HOLIDAY GROSSES
BIGGEST IN YEARS

By BERTRAM F. LINZ
WASHINGTON, Jan. 1.—A possible new effort to obtain block booking legislation was foreseen in Washington tonight as the 77th Congress prepared to convene Friday for what may be one of the most momentous sessions in the history of the nation.

Reports were current that exhibitors dissatisfied with the provisions of the consent decree in the New York suit were preparing to launch a drive for legislation definitely outlawing multiple film sales, but with the expiration of the term of Senator Matthew M. Neely to become Governor of West Virginia there is some doubt whether a sponsor can be found with sufficient power to secure consideration of such a measure.

The coming session of Congress will devote itself almost exclusively to questions of national defense, one of the more important of which will be the matter of taxation.

Generally, new and higher taxes are expected to be ordered, raising the

43 Legislatures
Meet This Month

Tax or other legislation may confront the industry in 44 state legislatures which will go into session this year, 43 of them during January. The Florida legislature does not convene until April 4, while no sessions are scheduled this year for the Kentucky, Louisiana, Mississippi and Virginia legislatures.

Dates on which other state legislatures will convene follow: Jan. 2: California, Idaho, Montana, Ohio and Tennessee; Jan. 3: Delaware, Minnesota, Pennsylvania, South Dakota, Texas and Utah.

Extension Granted
In Oklahoma Case

The Government on Tuesday extended to Feb. 1 the time for the filing of answers by Columbia, United Artists and Universal to the Department of Justice complaint in the Oklahoma City case. A suit against them and the Griffith Amusement Co.

The answers originally were due to be filed in Oklahoma City today, but failure of the defendants to complete them on time brought about the extension of a month.

New Block Booking Measure Foreseen
In 1941 Congress

Ascap, BMI Policing Air
In ‘Total War’

Last Minute Rush Brings
Stations to Both

Radio’s “total air war” in the music situation over the New Year’s holiday was featured by “policing” of the airwaves by Ascap and BMI for unauthorized music performances after the break with the society became official at midnight Tuesday.

In Milwaukee, District Attorney Hustings said Federal grand jury action may be dispensed with in the Government’s planned criminal action against Ascap, BMI, NBC and CBS so that an information may be filed with the court.

The approach of the zero hour was featured by a last minute rush by stations all over the country to align themselves with Ascap or BMI. Many held off to the last possible moment, hoping that a settlement might either result in better terms or obviate the necessity of taking sides in the bitter battle the radio industry has faced.

At a late hour Tuesday, BMI reported that 674 stations, including

Clearance Due for
Early Arbitration

Clearance complaints are expected to be the first to be filed for hearing by the industry’s new arbitration boards when they begin functioning at the end of this month or early in February. Exhibitor inquiries as to the earliest time at which such complaints may be filed already have been re-

Famous Players Distributes Bonus

Toronto, Jan. 1.—According to an announcement at the close of 1940, all home office employees of Famous Players Canadian Corp. will receive a salary bonus equivalent to two weeks’ pay. One year ago officials and other members of the staff were given one week’s extra pay.

Box-Office Films, Mild Weather, Greater Spending Help

“Best in Years,” was the refrain from most key cities last night reporting on New Year’s business.

Box-office product, generally pleasant weather and bigger spending were reported as giving theaters in most sections a new found prosperity. Strong films overcame numerous counter-attractions.

Philadelphia first runs, mostly with Christmas holdovers, were sellouts.

As an antidote to the war atmosphere, theaters in Canada featured comedies and musicals on the holiday. “Bitter Sweet,” “Love Thy Neighbor,” “Tin Pan Alley” and “The Thief of Bagdad” were four leading films in Montreal. Springlike weather discouraged winter sports and boosted patronage in Montreal and Toronto reported.

New Year’s eve, despite 10 to 18 cents price boosts for midnight shows.

The bonanza continued yesterday as clear weather brought thousands to the city for the Munnem’s Parade. Rain failed to stop Chicago theaters’ biggest New Year’s eve in 10 years. Hotels and cafes reported best business since 1928. Rain yesterday brought a drop in the Loop, with neighborhoods benefitting.

In Cleveland, the Hippodrome and State said business was as good as in 1929. Boston, Minneapolis and Seattle reported “best in years,” and it was big also in Baltimore, Indianapolis and Providence. In New Haven yesterday it was “terrible.” Kansas City was good. Midsummer weather, the Rose Bowl football game and races hurt Los Angeles matinees.

Para. Will Resume
British Production

Hollywood, Jan. 1.—Para. announced today that it plans to make British production. David Rose, in charge of production, now here, expects to sail Jan. 25.
**Personal Mention**

Maurice Silverstone, U. A. chief of world-wide operations, and Charles Schwartz, attorney, plan to leave for the Coast in a week or 10 days.

Jack McNerney, publicity director for the Paramount on Broadway, is due next Thursday from Miami where he is vacationing with his family.

Sidney E. Samuelson, Eastern Pennsylvania Allied business manager, and William Kang, head of the Motion Picture Associates in Philadelphia, have left for Florida.

F. R. Moran, Republic Des Moines manager, visited in Oklahoma City during the holidays.

George Kurlanski, owner of the Towe and the Transit, Allentown, Pa., has left for Florida to join his wife and son.

Gilbert Kanour, film critic for the Baltimore Evening Sun, is nursing injuries received in an auto accident during the holidays.

Mainwaring, Warner publicity man here, leaves Saturday for Mexico City to gather material for a novel.

Raymond Winch, operator of the Wakefield Theatre, Wakefield, Kan., was injured in an automobile accident last week at Camp Funston, Kan.

Jack Cohn, vice-president of Columbia, and his family are expected back from Miami early next week.

Moe Kutz, 20th Century-Fox New Jersey sales man, and Abe Bimstein, New York salesman, return Monday from Miami.

J. W. Daily, former staff member of the New Orleans Item and the Tribune, has left for Hollywood to assume a new post on the Columbia publicity staff.

Charles Goldfine, Philadelphia exhibitor, has been appointed chairman of the Motion Picture Division of the Salvation Army campaign in Philadelphia.

Charles Frankel, owner of the Casino, Des Moines, is recovering at his home after an illness of several weeks.

Florence Fineman of the RKO publicity department has been discharged from the Mount Sinai Hospital after an appendectomy.

Raymond S. Reed, sales development manager of Heywood-Wakefield, has left for a tour of company branches and will return at the end of January.

Steve Anglasski, chief projectionist at the Avenue, Philadelphia, and his family, have returned from a trip to Mexico City to visit relatives.

Mrs. Anglasski and her four children are the parents of a daughter.

**Good Foreman**

HAVE THIS TO SAY:

★ “Reaction terrific... the patrons howled... asked for more.” F. B. Schlax, Kenosha Theatre, Kenosha, Wis.

★ “Audience reaction very enthusiastic... should play every theatre...”

Lou B. Metzger, Speckles Theatre, San Diego, Cal.

★ “Audience reaction excellent...”


★ “... fine entertainment...”


★ All of which means there is a great reel in BOB HAWK’S sensational CBS Coast-to-Coast network smash... “TAKE IT OR LEAVE IT” A COLUMBIA “QUIZ” REEL — NOW BOOKING

**Newsreel Parade**

President Roosevelt’s important address on national security makes an excellent newsworthy subject. Another highlight of the address is the visit at a British port of H. S. Kelly, destroyer tender, which has been in the Danish coast. The contents follow.


Briggs Resigns as Monogram Director

Hollywood, Jan. 1—W. Ray Johnston, president of Monogram, on Tuesday announced the resignation of Olmer Briggs as a member of the board of directors, on which he represented Pathe prior to his resignation as president of Pathe Laboratories, his successor having been elected at the next quarterly meeting. Briggs recently became president of Producers Releasing Corp.

4 New ‘Wind’ Dates Set

Four more “Go With the Wind” popular-price engagements have been announced by M-G-M. The film will open Jan. 10 at the Melba, Dallas; and Jan. 17 at the Majestic, Tulsa; Rialto, El Dorado, Ark., and Grand, Friend ville, Md.

**MOTION PICTURE DAILY**

Registered U. S. Patent Office

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HIGH SIERRA is an excitement-loaded yarn if ever I knew one! On film it's a world-beater!

NEWSPAPERS' ACHIEVED NO. 1 STORY-TELLER
MARK HELINGER

HIGH SIERRA is the most thrilling and unusual picture I have directed since 'What Price Glory'!

Director of a hundred Hits, RAOUl WALSH

"My story to top 'Little Caesar' is HIGH SIERRA!"

Famed Author, W. R. BURNETT

HIGH SIERRA
starring
IDA LUPINO
Humphrey Bogart

with
Alan Curtis
Arthur Kennedy
Joan Leslie
Henry Hull
Henry Travers

Directed by RAOUl WALSH
Screen Play by John Huston and W. R. Burnett
From the Novel by W. R. Burnett

Soon from Warners!
"The picture isn't a sleeper. It's a solid train-load of sleepers!"
—Lee Mortimer, N.Y. Daily Mirror

"Must be ranked among the year's best pictures!"
—Kate Cameron, N.Y. Daily News

"NIGHT TRAIN IS A SLEEPER!"

MARGARET LOCKWOOD and REX HARRISON

"NIGHT TRAIN"

PAUL VON HERNREID

MAURICE OSTER, in Charge of Production • Produced by EDWARD BLACK • Directed by CAROL REED • Based on an original story by Gordon Wellesley • Screen Play by Sydney Gilliat and Frank Launder • A 20th Century Production made at the G. & S. Studios, London

NOW BREAKING RECORDS AT THE GLOBE ON B'WAY!
AND THESE ARE THE ADS THAT DID IT!

STARTS TODAY
1st N. Y. SHOWING

THIS PICTURE IS SO EXCEPTIONAL WE PREDICT YOU'LL FIND IT ON EVERY CRITICS "10 BEST PICTURES" LIST!

BETTER THAN "LADY VANISHES"
YEAR'S BEST THRILLER

CHOSSEN ONE OF THE 10 BEST PICTURES OF THE YEAR BY WORLD TELEGRAM—HERALD TRIBUNE—JOURNAL AMERICAN

MATS OF THESE ADS ARE AVAILABLE AT YOUR LOCAL 20TH CENTURY-FOX EXCHANGE!
Block Booking Bill Seen in 1941 Congress

Monogram Finishes 45% Off Schedule for 1940-41

Monogram has completed production of 45 per cent of its announced program of 42 films for 1940-41, W. Ray Johnston, president, has announced as up to the end of January they have been delivered, marking a new high those finished are 12 features, five "Range Busters" westerns, and two outdoor films starring TEX RITTER.

Rudy Vallee will make his debut as a ventriloquist in RKO Path's "Jingle Bells," which will be directed by Louise Roussea. The series of short subjects deals with the "Jingle Bells" film and... "Soldiers of the Campus," which will be directed with the Reserve Officers Training Corps. The series will be next in Warners' series of two-reel Technicolor films glorifying the United States armed forces. ... Columbia has given Jock Hill... RKO will star Joan Fontaine opposite Cary Grant in "Before the Fact," to be directed by Alfred Hitchcock. M-G-M has placed Robert Cummings opposite Ruth Hussey in "Free and Easy," which Milton Berle will produce and direct. Buzz Kulik and Reginald Owen and Nigel Bruce also have been cast.

Alfred Hitchcock has completed editing of "Lightship 61," British-made film detailing British electronics and Battle of Britain. With a channel lightship, Robert E. Sherwood will write a foreword. No distribution deal has been made, yet.

Columbia has borrowed Jane Withers from 20th Century-Fox and Jackie Cooper from Paramount for "His First Bean," which B. B. Kay Hane will produce and J. Theodore Reed direct. The picture was formerly titled "Come Madam," and is from the story of Colin Carse and Florence Everson. ... Joan Carroll has been borrowed from M-G-M by RKO for the role of Susan "Sunny." Supporting players will include Ray Bolger, May Robson, Edward Everett Horton, Freda Inescort and the Hartmains. Herbert Wilcox will produce and direct... DAME MAY WHITTIE has been cast for Paramount's "The Night Before Christmas." ... Marsha Hunt has been cast for "The Trial of Mary Dugan," at M-G-M... RKO will team Rosemary Lane and Reginald Owen in "Keep Out the Moon," to be produced by Frederic Ullman, Jr., Jack Hively will direct the musical.

Paramount and Columbia both have suspended William Holden for asserted refusal to report for "Texas." Columbia pictures has amended the decree the dispute is salary... Producers Releasing's first Henry Armetta film will be called "Caught in the Act," a change from "It Happened at Home." ... Sherwood Scott will direct that company's "Alimony Jail," story by George Brackett.

Clearance Due for Early Arbitration

Kuykendall Speaks A Miami Meeting

McClinton Play Will Open Here Tonight

"The Lady Who Came to Stay," with Mady Christians, Beth Morely and Karl Swenson, at the Odeon Theatre. Guthrie McClinton produced the play, which was written by Kenneth White.

Chicago Slow; 'Alley Takes Fair $28,000

In Providence Lull

Legislatures in 43 States Meet in Jan.

Scarface $2,700

Providence Jan. 1.—In the week before Christmas, business was generally slack. The change to a "Scarface"-like film, and the passing of the "Scarface"-like film, to the competition of "Scarface," paired with "Sky Bandits," at Fay's doing the best comparative business. $24,000. The "Blondes" took $4,000 with "Blackout" and "Dreaming Out Loud" in 5 days.

Estimated takings for the week ending Dec. 23-25

"Blondie" (RKO) $5,500
"Dreaming Out Loud" (RKO) $4,000
"Dive Bomber" (Col.) $3,500
"East of the River" (W. B.) $3,000
"Good News" (U. M.) $3,000
"How the West Was Won" (M-G-M) $2,500
"Knockout" (RKO) $2,500
"New York" (RKO) $2,500
"The Philadelphia Story" (M-G-M) $2,500
"The Set-Up" (Col.) $2,000
"Time Out For Romance" (W. B.) $2,000
"War Time in Europe" (U. M.) $2,000
"Yellow Star" (M-G-M) $2,000
"Ziegfeld Follies" (M-G-M) $2,000

1941 Magic Picture Daily

Thursday, January 2, 1941
‘Carson’ Gets Good
$11,000
Frisco Gross

S AN FRANCISCO, Jan. 1.—“Kid Car-
on” grossed off to good start with $11,000 at the United Artists, as rainy weather set in. Business was generally good, despite the Christmas buying rush. “Go West” paired with “Christmas in July” at the Fox for $16,000.

Estimated takings for the week ending Dec. 17-20:

“Go West” (RKO) GOLDEN GATE—(2,820) (35c-45c-55c) 7 days, Gross: $16,000, (Average, $2,286)

“Christmas in July” (Para.) FOX—(2,500) (35c-45c-55c) 7 days, Gross: $16,000, (Average, $2,286)

“The Bank Dick” (Und.) ORPHEUM—(2,500) (35c-45c) 7 days, Gross: $7,000, (Average, $1,000)

“Give Us Wings” (Univ.) ORPHEUM—(2,500) (35c-45c-55c) 7 days, Gross: $7,000, (Average, $1,000)

“South of Suez” (W. B.) ORPHEUM—(2,500) (35c-45c-55c) 7 days, Gross: $7,000, (Average, $1,000)

“Kit Carson” (U. A.) UNITED ARTISTS—(3,100) (35c-45c-55c) 7 days, Gross: $11,000, (Average, $1,571)

“Little Nancy Kelly” (M-G-M) DR. KILDARE'S CRISIS (M-G-M)

ST. FRANCIS—(6,800) (35c-45c-55c) 2 week, Gross: $2,300, (Average, $2,300)

“Texas Rangers Ride Again” (Para.) WAREFIELD—(2,600) (35c-45c-55c) 7 days, Gross: $5,000, (Average, $1,000)

“Time in the Sun” (Warn.) CLAY—(3,465-7) 6 days, Gross: $960, (Average, $160)

Xmas Too Much for
New Haven Grosses

New Haven, Jan. 1.—“Go West” and “Gallant Sons” in the second week at the College, with $2,230, came closer than any other bill to average business, in a week of sub-normal grosses. Heavy Christmas shopping was too much for the competition. The weather was fair.

Estimated takings for the week ending Dec. 25:

“Go West” (M-G-M) COLLEGE—(1,200) (35c-45c) 6 days, 2nd week, Gross: $315, (Average, $52)

“Dr. Kildare’s Crisis” (M-G-M)

“Evelyn” (M-G-M) LOEW’S—(1,000) (35c-45c-55c) 6 days, Gross: $4,000, (Average, $667)

“One Night of Love” (Cong.) CLAY—(3,065) 6 days, Gross: $1,000, (Average, $167)

“East of the River” (U. A.) ORPHEUM—(3,000) (35c-45c) 6 days, Gross: $1,000, (Average, $167)

“Little Nellie Kelly"

Does $8,400, Omaha

OMAHA, Jan. 1.—After a very dull pre-Christmas week, exhibitors reported an upswing in business starting Christmas Day. “Little Nellie Kelly” pulled $8,400 at the Orpheum. The weather was warm and clear.

Estimated takings for the week ending Dec. 25-26:

“The White Navy” (U. A.) BRANDON—(2,600) (35c-45c-55c) 7 days, Gross: $4,200, (Average, $600)

“Trouble in the West” (Para.) ORPHEUM—(2,000) (35c-45c-55c) 7 days, Gross: $1,600, (Average, $230)

“Little Nellie Kelly” (M-G-M)

“Sandy” (M-G-M)

ORPHEUM—(3,000) (35c-45c-55c) 7 days, Gross: $9,400, (Average, $1,342)

Feature Review

“The Girl in the News”

(20th Century-Fox)

PRODUCED at the Gaumont British studio in England under the production supervision of Edward Black, this dramatic story of a girl twice tried for murders she did not commit is a well-knit, expertly handled item of screen merchandise.

Carol Reed, who directed, gives every evidence of unusual skill in the treatment mystery sequences and courtroom procedure. The film is an adaptation by Sidney Gilliat of a novel by Roy Vickers.

Margaret Lockwood is excellent as the nurse, held first for an accidental death which gives every appearance of murder, and in the second time when she is the victim of a plot to make her pay the penalty of a crime committed by others. Barry K. Barnes is capable as the young attorney who defends her in the first trial as an assignment, and in the second for a more compelling reason. In chief support are Emily Williams, lawyer in the home of the second victim, who conveys with the wife to cause his death and pin the crime on Miss Lockwood; Roger Livesay as a police officer and friend of Barnes, and Margareta Scott, as the wife in love with the butler.

The manner in which the criminals are brought to book in the courtroom, and the surprise twist at the end, all carried through without a moment's wasted footage, keep interest at a high pitch.

Running time, 77 minutes. “G.” *

Charles S. Aaronson

“July” and Callaway

$8,000, Kansas City

KANSAS CITY, Jan. 1.—First run closing just before Christmas did little business in a short run. However, in four days, “Christmas in July” and Callaway on the stage, took $8,000 at the Newman. The weather was good.

Estimated takings for the week ending Dec. 22-26:

“Hit Parade of the Week” (Rep.) ESQUIRE—(1,400) (35c-45c) 6 days, Gross: $7,000, (Average, 6 days, $1,200)

“Orphans” (Rep.)—(2,400) (35c-45c) 4 days, Gross: $1,200, (Average, $300)

“Here Comes the Navy” (W. B.) ORPHEUM—(2,000) (35c-45c) 6 days, Gross: $1,000, (Average, $167)

“Here Goes the Navy” (Col.) CLAY—(2,450) 6 days, Gross: $1,500, (Average, $250)

“In the Trenches” (M-G-M) ST. FRANCIS—(2,300) (35c-45c) 7 days, Gross: $1,000, (Average, $143)

“Gibson Quiz in Suit”

Peyton Gibson, Universal secretary, on Tuesday was ordered by N. Y. Supreme Court Justice Benedict Dineen to appear for an anti-trust trial in connection with the $984,500 damage suit brought by Forrester Parnell Productions, French company, against Harry H. Epstein, motion picture lawyer, was set for Gibson’s examination.

Shapiro With Selznick

Hollywood, Jan. 1.—Victor Shapiro has been signed by David O. Selznick Productions to handle special publicity for the next few months.

Club Installation

In Omaha Jan. 19

OMAHA, Jan. 1.—The local Variety Club will inaugurate 1944 officers on Jan. 19 at the annual inaugural ball. Officers to be installed are: Ted Mendenhall, chief barber; W. M. Green, first assistant; Sam Epstein, second assistant; M. L. Stern, treasurer; Edward Shafton, secretary.

“The 3 Stooges

GO TO WAR... AND THE WAR GOES NUTS!

A blitzkrieg of belly laughs from the favorite zany of a vast audience of laugh fans!

BOOBS IN ARMS

A COLUMBIA SHORT-SUBJECT PRESENTATION

—NOW BOOKING!
Ascap, BMI Policing Air In 'Total War'  

(Continued from page 1)  
non-commercial broadcasters, had joined the suit. A spokesman for Ascap, the umbrella organization of the ASCAP and BMI musicians, said it would file a suit against the FCC if it did not drop its investigations.

Acap officials said that no effort would be made to bring a damage action into the court to control unauthorized performances. The society's policy, however, is to initiate actions only against flagrant violators of those involved in a serious use of its music without a license.

The networks' plan of action called for the elimination of Ascap music from their stations until more reasonable terms are granted by Ascap.

A last-minute Ascap entry, WMCA, New York, was unable to complete contract details in time to receive permission to continue Ascap music indefinitely, pending the signing of a formal agreement within two weeks.

Despite this, it would rely on public domain music exclusively.

Three in N. Y. Take Both  

Three New York independent stations, WBNX, WOV and WNYC joined BMI and Ascap with WNYC receiving the music free from both the BMI and non-commercial WYS, and WQXR, in addition to WBOB, WJZ and WOR, joined BMI, while WHN, WNEW, WHOM, WAAAT and WHBR signed with Acap.

Neville Miller, president of the National Association of Broadcasters, yesterday sent an open letter to all Ascap members in which he charged that division of Ascap receipts was not fair and that past leaders of Ascap formed a "musical monopoly."  

WWL Must Reply by Jan. 10 in Script Suit  

NEW ORLEANS, Jan. 1.—Civil Court Judge Nat W. Bond yesterday ordered Station WWL to show cause on Jan. 10 why a preliminary injunction should not be issued preventing it from broadcasting the transcribed dramatic serial, "Uncle Natchez," sponsored by the Chilean Nitrates Sales Corp.

The station is defendant in a $25,000 suit filed by Grombach Productions, Inc., which claims to have originated the program and is a radio producing company in New York headed by Jean V. Grombach. The suit also is suing the sponsor for $75,000.

3 Partners Named  

By Lyons Agency  

HOLLYWOOD, Jan. 1.—Donald D. Tapp, former president and stockholder of The New York and Nat Wolff of Beverly Hills, have become partners in the firm of A. S. Lyons, Inc., headed by Sam Lyons. The three members have become stockholders in the agency.

Now It's 'Your Charm'  

Effective with the March, 1941, issue, Picture Play, monthly fan magazine published by Street & Smith, will change its name to Your Charm. It was announced by Muriel Babcock, editor.

Exhibit Sileo Photos  

An exhibition of photographs of Mexico taken by Jimmy Sileo, staff photographer of the Radio City Music Hall, is being held in a grand lounge in conjunction with the stage show, "Pan Americana."
NO SETTLEMENT IN U.S. MUSIC SUIT
NY Arbitration Panel to Total 50 Members

Gov't Wants Early Trial; Ascap to Sue CBS For Infringement

Hope for a settlement of the anti-trust suit soon to be brought by the Government in Milwaukee against Ascap, BMI, NBC and CBS has been shattered, it was disclosed by the Attorney General's staff in the Federal Court here yesterday.

The Department of Justice is determined to go through with the prosecution, spokesmen said. An early trial will be sought following the filing of an information in Federal Court, Milwaukee, Monday.

Answering queries of reporters on the reason for bringing the suit in Milwaukee rather than New York, Government attorneys explained that local judges had protested against the over-burdening of the calendar in Southern New York district with all anti-trust cases. The judges expressed the view that the calendar was so crowded already that a trial in such suit would take a long time before being reached.

As a result, the Government decided to bring the suit in Milwaukee where an early trial could be had, it was said, although it was admitted that the conduct of the trial at so distant a point would involve consid-erate expense.

Col. Renews Motion To Dismiss U. S. Suit

Columbia yesterday renewed its motion in U. S. District court here to dismiss the Government's anti-trust suit against itself, United Artists and Universal.

The motion, made by Schwartz & Frohlich, Columbia counsel, is returnable Tuesday before Federal Judge Henry W. Goddard. Columbia made a similar motion shortly after the filing of the Government's amended complaint but later withdrew it.

Columbia is also joining in the motion of United Artists and Universal to require the Government to strike from its complaint all reference to the five coating companies, in the event the Little Three's motions are denied. Such a motion was filed earlier by Edward C. Kattery of counsel for United Artists and Universal.

Balaban, Ramsaye Will Address Club

Barney Balaban, Paramount president, and Robert J. Ramsaye, president of Motion Picture Herald, will be the speakers Tuesday afternoon at the next of a series of meetings sponsored by the Paramount Pep Club educational committee. The meeting will be held in the Paramount house recreation room. Balaban will speak on theatre operations and Ramsaye on "Success Is Where You Find It."

Operators' Local Gets $7,500 Judgment From Brooklyn House on ITOA Pact

An arbitration board headed by Frederick E. Crane, former chief judge of the New York Court of Appeals, has awarded Local 306 of the operators' union a judgment of $7,500 against the operators of the Sheldon, Brooklyn, and costs of $1,146 against the house and the New York ITOA. The case was described as a "key" suit by union officials who disclosed that in the past three months nine independent theatres have attempted to avoid the master ITOA contract signed three years ago by changing ownership of theatres.

The Sheldon, according to Crane's report, was owned by the Adenon Theatre Corp. up to May 15, 1938, when Emmons Amusement Corp. took over and discharged the local's projectionists. Crane ruled that the transfer was not a bona fide sale and ordered the theatre to re-employ the union men.

Shirley Temple to Make 2 for M-G-M

Hollywood, Jan. 2 — Superior Judge Emmet H. Wilson today approved Shirley Temple's contract with M-G-M calling for at least two films this year, one with Mickey Rooney in a "Judge Hardy Family" picture. The contract provides $2,500 weekly salary for a minimum of 40 weeks, plus options. Shirley is to get equal billing with Rooney and is not to be required to make personal appearances, under the pact.

(Continued on page 7)

MOTION PICTURE DAILY

Para. Starts Meetings on Decree Today

Agnew Realigning Staff's For New Method

Paramount today will launch a series of branch office meetings to instruct its field staffs in distribution procedure under the consent decree. The first session will be held this morning at the New York exchange.

Neil F. Agnew, vice-president in charge of distribution, and Robert Gilham, advertising and publicity director, left Terry Ramsaye, editor of for a trip around the country to realign the national sales setup with new measures. They will also sit in on production conferences at the studio.

Austin C. Keough, vice-president and general counsel, will interpret the decree at today's meeting at the local exchange. Later, he will visit every Paramount exchange in the East and Southwest for the same purpose. Louis Phillips of the home office legal staff will cover the company's exchanges in the Midwest and Far West, beginning late this month and continuing until every exchange has been visited. Phillips' tour had to be postponed.

(Continued on page 7)

57 English Films Made in 9 Months
London, Jan. 2 — A total of 52 features was produced in England between April 1 and Dec. 21, 1940, according to figures released by the British Board of Trade. Of the total, five were produced by American companies.
Coast Flashes

Hollywood, Jan. 2

WILLIAMF. RODGERS, M-G-M general sales manager, arrived here tonight for a week’s studio conferences on the Spring production schedule.

Harry Malsch, manager of KFWB, Warner station here, said today that no definite proposal had been made to him to make the station the Southern California outlet of a new nation-wide network being discussed by Ascap, but that such a proposal would find KFWB “more than receptive.” Meanwhile, the station took large space in newspapers to inform readers that it is the only local station using Ascap music. The Ascap office here said other independents would sign shortly.

Elen Kelty, songwriter, today filed a Federal Court suit in Los Angeles for $200,000 damages, alleging plagiarism of her song, “I’d Know You Anywhere,” which she said she wrote in 1937. Defendants are RKO, Kay Kyser, Jack Benny, Dennis Day, Bregman, Vocco and Korn, Inc., music publishers. Ascap and 1,000 John Does.

Stein to RKO Theatres

Monroe Stein, formerly of the Co-cals circuit, on Monday will join the RKO Theatres booking department, John J. O’Connor, vice-president in charge of theatres, said yesterday.

Intervene in Film Suit

BIRMINGHAM, Ala., Jan. 2—Federal Judge T. A. Murphree has signed an order here allowing Arthur Mayer and Joseph Burstyn of New York to intervene in the civil suit brought to restrain police seizure of “French Girls Club,” which they distribute.

ANNIHILATE—OR OSCULATE

Romero, as the Romeo of the rakets, has a great talent for either of the pastimes.

TALL, DARK and HANDSOME

zoth’s natural! . . . loaded with laughs! thrills! tunes!

Personal Mention

J. CHEEVER COWDIN, Universal board chairman, was called to New York from the Coast by the serious illness of his father. He plans to return to the studio as soon as possible.

Mr. and Mrs. Nat Sanders returned yesterday from a two-week vacation in Miami.

Jules Levy is scheduled to leave for the Coast today.

Woodrow Sherrill, M-G-M booker at Des Moines, is spending a two-week vacation at Richmond, Va.

Nat Torberg, manager of the Northio, Paramount, Hamilton, Ohio, is confined to his home with the flu.


DAVID LIPTON arrived from the Coast on Wednesday and took over his post of advertising and publicity director for Columbia at the home office yesterday.

Monroe Greenhal, Martin Moskowitz, Joseph Piscus, Joseph Moscowitz and Hal Yaron luncheoning yesterday at Lindy’s (51st St.).


MAX WEISEFELD, Rube Jackter and Lou Weinberg at Lindy’s (next to the Rivoli) for lunch yesterday.

William J. Heineman, James J. Jordan, Al Margolies, Ray Gallagher, Herbie Fecke and James A. Crox lunching at the Tavern yesterday.

Intervene in Film Suit

ALBANY, Jan. 2—Business between the holidays as well as on both New Year’s day and Christmas was far above the similar 10-day period in 1939, both downtown and subsequent theatre managers reported.

Throughout the Albany-Troy-Schenectady area, theatres had a conserva-
tive 10 percent improvement over a year ago with many houses reporting as much as 25 percent for the holiday season.

Ohio Censor Rejects 33 Reels During ’40

COLUMBUS, Jan. 2—During 1940 the Ohio censor rejected 33 of the 6,210 reels reviewed. A total of 392 eliminations were made. This com-
pares with 42 rejections out of 7,101 reels, or 352 eliminations in 1939. Of 412 reels, 29 eliminations were ordered last month. In December, 1939, 602 reels were reviewed with 39 eliminations.

Holiday Grosses Up In Albany Territory

LINDY’S

RESTAURANTS

1626 BROADWAY 1655
(Next to the Rivoli Theatre)
(31st Street)

For over 20 years the luncheon and dinner place for Motion Picture People

Solo agents in New York for FAMOUS

BLUM’S ALMONDETTEs

from San Francisco, California

Newsreel Parade

PARAMOUNT devotes its entire issue to the four “bond” games; RKO Pathe to a review of the 1940 news highlights, and Universal to the sports highlights of 1940. The football games and the regular news subjects comprise the issues of Movietone and News of the Day. The com-

MOVIEONET NEWS, No. 34—Chief Justice Hughes honored by Jews. Sub-

NEWS OF THE DAY, No. 322—Re-
sults of the Tacoma Bridge. London at night. King George spurs R. A. F. Sla
tic in England. Hughes honored in Wash-
ington. "Bowl" games.


RKO PATHE NEWS, No. 31—Review of the Year. "Bowl." "Bowl."" Bowl.

UNIVERSAL NEWSREEL, No. 452—Sports highlights of 1940.

Zanuck Will Attend N. Y. Critics Awards

Darryl F. Zanuck, vice-president in charge of production for 20th Cen-
tury-Fox, will arrive here tomorrow for the annual award party of the New York Film Critics, in the Rainbow Room on Sunday afternoon. "The Grapes of Wrath," produced by Zanuck, was voted by critics as the outstanding picture of 1940. On the broadcast of the awards from 6:05 to 6:30 P.M., over the NBC Blue, Henry Ford and Jane Darwell will present a scene from the film. They will be introduced by Numally Johnson, scenarist and associate pro-
der.

Folley Examination Set

RKO yesterday filed notice in U. S. District Court that it would examine Irving K. Wolfson and Charles Haar before trial on Jan. 15 in connection with the $750,000 anti-trust suit brought by Folley Amusement Corp. against the eight motion picture companies. Monogram and Republic. The plain-
tiff claims lack of product forced the closing of the Folley Theatre in Brooklyn.

20TH CENTURY-FOX

PATHE NEWS

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quiigley Publishing Company, Inc., 1290 Seventh Avenue, Rockefeller Center, New York City, Telephone 7-4100. Cable address, "Quiigbana, New York." Martin Quiigley, Editor-in-Chief and Publisher; Calvin Brown, Vice-President and General Manager; Waterson. R. Rucker, Vice President; Sam Shain, Editor; Alfred L. Fiesole, Manager, Advertising James A. Cron, Advertising Manager: Charlo Burelle, 624 South Michigan Avenue, C. B. O'Neill, manager; Hollywood Bureau, Postal Union Life Building, William R. Weaver, Editor, London Bureau, 4 Golden Square, London W.1, Hope Williams, manager, cable address "Quiigbana, London." All contents copyrighted 1939 by Quiigley Publishing Com-
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they give YOU the Business!

“Love Thy Neighbor” box office returns start pouring in. Figures compiled from every key city just before press-time show “LOVE THY NEIGHBOR” smashing holiday week records everywhere... running from 11% to 74% ahead of “Buck Benny Rides Again”... and at the N. Y. Paramount, it's smashing every holiday record in the history of the house!

Happy New Year with Jack BENNY · Fred ALLEN

“LOVE THY NEIGHBOR”

with MARY MARTIN · Verree Teasdale and ROCHESTER

Original Screen Play by William Morrow and Edmund Beloin, Ernest Pagano and Z. Myers · A Paramount Picture

Produced and Directed by MARK SANDRICH
Motion Picture Daily

4

Philadelphia

New Comedy
new

2.
In spite of
weather, Christmas holiday
and the fact that youngsters are home
from school kept grosses at holiday
"North West Mounted Police"
levels.
at the Stanley led the field with
"Thief of Bagdad" at the
$21,000.

warm

ALDINE— (1,400)

(35c-41c-46c-57c-68c)

(Average,

Gross:

days.

$14,000.
(Col.)

"Arizona"

ARCADIA— (600)

BOYD

—

Gross:

days.

EAELE

days,

6

(Average,

$2,800.

$2,600)

(Para.)
(35c-41c-46c-57c-68c)

(2,400)
$8,300.

"A Night At

$9,000)

(35c-46c-57c)

2nd run. Gross:
"Second Chorus"

7

7

—

(35c-41c-46c-57c-68c)

(4,000)

FAY'S

—

(15c-29c-35c-46c-57c)

(2,190)

7

7

Vaudeville including Ginger Britton,
De Rita & Scannell, Sylvia & Clemence,
Park & Clifford and Grandma Perkins.
(Average, $6,900)
Gross: $7,000.
days.

"Four Mothers" (WB)

FOX
Gross:

—

(3,000) (35c-41c-46c-57c-68c) 7 days.
(Average, $13,000)
$15,200.

"The Letter" (W.B.)

KARLTON — (1,000)

(35c-41c-46c-57c-68c)

2nd run.

4 days, 2nd week,

Gross:

$3,300.

(Average, $3,000)
"Tin Pan Alley" (20th-Fox)

KEITH'S— (2,200)

(35c-41c-46c-57c-68c)

Gross:

2nd run, 2nd week.
(Average, $4,500)

days,

BLUE MOUSE— (950)

St.

Louis

—

Jan. 2. "North West
Mounted Police" drew $5,000 in its
third week at the Missouri. It played
the Ambassador for two weeks and
was moved to the Missouri, dualed
with "Tin Pan Alley."
Estimated takings for the week ending Dec. 24:

Louis,

St.

My Love" (Para.)
at Earl Carroll's" (Para.)
AMBASSADOR— (3,018) (28c-39c-44c-56c)

"Arise

days with vaudeville including Clyde McCoy's orchestra, Three Stooges, Bennett
Gross: $18,200.
Sisters, and Wayne Gregg.
(Average, $14,000)
"Men Against the Sky" (RKO)

3

"A Night

days. Gross: $9,000. (Average, $11,500)
"Ellery Queen, Detective" (Col.)
"Give Us Wings" (Univ.)
(5,038) (30c-40c-50c) 6 days. University of Missouri revue on
stage. Gross:
$7,300. (Average, 7 days, $11,000)
"The Long Voyage Home" (U. A)
7

FOX—

"The Lone Wolf Keeps a Date"

LOEWS STATE— (3,162)
Gross:

days.

5

Gross:
"Gallant Sons"

7 days.

ST.
Gross:

(30c-40c-50c)

LOUIS— (4,000)

Gross:

(35c-46c-S7c)

(Average,

$3,100.

—

$4,500)

Minneapolis' Best
Minneapolis, Jan.
— A rear2.

to take ad-

many

left

pictures at theatres here for shortened
runs, and pre-Christmas receipts were
generally low. "The Letter" took
$5,800 at the State.

Estimated takings for the week ending Dec. 26

"The Mark

of

(28c-39c-44c)

STATE —

(28c-39c-44c)
(2,300)
(Average, $6,000)
$5,800.

4

days,

Gross:

"Snow White and
(RKO)

WORLD— (350)

2nd week.

(28c-39c-44c)

the Seven

$1,000.

days,

5

(Average, $4,000)

Dwarfs"

(15c-28c)

"Angels Over Broadway'

5

(Average,

days,
$1,600)

at

(Average,

Hollywood,

(28c)
$2,500)

Jan.

return to the

(M-G-M)

6

Gross:

33c-40c-50c,

6

(Average,

$6,300.

7

days,
days,

days.

Gross:

(33c-40c-50c)

(Average,

$2,100.

7

$5,000)

"Go West" (M-G-M)

2.

"Arizona" (Col.)
"I'm Nobody's Sweetheart

days.

7

ORPHEUM— (2,440)

Us Wings"

"Give

(Univ.)
the Missus" (Rep.)

"Meet

PALOMAR —

(20c-30c-40c-50c)

(1,500)

Gross:

Vaudeville.
days.
age, $5,000).

(3,050)

PARAMOUNT— (2,740)

Gross:

(33c-40c-50c)

(Average,

$2,400.

7

5

"The Bank Dick"
Gross:

(33c -40c -50c)

7

Gross:

(28c-33c)

7

days,
days,

4

days.

6

(Average,

$2,000.

'Three

"Who

Men From Texas"

days.

Gross:

Gross:

—George

Raft

studio in

four weeks to start in "Danger Zone,"
thereby ending his four-month suspension, during which time he has been
off the payroll.

(15c-28c)

(Average. $1,200)
"Youth Will Be Served" (20th-Fox)
"Spies in the Air" (Film Alliance)
$1,100.

RKO FAMILY— (1,000)
of

(15c-28c)

3

$6,000)

Milwaukee,

2.

Jan.

—"The

"Chad Hanna" (ZOth-Fox)
"Youth Will Be Served" (ZOth-Fox)

WARFIELD— (2,680)

Thief

Bagdad" and "The Hit Parade of
1941" took $7,800 at the Warner.
"Chad Hanna" and "The Great Profile" drew $8,500 at Fox's Wisconsin.
Mild weather helped.
Estimated takings for the week

days. Gross: $12,800.

"Time

of

PALACE— (2,400)

Gross:

(Average,

$4,000.

$4,000)

"Melody Ranch" (Rep.)

RIVERSIDE— (2,700)

(33c-44c)

My
STRAND— (1,400)

7

Gross:

Circus.
Stage:
Polack's
(Average, $6,500)
Love" (Para.)
"Arise
"Cherokee Strip" (Para.)

days.
$8,200.

7

(Average, $1,500)
of Bagdad" (U. A.)
"Hit Parade of 1941" (Rep.)
(30c-40c-55c)
(2,400)
Gross: $7,800.
(Average, $4,500)

$10,000 in Detroit
Detroit, Jan.
— Special programs
2.

which opened Christmas Day cut most
bills to five days. The United Artists

Suez" (W. B.)
(33c-40c-50c).

Gross:

(Average, $5,000)

Estimated takings for the week ending Dec. 26

7

days.

"Tin Pan Alley" (20th-Fox)
"Give Us Wings" (Univ.)

ADAMS— (1,600)
2nd week. Gross:

(30c-40c-55c) 7 days.

Gross:

'Thief Is Toronto

Winner at

$15,500

sonal appearance of Sabu, grossed
$15,500 at the Uptown. "Love Thy
Neighbor" took $12,500 at the Im-

Build

—

the erection of a theatre in the Ventnor section. The injunction was sought
by resident on the grounds that the
proposed theatre building was in violation
the
of
section's
residential

days,

Love" (Para.)
(15c-39c-44c-55c)

"Love Thy Neighbor" (Para.)
days.

"Flight

Gross:

(15c-25c-35c-50c-65c)

$12,500.

(Average, $9,000)

(15c-25c-35c-50c-65c)

6

Gross: $9,000.

(Average, $7,500)

"Arise My Love" (Para.)
"Dancing on a Dime" (Para.)

TIVOLI— (1,434)
$4,400.

"The Thief

of

(15c-25c-40c)

6

days.

(Average, $3,900)

Bagdad" (U. A.)

UPTOWN— (2,761)

days.

days.

FOX— (5,000)

5 days. Gross:
days, $15,000)

(20c-55c-65c)

"Captain Caution" (UA)

MICHIGAN— (4,000)
5

(15c-39c-44c-55c-65c)

days, 2nd week. Gross: $7,500.

7 days,

(Average.

$12,000)

Gross: $15,500.

"A Night At

Earl Carroll's" (Para.)

PALMS— (3,000)
2nd week. Gross,

(25c-39c-44c-55c)
$6,000.

5

days,

(Average, 7 davs,

$7,000)

Command" (M-G-M)

LOEWS— (2,074)

Gross:

7

(Average, $7,000)
"Escape To Glory" (Col.)
"One Night in the Tropics" (Univ.)
$5,800.

"North West Mounted Police" (Para.)

Estimated takings for the week ending Dec. 28

Atlantic City, Jan. 2.
Vice- days, 2nd week. Gross: $10,500. (Average,
Chancellor W. Frank Sooy refused $9,000)
"The Bank Dick" (Univ.)
to restrain the Circle Amusement Co.
"Give Us Wings" (Univ.)
of Philadelphia, from proceeding with
SHEA'S— (2,663) (15c-25c-40c-50c) 6 days.

restrictions.

My

Toronto, Jan. 2.— "The Thief of $10,000. (Average, 7
Bagdad," aided by a one-day per- "The Letter" (WB)

IMPERIAL— (3,373)

to

5

(Average, 7 days,

$5,500)

"Arise

$5,500)

(15c-39c-44c-55c)
$4,000.

"Wyoming" (M-G-M)

6

Wins Right

"Comrade X"
Long Voyage Home" in

took in §10,000 with

days.

"Chad Hanna' (ZOth-Fox)
"The Great Profile" (ZOth-Fox)
(Average,

2nd

7 days.

(30c-40c-55c)

$1,500.

$8,500.

7

'Comrade X' Draws

and "The

"The Thief

Gross:

(15c-35c-40c-50c)

(Average, $12,000)

in the Sun" (Foreign)
(400)
(15c-35c-45c)
7
days,
Gross: $800. (Average, $1,000)

CLAY—

week.

(Para.)
days.
(30c-40c-55c)
7

perial.
days.

(Average, $800)

KEITH'S— (1,500)
$2,700.

(Col.)
6 days.

(Para.)
(Rep.)

Aunt Maggie?"

Killed

RKO FAMILY— (1,000)

(Aver-

"Christmas in July" (Para.)
ST. FRANCIS— (1,400) (15c-35c-40c-50c) 7
days, 2nd week. Gross: $5,300. (Average,

(Para.)

(1,450)
$3,900.

(15c-35c-40c$6,900.

"Go West" (M-G-M)

FISHER— (2,700)

RKO GRAND —

RKO LYRIC— (1,400)

2nd week. Gross:

55c) 7 days,
age, $8,000)

$6,000)

days,

7

7

(15c-35c-40c-50c) 7

UNITED ARTISTS— (1,200)

(30c-40c-50c)

(Average,

Gross: $7,500.

(Univ.)

days. Gross: $12,000. (Average, $11,500)
"Kit Carson" (U. A.)

"Dr. Kildare's Crisis" (M-G-M)

PARAMOUNT —

Now"

(15c-35c-40c-50c)

'Melody Ranch" (Rep.)

7

(Aver-

$4,800.

"Comrade X" (M-G-M)

WISCONSIN— (3,200)

RKO CAPITOL— (2,000)

davs.

7

days. Gross: $13,800. (Average, $8,000)
"Second Chorus" (Para.)

WARNER—

$5,500)

RKO SHUBERT— (2,150)

"South

Warner

(Univ.)

(30c-40c-50c)

(Average, $6,000)

$5,600.

Gross:

(42c-60c)

"Here Comes the Navy" (W. B.)

Gross: $700.

Raft Returning to W.B.
will

3rd week.

Gross:

(Average, $1,800)

GOPHER— (998)

(33c-40c-50c) 5 days
(Average, $12,000)

RKO PALACE— (2,700)

3rd week.

(28c-39c-44c-55c)

Gross:

ASTER— (900)

$1,600.

RKO ALBEE— (3,300)

Gross: 7 days, $6,900.
"Philadelphia Story"

$4,500)

$1,800.

Gross:

"Tin Pan Alley" (20th-Fox)

"So You Won't Talk" (Col.)
"Always a Bride" (W. B.)
$1,000.

"Chad Hanna" (ZOth-Fox)

days.

days.

5

"Escape" (M-G-M)

CENTURY— (1,600)

ORPHEUM— (2,450)

$5,500)

Zorro" (20th-Fox)

ORPHEUM— (2,800)

2nd week.

RKO

days.

2nd week, $2,000. (Average, $5,500)
"The Letter" (W. B.)
Gross:

$6,300 in six days of the third week
at the
Palace.
Estimated takings for the week ending Dec. 21

(15c-35c-40c-50c)

Gross: $15,500. (Average, $16,000)

Cincinnati, Jan. 2. Despite gen- ending Dec. 26-27
erally low grosses in the week before
"Second Chorus" (Para.)
Christmas, "Philadelphia Story" drew "Texas Rangers Ride Again"

'Letter' at $5,800,

rangement of change days
Christmas
vantage
of

FOX— (5,000)

$7,800, Milwaukee

$6,300, Cincinnati

days.

6

7

"Gallant Sons"

days.

7

davs.
6
days, $2,600)

7

$3,900.

(35c-40c-55c)

Command" (M-G-M)
(M-G-M)

"Flight

7

(Average,

"Laddie" (RKO)

(25c-35c)

(Average,

$1,500.

(30c-40c-50c-65c)

Gross:

"Trail of the Vigilantes"

(RKO)

Girls"

GOLDEN GATE— (2,850)

$4,000)

(Average. $4,000)
of Zorro" (ZOth-Fox)

'Philadelphia' Pulls

(M-G-M)

STAIN TON— (1,700)

days, 3rd week.

week end-

"San Francisco Docks" (Univ.)

—

MUSIC BOX— (950)

Sweet-

days. Stage: vaudeville. Gross: $14,000. (Average, $15,000)

"Tin Pan Alley" (20th-Fox)

Gross: $5,000.

$2,700.

(35c-41c-46c-57c-68c)
(3,700)
(Average, $14,000)
$21,000.

FIFTH AVENUE —

(30c-40c-50c(2,500)
65c) 7 days. Gross: $7,500. (Average, $7,000)
(Col.)
"Arizona"
(30c -40c -50c -65c) 7
(1,800)
(Average, $5,000)
days.
Gross: $7,600.

LIBERTY

—"Arizona,"

Estimated takings for the
ing Dec. 24-27:

Bagdad" (UA)

'Bagdad' Scores

"North West Mounted Police" (Para.)
"Tin Pan Alley" (20th-Fox)

"The Mark
"Too Many

of

days,

7

$13,000)

MISSOURI— (3,514)

"The Thief

2.

Nobody's

lasted through the week.

7

(Average,

$3,600.

Jan.

"I'm

drew $13,800 at the Orpheum.
"Flight Command" and "Gallant Sons"
drew $15,500 at the Fox. Heavy rains

(28c-39c-44c-56c)

(Average,

$4,700.

(30c-40c-50c-65c)

Gross:

with

heart,"

$4,000)

days.

(Col.)

"North West Mounted Police" (Para.)

STANLEY —

San Francisco,
paired

"Go West" (M-G-M)
"Too Many Girls" (RKO)
days, 2nd week,

(Average, $13,000)

Earl Carroll's" (Para.)

Frisco Lead
With $13,800

—

Seattle, Jan. 2. Aided by the holiday showgoers, "Arizona" at the Liberty grossed $7,600, and "Comrade X"
at the Paramount drew $7,500 with
"Dr. Kildare's Crisis." The weather
was clear and colder, with little rain.

'Police' Captures

$5,000 in

"Thief of Bagdad" (U. A.)

Norman

by

Estimated takings for the week ending Dec. 27

Aldine drew $14,000.

Estimated takings for the week ended Dec. 25-27:

$7,600 In Seattle

Rosten, opens Sunday night
at the Windsor with Alison
Holmes
Taylor
Skipworth,
and James Bell featured in
the cast.
J. Leventhal produced the play.

—

Philadelphia, Jan.

comedy

1941

3,

Good 'Arizona' Is

"First Stop to Heaven," a

$21,000 Worth
the

'Arizona' Gets

Opens

On B'way Sunday

Likes 'Police'

Friday, January

(15c-25c-35c-50c-65c)

(Average, $9,000)

6

"Comrade X" (M-G-M)
"The Long Voyage Home" (UA)

UNITED ARTISTS— (2,000)
55c) 7 days.
$10,000)

Gross:

$10,000.

(25c-39c-44c-

(Average,

Merian Cooper Here
Merian C. Cooper, producer, has
arrived from the Coast to obtain additional data for "The Eagle Squadron," which he will produce at the
Walter Wanger studio.


Radio City Music Hall Sets New Record!

"PHILADELPHIA STORY" LINES REACH COMPLETELY AROUND CITY BLOCK!

Sensational M-G-M hit creates unique street spectacle!

Here's where line starts

End of line circling entire block

Rockefeller Plaza

Inner lobby packed! Outside line starts here and waits patiently four abreast on East 50th Street.

Turning the corner at Rockefeller Plaza and continuing around on West 51st Street.

This is West 51st Street approaching 6th Avenue where circle is completed first time in history.
# Motion Picture Daily's Booking Chart

*Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Title.*

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<th>COLUMBIA</th>
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<th>RKO RADIO</th>
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<th>U. A.</th>
<th>UNIVERSAL</th>
<th>WARNERS</th>
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<tbody>
<tr>
<td>Dec. 6</td>
<td>Thundering Frontier (O) Chas. Starrett</td>
<td>Irving Meredith</td>
<td>Go West (M) 114</td>
<td>Mark Brothers</td>
<td>Diana Lewis</td>
<td>Night at Earl Carroll's (C) Ken Murray</td>
<td>Lillian Cornell</td>
<td>Border Legion (O) 053</td>
<td>Roy Rogers</td>
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<td>Dec. 13</td>
<td>Great Plains Robbery (D) Jack Holt</td>
<td>Viki Lister</td>
<td>Conrad X (C) 113</td>
<td>Clark Gable</td>
<td>Hedy Lamarr</td>
<td>Texas Rangers Ride Again (O) John Howard</td>
<td>Ellen Drew</td>
<td>Earnhardt Follies (C) 088</td>
<td>Mary Lee</td>
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<td>Dec. 20</td>
<td>Phantom Submarine (D) Anita Louise</td>
<td>Bruce Bennett</td>
<td>Arizona (O) 116</td>
<td>John Shelton</td>
<td></td>
<td>Pride of the Bowery (D) Chamber of Horrors (D)</td>
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<td>Behind the News (O) 009</td>
<td>Lone Star Raiders (O)</td>
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<td>Dec. 27</td>
<td>This Thing Called Love (C) Wildcat of Tucson (O)</td>
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<td>Keeping Company (D)</td>
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<td>Bowery Boy (D)</td>
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<td>Jan. 3</td>
<td>Pinto Kid (O) Chas. Starrett</td>
<td>Louise Currie</td>
<td>Face Behind the Mask (D) Peter Lorre</td>
<td>Evelyn Keyes</td>
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<td>Jan. 10</td>
<td>Wild Man of Borneo (C) Frank Morgan</td>
<td>Mary Howard</td>
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<td>Jan. 17</td>
<td>The Devil Command (D) Boris Karloff</td>
<td>Amanda Duff</td>
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<td>Jan. 24</td>
<td>Come Live With Me (C)</td>
<td>James Stewart</td>
<td>Holy Lamarr</td>
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<td>Jan. 31</td>
<td>The Mad Doctor (D)</td>
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<td>Feb. 7</td>
<td>Andy Had Four Sons (D)</td>
<td>Warner Baxter</td>
<td>Ingrid Bergman</td>
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<td>Feb. 14</td>
<td>Return of Boston Blackie (D)</td>
<td>Chester Morris</td>
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<td>Feb. 21</td>
<td>The Devil Command (D)</td>
<td>Boris Karloff</td>
<td>Amanda Duff</td>
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See Early Solution Of English Problem

LONDON, Jan. 2.—An ultimate solution of the war relief problem for English theatres was indicated by the harmony which characterized yesterday’s joint discussion of the affairs by representatives of the Cinematograph Exhibitors Association and Cinematograph Renters Society (distributors).

Future meetings will be held, although each group first must report to its executive body. Much of the spirit of harmony is said to have been due to the conciliatory attitude of Sam Smith, president of the K.R.S. He expressed the belief that an amicable solution would be reached.

It is understood K.R.S. members are already supplying films for the Army Council plan of mobile theatres and the latter are operating with the approval and collaboration of the trade.

‘Chad Hanna’ Draws $9,000 in Baltimore

BALTIMORE, Jan. 2.—Midweek holiday openings shifted the regular schedules, and most of the theatres started their new attractions on Christmas. In the week prior to Christmas, box-office returns were off. The weather was unseasonably mild. "Chad Hanna" drew $9,000 at New.

Estimated takings for the week ended Dec. 26:

- The Long Voyage Home (Ga.)
- Century (3,500)
- 3 days
- Gross: $5,500. (Average, $1,833)
- The Handpick (Ga.)
- Keith’s (2,900)
- 7 days
- Gross: $8,000. (Average, $1,143)
- Chad Hanna (20th-Fox)
- New (3,500)
- 5 days
- Gross: $9,000. (Average, $1,800)
- Four Moses (Ga.)
- STANLEY (2,800)
- 7 days
- Gross: $11,000. (Average, $1,571)
- A Night in the Tropics (Knave)
- HIPPODROME (2,300)
- 7 days
- Gross: $5,700. (Average, $814)

Indianapolis Gives ‘Jury’, Show $9,000

INDIANAPOLIS, Jan. 2.—“Christmas in July” on the screen and “Proofs of Paris” on the stage drew $9,000 at the Circle. The weather was warm. Estimated takings for week ending Dec. 24-26:

- Christmas in July (Para.)
- CIRCUS (3,000)
- 7 days
- Stage: Streets of Paris revue with “Think, Drink, Listen” with A. H. Clinton, Orchestra Hall, Hylton Sisters, Frank and Jean Huber, Ernesto & His Orchestra, A. M. Bernal, Sisters, Lysander, Percy & Desouvoy. Gross: $9,000. (Average, $1,286)
- “Dr. Kildare’s Crisis” (M-G-M)
- ALABAMA THEATER (2,300)
- 5 days
- Gross: $6,000. (Gross average, $1,200)
- “Big City” (Ga.)
- LOEW’S (3,000)
- 5 days
- Gross: $5,200. (Gross average, $1,040)
- “Lady With the Lamp” (Ga.)
- LYRIC (2,000)
- 7 days
- Stage: Larry Clinton Orchestra, Deanna Durbin, Terry Allen, Peggy Malm, Jimmy Carile and the Brothers Gross: $7,700. (Average, $1,030)

Photographers Plan Annual Party Feb. 14

The Press Photographers Association of New York, Inc., will hold its 13th annual dinner dance, to be held on Feb. 14, St. Valentine’s Day, in the grand ballroom of the Hotel Astor. Stars of screen, stage and radio will participate in the affair. Approximately 3,500 are expected.

NBC Splits Blue, Red Press Units

Following the trend toward complete separation of NBC’s Red and Blue networks, Frank E. Mason, vice-president in charge of the information department, yesterday announced the reorganization of the press department into separate sections for each network. At the same time, Mason disclosed that he and his assistant, Donald Pekor, had left the New York press department, had been named coordinator for NBC press and publicity activities on a national basis.

The present NBC news sheet will be discontinued Monday and in its place each network will issue its own press releases. Richard Spence, assistant to Charles Pekor, will head the Red setup, and Art Donagan, assisted by Benson Pratt, will head the Blue. Emil Corwin and Warren Gerz will be assistant editors.

Earl Mullan, assistant press manager, in charge of the distribution of both sections and Florence Marks will act as photo editor. The new press sheets will be available to newspapers and will be published in the country instead of merely to Eastern papers. In addition, a bi-weekly general feature section will be mailed on alternate Fridays.

Other changes in the publicity department include John Briggs leaving to manage publicity for the New York Post, and Ed Nickels leaving next week to act as assistant to Lester Gottlieb, Mutual publicity director. The latter will be succeeded by Rube Marks, who will join the air force on Jan. 15.

Pratchett Due for Parley With Hicks

Arthur Pratchett, Paramount Central American manager, will arrive Monday from Mexico City to confer with John W. Hicks, vice-president and foreign manager, on arrangements for the company’s Latin American convention in Panama on Feb. 6. Hicks and Pratchett are scheduled to leave Jan. 12 for Mexico and the Panama meeting. Hicks will continue to South America thereafter.

Benito del Villar, Paramount managing director for Chile, Peru and Bolivia, arrived from South America yesterday for a month’s visit, following which he will go to Panama for the company meeting.

N. Y. Panel Will Have 50 Members

Class B cities whose arbitration boards will have a clerk and one secretary each, and panels of 30 to 40 members, are: Milwaukee, Kansas City, St. Louis, Charlotte and Seattle.

The Class C cities, whose boards will be made up of no secretaries and panels of 20 to 30 members are: New Haven, Indianapolis, Des Moines, Omaha, New Orleans, Memphis, Salt Lake City and Portland.

Charter New Circuit

COLUMBIA, S. C., Jan. 2.—D. & M. Amusement, Inc., capitalized at $10,000, has been formed to conduct places of amusement. W. T. Martin is president.

CBS Year Billings Record $410,253,549

Marking the first time that any single network has passed the $40,000,000 mark, CBS gross billings for the year 1940 totaled $410,253,549 in increase of 18.8 per cent over the 1939 total of $341,563,665. During the final month, December, billings were $5,819,989, an increase of 8.2 per cent over the same month in 1939.

Para. Meetings on Decree Start Today

(Continued from page 1)

until the end of January because he is to represent Paramount at the trial of the LaCrosse anti-trust suit against the company, which is scheduled to open in Federal court at Madison, Wis., on Jan. 4. Phillips will have a leave for Madison tonight. At the conclusion of the LaCrosse trial he is scheduled to defend Paramount in a case that arises in Federal court in Chicago.

Indications are that Paramount will realign its sales organization on a pattern similar to that adopted recently by others, possibly including the creation of new sales divisions and a reshuffling of the branches to effect closer supervision and contact by home office executives.

The recent appointment of C. J. Scollard as executive assistant to Agnew is a part of the company’s plans for revised sales operations under the decree. The addition of Joe Phillip son, former head of the J. H. Cooper Circuit office here, and Jack Bannam, formerly associated with the Chicago area’s theatre and National Screen Service, to the home office distribution department, effective Monday, is regarded similarly.

‘Long Voyage’ at $8,500 in Buffalo

BUFFALO, Jan. 2.—“The Long Voyage Home” and “Lady With the Lamp” at Earl Carroll’s, with $8,500 at the Great Lakes, was the only bill here to draw better than average business.

Estimates for the week ending Dec. 24:

- Lady With the Lamp (W.)
- LOEW’S (3,400)
- 5 days
- Gross: $6,500. (Gross average, $1,300)

- The Long Voyage Home (M-G-M)
- Earle Carroll’s (3,500)
- 5 days
- Gross: $5,800. (Gross average, $1,160)

Many Unaware of Ascap-BMI Fight

An informal poll conducted by the New York Times to discover whether radio listeners picked at random had missed Ascap songs on the air since New Year’s Eve resulted in the discovery that many were unaware that a dispute between Ascap and the networks existed and many others were infrequent radio listeners.

and all affiliated stations which carried the Fred Allen “Texaco Star Theater” on NBC and the “Prairie Theater” on the CBS network.

Meanwhile, John G. Paine, Ascap general manager, struck the first blow in the radio music battle by instructing the society’s attorneys, Schwartz & Frohlich, to bring an infringement suit against the Texas Co., and CBS and other companies.

No Settlement In U. S. Music Prosecutions

U. S. Court Upholds Wisconsin Law

MILWAUKEE, Jan. 2.—Federal Judge E. Ryan Duffy today upheld a 1935 Wisconsin law which requires music brokers to obtain licenses from the state and pay a 25 cent per franchise tax on fees collected in the state. The case involved Leo Feist, Inc., music publisher, against Wiley Young, West Allis tavern keeper. Feist sought a $250 copyright infringement fee from Young, who filed a counter claim charging neither Feist nor Ascap had obtained state licenses. Young is president of the Tavern Music Protective Ass’n of Wisconsin, organized a year ago to combat Ascap.

NLRB Rejects Plea Of Columbia Group

WASHINGTON, Jan. 2.—First National Labor Relations Board order of the year was the rejection of a petition of the janitors and matrons employed by Columbia Pictures in Hollywood for certification of the Columbia Pictures’ Maintenance Association as collective bargaining agent.
PREEMINENT

ALL three Eastman negative films make important contributions to the startling beauty of today's screen productions. Un-varying dependability and wide latitude make them the established favorites of critical cameramen. Eastman Kodak Company, Rochester, N. Y.

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

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
Gov't Music
Trial Delayed
Until Spring

Due to Crowded Calendar
In Milwaukee Court

MILWAUKEE, Jan. 5.—The Government's projected criminal proceedings against Ascap, NBC, CBS, and B.M.I. on anti-trust charges, which may be filed here this week, cannot come to trial before Spring because of the crowded condition of the local Federal court calendar during January and February.

This was learned following Government statements in Washington and New York last week that the action would be instituted here instead of in New York because an early trial could not be obtained in the latter city. The Government is expected to file a criminal information instead of laying the case before the grand jury, which will not convene here until Jan. 14. Under this procedure, it was said, the Government would not be compelled to bring witnesses from New O'Connor, the V.

The V. Selznick, H.

"The every appointment's said, which New filed its 300 remaining statements. Ascap, the Government was expected to institute proceedings here in Milwaukee, Long Pollock and Adolph Schimel from the home office, and Cliff Work, Matthew J. Fox, and other studio officials. J. Cheever Cowdin, Universal board chairman, who was called to New York last week, is expected to return the conference within a few days.

Atlas-Meehan Deal
7,000 KAO Shares

In the deal recently made between Atlas Corp. and M. J. Meehan, Atlas purchased outright approximately 7,000 shares of the Keith-Albee-Orpheum preferred stock held by Meehan. This is about 25 per cent of the total Meehan holdings in KAO preferred. Atlas is reported to have paid about $725,000 for this stock. The remaining shares held by Meehan are under option, by terms of the same deal, for an aggregate amount of approximately $2,500,000, according to Wall Street authorities.

20th-Fox to Stress
U.S. Themes: Zanuck

CHICAGO, Jan. 5.—Twenty Century-Fox will produce films stressing American themes and with Latin American appeal in an effort to regain some of the revenue lost in foreign markets, Darryl F. Zanuck, vice-president in charge of production, said here while passing through on route East.

He expressed the belief that "Toobacco Road" would be the most successful picture produced by the company.

Weshner to UA as
Exploitation Chief

David E. (Skip) Weshner, supervisor of key-run theatres for Weshner Bros., in Philadelphia, will leave that company on Jan. 10, to take a new position with United Artists here, that of director of exploitation. The appointment was made by Monroe Greenthal, director of advertising and publicity.

Maurice Gable, manager of the Boyd, Philadelphia, has been appointed.

New Booking,
Blind Buying
Bill in House

Rep. Culkin's Measure
Similar to Others

WASHINGTON, Jan. 5.—A bill to prohibit block booking and blind buying was introduced in the House on Friday by Rep. Francis D. Culkin of Oswego, N.Y., introduced a similar measure last session. This was one of more than 1,100 bills introduced on the first day of the new session.

Rep. Culkin has been introducing similar "catch-all" bills for several sessions, all providing for sweeping reforms in production, distribution and exhibition. They have received little support.

There were no administration tax bills introduced, although it is expected that the Treasury will seek an increase in present taxes, including the admission tax.

Most of the measures introduced Friday were pending before Congress.

Big 5' Dismissed
In Nashville Case

NASHVILLE, Jan. 5.—The five major companies which are parties to the Government's consent decree in the New York anti-trust suit were dismissed on Friday as defendants in the Federal anti-trust suit pending here against Crescent Amusement.

The dismissals, announced by Federal Judge Elmer Davies, were made.

Selznick Completes
New Organization

HOLLYWOOD, Jan. 5.—Organization of David O. Selznick Productions was completed here yesterday with the election of officers. The new company replaces the recently dissolved Selznick International, Inc.

Officers are: Selznick, president; (Continued on page 4)

Four Reviews Today
A Hollywood review of "The Saint in Palm Springs" and New York reviews of "Wyoming Willy," "Break the News" and "Hotel du Nord" will be found on Page 5.

Possible Bankruptcy

New York, Jan. 5.—The latest partial financial data released by Twentieth Century-Fox shows the company treading water, 2,500 Theatres Join Film Committee to Aid Defense

Approximately 2,500 theatres have joined the Theatres Division of the Motion Picture Committee Cooperating for National Defense, headed by Joseph Bernard, general manager of Warner Theatres. The committee is seeking a signed pledge of cooperation from every exhibitor in the country. Harry Brandt is chairman of the organization committee supervising the field work.

The committee has prepared plaques to be hung in the box-office window of every theatre cooperating. The plaque, in a color scheme of red, white and blue, and surrounded by the figure of an eagle, indicates that the theatre is a member of the Theatres Division in the cooperative defense effort.

E. V. Richards is co-chairman of the division, which includes the following:


Coordinating Committee — R. B. Wilby, chairman; A. H. Blank, C. C. Moskowitz, E. V. Richards, Spyros Skouras.

Organization Committee — Harry Brandt, chairman; John H. Harris, (Continued on page 4)

1940 Stocks Review

A review of motion picture stock movements during 1940 and a tabulation showing the prices of film securities comparatively over a five-year period are on Page 6.
Barney Balaban Will Be Honored by Ampa

Barney Balaban, Paramount president, will be guest speaker at the next Ampa open meeting, to be held on Thursday at 12:45 P.M., at the Hotel Edison.

On the dais at the meeting, in addition to Balaban, will be: Adolph Zukor, Paramount board chairman; Stanton Griffis, chairman of the executive committee; Austin C. Keough, vice-president and secretary; and John W. Hicks, Jr., vice-president and foreign manager. Jean Hersholt and Osa Massen also will be Ampa guests at the luncheon meeting. According to Leonard Bamberger, Ampa president.

Metzel Rites Held

PHILADELPHIA, Jan. 5.—Funeral services were held today for George W. Metzel, 64, prominent in theatrical circles and former manager of the Erlanger, who died last Thursday. He was also local representative of the Actors Fund of America. His wife survives.

Kalman Biskoff

Jarratt En Route on Confidential Mission

London, Jan. 3.—Arthur Jarratt, head of the Gamm- briit British Circuit, and chief of the Royal Naval Film Corp., is en route to the United States by boat. His visit is confidential, and the purpose of his trip is unknown.

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M. P. Bookers to Install

The newly elected officers of the Motion Picture Bookers Club will be installed tonight at a dinner at the Cafe Royale. Members and guests will attend. Harold Klein is president of the organization.

Fantasia' Opens at Aldine, Phila., Feb. 7

PHILADELPHIA, Jan. 5.—"Fantasia" will open at the Aldine here Feb. 7 on a reserved seat policy. The price scale is not set as yet. The house will go dark after the current run of "The Thief of Bagdad" for renovations and to install the sound system for "Fantasia." It is a United Artists house operated by Warners and leased to Walt Disney for an unlimited engagement of the picture.

M. B. Ad Sales Drive Set

A special advertising accessories sales drive is under way at Warners in connection with the "20th Year for Sears" sales drive now in progress. It will run 17 weeks, from Dec. 25 to April 19.

Pedestal and Attractive Offices Available at Reasonable Rental

723 Seventh Ave. Inquire Supt.
Bryant 9-6687

DARK CAFE

"DON'T BE SHY, JUNIOR!"

Cesar Romero, as the Romeo of the rackets, solves crisis in lives of new-found wards.

TALL, DARK and HANSOME

20th's natural! . . . loaded with laughs! thrills! tunes!

PENTHOUSE and ATTRACTIVE OFFICES AVAILABLE AT REASONABLE RENTAL

S. J. J. N.

Committees Named In Paralysis Drive

Sub-committees to handle the theatre participation of the New York Exchange Committee in the national drive against infantile paralysis, held in conjunction with the President's Birthday, were appointed on Friday at a meeting at the Hotel Astor.

A total of 1,180 theatres, circuit and independent, in the New York exchange territory will participate in the one-week drive, starting Jan. 16.

Harry Brandt is chairman of the committee; C. C. Moskovitz, co-chairman, and Si Fabian, treasurer. Committee chairmen in the various areas include:

Manhattan—Martin Levine and Leo Bontecou; Bolognia and Joseph Katsh; Brooklyn—Sam Rinzler and David Weinstock; Queens—Frank Moscati and Sam Strausberg; Long Island and Staten Island—Si Fabian; Upstate—Max A. Cohen; New Jersey—J. J. Thompson and Harry Hetch.

Boxes to be placed in the lobbies and other parts of the theatres will be supplied for the contributions of patrons. In addition, one-minute film trailers, starring Spencer Tracy, for insertion in the newsreels, will be supplied. 300,000 buttons have been struck off to be given to contributors.

Rites Will Honor Pielow In Albany Jan. 13

ALBANY, Jan. 5.—A testimonial banquet in honor of Ralph Pielow, newly appointed M-G-M branch manager at New York, and former branch manager here, will be held at the DeWitt Clinton Hotel here Jan. 13. Local theatre and distribution executives are sponsors of the testimonial.

Clayton Eastman, Paramount branch manager, is chairman of the dinner committee. Arthur Newman, Republic branch manager, is treasurer. Members of the committee include: M. J. Kallet, William Smalley, Moe Silver, Charles Smakwits, Lou Golding and local exchange managers.

Elson Named Chief of Trans-Lux Houses

Norman B. Elson, general sales manager of Film Alliance of the U.S., has been appointed general manager of Trans-Lux Theatres, Major L. E. Thompson, president of Trans-Lux Movie Corp., announced over the weekend. The position is a newly created one. Elson will retain his Film Alliance post.

MOTION PICTURE DAILY


Monday, January 6, 1941
We the People
Of This Great Country

We have more automobiles ... more telephones ... more refrigerators
... more bathtubs ... more radios ... more freedom ...
more of everything that makes for good living than any
people on earth.

And we have more movie theatres ... more movies and better movies...
Advertising has done more than its share toward making this so . . .
You’re in the movie business ... selling to the masses.
We’re in the advertising business helping you sell those same pictures
to those same masses with Trailers—Lobby Displays—
Standard Theatre Accessories—a complete coordinated pow-
erful seat-selling service . . .

Let’s get together!
New Booking, Blind Buying
Bill in House

(Continued from page 1)

upon stipulations of Government and defense's counsel. The same procedure was followed in dismissing the Big 5 from the Oklahoma City anti-trust suit against Griffith Amusement Co. last month. Judge Davies also approved an order that Paragraphs 30 to 33 inclusive in the Government's complaint be stricken from the bill. The parts removed related to alleged monopoly of distribution by the five companies, Loew's, Paramount, RKO, 20th Century-Fox and Warners. The dismissals leave Columbia, United Artists and Universal as defendants with Crescent in the action here.

A similar procedure is scheduled to be followed in eliminating the five consenting companies as defendants in the other remaining Government anti-trust suit, that against the Schine Circuit at Buffalo.

20th-Fox to Stress U.S. Themes:Zanuck

(Continued from page 1)

Zanuck said he believes the national defense program will aid theatre business materially.
The company's production schedule and booked for 1941-42 are being formulated at the studio now, he said. On his return there he will confer with Studios executives, on next season's program. The next picture to be put in work will be "The Great Broadcast."

Zanuck, who arrived in New York Saturday, plans to leave for the Coast tonight by plane.

2,500 Theatres Join Film Committee to Aid Defense

(Continued from page 1)


Sub-Committee for Field Organizing:

Philadelphia Exhibitors Meet Jan. 28 on Defense

Philadelphia, Jan. 5.—Local exhibitors will meet Jan. 28 at the Broadwood Hotel to formulate local plans of the Motion Picture Committee Cooperating for National Defense.

The local committee, headed by Jay Emanuel, includes Sidney E. Schad, Ed Kuykendall, Ted Fennell, John May, Harry June, Sue Howkins, Lewon Pizor, John Nolan, William Wilson, William Goldman, David Barrist and Samuel Baralow. Harry Brandt, R. B. Wilby, Nathan Finanski and E. V. Richards of the national executive committee will address the meeting.

W. B. Reading Houses Reverting to Schad

READING, Pa., Jan. 5.—Harry J. Schad will take over the active operation of the Astor, Strand and Santoy here on May 1, at which time the 10-year leases now held by Warner Theatres will expire. Negotiations for a renewal of the leases have failed.

Schad, a member of the firm of Carr and Schad, builders and operators of houses in the early days of the screen industry, owns the three houses. When Carr died Schad continued the exhibition part of the industry, Schad and Lewon Pizor in the Carr and Schad group were leased to the Warners. Improvements costing $75,000 were made by Joseph Santoy, the Astor and Strand, said Schad. The Santoy is dark.

Janitors Picketing 3 Detroit Theatres

DETROIT, Jan. 5.—Pickets who started their march in front of three downtown theatres controlled by United Detroit Theatres on New Year's Eve are continuing their parade. The Building Service Employees' union claims the management refused to recognize it pending arbitration of a contract. The union seeks a contract for 85 janitors and maintenance men employed by the circuit, which says it does not recognize the majority are members of the union.

Schenck Trial Feb. 10

U. S. Attorney John T. Cahill on Friday announced that trial of the 

Plaintiff: "The Great Broadcast."

Schenck, chairman of the board of 20th Century-Fox Film Corp., will start Feb. 10.

300 at Presentation Of Critics' Awards

(Continued from page 1)

over WJZ and the Blue network of NBC from 6:30 to 6:30 P. M.

Darryl F. Zanuck, vice-president in charge of production for 20th Century-Fox, came from the Coast and received the best picture of the year award for "The Grapes of Wrath." A broadcast from Paris featured the acceptance of an award for "Fantasia" by Walt Disney, and that of John Ford for the best direction.

"Grapes' Stars Heard

Nunnally Johnson, associated producer and scenarist on "The Grapes of Wrath," then introduced from the Coast Henry Fonda and Jane Darwell, two of the film stars who presented a scene from the film.

Katharine Hepburn, on tour with the play, "Philadelphia Story," offered a salutation from the stage of the play, for her performance in which she received the best actress award. She broadcast from Dallas.

Robert Harkness, one of the Harkin Brothers, who distributed "The Baker's Wife" in France, received the best foreign language award for the work Marcel Pagnol, who produced the film in France.

Chaplin Stays Away

The failure of Charles Chaplin, whose performance in "The Great Dictator" was voted the best of the year by a panel of critics, was reported at the awards gathering last year critics obviously rived. A story in the "New York Times" which appeared prior to the affair said that Chaplin had not acknowledged either the award or the invitation to attend the presentation and interviews scheduled for him by some of the critics of "The Great Dictator" published in local papers.

Two RKO Foreign Managers Shifted

Dan Greenhouse, who has been here on a furlough for several weeks, left by plane late last week to take over the territory of Chile for RKO now managed by George Kallman. Greenhouse will maintain headquarters in Santiago.

Greenhouse, following Greenhouse's arrival, will leave for the home office, and go from here to Manila via the Pacific Coast, to become manager in the Philippine Islands, the post formerly held by Greenhouse. The transfer was made by Phil Reisman, chief of RKO's foreign department.

Grainger to Dallas For Sales Meeting

HOLLYWOOD, Jan. 5—James R. Grainger, president of Republic Pictures, today led by Lewis Leavitt, will preside at the first of a series of special sales meetings at which plans will be discussed for the merchandising of "Sis Hopkins," Judy Canova picture. Grainger has been on the coast since before the holidays.

Weshner to UA as Exploitation Chief

(Continued from page 1)

ed to an appointment with Goldstein, has been with Warner Theatres in that city 10 years in a managerial capacity.

Weshner's appointment is one of many that have been made or are still under contemplation since the appointment of Arthur W. Kelly as general sales manager of United Artists, and appointment of Monroe Greenthal as advertising and publicity director, succeeding Lynn Farnol, who is establishing his own business.

Weshner's new post is one which has been handled by Greenthal, and he will work under Greenthal's direction.

Other Changes Contemplated

Since Kelly became head of sales, there have been several changes in distribution, notably the promotion of Haskell Masters, from Canadian district manager to manager of the division, succeeding Jack L. Schaifer, who is now a special representative.

Other changes are contemplated, one of which will be the appointment of a Hollywood contact for the home office department of advertising and publicities.

Weshner served Warner Bros. for thirteen years, going from the advertising and publicity division into active theatre operation in 1933.

Harry Tarente, manager of the Al- dine, has been named manager of the days in Philadelphia to succeed Gable.

Connecticut Allied to Discuss Aasp Fight

NEW HAVEN, Jan. 5—Allied Theatre Owners of Connecticut will meet Tuesday at the Hofbrau Haus Restau- rant, with A. M. Schuman presi- dent, and E. S. Kanney, executive secretary, reports that discussion will be held on the recent Aasp developments and their effects on independent exhibitors. Aasp's representative, John G. Hendrix, will present the findings of the investigation to the state legislature. A report of the current membership campaign also will be made.

Selznick Completes New Organization

(Continued from page 1)

Daniel T. O'Shea, vice-president; E. L. Scallon, treasurer; Louis Wright, secretary; Charles E. Milikan and Katherine Brown, assistant secretaries. The directors include Selznick, O'Shea, Scallon, Wright and Walter S. Orr.

The new Selznick company took over Selznick International's releasing deals with United Artists which sells for more pictures and all personal contract. In the company, in which Selznick and John Hay Wet- ney were partners. Under contract to the company are Vivien Leigh, Ingrid Bergman, Alfred Hitchcock, Joan Fontaine and Alan Marshall.

Col. Buys Two Stories

Columbia has acquired two story properties for early production, "Trinidad," an original by Cy Bart- lett, and "Obituary" by Jerry Sack- heim.
**Feature Reviews**

**"The Saint in Palm Springs"**
*KKO*

Hollywood, Jan. 5.

MAINTAINING the high quality of its predecessors in the series, "The Saint in Palm Springs" pits the Leslie Charteris character against a gang working for an unnamed foreign country attempting to steal $200,000 in stamps which he is taking to the heir of a slain refuge. Supporting players, who again play the title role, are Wendy Barrie, Paul Guilfoyle, Jonathan Hale, Linda Hayes, Ferris Taylor, Harry Shannon and Eddie Dunn.

Jerry Cady wrote the screenplay, with Jack Hively directing. Howard Benedict was the associate producer for Lee Meres.

Moving with speed, the tale has "The Saint" digitized and in his endeavors to get them back and find the criminals, two persons are killed. The capture is finally made in the usual fictional detective climax.

Running time, 66 minutes. "G."*  

**VANCE KING**

**"Wyoming Wildcat"**
*(Republic)*

THIS is an outdoor yarn far more potent than the usual Western and its effectiveness is sustained by the capable cast.

The script was written by Bennett Cohen and prepared for the screen by Cohen and Anthony Coldeway. It tells of the young cowboy, Don "Red" Barry, who returns from the Spanish-American War with a friend, Syd Saylor, and finds his father, Frank M. Thomas, an outlaw.

Because of his father's reputation, Barry is *persona non grata* with the law. With an arm in the situation is Marceline Carne. With a touch of the hero in a gun battle with his former confederates.

Julie Duncan has the feminine lead and the supporting players include Dick Bottelier, Edmund Cobb, Ed Brady and George Sherwood. George Sherman is associate producer and director.

Running time, 61 minutes. "G."*

**"Break the News"**
*(Trio Films)*

RENE CLAIR produced and directed in England this musical farce with a cast that includes Maurice Chevalier, Jack Buchanan and June Knight. One musical number was written by Cole Porter.

The Geoffrey Kerr screenplay has a unique comedy plot concerning two second-rate actors in a musical show. One pretends to murder the other for the sake of publicity. It is the star of the show, however, who is given prominence in the press reports. In an amusing climax, the pseudo murderer is about to be executed, since his partner, in hiding, fails to appear when he is mistaken for a revolutionary in a foreign country and imprisoned.

Chevalier, as the "murderer," offers a likeable characterization and provokes many laughs as the story develops. The film rates as amusing comedy only when he is dominating the scenes. At other times it lacks sparkle.

Running time, 72 minutes. "G."*  

*"G" denotes general classification.

**"Hotel du Nord"**
*(Juno Films)*

HEAVY dramatic theme, effectively developed by an expert cast and an able director, this French film, produced by Luca, is strictly adult material, but is well done. Produced at the Billancourt studios, it offers for American audiences Annabella in the leading feminine role, and she is extremely effective as a young girl about to die in a suicide pact who still loves the young man although he failed to keep their agreement.

Based on a novel by Eugene Dabit, with a screenplay by Jean Aurenche, the film is given away with "Marcel Carné. With a touch of the "Gros-Caft Hotel" techniquest, the film is set in a small hotel on the banks of a Parisian canal, and particularly involves Annabella and Louis Jouvet, hiding from pursuing underworld characters. They are two lonely souls, cast up on the banks of the canal, and finding in each other complete understanding of the other's plight. Eventually, when they go away with her love for the boy, for whom she is waiting when he comes from prison, Jouvet goes to meet his pursuers, and dies.

Running time, 83 minutes. "A."*  

CHARLES S. AARONSON

*"A" denotes adult classification.
### Motion Picture Stocks in 1940

**High and Low in Stock and Bond Trading for 5 Year Period**

(Closing Prices As of December 28, 1940)

#### New York Stock Exchange

<table>
<thead>
<tr>
<th>Stock and Dividend</th>
<th>Sales</th>
<th>High</th>
<th>Low</th>
<th>Change*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Columbia Pictures common (D)</td>
<td>665,000</td>
<td>85%</td>
<td>75%</td>
<td>5%</td>
</tr>
<tr>
<td>Columbia Pictures pfd. (3%)</td>
<td>230,000</td>
<td>26%</td>
<td>14%</td>
<td>12%</td>
</tr>
<tr>
<td>Consolidated Film</td>
<td>287,000</td>
<td>51%</td>
<td>37%</td>
<td>14%</td>
</tr>
<tr>
<td>Consolidated Film pfd. (1A)</td>
<td>665,000</td>
<td>19%</td>
<td>14%</td>
<td>5%</td>
</tr>
<tr>
<td>Eastman Kodak (6d)</td>
<td>1,748,000</td>
<td>16%</td>
<td>11%</td>
<td>5%</td>
</tr>
<tr>
<td>Eastman Kodak pfd. (6)</td>
<td>1,996</td>
<td>10%</td>
<td>15%</td>
<td>5%</td>
</tr>
<tr>
<td>General Theatres Corp. (4AB)</td>
<td>859,000</td>
<td>31%</td>
<td>25%</td>
<td>7%</td>
</tr>
<tr>
<td>Keith-Albee-Orpheum pfd. (8B/D)</td>
<td>3,100</td>
<td>109%</td>
<td>98%</td>
<td>10%</td>
</tr>
<tr>
<td>Loew, Inc. (D)</td>
<td>5,137</td>
<td>26%</td>
<td>20%</td>
<td>6%</td>
</tr>
<tr>
<td>Loew's, Inc. pfd. (65%</td>
<td>106,000</td>
<td>109%</td>
<td>97%</td>
<td>9%</td>
</tr>
<tr>
<td>Paramount (4B1)</td>
<td>11,805</td>
<td>95%</td>
<td>65%</td>
<td>30%</td>
</tr>
<tr>
<td>Paramount 2nd pfd. (49)</td>
<td>270,000</td>
<td>69%</td>
<td>64%</td>
<td>6%</td>
</tr>
<tr>
<td>Pathé Film Corp. (3B)</td>
<td>1,490,000</td>
<td>61%</td>
<td>60%</td>
<td>5%</td>
</tr>
<tr>
<td>Radio-Keith-Orpheum</td>
<td>1,600,000</td>
<td>39%</td>
<td>33%</td>
<td>6%</td>
</tr>
<tr>
<td>20th Century-Fox (3B)</td>
<td>2,542</td>
<td>17%</td>
<td>11%</td>
<td>6%</td>
</tr>
<tr>
<td>Universal Pictures pfd.</td>
<td>315,000</td>
<td>25%</td>
<td>17%</td>
<td>8%</td>
</tr>
<tr>
<td>Warner Brothers</td>
<td>4,350,000</td>
<td>4%</td>
<td>2%</td>
<td>3%</td>
</tr>
<tr>
<td>Warner Brothers pfd.</td>
<td>6,380,000</td>
<td>56%</td>
<td>30%</td>
<td>24%</td>
</tr>
</tbody>
</table>

*From close of Dec. 23, 1939; A—Accumulated; B—So far this year; C—Extra dividend; D—Formerly listed on curb; E—Net change from Dec. 23, 1939, close on curb.

#### New York curb Exchange

<table>
<thead>
<tr>
<th>Bond and Maturity</th>
<th>Sales</th>
<th>High</th>
<th>Low</th>
<th>Change*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Keith 6% 4/46</td>
<td>$20,000,000</td>
<td>100%</td>
<td>100%</td>
<td>+1%</td>
</tr>
<tr>
<td>Loew's 3½% 4/6</td>
<td>1,525,000</td>
<td>165%</td>
<td>100%</td>
<td>+65%</td>
</tr>
<tr>
<td>Paramount Broadway &amp; S.</td>
<td>498,000</td>
<td>35%</td>
<td>40%</td>
<td>+5%</td>
</tr>
<tr>
<td>Paramount ev. 3¼% 47</td>
<td>1,132,000</td>
<td>97%</td>
<td>76%</td>
<td>+21%</td>
</tr>
<tr>
<td>Warner Brothers 6% 44</td>
<td>3,228,000</td>
<td>93%</td>
<td>78%</td>
<td>+13%</td>
</tr>
</tbody>
</table>

*From close of Dec. 23, 1939; B—So for this year.

#### Bonds on Stock Exchange

<table>
<thead>
<tr>
<th>Close</th>
<th>Close</th>
<th>Valuation</th>
</tr>
</thead>
<tbody>
<tr>
<td>$2,885,000</td>
<td>50%</td>
<td>$1,442,500</td>
</tr>
<tr>
<td>$2,456,000</td>
<td>55%</td>
<td>$1,356,800</td>
</tr>
<tr>
<td>$2,125,000</td>
<td>51%</td>
<td>$1,073,250</td>
</tr>
<tr>
<td>$1,875,000</td>
<td>52%</td>
<td>$942,500</td>
</tr>
<tr>
<td>$1,600,000</td>
<td>51%</td>
<td>$800,000</td>
</tr>
<tr>
<td>$1,375,000</td>
<td>50%</td>
<td>$687,500</td>
</tr>
<tr>
<td>$1,250,000</td>
<td>52%</td>
<td>$637,500</td>
</tr>
<tr>
<td>$1,125,000</td>
<td>54%</td>
<td>$618,750</td>
</tr>
<tr>
<td>$1,000,000</td>
<td>55%</td>
<td>$550,000</td>
</tr>
<tr>
<td>$875,000</td>
<td>55%</td>
<td>$481,250</td>
</tr>
<tr>
<td>$750,000</td>
<td>54%</td>
<td>$412,500</td>
</tr>
<tr>
<td>$625,000</td>
<td>53%</td>
<td>$331,250</td>
</tr>
<tr>
<td>$500,000</td>
<td>52%</td>
<td>$250,000</td>
</tr>
<tr>
<td>$375,000</td>
<td>51%</td>
<td>$187,500</td>
</tr>
<tr>
<td>$350,000</td>
<td>45%</td>
<td>$156,250</td>
</tr>
<tr>
<td>$325,000</td>
<td>46%</td>
<td>$151,250</td>
</tr>
</tbody>
</table>

#### Comparison of Valuation of Stock Issues—1939-40

<table>
<thead>
<tr>
<th>Stock</th>
<th>Shares Listed</th>
<th>Close 1939 (A)</th>
<th>Valuation</th>
<th>Close 1939 (B)</th>
<th>Valuation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Columbia Pictures Inc.</td>
<td>350,000</td>
<td>68%</td>
<td>$2,860,000</td>
<td>53%</td>
<td>$1,503,000</td>
</tr>
<tr>
<td>Loew's, Inc. pfd.</td>
<td>519,000</td>
<td>75%</td>
<td>$5,750,000</td>
<td>69%</td>
<td>$3,950,000</td>
</tr>
<tr>
<td>Pathé Film Corp.</td>
<td>1,300,000</td>
<td>52%</td>
<td>$2,660,000</td>
<td>53%</td>
<td>$1,403,000</td>
</tr>
<tr>
<td>Universal Pictures</td>
<td>17,000</td>
<td>25%</td>
<td>$1,520,000</td>
<td>31%</td>
<td>$530,000</td>
</tr>
<tr>
<td>Warner Brothers</td>
<td>3,100,000</td>
<td>56%</td>
<td>$18,900,000</td>
<td>51%</td>
<td>$9,600,000</td>
</tr>
</tbody>
</table>

A—As of Dec. 31; B—As of Dec. 30; C—Close on new common stock; (D) Net change from close of common on curb.
On The Press!

Edited by TERRY RAMSAYE

A QUIGLEY PUBLICATION
Gov’t Music Trial Delayed Until Spring

(Continued from page 1) throughout the county to appear before the jury, send them home, and then bring them back for trial on their expenses while they are awaiting trial.

Seven Wisconsin stations have signed with Ascap for 1941, according to Robert A. Hess, Ascap counsel here. They are: WHM, Marinette; WDSM, Superior; WSAU, Wausau; WIBU, Poynt; WMOT, Manitowoc; KFIZ, Fond du Lac; WIBL, Sheboygan, and WEMP, Milwaukee.

Duchin and Kaye
Off CBS sustaining
Eddy Duchin and Sammy Kaye, top-flight orchestra leaders, have returned from sustaining programs on CBS, effective last Saturday, as a protest against the network’s insistence that they postpone their broadcasts. The action leaves the network for possible accidental copyright infringement of Ascap music. Kaye left over the weekend for a one-night stand, and will go Friday at the Strand on Broadway with a program of all-Ascap music, he said.

Author’s Own Show
Aascp is going on the air with its own weekly show to be known as “Ascap on Parade,” presenting hit songs not available to non-Ascap stations. Gene Back announced the weekend. No date was set for the start.

The program will go over the stations on which we have renewed Ascap agreements, Back said. Billy Rose will produce the shows. Oscar Hammerstein will write them and Deems Taylor will be commentator.

In addition to current hit songs, which Ascap plans to select in a nationwide survey, the show will feature each week the known personalities “from the songwriter and interpretive fields,” Back announced. The first show will be Irving Berlin.

BMI Sheet Sales Up
Meanwhile, BMI stated that sheet sales of its music increased to 50,000 during the past week, as compared with 39,000 the week before. Officials declared that the rise in sheet music sales was encouraging because it felt that the popularity of music is best determined by actual sales.

A total of 683 stations are now members of BMI, it was said. At Ascap headquarters it was stated that 213 stations had signed new five-year contracts.

Ascap Signs Three on Coast
Los Angeles. Stations KRKD, KIEV and KFVD have renewed their Ascap contracts, it was announced by Ascap over the weekend. KECA, connection of Warner station, is the only other local outlet with an Ascap franchise.

Revise Williams Play
“Battle of Angels,” new play by Tennessee Williams, starring Miriam Hopkins, will close Saturday in Boston for revision, delaying its Washington and New York openings.

Off the Antenna

NEW studios for General Electric’s Schenectady television station are expected to be ready by mid-summer, it was learned yesterday. The new studio will be in the Edison Club Hall, which is part of a building owned by E. H. At present the station is re-telecasting programs originating from New York City station, but programs for the up state audience will be sent out when the studios are ready.

C. D. Wagener, G.E. publicity director, who was in New York yesterday, reported that a second studio was planned on Hillerberg Mountains within the six weeks by Capital Broadcasting Co., and there is a possibility of a third before long. G.E. has both its FM and television transmitters in the Helderbergs.

Purely Personal: The engagement of Hannah Larson to Will Batin, program director for the DuMont television station W2XY, has been announced. . . . Bernard J. Prochter has resigned as CBS sales service manager for year-end, 1939. . . . Edward C. Hill, CBS commentator, will leave Saturday for a four-week stay in Miami and will continue his nightly broadcasts from there. . . . Harold Kaye has been named program manager for WITM, a Baltimore station scheduled to open in the middle of this month. . . . Robert Baker, assistant to John Heiney, WJSL, Washington. sales promotion director, will be married Saturday to Helen Reindollar.

Experiments are being conducted for the use of film rather than record for transcriptions on frequency modulation stations. Elimination of the middle noise is regarded as a distinct advantage. In addition, it has been found possible to put a two-hour program on 200 feet. This is in marked contrast to the bulky records needed for a 15-minute show.

 Mutual’s first meeting of program directors of affiliated stations will be held May 24-25. WOR, New York, is the location. . . . The “Quiz Kids,” who arrived in town to do a short, entertaining children of radio editors at a party at the Beaux Arts Hotel Saturday . . . “Bishop and the Gargoyl” written by Frank Wilson and currently heard over NBC-Blue on Tuesdays will shift to Saturdays by 8:30 P.M. this week. . . . Lynn Murray, who composes much of the music for the show, will receive air credit over the air for his work in the future.

KVOO, CBS affiliate in Colorado Springs, Col., has changed its status to that of a bonus outlet for sponsors using KLZ, Denver.

Dismiss WOR Suit
N.Y. Supreme Court Justice Edward R. Koch Friday dismissed the $100,000 libel suit of Suzanne Stevenson against Bamberger Broadcasting Co. (WOR) with costs in favor of the defendant.

Worshipped in a manner, the court of the Revolutionary War, the 23rd of April, 1775.

Chaplin on Inaugural
Washington, Jan. 5.-Charlie Chaplin will be on the program of the third inaugural concert in honor of President Roosevelt here Jan. 19. He will give the final speech from “The Great Dictator.” The National Symphony Orchestra and others will be on the program which will be given a day before the President’s inauguration.

But the Holdup Men Escaped
St. Louis, Jan. 5. - Les Kauffman, publicist for Fanchon and Marco, was telephoning a feature story on the Fox Theatre Christmas night to Al Weisman, St. Louis Globe-Democrat reporter and Motion Picture Daily representative, who was covering police headquarters, when the police radio blared: “Attention all cars: holdup at the Fox Theatre.” Weisman, who was seated in his second floor office at the time, was unaware of the robbery until Weisman interrupted him to tell him of it. He immediately ran down to the lower floor, obtained the details and phoned back to Weisman, who had the facts about the same time the police reached the house.

Hearing Today on Suit Against WPEN
Philadelphia, Jan. 5.—Arguments will be made in the Federal district court on the suit filed by the National Association of Performing Arts Against WPEN to restrain the use of phonograph records by the station, Herbert A. Spieser, N.A.P.A. attorney, seeks to have the suit returned to the jurisdiction of the local Common Pleas Court. Where the suit was filed originally. The question of joining sponsors of the recorded shows as defendants has also been raised by Philip Werner, WPEN attorney.

$50,663,000 Record NBC Gross in 1940

With gross billings on both NBC networks in December, an increase of $2,788,093 to $49,909,873, the NBC total for the year 1940 reached $50,663,000 for a record.

The Red web grossed $3,786,801 for December, a rise of 11.4 per cent over the same period in 1939. NBC’s for the year, a 12-month total of $39,955,322, up 9.2 per cent over 1939.

The Blue network had billings of $1,122,972 during December, an increase of 27.7 per cent, with $10,707,676 for the year, a rise of 25.9 per cent.

The cumulative total of $50,663,000 for both networks for 1940 represented an increase of 14.7 per cent over the $44,244,854 during 1939.

Scripts Questioned
By F. T. C. Decline

WASHINGTON, Jan. 5.—Through the cooperation of the networks, commercial stations and transcription producers, commercial controversies questioned by the Radio and Periodical Division of the Federal Trade Commission during the fiscal year 1940 dropped more than one-fourth from the preceding year, it has been reported.

Out of 684,911 commercial broadcast continuances, the commission’s annual report disclosed, only 22,556 were marked for further study as containing representations that might be false or misleading. In 1939, 29,143 continuations were marked out of 643,796 surveyed.

The nearly 685,000 continuances read comprised 1,318,237 pages of typewritten script, 467,000 pages from networks and 90,000 pages from individual stations, it was explained. The networks submit all advertising announcements weekly, electrical transcription producers submit the commercial portions of their recordings monthly, and the individual stations are called upon for their scripts on an average of four times a year.
British Ratify New Currency Pact With U.S.

Covers Eight Majors, Is Effective at Once

LONDON, Jan. 6.—The British Board of Trade formally ratified the new monetary agreement with the eight major American motion picture companies on Saturday, making the agreement effective immediately.

Its provisions for transmission to the United States the sum of $12,000,000 during the 12-month period ending next Oct. 31, make 37½ per cent of that amount transmittable at once, since 75 per cent of the total

(Continued on page 5)

"U" Exercises Right To Buy Preferred

Universal yesterday exercised its right to purchase an undisclosed number of shares of its first preferred stock held by holders during the past 10 days.

The number of shares acquired and the average price paid by the company from the special $1,000,000 appropriation for the purchase was not made public, due to the fact that the retirement program for the first preferred issue still is "incomplete" and

(Continued on page 5)

Wobber Sets Decree Talks for Sales Staff

HOLLYWOOD, Jan. 6.—Herman Wobber, 20th Century-Fox general sales manager, will call a meeting of the company's sales force to discuss operations under the consent decree shortly after his return from New York from the studio.

Wobber will be here until the end of the month to participate in the executive conferences beginning Jan. 15 on both production and distribution matters. Wobber and ranking studio executives.

Plans will be laid for closer working arrangements between production and distribution in line with decree requirements. The company's sales forces will be enlarged for decree operations but the extent of the additions has not been determined yet.

Robinson and Lux Get Radio Scrolls

Hollywood, Jan. 6.—Edward G. Robinson, who was voted most effective filmplayer on the air in Motion Picture Daily's recent radio editors poll, will receive a scroll testifying to his leadership during the "Big Town" program over CBS Wednesday evening at 8. A representative of Motion Picture Daily will make the presentation at the KNX studios here. This evening a similar award was made to "Lux Radio Theater" over the same network.

"Philadelphia" Sets Fast Pace on B'way

Grossing an estimated $72,000 Thursday through Sunday of the second week, "Philadelphia," with a stage show at the Music Hall is still Broadway's outstanding attraction. The film is expected to draw about $150,000 for the week and will be held.

"Love Thy Neighbor" with Tommy Dorsey and his orchestra in person at the Paramount is also strong, garnering about $20,000 over Saturday and Sunday. It is expected to finish its third week with about $35,000. It holds over for a fourth. "Coward X" is expected to gross about $40,000 in its third week at the Capitol.

At the Strand, "Santa Fe Trail" with Abe Lyman's orchestra on the stage grossed an estimated $18,000 Friday, Saturday and Sunday of its

(Continued on page 5)

More Listeners on Radio Since Ascap-Music Fight

Hollywood, Jan. 6.—Ascap music off the air, the number of radio listeners increased by 49 percent on the nights of Jan. 2, 3 and 4, it is revealed by one of the leading radio research organizations, C. E. Hooper, Inc.

Meanwhile, there was quiet on the Department of Justice's front. The previously reported move to bring its criminal actions against Ascap, BMI, and the networks failed to materialize yesterday. In Washington, where inquiry was made, officials of the Department of Justice refused comment.

A report that the criminal action would be filed only against Ascap and BMI, and not NBC and CBS, was discredited by the same officials. Some trade officials, however, are of the opinion that some such amended action by the Department of Justice would not prove a great surprise.

As for the Federal Communications Commission's position in the fight, it was indicated in Washington that the FCC has declined to take any action. None of the parties to the dispute, it was said, had approached the FCC to take any action.

It was pointed out further that the Department of Justice is moving in the matter and "there is reason to believe that these proceedings may move any unreasonable restraint which now exists within the musical copyright field and the radio broadcast industry."

Under the circumstances, the FCC communication said, it was felt it

(Continued on page 5)

Oklahoma Action To Be Tried First

Television Is Seen Facing "Showdown" After FCC Meeting

The Government plans to try its Oklahoma City anti-trust suit against Universal, Columbia, United Artists and the Griffith Amusement Co. ahead of the New York anti-trust suit against the Little Three, it was learned yesterday.

