,600.

“The Citadel” just nosed over average at the last, with $18,500.

Estimated takings for the week ending Dec. 21:
- **“There Goes My Heart” (U.A.)**
  - Estimated at $17,500.
- **“Smashing the Spy Ring” (Col.)**
  - Estimated at $17,500.
- **“Little Women” (Paramount)**
  - Estimated at $15,500.
- **“The New Gropener” (RKO)**
  - Estimated at $13,000.

**New York Preview**

**“Forbidden Music”**

(Work Pictures)

Typical stage musical comedy material, whose chief distinguishing characteristic is the music, the English-made adaptation features Richard Tauber, well known as a tenor, and Jimmy Durante. In support are Diana Napier, Jane Clyde and Derrick de Marney.

Set in the early 19th Century, the story, in true musical comedy style, concerns a tiny mythical kingdom whose people do no work but sing all day. Results: a heavy debt, and when Miss Napier, Princess Regent, is faced with a “pay or else” ultimatum, she forbids all music. The people protest vigorously, led by Durante, American newspaper correspondent, whose daughter, Miss Clyde, is with him. The problem centers about Tauber, native son and famous singer, who, returning for his annual appearance, has his singing forbidden. A clandestine concert is arranged, about which everyone knows, and results in open musical revolt on the part of the people, and romance for the princess and Tauber.

The film was adapted by Rudolf Bernauer from an original story by Franz Sigel and directed by Walter Forde. The music is effective, and on the whole, it may be considered stage musical comedy translated to the screen.

Running time, 63 minutes. **G.**

CHARLES S. AARONSON

**‘Crossroads’**

(Tri-National)

“Crossroads” presents the perplexities of a man who suddenly discovers he is one. Although the dialogue is in French and the story progresses almost entirely through its dialogue, English titles are sufficient to carry the plot and maintain the tension. Charles Vanel, French industrialist, finds himself hounded by blackmailers who threaten to expose him as an ex-convict. He brings suit for libel, when a newspaper prints the story, and the defendants set out to prove the truth of their statement. The evidence clears Vanel of the memory during the war and that his identity was established by friends.

Although he is victorious in the suit, Vanel becomes convinced that he is, in fact, the ex-convict. Once more he falls into the hands of a blackmailer, but this time he is saved by a sweetheart of his former days who kills both the extortionist and herself.

Kurt Bernhardt, who directed, deserves credit for the manner in which he develops the story. In the courtroom, first one bit of evidence is permitted to prove one identity and then another witness appears who destroys the next. Jean Berry, as the blackmailer; young Jean Claudio, as Vanel’s 10-year-old son, and Suzy Prim, as the former sweetheart are well cast in the supporting roles. It is a Eugene Tusher production.

Running time, 80 minutes. **G.**

ED GRIFF

**J. Frank Brockliss Is Dead in London**

LONDON, Dec. 26.—J. Frank Brockliss, 59, former chairman of the British Cinematograph Manufacturers Association and for several years chairman of Committee of the British Board of Film Censors, died last Friday. Brockliss established the Paris office of Metro-Goldwyn and was managing director from 1921 to 1925. From there he went to New York as managing director of First National Pictures, Ltd., London. More recently he has devoted this time to his ancestry business.

**Hollingshead Promoted**

HOLLYWOOD, Dec. 26.—Because of the success of the shorts of Warner Brothers, Dick Hollingshead was promoted to feature producer by Bryan Foy. His two first assignments will be “Hero for a Day” and “Blind Spot,” and he also will continue on shorts.

**Para. Plans 3-Day ‘St. Louis Meeting’**

Paramount home office executives and district sales managers will hold a three-day meeting at the Coronado Hotel, St. Louis, Jan. 7, 8 and 9.

Attending the sessions will be Neil Agnew, vice-president and distribution chief, who will preside; Division Managers J. H. Unger, Charles Reagan and Oscar Morgan; Robert M. Gillham, advertising and publicity director; G. B. J. Frayle, Don Velde, Alex Moss, Fred Leroy, Jack Roper, Herman Lorber and Arthur Dumé from the home office; Also District Managers Milton Kussell, W. H. Erb, H. H. Goldstein, K. C. LiBeau, James Sedgwick and Frank Brodsky, Allen Usher and Harold F. Wilkes.

Cliff Lewis, studio advertising manager, will also attend, joining the New York group, who leave from here by train Jan. 5.

**‘Waltz’ with ‘Carol’ Sweep Hub, $34,500**

BOSTON, Dec. 26.—“The Great Waltz” and “Christmas Carol” doubling at two theatres, Loew’s State and Orpheum, did a rousing business, despite Christ- mas. Total $34,500.

The Paramount and Fenway houses did well, showing “Angels With Dirty Faces” with “Down on the Farm.” Respectively, they took in $8,500, and $6,500.

Estimated takings for the week ending Dec. 21:
- **“The Great Waltz” (M-G-M)**
  - Estimated at $17,500.
- **“A Christmas Carol” (M-G-M)**
  - Estimated at $16,500.
- **“Angels With Dirty Faces” (20th-Fox)**
  - Estimated at $16,000.
- **“Heart of Dixie” (20th-Fox)**
  - Estimated at $15,500.
- **“Angels With Dirty Faces” (20th-Fox)**
  - Estimated at $15,000.

**‘Sweethearts’ Fine $18,500 in Cincy**

CINCINNATI, Dec. 26.—Defying the Christmas slump, “Sweethearts” took $18,500 at the RKO Albee and held.

“Out West With the ‘Haryds’” did nicely with $3,100 in its third week at the RKO Grand, but the other spots were under par.

Estimated takings for the week ending Dec. 22:
- **“Sweethearts” (M-G-M)**
  - Estimated at $4,200.
- **“Submarine Patrol” (20th-Fox)**
  - Estimated at $3,500.
- **“Out West With the ‘Haryds’” (M-G-M)**
  - Estimated at $3,000.
- **“Read Demon” (20th-Fox) 2 days**
  - Estimated at $2,750.

**Ohio Bans “Mamlock”**

“Professor Mamlock,” Soviet film distributed in this country by Aminko Film, has been banned in Ohio by the censor, Ray Reichelderfer, head of the censor board, gave no reason for the rejection of the picture.
Radio

Radio Personalities

Dick Money of the Earl Ferris office left for Chicago Monday with Andre Kostelanetz for the latter's guest appearance on the Edgar Guest series... Horace Hagehorn, station representative, back from New York Service, will receive two letters from Chicago... Katherine Hepburn, after an absence of four years from radio, will be the guest star on the Campbells Playhouse production of "Farewell to Arms" over CBS next Friday... Kate Smith, spending the holiday at Lake Placid, will do her commentary series from there for the next few days... Carson Robison and his Buckaroos, now broadcasting over NBC, will leave for London in April for a six-week personal appearance at the Barclay Hotel... Fred Allen will make his first appearance on Wednesday broadcast. His skit will be called "The Director LANDS on the Cutting Room Floor"... Walter Koenig's "In the Absence of Madge" will later be heard over NBC Sundays beginning Jan. 8 at 2:45 P.M. Harry Stella and Allen Bergner, Army and Navy football stars, will make their first appearance in a home coming celebration at Kankakee which will be heard over NBC tonight 6:30 to 6:45 P.M. Monsignor Fulton J. Sheen will deliver his first address of his ninth season as speaker on the Catholic Hour program over NBC on Jan. 10 at 5 P.M.unny Man, one of the California Horse Racing Board, will be among those to be heard over NBC Dec. 31 from 6 to 7:30 P.M. in the broadcast to describe the opening of the Santa Anita track.

NBC Sued by Author

Monroe B. LeVoy has filed suit in the N.Y. Supreme Court against NBC, Philip Morris & Co., Bow Co., Inc. Jack Johnstone and Milton H. Biss for $25,000 damages, a permanent injunction and an accounting of profits. Plaintiff alleges that he submitted a novel idea, the "Perfect Crime," in which a mystery story is dramatized and the audience acts as jury. He claims that it was subsequently copyrighted by Philip Morris and that he was not paid.

Renew Carnation Hour

International Night series of the Carnation "Contented Hour," heard Monday nights over five major networks, will be continued during 1939, according to terms of a new contract just signed. Erwin Wasey & Co. is the agent.

Television "Twelfth Night"

London, Dec. 26.—British Broadcasting Co. on Jan. 2 from the Phoenix Theatre will televise the complete play of "Twelfth Night."
"KENTUCKY"
SMASHING
ALL RECORDS

at the

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
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 Casco 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
Managers Act To Get Voice On Basic Pact

Seek to Force Dramatists' Guild to Include Them

Natan, Once Chief of Paris Pathé Cinema, Arrested in Swindle

Amended RKO Plan May Get Tentative Approval Tomorrow

STRONG PRODUCT BOOMS BROADWAY

New Films Draw $200,000 Over Xmas Weekend; Weather Helps

More than ordinary box-office value is being demonstrated by new product on Broadway. The Main Stem's box-office, stimulated by the holiday spirit and children, out of interest, with thousands of out-of-town visitors in the city, sent the weekend Christmas grosses above $300,000. It rained Saturday night, but otherwise moderate weather helped additionally.

Long queues of customers decorated the sidewalks around the Radio City Music Hall, the Roxy and the Strand, from opening to past midnight. All the theatres did outstanding business.

"Carol" Rolls-up $87,000

"Christmas Carol" rolled up an estimated $87,000 at the Music Hall in six days, since opening Thursday. The Strand, with "Dawn Patrol" and a stage show headed by Abe Lyman, took $42,000 in five days, and the Roxy garnered $40,000 in five days with "Kentucky."

"The Beachcomber" with $26,000 in the three days and a limited show, started the Rivoli off strong after being shuttered two weeks. The Globe is having one of its best weeks with "The Last of the Century." The British film, "The War of the Worlds," is off and running.

"Artists and Models Abroad" drew an estimated $50,000 at the Para-

(Continued on page 4)

Para. Gets Cooper For "Beau Geste"

Hollywood, Dec. 27.—Paramount gets Gary Cooper, by arrangement with Samuel Goldwyn, for the latter's picture, "Beau Geste," Fred MacMurray and Ray Milland will be in the film, too.

Paramount has been angling for Cooper for this film for some time, and the fact that Goldwyn had no immediate plans for the player has resulted in Paramount's getting him for the desert picture.

Radio Page 10

Patriotic Appeal to Mark 1939 Product, Says Warner

Hollywood, Dec. 27.—Pictures with an American theme and product designed with a patriotic appeal will be the chief trends in production in 1939, in the opinion of Jack L. Warner, vice-president of Warners.

These trends will be reflected in Warners' production program. "World conditions have made Americans more appreciative than ever before of their heritage of liberty and democracy."

Warner said.

Pointing to a population of 175,000,000 persons in South and Central America, Warner said his company plans additionally a series of films about the great heroes of our Latin American neighbors, the first on the life of Simon Bolivar, said the second on San Martin, who freed the Argentine and Chile. This series will be in color.

"The Monroe Doctrine" is also scheduled for production, the studio feeling that this will be especially timely, English and Spanish language versions will be made.

Typical American dramas which Warner said will be made during the year include "Dodge City," "Oklahoma Kid," "Union Depot," "Stand Up and Fight" and "Let Freedom Ring," a Civil War story. The first two will be Warner films.

Warners will continue the production of service pictures. Definitely scheduled are "Wings of the Navy," "Panama Canal" and "Confessions of a Nazi Spy," dealing with the fight against espionage.

In addition, said Warner, his studio will make color films of great Americans, based on the biographies of George Washington, Benjamin Franklin, Abraham Lincoln and Haym Salomon, who helped finance the Revolutionary War. Other companies plan pictures on Lincoln and Theodore Roosevelt. Warners will also film "The Bill of Rights."
Purely Personal

MILTON BRENN, production executive of the Hal Roach studios, will arrive in New York tomorrow from the coast for the opening of his latest production "Topper Takes a Trip," at the Music Hall.

W. Ray Johnston, Monogram president, has a new automatic phonograph, radio and folding bar combination, a Christmas gift from franchise holders.

Jack Schelman, assistant to Heman Wober, 20th Century-Fox general sales manager, has returned from the coast. Wober returns next week.

Helen Hayes will receive the honorary degree of Doctor of Humane Letters from Hamilton College on Jan. 15.

P. J. Friedhoff, treasurer of Monogram Productions, arrived from the coast yesterday for a week's stay.

John Manheimer, I.T.O.A. executive secretary, will spend New Year's with his son, Arthur, in Cleveland.

Estelle Taylor has been tested for the part of Belle Watling in "Gone With the Wind."

David Law is in town and probably will remain here for several weeks.

Edward Cohen, 20th Century-Fox manager in Ecuador, arrives today for conferences.

William Fittelson, attorney, plans to vacation in Europe soon.

Will H. Hays has deferred his return from India until tomorrow.

Horwitz to Florida

CLEVELAND, Dec. 27—M. B. Horwitz, local independent circuit owner, leaves today to spend the week for Florida to complete his convalescence from pneumonia.

THE MERCURY

Giant Skybluers

OVERNIGHT TO LOS ANGELES


Mercury Ex. 5:40 p.m. Southern Ex. 9:40 p.m. (only 2 days)

FOR RESERVATIONS: Call Your Travel Agent or VAN WERTS 3-2200; Ticket Office: 42 Vendome Ave., and Rockefeller Center, 18 W. 59th St., American Airlines Inc.

Insiders’ Outlook

Along with other Federal "nuisance" taxes, the 10 per cent amusement levy expires next June. This tax has had the effect of limiting the upward scale of admission prices. It has acted as a ceiling on the theatre admissions. Should the tax be renewed, it would seem likely that no widespread increase in admission prices throughout the country will be had in 1939. The present expectations in Washington tend to an extension of this tax for another five years. As a matter of fact, Senator Connally of Texas, of the Senate Finance Committee, indicated that these "nuisance" levies would be renewed.

Last year it seemed for a time that these taxes would be either repealed or modified as part of a general revision of the national tax schedule. The Treasury Department conducted a long study of the situation, but thus far nothing concrete seems to have come of it.

Prospect of the restoration of the amusement taxes for theatres in Ontario in 1939 has lessened with the hint of retirement being given to the health of Premier M. F. Hepburn. He has been considered a revival of the ticket levy on the ground that some theatres had not put on to the public the benefit of the elimination of the tax last year by a similar reduction in admission prices.