The tentative order of trial of the pending Government anti-trust suits has the New York action in second place, the Nashville suit against the Little Three and Crescent Amusement Co. third, and the Buffalo action involving the Schine Circuit and the three companies, last.

The Government's current trial plan was divulged to the Little Three in accordance with instructions from Federal Judge Henry W. Goddard, U. S. District court here last month, Judge Goddard directed the Depart-

(Continued on page 5)

Monogram to Start Sales Drive Feb. 22

Hollywood, Jan. 6.—Monogram set plans for the annual "March for Monogram" sales drive, which will run seven weeks, from Feb. 22 to April 11, according to W. Ray Johnston, president.

Cash prizes will be awarded to winning teams. The branch offices have been divided into zones. Monogram franchise holders will meet in St. Louis on Saturday to complete detailed arrangements for the drive. Johnston will attend, as will Howard Stubbs, West Coast franchise holder.

George West, St. Louis and Kansas City franchise holder, will accompany them from the Coast. Samuel Broyd, general sales manager, will attend from New York.

Franchise holders in attendance will be John Mangham, Atlanta; Ben Welansky, Boston and Pittsburgh; Harry L. Berkson, Buffalo; Henri Elman, Chicago; Nate Schultz, Cleveland; John Franceschi and Ed Blumenthal, Dallas; Lon Filer, Denver; F. E. Judge, Des Moines; Wil.

Hurlbut, Detroit; Charles Traupe, Milwaukee; B. L. Nathanson, Minneapolis; Carr Scott, Oklahoma City; Sol. J. Francis, Omaha and William Onie, Cleveland.
Coast Flashes

TUESDAY, January 7, 1941

**Motion Picture Daily**

Hollywood, Jan. 6

The Academy of M. P. Arts and Sciences today announced the election of John Alburger, Farcy Edouard and Thomas M. Moulton as governors from thetechnicians' branch. The board meets tomorrow for election of officers.

Screen Actors Guild over the weekend warned it would bar forever from membership any person who, after notice, performs in a production termed "unfair" by the Associated Actors and Artists of America. The move was made, officials stated, to protect the guild against the supplanting of salaried plays by so-called amateur and non-profit troupes organized by stage producers desirous of evading Equity regulations. Copies of the order were sent to the Los Angeles City Council and Police Commission which are now considering a local stage and film censorship law.

Election of officers by the A.M.P.P. will be held on Feb. 4, it was decided at a meeting today. John Zinn, of Paramount in charge of the committee to discuss with Screen Actors Guild recommendations of the standing committee of S.S. Guild, forecast for reduction of the number of extras and other moves calculated to increase their employment.

Walter Wangenheim today accepted chairmanship of the Frank Capra 20th Anniversary Tribute Committee which is planning to honor the director for his contributions to the screen. The committee will meet tomorrow to set the nature and date of the tribute.

Al Lichtman and Howard Diets, advertising and publicity director of M-G-M, arrived today. The latter will stay several weeks for conferences about future production campaigns.

W. Ray Johnston, Howard Stubbins and George West leave by the Chief Wednesday for the St. Louis Monogram franchise holders' meeting Saturday.

Lou Pollack, Universal Eastern publicity head, will leave for New York by train tomorrow after 10 days of studio conferences.

Bishop Honored at Pittsburgh Dinner

Pittsburgh, Jan. 6—Approximately 225 exhibitors and exchange men honored Burtis Bishop, Jr., tonight at a Variety Club testimonial dinner at the William Penn Hotel. Bishop, who has been named district manager for M-G-M in Kansas City, was included Michael Shapiro, chairman; C. J. Latta, chief banker of the Variety Club; C. C. Kellenberger, Peter Dana, Arthur Levy, Chris Cats, William Alburger, Harry Goldstein, Herbert Greenblatt, Harry Kalming, John Harris, M. A. Rosenthal, Fred Bedel, Edgar Moss and Byron Stener, new M-G-M manager here.

**Personal Mention**

ARTHUR PRATCHETT, Para- mount's manager for Central America, arrived in New York yesterday for a home office visit. He is scheduled to leave with John W. W. Williams, Paramount's vice-president, foreign manager, next Sunday for a tour of Mexico, Central and South America.

Joe Levy of the Loew home office booking department, is visiting the 14 Loew-Poll New England houses with Harry Shaw, division manager.

Lou Schaefer, manager of the Paramount, New Haven, and Mrs. Schaefer have announced the engagement of their daughter, Marg- ret, to Carl Johnson of Glen- brook, Conn.

Edward Sherwood, Ascap district manager in Baltimore, is nursing injuries suffered in a fall.

Ruth Smith, cashier at Warners, Philadelphia, is engaged to Jack Owens.

Anne Kovner, Philadelphia exhibi- tor, has left for a Florida vacation.

Isadore Litwin, assistant to the purchasing agent of the Stanley-War- ner Theatres, Philadelphia, has re- signed to enter the fur business.

Josef K. Vogel, Max Weisseley, Harry Bernstein and Archie May- er having lunch yesterday at Lindy's (next to the Rivoli).

Charles E. McCarthy, L. J. Unger, Max A. Cohen, Ted O'Shea, Sam Rinzler, Ralph Austrian, Maurice Blochman, Tom Connors and Russell Holman at Nick's Hunting Room in the Astor yesterday for lunch.

Darrell F. Zanuck, Clarence Eisen, Maurice Silverstone, James Mulye, Charles Stern and Harry Drayson having lunch yesterday at Lindy's (151 St.).

Zanuck Designated Signal Corps Officer

Washington, Jan. 6—Darrell F. Zanuck, vice-president in charge of production for 20th Century-Fox, today was made a lieutenant colonel in the Signal Corps Reserve and designated as a member of the Advisory Council to the Chief Signal Officer. Colonel Zanuck visited Washington today, en route from New York to the Coast. He conferred with Major General Joseph E. Mauborgue, Chief Signal Officer, with regard to training films being produced through the Signal Council in the Academy of Motion Picture Arts and Sciences, of which Zanuck is chairman.

William Blumenberg Dies

Stroudsburg, Pa., Jan. 6—William Blumenberg, former manager of the Strand Theatre here and proprietor of Ye Sayer's Inn at Saylorsburg, died recently at the Scranton General Hospital. He was a former vaudeville and circus performer.

David L. Loew will leave the East Coast early next week for the United Artists home office. His partner, Albert Lewin, will leave for the East on Friday.

Mrs. W. Ray Johnston, wife of the president of Monogram, is visiting in the East.

Philip Fercs of the 20th Century- Fox exchange here and Martin Mullins of the home office will re- turn today to leave for the 285th Field Artillery Medical Corps at Fort Ethan Allen, Burlington.

Max Grassgreen, manager of the 20th-Century-Fox Albany branch, is scheduled to leave next Monday for a two-week vacation in Miami Beach.

William Susseman, Eastern division manager for 20th-Century-Fox, has returned to his headquarters in Cleveland after a vacation visit here.

H. Covy, manager of the 20th-Century-Fox Pittsburgh branch, ret- urns next Monday from a Miami Beach vacation.

Joseph Burstyn returned to his office yesterday after a three-week business trip to Cuba.

Mitchell Wolfson, co-owner of Wometco's Florida theaters, has been appointed a colonel by Governor Spessard Holland.


Korda Will Testify In Goldwyn Action

Alexander Korda and the London Film Productions, Ltd., were ordered yesterday by Federal Judge Edward A. Conger to testify on Jan. 15 in the suit of Samuel Goldwyn against United Artists Corp., for cancellation of his contract with the defendant.

The order provides that if Korda is not available in New York for the examination, his attorney is to notify the court by Jan. 10 and the examination will then proceed in the California District Court on Jan. 28.

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Kansas City Plans to Restrict Use of Signs

Kansas City, Jan. 6—At the request of the Park Board, the City Manager will not issue permits for operation of sound trucks on boule- vard or park department driveways, or in parks. The board also has taken a stand against erection of signs or advertising banners across sidewalks or driveways under Park Board supervision.

Down to Earth

Minneapolis, Jan. 6—A U.N. delegation here threatened to leave the Minneapolis Auditorium with a dinner following Larry Shorrock's speech. The contract did not provide for re- moval of the special dirt floor. When the U.N. delegation began the work, union em- ployees protested. The union won. It removed the dirt floor.

**‘Africanus’ Again Banned in Mexico**

MEXICO CITY, Jan. 6—“Scipio Africanus,” the Italian-made picture which the Confederation of Mexican Workers banned two years ago, on the ground that it is Fascist propaganda, a prohibition which the Confederation recently said it would lift, with a comment or explanation, has been banned again.

The latest ban is the strike of at- tachers of the Cine Palacio, a leading Mexican cinema, against the exhibi- tion, after extensive and costly ad- vertising and exploitation. The strik- ers, members of the National Cinematographic Union, which is affiliated with the Confederation, were accused by exhibitors of sabotage and a strike was called. It was re- ported that leaders of the union had declared that exhibition of this picture is unseemly for Mexico because it is outright Fascist propaganda and that Scipio is but a representation of Mussolini. The union denied the charges and declared the strike on the eve of exhibition was coincidental.

Settle Warner Action

A stipulation settling the $150,000 damage suit brought by M. & G. Ammunts, Inc., against Warners has been filed in U. S. District Court here. The plaintiff claimed that it sold the rights to the play in New York and the picture and Warners subsequently made a talking film without the plaintiff’s consent.

Grainger Due Jan. 15

James Grainger, president of Republic, is due at the home office on Jan. 15. He will depart for a three-week trip from the Coast to Dallas, New Orleans, St. Louis and Indianapolis.

**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

What they want to do now is laugh—so what does 20th do? Gives you a new fun formula!

TALL, DARK and HANDSOME

with CESAR ROMERO, VIRGINIA GILMORE, MILTON BERLE, CHARLOTTE GREENWOOD, SHELDON LEONARD, STANLEY CLEMENTS, FRANK JENKS, BARNETT PARKER

Directed by H. BRUCE HUMBERSTONE

Produced by Fred Kohlmar

Screenplay by Jack McNally

Musical score by Vincent Youmans and Emmerich Kálmán

and all hit songs:

"Hello Ma! I Done It Again!"
"Did I Have Fun?"; "I'm Alive and Kickin'"; "Wishful Thinking"
**Feature Reviews**

**"Doomed Caravan"**
(Sherman-Paramount)

Hollywood, Jan. 6.

The fight of unscrupulous border thieves to seize all western stage coach lines forms the background for "Doomed Caravan," in which William Boyd, "Hopalong Cassidy," stars. Boyd is again supported by Russell Hayden and Andy Clyde in the story based on the Clarence E. Mulford characters.

The trio forms the combination of avengers who outwit the criminals, restore the stage line to its rightful owner, in this case, a woman, Minna Gombell, Morris Ankrum, Georgia Hawkins, Trevor Bardette, Pat J. O'Brien, Raphael Bennett and Jose Luis Toro complete the cast.

Johnston McCallie and J. Benton Cheney wrote a moving script as the framework for the Harry Sherman production. Lesley Selander, veteran of the Sherman forces, turned out a smooth job of direction. Running time, 61 minutes. "G.** VANCE KING

**"Cavalcade of Faith"**
(Jeffrey Pictures)

A documentary film, "Cavalcade of Faith" stresses the importance of faith in the lives of the peoples of the world. The film was made, for the most part, by assembling a series of clips of affairs of international Church in the past 25 years.

Aside from the historical value of the assembling of such clips, the film's principal appeal probably will be for Catholic church authorities and at entertainments of the Catholic organizations. The film shows footage of Pope Pius XI, who attended ceremonies attendant upon such election. Pope Pius XII himself is shown and there are scenes showing him blessing a number of pilgrimages. American cardinals and Eucharist congresses here are also shown, as is the election of Pope Pius XII.

From the various points of interest in the Vatican and the ruins of ancient Rome, the commentator picks up highlights in the history of the Catholic Church. The photography, particularly in the older clips, is not the best. The film is available in Spanish, Polish and Italian language commentary in addition to the English edition.

Running time, 65 minutes. "G." * EDWARD GREIF

*$G$ denotes general classification.

**CEA Proposes Joint Committee Tomorrow**

London, Jan. 6.—It has been confirmed at the last meeting of the Cinematograph Exhibitors Association at its meeting tomorrow, will appoint the formation of a joint committee (to include representatives of the film distribution companies, film studios, film distributors, and film exhibitors) to handle disputes between theatres and distributors arising out of war conditions.

It is understood that at a recent joint meeting the K.R.S. agreed to eliminate the theatre questionnaires, by which the exhibitors raised serious objection, if a satisfactory alternative could be found. The K.R.S. also is understood to insist that any findings of the joint committee are subject to the approval of the K.R.S. council.

If approved by both bodies, the new committee is expected to meet at once.

Another committee, representative of the C.E.A. and the K.R.S., in the future will examine thoroughly all conditions imposed on theatres applying for licenses to operate on Sundays.

**Foreign Critics Rate 'Wrath Year’s Best'**

"The Grapes of Wrath" was voted the outstanding American film of 1940 by the British motion picture reviewers of New York City foreign language newspapers.


A special award was made to "London Can Take It," a short subject.


The poll among the reviewers was conducted by the Foreign Orientation division of the American Schools and Colleges Association.

**29 New Films Now Shooting; Seven Started**

Hollywood, Jan. 6.—Twenty-nine pictures were before the cameras this week as seven started and five finished. Twenty-four were being prepped and 28 were being edited.

The tally by studios:

**Columbia**

In Work: "Penny Serenade," "The Lone Wolf Takes a Chance."

**Globe**

In Work: "Pot o’ Gold."

**M-G-M**

In Work: "Billy the Kid," "Rage in Heaven," "Andy Hardy's Private Secretary," "The Trial of Mary Dugan," "French and Easy."

**Paramount**


In Work: "Las Vegas Nights," "One Night in Lisbon."

**RKO**

In Work: "They Met in Argentina," "The Devil and Miss Jones," "Show Business."

**Republic**

Finished: "Petticoat Politics."

Started: "Two Gun Sheriff," "Bandsmen," "Fanners of Crime."

**Roach**

In Work: "Broadway Limited."

**20th-Century-Fox**

Finished: "Tobacco Road."


**Universal**

In Work: "Nice Girl," "Buck Privates."

**Warners**

In Work: "The Sea Wolf," "She Stayed Kissed."

Started: "Thirty Days Hath September," "Miss Wheelwright Discovers America," "Winged Victory."

**Testimonial**

Kansas City, Jan. 6.

**A YOUNG woman went into the Electric, Kansas City, Kan., the other evening to see “North West Mounted Police.” After the show was over she stood up, but returned very shortly with a flashlight and asked an usher to help her find bits of a $1 bill she had torn up while watching the picture. “I guess I just got too excited,” she said, and added that she probably wouldn’t have come back if there had been a short about the government’s reclamation of damaged currency.***
**Showmanship Flashes**

Radio Program Used
To Aid "No, No, Nanette"

**SALT LAKE CITY, Jan. 6—**David Edwards, manager of the Radio Mall, was used to promote "Go West," at Loew's State. For the best 53 wisecracks written into "balloons" in the newspaper pictures of the Marx Brothers a total of $50 in cash prizes and 50 pairs of tickets were awarded.

**Essay Contest Is Used On 'Escape' Engagement**

**HAZLETON, Pa., Jan. 6—**In connection with "Escape," Manager John Higgins of the Capitol Theatre made a tieup with local stationery store on an essay contest in which newspaper readers were invited to send in letters of 100 words or less describing their favorite form of escape and how it brings success and happiness. Winners received a copy of the book from the dealer and free theatre tickets.

**Laugh Clinic Test Is Used For "Road Show"**

**SALINAS, Jan. 6—**The Institute of Human Laughter has installed its maico psychometer in the lobby of the Ritz in an exploitation stunt by Mel Combines, Western manager and the Times-Union, morning paper. The clinic was conducted daily in the lobby, with a half-hour broadcast over WXY, tied in with the showing of "Road Show."

**'Chad Hanna' Copy On Cough Drop Box**

**BALTIMORE, Jan. 6—**In connection with the showing of "Chad Hanna" at the New, morning Morris Mechanic Theatre in a concern that dictates hundreds of sample packages of cough drops. He had printed on the front of an envelope which contained the cough drop sample, a note that read, "Chad doesn't cough and miss a single word of 'Chad Hanna,' opening here Friday. Use these cough drops. The copy, of course, also carried a commercial line in behalf of the drops.

**Store Tieup Is Used On 'Dreaming Out Loud'**

**WILLIAMSPORT, Pa., Jan. 6—**Manager James Fraley of the Keystone Theatre, in promoting the film, "Dreaming Out Loud," made a tieup with local merchants, who aided in creating a window display similar to a "Jot-'em-Down" store as used by Lam and Abner.

**'Bitter Sweet' Drink Featured in Baltimore**

**BALTIMORE, Jan. 6—**In the promotion campaign for "Bitter Sweet" at Loew's Century, George Avis, publicity manager, planned the development of small tail lounges who dug out recipes for the old-time "Bitter Sweet" cocktail. The drinks were featured during the picture's run.

**Distribute 'Diplomas' As You'll Find Out, Stunt**

**BALTIMORE, Jan. 6—**For his campaign on "You'll Find Out," at the Hippodrome, Manny Pearlstein of the Warner theatre division publicity office, used his "indifference" stunt. "Stickers" were distributed and 5,000 diplomas, persons holding lucky number diplomas were awarded guest tickets. Several thousand pieces were distributed by local laundry and cleaning establishments.

**Lehman Corp. Buys Paramount Shares**

Among the new holdings of the Lehman Corporation made public yesterday by Robert Lehman, president of that company, are 10,000 shares of Paramount common and 2,000 shares of Paramount Pictures, 6 per cent preferred stock, both convertible preferred, in addition to $23,000, Paramount Pictures, convertible debentures 3½s of 1947.

**'Philadelphia' Sets Fast Pace on B'way**

(Continued from page 1)

third week and will be replaced on Friday by "Four Mothers." Sammy Kaye will head the stage show, "Chad Hanna" bows out of the Roxy on Friday after a two-week run. The film with a stage show gave the house an estimated $200,000 through Sunday. "Hudson's Bay" follows.

Night Train" at the Globe was good for $10,750 in its first week and was held over. "The Lone Wolf Keeps a Date" completes a week at the Radio tonight with about $7,000 expected. "The Invisible Woman" checks in tomorrow. Kitty Foyle" succeeds "Victory" tomorrow at the Rivoli.

**British Ratify New U. S. Currency Pact**

(Continued from page 1)

may be taken up, during the first six months of the agreement. No re-
mitances have been made to the United States since the old agree-

A provision of the agreement makes it possible for the American com-
promises to use their blocked sterling here for American goods and for the ex-
portation of interest in British theatres providing they are given permission by the Control Commission. The frozen sterling also may be used for the purchase of British or foreign dis-
tribution rights and to pay for Brit-
ish-made goods. The requirement of provision was the subject of much con-
troversy during the negotiation of the agreement and delayed its conclusion perhaps more than any other factor.

**Act to Curb Price Gouging in Mexico**

**Mexico City, Jan. 6—**The Mexi-
can Senate acted upon numerous complaints about admission charges. It profiteering by some local theatres by appointing a committee to investigate these accusations. It was charged that certain houses have increased their charges, although the dollar is of less value, currently at 4.56 pesos, but that when the quotation was near 6 pesos, the first run theatres never charged more than 1.50 pesos and the subsequent run houses from 40 to 50 centavos. The first run theatres are now charging from two to three pesos and the subsequent 90 centavos and 25 centavos. Rentals made by distributors are also to be thoroughly investigated to ascertain whether or not they are to blame for this profiteering.

**U' Exercises Right To Buy Preferred**

(Continued from page 1)

might affect the price of the shares which may be acquired later, it was said.

The Universal first preferred closed at 119 on the day the company asked for tenders of the stock and closed at 144 last Saturday, the final day before the company asked for acceptance or rejection of tenders. The stock has a par value of $100 per share and dividends of 3.75%, $75 per share accrued and unpaid. The stock opened yesterday at 139.

**S. O. S. in Union Pact**

**S. O. S. Cinema Supply Corp., has agreed to a local agreement of the American Federation of Office Employees, and the International Brotherhood of Machinists, covering all employees of the company, it was announced yesterday. The contracts provide for a closed shop, vacations with pay, seniority, overtime pay and increases ranging from 10 to 15 per cent, it was said. J. A. Tannen, presi-
dent of S. O. S., executed the con-
tracts on behalf of his company.

**Seven New Pictures Approved by Legion**

The National Legion of Decency for the current week has approved all of the seven new pictures reviewed below, six for general patronage and one for adults. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Bowery Boy," "The Great Plane Robbery," "Keep-
moving," "The Girl in '32," "The Pinto Kid," "She Couldn't Say No," "Wyoming Wildcat." Class A-2, Unobjectionable for Adults—"Ellery Queen, Mas-
ter Detective."

**Stues on Projector Deal**

**Willow Manufacturing Corp., Mid-
town, has purchased their local projectors from M. S. Robins and William Lorenz were named defendants yesterday in a suit filed in N. Y. Supreme Court by Klitz, who asks for 10 per cent of all sales and rentals received by the defendants on a new continu-
one projector. Klitz claims to have aided in assembling the projector and in promoting its sale under an alleged percentage agreement.

**Oklahoma Action To Be Tried First**

(Continued from page 1)

ment of Justice to inform attorneys for the Little Three of the trial order so that they would know which case to prepare for first defense. Any change in the order of the trials which may be decided upon by the Government sub-
sequently must be imparted to the defendants promptly.

The Government stated recently that it was farthest advanced in its pre-
parations for trial in the Oklahoma City case, which is the only explana-
tion at hand of its choice of that case for trial first. A motion to dismiss the Oklahoma City action has been
made by the Little Three and is await-
ing hearing there. A similar motion has been made by them in the New York suit and is returnable today before Judge Goddard, who will set a future date for hearing the motion.

**Sidetrack Halifax Sunday Proposal**

HALIFAX, N. S., Jan. 6—Opposition has caused a temporary sidetracking of the Sunday theatre opening propo-
sal. Theatre owners object to opening for only a volunteer or landowner who, the ministerial association has pro-
tested against the clause permitting a man or volunteer or landowner or air forceman to take one adult companion into the Sunday night show. Theatremen opposing the voluntary collection are willing to donate the profits from Sunday shows to war welfare or charities, but they claim their normal business will be very ad-
versely affected by allowing people into their theatres for nothing on Sundays.

**Doubles and Triples**

**NASHTA, N. H., Jan. 6—**A triple feature was billed at the Colonial here for the first part of the week, and a double feature with giveaways for the latter half. The triple bill included "The Lost World," "The Great Jeal-
ousy" and "Arizona Frontier."

**Indiana Circuit Formed**

**INDIANAPOLIS, Jan. 6—**Publica-
tions have been issued to Thea-
tres, Inc., with 200 shares of $50 par value common stock. Incorporators are Isidore Feibleman, Mark M. Gates and Charles B. Feibleman. The new corporation plans to operate houses in small cities in Indiana.
Boston, Jan. 6.—"Where Did You Get That Girl?" aided by a stage show-horse, by George Rapp, scored a strong $23,800 as grosses here generally swung sharply upward.

Estimated takings for the week ending Dec. 31:

"Where Did You Get That Girl?" (Univ.) KEEF BOSTON—$(2,000) (26c-35c-35c-65c) $8 days. Providence: George Rapp and revue including Ted Mack orchestra; Gil and Bertha James; Ross Swift, DeVol, Hark and Lee; Ted Lester and Patricia Norman. Gross: $23,800. (Average: $6,933).

"Love Thy Neighbor" (Param.) LADY WITH RED HAIR (W. B.) METROPOLITAN—$(3,000) (26c-35c-45c-5c) 7 days. Gross: $12,250. (Average: $1,750).

"Texas Pan Alley" (20th-Fox) PARAMOUNT—$(4,250) (28c-35c-35c-5c) 7 days. Gross: $15,600. (Average: $2,228)

"Texas Pan Alley" (20th-Fox) FUENWAY—$(3,100) (26c-35c-35c-5c) 7 days. Gross: $22,000. (Average: $3,143).

"North West Mounted Police" (Param.) YOUTHFUL PEOPLE (20th-Fox) SCOLLAY—$(2,500) (26c-35c-45c-5c) 7 days. Gross: $1,200. (Average: $162).

Republic has set Frances Dee to play opposite John Wayne in "Citadel of Crime," which John H. Auer is directing. Also set are Alexander Granach, Wallace Ford, Harold Huber, Armand Schaefer is producing...

WARNERS has joined the parade of studios courting the South American trade, as the studio announced "Cancan"- a musical comedy with a South American background, for early production.

GEORGE RAPP, DAVIS MORGAN and BERNA MARSHALL will head the cast, with a possibility that RITA HAYWORTH may be borrowed from Columbia for a featured role. WILBERT KEELING will direct, with ROBERT ROSEN doing the screen-play.

MIMI AGUGUA, European star, has been set for HOWARD HUGHES' "The Outlaw." ... M-G-M has set "Blonde Inspiration" as the title for "Poodle Rush In," formerly called "Foro Cents a Word." ... With LIONEL BARRYMORE and EDWARD ARNOLD in the top spots, GEORGE REYNOLDS, ROBERT STERLING and FAY HODGES get roles in M-G-M's "Roosy," J. H. CHESTER's second feature picture at M-G-M.

HAROLD S. BUCQUET is directing.

Hollywood, Jan. 6.

W. B. Court S. American Trade with New Musical

Frank Capra has called for the entire cast of principals, except Barbra Stanwyck, of "Meet John Doe" for retakes and added scenes. The picture is set for 11 A.M. at Universal City, in which Harry Sherman has produced "The Sheik of Buffalo Batte," original story by Bernard Mc- Conn, for a Hollywood radio syrupy story starring William Boyd... and has been given a new contract. He is now on loan to M-G-M for "Billy the Kid." ... William Fine and William Thomas have signed Billy Lee and Roger Pryor to figure for a role in Paramount's "Las Vegas Nights." ... MARJORIE MAIN joins M-G-M's "The Trial of Mary Dugan." ... JEFFREY LYNN, PRISCILLA LANE, RALPH KLEIN and MAE ROSE have scored in the cast of "Skid Row," starring Jack Hobert and MENNA SMITH, under the direction of ROBERT ROSEN... on the docket.

TOM HARRISON, Michigan football star, is being courted for a role in Paramount's "Las Vegas Nights." ... LUCIARIE MAIN joins M-G-M's "The Trial of Mary Dugan," starring JEFFREY LYNN, PRISCILLA LANE, RALPH KLEIN and MAE ROSE, who has scored in the cast of "Skid Row," starring Jack Hobert and MENNA SMITH, under the direction of ROBERT ROSEN...

...JEFFREY LYNN, PRISCILLA LANE, RONALD KLEIN and MAE ROSE have scored in the cast of "Skid Row," starring Jack Hobert and MENNA SMITH, under the direction of ROBERT ROSEN... on the docket.

"Arizona" Sets Los Angeles Pace, $26,000

LOS ANGELES, Jan. 6.—Special New Year's Eve and New Year's Day shows contributed to the big gain in grosses for "Arizona" and "Where Did You Get That Girl?" plus "No, No, Nanette" and "The Saint in Paris." In two days, the studio grosses were $14,000 at the Hillstreet and $12,200 at the Pantages, for a total of $26,000.

Estimated takings for the week ending Jan. 1:

"Thief of Bagdad" (U. A.) (5 days) $29,000 "Murder Over New York" (20th-Fox) (5 days) $16,000 "The Philadelphia Story" (M-G-M) (2 days) $15,000 "The S. F. E." (2,500) (34c-44c-55c-75c) Gross: $14,000. (Average: $7,000) "Arizona" (Col.) (5 days) $12,000 "You Can Get That Girl?" (Univ.) (5 days) $9,000 "The S. F. E." (2,500) (34c-44c-55c-75c) Gross: $7,000. (Average: $3,500) "The Saint in Paris" (M-G-M) (2 days) $7,000 "You Can Get That Girl?" (Univ.) (5 days) $5,000 "The S. F. E." (2,500) (34c-44c-55c-75c) Gross: $5,000. (Average: $2,500) "Arizona" (Col.) (5 days) $5,000 "No, No, Nanette" (RKO) (2 days) $4,000 "The S. F. E." (2,500) (34c-44c-55c-75c) Gross: $4,000. (Average: $2,000) "The S. F. E." (2,500) (34c-44c-55c-75c) Gross: $4,000. (Average: $2,000) "The S. F. E." (2,500) (34c-44c-55c-75c) Gross: $4,000. (Average: $2,000) 

Connors, Cohen and O'Shea Hail Bookers

That new sales policies under the "content decree" offer to the motion picture booker a golden opportunity for advancement was the substance of brief addresses made before the Motion Picture Bookers Club by Tom Connors, E. K. O'Shea, Harry Brandt, Max A. Cohen and others last night at the organization's annual banquet held at the Cafe Loyale.

Other speakers were David Levy, Moe Streimer and Joseph Lee, of 20th-Fox.

The club banquet last night was: Harold Klein, president; Leo Greenfield, vice-president; Ben Levine, treasurer; Pearl Goldstein, secretary; Peter Sagenhem, financial secretary; Bernie Brooks, Jack Gelber, trustees, and Harry Margolies, Jenny Bennett, Max Fried and Gelber, board of directors.
A practical working tool for every projectionist

F. H. RICHARDSON'S
BLUEBOOK OF PROJECTION

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Defense Unit Holds Initial FCC Session

WASHINGTON, Jan. 6.—Members of the various committees of the Defense Emergency Committee met to-day with Chairman James L. Fly and other board officials for a discussion of policy, later breaking up into groups to call on the perfecting committee organizations.

At the general session this morning, Chairman Mr. members of the board addressed more than 250 committee members attending, outlining the problems and policies to be dealt with.

In connection with the conference, the board made public the names of committee members, broadcasting representatives on the Domestic Broadcasting Committee being Harry Butcher, vice-president of CBS, with Paul Porter as alternate; John Shephard, 3rd, Boston, president of WM Broadcasters, Inc.; W. E. McFarlane, president, Mutual Broadcasting Co.; Nevil Miller, President of the National Association of Broadcasters; Frank M. Russell, vice-president, NBC; Harold A. LaFonte, president, National Independent Broadcasters, and Dr. W. R. G. Baker, National Television Systems Committee.

Members of the International Broadcasting Committee included Butcher for CBS; Robert S. Heard, manager of the General Electric Co.; Miller for NAB; John F. Royal, vice-president, NBC, and Wallace H. Cooper, manager of the Wide World Broadcast Corporation, with Professors William Y. Elliott as alternate.

Mutual Gross for Year $4,167,054

Mutual’s gross billings during December soared 81.6 per cent over the same month last year for a total of $576,983 as compared with $313,073. The year’s gross billings were $4,767,054, as compared with $3,329,782 for 1939, a rise of 34.3 per cent.

The Mutual gross for the four major networks thus were fixed at $6,455,603, an increase of more than $1,300,000 from the 1939 figure of $883,113.80. The Mutual showed the greatest increase with its 34.3 rise, with NBC-Blue next with 23.9; CBS with 18.8; and NBC-Red with 9.2. CBS, however, had the greatest volume with $4,025,459; the Red was second with $3,955,322; and the Blue was third with $1,070,678.

Ohio Admission Tax Revenue $1,694,120

COLUMBUS, O., Jan. 6.—Admission tax collections in Ohio for 1940 amounted to $1,694,120.39, as compared with $1,147,57 for 1939, a gain of $4,972.82. The tax represents all types of admissions, and no breakdown of theatre admissions is necessary.

The state collected $910,795.95 in censorship fees in 1940, compared with $955,083.52 in 1939, a decrease of $4,372.57, according to figures released by the State Treasurer.

Off the Antenna

The conclusion of the first year’s operation of WKRC, Cincinnati, by the Cincinnati Star-Times Co., Hubert Taft, general manager, reported a gain of 110.8 per cent in total billings over 1939. The Star-Times assumed operation of WKRC in December, 1939. Comparing the total two weeks of December, 1939, with December, 1939, Taft reported that network business from Mutual was up 368.9 per cent and national spot business was increased by 79 per cent.

Purify Personal: Fred Meers, assistant to the publicity director for Mutual, leaves tonight to join the Navy Air Force. Fulton Lecota, Jr., Mutual commentator, was selected one of the 10 outstanding young men of 1940 by Durwood House, editor of America’s Young Men. Lecota was the only radio man on the list of 10. Martin Block, conductor of “Make Believe Ballroom” over WNEW, returned yesterday from a 10-day vacation at Key West, Fla. Marx Bros, CBS production staff man since mid-December, is directing the Campbell morning show for CBS. William M. Bowden concentrating on the Friday night programs. James E. Gordon has been appointed vice-president and general manager of WNOE, New Orleans, to succeed Ray Haus, ordered to Army duty.

Lyn Murray, who composes original music for many of the CBS commercial shows, needed a musical automobile horn for one of his sound effects last week and sent an assistant to buy one. The BMI executive, however, decided the horn was the only part of the “Annie Oakley” in the first one and Murray was compelled to reject it. The second horn played something from “I Am an American,” another Ascap tune. A concentrated effort was made, however, to throw off which played public domain music, Mendelssohn’s “Hunting Song.”

Rounding out the reorganization of the NBC program department, Frank Mullen, NBC public affairs manager, yesterday appointed William B. Miller director of talks. Miller was formerly night program manager and that post will be taken over by J. deJara Almone, assistant to the president. Almone will continue to function as assistant to the president.

Program News: “Woman of Courage” yesterday added 23 stations for a total CBS broadcast network of 63. The program is heard Monday through Saturday at 10:45 A.M. under the sponsorship of Colgate-Palmolive-Peet. WNEW will devote six programs to the President’s Birthday Ball. David Lowe will interview Jane Pickens Friday at 12:30 P.M. and two other stars, including a fellow in the show, will do three dozen programs, including 14, 21 and 28 for the Ball. Hirsch Bros. will sponsor Dorothy Thompson’s talks over WGRG. Louisville, beginning Sunday, for 12 weeks. Rise Stevens will be guest of Raymond Paige on “Musical America” over NBC-Red Thursday at 10:30 P.M.

New Weekly Show Scheduled by CBC

MONTREAL, Jan. 6. Canadian Broadcasting Corp. will present a new weekly program, “Theatre of the Mind” next week in February. All arrangements are not yet complete, according to Gladstone Murray, general manager. It is believed that a number of prominent screen and stage performers have offered their services free. The series, which will be heard Sunday nights between 9:30 to 10:30, is tentatively scheduled to begin with Paul Muni playing the leading role in Bunzel’s “A Time of Many of the People.” Others on the schedule include Galsworthy’s “Strike,” with Douglas Fairbanks Sr., as producer; Jack Hulbert in “Valley Forge,” with Philip Meriota; Sir Robert Vansittart’s “Victoria the Great,” with Anna Neagle and George Sanders; Drinkwater’s “Abraham Lincoln,” with Walter Huston; George Bernard Shaw’s “Saint Joan,” with Katharine Cornell; Arch Oboler’s “This Precious Freedom,” with Raymond Massey; Shelly’s “Hellews,” with Eva LeGallienne; and “Shubert’s 14th Street Theatre.”

Lincoln Holiday for Opening of ‘Bishop’

LINCOLN, Jan 6.—Mayor O. S. Copeland has designated Jan. 14 a city holiday in observance of the three-theatre premiere of “Cheers for Miss Bishop,” the Richard A. Rowland production for United Artists. Contemporary.

Contests to select local “Miss Bishops” are being conducted in 11 Nebraska cities and the winners will be presented from the stages of the Stuart, Nebraska and Lincoln Theatres on the premiere night. Hollywood personalities, including Jay Novello, the director of the production, and Aldrich, author of the story and a former Lincoln resident; William Maxwell Miller; Gladys Rush, John D. Borden, William Farren, Stanford Holloway, Rosemary DeCamp and others, will attend.

The Coliseum on the University of Nebraska campus, seating 7,000, will be the scene of a luncheon, tea and official dinner preceding the premiere.

Fights FCC Order

BURLINGTON, Ala., Jan. 6.—Owners of WAPI here have petitioned the U. S. District Court to overrule a Federal Communications Commission order that prevented them from transferring the operating license to the Voice of Alabama, Inc.

Off the Antenna

Air Audience Up 4.9% Since Ascap Battle

(Continued from page 1)

would be unwise for it to express any conclusions regarding commercial interests of the claims of the parties involved.

The Hooper survey, which is made by telephone calls asking what program the listener is hearing at the time of the call, found 20,000 calls in 30 key cities during the three test nights. The 4.9 per cent increase was based on the listening audience for the ten programs being compared in the first week in December. Results generally are not published until 10 days after they are determined but were released yesterday because of widespread interest in them.


Five musical-variety programs surveyed were “Maxwell House Coffee Time,” Bing Crosby, Rudy Vallee, “Roundtable,” Kate Smith and Uncle Earl.

Television Faces FCC ‘Showdown’

(Continued from page 1)

sible, it is said. First, NBC contends it has experimented sufficiently with program material, and will continue experiments with technical equipment only until definite standards are set. Elaborate programs have virtually been dropped. DuMont is working on installation of a 50-watt transmitter, and no effort has been made toward program service. CBS has set to shift over to its new channel, and WOR has merely participated in NTSC discussions.

The second factor is the national defense argument. Both CBS and DuMont have large defense contracts, and there appears some question whether it would be wise to launch a new industry when plant facilities are severely taxed.

Court Asks Briefs Filed in WPEN Suit

PHILADELPHIA, Jan. 6.—Judge Guy K. Bard in Federal District Court today asked attorneys for the National Association of Performing Arts and WPEN to submit briefs on the question of whether the suits to restrain the station from playing phonograph records should be returned to the jurisdiction of the local Common Pleas Court, as is thought by the defendants.

Arguments on the issue were originally scheduled to be heard. However, Judge Bard said that if he found it necessary another date will be listed. Otherwise, an opinion will be handed down on the basis of the brief filed.
Neely Bill Has Small Chance In Congress

Tooby Offers Measure to Probe Broadcasting

WASHINGTON, Jan. 7.—Block booking and theatre divestiture bills reintroduced by Sen. Matthew M. Neely of West Virginia were regarded in Washington today as having little chance of consideration by Congress.

Capital observers regard this as especially the case should the Senate remain to be governed by West Virginia, as is expected to do.

The bills were resubmitted among a large number of measures which were pending when the last Congress adjourned.

Similarly, Sen. Charles W. Tooby of New Hampshire reintroduced his resolution for an investigation of broadcasting, which he proposed last year after conducting long hearings on the reappointment of Thad H. Brown as a member of the Federal Communications Commission.

RKO Sales Forces To Get Decree Data

William Zimmerman, RKO home office attorney, presented his case in Buffalo yesterday to conduct a meeting of the company's branch sales force there on sales and operating procedures under the consent decree. Every RKO exchange in the country will be visited by Zimmerman thereafter to instruct the company's entire field sales force in decree provisions.

Five preliminary meetings were conducted by Zimmerman earlier in the East to secure a cross section of the problems and questions regarded as most important by the sales force before starting his cross-country trip. The meetings were held here, in Washington, New Haven, Boston and Albany.

Tarkington Not to Attend His Trial

INDIANAPOLIS, Jan. 7.—Booth Tarkington will not attend trial of his $200,000 damage suit against Warners in New York, his secretary, Betty Trotter, said here today. Tarkington's action involves the rights to his novel, "Penrod and Sam." It was filed several years ago.

U. A. Sales Drive in Honor of Kelly; $20,000 in Prizes

The United Artists' domestic and Canadian sales organizations are conducting a drive in honor of Arthur W. Kelly, vice-president, recently named to head distribution. The drive, which began Monday, will continue through April 19.

Cash prizes aggregating $20,000 in honor of Arthur W. Kelly will be awarded and the company's sales force has been divided into three groups. Each group consists of exchanges working together in order to equalize the competition.

Exchanges in the first group—Boston, Chicago, Cleveland, Detroit, Los Angeles, New York, Philadelphia, Pittsburgh and San Francisco. In the second group are Atlanta, Cincinnati, Minneapolis, St. Louis, Seattle, Washington, Buffalo, Kansas City, Dallas and Eastern Canada. The third includes Charlotte, Denver, Indianapolis, Milwaukee, New Haven, New Orleans, Omaha, Salt Lake City and Western Canada.

All employees in the winning branches will participate in the awards, with $1,000 to be given to each of the three winning branch managers.

L. J. Schlaifer, special sales representative, has been named drive leader. On the judging committee, which will award the prizes, are Harry L. Gold, Bill M. Masters, Schlaifer, Paul Lazarus, Nat Thompson and Charles Steele.

Billboards, Chance Games, Labor in N. Y. Legislature

By RICHARD J. CONNERS

ALBANY, Jan. 7.—The New York State legislature will inaugurate its new session tomorrow with Gov. Herbert H. Lehman resuming his annual message to the 130 Assemblies and 51 Senators. Governor Lehman is expected to renew his plea for restriction on advertising billboards along highways, a move that was blocked by the opposition of labor and exhibitors.

As reported today in the Daily News, a hearing is expected to be held DAILY several weeks ago, Senator Philips (Phillos), Manhattan Democrat, is to hold a bill of interest to the industry tomorrow when he introduces a constitutional amendment to the law prohibiting gambling. Senator Philips seeks to legalize lotteries, to be state-operated with proceeds used for the general treasury or defense means.

Legalization of chance games and dog racing, rejected as impractical in the past, may receive more consideration in 1941 due to the tremendous $5,986,000 revenue derived by the state in the first year of the Dummer-Penny pari-mutuel operation.

Senator Philips and Assemblyman Robert J. Creswick probably will reintroduce the two-men-in-a-boot measure which they sponsored for the I.A.T.S.E. last session. Creswick obtained a vote on this bill in the Assembly two years ago on order of final passage.

The State Federation of Labor's executive committee has announced its intention again of backing a bill sponsored by theatrical employers which would make directors of any corporation responsible for the payment of wages.

The bill will be considered by the Committee on Commerce and Commerce, and proposed by the Chairmen of Labor, and the Chairmen of Commerce.

One defense-conscious bill which (Continued on page 6)

NEGOTIATIONS ON U. S. MUSIC PEACE

Washington Heats Criminal Prosecutions of NBC, CBS and BMI May Be Averted Through Agreement with Department of Justice

WASHINGTON, Jan. 7.—Possible forestalling of the Government's threatened criminal prosecution of NBC, CBS and BMI through an agreement with the Department of Justice on the operations of BMI in the music licensing field was suggested here today following conferences between their representatives and Department officials.

Such a settlement, it is believed, would not affect the Government's intentions of initiating criminal proceedings against Ascap.

Ascap officials were invited by the Department of Justice to attend a conference in Washington several days ago but declined, it was learned in New York yesterday. The explanation given was that no satisfactory statement concerning the purpose of the meeting was obtainable in advance.

The efforts of NBC, CBS and BMI to reach some agreement with the Government were cited as explaining the delay in the filing of the criminal proceedings in Milwaukee, scheduled for early this week.

Department officials refused to comment on the situation other than to admit that there have been discussions with the networks and BMI representatives, but pointed out that they had also had negotiations with Ascap last month without coming to anything.

The meeting here was with Victor O. (Continued on page 8)

Block-of-10 Sales Ordered in Cuba

Borrowing a chapter from the Government consent decree here, Cuba in the near future will publish a decree which will provide for the sales of pictures in blocks of 10 and for the establishment of arbitration for the industry. Arthur Prachtett, Paramount manager for Central America, here today, said he had been advised from Havana that the decree was regarded as a (Continued on page 6)

Reviewed Today

Coast Flashes

Hollywood, Jan. 7

P ACIFIC Coast Conference of Independent Theatre owners will hold its quarterly meeting of trustees Jan. 12 and 13 in Portland Ore. The New York case consent decree will be analyzed by the officers with Albert J. Law, former assistant U. S. Attorney General and now counsel for the organization. Attending from Los Angeles will be Robert H. Poole, executive secretary, Hugh Bruen and Jack Berman, trustees. H. V. (Rut) Harvey and Ben Levine will represent San Francisco, L. O. Lukans and William Ripley, Washington and Robert White and A. West Johnson, Oregon.

It was announced today that "Fantasia" will open its local run Jan. 29 at the Carthy Circle, as published recently in Motion Picture Daily. The formal premiere will be at 3:55 top, with roadshow prices thereafter.

Universal will hold the world premiere of "Back Street" Charles Boyer-Margaret Sullivan film, in Miami Feb. 4. Boyer, the film's producer, and others will attend from Hollywood, together with home office representatives and key city newspaper critics.

Darryl F. Zanuck returned to the studio today by plane from the East.

Personal Mention

NEIL AGNEW, Paramount vice-president and distribution head, will return to New York from the Coast on Friday. Robert Gilliam, advertising and publicity director, will arrive from the Coast on Monday.

ROY HAINES, Warners Eastern sales manager, returns today from Washington.

ARE SCHNEIDER, Columbia treasurer, is vacationing in Florida.

JULES LAPIUS, New York district manager for Universal, left yesterday for Boston. He will stop also at New Haven and Philadelphia before returning at the end of the week.

H. M. RICHIE, assistant to William F. Rodgers, general sales manager of M-G-M, leaves today for the studio.

HARRY F. SHAW, Loew-Poli division manager in New Haven, will have charge of newsreel activity at the inauguration of Governor Hurley of Connecticut at Hartford today.

WILLIAM K. SAXTON, Loew's city manager in Baltimore, enters Sinai Hospital this week for an operation.

FRED WARNER, operator of the Paramount, New Haven, and Mrs. Warner, plan to leave soon for Florida by car.

IRVING MARTIN, publicity man at the Stanley in Baltimore, is spending a brief vacation at Richmond.

LOUELLA O. PARSONS writes:

"FAST-MOVING...REAL LAUGHS... ROSALIND RUSSELL AND MELVYN DOUGLAS SWELL!"

Newsreel Parade

PRESIDENT ROOSEVELT'S message to Congress is given footage in the new issues about equal to that given Attorney General. Paramount News offers a review of the past year's important events with the reaction to each as seen in newspaper cartoons which have been animated by the Fleischer studios.


PARAMOUNT NEWS, No. 36—Outstanding events of 1940.


Balaban, Ramsaye Address Para. Club

The motion picture industry is the third largest in the country and the first in public interest, Barney Balaban, Paramount president, said in a talk to the educational committee of the Paramount Pep Club, employers' organization, at the home office yesterday.

Harry Ramsaye, editor of Motion Picture Herald, addressed the club on "Success Is Where You Find It," re-counting little known anecdotes of the careers of leading industry personalities.

Balaban traced the development of the theatre business from 1907, when the first B. & K. theatre was established in a former store equipped with camp stools. The speakers were introduced by Claude Low, Paramount, Arthur Israel, club president, presided at the meeting.

Cowdin's Father Is Dead Here, Aged 83

John Elliott Cowdin, father of J. Cheever Cowdin, Universal board chairman, died yesterday at Harlan's Pavilion after a long illness. He was 83 years old. Funeral services will be held tomorrow at 10:30 A.M. at St. James Church, Madison Ave. and 71st St. Burial will be private.

Set Des Moines Shows

Des Moines, Jan. 7.—The Orpheum here will return stage attractions to Des Moines starting Jan. 24, with production shows from the regular RKO circuit presented.
WAYS TO GET OUT OF HOCK!

With chuckles and shekels M-G-M has started its 1941 career in a blaze of box-office glory. Laughing their way into record business are “COMRADE X” and “PHILADELPHIA STORY” whose sustaining power in its day-and-date Los Angeles engagement and whose sensational Music Hall business gives you an idea of what to expect. (3d week at the Music Hall and going bigger than ever after setting a five-year record!) “COMRADE X” is in its 3d big week at the Capitol, N. Y., and a hold-over joy everywhere. “FLIGHT COMMAND” is just what America and your box-office crave right now. Three in a row and it’s only the start of a happy and FRIENDLY New Year.
**Feature Reviews**

**“Land of Liberty”**

*Sponsored by the Industry—Released by M-G-M*

The experienced and expert hand of a master craftsman is readily apparent in the editing by Cecil B DeMille. He was assisted by Herbert L. Moulton, Francis S. Harmon, Arthur H. DeBar and William H. Pine. James T. Shotwell, noted historian, acted as historical consultant, and the commentary was by James MacPherson and Jesse L. Kay, Jr.

This is the picture which, in greater length, was shown at the New York and San Francisco World’s Fairs of 1940, after long preparatory effort in which virtually every studio in the film business participated.

With bits culled here, there and everywhere, from newsreel clips, features and short subjects produced over the years on varied American historical events, the editors have compiled in effect a screen history of the United States of America, in highlight.

With the actual sound track of the film sequences used in many instances, with others supported by an accompanying film narration, has been woven a swiftly moving panorama of the beginnings and the growth of this great nation. It is studded with the drama which is inherent in the development of a united people, through bloodshed, hardship and innumerable growing pains. The story is carried through from the early settlement of the Pilgrims in Massachusetts, the Revo- lution, Westward movement, industrial development and the Panama Canal, the World War and the present conflict which finds us involved in the convulsions of the world. The concluding sequences in Technicolor of city and mountain vistas are almost breathtaking in their beauty.

In consideration of the present temper of the people of this country, general world conditions and the preoccupations of the nation with matters of freedom and the support of the democratic ideal, this film should find strong popular support at the theatre.

Running time, 98 minutes. “G.”

Charles S. Aaronson

**“Maisie Was a Lady”**

*(M-G-M)*

Hollywood, Jan. 7

This fourth in the Maisie series of comedy dramas profits by strengthening of cast and broadening of story. With Ann Sothern, who continues her portrayal with expressiveness, are Lew Ayres as the rich young man whose life she influences, Maureen O’Sullivan as his sister, C. Aubrey Smith, Joan Perry, Paul Cavanagh and Edward Ashley, a large supporting cast.

The film opens with Miss Sothern appearing as a headline woman in a carnival and Ayres as a millionaire drunk who breaks up the show. She loses her job, he lends her his car, she is arrested on suspicion of having stolen it, and the judge, weary of his escapades, sentences him to employ her for two months at the salary she received from the carnival.

With this start, the story moves into his wealthy home, where she is established as maid, and in this setting her outspoken manners creates conflicts with the house guests. Her sympathy is drawn to the daughter of the household, about to be married to a man who covets her fortune, and she brings the girl’s absentee father and errant brother to a proper appreciation of the girl’s position and problems. An engagement with the brother, now reformed, follows.

J. Walter Ruben produced the picture, with Edwin L. Marin directing. Betty Reinhart and Marcy C. McCall, Jr., wrote the script from a story by Miss Reinhart and Myles Connolly. Emphasis is switched from comedy to drama and back again repeatedly as the story progresses.

Running time, 75 minutes. “*G*.”

Roscoe Williams

*"G" denotes general classification.*

**Protests Price Rise**

Northampton, Mass., Jan. 7—Alderman Francis P. O’Donnell has protested increased prices at the California Drive-in Theatre. He has called on Mayor O’Connor to prevent a recurrence of the increase.

**Bill Elliott to Tour**

Hollywood, Jan. 7—“Wild” Bill Elliott, Columbia western player, will leave Jan. 10 for a personal appearance tour in the South.

**Circuit Meet Friday On Paradise Drive**

Theatre managers and circuit district managers, together with home office executives of at least five of the largest studios in the New York-New Jersey area, will hold a joint meeting at 11 a.m. Friday at the Hotel Astor, to outline plans for helping the Big Screen Foundation for Infantile Paralysis drive.

More than 760 out of the 1,187 theatres in the New York exchange area already have enlisted to operate in the “March of Dimes” drive, which takes place the week of Jan. 30. A large number of the group represented at Friday’s meeting include Loew’s; RKO, Brandt, Skouras and Randforce.

The group will be addressed Friday by John Seidenberg, president of the M.P.P.D.A.

**Balaban to Discuss Film Ad Problems**

The job of the film advertising executive in the film industry under existing conditions will be discussed by Barney Balaban, Paramount president, at the Amalgamated committee luncheon meeting at the Hotel Astor, to be held tomorrow.

Other speakers at the luncheon will be introduced by Charles C. Pettit, general counsel of the M.P.P.D.A.

Ampa officials expect about 200 to attend the luncheon. Another speaker will be Jean Hersholt, president of the Motion Picture Relief Fund.

The Amalgamated committee will be the Silver Jubilee anniversary dinner and dance to be held April 4 at the Edison.

**W. B. Shifts Theatre Men in Philadelphia**

PHILADELPHIA, Jan. 7—Realignment of Warner’s theatre managers here, resulting from the resignation of David Weshner as supervisor of home runs houses to become exploitation manager for First National Artists, were completed yesterday.

Maurice Gable, manager of the 14-run Loew’s circuit, Harry Tar- sante, manager of the Admiral, replaces Gable; George Balkin, assistant manager of the Fox, replaces Tarasante; H. H. Lounsbury, manager of the Earle, and William Israel becomes manager of the Fox.

**A.A.A. Names Wood As Film Comptroller**

The American Arbitration Association, which today appointed Elbert Morse Wood as comptroller for the firm of Kurz & Kurz as auditors of the industry’s arbitration system.

Wood is a member of the New York State Society of Certified Public Accountants and has served as district director for the Philippine Islands. He has had over a dozen years’ experience in the accounting system for the American Red Cross. The newly appointed auditor will make a financial system for the 31 industry arbitration boards.

**Kirkeby Forms Company**

SPRINGFIELD, Ill., Jan. 7—A charter has been granted to the Kirkeby-Quinlan Co., Chicago. Incorporators are A. J. Kirkeby and H. S. O’Neal.
Here's a new slant on just what you're thinking about! (Boxoffice, of course!)

Laughter!
Excitement!
Songs!

It's 1941's New Formula—Release Jan. 24
Billboards, Chance Games Up at Albany

(Continued from page 1)

may be introduced early in the session would overcome the present inability of the Motion Picture Division to censor propaganda pictures and newsreels. Section 1082 of the Education Law limits restrictions to immoral, sacrilegious grounds, etc. With more foreign-made pictures licensed in 1939-40 than in 1938-39, some check on foreign propaganda is likely to be sought.

Spearhead of the drive to eliminate billboard advertising along highways are safety groups, civic improvement societies, garden clubs and realtors, while many downstate legislators are opposed due to labor opposition and upstate solons oppose due to restriction of small handbills which rural exhibitors post along farm barns and roadside property advertising their bookings.

Exhibitors do not look for any new taxes on their box-office but may get behind a new anti-Ascap bill to project the spotlight on the per seat music charge in view of the drive by broadcasting networks against Ascap.

Reopen Atlanta Theatre

Atlanta, Jan. 7—Lucas & Jenkins have reopened the Roxy and will play holderover shows. Ed Sheppard, former assistant manager of the Paramount, is the new Roxy manager.

Heroine

San Francisco, Jan. 7—Mickey Bell, Warfield Theatre cashier, not only is a heroine to co-workers—a result of maneuvering the capture of a would-be box-office bandit—but has been handsomely rewarded by management. She kidded a robber while stepping on a buzzer which attracted the attention of John Strachan, assistant manager, who overpowered the man.

Loew-Lewin Picture Premiere in Miami

World premiere of "So Ends Our Night," first David L. Loew-Albert Lewin production for United Artists release, has been set for Jan. 24 in Miami, with a simultaneous opening in at the Lincoln and Surf theatres. Seats will be reserved, at $2.20 top. Loew and Lewin, now en route to New York, from Hollywood, will attend.

"Le Moko" to Open at World Theatre Here

"Pepe Le Moko," French film produced by Paris Film Productions, directed by Julien Duvivier, and released in this country by New York's Loew & Lewin, will open at the World Theatre at the conclusion of the current run.

From this picture the American film, "Aligiera," starring Charles Boyer, was produced. The original French film was reviewed in Motion Picture Daily on March 29, 1937, by Pierre Autre, Paris correspondent. At that time he said the film "may be considered one of the finest achievements of the French studios."

Little 3' Dismissal Hearing on Jan. 30

(Continued from page 1)

amended complaint in Federal court at Nashville and will file the action there in the near future.

Benjamin Pepper of O'Brien, Driscoll & Raftery, United Artists and Universal counsel, yesterday asked for the Jan. 30 hearing because Edward C. Raffey of defense counsel will be at United Artists meetings on the Coast during the next two weeks.

Reserves Decision

N. Y. Supreme Court Justice Peter J. Schmuken yesterday reserved decision after a two-day trial of the suit of Stephen Tamases against 20th Century-Fox. Fox claims he was asked to prepare a scenario in 1936 for a Shirley Temple film later called "Stowaway," that it was rejected and a similar one by Samuel Engel substituted. He seeks damages.

Block-of-10 Sales Ordered in Cuba

(Continued from page 1)

promise measure to replace the anti-block booking law which was scheduled to go into effect Jan. 1, but which was opposed by both exhibitors and distributors in Cuba.

A committee of nine government officials has been named to draw up the new Cuban decree. It will provide for an arbitration committee of distributor and exhibitor association representatives and a representative of the Cuban Department of Commerce. The latter will arbitrate all disputes arising within the industry, Pratchett said he was advised.

Pratchett will leave for Mexico City next weekend with John W. Hicks, Paramount vice-president and foreign manager. The two will conduct a meeting of Paramount's Central American managers in Panama City, Feb. 6 to 8.

Seeks Withdrawal From Reading Suit

PHILADELPHIA, Jan. 7—Federal Judge Bard today reserved decision on the motion of David B. Brodstein, operating the Orpheum, Reading, to have his name stricken as a defendant in the anti-trust suit filed last November by Harry Block and Henry Sork. Reading's attorney, Brodstein, claims that as operator of a single house he was not involved in the clearance of the basis of the suit against seven exhibitor groups and the major distributors.

College Presidents Will Tour Studios

HOLLYWOOD, Jan. 7—College presidents attending the annual convention of the Association of American Colleges in Pasadena will be guests Saturday at a luncheon at MGM, given by the Academy of Motion Picture Arts and Sciences.

Walter Wanger will preside. A tour of the studios will follow the luncheon at which representatives of various film organizations and stars will speak.

Montana Screen Club Established

BUTTE, Mont., Jan. 7—The Montana Screen Club has been organized here. Edward Loy has been elected president and Bert Hansen, vice-president.

Other officers are: Harry Swonson, secretary, and treasurer, and Clyde Anderson, publicist. The board of directors comprises Anderson, Frank Berryman, Sam Appleman, Joseph Kracher, Cordell Enrooth and Frank Langley.

Briefs Due Saturday In Indiana Tax Suit

INDIANAPOLIS, Jan. 7—Judge Henry O. Goetz has set Saturday as deadline for filing briefs by plaintiff exhibitors and defendant Indiana state officials in the test suit that assesses that state gross income tax levies on percentage films constitute a "double tax."
A message to
1,187 THEATRES
—including YOURS!

THE week starting January 16th has been set as “MARCH OF DIMES” WEEK in the motion picture theatres of the New York exchange area. There are 1,187 theatres in this area—including YOURS! So far over 760 theatres have gladly, enthusiastically volunteered to cooperate. Indications are that every one of the 1.187 will join this worthy cause—including yours.

It is hoped to gather millions of dimes from moviegoers for the National Foundation for Infantile Paralysis! If you are at all familiar with this inspiring charity, we know you will lend your cooperation eagerly. This is one charity your patrons will be happy to help with their dimes.

Special, colorful receptacles will be supplied for all theatre lobbies by the Infantile Paralysis Foundation campaign committee at no cost to you. A special emblem, to give those who contribute, will be supplied to you at no cost. (This expense has been paid by private donations from several exhibitors.) Trailers to insert in newsreels will be sent to you gratis.

This is a grand opportunity for the motion picture exhibitors to do a great public service. Write, wire or phone your zone committee chairman that you will cooperate.

HARRY BRANDT—C. C. MOSKOWITZ
Co-chairmen for New York area

SI FABIAN
Treasurer

COMMITTEE FOR NEW JERSEY
J. J. Thompson    Harry Hecht

COMMITTEE FOR MANHATTAN
Martin Devino    Leo Brecher

COMMITTEE FOR BROOKLYN
Samuel Rinzler    D. Weinstock

COMMITTEE FOR UPSTATE N. Y.
Max Cohen

COMMITTEE FOR THE BRONX
Laurence Balagnina    Joe Katsh

COMMITTEE FOR QUEENS
Frank Mascota    Samuel Straussberg

COMMITTEE FOR LONG ISLAND and STATEN ISLAND
Si Fabian

The committees are grateful for the immediate and whole-hearted response from the following circuits: Loew’s, RKO, Brandt, Fabian, Harry Hecht, Cocolis, Randforce, Century, Consolidated, Leo Brecher, Max Cohen, Raybond and others.
Negotiations
On for U. S.
Music Peace

(Continued from page 1)
Waters, who has been handling the Ascap-BMI case for the Government.

Indictment Would
Bar Contracts, Say Ascap

Ascap officials in New York yesterday stated that should the Government obtain a criminal indictment against the National Broadcasting Company bar to any licensing contracts with the networks until after trial of the criminal charges.

Ascap, it was said, would have to regard the making of contracts with networks as an act in support of whatever conspiracy and anything may be alleged by the Government in obtaining its indictment.

Ascap officials also said that they would attempt to avoid a trial of any case which the Government might bring against the society in Milwaukee before Federal Judge F. Ryan Duffy on the grounds that, as the sponsor of copyright legislation inimical to Ascap while a United States senator, the Government has no valid complaint against the society. His disqualification would be asked, it was said, but the society is willing to go to trial before any other Federal judge in Milwaukee.

Broadcasters and
BMI Heads Meet

WASHINGTON, Jan. 7.—A joint meeting of the executive committee of National Association of Broadcasters, the board of directors of BMI and the executive committee of Independent Radio Network Affiliates was held here today. The consideration of phases of the music situation. Of course all of us were delighted with the way that radio stations all over the United States have been able to continue their excellent public entertainment without Ascap music. In our opinion this means that radio has won its right to break Ascap's stranglehold on American music and creative talent.

First 'Soundies' Ready

The Roosevelt-Mills coin film machine organization has completed its first reel of "Soundies" consisting of eight band presentations, running about three minutes. Orchestral of Vincent Lopez, Will Bradley and Ray Kimney are featured.

Ascap Controls
University Song

ST. LOUIS, Jan. 7.—Station WED, operated by St. Louis University, will be unable to use the school's varsity song because the number is controlled by Ascap. In view of the current display in radio music, WED has temporarily discontinued the Public School Music Series, a weekly feature.

Off the Antenna

HAVING completed installation of filters which will permit use of the same antenna for both FM and television, NBC has inaugurated FM programs which will be heard Wednesdays through Sundays instead of Mondays through Fridays. The hours of 3–11 P.M. will remain the same and regular network programs will continue to be used. One important show, however, will be the change in the NBC evening sponsors, on Mondays through Fridays at 2:45 P.M.

Four new stations will join the Mutual network within the next eight days. Three Arkansas outlets will join WVAR, Wheeling, W. Va., which was previously announced, joining the Blue May 2 as the 229th affiliate. WOC operates on 1,370 k.c. with 250 watts. The network rate will be $120 per evening hour and $10 for night time cut-ins.

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Canadians Ask Royalty Share

TORONTO, Jan. 7.—The musical copyright situation in Canada became more complex when it was announced by Joseph Sedgwick of Toronto, legal representative of Broadcast Music, Inc., of Canada, that application had been made to the Dominion Government for a "share" of the radio performing royalties from all broadcasting stations in the country, now collected to the authorized limit of 8 cents per set on a quota basis from the studios by the Canadian Performing Rights Society.

The Canadian BMI is entitled to at least one cent per receiving set for its music broadcast by Canadian network stations and stations and this should be deducted from the amount received by the society because BMI does not want to see an increase in the annual license fee for music users, including radio stations, theatres, hotels, and orchestras, according to Sedgwick. The rate of 8 cents per set was fixed for years and when performed in Canada it enters into its new income of BMI, and the Performing Rights Society and will be dealt with when the Board meets Feb. 12.

Bergman in 'Dr. Jekyll'

HOLLYWOOD, Jan. 7.—Ingrid Bergman will play opposite Spencer Tracy in M-G-M's "Dr. Jekyll and Mr. Hyde." The story was made by M-G-M several years ago.

Ben Cohn to Produce

HOLLYWOOD, Jan. 7.—Ben Cohn, formerly with Warners in New York, has formed Ben Cohn Productions to make three pictures, for which he is seeking a major release. He said Eastern capital is financing.

BBC Workers Killed
In German Bombings

Several members of the British Broadcasting Co. staff in England were killed and a number injured in recent German bombings, according to dispatches from London yesterday on the basis of informants just released. The BBC headquarters have been seriously damaged. That Fred Bate, NBC London correspondent, was injured during a bombing Dec. 8 had previously been made known.

Kirby Radio Expert
In War Department

WASHINGTON, Jan. 7.—The War Department announced today that Preliminary Board has approved the appointment of Edward M. Kirby, director of public relations for the National Association of Broadcasters, as a "military a war" expert in radio broadcast.

Kirby will serve in the public relations branch of the office of the Director of Information, which has been given leave of absence with pay by the N.A.B. for such time as he may be required by the Government.

Meanwhile, the Defense Communications Board tonight made public the results of organization meetings of its committees yesterday.

Neville Miller, president of the N.A.B., and elected chairman of the Domestic Broadcasting Committee, with Andrew D. Ring, Assistant Chief, Engineer of the Federal Communications Committee in charge of broadcasting, as secretary.

Walter Evans of Westinghouse Electric and Manufacturing Co. was elected chairman of the International Broadcasting Committee, with Philip P. Sligar of the FCC Defense Division, as secretary.

104 Sponsors Make
WOR Record in Nov.

November sponsors set a record on WOR with 71 national accounts and 53 local sponsors, it was reported yesterday. The 104 total for the month was 30 per cent higher than the same month in 1939, it was said.

Seven of the sponsors were for confections and soft drinks; six for drugs and toiletry goods; five, wines and beers; and three, soaps and household goods.

At the same time, WOR announced the signing of its largest contract for one-minute announcements. Lever Bros., will sponsor three announcements during five days a week for 46 weeks.

To Probe Foreign Shows

ROCHESTER, N. Y., Jan. 7.—An investigation of foreign language broadcast was voted today by the American Legion County Committee after it had turned down a resolution condemning them. Those in opposition declared it would imperil the right of free speech, which the Legion is pledged to defend.
Broadcasters Seek Trust Suit Peace

Want to Be Dropped from Impending Action

WASHINGTON, Jan. 8.—A delegation of broadcasters headed by Neville Miller, president of the National Association of Broadcasters, met today with Thurman W. Arnold, assistant U. S. Attorney General, and other members of the Department of Justice to discuss revision of B.M.I. operations which would result in the elimination of B.M.I. and the networks from the Government's impending prosecutions in the music "war."

It was explained that the broadcasters are exploring the situation developed by the Government's announcement that B.M.I. and CBS would be included in the action for criminal indictments in Milwaukee, with a view to determining the position they are to take.

The conference was lengthy. No (Continued on page 7)

Roach Sues M-G-M On Breach of Pacts

Hal Roach Studios, Inc., filed suit yesterday in the U. S. District Court against Loew's, Inc., and M-G-M Distributing Corp., for $1,263,993, arising from a dispute between the parties over certain distribution matters under the five basic distribution contracts operative between them from 1927-28 through 1939-40. Roach has been releasing his pictures for the past two years through United Artists. The 30-page complaint listed a number of alleged breaches of contract. The law firm of Schwartz and Frohlich represents Roach.

Goldwyn Heading Greek Relief Unit

Samuel Goldwyn has been appointed national chairman of the motion picture producers' division of the Greek War Relief campaign, it was announced yesterday by Harold S. Vanderbilt, honorary national chairman of the relief association. This is entirely separate from the recent appointment of Adolph Zukor, Paramount board chairman, as chairman of the amusement division of the campaign.

New 5-Year Hays Pact Report Set

A five-year extension of Hays's contract as head of the Motion Picture Producers and Distributors Association has been set, it was reported yesterday in authoritative trade circles, and effective execution of the agreement awaits only the formal handing over of the organization. Hays's present contract would have expired otherwise in March.

Parade to Start Drive for 'Dimes'

Circuit representatives at a meeting in the office of Oscar A. Doob of Loew's yesterday approved plans for a parade on Broadway next Wednesday as the opening gun in the film industry's "March of Dimes" drive for the National Foundation for Infantile Paralysis.

At the meeting, at which Doob, publicity chairman, presided, it was decided to muster several hundred ushers to march, with bands, floats and others in the procession.

The parade will start in Columbus Circle, go down Seventh Ave. to 36th St., invade the garment section at the noon hour and wind up (Continued on page 7)

B & K Deal for Chicago Oriental Awaits U. S. Word

CHICAGO, Jan. 8.—Negotiations by B. & K. for a lease on the Oriental, large Loop house, are being held in abeyance pending study of the proposal by the Department of Justice, it was learned here today.

John Balahan, head of B. & K., and Robert Farrell, secretary and attorney for the building corporation which owns the theatre building, will go to Washington late this week to place the proposed deal before Assistant U. S. Attorney General Robert L. Wright. This will be done in accordance with the stand-still agreement entered into by affiliated circuits with the Government under the consent decree on the New York anti-trust suit.

U. S. Approval Needed

Under that agreement, the affiliated circuits agreed not to undertake expansion moves without the approval of the Department of Justice. Accordingly, it is expected that the B. & K. lease negotiations for the Oriental will not be consummated without the approval of the Department.

The theatre, formerly operated by B. & K., is under lease to Jones, Linick & Schafer, independent operators at $3,000 per week. According (Continued on page 7)

See Tax Total Next Year at $74,200,000

President's Budget Cites Current $68,900,000

WASHINGTON, Jan. 8.—Collections from the Federal admission tax during the fiscal year which begins July 1, 1941, with no change in the present rate of exemption, will total $74,200,000, compared with $68,900,000 expected to be collected during the current fiscal year and $21,887,916 actually obtained during the fiscal year ended June 30, last, was disclosed today by President Roosevelt in his annual budget message.

Box-office collections of Federal admission taxes during the fiscal year ended June 30, totaled $19,389,656, compared with $17,696,116 in the preceding year, it was disclosed tonight in the annual report of the Internal Revenue Bureau. This was the final year of the 40-cent tax exemption. The exemption is now 20 cents.

The appropriation for the Federal Communications Commission is to be increased $283,389 to $4,259,729. Actually, by reason of the elimination of a $175,000 fund available this year for relocating monitoring stations, (Continued on page 7)

Spanish Industry Facing Obstacles

WASHINGTON, Jan. 8.—With high taxation and widespread Government restrictions the Spanish film industry is struggling against serious obstacles, according to a survey made by the Department of Commerce.

American companies have substantial sums frozen in Spain, which are held there under orders of the National Foreign Exchange Institute. Import permits for films must be obtained from that body and the Motion Picture Regulating Sub-Commission, created in October, 1939, by the Ministry of Industry and Commerce.

Under wide powers, the Censorship Committees under the jurisdiction of (Continued on page 7)

RCA to Demonstrate Theatre Television and Relay System

By EDWARD GREIF

RCA will demonstrate three important new television developments Jan. 24 when members of the FCC visit New York to inspect the latest developments in the relay system from a television studio to the broadcast studio. RCA yesterday disclosed that it is ready to demonstrate a live talent pickup on the color television system its engineers developed.

Though RCA is guarding full details, it was learned that its demonstration will include a theatre-size screen, a new model home receiver with an 18-inch screen, and the first public demonstration of the relay system with a pickup from the Empire State Building transmitter. The FCC will make its inspection tour prior to hearing the report of the National Television Systems Committee on Jan. 27.

The relay system, which was developed by RCA to make possible a television network, has been in existence several years for experimental (Continued on page 8)

Wanger Reelected Academy President

HOLLYWOOD, Jan. 8.—Walter Wanger was reelected president of the Academy of Motion Picture Arts and Sciences last night by acclamation of the board of governors.

Other officers chosen were: Edward Arnold, Frank Capra, Darryl F. Zanuck and Jane Murfin, vice-presidents; Mervyn LeRoy, secretary; Alan Scott, assistant secretary; Major Nathan Levinson, treasurer; Henry Fonda, assistant treasurer.

Reviewed Today

Reviews of "Playgirl" and "Larceny Street" will be found on Page 5.
Coast Flashes

Hollywood, Jan. 8

The Frank Capra Anniversary Tribute Committee, which will hold a dinner honoring the director-producer, today named Fred Beatson, A.M.P.F. vice-president, in charge of the subcommittees to select a date for the event. J. P. McGowan, executive secretary, heads a committee to obtain cooperation from Hollywood organizations. Membership of the committee includes Walter Wanger, chairman; Y. Frank Freeman, Donald Gieddill, Dore Schary, Ralph Block, Sheridan Gilney and Kenneth Thompson.

Walter Wanger Pictures, Inc., today filed suit for $25,717 against Nat Ragan, collector of internal revenue, charging that the company was assessed that amount illegally in income taxes during 1936. The complaint alleged that the tax was improperly assessed on revenue from "Private Worlds" and "The President Vanishes," but that the disputed revenue represented repayment by Wanger to Jay Paley of funds which were used to finance the production.

Twentieth Century-Fox today purchased film rights to O. Henry's short story, "Gift of the Magi," to be used for a feature which Jo Swerling will write and Robert Kane produce.

Instead of the previously announced "Mr. Coed," M-G-M will star William Powell and Myrna Loy in "Love Crazy," written by David Hertz and William Ludwig. Jack Conway will direct.

Personal Mention

W. A. Scully, Universal vice-president and general sales manager, and Joseph H. Sedelman, vice-president and foreign manager, will arrive from the Coast early next week. Nate J. Blumberg, president, is remaining at the studio for another month.

Herman Wober, 20th Century-Fox director of distribution, will leave the Coast next Tuesday for New York.

Charles Stern, New York district manager for United Artists, has returned from a three-week stay in Florida, where he recuperated from a recent illness.

Norman Elson left for Chicago yesterday.

Max A. Cohen, John W. Hicks, Tony Greely, Max Dreufus and William Orr at Nick's Hunting Room in the Astor yesterday for lunch.

Everett Steinbuch, manager of Loew's State, Cleveland, will leave Sunday with Mrs. Steinbuch for an eight-week vacation at Pt. Lauderdale, Fla.

Joseph Bernhard, general manager of Warner Theatres, is expected to leave the Coast on Saturday after studio conferences.

Leonard Picker, Columbia attorney, left last night for a Miami vacation.

Robert Sherwood, Elmer Rice, Malvin Monroe and Arthur Gottlieb lunching yesterday at Lindy's (51st St.).

Monroe Greenthall, John D. Hertz, Jr., Leonard Goldenson, Sam S. Goldwyn, Great Western, R. C. Griffiths, Barney Balaban, Paul Radin, Al Margolis, Morris Gest, Mary Brian, Manie Evans, Margo, Sherry Kessinger, John Golden, Mort Spreng and William Mielniker at Sardi's yesterday for lunch.

Seymour Poe, Lou Weinberg and Abe Montague having lunch at Lindy's (next to the Rivoli) yesterday.

Dave Roberts, Columbia home office projectianist, will leave tomorrow for a vacation in Florida.

Agnew Due Tomorrow

Hollywood, Jan. 8—Neil Agnew, Paramount vice-president in charge of distribution, left here last night for New York, after product conferences. He is due at the home office on Friday.

Haight Resigns from AAA Budget Unit

P. M. Haight yesterday resigned as a member of the budget committee for the motion picture arbitration system under the consent decree, due to ill health. He will, however, continue as a member of the administrative committee of the American Arbitration Association.

Paul Felix Warburg was named to replace Haight as a member of the budget committee. The other members are: Van Vechten Veeder, chairman of the arbitration board; and Joseph H. Hazen of Warner, representing the distribution companies.

Levy Withdraws as Associates Candidate

David Levy has withdrawn as a candidate for the presidency of the Motion Pictures Associates, leaving only two candidates for that office, Nat Beier and Joseph J. Lee. Jack Hattem, nominated for vice-president, also has withdrawn, thus assuring James Frank of election. Elections will be held next Tuesday at the Hotel Lincoln.

Dozier New Story Head at Paramount

Hollywood, Jan. 8—William Dozier will join Paramount as head of the story and writing departments on Feb. 3, resigning from the Berg-Allen agency, where he has been for the past five and a half years. Julian Blaustein continues with the company as associate story editor.

Now 'Hamilton Woman!'

Hollywood, Jan. 8—Alexander Korda has changed the post office title of the film, "Lady Hamilton," to "That Hamilton Woman!"

Ask Binoculars for Air Raid Watchers

M-G-M has received a request from its London office asking for donations of binoculars for use by unofficial raf watchers stationed on every building. Glasses are asked to be sent to the International Department of Metro at 1540 Broadway.

Lottery Bill In As Legislature Opens

Albany, Jan. 8—A measure to legalize state operated lotteries was introduced today by Senator Phelps, Phelps as the legislature convened. Sen. Phelps' intention to submit this bill was revealed by Motion Picture Daily last month. It must be passed by two successive legislatures and receive the referendum before becoming effective.

Legislators said bills designed to regulate outdoor advertising and to make directors of corporations liable for unpaid wages to employees will be introduced this week. The latter measure is intended to be backed by theatrical unions.

Gov. Herbert H. Lehman's message was restricted to defense but an anti-tobacco message with domestic problems, will be delivered in the near future.

Heiber Named U.A. St. John Manager

St. John, N. B., Jan. 8—George Heiber, former office manager at the United Artists exchange here, has been named manager, succeeding Charles S. Chaplin, named Montreal manager. No successor to Heiber has been appointed as yet.

Benny to Work for Para. and 20th-Fox

Hollywood, Jan. 8—Jack Benny has signed starring contracts with Paramount and 20th Century-Fox. Paramount announced yesterday. The affiliation with 20th Century-Fox is new. He will make one picture yearly for each studio for four years and have a voice in their production.
**Feature Reviews**

**'Kitty Foyle'**

Does $29,000, Philadelphia

**Philadelphia, Jan. 8.—**Downtown box-office counted strong grosses. “Kitty Foyle,” having an unheralded world premiere at the Boyd, did a powerful business and was praised by the press. A second showing at the Earl during the week ended Jan. 1-3:

- **Thief of Bagdad** (U. A.)
- **Motion** (M-G-M)

**Little Nellie Kelly** (M-G-M)

ARCADE-(690) (35c-45c-57c-6c) 6 days, 3rd week, Gross: $13,500. (Average, $2,250.00)

**Kitty Foyle** (RKO)

BOYD-(2,000) (35c-45c-46c-57c-6c) 7 days, Gross: $59,000. (Average, $8,428.57)

**You'll Find Out** (RKO)

EARL-(4,000) (35c-44c-45c-57c-6c) 7 days, Vaudeville including Larry Clinton's orchestra, Brough, Stanislovas's Minuettes. Raschel, Terry Allen, Jack Palmer, Jimmy Carroll, Peggy Brown. Key Picture: Gross: $29,000. (Average, $4,142.86)

**Dancing on a Dime** (Para.)

FOY-(2,000) (35c-45c-37c-6c) 7 days, Vaudeville including Tito Kimios, Bert Wallis, and Roman Brody. Potter and Ray, Robbins Brothers and Magnie, and Eddie Lambert. Gross: $9,300. (Average, $1,300.00)

**Four Mothers** (W. B.)

FOX-(2,400) (35c-45c-46c-57c-6c) 7 days, 2nd week, Gross: $12,000. (Average, $1,714.29)

**No, No, Nanette** (RKO)

KARLTON-(1,000) (35c-41c-57c-56c) 7 days, 2nd run, Gross: $4,100. (Average, $585.71)

**Go West, Young Man** (M-G-M)

KEITH'S-(2,000) (35c-45c-46c-57c-6c) 7 days, 2nd run, Gross: $3,500. (Average, $500.00)

**North West Mounted Police** (Para.)

STANLEY-(1,700) (35c-45c-57c-6c) 7 days, 2nd week, Gross: $1,700. (Average, $242.86)

**Dr. Kildare's Crisis** (M-G-M)

STANTON-(1,700) (35c-45c-57c-6c) 7 days, Gross: $4,000. (Average, $571.43)

**Liberty Procedm**

**To Benefit British**

The first $50,000 derived from the release by M-G-M of “Land of Liberty,” industry sponsored feature, will be given to the British air raid victims, it was announced by the M. P. D. A. yesterday. British relief groups throughout the United States are expected to assist in ticket sales and local premieres of the film, M-G-M is distributing the picture on a non-profit basis, with the net revenue going to war relief and welfare agencies.

Canning Company Takes Over House

Black's Harbor, N. B., Jan. 8.—The First and Last here, theatre established by the Canning Company as a means of keeping em- ployes and their families content during the fishing season, has been taken over directly by the company for management as well as ownership. Originally a 100-seat house, was operated by Sprague Brothers, of St. John's, N.B., and company is Connors Bros., Ltd., fish can- ners here.

Circuits Award Prizes

San Francisco, Jan. 8.—Five checks were presented to 104 employes of the Golden State and San Francisco Theatres circuits, who were judged winners of the second annual contest, against Paramount, United Artists, 20th Century-Fox, Minnesota Amuse- ment Co. and Welworth Theatres.

Henry Ottman Dies

New Orleans, Jan. 8.—Henry A. Ottman, 73, retired theatre executive, died suddenly of a heart attack. He was personal manager of the late Henry Greenwald, and ran the old Grand Opera House for him and later the Music Hall. Two daughters and two sons survive.

Delay La Crosse Suit

Madison, Wis., Jan. 8.—Over the defense of the protest, Federal Judge Patrick T. Stone here has granted a further continuation to Feb. 17 in the $1,472,000 damage suit of the La Crosse Co. against Paramount, United Artists, 20th Century-Fox, Minnesota Amuse- ment Co. and Welworth Theatres.

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New Orleans Sales Tax Affects Rentals

New Orleans, Jan. 8.—The re- cently established two per cent sales tax in this city is applicable to rentals of films to theatres here. The tax, which was put into effect Jan. 1, is one cent on any purchase of 17 cents to 63 cents, two cents on purchases of 63 cents to $1.12 and so on in proportion to the sale. Admission prices are not affected, however.

Selky Sets Own Release with U.A.

Hollywood, Jan. 8.—William Sel- ky has negotiated his own United Artists release for “New Wine” and will not use Alexander Korda’s release arrangements as a result. Selky, however, use Korda’s staff to produce the film, which will star Bona Massey and be directed by Reinhold Schanz.

Present Film Music

The League of Composers will present a program of musical scores from documentary films at the Museum of Modern Art on Sunday evening.

**‘Thief Tallys Good $12,500 Frisco’s Best**

San Francisco, Jan. 8.—“The Thief of Bagdad” drew good $12,500 at the United Artists. “No, No, Nanette” with Nancy Wollrich of the Garden Gate, which took $16,500 at the Golden Gate. The weather was wet.

Estimated takings for the week ending Dec. 30-Jan. 5:

- **Flight Command** (M-G-M)
- **Bellant Sons** (M-G-M)
- **Christmas in July** (Para.)
- **Santa Claus** (M-G-M)
- **No, No, Nanette** (RKO)
- **Shad Han** (20th-Fox)
- **You Will Be Served** (20th-Fox)
- **War Time Mother** (M-G-M)
- **Thief of Bagdad** (U. A.)
- **The Million Dollar Woman** (Col.)
- **Music Hall** (OEPHDM)
- **I'll Be There** (Foreign)

**Tropics’ Calloway Get $16,600, Omaha**

Omaha, Jan. 8.—Boosted by New Year’s Eve shows, first run grosses for 1941 were “One Night in the Tropics,” plus Call Calloway on the stage, took $16,000 at the Orpheum.

Estimated takings for the week ending Jan. 1-2:

- **No, No, Nanette** (M-G-M)
- **Eldery Queen, Master Detective** (Col.)
- **Christmas in July** (Para.)
- **One Night in the Tropics** (Univ.)
- **Flight Command** (M-G-M)
- **Farewell** (M-G-M)
- **Madam Thief** (M-G-M)
- **Christmas in July** (Para.)
- **No, No, Nanette** (RKO)

- **No, No, Nanette** (RKO)
- **Thief of Bagdad** (U. A.)
- **The Million Dollar Woman** (Col.)
- **Music Hall** (OEPHDM)
- **I’ll Be There** (Foreign)

**Bagdad’ Baltimore Winner with $12,500**

Baltimore, Jan. 8.—“Thief of Bagdad” drew $12,500 at the Century. “Second Chorus” tallied $11,000 at Keith’s.

Estimated takings for the week ending Jan. 2:

- **Thief of Bagdad** (U.A.)
- **Second Chorus** (Para.)
- **No, No, Nanette** (RKO)
- **New—(1,901) (35c-3c-4c-6c) 7 days, Gross: $12,500. (Average, $1,785.71)
- **Christin D’Gams** (Col.)
- **HIPPODROME—(2,500) (35c-45c-56c-6c) 7 days, Gross: $15,500. (Average, $2,142.86)
Warners' New Peak of Screen Excitement!

It's the Picture that Skyrockets them to Top Star Ranks!

IDA LUPINO
As Marie, the taxi dancer and killer's companion—deep down just another woman whose hungry heart yearned for one man.

HUMPHREY BOGART
As 'Mad Dog' Earle, enemy of all that is decent and good, defiant of every low on earth—except the High Sierras.

with Alan Curtis • Arthur Kennedy • Joan Leslie • Henry Hull • Henry Travers

Screen Play by John Huston and W. R. Burnett • DIRECTED BY RAOUl WALSH • From a Novel by W. R. Burnett.

ve directed since 'What Price Glory'!" "My story to top 'Little Caesar' is HIGH SIERRA!"

RAOUl WALSH

Author W. R. BURNETT
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<tr>
<td>Dec. 27</td>
<td>Arizona (O)</td>
<td>The Million Dollar Baby (D)</td>
<td>Her First Romance (D) Edith Fellows E. Evans</td>
<td>North West Mounted Police (D) 3946</td>
<td>Love Thy Neighbor (C)</td>
<td>Bowery Boy (D) 112</td>
<td>Dennis O'Keefe</td>
<td>L. Campbell</td>
<td></td>
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<tr>
<td>Jan. 3</td>
<td>This Thing Called Love (C)</td>
<td>Santa Fe (O)</td>
<td>The Racketeer (D)</td>
<td>Fred Astaire Paulette Goddard</td>
<td>Trail of the Silver Spurs (O) Range Busters</td>
<td>Doomed Caravan (O)</td>
<td>Bill Boyd</td>
<td>Russell Hayden</td>
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<tr>
<td>Jan. 10</td>
<td>Pinto Kid (O)</td>
<td>The Plainsman (C)</td>
<td>Dead Man's Shoes (D) W. Lanson Leslie Banks</td>
<td>Victory (D) Fredric March Betty Field</td>
<td>Aldrich Family in Life with Henry (C) Jackie Cooper</td>
<td>Ridin' On a Rainbow (O)</td>
<td>Gene Autry</td>
<td>Smiley Burnette</td>
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<tr>
<td>Jan. 17</td>
<td>Face Behind the Mask (D)</td>
<td>The Hound of the Baskervilles (O)</td>
<td>You're Out of Luck (D) Frankie Darro M. Moreland</td>
<td>Arkansas Judge (C) The Weavers Roy Rogers</td>
<td>Saint in Palm Springs (D) 116</td>
<td>George Sanders Wendy Barrie</td>
<td>Mr. and Mrs. Smith (C) 117</td>
<td>Carole Lombard</td>
<td>R. Montgomery</td>
</tr>
<tr>
<td>Jan. 24</td>
<td>Adam Had Four Sons (D)</td>
<td>The Outlaw of the Panhandle (O)</td>
<td>The Mad Doctor (D) B. Rathbone Ellen Drew</td>
<td>Petticoat Politics (O)</td>
<td>A Girl, A Gob and A Guy (C) George Murphy Lucille Ball</td>
<td>Along the Rio Grande (O) 183</td>
<td>Tim Holt</td>
<td>Ray Whitley</td>
<td></td>
</tr>
<tr>
<td>Jan. 31</td>
<td>The Devil Commands (D)</td>
<td>The Men Who Dared (O)</td>
<td>Blondes Go Latin (C)</td>
<td>Prairie Pioneers (O) 3 Mesquites</td>
<td>Scattergood Baines (D) Gay Kilbee Dink Tont</td>
<td>Golden Hoofs (C)</td>
<td>Jane Withers</td>
<td>Buddy Rogers</td>
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<tr>
<td>Feb. 7</td>
<td>The Devil Commands (D)</td>
<td>Across the Sierras (O)</td>
<td>The Men Who Dared (O) Wallace Beery</td>
<td>In Old Colorado (O)</td>
<td>Virginia O. F. MacMurphy M. Carroll</td>
<td>Western Union (D) 126</td>
<td>Scott-Jagger</td>
<td>Robert Young</td>
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<td>Feb. 14</td>
<td>The Devil Commands (D)</td>
<td>Across the Sierras (O)</td>
<td>The Men Who Dared (O) Wallace Beery</td>
<td>In Old Colorado (O)</td>
<td>Virginia O. F. MacMurphy M. Carroll</td>
<td>Western Union (D) 126</td>
<td>Scott-Jagger</td>
<td>Robert Young</td>
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<td>Feb. 21</td>
<td>The Devil Commands (D)</td>
<td>Across the Sierras (O)</td>
<td>The Men Who Dared (O) Wallace Beery</td>
<td>In Old Colorado (O)</td>
<td>Virginia O. F. MacMurphy M. Carroll</td>
<td>Western Union (D) 126</td>
<td>Scott-Jagger</td>
<td>Robert Young</td>
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<tr>
<td>Feb. 28</td>
<td>Blondes Go Latin (C)</td>
<td>The Outlaw of the Panhandle (O)</td>
<td>Texas Rangers Ride Again (O)</td>
<td>Barnyard Follies (C) 908</td>
<td>Mary Lee</td>
<td>Royce Davis</td>
<td>Murder Over New York (D) 121</td>
<td>Sidney Toler</td>
<td>Ricardo Cortez</td>
</tr>
</tbody>
</table>
See Tax Total
Next Year at
$74,200,000

(Continued from page 1)
the funds available to the commission for operating expenses will be in
creased by $450,000. The fund for the national defense activities of the commission is increased $330-
000, to $50,000, and the remainder of the additional funds will be used largely for increased salaries and ex-
enses.

Department of Justice Increase
Funds for the anti-trust division of the Department of Justice, the Motion Picture Service is to be increased from $85-
000 to $125,000, but the fund for welfare of enlisted men in the Army, materially increased for the current year, will be reduced from $2,807,724 to $2,148,000. Of this, however, $800-
000 is to be held aside for the construction and equipment of theatres, clubs and other buildings at the new cantonments.

Drive Against Evaders
The Internal Revenue Bureau report on the fiscal year ended last June 30 declared that the year was marked by a drive against evaders of the amusement tax, particularly on admissions sold in excess of the establish-
ed price. A number of brokers and proprietors of places of amusement and cabarets were prosecuted for evading payment of taxes, it was stated. More recently, and not within the period covered by the report, the bureau has been proceeding against theatre operators who have failed to account fully for the taxes they collect.

In addition to box-office revenues, admission tax collections during the fiscal year included $612,338 from free or reduced rate tickets, against $677,100 in the preceding year; $89,3-
38 from leases of boxes or seats, against $89,926; $11,258 from admissions sold to groups of $2.00 or less, against $23,601; and $171,-
956 from brokers' sales, against $172,945, and $1,622,949 from admissions to radio programs and cabarets, against $1,442,204. Total collections from all sources were $21,887,916, compared with $19,470,802 the year before.

Parade to Start
Drive for 'Dimes'

(Continued from page 1)
in Times Square. There the ushers will form aordon extending from 4th to 7th Sts., helping the police
handle the crowds expected to gather to witness a “Dance of Dimes” to be staged on a platform in Duffy
Square.

Several hundred girls, carrying the January 19th “Dime” collection boxes will solicit the crowds for con-
tributions. City officials and other notable are expected to take part.

The temporary re-christening of the Strand, Mayor La
Guardia will be asked to place a new street sign, re-naming it Dimes
Square.

Eddie Dowden of Loew’s publicity department was placed in charge of the parade plans.

Among those present who agreed to contribute ushers, bands and other cooperation are: Leo Brecher, the Brecher circuit, representing Manhattan independent exhibitors; Al Rosen, a motion picture circuit; James Renschler, Skouras circuit; Louis Frisch, Randolf circuit; Peggy Ma-
homey and Robert Shapiro of Paramount Theatre; Mr. Goedert, of the Century circuit; Fred Bright, Broad-
way Association; Martin Levine, Leonard Breese, Lionel Toll, Brandt circuit; M. Tantzen, Consolidated cir-
cuit; Irving Windisch, Strand Theatre; Ben Serkovich, Capitol Theatre; Al Rosen, Starlight Theatre, and
Harry Mandell, RKO theatres.

‘Lady in the Dark’
Will Open Tonight

“Lady in the Dark,” a musical play written by Moss Hart and starring Gertrude Law-
rence, will be presented at the Alvin Theatre tonight by Sam H. Harris. The music is by Kurt Weill and the lyrics by Ira Gersh

MPPDA Sued Over
Denial of Code Seal

LOS ANGELES, Jan. 8—Criterion Pictures has filed suit in United States District Court here against the M.P.P.D.A., member companies, Will Hays, Joseph I. Breen and a number of John Does for $1,500,000 triple damages.

The suit charges the M.P.P.D.A. is a monopoly and alleges Criterion’s picture, “Damaged Goods,” produced in 1937, was deprived of first-run showings due to the refusal of the Production Code Administration, headed by Breen, to issue a certificate of approval for the film. The con-
plaint alleges the organization “has monopolized the market for the ex-
hibition of pictures in first-run metropolitan theatres throughout the United States.”

‘Quiz Kids’ to Capital

The “Quiz Kids” of the radio, who are making a Paramount short sub-
ject at the Long Island studio, will visit Mrs. Franklin D. Roosevelt in the White House at Washington to-
day.

Government Studies

B & K Oriental Deal

(Continued from page 1)
to the building owners, the lease has been in default for some time past.

No Indication of
Government Attitude

WASHINGTON, Jan. 8—Proposed theatre acquisition by Babahan and Katz, in Chicago, is being studied by the Department of Justice, it was learned today. No indication was given, however, as to the attitude of the Department to the addition of the theatre to the circuit.

It was learned at the Department that several proposed acquisitions have been reported by theatre circuits since the signing of the consent decree. While it was said no acquisitions have been “approved,” no information was forthcoming as to what action, if any, had been taken on them.

Under the decree, proposed additions to circuits are reported to the De-
partment for such investigation as it may deem necessary. It was explained that no fixed rules have been adopted for dealing with such matters, but that each case is disposed of on its merits.

Spanish Industry
Facing Obstacles

(Continued from page 1)
the Ministry of Interior ban films of political and democratic insti-
tutions, according to reports to the Department of Commerce. Without defin-
te information, Spanish trade circles believe approximately 300 films were approved by the censors, includ-
ing short subjects, in 1940.

It is estimated that between 30 and 40 American films were imported dur-
ing 1940, that 85 were imported from Germany and 42 from Italy. Ameri-
can films still are popular. About 25 features have been produced in Spain since the civil war. Madrid theatres estimate between 45 and 50 per cent of the admissions derive to the Government in taxes. Trade-
 estimates place the number of houses in Spain at 3,800, virtually all wired for sound, but only about half regularly operating.

Honor Mainwaring
At Farewell Party

Daniel Mainwaring of the Warner home office publicity staff who leaves Saturday for Mexico City, was guest of honor at a surprise party held last night at Toots Shor’s.

Among those attending were Mort Blumenstock, Mitchell Rawson, Paul Lazarus, Jr., Gilbert Golden, Sid Rechtenwinkel, Sam Gobol, Jerry Lewis, Sid Spindler, Rob Willam, Lee Blum-
berg, Walter Blake, Bert Gilson and Ed Schreiber.

Canadian Veteran Dies

BERWICK, N. S., Jan. 8—Charles H. Beardsley, 80, one of Canada’s first exhibitors, and who founded the first local picture theatre, died here this week. He had previously shown pictures on the road in Nova Scotia about 29 years ago.

-All the Critics Love
“This Thing Called Love”!

BOX OFFICE DECLARES:
“Uproariously humorous! Topflight comedy! ... a crash and roar of
laughs!”

Broadcasters Seek
Trust Suit Peace

(Continued from page 1)
statement was made by any of those who participated.

Delay in launching the proceedings at Milwau-
esto, originally expected last Monday, is due to the desire of the Department of Justice officials to give B&M and the networks an opportu-
ity to present their views on their course in the music situation, which the Government charges is illegal.
Noble Seeks To Enforce WMCA Deal

Declaring that he had placed the contract of sale for WMCA in the hands of his attorneys for enforcement, Edward J. Noble, head of Life Savers, Inc., yesterday asserted that he intended to compel Donald Flamm, the present licensee, to go through with the sale.

In Washington, yesterday, the FCC refused to revoke its order of Dec, 17, which authorized the transfer. The commission rebuked Flamm for his failure to advise the FCC promptly of his desire to withdraw his original application.

The FCC pointed out that there was nothing erroneous in its original order but added that the first order was permissive and not mandatory. "The matter is now one of private contractual arrangements between the parties," the FCC ruled.

"I am grateful to learn that the FCC has again found me a satisfactory licensee for WMCA," Noble said. He declared that he believed "we can constantly find ways to give greater satisfaction and entertainment to the station's listeners and can at the same time give an improved service to the sound and reputable businesses of this city."

Flamm refused to comment. He filed his petition for permission to transfer the station early last month and his application was granted. The contract was set for closing on Dec. 31 but Flamm filed a petition asking revocation of the order.

Yesterday's FCC action was not unexpected as the FCC had indicated previously that approval of the transfer did not imply an endorsement of the owner to consummate the sale beyond that which is contained in the private contract between the parties.

FCC Approves CBS New York FM Station

WASHINGTON, Jan. 8.—Columbia Broadcasting System today was granted a construction permit by the Federal Communications Commission for a new FM station in New York City operating on a frequency of 98,790 kilocycles. The station is to cover 8,500 square miles with a population of 12,000,000.

FCC Post May Go To Ex-Congressman

Washington, Jan. 8.—Former Representative William J. Miller of Connecticut, legislator who in his one term in Congress, is reported a strong possibility of being placed on the vacancy on the Federal Communications Commission, open since Thad H. Brown's term expired in 1940. Miller has been endorsed by Jesse Jones, Secretary of Commerce.

Off the Antenna

SCATTERED educational programs will be assembled and built into a single five-day-a-week feature on Mutual, it was decided yesterday at the end of a two-day meeting here of program managers representing 11 Mutual affiliates. The meeting represented the first time that a network had invited program managers of affiliated stations to meet for a discussion of its own program policies.

With various stations in the Mutual network feeding University programs, it is planned to realign the shows to provide that each of them shall be heard on only one time. It is thought that it will be possible to promote the series as a whole. Many other suggestions were discussed, it was said, but no definite decision will be made on any of them until the board of directors meeting on Jan. 25.

Purely Personal:
Leon Goldstein, WMCA publicity director, was tendered a birthday party by the news staff at the station's studios yesterday. Sidney Flamm, vice-president, and Charles Stork, sales manager, presented a gift... Bill Stern, NBC sports announcer, has been signed by Warners to play in "Listen America... Harold James Monks has been added to the cast of "Charley and Jessica."

... Returning on the Santa Rosa today after a 12-day cruise to Bermuda are H. L. Petty, manager of WHN, and W. B. Dolph, manager of WOL, Washington. Both were accompanied on the trip by their wives.

RKO zone manager Nat Holt of Cleveland has hit upon his own test poll in the Ascap-BMI fight. When Ray Kyser comes to the Palace, Cleveland, on Jan. 24, Holt will list BMI and Ascap tunes and the patrons will select their favorites. Ascap has given its permission and Holt expects it from BMI.

Fred Batte, NBC London representative, was injured twice by German bombs, according to versions in Tuesday's newspapers. Actually, he was injured Dec. 8, and NBC here released the story at the time. The British Broadcasting Corporation announced yesterday that he was well. The result was that most papers here assumed that Batte had been hit again. Talking over a cue channel with A. A. Schechter, NBC news head, the London office cleared the misunderstanding and said Batte was still in good shape.

Ask Writ on Radio Set Device Patent

WILMINGTON, Jan. 8.—A declaratory judgment that it is not infringing the patents in suit was granted yesterday to Tower Manufacturing Co., Inc., of New York, on a patent for an automatic volume control device on radio receivers. The plaintiff has been asked in a suit filed in the U. S. District Court here by Colonial Radio Corp. of New York against Hazeline Corp. of Delaware.

The plaintiff also alleges that the receiver was patented which it has since been declared invalid and in another U. S. District Court and that the defendant is using it with suit and infringement charges. The invention of the Wheeler patent was generally known at least two years before its issue, the plaintiff alleges, and the reissue was invalid on several grounds, including lack of invention and faulty form.

Ascap Disclaims Responsibility for Networks’ Action on Inaugural Music

Ascap yesterday disclaimed responsibility for whatever action radio networks may take to keep Ascap music from the air in the broadcasts of the Presidential inauguration ceremonies on Jan. 20. Network officials pointed out that they had received no notification of permission to use Ascap music.

Fred Weber, Mutual general manager, declared that his network would not boycott Ascap music. Weber asserted that if Ascap gave Mutual an indemnification against copyright infringement claims and agreed not to sue on any Ascap music it was as incidental to the ceremonies. CBS and NBC refused all comment.

It was indicated, however, that Ascap is seeking air credit in return for its permission to use its music. It was reported, the networks may be willing to give such air credit if Ascap’s demands for it are modest.

George Buck, Ascap president, stated that the society is making "all of its music available without restriction and without charge for broadcasts of the inaugural ceremonies, the inaugural ball and any other programs of the inaugural celebration."

RCA to Demonstrate Theatre Television

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Ten Agencies Placed 65.1% Of NBC Gross

Ten leading advertising agencies placed 65.1 per cent of the $50,663,000 gross billings over the two NBC networks during 1940, a breakdown revealed yesterday. The six leading agencies occupied the six top spots again while Newell Emmett moved from 13th place to seventh, Benton & Bowles moved from 11th to ninth, and Ruthrauff & Ryan from 14th to 10th.

Blackett - Sample - Hummert again led the parade with gross billings of $8,564,419, a rise of 54.2 per cent over their 1939 showing. More than double that of Compton which was second with $4,392,863, an increase of 43 per cent. Compton was third last year.

A total of 83 agencies placed business with NBC during the year as compared with only 66 during 1939.

A total of $142,704 was placed direct.

The billings represent gross card rates in effect for each advertiser with no deductions for agency commission or other discounts, and no provision for talent costs.

J. Walter Thompson, which was second last year, moved to third position with the FCC stating that he captured 37.2 per cent Lord & Thomas retained fourth position with $2,454,599, up two per cent. Young & Rubicam retained fifth, with $2,134,921, down seven per cent. Pedlar & Ryan retained sixth place with $1,950,503, a decrease of 20.3 per cent. Posts-Emmett increased its business for NBC by 85.9 per cent for a total of $1,936,810. Russell M. Seeds Co. dropped one notch to $1,920,143, up 43.7 per cent. Benton & Bowles was up 45.8 per cent to $1,749,291, and Ruthrauff & Ryan was in WCFL, an affiliate of NBC, owned by the Chicago Federation of Labor, is the only other large Chicago station to have signed with Ascap.
Tax Revenue Gained in 43 States in 1940

Increase in New York Is Highest, $465,000

WASHINGTON, Jan. 9.—Box-office collections of admissions taxes increased in 43 of the 48 states in the fiscal year which ended June 30, 1940, as compared with the preceding year, it is shown by an analysis of returns in the annual report of the Internal Revenue Bureau.

Decreases were reported only in California, Delaware, Georgia, Hawaii, Kansas and Wyoming, the greatest loss being $86,200 in Georgia. The largest increases recorded were in New York, $291,000 in Minnesota and $220,000 in Illinois.

4 States Top $1,000,000

New York, naturally, produced the greatest revenue, $867,545, but California, Illinois and Pennsylvania all topped $1,000,000. The lowest return was from North Dakota, $4,454, but only one other state turned in less than $10,000—South Dakota with $9,444.

Seven states—Idaho, Mississippi, Montana, Nevada, New Mexico, Vermont and Wyoming—returned between $10,000 and $20,000, 25 states and the District of Columbia produced more than $100,000 each, nine of them

Independents Get Own Currency Pact

Los Angeles, Jan. 9.—A separate remittance agreement will be provided by the Board of Trade and Treasury for British distributors of independent American product, incorporating all of the provisions of the agreement closed recently with the eight American major companies.

The independents will be permitted to remit about one-third less than they did last year and will be subject to all of the other restrictions and provisions of the agreement with the major companies.

Under the recently closed agreement the major companies agree to maintain film supplies here at normal proportions and to refrain from taking advantage of the situation existing here in order to raise film rentals above existing levels. It was disclosed also that the American companies are permitted under the agreement to use their blocked sterling to make payments anywhere in the Empire except Canada.

Philas. Stations Advertise Their Side of Music 'War'

By SAM SHAIN

PHILADELPHIA, Jan. 9.—The broadcasters have turned to newspaper advertising to present their side of the case in their fight with Ascap. Following the issue directly to the public, local stations signed a large four-column display advertisement which appeared today in Philadelphia papers.

Headed "Good Music Fills the Air," the ad, with full page space, is designed to clarify the confusion that exists, and the broadcasters ask the public to consider the following:

1. In 1940 the broadcasters paid Ascap more than $4,500,000 in royalties.

2. Ascap's total royalties from all other sources was about $1,800,000 during 1940.

3. Ascap now demands more than $9,000,000 from the broadcasters alone for 1941.

4. Ascap wants the broadcasters to pay for an entire catalogue of 2,000,000 number even though radio uses only about 40,000 of them.

Worst of all, say the ads, Ascap demands a music royalty on new programs, baseball games, speeches and interviews and the like; in fact on every program when and not a single note is broadcast.

Declaring that Ascap's new demands are much too high, the broadcasters tell the public they are going elsewhere where for their music, building their own catalogue of numbers for their listeners.

The ads were inserted by WDAS and WHAT for the broadcasters of Philadelphia. Other stations listed are WCAU, WFIL, WIP and WPEC.

CBS Claims Basic Color Television Problems Solved

By EDWARD GREIF

The first public demonstration of direct pickup color television here was given at the CBS studios yesterday for several hundred members of the Institute of Radio Engineers, which is in convention, and for the press. Some of those present said the test was successful.

The demonstration was scheduled, in part, to answer critics who had attacked Dr. Peter C. Goldmark's invention as unworkable. Goldmark had asserted that "an answer has been found to every fundamental problem."

The accomplishments regarded as important were demonstrated. The first was a method of synchronization by the impulses ordinarily transmitted to permit transmitter and receiver to operate from different power supplies, eliminating the necessity of 60 cycle power. The second was a method of phasing the color disk by pushing a button on the receiver. When colors appear properly on the receiver, the button is released and the colors remain synchronized with those of the transmitter.

A compact table model receiver was used in the test, a set much smaller than the standard black-and-white receiver. Using only 343-line definition, the telecast obtained good results with as little as 110 foot candles of light.

Sell Industry To the Public, Balaban Says

Must Offset Unfavorable Reaction, Amana Told

By SHERWIN A. KANE

Motion picture advertising and publicity men may be called upon to assist in selling the industry as an institution to offset an unfavorable public impression and consequent loss of prestige for the industry which has occurred on the filing of the Government anti-trust suits and the public airing of other internal industry problems, Barney Balaban, Paramount president, said yesterday.

Addressing the A. M. P. A. luncheon meeting at the Hotel Edison, Balaban said: "This loss of prestige and public confidence is fast becoming a barrier for an industry which is so dependent on the good opinion of the public it serves. Up to now the public has been told only one side of the story. With many exhibitors blaming bookkeeping for every picture a patron did not care for and for every other criticism, a poison was spread that will take time and effort to eradicate."

He suggested that the advertising and publicity men also should address themselves to winning the patronage of the 20 to 30 millions of non-theatregoers in this country—the most practical field for the recovery of lost foreign revenue, and to the promotion of better understanding.

Full Schedules Are Planned for 10 Biggest Money Making Stars

Hollywood, Jan. 9.—The studios are planning full schedules for the 10 Biggest Money Making Stars of 1940, as determined in the recent Motion Picture Herald poll of exhibitors. Mickey Rooney, champion, will appear with Spencer Tracy, in second place, in "Men of Boys Town." Rooney also is set for "Andy Hardy's Private Secretary" and "Babes in Arms." Tracy will appear in "Dr. Jekyll and Mr. Hyde" and "Young Vinny." 

Clark Gable, third, has no new assignment yet. Gene Autry, fourth, is scheduled to start on a new Western before the end of the month. Tyrone Power, in fifth place, is due for "Blood and Sand," followed by "The Black Swan." Janice Cagney and Betty Davis, sixth and ninth, respectively, are working on "The Bride Came C.O.D.," with Carney set next for "Dive Bomber," and Miss Davis tentatively assigned to "Danger Signal." Bing Crosby has finished "Road to Zanzibar," and plans "Birth of the Blues." Wallace Beery, in eighth position, has finished "The Bad Man." Judy Garland, tenth in the poll, will appear in "The Youngest Profession," and with Rooney in "Babes on Broadway."
**Personal Mention**

**JOHN W. HICKS,** Paramount vice-president and foreign manager, and **ARTHUR PRATTCHETT,** Central American manager, will leave this weekend on a month’s trip to Mexico and Central America.

**JOSEPH H. SHELDON,** Universal foreign head, is due Monday from the studio.

**ROBERT GILHALL,** Paramount advertising and publicity director, will return early next week from the Coast after a Kansas City stop.


**CARYL DANNENBERG,** secretary to **ERNST EMERLING** at Loew’s, will be married Jan. 18 to Herbert L. Anderson.

**MRS. GEORGE PAL,** wife of the shorts producer, because the mother of a son in Los Angeles last Sunday.

**ROY HAINES,** Warners Eastern sales manager, left yesterday for Boston and New Haven. He is due back Monday.

**GOLDFIELD,** Universal Eastern advertising and publicity manager, will arrive from the Coast today.

**JAMES MULVEY,** Joseph Moskowitz, Hal Horne, Hal Young and Arthur Gottlieb having lunch at Lindy’s (51st St. Saturday).

**MARVIN SCHENCK,** Eugene Picker, Maurice Silverstone, and Ruben Jacobs having lunch at Lindy’s (next to the Rivoli) yesterday.

**JACK ABELMAN** will be married Sunday evening to **ISABEL KIRSCHNER.**

**JACK BOWEN, Sam Harris, Lou Dreyfus, Ted O’Shea** and Max A. Cohen at Nick’s Hunting Room in the Astor yesterday for lunch.

**ELIAS LAPINIERE,** formerly Continental European publicity director for M-G-M in Paris, has opened an art-ad service here.

**Ask Award Confirmation**

Local 306 yesterday asked the N. Y. Supreme Court to confirm an arbitration award of $8,646 in its favor against the Amos Amusement Corp., Emmons Theatre Corp., and Maurice Brown, manager of the Sheldon in Brooklyn, and also directing the defendants to reinstate operators at the Sheldon under an I.T.O.A. blanket contract.

**Lady in the Dark**

*To Open Thursday*

"Lady in the Dark" will close its week in Boston tomorrow evening and open at the Alvin here next Thursday. A gross of between $25,000 and $30,000 is expected for the week in Boston, it was said. Paramount, which has a large financial investment in the play, has invited New York drama critics to see the play in Boston because it was felt that they might miss the third act because of the early deadline. Through an error, Motion Picture Daily reported the play as opening yesterday.

**N. J. Unit Meets Monday**

The South Jersey unit of New Jersey Allied will meet Monday at the Wilt Whitman Hotel, Camden, with Sam Frank, chairman, presiding. Annual elections of officers of the parent organization, scheduled for Jan. 21 in Trenton, will be discussed. Leo Newhous is president of New Jersey Allied.

**Disney’s Cartoons Lead Editor Poll**

The Walt Disney cartoons were selected by the exhibitors of the country as the champions among the "10 best money-making short series," in the Motion Picture Herald-Fane 1940 poll.

Following the Disney subjects in the first 10, in the order of their ranking, were: March of Time, Crime Doesn’t Pay series, Pete Smith Specialties, Merrie Melodies, Three Stooges, Popeye the Sailor, Information Please, Our Gung and Passing Parade.

The Disney subjects won by a wide margin. The same 10 series were named in the first group in the individual votes of independent and circuit exhibitors.

Among the serials, Universal’s "The Green Hornet" ranked first, followed closely by Republic’s "The Adventures of Red Ryder."

**Set Lamour Vehicle**

**Hollywood,** Jan. 9—Paramount will star Dorothy Lamour in "Dillo Cay," from the Nelson Hayes novel. E. H. Griffith will produce the film.

**Monogram Meets in St. Louis Tomorrow**

St. Louis, Jan. 9—Monogram franchise holders will meet here Saturday to hear plant plans for the "March of Monogram" drive, Feb. 22 to April 11. About 50 franchise holders and home office officials are expected to attend the conference at the Hotel Jefferson. Among them will be W. Ray Johnson, President, and Samuel Brody, vice president, sales manager. Several thousand dollars will be awarded to the winning teams in the sales drive.

**Illinois Exhibitors Meeting Postponed**

Springfield, Ill., Jan. 9.—The convention of the United Theatre Owners of Illinois, scheduled for this city tomorrow, has been indefinitely postponed. No new date has been set as yet.
Detroit Lead To Neighbor With $23,000

Dorrort, Jan. 9.—Capacity business New Year’s Eve and New Year’s Day swelled grosses. The Michigan garnered $23,000 with “Love Thy Neighbor.” The Fox reported $27,000 with “You’ll Find Out” and a stage show headed by Tremor C. Cowan and “Hudson’s Bay” playing two days.

Estimated takings for the week ending Jan. 2:
- “The Thief of Baghdad” (U. A.)
- “Santa Fe Trail” (M-G-M)
- “Pinochio” (Para.)
- “Terra de Suez” (M-G-M)
- “Keep Moving” (M-G-M)

Estimated takings for the week ending Dec. 31, Jan. 4:
- “No, No, Nanette” (RKO)
- “Tonight at 8:30” (U. A.)
- “A Day at the Races” (M-G-M)
- “Comrade X” (M-G-M)
- “Flight Command” (M-G-M)
- “Keep Moving” (M-G-M)

“Bagdad’ Garners $13,900 in Buffalo

BUFFALO, Jan. 9.—“The Thief of Bagdad” and “Youth Will Be Served” were good for $13,900 at the Great Northern. Frank Talcott, “Michael Shayne, Private Detective” were strong at the Buffalo with $14,800. Estimated takings for the week ending Jan. 9:
- “Santa Fe Trail” (W. B.)
- “Michael Shayne, Private Detective” (M-G-M)

“Sante Fe’ Scores $18,000, Pittsburgh

PITTSBURGH, Jan. 9.—“Santa Fe’ Trail” at the Stanley with $18,000 led here. Estimated takings for the week ending Dec. 31, Jan. 4:
- “Blackout” (U. A.)
- “Pickford – 75th” (M-G-M)
- “Tonight at 8:30” (U. A.)
- “A Day at the Races” (M-G-M)

“Mountie’ at $6,500 in St. Louis

ST. LOUIS, Jan. 9.—New Year’s Eve business helped bolster the week’s run of North West Mounted Police” and “Ten Pan Alley” took $6,500 at the Missouri. Estimated takings for the week ending Jan. 2:
- “Arise My Love” (Para.)
- “Fox” (M-G-M)
- “North West Mounted Police” (Para.)
- “In front of” (M-G-M)

Karloff Opens Here In Comedy Tonight

Arsenic and Old Lace,” comedy by Joseph Kesselring starring Boris Karloff, opens at the Manhattan. The opening night, presented by Howard Lindsay and Russel Crouse.

‘Arizona’ Is Big in Seattle, Pulls $6,900

SEATTLE, Jan. 9.—“Arizona” in its second week at the Liberty and “Comrade X” in the second stanza at the Paramount were the best grossers of the week. The former taking $6,900 and the latter $6,700. The weather was mild. Estimated takings for the week ending Jan. 2:
- “The Long Voyage Home” (U. A.)
- “Dancing on a Dime” (Para.)
- “The San Diego Story” (M-G-M)
- “North West Mounted Police” (Para.)
- “The Girl of the Golden West” (M-G-M)

‘Suez,’ Gene Krupa Minneapolis’ Best

MINNEAPOLIS, Jan. 9.—“South of Suez,” with Gene Krupa’s band heading the stage show, led the holiday trade here with $17,000 at the Orpheum. Estimated takings for the week ending Jan. 2:
- “South of Suez” (W. B.)
- “A Day at the Races” (M-G-M)
- “I Married an Angel” (Col.)
- “Chad Hanna” (20th-Fox)

‘Neighborhood’ at $9,500 Leads Indianapolis

INDIANAPOLIS, Jan. 9.—Business rebounded from a pre-Christmas slump with good grosses. “Love Thy Neighbor” and “Meet the Wildcat” did $9,500 at the Circle. The weather was warm. Estimated takings for the week ending Dec. 31, Jan. 3:
- “Love Thy Neighbor” (Para.)
- “Circus” (20th-Fox)
- “Chad Hanna” (20th-Fox)
- “The Man from Martin County” (M-G-M)
- “Rio Rita” (U. A.)
Drugs Replace Food for Top NBC Revenue

Drugs and tobacco goods supplied 33.4 per cent of all N.B.C. business last year, with $368,550.24, and an increase of 34 per cent, replacing food and food beverages as the major classification.

The total latter was $1,261,407, an increase of 22.3 per cent.

Premier, which took top N.B.C client in 1935, continued to set the pace with $879,482; Sterling Products remained second with $501,680; General Mills, third, $249,735; while Liggett & Myers Tobacco jumped from 13th place to fourth with $1,312,880. Other major shifts in client standings were R. J. Reynolds, which moved from 9th to 3rd; Colgate-Palmolive, from 4th to 3rd; Phil Morris, 2nd to 18th, and S. C. Johnson & Son, 23rd to 20th.

The average expenditure for the 98 commercial clients was $480,708, an increase of $42,306 over 1939, while 27 political clients paid a total of $899,016. Expenditures for evening programs were $31,098,821; daytime programs, including Sunday mornings, $179,783,435; Sunday afternoon programs, $121,807,410.

In third place among industry classifications were laundry soaps and household supplies with $27,277,001; cigarette manufacturers, $20,189,041; and petro- lume products and fuel, fifth, $2,198,011; house furnishing and furniture, sixth, $1,013,842.

Wander and B-S-H Lead MBS Bills

Wander Co. was the leading advertiser over Mutual during 1940 and Blackett-Sample-Hummer was the top agent for the company. Wander spent $326,032; Bayuk Cigars, $510,949; Gospel Broadcasting Association, $402,232; General Cigar, $343,681; Macfadden Publications, $190,994; Richfield Oil, $179,388; General Baking, $184,221; American Safety Razor, $138,857; Lutheran Laymen's League, $137,466; Wheeling Steel, $123,536.

B-S-H placed $384,767 in business; Ivey & Ellinger, $110,549; R. H. Albert, $421,421; Erwin, Wasey, $270,831; J. Walter Thompson, $266,977; Federal, $227,564; Sherman K. Ellis, $221,672; Batten, Barton, Durstine & Osborn, $184,221; Ruthrauff & Ryan, $169,520; Kelly, Stuhlrman & Zahn, $127,466.

Gould Is Reelected Head of Publicists

Joseph Gould of United Artists was reelected president of the Motion Picture Screen Publicists Guild at a meeting at the Piccadilly Hotel last night. Other new officers: first vice-president, Walter Sparks; second vice-president, Jonas Rosenfeld, Walt Disney; secretary, Jefferson Livingston, M-G-M; treasurer, Charles Wright, freelance.

1940 Tax Gain in 43 States

(Continued from page 1)

bettering the half-million dollar mark.
Collections by state for 1940, as compared with the preceding year, are shown in the following table:

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<tr>
<th>State</th>
<th>1940</th>
<th>1939</th>
<th>Increase</th>
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<td>Michigan</td>
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Total         | $115,219,858 | $117,754,718 | -2,535,860 |

Extends Nathanson Securities Options

Montreal, Jan. 9.—Famous Players Canadian Corp., Ltd., has announced that the stock option granted to L. Nathanson, president, on April 15, 1936, again has been extended.

The option covers the right to purchase 11,000 shares of the company's stock at $16 per share during July, 1940. The option, which previously was extended to Jan. 1, 1941, has now been extended so that it may be exercised in full or in part at any time up to and including April 30.

Holdovers on Broadway Set Strong Pace

With holdovers predominating, Broadway grosses are maintaining a strong pace, led by the Musi Hall, Paramount and Capitolf. "The Philadelphia Story" with a stage show at the Music Hall drew an estimated $111,000 in the second week. "Love Thy Neighbor" and Tommy Dorsey's orchestra on the Paramount stage was strong with $55,000 in the third week, while the Capitol in the second week of "Com- radle X" brought an estimated $45,000. All three films are being held.

At the Roxy, "Chad Hanna" with a stage show grossed an estimated $46,000 in the last eight days. "Hudson's Bay" started there yesterday, "Santa Fe Trail," with Abe Lyman's orchestra on the stage, completed the third and final week at the Strand yesterday with about $29,000. "Four Mothers" opens there today, with Sammy Kaye's band on the stage, "Lone Wolf Keeps a Date" finished a week at the Rialto on Tuesday with an estimated $6,500.

N.Y. Bill Provides Tax on Admissions

Albany, Jan. 9.—A three cent per sale tax bill, introduced in the New York State legislature by Senator William Prendergast, calls for a half-cent tax on each 10 cents or fraction thereof of theatre admissions exceeding 50 cents. Sales also would be taxed.

**ALL THE CRITICS LOVE IT!**

**“I LAUGUED TILL MY SIDES ACHED!”**

says Jessie Henderson

Baltimore Sun-Phila. Bulletin
Loew's Profit
For Year Is
$8,908,469

Estimate for New First
Quarter $3,000,000

Net profit after all charges of
$8,908,469 was reported by Loew's,
Inc., and subsidiaries on Saturday
for the fiscal year ended Aug. 31,
1940. The result is after provision of
$2,000,000 as a special reserve for
contingencies, and compares with net profit of $9,841,530 for the
preceding fiscal year.

[Motion Picture Daily last
Nov. 6 estimated Loew's earn-
ings for the 1939-40 fiscal year at
approximately $8,850,000, after
all charges and provision for the
$2,000,000 reserve.]

Loew's earnings for the first quarter of the current fiscal year are esti-
nated at approximately $3,000,000.

The company's annual report lists
operating revenues of $137,590,120, of
which $133,373,120 was theatre
receipts, film rentals and sales of films
and accessories. Operating and gen-
eral expenses amounted to $101,844,
28; depreciation, taxes and rent.

Wolff Elected Head
Of N. Y. Film Board

Robert S. Wolff, RKO branch man-
ger, on Friday was elected president
of the New York Film Board of
Trade, at a meeting at the headquar-
ters of the organization. He succeeds
Jack J. Bowen, recently promoted to
Eastern district manager for M-G-M.

The other new officers are: Joseph
J. Lee, 20th Century-Fox, first vice-
president; Ben Amber, M-G-M; second
vice-president; David A. Levy, Uni-
versal, treasurer; Robert J. Fannon,
Republic, secretary, and Edward Bell,
Paramount, sergeant-at-arms.

The installations will be held in 10
days.

Five Reviews Today

"Six Lessons from Madame
La Zonga," "The Case of the
Black Parrot," "You're Out
of Luck" are reviewed on Page
4. Reviews of "Robin
Hood of the Pecos" and
"Billy the Kid's Gun Justice"
are on Page 6. Critics' Quotes
of new films will be
found on Page 7.

Hearst Reported to
Ask 'Kane' Shelved

Extraordinary interest has been
stirred in the trade and elsewhere by
reports that the Willaim Randolph
Hearst newspapers and magazines
have been instructed by
Hearst or his representatives
to suppress all publicity of
RKO's picture, "Citizen Kane," and
to have asked the company to
shelve the film, which
cost in the neighborhood of
$800,000 to produce.

This is Orson Welles' first
picture. Company officials
assert that while the story is
about a wealthy man who inher-
its a newspaper and then
builds a publishing empire, it
is not Hearst's biography.

The Hearst people are
reported to feel otherwise,
according to various reports on the
coast and in New York.
The order to suppress public-
nity on the picture, it has been
extended to all RKO publicity.

Bomb Manchester
Office of 20th-Fox

The 20th Century-Fox branch office
in Manchester, England, has been
destroyed in recent bombing attacks,
according to word reaching the head-
quarters in New York. The raid was made on the city
at night, and no one was injured. E. G. Milloy is manager of the branch.

Judging of 1940
Quigley Awards
To Be On Jan. 28

Judging for the 1940 Quigley Grand
Awards, climax of the Quigley Awards
competition sponsored by Motion Pic-
ture Herald through the Managers
Round Table, will be held Jan. 28 in
the College Room of the Hotel Astor.
It is announced by A-Mike Vogel,
chairman of the Round Table.

The committee will be made up of
executives in distribution, advertis-
ing and exhibition who have served as
judges during the year. Entries to be
considered will be those of theatre
managers and publicity men scoring
highest in the fourth quarterly period
of the 1940 awards. Following the
judging, Martin Quigley will be host
to the committee at a luncheon.

The two winners chosen by majority
vote for the Silver and Bronze Grand
Awards will receive their awards in
Hollywood at ceremonies attended by
studio heads, directors and stars. As
guests of Motion Picture Herald,
the theatre men will be taken to
Hollywood and entertained during a
week's stay. Visits to the studios and
other arrangements are planned.

The 1940 judging will mark the sev-
erth annual meeting of the Quigley
Awards committee. Entries com-
peted during the three-month awards
period of the year for the "Quarter-
Master" Plaques, Medals and Sheep-
skin Citations.

Dr. Goldsmith Is Presented Radio
Engineers' Medal for Achievements

Dr. Alfred N. Goldsmith, noted radio and sound
engineer and consultant, on Friday was presented
the 1941 medal of honor for achievements by the
Institute of Radio Engineers. The award was
made at a dinner in the Hotel Pennsylvania as
part of the annual convention.

Dr. Goldsmith was cited for "his contribution
to radio research, engineering and commercial
development, his leadership in standardiza-
tion, and his unceasing devotion to the establish-
ment and upbuilding of the institute and its proceed-
ings." Frederick E. Terman, president of the
Alfred Goldsmith
I.R.E., made the presentation.

Dr. Goldsmith's latest television invention, a receiver said to be
particularly important for theatres, was announced several months
ago.

Dr. Goldsmith was a consulting engineer for General Electric,
director of research for Marconi Wireless Telegraph Co., RCA
Photophone vice-president, and vice-president and general engineer
for RCA. He has a large number of inventions to his credit in
radio, television and sound engineering.

Abortion Setup
Is Due This Month

Federal Judge Henry W. Goddard
is scheduled to appoint the remain-
ing two members of the national
abortion appeals board under the Federal
censorship decree before the end of this
month, to serve with Van Vechten
Veeder, appeals chairman.

The national arbitration machinery
is expected to start functioning Feb. 1
after completion of the local board
setups.

Selection of local arbitration panels of
20 to 60 members for 31 exchange cities
will be made by the American Arbitration
Association ad-
ministration committee from eligibil-
ity lists compiled by J. Noble
Braden, A. A. A.
executive secretary.

Braden yesterday completed field
trips during which he compiled lists
of candidates for clerks of the local
boards and selected office space
for the boards. The administrative
committee is to appoint the clerks, and
is expected to approve the leases in
the next 10 days.
Barrows Reelected
To Serve 24th Term
Boston, Jan. 12.—Thad C. Barrows has been reelected president of Local 182 of the projectionists' union here for the 24th consecutive term. Past presidents are: James F. Burke, business agent; A. R. Moutlon, financial secretary; Joseph Rosen, treasurer; Joe Schwartz, sergeant at arms; Joseph Nuzzolo, John Diefle, Louis Pirvano, executive board members.

Greek Fund Rallies Amusement Groups
The amusement industries are being organized to support the fund raising drive for Greece. Under the direction of the drive's sponsors and Adolph Zukor, chairman of the Paramount board, a chain of the amusement's division, and Samuel Goldwyn, chairman of the producers' division, a zone chairman has been named and an advisory council is being organized to work with the general committee. Sypros, Charles and George Skouras are among the sponsors of the drive. The New York, Philadelphia, and Buffalo boards, and a branch in Milwaukee are also participating.

Silver, Canadian Distributor, Dies
Boris W. Silver, 49, head of Colonial Films of Toronto, died suddenly of a heart attack in Rockefeller Center yesterday. Funeral arrangements are awaiting the arrival here of a sister of the deceased, the only relative known. The family is believed to be employed at the M-G-M studio at Culver City.

Silver was formerly head of the Moscot Art Theatre, Los Angeles, and had been engaged in independent film distribution in Canada for the past several years. He distributed in Canada for the Alliance Films, among others, and was in New York on a business visit to Budd Rogers, head of Allied Artists, before his death.

O'Shea and Bowen
To Pielow Dinner
E. K. O'Shea, M-G-M Central division manager, and John H. Bowen, manager of the New York branch of the distribution company, held a dinner at their offices in New York last night in honor of Ralph Pielow, promoted to New York assistant manager of the organization.

Joe Penner Dies
In Phila.; Was 36
PHILADELPHIA, Jan. 12.—Joe Penner, 36, died in his sleep here Friday. Death was attributed to a heart attack. He was appearing in "Yolkel Boy" at the Loew Street Theatre. The show was scheduled to remain here another week before going to Chicago. He appeared in a number of films in the last six years. He was regarded as an outstanding comedian in films as well as in radio.

Personal Mention

EDWIN L. WEISL left for Florida Friday. 
N. L. NATHANSON, president of Famous Players Canadian Corp., has gone to Florida for the rest of the winter. His mission is to make the circuit management is in the hands of J. J. Fitzgibbon, vice-president.

J. CHEEVER COWDIN, Universal board chairman, has returned to the Coast to resume production conferences at the studio.

HASKELL M. MASTERS, United Artists Western sales manager, has left for a tour of the exhibition territory, his first visit since assuming his new post. He will be away about four weeks.

JOSEPH H. SELDMAN, Universal vice-president and foreign manager, will arrive from the Coast this morning. W. A. SCCULLY, vice-president and general sales manager, is scheduled to arrive tomorrow.

RICHARD HYLAND left last night for Chicago.

HERB GILLIS, 20th Century-Fox books agent in Philadelphia, has become engaged to Rovio H. SIGEL.

GUSTAVE G. AMSTERDAM, son of Ben Amsterdam, veteran Philadelphia exhibitor, has been made a vice-president of Albert M. Greenfield Co.

EDWIN FLINK, secretary to Col. Herbert Copeland, Warner circuit executive in Atlantic City, has become engaged to Dr. JULES CHAPIN.

GEORGE EVERETT SIMONS, operator of the Co-Ed Theatre, Fairfield, Ia., and Lois E. WEBER of Tipton, Ia., recently were married.

Silver Metropolitan
Managers Shifted
Charles C. Moskowitz, in charge of Low's Metropolitan theatre, has made several changes in management. Paul Murphy, assistant manager at Low's, has been named manager of Low's West. George B. Stiles, assistant at the 83rd Street, replaces Murphy at the State.

Kenneth Towers, chief of service at the Mayfair, has become assistant at the Apollo. Robert Spodick, chief of service at the Sheridan, is now assistant at the Triboro, and Vincent Altman, assistant at the Mt. Vernon, has moved to the 83rd Street, and Edwin Lucey, chief usher, at the 83rd Street, is now assistant at the Mt. Vernon.

Veteran Operators
Hold Dance Tonight
The "25-30 Club," an organization of projectionists who have been members of the operators' Local 306 more than 25 years, will hold its annual dinner-dance at midnight tonight at the Hurricana Restaurant. About 200 projectionists are members. Mike Berkowitz, who said he is the oldest active projectionist in the industry, is president. Berkowitz and his son, Milton, are employed at the Capitol.

Pettitton to Chicago
On Censor Hearings
Charles C. Pettitton, general counsel of the M.P.P.D.A., left for Chicago yesterday to make a personal appearance at a meeting of the city council. The council heard there today on a proposed reorganization of the city center of the city council. The meeting was attended by Morris Leonard, B. K. and counsel, and Jack Kirsch, president of Illinois Allied.

Walters Sign Oake
Hollywood, Jan. 12.—Jack Oake has been signed by Warners to co-star with Eddie Albert in "Navy Blues," comedy with a U. S. Navy background.

Defense Unit Asks
More Film Funds
WASHINGTON, Jan. 12.—Increased funds for motion picture and radio specialists will be asked of Congress by the National Defense Council for the coming fiscal year, but no plans have been made for any effort at film production on a large scale, it was disclosed today.

The Information Division, under Robert Horton, will have a new position of director of motion-pictures, appointed as consultant at $6,500 a year, replacing the present position of motion-picture director, at $6,000; a film editor at $1,500, and a radio film editor at $2,000, both new positions.

Horton's staff also will include a script writer at $4,600, dropping positions of radio specialist at $5,000 and chief script writer at $4,000.

Rewired and television work, as now, will continue under the direction of a motion picture specialist at $5,200. The Coordinator of Command, and Cultural Relations Between the American Republics, a branch of the council, will continue the present positions of director of motion pictures at $8,500 a year, with an assistant at $6,000 and a film program specialist at $7,500 for radio, and a director of radio at $9,000, with an assistant at $6,000 and a radio program specialist at $7,500 for broadcasting.

Para. Execs To Honor Balaban
CHICAGO, Jan. 12.—Executives of the theatre division, as well as district branch managers from all sections of the country, will be present at the banquet at Barney Balaban at the Drake Hotel here Jan. 23.

The affair will culminate a theatre drive honoring his fifth anniversary as president of the organization. Winners of the drive awards will receive their prizes at the dinner.

Representatives are in charge of John Balaban of B. K. & Nate Platt and Dave Wallerstein.

Oma Munson in Thursday
Oma Munson will arrive here Thursday for the third week of her broadcasts of "Big Town," in which she plays the role of "Lorele.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)
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Motion Picture Daily
THEY CHUCKLE!
THEY GASP!....
THEY SCREAM!
THEY LOVE IT!

WHAT A PICTURE DOES TO AN AUDIENCE IS THE FINAL TEST AND "THIS THING CALLED LOVE" MEETS THAT TEST... ROLLING 'EM IN THE AISLES IS A GAG COME TRUE!....

ROSALIND RUSSELL, MELVYN DOUGLAS IN A REAL CONVULSION OF NATURE!

A COLUMBIA PICTURE
Feature Reviews

"Six Lessons from Madame La Zonga" (Universal)


LUPE VELEZ and Leon Errol, recently paired in a series of comedies by another company, are to the fore in this continuation of Universal's series of comedies on song titles. William Frawley, Helen Parrish, Charles Lang, Shemp Howard, Eddie Quillan, Big Boy Williams, Danny Beck, Frank Mitchell, Jimmy Wakely and Johnny Bond are others in the cast.

Miss Velez is seen as a South American night club personality temporarily out of funds; Errol as a Tenth Avenue Clancy masquerading as a Brazilian plantation owner; Frawley as a crook out to bilk Errol, and the Parrish-Lang duo as romantic leads. The comedy opens in New York and moves by boat to South America where complications of various kinds create humor.

Lang portrays the leader of a cowboy band, turned Spanish, which handles five musical numbers in the course of the picture, including the title song, to which Miss Velez sings and dances in the finale.

Joseph G. Sanford produced the picture with John Rawlins directing.

Stanley Crae Rubin, Marion Key, Larry Rhine and Ban Chapman wrote the screenplay from an original by Rhine and Chapman.

Running time, 62 minutes. "G."**

ROSE WILLLIAMS

"The Case of the Black Parrot" (Warners)

A MYSTERY yarn, as may be deduced from the title, this adaptation, which stems from a novel by Burton E. Stevenson, a play by Eleazar Robeson Belmont and Harriet Ford, and a screenplay by Robert E. Kent, has a few moments of suspense and probably sufficient mystery to attract the ardent fans, but very little more.

The performances are hardly more than adequate. The cast is headed by William Lundigan, a reporter who becomes involved and acts the amateur detective; Maris Wrixon, the fiancée and daughter of a murdered antiquarian; Eddie Foy Jr., photographer, whose comedy helps but little, and Paul Cavanagh, in the dual role of a Paris art dealer and the chief crook.

The yarn concerns a valuable hand-carved cabinet, whose compartment are stolen diamonds, guarded by a poisoned claw device. Two murders and a half-dozen suspicious characters complicate the situation. Noel M. Smith directed.

Running time, 60 minutes. "G."**

CHARLES S. AARONSON.

"You're Out of Luck" (Monogram)


THIS latest of the Frankir Drogo mystery comedies again has the young star supported by a cast headed by Manton Moreland, who provides his usual brand of capable comic relief. Kay Sutton and Richard Bond provide romantic interest, while Danny Kaye is a virtual comedy relief.

The cast is headed by Benny Parrott, in the dual role of a police lieutenant aided by Drogo in solving a case involving two murders committed by a gambling ring.

Vicki Lester, Janet Shaw, Tristram Coffin, Willie Castello and Alfred Hall round out the cast of the Kitty Parsons production. The original screenplay was written by W. Scott photographed by Henry B. Robinson directed.

Through the initiative of Drogo, portraying an apartment house elevator operator, the solution of murders of two of the apartment's inmates is unearthed.

Running time, 62 minutes. "G."**

W. S.

"G"** denotes general classification.
PREEMINENT

ALL three Eastman negative films make important contributions to the startling beauty of today's screen productions. Unvarying dependability and wide latitude make them the established favorites of critical cameramen. Eastman Kodak Company, Rochester, N. Y.

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

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
Opening in Mexico

Delayed by Strike

Mexico City, Jan. 12.—The new Cinema Magerit here opened on Friday after a delay of four months due to a longshoremen's strike which prevented the clearing of American made carpets through the port of Mazatlan. The 1,000-seat theatre is largely a reconstructed old palace. It will be the local C.F.A. outlet for the city of Mazatlan and the Olimpia. The opening film is “Lucky Partners,” scheduled to run three weeks.

Feature Reviews

“Robin Hood of the Pecos”

(Republic)

W RTH its locale the Texas country in the days after the Civil War, this Western has its quota of excitement, creditable drama and a sprinkling of Stephen Foster. Western fans should like it.

Roy Rogers is starred and has the support of George "Gabby" Hayes, Marjorie Reynolds, Cy Kendall, Sally Payne, Eddie Acuff, Roscoe Ates and others. Olive Cooper adapted an original story by Hal Long and Joseph Kane directed and acted as associate producer.

The story opens with Rogers, a Confederate soldier, returning from a prison camp in the North to find his friends, under martial law, planning to overthrow a crooked adjutant, Kendall. He discovers an easier solution, that of pledging allegiance to the country, but Kendall counteracts by framing the group. A cohort, who he had betrayed, kills Kendall and justice is restored.

Rogers sings “Jeannie with the Light Brown Hair” and two sagebrush numbers as the tale is told.

Running time, 59 minutes. "G."*

“Billy the Kid's Gun Justice”

(Producers Releasing)

THE outline of the title portrayed by Bob Steele is the same colorful character whose daring feats thrilled many in previous films. Here he is teamed with some of the West's most famous stars, including Andy Devine, uncovering wholesale murder and finally tricking the swindlers into buying a piece of property at many times its worth.

Sigmund Neufeld produced the film and Peter Stewart directed with emphasis on the gun and fist battles. Others in the cast include Louise Currie, Al St. John, Carleton Young, Charles King, Rex Lease and Ted Adams.

Running time, 81 minutes. "G."*

"G." denotes general classification.

Construction Halted

On Cleveland House

Cleveland, Jan. 12.—The Cleveland Building Commission has ordered construction on Cleveland's first newsreel theatre halted after a fire accidently started by a workman removing inflammable canvas was in use in some of the walls.

The building, being used as an auxiliary of the Cleveland Public Library was being used as part of the building code. Theatre officials said most of the walls were insulated with fireproof rock wool.

Cincinnati Theatres

Fight Coin Machines

CINCINNATI, Jan. 12.—The first local action to combat competition from showing of coin operated pictures has been taken by the Greater Cincinnati Independent Motion Picture Association. The group has petitioned the City Council, urging passage of an ordinance banning the display of any machine which exhibits to the public moving pictures or televises pictures excepting in duly licensed theatres.

SEC Reports Kent

Purchases of 1,000

Shares of 20th-Fox

WASHINGTON, Jan. 12.—Acquisition of 1,000 shares of 20th-Fox common stock by Sidney R. Kent, president, bringing his holdings to 100,000, was one of the largest of three film stock transactions reported over the weekend in the first December Transactions on Securities and Exchange Commission.

The other transactions reported were the disposition of 300 shares of stock by Consolidated Films, Inc., preferred stock by E. H. Seiert, Fort Lee, N. J., director, reducing his interest in the Universal Corp., common holding trust certificates by Preston Davies, New York director, bringing his holdings to 2,000 held direct and 26,500 held through Standard Capital Co., together with 111,283 voting trust certificates held through Standard Capital.

Pathe Films Report

First reports filed under the Investment Company Act of 1940 included a report on holdings in Pathe Films of Nov. 1, last, showing that George J. Bonwick, who was succeeded by aldson Brown, held no securities di rect. Brown, however, was an indirect owner of securities through the Broesco Corp., which reported holding 58,102 shares of common and 1,844 shares of preferred stock.

The C. C. Davis held 100 shares of common stock; Allan P. Kirby held 2,100 shares of common, and 1,000 shares through holding company; Kenneth M. Young, 350 common; Robert R. Young held 20,497 shares of common, and Mabel M. Malone held one share of preferred stock.

A report on Columbia Broadcasting System showed that Paul W. Kester disposed of 737 shares of Class A common, reducing his holdings to 742 shares of Class A common in addition to 800 shares of Class B, and H. Bayard Taylor disposed of 600 shares of Class A common held through the Keewaydin Corp., reducing his interest in 1,100 shares held direct and 4,100 shares held through Keewaydin Corp.

Phila. Showmen Club

Adds Welfare Group

PHILADELPHIA, Jan. 12.—Showmen's Club Industry Association, for the first time adds social welfare to its group activities. A Welfare Fund Committee was ap pointed by the board for the unemployed in the industry, with Meyer Adelman, head of South Jersey Exhibitors, and Yaacov Yaffe, head of the Jewish Center for welfare counsel for the organization, is secre tary of the committee, which includes Sam Rosen and Charles Stiel. The committee will give money to pay the weekly expenses of wounded soldiers and provide family assistance and hospitalization for needy industry members. Joe E. Sapis was appointed chairman of the committee, and Maurice Verbin chairman of the membership committee. A testimonial dinner for the club's retiring "second banana," 'Levy' Rosen, manager of the Dante Theatre, will be held Feb. 17.

VOTE TO ARBITRATE

ENGLISH PROBLEMS

LONDON, Jan. 12.—After a lengthy discussion of the main issues, the 14th meeting recently, the general council of the Cinematograph Exhibitors Association adopted a recommendation to form a joint committee with the Cinematograph Renters Society to arbitrate theatre problems arising from the war.

The council will undertake open discussion of all problems, including various points brought up during the council meeting. C. P. Metcalfe decided that if any deadlock arose, the C.E.A. should bring the matter before the Board of Trade, in view, Metcalfe contended, of the great amount of money regularly expended by the United States, and the fact that American films reach here only by virtue of the protection provided by the British Navy.

The C.E.A. currently is examining carefully a plan of mutual insurance through a suitable company to assist members whose houses have been destroyed by bombing attacks. The Government's war damage measures, however, is insuring insurance schemes and orders the closing of such companies. The Board of Trade nevertheless is empowered to give special permission for such plans, and the C.E.A. intends asking whether such authorization could be expected in its case.

Local Houses Give

Support to 'Dimes'

Support to the theatres' "March of Dimes" campaign for the National Foundation for Infantile Paralysis, beginning Thursday for a week was pledged by 400 managers and circuit district managers at a meeting of the New York-Cincinnati committee at the Astor Theatre on Friday.

Harry Brandt and Charles C. Moskosz, correspondents for the area, and Oscar A. Dool, publicity chairman, detailed plans for the theatres' participation. The speakers urged that the theatre co-op attempt to vie with those on the West coast. Theatres will show two short films and have attendants knock on doors for contributions from patrons in the lobbies.

Eddie Dowden of Loew's told about the Broadway parade for the drive on Wednesday, of which he is in charge. The city has given permission to change the name of Times Square to "Dimes Square" for the day.

Canada Industry

Aiding War Effort

TORONTO, Jan. 12.—Canada's film trade organization to aid defense, officially known as the Motion Picture War Services Committee and headed by N. L. Nathanson, has planned a program of activities throughout 1941 in support of Canada's war effort. The committee arranged cooperation on behalf of 900 theatres to publicize the new installment method of paying the 1941 Federal income tax with the proceeds of certain charities in the Dominion providing a series of news clips.

Films for 900 Theatres

Four news shots to be produced by the Government will be released to the 900 theatres for the next War Savings Stamps campaign in February and March, for which there will be 3,280 bookings, representing approximately 30,000 showings.

A sub-committee to look after campaign details includes N. L. Nathanson, Col. John A. Cooper, O. R. Hansen, T. J. Bragg and N. A. Taylor, representing the circuits, independents and exchanges. Physical distribution of films will be handled by Regal Films, through its six branches.

The resignation of H. M. Myles, former Canadian manager of United Artists, was accepted and Henry L. Nathanson, general manager of Regal Films, was elected to his place on the committee, to which T. J. Bragg, secretary-treasurer of Famous Players Canadian Corp. appointed himself.

Other members of the board, apart from the sub-committee, include Harry Alexander, L. M. Devaney, J. J. Fitzgibbon, Claire Hague, J. P. O'Loghlin and Louis Rosenfield.
Critics' Quotes . . .

"PHILADELPHIA STORY" (M-G-M)

Has about everything that a blue-chip comedy should have.—Bosley Crowther, New York Times.

It was superb. It was grand entertainment. It was one of the happiest successes of the year.—Lee Mortimer, New York Daily Mirror.

Superb, and whoever has even the faintest share in making it is a dove . . .

the movie’s better than the play if for no other reason than where could you find a stage rife with such engaging people.—Cecilia Ager, PM (New York).

Much more entertaining than it sounds while being taken to pieces. That is because performances, moods and feelings are beautifully rendered.—Arch Winston, New York Post.

"LOVE THY NEIGHBOR" (Paramount)

With Benny and Allen as stellar principals, and with Mary Martin and Rochester performing in top form, "Love Thy Neighbor" looks like one of those rare "naturals."—John L. Scott, Los Angeles Times.

Considerably less than hilarious . . . One of the faults with it is that they both try too hard to be clever, and so at times the results are not only strained but unfunny.—William Bach, New York World Telegram.

From the very first flash—yes, even the listing of credits is good for a big laugh—the fun never stops.—Prunella Hall, Boston Post.

"SANTA FE TRAIL" (Warner's)

With the help of Michael Curtiz's well-tempered direction and Massey's passionate interpretation of Zeolot Brown, "Santa Fe Trail" is a love story which, in spite of its hackneyed romance, becomes a brilliant and grim account of Civil War background.—Time.

The switch from conventional yarn spinning to an entertaining story work is no hardship on either Western fan or Errol Flynn fan.—anchon News.

The story, expertly directed by Michael Curtiz, is developed into a dexterous plenty of action.—Nevin Wake.

It’s all the rankest hokum, but it’s photographs beautifully.—New York Times.

Attuned to one's eyes and intellectual sensibilities, since it is a colorful and random study, almost an essay, of circus characters and atmosphere.—New York Herald Tribune.

Brought to the screen in warm, beautiful tones of Technicolor, it offers a special treat for those who have admired at any time to the lure of the big top.—Donald Kithley, Baltimore Sun.

An eye-filling epidemic tale of early America. It has its amusing, also tense moments but it is more of a narrative than a drama.—Norman Clark, Baltimore News Post.

"NORTH WEST MOUNTED POLICE" (Paramount)

Handsome, naive and gory . . . a super production in its photography department.—Elzie Flink, Philadelphia Record.

So long as "North West Mounted Police" sticks to spectacle and action it is eye-filling and exciting. But when it depends on dialogue or comedy it is more of a little silly.—Philadelphia Inquirer.

There's plenty of action . . . And there's also a generous portion of romance and the beautiful outdoor scenery to please the eye.—Dorothy Guinan, Philadelphia Daily News.

"FOUR MOTHERS" (Warner's)

The production, direction and the acting are all up to snuff.—Gilbert Kanes, Baltimore Evening Sun.

Even if Warner Bros. are forced to continue the chronicle of the four charming Lemp sisters until they reach the grey-haired stage, the story must be a touching and appealing vehicle, as Priscilla Lane, Rosamary Lane, Lola Lane and Gail Page are just as interesting "Four Mothers" as they were "Four Daughters."—Philadelphia Daily News.

While an amiable film, it has little excitement and the story and characterizations seem to be running a bit thin.—Henry T. Mordock, Philadelphia Ledger.

A pleasant, wholesome family, but these affairs are beginning to wear a little thin.—Laura Lee, Philadelphia Bulletin.

Another warm, everyday story of family cooperation.—Philadelphia Inquirer.

"THE THIEF OF BAGDAD" (Korda - United Artists)

Korda, with superb grasp, has used the mesmerizing power of Technicolor and great, spectacular sets to dominate his production. It is terrifically effective, a master stroke, and the box-office should prove well worth the two years the producer spent in preparation and production.—Boston American.

Outside the Disney miracles, this is the best realization to date of the screen's ability to perform feats of magic and wonder.—Providence Journal.

Dismiss Para. Action

Stipulation has been filed in U. S. District Court dismissing with prejudice but without costs the libel action of Robert L. Backer against Paramount and Charles Beahan. The plaintiff alleged that a play, "Dearly Beloved," was infringed by Paramount in the film, "Midnight."

Circuit Is Realigned

COLUMBUS, O. Jan. 12—Changes in the corporate structure of the local F. W. Rowlands circuit include transfer of title of the Columbia neighborhood house, to Rowlands and associates by the Strand Theatre Corp., and the leasing of the Main to Main Theatre, Inc., for 10 years.

"IT MAY WELL BE THAT THIS PICTURE WILL DO FOR EDITH FELLOWS WHAT ANOTHER MONOGRAM RELEASE 'BOY OF THE STREETS' DID FOR JACKIE COOPER!"

Hollywood Reporter

2nd BIG WEEK World Premiere Hawaii Theatre Hollywood

EDITH FELLOWS & WILBUR EVANS IN "HER FIRST ROMANCE"

Based on the Novel "Her Father's Daughter" by Gene Stratton-Porter with Jacqueline Wells, Alan Ladd, Judith Linden

Produced by J. E. Chadwick Directed by Edward Dmytryk Screenplay by Adele Comandini

Edith Fellows will surprise... an excellent actress with a charming singing voice - Showmen's Trade Review. Well-knit package of entertainment - Boxoffice. Excellent job of directing Film Daily. Musical portion a delightful treat - Variety. Has charm, freshness and poignancy - Motion Picture Herald. Exceptionally fine music and singing - Motion Picture Review. A hit... Evans a screen surprise - Box Office Digest.
Song Writers Ask Support In Music 'War'

Song Writers Protective Association will call upon other creative crafts for assistance in the radio music battle which the organization meets tonight at the Park Central Hotel.

Representatives of Actors Equity, American Federation of Radio Artists, the Screen Guild of Variety Artists, Dramatists Guild, American Newspaper Guild and similar organizations have been invited.

Mary S. P. members are not affiliated with Ascap. Its president, Irving Caesar, and the bulk of the membership, are Ascap members, however.

ASCAP to Broadcast

Ascap this week will take to the air over the 103 stations which have renewed their contracts with the society to explain its position to the public.

On Saturday, 8 to 9 P.M., “Ascap on Parade” will be presented locally over WJN, WNEW and WMCA. Several of the out-of-town stations will be linked by wire but most of the remaining 103 stations will receive transmissions without picture.

Ascap will pay for the time on all stations. A 26-piece orchestra and a 16-voice choir will be heard, together with ascap representatives as guests. On the first show, Irving Berlin, George M. Cohan, Rodgers & Hart and Oley Speaks will appear.

The program, as it will be heard immediately prior to “Your Hit Parade” over CBS, will play the leading songs of the week, while the “Hit Parade” is being broadcast in non-Ascap towns. Billy Rose is producing the show and Deems Taylor will act as commentator. The program will be transmitted to the Ascap point of view.

Caesar Guest on Show

On Wednesday of this week, WNEW will start a new twice-weekly program, 9:30 to 10 P.M. Wednesdays and Fridays, which will feature Ascap songwriter-dick. Dick Gilbert will conduct the program. Irving Caesar, president of the Song Writers Protective Association, will be the first guest and will be followed by Abner Silver, Ernie Burnett, Peter de Rose and May Singhi Brein.

The “Pot o’ Gold” show for the metropolitan New York area heard over WHN, WNEW and WMCA will feature an Ascap composer each week with Cole Porter as the first guest. Yesterday, Caesar, who was formerly heard on WOR with “Song Hits Parade” of which the program was forced off the air by the music battle, returned with the same series over WNEW, for the last station has both Ascap and BMI music but pays nothing for either license because it is non-commercial.

It was announced yesterday it became known that of the commercial stations 601 have BMI licenses exclusively, 60 have Ascap alone and 63 have both. BMI has announced the signing of

Off the Antenna

MUTUAL plans to establish a regional hookup for central and northern New York with WABY, Albany, as the third station. WABY will leave NBC-Blue today and join Mutual as the network’s 173rd affiliate. The Adirondack Broadcasting Co., of which Harold Smith is president, owns WABY. The station operates with 250 watts full time, one station.

Purely Personal

P. J. Hennessey, Jr., former Washington counsel for NBC, has resigned to join Hogan & Hartson. The Washington lawyer for NBC, Charles Paul will supply the music for “March Through Life,” which starts today over CBS. .. Richard Bonelli and Ray Thompson will be guests of Raymond Ford on its last program Thursday over NBC-Red. Gene Hamilton, NBC announcer, became the father of a boy last week .... Sylvia Kleinberg, of WHN, was married last week to Hans Fisher .... Ted Steele has been signed as master of ceremonies for *Discovers of 1941.* .. Raymond Gray Swinging the Mutual microphone, Mr. Fo., manager, has been elected governor of the Pennsylvania district of Kuvios International.

WOR has added another half-hour to its daily operations and is going on the air at 5:30 A.M. instead of 6. Beginning Jan. 26, the additional half-hour will be added to the Consolidated Drug Products spot, 5:30-6 A.M.

WPTF, Raleigh, N. C., member of the NBC-Red eastern group, will go up to 50,000 watts unlimited time on Feb. 15, it was announced over the weekend. Rates per evening hour will be raised from $20 to $240 at the same time.

Program News: Philip Morris has renewed “Jimmie Fidler’s Hit Parade” effective Jan. 28 on 97 NBC-Red stations. Effective Jan. 28 by year, the Hit Parade K & J’s Stores will start a weekly full hour show this Saturday over WHN, 10 A.M.

Phil Cook’s annual drive for books for shut-ins on his “Morning Almanac” over WABC brought in 42,361 volumes from 1,861 contributors during the holiday season. The books were distributed to 78 hospitals and two Army training camps.

Postpone Trial of Ellis Contract Suit

PHILADELPHIA, Jan. 12.—A breach of contract agreement against 20 Century-Fox, scheduled for trial at the end of the month in Federal District court here, will be postponed, according to Abbe Ellis, the plaintiff, who alleges he was not served with notice. Ellis, who operates the Towers, Camden, N. J., filed suit last Fall for $67,500 damages for failure to deliver or otherwise settle the accounts he was charged. The suit was dismissed and a new one filed to reach an out-of-court settlement are pending.

Wallis En Route East

Hollywood, Jan. 12.—Hal Wallis, Warner’s production executive, left over the weekend for Washington and New York. He will confer in the early days with George Kaufman and Moss Hart on “The Man Who Came to Dinner.”

Rep. Holds Don Barry

Hollywood, Jan. 12.—Republic has extended Barry’s contract for another series of eight action westerns.

B. & K. in Parleys For AGVA Contract

CHICAGO, Jan. 12.—Negotiations between Jack Irving, president of the Chicago local of the American Guild of Variety Artists, and Nate Platt, production head for B. & K., are continuing. A settlement of some definite has yet been determined.

AGVA seeks a contract calling for an AGVA show on 600 weeks for principal contracts, $37.50 per hour for chorus, $25 per week for three performances daily and four on weekends and holidays, wardrobe to be furnished for chorus, hush money limited to 10 hours weekly and the chorus to receive one full week’s layoff with pay for each seven weeks’ engagement.

Mayo With Philadelphia AGVA

PHILADELPHIA, Jan. 12.—Dick Mayo, former local representative for the Theatre Authority, has been named executive secretary for the AGVA here local, succeeding Jack Miller, who went to the national offices in New York.


WASHINGTON, Jan. 12.—The Department of Justice is understood to have taken under advisement the Balaban & Katz proposal for taking over operation of the Oriental, second largest theatre in Chicago’s Loop.

The proposed B. & K acquisition was placed before Department of Justice representatives here on Friday in accordance with the standstill agreement on theatre acquisitions entered into by affiliated circuits. The Department of Justice in connection with the New York anti-trust suit.

Monogram Meeting Ends in St. Louis

St. Louis, Jan. 12.—Monogram concluded a two-day franchise holders’ meeting at the Hotel Jefferson here today, with W. Ray Johnston, president; Samuel (Steve) Broidy, general counsel and W. Ray Johnston of other parties discussing plans for the company’s “March of Monogram” drive, Feb. 22 to April 11.

Irene Wicker Gets Award Tomorrow

Irene Wicker, the “Sing Sing Lady,” who won first place in Motion Picture Daily’s poll of radio editors for the best children’s programs, will be formally notified of that distinction tomorrow at 2 P.M. when she will be guest on “Streamline Journal” on NBC-Blue.

Demand Ban Against Foreign Broadcasts

ROCHESTER, Jan. 12.—The drive to eliminate foreign language radio broadcasts by local stations received further support here over the weekend when the local chapter of the Sons of the American Legion announced they will resolute condemning such programs. All other chapters in the state were urged to take similar action.

Seek Showdown on Delaware Blue Law

WILMINGTON, Del., Jan. 12.—Plans to precipitate a showdown on Delaware’s 144-year-old Sunday blue laws will be discussed here by a group of proprietors of bowling alleys and skating rinks, who have announced the intention of opening their establishments Sunday. If they are closed by the proprietors, they said they will sue for warrants for proprietors of every other type of business operating on the Sabbath.

A special session for the 1941 state legislature, now in session in Dover, containing recommendations for changes in the blue laws being prepared by the Blue Laws Commission, of which the Rev. Ralph L. Minker is chairman.
C. C. Pettijohn
Hits Chicago
Censor Bill

Asks No Change in Board
If It Is Continued

by Irving Yergin

Chicago, Jan. 13.—The Chicago City Council Committee on Judicial was urged by C. C. Pettijohn, MPPDA general counsel, at a hearing today to make no changes in the censor board's operations in the event the city is to continue that board.

The committee's hearing was on a resolution to remove the censor board from Police Department supervision and to limit the new censor board's functions to censorship of pictures for children only.

Jack Kirsch, president of Allied of Illinois, and Morris Leonard, attorney for Balahan & Katz, also appeared before the board and said they concurred.

(Continued on page 6)

Stimson Praises
Industry Service

Hollywood, Jan. 13.—Y. Frank Freeman, chairman of the Motion Picture Production Defense Committee, today disclosed official recognition had been given the industry by Secretary of War Henry L. Stimson for its "non profit" services to the Army.

Stimson expressed appreciation for the industry's work since 1938 in training Signal Corps officers in film methods.

At the same time the Army announced the formation of the U. S. Army Chief Signal Officers Photographic Advisory Council which will advise Major General Mahnbourg, who is in charge of all matters policy regarding films for the Army. The council will consist of Col. Nathan Levinson, Lieut. Col. Darryl Zanuck and Major John Aalberg.

Formation of an Army Signal Corps Photographic Laboratory organization and the commissioning of 10 officers in the Signal Corps Reserve were announced today by the Research Council of the Academy of M. P. Arts & Sciences. Officers com-

The Song Writers Protective Association at a meeting last night at the Park Central Hotel decided to form an A.F.L. union to better cope with the present music situation, after a resolution was adopted urging that steps be taken to bring the song writers to the attention of the public.

Irving Caesar, S.P.A. president and prominent Ascap member, declared that BMI was the only important firm which has refused to sign the standard S.P.A. contract. Acknowledging that BMI has incorporated many of the S.P.A. provisions into its contract, "such things as royalties from the sale or licenses to...

(Continued on page 6)

Regulation Is
Threatened
By Wheeler

"Unbridled Propaganda"
Cited by Senator

By Bertram F. Linz

Washington, Jan. 13.—Legislation to regulate the motion picture industry was threatened today by Senator Burton K. Wheeler, anti-war chairman of the Senate Interstate Commerce Committee, as a result of what he termed its "unbridled propaganda."

The possibilities of Congressional action were disclosed in a letter which the Senator said he had sent to Will H. Hays, president of the MPPDA, charging the industry with engaging in extensive propaganda for war with the encouragement of the Administration.

The Senator told Hays that war propaganda by the industry was reaching a point where he believed legislation will have to be enacted to control such activities unless the industry adopts a "more impartial" attitude.

Discussing the situation, he said it was his understanding that the Administration had urged the industry to produce and distribute propaganda pictures.

Korda Arrives for U. A. Board Meeting

Alexander Korda, United Artists owner-producer, arrived from the Coast by plane yesterday. He will attend the monthly meeting of the United Artists board of directors at the home office today.

Korda plans to leave for the Coast on Tuesday. Maurice Silverstone, United Artists chief executive; Arthur W. Kelly, vice-president and general sales manager; Carl Schwartz, director and counsel, and Edward C. Raitter, director and counsel, will leave for the Coast this weekend for meetings with company producers.

Korda will testify tomorrow in Federal District Court in the suit of Samuel Goldwyn against United Artists, under an agreement reached yesterday by attorneys before Federal Judge Edward A. Conter. Korda will
Times Square to Be ‘Dimes Square’  
Mayor F. H. LaGuardia and other celebrities are scheduled to take part in ceremonies at noon tomorrow, changing the name of Times Square to “Dimes Square” for the day in connection with the theater and amusement part of the annual drive for the National Foundation for Infantile Paralysis. The downtown “line” from the Roxy to the Times Square Music Hall and the Roxy will put on a “dance of dimes.” This will be preceded by a parade down Broadway with about 1,000 ushers and others in line.

‘Philadelphia’ to Go Four Weeks at Hall

“Philadelphia Story” will play a fourth week at the Music Hall. Now in its third, the film with a stage show generated $62,000 Thursday through Sunday.

“Love Thy Neighbor” concludes a four-week run at the Paramount tomorrow. Tom T. Dorsey’s orchestra drew about $14,000 Saturday and Sunday and is expected to bring in its full capacity tonight with an estimated $30,000. “Second Chorus” with Harry James and his orchestra opened tomorrow.

Four Mothers” with Sammy Kaye on the stage garnered about $19,000 Friday, Saturday and Sunday in its first week and will be held for a second. At the Roxy, “Hudson’s Bay” and a stage show garnered about $86,000 Thursday through Sunday and will hold over.

“Night Train” continued strong at the Globe, drawing an estimated $11,500 the second week and is now in a third. “Kitty Foyle” will go a second week at the Rivoli.

7,871 Theatres Join In Red Cross Drive

A total of 7,871 theatres have participated in this year’s national Red Cross campaign, according to a report issued yesterday by the industry’s campaign committee for the theatres, of which L. E. Thompson is general chairman and David Palfreyman, secretary. It is pointed out that 6,488 theatres exhibited the industry’s special Red Cross drive subject, featuring Deputy Durbin, during the Nov. 11-30 period. An additional 1,423 theatres will hold their drive subject in 66 cities which conduct their annual Red Cross drives after Nov. 30, according to the committee report. A large number of the theaters which conducted the Red Cross subject during the drive are located in the community chest fund campaigns.

Club Election Saturday  
CINCINNATI, Jan. 13.—The Cinema Club of Cincinnati will hold its annual election of officers Saturday. Installation dinner has been set for Feb. 21, in the Variety Club quarters.

Personal Mention

ROBERT M. GILLHAM, Paramount advertising and publicity director, will arrive from the Coast today.

OSCAR MORGAN, Paramount Southern division manager, is in Atlanta on a brief business visit.

BETTY GOLDMANN, secretary to JAMES MULVEY, Eastern representative for Samuel Goldwyn, yesterday started on her 11th year with Goldwyn.

VENUS DIPSON, daughter of NIKI- 
TAS DIPSON, upstate New York circuit operator, and William Hels, is currently married recently at the home of Spyros Skouras in West- 
chester.

B. G. KRAUZE, RKO manager in New York, left yesterday with Mrs. 
Krauze for Miami.

MAX FRIEDMAN, zone booker for Warners Theatres in Albany, and Mrs. Friedman left over the weekend for a Miami beach vacation.

HARRY GLICKMAN, president of Mecca Films Laboratories, has returned from three weeks’ vacation in Miami.

FRANK J. SHAUGHNESSY, manager of the Academy, Northampton, Mass., sustained face and head injuries in an automobile accident last week.

JOHN MILLIGAN of the Schuyler, Schuylerville, N. Y., is in Miami on vacation.

Trade Press Lunch Welcomes Weshner

David E. Weshner, recently appointed exploitation director for United Artists, was feted yesterday at Dinty Moore’s restaurant attended by trade press representatives.

Among those in attendance were Martin Quigley, Maurice Silverstone, Arthur Kelly, Terry Ramsaye, Charles Buckley, Walter Gould, Monroe Greenhal, Albert Margolies, Maurice Kani, Chester Bahn, Don Mersereau, James P. Cunningham, Charles S. Aaronson, Jack Harrison, Charles E. Lewis and Herbert Golden.

Johnstone Named by New Orleans Union

NEW ORLEANS, Jan. 13.—A. S. Johnstone has been re-elected president of the operators’ Local 293 here. Other officers and vice-president; E. L. Beaud, recording secretary; J. E. Skelly, financial secretary; E. L. Beaud, business agent. Members of the executive committee are: W. L. Breitenmoser, Beaud, Mrinane, Skelly, A. T. Weiss, V. C. Mathe and T. N. Chateau.

N. J. Allied Unit Meets

Fortcoming nomination and election of New Jersey Allied state of- 
cers at Trenton Jan. 21 was discussed yesterday at a meeting of the South Jersey Allied, held at the Walt Whitman Hotel in Camden. Sam Frank, chairman of the unit, presided.

W. B. Release War Subject

By CHARLES S. AARONSON

“Christmas Under Fire,” second of the propaganda short subjects produced by the British Government’s Censorship Unit, will be previewed yesterday afternoon at Warners at the home office.

As was the case with “London Can Take It,” the subject, also released by Warners, the profits from the distribution of this film will be contrib- uted to the National Committee for Children’s Hospital.

The earlier subject was released last Fall, and the new one will be released Jan. 24. The first release is said to have been taken in the United States and Canada.

“Christmas Under Fire,” when shown in London in December, was reviewed by cable in The Dec. 22 Morton Picture Daily by Aubrey Farnan, who described it as a “superbly done” effort. Ernest Reigh- holds, London correspondent for Col- lier’s, who was narrator for the first subject, also handled the narration for the latter.

Running 10 minutes, the film pic- tures the manner in which the people of England carried through Christmas holiday tradition despite the enemy bombers overhead. Most impressive is the scene of small chil- dren in the back streets of Lon- don, playing telephone “pin- 
mans tree, deep underground in the London subway.

Jorgenson Action  
Started in Dallas

DALLAS, Jan. 13.—The anti-trust suit of H. N. Jorgenson, owner of the East Grand Theatre here, against Inter- state Circuit, went to trial today before Federal Judge William H. At- well and a jury.

The trial is expected to take two weeks, a new third trial in the Interstate. The other two are by Sam Kirschmeier, with trial scheduled to start Thursday, and R. Z. Glass, on next Monday.

Arthur Joints Republic

Hollywood, Jan. 13.—George Arthur, associate producer for Para- mount the last 12 years, has joined Republic in the same capacity.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)
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Sequel to "LONDON CAN TAKE IT!"

"XMAS UNDER FIRE"

Reel... Filmed Under Fire, and Narrated Under Fire in London by the Famed War Correspondent of Collier's Magazine

Quentin Reynolds

NOTHER WARNER WAR SCOOP!
“Things worth fighting for” said President Roosevelt! Read every word of it!

As men do not live by bread alone, they do not fight by armaments alone. Those who man our defenses and those behind them who build our defenses must have the stamina and the courage which come from unshakeable belief in the manner of life which they are defending. The mighty action that we are calling for cannot be based on a disregard of all the things worth fighting for. The nation takes great satisfaction and much strength from the things which have been done to make its people conscious of their individual stake in the preservation of democratic life in America . . .

Here’s how you as part of the motion picture industry may help in the united effort to make all our people “conscious of their individual stake in the preservation of democratic life in America.” (continued above)
THE SCREEN REPLIES!

While the President’s words still echo throughout the land, how fortunate that our industry stands ready to fill the public’s demand for a thrilling American motion picture entertainment! Here it is for you to see its wonders for yourself! It has been successfully pre-tested and complete showmanship campaigns are available to make it easy for you to score at the box-office and in the esteem of your community!

139 FAMED STARS 1000 BIG THRILLS NEVER EQUALLED!

OUR GUARANTEE: More roaring thrills per second than any screen entertainment in history! Cavalcade of screen wonders snatched from the treasures of 51 Hollywood producers! 150 years of breathless American drama... adventure... romance... packed into one mighty show!

The Motion Picture Industry of the United States presents

LAND OF LIBERTY

Edited by CECIL B. DEMIILLE

Sponsored by the Motion Picture Producers and Distributors of America, Inc. Released by METRO-GOLDWYN-MAYER

All sales profits from this film made by the Distributor will be donated to war emergency work by the Motion Picture Industry.

THEATRE

(above: One of the showmanship ads from the successful Williamsport test run.)

REMEMBER!

The entire cost of making "Land of Liberty" was donated by the organized industry!

(1) Every producer joined in making it.
(2) All sales profits realized are being donated to war emergency work.
(3) All the services of distribution are given free.
(4) Exhibitors are asked for rental only. Exceptional opportunities are yours through live-wire showmanship!
(5) M-G-M is handling distribution on behalf of the industry. Communicate with your M-G-M Branch.
C.C. Pettijohn Hits Chicago Censor Bill

Cites Film Improvement

“Motion pictures today,” Pettijohn told the committee, “are far superior artistically, morally, in entertainment value and in every other way than at the time your obsolete, useless and un-American censorship ordinance was passed. While we are all opposed to the censorship of any form of human expression, if you are to continue to have a censorship board in Chicago, we respectfully and unanimously suggest that you continue to let it be conducted as it now is.”

The committee will visit censor board headquarters on Wednesday to make a first-hand study of its operations and will make its report to the City Council within the next two or three weeks. The report is expected to include a recommendation exempting newsreels, which are now subject to censorship.

C. [illegible]Motion Picture Sound Engineering - The Industry's Leading Sound Engineers Prepared this Book for You!

44 pages, completely covering every practical method and process in present day sound engineering. Every detail of apparatus and its arrangement is minutely explained and profusely illustrated. Here is the practical answer to the perplexing problems of sound engineering. Order today!

$6.50 POSTPAID

QUIGLEY BOOKSHOP
ROCKELLER CENTER, NEW YORK

Motion Picture Daily
Tuesday, January 14, 1941

C. C. Pettijohn Hits Chicago Censor Bill

(Continued from page 1)
in Pettijohn’s statements, Walter Crowell of the Juvenile Protective Agency of Chicago told the committee there had been fewer cases of juvenile delinquency reported involving motion pictures than almost any other enterprise.

Circuit in Canada Pays Draftee Wages

St. John, N. B., Jan. 13.—In addition to a bonus to all employees of from one to three weeks’ pay, according to length of service, Franklins & Herschorn, local employers, are paying employees who are drafted for army training their regular wages on full. Thus far, the training is for one month only, but indications are for an extension of three or four months.

Stimson Praises Industry Service

(Continued from page 1)
missioned as part of the war department plans to use the industry’s facilities are S. J. Briskin, major in charge of the industry’s draft department; Mitchell, W. W. Lindsay, captains: Lloyd T. Goldsmith, D. B. Grayhill, Kay Freminston, Arthur Ramsey, J. F. West, Winton C. Hoeh, first lieutenants; Jules Buck, Milton Sperring, second lieutenants. None is to be called to active duty except in case of full mobilization.

Korda Arrives for U. A. Board Meeting

(Continued from page 1)
answer written interrogatories submitted by Goldwyn’s attorneys. Judge Conger yesterday ordered Goldwyn to drop a number of allegations in the second cause of action in the complaint, which demands $2,000,000 damages for alleged U.A. interference with the distribution of “The Westerner.” The court ruled the allegations were unnecessary. He also held that Goldwyn could not seek damages in addition to an injunction in the first cause of action of the complaint.

Para. Realigns Phila. Territories

PHILADELPHIA, Jan. 13.—Charles Malley, veteran Paramount booker here, has resigned to join the A. T. & T. Stanley Cohen, formerly at the local Columbia exchange, has replaced him. Realignment of territories has Ralph Garman handling the Warner circuit and all key towns; Matthew Judge, Philadelphia and vicinity; given, southern New Jersey, and Merton Nason, Comerford Public, and all Louisiana, by Pennsylvania exclusive of Philadelphia and vicinity.

Clurman Joins 20th-Fox

Hollywood, Jan. 13.—Harold Clurman, organizer and business manager of the Group Theatre in New York, has joined 20th-Century-Fox as an associate producer. His last film work was on Walker Wanger’s “Blockade.”

‘U’ Transfers Grant

INDIANAPOLIS, Jan. 13.—Wilbur Grant, northern Indiana representative for Universal, here, has been transferred to Philadelphia, Pa. William Reimer succeeds him in the local post.

Exchange Contract Demanded in Albany

ALBANY, Jan. 13.—A contract covering working conditions for local exchange office employees must be signed without delay, branch managers here will be informed. Edward K. Flaherty, representative of the employees, who are members of Local 2040, American Federation of Office Employees, was so instructed to advise the managers following a union meeting at the DeWitt Clinton Hotel today.

The union, an A. F. L. affiliate, authorized Flaherty to take whatever action he deems necessary to obtain compliance in the event the exchanges do not sign promptly. The union’s membership includes virtually all office employees of the local exchanges.

Reading Musicians Elect Diefenderfer

READING, Pa., Jan. 13.—The local union has elected Ira L. Diefenderfer as president for his 21st term. George W. Snyder, another veteran, was inducted for his 12th term. Secretary-treasurer of other officers are George S. Hailer, vice-president; Edward A. Glicker, secretary, and George A. Mays, assistant secretary. At the installation, the committee was appointed to arrange for the union’s 40th anniversary celebration to be held in the Abraham Lincoln Hotel in March.

Cleveland Operator License Bill Killed

CLEVELAND, Jan. 13.—The City Council has killed a proposed city ordinance to require all motion picture operators to obtain a license from the city. Building Commissioner William D. Guion explained the purpose of the ordinance was to obtain new income for the city.

An overflow crowd which stormed into the City Council committee hearing protested, however, that the measure intended to kill the sale of educational films to schools was unjustified by the income to be obtained.

Baltimore Variety Club Dance Feb. 1

Baltimore, Jan. 13.—Third annual dinner and dance of the local Variety Club will be held Feb. 1. Rodney Collier, manager of the Stanley Theatre, is general chairman of the affair.


Producers’ Release In Canada Is Set

HOLLYWOOD, Jan. 13.—Producers Releasing Corp.’s 1941 films will be released in Canada and the Maritime provinces by the former Grand National Films, Ltd., which will be re-incorporated as Producers Releasing Corp. of Canada and Newfoundland.

The company plans to release a minimum of 38 pictures.

Reach Agreement On Birthday Balls

CHICAGO, Jan. 13.—An agreement was reached here yesterday with the Theatre Authority which will permit actors to appear at the President’s birthday balls in Chicago, St. Louis and Baltimore. Permission previously had been refused.

The agreement provides for 15 per cent of the gross receipts to be given to the Theatre Authority’s welfare fund and for employment of a “standby” man. The agreement was worked out by the Theatre Authority’s Mid-West branch, which is the clearing house for benefit shows for the Associated Artists of America, with the President’s Birthday Ball committee.

Publicists’ Guild Charges ’Stalling’

A resolution charging major companies with “stalling” in their relations with the N.L.R.B. Publicists’ Guild was adopted by the organization at its last regular meeting. Copies of the resolution calling on the companies “to meet with us imme-

Ray-Bill Ordered to Reinstate Union Men

WASHINGTON, Jan. 13.—Ray-Bill Films, Inc., St. Paul, Minn., producers of educational films, were ordered by the National Labor Relations Board to cease discouraging membership of employees in Motion Picture Laborers, A. F. L., or any other labor organization and to offer reinstatement with back pay to an employee found to have been discharged in February, 1940, for union activities.

Moss Plans 2nd House

Polo Club Corp., in which B. S. Moss is president, has disclosed plans for a 2,000-seat theatre and commercial development to be built between 75th and 76th Streets, Jackson Heights, L. I. Moss said plans were filed last week for a similar development in Forest Hills, L. I., and it was recently announced that arrangements were being made for a second house to be built on the Polo Club site.

‘Crazy With Heat’ Opens Here Tonight

A new musical revue, “Crazy With the Heat,” starring Willard Hopper and Stella Gear, opens tonight at the 44th Street Theatre. Kurt Kasen, who produced the show, directed it.
PUT THE SPOTLIGHT ON
Box Office Profits!

- The successful theater owner realizes how much his profits depend upon good projection. That is why you will find High Intensity projection in the most successful theaters.

The fast moving colorful modern productions demand the abundance of snow white light that can be obtained only from High Intensity projection. Clear, comfortable vision is assured and that means satisfied patrons who come again and again. This repeat business is what builds box office profits.

High Intensity projection is available at low cost to every theater, small and large. With the new "One Kilowatt" arcs even the smallest theater can now afford to cash in on the dividends that will accrue from High Intensity projection light.

Ask your dealer for a demonstration of this modern projection light. See for yourself what a vast difference it makes in your pictures and how little it costs to be modern.

NATIONAL CARBON COMPANY, INC.
Unit of Union Carbide and Carbon Corporation

Carbon Sales Division, Cleveland, Ohio
GENERAL OFFICES
30 East 42nd Street, New York, N. Y.
BRANCH SALES OFFICES
New York, Pittsburgh, Chicago, St. Louis, San Francisco
Foods Lead CBS Billings At $13,287,174

Food and food beverages topped the industry classifications in CBS gross billings during 1940, with $13,287,174. Drugs and toilet goods ran second with $8,738,400.

Cigars, cigarettes and tobacco contributed $6,511,407; holds, $3,923,407; lubricants, $2,448,700; confectionery and soft drinks, $1,932,526; automotive, $1,930,657; groceries, $3,020,000; stationery and publishing, $231,403; building materials, $171,076; paints, $39,129; radios and phonographs, $32,987; traps, $3,207; political, $335,406, and miscellaneous, $23,153.

General Foods was the top client with $4,092,519, followed closely by Campbell, $4,044,389. Benton & Bowles was the leading agency with $5,928,963; Campbell & Ryan was second with $4,569,185.

Radio Engineers to Meet on Allocations

WASHINGTON, Jan. 13.—Engineers from countries which are parties to the North American Regional Broadcasting Agreement will meet at FCC offices tomorrow to consider problems which threaten to create station interference when the new allocations go into effect at the end of March.

FCC officials said today that the problems discussed are of an engineering character, but explained that some of them would affect the allocations and might make necessary changes in the frequencies of certain broadcasting stations in this country.

Move Booking Office

MINNEAPOLIS, Jan. 13.—The Pioneer Theatre Co. has removed its booking office from the St. Louis Park Theatre building in suburban St. Louis Park here, to Des Moines, to reach a more central point among the dozen theatres served by the office. Mac Factor is head of the office, and will serve Des Moines.

Many of the firm’s theatres are located in Iowa.

Radio Companies Sued

Adrian J. Planter has filed suit in N. Y. Supreme Court against Greater New York Broadcasting Corp. and the International Broadcasting Corp., seeking $4,159 damages against the former, and $189 against the latter. He contends the defendants breached an employment contract.

Crooks Receives Daily Poll Award

Richard Crooks, star of the “Firestone Hour,” on the program last night over NBC-Red acknowledged his designation as the male classical vocalist in the recent poll of radio directors conducted by Motion Picture Daily.

Fly Sees Early End Of Monopoly Probe

WASHINGTON, Jan. 13.—Hope that the long pending monopoly investigation may be brought to an end within a matter of two or three weeks was expressed in the writing of a final report by the FCC, was expressed today by James L. Fly, chairman, who said that, in appearing before the House Appropriations Committee last month at hearings on the FCC budget for the coming fiscal year, he was questioned about the status of the monopoly investigation. The preliminary report, submitted to Congress last June, started hearings before the Senate Interstate Commerce Committee on the reapportionment of former Commissioner Thad H. Brown.

Fly said today that he hoped to be able to get the FCC fee’s final word on the point within two or three weeks, but that no decision has been reached on whether it would be sent to Congress.

Charter Four Companies


Canadians Name Wells

TORONTO, Jan. 13.—E. H. Well, president of Canadian Motion Picture Distributors, Ltd., has reported to the now under the presidency of J. P. O’Regan, with Carl A. Custer, former president, as chairman of the board.

Well has been secretary of the Canadian Film Board of Trade for a number of years, and will continue in that capacity.

Kunitzky in U. A. Post

ST. JOHN, N. B., Jan. 13.—Succeeding George Bezer, promoted to manager of the local United Artists exchange, as office manager-booker is Sam Kunitzky of St. John. Kunitzky has been a partner of Sam Jacobs in Eastern Films, independent exchange here.

Song Writers Organizing; BMI Attacked

AP to Sell Service To Stations Direct

The Associated Press will drop its present policy of dealing with radio stations only through newspaper members of the AP and will sell its service to radio broadcasters themselves, it was revealed yesterday. The new setup was authorized by the AP board during its meeting last week.

The board also declared that a separate organization should be created within the AP for servicing news to radio stations and networks, but details will not be made known until later this week.

Cincinnati Games at New High Last Year

CINCINNATI, Jan. 13.—Championship game in the city reached an all-time high in 1940, when the attendance, 2,674,186, was about $1,437,837. Gross receipts were in excess. The former, $2,321,513, the latter $357,323, leaving net profit of $1,437,837, to the sponsoring organizations, according to records of the Cincinnati Theatre Co.

Comparatively, in 1939 there were 2,525 patrons attended by 2,431,861. The gross was $1,294,989, prizes totaled $6,793,213, and net profit $20,793,213.

Sue Over Screen Credit

Mitchel Parish and Hoagy Carmichael, song writers, have filed a $50,000 suit against 20th Century-Fox alleging they failed to receive screen credit for “Stardust in the Rain,” in which they composed the music. The company has filed an answer saying that the contract for the song did not require screen credit.

Messenger Robbed

MINNEAPOLIS, Jan. 13.—A messenger for the Franklin Amusement Co., Fred Berg, was robbed today of about $1,000, the weekend receipts for the Franklin Theatre and two other suburban houses operated by the company.

Seek Permits for FM Stations

WASHINGTON, Jan. 13.—Applications for two more FM stations have been filed with the Federal Communications Commission, construction permits for a station to be located in Albany, N. Y., for a station to operate on 45,100 kilocycles, covering 7,104 square miles with a population of 922,163, and by SeaBoard Radio Broadcasting Corp., Glenside, Pa., for a station to operate on 48,800 kilocycles, covering 9,004 square miles with a population of 2,987,000.

The commission announced it had tentatively set February 28 as a hearing on the conflicting applications of the Park Cities Broadcasting Corp. for a new 940-kilocycle, 500-watt station at Dallas, and Station KRBG, Abilene, for change of frequency from 1,420 to 940 kilocycles and increase of power from 250 to 1,000 watts.

The commission has granted Greenco, Inc., a construction permit for a new 1,420-kilocycle, 250-watt station at St. Louis, Mo., under the call letters KGCO, S. C. The commission also authorized increased in night power in night power in operation from 2,000 to 3,000 watts at Stations KPHY, Branson, Mo., and KEMG, Canton, Iowa, and KRAY, Defiance, O. These powers also increased in night power in operation from 2,000 to 3,000 watts at Stations KPHY, Branson, Mo., and KEMG, Canton, Iowa, and KRAY, Defiance, O.

Trenton Musicians Elect Manager

TRENTON, N. J., Jan. 13.—The local musicians’ union, No. 62, has elected the following officers for the year: John E. Curry, president; George Butler, vice-president; Alva H. Phillips, treasurer, and Peter William Radice, business agent.

Schines Try Stage Show

ROCHESTER, Jan. 13.—Schine’s Rialto, in New York, has show this weekend with Jane Auty’s Colorado Cow Girls featured. The act played the Rialto Friday night and the Temple Saturday night.
Para. Realignment Set for Sales Meet

Realignment of Paramount’s sales organization to meet changes imposed by the consent decree will be announced in time for announcement at the company’s meeting of district and branch managers at Chicago, Jan. 21 to 25, it was stated yesterday.

Exhibitors Warned

Tickets Must Show Admission Prices

WASHINGTON, Jan. 14.—Motion picture exhibitors today were warned by the Internal Revenue Bureau that all tickets sold must show the price of admission conspicuously, regardless of whether they are taxable or tax-exempt, and ticket printers were urged to discourage orders for tickets on which a blank space is left, to be filled in later by the theatre.

There is no penalty attached to the printing of tickets without the price of admission, but such so-called stock tickets may not be used by any theatre without showing the price except under liability to severe penalties, it was pointed out. Since all ticket printers are required to report all orders placed by customers, it is relatively easy task to run down tickets which are sold without having the price imprinted.

“Cheers for Miss Bishop”

[Rowland-U.A.]

A GAIN that incurable romanticist, Richard A. Rowland, who arose to fortune on the first tide of the screen, only to share in its ebbs and flows ever since, arrives pristine again with a major picture—“Cheers for Miss Bishop.”

Many, if not most, showmen will be a-remembering when “Dick” brought forth, exclusively on his own enthusiasm and ardor, that fabled “The Four Horsemen of the Apocalypse,” so long ago. There is one difference now. Rowland never read the “Four Horsemen,” but for the two years since he first read “Miss Bishop,” the novel

Ascap Ponders Labor Union

Or Guild for Its Members

The possibility that Ascap members will form their own guild or union or affiliate with an existing authors’ guild in order to meet changed music licensing conditions resulting from the formation of Broadcast Music, Inc., by the major networks, was broughed in responsible music quarters yesterday.

Ascap officials admit they see the guild-union plan as an alternative to Federal regulation of both Ascap and the networks-BMI group or a Federal consent decree in the radio-music field. They are not committing themselves to any one plan of possible affiliation.

Discussion of the subject followed on the action of the Song Writers Protective Association in approving plans Monday night for the formation of an A. F. L. union for its membership, for the same reason.

It was also reported yesterday that informal discussions have been held by Ascap officials with officers of the Authors League of America on the general advisability of Ascap’s membership becoming affiliated with that organization.

It was said that representatives of the Authors League also view the ex-

Lee Elected Head

Of M. P. Associates

Joseph J. Lee, sales manager at the 20th Century-Fox exchange, yesterday was elected president of the Motion Picture Associates by a margin of 16 votes. He will succeed Jack Ellis of RKO, who, after serving three terms, retired from office, Lee defeated Nat Beier of United Artists, 48 to 64.

Other officers elected are: James Frank, National Theatre Supply, vice-president; Matthew Cahen, incumbent, second vice-president; Saul Trauner, incumbent, treasurer; Moz Finn, incumbent, recording secretary; Louis Kutinsky, sergeant-at-arms; Ben Abner and Seymour R. Schusel, trustees, and Charles Pensler, incumbent, financial secretary. Frank will appoint a board of directors.

The officers will be installed at a meeting Jan. 21 at the Hotel Astor.
Call Off UA Meeting; To Be Held on Coast

The monthly meeting of the United Artists board of directors which was scheduled for yesterday was postponed indefinitely. A meeting is expected to be held in Hollywood late this month instead.

Maurice Silverstone, Charles Schwartz and Edward C. Batten are scheduled to leave for the Coast this weekend. Alexander Korda, who arrived this week, will return to the Coast in the next few days.

Arthur W. Kelly, vice-president and general sales manager, will accompany the United Artists contingent west.

Shea Promotes Murphy

BUFFALO, Jan. 14.—Robert Murphy, booking manager for the Shea circuit here for five years, has been named city manager at Niagara Falls, N. Y.

AMERICAN'S SOUTHERN SUNSHINE ROUTE

* Five American flagships daily take you along the Southern route across Virginia, Tennessee, and through the sunshine of Texas and Arizona to Los Angeles and the Pacific Coast. Save days of time, enjoy every minute of your trip. For reservations, call your Travel Agent or Havemeyer 6-5000. Ticket Offices: 18 W. 49th St. at Rockefeller Center and 45 Vanderbilt Ave. at Grand Central.

AMERICAN AIRINES INC.
ROUTE OF THE FLAGSHIPs

Personal Mention

E. K. O'Shea, Central division manager for M-G-M, will leave today for a visit to branches in Kansas City, Memphis, Oklahoma City, St. Louis and Indianapolis.

Leon Netter, Paramount theatre executive, will leave today for Atlanta to confer with Lucas & Jenkins and for Miami to confer with S. A. Lynch. He will return next Tuesday.

James R. Grainger, president of Republic Pictures, has returned from extended trip.

Alan Corelli, head of the Theatre Authority, is due back from Florida at the end of the week.

Otto Rolle, manager in South Africa for 20th Century-Fox, leaves Feb. 1 for his headquarters in Johannesburg after a visit here.

Robert Coulter, manager of the Byrd; Alles Brown, manager of the Brookland, and Robert Eagan, manager of the Park, all Richmond houses, are ill with the grippe.

Edward Gibley, formerly on the service staff of Loew's Capitol, Washington, is now student manager of Loew's in Richmond, succeeding Peter Stainback.

Evelyn Fried of the Warner Cleveland office is here on a brief vacation.

Dave Rose, Paramount managing director for England, is scheduled to arrive from the Coast next Monday, on route back to London. He will sail from here Jan. 25.

John Boutique and Mrs. Boutique of Seattle were visitors at M. P. Greenthal yesterday. They are in the East to attend President Roosevelt's inauguration, Jan. 20.

George Weltern of Paramount is confined to his home with a cold.

Maurice Silverstone, J. J. Milstein, Martin Moskowitz and Hal Horne lunching yesterday at Lindy's (51st St.).

Martin Quigley, Joseph Seidelman, Colvin Brown, Sam Shain, Monroe Greenleaf and Morris Alin having lunch at the Tavern yesterday.

Sol Edwards, Louis Astor, Max Weisfelf and Lou Weinberg at Lindy's (next to the Rivoli) yesterday for lunch.

Maurice Bergman, Oscar A. Doob, Toby Gruen, J. J. Uscher, Tom Conners, Russell Holman, Max Dreyfus, Leon Netter and Harry Brandt lunching yesterday at Nick's Hunting Room in the Astor.


Sam Coolick Wins Exploitation Prize

Sam Coolick, in charge of publicity for Loew's East Coast theatres, has been awarded first prize for his promotion of "Foreign Correspondent" in a contest of promotion and publicity contests conducted by United Artists among Metropolitan New York circuits. Judges in the contest were Monroe Greenleaf, director of advertising and publicity for U. A.; Oscar A. Doob, advertising and publicity director of Loew's theatres, and Harry Koutiner, Eastern representative for Walter Wanger.

O'Shea Toastmaster At Party for Martin

BUFFALO, Jan. 14.—W. E. J. Martin, dramatic critic for the Buffalo Courier-Express, will be honored on the evening of Jan. 27, at a testimonial dinner in the Variety Club rooms. E. K. O'Shea, M-G-M Central division manager in Buffalo, for the occasion to be toastmaster. O'Shea was president of the club when Martin first was elected secretary.

Newsreel Parade

THE controversial aid-to-Britain bill is most significant of various important subjects to the new issues. Paramount and RKO Pathé include the first full account of the Greek capture of Corinth. The contents:

MOVIEVENTS NEWS, No. 37.—Willkie enforces Roosevelt policy. War munitions have been dropped off in Greece, to assist in rearming. Organization. Army ski patrol manpower. New California dam takes shape. Motor boat show in New York. Dog sled races at New Hampshire exhi

NEWS, 1, 1941—M-G-M, Mandat


NEWS, No. 4.—M-G-M, Mandate


Loew's Paid Schenck

WASHINGTON, Jan. 14.—Nicholas M. Schenck, president of Loew's, Inc., during the company's fiscal year ended Aug. 31, received $318,881.97, according to a report filed with the Securities and Exchange Commission here today.

The report also showed that during the company's last fiscal year the aggregate amount payable to directors and officers as a group for services in all capacities was $2,220,730.

Stockholders of Loew's will be asked to approve a five-year extension of the present contract with Schenck as president and to reelect the present directorate at a meeting called for Feb. 11.

Newspaper

Fine Gesture

Pittsburgh, Jan. 14.—Before leaving his post as M-G-M exchange manager here for his new district manager position at Kansas City, Burt Bishop asked that the $500 net profit on a testimonial dinner held for him, be given to Variety Club charities instead of being spent on an extra gift for him.

LOEWS' SOUTHERN SUNSHINE ROUTE

BUFFALO, Jan. 14—Robert Murphy, booking manager for the Shea circuit here for five years, has been named city manager at Niagara Falls, N. Y.
CARY GRANT alone would make it a great picture—
KATHARINE HEPBURN ditto—
JAMES STEWART likewise—
PUT THEM ALL TOGETHER they've made the
biggest entertainment you'll see in all of 1941!

CARY GRANT

CARY GRANT - KATHARINE HEPBURN

CARY GRANT - KATHARINE HEPBURN - JAMES STEWART

M-G-M's “THE PHILADELPHIA STORY”

with RUTH HUSSEY

JOHN HEBARD - ROLAND YOUNG - JOHN HALLIDAY - MARY NASH - VIRGINIA WEIDLER - Screen Play by Donald Ogden Stewart
Based on the Play by Philip Barry - Produced by The Theatre Guild, Inc.
Directed by GEORGE CUKOR - Produced by JOSEPH L. MANKIEWICZ
A Metro-Goldwyn-Mayer Picture

“Boom Town” was the darling of 1940!
“PHILADELPHIA STORY” is the sweetheart of 1941!
Films Will Promote U.S. In Americas

(Continued from page 1)


Several pictures scheduled for production in the near future may be photographed either in whole or in part in Central and South America. A special committee has been formed to investigate production facilities and desirable locales available there, the announcement said.

Expert With P. C. A.

Whitney, who is on the Coast holding conferences with leaders of the industry, said that the M.P.P.D.A. has agreed to cooperate in an attempt to improve the methods of the life of the Latin-American countries in the service of the office of the Production Code Administrator in Hollywood. This person will operate with producers to insure authenticity in films involving Latin America and to advise on language and historical problems.

Whitney also said that the leading studios have appointed, or will appoint, special representatives who will concentrate on Latin-American production aspects. In certain instances, companies have already sent representatives for the hoped-for conference in Latin and South America to confer on this problem.

Some of the companies plan to send a number of the Irving performers to Latin America to appear at premieres, the announcement said. Twentieth-Century-Fox plans to send Alice Faye to Brazil for the opening of "The Road to Rio," according to Whitney, and Paramount is contemplating sending Dorothy Lamour on a personal appearance tour and will ask Cecil B. De Mille to arrange his time to include a lecture tour in Latin-American republics.

Newsreel Important

"Increased newsreel coverage will be an important feature of the industry's cooperation with the Government program," Whitney said. Norman Alley, News of the Day (M-G-M) who has covered the Far East and Europe, will leave for South America within a few days, and other newsreel men will follow. "It is hoped," Whitney said, "that "Eyes on the Brazil," will be released next month.

"The program outlined by the industry is to be based solely on the preparations for this event," he said Whitney. "Our American screen has always attracted the greatest audiences in the world because of its freedom of expression and expression of freedom. The producers feel that through sympathetic study of the cultural bonds existing among the American republics, elements of screen entertainment heretofore undiscovered or not fully realized can be found and brought to life on the screen and this, in turn, will do much to create a better understanding among the nations of the hemisphere."

Freeman Heads Committee

In announcing appointments to the committee, Rockefeller said that the executive committee, which will be headed by V. Frank Freeman, president of the Association of Motion Picture Producers, will direct the program to be undertaken in cooperation with Whitney, representing the coordinator's office.


Personnel of the cooperating committee as announced by Rockefeller, follows:

Committee on visits to South America: Joseph Schenck, chairman; Edward Arnold, Kenneth Thomson, Benjamin Thau.


Committee of the Academy of M. P. A. and Sciences: Walter Wanger, chairman; Frank Capra, Robert Riskin, James Stewart, Robert Riskin.

Short subjects committee: Gunther Heileman, chairman; Jack Chertock, Gordon Henderson, Hugh McColm.

Art direction committee: Cedric Gibbons, chairman; Richard Day, William Cameron Menzies, Jack Lothrop.

Committee on story material: Sheridan Gibney, chairman; Herman Kenna, Milton Krims, Kenneth MacGowan.

"Virginia" (Paramount)

Hollywood, Jan. 14—"Virginia," a Paramount production produced and directed by Edward H. Griffith in Technicolor, is a charming, although lengthy, story of the modern South. It deals with two principal characters, a woman born in the South but raised in the North, and a man who, though impoverished, keeps up the cherished traditions of generations long dead. The picture is the divergence of their personal experiences and the theme of the picture. Their marriage has not been, and is not. The picture ends with their divorce. Fred MacMurray and Madeleine Carroll are the principal players. Their work, however, is shadowed by that of Sterling Hayden, a film newcomer, who does an excellent job, and also by that of Carolyn Lee, a tiny girl who completely captured the preview audience. Others in the cast are Marie Wilson, Tom Rutherford, Helen Broderick and Paul Hurst.

In addition to being producer and director, Griffith also collaborated on the story with Virginia Van Upp, the latter doing the screenplay.

There are several melodramas in the film, which rates as adult entertainment.

Running time, 110 minutes. "A."*VANCE KING

*"A" denotes adult classification.

$10 Daily Fee Standard for Arbitrators

(Continued from page 1)

complaints, the A.A.A., it was said, would exercise its right to lower or waive the standard fee.

In general, however, that fee will apply to all types of cases and will prevail in all of the 81 industry arbitration boards. Arbitrators' fees will, of course, be in addition to the established filing fee of $31.

After considerable study the A.A.A. adopted the standard $10 fee in preference to a sliding scale of fees.

Warburg Comments

Commenting upon the establishment of the standard fee for arbitrators, Paul Felix Warburg, president of the A.A.A., said: "The Association has followed its principle that arbitration should be simple and inexpensive. From its own experience it has found that the best men of the country are obtainable as arbitrators on the basis of an honorarium.

"We feel that the $10 fee and the provisions for waiver or reduction will work to the good of the exhibitor. We do not want any exhibitor to lose his right to arbitrate because of prohibitive cost of arbitrators' fees. In appointing the arbitrators we are finding that they are eager to help the Association make a success of the consent decree."

Rudolph de Cordova Dies

LONDON, Jan. 14—Rudolph de Cordova, 81, actor and dramatist, who wrote the film version of "Romeo and Juliet," is dead here. Among the survivors are three brothers, Leander de Cordova, a star in Hollywood, and Reneu de Cordova, and a sister, Mrs. Arthur J. Sanville.

"Cheers for Miss Bishop"

(Continued from page 1)

by Bess Streeter Aldrich, he has been living, believing, dreaming the story and its picture. His faith is not too often nor too lightly given.

"Miss Bishop" is romance, basic, human, as sad and merry as life itself may be. It is a tale of a schoolgirl who became a schoolmarm, or rather a college teacher and a great Midwest, where swift currents of impulse, temptation, ambition and passion flowed about, while she held her embattled, sometimes emblazoned, position as a bird holds place with "The Spoilers."

It is a story, too, of ideals and devotion, poignantly told, but always with restraint that keep it believable, and rather like its heroine, never preaching and proclaiming.

The direction is in the best manner of Tay Garnett. The title role and the lion's share of the honors of attainment go to Martha Scott, who is co-starred in the billing with William Gargan, who does exceedingly well opposite in the role of the man who waited, forever. Feature credits include Edmund Gwenn, Sidney Blackmer, Dorothy Peterson, Sterling Holloway, Donlad Douglas, Marsha Hunt and Lois Ransom. Also if you look sharply, and you remember, you'll be seeing again William Farnum, who came to fame way back with "The Spoilers."

The screen adaptation was by Stephen Vincent Benet, and the screenplay by Adelade Heilbron and Sheridan Gibney.

Cheers for Dick Rowland. You'll be hearing. Anybody can see it.

Running time, 95 minutes. "G."* * "G" denotes general classification.

Lincoln Turns Out

For 'Miss Bishop'

LINCOLN, Neb. Jan. 14—This Nebraska city had its first film premiere tonight when Richard A. Rowland's "Cheers for Miss Bishop," released by United Artists, opened at the Stuart, Nebraska Lincoln theatres.

The premiere followed a full day of festivities in which a Hollywood delegation headed by Rowland took part. Personal appearances were made at the three houses, with Governor Griswold introducing the celebrities. There were several radio programs.

In addition there was a reception at the Nebraska University Coliseum, with a capacity crowd of 10,000, including students and school teachers, who were excused from classes for the day.

Tay Garnett, director of the film, after two lectures at the University yesterday, became ill with the flu and is confined to his hotel room under a doctor's care.
WAY!

THE GREATEST STORY OF THE WEST
BY THE WEST'S GREAT STORY TELLER!

ZANE GREY'S

WESTERN UNION

with ROBERT YOUNG • RANDOLPH SCOTT • DEAN JAGGER • VIRGINIA GILMORE • John Carradine • Slim Summerville • Chill Wills • Barton MacLane

Directed by FRITZ LANG

Associate Producer Harry Joe Brown • Screen Play by Robert Carson
U. S. Aids Industry on Brazil Tax

WASHINGTON, Jan. 14.—United States diplomatic representatives in Rio de Janeiro and Sao Paulo have urged the Brazilian Government regarding the proposed eight per cent additional tax on motion picture companies, but no formal protest has been lodged with the Government there, the State Department indicated today. The Brazilian measure is applicable to domestic enterprises only.

The new tax first was broached last Fall and the American companies at that time sought the aid of the State Department in opposing it. Under such circumstances it was taken up by the Brazilian Government in Rio, and while officials here refused to comment on the situation, there were indications that they were optimistic.

Upswing Here for Good Films: Wobber

HOLLYWOOD, Jan. 14.—Film theatre attendance generally is on the upswing, particularly in cities such as Pittsburgh, Youngstown and San Diego, where heavy national defense expenditures are being made. Herman Jarratt, 20th Century-Fox director of distribution, said here today.

He said that with the reemployment of thousands, the industry may expect “only better films being produced in the improved box-office conditions, however,” he said, “while poor pictures may not be met with the same leniency.”