Hepburn has been at loggerheads with others in his political party and he has intimates that he will shortly take a long vacation. The development is taken to mean that any proposal for the reintroduction of the amusement tax, which brought $2,000,000 to the treasury in its last complete year, would be shelved. Arthur Low, head of M-G-M foreign activities, dropped off to the office yesterday morning, after flying up from Trinidad Monday night, a real Santa Claus, if slightly late. From his office in New York he gave each employee of his department in New York, regardless of salary, one week's pay as a Christmas bonus, plus $25 cash to cover the cost of Christmas dinners.

Beverley Baxter, formerly director of public relations for Gaumont British Corp., and now a Conservative member of Parliament, has left for London on New Year's, is the author of a new book, "Westminster Watchtower." It's all about British politics.

Report persists that Alfred Wallenstein has been signed by William S. Paley to head American Record Corp., control of which was taken over last week by CBS for a reported price of $700,000. Wallenstein is currently music director of WOR, and conductor of the symphonic orchestra on the Firestone program on NBC.

CBS purchased 80 per cent of the record company's stock for $400,000, receiving an option on the balance of the stock. The move is destined to make CBS a factor in the transcription business. Acquired by CBS in the deal were four other phonograph and record companies, Columbia, Brunswick and Vocalion, all subsidiaries of American Record.

Warner home office employees earning $25 to $100 a week have received a holiday bonus of 25%. Those earning less than $25 a week were given a week's salary. Sales department employees shared in a bonus distribution based on revenue drive standings.

Others have been deterred but State Senator Phelps of New York, according to news accounts, is determined to introduce a bill in the next legislature amending the State Corporations law to legalize lotteries. Naturally, if his proposal is successful, chance games in theatres also will be legalized.

Such a bill must be passed by two successive sessions of the legislature and then ratified at a referendum before it becomes effective. Phelps' presently apparent objective seems to be a lottery for State revenue purposes.

Film critics of lay weekly and monthly publications, apparently have also shared their own giving film awards this year. The reviewers vote Friday night on the best picture of 1938, the best director, best actor, actress.

Metro Continues Auditing System

M-G-M will continue the rotating system of branch office and theatre auditing that has been in effect during 1938. Under this policy, which will continue at least another season, the rotating team of auditing auditors, the aim being to cover branch offices four times a year.

The annual meeting of M-G-M audi-itors will be held on Jan. 27. The meeting will be held yesterday and will wind up Friday. Alan F. Cummings, chief of foreign operations, and Charles K. Stern, assistant treasurer, are in charge.

Theatre audits will be discussed in-ternationally by Mayor L. Clair, Irving Schlossberg and Charles Quick. On Friday Charles J. Sonin and William Regal will discuss different policies.

William F. Rodgers, general sales manager, and Division Managers Tom Connors and Ed Saunders will address the group. On the final night there will be a dinner dance at the Astor.

Discussion of the sessions are Joseph L. Collard of Toronto, Canadian representative; Parke D. Agnew, traveling master booker; William Marsh, radio manager; Robert L. Long, Charles W. Aaron, Thomas F. Grady, Jay H. Zimmerman, Charles Fogle, representing J. S. MacGregor, the new maintenance manager, and Ben Wolf and Nat Rochlin, student auditors.

Canada Conciliation Meeting Is Delayed

TORONTO, Dec. 27—A quarrel was looming at the meeting of the Canadian Conciliation Committee to deal with revisions in the license agreement urged by the Independent Theatres Association through N. A. Taylor, vice-president of that organization, and another session was called for Jan. 2.

At the previous session on clearance, held early in December, the independents proposed a reduction in price of "B" pictures as a first step in the program and representatives of the circuits were reported to request back on the suggested change.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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It's a SOCK!

STAND

M-G-M urges you to go on
Strong Product
Booms Broadway

(Continued from page 1)
mount in the week ending last night.

The Capitol, with "Sweethearts,"
reportedly the biggest of the week, gave
the corresponding period last year, "Pry-
magnon," at the Astor, is still S.R.O.

Children and their families in hol-
day mood jammed the early shows yesterday.

At the Music Hall, the crow of hovers from the lobbies into the theatre with unbridled line extending eight abreast along 50th St. from Sixth Ave. and curled around Rockefeller Plaza, where several have additional waited. The Roxy line went almost to Sixth Ave. Many in the queues were of high school age.

Holiday attractions make way for new films at the Music Hall, where "Topper Takes a Trip" starts tomorrow; at the Criterion, were "Ride a Crooked Mile" replaces "Bionicle," and at the Rialto, which replaces "Wild Heart of the North" with "Black Cat."

'Angels' $13,600
In Buffalo Storm

BUFFALO, Dec. 27.—First run grosses took a tail spin here as the city saw its coldest stretch weather this year. Rain, snow and sleet pelted the Christmas shoppers almost constantly.

"A Frame-Up" and "A Campaign" wreath
ed the storm most successfully, making $15,600 for the Buffalo. The Lafayette duality, "Gangster's Day" and "Road to Reno," took $7,880.

Estimated takings for the week ending Dec. 27:

  "Angels With Dirty Faces" (W.B.)
  BUFFALO—$4,000 (Oct. 36-5) 3 days.
  Gross: $1,200. (Average, $400.)

  "The Bad Man" (P.R.)
  GREAT LAKES—$1,000 (Oct. 30-36) 7 days.
  Gross: $142.50. (Average, $20.36.)

  "Spring Madonna" (M-G-M)
  DOWN ON THE FARM (20th-Fox)
  HIPPODROME—$2,400 (Nov. 26-30) 4 days.
  Gross: $600. (Average, $150.)

  "Up the River" (20th-Fox)
  Road to Reno (Univ.)
  LAFAYETTE—$1,950 (Nov. 25-26) 2 days.
  Gross: $780. (Average, $390.)

Manheimer Quits Circuit

SEATTLE, Dec. 27.—Richard Man-
heimer has resigned as assistant booker of John Danz's Sterling the-
aetres, effective Jan. 1. He will be succeeded by Paul Reiss, present
vice-president of the circuit's Woodland.

Warners Move Ploettel

VANCOUVER, B. C., Dec. 27.—After 12 years in Vancouver, Joe Ploettel has been transferred to manager of the Shellton Theatre, Brandon, effective Jan. 9.

Matthew Fox Leaves

Seattle, Dec. 27.—Richard Man-
heimer has resigned as assistant booker of John Danz's Sterling the-
aetres, effective Jan. 1. He will be succeeded by Paul Reiss, present
vice-president of the circuit's Woodland.

REOPEN IN INDIANAPOLIS

INDIANAPOLIS, Dec. 27.—Circle and the Indiana, downtown first runs, and the Hamilton, neighborhood, have re-
opened here after remodeling.

Resolution Giveaway
Discussions Today

Further discussion of the proposed elimination of cash giveaways in the New York Metropolitan area will be held today at a meeting of the members of the I. O. T. A.

Will Ask $5,000 Fee
In 'Test Pilot' Suit

J. Robert Rubin will apply to Fed-
eral Judge Henry W. Goddard today for an allowance of $5,000 council fees against the estate of Jimmy Collins which brought suit against M-G-M for alleged infringement of the book "Test Pilot" in the M-G-M film of the same name. Federal Judge Alfred C. Coox dismissed the copyright infringement charges in the complaint on Nov. 25, but permitted allegations of unfair competition to remain.

GN Sets Deals with
3 Midwest Circuits

KANSAS CITY, Dec. 27.—Grand Na-
tional has closed deals with Fox Mid-
west Theatres, Inc., Glen W. Dickin-
son Theatres, Inc., and Dubinsky Bros. circuit here on all 1938-39 product for all houses, Russ Borg, branch manager reports. Edward A.
Warners, general sales manager, and James W. Winn, Midwest district man-
ager, were here late last week to com-
plete the deals.

Leach Joins Imperial

NEW HAVEN, Dec. 27.—Hurry
Segal of Imperial Pictures, Boston, has appointed Charles W. Leach, for-
ter Imperial manager here, to handle charge of Connecticut sales of Imperial,
with offices here.

"Drug King" Rushed

HOLLYWOOD, Dec. 27.—Plans for
"Drug King," in which Claude Rains is expected to play the title role, were announced here. New Gloria Dickson and Fay Brentner also are tentatively set for the cast.

Cummings to Boston

Joseph M. Cummings, with Loew's
20 years and with the auditing de-
partment 15 years, is retiring as audi-
tor to join the Boston office staff.

The Newsreel Parade

Paramount, News of the Day and Universal present a resume of impor-
tant happenings during 1938. H. F.
Kocher narrates, while scenes during the past year in Spain, China and the crisis in Europe, and climaxes the reel with the conferences in Lina-
con. The reel and its contents follow:

MOVIE NEWS, No. 31.—Roose-
velt extends holiday. See rescue in New

NEWS OF THE DAY, No. 229.—Avia-
tion, disasters, drama, war, crisis in Eu-
rope, Japan and the United States re-ar-ming during 1938.

PARAMOUNT NEWS, No. 62.—Im-
pressions during 1936, M-G-M's Old Age American gives conception of the

UNIVERSAL NEWS, No. 321—
War, floods, a hurricane, war and rebellion, earthquakes, an oil tank fire, suicide leap. Great case, Cardinal Hayes' death, elections and aviation highlights, during 1938.
It's the MONEY!

UP
Theatre Changes

GHOSEN RESUMES CONTROL
KANSAS CITY, Dec. 27.—T. G. Ghosen of Sedalia, Mo., will resume full control of his four houses in Clinton, Tipton, Versailles and Sweet Springs, Mo. For the past year Ghosen has had an operating arrangement with the Glen W. Dickinson Theatres, Inc.

A LEGENDRE BUILDING
LUMBERTON, N. C., Dec. 27.—Morris Legendre plans a $20,000 theatre building here, the house to seat 1,000.

WEARY OPENS HOUSE
RICHMOND, Mo., Dec. 27.—Frank Weary has opened the new 500-seat Vogue here. The house is the second for Weary and for Richmond. He also operates the Ferris.

HAYOB REMODELING
KANSAS CITY, Dec. 27.—George Hayob is remodeling and repainting the Mary Lou at Marshall, Mo.

TO RAZE RKO GRAND
CINCINNATI, Dec. 27.—RKO Grand, originally Grand Opera House when playing legitimate attractions prior to acquisition by Warners a quarter century ago, will be razed and replaced with a modern theatre and store building by the Taft estate, owners.

BUY KANSAS HOUSE
KANSAS CITY, Dec. 27.—Howard M. Wilson and Catherine Wilson have purchased the Majestic, Jemore, Kan., from Herman Lee.

HENRY BUYS IN IOWA
STUART, Ia., Dec. 27.—Ice Henry, owner of the Sherry, has recently bought the Strand in Ackley, Ia. He will continue the operation of the Stuart.

REOPEN CINCY HOUSE
CINCINNATI, Dec. 27.—Mayfair, 400-seat downtown house, dark for past two years, after being bought by the Fazio and other Ohioana theatres, has acquired the Atoka and New from Earl Barrett.

OPEN IN MILWAUKEE
MILWAUKEE, Dec. 27.—The Garden downtown house dark for many months, has reopened as the Little, showing single feature foreign bills exclusively.

ALLEY REOPEN HOUSE
PACIFIC, Ia., Dec. 27.—The Alley of Guthrie Center, Ia., has reopened the Ritz here.

HOLLYWOOD, Dec. 27.—Lee Tracy returns to Hollywood next month to be starred in RKO’s “What’s a Fixer For,” with Alice Faye and Edward Arnold. Donovan Dunagan, four years old, also is cast. Paul Yawitz and Bert Graze are directing the screenplay. Louis Prima and his band have been signed to appear in “Rose of Washington Square” at 20th Century-Fox. Also making plans for the “Drug King,” based on the current McKesson & Robbins swindle. Set for top roles are Claude Rains, Lisa Renee, F. A. Baker, Victor Jory, Donald Crisp, James Stephenson, Glory Dickson and Henry O'Neill. Randolph Scott gets the adult lead in Shirley Temple’s next picture, “Susanna of the Mounties,” at 20th Century-Fox.


Contracts—Christmas time brought good news to a number of film workers, especially those whose options were exercised, and who received new contracts. M-G-M renewed the pacts of Spanky MacFarland, Edward Killroy, actors, and Hal Rossen, cinematographer. Warners have a spire of it, Fay Bainter, George Brent, James Stephenson, Gabriel Dell and Huntz Hall, players; Milton Kram and Michael Feisser, writers; Gosdon Hollingshead, short subject producer; Crane Wilbur, writer-director, and Heine Roosfield, veteran M-G-M comedienne, are included. Red singing actress now in “The Boys from Syracuse,” on Broadway, was signed by Paramount and will report to the studio’s west coast as soon as the busy season ends.

Chicago Gives ‘Trade Winds’ Good$12,600

CHICAGO, Dec. 27.—“Trade Winds” blew into the Loop this week to gross $12,600 at the Roosevelt. “Shirtless Hour” at the Artistes hit $9,000, while business in other houses was off considerably. “Young in Heart” took $3,100 at the Chicago. The Christmas slump cut in and unsettled business here.

Estimated takings for the week ending Dec. 20:

"Angela With Dirty Faces" (W.B.)
Grossing $1,400 (35c-36c-40c) 7 days, $4,200. (Average, $600)

"Young in Heart” (U.A.)
Grossing (35c-36c-40c) 7 days, $3,200. (Average, $457)

"Young Dr. Kildare” (M-G-M)
GARRICK—(900) (30c-40c-50c) 7 days, Gross: $1,500. (Average, $214)
"Five of a Kind” (20th-Fox)
ORIENTAL—(440) (35c-40c-50c) 7 days, Gross: $1,200. (Average, $171)

"Trade Winds” (RKO)
RIVIERE—(260) (35c-50c-75c) 7 days, Gross: $1,200. (Average, $164)

"Heart of North”
SHERMAN—$5,600; Milwaukee Falters in Holiday

MILWAUKEE, Dec. 27.—“Heart of the North” proved that little tough guys in Society collected $6,500 at the Warner, the only bill to better average. Only other redeeming feature in a slow week was the strong opening of “Sweethearts” and “Young Dr. Kil- dare” at Fox’s Wisconsin. “The Shining Hour,” after four days of its second week at the Wisconsin, was continued over to the circuit’s Strand. Estimated takings for the week ending Dec.

"Five O’Clock” (M-G-M)
LITTLE—(1,080) (35c-50c) 7 days, Gross: $1,300. (Average, $144)

"Girls on Probation” (F.N.)
King of Alley” Para.
500—(160) (35c-50c-75c) 7 days, Gross: $1,400. (Average, $1,450)

"Heart of the North” (F.N.)
SHERMAN—2,000 (35c-50c-75c) 7 days, Gross: $1,400. (Average, $140)

"The Great Waltz” (M-G-M)
COLEOPSIS—(300) (35c-50c-75c) 7 days, Gross: $1,200. (Average, $160)

"The Cowboy and the Lady” (U.A.)
ORPHU—(999) (25c-35c-50c) 7 days, Gross: $1,200. (Average, $160)

"The Great Waltz” (M-G-M)
COLEOPSIS—(300) (35c-50c-75c) 7 days, Gross: $1,400. (Average, $170)

"The Penelope Travele” (Para.)
Princess—(2,273) (35c-50c-75c) 7 days, Gross: $2,000. (Average, $720)

"School” Dual Tally $4,900; N. H. Slumps

NEW HAVEN, Dec. 27.—“Girls’ School” and “Hard to Get at” the Roger Sherman was the only bill to average in the week before Xmas. Gross was $4,900.

“Smashing the Spy Ring” and “Flirting With Fats” at the College took $2,000. “Illegal Traffic” and “Always in Trouble” at the Paramount grossed $2,500.

Estimated takings for the week ending Dec. 23:

“Smashing the Spy Ring” (Col.)
LOCALS—(400) (25c-35c-50c) 7 days, Gross: $2,000. (Average, $260)

"Down on the Farm” (20th-Fox)
LOZEB—(2,100) (35c-50c-75c) 7 days, Gross: $9,200. (Average, $1,300)

"Always in Trouble” (20th-Fox)
PARAMOUNT—(500) (35c-50c-75c) 7 days, Gross: $2,500. (Average, $425)

"Girls of School” (Col.)
Local: $1,000.

ROGER SHERMAN—(2,000) (35c-50c-75c) 7 days, Gross: $4,500. (Average, $640)

over the Hermo at Herman, Mo., on a partnership basis with Caspar Bassman, who will remain as manager.

THOMPSON ACQUIRES TWO
TORONTO, ORK., Dec. 27.—Glen Thompson, owner of the Pavey and other theatres, has acquired the Atoka and New from Earl Barrett.

Nine New Pictures Approved by Legion

National Legion of Decency has approved nine of the films which will be reviewed for the current week, classifying the nine as unobjectionable for the following list of new films reviewed follows.


Chicago, Dec. 27.—“Trade Winds” proved that little tough guys in Society collected $6,500 at the Warner, the only bill to better average. Only other redeeming feature in a slow week was the strong opening of “Sweethearts” and “Young Dr. Kildare” at Fox’s Wisconsin. “The Shining Hour,” after four days of its second week at the Wisconsin, was continued over to the circuit’s Strand. Estimated takings for the week ending Dec.
It's a PULSE-STOPPER!

AND FIGHT

Go on
Hollywood Previews

"The Girl Downstairs"

Hollywood, Dec. 27.—Light and gay, "The Girl Downstairs" has been designed as picture entertainment for those who prefer not to have the imagination subjected to great stress or strain. Its story is one of the many Cinderella variations. Locale of the yarn is Switzerland, but due to the rare talent in which Harold Goodman, Felix Jackson and Karl Noti translated the Sandor Hunyady original to the screen, the manner in which producer Harry Rapf staged and Norman Taurog directed, all that happens is typically American.

Gay blade Franchot Tone is hampered in his attempts to see his girl, Rita Johnson, by her father, Walter Connolly, who thoroughly dislikes him. Posing as a chauffeur, Tone meets the scullery maid, Frankisa Gauk, and the consideration she shows him causes her to fall in love with him. Tone plays along with the girl, who, when she believes he is broke, uses her life savings to buy him a taxicab. Eventually the problem has to be solved and Tone solves it in happy style by falling in love with the slavey, much to Connolly’s consternation and Miss Johnson’s chagrin.

Supporting the romantic theme are three or four amusing interludes, most outstanding of which are Billy Gilbert’s scene on the telephone; Tone and Miss Gaal riding in the taxi, which is falling apart, and bits of business and adies contributed by Reginald Owen, Franklin Pangborn, Robert Coote, Charles Judels and James B. Carson.

Running time, 75 minutes. G."* G. McC.

"Pacific Liner"

(RKO)

Hollywood, Dec. 27.—Heavy drama, with only a few bits of comedy and a meager trace of romantic love interest, is the entertainment substance of "Pacific Liner." Practically all the action takes place in and about the stoke-hold of a ship making an ocean crossing. Victor McLaglen and Chester Morris are featured in the leading roles. Wendy Barrie is the only woman.

Romantic attachment for nurse Miss Barrie brings engineer McLaglen and ship’s doctor Morris into conflict first. Cholera breaks out among the stoke-hold crew and Morris isolates them in their quarters to prevent the disease spreading to passengers. As one after another fireman and engineer falls victim to the scourge, McLaglen, proud of his record of always keeping the ship on schedule, drives the survivors with flogging fists and lashing tongue. The fear that grips the men drives some mad, some turn to religion, one or two commit suicide. When only a handful of men remain, McLaglen scollop himself and helps keep the fires going. Gradually Morris brings the epidemic under control and the ship makes port on schedule. Loving his engines more than anything, McLaglen is not disappointed when Miss Barrie elects to follow Morris to a new medical post.

Katharine Coldenly and Harry Symonds wrote the original story, which was adapted by John Twilt and directed by Lew Landers.

Running time, 75 minutes. G. McC.

"Long Shot"

(Fine Arts-Grand National)

Hollywood, Dec. 27.—In all probability, although no release date has yet been set, "Long Shot," fifth of the Fine Arts Productions for Grand National distribution, will be sent out to theatres about the time the sport world will be talking about the $100,000 Santa Anita handicap. "Long Shot" is about horse racing, with its climax at the richest stake race in the world, and exhibitors from this have available a week of exhibition ideas.

Executive Producer Franklyn Warner instilled in this a maximum of entertainment. It is a neatly moving story, capably told and skillfully enacted. The cast consists of Gordon Jones, Marsha Hunt, C. Henry Gordon, George Meeker, Harry Davenport, George E. Stone, Dorothy Tree, Jack Oakie, Earle Hodgins, Emerson Treacy, Robert Darien, Tom Kennedy, Joe Harron and James Keefe. Ewart Adamson wrote the screenplay from the original by Harry Beresford and George Callaghan.

Jones, injured while rescuing Miss Hunt from a truck, is forced to remain on the race track and places his string of horses with Davenport’s stable, but Davenport loses them. Davenport feigns death and wills Miss Hunt and Jones his last possession, a horse which he has turned out on the range. They get the horse back, and race it to victory through the intrigues of crooked gamblers.

Running time, 69 minutes. G."* VANCE KING

GN Moves Day to Omaha

Omaha, Dec. 27.— Bert Day, Grand National salesman at St. Louis for ten years, has been moved here as G.N. branch manager, succeeding Hymie Novitsky.

Kay Band and "On Farm" Is $8,000 in KC

KANSAS CITY, Dec. 27.—Only Herbert and his orchestra, with "Down on the Farm" bettered average, taking $8,000 at the Fox Tower. "Thanks for Everything" was held at the Esquire and Uptown, with $2,000 and $3,000 respectively. Estimated takings for the week ending Friday.

"Thanks for Everything" (2th-Fox) ESQUIRE—(600) (26c-40c) 7 days. Gross: $1,900. (Average, $264)

"Dramatic School" (M-G-M) SMASHING THE SPY RING (Col.) MIDLAND—(600) (25c-40c) 7 days. Gross: $800. (Average, $114)

"Down on the Farm" (2th-Fox) FOX TOWER—(26c-40c) 7 days. Stage: Herbert Kay & Orchestra; Fuzzy Davis, Pete Ryan, Noyak & Faye. Don Cummings, Del Ross Truo. Gross: $800. (Average, $73)

"Down on the Farm" (2th-Fox) UPTOWN—(26c-40c) 7 days. Gross: $1,100. (Average, $157)

"Broadway Munkeaters" (W.B.) ORPHEUM—(1,000) (26c-40c) 8 days. 4 stage prices. $4,800. (Average, $600)

"Blondie" $6,200

Strong in Omaha

OMAHA, Dec. 27.— "Blondie," dually with "Strange Case of Dr. Meade," pulled a strong $6,200 at the Brandeis.

"Hard to Get" and "Christmas Carol" grossed $9,000 at the Orpheum. "Great Waltz," dually with "Arrest Bulldog Drummond," drew $6,600, according to figures for the week ending Dec. 21-22:

"Blondie" (Col.) BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $6,200. (Average, $890)

"The Great Waltz" (M-G-M) ARREST BULDOG DRUMMOND (Par.) ORPHEUM—(1,000) (26c-40c) 7 days. Gross: $5,600. (Average, $550)

"Christmas Carol" (M-G-M) DAILY—(1,200) (25c-35c-40c) 7 days. Gross: $7,000. (Average, $720)

Crosby, 'River' Give Indianapolis $12,000

INDIANAPOLIS, Dec. 27.— "Up the River" on the screen, with Bob Crosby and his orchestra, billed by Ted Lewis' show, tallied $12,000 for the Lyric, only house to do well in a quiet week. "Drums" and "Smashing the Spy Ring" did $5,200 at Loew's, while at the Apollo "Say It in French" and "Ride a Crooked Mile" drew $3,000. Estimated takings for the week ending Dec. 23:

"Say It in French" (Par.) RIDE A CROOKED MILE (Par.) (26c-40c) 7 days. Stage: Herbert Kay & Orchestra, with Marion Mann, the Bob Cats, All-American Swing Four and Belet & English Bros. Gross: $3,000. (Average, $430)

"Smashing the Spy Ring" (Col.) UP THE RIVER (2th-Fox) LYRIC—(2,000) (25c-40c) 7 days. Stage: Herbert Kay & Orchestra, with Marion Mann, the Bob Cats, All-American Swing Four and Belet & English Bros. Gross: $12,000. (Average, $1,714)
WALLACE BEERY
ROBERT TAYLOR
BIG STARS!
"STAND UP AND FIGHT"
GREAT PRODUCTION!
ADVERTISE!
EXPLOIT!
PROFIT!

Metro-Goldwyn-Mayer’s New Record-Breaker!

WALLACE BEERY and ROBERT TAYLOR in "STAND UP AND FIGHT".
With Florence Rice, Helen Broderick, Charles Bickford. Screen play
by James M. Cain, Jane Murfin and Harvey Fergusson. Directed by
W. S. VAN DYKE II. Produced by MERVYN LeROY. An M-G-M Picture
Announcer Honored

Mexico City, Dec. 27.—A singular honor, the first of its kind to have been accorded a Mexican radio announcer, has been bestowed upon Pedro de Lillev, announcer of Station XEW here, who has a large following. Station XEAF, Chihuahua City, has had itself officially renamed Pedro de Lillev.

General Mills to Resume CBS Time

General Mills, Inc., whose switch of the “General Mills Hour” from CBS to NBC last year seriously affected CBS time sale billings, again will be represented on CBS with a series starting the first of the year.

The new show will feature H. V. Kaltenborn, news analyst, in a new sponsored series to be presented Sundays from 10:30 to 10:45 P. M. over a network of 20 stations. The series on the show are to be institutional.

As far as is known, the “General Mills Hour” will remain on NBC, although reports are current that the new series might presage a general buying campaign of CBS time by General Mills.

Baton, Barton, Durstine & Osborn placed the contract for the new series.

WOR Deals Are Set For Three Renewals

Three new contracts have been completed for programs on WOR this week. Childs Restaurants, through Blackett-Sample-Hummert, renewed their contract for the three 45-minute programs per week put on the air by John Gambling. Colgate-Palmolive-Peet is responsible for the other two renewals, for the transcribed versions of the series, “Myrt and Lillian” and “Hilltop House.” Otis Williams and George Schmidt are the WOR salesmen who effected the renewals.

Bench in WEAF Series

Jack Berch will appear in a twice weekly series for Sweetheart Soap Co. over WEAF and a small network of NBC stations starting Dec. 27. The series is to be presented Wednesdays and Fridays from 7-7:45 to 8 P. M. Franklyn Brush agency set the deal, with CBS Arts Bureau acting as talent representative for Berch.

Fischer Sponsors Show

B. Fischer & Co., distributors of Astor Coffee, have obtained the WBAL early morning show titled “Morning Almanac,” which features Phil Cook. Fischer also sponsor the show Tuesdays, Thursdays and Saturdays, starting Jan. 12. The show is broadcast daily except Sundays. Neff-Rogov, Inc., placed the contract.

Form Radio Productions

ALBANY, Dec. 27.—Papers of incorporation have been issued here to Radio Productions, Inc. Capitalization consists of 200 shares of stock, no par value.

Radio Personalities

B. EICHBERG, trade news editor of Radio-Craft magazine and author of “Radio Stars of Today,” has pledged five per cent of his gross income from future royalties of his book to a fund for independent radio workers, and in a letter to the networks suggests that they devote 1/100 of one per cent of their net revenue on the same purpose. Book by Max Wyile, CBS director of scripts and continuity, titled “Radio Writing,” has been published by Farr & Reinhart.... Gabriel Elen~ will pinch hit for Kate Smith on her commentary broadcast Jan. 3 while Kate rests at Lake Placid. CBS Dennis will make his first New York appearance beginning Thursday when Paul Whitman opens at Loew’s State. Seth Kerner, CBS announcer, is preparing a book on games. ... Franchot Tone will appear in the Kate Smith show Jan. 12 in an original play written for him by Elaine Sterne Carrington. Wingy Mamo~ has been signed under an exclusive management contract by Consolidated Radio Artists.

It’s a girl at the Lou Costello, of Costello Airdale comedy team on the Kate Smith show. Jack Barron, here, is re- garded, the handler, gets another dance period on Mutual, making four a week at present.