Wobber is here for studio conferences of company executives. He said some readjustment of the exhibition organization will be made to meet conditions brought about by the Federal consent decree.

Wobber, said 20th Century-Fox is concentrating on intensive selling of this season’s product in order to obtain a greater financial backlog for next season’s programs.

Myers, Samuelson Address Pa. Allied

PHILADELPHIA, Jan. 14.—Abram F. Myers, National Allied chairman of the board and general counsel, and Samuel P. Samuelson, managing director of Eastern Pennsylvania Allied, were the principal speakers at the regional organization’s annual meeting yesterday. David E. Milgram was chairman.

Myers discussed the Federal consent decree in its relation to exhibitors and arbitration. Samuelson, among other things, urged full cooperation with the national defense program.

Milton Rogers's report for the nominating committee selecting the board of governors was approved unanimously. Three-year terms were voted for David E. Milgram, Thomas Lazareck and Columbus Stamper, representing Philadelphia county, and H. S. Sturgis, representing the oil and gas industries. Henry Sork, Schuylkillhills, for upper Pennsylvania.

Seek New Sunday Ballot in Pa. Town

PITTSBURGH, Jan. 14.—A special vote may be held in suburban Rochester counties to determine if the “March of Dimes” question, because of petition from the Rochester Amusement Co., claiming “March of Dimes” referendum was conducted negligently, is to be placed on the ballot.

Two pictures lost by 87 votes. Cause for the exhibitor complaint was the absence of election officials that Sunday film ballots were dropped in box with numbered corners still attached, allegedly indicating that someone had voted in wholesale lots instead of by the customary one-vote-per-person ballot.

Donaldson Honored At New Haven Dinner

NEW HAVEN, Jan. 14.—Friends and business associates turned out in force tonight at a testimonial banquet honoring Thomas G. Donaldson, New Haven branch manager for M-G-M, who has been transferred to the Boston exchange.

Maurice W. Wolf, M-G-M district manager in Boston, was master of ceremonies. Harry F. Shaw, Loew-Poli division manager, and others spoke.

Fly Closes Theatre

HAYSI, Va., Jan. 14.—The influenza epidemic, which is very severe in this section, has forced Vernon Carpenter to close the Haysi Theatre.

Billboard Regulation Is Urged by Lehman

ALBANY, Jan. 14.—Gov. Herbert H. Lehman’s annual message to the New York State legislature today urged the adoption of a state-wide law to preserve scenic beauty and increase safety.

He also recommended the extension of regulations prohibiting discrimination in employment because of race, color or creed to all businesses. Several bills have been introduced in past years to prevent discrimination in places of amusement and the like, but they have all been killed.

Hays Considering Wheeler’s Protest

Consideration is being given to Senator Burton Wheeler’s letter to Will H. Hays, M.P.P.D.A. president, requesting the industry with regulatory legislation for what the chairman of the Interstate Commerce Committee termed its “unbridled greed for revenue.” It was stated at M.P.P.D.A. headquarters yesterday.

The letter was not received until yesterday, it was said, and pending the outcome of this suit no decision has been made as to whether or not a formal reply will be made.

The Sen. Hays letter was discussed informally at a meeting of the M.P. P.D.A. board of directors yesterday but did not come before the board as regular business.

The board meeting was devoted almost entirely to further discussion of problems associated with the allocations for the Film Production Council of the reparations bill after the March of Dimes issue.”

To Open Paralysis Campaign Tomorrow

Nicholas M. Schenck, president of Loew’s and mastermind of the “March of Dimes” drive issued the following statement yesterday: “On the eve of launching the In-Paralysis Fund drive in the New-York-New Jersey area, may I extend my sincere thanks and congratulations to the exhibitors who have so heartily joined with the Motion Picture Theatre’s Committee in this fine enterprise. The response has been exceptional. The great majority of the 1,187 theatres in the area have pledged their whole-hearted support.

Those who have neglected to do so up to now, still have time to join the March of Dimes.” A phone call to Select Office will bring all the necessary materials—collection boxes, buttons, etc.

Reynolds to Appear With Short at Strand

Quentin Reynolds, London correspondent for Collier’s and commentator on the highlight subject of the current subject is “Christmas Under Fire,” to be released by Warners, will appear at the Strand on Thursday night, beginning Jan. 21, in conjunction with the showing of the film.

Pa. Theatres Face Chance Games Tax

HARRISBURG, Pa., Jan. 14.—A proposal requiring the licensing of all theatre owners who operate chance games is being considered by the Pennsylvania Senate by Senator John J. Haluska. Revenue from the license fee would be added to the relief funds administered by the Department of Public Assistance.

The fees under the bill would be $600 for amusement parlors and $1,200 for pool halls. The state would take 60 per cent of the value of the prize given and turn that sum over to the county treasurer, who would hire an agent to supervise the collection. The measure also would tax owners of all places where chance games are played for “purposes of profit” $25, but a special license would be granted to charitable or church organizations.

Harley and Jarratt Arrive by Clipper

Francis L. Harley, 20th Century-Fox managing director in England, and Arthur John Jarratt, managing director of the British Theatre Circuit, arrived in the U.S. by Clipper yesterday, almost eight hours after the arrival of the ship they had left at Bermuda in the hope of making faster time to New York.

Harley is here for home office conferences and a vacation. He will leave for Florida in a few days, Jarratt, who is a commander in the Royal Navy, will stay until getting back to London, when he will return to Bermuda to take the Clipper the remaining distance. Clipper was delayed by bad weather, however, and arrived only a few hours after the Clipper docked in Jersey City yesterday.

Produce Despite Raids: Jarratt

Baltimore, Jan. 14.—Arthur Jarratt, arriving today on the Bermuda Clipper, said things are very calm in England, but that there are quite a few raids being made. “We haven’t interfered with making pictures. People take them so solemnly that we can shoot films in streets intermittently under German air bombardment when bombers are not actually overhead.”

Pielow Is Honored At Dinner in Albany

ALBANY, Jan. 14.—Upstate distributors and theatre operators of circuit and independent, paid tribute last night to Ralph Pielow, new M-G-M branch manager for the district, at the Clinton Hotel. Approximately 200 were present.

Speakers included E. F. O’Shea, M-G-M manager of the Mohawk Valley; Louis Schine, Schine Circuit; Mike Kallet, Kallet Circuit; Si Fabian; M. A. Schieren, former manager; Jack Bowen, M-G-M, New York district manager; Maurice Wolf, Boston district manager; Herman Kripps, Pielow’s successor as branch manager here, and Clayton Eastman of Paramount, Col. James Healy was master of ceremonies.
The 'Santa Fe' Hits FINE $28,400, Philadelphia

PHILADELPHIA, Jan. 14.—Following the holiday week, with good weather, business continued strong. "Santa Fe Trail" was the leader, giving the Fox an excellent $28,400 and "Escape to Glory" at the Vineville, gave the Earle a big $22,000.

Estimated takings for the week ending Jan. 14:

"The Third of Bagdad" (U. A.)
ALDINE—$4,000
(53c-4c-5c-75c-68c) 7 days, $6,000. (Average, $900)

"Seven Sinners" (Univ.)
ARCADIA—$600
(53c-5c-5c-5c-5c) 7 days, 3rd week. Gross: $2,000. (Average, $2,000)

"Kitty Foyle" (RKO)
BOYD—$4,200
(53c-4c-5c-5c-6c-6c) 3 days, 2nd week. Gross: $1,000. (Average, $1,000)

"Escap to Glory" (Col.)
EARLE—$4,000
(53c-4c-5c-75c-68c) 7 days. Gross: $6,500. (Average, $930)

"Jesse James" (20th-Fox)
YAY—$1,200
(39c-35c-35c-57c) 7 days. Gross: $1,000. (Average, $140)

"Second Chorus" (Para.)
KIRKUTON—$500
(53c-4c-5c-75c-68c) 3 days, 1st week. Gross: $1,500. (Average, $500)

"Four Mothers" (W. B.)
KEITH'S—$300
(53c-4c-5c-5c-5c-6c) 8 days, 1st week. Gross: $1,500. (Average, $188)

"North West Mounted Police" (Para.)
STANLEY—$700
(53c-4c-5c-5c-5c-6c) 2 days, 1st week. Gross: $1,400. (Average, $700)

"Chad Hanna" (10th-Fox)
STANTON—$700
(53c-4c-5c-5c-6c) 11 days. Gross: $9,000. (Average, $800)

Para. Studio Benefits Set For Employees in Service

HOLLYWOOD, Jan. 14.—Paramount studio employees who are drafted or enlist under the Selective Training Service Act will be guaranteed a continuation of their group insurance policies upon their return without loss of not to exceed $800, according to a statement released by president in charge of studio operations.

Employed paid either on a weekly or salary basis will benefit by added pay allowance, which will be paid in 12 weekly installments after their induction into the service. Time for pay will be counted as time spent in the service of the company.

—

David Hempstead, RKO producer, has taken an option on Nina Fedorova's "The Family" as his next production.

Charles Ambrose, novelist, planned in over the weekend to join John Francis Natteford and Luci Ward on the Producers Corp. of America writing staff.

Veteran dramatic writer Richard Girard has signed Philip Kennedy for a role in "The Lady from Cheyenne." at Universal.

Eilen Drew has been given the feminine lead in Paramount's "The Night of January 16," Ayn Rand play which was produced on Broadway by A. H. Woods. She will appear opposite Robert Preston. Sol C. Siegel will produce the film.

Fred Karger has signed a contract with Warners. RKO has borrowed Robert Cummings from Universal to play opposite Jean Arthur in "The Devil and Miss Jones," which Sam Wood is directing.

Fay Bainter goes into the cast of "Love Crazy," Marya Loy-Wallace Freeman story. Fay and Charles Halley Tyler get the title role in Republic's serial, "The Adventures of Captain Marvel," from the Fawcett cartoon

Hanson, Friedman Win Metro Contest

ROY E. HANSON of the Jefferson Theatre, Goshen, Ind., and Percy Friedman, Yonel, Pa., were the first prize winners in the M-G-M national independent exhibition contest. The contest opened Sept. 1, 1939, and closed Nov. 1, 1940.

Hanson won for his contest on "Joe and Ethel Turp Call on the President," in the first-run classification, and Friedman for his campaign on "The Women," in the classification for subsequent run contests.

In the first-run group, Rex Williams, Eko Theatre, Elkhart, Ind., was "Judge Hardin," and George Lederer, Atlee Theatre, Easton, Okla., for "Another Thin Man," captured third position.

In the subsequent run division, second place went to Morrie Parfrey, Vogue Theatre, East Chicago, III, for "Northwest Passage." Third place was taken by Jack Albertson, Indiana Theatre, Indiana Harbor, Ind., for "Young Tom Edison."

Production Up With 38 Films Now Shooting

HOLLYWOOD, Jan. 14.—Thirty-eight pictures, nine more than last week's total, were before the cameras this week, as two finished and 11 started. Of the films being prepared, G and O are being edited.

The tally by studios:

Columbia
In Work: "Penny Serenade," "The Lone Wolf." Started: "They Dare Not Love" and unlisted Ellery Queen story.

Globe
In Work: "Pot o' Gold." M-G-M
In Work: "Roosy," "Billy the Kid," "Rage in Heaven," "Andy Hardy's Private Secretary," "The Trial of Mary Dugan," "Free and Easy."

Paramount

RKO
In Work: "They Met in Argenta," "The Devil and Miss Jones," "Show Business."

Universal

Roach
In Work: "Broadway Limited." 20th Century-Fox
In Work: "The Outlaw," "Dead Men Telle," "Ride on, Vaquero," "A Very Young Lady."

 Warners
Finished: "She Stayed Kissed."

Chorus New Haven Winner With $7,500

NEW HAVEN, Jan. 14.—Second Chorus, duelled with "Muder Over New York," at the Paramount, grossed $7,500 "Comrade X" and "Jennie" took $10,500 at the Loew-Poli. The weather was good.

Estimated takings for the week ending Jan. 14:

"Arizona" (Col.)
"Elery Queen, Master Detective" (Col.)
"Our Gang, Ham-Ham" (20th-Fox)
"Jennie" (20th-Fox)
"Comrade X" (20th-Fox)
Ascap Ponders Labor Union For Members

(Continued from page 1)

Tenure and sponsorship of Ascap is being given serious consideration within Bmia. The idea has not progressed far enough for details of the plan to be known. It is not known, for example, whether Ascap's publisher members will be included in the membership of the new guild or union along with authors and composers, nor is it known whether a new union is to be preferred to affiliation with an existing union or guild. It is conceded, however, that the new an organization would control the licensing of performing rights to the works of members since it is said, that function would be the basic reason for the organizational change.

Bmi Permits 'Dimes' Broadcast on Wmca

Bmi yesterday gave special permission to broadcast East Canton's "March of Dimes" program which the networks feature annually as a contribution to the President's Birthday Fund. For the benefit of the National Foundation for Infantile Paralysis. There was some question as to whether the program on Wmca as the broadcast will feature only Bmi music and Wmca is an Ascap signed station.

Bowl Via Telegraph

Rko's home office and studio bowling teams will meet in a match tomorrow evening conducted via telegraph. The coast team includes Har- old Lloyd, Gaylord Lloyd, Bud Hil- ton, Fred Christensen and Richard Warne. The home office group includes Warren Angus, Herbert Mc- Entee, James Mulhall, Harold Espen and Zack Taylor.

Joins News Syndicate

John McGill, formerly with the Hays office in Hollywood, has joined the Fox Features Newspaper Syndicate as promotion manager.

Foreign Stations' Gross Not Taxable

Washington, Jan. 14.—The Board of Tax Appeals today held that revenues derived by a foreign broadcasting station from advertisers in the United States do not constitute income tax services performed in this country and so are not taxable. The case was handled in the case of the Piedras Negras (Mexico) Broadcasting Co., from which the Internal Revenue Bureau sought to collect $90,036 in- come and excess profits taxes for 1936 and 1937.

Off the Antenna

Experiences with television set sales during the past year have definitely established the need for larger screens in home receivers, according to Allen B. DuMont, president of the Allen B. DuMont Laboratories, a Para- mont affiliate. DuMont asserted that efforts to cut costs by using smaller screens has been unsuccessful and that a screen of at least 14 inches in diameter is needed. Actually, the DuMont de luxe console has a screen 20 inches in diameter.

DuMont said that a viable start in television broadcasting can be made with an investment of as little as $25,000. For the average city, according to Du- Mont, a 50-watt video and audio transmitter is sufficient provided the transmitting aerial is at least 250 feet high. The film pickup, camera and associated equipment round out the requirements, all of which can be had on the $25,000 budget, according to DuMont.

Program News: Stan Shane, who conducts "Millikan's Matinee" over Wcru yesterday and "My Friend Henry" on the HNwy, will launch the "Beau- mont" program in August, 1935, now has 12 sponsors. Raymond Paige, whose "Musical Americana" show goes off NBC-red tomorrow despite a rating over 10, will conduct his 61-piece band on a guest appearance on the "Fitch Breadogum" Sunday. . . .

Wor, which has adopted the slogan "71 on Your Dial," has received the licenses for all FM stations. The all FM station, of course, is the fact that it is located in New York and is on the 47,100 frequency. The numbers for all FM stations are determined by dropping the first four and the last two zeros.

Seven of the nation's outstanding bands have been signed for the Army post picks "Your Hit Parade" heard over CBS Saturdays at 9 P.M. The bands include those of Charlie Barnet, Jack Teagarden, Ozzie Nelson, Tommy Tucker, Sammy Kaye and Jan Savitt.

Purely Personal: Alia Havrilla, announcer on "Double or Nothing" over Mutual, will do the commentary for three issues of University's "Stranger Than Fiction." Dick Gilbert, conductor of NBC's "West Side Story," will conduct "Cultural Feature on the Air" at Queens College March 7th. Lynn Murray, Freedie Gibson and Jack Leonard will be featured on "Corner's Composers" over CBS which starts Sunday at 5:25 P.M. . . . J. R. Pop- pele, WOR chief engineer, was admitted to the National Broadcasting Engineers Executive Committee. . . . Jane West, author of "The O'Nelly" script, will take a role in the cast tomorrow . . . Henry Levine, conductor of the Dirzel Band over "Music Hall of London" has been married secretly last Saturday to Paul A. Brown, daughter of A. J. Brown, assistant editor of Fox Movietone News. He left after Mon- day's show for a honeymoon trip to Atlantic City . . . Howard Nashbaum, NBC engineer, will leave shortly for a Miami and Havana vacation.

Scophony Television Demonstrated Today

First demonstration in the United States of the Scophony system of large screen television will take place this afternoon at Scophony studios here.

The system, which employs mechanical scanners as well as optical fibre for the enlargement of the television image, was used in English theatres prior to the outbreak of war. Arthur Levey, Scophony stockholder, has been trying to market the system in this country for some time. In the middle of last year, Solomon Sagall, managing director, received permission from the British government to come to New York to aid in the sale. For the past few months assembly of the equipment has been going on, as well as readjustment to permit reception of American standard of telecasting.

Mrs. Reichenbach Active

Mrs. Harry Reichenbach, widow of the noted publicist prince, has joined the publicity firm of Leo Guild and Ezra Goodman, after a long retire- ment.

Economy Takes Steps To Limit Amateurs

Actors Equity yesterday took steps to prevent amateur competition from interfering with commercial legitimate play production in Los Angeles. A resolution was passed instructing members of the casts of such amateur groups that if they continued, subsequent applications for membership in Equity would be jeopardized. The Screen Actors Guild last week adopted a similar resolution.

With seven amateur companies presenting revivals of commercial productions in regular commercial theatres, and only one commercial production open in Los Angeles, the Equity council declared that the situation was tending to bring the "entire theatre into disrepute." Equity has a special set of rules for little theatre groups interested in film work, which house productions violating these rules, as well as managers and other execu- tives connected with them, will be placed on the unfair list, it was de- cided.

Dunn to China for CBS

Bill Dunn of the CBS news department has been named chief corre- spondent for the network in the Far East. He will leave for China soon.

Pan-American Officers Meet On Frequency

Washington, Jan. 14.—In an effort to harmonize the action of the several Pan-American companies involved, so that assignment of frequencies to broadcasting stations, will be in conformity with the provisions of the North American Regional Broadcasting Agreement, radio and Government officials met here today.

Representatives of the State Department and the Federal Communications Commission met with officials of Canada, Cuba, Dominican Republic, Haiti and Mexico.

The foreign officials were welcomed by Assistant Secretary of State Breckinridge Long, and were turned over to the communications Division of the State Department for initial discussions of the problem, going on to the FCC for technical conferences.

FCC Sets Tentative Dates for Hearings

Washington, Jan. 14.—The Fed- eral Communications Commission has announced tentative schedule of hearings on broadcasting applications as follows:

Feb. 17: Applications of Station Wgny, Newbury, N. H., for change of frequency from 1,220 to 1,370 kilo- cycles; Stephen R. Rintoul for a new 1,370-kilocycle, 250-watt station at Hampton, Conn., and William H. Amesbury for a new 630-kilocycle, 1,000-watt station at Breckenridge, Minn.

March 3: Application of Station Wsiy, Rochet, N. Y., for change of frequency from 1,210 to 1,340 kilo- cycles and increase of power from 250 to 1,000 watts.

March 10: Contesting applications of Trent Broadcast Co., for a 1,230-kilocycle, 1,000-watt station at Tren- ton, N. J., and Station Wn, Trent- ton, for change of frequency from 1,280 to 1,230 kilocycles and increase of power from 500 to 1,000 watts, with extension of time from sharing to unlimited.

Equity To Permit Closing on Death

Believing that the death of a featured player is at least as serious as his illness, the Actors Equity Council yesterday in- structed the union's legal department to modify the existing contract to per- mit a way producer to close the show on 48 hours' notice upon such death. Heretofore, a producer could choose his show without penalties if a featured player became ill for three weeks, but could not do if the player died.
Influenza Epidemic Hits Mass. Grocers
Diminishing box-office returns are blamed in part by theatre managers on a grippe and influenza epidemic that has swept this section. In Uxbridge, Gardner, Athol, Ware, Palmer, Medway and Millis all schools have been closed. In Athol, the York and Capitol theatres have agreed to bar all children under 18 years.

Compromise Plan for British Money Split

Efforts will be made with the M.P. P.D.A. committee on allocation of British remittances to work out a compromise for distribution of the $12,500,000 of remittable funds among the eight major companies without recourse to arbitration, it was stated yesterday.

20th-Fox British Business Was Best
Last Year: Harley

Twentieth Century-Fox rolled up the largest business record last year in Britain of the company’s 25-years’ operations in that country. Francis L. Harley, 20th-Century-Fox managing director for Britain, said yesterday:

Harley, who arrived from London this week for a six weeks’ visit, brought a final official copy of the recent monetary agreement between the British Government and the eight major companies.

He estimated that the American companies now have between $30,000,000 and $35,000,000 in blocked sterling in London. He said he regarded any move on the part of the American companies to invest funds in British theatres as “unwise” for long-range trade reasons. The new agreement permits the American companies to invest blocked funds in British theatres if the approval of the Control Commission is obtained.

Harley estimated that 400 British theatres, all important houses, are closed because of the war. He stated, however, that the shifting of population from coastal cities and, some

Illinois Exhibitors
Consider Ascap Law

SPRINGFIELD, Ill., Jan. 15—The possibility that Illinois exhibitors will take action to put through anti-Ascap legislation in the state loomed today with reports from several legislators that they had been approached by exhibitors. The headquarters of the United Theatre Owners of Illinois, downtown exhibitor organization with headquarters here, reported that numerous complaints had been received from exhibitors over Ascap charges and that members have asked the organization to take action.

Allied Theatres of the Northwest is reported considering steps to seek legislation curtling Ascap in Minnesota.

R. I. Theatres Face Utility Strike Threat

PROVIDENCE, Jan. 15—An electric utilities strike threat, twice deferred for 24-hour periods at the request of city officials, had exhibitors throughout northern Rhode Island worried today as union representatives indicated workers would walk out at seven o’clock tomorrow unless an agreement with the Narragansett Electric Co. is reached. The strike would leave theatres without power.

Newsreels May Be Excluded by Chicago Censor

COUNCIL GROUP TO MAKE AMENDMENT PROPOSALS

CHICAGO, Jan. 15.—Chicago’s present censorship ordinance may be amended to exempt newsreels and educational films, it was indicated today by Alderman Hy Brody, chairman of the City Council’s Committee on judiciary, after a visit by the committee to censor board headquarters.

This amendment is expected to be one of several to be recommended by the committee for changes in the local censorship, which at present is the subject of the committee’s study. The committee will hold executive sessions in the next few days, before it decides on its proposed amendments.

The council group visited the board to investigate its workings and the methods used to determine what may be shown on the screens of Chicago theatres. The members received ex

Carothers Honored
At Coast Luncheon

HOLLYWOOD, Jan. 15—Studio executives and labor leaders joined today in a surprise testimonial to Francis K. Carothers, secretary of the Motion Picture Internationalists’ Committee, the labor group of the basic studio agreement, on his 50th anniversary in the American Federation of Labor movement.

Meeting at Levy’s Tavern for a luncheon called ostensibly to inaugurate the infantile paralysis campaign, about 150 persons applauded Carothers, who has held his present position since 1926. For 30 years he has been a member of the American Federation of Musicians, and is its first past president. He has a long record as California labor leader.

Carothers was presented a pin, watch and plaque commemorating the event.

Serving as master, C. J. Haggerty, president of the State Federation of Labor, was introduced by Joseph P. Tuohy of Studio Drivers’ Local 299. Andre Blair, A.F.I. Hollywood organizer, and Herbert (Continued on page 7)
Personal Mention

POSTMASTER GENERAL FRANK C. WALKER, former president of the Olympic Theatre, will be with his family early next week in New York, where he plans to sell his interest in the Olympic to Ted Mack, the noted musician.

Charles Raymond, Loew's division manager in Cleveland, will speak tomorrow before the Women's Federation of Clubs in that city.

Beverly B. Kreisler, Universal short subjects sales manager, leaves tomorrow for studio conferences.

David Hempstead, producer of "Kitty Foyle," leaves tomorrow for the Coast.


Dave Lipton, Eugene Picker, Edward Schwartz, Martin Schenck, Ben Fields, Douglas Rothacker and Maurice Freeman lunch yesterday at the Tavern.


Arthur Kelly, Harry Buckley, Jack Cohen, Clarence Eiseeman and Joseph Pincus at Lindy's (51st St.) yesterday for lunch.

Nate Spingold, Abe Montague and Sam Tulfen at Lindy's (next to the Rivoli) for lunch yesterday.

Open Warner Club

WASHINGTON, Jan. 15.—The new Warner Club rooms here were formally dedicated tonight in a gala affair at Tivoli Theatre Building. James Root is president, Harry Anger, vice-president and entertainment chairman, and Harry Lehmen, vice-president of welfare.

English Theatres Tax $50,000,000

London, Jan. 15.—Approximately $50,000,000 was paid to the British Government by the film industry yesterday. This was the first form of theatre taxes during the past year, which has been estimated by W. R. Fuller, secretary of the Photographic Exhibitors Association.

Late News Flashes from the Coast

Hollywood, Jan. 15

ROBERT RISKIN will leave Friday for New York to confer with Gradwell L. Sears, Warners' general sales manager, on the sales policy of "Meet John Doe," which will be sold on separate contract. Sears and Riskin will determine the cities for the premier showings of the film, while Frank Capra remains here to supervise the final editing.

As a possible vehicle for Jack Benny's first picture for 20th Century-Fox, under his shifting arrangement with Paramount, 20th Century-Fox today purchased "Charley's Aunt." Brandon Thomas play specially in a successful revival on Broadway.

Larry Darmour today signed Jack Holt to star in a serial as yet unitled for Columbia released next season. Hollwood film work was in a series of six melodramas produced by Darmour for Columbia.

Leon Schlesinger, producer of "Merry Melodie" cartoons for Warners, will leave Friday by train for two weeks of conferences at the home office.

'March of Dimes' in Theatres On Today

Times Square was changed to "Dimes Square" at noon yesterday as the "March of Dimes" week was launched by the Motion Picture Theatres Committee in the New York-New Jersey area. A colorful parade of some 125 ushers was led by Harry Brandt and Eugene Picker.

An impressive ceremony was staged when the supervision of Martin Schenck, on a platform at Broadway and 46th Street. Various screen and stage personalities appeared.

The drive is for the National Foundation for Infantile Paralysis and about 1,000 theatres will solicit contributions from patrons during the week beginning today. Edward Dowen of Loew's directed the parade with the RKO, Loew, Sclurias, Brandt, Fabian, Cubilis and Cinema circuits represented.

NLRB Hearing Set For N. Y. Publicists

Hearings have been scheduled for next Thursday by the National Labor Relations Board on the petitions of the Screen Publicists Guild for designation as collective bargaining agent with the eight major companies. Informal conferences failed to bring an agreement.

The S.P.G. filed petitions for each of the eight companies, claiming a majority of employees in the advertising and publicity offices, the cases have been consolidated as one. Hearings will be held at the NLRB offices here. No trial examiner has been named as yet.

Back Discrimination Plea of N.Y. Governor

ALBANY, Jan. 15.—Assemblyman Louis Bennett today supported Gover- nor V. Jack Andruss' plea for a bill which would bar discrimination in the public interest, by introducing a measure providing penalties for violations. Assemblyman William T. Andrews tomorrow is expected to introduce a bill of wide scope on the same subject.

Cases Ready in Minneapolis

MINNEAPOLIS, Jan. 15.—A number of complaints from local exhibitors, mostly relating to clearance, are scheduled for filing here as soon as the local arbitration board is opened. Feb. 1, it was learned here today. Pending filling are on record with Northwestern here, which is accepting them for local exhibitors.

Officers Installed by Buffalo Variety Club

BUFFALO, Jan. 15.—The local Variety Club installed its new officers with the Rev. Joseph Mahoney of Batavia, now of the club's chaplain, as induction officer.

Officers are Sydney Leolin, chief banker; Samuel Kornowski, first assistant; George F. Hamlin, Jr., second assistant, and W. E. H. Martin, secretary-treasurer. Directors are George Gahan, Mrs. Freda K. Lux, Ralph W. Maw, Sydney Samson, Melvin Schwartz and Murray Whitman.

20th-Fox Caribbean Meet Opens Today

The third annual Caribbean convention of 20th-Fox opens today in San Juan, Puerto Rico, with Walter T. Hutchinson, foreign distribution manager, and foreign service manager, from the home office, presiding. Representatives will be present from Panama, Colombia, Venezuela, Trinidad, Cuba, Mexico, and Brazil, as well as Puerto Rico.

Pershing Named To A.A.A. Group

F. W. Pershing, son of General John Pershing and head of the downtown brokerage firm of Pershing & Co., was named to the administrative committee of the American Arbitration Association yesterday. The administrative committee is in charge of the industry's arbitration system. Pershing, a member of the A.A.A. board of directors, who relinquished his posts on both the administration and budget committee at the association because of ill health.

(U.S. Patent Office)
As Marie, the taxi dancer and killer's companion—deep down just another woman whose hungry heart yearned for one man.

HUMPHREY BOGART
As 'Mad Dog' Earle, enemy of all that is decent and good, defiant of every law on earth ... except the High Sierras!
FA

edited by Terry Ramsaye

Out

today
The AUDIT of PERSONALITIES

The seventh annual edition of the international appraisal of talent values is off the press.

The box office champions of 1940 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 1940 as polled by MOTION PICTURE DAILY among the editors of the daily newspapers of America.

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER, NEW YORK
<table>
<thead>
<tr>
<th>Year</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>
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<tr>
<td>Dec 20</td>
<td>Phantom Submarine (D) Anita Louise Bruce Bennett</td>
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<td>Pride of the Bowery (D) Chamber of Horrors (D)</td>
<td>Behind the Bowery (D) 009 Lone Star Raiders (O)</td>
<td>Kitty Foyle (D) Dennis O'Keefe L. Campbell</td>
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<td>Dec 27</td>
<td>Arizona (O) Jean Arthur William Holden</td>
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<td>Her First Romance (D) Edith Fellows E. Evans</td>
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<td>Jan 3</td>
<td>This Thing Called Love (C) Wildcat of Tucson (O)</td>
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<td>Rolling Home to Texas (O) Tex Ritter</td>
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<td>Jan 10</td>
<td>Pinto Kid (O) Char. Starrett Louise Currie</td>
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<td>Jan 17</td>
<td>Face Behind the Mask (D) Peter Lorre Evelyn Keyes</td>
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<td>Jan 24</td>
<td>Adam Had Four Sons (D) Warner Baxter Ingrid Bergman</td>
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<td>Jan 31</td>
<td>Come Live With Me (C) Jones Stewart Hedy Lamarr</td>
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<td>Feb 7</td>
<td>The Devil Commands (D) Boris Karloff Amanda Duff</td>
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<td>Feb 14</td>
<td>Return of Boston Blackie (D) Chester Morris R. Hudson</td>
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<td>Feb 28</td>
<td>Blondes Go Latin (C) Outlaw of the Panhandle (O)</td>
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Newsreels May Be Excluded by Chicago Censor

(Continued from page 1)

planes from Lieut. Harry Costello, the police censor.

Three films that had been rejected by the censors were shown for the committee. They were "Elysia," distributed by Mutual Films; "Motherhood," distributed by Al Drexel, and the "Castaways" Overture distributed by Al Drexel. The entire committee concurred that they were being junked.

The committee intends to investigate the status of censor board members, most of whom are over 65 years, the mandatory retirement age for police and firemen under state law. The committee is expected to recommend that since the board members are responsible to their police department, they be included in the retirement act.

Carothers Honored At Coast Luncheon

(Continued from page 1)

Sorrenti of Painters' Local 644 and Nate Saper of the Drivers' Local 165 were in charge of arrangements.

Among the present were S. R. Kent, 20th Century-Fox president; Pat Casey, producers' labor representative; Joseph M. Weber, past president, American Federation of Musicians; Gerald Radcliff, vice-president; J. W. Bennett, Los Angeles Central Labor Council executive secretary; Fred Peto, producers' labor contact; Keith Glanville and Charles Boren, Paramount; Fred Meyer, 20th Century-Fox; Sid Rogell, RKO; Carroll Smith, Warners; and Matt O'Brien, Rouch Studio; Marvin Ezzell, Goldwyn Studio; E. H. Goldstein and Al Wilson, Republic; Gunther Lesser and William Garity, Walt Disney Studio; David Garber, Universal; Ted Butcher, M-G-M; Lon Shapiro, William Stone and H. V. McDermott; Harold Lewis, RKO Pathe; and S. E. Havkins and Frank Kryger, General Service Studios.


'Sanette' Garners $11,500 in Montreal

Toronto, Jan. 15.—"No, Nanette," captured $11,500 at the Upper Canada Theatre last night, to top the $9,500 for its second week at Loew's.

Estimated takings for the week ending Jan. 15:

"The Tin Alley" (20th-Fox) IMPLICULT—(3,001) 10 days, week's gross: $4,900. (Average, $490-

"Comrade X" (M-G-M) STATE—(1,500) 8 days, gross: $3,000. (Average, $375-

"The Lost Squadron" (20th-Fox) ADAMS—(1,500) 8 days, gross: $3,000. (Average, $375-

"Suiits" (20th-Fox) MONTREAL—(1,500) 8 days, gross: $3,000. (Average, $375-

"The Lone Bullet" (20th-Fox) TROJAN—(1,500) 8 days, gross: $3,000. (Average, $375-

"Sanette" (20th-Fox) NEWFORD—(1,500) 8 days, gross: $3,000. (Average, $375-

"Here Comes the Navy" (B.P.) BOISE—(1,500) 8 days, gross: $3,000. (Average, $375-

"The Lost Squadron" (20th-Fox) PARIS—(1,500) 8 days, gross: $3,000. (Average, $375-

Sue's on Polish Film

Polish American Film Corp., has filed suit in U. S. District Court against Aurelio Battistian and John Mito, doing business as the Roma Film Co., to restrain defendants' use of the title, "Poland Is Not Lost," and asks $10,000 damages. The plaintif claims to be producing a film of the same title.

Carman Rites Held

Philadelphia, Jan. 15.—Funeral services were held here for William C. Carman, theatre builder, who died at his Summer home in Ventnor, N. J., at the age of 83, after a month's illness. The Carman here is operated by his son-in-law, George T. Graves, his wife, a daughter and sister sur-

Singles Midweek, Duals Weekend

Kansas City, Jan. 15.—The Fox Brookside, suburban house owned by Edward Matr, has inaugurated a new policy which exhibitors are watching with interest. The house until a year ago operated on a single bill, daily; it is now shifted to double bills, playing a single bill in midweek and doubles on the weekend change. First experience with the midweek single, "Bitter Sweet," was reported excellent.

The theory behind the move is that the Brookside, in a class neighborhood, will get singles during the week, while children and others who like doubles will come on the weekend. The Brookside went to 30 cents, including tax, up 1½ cents from the former 25 cents plus Federal and state sales tax.

30 Army Films Now Shooting in England

London, Jan. 15.—David Macdonald, British director, was recently appointed to take charge of film making for the Army. Already 30 training films are in production and the Ministry of Information, in response to a request from the War Office, is sending another 150 to the production department. The GPO Films Unit, creators of the noted "British Can Take It," and recently "Ams Under Fire," have been removed the Crown Film Unit.

"Go West!" Is Good in Minneapolis $11,500

Minneapolis, Jan. 15.—The newly-reopened Minneapolis drew $20,000 for 10 days before "Hit Parade of 1941," and a stage show, "Go West," along with a stage show, did $11,500 at the Orpheum.

Estimated takings for the week ending Jan. 7-9:

"Hit Parade of 1941" (Rep.) MINNESOTA—(4,000) 10 days. Yaudville including Ada Leonard and girl band. Gertrude Steiner, Frank Gaky. Gross: $11,500. (Average, $1,150-

"Go West!" (M-G-M) ORPHERY—(2,800) (28c-3c-40c) 7 days. Gross: $3,500. (Average, $500-

"Love Thy Neighbor" (Paras.) CENTURY—(1,600) (28c-3c-40c) 7 days. Gross: $2,400. (Average, $343-

"Here Comes the Navy" (W.B.) VICTORIA—(1,500) (28c-3c) 7 days. Gross: $1,200. (Average, $171-

"The Third Ring" (U.A.) WORLD—(3,000) (28c-3c-40c) 7 days. Gross: $2,100. (Average, $300-

"Jennie" (20th-Fox) ASTER—(900) (28c) 7 days. Gross: $2,000. (Average, $285-

20th-Fox British Business Was Best Last Year: Harley

(Continued from page 1)

...degree, from London to the provinces has made theatre attendance on a large scale possible in England where otherwise there would not have been because of war conditions.

Other reasons for the upsweep in business are increased entertainment appetite of the people and the 24-hour work schedules prevailing in large cities, which leaves night work- ers free to attend theatres during the day.

The air bombings have not stopped British production, Harley said. Eight features were made last year. "Kips, with Diana Wynyard and Michael Redgrave, completed recently, may be released here. Productions planned for the near future include "Once a Crook," "Spyfire," "Pitt, the Younger," and "Paddy, the Next Best Thing."

Harley plans to return to London at the end of February. He will leave for the Coast on Monday to confer with company officials.

"Comrade X" $23,000 Top St. Louis Gross

St. Louis, Jan. 15.—With ideal weather, local theatres did well, only one going below average. "Comrade X," M-G-M's top-ranking picture, grossed with $23,000 for a 10-day run.

Estimated takings for the week ending Jan. 7-9:

"This Thing Called Love" (Col.) LOEW'S—(1,500) 7 days. Gross: $3,500. (Average, $500-

"The Invisible Woman" (Univ.) AUSTIN—(1,500) 7 days. Gross: $3,000. (Average, $429-

"The Great Dictator," (Univ.) ANAHEIM—(1,500) 7 days. Gross: $3,000. (Average, $429-

"My Little My" (Para.) CHICAGO—(1,500) 7 days. Gross: $3,000. (Average, $429-

"The Trail of the Vagabond" (Univ.) ST. LOUIS—(1,500) 7 days. Gross: $3,000. (Average, $429-

Reels, Radio Set Coverage Of Inaugural

(Continued from page 1)


The Inaugural Committee yesterday announced that the three major radio networks will broadcast at least 30 minutes of the President's address for radio wall-to-wall coverage.

Ascap Permission Indicated

Indications are that the networks will be permitted to carry Ascap music on the special broadcast. Gene Buck, president of Ascap, has informed the White House that he may allow Ascap music, and network executives have expressed their willingness to permit the music to be played. In return, Ascap is making its music available to Ascap stations. The Inaugural Committee has also announced that the selection of the Golden Gate Quartet to the Sunday program.

"Command performances" on Sunday also will be given by Mickey Rooney, Irving Berlin, Rogers, F. Sherwood, Ethel Barrymore, Eddie Cantor, Ed Wynn and Ral Stevens. Sherwood will act as master of ceremonies.

At the President’s Birthday Ball later this month both Ascap and BMI music will be played on all stations under the same general statements covering public functions.

Deanna Durbin at President’s Parties

WASHINGTON, Jan. 15.—First scheduled arrival of a film player for the President’s Commemorative Celebration will be Deanna Durbin, who will arrive here from the Coast Jan. 28 to join the round of dances and dinners marking the nation’s birthday celebration. She will be accompanied by her mother, her manager, and John Joseph, Universal advertising and publicity director. While here she will be under the protective wing of Hardie Mekin, manager of RKO Keener, and assistant manager of the entertainment committee.

Deanna Durbin at President’s Parties

(Continued from page 1)

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"Lady in the Dark" At Alvin Tonight

"Lady in the Dark," a musical by Kurt Weill in the score and Gertrude Lawrence in the starring rôle, will be presented at the Alvin tonight by Sam H. Harris. The music is by Kurt Weill and the lyrics by Ira Gershwin. Production is by Hassard Short.
British Scophony Chief Asks FCC To Permit Television During Defense

Declaring that the military reasons which caused a stoppage of television in England had no application here, Solomon Sagall, managing director of Scophony, British television system, yesterday asked the FCC to permit the development to continue despite the current defense mood of the country.

Sagall yesterday demonstrated his theatre screen television for the press. It was the same equipment used before the war in the Odeon, London, but a 9 x 12 foot screen was used instead of the 10 foot screen in London, and it was adapted to the 41-line standard instead of the 403 lines used in England.

Lighting generally was poor and created some eyestrain, observers thought. The pictures streaked across the middle, there were dark and light patches on the screen and the corners were fuzzy. However, it was explained after the demonstration that an outdated RCA camera was used because the latest model was not available and that the image otherwise would be as good as the image telecast. A club size, 3 x 4-foot screen was also shown, but lighting was also poor on this screen despite considerable improvement. The equipment is compact and requires comparatively little room. Rear screen projection is used.

FCC Provides New FM Relay Service

WASHINGTON, Jan. 15.—The Federal Communications Commission today provided for relay service between a number of non-commercial, low-frequency broadcasting stations, authorizing such service for either FM or AM stations, on frequencies above 300,000 cycles per second.

Three additional FM stations were authorized today, CBS and WJJD, in Chicago, and Westinghouse Radio, Inc., receiving permission for a station in Pittsburgh.

Permission for the relays will be particularly important to FM stations because of the high fidelity requirements of such outlets, officials in New York said. At present, expensive coaxial cables are used, or telephone lines which cut down the fidelity of the programs.

F.C.C. Authorizes Power Increases

WASHINGTON, Jan. 15.—F.C.C. has granted Stardust, Inc., license to increase maximum power to 1,000 watts, and KFLA, Harrisburg, Pa., to increase its power to 1,000 watts.

Mr. Phillips Has Plans For NBC

NEW YORK, Jan. 15.—A possible shake-up among NBC executives is expected today, according to motion picture editor, who claims that Mr. Phillips has plans to change the NBC organization to improve service and to make NBC a more serious competitor with CBS and other networks.

Robert Seaks is appointed Assistant to Fly

WASHINGTON, Jan. 15.—Robert G. Seaks have been appointed Assistant to James L. Fly, chairman of the Federal Communications Commission. Mr. Seaks is an old associate of Mr. Fly's and was recently released from the commission's legal staff.

To separate on NBC

WASHINGTON, Jan. 15.—NBC's Red and Blue networks will separate yesterday when it was learned that, beginning next week, the trade news will be handled separately. The Blue through the new editor will be divided into different parts, with different letterhead and different stories, and sent out for each web. A third web will be used for general network publicity.

Zielh Form Company

Arthur Zielh has organized a distribution company under the name of Arthur Zielh, Inc., with branches in key cities. Herman Rosenberg is sales manager of the new company and John J. Rehn is vice-president.

To Improve Reading Housings

READING, Pa., Jan. 15.—Improvements of approximately $75,000 have been planned for the State, now held under a joint lease by Wilmer & Vincent and former interests operated by the former partner. Another $15,000 is being expended in improvements at the Arcadia, dark for many years.

New House Opens in Mobile

Mobile, Ala., Jan. 15.—The Loop Theatre, Mobile's newest neighborhood house, has been opened. The theatre has been built by the Paramount-Richards Theatres, Inc., at a cost of about $50,000. It seats 1,000.

Mr. Scott's New House

KANSAS CITY, Jan. 15.—F. Scott, Kan., to be managed by Mr. Scott, serves as manager of the Liberty. He succeeds H. D. Carroll, who recently went to KTRH, the Fox in Atchison. Kan., formerly manager at Atchison, who has recently left the Fox houses in Sedalia, Mo. Ed Marks, formerly Sedalia manager, goes to the Brookside, Kansas City.

Roth Buys Iowa House

OMAHA, Jan. 15.—Mike Roth, formerly salesman for National Screen Service, has purchased the Rialto at Anamosa, Ia., from the estate of W. F. Budd. Roth's post at National has been taken by Max Rosenblatt.

Leslie Washington House

SEATTLE, Jan. 15.—Frank Graham, former operator of the Granada in Aspen, near here, has leased his house to Mr. and Mrs. J. E. Irving.

Open Canada Camp Theatre

TORONTO, Jan. 15.—The Lee Theatre has been opened at Camp Borden, Ont., by the Dominion Government and the officers are being booked from Toronto distributing companies.

Manages Indianapolis House

INDIANAPOLIS, Jan. 15.—Harold Armitage, the new manager of the Esquire here of the Canton circuit recently retired from the Butterfield Entertainers in Michigan and the Publics-Fitzgerald-McElroy circuit in Indiana and Illinois.

Opening Two in Kansas

KANSAS CITY, Jan. 15.—R. E. Conrad has opened his new Roxy at Wichita, Kan., and H. J. Griffin Theatre, will reopen the Con- junction City, Kan. dark for a year, later this month.

Reopen House in Allentown

ALLENTOWN, Pa., Jan. 15.—Albert A. Moffa and Dan Shimer have taken over the operation of the Park.
Back Decree, Is Plea of U.S. To Exhibitors

Justice Dept Unit Is Headed by Wright

WASHINGTON, Jan. 16.—Calling upon exhibitors for "wholehearted support," the Department of Justice today formally announced the establishment of the special unit which will handle matters under the consent decree under the supervision of Robert Wright, of the anti-trust division staff.

In addition to dealing with the New York decree, the unit, it was announced, also will handle the decrees entered in the Federal Courts at Chicago on Dec. 10 and Los Angeles on Nov. 27.

It was explained that the new organization will enforce the decree and see that final arbitration awards are complied with, participating as a friend of the court in any appeals taken from awards which involve important questions of construction of the decree. In this connection, also, the unit will undertake to ascertain the competitive effect of each the-

(Continued on page 4)

Rogasner Brings Phila. Trust Suit

PHILADELPHIA, Jan. 16.—Milton Rogasner, owner of the Iris, neighborhood house here, today filed an anti-trust suit in Federal District court for triple damages of $378,000 against Warner Theatres and six distributors, Warners, Universal, M-G-M, United Artists, RKO and Paramount.

He contended that because of his inability to obtain films his theatre's business dropped, and he estimates that the profit otherwise would have been about $21,000 a year for the past six years. He also claimed that his inability to get product compels him to keep the Lafayette dark.

Initial Arbitration Office Taken in K.C.

KANSAS CITY, Jan. 16.—First location of an industry arbitration board to be announced has been arranged here with a lease taken for the entire eighth floor of the Wadsworth Building in downtown Kansas City. The offices, which will be opened Feb. 1, consist of a hearing room, large reception room, board secretary's office and large storage space.

Films Not Inciting to War, Says Hays

‘Wind’ Again at Capitol; Weather Blow to Grosses

"Gone With the Wind" is scheduled for a popular-price return engagement at the Capitol on Broadway starting next week, the run of "Flight Command," which opened yesterday. The latter film is expected to go two weeks, and possibly a third, and "Bend of the River," by RKO officials to be good for three weeks and possibly a fourth at the Capitol's regular scale.

Broadway grosses were down yesterday as the first real storm of the Winter struck. Business was generally good, however, during the preceding week. Four pictures are being held over.

"Second Chorus" with Harry James and his orchestra opened strong at the Paramount on Wednesday, with about $8,000 for the day. "Hudson's Bay" with a stage show at the Roxy finished its first week with an estimated $47,000 and is being held over.

"Four Mothers" with Sammy Kaye and the Strings, another holdover, took an estimated $30,000 in the first week.

(Continued on page 4)

7 Companies' 39 Volume Of Business $411,000,000

WASHINGTON, Jan. 16.—Seven motion picture companies had a total combined volume of business of $411,000,000 in 1939, an increase of $1,000,000 over the preceding year, it was reported tonight by the Securities and Exchange Commission.

Covering the operations of Columbia, Loew's, Inc., Monogram, Paramount, 20th Century-Fox, Universal Corp. and Universal Pictures, and Warner Brothers, the analysis showed the seven companies had a combined operating profit of $25,000,000 or 6.2 per cent of sales, for the 1939 year, compared with $28,000,000, or 6.7 per cent of sales, in 1938.

After all charges, including non-operating gains and losses, prior claims, interest and income taxes, the companies had a combined net profit of $20,000,000, or 4.8 per cent of sales for 1939, compared with $21,000,000, or 5.1 per cent, for 1938.

During their 1939 year, the companies paid out $9,500,000 in dividends, of which $3,700,000 were cash dividends on preferred stock and $6,200,000 cash dividends on common stock. In the 1938 year, they paid out a total of $12,200,000, of which $3,700,000 were cash dividends on preferred and $9,100,000 cash dividends on common stock.

The combined total for all surplus accounts was $190,000,000 at the end of 1939, an increase of $9,000,000 during the year, as against $101,000,000 in the preceding year. The combined balance sheet assets of the companies...

(Continued on page 4)

Agnew to Announce Changes at Chicago

Paramount headquarters will be transferred to Chicago for most of next week while the company holds a home office and district sales managers' convention and a testimonial banquet to Balaban, president, and winners of the company's theatre business drive in honor of Balaban.

The sales meeting will be held at the Edgewater Beach Hotel, Tuesday through Thursday, with Neil Agnew...

(Continued on page 2)

Report Livingston Arrested in Paris

According to information received in this country yesterday via short-wave radio, Maurice Livingston, former RKO sales executive in France, has been arrested in Paris, charged with supplying food to refugees.

(Continued on page 4)
Sound Technicians
Submit Demands

**Hollywood, Jan. 16.—Major producers today received demands of Sound Technicians Local 693, I.A.-T.S.E., for what amounts to a 50 cent pay-for-12 house rate or a complete jurisdiction over all sound work, including that now held by Studio Electricians Local 40, I.B.E.W., and Improved working conditions. Harold V. Smith, Local 693 business representative, submitted the proposals to Pat Casey, producers' labor representatives, asked that negotiations start immediately.

The demands are similar to those made by 46 independent producers and sound companies last summer, all of which, Smith said, have signed up with the exception of Republic, where the matter is still in the hands of William Bofio, who stopped the sound men's strike last summer.

Agnew to Announce Changes at Chicago
(Continued from page 1)

vice-president in charge of distribution, presiding.

The meeting also will discuss special sales plans for “I Wanted Wings,” which may be roadshowed ‘Virginia’ and ‘The Lady Eve.’

The testimonial dinner to Balaban and the theatre drive winners will be held Thursday night and will draw most of the Paramount box office executives, ranking studio officials and heads of the Paramount theatre operations in the field.

**Comrade X’ With $53,800 Hit in Boston**

Boston, Jan. 16.—In a week of good grosses, “Comrade X” and “Saint Palm Springs” grossed a total of $33,800 at two houses, $24,100 at Loew’s State and $9,700 at Loew’s Orpheum, “San Francisco” and “White Scandal.” on the Keith Boston stage took $16,100.

Estimated takings for the week ending Jan. 10:

- **San Francisco Decks** (Univ.)
  - KIETH BOSTON—$40,000 (36c-45c-55c) 4 days. Gross: $23,200. (Average, $5,800)
- **Santa Fe Trail** (W. B.)
  - MAPLETON—$1,100 (25c-35c-45c) 4 days. Gross: $300. (Average, $75)
- **Love Thy Neighbor** (Para.)
  - BAYBOOK—$3,500 (35c-45c-55c) 4 days. Gross: $900. (Average, $225)
- **Love Thy Neighbor** (Para.)
  - HILL STREET—$2,000 (35c-45c-55c) 4 days. Gross: $500. (Average, $125)
- **Thief of Bagdad** (M. U.)
  - BOSTON—$2,500 (35c-45c-55c) 4 days. Gross: $600. (Average, $150)
- **Comrade X** (M-G-M)
  - METROPOLITAN—$2,000 (35c-45c-55c) 4 days. Gross: $500. (Average, $125)

**Command’ Seattle Best With $8,500**

Seattle, Jan. 16.—“Flight Command” at the Fifth Avenue took a strong $8,500. “Santa Fe Trail” took $6,100. Others were slow. The weather was far from warm and clear.

Estimated takings for the week ending Jan. 10:

- **Comrade X** (M-G-M)
  - DR. KILDARE’S STRANGE CASE (M-G-M)
    - BLUE HOUSE—$3,000 (8c-9c-10c) 7 days. Gross: $2,100. (Average, $300)
- **Flight Command** (M-G-M)
  - KEEPING COMPANY (M-G-M)
    - FIFTH AVENUE—$3,500 (36c-45c-55c) 7 days. Gross: $1,850. (Average, $264)
- **Little Nellie Kelly** (M-G-M)
  - MUSIC BOX—$3,000 (36c-45c-55c) 7 days. Gross: $1,500. (Average, $214)
- **Santa Fe Trail** (W. B.)
  - WESTSide THEATRE—$2,500 (36c-45c-55c) 7 days. Gross: $1,250. (Average, $178)

**‘Kitty Foyle’ Holds Pace in Chicago, Drawing $22,000**

CHICAGO, Jan. 16.—“Kitty Foyle,” produced by “The Saint at Palm Springs,” scored an excellent $22,000 in its second week at the Playhouse, known as “Night in the Tropics,” plus a stage show, drew $17,000 at the Oriental. Estimated takings for the week ending Jan. 9:

- **Arizona** (Col.)
  - APOLLO—(1,400) (35c-35c-55c) 7 days. Gross: $3,800. (Average, $543)
- **Love Thy Neighbor** (Para.)
  - PARAMOUNT—(1,800) (35c-45c-55c) 7 days. Gross: $5,400. (Average, $771)
- **Bitter Sweet** (M-G-M)
  - GARRICK—(1,000) (35c-35c-75c) 7 days. Gross: $2,800. (Average, $400)
- **Night in the Tropics** (Univ.)
  - METROPOLITAN—(1,000) (35c-45c-55c) 7 days. Stage: Mills Bros. & Thurston Magic Show. Gross: $1,700. (Average, $243)
- **Kitty Foyle** (RKO)
  - PARAMOUNT—(1,400) (36c-36c-55c) 7 days. Gross: $2,800. (Average, $400)
- **First of the Bagdad** (M-G-M)
  - BOSTON—(1,800) (35c-35c-55c) 7 days. Gross: $1,700. (Average, $243)
- **Fools Rush in** (Col.)
  - METROPOLITAN—(1,200) (35c-35c-55c) 7 days. Gross: $1,200. (Average, $171)
- **‘San Francisco’ Alley** (28c-45c-65c)
  - SAGE—(2,000) (35c-35c-55c) 7 days. Gross: $1,600. (Average, $228)

**‘Spyfire’ and Show High in Cincinnati**

CINCINNATI, Jan. 16.—“Mexican Spyfire Out West” with a stage show, “Streets of Paris,” grossed a strong $14,500 at the RKO ending Jan. 8-11:

- **Love Thy Neighbor** (Para.)
  - AVENUE—(4,000) (35c-35c-55c) 7 days. Gross: $2,800. (Average, $400)
- **Comrade X** (M-G-M)
  - PARAMOUNT—(2,000) (35c-35c-55c) 7 days. Gross: $1,400. (Average, $200)
- **Flight Command** (M-G-M)
  - LOEB’S—(2,000) (35c-35c-55c) 7 days. Gross: $1,400. (Average, $200)
- **Santa Fe Trail** (W. B.)
  - SHERRY—(2,000) (35c-35c-55c) 7 days. Gross: $1,400. (Average, $200)

**‘20th-Fox Awards to British, China Units’**

W. J. Hutchinson, director of foreign distribution for 20th-Century Fox, has given special awards for 1939 to the company offices in England and China, for their work under extremely hazardous conditions during the year.

**‘Foyle’ at $16,000 Big in Providence**

PROVIDENCE, Jan. 16.—Aided by capacity houses at increased prices on New Year’s Eve and excellent holiday box-office, were unusually busy, “Kitty Foyle” and “The Saint at Palm Springs” took $16,000 in nine days at the RKO Albee. Estimated takings for the week ending Jan. 9:

- **Kitty Foyle** (RKO)
  - RKO (Average, $2,000)
- **The Saint at Palm Springs** (RKO)
  - RKO (Average, $2,000)

**Hanna and Gray $22,000, Cleveland**

Cleveland, Jan. 16.—“Chad Hanna” and Glenn Gray’s Casa Loma orchestra on the stage of RKO Palace ran up an excellent $22,000 here in a good week.

Estimated takings for the week ending Jan. 9:

- **“The Navy” (W. B.)
  - ALLEN—(2,000) (35c-35c-45c) 7 days. Gross: $3,000. (Average, $430)
- **Santa Fe Trail** (W. B.)
  - WARNERS’ HIPPODRAM—(3,000) (35c-35c-45c) 7 days. Gross: $4,800. (Average, $686)
- **Comrade X” (M-G-M)
  - RKO—(2,000) (35c-35c-45c) 7 days. Gross: $2,500. (Average, $357)

**Mounted Scores $23,000, Baltimore**

BALTIMORE, Jan. 16.—North West Mounted Police scored a smash $23,000 at the Stanley.

Estimated takings for the week ending Jan. 9:

- **Comrade X’ Takes Indianapolis Lead**

INDIANAPOLIS, Jan. 16.—“Comrade X” and “Golden Fleece” did $5,100 in a 10-day run at Loew’s and “Santa Fe Trail” was good for $12,000 in 10 days at the Indiana.

Estimated takings for the week ending Jan. 9:

- **Love Thy Neighbor** (Para.)
  - MEADVILLE—(2,000) (35c-35c-45c) 7 days. Gross: $3,600. (Average, $514)

- **Comrade X’ (M-G-M)
  - RKO—(2,000) (35c-35c-45c) 7 days. Gross: $1,500. (Average, $214)

- **Golden Fleece** (M-G-M)
  - RKO—(2,000) (35c-35c-45c) 7 days. Gross: $1,500. (Average, $214)
Industry Is Not Inciting
To War: Hays

(Continued from page 1)

"unbridled propaganda" for war.

Hays expressed his appreciation of Senator Wheeler's action in sharing with him this observation, which had been brought to the Sena-
tor's attention, resulting from motion picture treatment of defense and war topics.

Hays' letter relates that a 10-
month analysis of the five newreels shows that of 3,915 different subjects included in 700 per cent, or 646 clips, related to national defense efforts of a factual nature. The reels also carried war coverage and Latin American subjects.

Three Shorts on War
An analysis of 707 short subjects approved by the Production Code Ad-
ministration during 1940 reveals that only 14 dealt with governmental ac-
tivities and three with the European war, or approximately 2.4 per cent of the total. A further analysis, Hays' repays states, reveals that of the $30 figures for which P.C.A. seals were issued last year, only 30 or five per cent of the total, "per-
tained in any way whatsoever to in-
ternational politics or current events.

Hays calls the attention of Senator Wheeler to a statement Hays issued in 1939 following the proclamation of American neutrality. The statement reads in part: "The primary purpose of the es-
cential service of motion pictures is entertainment. There may be pic-
tures in which war is an element, but 'art' pictures, made for the purpose of stirring up animosity, have no place on the screen, and certainly are no part of the purpose of the or-
motion picture industry."

"This quotation," Hays letter states, "continues to reflect the estab-
lished policy of the industry, which most emphatically is not to carry on 'a violent propa-
ganda to incite the American people to war."

"Surely," Hays concludes, "the change cannot lie that patriotic pic-
tures, emphasizing the American way of life are war propaganda; that vi-
tal portrayals of the hero and trag-
edy of the European war glorify such conflict."

Recognizes Obligation
"The American motion picture in-
dustry," Hays wrote, "recognizes its obligation to aid the nation in the pres-
ent emergency and expects to do its part in this war. Motion picture cameras have caught and recorded far too much of the tragedy and heroism of military war for this industry to let leaders disregard the consequences of American belligerency, much less deliberately use the screen for war purposes.

Senator Wheeler had threatened the industry with regulatory legislation unless it adopted a "more impartial attitude" in presenting subjects related to the war.

Support Decree, Department
Of Justice Asks Exhibitors

(Continued from page 1)

and if so, wheth-
er changes must be made in other provisions of the decree. If the court believe such changes should be made and, if modification is neces-
sary, what specific changes should be made.

The "above outline of the proposed decree," continued the decree union is necessarily tentative and subject to modi-
fication in the light of experience," the department stressed. "It is not the case that exhibitors and their organiza-
tions must know that without their wholehearted support, neither the de-
crees nor the decree union can function properly. While the department is heartily in favor of the settlement of individual differences without resort to arbitration by voluntary agreement between the parties involved wherever the agreement is a fair one, it should be borne in mind that the decree was intended to relieve small exhibitors from the pressure which large circuits and distributors have been able to exert in the past with respect to the enforcing of such contracts. Unless free use of the arbitration me-
chanism established by the decree is made possible, voluntary action will not have been fulfilled."

Will Prosecute 'Coercion'
The department expressed the be-
ief that there is no cause for fear of reprisals on the part of exhibitors who insist on filing arbitration com-
plaints rather than accepting nego-
tiated settlements, but declared it will prosecute for contempt any person who attempts to prevent exhibitors from exercising any of his rights un-
der the decree "by economic coercion or otherwise."

"The questions which will be up for decision on Nov. 20, 1943, must in-
vitably be largely determined by the data and the record developed dur-
ing the preceding three-year period," it was pointed out. "Unless exhibitors make full use of the arbitration pro-
time, therefore, are made for the exhibitors cooperation on a substantial scale, these questions are certain to be erroneously decided, to the detri-
ment of exhibitors and the industry as a whole."
Warner Net Is $1,276,316 For Quarter

Compares With $642,129 For 1939 Period

Warners and subsidiary companies report net profit of $1,276,316, after all charges, for the 13 weeks ending Nov. 30, 1940, the first quarter of the company’s fiscal year. This compares with net profit of $642,129 for the corresponding 1939 quarter.

The profit is equal to $1.231 per share on the 5,961,671 shares of preferred stock outstanding, and 31 cents per share on 3,701,690 shares of common stock outstanding.

Income for the period amounted to $24,934,488, and operating costs $24,462,516. Amortization and depreciation of properties amounted to $1,123.

(Continued on page 6)

Mexican ConsiderS Producing in Texas

SAN ANTONIO, Tex., Jan. 19—J. U. Calderon, head of Aztec Distributing Co., Mexican distributor, has conferred here with Mayor Maury Maverick on the possibility of producing Mexican films in this city. Calderon was introduced to the mayor by prominent local citizens and Mayor Maverick pointed out to the Mexican film executive the advantages of San Antonio as a site for production. Calderon conferred also with a number of leading San Antonio citizens and visited a number of local sites.

Mexican production has been facing increasing difficulties during the past several years, handicapped chiefly by labor problems, the lack of Government aid, and insufficient working capital.

Jenkins’ Decree

Talk Schedule Set

Felix A. Jenkins, 20th Century-Fox general counsel, next weekend will leave the Coast, where he is confer-
ing with company executives, for a series of consent decree discussions at the company’s branches. Jenkins has prepared a handbook on the decree, designed for the sales force. He plans to visit all branches in the United States and Canada. Tentative

(Continued on page 6)

Nazis Reorganize Trade in Holland; Dominate Market

By PHILIP DE SCHAAP

AMSTERDAM, Jan. 19.—The Dutch film trade has been virtually reorganized since the Nazi occupation, with a number of changes in the Dutch Bioscoop Bond, trade organization, changes in theatre management, and the like. German interests dominate.

All American product, which up to May 10 last accounted for more than 60 per cent of the product in Holland, and all French and English films have been prohibited by the Nazi authorities.

Only Columbia, represented by Loet C. Barshtijn Filmindustrie, and Pathé are permitted to release short subjects, but RKO films are fast disappearing from the market.

Ufa and Tobis, the German companies, now dominate this market. They are the only companies releasing new product. Several independents offer old German films, and Prolift, Dutch newsmagazine company, supplies some short product and newsreels.

Shipment of films has been seri-
ously restricted by the lack of gasoline. Ufa and Tobis have taken over many of the country’s leading theatres, and gained control over considerable circus operation, from the Dutch owners. Theatre business is far below average, chiefly because few people venture from their homes at night. Double bills are no longer permitted. The exhibition on American, English and French product has re-
turned in the closing of about 27 offices.

(BMI Courting Exhibitors in Ascap Battle

Kuykendall Voices His Support of Radio

Broadcast Music, Inc., is courting exhibitor support in its campaign against Ascap, it was learned over the radio. Edwin Kuykendall, M.P. T.O.A. president, while asserting that the national exhibitor organization had not “been invited to partic-
icipate in the radio-Ascap fight, added that “we naturally wish radio well in its efforts to defeat a monop-
oly.”

It was learned that BMI has endeavored to obtain some expression from Kuykendall concerning exhibitors’ views on the broadcasters’ “war” with Ascap, particularly since an M.P.T.O.A. bulletin several weeks ago which said that while exhibitors are not directly involved in the fight it may have results which will affect them.

In addition, the National Association of Broadcasters has prepared re-
prints of a letter, sent to Newsweek by A. B. Harris of the Echo Theatre, Encampment, Wyo., attacking Ascap’s music tax on theatres, and is mailing

(Continued on page 8)

RKO Starts ‘Smith’ Previews in Buffalo

First preview of RKO’s “Mr. and Mrs. Smith” was at the Century in Buffalo Friday night, with local exhibitors and newspapermen as guests. The film was screened as an addition to the regular show. Similar previews have been set for all exchange cities beginning today and ending Jan. 28. RKO district and branch managers will be hosts at the screenings.

Gas Schaefer, Northeastern district manager; Elmer Lux, branch mana-
ger; Terry Turner, head of the field exploitation staff, and Harry Reiners and George Degnon, field representa-
tives, attended the Buffalo showing.

(Continued on page 8)

Short-Wave Hookup Set

For Inaugural Address

Agencies Exempted In Labor Measure

ALBANY, Jan. 19.—Theatrical em-
ployment agencies and theatrical and radio booking offices are specifically exempted from provisions of a bill introduced in the legislature on Fri-
day by Assemblyman Ralph Schwartz which amends labor and business laws to regulate fee-chargeing employment agencies.

Details of proposed legislation to tax chain stores are being worked out for early introduction. Former mea-
sures of the kind have included theatre circuits but these may be exempted in the forthcoming legislation, it is un-
derstood.

Reviews Today

Reviews of “High Sierra,” “Trail of the Silver Spurs” and “Night of the Mayas” will be found on Page 7. Short Subject Reviews are on Page 6.
Gilbert Miller Joins Lester Cowan in Unit

Gilbert Miller, play producer, and Lester Cowan, have joined in an arrangement to co-produce a film, "Ladies in Retirement," from the play of the same name which Miller presented on Broadway early this year and is now on the road. The film will be released by Columbia. The transaction was handled by Attorney William Jaffe, of the law firm of Rosenblatt & Jaffe.

The play opened on Broadway on March 26, 1940, and closed in mid-summer. Florence Robinson and Estelle Winwood held leading roles. Others in the cast were Evelyn Ankers, Isabel Elson, Patrick O’Moore, Jessina Newcombe and Florence Edney. Rosana Feaborn has the role of the company part filled in the Broadway presentation by Miss Ankers.

Phillips Resuming Decree Trip Soon

Louis Phillips, Paramount home office attorney, returned to Chicago last Saturday in connection with New York. He will represent Paramount in the trial of a plagiarism suit in which Chicago this week and then will resume his decree in Miami. Phillips has already visited the Milwaukee, Kansas City, St. Louis and Indianapolis exchanges. He will hold an exchange meeting while in Chicago this week and then visit the Omaha, Des Moines and Minneapolis exchanges. After working at Paramount in the La Crosse, Wis., antitrust suit trial at Madison on Feb. 17, he will tour Paramount exchanges in the Far West.

20th-Fox Meeting Held in Chicago

Chicago, Jan. 19—A Central division sales meeting of 20th Century-Fox was held here Thursday and Friday at the downtown. William C. Gehring, Central division manager, was on hand and discussed current subject’s sales progress. Attending were M. A. Levy, Minneapolis district manager; and branch managers Charles Edlund, Chicago; Lester Sturm, Detroit; George T. Landis, Indianapolis; and Jack Centr cata.:

Hartwig Rites Held

Funeral services were held yesterday at the Campbell Funeral Parlors for Walter Hartwig, outstanding con tributor to the "little theatre" movement, who died Friday at Doctors Hospital, at the age of 81. He was an associate of David Belasco and Daniel Frohman.

Pennsylvania Allied Recruits Samuelson

Philadelphia, Jan. 19—Sidney Samuelson was recruited business manager of Eastern Pennsylvania Allied at a meeting of the board of govern ing directors of the organization here Friday.

Other officers recruited are: E. C. Brown, secretary; W. J. Ed monson, treasurer, and Sally Fisher, assistant sec retary. Joseph Conway was named national director for the organization and Alan McAvoy was appointed to the finance committee were Harry Ceroff, Milton Rogamer, Samuel Stiefel, Conway and Miligram, with Gregory and Fetter ex officio members.

Personal Mention

David Loew, United Artists producer, who is in New York, has recovered from an attack of the flu.

Alexander Korda, who was scheduled to leave for the coast Saturday, postponed his departure because of illness.

Charles E. McCarthy, director of advertising and publicity for 20th Century-Fox, is due today from studio conferences.

T. R. Thompson has returned to Kansas City, where he is general sales manager of M-G-M, addressed Des Moines film group late last week on route to the Coast.

Ted Schilinger and Jay Emanuel have been named associate chairman for the film industry in the United Charities campaign for Philadelphia.

Barney Pinkin, RKO manager in New Haven, and Mrs. Pinkin are vacationing in Florida.

Earl Wright, 20th-Century-Fox salesman in New Haven, has returned from a fishing trip to St. Peters burg, Fla.

Lee Shubert is at Miami Beach.

Harry Cohr, president of Columbia Pictures, is expected in New York in about two weeks.

Charles S. Chaplin, recently appointed New York manager in Montreal, was given a farewell dinner recently in St. John, N. B., where he formerly was manager.

F. R. Moran, Republican manager in Des Moines, is confined to his home with the flu.

A. A. Fowler, exhibitor in Doug lasville, Ga., is attending the legislature at Atlanta as a State Senator.

Leo F. Wolcott, operator of the New Grand, Des Moines, has been nominated by the American Legion there for the community service award.

Thelma Gayler of the Indianapolis 20th Century-Fox exchange has been married to Murray Patterson.

J. Dennis Welsh of Movietone News in Philadelphia spoke on news reel work at a meeting of the Council of Jewish Union here.

George Lopink, formerly with Universal in Des Moines, was married recently to Charlotte R. Clark.

Robert Risken arrives here from the Coast today for conferences at the Warner home office.

Oscar Levant has left for the coast.

Indie Producing 400 Films Yearly

Montreal, Jan. 19—India has a producing industry which is turning out most of the feature films made each year, and is developing many players, according to Michael Gordon, publisher of "Bombay Talk," and a recent visitor to Montreal.

"Indians like long pictures," he said.

They like them to take three to four hours. "In Bombay," he said. Production costs of Indian pictures remain extraordinarily low according to Indian standards. Under contract to work on a feature picture for three months, can live like a princess on $1,400 as her pay for the period, "how much?" he asked. "A perfect picture with 10 prints will cost between $50,000 and $100,000 complete.

"There are about 16 first rate companies in India," said Gordon. "Most of them produce pictures only in Hindu stan, so the language is about 200,000,000. In the population, and many of the others understand it too."

Philadelphia Club Committees Named

Philadelphia, Jan. 19—Dr. Leon Levy has been named national vice club manager. He has appointed the following standing committees for the new year: Motion Pictures—Ted Schil linger and David Abeles; Education—Richard Schwartz; Cards—Ben Fertel, Maxwell Gillis, Leo Posel; Entertainment—Harry Diben, Stanley Broza, Oscar Neufeld, Lawrence Shubert; Membership—William J. Clark, Earl Weigert, William MacAvoy, Sam Gross; Rules and Regulations—A. Cohen, Harry Ball.


Seeks Child Ban In School Hours

Cincinnati, Jan. 19.—The Cincinnati Parent-Teachers Association has urged Mayor Jacob J. Sterk, of Cincinnati, to ask for an ordinance for the City Council to prohibit attendance by children under 13 to motion pictures during school hours. It is expected that such a measure will be introduced in the Council shortly.
THEY LOVE IT!
The ‘Honeymoon’ started this week at Warner, Memphis — and is it wonderful!

ANN SHERIDAN
GEORGE BRENT
Make Kisstory in
HONEYMOON FOR THREE
with
CHARLIE RUGGLES • OSA MASSEN • JANE WYMAN
WILLIAM T. ORR • LEE PATRICK • Directed by LLOYD BACON
Screen Play by Earl Baldwin • Additional Dialogue by Julius J. and Philip G. Epstein • From the Play by Allan Scott and George Haight
Here's "No. 158!"

—The first picture about Uncle Sam's millions of rookies heading for Army camp life!

Universal's surprise comedy smash...

With the new sensational comedians, Abbott & Costello, boogie-woogie jamsters.... champion jitter-bugs and Hollywood's most charming armfuls as camp hostesses!

hit numbers? When you hear "You're a lucky fellow, Mr. Smith!" you'll know you're a lucky fellow, Mr. Exhibitor!

National Release Jan. 3
starring

Bud
Lou
ABBOTT & COSTELLO
with
LEE BOWMAN
ALAN CURTIS

JANE FRAZEE • NAT PENDLETON • SAMUEL S. HINDS
and

The ANDREWS SISTERS

With the world's champion jitter-bugs
and a bevy of Hollywood's scintillating lovelies
JEANNA KELLY • NELL O'DAY • NINA ORLA • KAY LESLIE
DOROTHY DARRELL • MARIA MONTEZ • NELLA WALKER

Directed by ARTHUR LUBIN
Associate Producers, ALEX GOTTLIEB

Abbott and Costello, sensational comics known to millions of radio and stage fans!
Nova Scotia Faces Lack of Operators
Halifax, N. S., Jan. 19.—Scurvy of licensed operators threatens the operation of a number of houses in Nova Scotia. Efforts of exhibitors to obtain operators are blocked by the union and the censor board, which, having jurisdiction over all theatre matters, has refused all apprenticeships in the hoots.

4 Baltimore Houses To Double Air Prize
BALTIMORE, Jan. 19.—In a local effort to meet the competition of the $1,000 "Pot o’ Gold" weekly giveaway, four theatres, the Hampden, Alpha, Westminster and Bridge, have taken newspaper ads offering to double the prize if a patron should fail to answer the telephone because of attendance in one of the four houses.

You need not stay home on Thursday nights to win the $1,000 or more prize money offered on the radio every Thursday night, the ad reads. "We will double the amount if you are in any of the theatres listed below on Thursday night at the telephone call is made—and your number is selected."

Roy Mack in Soundies
Hollywood, Jan. 19.—Roy Mack has been signed as director of the first reel of John Roosevelt’s Soundies, to be produced by Sam Coslow’s Cameo Productions.

"Dog in the Orchard" (Warner’s)
This compelling story by Mary Roberts Rinehart has been converted into an interesting screen drama, skillfully performed and directed. The cast includes Howard D. Silva, the farmer who has murdered his wife so that he might continue an affair with another woman, Barbara Pepper, and De Forest Young, the sheriff in whose suspicions are aroused by the howling dog in the orchard. David Selznick produced this wonderful little feature. De Forest Young’s camera maneuvering and lighting give the tale added effect. Jean Negulesco directed the Owen Crump screenplay. Running time, 20 mins.

"All’s Well" (Fletcher-Paramount)
In this color cartoon, Gabby’s desire to make everybody happy runs into a snarl when he encounters a baby who won’t stop crying. After several attempts to amuse the infant, Gabby decides the baby needs a fresh diaper but his efforts to get it on start the complications. Gabby and the baby are typical of the likable characters. Running time, 7 mins.

"The Fighting 69th's" (Warner’s)
This cartoon account of a battle between the red ants and the black ants is funny in spots but on the whole rates as a mediocre gag reel. The war is fought on picnic grounds. Running time, 7 mins.

To Enforce Poster Law in New Jersey
TRENTON, N. J., Jan. 19.—The outdoor advertising Division of the State Tax Department has served notice that the new-year-old highway safety poster law will be rigidly enforced. It provides that no outdoor advertising sign may be erected in the state except where the highway safety chapter of the motor vehicle code applies.

W.B. First Quarter Net Is $1,276,316
(Continued from page 1)
815, and provision for Federal income taxes was $460,000. Earnings surplus at the end of the quarter was $5,733,260.

The consolidated balance sheet as of Nov. 30, last, showed $8,452,922 in cash, compared with $7,709,962 on Inventories, an increase of $742,960. Total current and working assets were $26,651,776. Total assets stood at $166,024,775, of which $8,331,276 is good will plane.

Current liabilities amounted to $15,287,969, leaving working capital of $10,372,207.

Jenkins’ Decree Talk Schedule Set
(Continued from page 1)
plans call for the first branch meeting in Los Angeles on Saturday, followed by San Francisco next Monday. The following stops now scheduled include: Portland, Ore., Jan. 28; Seattle, Jan. 29; Salt Lake City, Denver, Omaha, Feb. 3; Des Moines, Feb. 4; Minneapolis, Feb. 5; Milwaukee, Feb. 6; and Chicago, Feb. 7 and 8. The entire trip is expected to last six to seven weeks.

Photography Ballots Out
HOLLYWOOD, Jan. 19.—Nominating ballots for photography awards of the Academy of M. P. Arts & Sciences were received Friday by cinematography directors who will name 10 black and white and six color films for final consideration. Film editors also received ballots to nominate 10 editorial achievements for final awards.

Expect Ohio Bill to Tax Coin Machines
COLUMBUS, O., Jan. 19.—The Ohio legislature is expected to receive a tax on coin-operated film devices, and an impost on chance games as enacted by various groups and societies.

The inaugural address of Gov. John W. Bricker last year started his second term, made it clear that no new admission taxes will be necessary during the current legislative session.

Coin Machine Bill in Iowa
FRIEDRICH, Jan. 19.—A measure introduced in the Iowa legislature by Leo Hegel of Chariton would tax coin film machines between $100 and $300 annually.

S. A. Films To Get Attention: Whitney
LOS ANGELES, Jan. 19.—Arrangements are being made to give wider distribution to the 3,000 short subjects, in all, produced by the American Film Institute since 1927. Films made in Latin America, John Hay Whitney told the Southern California Film Club, had been shown at the University of Southern California here Thursday night.

Whitney represents Nelson A. Rockfeller, Commissioner of Commercial and Cultural Relations between the American Republics. He told the meeting that the countries have embarked on advancing Pan-American solidarity by showing South America to North America as it really is, and vice versa.

Massey to Conduct "Virginia" Premiere
Raymond Massey will be master of ceremonies at the premiere of "Virginia" at the Paramount on Broadway, it was announced. The opening will include Anton Dolin of the Ballet Theatre; Raoul Jovin, Metropolitan Opera tenor; Victor Conger, president of the fund, and Madeleine Carroll, who will speak to the audience by telephone from the studio. Press preview will be held Monday afternoon.

Floore Awarded Trip
SAN ANTONIO, Jan. 19.—R. O. Floore, chairman of the Interstate Circuit, has given John T. Floore, local manager, a trip to the Barney Balaban testimonial banquet in Chicago, in recognition of being co-winner in the Interstate Derby.

Mills Forms Exchange
Bernard H. Mills, former Republican franchise holder in Upstate New York and Michigan, has formed Equity Film Exchanges, Inc., with branches in New York, Albany and Buffalo.

Deanna Durbin to Tour
HOLLYWOOD, Jan. 19.—Deanna Durbin, after visiting Chicago Jan. 26 and following the President’s birthday ball in Washington Jan. 30, which she will attend, will visit several cities in the South, returning here Feb. 12.
Lynn Riggs Play
At Booth Tonight

“The Cream in the Well,” play by Lynn Riggs, produced by Carly Wharton and Martin Gabel, opens tonight at the Booth. The cast includes Martha Sleeper, Mary Morris, Leif Erickson, Myron McCormick and Virginia Campbell.

Broken Arm Forces Play Postponement

Jack Kirkland’s production of “Tannystreet,” originally scheduled to open tomorrow night at the Little, has been postponed to Wednesday. Jock McGraw, actor in the show, suffered a broken arm late last week and additional time is needed to find replacement.

The Gertrude Lawrence play, “Lady in the Dark,” is now set to open at The Adelphi, thus forcing Ben Levinson to open his play, “I. Q.,” Friday instead of Thursday in order to avoid a double opening. It will be at the Cornell Arms Playhouse in Greenwich Village.

Three shows closed on Saturday, “The Flying Circus,” “Dance in the Sun,” and “The Day of the Locust.”

Jolson’s Show Set
To Close on Feb. 1

At Jolson’s “Hold On to Your Hats” is scheduled to leave the Shubert Feb. 15.

The gripe, which kept Jolson’s show from going on the week before when the star was ill, continues to in- vade other legitimate theatres. Howard Lindsay of “Life With Father”; Victor Moore of “Louisiana Purchase” and Ben Hecht’s “Panama Hattie” are ill last week but were able to give performances.

Most serious cases reported were those of Gene Kelly, Lella Ernst and Vivienne Segal, preventing them from appearing in “Pal Joey” at the Barrymore. A number of other shows are also reported ill with the gripe.

Epidemic May Shut
Some Ohio Houses

COLUMBUS, O., Jan. 19.—Present indications point to possible closing of theatres, or, at least, restriction of attendance to adults, in situations which have been reported as affected by the influenza epidemic sweeping Ohio.

Although the cases reported to the State Health Department are of mild form, schools in many areas have closed, and others are preparing to do so. No theatre closings have been reported, but health authorities in many sections are surveying theatres to determine ventilation facili-

Flu Bars Children

GARDNER, Mass., Jan. 19.—Following the lead of theatres in other communities, Curtis Morse and William P. Hall, managers of the Gardner and New Uptown, here, respectively, announced children under 16 would not be admitted during the gripe and influenza epidemic.

Feature Reviews

“High Sierra” (Warners)

THE gangster film of yesteryear, made such a notable part of the screen’s entertainment history through the efforts of the Warners, rises again in “High Sierra.” On this occasion the scene is the Cali-

fornia mountains. Here is all the melodramatic action of the planning of the crime and its commission, murder and escape, the pursuit by 

the police, and the culminating sequence when the gangster shoots it out with the law, with the inevitable result.

The snow-covered mountains loom in the background of the action and form the final hiding place of the fleeing gangster, from which he is blasted by an array of heavily armed officers. The picture is entertainment in the best tradition of its earlier predecessors.

Once again, too, is the underlying conclusion that “crime does not pay.” But in the telling of it, the gangster is given his kindly moments, he is made the victim of treachery, he does kindnesses and reveals an inner nature of soft and yielding humanity, which is at striking variance with the slashing gun and ruthless behavior of the pardoned big-time gangster.

Humphrey Bogart brings to the role the kind of performance that other, more mongrel dog, used to reflect the gangster’s more kindly instincts.

Here is entertainment with a punch.

Running time, 106 minutes. “G”

Charles S. Aaronson

“Trail of the Silver Spurs” (Monogram)

PRODUCT of the George W. Weeks unit, “Trail of the Silver Spurs” is an Early Spalding adaptation of an Elmer Clifton original and a vehicle for Ray Corrigan, John King and Max Terhune. To patrons of westerns, the trio is familiarly known as “The Range Busters.”

The frequent use of stock material in the production will hardly escape the avid Western fan. On the credit side is the smooth handling of the moments and the work of the three likeable chaps. J. Stanford Jolley, Dorothy Short and Eddie Dean are among the supporting players.

The story has the “Range Busters” as Government marshals un-

covering dirty work in a ghost town.

Running time, 58 minutes. “G”

“Night of the Mayas” (World Pictures)

DESCRIPTED as the “forrunner of a Pan-American screen cycle,” this Mexican importation has a unique love story interwoven with an intelligent and apparently authentic study of Mayan Indians.

The locale is the Yucatan forests in Southern Mexico where the descendants of the Mayans found refuge from an oppressive Spanish conqueror.

The film was given a modest production by Francisco de P. Calera, who acknowledges the cooperation of the State of Yucatan and the Carnegie Institute. The photography is clear. English titles serve their purpose adequately.

Each member of the all-Mexican cast plays his part sincerely. The story is a tragedy which ends with the death of three of the principals involved, a native girl and a white explorer, in love with each other, and the sorcerer who fought for the native who also was in love with the girl.

Running time, 80 minutes. “G”

**G* denotes general classification.

Mix G. E. Space Buyer

Schenectady, N. Y., Jan. 19.—D. S. Mix has been appointed newspaper and magazine space buyer for General Electric, replacing the late F. R. Davis.

Agfa Has New 16mm. Film

Agfa has developed a new “high-resolution sound recording” 16mm. film. The sensitive coating of the film is said to be made by a new process of emulsification.

Wilkes-Barre Union
Elects Cusick Again

WILKES-BARRE, Pa., Jan. 19.—With 400 members voting, Philip Cusick has been reelected by the secretary of the American Federation of Musi-

cians for his third term. Other officers elected were: Charles E. Tite, recording secretary; Charles E. Williams, financial secre-

tary (reelected); Robert Knecht, vice-president; E. A. Forshay, treasurer; Frank Magalski, business agent; William Christian, Heinic Kleinkauf, Delmar Hufnast, Joseph Bunyak, executive board.

The 40th anniversary concert and banquet will be staged by the Scranton musicians local on Tuesday at Masonic Temple there. Made Cetta, president, is honorary chairman of the affair. Frank Kelly is chairman.

Picketing Continues
At Detroit Theatres

DETROIT, Jan. 19.—Pickets who have marched in front of leading downtown theatres operated by the United Detroit Theatres since New Year’s Day continue their march in an effort to have the management recognize their union.

Pickets are known in front of the Adams, an independent house, last week, and in front of the Cinderella and Riviera, two neighborhood houses, controlled to members of the operators’ union. They are also picketing three of the large downtown United Detroit houses. The Building Service Employees Local 79 seeks recog-

nition of its union, a six-day week of 48 hours and a $5 daily wage.

Pappa Is Reelected
By Wilmington Union

WILMINGTON, Del., Jan. 19.—Frank J. Pappa has been reelected president of Local B-94 of the Central Labor Union here. Albert Williams of the local operators’ unit, was named to the executive board.

The union has opened negotiations with film houses here, seeking to in-

stitute stage shows twice weekly in local theatres. Representatives of the local unit of the American Federation of Musicians also have joined the discus-

sions.

Resignation by an exhibitor from the I. T. O. A. of New York to participate in the arbitration award increasing wages and granting an extra week’s vacation to the member, has been accepted by the secretary, Local 306, last year, did not relieve the exhibitor from paying the increases, according to a ruling of the Appellate Term of the New York Sup-

reme Court. The decision upheld a lower court judgment and awarded $282 in damages as well as an addi-

tional $88 which accrued since the judgment, against Ronsal, Inc. (Rob-

ert Saffer), operator of the Euclid, Brooklyn.

The defense contended that since it had resigned from the I. T. O. A., it was not bound by the arbitrator’s award, but the court ruled that the terms of the basic 10-year contract—signed in 1937 covered four. Similar cases are pending, a union spokes-

man said.

Union Wins Wage
Verdict on Appeal

Monday, January 20, 1941

MOTION PICTURE DAILY

Page 7

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man said.
**FCC Sets Hearings On 2 New Stations**

**Television Studios On Paramount Lot**

Paramount plans to establish studies and offices for its Hollywood television station on the studio lot, it was revealed over the weekend by Edward F. Young, president of the company. Buddy, the new station's manager, will be general manager of the new station when it is completed. Necessary equipment has been ordered, Buddy stated, and several transmitter sites have been surveyed. Location of the transmitter has not been finalised. Television Productions, a Paramount subsidiary, owns the license for the new station. When completed, the Allen B. DuMont Laboratories, a Paramount affiliate, will be used.

**Short-Wave Hookup For Inauguration**

(Continued from page 1)

Italian, German, and Spanish will be beamed to Europe, one General Electric station will broadcast in Spanish for Latin America and another to Europe in English, while NBC's two stations will also broadcast in Spanish and Portuguese to Latin America. The Portuguese version will be rebroadcast by a network of Brazilian stations. Five NBC announcers will be on the air, speaking in the different languages. In addition, NBC will transmit the text of the President's speech seven times after he goes off the air.

**Roosevelt Considers Appointment to FCC**

Washington, Jan. 19.—President Roosevelt disclosed over the weekend that he would begin consideration this week of a proposal to appoint him to the FCC to succeed Thad H. Brown. The President did not make his plans known, however. There has been report that a reorganization of the FCC along lines suggested by former Chairman McNinch may be sought.

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**FCC Rules Broadcasters Must Refrain from Coloring Air News**

Washington, Jan. 19.—Broadcasters must refrain from coloring or editorializing the news, the FCC ruled Friday in renewing the license of WABA, Boston. The station was reprimanded for past practices but its promise to refrain from coloring the news in the future was accepted.

The commission pointed out that WABA had, from 1937 through September 28, 1938, supported political candidates in election campaigns and taken sides in controversial public issues.

"Radio can serve as an instrument of democracy only when devoted to the communication of information and the exchange of views fairly and objectively," the FCC said.

"A truly free radio cannot be used to advocate the causes of the licensee. It cannot be used to support the candidates of his friends. It can be devoted to the support of principles he happens to regard most favorably." In brief, the broadcaster cannot be an advocate.

The FCC said that John Shepard, 3d, president of the Yankee Network, and the licensees of the network station, WBAA, must refrain from the practices complained of. The FCC denied an application by the Mayflower Broadcasting Co. to replace WABA on the air.

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**Off the Antenna**

**Bell Laboratories has prepared a television demonstration for the FCC when it visits New York Friday. The demonstration will be a repetition of that made for members of the Institute of Radio Engineers last week. A program will originate in New York, be transmitted by coaxial cable to Philadelphia and returned to New York by application.**

**New members of the demonstration will be included and the Public Science Foundation will be engaged.**

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**Noble Takes Over Control of WMCA**

Edward J. Noble, board chairman of Life Savers Corp., has assumed active control of Station WMCA, following the completion of final details in the transfer of ownership from Donald J. Flinn for $850,000. New station policies and programs will be announced this week.

Noble, who is the sole purchaser of the stock of the Knepperback Broadcasting Co., Inc., of which Flinn had been president since 1925, was to have changed hands Dec. 31, but after the FCC had authorized the transfer, Flinn asked that the sale be postponed and the deal at that time, refused to rescind its authorization.

**Louisiana Ban on Ascap Is Nullified**

BATON ROUGE, La., Jan. 19.—The Louisiana Supreme Court has nullified the state law prohibiting Ascap from collecting fees in the state except under a stringent licensing system. The legislation was passed in 1934 at the instigation of Huey Long, "hoss," and had been the subject of a long court fight led by J. Studemil, president, Ascap, division manager in New Orleans.

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**Ascap Claims 161 Stations; BMI 667**

A total of 101 commercial broadcasting stations have renewed their Ascap licenses, the society's president has declared. These, together with non-commercial stations which receive their licenses free of charge, brought the total "well over 200" it was said. BMI has 667 commercial stations and 18 non-commercial for a total of 685.

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**Bate Arrives Today**

Fred Bate, head of the NBC London office, will return to New York today by clipper for several weeks of conferences.

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**Recent Motion Picture Daily Articles**

[Article text]

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**Motion Picture Daily**

Monday, January 20, 1941

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**BMI Courting Exhibitors in Ascap Battle**

(Continued from page 1)

them to exhibitors throughout the country.

Ascap officials, commenting on the attempts to interest exhibitors in the broadcasters’ rate war, observed that any contribution to BMI’s success by exhibitors would be regarded as “unfair—sighted” on their part. “If BMI succeeds,” they said, “exhibitors will have two music taxes to pay where they have only one now.”

Amplifying on M.P.T.O.A.’s position with respect to Ascap, Kayden said: “In a sense, the advantage which Ascap has over theatres which cannot choose the music that goes into pictures, yet must first pay the proposed tax, is a charge for an additional rental and again pay Ascap in the form of a sales tax when the picture is shown.

“There should be a Jaw controlling Ascap’s present right to levy any charge it chooses against theatres.

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**FCC Sets Hearings On 2 New Stations**

WASHINGTON, Jan. 19.—The Federal Communications Commission has designated for hearings at a later date the applications of Edward J. Reeder for a new 1,420-kilocycle, 250-watt broadcasting station at Seattle, and the Western Massachusetts Broadcasting Co. for a 1,350-kilocycle, 100-watt station at Pittsfield, Mass.

Applications received by the commission for construction permits for two new FM stations and two new regular broadcasting stations.

The applications were filed by Edwin H. Armstrong, New York, for a transmitter in Alpine, N. J., with a maximum power of 40,000 watts, to operate on 48,100 kilocycles to cover 15,610 square miles with a population of 12,237,173, and by the Municipal Broadcasting System of the City of New York, for a maximum power of 1,000 watts to operate on 46,700 kilocycles to serve 3,889 square miles with 1,592,724.

The regular broadcasting applications were filed by James F. Hopkins, Inc., for a 1,500-kilocycle, 1,000-watt station, and A. M. Burton for a 1,380-kilocycle, 1,000-watt station at Nashville, Tenn.

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Roosevelt's Inauguration Jogs Grosses

Flood of Visitors Brings Joyous Box-Office

WASHINGTON, Jan. 20—President Franklin D. Roosevelt's third term inauguration brought joy to the theaters in this city. Film business boomed yesterday continuing the tremendous box-office surge of the weekend as thousands of tourists and visitors from all over the country flocked here. Good, clear weather conspired in this increase of grosses.

Downtown houses were packed before, during and after the inaugural parade. Loew's Palace had a long box-office line throughout the day for "Gone With the Wind," and RKO, the only house directly on the parade route, had to assign guards to assist persons desiring to enter the house because (Continued on page 2)

Interstate Wins Final Trust Suit

DALLAS, Jan. 20—Interstate Circuit today won an instructed verdict in a jury trial of the $25,000 antitrust suit brought against it by R. Z. Glass of Houston, in U. S. District court here.

Federal Judge William H. Atwell ruled that Glass' damages were so uncertain and speculative that there could be no recovery and that, since Glass had not complied with the 25-cent minimum admission requirement on which he based his suit, he had not been damaged in that respect.

Glass and his father were the only witnesses. Following their testimony, Pat Russell, attorney for Glass, (Continued on page 11)

Van Schmus Guest At Amia Thursday

W. G. Van Schmus, managing director of the Radio City Music Hall, will be guest of honor at the luncheon meeting of the Amia on Thursday in the Sun Room of the Hotel Edison. Van Schmus will speak on the publicizing of the world's largest in-theater

Gus Eyssell, assistant to Van Schmus, will discuss the operations of the theater. Leon Bamberger, Amia president, will preside at the luncheon, scheduled for 12:45.

U. A. Holds Rowland for Two More Years

Hollywood, Jan. 20—United Artists has taken an option on Richard A. Rowland. Prod. and Rowland will produce three pictures for the company during the next two years, as a result.

Writers are now working on "Battle of Britain," which will be Rowland's next.

AAA Selects First 16 Local Board Clerks

The American Arbitration Association yesterday designated the first 16 clerks for as many industry arbitration boards and confirmed leases for board headquarters in the 16 cities involved. Designation of the remaining 15 board clerks and office quarters will be made within the next day or two.

The A.A.A. will conduct training sessions for the clerks at the New York headquarters of the Association beginning tomorrow. The first 16 will attend the sessions which will run through Friday, and the group of 15 clerks to be designated subsequently will attend another three-day training session here, Jan. 27-29.

The first 16 clerks and arbitration board headquarters are: Dallas, C. (Continued on page 11)

Crossley Ratings Show No Loss of Radio's Audience

An analysis of the first Crossley ratings prepared by the Cooperative Analysis of Broadcasting since Jan. 1, when Ascap music went off the air revealed yesterday that there was no loss of audiences during the first two weeks of the new year as compared with December, according to the National Association of Broadcasters.

The N.A.B. analysis of the ratings did not list individual programs. Instead, the average audiences for 175 programs on the four major networks were totaled and compared with those of December. An audience rise of 14 per cent was reported up options. Survey ending Jan. 14, the N.A.B. reported that the average of all programs was 10.4 for both periods. The average for 72 daytime programs was 6.1 in December and 6.0 in January, and for the 103 night programs, 13.4 for December and the same figure for January. Each figure represents the average of all radio homes listening to the programs in 33 key cities.

Comparing January, 1941, with those of January, 1940, the N.A.B. reported that evening show registered gains of 11 per cent and day programs 22 per cent. The average of 72 daytime shows for January, 1940, was 4.9; for 103 evening shows, 12.1, and the overall average, 9.1.

Circuit Buying Not Altered by Decree

New York, Chicago or Other Big Bases to Retain Importance; Small Town Buying Plans Held Impractical

Circuit film buying will undergo no change as a result of the operation of the consent decree, representatives of leading national circuits indicated yesterday.

New York or Chicago or any other circuit buying base will continue to be just as important, if not more so, under the decree, as it is now, in the opinion of these trade experts, and no notion that film buying under the decree will be resolved into a strictly small town purchasing system is realistic and far from a practical viewpoint.

Negotiations with distributors will continue to be conducted by the same circuit executives either in New York or in the field, as company policy has prescribed in the past. The only change in the buying proc (Continued on page 11)

British Money Pact Reopening Possible

Any improvement in Great Britain's foreign exchange conditions would make possible the reopening of the industry's monetary agreement with the British treasury and Board of Trade along the lines of more liberal withdrawals of blocked currency from London, it became known yesterday when release here of official copies of the British monetary agreement.

One of the conceivable circumstances which would alter Britain's dollar credit position and could bring about negotiations under the new agreement for increased withdrawals by the eight major companies of their (Continued on page 11)

Illness Keeps Hays From Roosevelt Fete

Will H. Hays, M.P.P.D.A. president, was obliged because of illness to postpone his planned departure for the Coast last night and also was prevented from attending the inaugural ceremonies at the Roosevelt family dinner at the White House last night.

Mrs. Hays was a guest at the dinner, immediately thereafter returning to New York. They now plan to leave for Hollywood at the end of the week.
Coast Flashes

Hollywood, Jan. 20.—First of a series of inspections of theatres in the Coast was the consent decree, which will ultimately include every 20th Century-Fox exchange in the country. The inspection will take place next week at six locations, including the Home office legal department in charge. Other Coast offices will be visited next week and the Coasts will be shifted there.

Company executives who are here have held only preliminary conferences on theatre operations thus far. It is not expected to conclude their discussions by the end of the week.

Cecil B. DeMille today urged radio networks to found an academy of radio arts and sciences similar to the motion picture academy, declaring that "radio needs an academy as much as motion pictures ever did.'

Annual awards for scripts, adaptations, performances, and other phases of broadcasting were suggested by the impresario of the Lux Airshow, who added that "radio is building chiefly upon motion picture programs for name attractions despite the fact that it has developed some highly competent talent of its own.

Y. Frank Freeman, A. M. Botsford and Harry Sherman left yesterday afternoon to attend the testimonial dinner for Barney Balaban in Chicago, Thursday.

Nate J. Blumberg, President, will leave for New York by train Tuesday after attending several weeks of studio conferences. John Joseph, publicity and advertising director, will arrive in New York Wednesday.

To Meet on English Theatre Relief Soon

London, Jan. 20.—The first meeting of the joint committee representing the Cinematograph Exhibitors Association and the Independent Producers Society, empowered to determine war relief measures for exhibitors, will be held in the near future.

Were here late this month to shoot scenes in and about Miami and Miami Beach for the 20th Century-Fox picture "Miami."
more big build-up for

TALL, DARK and HANDSOME

CESAR ROMERO
VIRGINIA GILMORE
MILTON BERLE
Charlotte GREENWOOD
and SHIRL LEONARD
STANLEY CLIMENTS
BARNETT BARKER

...BROADCAST OVER KATE SMITH HOUR

JAN. 24th 8 to 9 P.M. EST
over CBS stations from coast to coast!

... OPENS AT ROXY, N.Y.,

JAN. 23rd watch it walk away with all the business on Broadway!
**Los Angeles**

**Gives Foyle**

Big $29,300

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**Hollywood Reviews**

**(RKO)**

**"Mr. and Mrs. Smith"**

_Hollywood, Jan. 20_

CAROLE LOMBARD and Robert Montgomery, veterans in the field of what Hollywood calls "screwball comedy," have in this treatment of domesticity in the rough many an opportunity for display of their talents. Gene Raymond, his blond hair now brunet, has the role of next importance, with Jack Carson, Philip Merivale, Lucille Watson, William Tracy, Emma Dunn, Betty Compson and others in support.

A departure for Alfred Hitchcock, who directed for Executive Producer Harry E. Edington, the film is from a story and screenplay by Norman Krasna. It is of the school of humor which most people date from "It Happened One Night" and deals with urges, impulses and associations of ideas which parents like to believe their children will not be knowing much about for a few years yet.

The man and wife of the story, Montgomery and Miss Lombard, wind up a bedroom argument of three days' duration in the opening sequence and separate on slightly strained terms, he to go to his office, after he states, in answer to her question, that if he had it to do over again he wouldn't marry. That day he learns that, due to a technically involving a boundary line, their three-year-old marriage is not legal.

Unaware that she has also learned of this, he invites her out to dinner, intent on duplicating their original wooing preliminary to duplicating their wedding, this time legally, but it doesn't come off happily and he forgets to mention the matter of legality until, as they are on point of putting on his shoes, he throws his clothes out of the apartment and sends them after him.

Next day he tries to persuade her to marry him but she declares she never will. On the contrary, she goes out with his law partner, Raymond, ultimately becoming engaged to him, the distraught Montgomery persisting in complicated situations, in efforts to win her back. At midpoint in the picture some dialogue between the law partners sets up the point that by reason of their three-year association Montgomery and Miss Lombard are man and wife by common law. Raymond and Lombard continue their plans to wed, however, until the final sequence, in which, after she has faked a rapturous marriage and Raymond has forsaken him, the latter breaks in upon her and, to her expressively indicated satisfaction, prepares to remarry the marital relationship which, save by the common law definition, is still illegal as the close of the picture as the start of it.

Shorn to press and profession at the Four Star theatre on a midweek afternoon, the picture drew much laughter at many points in its unreeling and left the audience a trifle suspended when it closed on a note of passion without having legalized the situation.

Running time, 90 minutes. **A**.