Spartan in Cincinnati

CINCINNATI, Dec. 27.—Phil Spitalni, All-Girl Show, shares one of his Opr~ orchestrated for a week of Dec. 30 at the independent Taft Auditorium, used sporadically for entertainment. A picture also will be shown. Spitalni recently had the Grand Ole Opry, and is doing a tour with the Palace, Akron, week of Jan. 6, to be followed by the Palace, Youngstown, both Monarch units.

Ethel Hutchens to KSFQ

SAN FRANCISCO, Dec. 27.—Ethel Hutchens has resigned from the United States Department of Internal Revenue here, to join the production staff of KSFQ, CBS station. Other appointees are Ethel Blumenthal to the merchandising depart- ment, and Betty Casey to the promotion staff.

Wolfe in Recording Firm

SAN FRANCISCO, Dec. 27.—John Wolfe, NBC producer, and David Brandt, technical engineer for the network here, have established the Kennedy-Kut Recording Co. in studios formerly used by the San Francisco Chronicle, in its old affiliation with NBC. All types of radio recording work will be handled.

WILM Move Approved

WILMINGTON, Dec. 27.—WILM has been granted permission by the Federal Communications Commission to change the location of its transmitter from Carrcrofto, Del., to Wilmington and to erect a vertical tower antenna system. An increase in the hours of operation was also granted.

F.C.C. Battle Seen Over Procedure on Program Disputes

WASHINGTON, Dec. 27.—Another bitter controversy in the Federal Communications Commission was faced today in the transcribed urgent reports filed by a special committee on the handling of complaints against programs.

Involving the question of censorship, final action by the commission on this question is seen as “putting it on the spot” since, no matter what its decision may be, it will be subject to criticism.

The question has been before a special program complaint committee since last March, when it was decided a definite policy should be worked out for the handling of cases like the Mac West “Garden of Eden” skit. More recently the committee has had to deal with the broadcasts of “Beyond the Horizon” and Orson Welles’ “War of the Worlds.”

In the filing of majority and minority reports, the committee is seen as being unable to agree as to the best method of handling such matters. The majority opinion is said to recommend some changes in the procedure of investigating complaints, but leaving the committee free to penalize stations which have broadcast improper programs.

The minority, however, is understood to desire to follow closely the non- commercial provisions of the Communica- tions Act, leaving it largely to the broadcasting industry itself to regulate programs.

Sunray Sues on Film

Sunray Films, Inc., has filed suit in N. Y. Supreme Court against Select Attractions, Inc., Leo Malchen, doing business as French Film Exchange. Robert Swarraz, Inc. as Island Theatre Circuit. Plaintiff alleges that its film, “Little Flower of Senhora,” was taken from the competition because of the defendants’ picture, “The Glory of Faith,” was being represented as the product of the plaintiffs.

Infringement Suit Filed

SOUTH BEND, Ind., Dec. 27.—Copy- right infringement suit by Bernhard Huffman and Forest O. Bobit was filed in the Federal Court here against Bing Crosby, Paramount Publicx Corp., W. C. Kohlrust, operator of the Fairy, Napanee, and Sandby- joey Select. Plaintiffs claim infringement of “I’ve Got a Pocketful of Dreams” which is heard in the film “Sing You Sinners.”

Mennen Renews “Vote”

Mennen Co. has renewed for a second 13 weeks the San Hayes “People’s Vote” program which is aired Mondays at 8 P.M. on CBS under the sponsorship of H. K. Mieszok.

Smith Quits Esty Agency

Robert P. Smith has resigned his post with the William Esty agency where he has been writing the scripts for the Benny Goodman “Caravan.”

Around the Country

San Francisco

“Who’s In Town Tonight,” with a pickup from St. Francis Hotel con- tinoed here by Janice Baird and John Wolfe, has been dropped from KGO.

... Earl Teasdale’s hillbilly group has been dropped from the NBC staff for San Francisco. KSFO broadcast a special program during Optimist Week, in cooperation with the Optimist Clubs of America.

Jack Wyatt and Evelyn Levy, both on WCPQ staff, were married last week. ... Eldon Park back to WLW-WSAI program department after 10 years of absence. ... Eli Chaloff, guitarist, who has joined WCPQ, worked on WLW, WSAI, WCKY and WKRC, local stations, during the year, is now with the station.

Cincinnati

Suits Against Lord Dropped by Colgate

Suit brought by Colgate-Palmolive- Peet Co. against Phillips H. Lord and Lord have been dis- continued in the Federal Court. Dis- pute was over right to use of title “infligators,” a radio series, which Lord claimed after the plaintiff with- drew its sponsorship of his program.

Writs Films and Radio

KANSAS CITY, Dec. 27.—John Cameron Swayze, radio editor of the Kansas City Star, under whose name is handling films as well. Under the new owner- ship, the paper is publishing straight news and new first run pictures at the three first run houses which advertise, Midland, Newman and Orpheum. The old type of criti- cal reviews have been eliminated. Frequently the Journal carries a col- umn of film chatter, most of it built up from a local angle.

“Revivals” Is Renewed

General Broadcasting Association, broadcasting “Old Time Revival- ists” over the Mutual network, Sun- days from 9 to 10 P.M., has renewed the program for an additional 20 weeks, effective Jan. 1. The program is carried over an 86-station hookup, originating in California. R. H. Abel & Co. is the agency.
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**
From the season's drama smash of youth!

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 up 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!

THE TUMULT OF A MOB GONE WILD... ROARING SCENES YOU'LL NEVER FORGET!

THE LITTLE TOUGH GUYS

JACKIE COOPER
in A UNIVERSAL PICTURE
NEWSBOYS' HOME
with EDMUND LOWE
Wendy BARRIE, Edward NORRIS
Samuel S. HINDS, Elisha COOK, Jr.

Directed by HAROLD YOUNG
Associate Producer KEN GOLDSMITH
Screenplay by GORDON KAHN

PRINTS NOW AVAILABLE!
Industry Will Help Finance Film Library

Leaders to Foster Project at Modern Museum

Not only will filmdom take an active part in fostering the work and purpose of the Film Library of the Museum of Modern Art, but it will contribute financially toward the maintenance of the project. This was determined recently by leaders of the trade at a meeting.

There will be a specific annual contribution made to the Film Library, additional to contributions of films.

Division of Museums

The Film Library is a separate corporation, but a division of The Museum of Modern Art. It was founded in May 1933 through a grant of $120,000 from the Rockefeller Foundation. This grant has not been exhausted yet, and the Library exists on these funds. In addition there are occasionally small contributions from the trustees, and revenue derived from rentals of films. It is a non-profit institution, but hopes some day to be self-supporting on the basis of rental revenue. Although commercial producers frequently contribute films, the films are never rented to commercial companies.

The Library is an "educational institution." (Continued on page 4)

Silverstone Host to Milton Brein Today

Maurice Silverstone, operating head of United Artists, is giving a luncheon in honor of Milton Brein, today, in the Rainbow Room, Rockefeller Center. Brein is producer of "Topper Takes a Trip," new Hal Roach film which bows in at the Music Hall today.

There will be a cocktail party in honor of Brein, at the Music Hall, in the afternoon, given by W. G. Vitale Schmus, managing director of the theatre.

Hicks, of Paramount, Will Sail Next Week

John Hicks, vice-president in charge of foreign activities for Paramount, sails for London on Wednesday. While in England, Hicks will get Dave Rose set in the latter's new duties as managing director in England for Paramount. Hicks probably will be away about six weeks, two of which he probably will spend on the continent.

Paramount Patrons Vote Goodman Best

Paramount Theatre patrons have voted Benny Goodman and his orchestra as the best in bands at the house for the second successive year. Following him were Tommy Dorsey, Sammy Kaye, Guy Lombardo and Kay Kyser. Robert W. Weitman, managing director of the Paramount, will present a trophy to Goodman Jan. 3.

Kent Host to Harley, Miggins at Lunch; Lands Foreign Dept.

Sidney R. Kent, president of 20th Century-Fox, was host at a luncheon yesterday at the Union League Club honoring Francis L. Harley, managing director of the United Kingdom, and Sam Miggins, Continental manager, who are visiting here.

The luncheon also signaled the return of Walter J. Hutchinson, director of foreign distribution, from a five-month trip to South America, South Africa and Europe. Kent paid tribute to the work of Harley and Miggins and the progress shown by the foreign department.

The group of 22 at the luncheon comprised company officers and executives. Hutchinson, Harley and Miggins will leave about Jan. 15 for a visit to the studio.

Quebec Due to Ban Airshows

Advertising Beer March 31

MONTREAL, Dec. 28.—Fears that Quebec will follow other provinces of Canada in barring beer advertising programs from the air are being expressed by industry officials here. General opinion has it that legislation or governmental pressure will permit no beer-selling shows after March 31.

Additional developments in radio on page 10.

However, no new contracts will be made or renewed to be issued for such programs.

Though Major Gladstone Murray, head of Canadian Broadcasting Corp., expressed the hope that a large number of the impending fate of beer programs exists in the local advertising agencies. Several breweries are said to be preparing for the stroke, revamping programs to continue to trade on the familiarity of the brewer's name without mentioning the product.

Quebec is the last stronghold of radio beer ads. Hard liquor publicity has been banned across the country, and one by one the other provinces have dropped beer selling shows. Prohibition of such airshows in Quebec would be a severe blow to the industry.

Films Will Be Used Chiefly in Television

Will Exceed Live Talent, Expert Predicts

Not only will films be used chiefly rather than live talent in television but sponsored telecasting will require three of ordinary broadcast-

ing, in the opinion of William H. Preiss, head of the International Television Corp. These opinions are contained in a letter which Preiss has addressed to Mayhew & Reily, downtown firm.

The ITC head indicates in his letter that radio is a most aggressive competitor of films, a condition likely to be corrected by the new program.

On occasions," Preiss's letter states, "where some program of universal appeal is put on the air simultaneously over all the broadcasting stations, there exists a potential possibility of zero attendance at the motion picture theatres, for the duration of that ideal program."

Gives Nine Reasons

Preiss gives nine reasons for his belief that films rather than live talent will constitute the greater part of tele-

vision programming. These are:

1—Duplicates with sound on film can be made cheaply.

2—Film duplicates will provide an inexpensive chain system, which will (Continued on page 4)

Thalberg Suit Reply Filed at Wilmington

WILMINGTON, Dec. 28.—The estate of Irving Thalberg, deceased, filed a reply in Chancery Court here to litigation against them, Loew's and certain executives that excessive exhibition of Thalberg is provided under Loew contracts to the detriment of stockholders. Complainants are Hans W. Goldstein, Edgar F. Silver and Louis B. Loewman.

It is maintained in the reply that none of the defendants nor Thalberg obtained any personal benefits or profits from the contracts except for services rendered to Loew's.

It is further contended in the reply that the Thalberg action is substantially the same as suit in New York courts and unless the proceedings are held in abeyance pending outcome of the New York trial the defendants will suffer unnecessary hardships and expense.

Former United States Senator Daniel G. Hastings represented the defendants.
**Purely Personal**

**Patsy Kelly** has returned to Hollywood after a vacation in New York. She will start work soon at the Hal Roach studios on a new picture.

**Y. Frank Freeman** was host at Paramount studio yesterday to the Georgia Tech football team and Coach Alexander.

**Hugh Williams** will leave for England to appear, he has already completed his role in “Wuthering Heights.”

**Alice Brady** has arrived in New York from the coast for a vacation after completing a role in “It’s Spring Again.”

**Howard Dietz** has arrived on the coast to line up advertising plans and will return in about two weeks.

**Robert T. Kane,** head of 20th Century-Fox production in England, is en route to the coast.

**Nicholas M. Schenck,** president of M-G-M, will leave shortly for Miami Beach.

**Mr. and Mrs. George J. Schaefer** are spending the New Year’s holiday in Florida.

**Joseph Bernhard** will remain in the Lenox Hill Hospital for another week.

**Will H. Hays** returned to New York yesterday from Indiana.

**S. Edwin Graham** is now with Meglin-Fanchon & Marco.

**A. Krellberg** is ill in Mount Sinai Hospital.

**Louis Nizer** is vacationing for a few days.

**Steve FitzGibbons** is here from Europe.

**J. S. MacLeod** of M-G-M is traveling.

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**Insiders’ Outlook**

By SAM SHAIN

**James Roosevelt** has started on his business career in films, here, as an officer of the Samuel Goldwyn Company.

You don’t have to believe it but the alert Metro publicists were making their way down the sidewalk on Broadway, yesterday, when lines of patrons waiting for Metro shows at six theatres on the Main Stem, merged and formed the outline of Felix Leu, the company trade mark.

At the Music Hall, where “Christmas Carol” was the feature, waiting lines reached up to 50th St. to Rockefeller Plaza and rumbled down to 51st St. and back again to Sixth Ave. “Pegmantal” patrons at the Astor formed a queue to the corner of 45th St. and half way down the block to Eighth Ave. “Sweethearts” fans waited outside the Capitol on Broadway and around to 51st St., while at the State, “Out West with the Hardys” followed by this time, the 46th St. corner. “The Citadel” at the Central and “Fighting with Fate” at the Mayfair caused traffic congestion in their immediate neighborhoods.

Puzzle contests and chance games often attract lawsuits. One of the more interesting decisions in this connection which has been handed down recently by the N. Y. Appelate Division, in affirmation of a lower court decision by N. Y. Supreme Court Justice Kenneth O’Brien.

Elie Ashwood brought suit against News Syndicate based on a crossword puzzle contest conducted by the N. Y. Daily News. She claimed that some of the words in the final solution were incorrect and offered to prove it by dictionaries.

Defense counsel pointed to the fact the rules provided that all decisions of the judges were “final.” Supreme Court Justice Kenneth O’Brien dismissed the suit before hearing testimony and declared that the plaintiff had no cause of action.

**Kalbenton Appears At Newsreel Tonight**

H. V. Kalbenton will make a personal appearance tonight at 6 o’clock at the Newsreel Theatre, Rockefeller Center, on the occasion of his debut as a newsreel commentator for Pathé. He will appear in connection with the showing of his first subject for Pathé.

**It doesn’t make any difference,** he ruled, even if they make a mistake and even if the judges were wrong in the words that were used. They are the final judges and they had absolutely nothing in a matter like this. Even if they made a mistake on it, and they were wrong, they have the judgment, they were the judges. As I say, you might go to the fight tonight and you might think Schmeling won, but you can’t sue the judges at the fight. Unless you are prepared to prove malice or dishonesty, you’ll still lose.

Plaintiff’s attorney pressed the court for a further definition by asking, “Even though the correct answer is ‘red,’ if they say the correct answer is ‘blue,’ Justice O’Brien responded, ‘Yes, that is the law.”

“March of Time” will produce a feature length film for release on RKO’s program, next year. Subject matter is not yet determined.

**“Sweethearts”** and three M-G-M shorts, “Sydney—Pride of Australia,” “Miracle of Salt Lake” and “The Captain’s Christmas,” the last named a cartoon, were on the royal program yesterday at Sandringham for Their Majesties, the King and Queen of England.

Kay Brooks, teacher in the seventh grade in the Brookford School, Hickory, N. C., has this to say about the Movie Quiz, in a letter to Motion Pictures’ Greatest Year headquarters:

“I wish it were possible to tell you how valuable this contest has been to these children. They have not only seen the pictures checked, but have seen practically all the pictures in the book except the five or six that still remain to be shown. They study the advertisements carefully now before deciding which pictures they will see. Thanks for this worthwhile contest.”

Theatre crowds are so thick on Broadway that some of the customers complained they got pushed into the wrong theatres.

**Holidays Continue To Boom Business**

Out of town visitors and vacationing school children continued to throng Broadway houses yesterday. Many managers along Broadway reported increased business over last year. Cold weather failed to discourage patrons who were required to wait outside the theatres after lobbies filled.

A police cordon was thrown around the theatre yesterday to prevent disturbances in the waiting line at the Music Hall where radio commentator Rockefeller Plaza. “A Christmas Carol” attracted an estimated $105,000 to the box-office for the week but was not held to the same high marks as it has been in the past. “Sweethearts” proved a strong draw at the Capitol where it grossed $45,000. It continues for a second week. “Heart of the North” did an estimated $8,000 at the Rialto for the week.

Another first run house for French films opens today when Cinema 49, formerly the 49th St., starts with “La Voisine.” The picture will be shown into its 16th week at the Filmarite.

**Plan Being Mapped To HalT Giveaways**

Method of eliminating cash giveaways in the New York metropolitan area and the effective date are to be decided by the executive committee after considering the abandonment of such office investigators.

The committee hopes to adopt a definite plan in the near future. Members of the committee met yesterday at the Astor. Additional members recently named by the committee said they agreed with the proposal. There were no dissenting opinions. The next meeting of the committee will be Jan. 11. Meantime the members will discuss the matter informally among themselves.

**Associates Meet Jan. 5**

Next meeting of the Motion Picture Associates will be held Jan. 5 in the Hotel Lincoln. Nominations of officers will take place. Election follows on Jan. 12.

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**Fly The Fastest Route Coast-To-Coast**

TWA has first coast-to-coast flights daily each way. “Sky Chief leaves Los Angeles 4:45 p.m., puts you in New York next morning! Skylighters — with separate lounge and sleeping compartments.

**The Road Over the Sunny Santa to Trail**

**MOTION PICTURE DAILY**

Thursday, December 29, 1938

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**Plan Being Mapped To Halt Giveaways**

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**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

**Martin Quigley,** Editor-in-Chief and Publisher; **Sam Shain,** Editor; **James A. Chappell,** Advertising Manager.


Entered as second class matter Sept. 23, 1930, at the post office at New York, N. Y., under the act of March 3, 1879.

Subscription rates per year $15 in the Americas and $12 foreign. Single copies 10c.
It happened with ‘Angels’. It happened again with ‘Dawn Patrol’. Now it’s happened for a third time—a screening-room audience brought to its feet as one man, applauding! Booker, reach for your date book! Grab that phone and make way for

THEY MADE ME A CRIMINAL

First picture since his electrifying role in “Four Daughters” for JOHN GARFIELD.

Plus those six Angels with Dirty Faces, THE ‘DEAD END’ KIDS.

Also Claude Rains, Ann Sheridan, May Robson, Gloria Dickson

WARNER BROS., Producers
Industry Will Help Finance Film Library

(Continued from page 1)

situation which exists for the purpose of collecting and preserving representative pictures of all types, as well as related materials, with the object of making them available for study.

It is very selective in films collected, and collects only those which contain some advance or significant item in the motion picture field. At present there are between 700-800 films, with a total footage of approximately 250,000 feet. It is affiliated as one of the four member countries with the International Federation of Film Archives. It is one of the official film libraries of England, France, and Germany.

Last season, the Library circulated films to 175 U.S. institutions. They have been used by colleges and local film societies. A series of films is available: Short survey of films in America, 1895-1930; some memorable American films, 1896-1920; great films in Swedish and post-war American films; work of D. W. Griffith; and non-fiction films. In addition, four more are Great Actresses of the Past and A Short History of Animation. Books on related subjects are available at the Library.


Fine Arts to Start
5 Films Next Month

Fine Arts, Grand National's production affiliate, plans to put three films in work early in January and two others by the end of the month, according to information received at the home office.

The five completed stories are "Curio Caper," "Full Speed Ahead," "Never Mind the Guard," "Derelict Street," and "At Your Service." Al Christie, educational shorts producer, has set up committees at the Grand National lot to supervise shooting and produce several features. Dalton Trumbo and Fred Jackson, writers identified with major lots, have been signed by G. N.

T. R. Williams, G. N. treasurer, is en route to the coast to set up budgets and attend to problems with Jack Warner, production head.

Refiled "Boy Trouble"

HOLLYWOOD, Dec. 28—Title of Paramount's Charlie Ruggles—Mary Boland picture tentatively called "Two Weeks With Pay," has been changed to "Boy Trouble" for release.

Films Will Be Used Most in Television

(Continued from page 1)

save the extremely high charges now paid to the telephone company.

3—The program can be edited.

4—Use of the technique and production apparatus of the motion picture production companies can be used, thus cutting program costs.

5—Long-time programs requiring enormous rehearsal time and expense can be eliminated.

6—The talent need not be forced to the studio.

7—The production can be made at the most suitable or convenient location.

8—The subject matter of programs can be extended to include educational subjects such as travelogues, science shots, musical technique and the like.

9—Program libraries can be created.

A good business can be established in renting features such as classical plays and other time-less items to the various broadcasting stations.

Collins Case Counsel
Is Denied $5,000 Fee

Federal Judge Alfred C. Cose yesterday denied the application of J. Robert Rubin for a $5,000 attorney's fee to be assessed against Dolores Lacy Collins, as administratrix of the estate of Jimmy Collins. The decision, however, allowed a renewal of review on the completion of the case.

Rubin sought the fee under the copyright law on the ground that a failure to hold a hearing for cause of repossession on his behalf against his clients, M-G-M Pictures Corp., M-G-M Distributing Corp., Loew's, Inc., and Culver Export Co., in the reference to the motion picture, "Test Pilot," had been discreted by the court. Action is still pending on his appeal on a charge of unfair competition.

Returns Are Filed in Greatest Year Suit

John J. Kelly, U. S. Marshal for the southern district of N. Y., today filed returns in the U. S. District Court showing service of the complaint on all defendants except M-G-M Pictures Corp., in the suit brought by Milton Spitz against Motion Pictures' Greatest Year, Inc., the eight majors, Monogram Pictures Corp., Bobbyduck, Inc., and Morehead Pictures Corp., for alleged violation of one of his copyrighted film game, "U-Spott.'

Marshal Kelly explained his failure to serve M-G-M by stating that he could find no offices of the company in this district. At the same time Monogram Pictures Corp. said it had never heard of the suit, consisting of a blanket denial of the charges.

Fabian Shifts Managers

ALBANY, Dec. 28—Two personnel shifts have been made by Louis R. Golding, Fabian district manager. Bob Fox, assistant manager of the Plaza, Schenectady, will succeed John Pickett at Proctor's, Troy, as assistant to Harry Black, while Louis Rapp will become assistant manager at the Plaza, Schenectady.

Expect New Path with Plan to Be Ready About January 15

New plan for liquidation of Pathé Film Corp. is expected by company officials to be completed shortly after Jan. 15.

It is understood the proposal will represent a substantial change from the original plan, which was rejected at a special meeting of the stockholders Dec. 13. The new proposal will be designed to accomplish the major part of the liquidation of Pathé of Pathé's laboratory functions to a new company.

Several proposals are under consideration but none has been presented to the board of directors as yet.

Derr Is Preparing
4 Monogram Films

E. B. Derr is ready with four additional stories for production for Monogram, which will make his program with the company total 21. Frank Melford is associate producer for Derr.

The four new yarns are "Star Rep" from John T. Neville's screenplay, presently scheduled to go into production Jan. 3; "Undercover Agent," a trade title for two stories by Gabriel Paul Rawlins, with Martin Mooney, the writer; "The Girl from Rio," scheduled to be leased Feb. 15, with screenplay by Tay Garnett and "Winning Woman," which may start in March, with David Freeman on the story.

Bona Nova in Mexico

Fortunato Bona Nova is in Mexico City lining up talent for the first of two Spanish language films he is to make for United Artists. The plan is still to be made in Hollywood, to be released in the Latin American market in the season starting next spring. Bona Nova is well known as an actor and singer. He appeared in "Tropic Holiday."

AFA in Roxy Parley

Meeting was held yesterday between Harry Kallis, eastern organizer of the American Federation of Actors, and Irving Lesser and Jack F. Huntington, of the Roxy, to consider the demands of the A.F.A. for a contract. Discussion centered yesterday around payment for rehearsal time. Similar negotiations are now being conducted with other Broadway houses which use stage shows.

Williston Plans House

INDIANAPOLIS, Dec. 28. — Dudley Williston, operator of the Walker, de luxe Negro neighborhood house, plans to open the Park shortly, a new thing in another colored section of the city.

Takes Iowa Theatre

GLADGEBORO, Ia., Dec. 28—Robert Malek, Jr., has bought the building here from Gene McLaughlin, who has bought the Dreamland in Bancroft, Ia., from P. L. Lonergan. The house will be remodeled.

Patrol Takes $34,700 in 2 L.A. Theatres

LOS ANGELES, Dec. 28—"The Dawn Patrol," "Nancy Drew, Detective," at the Warner Hollywood; and "Out West With the Hardy's," "A Christmas Carol" (M.G.M) at Warner Downtown, was the outstanding feature of Dec. 21 with $20,700 at the Hollywood and $18,500 at the Downtown, for a total of $39,200.

The combination of "Girls' School" and "Out West With the Hardy's" was strong at $8,000 and held up well at the Pantages with $7,200. "Out West with the Hardy's" and "A Christmas Carol" (Pathe) took $12,045 at the Chinese and $14,884 at Loew's State.

Estimated takings for the week ending Dec. 25:

"Out West With the Hardy's" (M-G-M)
"A Christmas Carol" (M-G-M)
CHINESE—2,000 (30-75) 7 days.
"Out West With the Hardy's" (M-G-M)
HILLSTREET—(2,000) (30-65c) 7 days.
"Girls' School" (Col.)
LOEW'S—(2,500) (30-75c) 7 days.
"Blonde" (Col.)
"Girls' School" (Col.)
"The Dawn Patrol" (W. B.)
"Nancy Drew, Detective" (W. B.)
WARNER BROS. (Hollywood)—
"The Dawn Patrol" (W. B.)
WARNER BROS. (Downtown) 7 days.
"Good Morning" (A. C.)
WARNER BROS. (Downtown) 7 days.

Consolidated Film Files Suit on Note

Consolidated Film Industries, Inc. yesterday filed suit in the N. Y. Supreme Court for $18,612 with six per cent interest from 1927 against Arthur Rawlins and Carlyle Blackwell, doing business as Carlyle Blackwell Productions.

Suit is based on the balance of principal and interest allegedly due on a promissory note for $30,000 payable in nine months, and according to the complaint, given by an agent of the defendants to Commercial Traders Finance Corp. on March 13, 1924 and later endorsed to the plaintiff.

Carlyle Blackwell filed an answer denying the allegations and asserting he is not connected with Rawlins.

Jackter Named Head Of Columbus Drive

Rube Jackter, Columbus assistant sales manager, has been designated as chairman of the company's "Personal

Takes Iowa Theatre

Theatre, which starts Jan. 9 for 10 weeks.

Joseph A. McConville, foreign sales manager, has been named an honorary aray chairman of the drive. The drive will stress individual results by salesmen and bookers. Jackter is lining up plans for the competition and the awards.
“CRUSHER” McKay... laughing, bellowing, bull-jawed giant!... King of the Roaring Stoketong... Master of men, machines and ships... slave to a woman’s charm.
Three alone against the raging sea and the creeping doom that held them captive under battened hatches! ... One man who must keep the fires burning ... another who must keep him alive if both were to reach port ... and the girl who was more important to either than the fate of the crippled ship! ... SOCKO DRAMA WITH BOX-OFFICE PUNCH!
DENVER, Dec. 28.—“Trade Winds,” despite a severe cold snap which hit Colorado just as the pre-holiday slump was getting under way. The film drew a small $9,000 at the Denver.

Also strong was “A Christmas Carol” (Photoplay-Fox) at the Orpheum, with $10,000. “Angels with Dirty Faces” and “Strange Case of Dr. Mendo” took $2,000 at the Rio.

Estimated takings for the week ending Dec. 26:
- *Submarine Patrol* (20th-Fox) ALADDIN—(1,400) (25c-40c) 7 days. Gross: $2,000. (Average, $250)
- *Dramatic School* (M-G-M)
- *Law West of Tumbling* (RKO) BROADWAY ARTISTS—(15c-35c-50c-65c-75c) 7 days. Gross: $17,000. (Average, $1,850)
- *Little Orphan Annie* (Para) DENTON—(1,200) (25c-35c-40c-50c) 4 days. Gross: $1,500. (Average for week, $830)
- *Trade Winds* (U.A.) DENVER—(2,252) (25c-35c-90c) 7 days. Gross: $5,000. (Average, $2,000)
- *Christmas Carol* (M-G-M)
- *Flirting With Fate* (M-G-M) ORPHEUM—(1,750) (25c-35c-40c-65c-75c) 7 days. Gross: $20,000. (Average, $7,500)
- *Heart to Heart* (Univ.) PARAMOUNT—(1,200) (25c-40c) 7 days. Gross: $2,000. (Average, $330)
- *Angels With Dirty Faces* (N.F.) *Strange Case of Dr. Mendo* (Col) RIALTO—(1,700) (25c-40c) 7 days. Gross: $2,000. (Average, $1,250)

*‘Angels’ Grosses*

$4,300; Twin City Theatres in Slump

MINNEAPOLIS, Dec. 28.—Best business here was done by “Angels With Dirty Faces,” which took $4,300 at the Century, despite a cold snap. In St. Paul, top grosser was “Just Around the Corner” at the Paramount, where the $4,750 was good for $2,700.