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**Roseo Williams**

**"Tall, Dark and Handsome"**

**(20th Century-Fox)**

A GANGSTER story treated throughout in light vein, but without action and suspense, "Tall, Dark and Handsome" refers to its main character, the kind-hearted underworld ruler, portrayed by Cesar Romero.

As a big shot in the Chicago of the late 1920's, Romero poses as a banker, hires Virginia Gilmore to act as governess to his non-existent children. He unmasks a tough, despicable villain, often in his costume of green with a gun and a set of hard-hearted to the point of his being recognized by young Stanley Clements. Although his ruse is discovered, the gangster and the governess fall in love, eventually flee town together.

Charlotte Greenwood is seen as a night club entertainer, Milton Berle as the fast-talking right hand man of the gangster, instrumental in exposing his secret of hiding alleged victims safely in a jail in his own apartment. This leads to a dedication of war by the leader of the town's other gang, Sheldon Leonard, who also wants to share Miss Gilmore's affections.

The original screenplay was written by Karl Tunberg and Darrell Ware, directed by H. Bruce Humberstone, with Fred Kohmar acting as associate producer. Leo Robin and Ralph Rainger contributed three of the songs which is sung by Miss Greenwood, the others by Miss Gilmore.

The performances throughout are on a plane with the pace set by the story, with Romero equally at ease as the overdressed and swaggering caricature of an underworld ruler and as the romantic leading man.

Running time, 78 minutes. **G**.

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**"Chorus at $8,100 Despite Omaha Cold"**

OMAHA, Jan. 20—In cold and rainy weather, "Second Chorus" was good to go. Estimated takings for the week ending Jan. 15-18:

**"Kitty Foyle"** (RKO) 
_RKO ALHAMBRA (33c-40c-50c) 5 days_ 
Gross: $16,000. (Average: $3,200)

**"Dark at the Cap"** (M-G-M) 
_RKO PARLIAMENT (25c-30c-40c) 6 days_ 
Gross: $4,300. (Average: $720)

**"Give Us Wings"** (Univ.) 
_RKO BEACON (25c-30c-40c) 6 days_ 
Gross: $3,900. (Average: $650)

**"Frolic's"** (20th-Fox) 
_RKO PARLOR (25c-30c-40c) 5 days_ 
Gross: $4,300. (Average: $860)

**"Silver Dollar"** (M-G-M) 
_RKO TOODY (25c-30c-40c) 6 days_ 
Gross: $6,300. (Average: $1,050)

**"The Merry Widow"** (M-G-M) 
_RKO FORUM (25c-30c-40c) 5 days_ 
Gross: $1,000. (Average: $200)

**"In the Tropics"** (20th-Fox) 
_RKO CARNABY (25c-30c-40c) 6 days_ 
Gross: $5,000. (Average: $833)

**"Second Chorus"** (M-G-M) 
_RKO STUDIO (25c-30c-40c) 6 days_ 
Gross: $5,000. (Average: $833)

**"The Merry Widow"** (M-G-M) 
_RKO BROADWAY (25c-30c-40c) 6 days_ 
Gross: $3,600. (Average: $600)

**"Second Chorus"** (M-G-M) 
_RKO BROADWAY (25c-30c-40c) 6 days_ 
Gross: $6,000. (Average: $1,000)

**"Chorus at $8,100 Despite Omaha Cold"**

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**Motion Picture Daily**

Tuesday, January 21, 1941
CARRY A TORCH FOR

LAND OF LIBERTY

presented by the motion picture industry to make 130 million people proud to be Americans!
"WHY TALK ABOUT PATRIOTISM WHEN YOU CAN DO SOMETHING ABOUT IT!"

Mr. Exhibitor, when you play "LAND OF LIBERTY" it's a rare opportunity to score at the box-office and simultaneously in the grateful heart of your community!

SEE IT WITH YOUR OWN THRILLED EYES
(Ask for a screening at your M-G-M Branch! Ask anyone who has seen it!)
AND YOU'LL JOIN THE CHEERING CRITICS!
(continued above)
“Stunning... a glowing tribute to the narrative power of the cinema... Interesting, informative and entertaining... A striking dramatization of the nation’s history and belongs in every theatre... A monumental success.” —M. P. HERALD

“The film is unique... extremely well handled by Cecil B. DeMille... the cast is enough to knock anyone’s both eyes out.” —BOX OFFICE

“This unique production is in a class by itself... One of the finest achievements of its kind the industry has ever known... Fascinating.” —FILM DAILY

“A magnificent job... swiftly moving... studded with drama... in consideration of the present temper of the people of this country, general world conditions and the preoccupation of the nation with matters of freedom and the support of the democratic ideal, this film should find strong popular support at the theatre.” —M. P. DAILY

“Truly a ‘Cavalcade of America’...” —VARIETY

“Rare indeed are the opportunities of encountering in any medium such vitally absorbing entertainment... Amazing entertainment force, capable of holding a rank-and-file audience spellbound through its entire length.” —HOLLYWOOD REPORTER

REMEMBER!

The entire cost of making “Land of Liberty” was donated by the organized industry!

(1) Every producer joined in making this timely entertainment which dramatizes America and its democratic way of life.

(2) All sales profits realized are being donated to war emergency work.

(3) All the services of distribution are given free.

(4) Exhibitors are asked for rental only. Exceptional opportunities are yours through live-wire showmanship!

(5) M-G-M is handling distribution on behalf of the industry. Communicate with your M-G-M Branch.

BELOW: Two-fisted showmanship packed Williamsport test run. This is a typical ad. Complete campaign, easily duplicated, available at your M-G-M Branch.
I'm proud to be an American and proud to present in my theatre—

"Mister American Showman:
Here's a truly great and inspiring attraction!
Get behind it with your heart!"

LAND OF Liberty
**Margie' and Holtz**
Big in Minneapolis

**Minneapolis, Jan. 20.**—"Margie," coupled with a Holtz stage show, led the parade here with $12,500. "Ten Pan Alley" did $10,000 at the State.

Estimated takings for the week ending Jan. 13 were $30,000.

"Margie" (Univ.)
MINNESOTA—(4,000) (26-39c) 7 days. Gross: $12,500. (Average: $1,714.)

"Ten Pan Alley" (20-Fox)
STATE—(2,000) (25c-39c) 8 days. Gross: $10,000. (Average: $1,250.)

"Arizona" (Col.)
ORPHSTR—(2,400) (36c-44c) 4 days. Gross: $7,000. (Average: $1,750.)

"Thief of Bagdad" (United Artists)
WORLD—(2,000) (25c-39c) 3 days. 1st week. Gross: $3,800. (Average: $1,266.)

"The Count of Monte Cristo" (M-G-M)
CENTURY—(1,600) (25c-39c) 8 days. Gross: $4,000. (Average: $500.)

"East of the River" (W. B.)
4 days
A Night at a Council Indepgence 6 days
GODfrey—(498) 30 days. Gross: $1,800. (Average: $60.)

"Blonde Has Servant Trouble" (Col.)
4 days
"Elsie Queen, Master Detective" (Col.)
5 days
"She Couldn’t Say No" (W. B.) 4 days
AFTER—(2,400) 9 days. Gross: $3,400. (Average: $1,133.)

**Kitty Foyle’ Denver Best, Gets $11,000**

DEVERE, Jan. 20.—"Kitty Foyle" and "I’m Still Alive" at the Orpheum drew $11,000. At the Denver, "This Thing Called Love" and "Lady With a Hair" took $10,300.

Estimated earnings for the week ending Jan. 15 were $46,500.

"Smilin’ F. Universal London’s Los the days."

**20th-Fox Acquires 6 New Story Properties in Week**

Hollywood, Jan. 20.

WENTIETH-CENTURY-Fox went on a property buying spree last week, acquiring the film rights to six properties. It purchased the novel, "Benjamin Blake," by Edson Marshall, to be published by William Perlberg to produce it. Rights to "Charlies’s Aunt," Brandon Thomas. 

"Remember the Day," by Philip Higley and Philip Dunham, was the third property obtained, and on which the studio will do the script. Linda Darnell might be starred in the film version. Joseph Schenck, one of the leading producers in the industry, and Ben Needles, sold the studio the "Lazy Galahad," an unproduced story.

Two originals by Helen and Van Everly were also acquired and Van Everly signed to do the treatment. Both stories will be produced under the title of "Margaret M-G-M's remake of "Smiling Through." Victor Sosson will produce the story to be directed by William McCann.

James Stewart will co-star with Jeanette MacDonald in a M-G-M remake of "Smiling Through." Victor Sosson will produce the story, an additional story of the start of the automobile industry. Edgar Selwyn will produce. Lew Landers has been assigned to direct Gene Autry's "Song at Twilight at Republic." Republic has borrowed Susie Hayard, director of "The Great Columbus," for the role of an old man, and will cast a veteran of the Lincoln Club. "Red's Return of Boston Blackie" is in the planning stage. "Shadows of the Stairs" is the new title for Warners "Murder on the Second Floor." "Working Class." "The Count of Monte Cristo." "The Count of Monte Cristo".

**Comrade X’**
Frisco Lead With $21,000

SAN FRANCISCO, Jan. 20.—"Comrade X" and "Romance of the Rio Grande" took $21,000 at the Fox. "Love Thy Neighbor" and "Murder Over New York" for $14,500 in the second week at the Paramount.

Estimated earnings for the week ending Jan. 14 were $1,000.

"Let’s Make Music" (RKO)
GOLDEN GATE—(2,800) (15c-40c) 5 days. Gross: $7,000. (Average: $1,400.)

"Comrade X" (M-G-M)
FOX—(5,000) (15c-35c-40c) 7 days. Gross: $2,500. (Average: $357.)

"Love Thy Neighbor" (Para.)
GOLDEN GATE—(2,800) (15c-35c-40c) 5 days. Gross: $3,000. (Average: $600.)

"Santa Fe Trail" (W. B.)
ST. FRANCIS—(1,800) (15c-35c-40c) 5 days. Gross: $1,000. (Average: $200.)

"This Thing Called Love" (Col.)
ELLERY QUEEN, MASTER DETECTIVE—(5,500) (35c-40c) 7 days. Gross: $2,000. (Average: $290.)

"To Kill a Mockingbird" (20th-Fox)
UNIVERSAL—(2,800) (15c-35c-40c) 7 days. Gross: $2,000. (Average: $286.)

"Husky’s Bay" (W. B.)
"Michael Shayne" (28th-Fox)
WATERFRONT—(2,400) (15c-40c) 5 days. 2nd week. Gross: $1,500. (Average: $300.)

"Dick,” Stage Show
Milwaukee Smash

MILWAUKEE, Jan. 20.—Fox’s Wisconsin took $15,000 with "The Bank Dick" and "Streets of Paris" on the stage. "Give a Girl a Break!" and "A Day in the Life of a Coward" 

Estimated earnings for the week ending Jan. 16 were $15,000.

"Victory" (Para.)
"A Night at Earl Carroll’s." (Para.)
SOMA—(2,000) (15c-40c) 5 days. Gross: $5,000. (Average: $1,000.)

RIVERSIDE—(2,600) (36c-44c) 6 days. Gross: $10,000. (Average: $666.)

"Comrade X" (M-G-M)
"Hallsale" (M-G-M)
CLAY—(400) (15c-35c-46c) 7 days. 3rd week. Gross: $700. (Average: $100.)

**‘Wedding’ to Open**
In London Jan. 31

LONDON, Jan. 20.—Paramount has scheduled the opening of Paul Soskin’s "Wedding" on Feb. 10 for a West End Theatre on Jan. 31, with plans set for an elaborate premiere.

Paramount is understood planning a high release on the film. Soskin is preparing another large scale production, in which the work of the famous impresario and background of England’s history from the time of the Munich to the recent fire in London’s City.


**‘Wind’ Is Strong In Worcester Run**

Worcester, Mass., Jan. 20.—“Gone With the Wind,” the "Lowry" edging up to average business Thursday and Friday since a slight drop, but when the ice started to disappear, the work was crowded Saturday and Sunday. The film previously did a mouth’s sensational business as a roadshow. The present top is cents 55 cents.

**Cinema Lodge Will Meet Here Tonight**

Arthur Israel, Jr., president of Cinema Lodge of B’nai B’rith, has announced that Dr. Milton Steiner, president of the American Symphony Orchestra, would be an additional speaker at an open meeting scheduled by the lodge to be held here tonight.

Principal speaker will be Dr. Abram L. Sachar, distinguished historian of the University of Illinois faculty.

**Atlanta Banquet Feb. 1**

ATLANTA, Jan. 20.—The first annual banquet and installation of officers of the Atlanta Variety Club will be held Feb. 1, with Deanna Durbin, Universal star, expected as honor guest.
Crosley Shows No Air Audience Loss

(Continued from page 1)

Among all 21 of the network programs which are wholly or preponderantly musical, 14 showed changes of less than 1 per cent between January and December, N.A.B. reported.

Crosley ratings are prepared for the benefit of network or advertising agency subscribers and figures are copyrighted. As a result, ratings cannot be published without specific permission, usually in matters of public interest, ratings are made available. However, neither C.A.B. nor N.A.B. yesterday would make the figures public.

B.M.I. disclosed that three songs in the new Globe film production, "Pot of Gold," with Horace Heidt, are being published by B.M.I. The latter organization also acquired performing and broadcasting rights to 70 numbers in the Regent Music Corp. catalogue.

Orders 'U' Action Complaint Amended

William Freiday, plaintiff in a directors' suit against Universal and its directors, is offered yesterday by N.Y. Supreme Court Justice Edward R. Koch to serve an amended complaint in his suit.

The plaintiff alleged that trust agreements attacked in the complaint did not constitute a "wrong to Universal Corp. or Universal Pictures, but, at most, to the stockholders individually" and that a separate cause of action would have to be stated. Freiday also was directed to separately state his cause which seeks termination of contractual relations between Universal and the Big "U" Film Exchange.

Buxbaum Is Guest At Birthday Party

Harry Buxbaum, 20th-Century-Fox branch manager here, yesterday was given a birthday party by the exchange's selling and booking offices at Sardi's.


Dismiss Plagiarism Suit Against Para.

CHICAGO, Jan. 20.—Federal Judge Barnes today dismissed the plagiarism suit filed by Allan Lisher, a writer, against Paramount. The company's motion to dismiss, made by Louis Phillips, home office of Paramount, was granted by the court at the close of argument for the plaintiff and without Paramount having heard.

Lisher charged in his suit that Paramount's production, "Professor Beware," had plagiarized his play "Gummed Up."

Formato Leses Warner

Philadelphia, Jan. 20.—Louis Warner, Brothers short subject booking, has resigned from the local exchange. He has left for New York, his future affiliation undisclosed.

Stockholder Sues CBS and Officers

A stockholder's suit against CBS and 19 of its officers and directors was filed yesterday in N.Y. Supreme Court by Mr. L. Morton Shulman, charging the defendants with mismanagement and malfeasance. Details of the suit were not revealed.

KWIL Joins Mutual

KWIL, Albany, Ore., operating at 1,210 kilocycles with 250 watt wanted the Mutual and Don Lee networks as a full-time outlet.

Berns Joins Warners

Bill Berns, WBNX film commentator, has joined the New York staff. He will continue on WBNX on Saturdays and Sundays.

Canadian Networks Join in War on Ascap

Broadcast Music, Inc., reported last night that it had been notified by telephone from Montreal that the Canadian network in jacks pay and Broad
casters at a meeting yesterday decided to join the National Association of Broad- casters in supporting B.M.I. in its fight against Ascap.

The C.A.B. passed a resolution to that effect.

Smith Would Settle Sound Union Pact

Hollywood, Jan. 20.—Harold W. Smith has offered to relinquish his post as business representative of the A. T. S. E. Sound Technicians Union in consideration of $6,282 in cash. He also offered five alternatives in the event his settlement offer is not accepted.

Smith claims the union owes him $1,210, $1,124, and $210 for his services. He is asking $7,126 as interest on that amount and $18,500 as a 50 per cent settlement of his contract, which has two and one-half years to run. He offered as alternatives plans under which portions of the salaries alleged to be due him would be paid and contract extended for various periods under which portions of the salaries alleged to be due him would be paid.

The local, which has about 600 members and a 10 per cent cap tax to the international, was learned.

B. M. I. to Consider U. S. Decree Today

The B. M. I. board of directors reported it will consider today the proposed consent decrees under which it is hoped to remove the B. M. I., and subsequent, whatever decree may be agreed upon.

This would leave the Government in a position to proceed against Ascap alone. The society rejected a proposed Government decree last month. It is understood that the Government suit involving B. M. I. may be brought at Federal court in Balti-

Gas Fells Children

Toronto, Jan. 20.—Scores of local children are recovering from the effects of gas fumes in the Doric Thea-

MOTION PICTURE DAILY

Tuesday, January 21, 1941

10
AAA Selects First 16 Local Board Clerks

(Continued from page 1)

C. Williams, Fidelity Bldg.; Denver, J. B. Milton, Chamber of Commerce; Des Moines, Bruce C. V. Whitney, A.A.A. president, will open the sessions. The functions of the A.A.A. will be explained by Miss Frances Kelor, first vice-president and members of her staff, while functions of the film studios will be discussed by J. Noble Braden, executive secretary.

Others who will address the sessions are: Hermann Trion, vice-chairman of the administrative committee for the industry's boards: Michael Kurz, auditor for the industry arbitration system; Lawrence Steffen, A.A.A. general counsel; Dr. Walter Dierberg, legal research director for the system; Paul Felix Warburg, administrative committee chairman; James V. Hayes and Robert Sher of the Department of Justice, who will discuss the content for State of Illinois; and Sylvan Gotchel, vice-chairman of the administrative committee.

The clerks also will sit in at arbitration hearings which will be under way during their training period and will participate in the conducting of a simulated motion picture local board and a film arbitration proceeding.

Dismiss Glass Suit Versus Interstate

(Continued from page 1)

rested his case and the court sustained the Interstate motion to dismiss.

Glass, formerly of Dallas, sold his Knox and Fair theatres to Interstate for $40,000 and later settled out of court. Another, by Sam Kirschenhein, Houston, was dropped out of court. Another, by H. N. Fergu- son, resulted in a jury verdict of $1,500 for the plaintiff. George S. Wright, Interstate attorney, said today, however, that he plans to file a motion for a new trial of the Ferguson case. Judge Atwell will hear the motion within a few days.

Philadelphia's Gets
5th Week at Hall;
Broadway Strong

(Continued from page 4)

ture will gross about $88,000 for the week. Every show was aided by clear, although cold weather.

With Harry James’ band and Frank Parker on the Paramount’s stage, “Sing and Chorus” the Boris Mor- ros-Fred Astaire film, made a pretty good showing over the weekend, and it is calculated that the picture will garner easily $49,000 on the week, which is a nice figure nevertheless. The weekend gross is $10,000.

“Hudson’s Bay” is doing good in its second week business at the Roxy, which also presents a stage show with its film fare, and over the weekend grossed about $24,000. “Tall, Dark and Handsome” will succeed it on Thursday.

“Daylight,” at the Rivoli, is also doing good business, and it is expected to end its present week with about $20,000. “Relatives,” with Sammy Kaye’s band on the stage, is estimated for about $20,000 on the week at the Strand. It will be followed Friday by “Your Man” with Henry Busse’s band on the stage, plus Quen- tin Reynolds. Ward, who will make a special personal appearance in connection with the presenta- tion of “Christmas Under Fire,” British short subject.

“Call Train” continues to attract business to the Globe, grossing about $3,000 over the weekend, on this, its fourth week. Last week, the film garnered about $5,300, which is good.

Daylight Time Bill Filed in Wisconsin

MARSHION, Wis., Jan. 20.—A bill has been introduced here to provide daylight saving time for any community in the state that wants it. The measure, introduced by Sena- tor Milton T. Murray, removes from the present statutes all restrictions which prevent localities from adopting daylight saving. It has the support of the State Medical Society of Wisconsin and will be opposed by exhibitors, farmers and labor.

Nebraska Ticket Levy Bill Planned

OMAHA, Jan. 20.—A state tax on theatre tickets and other public amusement admissions is the major part of a luxury tax bill being pre- pared for submission to the Nebraska legislature.

State senator Neuhauer said he is having some research work done before he drafts the measure and sub- mits it. He plans to have his luxury tax bill substitute for the current gallon state gas tax now being levied for relief.

Rob's Jacksonville House

JACKSONVILLE, Fla., Jan. 20.—Robert C. Heeke, manager of the Flori- da Theatre, here, and two other employees were held up last night by a single bandit and robbed of $2,500 in receipts. The bandit escaped.

Complaints Bring End to Dual Bills

Jefferson City, Mo., Jan. 20.—So many complaints against double features were received by Arnold Gould of the Capri- tol Theatre here that he may dis- continued the policy. Gould introduced double fea- tures at the Capitol for the first time only a few weeks ago. The Capitol is a Dubay- skin-Brothers theatre.

British Money Pact

Reopening Possible

(Continued from page 1)

British revenues would be the re- peal by Congress of neutrality laws followed by the making of loans to Great Britain, according to company officials.

The new agreement, which is for the 52 weeks from Oct. 27 last to Oct. 25 next, also assures the Ameri- can companies that the Quota Act will be administered during the year “with due regard to the various ob- stacles that wartime circumstances may put in the path of production.” Discussion of another monetary agree- ment “if necessary” after the current one will be begun at least three months before the termination of this one, or by next July, it is provided. British property or rights acquired with blocked sterling may not be dis- posed of by the companies except British subjects subject to Brit- ish laws during the life of the agree- ment or any succeeding one.

Circuit Buying Not Altered by
Decree Terms

(Continued from page 1)

cess foreseen as a result of the decree is that several contracts will have to be made where units of a circuit are located in two or more exchange districts.

Even in such cases, however, the same circuit official who handled the buying in the past, whether in New York or in the field, will continue to handle the buying under the multiple contract process, it was said. It was emphasized that Section V of the decree places no restriction upon the methods of negotiating for and buying film, and will not influence the removal of buying from New York by circuits such as Loew’s and RKO which customarily handle the bulk of the film buying at their home offices. The same is true of the Paramount, Warner and National Theatres operations which for several years past have left film buying to the circuit operators in the field.

Section V of the decree reads: “No license for features to be exhibited in theatres located in one exchange dis- trict shall include theatres located in another exchange district, nor shall the licensing of features for exhibition in theatres located in one exchange district be conditioned upon the licensing of a feature or group of features for exhibition in theatres located in another exchange district.”

AMPA takes particular pleasure in presenting as its guest speaker at this week’s luncheon meeting,

W. G. VANSCHMUS MANAGING DIRECTOR
Radio City Music Hall and The Center Theatre

You are cordially invited to attend. Members of the Executive Staff of the Music Hall will be introduced by Gus Eysell, Assistant Managing Director.

THURSDAY—JANUARY 23
Serving at 12:45 p.m. sharp

HOTEL EDISON SUN ROOM
46th & 47th W. of B’way

$1.25 INCLUDING TIP

Remember April 4 — Silver Jubilee — Benefit AMPA Relief Fund
Is This Your Box Office?

Do you do everything you can to bring the paying customers under your marquee ... into your lobby ... up to your box-office? Do you change your frames ... re-dress your marquee ... re-design your lobby display ... stand 'em up in front with color ... smartness ... brilliance when you've got a real money-grabbing picture? Do you take advantage of the press-books and the things they recommend?

Remember ... advertising ... showmanship ... exploitation ... was ... is ... always will be the lifeblood of this business.

Is your theatre full of red corpuscle advertising or does it need a blood-transfusion to bring your customer-approach up to snuff (PROFITS TO YOU).

If there's any doubt in your mind ask the Prize Baby ... he's got the answers in Trailers ... Lobby Displays ... Standard Box Office Accessories by
Decree May Hasten End of Ascap Battle

U. S. Is Now Negotiating Directly With BMI

WASHINGTON, Jan. 21.—Settlement of the current feud between Ascap and BMI may be hastened by a consent decree, officials here believe. Presently, the Department of Justice is negotiating directly with BMI, and whatever action is taken by BMI, it is asserted, is dependent upon the action which the Department of Justice will take in bringing the adoption of a per use contract by Ascap.

This is the experts' view of current maneuvers which are being carried on behind closed doors here and in New York on behalf of all three parties. Such a consent decree, it is asserted, to be acceptable must include a proposal for the per use charge and clearance of music at the source.

There has been no official view from: (Continued on page 7)

Hyams Heads CEA Branch in London

LONDON, Jan. 21.—Sidney Hyams, manager of the State, Gaumont, British house in Kilburn, has been named the new chairman of the London and Home Counties Branch of the Cinematograph Exhibitors Association.

The annual report of the chief unit of the exhibitors organization, which will be presented at a meeting of the branch next Tuesday, traces the manner in which film houses in the area carried on during a year of raids.

The report indicates that at one time 170 houses in the area covered by the branch, chief bomb target, were closed, but that many now are reopening and conditions are greatly improved. Tribute is paid in the report to the resourcefulness and courage of the theatre staffs.

To Rename Walker Postmaster General

WASHINGTON, Jan. 21.—Frank C. Walker, Postmaster General of the United States, is the only member of the cabinet whose appointment must be renewed for the third term administration of President Roosevelt.

The law requires that the post run only with the term of the President, and applies only to the Postmaster General. The renomination is expected in a few days. Walker succeeded James A. Farley some months ago.

DuMont Sees Fight Boon to Television

Squabbles like the Ascap music fight “show cracks in the armor of the entire broadcast industry,” according to Allen B. DuMont, head of DuMont Television. The fight, according to DuMont, “is only the beginning of a train of events that must lead to commercialized television.” He added that when advertisers realize that their audience is decreasing they will demand a “visual supplement, called television.”

Honor Balaban at Dinner Tomorrow; Drive Winners Set

CHICAGO, Jan. 21.—Barney Balaban, president of Paramount, will be honored at a testimonial dinner at the Hotel Sherman on Thursday evening. The dinner will pay tribute to the executive on his fifth anniversary as president of Paramount, and will mark the termination of the Balaban & Katz Barney Balaban drive.

Approximately 400 are expected to attend the dinner, with A.M. Boat- ford as toastmaster. All managers of B. & K. theatres and those of the Great States Circuit, will be among those in attendance.

Speakers will include: A. H. Blank, Stanton Grifis, Y. Frank Freeman, Adolph Zukor, Leo Spitz, Neil F. Agnew, Hugo Sommese, John Balaban and E. V. Richards.

An elaborate entertainment program is planned for the dinner. Lincoln Holts, comedian, who is currently appearing at the B. & K. State Lake Theatre, will be master of ceremonies.

Attending from Paramount, in addition to the speakers, will be: Oscar Morgan, J. J. Unger, Robert Gillham, Herman Lorber, Monroe Goodman, Charles Reagan, C. J. Scollard, Alec (Continued on page 7)

Dec. Tax Revenue $6,653,971; Year Total $43,483,373

WASHINGTON, Jan. 21.—Revealing a six-month upward trend, Federal admission tax collections in December dropped to $6,653,971 from $7,124,225 in November, but for the calendar year 1940 collections more than doubled those of the preceding 12 months, it was reported today by the Internal Revenue Bureau.

For the full year, five months of it under the reduced exemption, admission tax collections totaled $43,483,373 compared with $19,876,312 for 1939. Of the more than $23,000,000 increase, however, $21,595,000 was accumulated in the final half-year, for which collections amounted to $32,315,541 against $10,720,084 in 1939, it was reported.

Although failing to touch the peak established in November, December collections were more than three times the December 1939 figure, and were 170 percent over the responding period in 1939, boxoffice figures showed.

The drop in collections, normal for the final month of the year, was felt generally throughout the country but was most pronounced in the Third (Midwest) District, where receipts declined from $1,497,- (Continued on page 7)

Estimate Para. Profit in Year At $7,300,000

Best Net in 10 Years; $2,575,944 in ’39

Paramount will report a net profit of approximately $7,300,000 for 1940, according to Wall Street estimates.

The company's latest financial report is expected to be made public about Feb. 14. It will be the company's best in the past ten years. The estimated result for the year compares with profit of $2,575,944 for 1939. Neither figure includes Paramount's net interest as a stockholder in the undistributed earnings of non consolidated subsidiaries.

On the basis of the year's estimate, Paramount will report net profit of approximately $2,500,000 for the final 1940 quarter. Results for that period were materially affected by the success of the business drive conducted by the company's affiliated theatres during the Christmas season. Gross business for the period of the drive was increased over the corresponding 1939 period by more than $1,000,000, it is reported.

New Jersey Allied Recalls Officers

Lee Newbury, president, and all other officers of New Jersey Allied were recalled yesterday at a statewide meeting at the Stacey-Trent Hotel, Trenton. The normally dull theatre period from Thanksgiving to Christmas. Gross business for the period of the drive was increased over the corresponding 1939 period by more than $1,300,000, it is reported.

Reviewed Today

Hollywood reviews of three pictures, "Pride of the Bow- ers," "Life With Arms" and "Honeymoon for Three," as well as short subject reviews are on page 6. "Arkansas Judge" is reviewed on page 7.
Coast Flashes

Hollywood, Jan. 21. William F. Rodgers, M-G-M general sales manager, left here tonight by train after two weeks of conferences and viewing new product at the studio. He will stop off in Chicago on route East.

Paramount and Producer-Director Henry Hathaway amicably settled his studio contract.

Harold V. Smith, business agent of the sound technicians union, demanded of major producers today retention of the 54-hour week set in the current producer contract, but sought time and a half overtime for all over 40 hours weekly.

M. A. Goldrick, assistant foreign manager of Erpi, arrived from the Orient today. With him was R. E. Warn, Western Electric assistant managing director in Australia.

Walter Wanger has bought the magazine serial, "Sundown," by Barre Lyndon.

RKO today signed Edgar Bergen, with Charlie McCarthy, and Fibber McGee and Molly to star in a David Hempstead production.

Walt Disney announced today that he will not enter the competition this year, because of new emphasis being laid on "Fantasia" and other features.

Personal Mention

S. D. KENT, president of the board of Universal, is expected from the Coast by plane next Tuesday.

J. CHEEVER COWDIN, chairman of the committee on the War Reliefs, is expected from the Coast by plane next Tuesday.

WILLIAM GOLDMAN, E D CHURCHILL, S. SEABROOK, CHARLES CARANF, MAURICE KANN, DAVID ROSE, SAM SHAHN, TOM CONNORS, MAX A. COHEN, RUSSELL HOLMAN, ARTHUR HOPKINS, WILLIAM ORE, ARTHUR MAYER, RALPH AUSTRIAN, MARCUS HEMAN and GEORGE WENZEL having lunch yesterday at Nick's Hunting Room in the Astor.

WILLIAM ROWLAND, JOHNNY WALKER, WALTER FUTTER, SAM CITRON, ARTHUR LEE, JEFFERY BERNARD and SAM TULPIN lunching yesterday at the Tavern.

IRVING SHAPIRO, ARCHIE MAYER, RUBE JACOBY and MILTON BERE having lunch at Lindy's (next to the Rivoli) yesterday.

DAVID BERNSTEIN, B. S. MOSS, HILTON ARNOLD and ARTHUR GOTTLEIB at Lindy's (115 St.) yesterday for lunch.

ROBERT GROSSMAN, manager of the Avon, Providence, is vacationing with his family in Rochester, N. Y.

HERB GILLES, Philadelphia booker for 20th Century-Fox, has left for a Maine vacation.

JOSEPH LEON, Universal salesman in Philadelphia, is back for Florida.

MORRIS J. JOSEPH, manager of Universal's New Haven branch, has left for a Florida vacation.

JOHN D. HERTZ, Jr., left for Chicago yesterday, will go from there to California. He is accompanied by DON GIBBS and RUBY MONTEGIL.

Commission Seals Major in U. S. Army

Richard (Dick) Sears, for many years Pathe News cameraman in Hollywood, and more recently on assignments for Universal News, has been commissioned a major in the United States Army and assigned to the press relations division at Washington, as a liaison officer on motion picture matters. He is at the Hotel Broadmoor in the Capital.

'Smith' Previewed

CHICAGO, Jan. 21.—"Mr. and Mrs. Smith," RKO film, was previewed at the Palace Theatre here last night following a cocktail party and dinner for Tom Gorman, RKO Theatre division chief; Walter Branson, RKO district manager; Terry Quirke, field exploitation head; Jack Kirsch, president of Allied of Illinois, and Midwest critics and exhibitors attended.

Newsreel Parade

The inauguration for a third term of President Roosevelt is the outstanding event pictured in the mid-week issues of all the newsreels. Paramount devotes the entire reel to the ceremony. One other event widely covered is the launching of a new battleship in England. The contents of the reels:

MOVIETONE NEWS, No. 35.—Inauguration, President Roosevelt inaugurated, English battleship launched with King and Queen in attendance. Refugee children talk to parents in England. X-Trope wrestling bout in Boston.

PARAMOUNT NEWS, No. 42.—Empty reel devoted to third term inauguration of President Roosevelt. Supreme Court and Executive branch.

BANDEAN NEWS, No. 42.—Empty reel devoted to third term inauguration of President Roosevelt. Supreme Court and Executive branch.

NEWSPAPER OF THE DAY, No. 237.—President Roosevelt inaugurated, English battleship launched with King and Queen in attendance. Refugee children talk to parents in England.

Universal Newsreel, No. 947.—Empty reel devoted to third term inauguration of President Roosevelt. Supreme Court and Executive branch.

Universal Newsreel, No. 948.—Empty reel devoted to third term inauguration of President Roosevelt. Supreme Court and Executive branch.

O'Sullivan Is Named P.R.C. Ad Manager

O. Henry Briggs, president of Producers Releasing Corp., has appointed Joseph O'Sullivan as director of advertising and publicity.

O'Sullivan joined the film industry in 1942 as a member of the publicity staff of Republic Pictures. In 1943 he became general sales manager for Universal Pictures, and in 1944 he was named Eastern distributor for United Artists.
Spread the News Across America!

The results are in!

Amazing news from the first 13 engagements!
(Boston, 2 theatres—Buffalo, Cleveland, Bridgeport, New Haven, Pittsburgh, Washington, Worcester, Hartford, St. Louis, Tulsa, Oklahoma City)

They all played it previously!
And they’re now doing 181% of normal biz!
With only 3 performances daily!
And HOLDING OVER in the entire 13 spots!
And in the first 10 small town situations!
Each one has played it before!
It’s topping the big towns, doing 220% of normal!
That’s positively sensational!
As predicted in nationwide surveys!
Thousands wait for it! Thousands will see it again!
Put “Gone With The Wind” on your marquee!
It’s magic!
A NATIONAL EVENT!...Previews in 32 important key cities of the first picture for 1941 directed by ALFRED HITCHCOCK, director of TWO of the TEN BEST PICTURES OF 1940—“Rebecca” (topping the list) and “Foreign Correspondent”... Another BIG ONE from RKO RADIO... right on the heels of sensational “Kitty Foyle.”... Opening soon in first runs all over the country!
ER AMERICA!

...AS PRESS, TRADE AND PUBLIC GET ADVANCE LOOK AT YEAR'S BIG COMEDY HIT IN SPECTACULAR 32-CITY "HOLLYWOOD" PREVIEW!

CAROLE LOMBARD • ROBERT MONTGOMERY

MR. & MRS. SMITH

WITH GENE RAYMOND

JACK CARSON • PHILIP MERIVALE • LUCILE WATSON

ALFRED HITCHCOCK

STORY AND SCREEN PLAY


Hollywood Reviews

“Honeymoon for Three” (Warners)


“HONEYMOON for Three” is the predominantly comic story of a successful author at whom women fling themselves and who encounters a college sweetheart who imagines herself the heroine of every book he has written. His romantic chases, which threaten to engulf him in divorce suit, an alternation of affections action and other troubles, are brought to an abrupt and happy end by his secretary, who is in love with him.

George Brent as the author and Ann Sheridan as the secretary are the principal players, with Charlie Ruggles, as the injured husband; Osa Massen, as the erstwhile sweetheart who still retains her ideals; Jane Wyman, William T. Orr, Lee Patrick, Walter Catlett, Herbert Anderson and Johnny Downs completing the cast.

Earl Baldwin wrote the screenplay with Julius J. and Philip G. Epstein contributing additional dialogue. The source material is the play by Alan Scott and George Haight. Lloyd Bacon directed, with associate producer Henry Blanke.

The story, fast moving and highly amusing in spots, falls into the category of “sophisticated” entertainment, some of the lines and situations being “off the beam.”

Running time, 76 minutes. “A.”

VANCE KING

“A” denotes adult classification.

“Life With Henry” (Paramount)


RECREATING with remarkable fidelity the character of the Aldrich Family radio program from which it derives, this second in the Paramount series of family-comedy-dramas featuring Jackie Cooper as the Henry Aldrich of the airshow improves upon the impressive beginning made in the first picture. Strength of story, by Clifford Goldsmith and Don Hartman, and excellence of direction by Jay Theodore Reed, who also produced the picture, account for its popularity, making use of seriousness as a background for humor.

Supporting Cooper in the picture are Fred Niblo as the father, Helida Hopper as the mother, Eddie Bricklen as his chum and Leila Ernst as his sweetheart. Others in the large cast, all admirably assigned, are Kay Stewart, Moroni Olsen, Rod Cameron, Pierre Watkin, Lucien Littlefield, Frank W. Thomas, Etta McDaniel, Hanly Stafford and many more.

The Aldrich youth’s ambition in this exercise of the character made popular via radio is to acquire $100 by his own efforts, with which he is to qualify for a trip to Alaska as a guest of a philanthropist. All sorts of difficulties and complications turn up, including a session in a film house on game night, but all comes out right in the end.

Running time, 80 minutes. “G.”

ROSCOE WILLIAMS

“Pride of the Bowery” (Monogram-Banner)


“PRIDE of the Bowery,” fourth in the series of pictures featuring the “East Side Kids” Sam Katzman’s Banner Pictures Corp is making for Monogram release, is by far the most pretentious and attention-holding of the lot, its action laid almost entirely in a C.C.C. camp.

Actual scenes of the layout and members of the conservation corps Thumb Butte camp, outside of Prescott, Ariz., are shown, the picture depicting camp life as necessary for the story. The plot deals with four New York slum boys as the erstwhile boxer, into signing C.C.C. application papers in order to get a “good training camp” to further his fighting career.

Leo Gorcey is the boxer, while his aides are played by Bobby Jordan, Donald Haines, and David Gorcey. Others in the cast are Sunshine Sammy, Eugene Francis, Carlton Young, Mary Ainsley, Bobby Stone, Nick Stuart, Kenneth Harlan, Kenneth Howell, Lloyd Ingraham and Steve Clendenos.

George Pympton wrote the screenplay and Joseph Lewis directed, the efforts combining to make a highly entertaining film. Peter Mayer was Katzman’s associate producer.

Running time, 40 minutes. “G.”

VANCE KING

“G” denotes general classification.


“Meet the Fleet” (Warners)

Here is an interesting insight on the U.S. Navy, produced in cooperation with the Navy. Robert Armbruster directed, William Gargan, George Reeves, Mary Cheffey and Herbert Anderson are in the cast. The film follows activities of the San Diego Naval Base. Orr, Baldwin and Anderson are seen as recruits taking orders from Armstrong. The subject has not been photographed in color.

Running time, 20 mins.

“History Repeats Itself” (Warners)

Here is an amusing look at the popular Radio Rogues, imitate a number of screen stars in entertaining fashion. The trio appears in satires on historical events, being aided by a clever inventor whose activities are being investigated by the district attorney. An amusing skit on the landing of the Pilgrims at Plymouth Rock should draw laughs. The characters in each of the events reenacted include Bing Crosby, Jack Benny, Ben Bernie and many others. Running time, 10 mins.

“The Sacred Ganges” (Paramount)

In his usual travelogue, this issue of “Fascinating Journeys” portrays life on the banks of India’s holy river, the Ganges. Shown are the famed holy men, who subject their bodies to various forms of torture to obtain Divine favor. Among those seen are some local have-nots of time with no clothes on. Without moving, others who stare fixedly into the sun. Done in Technicolor, this red should attract considerable interest. Running time, 10 mins.

“Breezy Little Bears” (Paramount)

Three little bears, Horace Herbert and Herman, who walked off with an Academy Award in 1939 for the best one-reel short, return to the screen with another mishap episode in their adventures. They wander off casually to inspect a farm and their experiences with the cows and the dairy implements are funny enough to bring guffaws from any audience. Frank Crumit heightens the comedy with two excellent scores.

Running time, 10 mins.

“Problem Pappy” (Fleischer-Paramount)

Popeye runs into difficulties again taking care of his Pappy, who decides to take up flagpole-sitting as a career. Popeye makes several amusing but unsuccessful attempts to get Pappy off a flagpole atop a huge skyscraper.

When efforts have failed, lightning starts striking at the poltroon. Armed by the customary spinach, Popeye defies the lightning and rescues his father. Lots of laughs. Running time, 7 mins.

“Timid Toreador” (Warners)

Produced by Leon Schlesinger, this cartoon has to do with Porky Pig in a bull fight. After the sudden disappearance of the toreador, Porky and the bull engage in battle. Only fair. Running time, 7 mins.
Honor Balaban at Dinner Tomorrow; Drive Winners Set

(Continued from page 1)


Among the other guests will be: N. L. Naffziger, Harry L. Nace, C. R. Banford, George C. Hoover, John J. Friedl, M. A. Lightman, Sanford Frank, and Martin Morgan. The luncheon is under the auspices of J. B. Kelly and A. B. Schmus.

Paramount Drive Winners at Dinner

CHICAGO, Jan. 21.—Winners of the Paramount theatres testimonial business dinner, held at the Paramount, were Charles V. Vendinger, William P. Cotman, and Carl and Herman United Detroit Theaters, Clark Field, Grant Hawkins and Frank Frank, Paramount, and Strand Theatres, Inc. Jack Braunagel and Chester Price; M & P Theatre Corp., Harry Botwicz; James Dempsey, Jack Floore; Albert Hamilton; William H. Hartnett; George Moffitt and Morris Simins; Tri-State Theatre Corp., Harold D. Young; Barham; William Dunn; William Misell and Loren Wegener.

Also: Balaban & Katz Corp., A. H. Bachman, S. R. Claggart, Kenneth Bochger, William B. Holmes, Lyons and Harry Odendahl; Dominion Theaters, Inc., Willis W. Gris, Jr., and Harold A. Wolfe; Great Lakes Theaters, Frank Stanley and Mortimer E. Benjamin; Malco Theaters, Remmel Young; J. R. McEchron and Harry Crowell; Mid-City Amusement Co., S. E. Tanne, W. L. Gelling and Jack Dahm; Interstate Circuit, E. J. Sullivan, Jack King, and John T. Field; Minnesota Amusement Co., Everett Olsen; Ralph E. Phillips, Woodrow Fraught and Charles Zinn.


All Paramount office and district sales executives, who opened a three-day meeting at the Edgewater Beach Hotel here today, will attend the testimonial dinner as well. The sales officials attended the meeting on the product today and will open their business sessions tomorrow.

Hollywood Review

"Arkansas Judge" (Republic)


This is a straightforward tale of a small Arkansas community whose complacent life is shattered by the theft of $50 from a widow. The town's servant woman is falsely accused, neighbor is set upon neighbor, gossip runs rife, a slander suit is filed against the town's principal character by the banker, who wins, mob violence is committed, only to have the real thief confess the crime.

The musical numbers by Ross Roy Rogers, and Spring Blyington enact the principal roles, Rogers playing a straight role, that of a young lawyer. Supporting them are Pauline Moore, Frank M. Thomas, Veda Ann Borg, Elyy Malvan, Loretta Weaver, Minerva Ureclaf, Beatrice Maude, Harrison Greene, Barry Macollum, George Rosenre, Monte Blue, Frank Darrin, Russell Hicks and Edwin Stanley. The picture is homespun drama at its best.

Running time, 72 minutes. [G**]

VANCE KING

Decree May Hasten End of Ascap Fight

(Continued from page 1)

the Department in this regard, except to admit that preliminary negotiations are under way and nothing further will transpire until the proposals now being considered by BMI have been presented to the Department for official consideration.

The present proposals which BMI is considering contain some features which do not meet the present position of the Department of Justice. Further negotiations are felt to be necessary, in the opinion of officials, in order to consummate a satisfactory agreement.

The BMI board of directors met here yesterday to consider consent but no disclosure was made of the action taken. It is understood that the Department of Justice is not bound to the present position of the Department, and that the purpose is to give to the negotiations with Ascap several weeks ago and urged broadcasters not to reveal the nature of the current discussions.

Associates Indict Officers at Lunch

(Continued from page 1)

Severn R. Schussel, trustees, and Charles Penner, financial secretary. Highlighting yesterday's meeting was Jack Bowen's presentation to the Associates fund of a check for $600, proceeds of the podium luncheon given recently to Bowen and E. K. O'Shea. Lee discussed plans for the auction of a club room. Other matters were: J. J. Thompson, guest of honor; Harry Brandt, Sam Rinkler, Harry Shubert, Mr. Frank and Bowen; Arthur Greenbrook was master of ceremonies.

Set 'Bishop' Preview

A special preview of "Cheers for Miss Bishop," Richard Rowland—United Artists film, will be held to-morrow evening in the preview room of the Radio City Music Hall, following a reception for Rowland.

Wind' Opening at Capitol Tomorrow

"Gone With the Wind" will open at the Capitol tomorrow for its local general release engagement, indicating to the producers that the picture will probably have a continuous run, according to the release agreement. The picture will be on a continuous run, popular price basis, running three hours and 45 minutes. The price will be 40 cents to 1 P.M., 50 cents to 6 P.M. and 75 cents thereafter, on weekdays, and 40 cents to 1 P.M., 55 cents 6 P.M. and 85 cents thereafter, on Saturday, Sunday and holidays. Regular prices at the house are the same except that the morning price is usually 35 cents. Prices for the original run of the film at the Capitol ranged from 75 cents to $1.10.

Probe Gassing of Toronto Children

TORONTO, Jan. 21.—The Ontario Government has ordered the Doric Theatre, neighborhood house here operated by Sam Lester, closed pending an official investigation of an incident last Saturday, when 35 children were overcome by coal gas fumes from the furnace.

Inspectors are trying to ascertain whether a furnace defect or employees' negligence was responsible. Attorney General Conant plans criminal action if negligence or a violation of theatre regulations are found to have been at fault.

George Elliott Dies

HAVERHILL, Mass., Jan. 21.—George C. Elliott, film pioneer and once an associate here of Louis B. Mayer, died at Benson Hospital here today. With Mayer and the late Charles H. Poole he built the Colonial Theatre here in 1911.

New Guild Play Feb. 5

The Theatre Guild's production of Phillip Barry's play, "Liberty Jones," will open at the Shubert on Feb. 5. Based on an incident found in and Martha Hodge are in the cast.

Dec. Tax Revenue

$6,653,971: Year Total $43,483,373

(Continued from page 1)

707 in November to $1,193,461, the bureau announced.

In the first 11 months, box-office collections dropped from $1,419,524 to $1,109,805, but receipts from tickets sold by brokers increased from $10, 158 to $43,483. The drop in patronizers in excess of established prices, from $1 to $15, and admissions to $1 to $2 were due to the drop in prices and the increase in the use of one-price admission tickets. Collections from permanent use or lease of boxes and seats dropped from $63 to $25. Principal exhibitors were: United Artists, $25, 577; Vitaphone, $1,170; RKO, $1,167; United Artists, $1,160; RKO, $1,159; Uni

Greenthal to Present Van Schmus at Ampa

Monroe Greenthal, advertising and publicity director of United Artists, will introduce W. G. Van Schmus, managing director of the Music Hall, guest of honor at the Ampa luncheon at the Hotel Edison tomorrow.

John Gurney of the Metropolitan Opera, will sing, and Erno Ravee of the Music Hall will participate. Also present will be Gus Essex, assistant to Van Schmus; Leon Leonidoff, Fred Cruise, Russell Markert, Fred Lynch, Russell Downey, Florence and Katie Kogge, Ben Kornbluth, Harry Barrau, Willa Van, Robert Henderson and Maurice Baron, all of the Music Hall staff.

To Show Coin Device

Demonstration of Vis-a-Graph, a coin-operated motion picture device, is being held today and tomorrow at rod gardens and cabinets at $67, 967 to $71,700. Collections from permanent use or lease of boxes and seats dropped from $63 to $25. Collections in 1996, by months, as compared with 1999, were as follows:

Month

January

February

March

April

May

June

July

August

September

October

November

December

Total

$42,465,373

$18,762,812

To New York's Finest

Edison Motion Picture Studio HAS EVERYTHING! Large and small sound stages—Latest equipment—Rehearsal rooms—Private projection theatre; every convenience; Metropolitan location. MODERATE RATES. Phone Chiltoning 4-815-B.
**Off the Antenna**

AIR PROGRAMS, INC., announces that it has made an exclusive agreement with Associated Radio Programs based on the history of the AP. It will be called, "Men Against Time!" The script will be based on Oliver Gramling's book "AP—The Story of News..."

Purely Personal: Al Simon, WHN publicity director, and Jo Ronson, radio editor of the Brooklyn Eagle, will give a course of 15 lectures at Long Island University during the Spring semester on Radio Broadcasting. Raymond Paige, the conductor, left for Florida instead of California, yesterday, in order to maintain closer contact with his office here. Edward Roeker, of "Pipe Smoking Time" over CBS, is scheduled to make concert appearances in Philadelphia and New York with his quartet. Fred Herbert, Don George and Teddy Hall have written the title song for the next Gene Autry film, "Ridein' On a Rainbow." Famous Music will publish the tune... Bette Davis has been named chairman of the entertainment committee of the AFRA reception to be held at the Waldorf-Astoria May 9... Helen Cleaver is now with the WOR publicity office.

Seeking increased utilization of "The School of the Air of the Americas," CBS has invited leading educators and government officials to a three-day conference beginning Feb. 27. The first day's session will take place in Atlantic City and the last two in New York.

**Air Programs**

Grierson May Hold Canadian Film Post

Toronto, Jan. 21.—John Grierson of London has issued a statement intimating that he is reconsidering his decision to resign as Dominion Film Commissioner of the National Film Board, effective the end of March. Previously he had tendered his resignation on the ground that the work of the board should be supervised by a Canadian... A published report with respect to the contemplated change contained the following paragraph: There would seem to be some difficulty in replacing Mr. Grierson at this time as it is hard to duplicate his experience in the projection of documentary films in this country.

Contract Action in Phila. Is Delayed

Philadelphia, Jan. 21.—The breach of contract suit of the Dixie Theatre Company against Universal, scheduled to be tried in the local Court of Common Pleas on the January calendar, has been postponed and placed on the March-April calendar due to the illness of Dr. B. K. Resch, counsel for Universal... The suit, filed last February, charges losses were sustained when Universal failed to deliver "All Quiet on the Western Front" on Christmas, 1939, as contracted.

**Screen on the Air**

B'nai B'rith Installs New Lodge Officers

Arthur Israel, Jr., president, and other officers of the Cinema Lodge of B'nai B'rith were installed last night at an open meeting at the Hotel Edison... Dr. Abram L. Sachar of the University of Illinois faculty was the principal speaker. Dr. Sachar, head of the Park Avenue Synagogue, and Harry J. Greenblatt, president of District Grand Lodge No. 1, also spoke.

**Legislators to See 'Liberty' on Jan. 28**

ALBANY, Jan. 21.—A screening of "Land of Liberty" will be held in the Executive Building here after the legislative session on Jan. 28 for senators and assemblymen. Arrangements were made with legislative leaders by Arthur Lee, local M-G-M publicity representative.

**Mutual Board Meets**

Mutual will hold its board of directors' meeting in Chicago and New York... Two new directors were named—Ray Pickard, Los Angeles, and Friday, Fred Weber, general manager, left here yesterday to attend... Principal business will be considered... Baker S.P.G. Examiner

Daniel Baker will act as trial examiner tomorrow at the N.L.R.B. hearings on the petition of Screen Publicists Guild for designation as collective bargaining agent with the eight major companies.

**Personals**

"Neighbour" Is Seattle's Best With $6,000

Seattle, Jan. 21.—"Love Thy Neighbor" took a strong $6,000 at the Paramount "Son of Monte Cristo" at Cal Anderson Park... The weather was mild but rainy.

Estimated takings for the week ending Sunday were:... The average of $6,000 was well below the usual amount.

**Ford to Attend UA Premiere at Miami**

HOLLYWOOD, Jan. 21.—Glenn Ford member of the cast of "Some Ends Our Night," Loew-Lewin picture for United Artists, arrived here yesterday for the world premiere of the film at the Lincoln and Surf Theatres in Miami on Friday.

Ford was invited to the Miami premiere include:... The party included:... Ford was guest of honor and chief speaker at the showings.

**Hear RCA Plea Today**

Application of RCA, Westinghouse and General Electric to dismiss part of the stockholders' complaint against Ford for violation of N. Y. Supreme Court. The defendants contend that most of the charges are either barred by the statute of limitations or fail to state a cause of action.

**Dismiss Pickford Case**

Suit of J. Raymond Cornell for $5,000 from Mary Pickford has been dismissed by Federal Judge John C. Knox for failure to prosecute. Complainant charged libel in an article in the Boston Sunday Advertiser written by the defendant.
RKO Decree Meet Called By Schaefer

‘Citizen Kane’ on Formal Release Schedule

RKO district managers have been called in from the field by George J. Schaefer, president, and Ned E. Depinet, vice-president in charge of distribution, for a meeting with home office executives at the Waldorf-Astoria today on formulation of plans for sales operations under the consent decree.

The meeting is the first executive sales gathering to be held in New York since the adoption of the decree and, in consequence, will command a larger representation of home office officials than any similar industry meeting.

Schaefer, Depinet and A. W. Smith, sales manager, will address the meeting.

General selling policies and discussion of the product to be released during the remainder of the current season also will occupy the meeting. “Citizen Kane,” the Orson Welles picture which led to the banning of RKO publicity from Hearst newspapers, is listed as one of the forthcoming releases for which sales plans will be discussed.

N.W. Allied to Ask State Ban Blocks-of-Five

MINNEAPOLIS, Jan. 22—Welding forces which on the first day of the convention appeared split, NorthWestern Allied today voted to lead a legislative assault on the block-of-five clause in the U.S. consent decree. The convention voted to back a bill in the Minnesota legislature confronting and setting aside the clause in favor of the sale of an entire season’s product ex bloc.

The same proposed bill will go to the legislatures of Wisconsin and North and South Dakota. The bill was referred back to the committee headed by Harold Field, for promotion.

Paramount Showmen in Chicago Honor Balaban

By Sam Shain

Paramount is giving a “little family party” tonight at the Drake Hotel in Chicago, for one of its boys who rose to be president of the company. He is Barney Balaban. The party is in celebration of his fifth year as head of the firm, and about 300 Paramount showmen from every part of the country and Canada will attend. It is a “family party” because only Paramounters and their friends will be present. The address which Barney Balaban will make to these guests who are honoring him will be for their own ears only. It will not be a public speech.

Chiel personal host at the dinner will be Barney Balaban & Katz Chieftain, and brother of Barney. Others are Paramount theatre and studio leaders, such as H. Blank, E. V. Richards, Y. Frank Freeman, Leo Spitz, Stanton Griffin, Adolph Zukor, Edwin L. Weisl and John D. Hertz.

Barney Balaban is 53. He is the eldest of eight children. His father, Israel, ran a little grocery store in the neighborhood of the eighth. The eight children were Barney, A. J. Ida, Max, John, David, Harry and Elnor.

After a brief schooling, which ended at 12, Barney Balaban worked at several jobs, from a Western Union messenger...

Morale-Power of Films Laundered by Senator George

WASHINGTON, Jan. 22—Senator Walter F. George, chairman of the Foreign Relations Committee, today characterized the screen as “the first spokesman for the American way of life and our first line of defense in the battle for popular-morale-power.”

The statement was made when Senator George participated in a cere- monial presentation to the Foreign Relations Committee, of a film entitled “Go with the Wind.”

Senator George said the film “exemplifies the great constructive force of the screen in promoting a better understanding not only among the people.

Universal Pension To Morris Joseph

NEW HAVEN, Jan. 22—Morris Joseph, Universal exchange manager here, will receive a pension from the company, with which he had been associated for 29 years. He retired because of ill health. John Pavone has succeeded him here.

Joseph, in a letter to exhibitors throughout his territory, thanked each personally for his cooperation, and paid tribute to Universal home office executives who arranged his pension.

Kane' on Formal Release Schedule

Arnold Mentioned For Supreme Court

Washington, Jan. 22—Assistant Attorney General Thurman Arnold, chief of anti-trust enforcement, has been here today as a possible appointee to the Supreme Court to succeed Associate Justice James C. McReynolds, who will retire Feb. 1.

Schaefer Leaves United Artists Post

HOLLYWOOD, Jan. 22—L. J. Schaefer, United Artists’ field sales representative, has severed his association with the company, it was reported today. His future plans are not known.

Schaefer first joined United Artists in 1928, as assistant to Al Lichtman, then general sales manager of the company, and rejoined Universal in 1932 as general sales manager and returned to United Artists two years later as Western general sales manager. He was elected a vice-president in 1939. He first entered the industry in 1912.

Arthur W. Kelly, vice-president in charge of distribution, has not indicated his choice of a successor.

Agnew Shifts Paramount’s Sales Force

Reagan is Named Aide; Morgan on Shorts

CHICAGO, Jan. 22—Charles Reagan, Paramount Western division sales manager, will become assistant general sales manager of the company under the re-alignment of the sales organization for operations under the consent decree.

The changes were completed here today by Neil Agnew, vice-president in charge of distribution, at the company’s meeting of home office sales executives and district managers.

Other changes announced by Agnew, all of which will become effective between Feb. 1 and March 1, include the designation of Del Goodman, formerly 20th Century-Fox Eastern manager, as Paramount’s general sales manager for Canada, succeeding Morris A. Milligan, resigned, and the appointment of Hugh Owen, former United Artists sales executive, as district manager for the Dallas, Oklahoma City and Memphis territory.

The appointment of C. J. Scollard as executive assistant to Agnew was announced yesterday.

Under the realignment, Paramount is abandoning a Southern division and...
AAA Names Three New Board Clerks

American Arbitration Association yesterday confirmed the appointment of three additional local board clerks, bringing the total number of clerks to 19. Appointment of the remaining 12 and leasing of office space for those boards are expected to be cleared this week.

The three board clerks named yesterday and the locations of the boards are:2. Thomas Delany, Jr., Mortgage Guaranty Bldg.; Boston, Henry de la Morandiére, Chamber of Commerce of Montreal, and Washington, H. B. Barton, Denrike Bldg.

Minneapolis Case Looms

MINNEAPOLIS, Jan. 22—The 4,000-seat Minnesota and the 300-seat Esquire, both of which were reopened recently after being closed for some time, may be the first to file complaints of inability to obtain suitable product when the local arbitration board opens here, it was learned today.

Both houses, now running “P” pictures or reissues, have charged on the occasion of earlier closings that they were forced to the closings and Minnesota Amusement Co. for first run product.

All other complaints awaiting filing here relate to clearance.

Many Stars to Attend FDR Birthday Ball

WASHINGTON, Jan. 22—Kitty Carlisle was added to the list of entertainers for the President’s Birthday Ball on Jan. 30.


Clifton Fadiman, of “Information, Please,” will be master of ceremonies at the dinner at the Hotel Willard next Thursday night at which Tommy Harmon and Alice Marble will be guests of honor. Then the announced list of celebrities will begin making the rounds of five hotels where the Birthday Balls will be going on simultaneously.

Charles Laughton and Elsa Lanchester, who were expected to be present for the celebration, is the forecast announced will not appear.

O’Connor Transfers RKO Managers Here

Several changes and promotions in RKO metropolitan theatres’ personnel were made yesterday by John J. O’Connor, vice-president and general manager.

Edward Snieder, Bronx and East Coast division manager, was appointed manager of RKO Proctor’s, Newark, replacing Robert Field, who resigned. Stansel Wilchefs of the home office publicity staff succeeds Snieder, and is in turn succeeded by Raymond Malone.

Ludwig Carlsen, assistant maintenance manager, was transferred to other theatres to serve in the same capacity. They are: Philip Nemiro, from the Empire to the Alhambra; John Conlin, from the Alhambra to the Regent, and Rodney White, from the Regent to the Empire.

### Personal Mention

HAL B. WALLIS, Warner executive producer, arrived here yesterday after attending the inauguration in Washington. He will see plays and confer with the home office.

Burt Champion of the United Artists home office publicity staff is in French Hospital, suffering from flu and bronchitis.

William Redden, manager, in Kansas City for Ross Federal Service, is the father of a son, born this week, and named William Burch Redden.

Mitchell Franklin, manager of the Mayfair, St. John, has succeeded Charles S. Chaplin, transferred by U. A., as president of the St. John Y.M.H.A.

William E Spragg, M. & P. district manager in southeastern New England, is in Chicago.

Ralph E. Snider, treasurer of the Associated Circuit in New England, has joined his family in Miami for a three-week vacation.

A. A. Spitz, Providence veteran exhibitor, will spend next week in Atlantic City.

Bud Rogers, returned yesterday from a trip to Toronto, Buffalo and Boston.

### Canada Seizes Nazi Propaganda Films

MONTREAL, Jan. 22—Dominion Film Board officials said today that British ships have seized “very substantial” quantities of German-made motion picture films, including German films and forwarded them to Ottawa where John Grieder, Dominion Film Commissioner, is welding them into what officials use as “valuable pictorial record” of the war.

Some of the more graphic have been incorporated in Canadian motion pictures. Others have been sent to the U. S. after editing for counterpropaganda purposes.

The last batch seized from a ship headed for South America, said to contain some of the most graphic pictures yet obtained. They portray London under fire; a ship in a British convoy photographed from a dive bomber, and freight yards in France smouldering after an R.A.F. raid.

### Legion Approves 14 Of 16 New Pictures

Of 16 new pictures reviewed by the National Legion of Decency for the current week, 14 were approved, nine for general patronage and five for adults, while two were classed as objectionable in part.


Class A-2, Unobjectionable for Adults.—“Con- voy,” “The Roundup,” “Tall, Dark and Handsome,” “Virginia,” “Wild Men of the South.”

Class B-1, Objectionable in Part.—“The Invisible Woman,” “Mr. and Mrs. Smith.”

### Fay’s in Providence Resumes Vaudeville

PROVIDENCE, Jan. 22—Increasing interest in vaudeville by patrons, and a general conviction that vaudeville product, are given as reasons why Fay’s Theatre here on Friday will revert to a vaudeville-and-screen policy after eight months operation as a double feature house.

Edward M. Fay discontinued the policy last May 30 at Fay’s, which he describes as “a fat house,” normally closed during the summer season, stayed open, showing vaudeville and small features. The house has been getting 15 cents, 28 cents and 39 cents for films, but will go to 44 to 45 cents for the new combination programs.

MRS. SCHNITZER DIES

HOLLYWOOD, Jan. 22—Mrs. Blanche Schnitzer, widow of Joseph and Alfred Schnitzer of Western Costume Co., here, died yesterday at the age of 75, after a lingering illness. Three daughters also survive. The body is being taken to Pittsburgh, her former home, for burial. Mrs. Schnitzer also was an aunt of Pando Berman.

### Realign Commerce Bureau on Defense

WASHINGTON, Jan. 22—Reorganization of the Bureau of Foreign and Domestic Commerce to give absolute priority to national defense functions was ordered today by Secretary of Commerce Jesse Jones.

Including the Motion Picture Division and the Industrial Division, which handles radio matters, all branches of the bureau will concentrate on activities that will further the relationship between government and industry in carrying out the Administration’s defense objectives.

“Realigning of the bureau for defense purposes is designed to increase, not to diminish, the services which have been rendered in the past to the public, but complete priority will be given to any assignment to advance the defense program,” he said.

### Metro Art Contest Starts on ‘Ziegfeld’

M-G-M has set a national art contest in connection with the “Ziegfeld Girl,” in cooperation with the Art Students League of New York. The contest, which opened yesterday, continues until March 22.

Cash prizes totaling $1,000 will be awarded for the best drawings or paintings on the subject of “Ziegfeld Girl of 1941.” It is open to all artists and art students. More than 1,000 art schools throughout the country are expected to enter, and a committee of judges will decide the winners.

### Warner Ball March 8

The 12th annual banquet and ball of the Warner Club will be held March 8, in the grand ballroom of the Waldorf-Astoria Hotel.
Big as the Heart of Dixie and twice as Beautiful...
Simultaneous release throughout the United States on Washington’s Birthday

PARAMOUNT’S

*That tiny, terrific little star of “Honeymoon in Bali.”
CAROLYN LEE...back in an even greater smash role!
A FOUR STAR CAST!

MADELEINE CARROLL
Fresh from her great box office triumph in "North West Mounted Police!"

FRED MACMURRAY
Star of "Honeymoon in Bali" in his greatest role!

EDWARD H. GRIFFITH
The man who made "Honeymoon in Bali" creates his greatest entertainment!

STIRLING HAYDEN
The year's most important star discovery!

CAROLYN LEE
The "Honeymoon in Bali" baby scores a sensational success!

... and an all-star supporting cast headed by popular Helen Broderick and beautiful Marie Wilson!
Simultaneous release throughout the United States on Washington's Birthday

PARAMOUNT'S

"VIRGINIA"

37,526,377 OF YOUR PATRONS WILL THRILL TO "VIRGINIA" ADVERTISING IN THESE NATIONAL PUBLICATIONS!

- Sunday Mirror
  - Full-page, four-color advertisement read by 8,709,040 people!
- Sunday News
  - Full-page, four-color advertisement read by 8,725,538 people!
- Vogue
  - Full-page, four-color advertisement read by 522,003 people!
- Life
  - Full-page, four-color advertisement read by 7,129,695 people!
- Women's Home Companion
  - Full-page, four-color advertisement read by 8,712,493 people!
- Saturday Review
  - Full-page, four-color advertisement read by 3,575,535 people!
- Saturday Evening Post
  - Full-page, four-color advertisement read by 6,300,638 people!
- Saturday Evening Post
  - Full-page, four-color advertisement read by 3,575,535 people!

The magnificent love story of a beautiful rebel... filmed at a cost of millions on actual location in Charlottesville, Virginia!
Huge advertising campaign scheduled to reach every movie-goer in the nation. National magazine advertisements in full color! Coast to coast newspaper campaign! Everyone who can read will thrill to the news: "VIRGINIA" is the season's greatest entertainment!
Paramount Showmen in Chicago Honor Balaban

(Continued from page 1)

songer boy to a clerk in a storage
age firm, and then to the Western Cold
Storage Co. He was 20 then, and
chief clerk.

Kedzie Avenue, about that time,
was a little, makeshift nickelodeon film theatre. Here it was
that A. J. and Ida, Barkey's brother and sister-in-law, were
in the singing team. When her children
were performed at this theatre, Mrs. Balaban
would take a seat in the place, and entertain
the audience reception. This was in 1907,
and what impressed Mrs. Balaban most on these visits, was how the cus-
tomers would wait in line to enter the theatre.

It was otherwise with her grocery
store customers. Some of these never
paid their bills.

It wasn't long before A. J. and Ida offered to buy the Kedzie Avenue nickelodeon. They could make it, however, was a leasing arrange-
ment at $100 per month. The theatre
would be theirs.

The first week's receipts amounted
to $88. Later, these rose to as much
as $200. A. J. was in charge of the
theatre; Ida, the booking, and they
established, continued at his cold storage
clerkship, where he was earning $25
weekly. Improvements were made in the
theatre and Barkey, who even then showed the financial acumen and busi-
ness instinct which was to bring him to
the management of famous Chicago the-
atre, the Riviera and the Uptown.
B. & K. now owns and operates 125.
The Balaban was elected presi-
dent of Paramount in 1936 and
thereafter, several years after Paramount, under
Adolph Zukor, having decided to enter the theatre business, purchased
control of Balaban & Katz, and built the
famous Publix chain which was head-
ded by Balaban's former partner, Katz.

Balaban, Paramount theatre holdings
number about 1,300 owned directly and
with associates.

Ableine Permits Film Shows Sunday Night

ABILEINE, Texas, Jan. 22.—Despite
the protests of the members of the clergy, the local City Commission has re-
ed the ban preventing the opening of theatres on Sundays.

Under the terms of the revision,
theatres may remain open until
12:30 a.m. on Sundays. This will mark the first time in the city's history that films
may be seen Sunday night. Intermezzi
operates most of the local houses.

Savage, Jack Schaefer, Leonard Schiff,
Max Schuberg, C. J. Sohlford, Edward Seguin,
Phil Sleskeys, Rhys Shannon, Ralph Shearns,
A. Smith, Harry Smith, McNeil Smith,
Samuel Sobleski, Phillip Solomon, Hugo Sott-
senichuk, Harry Spigel, Leo Sugar, John T."Trava-
ton", Joseph Kinsky, J. F. Kirby, Milton S.
Kessel

William T. Landon, Ralph Lowther, Claude
Lee, Al Leonardi, M. G. Leonardi, F. Leroy,
Sam Lynch, Mcginley, A. L. Lewis, D. M. Lewis, R. C. Lilienfeld,
John A. Lightman, M. A. Lightman, J. Jr., Byron L.
Lansing, Louis Lipton, H. H., A. J. Ludlow,
Harry Lustgarten, J. H. Lynche,
Howard L. Lysander

Louis Macacht, R. B. Macmullen, Hugh
Martin, M. E. McClellan, J. R. McCulloch,
Vincent Mitchell, R. B. Mitchell, S. McKenna, Francis W. McNamara,
William G. Metha, Max Milteny, Fred Monson,
John H. Mitchell, John L. Mitchell, A. Moore,
Avery Morgan, Alex Moss, George E.
Mullivar, M. W. Mullner,

Harry L. Nace, N. C. Nathanson, Charles
Nesbit, Leon Neeter, John Nolan

E. K. O'Donnell, Robert J. O'Donnell,
William Oakey, Theodore Oakes, A. Ockey,
J. O'Leary, Frank O'Mick, Hugh Owen

Francis Pallester, C. W. Perrine, Louis
Pattison, Thomas Payne, Frank Peabody,
Ske Pigen, Piber, George Plancik, Alta
M. Platt, Irvin L. Porter, Clifford
C. Porter, Paul Rainford

Paul Rabinov, Melvin J. Rainey, C. M.
Reagan, Harry G. Redmond, E. V. Richards,
Harry Rinold, Roy Rogers, J. Roman,
Thomas P. Roman, C. B. Rubens, J. J.
Rubens, O. Rubens, C. J. Russell, S.
Charles A. Ryan

J. J. Sampson, Edward Sapinly, James

Agnew Shifts
Paramount's
Sales Force

(Continued from page 1)

Oscar Morgan, manager of that divi-
sion, will become short subjects and
newreel sales manager. J. Unger
continues in the sales work for the
Eastern division. Canada, formerly a
part of the division, becomes a sepa-
rate territory for Geo. A. Smith, from
former Pacific Coast district manager, is
made Western division manager, succeeding
Reagan. Hugh Brody, for-
merly manager of the district now as-
signed to Owen, succeeds Smith as
Pacific Coast district manager.

Two new sales districts are created by
the realignment. They consist of
the Philadelphia, Washington and
Pittsburgh territories with Earle W.
Swegert, former Philadelphia manager,
the New York manager, and
Saul Friel, formerly a Charlotte
salesman, will succeed Price as New
Orleans branch manager.

The Eastern division will consist of
12 sales districts and one territory from New England through Wash-
ington, and west to Indianapolis. The
Western division will include the bal-
anced of the Middle West, the South
and Far West, comprising 19 ex-
changes. However, quotas for the two
divisions will be about evenly balanced.

"Flight Command" at $9,500 in New
Haven

NEW HAVEN, Jan. 22. — "Flight
Command" and "Street of Memories," at
the Loew-Poli, tallied $9,500. "The
Thief of Bagdad" and "Mexican Spectre
Fire" West, took $7,500 at the Roger
Sherman. Estimated takings for the week ended
Jan. 16:

"Go West" Scores
$13,000, Baltimore

BALTIMORE, Jan. 22. — "Go West"
drew $13,000 at the Century. "North
West Mounted Police" tallied $15,000
at the Stanley on the second week.

Estimated takings for the week end-
ing Jan. 16:

"Go West" (M-G-M) $7,000
"In Old California" (20th-Fox) $4,000
"In Old Cali-
nifornia" (B-W-Fox) $6,000
"Street of Memories" (20th-Fox) $7,000

"Flight Command" (M-G-M) $7,000
"Street of Memories" (20th-Fox) $7,000

"Love Thy Neighbor" (Para.) $9,000

World's Fair Special, Paramount—$2,349 (39c-50c) 6 days.

"The Thief of Bagdad" (U.A.) $6,000

30 in Projection School

TORONTO, Jan. 22. — Enrollment in
the projectionists' school which has
been created by the Ontario Gov-
ernment for the standardized training of
lights of life, has reached 30. By the
time one, has been closed at 30 it is
announced from an official source.

The number of students will be con-
tinued to 30 so that the market will
not be flooded.
Feature Review

“Nobody’s Children” (Columbia)

Based upon the radio program of this name, which promotes the adoption of orphans, this is a tender drama designed, presumably, for feminine audiences almost exclusively. The serious story relates the harrowing experiences of two children who are found living in the home of a childless couple who respond to the radio appeal.

Estimates for the week ending Jan. 15:

- “The Son of Monte Cristo” (U.A.) (M-G-M) (Stanton) $11,000 (35c-46c-57c-66c) 7 days. Gross: $9,200. (Average, $1,300.)
- “Dr. Jekyll and Mr. Hyde” (Paramount) $13,000 (35c-46c-57c-66c) 7 days. Gross: $11,000. (Average, $1,500.)
- “Christmastime in July” (Param.) (A.R.C.A.D.I.A.) $9,000 (36c-46c-57c-66c) 7 days. 2nd run, $2,400; 4th run, $1,400; 6th day advance. $5,000. Gross: $3,000. (Average, $420.)
- “Kitty Foyle” (RKO) BOYD—(G-400) (35c-46c-57c-66c) 6 days. 3rd week, Gross: $9,120. (Average, $1,520.)
- “Ain’t Misbehavin’” (M-G-M) $11,000 (35c-46c-57c-66c) 7 days. Vaudeville including Phil Silvers’ orchestra, 11 Little Words, Lena McLellan, Catherine, and Rosa, Linda & Lola $1,500. (Average, $450.)
- “Romance of the Rio Grande” (20th-Fox) $15,000 (35c-46c-57c-66c) 7 days. Vaudeville including Diane Logan, Lucille Rand, Ginger Manners, Paul Sabat & Spotti, Marion Reynolds, English Brothers, Sally & Thomas. Gross: $6,400. (Average, $350.)
- “Santa Fe Trail” (W.B.) $13,000 (35c-46c-57c-66c) 6 days, 2nd week, Gross: $1,210. (Average, $200.)
- “You’ll Find Out” (RKO) KARLTON—(1,000) (35c-46c-57c-66c) 7 days, 2nd run. Gross: $1,000. (Average, $100.)
- “The Thief of Bagdad” (U.A.) (M-G-M) (Pathe) $11,000 (35c-46c-57c-66c) 7 days, 2nd run, Gross: $2,900. (Average, $420.)
- “Comrade X” (M-G-M) $11,000 (35c-46c-57c-66c) 7 days. Gross: $2,900. (Average, $420.)
- “The Little Foxes” (W.B.) $13,000 (35c-46c-57c-66c) 7 days. STANTON—(1,000) (35c-46c-57c-66c) 7 days. Gross: $4,400. (Average, $630.)

‘Comrade X’ Gets $20,000, Philadelphia

PHILADELPHIA, Jan. 22.—Grosses continued at good levels. “Comrade X” gave the Stanley $20,000, “Maisie Was a Lady” 15th vaudeville at the Fairmount, $18,000.

Estimated takings for the week ended Jan. 15:

- “The Son of Monte Cristo” (U.A.) (ALAMO) 4,000 (28c-39c-44c-56c) 7 days. Gross: $920. (Average, $130.)
- “Dr. Jekyll and Mr. Hyde” (Paramount) 4,000 (35c-46c-57c-66c) 7 days. Gross: $900. (Average, $130.)

‘Santa Fe’ Draws $15,000 in Detroit

Detroirt, Jan. 22.—“Santa Fe Trail” and “Life With Henry” grossed $15,000 at the Michigan. The Fox did well with “Arizona” and “The Bank Dick.”

Estimated takings for the week ending Jan. 16:

- “This Thing Called Love” (Col.) (W.B.) $8,000 (35c-46c-57c-66c) 7 days. Gross: $7,500. (Average, $1,070.)
- “The Phantom Submarine” (Col.) $8,000 (35c-46c-57c-66c) 7 days. Gross: $7,500. (Average, $1,070.)
- “Honeymoon’s Bay” (W.B.) $12,000 (35c-46c-57c-66c) 7 days. Gross: $11,000. (Average, $1,570.)
- “The Thief of Bagdad” (U.A.) (RKO) $12,000 (35c-46c-57c-66c) 7 days. Gross: $11,000. (Average, $1,570.)
- “Comrade X” (M-G-M) $12,000 (35c-46c-57c-66c) 7 days. Gross: $11,000. (Average, $1,570.)

‘Command’ Earns $13,500 in St. Louis

ST. LOUIS, Jan. 22.—With the Baltimore as competition, grosses at local theatres were off. “Flight Command” at Loye’s State took $13,500.

Estimated takings for week ending Jan. 16:

- “This Thing Called Love” (Col.) (BOWMAN) 4,000 (28c-39c-44c-56c) 7 days. Gross: $3,000. (Average, $430.)

‘Hicks and Pratchett’ To Cuba This Week

Hicks and Pratchett, Paramount vice-president and foreign manager, and Arthur Pratchett, head of M-G-M’s foreign manager, will leave Acapulco, Mexico, for Cuba this weekend on the Siboney two from there when the Siboney comes to the America, to conduct Paramount’s Central American sales convention at Panama City, beginning Feb. 6. The ship which they had planned to take direct to Panama from Acapulco.

Washington Variety Club Helps Hospital

WASHINGTON, Jan. 22.—Ten No. 11, Washington chapter of the National Variety Clubs of America, further entrenched itself in the heart of the capitol, by presenting a complete and modern dental unit to Children’s Hospital.

The biggest group of guests and officials witnessed the dedication ceremonies. The presentation was made by Chief Dairy Harde Meakin and Dr. G. W. Berger, head of the Medical Society’s exchange and welfare chairman of the club.

Among those present were Sidney Lust, a former chief banker, and Dr. D. J. Palkin, who supervised the purchase and installation of the dental clinic.

Three Patent Suits Filed in Delaware

WILMINGTON, Del., Jan. 22.—Three suits, all asking for declaratory decrees adjudging invalid patents involving certain radio receivers and electric conduit and cable have been filed in the U. S. District Court here by the Columbia Broadcasting System, Emerson Radio & Phonograph Corp., and the Trinity Conduit & Cable Co., Inc., defendants in the two cases are the Hazleton Corp. and the National Electric Products Corp.

Three such suits ask declaratory decrees adjudging invalid patents involving certain radio receivers and electric conduit and cable have been filed in the U. S. District Court here by the Columbia Broadcasting System, Emerson Radio & Phonograph Corp., and the Trinity Conduit & Cable Co., Inc., defendants in the two cases are the Hazleton Corp. and the National Electric Products Corp.

Renew Center Leases

Leases have been renewed on space in the Film Center Building by United Artists, Metro Film Laboratories, Syndicate Exchange and State Film Service Corp., through Cross & Brown, agents for the building.
Off the Antenna

"VOX POP", one of the older audience participation programs, will abandon cash prizes for those QUIZ and substitute others. Typical of the type of prize is a long distance call to Bert the Grable, the screen star, to the lucky Midshipman who answers the right question on the CBS show at 7:30 this evening.

Program News: Two NBC-Red shows, "Waltz Time", sponsored by Chas. H. Phillips Chemical Co. and "American Album of Familiar Music," sponsored by the Bayer Co. have added 31 Canadian stations to their existing hookups...Blondol will add five stations Tuesday to the present 80 NBC-Radiant Network...Louie Dearman, the Kosher Meat products will sponsor Harry Herbhead's "Life is Funny" over WHN, Sundays at 2:15 P.M., for 13 weeks...Alice Templeton's programs tomorrow night will originate from Manhattan Center. About 10,000 persons are expected at the early and expect broadcasts and all will be expected to contribute to at least a dime to the "Five Of O' Dine's" fund...Counsel for Democracy will inaugurate a new series over WMCA tomorrow evening at 10:15, titled "Why Democracy," of the series include: Al Albe, Charles Evans Hughes, Jr., C. D. Jackson, of Time, George Britt, Frank Kingdon, C. J. Friedrich, Dorothy Thompson, Anne O'Hare McCormick, Charles Merz, James Tutis, Robert Sherwood, Clarence Francis, Raymond Rubicam and Paul G. Hoffman.

Purely Personal: John Royal, NBC vice-president in charge of international relations, left by Clipper yesterday for Bermudia, where he will meet Fred Bate, the London correspondent, who is flying in from New York...expect him here Friday afternoon...Voices, Inc. has replaced George McCoy, by Al Hogan on WHOM. Hogan will be heard in news comment nightly at 11:15...Louise Carlyle will be guest vocalist on "Hour of Charm" Sunday.

George Lauds Films At 'Wind' Ceremony

(Continued from page 1) of our own nation, but the people of nations worldwide...The Senator, who made the presentation on behalf of David O. Selznick, was accompanied by Carter Barron, chairman of the board, and Alain Bebe, Inter Theaters. "Gone With the Wind," said Senator George, "fittingly merits a niche in our national archives which are dedicated to the preservation for posterity of those creative works which serve as a testimonial to progress, a better understanding and a more abundant enjoyment of life."

Mexico City Theatre Admission Cut Asked

(Continued from page 1) in which the Municipal government in its campaign to stamp out the practice of charging employees, for example, on a per employee basis, has been held an agreement between the city government and the Cine Colonial. The city government has agreed to give employees free admission to Cine Colonial.

Power Increase Time Is Extended

Washington, Jan. 22: The FCC announced today that it had extended until July 1 the time for international short wave broadcasting stations to increase their power to 50,000 watts but added that no further extensions of time would be granted.

N.W. Allied to...Ask State Ban Blocks-of-Five

(Continued from page 1)

and drafting. The bill requires 20 per cent cancellation privileges, cancellation for unsuitability, curtailment of the expansion to its present level, and a measure requiring a showing of convenience and necessity for new theatres.

In what members called the most successful convention of its type held in the Northwest Allied, the organization also voted to seek an amendment of Minnesota laws governing theatres to extend the jurisdiction to rural ferry and tent shows designed to attract country crowds in small towns.

The announcement was made of a new plan to restore theatre attendance from competing forms of entertainment but details were withheld.

The convention also assailed a ruling calling for a tax on student admissions; protested the servicing by distributors of high schools and colleges with features; referred back to committee a resolution putting the organization on record as favoring a divestment bill only after it is considered by the legislature, and voted to resist the 50 per cent film deals and deals calling for advanced prices and extended playing time.

Meeting Sets Plans For Allied N. Y. Unit

Preliminary plans for the organization of a New York State unit of national Allied were outlined at a meeting of representatives of the Hotel Lincoln. Sidney Samuelson of the national organization attended in an advisory capacity.

ITOA Meets Pielow

Ralph Pielow, new M-G-M branch manager here, was introduced to members of the ITOA at today's meeting...Questions being discussed at the meeting. Many will be held in two weeks. Harry Brandt, president, president, presided at yesterday's meeting.

RKO Decree Meet Called By Schaefer

(Continued from page 1) at the meeting. Its inclusion on the list is taken as formal confirmation that RKO does not plan to withdraw the picture from release.

Other house executives who will attend the meeting are: Bob Schaefer, Eastern and Pacific division manager; Curtis Smith, Western division manager; A. A. Schubert, manager of exchange operations; S. Barrett McCracken, advertising and publicity director; H. W. Clark, treasurer; Philip Reisman, foreign department head; Harry Michelson, short subjects sales manager; Leon Bamberger, M. G. Paller, William Dahler, William Horne, Log Miller, W. J. McShea and J. Smolga.

District managers who will attend are: Herb MacIntyre, Dave Prince, L. E. Goldhammer, Walter Brunson, Charles Boasberg, Nat Levy and Gus Schaefer. Others from the field will be Bob Wolff and Sol Sachs.

The meeting will begin at 1:30 p.m. in time for those present to attend the Ampu luncheon at the Hotel Edison at which M. Samman, manager of Radio City Music Hall, will be guest of honor.

FCC Revokes Two Stations' Licenses

Washington, Jan. 22.—Licenses of Stations WMTC, Orcala, and WDDL, Panama City, Fla., today were ordered revoked by the Federal Communications Commission on the ground of concealment of ownership.

The commission charged that the real party in interest is John H. Perry of New York and Florida, rather than the persons and corporations declared to be the owners of the two stations, and that his interest had been "deliberately concealed."

Mervyn LeRoy Is Sued

Mervyn LeRoy was named defendant yesterday in a $75,000 suit, filed in New York Supreme Court by Leonard Goldstein, seeking $25,000 damages for alleged breach of contract. Goldstein claims he was hired by Benny Baker as manager, that subsequently he was brought suit for his commissions and that LeRoy persuaded him to drop the suit on the alleged promise that LeRoy would pay him a fair sum.

Party Club Party Feb. 14

A musical revue entitled "The Golfer Go To Town" will be staged by members of the Paramount Pep Club at the organization's Valentine's Day celebration at the N.Y. Capitol Feb. 14. Also on the program are a buffet supper and dancing.

Films Leased

Foremost Films, Inc., of which Mrs. Reda Kovacs is president and David Weiss is secretary and treasurer, has leased for one year the Filmart Theatre on West 5th St. for the exhibition of French and British pictures. The first will be "Hatred," a French importation starring Harry Baur, which will open Saturday.
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<td>100%</td>
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**Notes:**

- Dates are Based on National Release Schedules and are Subject to Change.
- This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Title.
FAME
The Audit of Personalities

SEVENTH ANNUAL EDITION IS NOW IN CIRCULATION

THE INTERNATIONAL INDEX TO PRODUCTION, TALENT AND TECHNICAL VALUES IN THE WORLD OF ENTERTAINMENT . . .

SCREEN • CONCERT • RADIO

One Dollar the Copy
EDITED BY TERRY RAMSAYE

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER, NEW YORK
"Come Live With Me"
was screened
in the M-G-M
projection room
yesterday and this is
just to go on record
by saying "Oh!"
Also "Ah!"
And "Um-m-m-m-m!"
Capra Forms Own New York Business Unit

Affiliated With Selznick Enterprises Here

A sales supervising department, similar to those enjoyed by United Artists producers, is reported being set up by Frank Capra and Robert Riskin in New York for the Warner Bros. picture, "Meet John Doe." The department will be an independent unit although associated with the David O. Selznick enterprises. Otherwise, all sales will be handled by Warner Bros. The department which Capra and Riskin are organizing through Selznick will not do any selling.

What Capra and Riskin are doing, it is said, is in line with their contract with Warner Bros., on the film, "Meet John Doe," and under the terms of which they have the right to approve sales.

There has been no indication what terms will be asked by Warner Bros. on this picture. Riskin has been in New York for several days and has held many conferences with Warner Bros. officials, notably Gradwell Sears, and Joseph Bernhard.

The new sales supervising unit which the Capra-Riskin forces are setting up, will have its offices together with the Selznick company in Rockefeller Center.

Sellout of 'Wind' Leads Broadway

Broadway was treated to balmy spring weather yesterday following a day of freezing cold on Wednesday but grosses in the first runs stood up against the impact. "Gone With the Wind" opened its return engagement yesterday at the Capitol at regular prices and promptly sold out for its first two performances.

"The Philadelphia Story," now in its fifth week with a stage show at the Music Hall drew an estimated $89,000 for the fourth week of its run.

Walker Nomination Is Sent to Senate

Washington, Jan. 23—President Roosevelt today sent to the Senate for confirmation the appointment of Frank C. Walker as Postmaster General.

The nomination was necessitated by a quirk of law which requires that the Postmaster General, unlike other Cabinet members, be appointed for a specific term. The term normally is four years, and Walker's original appointment to succeed James A. Farley expired with President Roosevelt's last term.

RKO Sales Setup To Remain As Is Under the Decree

RKO sales operations under the consent decree will not necessitate a realignment of the distribution company's operating setup, such as those being undertaken by M-G-M and Paramount, a company spokesman said last night at the close of the meeting of home office executives and district sales managers at the Waldorf-Astoria.

Moreover, it was said, changes of managers or personnel are

(Continued on page 10)

ASCAP-EXHIBITOR ALLIANCE WEIGHED

FCC to Look At Television

Members of the FCC will visit New York today for a last minute look at television developments before hearing the report of the National Television Systems Committee in Washington on Monday.

The tour will start this morning at the Allen B. DuMont Laboratories studio where the commissioners and the press will view DuMont's latest model of a 20-inch screen home receiver. DuMont will show his model for receiving images on flexible standards, a screen with highly retentive light qualities, and G2-line definition.

From there the party will go to RCA headquarters where they will see a model of the new 18-inch home receiver, a telecast relayed without telephone wires from Camp Upton, 100 miles away, and a studio variety show. After lunch, RCA will demonstrate its large screen theatre size television at the New Yorker Theatre. Bell Laboratories will show the possibilities of network television by use of coaxial cable by demonstrating a studio show which will originate in New York, be carried to Chicago.

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Theatre Has Public Trust

Ampa Told by Van Schmus

By SAM SHAIN

Ampa was honored yesterday with the presence of W. G. Van Schmus, managing director of Radio City Music Hall, as guest-of-honor at the society's regular bi-weekly lunch and meeting, held at the Hotel Edison. Van Schmus managed the occasion with his usual good taste and genial manner. In receiving his Ampa "degree," the head of the most famous information theatre in the world delivered a "baccalaureate" address which was described by those who heard him as both "entertaining and instructive."

His theme was that the theatre operator has a public trust. Also, he has a responsibility to the makers of good pictures. Not only must the theatre operator recognize the growing intelligence of the public, but he also must match better pictures by better appreciation of the public. If he does this, the theatre operator will then have realized the fullest results from his box-office, Van Schmus said.

Department store merchants are smart, Van Schmus stated, because their advertising is always in good taste and because they do not exaggerate values. Having discovered that the public was smarter than they were and that the public would challenge

(Continued on page 9)

Balaban Stresses Television Value

CHICAGO, Jan. 23—The value of television in building up theatre receipts was described here today by Barney Balaban, Paramount president.

Future programs may be so arranged that a television broadcast will be part of the production," he said. "Instead of being competition television may be an asset to theatre business. On nights when a big fight is being held, or perhaps the President is making an important address, imagination could be obtained by televising the event. Instead of a patron sitting at home and hearing an audible broadcast, he will be able to come to our theatre and not only hear the broadcast but see the entire show on the television screen.

(Continued on page 10)
Coast Flashes

Hollywood, Jan. 23.—The Hitch- ing Post, Hollywood's first theatre devoted exclusively to westerns, will open tomorrow night with a street parade of horsemen and civic dignitaries in the opening program. For the house, the former Televue newsreel theatre, will consist of "Melody Ranch" and "Robin Hood of the Pecos."

Boone Mancall will leave for New York by train tomorrow night following two weeks of studio conferences related to production and sales operations under the consent decree. The conferences have not been conclusive, it was said, and will be resumed here during the last week in March with the same officers and personnel, when, it is believed, final concessions will be determined. Kent will stop off in St. Louis for a day on route East.

Felix Jenkins and Fred Pride, 20th Century-Fox attorneys, will leave this weekend for San Francisco to begin a seven weeks' tour of the city's companies to inspect the field sales personnel in their responsibilities under the consent decree.

The Screen Actors Guild today denounced the Voight Bill, which is pending in the State Assembly and which would regulate agents and their clients. The Guild's statement said that the measure would deprive actors of constant representation and would leave them "at the mercy of open-field price-cuttings of salaries."

The testing of planes by San Fernando Valley aircraft plants forced Republic Pictures to exterior set shooting after 39 interruptions in one day on "Sis Hopkins," a high budget production, exteriors were ordered to concentrate on scripts calling for interior scenes and planes were made to shoot exteriors on locations.

Warners and Universal have also been bothered by the plane tests but have not altered schedules.

Personal Mention

NATE J. BLUMBERG, Universal president, will arrive from an extended Coast visit tomorrow, following a stop-over in Chicago yesterday.

MATTHEW J. FOX, Universal vice-president, will arrive from the Coast by train on Monday.

B. W. Fierce, manager of the Gaden Theatre in Gaden, Ala., is under treatment at Holy Name of Jesus Hospital there following an automobile accident.

G. L. CARRINGTON, vice-president and general manager of Altec Service Corp., has returned here after a month's stay on the Coast.

AMELIA MARTIN, secretary to Bert Sanford at Altec, will be married to MARTIN BENNER, Altec engineer, next Thursday. They will honeymoon in Nassau.

ALFRED E. GREEN, Columbia director, has returned to Hollywood from Washington.

VIRGINIA BRUCE has left New York for Hollywood.

LOWELL CALVERT has gone to Chicago.

Roundail Guest at Music Hall Party

Richard A. Roundail, producer, of "Cheers for Miss Bishop," United Artists release, was the guest of honor at a party last night in the Radio City Music Hall, following a screening of the Roundail picture in the preview room of the theatre. W. G. Van Schmus, managing director of the Music Hall, acted as host.

Among the guests were Colvin Brown, Leo Brecher, Gus Eyselt, Mr. and Mrs. Maurice Kaum, Mr. and Mrs. Juef. Cohen, Mr. and Mrs. Clarence Eisenman, Mr. and Mrs. Leo Justin, Mr. and Mrs. Harry Gold, Writers, are Monte Proser, Monte Alloico, Sam Shain, Monroe Greenhalch, Charles Stern, Bert Stern, Mr. and Mrs. Harry Brandt, George Skouras.

Defense Is aiding Grosses: Masters

Increased theatre attendance resulting from defense program spending is already apparent in the large industrial areas, Haskell M. Masters, West Coast district sales manager for United Artists, said yesterday on a return to his office from a three-week tour of exchanges in his territory.

Masters visited exchanges as far West as Oklahoma. He plans to leave in a week or 10 days for a tour of the Far Western exchanges, his first since assuming his new post with the company.

Greenthal Leaving For Visit to Studio

Monroe Greenthal, United Artists advertising and publicity director, will leave for the Coast tonight or tomorrow by plane. He will be away about two weeks.

Greenthal will attend screeners of the company's forthcoming product and discuss campaigns on the pictures with producers.

Officials Suggested For Ignoring Writ

BIRMINGHAM, Ala., Jan. 23.—A judge in Circuit Court here sentenced four city officials to 48 hours in jail for allegedly disregarding an injunction issued to forbid seizure of the film, "Frenzy Girl's Club," which was being shown at the Calhoun Theatre.

The officials are Commissioner of Public Safety E. L. Connor, Police Chief T. A. Riley, City Attorney J. L. Whiting, and Assistant City Attorney John S. Foster. The defendants appealed to the State Supreme Court for a review of the contempt decision which stayed the sentence.

Newsvuel Parade

This trip to England of Wendell L. Willkie attracted unanimous attention in the weekend issues of the London newspapers. The offer of the lead-lease bill, and, less significant, the opening of Sonja Henie's ice show at Madison Square Garden, likewise created space. The contents of the reels:


K-A-O Dividend Set

The board of directors of Keith-Al- bee-Orpheum Corp. has declared a dividend out of operating surplus of $1.50 per share on the common stock, amounting to $1.00 per share for a seven percent cumulative convertible preferred stock for the quarter ended Dec. 31, 1939, payable April 1, 1941, to stockholders of record on March 14.

MOTION PICTURE PARADE (Registered U.S. Patent Office)

Published daily except Saturday, Sunday and holidays by Motion Picture News Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Price 90c, postage paid at New York, N.Y. Entered as second class matter, Sept. 23, 1913, at the post office at New York, N.Y. Domestic single copy, 10c.
The Peak of Excitement — and a business peak, too!

‘HIGH SIERRA’ opens MEMPHIS HARTFORD SPRINGFIELD, Mass.
BIGGER THAN ‘DRIVE BY NIGHT’

Today in New York and a dozen other keys!

HIGH SIERRA
starring IDA LUPINO
HUMPHREY BOGART
with Alan Curtis • Arthur Kennedy • Joan Leslie
Henry Hull • Henry Travers
Directed by RAOUl WALSH
Screen Play by John Huston and W. R. Burnett
From the Novel by W. R. Burnett

WARNERS producers.
WARNER

IN GRID WARNER

BERGMAN AND BAXTER

in

"ADAM HAD FOUR SONS"

The greatest Blondie of them all —

"BLONDIE GOES LATIN"

The Bumsteads Go Musical

"TEXAS"

with

WILLIAM HOLDEN
WARREN WILLIAM

and all-star cast...

FRANCHOT TONE AND JOAN BENNETT

in

"A GIRL’S BEST FRIEND IS WALL STREET"
ALL-OUT AID TO EXHIBITORS!

Columbia Swings Into High-Powered Action!

IRENE DUNNE AND CARY GRANT in George Stevens' "PENNY SERENADE"

GEORGE BRENT AND MARTHA SCOTT in "THEY DARE NOT LOVE"

HERBERT MARSHALL AND BRUCE in "Senate Page Boys"

JANE WITHERS AND JACKIE COOPER in "Her First Beau"

DATE 'EM NOW at your COLUMBIA EXCHANGE!
A picture audiences will see with

DAVID L. LOEW • ALBERT LE
present

SO ENDS OUR

starring

FREDRIC MARCH • MARGARET SULLAV
with GLENN FORD • ANNA STEN and ERICH

Directed by John Cromwell • Screenplay by Talbot Jennes

Released thru UNITED ARTI
Two GREAT LOVE STORIES
Six GREAT PERFORMANCES

Fredric March
star of "A Star is Born",
as Steiner

Margaret "Sullavan"
star of "The Mortal Storm",
as Ruth

Frances Dee
star of "Wells Fargo",
as Marie

Glenn Ford
the screen's newest romantic
discovery, as Kern

Anna Sten
glamorous actress in her
greatest screen role!

Erich von Stroheim
the man you love to hate,
as Brenner
**Short Subject Reviews**

**“Information Please, No. 5” (RKO-Pathe)**

With Wendell L. Willkie again as the game’s new expounder, a few additional data are presented in this entertainment. Willkie displays an almost juvenile eagerness to answer questions whose answers he knows.

Running time, 11 mins.

**“Snow Eagles” (RKO-Pathe)**

On the slopes of the beautiful snowy-covered mountains of Idaho, near Sun Valley, ski champions provide a few of their earth-taking skills in a vivid display, in this number of the Sportscope series, Otto Lang, famed instructor guides the novice through the essentials of handling the skis, then with three companion-instructors sails down the steep, snowy slope.

Running time, 9 mins.

**“Meet the Stars” (Republic)**

Harriet Parsons found interesting material for this second of her “Meet the Stars” series at Town House, Los Angeles, where former Wampas stars and noted directors are seen judging the big-time film stars of today.

**“Picture People” (RKO-Pathe)**

Highlight of this subject on personalities of the news radio circuit is a rehearsal of their radio scripts of John Barrymore and Rudy Vallée in the kitchen of the Vallée home. In view of the radio show’s popularity, this appears susceptible of selling. Also seen are Rita Hayworth, Tam Holt, William Gargan and Irene Dunne in various informal poses. Running time, 10 mins.

**“The Fired Man” (RKO)**

Leon Errol, in another of his usual domestic sketches, provided a few laughs. He is the butt of the department store’s complaint department, being “fired” to keep customers. But when a sympathetic purchaser invites him to the seashore with the girl he thinks is Errol’s wife, and the real spouse appears on the scene, Errol’s handy-legged complications ensue. Running time, 20 mins.

**New Houses in Mexico**

MEXICO CITY, Jan. 23.—Two new Mexican film houses include one at Villa del Carbón, a new suburb of Mexico City, built by organized workers, and another here, where the historic Teatro Hidalgo is being converted by the Ministry of Public Education into a film house for domestic product.

**Theatre Has Public Trust Amptold by Van Schmus**

(Continued from page 1)

...the outlook of the picture business. I have always been treated with courtesy, respect and great consideration and I wouldn’t wish to be associated with any other.

“1934, when I started, I got tired of superlatives in advertising. I told them that if you tried to make people think you were the best thing in the world, that they would look at you and see our own ends. Our big task is to what extent we can match better pictures by better appreciation of the public.

In the course of his address he recalled a recent statement by Barney Balaban, president of the Warner company, relative to a “lost film audience of 30,000,000 persons,” for which the industry must find means to bring back to the theatre.

The best way, in the opinion of Van Schmus, to accomplish such a purpose is by honest advertising and recognizing the intelligence of the public.

Reads Trade Papers

Van Schmus also had a word or two to say about trade papers.

“I read the trade papers and believe what I read,” he said.

He gossiped over his eight-year career as head of the Radio City Music Hall, recalling that he first joined the theatre as an official, on March 4, 1934. On that day, the banks of the nation were ordered closed, and Franklin D. Roosevelt was inaugurated for his first term as President of the United States.

“An easy date to remember,” mused Van Schmus.

There were those who probably looked upon me as a ‘schlemiel’ (he learned that word in the department store business), he said, but he didn’t know anything about show business. Well, they were right—for a million miles, but things have changed.

We decided to find out what the public wants.

In those early years of my show business career, whenever I would ask someone the reason for something—the answer would invariably be “it was always this way.”

“Today, I wouldn’t take a back seat to anybody for my faith, enthusiasm and optimism.**

**Blowing Again**

The return of “Gone With the Wind” to Broadway, where it opened at the Capitol yesterday, according to the management and M-G-M, resulted in: (1) a call to the 5,000 ticket stewards to handle the crowds, claimed bigger than last year’s opening. (2) A gift for Usher Danny McTierman, whose arm was dislocated last year handling the crowds and who was retained yesterday doing the same thing.

**Australian Houses Not Affected by War**

WASHINGTON, Jan. 23.—The war in Europe has had virtually no effect on the motion picture industry in Australia, according to a report on conditions there to the U.S. Department of Commerce.

Theatres, it is reported, continue to operate. Areas have been designated as war districts, but patrons have been allowed in proportion to their numbers and all possible steps have been taken to assure continued theatrical entertainment.

There is no restriction on the number of American films which may be imported into Australia. All British films are imported duty-free. All pictures are subject to military censorship and virtually all American producers have been designated as war district, the Commonwealth Bank or its agents.

Practically all pictures shown in Australia are imported. British films have provided the only serious competition. American pictures in Australia in recent years. Only four features were produced in the Commonwealth in 1940, one by Cinesound Productions, other Australian producer; one by Expeditionary Films, Ltd., and two by Famous Features, Ltd. All four were produced with Government aid, under the New South Wales law which permits the State Treasurer to guarantee bank loans to producers.

There are approximately 1,500 theatres in Australia, all wired, plus a number of touring shows. The total of their attendance has been roughly estimated at about $28,000,000 annually.

**Michigan Bill Aims New Tax at Ascap**

LANING, Mich., Jan. 23.—A 25 per cent franchise tax on agencies and organizations within the state on copyrighted music is proposed in a bill introduced in the legislature yesterday by Rep. Wm. B. Stanley of Kalamazoo, who said that he had Ascap in mind.

**Ringenberger Dead After Brief Illness**

CINCINNATI, Jan. 23.—Henry Ringenberger, a leading radio engineer for Crosley Corp., died in the Jewish Hospital here today.
**Feature Review**

### "Ridin' on a Rainbow" (Republic)

**STARRING** Gene Autry, this film conforms to the formula used in the making of previous Autry vehicles, which, as indicated by box office returns, have proven satisfactory. The pictures feature Autry, dressed up as a cowboy, singing while donning western attire. However, the film does not add much to the genre and may not appeal to those looking for something new. The story follows the conventional path of a Western romance, with Autry facing obstacles and overcoming them with his song and western persona.

**Motion Picture Daily**

**Thursday, January 24, 1941**

**Motion Picture Daily**

**'Arizona' Is Hit in Boston With $33,500**

Boston, Jan. 23—"Arizona" and "Angels Over Broadway" scored a total of $33,500 at two theaters, with $15,000 grossed by "Arizona" at Loew's Orpheum. "Second Chorus" and "Michael Shayne, Private Detective" took $16,500 at the Metro- polynomial, while "Ice Follies" and the "Ice Follies" offered competition.

Estimated takings for the week ending Jan. 17:

- "Give Us Wings" (Univ.)
- "One Night in the Tropics" (Univ.)
- "Kiss and Tell" (RKO)
- "Sailor's Holiday" (RKO)
- "Sailor's Holiday" (RKO)

**Chinese-

**Los Angeles, Jan. 23.—"Kitty Foyle" and "Eillery Queen, Master Detective" (Col.) were the leading attractions here, taking a total of $18,000 at two houses, $9,000 at the Hillstreet and the same figure at the Pantages.

"Kitty Foyle" is a comedy, and "Eillery Queen, Master Detective" is a detective story. Both are well-received by the audience. "Kitty Foyle" is particularly praised for its lively dialogue and engaging characters. "Eillery Queen, Master Detective" is noted for its fast-paced plot and clever twists. Both films are recommended for a weekend watch.

**Feature Review**

### 'Mother's at $7,000 Leads Indianapolis

**Indianapolis, Jan. 23.—"Four Mothers" and "Street of Memories" did $7,000 at the Indiana and Raymond Scott's band on the stage. Michael Shayne, Private Detective, on the screen brought the picture $9,400. The weather was mild.

Estimated takings for the week ending Jan. 17:

- "The Bank Dick" (Univ.)
- "No Night in the Tropics" (Univ.)
- "One Mother" (RKO)
- "No, No, Nanette" (M-G-M)
- "Flight Command" (RKO)

**Detroit Fight Keeps New Royal Closed

Detroit, Jan. 23.—Operators of the new $35,000 Royal Theatre and officials of the local operators' union are outlined in the hiring of a stage maintenance man. The dispute prevented the scheduled opening of this 2,500-seat theatre on Dec. 27, when 3,000 patrons were disappointed. The theatre has been dark since.

The patrons were given leaflets explaining the management's stand that a maintenance man at a salary of $78 a week was not necessary, while the union claims one is needed. The two sides, however, refused to go to work after the management refused to hire the stage hand.

**Comerford Estates Boost Pa. Tax Total

Scranton, Pa., Jan. 23.—Inheritance tax collections in Lackawanna County during 1940 nearly doubled the $195 total as a result of payments by the estates of the late M. E. Comer- ford and M. B. Comerford. The estate of the late M. E. Comerford made payments of $101,000 during 1940. The largest payment of $101,000 was made by the estate of the late M. B. Comerford. Comerford Theatres, Inc., who died in 1935, and totaled $1,019,54 during the year. The Baker's Wife" into the World Theatre.

"Le Moka to World

Theatre Men Alliance With Ascap Talked

(Continued from page 1)

have been reported as under way in a number of other cities.

Ascap officials said that while they were willing to cooperate to the extent of their ability, they regarded the movement of which the complaint stems, as coming from music publishers, primarily. They added, however, that they regarded an Ascap-theatre alliance against B.M.I. as a "natural one in the present con-

flict of interests."

"Radio is in competition with the theatres," one Ascap official asserted, "either way it is off-schedule. It is a success fully established, theatres may be sure that a music tax will be levied against them eventually by that organization. In 'selling' Ascap's name in their theatres exhibitors have an added factor in offsetting radio competitive power to winning new business for themselves.

Pittsburgh and Chicago theatres, it was said, are turning to the use of song slides and community sings, while audiences are returning to pictures which no longer be heard on the radio are still available in the theatres.

Ascap officials observed that the 65,000 to 75,000-off-schedule motion picture audience is equally as attrac-
tive to them as the radio audience.

F.C.C. to Look at Television Today

(Continued from page 1)

to Philadelphia, and returned here, a district warehouse in all. On Saturday, CBS will show color television with a live studio pickup.

The NTSC, organized last September from the standards industry, to draft standards which will be acceptable to the FCC is prepared to make a final presentation of television engineering Monday. Although the hope for unanimous agreement has failed to materialize, it is under-
stood that the NTSC has reported on substantial majority agree-
ment on all principal points.

The details of the report are being withheld but it is understood that there will be little variance from the standards proposed by the Radio Manufacturers Association last year. At that time, the FCC took the posi-
tion that standards were still too uncertain to permit commercialization of the new medium. In calling for Monday's report, the FCC set forth that it was not seeking recommendations for future action from the NTSC but merely an account of progress up to this point.

An indication that DuMont, who was a major factor in having standards accepted, has not been satisfied, was received yesterday.

In a statement, DuMont declared television standards now used are limited to audiences in metropolitan areas and that rural audiences "are doomed to go without television entertain-
ment," he commented that this was due to the fact that television is

Off the Antenna

WEDNESDAY night's performance of the local "Pot o' Gold" show over the three New York independent stations ended a brief two-week feud, when WHN had the winner on its nightly "Cinderella" program, WMCA and WOR, found but WMCA succeeded in getting to the winner first on the initial two weeks. The agreement now provides that each of the stations shall take a turn in obtaining the winner's appearance on the air.

Construction work on the new transmitter for WTAD, Quincy, Ill., has been completed and the station, it is stated by officials, will be able to go full time within the next week or 10 days. Cost of the new trans-
mitter is estimated at between $45,000 and $50,000. WTAD joins CBS on Feb. 1.

Purely Personal: Elmore Roosendaal will be guest on Bill Stern's "Sports News Letter of the Air" on NBC-Blue at 9:45 P.M. . . . Ernest Callling of the NBC press department has sold five songs to BMI . . . Tom Bennett, producer of "Chamber Music Society of Lower Basin Street", has been forced to sever his connection with that show because of NBC's require-
ment that he devote himself exclusively to composing original music. Joseph L. Thompson will succeed him on the program . . . Burton Lewis, special effects director for Walt Disney's "Fantasia", will be interviewed by David Lowe over WOR at 12:45 P.M. this afternoon. Lowe has resigned to do public relations work for Pan American-Grae airplane . . . James McConnachie, Jr., has joined Radio House, Inc., as business manager . . . Bill Beal, KDKA, Pittsburgh, continuity editor, is the father of a son.

A new show to be called "No Politics" has been announced by W. B. Lewis, CBS vice-president in charge of broadcasts. The program will feature Congressmen speaking on national problems and the broadcast will be in a form similar to a regular session of the House of Representa-
tives. It will be heard Saturdays at 3 P.M., beginning Feb. 1.

Program News: California Fruit Growers Association will sponsor the 7:15-7:30 A.M. period of Phil Cook's "Morning Almanac" over WABC for six weeks, beginning Feb. 10. Associated Rabbit NPC contractor will start a new series over WOR Sunday. After two Sundays on sustaining time, he will be sponsored Sundays at 9:30 P.M. and Thursdays at 10 P.M. by Asperette . . . George Burns and Gracie Allen will broadcast from CBS on Feb. 13 at 10 P.M. Bob Hawk will start a seven-week swing through the South beginning Sunday with "Take It or Leave It" . . . "Chicago Round Table" will mark its 10th birthday with its Feb. 2 broadcast over NBC-Red.

Sellout of "Wind" Leads Broadway

(Continued from page 1)

run. At the Roxy, "Hudson's Bay" closed Jan. 31, 1941, in its second week, plus a stage show, with "Tall, Dark and Handsome" going in yesterday. At the Rialto, "Convoy" drew an estimated $7,500 for the week and was followed by "Pride of the Bowery."

The Stage show during the run of "Virginia" at the Paramount, which starts next Tuesday evening, will include Glenn Miller's band, Dean Murphy, Cass Daley, Four Modernaires, Rex Bell and Doris Mitchell. The Tuesday evening premiere will be held for the benefit of the Maple Leaf Shrine, national headquarters for the British war relief. Raymond Massey will act as master of ceremonies that evening with Anton Polito and Beulah Bondi in "The Honeymoon Guests. Madeline Carroll will speak to the audience by telephone from Hollywood.

Balaban Stresses Television's Value

(Continued from page 1)

big special events will be included in the list of programs we may televise," Balaban concluded.

The television display at the Drake Hotel in connection with the testimonial dinner to Balaban, attracted all visitors, especially Stanton Grif-
fs, Adolph Zukor, Y. Frank Freeman, Nell Acvay and others who par-

ticipated in the experimental test, which was broadcast by means of a mobile unit from one room to another. The test was a success.

Approximately 300 business associa-
tes and friends paid tribute to Balaban tonight on the occasion of his 50th anniversary as president of Paramount.

Every ranking Paramount home office

executive, heads of the Para-
mount theatres in every section of the country, former Chi-
gu associates, 55 winners of the Paramount theatres' business drive for 1940 , guests from Dashing- ing to Christmas, and numerous friends of the Paramount executive staff were described as "strictly a family affair," were

received were not to transmit stories on speeches or other parts of the program.

A brief portion of the program, however, was telecast over Station WNBK, the Balaban & Katz tele-
vision station here.

RKO Sales Setup

To Remain As Is Under the Decree

(Continued from page 1)

utility also, except for the addition of two Cabinet sales-
men necessary to handle the increased sales work under the 

 It is estimated that RKO will re-
duce to 45 to 60 additional men for this purpose. In many cases, bookers and office managers will be promoted to fill these requirements.

Company policies and plans under decree operations were outlined to the district managers at the meeting by George J. Schafer, president; Nell E. Depinet, vice-president and dis-


Expect Neb. Bills

To Tax Industry

OMAHA, Jan. 23—Described as a "luxury tax" bill, measures taxing both exhibitors and distributors will be introduced in the Nebraska legis-


lation by State Senator Neubauer, who has already made the bills publi-

c.

The legislation would place a 10

per cent tax on all tickets to theatres and other amusement places. Distrib-

utors, under a companion bill, would be taxed on an $1,000 occupation-

tax, and in addition $1 on each reel of film brought into Nebraska. Exhibitors would be exempt from "laying in" large stocks of films actually on order, to escape the act before it goes into effect. The spon-


sor of both distributors and exhibitors would raise about $500,000 a year.

Coslow Signs Rogers

Budd Rogers has been signed for a series of musical subjects for Sam Coslow's Cameo Productions, designed for the Roosevelt-Mills Soundies Corp.
Here is a library of factual information that meets an urgent need. Authoritative manuals expressly prepared for theatremen as practical aids in their daily routine. Glance over the titles! There are books here that should be on your desk now—books that will save you time, effort and expense in the voluminous information they will put at your fingertips.

Motion Picture Sound Engineering—the most advanced sound manual to date. Prepared by the country’s leading sound engineers. 547 pages, explaining every detail of apparatus. Profusely illustrated with diagrams, tables, charts and graphs. $6.50 POSTPAID

Theatre Management Record is the most simplified bookkeeping system yet devised for the exhibitor! No accounting experience necessary. Individual sections for all operating data. Full tax information always readily available. $2.00 POSTPAID

The second revision, sixth edition of the Bluebook. Supplemented with sound trouble-shooting charts and alphabetical index. 700 pages. A quick trouble-shooter and a sure solution to all projection problems. $7.25 POSTPAID

A practical treatise devoted to all the diverse elements of theatre air-conditioning and its operation, including codes and ordinances regulating installation. An indispensable manual that all theatremen will welcome. $4.00 POSTPAID

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER, NEW YORK
THAT FILLY FROM PHILLY!

N.Y. TIMES, JAN. 21, 1941

'The Philadelphia Story' Sets Music Hall Record

"The Philadelphia Story" has set a new attendance record at the Radio City Music Hall and will continue for a fifth week, beginning Thursday, the management announced yesterday. The Metro version of the Philip Barry play was seen by 553,537 persons during the first twenty-five days of its run ending Sunday night.

No other film in the Music Hall's history has reached the latter mark for a similar period.

The attendances for other pictures in a comparable period are "Snow White and the Seven Dwarfs," 544,619; "Pride and Prejudice," 514,028; "Rebecca," 504,415, and "All This and Heaven Too," 465,058.

WHEN you play
"Philadelphia Story"—
Remember that your
Box-office possibilities
Are unlimited too!
5 weeks at Radio City Music Hall
4 weeks in Detroit, Cincinnati
2 weeks in Reading, Rochester, Providence, Louisville, Milwaukee—Extended runs everywhere!
Hang on to that Filly from Philly—She's running wild!
Board Convening Today in Washington

WASHINGTON, Jan. 26.—National Allied directors will meet here tomorrow for an annual meeting which will be devoted largely to consideration of the association's future attitude toward the consent decree, the Federal Tax situation, cooperation with the National Defense program and the Wespa situation. Abram F. Myers, board chairman and general counsel, will preside.

The first session, tomorrow morning, will be devoted to the decree, including the question whether Allied shall seek further legislation, Federal or state, to eliminate block booking and bring about divestiture of exhibition. At the same time, consideration will be

(Continued on page 4)

20th-Fox Starting
18 New Film Scripts

Hollywood, Jan. 26.—20th Century-Fox has assigned writers to start work on scripts for 18 of the company's productions for next season.


Reviewed Today

Feature reviews on "So Ends Our Night" and "Along the Rio Grande" are reviewed today on page 13.

Asks Music Fight Inquiry by House

Washington, Jan. 26.—Investigation by a special House committee of the fight between the National Association of Broadcasters was sought in a resolution over the weekend by Rep. Francis J. Meyers. The resolution was referred to the Rules Committee which is not expected to take any action unless strong support is shown.

Bernhard to Talk

At Quigley Awards

Lunch Tomorrow

An address on showmanship in the theatre by Joseph Bernhard, head of Warner Theatres, will feature the seventh annual Quigley Awards luncheon at the Hotel Astor tomorrow. Martin Quigley will preside at the luncheon, which will follow the judging for the awards in the exploitation competition conducted by Man-agers Round Table of Motion Picture Herald.

Prominent among the guests will be exhibition executives from out-of-town here for the judging. These include Edward M. Fay, Providence; Nat Holt, Cleveland; Earl J. Hudson, Detroit; Charles E. Kurtzman.

(Continued on page 4)

Radio Manufacturers

Won't Change Television

By EDWARD GREIF

After five months of intensive research and investigation, the National Television Systems Committee today in Washington, it is reported, will recommend basically the same television standards which the Radio Manufacturers Association recommended early last year and which the FCC rejected as not sufficiently advanced.

The array of engineering opinion, with DuMont, Philco and Zenith opposed in part to these recommendations, continues almost exactly as it was one year ago, it was reported.

Although the NTSC recommendations were approved by a very substantial majority, just as almost the entire industry agreed last year on the RCA standards, there is still a very vigorous minority dissent on three issues. These are the number of lines per frame and frames per second; vertical as opposed to horizontal polarization and synchronization of signals. Despite the development of color by Dr. Peter Goldmark during the past few months, the NTSC appears substantially agreed that this development has no immediate effect on the setting of standards.

Although the FCC, in setting today as the date for a meeting with the NTSC, indicated that it was primarily interested in a so-called progress report from the committee, rather than a recommendation as to standards to be fixed, the NTSC will present to the commission today a complete set of standards which it thinks should be adopted for television.

FCC Chairman James L. Fly on

(Continued on page 14)

FOREIGN ROYALTY BILL INTRODUCED

Purpose Is to Free American Firms from Payments Where Currency Restrictions Enforced

WASHINGTON, Jan. 26.—A bill to protect American owners of copyrights, patents and secret formulas from being required to pay royalties to foreign nationals if sums due the American owners from such countries are owing and unpaid because of currency embargoes or other foreign exchange restrictions, has been introduced in the House and Senate.

The bill is regarded as of considerable significance to the American motion picture, radio, record, and music industries.

Under its provisions, American companies which suffered losses of property through confiscation or destruction abroad, would be in a position to have such losses applied against any monies which they might owe to copyright or patent owners in such countries, or to recover such losses through funds owed in such countries by other Americans.

The bill, which has been referred to the House Committee on Patents with the Senate Interstate and Foreign Commerce Committee, provides that Americans who owe money to foreign

(Continued on page 4)

‘Big 5’ Schine Suit

Dismissal Monday

The Government's stipulation for dismissal of the five complaining companies from the anti-trust suit against the Schine Circuit, pending in Federal court at Buffalo, is scheduled to be entered there next Monday.

Entering of the status report by the District Court for the past two past months in the New York, Oklahoma City and Nashville suits.

With the elimination of the "Big Five" from the Buffalo suit, the Government will enter its amended complaint against the "Little Three," Columbia, Uni-Met, and Universal, and the Schine Circuit. Conferences looking to the possibility of a consent decree in the Buffalo action have been held by Government attorneys and Willard S. McKay, attorney for the Schine Circuit.
Mobile Units Used For British Troops

LONDON, Jan. 26.—The first formal announcement by the British War Office concerning the formation of mobile film units for propaganda purposes has been published in Motion Picture Daily earlier this month, that the first mobile film units for propaganda are already in operation with the cooperation of the industry.

At a recent joint meeting representatives of the War Office, the Cinematograph Exhibitors Association and the Cinematograph Renters Society (distributors) consolidated further proposals and arrangements for providing screen entertainment for the British armed forces in outlying districts. About 50 mobile screening units are already in use with pictures supplied by the industry.

Flu Epidemic Drops Off in C. Territory

KANSAS CITY, Jan. 26.—One box-office deterrent of the past six weeks now is letting up. The flu epidemic, in its mild form, has been widespread, and has reached almost epidemic proportions here and in the Western Kansas Territory. The Kansas health department has reported that the epidemic has passed its peak. A total of slightly over 2,000 cases were reported for the week ended Jan. 18.

Form Atlanta Firm For Colored Films

ATLANTA, Jan. 26.—Consolidated National Film Exchanges has been formed here by Ted Hayden of Dixie and John Jenkins of Million Dollar Pictures. The new company will distribute the product of the two producing outfits, which now have on hand eight films with each scheduled to make another four this year. All the pictures involved have also been distributed by the new firm and are to have offices in Dallas, New York, Chicago and the West Coast in addition to here.

Dixie Towns Hold ‘Virginia’ Premiere

RICHMOND, Jan. 26.—A five-city premiere of Paramount’s “Virginia” was held Friday night, with Tom Rutherford, native of this city; Stirling Hayden and Carolyn Lee making a round of personal appearances and radio broadcasts.

The picture, in which the three appeared, was shown simultaneously in Richmond, Charlottesville, Newport News, Norfolk and Lyndhurst.

Party for Ungerfeld

NEWARK, N. J., Jan. 26.—Robert Ungerfeld, who has resigned as manager of the RKO Proctor’s here, was given a testimonial dinner on Friday night at the Club. He has been replaced by Edward Sinderman, publicity man at the house some years ago.

Flu Hits Detroit

DETROIT, Jan. 26.—Flu and measles epidemics, in a mild form, in Detroit have contributed in large measure to a 10 per cent attendance drop in leading downtown theatres and 20 per cent in the neighborhood houses, theatre officials here estimated.

Personal Mention

BARNEY BALABAN, STANTON GRIFFIS, LEONARD GOLDSMITH, JOSEPH E. ROGERS and LEON NEFFER, returned from Chicago over the weekend.

Mr. and Mrs. Max Cohen will leave for Florida on Wednesday.

Mr. and Mrs. Elwin L. Weiss have left Chicago for California.

Tom Connors, of M-G-M, returns today from an upstate business trip.

William F. Rogers and Lowell Calvert are back in town.

John Moroney, of Dallas, is expected here tomorrow.

FRANK ALSTOCK is in California.

John Joseph, director of advertising and publicity for Universal, will spend today for Universal with Deanna Durbin, and from there will go to Florida.

Louis Hoge, real estate and insurance manager for Fox Midwest in Kansas City, has been elected president of the Broadway Association here.

L. M. CRAWFORD, retired theatre owner of Kansas, is ill at St. Francis Hospital in Wichita.

JOSEPH LEON, Columbus salesmen in Philadelphia, will leave this week for a Miami vacation.

Shea Managers Are Shifted by Grainger

E. C. Grainger, president of the Shea Circuit, has disclosed a number of manager changes which he made during a recent trip through Pennsylvania and Ohio.

Duke Prince, manager of the Ohio and the Strand, Marietta, O., has been transferred to Zanesville, O., as assistant to E. J. Hielke, general manager of the Quincy, Grand and Imperial. He has been succeeded by Joseph Scalcon, who managed theatres in Jamestown, N. Y., and in Bellevue and Clyde, O.

Raymond C. Trubey, formerly of Dover, O., has been shifted to Ash
tabula, O., as assistant to Dan Gil
ula, city manager. Gordon Kearsley, chief of service at the Pittsburgh in Pittsburgh, has been promoted to as
tistant manager of that theatre.

Other changes include the transfer of E. J. Fahey, formerly in charge of the State and the Tremont, Nashua, N. H., to Manchester, N. H., to take charge of the State, Palace, Strand, and Crown in that city. Fenton Scribner, formerly Manchester theatre
manager, has replaced Fahey.

Hays Recovering

With H. Hays was reported over the weekend as recovering from his recent attack of influenza and may return to his office within a few days. He is scheduled to leave for the Coast at the end of the week.

GABRIEL PASCAL is en route here from Lisbon on the Exeter, bringing with him a print of "Major Barbara."

HERBERT BAYARD SWORE leaves soon for Florida.

PHIL ENGEL, Warner express, left for New England over the weekend.

TAY GARNETT, who was stricken with flu and pneumonia in Lincoln, Neb., during the premiere of "Cheers and Beers," in Salt Lake, has recovered sufficiently to return to the Coast over the weekend. He was accompanied by Mrs. Garnett and his sister-in-law, Miss May Atherton.

ROBERT YOUNG, 20th-Century-Fox player, will arrive from the Coast tomorrow en route to Washington to attend the President’s Birthday Ball.

WALLACE BEERY and Carol Ann Beery are here from the Coast for a week’s visit.

CLARENCE NASH, the "voice" of Donald Duck in the Walt Disney short subjects, is en route to New York from the Coast for a brief vaca
tion here.

EDGAR BLUMSTEIN, son of ARE BLUMSTEIN, of the 20th-Century-Fox exchange, has returned from the Coast to New York with his family.

Shea Managers Are Shifted by Grainger

Ginger Rogers Is Guest at RKO Party

Ginger Rogers was guest of honor at a cocktail party given by RKO in the Starlight Roof of the Waldorf-Astoria Hotel on Friday afternoon. With her was Christopher Morley author of "Cockeye Polk," Miss Rogers’ starring film.

Among those attending were: George Schaefer, Ned F. Depue, W. A. Ghan Schaffner, E. J. Hielke, Robert Mohrkie, A. A. Schubert, Michael Poller, S. C. Milliken, Rutgers Neibn, Thomas P. Durrell, Frederick L. Ehr
man, John Whittaker, Florence Lake, Vladimir Lissins, Charles Beasberg, Sol Siegel, Mrs. Pauline Schaefer, Mrs. W. A. Schub
tee and R. K. Hawkinsion.

Academy Nomination Ballots Are Mailed

Hollywood, Jan. 26.—The Academy of M. P. Arts and Sciences over the week-end mailed nomination bal
tlets for the 13th annual awards of the Academy. Voting for entries will close Feb. 5. Final ballots will be issued Feb. 10 and the tentative date for the banquet has been set for Feb. 27.

Williams Suffers Stroke

OMAHA, Jan. 26.—Charles E. Wil
liams, president of M. P. T. O. of Nebraska and member of the board of directors of the class of 1924, suffered a stroke here yesterday. He is over 70 years old. His condition was reported as "fair last night."

Newsreel Night Is Tried in Cleveland

Cleveland, Jan. 26.—Newsreel night is an attraction offered by Manager Marvin Samuelson of the Colony Theatre in suburban Shaker Square. Several local newsreels are combined into a special half-hour program by Samuelson, supplemented with new addition to the regular fare on Thursday nights. If it proves popular it will become a weekly event.

Meeting on Defense In Phila. Tomorrow

PHILADELPHIA, Jan. 26.—Harry Brandt will head the list of speaker at an all-industry meeting in the interests of national defense to be held Tuesday morning at the Broadwood Hotel. A plan for industry cooperation in a defense program will be presented. Jay Emanuel heads the local committee for the meeting.

Defense Results in 6 K.C. Area House

KANSAS CITY, Jan. 26.—Defense operations have resulted in the star
time closing of a number of theatres in the Kansas City territory. Fox Midwest plans a 1,500-seat sea
time house at Wichita, a paper mill factory center; T. J. Gosen will build a 500-seat theatre at Waynes
town, Mo., near Fort Leonard Wood. Capitol Theatre, Kansas City; Samuelson and Wolf have purchased the Opera House at Junction City, Kan., near Fort Riley; H. J. Griff
l will build a theatre at Junction City, Kan., long and dark, and the Arm is building two theatre names at Junction City.

Philadelphia Dinner To Weshner Tonight

PHILADELPHIA, Jan. 26.—Jay Emanu
eli is head of the Weshner Club com
mittee sponsoring a testimonial din
ner tomorrow at the Bellevue-Strat
ton Hotel. Frank Weshner, former local Weshner Theatres executive and now director of exploitation to United Artists. No seating arrangement will be made, each dinner, at per person, being limited to 300. Samuel Stiebel is in charge of the entertainment.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Monday, January 27, 1941
And now he takes the N.Y. critics!

‘TALL, DARK and HANDSOME’
IS A RIOT AT THE ROXY!” —N.Y. Daily News

A NATURAL!” —N.Y. Daily Mirror

ONE OF THE MOST AMUSING COMEDIES
IN A LONG TIME!” —N.Y. Times

A FULL MEASURE OF ENTERTAINMENT!”
—N.Y. Herald Tribune

SLICK! SMART! YOU’LL FIND IT FUN!”
—N.Y. Journal-American

EXCELLENT! IT IS A POWERFUL CLICK!”
—N.Y. Post

‘GAY, FRESH AND FUNNY!” —N.Y. World-Telegram

Also the trade!

“TALL, DARK and HANDSOME”
a solid piece of mass entertainment...a boxoffice winner!” —Daily Variety

“Hilarious comedy smartly cast,
tuneful and well-paced; swell entertainment for audiences generally.”
—The Film Daily

And Jimmie Fidler!

“Pic of a big week: 20th Century-Fox’s “TALL, DARK and HANDSOME.” Cesar Romero gets swell support from Milton Berle's comedy and Virginia Gilmore's charm, "a grand fun..."
Allied Meeting To Set Attitude On the Decree

(Continued from page 1)
given the cooperation to be extended the Department of Justice in handling complaints.

The board also is to study the tax situation, with a view to determining the attitude to be adopted with regard to a proposed Federal adjustments, and will make a study of the national defense program for the purpose of deciding what cooperation can be extended by the independent exhibitors.

The Ascot situation, and the attitude of that organization and B.M.F. toward exhibitors, will be considered, and judgment will be reached as to whether the theatre owners should seek better terms by direct approach or join in the fight between the two societies. Unfair competition, including that of non-theatrical films and concerts, also is scheduled for discussion.

The annual dinner, this year in honor of President H.A. Cole, will be held tomorrow night and officers for the current year will be elected Tuesday, at which time also the board will be called upon to acknowledge the efforts of former Senator Matthew M. Neely to the independent exhibitors.

Among those from whom reservations have been received are W.L. Ainsworth, Fond du Lac, Wis.; Fred A. Coon, Refugio, Pa.; Albert C. Berlin, Milwaukee; Ray Branch, Hastings, Mich.; Col. H.A. Cole, Dallas; Joseph Conway, Philadelphia; Glen Cross, Battle Creek, Mich.; Roy E. Harrold, Rushville, Ind.

Walker Says Allied Brought on Decree

LAMPASAS, Tex., Jan. 26.—Allied States Theatres, with responsibility for the industry consent decree, through years of recourse to Federal and state legislative action and various court decisions, has been foreclosed, according to Roy L. Walker, president of the Theatre Owners Protective Association of Texas, an organization T.O.A. affiliate, in a bulletin issued here today.

Judge Walker declared that the decree will have three adverse effects on independent exhibitors: it will force them into buying organizations, will increase the cost of film buying, and will delay product availability in small towns by six to 12 months.

Delay Club Election

CINCINNATI, Jan. 26.—The annual meeting of the Cincinnati Cinema Club, which was to have been held Saturday for the upholders, who, in turn, were to elect officers, was postponed for lack of a quorum.

Another date will be decided on soon.

New Korda Film Set


Bernhard to Talk At Quigley Awards Lunch Tomorrow

(Continued from page 1)

Boston, Jan. 26.—Vincent J. Buf- falo; Alex Manta, Chicago, and Harry F. Shaw, New Haven.


The 1940 Quigley Awards were competed on the basis of critical stock awards, competitions. These open to theatre- men in all parts of the world, offered prizes of planes, medals and some $750 in cash. All of the winners of these prizes have previously been announced. An open competition was made up of exploitation campaigns from theatremen who have scored highest during the quarters.

Columbia Schedules 14 for Last Half

Hollywood, Jan. 26.—Preparing for release of 14 high budget pictures during the balance of the current season, Columbia will enter upon its largest production activity in years this week.

Eight pictures will be shooting and several others are scheduled to go before cameras in February. Among the more important under way are: "Penny Serenade," with Cary Grant and Madeleine Carroll; "Six Dames and a Sailor," with Ingrid Bergman and Warner Baxter; "They Dare Not Love," with George Brent and Mar- garet Sullavan; "Texas," with Charles B. Hayden and Warren William; "A Girl’s Best Friend Is Wall Street," with Franchot Tone and Joan Fonte- nett, and "Senate Page Boys," with Herbert Marshall and Virginia Bruce.

Two Firms Charterd

ALBANY, Jan. 26.—Two new firms incorporated here are the American Motion Picture Corp., by Edward M. Albin and George L. Seibert, New York, and the American Motion Picture Corp., Inc. by Paul Jacobs, Edith Schellen and Blanche Barber, New York.

Lewis Dinner Feb 17

PHILADELPHIA, Jan. 26.—Plans have been completed for a testimonial dinner to Allen Lewis, manager of the Dante, by the Showmen’s Club on Jan. 31. Lewis was the Star of the club last year.

Steal Theatre Safe

DORSET BEACH, Fla., Jan. 26.—Bandits had away the safe of the local Sparks Theatre, after failing in an attempt to blow it up, according to manager J. L. Cartwright. About $1,500 was taken.

British Fire Order Disturbs Theatres

LONDON, Jan. 26.—The current order that theatres employ full-time fire-watchers because of labor troubles causing some concern among exhibitors.

Although the theatre men are anxious to play their part in combating fire hazards, and to prevent destruction, they nevertheless are faced by certain problems. The Ministry of Aircraft Production, as business houses, to use fire-watchers also makes employees liable to 48 hours’ monthly service as fire-fight- ers in the event of a labor shortage. Exhibitors fear that they may not be able to comply with the law, and are seeking exemptions in the case of theatres. They are expected to ask the Home Security Ministry for consideration, and in view of the current relations now existing, some compromise is expected to be worked out.

Miami’s Show Folks See ‘Night’ Premiere

(Continued from page 1)

players in the picture, were: Harry Richman, Sophie Tucker, Joe E. Lewis, and restricted to the home of Rose, bloom, Mary Brian, Cross and Dunn, Alice Dawn, Carlyle Blackburn, Fran- ces Faye, Gene Austin, Abe Lyman, C. W. Van Vorhees, B. S. Shabband, Sidney Meyer, Mitchell Wolofson, I. Schmertz, Jack Shickelman, William Berl, Martha Scott, Maxie Picker, Lee Shubert, Mrs. Herman Robbins, Air. and Mrs. Sam Dembow, Damon Runyon, Frank Durkee and Sunny Shepherd.

Para. Crew Shoots Easters in Charleston

CHARLESTON, S. C., Jan. 26.—A Paramount camera crew of four ar- rived today from Hollywood to make test shots in color here for Cecil B. DeMille’s next production, based on the Thelma Strelo’s play, “The Wild Wind.” The screen title and cast have not been announced.

Of the crew are: E.D. Leskin, assistant production manager; Dewey Wrightley, head cameraman; Lothrop Worth, assistant cameraman, and Andy Durkurse, technician. Charleston will play a prominent part in the picture, along with Key West, Fla. The “tapes” here will be sent to Holly- wood and another trip will return in March for spring exteriors.

Promote Photophone Men

Edward C. Cahill, RCA Photophone division manager, has promised M. J. Vah, former commercial engi- neer at Camden, to a new post of product manager at the Indianapolis plant, and Carl Johnson from the ser- vice in New York, where he replaced Vah at Camden.

Vaudeville in Scranton

SCRANTON, Pa., Jan. 26. Two Comerford theatres have partially re- turned to vaudeville. Operating on an alternating schedule, the Capitol of Scranton and the Capitol of Wilkes-Barre offer vaudeville three days a week.

Royalty Bill Introduced In Congress

(Continued from page 1)
copyright and patent owners, residents of a country which enforces monetary restrictions against the United States shall pay such moneys to the Sec- retary of the Treasury in Washington and consider their debt discharged.

A separate amendment in volving monetary restrictions would be set up by the Secretary of the Treasury.

Therefore, Americans who have copyright or patent royalty claims against such countries would file their claims with the Secretary of the Treasury and, if their claims are up- held and honored, they would be paid by the Secretary of the Treasury out of the funds for the country or coun- tries involved.

The measure is entitled: "a definition of principle of international re- ciprocity on patents, trade-marks, secret formulas and processes, and copyrights, by providing a method for assuring the payments of amounts due to persons in the United States from license fees in countries restricting such payments from their ter- ritories."

Under the bill, any country could restore itself to normal exchange payments by agreeing to make proper required debits to foreign nationals. The country also could be allowed to restrict the exchange payments in the future and paying up any ar- rears owed at the time to Americans or such country’s account here, then remaining, would be released to it by the Secretary of the Treasury.

The purpose of the bill is to pro- tect Americans from exchange required debits to foreign nationals who are restrained from paying like debts in this country because of foreign ex- change restrictions.

The bill provides a $5,000 fine and imprisonment up to two years for violations. It was introduced in the House by Representative Robert L. Ramsay of West Virginia.

English Patronage Shift Seen by Rose

Changes of population and theatre patronage from large industrial cities in the British Isles to smaller centers due to air raids, is resulting in changes in the amount of advertising in towns, in some key cities there- David Rose, Paramount managing di- rector for Great Britain, reported on to London, called for an extra departure for Europe on the Excelsior, after six weeks in Hollywood.

The Paramount executive com- mented on the growing need for the British war relief work which has accomplished or undertaken to date. He detailed Hollywood gifts to Britain under $25,000,000 in cash, $115,000 in medical equipment and ambulances, and 200 tons of clothing and 10,000 pieces of medical instruments.
"RKO was the distributor which ranked highest in the short subjects poll" (for 1940) *

* Voted by all the showmen of the nation, who were asked to list, from all companies' products, their ten best money makers (features), their ten best western stars, and their "TEN BEST MONEY-MAKING SHORTS SERIES."
to the thousands of exhibitors who took part in the M. P. Herald poll and who, by their big majority vote, prove again the box-office value of an RKO RADIO short subject contract. To them—and to those few others who have not yet taken advantage of it—we repeat: For the best in short subject entertainment—for those special added attractions that so often mean the difference between a so-so show and a PROFIT show—RKO RADIO DELIVERS THE TOPS... week in, week out!

and now we're selling for 1941-42!
"THE TOP HONORS for the money-making short series, according to the voice of exhibitors registering the mandate of the public's box-office dollar, went to Walt Disney by a substantial margin". (M. P. Herald)
FIRST OF ALL TWO REEL SUBJECTS
(M. P. Herald Poll)

THE MARCH OF TIME

PRODUCED BY THE EDITORS OF TIME

Current Releases


"LABOR AND DEFENSE"
Every man a vital cog in the wheels of industry as the U.S. girds for total defense.

"UNCLE SAM: THE NON-BELLIGERENT"
Contrasting the threatened peace and security of this nation with Britain under fire.

for 1941-1942 - 13 ISSUES OF THE MARCH OF TIME
Up among the FIRST TEN in its FIRST YEAR!

Information Please

Presenting the famous experts—OSCAR LEVANT, FRANK-LIN P. ADAMS, JOHN KIERAN and CLIFTON FADIMAN, together with a different GUEST STAR in each issue—with this series growing tremendously in popularity with every release. Produced by Frank Donovan. Program Director, Don Golenpaul.
Edgar
KENNEDYS
"Slow-burn" Edgar in fast-burning laugh shows. Half a dozen snicker specials of an even higher quality than anything heretofore produced.

Leon
ERROLS
"Rubber-Legs" Leon, loonier than ever in a series of comedies planned to make the best show better. A big laugh name in big-time releases.

Ray
WHITLEYS
One of the most popular series in the world of short subjects. Western buckaroos swinging 'em high, wide and handsome with music, songs and action.

for 1941-42
16 RKO-RADIO TWO-REEL SUBJECTS
AS USUAL . . . Twice weekly! For more than a quarter of a century, THE newsreel of newsreels, TODAY practically a MUST for the marquees of theatres everywhere.

Exciting events for all sports fans—and that includes every movie fan . . . For Summer, Winter, Fall and Spring—always the seasonable release to meet peak popular appeal.


RKO PATHE SUBJECTS
Produced by FRANK DONOVAN

For 1941-42 —
104 ISSUES OF RKO PATHE NEWS 13 SPORSTOCPES 13 PICTURE PEOPLE
FOR 1941-42

18 Walt Disney Technicolor Productions
13 Issues of The March of Time
13 Information Please
16 RKO RADIO Two-Reel Subjects
104 Issues of RKO-Pathe News
13 Sportscopes
13 Picture People

We are proud of the 1941-42 short subject program described in this announcement. Proud because it is made in keeping with our policy to distribute the NUMBER ONE short product in the industry —— proud because this showmanship group of short subjects carries out the joint responsibility of producer and exhibitor to maintain and present the highest level of box-office quality.

The utmost in effort and production costs will be expended in the making of this product in our sincere desire to maintain our leadership in the short subject field.

Ned E. Depinet
'Love' With $11,000
Is Cincinnati High

CINCINNATI, Jan. 26.—"This Thing Called Love" took $11,000 at the RKO Palace, and "The Thief of Bagdad" did $13,000 at the Jan. 21-22 showing.

Estimated takings for the week ending Jan. 22:

"This Thing Called" (U. A.)
RKO ALBEE—(3,120) (3c-6c-9c) 7 days: Gross: $8,000. (Average, $1,125.)

"The Invisible Woman" (Univ.)
RKO SHERRY—(5,600) (4c-6c) 7 days: Stage: Vaudville headed by Ken May: Gross and Nason: Gross: $8,100. (Average, $1,157.)

"Give With the Wind" (MG-M)
RKO CAPITOL—(2,900) (6c-5c-6c) 7 days: Week: Gross: $7,800. (Average, $1,114.)

"Hudson's Bay" (20th-Fox)
RKO GRAND—(1,100) (3c-5c-6e) 7 days: Gross: $4,800.

"Flight Command" (MG-M)
RKO LYRIC—(1,400) (3c-3e-4c) 7 days, Week: Gross: $2,000. (Average, $293.)

"You're Out of Luck" (M-G-M)
Cortez Palace
RKO FAMILY—(1,000) (15c-26c) 4 days, Gross: $1,200. (Average, $300.)

"The Phantom Submarine" (Col.)
RKO PAVILION—(800) (3c-4c) 3 days, Gross: $1,300. (Average, $433.)

"City of Heroes" (Col.)
Keith's—(5,000) (3c-6c-6e) 7 days, Week: Gross: $4,000. (Average, $571.)

"Windy" New Haven
Winner at $15,000

NEW HAVEN, Jan. 26.—"Gone With the Wind" at the Loew-Poli took the major portion of the New Haven downtown business, grossing $15,000, in spite of bad weather and dangerous driving conditions. Second week of Flight Command.

"Street of Memories" took $2,900 at the College. Estimated takings for the week ending Jan. 26:

"Flight Command" (M-G-M)
"Street of Memories" (20th-Fox)
COLLEGE—(1,100) (3c-4c-6c) 2 days, Week: Gross: $2,900. (Average, $2,900)
 "Gone With the Wind" (MG-M)
LOEW-POLI—(1,040) (4c-5c-6c) 7 days, Gross: $6,300. (Average, $900.)

"Curly" (Paramount)
"Curly" (M-G-M)
"Any Number" (RKO)
"Street of Memories" (Col.)
"Gone With the Wind" (MG-M)
"Curly" (M-G-M)
PRINCETON—(234) (3c-5c-6c) 8 days: Gross: $400. (Average, $50.)

"How Comes the Navy" (W. B.)
"Roger" (20th-Fox)
ROGER—(2,800) (3c-5c) 7 days: Gross: $4,400. (Average, $636.)

"Command" at $16,500
Strong in Baltimore

BALTIMORE, Jan. 26.—"Flight Command" drew $16,000 at the Century in a week of good grosses.

Estimated takings for the week ending Jan. 23:

"Flight Command" (M-G-M)
CENTURY—(2,000) (15c-28c-4c) 1 day, Gross: $2,050. (Average, $683.)

"Honeymoon for Three" (W. B.)
KEITH—(2,500) (3c-5c-6e) 7 days: Gross: $1,000. (Average, $143.)

"Telulah, Dark" (MG-M)
Foxy—(1,100) (2c-3c-2e) 3 days, (Average, $300.)

"Stanley, the Lion" (Par.)
STANLEY—(2,300) (5c-5c-5c) 7 days: Gross: $2,600. (Average, $371.)

"Arizona" (Col.)
HIPPODROME—(2,300) (3c-6c-6c-6c) 7 days: Gross: $1,600. (Average, $231.)

*G* denotes general classification.

Travis on Pathe Board
C. Merwin Travis has been elected a director of Pathe Laboratories, Inc., of New Jersey to succeed the vacancy on the board created by the resignation of O. Henry Briggs, now president of Producers Releasing Corp.

CANNES PICK HOUSE FOR ALL-STAGE SHOW

CHICAGO, Jan. 26.—The Chicago Theatre has been selected for the eighth consecutive year to present a special show of big stage names—no pictures—to delegates to the National Canners convention. The Loop's largest theatre will be closed to the public at 8:30 on the night of the performance.

SHOWMANSHIP FLASHES . . .

Holds 'Comrade X' Street Car Review

WASHINGTON, Jan. 26.—Dan Terrell, publicist for Loew's Theatre here, in his campaign on "Comrade X," held a preview of the film in a trolley car, since the feminine lead plays a street car operator. The Capital Transit Co. cooperated in the stunt.

'Marx Brothers' Cover Town for 'Go West'

ROCK ISLAND, Ill., Jan. 26.—For an opening of the "Go West," in the town of "Kitty Foyle," the leading contenders were treated to a dinner, and subsequently the winner was selected.

Snow Photography Competition for 'Skis'

A snow photography contest is being held at the 55th Street Playhouse in connection with the run of "They Met on Skis," French film. The contest, which started last week, will continue through Feb. 12. Photos submitted are being exhibited in the theatre lobbies, and those submitting the 12 best photographs will be awarded to those submitting the 12 best photographs.

PUBLIC ADDRESS SYSTEM PLAYS 'YOU'LL FIND OUT'

GETTYSBURG, Pa., Jan. 26.—Syd Poppay, manager of the Majestic, used the public address system to simulate a Kay Kyser radio program and plug the opening of "You'll Find Out." In addition, Poppay arranged for Kyser radio show to be retransmitted over the nearby soda grills, which featured a special "You'll Find Out" sundae. Cards placed on the music machines called attention to the playdates.

Civic Leaders See 'Land of Liberty'

ROCHESTER, Jan. 26.—All local prominent school professors, Y.M.C.A. officials and civic leaders were invited by Lester Pollock, manager of Loew's Theatre, to see "Land of Liberty," which he opened to a test run at the theatre.

"Airline Aids Run for Flight Command"

PITTSBURGH, Jan. 26.—Pennsylvania Central Airlines mailed a flash promotion piece on "Flight Command" for $250, in the form of an insert into the January issue of the National Aeronautic Association as the nation's loveliest air hostess. Miss Cox, crowned "Miss Flight Command," flies on the Washington-Pittsburgh-Detroit route.
MOTION PICTURE DAILY

Monday, January 27, 1941

A.G.M.A. to Appeal Musicians Verdict

An appeal will be taken to the Court by the American Guild of Musical Artists from an adverse decision rendered Friday by the New York Appellate Division in favor of the American Federation of Musicians. The Appellate Division upheld the denial of a temporary injunction but also dismissed A.G.M.A.'s suit to restrain the A.F.M. from enforcing a requirement that all concert instrumentalists resign from A.G.M.A. and join the A.F.M. The dismissal had been denied by Supreme Court Justice Aron Steuer.

P.R.C. Distribution Is Set in Canada

Producers Releasing Corp., 1941 releases, including the Neufeld westerns, will be distributed in Canada and the Maritime provinces by the former Grand National Film Ltd., which will take the name, Producers Releasing Corp. of Canada and Newfoundland.

Goodyear Acquires Paramount Shares

WASHINGTON, Jan. 26—Acquisition in November of 1,000 shares of Paramount Pictures common stock by The Goodyear Tire & Rubber Co. has been reported by The S. E. C. in its semi-monthly summary. The transaction increased Goodyear's holdings in Paramount shares to 2,000.

The only other film deal reported was the acquisition of 30 shares of Universal Pictures common stock by W. L. G. Morgan and stock by Preston David, director, representing his total holdings of that class at the close of the month.

N.T.S. Holds Annual Meet Next 2.9.41

The annual meeting of the 29 branches of the National Theatrical Supply Co. will be held here at the Belmont Plaza Hotel from Feb. 9 to 14.

Five Stations Get Power Increases

WASHINGTON, Jan. 26—Increases in power will be granted by the Federal Communications Commission to five stations.

Stations KGW, Portland, Ore.; WOR, New York; and WJZ, Pittsburgh, Pa., were authorized to increase night power from 1,000 to 5,000 watts; Station KWWC, Decorah, Ia., was authorized to change frequency from 1,270 to 1,210 kilocycles and increase power from 100 to 250 watts; and Station WNTA, Charleston, S. C., was granted a change of frequency from 1,210 to 1,220 kilocycles and increase of power from 250 to 1,100 watts.

Network Musicians to Get a Wage Increase

Musicians will receive increases of $5 weekly under the terms of a new three-year contract signed by the networks and Local 802 of the Musicians' Union. Musicians working on such programs and commercials will receive a raise of $2 per week. The new contract provides for employment of at least 40 musicians at WOR and 65 each at WABC, WFAF and WJZ.

'Faith' at Cine Roma

Premiere of George S. Jeffery's "Cavalcade of Faith" will be held tomorrow at the Cine Roma. Proceeds of the opening will be donated to National Infantile Paralysis Drive. All seats will be reserved and priced at $2.

Off the Antenna

WQXR has received a 52-week renewal on its contract from 20th Century-Fox. The agreement calls for 300 spot announcements. Kayt-Stero Co. is the agency.

A round the Country: Charles Stahl, general manager of WCMY, Canton, Ohio, has resigned to accept the presidency of WCMC (Kingston, N. Y.). Phil Isaac, publicity director for E. M. Loew's Plymouth Theatre in Worcester, Mass., has resigned to become promotion manager for WTAG, Worcester. Walter A. Sheid, Indiana newspaperman, has been appointed publicly director for WINE, Indianapolis. Eugene Cullinane, president of the zone station, has been inducted as a member of the Indiana State Police Board. As a precaution against possible sabotage, a 15,000-watt transmitter has been erected to cover the transmitters of WIL and WILR, Columbus, Ohio. As a goodwill gesture, KERC, Don Lee station in San Francisco, is broadcasting a five-minute round-up of theatre attractions every afternoon.

Basketball, wrestling and track will supply the television program for NBC's station this week. On Wednesday night, the college basketball double header will be picked up from Madison Square Garden, on Friday, Jan. 31, the wrestling hours from Jamaica Arena, and the Millrose Games from the Garden will be on the air Saturday night.

Lack changed abruptly last week for Eric Sevareid, CBS former Paris correspondent now stationed in Washington. Sevareid escaped the German bushes without the loss of any property but lost his overcoat while covering the hearings on H. R. 1776.

Program News: Despite the Ascap music fight, Armour Soap Works will sponsor a straight musical show with Wayne King's orchestra on Saturday nights at 7:30 beginning Feb. 2. Al Helfer will start a new sports show, "Sports Final," on WOR Sunday. The program will be heard Feb. 11 and 18. Another new stunt of "Make Believe Ballroom" over WNEW with a party at the Hotel Commodore Feb. 3.

Radio Manufacturers Won't Change Television

(Continued from page 1)

RCA on Friday unveiled its theatre size television screen, 15 feet high by 20 feet wide in an impressive demonstration at the New York Theatre. The audience was obviously impressed and broke out into spontaneous applause at several points. The varied program ended with a picture of an oil well on a card board with a new sound equipment giving the audience the impression it was actually under bombardment.

Most observers remarked that a car manufacturer's object in entering the market had been to prove that television was a practical proposition, but would point out that an ordinary film show was going on.

Highlight of the demonstration given for the benefit of the FCC and the press was a showing of RCA's new model home receiver with a screen 13½ by 18 wide and a 68-mile relay of television from Camp Upton without the use of wires. Although rain and snow made the actual pickup from Camp Upton poor because of lack of light, a studio shot was relayed over the same hook-up and came over with almost the same light qualities as if directly wired to the theatre.

DuMont exhibited its new "monochromy" color system, which permits frames to be cut down from 30 to 15 per second. There was no visible flicker, and it appeared that the new system had passed another test. DuMont's claims that the number of frames could be lessened. However, there appeared to be some loss of definition and the stage itself had too little movement on the screen upon which the question of flicker could be judged adequately.

Bell Telephone Laboratories demonstrated the use of its coaxial cable between New York and Philadelphia. Using a film show, the program originated in New York, was relayed to Philadelphia and returned here. Although the coaxial cable is limited in transmission of a 2½ megacycle band at present, there appeared to be no comparable difference between the image as transmitted over the few feet of wire in the studio and the picture as it came in over almost 200 miles of line.

On Saturday, the FCC and the press witnessed a demonstration of television at CBS. This demonstration included both color film and a live talent studio pickup. Although most of the press party had no previous demonstration previously, the live pickup was new to the members of the FCC.
THE FINEST ACCOUNTING BOOK EVER COMPILED FOR MOTION PICTURE THEATRE OWNERS!!

NOTICE THE UTTER SIMPLICITY OF THESE SAMPLE PAGES

- YOUR MONEY WILL BE IMMEDIATELY REFUNDED IF YOU DON'T FIND THIS TO BE A PRACTICAL, SIMPLIFIED BOOKKEEPING SYSTEM

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Here is my check for $2.00. Send me "THEATRE MANAGEMENT RECORD."

Name
Address
City and State Theatre
PREEMINENT

ALL three Eastman negative films make important contributions to the startling beauty of today's screen productions. Unvarying dependability and wide latitude make them the established favorites of critical cameramen. Eastman Kodak Company, Rochester, N. Y.

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

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
N. Y. Chain Tax Bill Exempts Theatres

Albany, Jan. 27.—Theatre owners in New York State are not included in a bill taxing chain stores introduced in the legislature tonight by Assemblyman Louis Bennett of the Bronx. Chain enterprises or any other description would be taxed, however.

7th Annual Quigley Awards Will Be Selected Today

Judging for the seventh annual Quigley Grand Awards will start at noon today in the College Room of the Hotel Astor. The event, sponsored by Motion Picture Herald through the Managers’ Round Table, will determine the two winners of the Silver and Bronze Grand plaques from among theatre men making the best Awards showings during the four quarters of the year’s competitions.

In addition to the judges already named, others expected are Gradwell Sears and Carl Laseman, Warners; Joseph Unger and C. J. Scollard, Paramount; Harry Gold and Haskell Masters, United Artists; Jack Cohn, Columbia; Louis W. Schine, Schine Theatres; T. J. C. Connors and Edward checklist.

Pa. MPTO to Supply Arbitration Counsel

Philadelphia, Jan. 27.—Free legal counsel will be given members of the United Motion Picture Theatre Owners of Eastern Pennsylvania when trying arbitration cases under the Federal consent decree, it was announced here today by Lewen Pizor, president.

George P. Aarons, general counsel of the organization, will serve as members’ arbitration counsel. He is general counsel of the M.P.T.O.A., with which the local group is affiliated.

Pizor also announced that the U.M.P.T.O.A. will have a representative at all legislative committee hearings on bills affecting the industry.

Blizzard Fails to Hurt N. Y. Grosses Seriously

New York is digging itself out of the snow after a young blizzard which snarled traffic and caused a sudden drop in grosses yesterday.

The storm which broke upon the city Sunday night and was still blowing up early this morning, while affecting grosses and causing them to taper off, did not do serious box-office injury. Holdover product, as well as new films showed unusual box-office stamina.

The city suffered from a gale on Friday, too, but recovered Saturday, which proved to be one of the best days enjoyed by Broadway theatres this season. Every picture reported a big day. There was “Kitty Foyle” at the Rivoli, which slumped badly on Friday and picked up to jump in the running on Saturday and, according to executives, may yet finish the week with about $18,000. “Philadelphia Story” reached new heights by being granted a sixth week at the Radio City Music Hall.

William F. Rodgers, M.G-M’s general sales manager, returned to town yesterday and reported that his company’s weekend reports on business around the country showed a significant indication of mounting national prosperity. His remarks were based on “One Way Out” grosses. “Philadelphia Story,” despite the bad weather, is expected to garner $80,000 on the week. With this picture on Sixth Avenue, M-G-M is buffing both sides of the Times Square announcement area, for it also has another winner at the Capitol in the running on Wednesday.

Estimate $300,000

From N.Y. Film Tax

Albany, Jan. 27.—Governor Herbert H. Lehman today estimated revenue for the fiscal year beginning next July 1 of $300,000 from the film licensing tax in New York State, in his annual budget message.

At the same time the Governor recommended no new taxes for the next fiscal year, submitting a reduction in state appropriations to $385,000,000. A $2,500,000 reduction in personal income taxes payable in April, 1942, also was submitted.

The film tax of three cents per foot (Continued on page 3)

Reviewed Today

“Come Live With Me” is reviewed from Hollywood on Page 3.
Coast Flashes

Hollywood, Jan. 27

MONROE GREENTHAL, United Artists director of advertising and publicity, arrived today for conferences with Monroe Greenenthal, U. A. chief executive, and other executives and producers on campaigns for new product.

Samuel Goldwyn, chairman of the Motion Picture Permanent Fund Committee, announced today that NBC has waived exclusive privileges in order that Mutual and any other networks which wish to do so may broadcast the two-hour Greek relief show Feb. 8 from Grauman’s Chinese here.

Jock Lawrence, assistant to Y. Frank Freeman, president of the Producers’ Association, has left to attend the President’s birthday ball in Washington.

More Than 200 at Dinner to Weshner

Philadelphia, Jan. 27—More than 200 members of the industry, including a number from New York, attended the Variety Club dinner at the Bellevue Stratford Hotel here tonight honoring David (Ship) Weshner, former Warner Theatres district manager here, who recently became United Artists exploitation director at the home office. Weshner was presented a silver pin.

The entertainment was given by Jay Idzal, president of the Variety Club. Among the speakers were Joseph Berendes, Emanuel Silverstone, Louis Krouse, Morris Wolf, Ted Schlangen, Dr. Leon Levy, Arthur Silverstone and Power Gouraud. Also on the dais were Nat Levy, George Kouros, Earl Sweigert, Sam Stielce, Edward Fesley and Everett Callow, in addition to the guest of honor.

Albany Exchanges Theatres Checked

Albany, Jan. 27—The eight exchange theatres in this city, which do so many companies here and the city’s 11 theatres are currently undergoing a thoroughgoing check by the Building Commissioner for compliance with prescribed regulations.

The last checkup disclosed eight violations, with concerns summoned before the Building Commissioner for hearings. Exchanges and theatres are also checked daily by the Fire Department and the latter additionally for night for compliance, with the city and lessees cooperating.

Walker-Heads Home County British Relief

Scranton, Pa., Jan. 27—Postmaster General Frank C. Walker, former head of Comerford-Public Theatres Corporation and director of the American War Relief Committee for Lackawanna County.

Shortly after his speech at the dedication of the new Scranton Post Office building yesterday, Walker was offered the chairmanship. He promptly accepted. Last Thursday he was reelected a trustee of the Scranton Community Chest.

Personal Mention

MATTHEW W. FOX, vice-president of General Motors, arrived yesterday from the Coast for conferences at the home office.

CRESSON E. SMITH, Western division sales manager for RKO, is expected back tomorrow from Milwaukee.

JOSEPH J. LEE, sales chief at the 20th-Century-Fox exchange here, leaves next week for his annual Florida vacation.

JOHN MONEY is in town for a few days.

MARK ROGERS is ill at the Sydenham Hospital.

SYDNEY EDELSTEIN and Roger Lewis of the Warner publicity department have left for Fort Dix, where they will begin a year’s selective service training.

IRVING DASHKIN, manager and film buyer of the Savoy Theatre, Jamaica, N. Y., has left for Central America on his annual vacation.

RAY TURNAM, manager of the Capitol, Famous Players house in Ottawa, will direct publicity for the war savings campaign in the city.

JOSE COLIN, Universal exchange biller at Des Moines, was recently married to Joe Barkev of that city.

MADELINE JACOBS has become engaged to Robert Goldare, assistant sales manager for United Artists. They will be married in June.

MARGARET CORB, cashier of Ben Fitt’s East End Theatre in Richmond, was married Saturday to Ernest Powell.

Detroit Variety Club Chairmen Are Named

Detroit, Jan. 27—Seven committee chairmen to direct activities of the local Variety Club during 1941 have been appointed by Chief Barker John Howard. The chairmen are: house, Edgar E. Kirchner; welfare, William Flemion; entertainment, Wade Allen; ways and means, David M. Iden; finance and auditing, Barry Killbridge; membership, David Fayer; sports and outdoor activities, John Howard.

The two-story building, for mobile equipment “shut-ins” used by the club to entertain “shut-ins” donated by Walter Stebbins in memory of his son Richard. Stebbins is manager of the Film Exchange Building here.

Honor Martin in Buffalo

Buffalo, Jan. 27—W. E. J. Martin, for years dramatic critic of the Courier-Express here, was tendered a testimonial dinner tought by his fellow members of the local Variety Club. E. K. O’Shea, now Central division manager for M-G-M, who was to have been toastmaster, was unable to attend, but wired his felicitations.

Contrary Is Forming Philadelphia Circuit

Philadelphia, Jan. 27—Joseph Martin, operator of the suburban Egyptian theatre in this city, is organizing a circuit in this area. Incorporating as Joseph Conway Theatres, he has announced acquisition of two theatres and said he will build another. He is a member of the board of Allied States.

Lunchen to Robbins

The editorial department of National Screen Service is giving a luncheon today to Allan Robbins. The occasion is his installation as manager of National Screen Service here. He is the eldest son of Herman Robbins, president of the company.

To Fete Phila. Trainee

Philadelphia, Jan. 27—Cecil Felt, one of the newest members, will be given a dinner by the Variety Club here tomorrow night as the first member of the club entering selective service training.

Lambs to Honor Buck

Gene Buck, Ascap president and member of the Lambs Club, will be honored at the Lambs at a Lincoln Day Gambol.

Walters Thanked For Aid to England

London, Jan. 27—The Motion Picture Magazine has cabled thanks to Harry and Jack Warner, who sent $55,000 for the purchase of aircraft for the Warner Brothers’ gift, equivalent in English money to $6,218, represent the receipts from the distribution in the United States of “London Can Take It.”

‘Virginia’ Benefit at Paramount Tonight

Opening of “Virginia” at the Paramount on Broadway tonight will be a benefit for British war relief under the auspices of the Canadian Maple Leaf Fund.

The Paramount will clear the house and close at 4:30 this afternoon for preparations for the program. It will begin at 8:30 P.M., with celebrities of screen, stage and radio scheduled to be on hand. Loring Cheadle will introduce the United States, and Godfrey Hagagg, British consul general, are scheduled to be on hand. Loring Cheadle will act as master of ceremonies. Madeleine Carroll, star of the Paramount film, will speak to the audience by long-distance telephone from Hollywood.

Col. Starts Series On Current Events

Columbia has signed Dorothy Thompson, Wythe Williams, Linton Wells and William L. Shiner to co-star in “What’s the Matter,” one of a first of a short subjeet series called “International Forum.”

The new series of one-reelers is being produced by W. C. B. Holm, Paramount, and will feature other well known personalities in discussions of current events.

Houses Are Closed In Fredericksburg

Fredericksburg, Va., Jan. 27—The Board of Health here has closed all schools, theatres and other public meeting places for one week in an effort to stop the widespread influenza epidemic.

MOTION PICTURE DAILY

(Tuesday, January 28, 1941)

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**Hollywood Review**

**“Come Live with Me”**

(M-G-M)

Hollywood, Jan. 27

JAMES STEWART and Hedy Lamarr are here co-starred for the first time, in a Clarence Brown production which combines romance and comedy in a manner to keep the seats filled and the SRO signs constantly in evidence.

Basically, the story is that of a struggling young author who agrees to marry an Austrian refugee in order that she may stay in America and not be deported by the immigration authorities. He gets from her a weekly sum small in order to keep body and soul together and keep on writing. Thus is created another of the "in name only" marital relationships towards which the screen has been so partial of late. But here the young man makes the discovery that he can write best about what he has experienced himself, does a novel on the experience and proceeds to sell it.

The publisher who buys it fancies himself in love with the lovely young refugee, whereon issue complications solved when the writer and the girl take a trip, on his insistence, to the country house of his grandmother. The details of plot structure; production and direction by Brown; of music and of photography by George Folsom, add to the story in a way to cause the most favorable word-of-mouth audience comment. Humorous incidents and characterizations abound, while the primary story ingredient of romance is never allowed to faller from start to close.

*Audience reactions:*
- Some partial of the film's comedy, but generally agreeable.
- Rating: 3/4

Glenn Miller will be on the stage with his band besides Dean Murphy and Cass Daley.

*Second Chorus,* the Fred Astaire-Paulette Goddard film which is presently completing a run at that house, with Harry James and band on the stage, will finish the week ending tonight with approximately $30,000, it is estimated.

*Night Train,* at the Globe is still doing well, and officials estimate that they gross about $8,000 in its fourth week, while both *Fantasia,* at the Broadway, and *The Great Dictator,* at the Astor, on two-day runs are reported holding up strong.

**Blizzard Fails to Hurt N. Y. Grosses Seriously**

(Continued from page 1)

"Come Live with Me." The picture now at regular prices, is playing a four-show schedule daily to standing room only, and probably will gross $8,000 this week.

"Tall, Dark and Handsome" at the Roxy is absolutely disregarding the bad weather, and the business which this picture is doing is comparable to that done by "Alexander's Ragtime Band," and will probably hit over $10,000 this week. It will make way for "Western Union" at the close of the week. A Major Bowes unit leads the stage show.

With Quentin Reynolds, noted war correspondent on the stage with his new short, "Christmas Under Fire," in addition to the Henry Bunce Band, "High Sierra," dragging a usual business there, probably grossing $40,000 this week, according to official estimates.

Tonight Bob Weitman is holding a gala charity opening of "Virginia," for the benefit of the Maple Leaf Fund, a British war charity, at the Paramount, and the theatre will be dark from 4:30 o'clock in the afternoon until the 8:30 p.m. performance.

Estimate $300,000

From N.Y. Film Tax

(Continued from page 1)

on original films and two cents per foot on prints, imposed on features and short subjects which are submitted to board, brought in $309,635.50 in the fiscal year ended last June 30. The Governor estimated that a part-parted horse race betting tax of $500,000 1/2 would be paid in the next fiscal year, which compares with $550,000 received in the first 12 months' operation of the new law. The Governor's recommendations are $9,100,000 less for the new fiscal year than the current $394,000,000 state budget and will permit the repeal of the current and stage presentation emergency tax on personal incomes.

**Judging for Quigley Awards Here Today**

(Continued from page 1)

Saunders, M-G-M; William C. Gehring, 29th Century-Fox; R. J. O'Donnell, 3rd circuit, Dallas, and R. B. Wilby. Also invited are representatives of the advertising and newspaper trade press, who will attend as observers and guests at luncheon given at the Astor by Martin Quigley following the judging. Publications accepting invitations are: AdWeek & Publisher, Printers Ink, Advertising Age and Time.

Selby Oppenheimer Dies

SAN FRANCISCO, Jan. 27.—Selby C. Oppenheimer, outstanding western impresario identified with music, con- cert, opera and stage presentations here for years, died in a local sanitarium after a brief illness.

**Glamour** and Show

$16,000, Milwaukee

MILWAUKEE, Jan. 27.—Biggest attraction of the week was the "Folies Bergeres" and the film "Glamour for Sale" at the Riverside with a $16,000 gross.

Estimated takings for the week ending Jan. 23:
- *Axia Now* (M-G-M)
- *Youth Will Be Served* (20th-Fox)
- *Alcatraz* (Warner) $13,000
- *Glamour for Sale* (RKO) $16,000
- *Tall, Dark and Handsome* (20th-Fox)
- *Walter Wanger* $13,500

*Love Thy Neighbor* (Paramount) $11,000.

For the week ending Jan. 23:
- *Gross:*
  - *Axia Now* $16,000
  - *Youth Will Be Served* $13,000
  - *Alcatraz* $16,000
  - *Glamour for Sale* $12,000
  - *Tall, Dark and Handsome* $11,000
- *Wisconsin* $16,000

*Hanna at $8,000

Leads in Toronto

TORONTO, Jan. 27.—"Chad Hanna" and "Jennie"—both supporting roles, Jan Hunter appears as the publisher who recognizes his own portrait in the novel by Verree Teasdale as his wise and sympathetic wife, co-sponsor with him of a most modern marriage in which each partner goes his own way, and Donald Meek portrays a professional playhander who has made an art of his chosen career. Outstanding in her first screen role is 19-year-old Adele Col. Walter Reynolds, cast as the writer's grandmother, whose earthy wisdom does much to bring the young couple to a realization that they really are in love, and should not go through with a divorce.

The picture's title, based on part of the first line of Christopher Marlowe's poem, is given full explanation within the picture, both by specific role and by screen content. Judged by preview reaction, the picture should have as vigorous a box-office life as the poem has had survival value over four centuries. Running time, 85 minutes. "A,*

**Estimate $300,000**

Minneapolis, Jan. 27.—While receipts held up generally well here, an influenza epidemic which has been going on has had little effect on the box-office. "No, No Nanette," with a Cab Calloway stage show at the Orpheum, did $13,500.

Estimated takings for the week ending Jan. 24:
- *No, No Nanette* (RKO)
- *Opie\textsuperscript{h}um* (M-G-M) $16,000
- *Hail to the Champions* (Monop)

MINNESOTA—$8,000 (20th-Fox) 7 days. A. B. Markov "Night At Midnight" stage unit. Gross: $9,500. (Average, $1,350.00)
- *Kitty Faye* (RKO)
- *STATE—(2,300) (20th-Fox) 7 days. Gross: $9,300. (Average, $1,300.00)
- *Hansel and Gretel* (UA) 2 days, 4th week.
- *Queen of Destiny* (RKO) 4 days.

*Estimate for Risques* (RKO) 5 days. Gross: $1,800. (Average, $360.00)

*Non-Film* Gross

(Continued from page 1)

Non-film grosses are $8,100,000 at E. C. M-Vision and Arts, has officially designated Feb. 27 for the annual awards banquet, at the Biltmore Hotel.

**Award Dinner Feb. 27**

Hollywood, Jan. 27.—Walter Warner, president of the Academy of Motion Picture Arts and Sciences, has officially designated Feb. 27 for the annual awards banquet, at the Biltmore Hotel.

**Asuncion Bans "Dictator"**

"The Great Dictator" has been banned in Asuncion, Paraguay, by the mayor on grounds that it is "unfriendly" to local Italians and Germans, dispatches state.

**Birth to Open Monday**

"Birth of a Nation" in its synchronized version will open at the Ambassador on Broadway Monday.
TALL, DARK and HANDSOME

SMASHES ROXYS RECORDS TO SMITHEREENS
Of course — IT’LL BE HELD OVER FOR A SECOND WEEK!

Biggest Sunday business in the history of the house!

Beating everything in sight — bigger than “The Rains Came”, “Drums Along The Mohawk”, “Jesse James”!

Builds and bounds and grows in the face of a raging blizzard!

And no wonder — when the N.Y. Daily News says “Beg, borrow or steal—but don’t miss it!”
Set to smash at the box-office with all the weight and power of the most dramatic American love story ever told!

UNIVERSAL PICTURES presents

Charles Boyer • Margaret Sullavan

in.

Back Street

with Richard Carlson • Frank McHugh • Tim Holt
Samuel S. Hinds • Frank Jenks

Screenplay by
Bruce Manning and Felix Jackson
Based on the novel by FANNIE HURST
Directed by Robert Stevenson
Produced by Bruce Manning

WORLD PREMIERE!
MIAMI BEACH! FEBRUARY 4th!
With America’s foremost motion picture critics from key cities all over the country in attendance!

NATIONAL RELEASE FEBRUARY 7th!
‘Love’ Takes Good $12,700
Frisco Gross

SAN FRANCISCO, Jan. 27.—“This Thing Called Love” and “Ellery Queen, Private Detective” took top billings at the O'Shea drew $12,700 in the second week “Play Girl,” aided by Earl Carroll’s “Vivinities” on the stage of the Egyptian Gate, estimated takings for the week ending Jan. 21-24.

1st Place (RKO)
GOLDEN ROOSTER (1,825) (35c-40c-5c) 7 days.
Stage: Earl Carroll’s “Vivinities,” Gross: $6,300. (Average: $2,000).

Comrade X” (M-G-M)
Fox of the Rio Grande” (24th-Fox)
FOX (1,500) (15c-35c-40c-6c) 7 days, 2nd week.
Gross: $1,500. (Average: $1,400).

5th Place (M-G-M)
“Santa Fe Trail” (W. B.)
ST. FRANS (11,600) (5c-35c-40c-6c) 5 days, 3rd week.
Gross: $1,500. (Average: $7,000).

This Thing Called Love” (Col.)
“Ellery Queen, Master Detective” (Col.)
ORCHARD (420) (15c-35c-40c-5c) 7 days.
Gross: $2,700. (Average: $800).

5th Place (B.)
“Thief of Baghdad” (U.A.)
UNITED ARTISTS (1,920) (15c-35c-40c-5c) 7 days, 2nd week.
Gross: $2,700. (Average: $1,100).

10th Place (Paramount)
“Love Thy Neighbour” (Para.)
MURDER OVER NEW YORK” (24th-Fox)
FAMOUS BARON (6,000) (15c-35c-40c-6c) 7 days, 3rd week.
Gross: $9,000. (Average: $1,200).

1st Place (M-G-M)
“Victory” (Para.)
CASE OF THE BLACK PARROT” (W. B.)
WARFIELD (2,240) (15c-35c-40c-6c) 7 days.
Gross: $3,100. (Average: $1,100).

1st Place (Irish-American)
“This is Ireland” (Irish-American)
CLAY (440) (15c-35c-40c-6c) 5th week.
Gross: $1,500. (Average: $1,000).

‘Arizona’ Takes High
in Omaha with $6,400

OMAHA, Jan. 27.—“Arizona,” du-
aled with “Always a Bride,” was
good for $6,400 at the Brandonie. “Cheers
for a Bishop” grossed $7,800 at the
Omaha.

Estimated takings for the week end-
ing Jan. 22-23.

1st Place (Col.)
“Arizona” (Col.)
“Always a Bride” (W. B.)
BRANDIES (2,230) (35c-40c-6c) 7 days.
Gross: $8,400. (Average: $1,200).

2nd Place (M-G-M)
“Cheers for Miss Bishop” (U. A.)
OMAHA (3,560) (35c-40c-4c-6c) 7 days, Gross:
$7,800. (Average: $1,400).

3rd Place (W.)
“Four Mothers” (W. B.)
ORPHEUM (5,000) (35c-40c-6c) 6 days.
Gross: $1,500. (Average: $770).

3rd Place (M-G-M)
“Saint in Palm Springs” (RKO)
PALACE (2,740) (35c-40c-4c) 7 days, 4th week.
Gross: $1,400. (Average: $1,100).

4th Place (M-G-M)
“Phantom Submarine” (Col.)
STATE-LAKE (2,700) (35c-40c-6c) 7 days.
Gross: $1,400. (Average: $1,350).

4th Place (M-G-M)
UNITED ARTISTS (1,700) (35c-40c-7c) 3rd week.
Gross: $800. (Average: $1,100).

Legion Approves 5
Of Seven New Films

Of seven new pictures reviewed by the National Legion of Decency for the first time last week, three were approved —two for general patronage and three for adults—and two were classified as objectionable in part. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—“Along the Rio Grande,” Paramount Pictures Corp.
Class B, Consideration in Part—“Come Live With Me,” “Night at Earl Carroll’s.”

Intersate Asks New
Jorgenson Verdict

DALLAS, Jan. 27.—Intersate Circuit
has filed a motion to have the jury verdict of $1,500 set aside in the anti-trust action brought against the circuit in Federal Court here by H. N. Jorgenson, exhibitor.

Jorgenson has had a judgment entered on its plea for a directed
verdict made during the trial, or as an alternative, a new trial. If both mo-
tions are overruled, the circuit plans to carry an appeal to the Circuit Court of Appeals in New Orleans.

Grant Relatives Killed

Grant relatives, the Cary Grant were killed during a recent air raid on Bristol, England, according to news dispatches. They were John Henry, uncle of Grant, and Leach’s wife, son-in-law and grand-
son.

Benny Due Today

Jack Benny is scheduled to arrive here this morning via American Air-
lines from the Coast.
Urge Change In Practices Of Commission

WASHINGTON, Jan. 27.—Broad changes in the procedural practices of the Federal Communications Commission and other federal administrative agencies, involving separation of judicial and prosecutive functions, were recommended over the weekend by the Attorney General's Committee on Administrative Procedure. The committee's recommendations were based on 23 months of study of the structure and operation of more than 30 federal agencies. Its investigation of the communications commission disclosed the need for the broad reforms to smooth the path of applicants and bring about uniformity of practice.

Investigation of the commission's operations disclosed that it is severely pressed by lobbyists, both from Congress and outside, but no attempt was made to evaluate the effect of Congressional pleas upon either individual commissioners or the commission as a whole.

Zenith to Have New Chicago FM Station

CHICAGO, Jan. 27.—Zenith Radio will construct a new FM station atop the 45-story Field Building, making FM available to 5,000,000 persons in the Chicago area.

In doing this, Zenith will increase the power of its present FM station from 5,000 to 50,000 watts and move it from its present location. A nine-year lease has been signed for the Field Building quarters, in the financial section, effective May 1.

The new station will serve an area more than 70 miles in radius and is estimated that there are about 700 FM receivers in the area. Zenith sets sold for $40 will be in the future will provide for FM.

No British Change In Score Charges

LONDON, Jan. 27.—British exhibitors are likely to continue during the war to pay the same music fees as they have during the past year to the Performing Right Society.

A new agreement has been negotiated and awaits completion. It shows certain small modifications but generally follows the lines of the last agreement.

When the last contract was negotiated between the Cinematograph Exhibitors Association and the F.P.S. it was stated that next time the licensing society would demand increased rates. War conditions have prevented this.

20th-Fox Signs Gabin

Hollywood, Jan. 27.—Jean Gabin, French actor, has been signed by 20th Century-Fox and is expected to report at the studio in March. He is now in France. Juen Renoir, French director recently signed by 20th-Fox, is here now and it is understood he will direct Gabin's first film.

BMI Signs U. S. Decree, Ending Trust Prosecution

Continued from page 1

in the "all-or-nothing policy" as applied to exhibitors, restaurants, hotels, radio stations and all commercial users of BMI music. Also dealt with are rights of companies to use BMI music and restricting of price control on recording of music. In Philadelphia, Isaac D. Levy, member of the CBS board and chairman of the board of WCAU, Philadelphia, and John G. Pain, vice-president of Genna, both asserted that the radio music war would be settled within a month. Levy asserted that the BMI operation "zapped" under the consent decree and added that BMI would be the only one indicted. Pain said both sides are "going to get together soon," while Levy declared: "Don't worry. This will all be settled in a month or so.

Neville Miller, president of the National Association of Broadcasters and BMI, declared that the provisions "embody both the spirit and intent of the original license of BMI.

"BMI was formed after the broadcasters of America had vainly struggled for fair compensation for the right to use ASCAP, but to discontinue its monopolistic practices. These practices compelled broadcasters to buy popular music as a whole, regardless of how little of it the individual broadcaster might demand on the receipts of all programs, whether these programs used ASCAP music, other music or no music at all."

2 Philippine Outlets Join NBC; Total 227

Two Philippine Island stations, HZRH, Manila, and KZRC, Cebu, have become affiliated with NBC. Both stations operate standard broadcast transmitter and as short wave outlets. The direct point-to-point transmission rate will be $440 per hour and the delayed broadcast rate $420 per hour.

With the addition of the two stations, NBC now has 227 affiliates.

The emergency network, which will join NBC-Blue Saturday, will be a bonus outlet available to sponsors using WJTN, Jemestown, N. Y., to transmit to stations on 1,420 watts with 250 watts unlimited time. The cut-in announcements rate will be $540 and $80.

Effective Feb. 15, WGBF, Evansville, and WBOW Terre Haute, Ind., will be available only as a two-station network, available only to either the Red or Blue basic networks.

Drops Circuit Post To Operate Station

CINCINNATI, Jan. 27—L. B. Wilson, who has been president of the L. B. Wilson Theatres in Covington, Ky., since the organization of the company in 1922, has resigned that post to devote his entire time to operation of WLKY, local CBS affiliate, of which he is president and general manager. George L. Hill was elected circuit president, Thomas E. Hill, secretary, and William Mckinn, treasurer. Wilson will be vice-president.

Hearings Will Be Held Soon On Television

WASHINGTON, Jan. 27.—Television interests today were assured by Chairman James L. Fly of the Federal Communications Commission that formal hearings on the adoption of standards leading to commercialization will be held "in the near future."

The chairman's promise was made at the opening of a conference at which chairman of the nine panels comprising the Commercialization Committee laid before the FCC "progress" reports.

The chairman of each panel explained that the decisions which had been reached on the standards problems in its jurisdiction, in some instances with minority reports of disagreement with conclusions reached.

It was Macfarlane, Arline, McCosker, J. H. C. Maclay, majority of minor changes had been made in the standards originally proposed by the Radio Manufacturers Association as a result of further examination. FM was held to be the best method for sound transmission in television.

Color will have a prominent place in television, the commission was told, but there are a number of problems yet to be ironed out.

The television representatives were warned by Chairman Fly at the outset of the meeting that the question of adopting standards was not under consideration, nor the question of commercialization, both of which will be dealt with later, after study of the committee reports presented today.

Directors Reelect Officers of Mutual

W. E. Macfarlane was reelected president and Alfred J. McCosker chairman of the board by the Mutual board of directors at the annual meeting in Cincinnati last week, it was announced yesterday.

Theodore C. Streibert and Lewis Allen Weiss remain executive vice-presidents; E. M. Antrim, executive secretary and treasurer; Fred Weber, general manager, and Miles E. Lampheir, auditor. Directors elected at the annual stockholders' meeting were William C. III, Weis, Willett Brown and -.

A contract admitting the Buffalo Broadcasting Corp., operators of WGR, Buffalo, to membership in the Mutual was approved by the directors. Operating board members elected were: Frank P. Schweb, newly appointed member from WGN, Chicago; Strebett, Sheppard, Campeon, Hubert Taff, Jr., Carpenter, Weis, Eugene O'Fallon, William Dolph, Weber and Edward W. Wood, Jr.

7-Point Decree

(Continued from page 1)

4. BMI will never require a license from more than one station in connection with any network broadcast. Licenses will be issued to networks or originating stations.

5. BMI will be required to keep a record of electrical transcriptions, or sponsors, or advertisers on whose behalf such electrical transcriptions are made, will, if they desire, be able to obtain licenses for the use of such transcription for broadcast purposes.

6. BMI agrees never to engage in an all-or-nothing policy in licensing its music. That is, no station will be required to use BMI stations, restaurants, radio stations, and all commercial users of BMI music will be able to obtain licenses to perform BMI compositions during any license term. BMI will not be required to be listed in the entire BMI catalog.

7. BMI agrees that it will not attempt to restrict the performance rights of its music for the purpose of regulating the price of recording its music on electrical transcriptions made for broadcast use.

Seek New Station in West Virginia

WASHINGTON, Jan. 27.—Application for authority to build a new 1,420-kilocycle, 100-watt broadcasting station at Wheeling, W. Va., has been filed with the Federal Communications Commission by the Tri-State Broadcasting Corp. of that city.

The commission also disclosed that the station has been fixed May 17 as the date for a hearing on the application of Station WDGY, Minneapolis, for an increase of power from 500,000 watts to 1,100,000 kilowatts and increase of power of 1,000 watts (sight day, 5,000 watts, sight night, 10,000 watts day, unlimited).

Musicians' Union Recleeps Cowardin

RICHMOND, Va., Jan. 27.—Frank P. Cowardin has been reelected president of the Richmond Musicians' Association. Other officers, also re-elected, include: Marshall Rotella, vice-president; Carl Wallau, secretary, and T. B. T. Troxel, treasurer. The board of directors includes: Jay Kaufmann, J. R. Boykins, Henry Bryan, Claude Elam, Gordon Smith, Ronne, J. E. Robertson and Nathan Appleman.

831 Stations in U. S.

WASHINGTON, Jan. 27.—Requiring in the communication, the FCC advises that as of Jan. 1 there were 831 standard broadcast stations licensed and 51 construction permits outstanding.
SPECTACULAR! SENSATIONAL! . . .
The biggest box-office performer
in a month of moons! . . . Three-day towns holding over for
a week and ten days! . . . Strict one-week spots going
for two weeks and more! . . . FIFTH WEEKS in Chicago,
Washington, Boston, Providence, Philadelphia! . . . FOURTH
WEEKS in New York, Cleveland, Kansas City—and scores
more towns going for third and second weeks all over
the nation! . . . MAKE YOUR PLANS NOW
FOR AN EXTENDED RUN!*

*RKO radio pictures
'Til now Weeks 'n' Weeks
and still going strong!

GINGER ROGERS
In the First Great Romance of the White Collar Girl
"KITTIE FOYLE"
Christopher Morley's Natural History of a Woman
With
DENNIS MORGAN • JAMES CRAIG
Eduardo Ciannelli • Ernest Cossart • Gladys Cooper
Directed by SAM WOOD

Who Made "Gadfly, Mr. Chips"
Produced by David Hempstead • Harry E. Edington, Exec. Prod.
Screen Play by Delores Frank, Additional Dialogue by Donald Ogden
Thousands of Theatres are using

PRODUCT DIGEST

PRODUCT DIGEST is Motion Picture Herald's new and valuable exhibitor service section. It is a master index to all information available to date on 1940-41 product and provides synopses, casts, release dates, review dates, audience classification, Legion of Decency ratings, running time, production numbers and other information of inestimable value.

...and for your convenience
THIS BEAUTIFUL RING BINDER
AT ACTUAL COST PLUS HANDLING

A well known manufacturer of ring binders has agreed to furnish leather ring binders (11" x 12½") for the PRODUCT DIGEST section which appears in the Motion Picture Herald every other week at the actual manufacturing cost of 54c which includes handling charges.

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Please send me a leather ring binder for the PRODUCT DIGEST section of MOTION PICTURE HERALD.
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54c
MAIL COUPON TODAY
Quigley Award
Value Is Cited
By Bernhard
Stresses Importance at Annual Judging
By SAM SHAIN
"The Quigley Awards will be more important and influential in the future than ever before."

That's what Joseph Bernhard, general manager of Warner Bros. Theatres, told a distinguished gathering of showmen from many branches of the industry yesterday, at a luncheon at which he was the chief speaker and which was held at the Hotel Astor, in connection with the judging of the Seventh Annual Quigley Grand Awards conducted by the Managers' Round Table Department of Motion Picture Herald. Martin Quigley was toastmaster. Other speakers were R. J. O'Donnell of the Interstate Circuit and A-Mike Vogel.

In attendance were representative showmen from every part of the country, including W. G. Van Schmus, managing director of the Radio City Music (Continued on page 2)

Edward Small Plans
5 Features for U.A.
Hollywood, Jan. 28.—Edward Small announced today plans for five features, to be produced for United Artists release during 1941.

Within two weeks, Small will start work on two of the five pictures. The five are "The Corseian Brothers," announced as part of the current season's program; and "My Official Wife," by Ernest Vajda; "She Was a Working Girl," and a fifth, as yet untitled.

Awards Pictures
Pictures of some of the judges and speakers at the luncheon marking the Quigley Grand Awards selections, at the Hotel Astor yesterday, will be found on page 6.

Delay Variety Club
Affair to May 15-17
Pittsburgh, Jan. 28.—The Variety Club national convention has been postponed from April 17-19 to May 15-17, at the Traymore Hotel in Atlantic City.

Jay Emanuel is program chairman, and other committees will be announced soon by national Chief Barker John Harris.

20th-Fox to Make
No Sales Changes
Because of Decree
Twenty-first Century-Fox will make no change in either its distribution setup or in personnel for selling operations under the consent decree unless subsequent developments make such changes necessary, Herman Wobber, general sales manager, said yesterday on his return to New York from several weeks of conferences at the studio on company operations under the decree.

"At present," Wobber said, "we see no necessity for making any revision in the sales organization, such as increasing sales districts, or adding to the home office sales staff. Without such changes there is no necessity for putting on additional New York. This company's gross foreign revenue during its first full year of war time operations, amounted to $10,123,366, last year, compared with $8,987,128 for the preceding fiscal year. Of this amount, British revenue accounted for $1,306,187, compared with $859,084 for the 1939 fiscal year. Universal withdrew $3,000,000 from British last year, and has $1,248,000 blocked in London, according to the report.

J. Cheever Cowlin, chairman of the board, states that while Universal increased its domestic and Canadian

Universal Shows
$2,390,722 Profit.
Increase of 107%.
Net profit of $2,390,722 after all charges and provision for Federal taxes was reported by Universal Pictures Co., Inc., yesterday for the 53 weeks ended Nov. 2, 1940, the company's past fiscal year. The result represents a gain of 107 per cent over the net profit of $1,113,371, for the preceding fiscal year.

Universal reported gross income for the year of $27,677,868, compared with $23,878,068 for the preceding year, and representing a four-year gain in gross income of $10,269,373.

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J. Cheever Cowlin, chairman of the board, states that while Universal increased its domestic and Canadian

Universal, Pathé
Lab in 2-Year Deal
Universal board of directors at a meeting yesterday approved a two-year contract for the handling of all of its laboratory work by Pathé Laboratories. The work was formerly handled by Consolidated Film Industries.

The change follows the recent refunding of Universal of a matured mortgage of $1,000,000 which had been held by Consolidated on the Universal Building in 1934. Refunding of the old mortgage gave Consolidated the laboratory work. Universal stated that a "substantial" saving in cost will result from the new contract.

Conferences Never Off, 
Ascap Asserts
Negotiations for a consent decree are continuing between the Department of Justice, an official of the music society yesterday, adding that the negotiations are not the result of the accord between Universal and the Broadcast Music, Inc., of a consent decree conditioned upon Ascap's submission to similar terms.

"Conferences between Ascap attorneys and the Government regarding a consent decree were not 'broken off' last month," the Ascap official said. "Statements to the effect that they had been were in error. Those conferences have been going on continuously. When anything results from them which is regarded as acceptable to the society it will be submitted to the board of directors immediately for action."

"This does not represent any change of policy or attitude on Ascap's part," the official continued. "We have always hoped for an early settlement of the differences between the Government and the networks, on the one hand, and ourselves on the other. The acceptance of a consent decree by B.M.I. has not influenced our course in any particular. In fact, we have not even seen that decree."

It was stated, however, that Ascap does not regard the B.M.I. decree as having any immediate significance for the music society due to what was
Coast Flashes

Hollywood, Jan. 28—Shirley Temple, Ann Southern and Eleanor Powell will be starred in “Pulama Hattie,” current Broadway musical, which M-G-M announced today it has acquired for $140,000. Arthur Freed will produce.

Joseph M. Schenck, chairman of the board at 20th Century-Fox, left tonight by train for Kansas City where he will take a plane to New York.

Commander Arthur Jarrett of the Royal Navy and British Ministry of Information will arrive tomorrow for conferences with Darryl Zanuck and William Goetz on “The Eagle Flies Again,” 20th Century-Fox production dealing with the Royal Air Force.

Harry Sherman returned here today from Chicago, where he attended the Balaban & Katz testimonial dinner for Barney Balaban late last week.

Meet in Chicago on Greek Relief Drive

CHICAGO, Jan. 28—The progress of the current drive throughout the country for the Greek Relief Fund was the subject of a meeting here tonight.

Among the theatre executives who were in attendance were the following: John Balaban, of Balaban & Katz; James Coston, Warner Theatres; Van Nomkos; Harold Fitzgerald, operating head of Wisconsin Amusement Co.; Harry Reckles; Spyros Skouros, head of National Theatres, and others.

AMERICAN’S SOUTHERN SUNSHINE ROUTE

* Five American Flagships daily take you along the Southern route across Virginia, Tennessee, and through the sunshine of Texas and Arizona to Los Angeles and the Pacific Coast. Save days of time, enjoy every minute of your trip. For reservations, call your Travel Agent or HAVemeyer 6-5000. Ticket Offices: 18 W. 49th St. at Rockefeller Center and Airlines Terminal, Park Avenue at 42nd St.

AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS

Personal Mention

S. SIDNEY R. KENT, president of the Balaban & Katz Theatres in Chicago, is expected tomorrow from Hollywood.

JAMES R. GRAINGER, president of Republic, is in Dallas. He will stop over in Washington prior to returning here on Monday.


RALPH HUGHES, assistant manager at the Regent Theatre, Ottawa, has enlisted in the Royal Canadian Engineers.

LOUIS NIZER and Mrs. Franklin D. Roosevelt lunching at the Hotel Algonquin yesterday.

NATE Blumberg, Charles Stern, Harry Gold and Joseph Pincus having lunch yesterday at Lindy’s (51st St.).

ABE Montague, William Moses and Lou Weinberg at Lindy’s (next to the Rivoli) yesterday for lunch.


GEORGE KEenan, manager of the Grand Theatre, Ellsworth, Me., is visiting here.

Newsreel Parade

LATE developments in the international situation have brought into the new issues include the British victory at Bardia, an Axis attack on British ships in the Mediterranean and the threat of war in the Mediterranean and the threat of war in the Mediterranean and the threat of war in the Mediterranean and the threat of war in the Mediterranean and the threat of war in the Mediterranean and the threat of war in the Mediterranean and the threat of war in the Mediterranean.


Horowitz Leavies Circuit in Indiana

INDIANAPOLIS, Jan. 28—Morris Horowitz has retired as president of the Fountain Square Co. of Indianapolis, and is succeeded by Bennett E. Sagalow- sky, with whom he established the firm 12 years ago, and who has been treasurer.

Directors named Earl Cunningham and J. A., Sagalowsky vice-presidents and E. C. Dean vice-treasurer. The company began with the Fountain Square and later added the Sanders and the Granville, Cunningham manages the three houses.

U.A. Motion Up in Oklahoma Friday

A hearing on United Artists’ motion to dismiss the Government’s antitrust complaint in the Griffin Amusement Co. anti-trust suit will be held in Federal court at Oklahoma City on Friday. Edward C. Rathery of O’Brien, Driscoll & Rathery, United Artists counsel, is en route to argue the motion.

The court is expected to reserve decision following the hearing. Meanwhile, answers of United Artists, Columbia and Universal to Government interrogatories in the Oklahoma City action, which are to have been due Saturday, are being deferred until the motion to dismiss is decided.

Brothers in Theatre

MONTGOMERY, Ala., Jan. 28—Charles T. Rook, manager of the Charles Theatre, has disclosed to the association, which he was the legal manager of his brother, Albert E. Rook.

NEW YORK’S FINEST

Edison Motion Picture Studio

HAS EVERYTHING:

Lavish and small sound stages—Lavish scenic—Ballroom scenes—Private production theatre—Always completely lighted.

MODERATE RATES

Phone CHEster 3-4161-7-8

Wednesday, January 29, 1941
MOTION PICTURE DAILY
Decree Talks Are Resumed
By U.S., Ascap
(Continued from page 1)
described as "the basic differences in the two organizations." B.M.I., as it was said, not like Ascap, an association of copyright owners but is, rather, "a basic publishing organization."

Conferences Expected To Start Today or Tomorrow
WASHINGTON, Jan. 28.—Representatives of Ascap are expected to seek conference with Justice officials tomorrow or Thursday, it was indicated here today. It was stated, however, that it is unlikely that any basis of agreement will be reached immediately.

It is understood that the demands of the Benefits; Robert Strever, go further than those of B.M.I., and include a reorganization of the society itself to break the dominance wielded over the self-perpetuating management now in control.

Previous settlement negotiations between the two organizations of Universal-Back Street, were halted last month, largely as a result, it was said, of internal differences in the music society.

68 Critics, Editors To 'Street' Opening
A delegation of 68 critics and film editors from 34 leading cities, newspaper columnists and syndicate writers, and trade paper and fan magazine representatives will attend the two-theater opening of Universal's "Back Street" in Miami next Tuesday. The Eastern delegation will leave for Miami on Saturday.

Trade press representatives will include: Sam Shain, Red Kam, Don Mersereau, Jay Emanuel, Pete Harrison, Charles E. Lewis, Moe Wax, Lionel Told, Herb Stein and Arthur Ungar.

Universal officials who will attend include: Charles D. Pruzinman, vice-president and general counsel; Samuel Machnovich, treasurer; Peyton Gibson, secretary, and vice-president and foreign manager; John Joseph, advertising and publicity director, and Lou Pollock, Eastern advertising and publicity manager.

Others who will attend include: Dean Durbin, Bruce Manning, producer of the current and director, and his wife, Anna Lee, and Felix Jackson, co-author of the screenplay.

20th-Fox to Make No Sales Changes
(Continued from page 1)
...they would be made at that time."

The company expects to schedule approximately the same number of features for exhibition as in recent seasons, that is, 48 to 52. The company’s first block of five is expected to be ready for trade showings about mid-Summer.

Cinema Club to Elect
CINCINNATI, Jan. 28.—The Cincinnati Cinema Club will hold its annual election of officers Thursday.

MOTION PICTURE DAILY

Value of Quigley Awards Is Lauded By Bernhard
Quigley Awards

Following is the list of guests, including the judges, attending the Quigley Awards luncheon at the Astor Hotel yesterday:

Martin Quigley, Terry Ramsaye, Joseph Bernhard, W. R. O’Donnell, Intermediate Circuit, 241, 774. $1,428,283. 25%...and further improved conditions of distribution, said yesterday. Agnew indicated that Paramount would increase its production schedule “considerably...next season, and stated that the pictures sold on the current season’s schedule will be delivered "without any changes."

Universal Shows $2,390,722 Profit, Increase of 107%

Paro, Plans Three Blocks-of-5 Films

Paramount plans to have three blocks of five features, each for the full year. The first block will be ready to be picked for distribution at the start of the new season, the first block of five to be ready by early March, 1942. Agnew, vice-president in charge of distribution, said yesterday.

Universal shows $2,390,722 profit, an increase of 107%. The company’s consolidated working assets and other cash accounts receivable, decreased in December, amounted to $12,953,683, and current liabilities were $1,210,774. Net working capital was $6,652,961, compared with $5,512,194 the year before. Cash on hand as of Nov. 2 last was $1,128,283. Total assets are listed at $15,591,687.

The company’s profits for the year provided for a special amortization reserve of $10,000 per week to cover foreign revenue losses last year. The company also provided $2,500 to repurchase 100% of its stock in the Knickerbocker Theatre at $18.03 since the beginning of 1940. This includes 4,591 shares purchased last month at $2,500 from the company for tenders of shares, out of a fund of $1,000,000 borrowed for the purpose.

Curtice Circuit Aide
SAN FRANCISCO, Jan. 28.—Fred Curtice, assistant manager of the Up-town Theatre, has been named assistant to Roy Cooper, division manager of the Golden State and San Francisco Theatres, Inc.
"GWTW" returns to the Capitol and tops road show records! Held over!

"SAME AS LAST YEAR!"
THE MIRACLE OF SHOW BUSINESS!

A year later!
But the same crowds, cops, cash!
A year later!
And “GWTW” tops its own records!
Last week the first 13 engagements
Electrified the industry and held over!
Now a 3rd week is announced!
(Boston, St. Louis, Washington, Bridgeport, Hartford, New Haven, Worcester)

And every new opening is terrific!
(Baltimore, Akron, Canton, Providence, Waterbury, Memphis, Kansas City, etc.)

And each one a hold-over!
No matter how long a period
It played previously
It’s as though it never played before!
And an interesting development is that
Small towns are even topping the big towns!
There has never been anything like it!
It will never happen again in our lifetime!
Give it everything you’ve got of showmanship!
It’s the miracle of show business.
Glimpses at Judging for Quigley Awards

Martin Quigley addresses the Quigley Awards luncheon guests.

R. J. O'Donnell of Interstate Circuit (left), and W. G. Van Schmus of the Music Hall, listen as A-Mike Vogel speaks at the luncheon.

Robert M. Gilham, advertising and publicity chief of Paramount.


John J. O'Connor, RKO Theatres head, studies an exploitation entry.

Thomas J. Connors, Eastern and Canadian sales manager for M-G-M.

S. Barret McCormick, advertising and publicity director for RKO, gives his attention to an item.

Alex Manta, president of Indiana-Illinois Theatres, who made a special trip in from Chicago.

Maurice Bergman, 20th Century-Fox advertising manager (left), and Harry Goldberg, in the same spot for Warner Theatres, talk it over with David Lipton of Columbia in the center background.
...AND THE GREATEST EXHIBITOR NEWS ANNOUNCED THIS SEASON!

UNIVERSAL WILL DELIVER FOR 1940-41

THE TOTAL NUMBER OF PICTURES PROGRAMMED!

UNIVERSAL HAS ADDED TO THOSE PICTURES YET TO BE RELEASED STAR AND PRODUCTION VALUE ENOUGH TO TRIPLE THEIR TICKET-SELLING POWER!
January 31st Release
BUCK PRIVATES

February 7th Release
BACK STREET
by Fannie Hurst, starring Charles Boyer and Margaret Sullivan, with Richard Carlson, Frank McHugh, Tim Holt. Directed by Robert Stevenson. Produced by Bruce Manning.

February 14th Release
MEET THE CHUMP
starring Hugh Herbert, with Jeanne Kelly, Lewis Howard, Anne Nagel. Directed by Edward Cline. Associate producer, Ken Goldsmith.

February 21st Release
NICE GIRL?

February 28th Release
DARK STREETS of CAIRO
with Sigrid Gurie, Ralph Boyd, Eddie Quillan, Katherine DeMille, George Zucco. Directed by Leslie Kardos. Associate producer, Joseph G. Sanford.

March 7th Release
MR. DYNAMITE
(Tentative Title)

March 14th Release
MODEL WIFE
starring Joan Blondell, Dick Powell, with Charlie Ruggles, Lee Bowman, Ruth Donnelly. Produced and directed by Leigh Jason.

March 21st Release
DOUBLE DATE

March 28th Release
LADY FROM CHEYENNE
FRANK LLOYD PRODUCTIONS, Inc., presents
starring Loretta Young with Robert Preston, Edward Arnold, Gladys George, Frank Craven, Jessie Ralph. Produced and directed by Frank Lloyd. Associate producer, Jack Skirball.