Estimated takings for the week ending Dec. 22:

**Minneapolis:**
- *Dracula* (Univ.)
- *Frankenstein* (Univ.)
- *Road Demon* (20th-Fox)
- *Orphan Annie* (Para)
- *Aster*—(900) (15c-25c). Gross: $1,300. (Average, $150)
- *Angels with Dirty Faces* (F. N.)
- *Spring Madness* (M-G-M)
- *Submarine Patrol* (20th-Fox)
- *Orphan Annie* (Para)
- *Just Around the Corner* (20th-Fox)
- *Irate*—(2,400) (25c-40c-75c-90c) 7 days. Gross: $1,500. (Average, $210)
- *Moonlight Sonata* (Malmaur)
- *World*—(400) (25c-50c) 4 days, 7th week. Gross: $400. (Average, $150)

**St. Paul:**
- *The Mad Miss Mission* (20th-Fox)
- *Orphan Annie* (Para)
- *Towers of Tomorrow*—(900) (25c) 7 days. Gross: $1,500. (Average, $210)
- *Road Demon* (M-G-M)
- *Orphan Annie* (Para)
- *Towers*—(1,000) (25c) 7 days. Gross: $1,600. (Average, $1,600)
- *Scrooge* (Foreign)
- *World*—(2,350) (25c-35c-75c) 7 days. Gross: $800. (Average, $700)

**New York Review**

**“Mamele”** (Spinx Film)

Molly Picon, the acknowledged darling of the Jewish stage and screen, here once again demonstrates her remarkable ability as a comedic and dramatic actress. The film is in Yiddish, and although there are plenty of English subtitles, it is still obviously a picture for the appropriate language market.

Produced in Warsaw by Green Film Co., the film was directed by Joseph Green and Konrad Tom, from a story by Meyer Schwartz and Tom. It tells of the young girl, who, keeping a death-bed promise to her mother, acts as mother to a family, consisting of a lazy father, two sisters and three brothers, two young. Here is a Cindarella existence, without the Fairy Godmother, straightening the love affairs of her pretty sister, keeping her brothers out of trouble, and worrying about all of them. Her reward is ingratitude.

Finally, she breaks away, falls in love with a young musician, then is about to sacrifice him for her sister, but at last the family realizes what she has done for them, and happiness results. The film revolves about Miss Picon, and her performance is outstanding.

Running time, 100 minutes. **“G”**

**Charles S. Aaronson**

**Columbia Theatres Set Operator Deal**

COLUMBUS, O., Dec. 28.—Twenty-six neighborhood and suburban exhibitors have signed an agreement with Motion Picture Operators’ Union, Local 386, placing 42 union operators in 49 houses, according to Robert Greer, union president.

**Ohio Passes “Millions”**

COLUMBUS, Dec. 28.—The Ohio censor board has passed the film, “Millions of Us,” held up since November, 1937. There were only a few minor deletions, the board reported. Action was brought in District Court by Garrision Film Corp. distributors, to force acceptance or rejection before Jan. 7.

**Hardy’s Dual Fair $14,000; Frisco Slumps**

SAN FRANCISCO, Dec. 28.—“Out West with the Hardys,” paired with “Young Dr. Kildare” at the Fox, grossed a fair $14,000 in a week of generally slow business.

“You Can’t Take It With You,” in its fifth week at the Orpheum, drew down $9,000. “The Cowboy and the Lady,” took a good $7,000 in its fifth and last week at the United Artists.

Estimated takings for the week ending Dec. 21:
- *Assault Tent was a Tour* (RKO) GOLLEN GATE—(5,850) (35c-40c-75c) 7 days. Gross: $13,000. (Average, $1,850)
- *The Cowboy and the Lady (U.A.)* BROADWAY ARTISTS—(1,600-35c-50c-65c-75c) 7 days. Gross: $7,500. (Average, $1,000)
- *Dramatic School* (M-G-M)
- *Christmas Carol* (M-G-M)
- *Fighting With Fate* (M-G-M) ORPHEUM—(1,750) (25c-35c-40c-75c) 7 days. Gross: $5,100. (Average, $1,850)
- *You Can’t Take It With You* (Col.) ORPHEUM—(2,340) (35c-40c-50c-55c) 7 days. Gross: $13,500. (Average, $1,850)
- *Anna Christie* (M-G-M)
- *Heart of the North* (W.B.)
- *Flying with Fate* (M-G-M) WAREFIELD—(2,680) (15c-40c-50c-75c) 7 days. Gross: $13,000. (Average, $1,850)
- *Moonlight Sonata* (U.A.) CLAY—(400) (15c-35c-40c) 7 days, 8th week. Gross: $800. (Average, $110)
- *An Lava de Gama Gudar* (Scandinavian)
- *Franklin* (260) (25c-35c-40c) 7 days. Gross: $950. (Average, $130)

**North’ Is $6,300 As Buffalo Slips**

BUFFALO, Dec. 28.—The pre-Xmas week here had its effect on grosses. The Century dual, “Heart of the North” and “Forchy Gets Her Man” brought in $6,300; Buffalo managed to pull out a fair $9,300 with “Dramatic School,”

Estimated takings for the week ending Dec. 24:
- *Dramatic School* (M-G-M)
- *Ride a Crooked Mile* (Para)
- *Great Lakes*—(1,000) (35c-50c) 7 days. Gross: $750. (Average, $100)
- *A Christmas Carol* (M-G-M)
- *Papa’s Bad Boy at the Circus* (RKO) HIPPODROME—(2,500) 7 days. Gross: $1,500. (Average, $130)
- *Heart of the North* (W. B.)
- *Forchy Gets Her Man* (W. B.)
- *Comet*—(2,000) 7 days. Gross: $6,300. (Average, $850)
- *The Lady Objects* (Col.) LAFAYETTE—(3,300) (25c) 3 days. Gross: $1,800. (Average, $600)

**Wilson Is Thomas Aide**

Jerome Wilson has been named as a substitute for Harry Wegmans in his distribution of Tri-National product in the east. Wilson will work with Meritor Pictures Corp. on the company name for the Thomas distribution in the metropolitan area.
FA

edited by Terry Ramsaye

Out Next Week

ONE DOLLAR THE COPY
The AUDIT of PERSONALITIES

The fifth annual edition of the international reference authority on talent values will be off the press next week.

The box office champions of 1938 presented with complete analysis and personnel credits—the money making stars of the season evaluated and reported upon by the exhibitor showmen of the world.

The radio champions of 1938 as polled by MOTION PICTURE DAILY among the editors of the daily newspapers of America.

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER, NEW YORK
CBS and NBC are no longer carrying the Press Radio News bulletins and reports. As a consequence of the abrogation of the Press Radio service by its two principal mainstays, the Bureau may fade from the radio scene.

CBS and NBC meanwhile are filling in their news periods with news supplied by CBS Press Service and by International News Service.

All questions put to responsible authorities at CBS and NBC by newspaper publishers were greeted with, "no comment." Most of the NBC and CBS officials were unavailable. James Barrett, head of the Press Radio Bureau, suggested that his attorneys, Jenkins and Rogers, be questioned. Gustave Rogers, a member of the firm, in reply to questions, stated "we have no statement to make. Any statement will have to come from either NBC or CBS." Asked for whom he was speaking he replied, "for myself, for Jim Barrett and for Press Radio."

Formed in 1931

Press Radio was formed in 1931, as a non-profit organization, by the American Newspaper Publishers' Association, as an attempt to bring an end to chaotic news conditions in radio. It was麦克 W. Langford and 10 of the principal underwriters of the setup. Prior to the formation of Press Radio, the publishers had clampered down on radio and refused to supply stations with news. As a consequence, many of the major stations set up their own news gathering organizations. The idea started to catch on and newspaper publishers increased, with publishers claiming that the stations were pirating news from the papers.

CBS Most Important

The most important of the radio newspapers was the one that was formed by CBS under the direction of Paul White. Columbia's bureau, known as CBS News Service, Inc., was finally operating so successfully that the A.N.P.A. decided to end the scramble for news by drawing up a pact with the networks. This resulted in the formation of Press Radio Bureau, with Associated Press, United Press, and National News Service supplying news direct to the networks over their own news tickers. James Barrett was placed in charge of the operation.

With the scrapping of CBS News Service, Inc., its editor, Herbert Morson, established his own organization for supplying news to radio, calling his company Trans Radio, which is still operating successfully. It is estimated that this saves them much money it cost NBC and CBS to maintain the Press Radio Bureau, but it is estimated to be approximately $25,000 a year. In the meantime, a "flash" service at nominal cost was established for non-network stations, and local subscribers include WOR, WNEW, WMCA and WNYC.

Since establishment of Press Radio, United Press and International News Service

...will take liquor advertising from Canadian radio completely. For some time the Quebec Terri- tory League has been fighting liquor works in Pointe-au-Pere Catholic Church, as a result, Cardinal Rodrigo has fallen under a government that has abolished prohibition on advertisers who have abused their privilege.

Cardinal Villeneuve, however, has been in Ottawa recently for a meeting of the World's Conference of the Union against Tax, of which he is president. This conference was held in Ottawa in 1933 and has been in regular session with the object of bringing about prohibition legislation. In event of delayed legislation the CBC could effectively halt prohibition sale by broadcasting shows that they would cut down on commercial advertising. All continuity must be submitted to Ottawa for approval a week before being used and broadcasters here fear rejection of scripts could prove as effective a halt as Governmental rulings.

In Montreal such a ban will cancel the Labatt's weekly quarter-hour run by sportswriter Elmer W. Ferguson's, "Blackhorse Five-night-a-week program; Molson's week-through-nightly news cast, all on provincial network and two local French programs. In other parts of the province smaller airwaves will be killed.

Pick Talent on CBS Screen Guild Opener

Talent for the inaugural Screen Actors Guild program, which bows in over CBS January 8, has been set, and the roster includes Joan Crawford. Jack Benny, Judy Garland, Garland, Garland will direct the inaugural airing, and Morrie Ryskind is serving as consulting writer. Ralph Morhan will speak briefly during the program to explain the purpose of the series.

Radio Attractions Ad Post Goes to Carnow

Howard N. Carnow, head of the advertising and publicity department of Radio Attractions, Inc., is to be transferred to New York office at the opening of the new building. The former-
Radio Honors
Again Won by
Bergen's Pal

Editors Vote Him Best
In Annual Poll

By JACK BANNER

Charlie McCarthy, Edgar Bergen's chief caviar-winner, again has been declared the "Radio Champion" by a majority of leading radio editors and columnists who were asked recently to name their favorite radio performers. In this Motion Picture Daily's third annual popularity poll, conducted in behalf of Fame, the return of the fresh little splinter of personnel that was center stage in 1937 has never been accomplished as easily as his victory of last year, but he did manage to stay a comfortable span ahead of Jack Benny, his closest competitor.

Additional developments in radio on pages 7 and 8.

Comparatively little change has taken place in the realm of radio since last year's competition, the poll reveals, for in practically all major instances the 1937 victors have been returned as the leaders of 1938. However, the year did produce two personalities whose marks may yet prove to be indelible. One, Orson Welles, is a comparative newcomer to the air; the other, H. V. Kaltenborn, is a veteran of the microphone who, most deservedly, has finally come into his own as radio's foremost newscaster and editorialist.

Mr. Welles and Mr. Kaltenborn are superb artists in their own particular fields, the one a leading figure in the theatre and the darling of the playgoers, the other a respected and honored member of the newspaper profession who turned his talents to radio. Yet, in the radio profession, they were but a couple of incomparable marchers until Chance, that unpredictable mistress of human destinies, centered the searchlight of the microphone upon Kaltenborn, Europe to the brink of war. With the precipitation of the German-Czech crisis, to every American within earshot of a loudspeaker was brought a continuous view of the shifting strategies of the European diplomats. CBS, following Wallace's early abroad, placed Mr. Kaltenborn on the air to interpret the news.

The war scare "made" Mr. Kaltenborn, and in an indirect fashion the same scare "made" Mr. Welles, for had listeners been made vulnerable to a case of jitters by what they had heard, a "Vaudeville" Opens

"Vaudeville Marches On" a three-day variety show, will open at the Majestic tonight. Acts include Molly Picon, Tralan & Lynde, Eddie Gaff, Waller & Johnstone, Laura Suarez, Bernard Stone, Mei Toy, White & Manning, Tibo Bros., and Yera Nargo. Cindy Green will be mistress of ceremonies. Kurt Robichak is the producer.

Motion picture stockholders, who listed the New York Stock Exchange showed an increase in market value during 1938 of $96,202,500, from a total of $623,788,750 at the end of 1937 to $719,941,250 at the close of the current year. There was, at the same time, a decrease in the volume of trading. These figures are indicative also of the general stock market trend for the year, during which the industry has experienced the greatest loss in stock prices of 1938, followed by a brisk increase after Congress adjourned in June.

(Continued on page 6)

B'way to Hail '39

Despite Cab Artists

Despite the threat of a general taxicab strike in the city Broadway houses, encouraged by grosses well ahead of last year's, went ahead with elaborate plans for New Year's Eve trade. All will remain open well into the morning hours and special stage shows will go on for the midnight celebrations.

Heading the list is the Paramount, which plans a complete stage and screen show to start at 3 A.M. At the Strand, a complete show will go on at 2:10 A.M., the State at 1:40.

Happy New Year

Motion Picture Daily will not publish Monday, which is a legal holiday.

(Continued on page 7)

COURT DECLARES
RKO'S PLAN FAIR

Films Aim to
Promote U.S.

Schenck Says

Joseph M. Schenck in a broadcast last night pledged that the motion picture industry in 1939 will make the America public "more proud than ever of the nation's, their history and the system of free government." The broadcast was made to the coast NBC Blue network hookup at 8:30 P.M., and featured leaders of the key industries of the nation in forecasts of the "Business Outlook for 1939," Schenck spoke from Palm Springs.
Because of the "far reaching" and "tremendous" part that films play in promoting the sale of goods in the United States and foreign countries, Schenck stated that the government should give the industry the utmost in encouragement and support. The motion picture screen is no longer merely a medium for mass entertainment," he stated. "It is that first and foremost, but it has become also the most effective salesman of American products and the American way of life that the world has ever known." The film industry has never permitted business recessions to retard it, and he pledged that this policy will

(Continued on page 5)

Lipstone Named to
Morros' Para. Post

Lipstone, musical director and production head for Balaban and Katz Theatres today named head of Paramount studio music department to succeed Boris Morros, resigned. He arrived today for conferences and returns to Chicago tomorrow.

20th-Fox Meeting
In Chicago Closes

CHICAGO, Dec. 29—Two day meeting of 13-20th Century-Fox managers and Canadian sales executives ended today. William Gehring, William Clark and James O'Loughlin were in charge. The meeting considered routine matters only.

US Companies Are
Set to Quilt Italy

American distributors completed arrangements yesterday for withdrawing from Italy at the close of business tomorrow, at which time, if nothing unforeseen happens, the government decree establishing E.N.I.C., as a film distributing monopoly is scheduled to become effective.

No modification or amendment of the decree has been hinted in Rome and, likewise, there has been no indication here that any of the distributors would continue in Italy beyond the effective date of the decree. Loew's, Paramount, 20th Century-Fox and Warners, which operate their own branches in Italy, will close their offices, while Columbia, RKO, United Artists and Universal will sell film services to their former agents there.

The companies hold that the decree invalidates contracts.
NATE J. BLUMBERG, Universal president, and W. A. SCULLY, general sales manager, will leave for the studio early in January for product conferences. SCULLY may go on to Honolulu for a vacation thereafter.

CHARLES and MRS. SKOURAS and their daughter are due today from the coast to spend New Year's with sons SKOURAS and Ben. They will stay next week for Greece.

Ben Miggins, 20th Century-Fox head in Continental Europe, and Mrs. Miggins leave next week for Florida, then go to the coast.

HERMAN FINKELSTEIN, of counsel for ASCAP, will go to Washington Tuesday to file Supreme Court appeal papers on the Florida anti-ASCAP law.

JOSEPH M. WEBER, president of the American Federation of Musicians, returns to New York from the south on Tuesday.

DELIGHT EVANS is going to California, arriving in Hollywood on Tuesday. She will remain on the coast for about a week.

TEX RITTER, Monogram singing cowboy, will go on a personal appearance in the west and south next month.

MARK LACHMANN, 20th Century-Fox exploitation manager, is due Tuesday from the coast.

E. KUYKENBALL, M., P. T. O. A. president, is expected in New York from the coast late next week.

London Details Set On Refugee Benefit

LONDON, Dec. 29—Details have been completed for the stage and screen benefit show for the Refugee Fund on Jan. 14, C.F.A., K.R.S., Actors' Equity, Theatrical Managers, Dramatists' League, Variety Artists' Federation, Musician's union and all other management and labor organizations have pledged 10 per cent of all earnings on that date.

Appeals will be made by stage stars at all performances. Adolph Zukor has arranged that the proceeds of the opening of "Stolen Life," with Elisabeth Bergner, at the Plaza on Jan. 18, will be devoted to the fund.

Season's Greetings

CHARLES H. KENNEY, Studios, Inc.

Draperies

112 West 44th Street

New York City

MOTION PICTURE DAILY

Insiders' Outlook

By SAM SHAIN

MOvie Quiz contest, "piece de resistance" of the industry's $1,000,000 good will and promotional campaign, comes to a close at midnight tomorrow. By that time all answers of contestants must be in the mails to qualify for a chance at $250,000 in cash prizes.

Any exhibitor with sense of comedy bowing is going to be very, very funny, anyway, the week before Christmas. But Frank Casil of the Rialto, St. Joseph, Mo., decided this year to be different. Having no outstanding packages around his hills every day, instead of the normal five changes a week. Houghton extra advertising, spread around more heralds, and in general let people know he still had entertainment to sell.

Result: he broke the house record for the week by 20 per cent, and set up new individual scores on both Friday and Saturday, the latter Xmas Eve. He stood them up every night at regular admission prices.

When he opened receipts for the week he thought he'd gotten into the wrong theatre!

Russell Birdwell, publicity director for Selznick International, will resign soon after the end of the first year to start his own publicty and advertising firm. Among the first of his clients will be Selznick International.

John C. Flinn of Variety has been mentioned as his successor.

To Howard Dietz, who is head of M-G-M's advertising and publicity department, leaves today. 1938 has been one of the greatest years in the history of M-G-M.


Metro also brought forward a number of new stars, which Dietz reminds us about, such as Mickey Rooney, Hedy Lamarr and Judy Garland.

Maurice Silverstone, operating head of United Artists, is a luncheon yesterday in the Rainbow Room, Rockefeller Center, in honor of Milton Sills. Special guest of the new Hal Roach film, "Topper Takes a Trip," Biren came here from the coast for the opening of the film at the Music Hall.


Maurice Silverstone will stay in New York about two weeks and may cruise to Nassau.

Depositions in Para., B & K Suit on Jan. 5

CHICAGO, Dec. 29—Depositions of 24 of the 101 independent exhibitors plaintiffs in the contempt suit against B, & K, and Paramount will be taken before Master-in-Chancery Charles M. Quigley. Examination of plaintiffs will center on assets, liabilities, profits, losses, corporate personnel and license agreements with independent distributors.

Examination of the remaining 77 plaintiffs is expected to follow.

Two Firms Chartered

ALBANY, Dec. 29—Licensed to do business in New York State have been: Ever-Ready Chair and Table Renting Co., with offices at the theatre, headed by Harry M. Davis, and Martin Schaus, New York City, and Picture Publications, Inc., headed by Max Ruskin and David P. Alterbaum, also of New York.

Biren Honored at Lunch and Party

(B. & K. are Universal subsidiaries.)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Pledges Films Will Promote Pride in U.S.

(Continued from page 1)
be maintained, predicting greater expenditures for production in 1939 than ever before in industry history.

"The text of Schenck's address follows:

"This coming year the motion picture industry celebrates its Golden Jubilee. Fifty years ago motion pictures had 1939 to experimental beginnings. Today the industry ranks among the five largest in the nation. It is not by accident that the movies have attained this position. It is due rather to the foresight, the courage and the unremitting labors of the men who led the way and brought the industry into being. They created a business in which billions are invested and from which millions benefit directly and indirectly. Their vision has enabled the industry to grow by leaps and bounds."

"Now it occupies a unique position in the American scheme of things. The motion picture screen is no longer merely a place for the display of American products and the American way of life that the world has ever known."

"But we have a part the films play in the American life of good, the motion picture industry plans greater expenditures for productions in 1939 than ever before in its history."

"In the past, the film industry has never permitted the supremacy of its motion pictures throughout the world. It is our purpose this year to maintain that supremacy beyond question."

"But we propose also during the coming year to make the American public more proud of its film industry than ever of its nation, their history and the system of free government under which we are privileged to live.

"We feel, too, that the world, now as never before, needs the things that the motion picture industry can give it—hope and cheer, the boon of laughter, and the comforting knowledge that freedom and liberty are not dead."

"And so we of Hollywood look forward to the New Year of 1939 with renewed confidence, resolution and pride."

J. A. Sisto Expelled By Stock Exchange

J. A. Sisto, head of the Stock Exchange company bearing his name, was expelled from the exchange yesterday. Sisto had at one time and another been connected financially in films.

M-G-M Buys 3 Stories


Vaudeville Returns To Shea's, Toronto

Toronto, Dec. 29.—After an absence of one year, vaudeville has returned to the storied Shea's Theatre in Toronto, which has been looked upon as the home of big-time Vaudeville programs for the past 35 years. Vaudeville replaces one feature on the previous double bill policy and there is no change in the admission scale.

Theatre Building Active in Ontario At Close of Year

By W. M. GLADISH

Toronto, Dec. 29.—Theatre-building activity throughout Ontario was concluded for the year with a close, with new projects opened or under way in all sections of the province. The new homes are in the way in St. Catharines, a city of 25,000 where two theatres are already in operation. One is being built by J. F. Freeman, operator of the Circle, Toronto, and past president of the Independent Theatres Association; the other is being erected by Royal Theatres Corp., and will seat 1,000, while the third is being built by Philip Kamin, hotel proprietor in St. Catharines.

J. O. Scott, proprietor of the Weston Theatre in Weston, has opened the Riviera, Provincial and Nomaden, and Royal at Peterborough is being rebuilt at a cost of $40,000 and will be known as the New Centre. Premier Theatres, Ltd., has opened the Playhouse in Sarnia, while the West End in Woodstock has been enlarged.

Hanson Theatres has started work on a 1,000-seat theatre at Dunnville, where the cheaper will be $80,000. William Karp of Montreal is remodelling a structure in Ottawa for use as a theatre to seat 400, at a cost of $30,000. A third theatre, seating 450 persons, is being erected at Welland. Out, by J. Grader, to be operated by 20th Century Theatre, Ltd., Toronto. The Ande at Caledonia has been remodelled and enlarged by the owner, C. Anderson. In Toronto the work of rebuilding the National in the downtown section has been concluded by Thomas Wallon, owner, and the new house is known as the Rio. A new theatre is going up in North Toronto. E. A. Harper has started a new theatre at Sudbury, in northern Ontario, to be operated by J. Cohen of Toronto and new theatres were recently opened at Timmins and Ansonville in the North Country. Famous Players Canadian Corp. has reopened the grand theatre at Galt, a town of 15,000, where the company has operated the Capitols for many years.

'Memory' at $6,500 Dents Capital Lull

Washington, Dec. 29.—"Thanks for the Memory" was the only downtown attraction to make a dent in the pre-holiday lull. It pulled $6,500 at Loew's Columbia, top gross for the house in months.

"The Citadel," in its second week at Loew's Palace, was the only other attraction to get into the profit column. Estimated takings for the week ending Dec. 22:

"Christmas Carol" (M-G-M)

LOEW'S CAPITOL—(3-45) (26-6c) 7 days. Stage: Rex Weber, Gross $10,000. (Average, $1,428)

"Thanks for the Memory" (Para.)

LOEW'S COLUMBIA—(24-90) 7 days. Gross $6,500. (Average, $929)

"The Citadel" (U. A.)

LOEW'S PALACE—(2-29) (26-8c) 7 days, 2nd week. Gross $11,800. (Average, $1,686)

"The Storm" (Univ.)

RKO-KEITH'S—(6-35) (26-8c) 7 days. Gross $6,500. (Average, $929)

"Heart of the North" (???)

WARNER'S EARLE—(2-30) (26-8c) 7 days. Stage: Gene Gasters, Grace Deynule, Milh Douglas. Gross $12,200. (Average, $1,743)

"Angels with Dirty Faces" (W. B.)

WARNER'S METROPOLITAN—(1-39) (26-8c) 7 days. Gross $3,000. (Average, $428)

'Bway to Hail '39 Despite Cab Strike

(Continued from page 1)
A.M., the Music Hall at midnight, and the Roxy at 11:45 P.M. The Roxy will add a film show at 2:30 A.M.

All schedules with reference to screenings are subject to additions in the event business warrants. Yesterday, the rivallo started on an all-night policy and will continue it over the holidays. The Rivoli, Criterion, Mayfair, Globe and Palace plan to remain open until dawn. The Capitol and Astor will start their last shows shortly after 2:30 A.M.

Matinee crowds are thronging the box-offices and all houses are playing to capacity business throughout the day and evening. The American Federation of Musicians spell appears to have had little effect and most are willing to brave the white outside for more than an hour's wait.

"Dawn Patrol" at the Strand and "Kentucky" at the Roxy grossed an estimated $55,000 in their first week and both will continue. Friday through Sunday were off considerably, but subsequent holiday business brought both to top figures.

7 of 8 Operators in Local Out as Pickets

NORMAN, OKLA., Dec. 29—Seven of Norman's eight motion picture operators are picketing two downtown theatres, the Sconer and the University. They are seeking a $25 salary for a 35-hour week and say they have attempted to negotiate with L. H. Griffith, president of the Griffeth Amusement Co., which operates three houses in Norman.

Lester F. Hall, president of the local union, has requested that a three-man arbitration board be appointed to settle "differences" between the union and Griffeth Amusement.

Holiday Greetings . .

LaHiff's TAVERN
The Industry's MEETING and EATING PLACE
156 West 48th Street
New York
Film Stock Gain in 1938 $96,202,500

(Continued from page 1)

The gains shown in the closing months of the year were registered in spite of the Government unit against major film companies.

Eastman Kodak at Dec. 24, 1938, had a total market value of $418,600,000, compared with $389,150,000 at the end of 1937, and $402,500,000 and the close of 1936.

Loew's, Inc., despite the stockholders' action, gained $12,800,000 in market value during the year, to reach $84,900,000. Its gain was registered by Universal Pictures preferred, which rose from a 1937 close of 29 to 76 at Dec. 24, 1938.

Other film stocks which showed marked gains on the big board in market value were 20th Century-Fox, up $9,000,000; 20th Century-Fox preferred, up $7,625,000; Paramount, up $5,200,000, and General Theatre Equipment, up $2,175,000.

Universal Pictures common, listed on the Curb Exchange, showed a sympathetic gain with the preferred stock on the big board, rising three points for the year.

The bond market action in film securities was generally upward, the largest gain being registered by Warner Brothers 6's, which are convertible into stock of the company next year. The bonds rose 17 points to a price slightly above 90. Paramount bond issues were strong, the convertible 3½'s recording a gain of approximately 16 points to about 87.

Radio-Keith-Orpheum stock and bonds definitely reflected the uncertainties during the year concerning the company's reorganization proceedings, the stock showing a loss of about two points for the year, while the bonds, at a price of about 70, were off almost eight points from the 1937 closing prices.