April 4th Release
MUTINY IN THE ARCTIC
starring Richard Arlen and Andy Devine.
HORROR ISLAND

MAN MADE MONSTER

THE FLAME OF NEW ORLEANS

SKY RAIDERS—A Serial in 12 Episodes

THE MAN WHO LOST HIMSELF

BUTCH MINDS THE BABY

TOO MANY BLONDES

OH, CHARLIE

MEN of the TIMBERLANDS

TIGHT SHOES
AND THE GREATEST EXHIBITOR NEWS ANNOUNCED THIS SEASON!

June 20th Release
NORTH of the KLONDIKE

June 27th Release
HIT THE ROAD
starring The Dead End Kids and The Little Tough Guys.

July 4th Release
FRANK LLOYD PRODUCTIONS, INC., presents
I, JAMES LEWIS (Tentative Title)
Produced and directed by Frank Lloyd. Associate producer, Jack Skirball.

July 11th Release
CRACKED NUTS

July 18th Release
SANDY STEPS OUT
starring Baby Sandy

July 25th Release
FIFTEEN FATHOMS DEEP (Tentative Title)
starring Richard Arlen and Andy Devine.

August 1st Release
RAIDERS of the DESERT

August 15th Release
UNFINISHED BUSINESS
starring Irene Dunne and Robert Montgomery. A Gregory la Cava production.

August 22nd Release
A DANGEROUS GAME
starring Richard Arlen and Andy Devine with Jeanne Kelly. Directed by John Rawlins. Associate producer, Ben Pivar.

August 29th Release
A FRANK LLOYD PRODUCTION

Watch
UNIVERSAL FOR 1941-42
Feature Reviews

“Wild Man of Borneo”

A PLAY by Marc Connelly and Herman J. Mankiewicz produced on Broadway in 1927, “Wild Man of Borneo” emerges on the screen as a lesser item of entertainment, which nevertheless, has moments of real amusement and a touch of pathos.

It is the story of a medicine man of the ’90s, interpreted skillfully by Frank Morgan, who attempts to mend his roving life to make a home for the daughter he has not seen in years.

In the theatrical boarding house in New York run by a former actress, played by Billie Burke, Morgan plays out the game of lies he has developed so that his daughter will still believe her father is the great man she had been led to think him. Mary Howard plays the daughter, who is invited to keep the house by her former actress, Billie Burke, Bonita Granville the “too wise” daughter of a former actress, and Dan Dailey, Jr., the young man interested in the new films, who falls in love with Miss Howard.

Howard Sinclair, who directed, wisely permitted Morgan to carry the greater part of the footage. The title refers to the job Morgan finally lands with an old friend of the medicine show days, in order to hold his fabricated position.

Running time, 78 minutes. “G.”

CHARLES S. AARONSON

“Rolling Home to Texas”

(Manorog)

Hollywood, Jan. 28

Despite its short length, Manorog’s “Rolling Home to Texas” features eight song numbers which show up the action considerably. The picture stars Tex Ritter and features Cal Shrum and his Rhythm Rangers, with Slim Andrews, Virginia Carpenter, Eddie Dean, Jack Rutherford, and Minta Durfee heading the cast.

The climax occurs when Ritter, a United States marshal, deputizes the convicts at the state prison of which his uncle is warden and enlists their aid in capturing a band of criminals who have been inducing prisoners to violate the honor system by escaping and then murdering them.

Edward Finney produced the picture, with Al Herman directing. Robert Tansey was the production supervisor.

Uneven direction and stilted dialogue mark the offering.

Running time, 63 minutes. “G.”

VANCE KING

“Wind” Blows Gale

At Pittsburgh B.O.

Pittsburgh, Jan. 28—A mild gale failed to keep “Goone With the Wind” from reaching $2,000 in its first week of popular prices at Loew’s, Penn, and “This Thing Called Love” hit $10,000 at the Senator.

Estimated takings for the week ending Jan. 23:

“The Invisible Woman” (Univ.)

FULTON—(4,800) (38c-46c) 7 days. Gross: $8,000. (Average: $1,143)

“Cere With the Wind” (M-G-M)

LOEW’S PENN—(3,400) (46c-55c) 7 days. Gross: $2,000. (Average: $385)

“Cecile X” (M-G-M)

RITZ—(3,500-55c) 7 days. 4th week. Gross: $1,800. (Average: $257)

“Sister” (Col.)

SEAGRAVE—(1,500) (57c-55c) 7 days. Gross: $700. (Average: $100)

“I’ll Find Out” (RKO)

STANLEY—(2,800-55c) On stage; Singer’s Midgets. 4th week. Gross: $1,500. (Average: $375)

The Thief That Wasn’t” (Univ.)

WARNER—(2,000) (38c-55c) 7 days. 2nd week. Gross: $1,500. (Average: $214)

Selznick Sets Eye on

Hollywood, Jan. 28—David O. Selznick will make Charlotte Bronte’s “Jane Eyre” as the first of three pictures, marking his resumption of production. The lead will be chosen from among Vivien Leigh, Jean Fontaine and Katharine Hepburn, all under Selznick contract.

Signed by Cameo

Hollywood, Jan. 28—Gale Storm and Martha Tilton have been signed by Cameo Productions, Inc., to appear in subjects for the Roosevelt-Mills Soundies machines.

75 New Films Being Edited

In Hollywood

Hollywood, Jan. 28—Thirty-seven pictures were before the cameras this week, as eight started and seven finished. Fifteen are being prepared, and 75 are being edited.

The tally by studio:

Columbia

Finished: Untitled Ellory Queen story.

In Work: “They Dare Not Love.”


Globe

In Work: “The Million Gold.”

In Work: “New Wine.”

In Work: “The Crime of Mary Andrews.”

In Work: “Billy the Kid.”

Started: “A Woman’s Face.”

Paramount

Monogram

Finished: “Riding the Cherokee Trail.”

Started: “Air Devils.”

Producing Releasing

Finishing: “The Lone Rider Crosses the Rio.”

Universal

In Work: “Outlaws of the Rio Grande.”

In work: “The Devil and Miss Jones.”

Republic

In Work: “Sis Hopkins.”

Started: “The Great Train Robbery.”

In Work: “Back in the Saddle Again.”

RKO

20th Century-Fox

Finished: “A Very Young Lady.”

In Work: “Blood and Sand.”

Finished: “Nice Girl.”

In Work: “The Man Who Lost Himself.”

“Till the Flame of New Orleans.”

“Lady from Cheyenne.”

Model Wife.”

Started: “Oh, Charlie.”

Warners

In Work: “Winged Victory.”

“Miss Wheelwright Discovers America.”

“Thirty Days Hath September.”

“The Bride Came C. O. D.”

“No Hard Feelings.”

“Singapore Woman.”

“Strange Afflictions.”

Universal

New Loew Worcester Ass’t.

Worcester, Mass., Jan. 28—James H. Reid, has returned as assistant manager at the Loew-Poli Elm Street here and has been succeeded by Arthur Arakelian.

Fogel Arrives Here

Murray Fogel, vice-president of Vis-O-Graph Corp. of America, is here from the coast to establish New York offices, according to officials. Irving Siegel will be in charge.
Stars Flocking to Capital
For President's Birthday

WASHINGTON, Jan. 28.—The Hollywood star colony is moving virtually en masse from California to Washington this week to complete the President's Birthday celebration here Thursday night and far into the small hours of Friday morning.

Stars have been arriving in wholesale lots. Already here and taking part in preliminary preparations are Preston Foster, Carolyn Lee and Stirling Hayden. Arrived today were Wallace Beery, Charlotte Greenwood and Kay Aldridge. Deanna Durbin is due to arrive tomorrow.

Expected when they get here, the weather having disrupted air traffic, are George Raft, Wayne Morris, Robert Young, Constance Moore, Anne Shirley, Jean Heraldt, Red Skelton, Kitty Carlisle and Lynn Bari. Virginia Mayo is expected.

TV and radio programs, the only exception for children under 16 is amateur programs—but only those emanating from studios and for not more than one hour per week. Thus, without specific permission quiz programs from theatres would be permitted.

Final 12 Clerks on Arbitration Named

The final 12 clerks selected by the American Arbitration Association for local arbitration boards were announced today in the offices of the association by the association.


The instruction classes for the clerks will be concluded here today. Panels of arbitrators for the local boards, which are scheduled to be announced on Saturday, will be announced in the near future.

Canada Film Board Completes Picture

OTTAWA, Jan. 28.—The Canadian National Film Board has completed its latest picture, "French Without a Mother," and it is understood it will shortly have its first showing in the Canadian capital.

John Grierson, Canada's Film Commission, says of the picture that while it contains no mention of the war, it is an honest picture of life and it is produced so far. The picture is not in the regular "Carry On" series, and was designed as a non-theatrical picture. It was directed by Gordon Sparling.

Nazis Ask Argentine 'Great Dictator' Ban

By NATHALI BRUSKI

Buenos Aires, Jan. 28.—The German ambassador here yesterday requested that Charlie Chaplin's "The Great Dictator" be banned in Para-

ra, where it is scheduled to open. This is the first showing in Argentinia.

It is expected the Minister of the Interior will suggest the German Reichsfuehrer to the (Pro-

vince of Entiers that the film be banned. The film was banned here on the petition of the Italian ambassador.

Urge Sunday Local Option in Delaware

DOVER, Del., Jan. 28.—A local op-
nation Sabbath statute and repeal of the 21-over state law of Delaware are recommended by the special Blue Law Commission in its report to the General Assembly here today.

The proposed statute, which has heavier penalties than the present law, would prohibit all liquor sales in churches, public dances, theatricals and motion pictures, but incorporated towns and cities would have power to regulate their own laws.

While unincorporated communities and rural districts would be governed by the state law, any town or city that has a charter could pass Sunday ordinances to permit or prohibit any worldly employment, activity or business within its corporate limits.

After studying the blue law situation in Delaware, the spe-

cial commission submitted three recommendations to the legislature today: (1) repeal present law; (2) substituting a new one, unincorporated statewide application prohibitions for present statute; (3) that incorporated municipalities by special law, or further prohibit objection-

able activities on Sunday or to control application of any general prohibitions to their particular areas.

Mummy's And Lucas

$7,000, Kansas City

KANSAS CITY, Jan. 28.—One holdup man was killed by rain and snow and the Philharmonic gave it a poor week. Nick Lucas on the stage pulled the Tower, playing "Mummy's And Lucas.

Estimated taking for the week ending Jan. 21-23:

"The Invisible Woman" (Univ.)
E-SIDEE (200) (26-44) 7 days. Gross: $1,800. (Average, $230.)

"The Great Dictator" (Col.)
S-TOWER (200) (30) 7 days. Gross: $7,800. (Average, $1,115.)

"The Mummy's Hand" (Univ.)
TOWER (200) (30) 7 days. Gross: $6,600. (Average, $943.)

"When The Clock Strikes" (RKO)
O-PARK (200) (26) 7 days. Gross: $5,800. (Average, $828.)

"The Invisible Woman" (Univ.)
UPTOWN (200) (26) 7 days. Gross: $4,200. (Average, $600.)
Advertisers invested more money for CBS facilities in 1940 than for any other network... more than was ever before invested in any network!

And in 1940, more of the 100 largest U.S. advertisers chose CBS than any other network... for the 7th consecutive year!

a turn of the page tells you why
Off the Antenna

THE feud which sprung up between the leading New York independent stations, WJ NO, WMC M and WMA, and the film industry during the local "Pot o' Gold" show which all three carry has been revived as the result of last Saturday's "Ascap on Parade" broadcast which is also carried by the three stations. The first feud settled by the sponsor's initiative was to the publicity break after WNEW had succeeded in reaching the winner for the first two weeks. Saturday's outbreak came in the WMCA studios where the Ascap program originates. WMCA insisted on the first station to go on the stage while the other stations claimed that there was an agreement to have all or none. In this case, the sponsor, Ascap, refuses to interfere in the fight.

Raymond Gram Swing, the WOR-Mutual commentator, is making a series of shorts which Cartoon Films, Ltd., is producing and Columbia Pictures will release when they are completed. Swing will write his own scripts discussing, as he does on the air, some military or political aspects of the broadcast. G. E. Brandt, release date has been set. Swing recently completed a year-end summary for RKO Pathe News.

NAB Omaha Group Votes BMI Support

OMAHA, Jan. 28.—Members of the National Association of Broadcasters' local chapter meeting yesterday, affirmed their stand on the BMI-Ascap fight by adopting unanimously a resolution to support BMI. Chairman H. W. Sullivan announced the directors and C. E. Arney, NAB secretary, addressed the group, which was composed of representatives of 29 radio stations in Iowa, Nebraska and Missouri. John Gillin, general manager of WOW, Omaha, and a BMI director, presided at all sessions.

During a question-and-answer session, one of the meeting declared it is "impractical" for Midwest stations to introduce new networks with the hope of making them popular. Some of them said they had let their BMI contracts go unsigned for 1941 because the announcement of a possible anti-trust charge against BMI and Ascap. Gillin explained the radio stations do not want to be included in any indictment.

A second resolution passed by the group asked the NAB for help in stirring up the parties to the question of reversion WVEW St. Louis, and a labor union.

31 Loew Theatres
Set 9 P.M. Feature

The main feature will be started at 9 o'clock nightly instead of 10:30 as heretofore. A 31 Loew Theatres survey of results of recent testing surveys and tests, C. C. Moskovitz, head of metropolitan theatres for Loew's, announced yesterday. It was found that the bulk of evening theatre audiences arrive between 7:30 and 8:45 and the new "9 o'clock plan" is expected to reduce the complaints of single feature fans.

Theaters affected will be the Inwood, Marblehead, Odeon, 29th St., Commodore, Ave. B and Canal in Manhattan; Gates, Bedford, Melba, Century, Warwick, Brevoort, Bay Ridge, Broome, Oriental and Premier, in Brooklyn; Burnside, Elsmere, Victory, Boston Road, Post Road, Burland and American, in the Bronx; and several in Queens and the Embassy, North Bergen, N. J.

Robinson Honor Guest

Edward G. Robinson, Warner player, will be one of the honor guests of the Greenwich Village Association at its annual tea and recital Sunday afternoon at Greenwich House.

Crosley Plans Net
In Latin America

Crosley Corp. has disclosed its intention of forming a network of stations in Latin America, and its officials are now in touch with the South American republics to make a three-month survey. Although details of the plan have not been disclosed the entrance of an independent broadcaster into this field may have considerable significance.

WLWD's Crosley station in Cincinnati, operates on 75,000 watts and its directional antenna concentrates a strength of 30,000 to 12 times the antenna output, or about 900,000 watts. Heading the tour are James D. Shouse, vice-president in charge of Crosley Corporation, his executive assistant, and Antonio Rojas, international network coordinator.

Shouse will go to Mexico City and Guatemala only but his travel plans will continue through San Salvador, Buenos Aires, Lima, Caracas, Panama, Colombia, Venezuela, Ecuador, Peru, Chile, Argentina, Uruguay, Brazil, Portugal, Italy, Dominican Republic, Haiti and Cuba.

Orders Oster to Testify in GB Suit

New York Supreme Court Justice Philip J. McCook yesterday ordered Isidore Oster and Mary Larkin, officials of Gaumont-British Pictures Corp., to appear as witnesses in a libel trial on Feb. 10 in reference to the $100,000 damage suit of Film Alliance of America.

Film Alliance had charged the breach of a contract made in March, 1940, under which it was allegedly to receive exclusive U.S. distribution rights to the Vivian Leigh film, "Things Are Looking Up."

Ascip License Fee Payments Speeded

PITTSBURGH, Jan. 28.—Theatres and night clubs licensed to play Ascap music may now pay renewal fees promptly this year than last, William O'Brien, local Ascap district manager, has revealed, saying that Ascap revenue thus far is more than 100 per cent above the same period last year.

Discussing the Ascap-BMI tangle before the Advertising Roundtable with program manager Clifton Daniel, O'Brien explained that an increase in phonograph record sales in department and music stores which he interpreted as evidence of the radio and phonograph record entering into entertainment during the past few weeks.

His office, with three field men and two girls covering all Pennsylvania, except 10 counties around Philadelphia, has contracts with WWSW here.

Ask Time for British Aid
"Four-Minute Men of America," an organization recently revived for the purpose of backing President Roosevelt in his efforts, extending aid to Britain, is soliciting time during regular shows from film theatres in which to make appeals for support.

Simeon Louis Dead

KINGSTON, Pa., Jan. 28.—Simeon Lewis, who was manager of the first theatre in this borough, died of pneumonia last evening.

He was 77 years old and is survived by his wife, the late Calvin Dymond, with whom he was associated.

To Chicago on "Fantasia"

Toni Spitzer, who has been handling general publicity of "Fantasia" at the Broadway Theatre has gone to Chicago for the advance campaign on the picture opening.

FCC's Television Hearing March 20

WASHINGTON, Jan. 28.—Carrying out the promise made yesterday by Chairman James L. Fly of early consideration of television standards, the Federal Communications Commission today announced that a formal hearing will be held March 20 for the purpose of considering the standards recommended by the Communications Systems Committee and also to determine when television shall be placed on the air.

Today's action was predicted at the close of the long sessions yesterday at which the committee's recommendations were considered. It was indicated that the results of the committee's work were considerably more complete than had been expected.

Noble Plans Shows Of Local Interest

Although giving no specific indication of how he proposed to change the program policies of WMCA, Edward J. Noble, the station's new owner, yesterday said that the policies would be directed to creating "local interest programs."

"That's why we have a dual purpose status in the radio picture," Noble said. "It does not need to serve Oshkosh, or Chicago, or even Philadelphia audiences. It is a local station, and as such, should be directed in its efforts to create local interest programs. Just the claims have developed a reputation on national radio, so WMCA can set the standard for independent stations in the country."

"The program must have a say in the things they hear on the air," Noble offered no elaboration of his statement.

Canada Receiving Sets Up Since War

TORONTO, Jan. 28.—According to the St. Lawrence Group, government, the number of annual licenses for radio receiving sets has increased about 50 per cent in Canada and in spite of elevated tariff on new tubes and tubes, the excise levy now being 25 per cent of the value of a set.

Most of the sets are being received by the mark of 1,355,711 a net increase of 10,554 over the total of 1,345,157 registered at the close of the fiscal year ended March 31 last.

Chryslar Resigning Eastman Kodak Post

ROCHESTER, Jan. 28.—Eugene Chryslar, public relations counsel of Eastman Kodak, has retired from his office yesterday morning here. He joined the organization when the Tennessee Eastman Corp. was formed in 1940.

Eastman Kodak's branch in Paris, closed for a short time when France fell, has opened for business, according to a telegram from Eugene Chryslar, Kodak's French manager in Paris, French branch of Eastman Kodak. Outside of limitations due to the shipping blockade, business in occupied France is going on as usual, he said.

John Farren Dies

ROCHESTER, Jan. 28.—John J. Farren, once owner of the Victoria Theatre here, died at the age of 60.
CBS consistently has the strongest schedule in Radio

Regular CAB program ratings show CBS with a consistently stronger schedule than any other network in all of 1940. The Columbia Network, against all competition, delivered the largest audiences to its clients, for more program-periods in the entire broadcasting day than any other network. Counting every regularly rated sponsored quarter-hour on all networks, in all of 1940, CBS averaged 161 “firsts” each week against all competition; the next best network had 154; the third network, only 18 “firsts”.

CBS leadership is most striking in the major battleground of network competition; in the tensely competitive evening hours. Whether you take the entire evening (6:00 p.m. to 12:00 m.) or just the heart of the evening (8:00 to 10:00 p.m.), CBS wins more “firsts” than the second and third networks combined. The exact evening score is shown in the charts, for all of 1940.

*Columbia Broadcasting System
PACE SETTER OF THE NETWORKS*
Guard Against Losses!

USE THIS SIMPLIFIED THEATRE ACCOUNTING SYSTEM

$2.00 POSTPAID

New • Easy • Complete • Accurate
Requires no bookkeeping experience!

ALL SECTIONS ARE DEvised SO THAT FULL TAX INFORMATION IS READILY AVAILABLE

QUIGLEY BOOKSHOP, ROCKEFELLER CENTER, NEW YORK
Here is my check for $2.00. Send me "Theatre Management Record."

Name __________________________________________
Address __________________________________________
City and State __________________________________________
Theatre __________________________________________

ORDER TODAY
MAIL COUPON
U’to Reveal New Season’s Plans at Meet

Earliest Sales Session In Chicago Feb. 8

Universal will announce new season production plans to a meeting of its district and branch sales managers at the Blackstone Hotel, Chicago, Feb. 8, 9 and 10, W. A. Scully, general sales manager, revealed yesterday.

The convention is the earliest to be held by a major company for the purpose of discussing new season’s production plans in many years past, and indicates the advancement of new season selling by Universal by about two months.

Company officials said it was uncertain whether the early sales meeting would be followed by a later convention to include the company’s salesmen.

The meeting will also discuss sales and production plans for Universal’s

Urges Texas Tax On House Grosses

AUSTIN, Texas, Jan. 29.—Gov. W. Lee O’Daniel has proposed in a message to the state legislature that a tax be levied on admissions to places of amusement.

The message recommends legislation providing a tax of 1.5 per cent of the total receipts for each quarter in such amusement places. Under the proposed measure, owners would file with the State Comptroller a quarterly report on the 25th of January, April, July and October, indicating the gross receipts for the quarter ended on the last day of the preceding month. The tax would be levied on that amount.

Sottile Building New Charleston House

CHARLESTON, S. C., Jan. 29.—Albert Sottile, president of the Pastime Amusement Co., which operates five theatres here, plans a new house.

The site is further uptown than any of the others and follows a trend in business development.

Other theatres now operated by the company are the Garden, Majestic, Gloria, Victory and Riviera. There is only one other theatre for white persons, the Palace, a second run house operated independently.

MPTOA CHALLENGES U. S. DEGREE VIEWS

Metro Operations Plans for Decree Still Not Decided

Final decisions on M-G-M’s arrangements for consent decree operations may not be made for another two months, William F. Rodgers, general sales manager, said yesterday.

Rodgers, who returned this week from extended conferences at the M-G-M studio, said that final plans for the new season’s schedule would be set when he returns to the studio in a month or six weeks. Until then, he said, it will be uncertain when the company will have its first block of pictures ready for trade showings, or how many pictures it will have to offer by Sept. 1.

It could also be several months before the company knows how many additional salesmen it will require for decree operations, Rodgers said.

The M-G-M executive expressed the view that the decree has eliminated production and selling “seasons.” He added that he pointed out, inaugurates the new selling method next Sept. 1, but thereafter, the consenting companies

FDR Birthday Gives Theatres Big Business

WASHINGTON, Jan. 29.—With the hotels of the capital jammed, and a holiday atmosphere pervading the air hereabouts, in anticipation of the President’s Birthday celebrations here tomorrow night, theatres are reporting strong business.

“Kitty Foyle” and “Gone With the Wind” are playing to capacity at Keith’s and the Palace, respectively; “North West Mounted Police” is also reported strong in the second week at the Earle, and “Mamie Was a Lady” is faring well at the Capitol, aided by a stage show. Visitors who are pouring into town, are not overlooking their screen entertainment the theatre reports indicate.

Scores of local showmen are aiding in the arrangements for the various parties tonight. They include Hardie Meeks, Andrew Kelkley, Carter Barron, Frank LaFalce, Sidney Lust, Harry Lohmeyer and Ray Bell.

Among the Hollywood stars who are here already or are due tomorrow to aid the celebration, the proceeds of which will go to the infantile paralysis drive, are:

Wallace Beery and his daughter, Carol; Ann, Wayne Morris; George Raft; Maureen O’Hara; Charlotte Greenwood, Lana Turner, Al Ritz and Ray Allen.

They joined Deanna Durbin, Preston Foster, Stirling Hayden, Red Skelton and Carolyn Lee, and a number of Coast directors, publicity men and others.

This afternoon the visiting stars were entertained at a Mayflower reception given by Mrs. Allen Barkley, wife of the Senate majority leader; Mrs. John Hersholt, wife of the actor; Mrs. Robert M. Lafollette, wife of the Wisconsin Senator, and Mrs. C. Pettitjohn.

Says Neither Complaints Nor Cooperation Are Required

In a “follow-up” message to exhibitors yesterday, the M.P.T.O.A., through its official bulletin, again reminded exhibitors that “no offers of cooperation or participation is not required or not permitted to be done.” Also, in the bulletin, exhibitors are reminded that they are “not required to submit complaints to arbitration.

With this, the M.P.T.O.A. takes issue with the recent statement of the Department of Justice urging exhibitor cooperation. The Justice Department statement, which outlined the activities of the special Government unit which has been set up to observe the functioning of the decree, it repeated full in this latest M.P.T.O.A. bulletin.

In its reply, the M.P.T.O.A. states: “In some quarters it is being urged that all complaints be submitted as a general practice. (Continued on page 4)

Freiday Resigns As Director of ‘U’

William Freiday resigned from the Universal board of directors at the meeting on Tuesday, it was learned yesterday. No successor will be elected until the annual meeting of Universal stockholders in March.

Freiday was the author of an action against Universal last year which charged officers with mismanagement and dissipation of assets. A similar action, in which Samuel I. Posen, another director representing first preferred stockholders, is a plaintiff, is pending. Universal officials assert that the company will insist upon removal of the complaint and has retained Joseph M. Proskauer as its attorney.

No plan for the immediate retirement of the remaining 10,759 shares of Universal’s eight per cent preferred of an original 17,200 shares issued, has been approved yet. However, the retirement of the shares outstanding remains as an objective of the company.
Coast Flashes

Hollywood, Jan. 29.—Max Golden, former associate producer at 20th-Century-Fox and more recently in the production department of that studio, resigned today to become production manager for Edward Small Prod., releasing through United Artists.

Francis Harley, 20th-Century-Fox manager for Great Britain, left here today for Miami where he will spend several days before leaving for New York en route back to London.

Preliminary judging of short subjects nominated for the Academy of M. P. Arts & Sciences awards starts tomorrow with a committee reviewing one reel subjects. Friday night two reel nominations will be viewed and on Monday, cartoons. The judges will select three entries for the final competition. Nine songs written for pictures and 26 motion picture musical scores were nominated today for the Academy’s three music awards.

Irving Cummings who directed “Arizona,” the first color feature, had his first color door picture for Fox in 1928 and who has been with the studio since then, was given a new term deal by 20th Century-Fox today.

Arthur W. Kelly, United Artists vice-president in charge of distribution, will leave for New York tomorrow to meet Gabriel Pascal, scheduled to arrive from Europe with print of “Major Barbara” early next week. Pascal will come here to show the film to United Artists executives and discuss sales plans for the picture.

Lou Hyman, general manager for Sol Lesser Prod., will leave for New York Friday with a print of the Ernst Lubitsch picture, “That Certain Feeling.”

Henry Koppin Dies

Toldeo, O., Jan. 29.—Henry S. Koppin, who operated a circuit of theaters in the Detroit area for many years, died here recently after a stroke. He was 64 years old.

Rites for Riegelman

De Moines, Jan. 29.—Services were held today for Abe W. Riegelman, 53, for the past 15 years a salesman at the 20th-Century-Fox exchange, who died Monday at a local hospital following a heart attack. He is survived by a son, Dr. Ralph Riegelman.

Virginia MPTO to Meet on Monday

RICHMOND, Jan. 29.—The regular winter convention of the M.P.T.O. of Virginia will be held in Washington on Monday, with headquarters at the Shoreham Hotel. President W. H. Crockett of Virginia Beach will conduct the business session on Monday. A banquet and ball will take place Monday evening, and a floor show will be composed of current acts at Loew’s Capitol and Earle Theaters. Allen Sparrow, manager of Loew’s in Richmond, will have charge of the entertainment. A committee on arrangements is headed by Frank O’Brien, assisted by Harold Wood, Herman Rubin, Nat Glaser, Carter Barton and Julian Brylawski.

Connors Leaves On Tour of Offices

Thomas J. Connors, Eastern Canadian and Southern sales manager for 20th Century-Fox, left Monday on a 10-day trip which will take him to Philadelphia and Washington and a swing through the company’s branches in the South.

Dismiss Warner Suit

Federal Judge John Foster Symes, after trial yesterday dismissed the plagiarism suit of Milton Herbert Gropper against Warners, in which he had charged infringement of his play, “Ex-Racketeer,” in the film “Alcatraz.”

Queries Are Filed in Schine Trust Action

BUFFALO, Jan. 29—Extensive interrogatories filed in Federal District court here yesterday against Schine Chain Theatres, Inc., and its affiliated companies by U. S. Attorney George L. Gropper to anti-trust proceedings against the circuit.

The interrogatories seek details of the company’s organization, addresses of the principal executives and branch offices of the circuit, names of managers, their duties and authority; territory covered by each office, admission prices in various theatres of the circuit and similar details.

‘Quiet Wedding’ Film

London, Jan. 29.—Paul Sokosh’s new film for Paramount, “Brightly Groomed,” seen by the press here, appears a big success. It will open at the Plaza on Friday.

It is a fine contribution to Paramount’s British films for the world market. In an essentially English atmosphere, the film extracts the maximum of comedy from Terence Rattigan’s play exploiting the matrimonial fancies of the upper middle class. The production is of Hollywood standards and Margaret Lockwood is starred.

Flanagan

Lunch in New Haven For Joseph Mondex

NEW HAVEN, Jan. 29.—A farewell luncheon will be held here Monday at Cerfian’s Restaurant for Morris Joseph, who has retired after 25 years as Universal manager here.

The luncheon invitation includes: Max Tabackman, Samuel Solotsey, Herman Levy and Harry Shaw. Levy will be toastmaster. Joseph will leave Tuesday to take up permanent residence in Miami.

Two New Theaters Set

ROCHESTER, N. Y., Jan. 29—Two building projects to include two 1,000-seat theatres are under consideration by the planning board of Brighton, N. Y.

TWA 4-Engine Stratoliners

To CALIFORNIA and PHOENIX

Now—fly the Skyway Closest to the Sun to the sunshine country of the Southwest! It’s only overnight, flying the Route of the Stratoliners!

To PHOENIX $139.90
1 Flight Daily
10% Reduction on Round Trips

To LOS ANGELES $149.95
4 Flights Daily
All-inclusive West Air Tours

TWA 4-ENGINE STRATOLINERS

Murrayhill 2-1122
Air Lines Terminal
Park Avenue at 42nd St.
24-Hour Reservation Service

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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BOB HOPE

IN 5 BIG SHORTS!

Two reels each and every one a feature in everything but length!

'SHOP TALK'
'THE OLD GREY MAYOR'
'DOUBLE EXPOSURE'
'WATCH THE BIRDIE'
'CALLING ALL TARS'

VITAPHONE MADE THEM!
YOU GET THEM NOW WHILE HE'S HOT!
AT YOUR WARNER EXCHANGE!
U' to Reveal New Season's Plans at Meet

(Continued from page 1)

MPTOA Challenges View Of Government on Decree

Cole Is Rejected By National Allied

WASHINGTON, Jan. 29.—H. A. Cole, re-elected president of Allied States Association for a third consecutive year at the close of the organization's annual directors meeting here yesterday.

Other officers elected were: Abram F. Myers, chairman of the board and director of counsel; Charles J. Zadick, secretary; Martin Smith, treasurer; Arthur Howard, recording secretary; and Herman Blum, financial secretary.

Elected to the executive committee were: Cole, Myers, Smith, Nathan Vysny, James T. Lydon, J. E. Walsch, A. E. LaPrade, M. A. Rosenberg and Roy E. Harrold.

A. Steffes, stepped from the national board because of Allied's position on the consent decree, the organization's policy committee "conceded" that the decree: ends blind selling, increases the elasticity of selling but does not abolish compulsory block booking, places an undue film buying burden on exhibitors uncharacteristic of a method which permits the imposition of "harsh terms" on exhibitors, offers an effective means of ending forcing of shorts and newsreels, but prevents "exclusive selling," should be effective in adjusting unreasonable clearances, is of dubious value in preventing discrimination in granting of some run, and is "weakest and most disappointing" in not affecting affiliated theatre divestment.

Ohio Games Called State Law Violation

WASHINGTON COURT HOUSE, Jan. 29.—Declaring that chance games, as conducted by the Dayton are a lottery and in violation of the Ohio law, police on Saturday, Mr. Rankin overruled a motion by Hoy Simons, operating the Dayton, and others, and continued the injunction pending. The injunction was applied to Chief of Police Jack Wolfe in preventing him from destroying any machines yet licensed.

Immediately following the decision, City Manager Edwin Dulcy declared that steps would be taken at once to close the games, unless it is filed voluntarily by the theatre. The action was filed in March, 1940, but opposing counsel agreed to be guided by the decision of Ohio Supreme Court in a similar case at Troy. When that court recently held that police officers could not be enjoined from selling equipment, Simons filed a demurrer.

Showmanship Flashes . . .

Contest Used for Return 'Wind' Run

TOLEDO, O., Jan. 29.—Loew's Val-vites, the contesting interest in the return engagement of "Gone with the Wind" with a contest for the best 200-word description of the story, impressed the contestant, Manager J. E. Lykes arranged the stunt.

Cow-Milking Contest Plugs 'Little Men'

At the RKO Aladin in Jamaica, a glass cow with cows were used on the stage in a cow-milking contest as an exploitation stunt for "Little Men," in which appears Elsie the Borden cow.

Naval Air Show

Aids 'Flight Command'

Baltimore, Jan. 29.—William Saxton of Loew's Theatre here arranged with the U. S. Navy for a special preliminary session with the premier of "Flight Command."'

Choir on Stage Used To Sell 'Pin Pan Alley'

BLOOMSBURG, PA., Jan. 29.—Manager George Bittering of the Capitol here arranged to have a recently organized male choir of a local carpet factory present a program on stage.

Telephone Tieu Is Used to Publicize Films

Sayre, Jan. 29.—Manager Thomas Pasley of the Sayre Theatre has a novel way of publicizing his shows. He has an arrangement with the telephone exchange at nearby Nichols, N. Y., to announce his attractions over a hook-up of 500 phones weekly at no expense to the theatre.

False Theatre Front

Aids 'Arizona' Run

ALLENTO, N. Pa., Jan. 29.—For "Arizona," Milan Todorov, assistant manager of the Colonial, and Ed Rosenthal, Columbia exploitation man, handed out an envelope in the form of a covered wagon with blow-ups of stars and action shots; girl in cowboy costume handing out the envelope. A crowd formed outside the theatre, which chief of police Jack Wolfe in preventing him from destroying any machines yet licensed.

1,068 Theatres in N. Y. Metropolitan Area

(Continued from page 1)

both in operation and dark, over last year. There are now 1,068 houses, in altogether, seats capacity of 1,346,591 in the exchange area, while last year's total was 1,197 with 1,343,883 seats.

The present number of theatres closed is 140, which is 15 over last year's figure. All 16 silent theatres in the city still are in operation.

The directory further discloses that there are 131 affiliated theatres in the United States New York and 66 in New Jersey. The number of unaffiliated houses in New York is put at 434 and in New Jersey at 128.

Of the 1,068 houses in the area, 759 are circuit theatres and the remaining 499 are independent.

Richmond Union Will Hold Benefit Feb. 25

RICHMOND, Jan. 29.—The 12th annual theatrical ball, sponsored by Local 87 of the operators' union, will take place at Tantilla Garden on Feb. 25. Proceeds go to the local relief fund.

General chairman for the ball is Harry Jarvis, assisted by tom James, David Harison, Otis Bugg, C. C. Col- glin, Earl Clotar, John Clotar, Frank Baker, Fate Eubanks, Carl Eubanks, H. D. Graham, Atlanta, Branch Managers: John Wollens, Atlantic; A. M. Prichard, Charlotte; H. I. Manoff, Memphis; W. M. Richardson, New Orleans; Ed. S. Otmach, Oklahoma City; District Manager J. E. Garrison, Kansas City; George Bittering, Parsons Kansas City; Harry Hynes, St. Louis; Lou Levy, Des Moines, Otto Siegel, Omaha.

Also: District Manager A. J. O'Riord, Los Angeles; J. E. Keene, Portland; E. Fackman, Com- man, Los Angeles; Jack Langan, Denver; R. G. Colman, Portland;防护 Lake City; Barry Rose, San Francisco; L. J. Phillips, Portland; Elke L. Van Der Luij, E. T. Gomser, Chicago; Branch Man- ages: J. E. Garrison, Kansas City; Chicago Ed Miller, Detroit; H. H. Hull, Indianapolis; Frank Montano, Milwaukee; L. J. Miller, Minne- sota and Gordon Craddock, special repre- sentative.

Decide Metro Decree Moves in Six Weeks

(Continued from page 1)

have a continuous operation of selling pictures in maximum blocks of five as those pictures come from the studio, regardless of established industry seasons.
FOUR OUT OF TEN WINS!

The record speaks for itself! There can be no question as to which company won the Quigley Short Subject Annual Exhibitor Vote. The results appeared on Page 21 of Motion Picture Herald, issue of Jan. 11, 1941, as follows:

The Leaders

The leaders of the general featurette poll, the ten which received the highest number of favorable citations, are, in order they placed:

1. ......................
2. ......................
3. Crime Does Not Pay
4. Pete Smith Specialties
5. ......................
6. ......................
7. ......................
8. ......................
9. Our Gang
10. Passing Parade

Leadership means doing the unusual first!
Here's M-G-M's newest idea:
Tapping an unexplored field;
Short story masterpieces at last
On the screen—the first is
"THE HAPPIEST MAN ON EARTH"
One of M-G-M's most important steps
In years of short subject leadership.

Watch for this great short subject!
"THE HAPPIEST MAN ON EARTH"
featuring
PAUL KELLY
VICTOR KILLIAN
The O. Henry Memorial Award-Winning Short Story

Get ready for PETE SMITH'S "PENNY TO THE RESCUE," another Prudence Penny cookery comedy in Technicolor. It's swell. Also CAREY WILSON'S "MORE ABOUT NOSTRADAMUS," a sequel to the prediction short that fascinated the nation.
'Philadelphia’ Hit at $27,500
In That City

Philadelphia, Jan. 29—Inclined weather the last days of the week held down the grosses at the downtown houses. With mostly holdovers and second runs featuring, the ‘Philadelphia Story,’ led, giving the Boyd $27,500.

'Atlanta' at $19,400

The 'Atlanta' at the 2nd Avenue went down $19,400, the following houses grossed

* * *

Motion Picture Daily

Thursday, January 30, 1941

Hollywood, Jan. 29

GEORGE MURPHY, BURGESS MEREDITH and ALAN MARSHALL will be the GINGER ROGERS’ leading men in RKO’s “Tom, Dick and Harry.” The picture will be produced by ROBERT SISK and directed by GARSON KANIN. ALAN MOWRAY and Fuzzy Knight have been set for a

20th Century-Fox picture tentatively titled “The Cowboy and the Blonde.”

Bob Hope, who plans to go into the cast of the same studio’s “The Great American Broadcast.”

* * *

H. C. POTTER, director, and producer BOYD MORRIS are nearing a deal under which the former’s “Wings of Democracy,” story of naval defense, would be produced for Paramount. TYRONE POWER is set for a

20th Century-Fox “Confirm or Deny,” original story by HALE WHITE and SAMUEL FULLER, dealing with political corruption. The studio also purchased HUGH WALNOLL’S “Blind Man’s Bluff” for portrayal of a Nazi agent.

* * *

BOYD—

RKO-ALBEE—(2,190) (35c-40c-65c-67c) 7 days. Gross: $4,320. (Average, $600.)

Philadelphia, Jan. 29—“The Philadelphia Story” took a strong $8,900 to top the town at the Avenue. “Second Chorus” at the Orpheum did $6,100 and “The Devil and Miss Jones” took $4,700. Estimated takings for the week ending

Jan. 24:

* * *

‘Command’ $10,000

Indianapolis Lead

INDIANAPOLIS, Jan. 29—“Flight Command” and “Lone Wolf Keeps a Date” took $10,000 at Loew’s and “Second Chorus” and “Texas Rangers Again” drew $8,000 at the Indiana.

Estimated takings for the week ending

Jan. 24:

* * *

‘Comrade’ Captures $10,000 in Montreal

Montreal, Jan. 29—“Comrade” X led grosses with $10,000 at Loew’s, “Thief of Bagdad” in its fifth week at the Orpheum took $2,700. Estimated takings for the week ending

Jan. 25:

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‘Story’ Pulls Good $8,900, Seattle’s Best

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Alfred Hitchcock says

THIS IS LOVE!
Dear Mr. Smith,

This is to warn you that your wife has been seen at a number of New York nightclubs with a young man whose reputation is most questionable! Don't let her pull the wool over your eyes. I fear her no malice but I hate to see you given the run around! 

Faithfully,

A Friend
Here is Alfred Hitchcock’s FIRST for 1941!

The ALL-TIME PRIZE PANIC OF THE SCREEN!

Mr. & Mrs. Smith

with

GENE RAYMOND  JACK CARSON
PHILIP MERIVALE  LUCILE WATSON

Directed by
ALFRED HITCHCOCK

Story and Screen Play by NORMAN KRASNA
Lux Program Will Carry Fame Award

Hollywood, Jan. 29.—During the performance of the "Lux Radio Theatre" over CBS Monday at 9:30, Cecil DeMille, producer of the show, will present to David O. Selznick a Quigley Publication Corporation Award in recognition of his record as the producer of the greatest number of Box-Office Champion pictures over a 10-year period.

The presentation ceremony will follow the performance of "Rebecca" on the Lux show with Ronald Colman, Joan Fontaine and Judith Anderson in the leading roles. The award is based upon records tabulated for "Fame.

Film Men Sought by Army for Emergency

As part of the National Defense Program, the Photographic Unit of the U. S. Army is making a check "for the purpose of obtaining information on qualified motion picture men willing to serve in time of national emergency."

Posters have been placed around the various studios urging men over 18 and familiar with any phase of production to register with the Research Council of the Academy of Motion Picture Arts and Sciences. The posters point out that such registration does not mean enlistment but will serve merely as a record of those willing to serve in an emergency.

Begin Inquiry on Toronto Accident

TORONTO, Jan. 29.—Investigation by the Ontario Government into the Dorch Theatre accident recently, in which 30 children lost their lives, is being overhauled by tact and firemen, and a commission to handle the inquiry has been appointed.

Various attendants and employees at the theatre, as well as the fire marshall, city comptroller and mayor, have been presented.

Clinton With BMI

Larry Clinton, band leader and composer and arranger of several tunes, yesterday became the first Ascap writer to align himself with BMI, Clinton's Ascap membership expired Dec. 31, and he signed a working agreement with BMI yesterday. The contract covers all music composed or arranged by Clinton after Jan. 1 of this year.

President on Seven Stations Tonight

President Roosevelt's greetings to children will be heard over seven local radio stations on a one-hour broadcast beginning at 11:15 tonight. WEP, WJZ, WABC, WOR, WMCA, WNEW and WHOM will carry the program.

Sues Over Song Use

Robbins Music Corp. has filed suit in the U. S. District Court here against CBS charging the unauthorized use of one of its songs in a broadcast. The complaint states WEEI, Boston, on Jan. 14, 1941, broadcast the Robbins' song, "Don't Be That Way."

Archives Budget $993,340 in Year

WASHINGTON, Jan. 29.—A total of $993,340 is provided for activities of the National Archives during the fiscal year, which constitutes the first appropriation bill for the session, reported to the House of Representatives today. The appropriation is an increase of $60,480 over the current year.

More than $22,000 feet of motion pictures were received by the Archives from private sources during the fiscal year ended June 30, last, R. D. W. Connor, Archivist, told a House Appropriations subcommittee during hearings.

All told, the Archives' motion picture holdings now amount to 4,335 feet of films and 3,754 recordings, he said.

Permit WOR Move Here from Newark

WOR received permission from the FCC yesterday to change the location of its studios from New York City to New York City and the Newark studios will be closed after Saturday.

Although WOR will continue its policy of serving particularly the interests of Newark and New Jersey listeners, Alfred J. McCosker, WOR president, said "the change in its studios will permit more effective coordination of the program and talent resources available in New York. The location of WOR'S high power transmitter remains at Cartaret, N. J."

FCC Budget $4,259,729

WASHINGTON, Jan. 29.—Total appropriations of $4,259,729 were today recommended for operation of the Federal Communications Commission during the fiscal year beginning July 1, next, in the independent offices appropriation bill reported by the House Appropriations Committee.

The sum represents the full amount recommended in the annual budget and is a net increase of $1,853,389 over the current appropriation.

All of the net increase and more is provided in a new fund of $1,920,000 given the commission for national defense activities, but the reduction in funds for regular activities is only apparent, since the current appropriation carried $1,650,000 for operation of monitoring stations for which no further expenditure will be required.

Possible budget commission self-supporting through the imposition of taxes on licensees was suggested by Representative Richard W. Wigglesworth, (R., Conn.) during hearings before the House Appropriations subcommittee in charge of the bill.

Fees Being Studied

Testifying before the subcommittee, Chairman James L. Fly disclosed that the matter was interest of the commission and that a study now was made of license fees at various levels.

Representative Wigglesworth expressed interest in a tax per cent tax on station and network earnings, and Fly estimated that some $3,500,000 might be raised in that manner, explaining that 478 stations reported earnings of $492,779 in 1939 and the networks $5,631,000.

Fly's testimony covered a variety of points, including that said by the chairman of the FCC was expected that the final report on the chain-monorship hearing would be submitted within a month but refused to predict what recommendations, if any, would be made.

Suspect

WASHINGTON, Jan. 29.—A tall man emerged from the alley exit of Loea's Capitol and was pursued upon the snow by Secret Service men. He was in a tough spot until Col. Edmund Stamp, chief of the White House detail, came to the rescue.

The victim was Carter Barber, manager, who was heading for the National Theatre via the back door. The reason for the excitement was that President Roosevelt was attending a benefit performance at the National. Barron was admitted—and by the President's special entrance.

Sunday is Best Day For British Houses

LONDON, Jan. 29.—The London Branch of the Cinematograph Exhibitors Association, in its annual meeting last night, discussed the terms of adjustment made necessary by the war, and it was agreed that Sunday is now the exhibitors' most profitable day.

Sunday opening hours were discussed, and it was decided to ask various local authorities to allow Sundays to open until 11 P.M., as it was before the war. Sid Hyams presided.
UNTIL YOU CAN SEE THIS GREAT PICTURE FOR YOURSELF

... until we can actually report its performance to you, let the experts who see all pictures tip you off that here is one of TOPMOST importance!

"Brilliant production of Remarque novel has beauty, pathos and comedy and should score heavily."
—Film Daily

"A most auspicious beginning for the Loew-Lewin producing combination. A poignant and moving picture."
—Motion Picture Daily

"A magnificent production . . . should win favor at the box-office."
—Hollywood Reporter

"One of the best motion pictures I have ever seen!"
—Harry Crocker, Los Angeles Examiner

"Deeply impressive, beautifully acted and excellently directed and produced."
—Dorothy Manners, International News Service

"In the forefront of 1941’s contenders for top motion picture honors. Audiences will thrill to the exciting story."
—Jay Emanuel Publications

"Truly distinctive . . . a corking set of performances by an outstanding cast."
—National Box Office Digest

"Excellent...you should see it."
—Liberty Magazine

David L. Loew • Albert Lewin present

FREDRIC MARGARET FRANCES
MARCH • SULLAVAN • DEE
in
"SO ENDS OUR NIGHT"

with Glenn Ford • Anna Sten and Erich von Stroheim

Directed by JOHN CROMWELL • Screen play by Talbot Jennings
From the novel, "Flotsam," by Erich Maria Remarque

Released thru UNITED ARTISTS
Ascap Decree
Move Off, U.S.
Will File Suit

Negotiations Fail, But
New Talks Seen

Weekend negotiations by Ascap for a Federal consent decree ended without an agreement in Washington with the result that the Government today is expected to file an information in Federal court at Milwaukee against the music licensing society, charging violations of the anti-trust laws.

Negotiations for a settlement of the society's differences with the Government will continue, however, despite the court action, it was indicated officially.

Discontinuance of the preliminary negotiations in Washington over the weekend voided an arrangement which had been made to bring the entire available Ascap board of directors of 24 members to Washington today for conferences with Assistant U. S. Attorney General Thurman Arnold and members of his staff.

The object of the meeting was to give the Government representatives, through the media, publisher members of the Ascap board, the practical business aspects of the effects of the Government's decree proposals on the business activities of Ascap members.

By this means, it was hoped, the Government might have been influenced to relax some of its demands, decree-wise, which the music society

(Continued on page 2)

Bill on Equal Rights
Is Filed in Albany

ALBANY, Feb. 2.—Assemblyman Daniel Burrows on Friday introduced into the New York legislature an "equal accommodations" bill, which provides for a license revocation in event of failure of a public place to offer equal privileges to all.

Under the bill, verified petitions would get prompt hearings, with a minimum suspension of one month for a first offense and forfeit of license for repeated violation.

(Continued on page 4)

Loew Quarter Net
Equals $1,936,245

Loew's, Inc., reports net profit of $1,936,245 for the first quarter ended Nov. 21, 1940, of its current fiscal year, after depreciation and taxes and reserve for contingencies. The result compares with net profit of $1,393,456 for the corresponding quarter of the preceding fiscal year, a gain of $542,789.

The parent company's share of operating profit after subsidiaries preferred dividends for the quarter amounted to $3,805,255, compared with $3,017,461 the preceding year. Depreciation and taxes amounted to $1,399,010, as compared with $1,124,063, and reserve for contingencies was $300,000 for both years.

The result for the quarter equals $14.16 per share on the preferred stock, compared with $10.19 the preceding year, and to $1.04 per share on the common, compared with 71 cents.

No Hasty Decision Is Expected
On New Standards for Television

WASHINGTON, Feb. 2.—There will be no hasty determination of television standards by the FCC, it is believed in official circles, despite the fact that the National Television Systems Committee recently by a majority vote decided for no change of the consent decree, in a report sent to Allied members yesterday by Abram F. Myers, chairman and general counsel.

In one section of the report Myers points out that the decree is subject to change within the next three years and that "exhibitors have a vital stake in the decisions yet to be made."

He urges them, therefore, to report to the proper authorities all evasions and violations of the decree and whatever hardships may develop under it.

"Exhibitors must build up a record," the report states, "which cannot be ignored by the authorities when the time comes to re-apply the decree or for the Government to petition the court for further relief. If a proper record is built up, the exhibitors will come pretty close to getting what they really want and need. If not, they will have lost their last chance for consideration at the hands of the Government."

This is in agreement with the urging of the Department of Justice which asked exhibitors to make use of arbitration, complaints direct to (Continued on page 4)

British Producers
To Fight Quota Cut

LONDON, Feb. 2.—Labor and producer opposition is expected in the event of an exhibitor appeal to bring about reduction in exhibitors' quota percentages.

It is authoritatively understood that the two groups will fight any suggestion of reduction, claiming that despite a superficial product shortage as a result of war conditions, the British industry is healthy, with only five per cent of the technicians unemployed. The trade units also point to American productions, in work or planned, and the fact that although only 10 British films were registered from October to December, nine were registered in January alone.
Ascap Decree Move Off, U.S. Will File Suit

(Continued from page 1)

regards as impossible from a business standpoint.

The discontinuance of the negotiations followed weekend negotiations in Washington, began Friday, which were continued by Louis D. Frohlich and Herman Finkelstein of Ascap counsel, with Government representatives.

The Ascap board of directors, in a special meeting on Saturday, heard from its attorneys a report of the Government's decree demands.

According to the indications, it was reported that the board affirmed the rejection of the demands, but moved to keep the way open for compromise. A suit is expected today for Chicago and other Midwest cities.

Neb. Court Hears Games Test Today

Omaha, Feb. 2—The Nebraska State Supreme Court will hear arguments tomorrow on the case brought to test whether the chance games operated by Omaha exhibitors violate the court's injunction declaring one a game a lottery.

The test case has been brought by Attorney General Johnaton, in the Supreme Court against the Omaha Motion Picture Exhibitors Association after the Omaha city solicitor had filed a suggestion of contempt.

The original ruling was made about three years ago.

Aid Paralysis Drive

Chicago, Feb. 2—Ten per cent of the proceeds of the dinner-dance held Friday night at the Congress Hotel by the Steel Fellows Club will be donated to the infantile paralysis fund.

The club includes local exchange executives and salesmen.

N. H. Union Meets Today

New Haven, Feb. 2—Local B-41 of the exchange employees union will hold a regular meeting at the Hotel Garde tomorrow with Samuel Zipkin presiding.

Personal Mention

SAM PINANSKI of M & P Theatres, Boston, was in New York at the weekend for Paramount home office conferences.

AUSTIN KEOUGH, Paramount vice-president and general counsel was delayed by illness from leaving for Paris over the weekend. He is scheduled to leave by plane today, returning in about a week.

DEL GOODMAN will leave for Toronto tonight to take over his new post as Canadian sales manager for Paramount.

WILLIAM C. DE MILEE last week addressed the New Haven Opening Forum at the First Methodist Church on screen freedom.

ALDEN LOCKHART, manager of the Regent, St. John, N. B., is the father of a son, named DAVID WINSTON.

BERNARD H. MILLS, general sales manager of Equity Film Exchanges, leaves today for a trip upstate, while LOUIS E. RASMUS, new sales personnel, is here today for Chicago and other Midwest cities.

MILTON J. SALTER, president of Pictorial Films, left over the weekend via TWA for a two-week business trip through the Midwest.

otto bolle, 20th Century-Fox manager in South Africa, leaves for Johannesburg today on the City of New York.

LEONARD ASHEIM, theatre architect of Bridgeport, Conn, has left for a Florida vacation.

JOHN DAVIERE, advertising manager of Allied Pictures Co., and LEWIS VAN AKKEN are on a tour of company branches.

I. LAWRENCE LESLAVY has left for Florida.

Roxy Sets Dividend

A quarterly dividend of 37% cents per share on the outstanding preferred stock of Roxy Theatre, Inc., was declared Friday by the board of directors of the company. The dividend is payable March 1 holders of record on February 15.

Baur Picture to World

World Pictures Corp. has acquired distribution rights in this country to "The Mad Emperor," French historical film starring Harry-Bau. It will be released late in February. Maurice Tourneur directed.

Dictator in Argentina

The Argentine premiere of "The Great Dictator," was held Thursday at the Mayo Theatre, Parana, according to advice received at the home office.

To Release 'Last Mile'

Astor Pictures will release "The Last Mile," through franchise holders, according to a deal closed with Mohawk Film Corp.

Help!

Pittsburgh, Feb. 2.

BUSINESS was so heavy at Loew's Penn for "Gone With the Wind" that Manager Martin Burnett sent out a call for emergency ushers to help clear the aisles. At the next break, outgoing crowds were directed to the proper exits by the manager of a neighboring metropolitan theatre, ushers from two other rental houses, a friendly jeweler, and the theatrical address of the Post-Gazette and Press.

Greek Fund Show Broadcast Feb. 8

The 90-minute Greek War Relief Committee show will be broadcast Saturday, Feb. 8, at 11:15 A. M., over NBC-Rod and Mutual, and will be offered to all independent stations.

Syrupo S. Skouras, president of the company, and Samuel Goldwyn, chairman of the permanent charities committee for the motion picture industry, have directed the preparations for the program. Mervyn LeRoy, Warner Eastern advertising and publicity head, is directing the campaign, assisted by Harry, Furman, KFWB, Los Angeles, and Al Simon, publicity director of WHN.

Jack Benny and Bob Hope will act as masters of ceremonies. Others to be heard on the show include Betty Davis, Spencer Tracy, Paul Muni, Clark Gable, Charles Laughton, Madeleine Carroll, Groucho Marx, the entire cast of "The Hardy Family," Eddie "Rochester" Anderson, Burns and Allen, with Milton Berle, Carol Channing, Alice Faye, Carole Lombard, Myrna Loy, Mary Martin, Tony Martin and many others.

Nazis Threaten Air Players in Norway

Washington, Feb. 2—Norwegian radio performers have been threatened with "serious personal reprisals" if they continue their stubborn resistance against the "new order" in Nazi-occupied Norway, it is charged by the Norwegian Government here.

According to authoritative information, it was said, Gulbrand Lunde, head of the ministry of propaganda, has informed Norway's representative that any member who refuses to accept parts in Nazi-controlled theatrical productions or in plays will be placed on a blacklist and forever barred from his profession.

When the Nazis took over the Norwegian film industry, it was explained, a majority of performers refused to go on the air and the quality of programs sank to a low point. It is believed that the listening audience showed little if any interest in the Nazi-directed programs.

Pictures Nominated For Camera Award


Glass U. A. Western Advertising Contract

Hollywood, Feb. 2—George Glass has been appointed advertising and publicity director for United Artists pictures.

The name was announced by George M. Budge, executive vice-president of United Artists, for which Glass was executive vice-president of Russell Quine and Associates.

Tweety Bird, a Warner Brothers character, will be used for the contract.

Jones Has Whalen Duties

Charles Reed Jones, advertising and publicity director of United Artists, has recently resigned. The duties will be handled by David B. Whalen, who resigned last week. No replacement will be made in the department, it was said.

Col. Executives West

Jack Cohn, Columbia vice-president; Abe Schneider, treasurer; Abe Minkoff, office manager, and Joseph A. McConville, foreign manager, left for the studio over the weekend for conferences.

Quigley to Coast

Martin Quigley left over the weekend for a several weeks' visit in Hollywood.

MOTION PICTURE DAILY

Monday, February 3, 1941

(Registered U. S. Patent Office)

KEEP SELLING!

KEEP SELLING!

KEEP SELLING!

• A lot of successful theatre men who have been through the mill in good times and bad ... have arrived at this unwritten law that could easily be the keynote of any book on showmanship worthy of the name:

• That unwritten law is this simple statement: KEEP SELLING ... KEEP SELLING ... KEEP SELLING. And SELLING in the showman's book means "advertising". Paid advertising ... publicity ... exploitation and above all DISPLAY ADVERTISING. In your lobby ... under your marquee ... on your ... screen ... on your outdoor poster spots.

• That naturally brings us to the Three Best Seat Sellers in this Industry ... Trailers by NATIONAL SCREEN SERVICE ... Lobby Displays by NATIONAL SCREEN ACCESSORIES ... General Accessories by ADVERTISING ACCESSORIES, INC., and then write your own book of showmanship!
No Complaints Are Filed As Boards Open

(Continued from page 1) a complaint, and that weeks may elapse in some before the first complaint is filed.

Exhibitor resentment also cropped up again in some cities against the nonunion status of stages. In a few cases court clerks and members of the panels, which will be completed this week.

The two primary forms required for filing complaints are simple, free of excess wordage and technical phraseology. The first, the "demand for arbitration," is to state the nature of the grievance and the relief sought and requires only names and addresses of exhibitors and distributors complained against, of theaters involved in the controversy and of exhibitors and distributors who may be affected by an award.

The second form, the complainant's submission, is the exhibitor's agreement to abide by the arbitrator's award.

'Maisie,' Ray Noble $15,100, Milwaukee

MILWAUKEE, Feb. 2.—The week's best grosser was "Maisie Was a Lady" and Ray Noble's band at Fox's Wisconsin with $15,100. "Kitty Foyle" and "Mighty M'Lady, M'Lady" drew $11,500 at the Warners.

Estimated takings for the week ending Jan. 30:

"This Thing Called Love" (Col.)
"Ellery Queen-Master Detective" (Col.)
PALACE—(3,400) (30c-40c-50c) 7 days.
Gross: $6,000. (Average, $857)

"San Francisco Docks" (Univ.)
RITZ—(1,800) (30c-40c-50c) 7 days.
Stage: A. B. Marcus' Continental Revere.
Gross: $5,600. (Average, $800)

"Andrews, Miss" (RKO)
TALL, DARK AND Handsome" (20th-Fox)
STRAND—(4,100) (20c-25c-35c) 7 days.
Gross: $1,800. (Average, $257)

"Kitty Foyle" (RKO)
"Let's Make Maunder Work" WISCONSIN—(1,200) (40c-60c) 7 days.

Zanuck to Sun Valley

HOLLYWOOD, Feb. 2—Darryl F. Zanuck, vice-president in charge of production for 20th-Fox, left here over the weekend to spend 10 days at Sun Valley, Idaho.

Club Donates Car To Children's Home

BALTIMORE, Feb. 2.—The Baltimore Variety Club has presented a large station wagon to the Maryland League of Crippled Children for use in transporting crippled tots to and from Greenip, Greenip near their summer home at Thurmont, Md. C. W. Hicks is chief Barker of the club.

Hollywood Review

"Western Union" (20th Century-Fox)

Hollywood, Feb. 2

TEEMING with action and color, "Western Union," directed by Howard Hawks, is a screen subject of the telegraph's Westward expansion during the Civil War. Robert Young, Randolph Scott, Dean Jagger and Virginia Gilmore provide the leading characterizations, with Young as the Eastern dude who proves his ability to ride and shoot in the best frontier fashion; Scott as the scott who meets death at the hands of his outlaw brother; Jagger as head of Western Union, and Miss Gilmore providing romantic interest as the heroine, Madeleine.

Chief support is provided by John Carradine, Slim Summerville, Chill Wills and Barton MacLane, with Young pacing the cast in extracting both humorous and dramatic possibilities from script and setting. The Technicolor photography is of a kind to satisfy all standards. It is a fire sequence without spot.

Fritz Lang's direction builds the story to a successful climax with the pushing forward of the line, despite preventive efforts by Indians and would-be guerillas of the Confederacy. Production value in terms of setting and background most appropriate to the color camera marks the work of Associate Producer Harry Joe Brown, while laughter and suspense have been ably interjected.

The picture is a natural for the many situations where Western stories are of the essence, and provides an exceptionally able example of that school in the spots where western heretofore have not been taken too seriously.

Running time, 93 minutes. W. S.

"G" denotes general classification.

No Radio Monopoly, Nets Hold In New Briefs to FCC

WASHINGTON, Feb. 2.—The three major networks Friday filed with the Federal Communications Commission supplemental briefs on monopoly in chain broadcasting, for consideration in preparing the final FCC report going to Congress shortly.

The networks, holding in the FCC has no power to set regulations concerning chain broadcasting, have contended that even if such power existed, there are no practices to prohibit.

There is plenty of competition in chain broadcasting, FCC held, and there is no problem of monopoly because of the commission's function to every listener in the United States.

The present competition will be intensified by national FM service, the FCC brief pointed out.

Similar views were expressed by CBS in its final brief, which said, "The suggested 'reforms' would tend to destroy the American system of broadcasting.' It was held that the FCC does not have power to limit physical control of radio transmission, and cannot be extended over all business of stations, and that stations' business practices are beyond FCC jurisdiction apart from the affect the licensees' ability to compete in the market.

Mutual Broadcasting System held that the FCC has authority to regulate chain broadcasting, but advocated that current regulations be confined to national networks and those dealing with regional chains be postponed for separate consideration. Mutual urged rules forbidding the licensing of stations to national networks in cities with fewer than four full-time stations, permitting only one full-time station in any city, and limiting the number of stations licensed to a national network.

NBC defined the practices and policies it follows on talent management and profit sharing. The network asserted its right to manage talent and have performers under contract. As evidence of the fact that the performers do not find this objectionable, NBC cited its agreements with talent labor unions, none of which contains any objection to network talent management. The fact that the American Federation of Musicians will not permit a broadcaster to manage a band, however, is not mentioned in the brief.

"Wind' Is Strong in Baltimore, $22,000

BALTIMORE, Feb. 2—Heavy snow and bad weather hurt business for two or three days, but a strong start helped keep grosses at good levels. "The Wind' took $22,000 at the Century.

Estimated takings for the week ending Jan. 30:

"Gone With the Wind" (M-G-M)
CENTURY—(3,000) (40c-50c) 7 days.
Gross: $2,500. (Average, $357)

"Young Mr. Keen" (RKO)
KEITH—(2,400) (35c-45c-55c) 7 days.
Gross: $1,500. (Average, $214)

"Girl in The News" (20th-Fox)
STANLEY—(1,200) (35c-45c-55c) 7 days.
Gross: $1,500. (Average, $214)

"Sons of the Pioneers" (Col.)
HIPPOPOTAME—(1,200) (35c-45c-55c) 7 days.
Gross: $1,500. (Average, $214)

"This Thing Called Love" (Col.)
"The Big Broadcast" (Col.)
ALAMEDA—(1,000) (35c-45c-55c) 7 days.
Gross: $1,500. (Average, $214)

Allied in Support Of Government Bid To 'Police' Decree

WASHINGTON, Feb. 2.—Demand for a Congressional investigation of the broadcasting business, which the Department of Justice has sought as a possible weapon to combat monopoly and fix the rates, was announced yesterday by John J. Rankin, President of the National Association of Broadcasters.

Calling the FCC as an "automatic police force" for the broadcasting industry, Mr. Rankin said that he had been engaged in conversations with some members of Congress who might be interested in investigating the industry.

Rankin said that he was confident that a Congressional investigation would result in the formation of an "automatic police force" to check the power of the broadcasting industry and that such an investigation would be conducted by the FCC.

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Congress Probe Of Radio Looming

WASHINGTON, Feb. 2—Demand for a congressional investigation of radio broadcasting was renewed after the emergency legislation of the current session has been disposed of, according to Representative Lawrence J. Connelly.

Expressing disappointment that the new FCC appropriation without investigation of the Commission's activities, Connelly said that both House and Senate have rejected the Civil Service Commission's inquiry into alleged monopolistic conditions and the illegal activities of broadcasting stations.

The Congressmen cited the current ascap-BMI controversy as a "demonstration of the strange hold which a few men in New York hold over the broadcasting industry.

Hemispheric Radio Pact Delays Ended

WASHINGTON, Feb. 2.—The FCC and State Department announced over the weekend that all technical difficulties that have caused delay in completing the connection with Mexico with new frequency allocations under the North American Broadcast Pact Agreement, have been removed.

The government effective March 29, FCC officials stated that 75 of the 533 standard stations would have to shift frequencies under the pact.

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The government effective March 29, FCC officials stated that 75 of the 533 standard stations would have to shift frequencies under the pact.
Decree Won’t Change Basis of Operations

Sidney Kent So Declares In Outlining Views

There will be no overloading of 20th Century-Fox’s studio facilities for the purpose of blacking out air-raid instead of the 1941-'42 season under the provisions of the consent decree. Neither is there to be an expansion of sales staff personnel in anticipation of new conditions, Sidney R. Kent, president, declares in a Hollywood interview published today in Motion Picture Herald.

Kent concluded 10 days of studio conferences with company executives last weekend and is now on his way here.

Instead of overloading, there is to be instead a continuation of “fluid thinking with respect to all aspects of the coming changes,” Kent says, in outlining the company attitude toward formation of a 1941-42 policy. He adds, “We have been canvassing the probabilities and possibilities fully from every angle, keeping our decisions at a minimum for the present.”

Leave Here Today

For Miami Opening

A group of Universal executives, New York press and syndicate writers and film trade press representatives will leave today and tomorrow for Miami for a week’s round of activities to be climaxed by the premiere of “Jack Street” at the Lincoln and Cameo Theatres, Miami Beach, Tuesday night.

Leaving today from Pennsylvania Station will be the following Universal home office executives: Charles D. Prutzman, vice-president and general counsel; Matthew Fox, vice-president; and Samuel Machnowitch, treasurer.

Trade press representatives leaving for Miami by train today are: Sam

Montreal Theatres Alert For Blackout Experiment

Montreal, Jan. 30.—The war has come closer than ever to Canadian exhibitors, especially this city, considered the nerve center of the Dominion. The Province of Quebec, giving serious consideration to the matter of protection, has made virtually all arrangements, save the date and hour, for Montreal’s first “blackout.”

An announcement here by the head of the local Civil Protection Committee makes it positive that Canadian cities will attempt practical experiments in air-raid precaution, including the “blackout” and local regulations.

Deputy Director of Police Charles Barnes, who is also head of the Protection Committee, has concluded that the time has come to prepare Montreal for protective measures against raids from the air.

Montreal is a city usually ablaze with commercial light, with merchant neon signs and brilliantly illuminated theatre marquees. The power company executives have pointed out that a “blackout” consists not in pulling a main switch, but in the co-operation of all citizens. Much of the success of the “blackout” depends upon the willingness of people to turn off their lights, since much power must be left on for other purposes than lighting.

Local managers of theatres have been careful about even guessing how a “blackout” will affect business.

FEW ARBITRATION COMPLAINTS SEEN

Callow, Wheeler Capture Quigley Awards for 1940

E. G. Callow

31 Local Boards Begin Operating Tomorrow; Panels Ready Soon

Very few exhibitor complaints will be filed for arbitration when the 31 local boards open officially in as many key cities tomorrow, according to expectations of the American Arbitration Association.

The boards will be in condition immediately upon opening to receive filed complaints, however, A.A.A. headquarters stated. Clerks for each of the boards will be on duty early tomorrow and the officers will be functioning full time thereafter.

A.A.A. estimates yesterday were that “not more than six” complaints will be filed by Monday night and ”not more than 12” by the end of the boards’ first week of operation.

Panels of arbitrators for the boards will be completed and made public next week. The prescribed arbitration procedure under the consent decree requires 17 days between the filing of a complaint and the beginning of hearing. This is the explanation of the incomplete status of the local boards panels on the eve of the opening of the boards. The earliest possible hearing is contingent on requiring the services of arbitrators, could not be held before Feb. 17, even though the complaint was filed within a minute following the opening of the first local board tomorrow morning.

The A.A.A.’s explanation of its low estimate of exhibitor complaints awaiting filing is the decree’s limitations on the type of complaint which can be made at this time. Only five “causes of action” are recognized by the decree as subject to arbitration at

Whalen Resigns as Republic’s Ad Head

David B. Whalen, director of advertising and publicity for Republic, has resigned, effective today. No successor has been named as yet.

Whalen will determine his future plans next week.

Whalen joined Republic in January, 1938, handling publicity for the company in New England, with headquarters in Boston. In September, 1938, he was transferred to the home office, where he was successively pressbook editor and exploitation manager.

In September, 1939, he was named advertising and publicity director.
**Personal Mention**

**NEIL F. AGNEW,** vice-president in charge of distribution for Paramount, is due back at the home office from New York today.

**LOU LEVY** has returned to New York from the Coast.

**WILMA FREEMAN,** in charge of promotion at Warner's home office publicity department, is recuperating at home from the effects of a broken foot.

**HOWARD E. MccAllister,** projection supervisor at the Paramount Theatre, Mansfield, before being called to active duty with the Naval Reserve, is serving at radio operator on Humprey, a destroyer.

**Byron J. McCLELLONT,** manager of Minnesota Amusement's three theatres in Aberdeen, S. D., has been elected president of the Aberdeen Civic Association.


**CLARENCE EISEMEN, J. J. MILSTEIN,** and **IVY COHEN**, executive vice-president, and **JACK GOTTZ and ARTHUR GOTTLIEB** at Lindy's (51st St.) for lunch yesterday.

**Little 3’ Dismissal Hearing on Feb. 17**


Pending the outcome of the hearing, the time for the three defendants to file their answers to the Government's amended complaint has been extended by the court from next Tuesday, when they were originally slated to be filed, to a date to be set by the court later.

The postponement of the hearing was granted by Judge Goddard in line with his earlier statement that postponement of the hearing would be good for the New York suit if the Government engaged the defendants simultaneously in its Oklahoma City, Nashville and Buffalo suits. A hearing is scheduled to be held in Federal court at Oklahoma City today on United Artists application to dismiss the Government's amended complaint there. Edward C. Raftery is arguing the motion. It is expected that the court will reserve decision.

**Silver’s Father Dies**

I. H. Silver, 80, father of Milton Silver, advertising manager of National Silver, has passed away at his residence at Flushing Hospital, after a brief illness. He is survived by his widow and four daughters in addition to the N. S. S. Executive. Funeral services will be held on Sunday.

**Options Taken Up**

Hollywood, Jan. 30—RKO has exercised options on the services of Irving Reis, director, and Kent Taylor, player.

**Mills Names Ramm As Promotion Chief**

Bernard H. Mills, general sales manager of Equity Film Exchanges, Inc., has appointed Louis E. Ramm, who heads the United Artists exploitation staff, as sales promotion manager and advertising director.

Charles Penzer has joined the sales force of Equity Exchanges, and will assist Mills in the Greater New York territory.

**To Honor Leon Levy**

PHILADELPHIA, Jan. 30—Dr. Leon Levy, chief banker of the local Variety Club, will be guest of honor at a dinner to be held Feb. 8 in the clubrooms at the Bellevue Stratford Hotel.

**Newsreel Parade**

DEFENSE and war items and the President receiving a birthday cake are featured in all the reels. Sports likewise are given considerable coverage.


**Coyle Signs With Producers Releasing**

Hollywood, Jan. 30—John T. Coyle, who produced "The Great Commandment," an Independent production of Universal Pictures, and "South of the Border," has been signed by Coyle, Fox, today joined Producers Releasing Corp. as a producer. His first picture will be "Federal Fugitives," a western he is producing. The President, is scheduled to arrive here Sunday on his first trip since assuming his new post. Briggs will be tendered a "Red Apple" Publishing is pay per year $6 in the Americas and $12 foreign. Single copies 10c.

**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

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She found Heaven in the Arms of a Devil!

A SOCK for the Men!
A SHOCK for the Women!

PARAMOUNT'S

"The MAD DOCTOR"

starring
BASIL
ELLEN
JOHN
RATHBONE • DREW • HOWARD

with Barbara Allen (Vera Vague) • Ralph Morgan

Directed by TIM WHELAN
Screen Play by Howard J. Green
**Decree Won’t Change Basis Of Operations**

(Continued from page 1) and have scheduled another series of discussions for the last week in March.

It is possible, says Kent, that under the consent decree provisions there may be some need of a few additional men. He feels that the union situation probably abating as the new processes settle into routine.

Kent declares, “We believe there is a rightful place and a general demand for good little pictures, as well as good big pictures, as our experience with sales requirements seems to have demonstrated, and we are not going to delude others into thinking we’re not going to find some good little pictures becoming little pictures, whether we like it or not, in point of business value at the box office.”

No reduction in double billing as the result of the application of decree terms is foreseen by Kent, except as might occur incidentally from increased costs of operation without a proportionate increase in box-office revenue. The latter contingency, according to Kent, may result in companies being compelled to limit their schedules to fewer pictures per season, which would be accompanied by lower annual bills because of scarcity of product.

The 20th Century-Fox president believes that traveling costs will be reduced by the bringing of the product outside exchange centers but there will also be a decentralization of sales representation since the new district and branch managers generate leeway in setting terms.

The number of pictures the company can distribute during the current 1941-42 has not been decided and it may be altered from time to time during the season itself. “We are entering upon a new and unknown ground,” Kent points out, “and we want, naturally, to move cautiously in a position from which we can move in any direction to our own and the industry’s advantage.”

Kent says only one deal, a two-picture contract with Howard Hughes, had been made whereby outside production units would contribute films to be released by his company. He declares another such deal may be concluded short if negotiations terminate unsatisfactorily but would not disclose the name of the producer.

“There is no point, generally speaking, in acquiring from outside sources anything which we can’t get from our own lot,” Kent says. “We have our niche and we know what it is and we are trying to fill it, but not to the exclusion of others.”

Kent discounts the theory that a company which enters the period of the consent decree with a backlog of 20 to 30 months’ worth of product has taken advantage of a competitive advantage. Only a small portion of entertainment films will survive storms of misfortune, and the loss of audience value, exploitability, player value, or all three, he explains. Kent adds that the competition among producers for players made maintenance of a normal schedule difficult, and that the clearance and run complaints, arbitrated between now and Sept. 1, when the decree becomes effective, would be doubled in value in the meantime, since, before they became enforceable, the exhibition situation involved might change to a degree which would invalidate the price award, and require another arbitration proceeding after Sept. 1. Awards involving “forcing” complaints would be of dubious value now and, undeniably, in the case of meritious complaints, could be adjusted equally well by direct negotiation with the distributor involved.

The A.A.A. expects that no real test of the arbitration machinery will be made until new sets of required decree operations is begun by the five consenting companies next year.

**CEA Concerned at English Film Drop**

LONDON, Jan. 30.—The Cinematography Exhibitors Association has expressed extreme concern to the British Board of Trade regarding figures appearing in English production figures, pointing out that for the first quarter of the current quota year, ended in December, only 10 British films were registered.

The exhibitors have contended to the Board of Trade that it is impracticable to meet the existing quota percentages under the circumstances, and the suggestion is implied to the Government agency that it should consider an adjustment of quota figures for the coming year.

**Rowland to Be Guest**

CINCINNATI, Jan. 30.—Richard Rowland, producer of “Cheers for Mayor Bishop,” will stop here tomorrow on return trip from New York to Hollywood. While here he will be guest at a luncheon at the Press Club and his picture will be shown at the Forest Neighborhood Theatre tomorrow afternoon.

**Callow, Wheeler Capture Quigley Awards for 1940**

(Continued from page 1) wood shortly as guests of Quigley Publications, escorted by Vogel. There will be a luncheon to be attended by production executives, stars and directors, and be variously entertained at the studios and Hollywood functions, as has been done in the past.

The awards competition was established by the Round Table in 1934. Eligible for the 1940 competition for the Grand Awards were the campaigns of many of those who won places in the Quarterly competition conducted throughout the year by the Round Table.

Callow, Silver Plaque winner, captured a plaque in each of the four quarters of 1940. He has been a contributor to the Round Table for many years, and has been one of its most active members.

Wheeler’s record in the annual quarterly competition included three consecutive years and prior to his association with B & K, during part of 1940 he was active with Alex Manta’s Indiana Circuit in La Porte, Ind. He won three plaques and one medal during the course of the year.

During 1940, entries again were judged on the basis of single ideas and promotions, rather than on entire campaigns as was done prior to 1939.

**Parade,’ Heaven’ Big Mexican Draw**

MEXICO CITY, Jan. 30.—Two American pictures which are enjoying outstanding standing at the box-office, “Spring Parade” and “All This and Heaven Too,” “Spring Parade” played to capacity business at the Cine Palacio, and the latter did even better in three weeks at the Cine Colonial.

A record continuous run is in effect for “All This and Heaven Too,” which is now in its fifth consecutive weekend at the small Cine Rex, first run house “Rebecca” held the previous record, of four successive weeks.

**Leave Here Today For Miami Opening**

(Continued from page 1) Shain, Don Mersereau, A-Mike Vogel, Pete Harrison, Charles E. Lewis, Maurice Kahn. Joining this train in Philadelphia will be Jay Emanuel and Mo Wax. Marion Orford of Universal’s publicity department is here for the trip.

Representing the New York press will be: William Boehml, World Telegram; Cecilia Ager, New; Eileen Creelman, New York Sun; and Kenneth McCaleb, Sunday Mirror. Here are the Philadelphia Post-Gazette and George L. David of the Rochester Democrat-Chronicle will cover this g.v.

The following Universal executives and press representatives will fly to Miami tomorrow: Frank J. McCarthy, Eastern sales manager; W. J. Heineman, Western sales manager; Marion Young of N.E.A., Robert Meusel of United Press; Harold Conrad, Brooklyn Eagle; Edgar S. Van Olinda, Alhambra Times; C. R. Rosen, Lounges, and Julian Tuthill of the Hartford Times; Ruth Morrow of Universal’s publicity department will accompany this group.

With the Lincoln Theatre sold out a week ahead of opening, tickets are now being sold for the Cameo Theatre and will be held in readiness as a third house.

**Schools’ Recess Boosts Broadway**

(Continued from page 1) price run, drew an estimated $50,000 for its first week and is held. Total number of paid admissions exceeded those of the first week of the original run, it was reported.

“High Sierra” with Henry Besse on hand, garnered an estimated $15,000 and was over. Still strong in its fifth week at the Music Hall, “The Philadelphian” show which was projected an estimated $83,000 and started its sixth week yesterday. At the Paramount, “Virginia” with Glenn Miller to star, was projected an estimated $16,000 for the first two days. “Pride of the Bowery” brought in an estimated $5,500 for the week at the Rialto and will be followed this morning by “Saint in Palm Springs.”

**20th-Fox Sign O’Brien**

Hollywood, Jan. 30.—Pat O’Brien was signed to a contract today calling for two pictures a year by 20th Century-Fox. O’Brien also has a commitment with Columbia for three annually.
FLIGHT FROM DESTINY

“Enthralling!”
—Damon Runyon

Opening soon Radio City Music Hall!
Now booking in selected situations
after 2 months of constant radio,
magazine, newspaper promotion!
## MOTION PICTURE DAILY'S BOOKING CHART

*Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.*

<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>
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<td>This Thing Called Love (C)</td>
<td>Wildcat of Tucson (O)</td>
<td>Flight Command (D)</td>
<td>117</td>
<td>Robert Taylor Ruth Hussey</td>
<td>Second Chorus (C)</td>
<td>4014</td>
<td>Fred Astaire Paulette Goddard</td>
<td>Convoy (D)</td>
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<td>Jan. 10</td>
<td>Pinto Kid (O)</td>
<td>Chas. Starrett Lone Currie</td>
<td>Maisie Was a Lady (C)</td>
<td>Ann Southern Lew Ayres</td>
<td>Doomed Wildcat (O)</td>
<td>074 Don &quot;Red&quot; Barry</td>
<td>Wyoming Convoy (D)</td>
<td>4015</td>
<td>Bill Boyd Russell Hayden</td>
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<td>You're Out of Luck (D)</td>
<td>Frankie Darro M. Morland</td>
<td>Aldrich Family in Life with Henry (C)</td>
<td>Jackie Cooper</td>
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<td>The Weavers Roy Rogers</td>
<td>Inescort Commands (D)</td>
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<td>Jan. 31</td>
<td>Come Live With Me (C)</td>
<td>James Stewart Holly Lunarr</td>
<td>The Devil Commands (D)</td>
<td>Boris Karloff Amanda Duff</td>
<td>Ridin' the Cherokee Trail (O)</td>
<td>Tex Ritter</td>
<td>You're the One (M)</td>
<td>Bonnie Baker Orrin Tucker</td>
<td>The End of the Road (O)</td>
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<td>Feb. 7</td>
<td>Across the Sierras (O)</td>
<td>Bill Elliott L. Walters</td>
<td>Blonde Inspiration (C)</td>
<td>John Shelton Virginia Grey</td>
<td>Air Devils (D)</td>
<td>Leo Gorcey Bobby Jordan</td>
<td>The Mad Doctor (D)</td>
<td>B. Rathbone Ellen Drew</td>
<td>Petticoat Politics (C)</td>
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<td>Feb. 14</td>
<td>Adam Had Four Sons (D)</td>
<td>Meet Boston Blackie (D)</td>
<td>The Bad Man (O)</td>
<td>Wallace Beery L. Barrymore</td>
<td>Air Devils (D)</td>
<td>F. MacMurphy M. Carroll</td>
<td>Bad Man from Rio (O)</td>
<td>Don &quot;Red&quot; Barry V. Carroll</td>
<td>Play Girl (D)</td>
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<td>Feb. 21</td>
<td>Blondies Goes Latin (C)</td>
<td>Outlaw of the Panhandle (O)</td>
<td>Trial of Mary Andrews (D)</td>
<td>Robert Young Laraine Day</td>
<td>In Old Colorado (O)</td>
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<td>Virginia (O)</td>
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<td>Prairie Pioneers (O)</td>
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<td>Feb. 28</td>
<td>Andy Hardy's Private Secretary (C)</td>
<td>Rooney-Stone</td>
<td>Sign of the Wolf (D)</td>
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**Theatre Changes**

**Switch Wis. Managers**
WEST ALLIS, Wis., Jan. 30.—Joe Klauer is succeeded as manager at Fox's Paradise here by Charles Paddock, in transferred to the circuit's Sherman.

**Manages Wisconsin House**
Eau Claire, Wis., Jan. 30.—Walter Schneeeberger, projectionist at the Rialto theatre here since its opening, has been transferred to the manager of the house there. Francis Bisex, former Rialto employe, returns here as projectionist.

**Schines Move Curtis**
SYRACUSE, Jan. 30.—Gene Curtis, formerly at Schine's Paramount here, has been transferred to the Strand, and also will manage the Empire, both houses recently taken over by the Schine circuit.

**Build in East Hartford**
EAST HARTFORD, Conn., Jan. 30.—Peter Peralos and Joseph Quittner will build a 1,000-seat house here. The Astor, the only house operating at present.

**Buys House in Buffalo**
BUFFALO, Jan. 30.—Irving Cohen, who owns two theatres in Hornell and one in Corning, N. Y., has purchased the Allendale, which will be operated by Arthur Michaelson. The building will become the Allendale theatre. Arthur Michaelson operated the house for 12 years.

**Rosenthal Buys Theatre**
INDIANAPOLIS, Jan. 30.—William Rosenthal has purchased the Irving here, a de luxe neighborhood house. Charles Doades continues as manager. Rosenthal is former U. A. branch manager in Indianapolis.

**Renovate in New Orleans**
NEW ORLEANS, Jan. 30.—The Ritz Theatre, owned by the Ibery Amusement Co., is being renovated.

**Mississippi House Opens**
GREENVILLE, Miss., Jan. 30.—A new theatre here, opened by C. I. St. Claire and operated by Mr. and Mrs. O. S. Sigler and W. A. Previtt, Jr., recently opened.

**Acquires Two in Columbus**
COLUMBUS, O., Jan. 30.—Louis Weiteh, who operates the Bond, Westwood and Roselawn, Cincinnati, has purchased two of the suburbs, the Kentucky, at Latonia, and is building a new house at Louisiana, has taken over the Clover and Beechwood, neighborhood units of the local circuit operated by the late Clarence A. MacDonald.

**Opens Missouri House**
KANSAS CITY, Jan. 30.—A new theatre, opened in Memphis, Miss., by Alice Johnson. The house has been named the Memphis.

**Managing Atlanta Theatre**
ATLANTA, Jan. 30.—Jack Hodges, formerly publicity director for the Roxy, but who has been with the Techwood Theatre since Lucas and Jenkins purchased the lease on the Roxy last December, has been named manager of the Roxy and Ed Shepard has been moved to the Techwood.

**Sees Mexico—Spain Tie As Aid to Films**
MEXICO CITY, Jan. 30.—Gabriel Soria, one of the most noted of Mexican directors, has addressed an open letter, in the form of a page newspaper advertisement, to President Vicente Camacho, urging him to resume diplomatic relations with Spain, as a valuable step for Mexico and for its film industry.

**Wilmington Picket Ban Is Reversed**
DOVER, Del., Jan. 30.—The Delaware State Supreme Court here today reversed the decision of Chancellor W. H. Harrington of Chancery court which had enjoined projectionists' Protective Union and individuals from picketing the Governor House, Wilmington independent house.

**Pickets were removed**

Pickets were removed from the theatre, a local strike 2 years ago by the Chancellors' decision. The Supreme Court decision today held that a bona fide labor dispute existed and there was no justification for an injunction. Five judges concurred, Chief Justice Daniel J. Layton, Judges Richard S. Rodney, Frank L. Speckman, Charles S. Richards and Charles L. Terry, Jr.

The lower court decision held that the picketing by the union was for improper purpose and intended for boycott.

The point of contention between the theatre and the union was the number of union projectionists to be held on duty.

**P.R.C. to Release Historical Shorts**
Producers Releasing Corp. has closed contracts for the distribution of a series of eight two-reel subjects on American history, produced for Aademic Film Co. by Max and Arthur Axel. The shorts will be distributed by G. A. Dulmat. Milton J. Salzburg and Harold Baumstone are associate producers and Charles Henkel is editor.


**Omaha Union Elects McEntyre President**
OMAHA, Jan. 30.—R. L. McEntyre of the Orpheum, is president of Local 348, of the I.A.T.S.E., for 1941 and Howard Jackson, Omaha, is business agent, as all officers we re elected at the annual ballooting.

Other officers are Alvin Kostian, Board of Governors, second vice-president; Glenn Jordan, Muller, financial secretary; F. R. Loomis, Brandes, treasurer; and Clyde Cooley, recording secretary.

**Circuit Net $110,197**
Cleveland, O., Jan. 30.—Circuit has reported net income before Federal income taxes of $110,197 for the year ended Aug. 31, last.

**‘Liberty’ Hits Fast Paced in First Week**
Early business results on “Land of Liberty,” following the first week of general release for the industry’s patriotic and war charity subject, have been pronounced. In virtually all sections of the country, it was reported by M-G-M, which is handling the picture gratuitously, and the M.P.D.P.A., sponsor of the picture.

The entire M-G-M publicity, advertising and exploitation force under Howard Dietz, Si Seadler, William Ferguson and Oscar Dohb are cooperating on the campaigns for the picture’s openings in all sections of the country. They are being assisted by a special exploitation staff sent out by the M.P.P.D.A., consisting of Gabe Yorke, Joseph She, Gordon White, Mark Larkin and I. E. Deer. The M.P.P.D.A. also is arranging coopera tion with local school boards, civic, patriotic, business and industrial organizations to support the picture in each locality.

The picture was the unusual honor of being endorsed from the floor of the U. S. Senate, through the Vice-President and other Senators.

**Royal in Detroit to Open Finally Today**
DETROIT, Jan. 30.—The new $50,000 Royal Theatre which failed to open a month ago because of a labor dispute, will be opened for the first time tomorrow.

The dispute, which centered around a union demand that the 2,500-seat theatre employ a stagehand, has been settled, according to Roger W. Kennedy, business agent of the Operators Union and Earl J. Hudson, president of the Theatre Union. They have agreed that maintenance work at the Royal, which was found to be within the jurisdiction of the Stagehands Union, would be handled outside the theatre by a laborer of that union who is regularly employed in the United Detroit Theatre Corp. maintenance department.

**Mexico Houses Pay 9% Tax on Grosses**
MEXICO CITY, Jan. 30.—Film houses in the Federal District, which includes Mexico City, get off comparatively easily in the tax on public amusement, according to President Cardenas, who has ordered, starting Feb. 1. The tax on theatres is nine per cent of their gross receipts. There is no complaint, as yet, from exhibitors.

Theatre proprietors and lessors, however, have complained bitterly to the President against the tax, which run from seven to 14 per cent of their gross. Some operators of review theatres have told the President they are obliged to pay these high taxes it will be impossible for them to continue in business.

**Metro Buys ‘Girl Crazy’**
M-G-M has acquired the rights to "Girl Crazy," the George and Ira Gershwin musical comedy.<ref>

**‘Wind’ Smash Hit in Boston With $53,000**
BOSTON, Jan. 30.—"The Wind" has ridden high here, taking a total of $35,000 at two houses, $30,000 at Loew’s Orpheum and $23,000 at Loew’s Loew’s, Santa Fe Theatre and Admiral. "The Wind" has grossed $43,000 at the Paramount and $5,300 at the Fenway.

**License Suspension Is Asked in Toronto**
TORONTO, Jan. 30.—Ontario Fire Marshal W. J. Scott today recommended a one-month suspension of the licence of the Art Theatre here after a hearing on the recent accident in which 30 children in the theatre were overcome by gas.

Said Scott, "There was a change in the Ontario regulations to require an adult to accompany every child under seven to the theatre, and to require a man for every 100 children in a theatre. No criminal proceedings were ordered against Sam Lester, owner of the Doric.

**AGVA, B. & K. Agree On Closed Shop Pact**
CHICAGO, Jan. 30.—A contract between Balaban & Katz in Chicago and the American Guild of Variety Artists was signed within a few days it was disclosed today following a meeting between N. M. Platt, B. & K. production head and district manager for the AGVA, and Louis Urban, president, and Jack Irving, representing AGVA.

The agreement calls for a closed shop and covers working conditions and salaries.

**Ziehm Agent in Phila.**
PHILADELPHIA, Jan. 30.—John Schaeffer, independent exchange manager here, is representing Arthur Ziehm in the area.

**Dee M.G.**

**MGM.**
Honor Birthdays of Presidents on WBNX

WBNX last night started a series of programs commemorating each President of the United States on his birthday. On the anniversary of a President’s birth, the hourly station pauses will be punctuated with short, sound bites of able radio remembrances and a 15-minute program will also be set aside to tell of the President’s life on that day. President Roosevelt, of course, was honored yesterday.

Program to Combat Alien Propaganda

Designed to combat alien propaganda, the Free Company, an organization of authors, performers and radio workers, will present a series of original Sunday afternoon dramas over WNBC beginning March 23. P. M. James Boyd, novelist, is chairman of the group; Robert E. Sherwood is chairman of the writers’ division, “Propaganda Men (P.M.)” performers; and W. B. Lewis, CBS vice-president, is the radio director.

All women who contribute plays without charge are Marc Connell, William Saroyan, Maxwell Anderson, Orson Welles, Stephen Vincent Benet, Paul Green, Archibald MacLeish, Sherwood Anderson and George M. Cohan. Norman Corwin and Irving Reis will direct.

Loew Metropolitan Managers Shifted

Promotions and transfers of managers in Loew’s Metropolitan Circuit have been made as follows: Sigmund Schwartz, assistant at the State, will manage the Peninsula; Joseph Beck, manager of the Ave. B, to the Canal, replacing Walter McLeod, who is about to become manager at the 46th Street Studebaker Market succeeds Beck at the Ave. B. Girod, assistant at the Oriental, moves to the 3rd Street, replacing Nathan Slater, who has been transferred to the State.

Harold Zeltner, assistant at the 46th Street, has been shifted to the Oriental.

Sues on Radio Title

Albert E. Kane has filed suit in U. S. District Court against Plough, Inc., for an injunction and $25,000 damages, claiming that the station with unfair competition in the use of the title, “Famous First Facts,” in radio broadcasts sponsored by St. Joseph’s Aspixin.

Mrs. Robbins Dies

Worcester, Mass., Jan. 30.—Mrs. Florence A. Robbins, 62, died here yesterday. She was the daughter of Clarence Robbins, manager of the Buzzards Bay Theatre on Cape Cod, and formerly managed the Plymouth and Regent Theatres here.

Heavy Beret at Opening

Joseph Henlebury, who portrayed Abraham Lincoln in “The Birth of a Nation,” will be guest of honor when the original film, with accompanying sound, opens at the Ambassador Monday as a benefit for Bundles for Britains.

Off the Antenna

CBS’s series of “Forecast” programs started to pay dividends yesterday when it was disclosed that “Forecast,” one of the series in the series, will be sponsored by Magazine Repeating Razor Co. on 55 stations, Saturdays at 8:30 P.M., beginning March 1. Ed Gardner, who directs and guides the leading roles, and L. Kirby’s host will be featured. Albert Ripkin, the violinist, proved his ability to handle series as his instrument, in the “Battle of Music” and is now heard on the Coca Cola show. “Back Where I Came From,” another in the “Forecast” series is heard sustaining three times weekly.

Niles Trammell, NBC president, yesterday accepted the chairmanship of the Civilian Mobilization drive for the Salvation Army, which seeks to raise $375,000.

Around the Country: Frank E. Pellegrini, sales and promotion manager for WJZ, State Street System, has been named “outstanding young man for 1940” by the Quaboag Junior Chamber of Commerce, in Ludlow, Worcester, Mass., received 36,072 mail pieces during 1940. According to Edward E. Hill, station director... E. W. Mclintord, general manager of WAND, Chicago, has been ordered by his physician left last night for Washington. No successor has been named. D. O. Coe, salesman for the past five years, has been promoted to the newly created post of resident manager.

Because of the many recent changes, NBC-Blue has issued a new rate card, effective tomorrow. The new card lists 97 regular Blue outlets and 55 supplements. Included for the first time are 29 stations added since Sept. 1, 10 in the new Southeastern group, and five in the new Oklahoma group. Service discounts for the Pacific Coast group will be issued by the Hollywood office.

Purely Personal: Julius Colly will interview William Garby, Disney chief engineer, at 11:45 this evening over WMAA... William Garsen will be guest on “Campbell Playhouse” over CBS tonight at 9:30... Andrews Sisters will be heard on “Fitch Bandwagon” over CBS-Red, Saturday night next. They will be heard by 3,500 American Radio Relay League for having received confirmations from 132 countries with his amateur station, 112GT.

Program News: Astor-Fisher has added eight stations to the NBC-Blue hookup for “Your Happy Birthday” bringing the total to 82... Junior Americans of the U. S. will sponsor a 15-minute children’s quiz show over NBC stations at 11:10 a.m. today... General Sugar Co. tonight will add two stations to the Mutual hookup for Raymond Gram Swing, bringing the total to 75... The Filmarte Theatre has signed a contract with WHN for spot announcements for “Hatred.” The Dixie Hotel has also signed a contract for spot announcements with the same stations.

RKO Local Circuit Sets 9 P.M. Feature

John J. O’Connor, vice-president and general manager of RKO Thomas, outlined the plan for presenting the main feature at 9 or 9:30 P. M. It is designed to fit the congregation of single feature patrons attending double feature houses.

Following experimentation in a number of houses, and recent extension to a number of others, the circuit will be instituted next Tuesday at Proctor’s New Rochelle, and on Feb. 12 at Keith’s, Flushing, the Coliseum, Pelham and Castle Hill. Double bills will be continued all day as usual, with midnight shows on Saturday... RKO’s recently instituted the same type of plan.

Testimonial for Felt

Philadelphia, Jan. 30.—A farewell party was held today by the Showmen’s Club for Cecil Felt, operator of the Bluebird, as the first exhibitor in the area to be conscripted for military service. The Variety Club tendered him a farewell affair on Tuesday night.

Start Soundies Monday


Composer Rooney

Two excerpts from Mickey Rooney’s symphonic composition, “Melodante,” will be heard for the first time tomorrow on WJZ, P. M., over CBS during the “Ford Sunday Evening Hour.” Wil- liam Bratt will conduct the orchestra.

FCC Approves FM Syracuse Station

WASHINGTON, Jan. 30.—The Federal Communications Commission has granted a construction permit to the Central New York Broadcasting Corp., New York, for a new FM station to operate on 46,300 kilocycles to cover 6,800 square miles with a population of 600,100, and announced that the station will operate for 15 hours a day, and have a maximum power rating, to permit stations a maximum power of four times that of the station, 15,000 watts, and 25,000 watts to a 25,000 watt linear amplifier, can be developed and placed on the market.

The FCC also announced that because proposed FM service in the Philadelphia and New York areas makes the assignment of channel desirable, modifications have been granted to permits issued to WCAU Broadcasting Co., Philadelphia, to operate on 46,500 instead of 46,700 kilocycles, and Columbia Broadcasting System, New York, on 46,700 instead of 46,900 kilocycles.

Applications received by the commission included the requests of Station WJCA, Ashtabula, Ohio, for an increase of day power from 1,500 to 5,000 watts and extension of time from day to midnight, with rules relating to脾 maximum power rating, to permit stations a maximum power of four times that of the station, 15,000 watts, and 25,000 watts to a 25,000 watt linear amplifier, can be developed and placed on the market.

The A. S. Abell Co., holding a construction permit for an FM station on 44,400 kilocycles to cover 15,000 square miles with a population of 8,300,983, with transmitter located at Clarksville, Md., has filed an application for change of ownership, to Baltimore, change of frequency from 44,400 kilocycles.

Quiz RCA Officials In Suit on Feb. 10

Nine officials of RCA Manufacturing Co. will be examined before trial in the U. S. District Court on Feb. 10, in the infringement suit of the Record Associates against Columbia Record Co. and Columbia Phonograph Company.

Officials include Frank B. Warner, vice-president; E. B. O’Connell, director of music; and Thomas Joyce, vice-president. RCA claims exclusive rights in the so-called “Red Label” records, and charges the defendants with infringement of that right.

William Dalbey Dies

OMAHA, Jan. 30—William R. Dal- bey, 70, former president of Local 70, of the A. F. of M. here, and a musician in most of Omaha’s downtown theatres for many years, died at his home after a brief illness.
ALGER AND PUTNAM ON APPEALS BOARD

Milwaukee Ascap Criminal Suit

Started Tomorrow

MILWAUKEE, Feb. 3.—Department of Justice officials here indicated tonight that criminal anti-trust proceedings against Ascap would be filed in Federal district court here on Wednesday.

Meanwhile, Federal Judge F. Ryan Duffy today signed the RKO decree which, however, does not become effective until a decree substantially like it had been obtained for Ascap. Decree proposals such as those advanced by Ascap thus far would not fulfill this condition and, if accepted by the Government.

(Continued on page 1)

O'Connor Heads Unit of Catholic Charities

John J. O'Connor, vice-president in charge of RKO Theatres operations, has been appointed chairman of the Motion Picture and Allied Industries Committee of the Archibishop's Committee of the laity for the 1941 Appeal for New York Catholic Charities.

The appointment was made at a special meeting late last week of leaders of trade and industry groups at the residence of Archbishop Francis J. Spellman.

O'Connor is the chairman of one of 45 groups which will solicit special contributions.

(Continued on page 1)

UA Says Goldwyn Demanded Control

United Artists Corp. yesterday charged Samuel Goldwyn with having made a demand upon the four other United Artists stockholders to vest in him 100 per cent control of the company for a three-year period.

The charge was made in an answer filed to a suit by Control of the company in district court to Goldwyn's suit for cancellation of his distribution contract with the defendant.

According to the answer, on Jan. 1941.

(Continued on page 1)

RKO Salary Cuts

Ended as of Feb. 1

Salary cuts invoked by RKO in September, 1939, as a means of meeting anticipated losses of foreign revenue resulting from the war, have been ended as of Feb. 1, George J. Schaefer, president of the board, will reveal at the regular board meeting today.

The cuts applied to all employees earning $4,500 or more per year and ranged from 10 per cent in the lower brackets to 50 per cent in the highest, on a graduated scale.

Schaefer's statement attributed the rescinding of the pay cuts to improved domestic business which in recent months, he said, has gone a long way toward offsetting the foreign revenue losses. He expressed appreciation for the loyalty of the company's personnel in aiding in overcoming the conditions brought about by the war.

The cuts applied to home office and studio employees, domestic and foreign branches, the theatre company and RKO Pathé News.
Coast Flashes

Hollywood, Feb. 3

Screen Cartoonists Local 825, of the printers' Brotherhood, filed charges of unfair labor practices against Walt Disney Productions today. The union charged fostering of a "company union," a charge denied by A. J. Camen, president. Louis, A.F.L. organizer, said all theaters showing Disney product would be placed on the unfilable list unless the matter is settled shortly.