Picture stocks took full share in the upward trend which followed the adjournment of Congress, the market moving new highs for the year during the summer after declining from 33 to 75 per cent from the year's opening prices.

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Motion Picture Pictures in 1938

High and Low in Stock and Bond Trading for 5 Years 1934 to 1938

(Closing Prices Are as of December 24, 1938)

New York Stock Exchange

<table>
<thead>
<tr>
<th>Stock and Dividends</th>
<th>Sales</th>
<th>High</th>
<th>Low</th>
<th>Date</th>
<th>Last</th>
<th>Net Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Columbus Pictures v.o. (2½% B)</td>
<td>161,700</td>
<td>19</td>
<td>19</td>
<td>Nov. 9</td>
<td>25</td>
<td>+6</td>
</tr>
<tr>
<td>Consolidated Film</td>
<td>62,200</td>
<td>28</td>
<td>28</td>
<td>Dec. 9</td>
<td>26</td>
<td>+2</td>
</tr>
<tr>
<td>Consolidated Film p.l. (1 C)</td>
<td>308,600</td>
<td>127</td>
<td>127</td>
<td>Jan. 5</td>
<td>125</td>
<td>+3</td>
</tr>
<tr>
<td>Eastman Kodak p.l. (6)</td>
<td>3,320</td>
<td>175</td>
<td>175</td>
<td>Jan. 8</td>
<td>175</td>
<td>+5</td>
</tr>
<tr>
<td>General Theatre Equity (T)</td>
<td>302,500</td>
<td>164</td>
<td>164</td>
<td>Mar. 28</td>
<td>160</td>
<td>+4</td>
</tr>
<tr>
<td>Keith-Albee-Orpheum p.l. (81½)</td>
<td>450</td>
<td>91</td>
<td>91</td>
<td>Dec. 1</td>
<td>100</td>
<td>+9</td>
</tr>
<tr>
<td>Loew's, Inc. (A)</td>
<td>649,000</td>
<td>67</td>
<td>67</td>
<td>Feb. 6</td>
<td>65</td>
<td>+2</td>
</tr>
<tr>
<td>Loew's, Inc. p.l. (65½)</td>
<td>9,000</td>
<td>1154</td>
<td>1154</td>
<td>Dec. 11</td>
<td>1154</td>
<td>+1</td>
</tr>
<tr>
<td>Paramount</td>
<td>2,380,000</td>
<td>115</td>
<td>115</td>
<td>Dec. 11</td>
<td>115</td>
<td>+1</td>
</tr>
<tr>
<td>Paramount 1st p.l. (6½)</td>
<td>42,300</td>
<td>101</td>
<td>101</td>
<td>Dec. 11</td>
<td>100</td>
<td>+1</td>
</tr>
<tr>
<td>Paramount 2nd p.l. (100)</td>
<td>281,300</td>
<td>105</td>
<td>105</td>
<td>Dec. 11</td>
<td>105</td>
<td>+0</td>
</tr>
<tr>
<td>Pathé Films Corp.</td>
<td>929,100</td>
<td>149</td>
<td>149</td>
<td>Mar. 3</td>
<td>149</td>
<td>+0</td>
</tr>
<tr>
<td>Radio-Keith-Orpheum (E)</td>
<td>589,500</td>
<td>31</td>
<td>31</td>
<td>Mar. 3</td>
<td>29</td>
<td>+2</td>
</tr>
<tr>
<td>20th Century-Fox</td>
<td>275,400</td>
<td>38</td>
<td>38</td>
<td>Mar. 3</td>
<td>38</td>
<td>+0</td>
</tr>
<tr>
<td>20th Century-Fox p.l. (15)</td>
<td>47,580</td>
<td>38</td>
<td>38</td>
<td>Mar. 3</td>
<td>38</td>
<td>+0</td>
</tr>
<tr>
<td>Universal Pictures</td>
<td>5,140</td>
<td>93</td>
<td>93</td>
<td>Mar. 3</td>
<td>93</td>
<td>+0</td>
</tr>
<tr>
<td>Warner Brothers</td>
<td>1,341,800</td>
<td>45</td>
<td>45</td>
<td>Mar. 3</td>
<td>45</td>
<td>+0</td>
</tr>
<tr>
<td>Warner Brothers p.l. (F)</td>
<td>7,289</td>
<td>45</td>
<td>45</td>
<td>Mar. 3</td>
<td>45</td>
<td>+0</td>
</tr>
</tbody>
</table>

A—So far this year; B—Payable in stock; C—Accumulated; E—In bankruptcy or receivership or reorganization; F—Unit of trading 10 shares.

New York Curb Exchange

<table>
<thead>
<tr>
<th>Bond and Maturity</th>
<th>Sales</th>
<th>High</th>
<th>Low</th>
<th>Date</th>
<th>Last</th>
<th>Net Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bond and Maturity</td>
<td>186,000</td>
<td>15</td>
<td>15</td>
<td>Feb. 16</td>
<td>16</td>
<td>+1</td>
</tr>
<tr>
<td>Grand National Films</td>
<td>191,500</td>
<td>15</td>
<td>15</td>
<td>Mar. 16</td>
<td>16</td>
<td>+1</td>
</tr>
<tr>
<td>Monogram Pictures</td>
<td>318,100</td>
<td>31</td>
<td>31</td>
<td>Mar. 16</td>
<td>31</td>
<td>+0</td>
</tr>
<tr>
<td>Universal Pictures</td>
<td>6,960,000</td>
<td>91½</td>
<td>91½</td>
<td>Sep. 16</td>
<td>91½</td>
<td>+0</td>
</tr>
</tbody>
</table>

Bonds on Stock Exchange

Comparison of Valuation of Stock Issues—1937-38

<table>
<thead>
<tr>
<th>Stock</th>
<th>Approx. Shares Listed</th>
<th>Close 1937</th>
<th>Valuation</th>
<th>Close 1938</th>
<th>Valuation</th>
</tr>
</thead>
</table>
| (Continued)

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The annual reports of the major studios are eagerly awaited, as they provide important information about the financial and operational performance of these companies.

The reports typically contain details about the company's financial results, including earnings, revenue, and expenses, as well as information about the company's strategies, plans, and objectives for the future.

Investors rely on these reports to make informed decisions about whether to buy, sell, or hold their investments in these companies.

The annual reports also provide insight into the industry as a whole, as they often include information about market trends, competition, and regulatory changes that may impact the performance of the companies.

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undergone during the “20 critical days,” it is inconceivable that they would have failed to check on “Mun- tain” fright that the now memorable Welles broadcast induced.

Crosby, Allen Named

"turning now to the "Champion of the air" he will quote a few items and false youthful Mercury Theatre leader in third place, a spectacular climb from his "not mentioned" placement last year.

Below Welles is Bing Crosby, just nosed out of the third place groove, with Fred Allen third.

And here, by the way, is a good place to indicate that the poll listings this year are to be confined to the first five artists in each division and not, as in previous contests, trailing with full complements of names. This is being done to make the roll more selective.

Bing Crosby's unorthodox baritone apparently has perpetual appeal, for again Bing is named as the best vocalist, popular, in radio. His closest competitor—not too close—is Kenny Baker, with Nelson Eddy third, Rudy Vallee fourth, and Frank Parker fifth. This is the third consecutive year Bing has led this division.

Eddy Leads Vocalists

Indicating how frequency of appearance on a popular program builds personality popularity, classical, Nelson Eddy leads radio's male vocalists, classical. The Charlie McCarthy program soloist noses out for top place Richard Crooks, star of the Firestone Hour series. Lawrence Tibbett, who has been a great part of the year as a concert tour, is a strong runner-up, John Charles Thomas and John Hallam fifth.

Kath Smith is the titlist of the popular songstress contingent, winning handily over Frances Langford and the last seeing of the Frankie Frink's leaders' appeal. Appealing Connie Boswell follows Miss Langford, with Jane Froman next and dusty-shiner and voiced Maxine Sullivan, who "rags" the standard American folk tunes, in fifth place.

Margaret Speaks Winner

The first real upset occurs among the feminine classical singers. Absence from the airways of such performers as Lily Pons, Jeannette MacDonald, Grace Moore, and Lily Dale Dragnet is now taken out of contention. Miss Langford is the winner, with Miss Manns such a close second that the editors will have to file a protest against them. Lily Pons is third and Kirsten Flagstad is fourth. Gladys Swarthout, who has been off the air for some time, occupies the fifth place.

Fred Allen seems perennially destined to run second to Jack Benny as the "radio's No. 1" personality, but the way they finish again in 1938, Charlie McCarthy (or Edgar Bergen, take your pick) is the third choice, with Eddie Cantor and Fibber McGee closing the quintet.

Popularity of the "Baby Snooks" characterization on the MGM Hour has brought Fanny Brice to the top spot as the air's premier comedienne. In winning the supply pants, the trailing character, in the running is the number one woman, with Shirley Martha Raye is third, and Mary Livingston and Jane Ace follow. Fanning McGee and Morgan are placed eighth, and separately—Burns and Allen, who annually take the votes in this division. Bergen and McCarthy is the third place in order, Mary Livingston, third; Amos 'n' Andy are fourth; Fibber McGee and Molly, fifth.

Select Lux Theatre

The most popular dramatic series in radio is the Lux Radio Theatre, followed by Orson Welles' Mercury Theatre of the Air, One Man's Family, the Columbia Workshop, and Edward G. Robinson's Big Town series.

The Jeff-o series, with Jack Benny, is continuing its consistently strong Town Hall Tonight, with Fred Allen, second, taking the number two spot away from Amos 'n' Andy, whose rating drops second in last season's poll. The Easy Aces are third, Fibber McGee's show is fourth, and the Bing Crosby radio program is fifth in place. Votes for Bob Hope's show were coming in strong at the time the poll closed.

Dance orchestras in this year's poll are divided into two divisions—popular and swing. Orchestrations of Gervy Lombrardo, Horace Heidt, Kay Kyser, and Hal Kemp are the leaders. Under Duke lead the popular orchestra, including Duke and Kemp tied for second, Benny Goodman, Tommy Dorsey, Kay Kyser, Art Shaw and Bob Crosby, finishing in that order.

Vote for Toscanini

The NBC Symphony over which music director Toscanini is a outstanding choice as the best liked classical musical unit, with CBS's New York Philharmonic in place. The Ford Symphony is third, the Philadelphia Orchestra fourth, and Frank Black's NBC Symphony fifth.

Kay Kyser's engaging series, "College of Musical Knowledge," scores as the best popular musical program, with the Fred Waring show in second place. The Hi Parade and Valentine shows are in a tie for third; Kraft Music Hall is fourth, and the American Album of Famous Music couplled with the Heidt Brigadiers, fifth.

Ford Hour Leader

Undoubtedly the program about to be listed here as the best classical musical series will occasion some surprise, for the choice is not, as one might conclude, the NBC Symphony with Toscanini. Radio's Sunday Evening Hour, it may appear especially surprising in view of the luster of Toscanini's Symphony. Best liked classical musical unit Nevertheless, that is how the radio editors voted. The Ford Hour is first, followed by the Toscanini series. New York Philharmonic broadcasts third, Firestone Hour fourth, and the Cities Service program fifth.

Editors declared the best of the children's series to be Let's Pretend, a CBS sustaining program conducted by Nina Mack, CBS director of children's programs. The other four, in order, are Orphan Annie, Lone Ranger, Singing Lady, and American School.
Radio Personalities

AN WYNN has been signed for a series of transmissions for Gruen Watch, booked by Herb Rosenthal of CBS. Arturo Frizzell . . . The Radio Rubes start a personal appearance tour of theatres early in January, under the direction of Abe Feiner and Sam Shain . . . Bea Wain returns to New York today from Hartford where she played a vaudeville date . . . Jimmie Lunceford's band will be the guest unit at the "Amateur Night in Harlem" program over WMCA, Jan. 4 . . . Muriel Wilson has been assigned the lead in NBC's forthcoming operetta presentation of "The Gondoliers." Jan. 3 . . . Jackie Cooper will be guest star on Chase & Sanborn Sunday . . . an actor in Movietone News will be interviewed by Polly Sheddove on the latter Jan. 4 program over WHN.

Theodore M. Thompson of NBC's general service department goes in as administrative assistant to Walter G. Preston, director of educational programs, with Samuel and Dan Schauff, CBS announcers, became fathers of a girl this week . . . Two new CBS announcers have joined the New York staff. Ted Reams coming from WRVA, Richmond, and Harry Clark from WNY, Hartford . . . They replace staff announcers Johnny La Facque, who has been signed to RKO, and Bert Parks, who has resigned to join the NBC network. Ed DeLange will be the orchestra for the show. Eddie DeLange's orchestra will provide the musical settings on the new Phil Baker show.

Purity Bakeries on WHN Another Year

Purity Bakeries Corp. has renewed its contract over WHN for another 52 weeks of broadcasting. The account was placed by Campbell-Mittun. Broadcasting's "Wire & Web" show has contracted for participation in the "Early Bird" program over WHN, starting Jan. 6. Charlie T. Cutajar Advertising Co. placed the account.

Other new WHN accounts are Macpherson, Inc., a 52-week contract for participation in "Polly, the Shopper," through a placement by Frank Kiernan & Co. and Mirroline Mfg. Co., a 32-week contract for participation in the same program, the latter contract through Fisher, Zealand & Co.

Macpherson on CBC Net

Toronto, Dec. 29—Roderick H. Macpherson, native of Ontario, one of the principal organizers and co-ordinators of Ontario radio and a leading authority in the work of radio in that province, has been named as the engineer of a radio program in his native country for the first time on Jan. 2. The program is sponsored by the Canadian Broadcasting Corp.

Ladder on Met Show

CINCINNATI, Dec. 29—Joseph Vic Ladder, talented young Canadian tenor, member of the WLV staff, will appear on the "Metropolitan Auditions of the Air" program over NBC Sunday.

Sunday Broadcasts

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At Age 28 Have a UNIQUE EXPERIENCE to SELL

(My current position terminates February 1st owing to removal of offices to California.)

Combining a knowledge of the world film market; exploitation and publicity, selling and distribution domestically and abroad; speaking 3 languages; production experience; an all around motion picture man at your service.

Box 806, MOTION PICTURE DAILY, Rockefeller Center, New York, N. Y.