The trial of William Bloch, former I.A.T.S.E. leader accused of evasion of income taxes was set today for June 24 before Federal Judge Paul J. McCormick.

The annual meeting of the Association of M. F. Producers was postponed indefinitely today due to the illness of Y. Frank Freeman, president.

Sam Wood was signed by Warners today to direct "King's Row."

Bette Davis' next film at Warners was set today as "The Widow of Devil's Island" by Nicol Smith.

Jack Cohn, Columbia vice-president, and Abe Schneider, treasurer, arrived over the weekend for studio conferences.

A smoldering jurisdictional dispute over about 150 men working in sound department threatened today to break out into open warfare between the I.A.T.S.E. and the International Brotherhood of Electricals. The L.A. executive board has announced the widening of Sound Technicians Local 695 charter to include the men who are now members of I.B.E.W. However, at Local 40, I.B.E.W., it was said that the two international presidents had conferred about the matter at the recent A.F.L. convention and had agreed to let matters stand.

Pastors Protest on Films Glorifying War

COLUMBUS, Feb. 3—The Ohio Pastors Association in convention here went on record as reproving the picture industry for the "notable increase in those pictures which glorify war and leave the implication that military methods can best overcome fascism and other pseudo, philosophies which bedevil the world."

The association also advocated more efficient use of radio by religious forces, a more intelligent criticism of current programs, and the inauguration of a weekly Sunday radio program for "High School, No Sunday School of the Air."

Mrs. Skouras Aids Funds

Mrs. Syros P. Skouras, wife of the national chairman of the Greek War Committee, has added $1,000 to the organization a check for $5,000, representing pledges made at a Christmas meeting at the Skouras home.

M-G-M Transfers Two

ST. LOUIS, Feb. 3—Clarence Morris, M-G-M field exploitation chief here, has changed places with Irving Water- steel, who held the same job in Kan- sas City.

Personal Mention

GEORGE J. SCHAFFER, RKO president, and NEIL E. DEPINE, his assistant, are scheduled to leave for the Coast at the end of the week.

HARRY L. GUNN, United Artists Eastern sales manager, is in Dallas for a business visit.

MARTY HIRSCH, operator of the Century, Philadelphia, an army re- serve officer, leaves this week for active service in Washington.

EDGAR MOSS, 20th-Century-Fox distri- treet manager in Philadelphia, observed his 16th wedding anniversary last week.

JOHN TUCKER, assistant booker of the Warner theatres in Philadelphia, is ill with the flu.

WILLIAM OBB, RUSSELL HOLMANN, SAM RINZLER, MAX DREYFUS, CHARLES CASANAY, DAVID LOEW, and GEORGES SOKRAS at Nick's Hunt- ing Room in the Astor for lunch yesterday.

COULIN BROWN, PAUL LAFARZA, JR., JAMES CROS, RAY GALLAGHER, PAT SCOLLARD, MILTON SILVER, HORTENSE SHORE, PAUL LAFARZA and DOUGLAS ROBBER, leaving yesterday at the Tavern.

LEONARD GOLDENBERG, AUSTIN KENNEDY, BARNEY BALABAN, LEON NETTER, ARTHUR MAVER, CLAYTON BOND, FRANK PHELPS, HARRY THOMAS, TONY GROFF, ARTHUR KREIS, ARTHUR LOEB, MORT SPRING, DAVE BLODIM, SIDNEY PHILLIPS, GUY BOLTON, JOHN GOLDEN and ALEXANDER LINDBERG at Sandy's yesterday for lunch.

16 New Pictures Approved by Legion

Sixteen of the 18 new films reviewed by the National Legion of Decency last week were classified as objectionable, eleven for the entire picture, and five for adults. The remaining two were classified as objectionable in part. The pictures and their classification are:


Rugar Reecteded by Intermountain Unit

SALT LAKE CITY, Feb. 3—Inter- mountain Theatre Association, with headquarters here, has reelected John R. Rugar, president. Other officers named were: George Smith, Magna, Utah; vice-president; Beverly C. Selden, Salt Lake City; secretary, treasurer, and general coun- sel; and the following directors: Ru- gar, Smith, J. J. Gillette, L. H. Har- tuck, D. Steele, Paul DeMourad, Walter Hull.

WILL H. HAYS, recovered from his recent attack of influenza, left for an all night flight to go about two weeks.

W. A. SCULL, Universal general sales manager, will return from an up-State business trip today.

GABRIEL PASCAL British producer, arrived from Europe yesterday. He plans to leave for the Coast in about 10 days.

MORRIS COHN, Columbia salesman in Albany, has joined an anti-tank movement in training at Ft. Mc- Clellan, Ala.

ALBERT LEVIN, United Artists pro- ducer, will lecture on the problems and technique of modern motion pictures at the Yale Drama School to- morrow.

LEE ALDERMAN, contract clerk at the Warner exchange in New Haven, has been transferred to the distributing office, that city, that day after. operation.

CHARLOTTE MCKENZIE, secretary to HARRY F. SHAW, Loew-Poli division manager in New Haven, is visiting her sister in Miami.

FRED WARNER, booth operator at the Paramount, New Haven, has left for a Florida vacation.

CLARENCE EISEMANN, DAVID GRIES- DORF, JOSPEH MOSKOWITZ and J. J. RUGAR afternoon having lunch at Lindy's (351 St.) yesterday.

ROB JACHTER, SAM TULKA and CLAUD HAGER at Lindy's (next to the Rivoli) yesterday for lunch.

LITTLE THREE SEEK CRESCENT DISMISSAL

NASHVILLE, Feb. 3—Motion for summary judgment and dismissal of the Government's amended anti-trust suit complaint against Crescent Pictures, Inc. of the local industry was filed in Fed- eral court here today by Schwartz & Schwartz, Columbia counsel. A hearing date for late this month is today to be agreed upon by counsel in the near future.

Defendants' answers to Government interrogatories in the case were to have been filed this weekend, but now will not become due until 10 days after the motion to dismiss has been decided.

RKO Meet on Sales Drive Here Today

A meeting will be held at the local RKO exchange today in connection with the Neil E. Depinet sales drive. Robert Wolf, exchange manager, will report and discuss the plan to drive manager; Harry Michelson, sub- ject sales manager; Robert Mochrie, Eastern sales representative; Leonard Deveyan, drive captain, and David Gittleson, drive publication editor, will also attend.

Smith and Gittleson have completed a tour of the exchanges in this country, and will go on to Toronto and Montreal. The drive started on Jan. 25.

Copyright Violation Indictments Drawn

Indictments charging violations of the copyright law and conspiracy in the renting of illegally "duplicated" films have been returned here by the office of U. S. Attorney John T. Cahill against Louis Colasseano and Antonio Cardillo, operating the Colson Motion Picture Exchange, and Joseph Joffe, head of Movielab Film Labs, Inc., all of New York.

The cases are the first criminal actions of their kind to be instituted here. They were prepared with the aid of Jack Levin, Edward Sargoy and Harold Gruve of the Copyright Protection Bureau. The indictments charge the defendants with having illegally obtained prints of "Ben Hur," "The Little Rebel," and "Connecticut Yankee," and "Dinky;" reducing them to 16 mm. prints and renting them to churches, schools and institutions.

Penalties for the violations charged range from one to two years' imprisonment and fines of $100 to $10,000.

Honor Sweigert, Smith

PHILADELPHIA, Feb. 3.—A testimonial dinner will be tendered Earle W. Sweigert, president of the local United Artists, by the local industry on Feb. 21 at the War- rick Hotel. Sweigert was made distri- butional Motion Picture Accountant in the Philadelphia, Washington and Pitts- burgh areas and Smith, formerly sales manager, succeeds him as branch man- ager of the Philadelphia exchange.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)
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UA, Columbia Aim at Early Sales Meet

(Continued from page 1) 

would mean that the BMI de- 
cree would not become opera-
tive. The Department was rep-resented as determined to go through with its 
prosecution, following failure of the music society to offer consent decree proposals on the 
request.

It was revealed here that the 
Friday conference between Depart-
ment officials and Ascap counsel ended far a-
head. The Department of Justice, it was said, 
instructed them to accept release of 
their offices. The Ascap attorneys, de-
clared they could not accept those 
demands, it was said.

Way Is Open, Ascap

Official Says Here

Ascap officials here asserted yester-
day that talks were being kept open 
for further negotiations with the Gov-
ernment but that no further meetings 
with Department officials or Justice 
officials have been scheduled yet.

It was stated that the anticipated 
Government action against the society 
in Milwaukee, which had been ex-
pected yesterday, will not prevent fur-
ther settlement negotiations. A de-
crease, it pointed out, may be sub-
ject to the filling of the action equally 
as well as prior to its filing.

Supreme Court Grants

Petition of Ascap

WASHINGTON, Feb. 3.—The U. S. 
Supreme Court today granted Ascap's 
petition for the filing of a complete 
record for the appeal of the State of 
Wisconsin. It was the decision of a three-
judge Federal statutory court hold-
ing Nebraska's anti-Ascap law uncon-
stitutional.

The case had sought to introduce 
itself as the main record of the hear-
ings on the case before the three-judge 
court for the Supreme Court at 
New York, which had Ascap, rep- 
resented by Louis D. Frohlich and Her-
man Finkelstein, New York counsel 
for the society.

Street Premiere

Is Florida Event

(Continued from page 1) 

brought from every part of the 
country, have expressed similar 
entiments.

Both from the point of uniquesness and 
the excellent manner in which 
the celebration is being carried 
out under the direction of high 
university officials, the event 
has been described as one of 
the best.

Today, the celebration nears 
its climax with a party at the Miami 
Hotel for the guest of honor, 
which is being given to the 
President of the University at the 
back of the party. 

Tomorrow night, the newspaper 
boys and girls will mingle with 
some of the dignitaries at 
the "Back Street" opening.

Maryland M.P.T.O.

Donates Ambulance

Baltimore, Feb. 3—With 
raising an appeal for funds to 
supply outlying areas of Eng-
land with ambulances, the M.P.T.O. of Maryland has 
voted to give an outright dona-
tion of the full amount necessary to build one. The 
amount needed is $54,000, 
the honor of bearing the name of Governor Herbert R. 
O'Conor, chief executive of Maryland.

UA Says Goldwyn

Demanded Control

(Continued from page 1)

2, 1939, at an adjourned annual meet-
ing of negotiators held in Goldwyn's 
office, Goldwyn insisted that the Pick-
ford Corp., Alexander Korda, the El-
ton Corp., and Charles Chaplin 
exceeded their powers as directors 
for three years, which would have given 
Goldwyn all voting power and 100 
percent of the stock. He select directors for 
him in complete management of the 
company. It is claimed that Goldwyn 
threatened he would vote against all 
changes in the board and would take 
any further steps to secure voting control. 
The answer states that after the 
refusal of the four other stockholders 
completing Goldwyn, "harassed and 
annoyed the management and failed and refused to perform existing agree-
ments."

United Artists also contends that 
Goldwyn released to the press "false, 
malicious and misleading statements 
concerning the resignation of those 
assorted with the defendant." It is 
charged that Goldwyn himself vo-
lated his agreement with United 
Arts and Columbia and Warner 
films to distribute his films. The 
plaintiff has forced the defendant 
"to expend vast sums of money in 
finding various legal actions," the 
answer asserts.

A second defense raised by the 
answer is that the suit is not 
entitled to the producer's sum of $54,- 
59, which he is suing for, because 
Goldwyn allegedly refused to accept 
resolutions of the board of directors 
which governed the payment of these 
sums. United Artists states that it is 
only willing to pay producer's sums if 
the conditions of payment are accepted 
by Goldwyn. The answer also generally 
denies the charges of the com-
plaint.

Crockett Reenacted

By Virginia MPTO

(Continued from page 1)

O'Brien, Charles Somma, Allen Spar-
or, Morton Thalheimer, Harold 
Wood, Sidney Bowden, Sidney 
Gates, Jeffrey Housman, Robert 
Levine, Albert Wilzer, Carter Bar-
ron, Julian Brylawski, Nat Glasser, 
A. E. Lichtman.

The fund-raising committee, 
headed by Alfred E. Smith as general 
chairman, and John A. Coleman as 
executive chairman, will begin solicita-
tion for its $15,000 goal at 
10:30 a.m. Saturday, March 18.

O'Connor Heads Unit

Of Catholic Charities

(Continued from page 1) 

Gifts from individuals in 
connection with the appeal for more than 200 in-
stitutions and agencies 
of Catholic charities. Each chairman 
will select his own committee.

The appeal, directed by 
Chairman O'Conor, 
headed by Alfred E. Smith as general 
chairman, and John A. Coleman as 
executive chairman, will begin solicita-
tion for its $15,000 goal at 
10:30 a.m. Saturday, March 18.

Pierce Joins M-G-M

Hollywood, Feb. 3.—William 
Pierce, Jr., has joined the M-G-M 
publicity department at the studio.
Hollywood Reviews

“Buck Privates” (Universal)
Hollywood, Feb. 3
First doughtboy comedy to reach the screen since the rigors of military training became again a factor in the experience of young Americans, this “call for duty” boosts the morale of the army camps kept its Hollywood preview audience in stitches from “revellie” to “retreat.”

Topping a large cast and running up a virtually unbroken record of bull-eyes in the laugh department are Bud Abbott and Lou Costello, radio comedians whose first film venture gave only faint promise of the gags they achieve in this one. Memory has to go back to Wallace Beery and Raymond Hatton in “Behind the Front,” comedy classic of that other war, for a parallel to their performance.

Other talent includes the Andrews Sisters, lately in the news columns by grace of the Harvard undergraduates’ whimsies, Lee Bowman and Alan Curtis as romantic leads, Jane Bryant, Pat Petronel, Samuel S. Hinds, Harry Strange, Nella Walker, Leonard Elliott, Sherman Howard and many more.

Six song numbers are performed in the course of the diversion, in various combinations by various people, all of them appropriate.

Walter Latham directed, with Alex Gottlieb as associate producer, Jack Ossertt supplying art direction.

Timely as a bugle call and sharp as a drill sergeant’s whistle, the picture is in the groove of today’s interests.

Running time, 82 minutes. “G.”

Roscio Williams

“Secret Evidence” (Producers Releasing Corporation)
Hollywood, Feb. 3
This is a tight little melodrama, revolving around the shooting of an ex-con, approached from an unusual angle and handled in such a way to extract full value from all its situations. It is of the variety of crime mysteries which does not keep the audience in doubt as to who did the shooting but keeps it fretting lest the truth is not going to be discovered by the investigators on the screen in time to save the suspects accused by circumstantial evidence.

Marjorie Reynolds is the girl in the case, secretary to and sweetheart of Charles Quigley, seen as the prosecutor assigned to convict her brother, Howard Masters, of shooting the ex-con, Ward McGauggar.

The latter doesn’t die but, in love with Miss Reynolds himself, declines to tell the truth and clear Masters. The courtroom scene in which the prosecutor tricks the ex-con into clearing up the mystery is the highpoint and end of the film.

Produced by E. B. Derr and directed by William Nigh, the film presents a story of today which holds interest steadily from start to finish. Running time, 63 minutes. “G.”

Roscio Williams

“Tanday Street” Will Open Tonight
“Tanday Street,” play by Louis D’Alton, opens at the Little Theatre tonight with Barry Fitzgerald, Margo and Arthur Shields heading the cast. Jack Kirkland produced the play.

“Miss Bishop” Los Angeles’ Best, $5,600
Los Angeles, Feb. 3.—“Cheers for Miss Bishop” took a comparatively strong $5,600 at the 4 Star in the second week of its run and “The Invisible Woman” drew $9,000 at the Hillstreet and the same figure at the Pantages.

Estimated takings for the week ending Jan. 29:

Producers Releasing Corporation—(M-G-M) $5,600. (Average, $1,800.)
“Tanday Street” (M-G-M) $9,000. (Average, $1,600.)
“The Invisible Woman” (Univ.) $9,000. (Average, $1,600.)

“Story” at $11,000 Big in Minneapolis
Minneapolis, Feb. 3.—“Philadel-phia Story” did a big $11,000 at the State and “Behind the News,” plus a Sally Rand stage show, drew $12,000 at the Faro.

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Just Around the Corner (M-G-M) $8,000. (Average, $1,600.)
“Tanday Street” (M-G-M) $9,000. (Average, $1,800.)
“Behind the News” (Rep.) $6,000. (Average, $1,200.)

“Ford” (Rep.) $8,000. (Average, $1,600.)

Increase KAO Capital
Albany, Feb. 3.—A $49,000 in- crease in capital stock has been filed for Keith-Albee-Orpheum Corp. by Louis C. Hale, attorney for the company, with Michael F. Walsh, Secretary of State.

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A practical working tool for every projectionist

F. H. RICHARDSON'S
BLUEBOOK OF PROJECTION

NEWLY REVISED
with
SOUND TROUBLE CHARTS
AND ALPHABETICAL INDEX

The newly revised Bluebook does a threefold job: (1) It gives a detailed description of the construction, wiring and functioning of every piece of sound and projection apparatus used in a modern projection room. (2) It gives careful instructions on the operation and maintenance of this equipment. (3) It is a quick and effective trouble-shooter with sound trouble-shooting charts that enable the projectionist to spot and repair sudden breakdowns both in the projection and sound apparatus. The new edition is handy to keep and handy to use, with an alphabetical index system for quick, easy reference.

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Here's my check for $7.25. Please send me a copy of Richardson's Bluebook of Projection. (Revised Sixth Edition.)

Name

Address

City

State
Motion Picture Daily

Tuesday, February 4, 1941

Premature
Philadelphia, Feb. 3

LAST week, the local trade held two testimonial dinners in honor of Cecil Felt, operator of the Bluebird, being the first man of the Variety and Showmen’s Clubs to be drafted, scheduled to leave for camp on Friday, each organization fed him with parties on Tuesday and Thursday evenings, respectively. But on Friday Felt “flunked” his final exams and did not go to a training camp after all. As a result, Felt promised to give the two clubs dinners identical to those given him.

Divorce Bill Is Filed in Nebraska

LINCOLN, Neb., Feb. 3—Nebraska’s legislature this week will consider a bill by E. M. Neubauer, former Or- leans, Neb., exhibitor, prohibiting ownership or control, in whole or in part, of motion picture theaters in Nebraska by producers and distributors.

The bill was on the docket of the 1939 session and was killed in committee hearings. Most seriously affected should the measure make the grade this time will be A. H. Blank’s Tri-State Circuit, which is an affiliate of Paramount and J. H. Cooper’s Lincoln Theatre Corp., which also is allied with Paramount. Fox Intermountain and Midwest circuits operate several houses in Nebraska.

Feature Reviews

“Hatred” (World Pictures)

LIKE so many French films of any consequence, “Hatred” produced in France late in 1939, is rigidly serious. It is a story of discord in the home of a rugged sea captain and his puritanical wife. He respects only the loyalty of his sea-faring cronies. She cannot descend to his level and maintain the dignity which she cherishes. In the final sequences he suffers a stroke and is taken to sea to die with his friends.

Harry Baur brings to the captain’s role deep feeling and understanding. His portrayal of the pathetic paralytic is excellent. Gabrielle Dorziat appears as his wife; Pierre Renoir, his superior in the steamship company, and Albert Prejean, his first mate. All are capable.

The film ranks with the better French imitations but its weighty drama would seem to limit its appeal to the “art” theatre patrons. The story can be followed easily through the English titles.

Running time, 70 minutes. “A.”

“Personal Column” (Pax Films)

THIS was produced in France by Jacques Mitwichky with Maurice Chevalier, Marie Dea, Pierre Renoir and Erich Von Stroheim playing the important parts and with a company of less popular but skillful players in the minor roles. English titles are used with proper effect.

Although the efforts to solve the disappearance of a number of young girls form the basic subject, the film is light for the most part with many saucy implications in dialogue and circumstances. A noon audience at the Little Carnegie appeared to enjoy it.

The story has Miss Dea, taxi dancer employed by the police answering various personal ads in newspapers. Using a method, the police believe, was used to lure the victims. Chevalier is a Parisian playboy she encounters in her search. Both are splendid.

Chevalier sings in his inimitable style on two occasions. Running time, 89 minutes. “A.”

*“A” denotes adult classification.

Long Runs Threaten Phila. Product Jam

PHILADELPHIA, Feb. 3.—A jam of product is feared by the independent neighborhood exhibitors because of the booking of “Fantasia.” In Warners’ Alibi, virtually taking a first run house out of circulation for an extended period. Opening Feb. 12, it is expected the Disney film will remain for at least six months with the possibility of continuing for the remainder of the year.

Negating the situation that might develop is the return of “Gone With The Wind” at the Stanley, now in its second week and a certainty to be the main downtown beyond the usual span of weeks. The same holds true, it is said, for “Philadelphia Story,” now in its third week at the Boyd. Still another factor is “Kitty Foyle,” which stayed for three weeks at the Boyd and is currently staying for a third week on a second run at the Keith’s.

Fight Wisconsin’s Daylight Time Bill

MILWAUKEE, Feb. 3.—The Milwaukee Cooperative Milk Producers’ Association voted condemnation of the proposed daylight saving bill now in the legislature, following addresses by L. F. Gran, general manager of Standard Theatres, and Charles W. Trimpe, local exhibitor and head of Monogram-Midwest Film exchange.

The bill is slated to have a public hearing Thursday before the State and Local Government Committee of the Senate at Madison. The measure would remove from the present state laws all restrictions against the adoption of daylight saving time.

40 Pictures Now in Work; Eight Started

HOLLYWOOD, Feb. 3.—Forty pictures were before the cameras this week as eight started and five finished. Many are being prepared, and are before the negative cuts.

The tally by studios.

Columbia
In Work: “No Love, No Life”
“In a Girl’s Best Friend Is Wall Street.”

Globe
In Work: “Pot O’ Gold.”
In Work: “New Wine.”

MG M
Finished: “Roosy.”
In Work: “Billy the Kid,” “A Woman’s Face.”

Monogram
Started: “Blossoms in the Dust,” “Love Crazy.”

Paramount
In Work: “One Night in Lisbon,” “Caught in the Draft,” “Men of Action,” “Kiss the Boys Goodbye,” “Power Dive.”

Premiers Releasing
Started: “Sign of the Wolf.”

RKO
In Work: “The Devil and Miss Jones,” “Sunny.”

Republic

Roach
In Work: “Broadway Limited.”

Universal
Finished: Mr. Dynamite.”

Warners
Finished: “No Hard Feelings,” “Strange Alibi.”
In Work: “Shining Victory” (formerly “Winged Victory”), “Miss Wheelwright Discovers America.”

Tax Cut for 3 Phila. Warner Theatres

PHILADELPHIA, Feb. 3.—Assessment reductions for 1941 in taxable real estate in the central city area, made public by the Board of Revision of Taxes, finds three Warner houses benefiting in the cut. The Aldine was reduced from $593,500 to $549,000; the Boyd from $656,000 to $573,000, and the Karlton from $1,503,000 to $980,000. In addition, the Academy of Music, concert hall, was cut from $1,723,300 to $1,025,400.

AMPA Silver Jubilee—Relief Fund Benefit

AMPA silver jubilee—relief fund benefit

A.M.P.A.

AMPA Silver Jubilee — Relief Fund Benefit

cordially invites all members of the industry to attend another of its famous luncheon meetings.

THURSDAY, FEBRUARY 6

SUN ROOM—HOTEL EDISON

Our guest of honor and speaker on this occasion will be

JOSEPH BERNHARD

President, Warner Bros. Circuit Management Corporation

ROASTMASTER—Morton Blumenstock

PAULINE ALPERT—Whirlwind Plant of WOR

$1.25, including tip, and well worth it! Please be prompt ... we start serving at 12:45 p.m. sharp.

Dont forget to save Friday, April 4

AMPA Silver Jubilee—Relief Fund Benefit

AMPA, Inc.
Theatre Changes

Brandt Closes Bayside
The Bayside, Bayside, L. I., operated by the Brandt circuit, has been closed.

Interboro Builds in Flushing
The Interboro Circuit has constructed a new 599-seat theatre in Flushing, L. I.

Open Elmhurst House
The Queensboro, Elmhurst, L. I., which has been closed for several years, is now being operated Saturdays and Sundays by Queensboro Theatre Boulevard, Inc.

Sloan Takes Jersey House
The Franklin, Franklin, N. J., is now a unit of the St. Cloud circuit, of which Alvin Sloan is president.

Manages Oswego House
Hermon Addison of Schine’s State, Cortland, N. Y., has been appointed manager of the circuit’s new Oswego, Oswego.

Take Richmond Hill Unit
Prudential Playhouses, Inc., has acquired the Jerome, Richmond Hill.

Pelham House to Arvid
The Pelham Picture House, Pelham, N. Y., has been taken over by the Arvid Theatre Corp., of which Arthur Rescher is head. The theatre was formerly operated by Lew Brecher.

Takes Manhattan Theatre
F. G. G. Theatres, Inc., is the new operator of the Irving Place Theatre, Manhattan.

Operate Great Neck Theatre
Herbert Scheftel and Alfred G. Burger, heading the Esquire Great Neck Corp., are now operating the Esquire, Great Neck.

Buys Nebraska House
OMAHA, Feb. 3.—Charles Corrill has purchased the Kovy Theatre at Bassett, Neb., from Mrs. Zula Carlson, who operated the house for many years.

Take Gasconade Circuit
ROLLA, Mo., Feb. 3.—R. E. Carney has purchased the controlling interest in the Gasconade Theatre Corp., which operates the Rollamo here, and the Lebanon at Lebanon, Mo. Carney and his partners plan to construct another house in Rolla and a second theatre in Lebanon.

Close Kansas Theatre
KANSAS CITY, Feb. 3.—The Cladlin Theatre at Cladlin, Kan., which has been operated for several months by the business men of the town, has been closed.

Operates Camden Theatre
CAMDEN, N. J., Feb. 3.—Si Myers has taken over the operation of the Elm, formerly held by the Loew Circuit.

Buys Share in Coast House
PLEASANTON, Cal., Feb. 3.—James G. Hamm has purchased a half-interest in the Roxy Theatre here.

Sells California House
FRESNO, Cal., Feb. 3.—Anthony Bou has sold the Rex to G. A. Aosta.

Leaves Indiana Theatre
FRANKLIN, Ind., Feb. 3.—Howard F. Murphy, manager of the Artcraft Theatre here since 1936, has resigned to work with the U. S. Machine Corp. at Lebanon, Ind. Fahnley Bridges will succeed him here.

Lytle Replaces Riley
LIMA, Ohio, Feb. 3.—Robert Lytle has been promoted from assistant manager to manager of the Warner State, succeeding Donald Riley, who was killed in a recent automobile accident.

Leases New Jersey House

Closes Kansas Theatre
KANSAS CITY, Feb. 3.—Joe Allard has closed the Tivoli at Louisburg, Kan.

Tucker to Commonwealth
KANSAS CITY, Feb. 3.—Ray Tucker, assistant manager of the Fox at Liberal, Kan., has joined Commonwealth Theatres as manager of the Ritz, at Garden City, Kan. He succeeds Ernest Nelson, who has answered the draft.

Reopen Rochester Embassy
ROCHESTER, N. Y., Feb. 3.—E. M. Loew, Inc., has reopened the Embassy here, under the management of Harry Rodman.

Named Assistant in Baltimore
Baltimore, Feb. 3.—Bertram Yazel is the new assistant manager of Loew’s Parkway here. He was transferred from the Capitol in Washington and replaces Dave Marx, resigned.

Manages Indiana House
GREENFIELD, Ind., Feb. 3.—Albert England has been named manager of the State here, succeeding Max Page.

Reopens at Elnora, Ind.
ELINOR, Ind., Feb. 3.—William Floerke has reopened the Elnora here.

Open Toledo House Soon
TOLEDO, O., Feb. 3.—The new Esquire Theatre will open here soon. Walter Caldwell, formerly at Loew’s, is president and treasurer of Esquire Theatre, Inc. The house seats 1,000.

Altec Renews Randforce
Randforce Amusement Corp., has renewed with Altec Service for the Randforce houses on Long Island, N. Y. Bert Sanford negotiated for Altec.

Handles Formby Film
Select Attractions, Inc., has acquired from the B.S.B. Film Corp., for release in this country, the George Formby English picture, “It’s in the Air.” Basil Dean production. The release date is Feb. 28.

Acquires French Film
Leo Films, Inc., has acquired the remake rights on “Musicians from Heaven” (“Les Musiciens du Clef”), the French version of which, starring Michele Morgan and Michel Simon, will be released in this country shortly.

GUARD AGAINST LOSSES
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■ Just published for the first time, Theatre Management Record and Annual Tax Register, meets the urgent need of exhibitors for a simplified theatre bookkeeping system. Devised to cover all operating data, the Record enables you to keep a complete and up-to-the-minute account of every phase of your business without any bookkeeping experience. Exhibitors, this accounting system has been compiled expressly for your convenience. It is designed particularly for your needs and is a self-operating safeguard against losses and tax troubles. Once tried, you will be amazed at its utter simplicity. Order today and take advantage of the special introductory price.
Same Air Audiences, Latest Ratings Show

General popularity of radio programs neither increased nor decreased during the first month of non-ABC music broadcasting as compared with December, the National Association of Broadcasters declared yesterday after an analysis of the latest Crossley ratings.

It was said that 82 programs made gains, 86 had losses and four remained the same. Musical programs fell off four-tenths of one point, collectively, it was reported.

Stock Claim Is Filed By Elliott Roosevelt

WILMINGTON, Del., Feb. 3.—Elliott Roosevelt has filed a claim in Chancery Court here with the receivers of Transcontinental Broadcasting System, Inc., dissolved Delaware corporation, for the registration of a holder of 4,000 shares of Class A stock.

Chancellor W. W. Harrington appointed Daniel F. Wolcott and Harry H. Sears receivers for the system on Nov. 12, 1940, and on Dec. 16 ordered all creditors and holders of Class A stock to file their claims. The deadline for such claims is Feb. 20.

Joseph Honored at Farewell Luncheon

NEW HAVEN, Feb. 3.—Friends of Morris Joseph, manager for Universal here for almost 20 years, gathered for a farewell luncheon at Capetiz's Restaurant just before Joseph's departure today for a permanent residence in Florida.

Harry F. Shaw, toastmaster, presented the group gift of a portable typewriter to Joseph. The veteran manager first joined the Universal staff at old Springfield exchange in 1912, and has served the company ever since.

Technicians' Union To Settle Smith Claim

HOLLYWOOD, Feb. 3.—Members of Sound Technicians Local 695, I. A. T. S., will settle the claim of Harold V. Smith, business representative, for $33,000 in back pay, with $14,000, it was disclosed today when the results of a referendum were made public.

Smith will continue under his current contract, which has three years to run, at this present salary of approximately $1,000 a month.

Keegan Film Buyer For United Detroit

DETROIT, Feb. 3.—Jack Keegan, for many years with Warners, and most recent Detroit station manager, district manager in Milwaukee, from which post he resigned several months ago, will become head of film buying for United Detroit Theatres on Feb. 14.

The appointment was made by Earl J. Hudson, head of the circuit.

Marcus Joins CBS

William Marcus has been added to the CBS staff to handle television publicity.

Reynolds Resigns As FCC Secretary

WASHINGTON, Feb. 3.—John B. Reynolds has resigned as assistant secretary of the FCC to become general manager of WKWK, new station to be built in Houston, Texas, W. Va., of which he is part owner. Reynolds joined the Federal Radio Commission in 1930. He was later appointed assistant secretary and continued in that post with the FCC when it was subsequently created.

Crosley Is Sued Over Air Patents

CINCINNATI, Feb. 3.—The Hazel-ene Corp., Jersey City, N. J., has filed suit for patent infringement against J. C. Kreighbaum, 216 West 53rd Street, here against the Crosley Corp, charging infringement of as many patents, and seeking an injunction, accounting and damages in such suit. Alleged infringements cover sound reproducing instruments, peak detectors, automatic control systems, electronic delay systems, low-frequency amplifiers, uni-control signaling systems and amplifier transformers, all of which are combined in radio receivers.

Cincinnati Club's Trustees Elected

CINCINNATI, Feb. 3.—Milton Gus- tian, Al Kolitz, Irving Sochin, Nate Levine, William Devaney and Ley Bugie were elected trustees of the Cincinnati Chamber of Commerce Club at the annual meeting, held in the Variety Club quarters.

The trustees re-elected Rudolph Knoepfe, Republic salesman, president, and Peter Niland, Columbia salesman, secretary and treasurer. New officers elected were: Mark Cummings, Paramount salesman, first vice-president, and Joseph McKnight, RKO salesman, second vice-president. Installation of officers will be held at a dinner, Feb. 21.

British Union Meet On War Problems

LONDON, Feb. 3.—The first meeting of the joint committee representing the Cinematograph Exhibitors Association and the Kinematograph Renters Society, seeking solution of certain vexing aspects of theatre problems which have developed because of the war, will be held on Wednesday.

The representatives of both trade unions on the committee will be equal. Although the meeting is without a formal agenda, it is authoritative in such a way that it can be a cooperative session ready for presentation. The C.E.A., unofficially aware of the plan, is determined not to commit the organization to acceptance of any plan contrary to the resolution recently taken at the general council meeting, it is understood.

The London C.E.A. Branch, which initiated the protest against the K.R.S. on the war situation, is represented on the committee. It will seek formula differentiating between theatres closed by bombing and those closed because of economic reasons.

They also will ask that advance bookings be declared null and void in the case of forced closing of a theatre. Despite the coming meetings, some London houses are opening.

The C.E.A. and K.R.S., also on Wednesday will consider the appointment of a full-time trade expert on the new Army Council Films Committee. Frederick Clive, South Coast theatre manager, is expected to be approved by both trade groups.

Plans New Operator Ordinance in Seattle

SEATTLE, Feb. 3.—Differences of opinion between local theatre owners and the operators' union regarding licensing of operators were aired before the Public Safety Committee of the City Council, and a new ordinance will be drafted with the aid of a representative of each of the interested groups.

Exhibitors object to the present system whereby the city fire department has sole charge of issuing operators' licenses, and also object to the present requirement that applicants for licenses or renewals must have had at least six months' experience. They request a change in the ordinance that will provide for a written examination and a physical examination by a health department doctor as prerequisites for the issuance of a license or renewal.

Censor Board Fee Reduced in Kansas

TOPEKA, Feb. 3.—The Kansas board of censorship, because of a financial crisis, has reduced its motion picture censorship board fee from 50 cents per 1,000 feet on all feature and comedy subjects, effective Feb. 1.

The rate on educational, scenic and cartoon subjects will remain at 25 cents.

Stevenson to 'Eye'ré'

Hollywood, Feb. 3.—Robert Stevenson has been named by David O. Selznick to direct "Jane Eyre." His next production, the distribution of which has not yet been set.

Off the Antenna

G. E. GENERAL ELECTRIC has received a construction permit for a 50,000-watt transmitter for KGEI, San Francisco, short wave station which broadcasts programs to Latin America, Asia, the Antipodes and South Africa. The station will remain non-commercial. It has been broadcasting from Treasure Island but will move to the former Hotel about May 1.

Purely Personal:—Leighton H. Blood, formerly publicity representative for Town Hall, has been named trade news editor for NBC ... Robert S. Gaylord was recently C-B to a radio jockey. While there, Geety will work on a swing music research project . . . Charles Pekor of the NBC publicity department, returned yesterday after a long illness and Aileen Soares, religious editor, is expected back today.

David Sarnoff, RCA president, will speak on "New Magic in Communications" over NBC-Blue Satyr during the Metropolitan Opera House broadcasts.

Three Virginia stations, WSLS, Roanoke; WLVA, Lynchburg, and WBTM, Danville, all Mutual affiliates, have formed the Tri-City Stations understanding national sales agency. Philip P. Allen is general manager for the group, with Carl B. Ogilvie, of WLVA, heading the sales organization. The association will handle all national accounts as principal rather than as agent and booking and billing will be handled through its offices.

Program News:—Latest survey figures show "Vox Pop" moving into second position among shows with "Information, Please" slipping to third place. "Truth or Consequences," which replaced "Information, Please," as the leader a little while back is still up front . . . Philip Morris Cigarettes has renewed "Johnny Prentice" for the fourth time over CBS adding 12 additional stations to a total of 48 for the "Public Auction" over eight Pacific CBS stations beginning Feb. 20 . . . Soil Off Manufacturing Co. will sponsor "Bob Garrel, News" over seven Pacific stations beginning Thursday . . . The final album of "Chamber Music Society of Lower Basin Street" records was signed by Victor Feb. 17.

Glen Miller was again voted the best orchestra by listeners of Martin Block's "Take Beloved Ballroom" over a total of 210,000 votes were cast in the 10th semi-annual survey. Tommy Dorsey was second again followed by Jimmy Dorsey, Artie Shaw, Bradley-McKinley, Benny Goodman, Sammy Kaye, Charlie Barnet, Vaughn Monroe and Gene Krupa.

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De Sylva Gets LeBaron Post At Paramount Will Become Executive Producer on May 1

HOLLYWOOD, Feb. 4.—Y. Frank Freeman today announced the appointment of Buddy G. De Sylva as executive producer at Paramount, succeeding William LeBaron who will draw from that post yesterday to produce independently for Paramount release.

De Sylva has been associated producer at the studio for several months. His first picture, "Caught in the Draft," is now nearing completion. The appointment becomes effective May 1, when LeBaron will begin production.

Also a producer of legitimate shows, De Sylva now has two successful productions on Broadway, "Panama Hat" and "Louisiana Purchase." Another, "DuBarry Was a Lady," closed recently.

Prior to producing, he wrote songs for Ziegfeld's Follies and George White's Scandals and formed a music publishing company, De Sylva, Broidy & Henderson. He also wrote musical productions, including "Hold Everything!"

His first film productions were "Sunny Side Up" and "Just Imagine," for Fox. He collaborated on or produced numerous other films for 20th Century-Fox, Paramount, Universal and RKO in recent years.

'Star Street' Given Glittering Premiere

By SAM SHAIN

MIAMI BEACH, Fla., Feb. 4.—This town tonight climaxed an extraordinary four-day celebration heralding Universal's "Back Street" with a glittering premiere of the picture at the Lincoln and Cameo Theatres, at which 100 members of the press, recruited from around the country, via plane and train, were the guest stars.

The city turned out in all its splendor. Even the weather changed, and cool breezes fanned the toppers in the press, society, show people, civic and governmental celebrities attended the opening, which was a tremendous success.

Thousands stood outside watching the guests arrive. Tickets were sold out for both theatres far in advance.

Ascap Not Topic at AFM Miami Session

MIAMI, Feb. 4.—There have been no discussions as yet of the Ascap-BMI controversy at the annual midway meeting here of the executive committee of the American Federation of Musicians.

The session, which began last week, has been concerned mostly with routine matters and problems concerned with social security for musicians, according to James C. Petriello, president. Indications are that the meeting will continue through Friday.

Shaw Sees Screen Greatest Medium, Pascal Declares

George Bernard Shaw has undergone a complete change of heart on motion pictures and now believes that the medium is the greatest means of artistic expression in existence, Gabriel Pascal, producer of Shaw plays for motion pictures, said in an interview here yesterday.

G. B. S. Pascal, said, was converted to his new view of films following the production of "Pygmalion," which the British playwright credits with having endowed him to the common people for the first time in his lengthy career.

Pascal said that Shaw now is writing an original story for motion pictures and devoted considerable time to the rewriting of "Major Barbara" while that work was in production in the United States.

U.S. Firms Finish Only Nine British Films in 10 Months

LONDON, Feb. 4.—The fact that only nine features have been registered under the distributors' quota through January, in the first 10 months of the quota year, indicates that the American companies are experiencing considerable production difficulty.

In some cases, it is unlikely that the required number of films will be registered by the end of the quota year on March 31. The problems are war conditions, including the inaccessibility of stars, directors and the like, also have prevented the carrying through of original plans for many world-market films here.

Several of the nine films were double and one was triple quota value. The Government's levy last year in announcing its plans on industry legislation and dollar exchange resulted in production layoffs.

The films registered through Jan. 31 are: M-G-M, three; Columbia, two; United Artists, two; Universal, two; Warners, one; Republic, one; and RKO, one.

Rosters Named to Head Netco Circuit

Harry Royster, assistant to Leonard H. Goldenson and Sam DeCenzo in the Paramount home office theatre department, yesterday was appointed to take charge of the company's Netco Theatres in upstate New York, effective March 1.

The post has been vacant since the resignation of former head of the division, William Adams, who has recently returned to his old post of executive officer of Royster's own circuit at the Majestic Theatre, New York. Royster will succeed Royster at the home office. Royster formerly was associated with the Century Circuit here.

Ascap to Meet Arnold in New Decree Move

U. S. PREPARED TO FILE ACTION TODAY

Acap will renew negotiations with the Government for a settlement of its decree within the next few days by sending a committee of 12 to Washington to meet with Assistant U. S. Attorney General Thurman Arnold as soon as a definite date for a meeting can be arranged.

Pending the outcome of the meeting, the Government will not file its projected criminal action against Ascap in Federal court at Milwaukee.

The Acap board of directors yesterday named the following as a committee to meet with Arnold in Washington at the earliest possible moment: Irving Berlin, Deems Taylor, Otto Harbach, Irisca Caesar, Oscar Hammerstein, Billy Rose, Oley Speaks, Saul Bornstein, Walter Fischer, Gene Buck, John G. Paine and E. C. Mills.

Arnold was away from Washington yesterday so no arrangement for a meeting could be made, but it is expected that one will be arranged between now and Monday.

The main purpose of the meeting is to give the Department of Justice officials the views of Ascap's professional and business members on the practical effects of the Government's decree demands on their operations. Ascap quarters believe that the Department does not realize the drastic effect its proposals would have on Composers and publishers and hopes, by the proposed discussion, to have

Warner's to Raise Philadelphia Scale

PHILADELPHIA, Feb. 4.—In order to realize the greatest amount of revenue when the houses carry peak loads, Warner theatres here will raise admission prices in certain situations for Saturday and Sunday, especially for the matinees.

Making up to the sometimes in the price differential in a particular neighborhood rather than as a general policy for the circuit, the weekend admission prices will be raised at all showing houses and in some situations balcony prices will be discontinued. Only a dozen houses will be affected at the start. The increases now are considered experimental.
Personal Mention

E. DWARD A. GOLDEN is here from the Coast for two weeks of business conferences.

C. A. Kirby of the Universal foreign department left last night for St. Augustine, Fla., for a vacation of several weeks.

J. J. McEwen, former Orthoephie circuit executive, returned yesterday from a six-week visit on the Coast.

Austin Keough, Paramount general counsel, who was prevented from attending the company's Latin American sales meeting in Panama this week, plans to leave Saturday for a vacation of several weeks in the South.


Stanley Hand, staff representative of Altec Service, has returned from a vacation at Miami Beach.

Leonard Goldenson, theatre operations executive for Paramount, will leave at the end of the week for a brief stay in Miami.

Joe Iusherowitz, public relations man for Local 306, has returned to work after recovering from an operation.

Jack Levine of the Pathe News contact department, has been ordered out of duty with the Second Armored Division at Fort Benning, Ga.

Fred McConnell, Mack Littman, Maurice Bergman and Walter Futter having lunch yesterday at the Tavern.

Edward Fitzgerald, assistant booker at the Paramount New Haven exchange, has resigned for Army duty at Randolph Field, Florida. Louis Posner has replaced him.

David E. Milgrom, affiliated theatre circuit head, Lowell Pizor, United M.P.T.O. president, and George E. Schwartz, Universal branch manager, are among the Phila- delphia industry leaders headed for Florida.

Ben Zimmerman, manager of William Goldman's 56th St. Theatre, Philadelphia, is recovering from an appendix operation at the Temple University Hospital.

Lawrence Mulhall, district manager of Warner theatres outside of Philadelphia, has been ordered back to Fort Bragg, N.C. He is a captain in the reserve corps.

Harry Brown, Monogram manager in Washington, has left for a short vacation in Florida, following his recent recovery from the flu.

Sidney Lust, operator of a circuit in and about Washington, will leave this weekend for a Florida vacation.

William Brown, manager of the Park Theatre, is the father of a daughter, born to Mrs. Brown several days ago.

Morris Rosenenthal, manager of the Majestic, Bridgeport, Conn., is ill with a throat infection.

Charles C. Moskowitz, Eugene Picker, Marvin Schenck, Irving Shapiro and Archie Mayer at Lawyer's (next to the Rivoli) for lunch yesterday.

Phil Engel, Eastern district exploiter for Warners, is in Rochester.


Newsreel Parade

SPORTS cause in for more than the usual share of motion in the midweek issues of all the newscasts, as the camera was focused on a variety of miscellaneous events concerned with defense and other domestic matters. The contents of the reels:


RKO Fails to Take Action on Preferred RKO yesterday announced that the board of directors of the company's preferred stock, action on a dividend for the final 1940 quarter on the company's six per cent preferred stock. As of Jan. 1, dividends accumulated and unpaid on the stock amounted to $6 per share.

California

AMERICAN'S SOUTHERN SUNSHINE ROUTE

Five American Flagships daily take you along the Southern route across Virginia, Tennessee, and through the sunshine of Texas and Arizona to Los Angeles and the Pacific Coast. Save days of time, enjoy every minute of your trip. For reservations, call your Travel Agent or HAVEmyer 6-5000. Ticket Offices: 18 W. 49th St. at Rockefeller Center and Airlines Terminal, 42nd Street at Park Avenue.
In a middling-sized city the other day at two movie theatres showing “Gone With the Wind” at popular prices, they had ropes up keeping the crowds in line. We are told that the same situation exists wherever they are putting on the picture for its second run and this, we think, should be a fine object lesson to the movie makers who occasionally become pessimistic over the future of the cinema.

If they give us cash customers genuine entertainment, we will do the rest, now and through the years to come. That is all “Gone With the Wind” is—entertainment. It is just an enthralling story told in the best manner of the screen. It has already hung up a new record for money grossed and this in a time when the world market is not what it used to be and before it is finally laid away on the shelf it will probably play to more cash customers and consequently more money than any half dozen pictures in the history of the industry combined.

“Gone With the Wind” is now an oldie as the age of pictures go. It has played all the big first run cities at advanced prices, and to jammed houses. You would have thought it must have absorbed all the trade possible to one picture, because even the cash customers who are usually content to wait until an offering gets down to the lower levels at the box office stretched a financial point to see it. But here it is doing a land office business all over again, and we suspect that some of this business is repeat stuff.

THAT IS, many cash customers who saw “GWTW” before are seeing it again, which is a further tribute to its entertainment value, especially when it is playing against numerous new pictures. We personally welcome the return of the picture because we know it will pass as a antidote to a severe attack of screen poisoning that we sustained recently. One of those sad message pictures that come out of Hollywood in cycles leaped out on us in a theatre not long ago and bit us. The result was a spell of deep depression and complacency toward all suggestions of theatre going.

A victim of screen poisoning, which is a malady peculiar only to cash customers, can scarcely abide the thought of seeing another picture for awhile. It produces dark thoughts of vengeance against the makers of the picture. Sometimes a victim has been known to sit brooding for hours at a stretch wondering where he might find the producer and the director and the authors and even the performers and give them what-for.

THE CONDITION is usually only temporary, as in our case, and can be promptly cured by something like “GWTW.” We have already seen it three times, which is quite a job of seeing if you recall the length of the picture. That is not a record with us, however. We think we have seen “Birth of a Nation,” counting revivals and all at least half a dozen times and we gave the Disney short, “Three Little Pigs,” our business on no less than ten different occasions.

It might be argued that “GWTW” is a sort of freak in the picture business the like of which will never be seen again and that it cannot be used as a yardstick on pictures generally. We do not think this is true. We think that any picture with the same entertainment value would do the same business. We think this picture is definite proof that the movie makers have just scratched the box office possibilities of their game. When they stick to entertainment and entertainment only they are sure to be rewarded. The old gag still holds true—“There is nothing wrong with the pictures that a few good pictures will not cure.”

BUT THERE REMAINS among the picture makers and especially, we think, the directors, that same curious misapprehension as to what constitutes entertainment value that has prevailed since the inception of the industry. We find it in the gloomy message pictures that produce the screen poisoning among the cash customers and in the arts efforts which win the encomiums of the critics but which are not entertainment within the purview of the cash customers.

“GWTW” should be run at least once a week in Hollywood for years to come and all directors required to be present at every showing, with some representative of us cash customers announcing to them at intervals: “See, boys, that is what we mean.”
**RKO to Start Work on 8 New Pictures This Month**


RKO has two pictures shooting and preparations for launching eight features within the month. The budget affairs, are: "Before the Fact," directed by Alfred Grant and Joan Fontaine and set in small-town Texas; "Back in the Saddle Again," starring Smiley Burnette and Mary Lee, which will feature Audry, Lew Ayres, and Preston Foster playing a Grey act as associate producer... "Forced Landing" will be the second of the three aviation stories to be made by William Pine-William Thomas' Producers Corp. of America for Paramount in the next month. Edwards and Midway, Maxwell Shanks, who wrote the original, will do the screenplay.

Sol Lesser is seeking a new title for "Westbound," now in the hands of Jeanne Barrie. "Kitty Smith," and "Mara's Honeymoon" will be directed by producer William Wyler. "Martha Scott," ... "Ellery Queen's "Penthouse Mystery" will be the title for Columbia's second Ellery Queen mystery production. "Undersea City," has been released by the Warrens has the title of "She Stood Kissed to "Kisses for Breakfast," and of "Winged Victory" will be released from the studio. "Mothers" and Arthur Kennedy go into the cast of "Mother's Boys," and John Quaalen into "The Gentle People," both at Warners.

Republic has purchased "Jason, the Bucket," a light comedy original by Frances Crockell, and "Cimberella" for their directed by Lewis Milestone, set in Poland... "C. Carroll Naish goes into 20th Century-Fox's "Blood and Sand."... David Hempstead has been assured the production runs on the Ben Hecht story that RKO has purchased... Peter Lorre and Florence Rice have set for "Mr. District Attorney" at Republic.

**Managers Shifted By Pioneer Circuit**

**Des Moines**, Feb. 4.—Max Factor formerly connected with the Pioneer Theatre Corp. office at Minneapolis, has directed the office in Des Moines, Iowa, and will be the booker for the company in the Des Moines territory.

Changes in management of the Pioneer office in the Des Moines territory, following the resignation of Marion Parkinson, manager of the Spencer at Spencer, have followed: Art Carroll, manager of the Rapidas at Rock Rapids, Iowa, has been transferred to Atlantic to manage the Iowa and Grand; Lee Beckley, manager of the Fraser at Spencer, will manage the Iowa and Rapidas at Rock Rapids; and Charles G. Phillips, manager of the Perry at Perry, goes to Spencer to manage the Fraser and Spencer, and Cliff Lindblad, formerly manager of the Iowa and Grand at Atlantic, will go to Perry to manage the Perry and Fox.

**Vetoes Game Ordinance**

**Mansfield**, O., Feb. 4.—An ordinance recently passed by City Council which would license chance games and sports of chance that were vetoed by Mayor Harry W. Walsh, who declared that the measure is an improper register without actually attending the theatre, and this, he charged, was engaging in a lottery.

**Frisco Gives Big $23,000 to 'Philadelphia'**

**San Francisco**, Feb. 4.—"Philadelphia Story" drew $22,000 at the Fox, and "Jennie" and "Kitty Foyle" took $19,500 at the Golden Gate. The weather was good... Estimated takings for the week were 7.

**Kitty Foyle" (RKO) GOLDEN GATE—($2,500) (35c-45c-55c) 7 days. Gross: $19,500. (Average, $15,000.)

"Jennie" (20th-Fox) 3rd Week—($3,500) (35c-45c-55c) 7 days. Gross: $22,000. (Average, $6,000.)

"Romance of the Rio Grande" (20th-Fox) ST. FRANCOIS—($1,000) (35c-30c-45c) 3 days. Gross: $15,000. (Average, $5,000.)

"This Thing Called Love" (Col.) ELFHYTHE—($2,500) (35c-45c-55c) 7 days. Gross: $14,000. (Average 2.

"Case of the Black Parrot" (W. B.) AMBASSADOR—($2,500) (35c-45c-55c) 7 days. Gross: $15,000. (Average, $2,000.)

"This Is Ireland" (Irish-American) ATLANTA—($2,500) (35c-45c-55c) 7 days. Gross: $15,000. (Average, $2,000.)

**'Wind' Strong in St. Louis, $18,500**

**St. Louis**, Feb. 4.—"'Gone with the Wind," again led the city in its second week at the Loew's State with $18,500. "Kitty Foyle" took $14,000 at the Ambassador.

Estimated takings for the week ending Jan. 30:

"Gone With the Wind" (M-G-M) LOEWS—($1,500) (35c-45c-55c) 7 days. Gross: $18,500. (Average, $2,500.)

"Kitty Foyle" (RKO) GOLDEN GATE—($2,500) (35c-45c-55c) 7 days. Gross: $19,500. (Average, $15,000.)

"This Thing Called Love" (Col.) ELFHYTHE—($2,500) (35c-45c-55c) 7 days. Gross: $14,000. (Average 2.

"Case of the Black Parrot" (W. B.) AMBASSADOR—($2,500) (35c-45c-55c) 7 days. Gross: $15,000. (Average, $2,000.)

"This Is Ireland" (Irish-American) ATLANTA—($2,500) (35c-45c-55c) 7 days. Gross: $15,000. (Average, $2,000.)

**Comrade X' Draws $9,100, Tops Omaha**

**Omaha**, Feb. 4.—"Comrade X," directed by H. C. Bland, grossed $9,100 at the Omaha. A 12-inch snow and cold over the weekend.

Estimated takings for the week ending Jan. 29-30:

"Always a Bride" (W. B.) M. J. MILLER—($2,000) (35c-45c-55c) 7 days. Gross: $2,500. (Average, $400.)

"Horse Heaven" (M-G-M) OMH—($1,000) (35c-45c-55c) 7 days. Gross: $1,500. (Average, $250.)

"Malice Was a Lady" (M-G-M) TOWER—($1,000) (35c-45c-55c) 7 days. Stage: Andrews Sisters, Three Stooges, Joe E. Brown. Orchestra. Gross: $4,100. (Average, $1,300.)
**Appeal Board Offices Set**

**H**eadquarters for the national arbitration appeals board for the film industry will be established on the 12th floor of the RCA Building, Rockefeller Center, about Feb. 15. A lease for the offices and hearing room for the board was signed yesterday.

The three appeals board members, Van Vechten Yeder, chairman; W. Alger and Albert W. Putnam, will have quarters in the Bar Building until then. The appointments of Alger and Putnam to the board were made by Mayor Henry W. Goddard on Monday.

The complaints have been filed with any of the 31 local arbitration boards since their opening last Saturday, American Arbitration Association headquarters reported here last night. However, numerous applications for complaint forms have been made, including about 25 locally, and this is interpreted by the A. A. A. as an indication that the boards may be pressed within the next few weeks.

Local arbitration panels are being completed for the 31 boards this week and the names of the arbitrators will be made public thereat.

**Ascap to Capital in New Decree Move**

(Continued from page 1)

those demands so modified that acceptable decree terms could be agreed upon, thus avoiding the threatened legal action against the society.

**U. S. Ready to File Milwaukie Action**

W**ashington, Feb. 4.—Department of Justice officials tonight prepared to file a criminal information against Ascap in Federal court at Milwaukie at 11 A. M. tomorrow unless less arrangements for further settlement negotiations are concluded with the society at once.

The Department originally planned to file its action against Ascap Monday but granted a 48-hour truce pending the reopening of further negotiations. That deadline will expire at noon Monday.

**Hyman Is Here for ‘Feeling’ Premiere**

Louis Hyman, general manager of Sol Lesser-Bernard Lubitsch Prod., arrived from the Coast yesterday to arrange for the premiere here of "That Uncertain Feeling," Lubitsch's new production.

Hyman said lesser plans to start production March 1 on "Strange Victory," his next for United Artists.

Lubitsch will come to New York in April for the opening of his picture at the Music Hall and will look for material for his next production while here, Hyman said.

**Shaw Sees Screen Greatest Films, Pascal Declares**

(Continued from page 1)

England recently. Pascal said this latter work revealed Shaw as the greatest writer, a master with a perfect 'camera mind.'

The producer, who arrived this week from Europe and who will remain about two months for the premiere of "Major Barbara," said he would continue to produce Shaw plays exclusively.

He expects to produce two a year for United Artists' release. His next will be "The Doctor's Dilemma" set in London in 1912 if the war continues, or "The Devil's Disciple," which would be produced in Hollywood if the war ends this year.

The latter could not be made in England under wartime conditions, he said, and, since he is leath to leave England while the "Dilemma" would be his choice for work there.

**Republic Acquires Franchise in Dallas**

James R. Grainger, president of Republic, announced on his return from Dallas yesterday that Republic had completed negotiations to purchase the interests of W. G. Underwood and C. C. Ezzell in the Dallas Republic franchise for the Texas territory.

Lloyd Rust will continue as manager of the Republic exchange in Dallas and there will be no changes in the personnel. Underwood and Ezzell will devote their entire time in the future to their theatre interests.

**Warners Buys Arsenic**

Hollywood, Feb. 4.—Warners today announced the purchase of "Arsenic and Old Lace," the current Broadway play by Howard Lindsay and Russell Crouse.

Back Street to Rivoli "Back Street," Universal film, will follow "Kitty Foyle" into the Rivoli on Broadway, opening next Tuesday evening.

**Macy Gets Ryan’s Regent Board Post**

Albany, Feb. 4.—The New York State Senate and Assembly, in joint session, today elected Macy of Suffolk County to succeed George J. Ryan at the expiration of the latter's term as a member of the Board of Regents.

Ryan, nominated for re-election, has been a member of the Regents' Committee reviewing the ex-scholarship appeals. The separate vote was 28 to 11 in the Senate and 40 to 4 in the Assembly.

**Schein Party Feb. 14**

Rochester, Feb. 4.—Louis Leonich of the Riviera; Robert Meagher of the Lake, and Sam Shaffer of the Dixie are in charge of arranging a Valentine’s party to be held by Schein croupes in the Madison Ballroom here, Feb. 14.
And Snow Besides
Wilkes-Barre, Pa., Feb. 4.—An estimated 15 per cent of the population in the area is reported stricken in an epidemic of colds and grippe. This, coupled with an unusual heavy snowstorm, had a serious effect on the box-office. Nearby Hazleton and Scranton were hit by similar conditions. In Hazleton the schools were closed for a few days.

Warner Executives Attend Ampa Lunch
Warner executives will attend the Ampa luncheon meeting in the Sun Room of the Hotel Edison tomorrow, when Joseph Bernhard, general manager of Warner Theatres, will be the chief speaker.

The executives expected to attend include: Gradwell L. Sears, general sales manager; Clayton Bond, chief film buyer for the circuit; Carl Leser- man, assistant to Sears; Harry Goldberg, in charge of advertising, publicity for Warner Theatres, and Sam Schneider, home office executive. Mort Blumenstock, in charge of Warner advertising and publicity in the East, will introduce Bernhard, who will speak on the importance of the work of advertising and publicity men in the industry.

'Street' Field Drive
Universal is conducting a field campaign for "Back Street" and "Back Private" in key cities. A new department has been created in the home office to supervise the program.

To LOS ANGELES
Thru Mainliner Sleepers No Change of Planes
The Continental, Lv. 5:10 pm with morning arrival in Los Angeles.

The Overland Flyer, Lv. 11:10 pm with day and scenic western portion of the trip.

Reservations: travel agents, hotels of
UNITED A Lines
Airlines Terminal: 80 E. 42nd St.
67 W 25th St., 649 Fifth Avenue
Pennsylvania Hotel
Ph MU-2-7300

"Back Street"
[Universal]
(Continued from page 1)
into the hearts of the audience, which should go far toward insuring success at the box-office.

Perhaps it is in theme and execution a picture most readily acceptable to the film-going tastes of the feminine element. But at the same time, there is much for the masculine patron, and in any case, with the women sold, the picture is sold.

Bruce Manning, who produced, and Robert Stevenson, who directed, have, to a degree, made it that there is much of lightness, especially in the opening had sequences, when Miss Sullivan, independent-spirited girl in the Cincin- nati of the '90's, rides in Richard Carlson's first horseless buggy, jokes with Frank McHugh, the drummer, and falls in love with Boyer, who is passing through.

Their love is beset by mischance, as Miss Sullivan's attempt to reach Baker's boat, on which he planned to marry her, is thwarted. They meet five years later in New York, when Boyer is almost a has been and married. The old love is rekindled brightly. For years she is his second life, unable and unwilling to give up the great love they have for each other. When he is gone for months, she decides to marry Carlson, but meets Boyer again, and loses her lover.

Many more years pass, still greater success comes to the international becoming of actor, and still Miss Sullivan is his second companion. In France, his son, Tim Holt, upbraids Miss Sullivan for her persistence, and Boyer comes upon them. The boy refuses to understand, and Boyer, broken, suffers a stroke and dies. Her purpose in life gone, Miss Sullivan follows him, a picture of what might have been, save for mischance, coloring her final vision.

After this a personal story of a pattern of life, told with sincerity and the power of the screen medium.

Running time, 89 minutes. "A."

Charles S. Aarons

*"A" denotes adult classification.

Canada War Films Widely Distributed
OTTAWA, Feb. 4.—The story of the British Empire's war effort is being carried literally around the world through pictures produced in Canada under the supervision of the Canadian National Film Sound, officials declare.

Commentaries accompanying the films are in English, French, Mala- yan, Russian, and any other language required in the world distribution of the subjects.

After the series, "Canada Carries On," have been shown on the usual theatrical basis in about 900 Canadian theatres, 16 mm. prints are made available for village halls, at local meetings and even for the home. In the United Kingdom the series is said by officials to have been shown in about 1,000 theatres, as well as in 600 to 800 houses in Australia and New Zealand.

When any one of these subjects is completed, the negative is made available to American newsreel companies, for clips to be inserted in the current American newsreel releases. The Dominion's subjects are made for the operations of G. H. Lash, Director of Public Information of Canada. Virtually all phases of Canadian activity are treated or will be treated in the film subjects.

Lithigation Closes House
Clayton, Conn., Feb. 4.—Palace Theatre here has been closed by Nicholas Raffay, manager, because of litigation over sound equipment. The entire equipment, according to the theatre was bought some time ago on a contract, the lessee of the house agreeing to pay a set amount each week. There were defaults on a number of the payments by a former lessee.

"Back Street" Gets Glittering Opening At Florida Resort
(Continued from page 1)
of the order of $3,000 or more were successful in obtaining the treasured decats, which were sold at $1.55 and $2.20 each.

For four days and nights, the film junket started with an elegant film luncheon for the first time, and were otherwise also experiencing their first winter wonderland. In front of a crowd of executives, the boys and girls of the press probably will long remember and which should bring Universal great goodwill for a number of years. In front of a crowd of executives, the boys and girls of the press probably will long remember

"Rival Unions Settle Battle In Scranton"
SCRANTON, Pa., Feb. 4.—After representatives of the CIO and AFL operators' unions announced an agreement which leaves unionization of operators in the Scranton region in the hands of the AFL, R. A. Lesaius, owner of the Bulls Head Theatre in North Scranton, through his attorney, announced that the termination of the contract between Lesaius and the CIO marks the end of that organization's activities in the area.

The agreement on jurisdiction was revealed to President Judge Will Leach of the Lackawanna County Court by the CIO regional council on a hearing of a motion to make permanent a temporary injunction restraining AFL members from picking the Bulls Head. The CIO attorney announced that the CIO had revoked its agreement and appointed an administrator to terminate all existing agreements between the union and the theatre management.

"Paramount Plans 3 New Sound Stages"
HOLLYWOOD, Feb. 4.—Paramount has announced plans to build three modern sound stages and a power house on the lot here. However, the company is holding to the original plans for the construction of a $15,000,000 studio in Westwood.

"Utica Party Feb. 10"
UTCIA, Feb. 4.—Warner Zone Manager A. Silver and District Manager Charles A. Smiaclwitz of Albany will be guests of honor at the annual Valentine dinner-dance of the Utica Warner Club at the Hotel Martin here Feb. 10. Heading the entertainment committee is Tony Dapic.
Step into the Quigley Bookshop

COMPLETE THEATRE LIBRARY

- Here is a library of factual information that meets an urgent need. Authoritative manuals expressly prepared for theatre men as practical aids in their daily routine. Glance over the titles! There are books here that should be on your desk now—books that will save you time, effort and expense in the voluminous information they will put at your fingertips.


Motion Picture Sound Engineering—the most advanced sound manual to date. Prepared by the country’s leading sound engineers. 547 pages, explaining every detail of apparatus. Profusely illustrated with diagrams, tables, charts and graphs. ......................... $6.50 POSTPAID

Theatre Management Record and Annual Tax Register

The Bluebook of Projection—is the most simplified bookkeeping system yet devised for the exhibitor! No accounting experience necessary. Individual sections for all operating data. Full tax information always readily available. ......................... $2.00 POSTPAID

F.H. Richardson’s Bluebook of Projection—Supplemented with sound trouble shooting charts and alphabetical index. 700 pages. A quick trouble-shooter and a sure solution to all projection problems. ......................... $7.25 POSTPAID

A practical treatise devoted to all the diverse elements of theatre air conditioning and its operation, including codes and ordinances regulating installation. An indispensable manual that all theatre men will welcome......................... $4.00 POSTPAID

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER, NEW YORK
1,800 Children Programs Are Aired Weekly

MOTION PICTURE DAILY

Wednesday, February 5, 1941

There are approximately 1,800 children’s programs on the air each week, it was reported yesterday at a joint conference of women’s and other organizations interested in this type of broadcasting, which was made by Mrs. Dorothy Lewis for the Radio Council on Children’s Programs, and the National Association of Broadcasters.

About 12 per cent of the nation’s stations use no children’s programs and also at least 30 per cent of the remainder rely solely on networks for this type of broadcast, it was reported. Mrs. Lewis declared that the survey revealed a good opportunity for new children’s programs based on true events in American history, and comedy shows aimed to the level of child listeners. The most popular at present, she said, was the talent shows in which the children themselves participate.

She recommended that a greater use be made of recordings to permit shows now broadcast at 6 P.M. in the Eastern Time Zone to be heard at the same time on the Pacific Coast where they are now heard at 2 P.M.

SAG Orders Actors Ban Parsons Show

Hollywood, Feb. 4.—The Screen Actors Guild today issued instructions to its Class A members to refuse to appear on a proposed Louella O. Parsons radio show for Lifebuoy “unless such refusal be such as to contractual relations with employing producers.”

The proposed Parsons show would be a half-hour program on CBS, handled by the William Esty agency. The decision to send the message to members was made after a preliminary check on the proposed deal and was expected to be of importance to actors, declared that approval for the Parsons show was refused.

The program plan, it was said, called for paying the actors on the commercial show a payment equal to the A.F.R.A. minimum, but far less than the usual fee such actors would get on a radio program. The letter concluded: “Acceptance of compensation so far below the A.F.R.A. usual standard as to amount to evasion of this rule (forbidding free radio performances) shall constitute a violation of the rule.”

Increase Contribution

PHILADELPHIA, Feb. 4.—Ted Schlinger, Warner Theatres zone chief here, announced that the circuit’s donation to the United Charities Campaign now totaling $3,184, has been increased from $1,000 in 1940 to $2,500 this year.

Off the Antenna

BELIEVING that the television pictures demonstrated to the FCC last month “were not representative of what can be obtained with transmissions” on standards of 625-lines, 15 frames per second, Allen B. DuMont yesterday announced that on Wednesdays and Fridays from today until the revision hearings begin will give further demonstrations on those standards. DuMont is hopeful of inducing National Televisions Systems Committee members, FCC members and others who saw the first demonstration to return for another look.

Purely Personal: Wilfred S. Roberts, NBC eastern production manager has promoted two of his staff to act as his assistants. They are Joseph S. Bell, who will handle dramatic shows, and George Meynard, music. Charlie Schenk, who used to be with the NBC Chicago office, also has joined Roberts’ staff . . . Frank Lepore, NBC stage manager for the television department, will join Film Unit No. 1 at the Signal Corps school at Fort Monmouth, N. J. . . . He will be commissioned as a second lieutenant. . . . Raymond Paige is studying Pan-American music in Havana as guest of Jose Sanchez . . . G. W. Johnstone, radio director for the Democratic National Committee, who has just completed his work as radio chairman for the committee for the election, will leave Thursday for a Florida vacation. Upon his return, he will take over the radio duties for the Jackson Day dinners . . . Mary Dunlevy has been promoted to assistant time buyer at Erwin, Wassy & Co.

The first short wave program over NBC’s stations to emanate from Chicago will be broadcast tomorrow night when the Export Managers Association will present “The Wandering Jew,” a play by Frank Taylor, undersecretary in the Department of Commerce, will make the principal address and there will be 30 minutes of music in addition to 30 minutes of speeches.

Program News: “The Missus Goes A-Shopping,” a record program of interviews in grocery shops, will be sponsored by Pepsi-Cola Co. over WABC. Mondays, Wednesdays and Fridays at 8:30 A.M. beginning Monday.

Bagdad” will be the title of a half hour show that will start broadcasting from New York beginning Monday for five weeks . . . General Foods has renewed sponsorship of “Symphony Hall” over WQXR, Wednesdays, 8-9 P.M. . . . “Labor Arbitration” will be heard Thursdays at 8:15 P.M. beginning tomorrow over WMCA.

‘Windy’ with $21,000 High in Pittsburgh

PITTSBURGH, Feb. 4.—Holdovers which drew, fuz, and stoot storms, “Gone With the Wind” took $2,100,000 in its second week at Loew’s Penn, the “This Thing Called Love” grossed $60,000 in its second at the Harris Theater.

Estimated takings for the week ending Jan. 30: “Dr. Kilmore’s Crisis” (M-G-M) FULTON (3-1,000) (26-44) 7 days. Gross: $2,000. (Average, $285.)

“Gone With the Wind” (M-G-M) PENNY (2-600) (86-55) 7 days. 2nd week. Gross: $2,000. (Average, $285.)

“The Second” (U.A.) STANLEY (2-600) (26-46-66) 7 days. 2nd week. Gross: $2,000. (Average, $285.)

“Sue the Captain” (Paramount) STANLEY (2-600) (26-46-66) 7 days. Gross: $2,000. (Average, $285.)

“The No Name Racket” (RKO) WAREHOUSE (2-600) (36-26-55) 7 days. Gross: $2,000. (Average, $285.)

Susie on Song Recording

Columbia Recording Corp., John Hammond, and Joshua White were among the defendants yesterday in court for an injunction and damages, filed in the U. S. District Court by Lawrence Gelbert, Defenders and the usual practice of recording the plaintiff’s song, “I Hear Singing.”

Add Fantasy Show

Beginning Saturdays, additional showings of “The Sound of Music,” at Broadway will be held at 10:30 A.M. on Saturdays and at 5:30 P.M. on Sundays. Also effective now for the next 30 days and under 16 will be admitted for half price.

F.C.C. Advises on Frequency Shifts

WASHINGTON, Feb. 4.—The Federal Communications Commission today sent notices to each of the 795 broadcasting stations whose frequencies will be changed March 29 as a result of the North American Regional Broadcast Agreement, apprising them of the channels on which they will be required to operate and advising them of a last opportunity to protest any assignment deemed disadvantageous.

Under the agreement all stations must shift their frequencies simultaneously at 3 A.M., E.S.T., March 29. No action will be taken with respect to applications for renewal of licenses under the new assignments before March 1, it was announced, because of the coming of renewals more than 30 days prior to the expiration of licenses.

Gehring to Conduct Meetings on Decree

William C. Gehring, central division manager for 20th Century-Fox Theaters, is to conduct meetings in the Chicago and Minneapolis branches on sales policies under the consent decree.

Similar sessions are being held in various branches by executives of the major companies which are parties to the decree, in connection with sales staffs with the terms of the decree.

Local 306 Plans Benefit

Local 306 of the operators’ union will hold a party, featured by entertainment and dancing, next Tuesday night at 48th Street, 34th Street and Eighth Avenue, for the benefit of the sick fund of the union.

Mutual’s January Gross Is $505,231

Mutual billings for January were $505,231, an increase of 59 per cent over the same month of 1940, when they totaled $317,729.

CBS and the two NBC networks have discontinued release of gross billings and the National Association of Broadcasters, which was to release figures next week, has not completed its first tally.

Five New Accounts for CBS in Month

CBS January had five new accounts signed, four renewals and no cancellations. The new accounts include Armour Co., Magazine Reprint Co., Frankfort, which added 15 minutes for a new show, an addition to the half-hour “Melody Ranch” which it also sponsors, and two others, details of which have not yet been released.

The five new sponsors will use a total of 150 minutes. Renewals include “Melody Ranch,” “CBS This Morning,” “Johnny Presents,” by Philip Morris; and “Your Hit Parade” by American Tobacco. U. S. Tobacco Co. has also renewed its time but will replace “Pipe Smoking Time” with “Gay Nineties Revue” on Feb. 24.

Network officials pointed out that of the 150 minutes, 105 will be used by programs predominantly musical on the new shows. All the renewals are musicals. This fact was cited to show that the Ascap squabble has had no effect on obtaining new contracts. In January, 1940, only two quarter-hour shows were sold and neither of these was predominantly musical.

Toronto Winner Is ‘Windy’ With $13,500

TORONTO, Feb. 4.—“Gone With the Wind,” in the first week of its popular run here, settled down at a loss of $13,500. “This Thing Called Love” grossed $11,800 at the Imperial. The weather ranged from fair and moderate to blizzard and there were snow flurries.

Estimated takings for the week ending Feb. 2: “This Thing Called Love” (Col.) IMPERIAL—(2,375) (15c-25c-50c-75c) 5 days. Gross: $7,500. (Average, $1,500) “Gone With the Wind” (M-G-M) LOEWS—(2,075) (2,663) (4,2,761) 5 days. Gross: $9,000. (Average, $1,800) “Love Thy Neighbor” (Par.) SOUTH AVE.—(2,075) (15c-25c-50c) 5 days. Gross: $8,000. (Average, $1,600) “South of Suez” (W.B.) CHEMAR—(2,075) (15c-25c-50c) 5 days. Gross: $6,000. (Average, $1,200) “Love Thy Neighbor” (Par.) SAGE’S—(2,075) (15c-25c-50c) 5 days. Gross: $5,000. (Average, $1,000) “Hudson’s Bay” (20th-Fox) TIVOLI—(1,460) (36-26-66) 7 days. Gross: $4,000. (Average, $560) “Saratoga” (20th-Fox) TIVOLI—(1,460) (36-26-66) 7 days. Gross: $4,000. (Average, $560)

Settle Universal Suit

Suit of Producers Laboratories, Inc., and United Artists Corp., Inc., Big "U," Inc, and Roxy Theatre Corp. in the New York Superior Court was settled and dissolved on an amended term: Plaintiff had sought an injunction and damages against the defendants claiming that they had used the name "Hired Wife," infringed upon an identical title of one of plaintiff's films.
‘U’ May Start '41-'42 Selling In Few Weeks

Universal Meets Follow Chicago Convention

Universal salesmen may be in the field with new season’s contracts before March 1, establishing the earliest start of a selling season under the present distribution system, it was learned yesterday.

Following the company’s three-day national sales convention starting Saturday at the Drake Hotel, Chicago, for the district and branch managers, national meetings probably will be held for the Universal salesmen throughout the country.

A final decision has been made yet, but if such regional meetings are held they would not consume a great deal of time. Present intentions contemplate the division of the country into three territories for such regional meetings, with William A. Scully, vice-president and general sales manager conducting the sessions in one territory, F. J. A. McCarthy, Eastern sales manager, handling another, and William J. Feineman, Western sales manager, the third.

In this way, the ground could be covered in a shorter time if necessary, and salesmen could be at work on the 1941-'42 lineups before the end of February.

Universal will announce the new season's product lineup to the district and branch managers at Chicago on

Canadian Industry Facing New Taxes

Toronto, Feb. 5.—The Canadian Government, through the Department of Finance, has limited that the field of taxation hitherto restricted to the provinces will be invaded in the forthcoming budget measures as a move for additional revenue for war purposes.

There are only a few taxation items which are strictly provincial in scope and one of these is the amusement tax, which has been collected in all provinces but Ontario and Saskatchewan.

There is conjecture, therefore, on the part of theatre operators and the public as to the steps that will be taken by the Federal Parliament when the next wartime budget is brought down in March.

Intention is also forthcoming that

Rehearse Blackout In Toronto Feb. 12

Theatre Reports

Montreal, Feb. 5.—Rehearsal blackouts have been ordered by Air Raid Precautions authorities in three sections of Toronto for the evening of Feb. 12 in conjunction with the current War Savings Stamp Drive. Numerous theatres are in the outlined districts and the managers have indicated a willingness to cooperate.

Films Commission, Credit Bank Are Ready in England

London, Feb. 5.—The plan for a British Government Films Commission, originally proposed last year and then shelved, has now been revived.

The commission will have plenary powers and virtually control the industry and its operations. Included in the plan is a credit bank, with a Government grant of £500,000 (approximately $7,500,000).

The president of the British Board of Trade told industry representatives yesterday that the Government intends to put the plan in effect at an early date. Details have been completed, and it is intended to have a governing body of three members, one only of whom will be a trade representative.

It is understood that the Board of Trade is concerned over the decrease in British production and has been impressed by the recent plea of exhibitors for a cut in the exhibitors' quota. Nevertheless, Harry P. E. Mears, president of the Cinematograph Exhibitors Association, has opposed the entire idea of Government control. Mears will report to the general council of the C.E.A. at a meeting next week.

I.T.O.A. Will File Test Series Of Proceedings Under Arbitration

The I.T.O.A. of New York voted yesterday to start a series of arbitration proceedings to experiment with the workings of the arbitration provisions of the consent decree. The meeting expressed the opinion that the organization and its membership should regard the decree in its most favorable light and give it a fair trial.

I.T.O.A. members will be canvassed to determine which exhibitors have specific complaints and their grievances will be culled to bring a series of proceedings on the various complaints permitted to go to arbitration under the decree. Other items discussed yesterday were film buying, giveaways and admission scales but no decision was reached.

GOVERNMENT FILES SUIT AGAINST ASCAP

Money Arbitration Hearing on Monday

Arnold Says Settlement Of Action by Decree Is Still Possible

Washington, Feb. 5.—The long-threatened Government criminal information against ASCAP was filed in Federal District Court at Milwaukee today.

Simultaneously, Thurman W. Arnold, Assistant U. S. Attorney General, in a statement issued here, made it clear that a consent decree settlement of the action still is possible.

“Our proceeding is aimed only to compel ASCAP to stop the practices contained in the decree,” Arnold said. “Therefore, the Department will continue to hold the door open to proposals from ASCAP which will eliminate the abuses. It does not desire to prevent ASCAP from protecting the copyright privileges of its members.”

Gene Buck, ASCAP president, declared that the society “has always been willing and desirous of making any just and reasonable change in its method of operation.” He added that the society, of course, does not wish to operate in violation of the law but he remembered that throughout our long history a great many countries both state and federal have held that ASCAP was functioning in a lawful manner.”

“The Department of Justice,” Buck continued, “has just assured our society that the proposed consent decree, if approved by the court, will not prevent the organization from functioning in a lawful manner.”

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Disney Four-Month Profit at $140,000

Hollywood, Feb. 5.—A net profit of $140,000 for the first four months of the current fiscal year for Walt Disney Productions was announced last night at the annual meeting of stockholders. Walt Disney was reelected president and all directors were also reelected.

George E. Morris, secretary, reported that the company had produced and delivered nine shorts in the first four months as against a total of 10 in the entire 1940 fiscal year. This year's program calls for 20 shorts, he said.

Four additional units for "Fantasia" and Fantasound equipment have been ordered and installations will be
Personal Mention

BARNEY BALABAN, Paramount president, will leave on Feb. 14 for a vacation of several weeks in Florida.

EDGAR A. NEAL, manager of the Capitol in Woodstock, N. B., has been appointed to the Council of the border town.

CHARLES WILSON, operator of the Bijou and Lansing, Troy, N. Y., leaves March 1 for a Florida vacation.

JOHN CHRISTIE of the Strand in Waterville, N. Y., is recovering from pneumonia.

B. E. HOFFMAN, Warner Theatre executive in New Haven, has been reelected to the board of the New Haven Jewish Family Service.

LEO POSEL, Philadelphia independent circuit operator, has been named head of the annual program of the De- mocratic Jewish Television Society in Philadelphia.

JACK McKEll, former Warner Theatre publicity man in Philadelphia, is the father of a son, born a few days ago at Temple University Hospital.

NORMAN ELSON, sales manager for Film Alliance of the U. S., leaves today on a visit to a number of cities. He will be gone about 10 days.

CHARLES M. REAGAN, OWEN DAVIS, J. J. USHER, E. K. O'Shea, Leon NETTER, Edward SAUERs and Morris KUSCHEI having lunch at Nick's Hunting Room in the Astor yesterday.

JOHN D. HERTZ, jr., DAVID WESNER, Tom FISHER, Al SHEMANN, Louis LiPTON, John Byram, Phillip LEHR, Leon KENNEDY, Otto PREMINGER, William JOHNstone, DAVID LOWE, ARTHUR LOW, ALFRED TROTTA and Vincent THOMAAT at Sardi's yesterday for lunch.

MURRAY SILVERSTONE, Charles SCHWARTZ and Monroe GREENTHALD are expected from the Coast Monday following studio conferences at United Artists.

MEL RAINES, secretary to David WALTZ, president of Balaban & Katz, now in Chicago, has volunteered for Army service, and will go to Camp Cook in Michigan.

GOLDE DAVIDSON of the publicity department of Balaban & Katz in Chicago, will be married April 5 to Allan J. COPLAND, employed on the Chicago Tribune.

SAM GOODMAN, Irving SHAPIRO and Seymour POE at Lindy's (next to the Rivoli) for lunch yesterday.

ROBERT WEITMAN, GEORGE BURNS, BENNY FIELDS and J. J. MILSTEIN lunching at Lindy's (51st St.) yesterday.

RICHARD COHEN, program distributor in New Haven, is the father of a son, named Peter IRVINE, born at Grace Hospital, New Haven.

HARRY ROSE, manager of the Globe in Bridgeport, Conn., in confined to Bridgeport Hospital with a kidney ailment.

VERNON BURNS, assistant at the Bijou, New Haven, is on a six-weeks' absence in Toronto, while Michael PICCERELLI handles his duties.

MARY T. MCDONnell was married to Harold R. BRAZIL, projectionist at the Bel Theatre in Scran- ton, Pa., recently.

HOWARD SCHAEFFER has been named assistant manager of the Feely Theatre in Hazelton, Pa. He formerly was an usher at the Capitol.

DAVE O'MALLEY, HANK LINcEY, JEFFREY BERNERS and Jerry KAIser lunching at the Tavern yesterday.

Union Battle Stymies Mexican Producing

MEXICO CITY, Feb. 5.—The “war” between Mexican producers and En- rique Solis, secretary general of the producers section of the National Cinematographic Workers Union, has brought production in this country virtually to a standstill.

Many performers, who have been defeated repeatedly by the producers, have taken their own purse, or “if they can’t see work, have to do it out of the stage and radio since they could not the curtailing of film production.

Solis, who has been attacked repeatedly by the producers as mani- phers, has held a meeting of his own pur- poses, has called a strike against Jesus Grovas, leading Mexican producer.

Grovas, who was Paramount manager- here before starting up his production, refused Solis’ demand that he hire four extra helpers at a wage equivalent to $5.25 daily for each. Grovas con- tended he did not need the helpers.

The wage demand he called excessive, in any case. Thus far, the Federal Labor Relations Board has taken no action on the protest of the producers’ association against the strike.

Dallas Variety Club To Equip Eye Clinic

DALLAS, Feb. 5.—The local Variety Club has voted to the Eye Life Con- servation Clinic of the Freeman Memorial Clinic for underprivileged chil- dren. The equipment is estimated to cost about $5,000 in Dallas Short is chief banker of the club.

Deanna Durbin will be honored guest at the Variety’s annual luncheon on Monday at the Adolphus Hotel. Judge Sarah T. Hughes of the 14th District Court will be the chief speaker. Local film exec- utives are expected to attend.

Milton Simpson Dies

TORONTO, Feb. 5.—Milton B. Sim- pson, who joined the Canadian Theatre Artists’ Al- monte, Ont., 26 years ago as pro- jectionist and became the manager of the box office at Al- monte at the age of 56. He is sur- vived by his wife and three children.

Sanford Delaney Dead

TORONTO, Feb. 5.—Sanford Delaney, owner of the Delaney Theatre at Ga- nanoque, Ontario, died there after a prolonged illness. He has been the proprietor of the theatre for 30 years.

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There's dough in every frame of 'Strawberry Blonde'!

We know because we saw it! You'll know the second you see it! Hooray for CAGNEY (SO COLOSSAL)! Huzzah for De HAVILLAND! Hosannas for RITA HAYWORTH! And a loud Wa-Hoo for WARNERS!
**Showmanship Flashes . . .**

Mayor's Proclamation Features 'Wind' Plug

WATERBURY, Conn., Feb. 5.—The proclamation made by Mayor Frizzell of Waterbury for "Good With the Wind" week in the city was the outstanding feature of the exploitation campaign on the film, which won an honor roll button from M-G-M for Ed Fitzpatrick, manager of the local Poli. Other features of the campaign included special invitation from the Junior League, a special six-foot pass carried to the mayor, and bargain days for shoppers in tiptoe with the theatre.

**Art Contest Features Selling of ‘Nanette’**

DALLAS, Feb. 5.—An Anna Neagle art contest featured the campaign arranged by the management of the Rialto here for "No, No, Nanette," the contest, open to all art students in the high schools and Southern Military, was sponsored by the Rialto and the Dallas "Nerds" and "Times-Herald." The theatre further stimulated the sale of merchandise or blowups of Anna Neagle which were used as models or copying mediums by the contestants.

**Bakery Tieup Effective For ‘Kitty Foyle’ Date**

PITTSBURGH, Feb. 5.—A tieup with Brain Baking Co. by Martin Burnett, Loew's Pittsburgh, had 800 grocery stores distributing cards on "Kitty Foyle." On one side of the card lists Ginger Rogers' physical measurements and asks readers to compare with hers. On the other side of the card, the reader is informed about prizes to be given by theatre and bakes for writing, in 25 words or less, "Why you agree with Ginger Rogers when she says, 'For a better figure tomorrow, a Roman Meal Bread today because.'"

**Schinegrams Announce House's Policy Changes**

ROCHESTER, Feb. 5.—When the Schine Circuit's Liberty and State shifted the playing date policy, they had cooperated in a model airplane building contest. "Schinegrams" to theatre patrons announcing the policy change along with coming attractions.

**Newspaper Tests Stir 'Wind' Interest**

CLEVELAND, Feb. 5.—A double-barreled newspaper contest was used by Loew's State to begin the reopening of "Going With the Wind." The News offered prizes for the best 100-word letters describing favorite scenes of the film. The Plain Dealer also offered prizes for the best essays on: "Why you should like to see 'Going With the Wind' . . ."

**Model Airplane Contest Used for 'Flight Command'**

FREELAND, Pa., Feb. 5.—Manager Herman Hirschorn of the Refowich Theatre scored with its tieup for "Flight Command," with Freeland M.M.I. School, Freeland Y.M.C.A. and local stores cooperating in a model airplane building contest. The contest received wide publicity in the papers and through displays.

**Critics’ Quotes . . .**

"ARIZONA" (Columbia)

A movie which has been expended much money, time and talent. It's a zestful, colorful production.—Chicago Tribune.

"Top's" as mine-run Westerns go . . . the story, from the novel by Clarence Budington Kelland and Howard Rice and its attempt to justify the faith Ruggles put into to produce it a "super-Western."—C. J. Bullet, Chicago Daily News.

Evidence plenty of painstaking work and the expenditure of a lot of money, it is a finished and thorough diverting cinemusical, nicely balanced as to tunes, comedy, romance, settings and dancing.—Donald Kirkley, Baltimore Sun.

Spins a rapid fable about two friendly enemies . . . the yarn gives the film an excuse for some first rate swing music.—Elise Finn, Philadelphia Record.

A clever and tiresome little effort which makes small use of such ingratiating players as Fred Astaire, Paulette Goddard.—Mildred Martin, Philadelphia Inquirer.


"HUSDON'S BAY" (20th Century-Fox)

Plenty of exciting adventure is indicated, but neither thrilling action nor exciting suspense is allowed to interfere with Muni's long speeches, which have a tendency to retard the movement of the adventure.—Kate Cameron, New York Daily News.

A dull and worthy historical reconstruction.—Howard Barnes, New York Herald Tribune.

Any suggestion of the boldness, the hardship and peril that went into the founding of the Hudson's Bay Co. is lacking in this film.—Bosley Crowther, New York Times.

Substantial, if not memorable, entertainment.—Gilbert Kanour, Baltimore Sun.

"THE PHILADELPHIA STORY" (M-G-M)

Excellent writing and acting, as well as the beautiful production, make this more than just another slick drawing room comedy . . . It's only January, but this is one of 1941's best.—Louis D. Gaining, Philadelphia Bulletin.

However delightful, "Philadelphia Story" was on the stage, it is, if possible, even better in its screen transcription.—Mildred Martin, Philadelphia Inquirer.

Better than it was on the stage.—Henry T. Murdock, Philadelphia Ledger.

"HONEYMOON FOR THREE" (Warners)

A good comedy even for those who have only a passing interest in its heroine.—Neil Ran, Los Angeles Examiner.

A farce of the broadest order. Occasionally bright dialogue and a basicaly funny idea for comedy are helps in remodelled rumpus.—Virginia Wright, Los Angeles News.

A frothy, amusing farce and we cheerfully recommend it.—Norman Clark, Inquirer, New York Times.

Besides being a moderate enjoyable skylark about love and marriage, "Honeymoon for Three" indicates that Ann Sheridan is justifying her press agents' billing by developing into a first rate comedienne.—Gilbert Kanour, Baltimore Evening Sun.

"FLIGHT COMMAND" (M-G-M)

Surprisingly good. Usually wary of pictures that are too topical or too timely, I found this one grand entertainment, in addition to being as fresh as front page news.—Lee Mortimer, New York Daily Mirror.

Comes to the screen at an opportune moment . . . Frank Borzage, who directed the film, has planned some spectacular effects with the helium in action and these air scenes are the most exciting parts of the film.—Kate Cameron, New York Daily News.

More effective psychologically than it might otherwise be . . . has enough excitement and authenticity about it to offset its uninspiring story.—Robert W. Dana, New York Herald Tribune.

Exciting for the youngsters, no doubt, but paltry for a grownup's time.—Daily Graphic, Young Times.

The story is rather tite and bedecked with cliches, but the players and the airships lift it into the realm of good entertainment.—Norman Clark, Baltimore News Post.

"LOVE THY NEIGHBOR" (Paramount)

The famous, funny feud which crosses-fires between Fred Allen and Jack Benny every Wednesday and Sunday night, has been transferred to the screen with highly hilarious results.—Helen Eagle, Boston Traveler.

Even if you haven't kept track of the brickbats that the boys bounce through the airways, you'll find this gay and goofy farce pretty hilarious from the time the cast is flashed on.—Joyce Donn, Boston Post.

**‘Trail,’ Show Pull $32,500, Philadelphia**

PHILADELPHIA, Feb. 5.—In spite of rain, the "Trail" for the most part was good. "Gone With the Wind" at the Stanley drew $42,500. The Earle, with "Trail of the Vigilantes" and vadette, hit $32,500. "Philadelphia Story" continued big at the Boyd with $22,500.

Pittsburgh for the week ending Jan. 29-31:

"Road Show" (U.A.)
ALDINE—(1,400) (35c-46c-57c-68c) 7 days $29.000

"West North Mounted Police" (Para.)
NIAD—(600) (35c-46c-57c) 7 days 2nd run, 2nd week. Gross: $3,000. (Average: $428)

"Philadelphia Story" (M-G-M)
BOYD—(2,400) (35c-46c-57c-68c) 7 days 2nd run, 2nd week. Gross: $2,200. (Average: $314)

"Trail of the Vigilantes" (Univ.)
KARLE—(4,000) (35c-46c-57c-68c) 7 days. Gross: $12,000. (Average: $1,714)

"Gone With the Wind" (20th-Fox)
FOX—(5,000) (35c-46c-57c-68c) 7 days. Gross: $13,000. (Average: $1,857)

"Philadelphia" (20th-Fox)
KERLTON—(1,000) (35c-46c-57c-68c) 7 days. Gross: $1,000. (Average: $143)

"Fury" (RKO)
KEITH—(3,200) (35c-46c-57c-68c) 7 days. Gross: $4,900. (Average: $700)

"One Way Ticket" (RKO)
FOX—(5,000) (35c-46c-57c-68c) 7 days. Gross: $7,200. (Average: $1,029)

"Hedwig's Haberdashery" (M-G-M)
STANTON—(1,700) (35c-46c-57c-68c) 7 days. Gross: $2,500. (Average: $430)

"Mai'sie", Bradley
$21,500 in Capital

WASHINGTON, Feb. 5.—With every other box office holding steady high, over the weekend, Loew's Capitol's combination of "Mai'sie" and Will Bradley's Orchestra racked up $21,500.

Estimated takings for the week ending Jan. 29-30:

"North West Mounted Police" (Para.)
GREAT FALLS, MONT. — (35c-46c-57c-68c) 6 days, 2nd week. Gross: $1,000. (Average: $166)

"Kitty Foyle" (RKO)
LAKE CITY, IOWA — (40c-55c) 5 days. 3rd week. Gross: $2,500. (Average: $500)

"Philadelphia's Palace" (RKO)
LOWES—(4,500) (35c-46c-57c) 7 days. Gross: $16,000. (Average: $2,300)

$4,500.

"Wentic Was A Lady" (M-G-M)
LOWES—COLUMBUS—(2,500) (35c-46c-57c) 7 days. Gross: $17,000. (Average: $2,400)

"Love Thy Neighbor" (Para.)
VINCENNES, INDIANA—STANANT—(600) (35c-46c) 6 days, return engagement. Gross: $1,000. (Average: $200)

"U” Shorts Scored

Three “Going Places” and three "Stranger Than Fiction" short subjects for Universal were scored at the Eastern Service Studios by a symphony orchestra under the direction of Jack Schaefflin who composed the score.
U.S. Files Ascap Action; Decree Is Still Possible

(Continued from page 1)
ciety that the Department of Justice stands ready to continue negotiations for an adjustment of the controversy just as if no information had been filed." A further statement will be made tomorrow after an Ascap board meeting.

Process papers for Ascap defendants in the action are returnable in Federal court at Milwaukee, March 5.

In addition to Ascap, the Government has named 19 movie publishing corporations and 26 individuals, directors and officers of the society. All Ascap members were named as co-complainants.

The Government information charges that Ascap is an unlawful combination of trade in violation of the Sherman anti-trust law, specifically in that its members must assign to it exclusively all public performance rights to their music; that the company is governed by a self-perpetuating board of directors; membership in the organization is conditioned upon the regular publication by its members of not more than five musical compositions; performance licenses for Ascap music are available only on an all-or-none basis; collective license fees for licenses are fixed arbitrarily, in the case of broadcasters being based upon gross receipts of gross, whether or not such revenue is derived from programs in which Ascap music is used.

Additional charges are that the so-called "royalty" paid, which is as both to private and terms among various commercial users of music; that members have been forced by their perception of restriction from public performance popular and current musical compositions, using this privilege for the purpose of enhancing recording fees, and prior to Dec. 31, last, the society did not offer blanket licenses to networks but required each chain station to obtain separate license, although the individual stations had no control over the compositions received from the originating station.

"In plain language," Arnold said in an accompanying statement, "Ascap is charged with exploiting composers by preventing free sale of their music except on terms dictated by a self-perpetuating board of directors. That board has the power to determine on what basis various members of Ascap shall share in the royalties from Ascap compositions.

"In addition to discriminating again composers, Ascap has been using its monopoly power to charge the users of music for songs they do not play. This is done by compelling the user to pay a percentage of his gross receipts on programs where music by Ascap members or music by other companies is used. By this method, anyone who does not belong to Ascap and is not an Ascap composer is excluded from the market.

"These practices we consider not only illegal but unjustifiable on any ground of fair dealing," Arnold concluded.

Ascap sources here yesterday indicated that while the committee still might meet with Arnold, little hope was entertained of resulting from such a meeting is held.

"We cannot and will not commit organizational suicide," one Ascap official said referring to the recent decree proposals advanced thus far by the Department of Justice. "We will fight this action all the way to the Supreme Court," he added.

Disney Four-Month Profit at $140,000

(Continued from page 1)
made in four additional cities as soon as available, he declared.

Disney told the meeting that the company’s program calls for completion and release of three additional features in the current year. They are “Reluctant Dragon,” “Jum- bo, the Flying Elephant” and “Bambi, Wind in the Willows.”

Deny Dismissal Plea

N. Y. Supreme Court Justice Aaron J. Levy has denied the application of Mervyn LeRoy to dismiss the $25,000 suit of Leonard Goldstein and uphold the sufficiency of the complaint. Gold- stein claims that he dropped a breach of contract suit against Kenny Baker on LeRoy’s promise to pay a fair sum in settlement.

‘U’ May Start 41-42 Selling In Few Weeks

(Continued from page 1)
Monday, Scully said. Numerically, the schedule will be about the same as the current season’s but will represent a considerably higher production budget and a correspondingly larger number of top bracket pictures. Universal officials regard the new schedule as the one they would like the company, on the basis of star, director, producer and story commitments alone, to announce at the early selling start by Universal is appraised in the trade generally as a smart move. It is conceded that exhibitors, confronted with the imminent decree buying system and all its attendant uncertainties will be quick to realize the advantage of being able to announce as much as possible of the start of the decree method.

United Artists and Columbia, which, like Universal, regard the decree as a start for its preparation plans for sales conventions and the start of new season’s selling as rapidly as possible. Columbia is expected to announce its convention to be announced next week and Columbia’s are expected upon the conclusion of new season production conferences now in progress at the studio.

Vogel Is a Guest at Miami Circuit Lunch

CORAL GABLES, Fla., Feb. 5.—A- Mike Vogel, chairman of the Man-
agers Round Table department of the Motion Picture Herald, attended the weekly luncheon meeting here today of the Miami Paramount Circuit as guest of George C. Homan, circuit head. Theatre showmanship and other phases of operation were discussed.

Present from the theatres and home office were Walter M. Stonebrook, Howard Pettingill, Austin Moon, Al K. Weiss, Irwin Waite, William Mount, James Barnett, Thomas Manning, John Jerry Shenbach, Marshall Pinkert, Ben Jackson, Charles Whittaker, Earl McMullin, lawyers, Dan Boon and Ralph McIntyre.

N. Y. Bill Regulates Child Appearances

ALBANY, Feb. 5.—Assemblyman Harold Elrich today introduced into the New York legislature a bill regulating theatrical appearances of children under 16. The measure would amend the education law and repeal the present penal law.

The bill would set up local education boards or designated officials as authorities to grant written permission to children under 16. Children under 16. Exceptions are made for school dramatics and for not more than one hour weekly on amateur spectacular programmes. The new law is legally enforced too rigidly.

Penner Left $100,000

LOS ANGELES, Feb. 5.—Joe Pen- ner, who produced the motion picture "Edipus, left an estate valued at more than $100,000. His will, filed here yesterday, left 60 $2,000 / to his widow, and 33 1/3 per cent to his parents. Two uncles and a brother-in-law will divide the remainder.
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<td>Jan 31</td>
<td>Sold for a Smile</td>
<td>Universal</td>
<td>William Nigh</td>
<td>Meet the Champ (D)</td>
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<td>Feb 7</td>
<td>Ride, Kill, Ride</td>
<td>Universal</td>
<td>Elmo Williams</td>
<td>Meet the Champ (D)</td>
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<td>Tangle</td>
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<td>Frank Tuttle</td>
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<td>Toboggan Road</td>
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<td>Sidney Lanfield</td>
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<td>Josephine</td>
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<td>The Bad Man (O)</td>
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<td>The Lone Wolf</td>
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<td>North From Dixie</td>
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<td>, Robert Young</td>
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**Motion Picture Daily**

Thursday, February 6, 1941

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**Short Subject Reviews**

**Sky Raiders**

(1940)

A master espionage agent attempting to steal a speedy pursuit plane for a foreign government from the design studio of the 12 chapter serial melodrama. The story is told with many popular players, including Donald Woods, Robert Armstrong, Hedy Lamarr, and Edward Cullen, in the cast. Based on four different plots, which are melodramatic are staged with plenty of stunts, the film should be a strong weekend attraction. Running time, about 30 minutes each.

**Penny to the Rescue**

(M-G-M)

The ever witty Pete Smith once again offers an amusing "Speculator." Prudence Penny, home economist extraordinary, is seen coming to the rescue of Billy Newell, whose wife, Sally Payne, left him to prepare dinner. It is a double delicacy, and the couple finish dinner, which leaves the naive Newell baffled. Smith's commentary is good for many laughs. Running, time, 10 mins.

**Training Police Horses**

(20th Century-Fox)

This "Adventure of the Newsreel Cameraman" has a pleasurable interest subject and one that probably will be received warmly. It concerns the rigid training given a police horse and finally its placement in active duty. The instructions are long and tiresome for the animal, but the humane treatment given him and his own intelligence carry him through. The film is well done. Running time, 10 mins.

**Fair Today**

(20th Century-Fox)

A cartoon version of a country fair, with the familiar off-screen voice noting the take place. The outdoor activities are shown about as far as ladies are concerned. The color work is noticeably better than usual. Running time, 7 mins.

**Spotlight on Indo-China**

(20th Century-Fox)

The "Magic Carpet of Mictavone" in this instance glides over Indo-China, France's Far-East colony, which, because of its geographical importance, is involved in the current dispute in the Orient. Thus the real is timely despite evidence on the film that the screen "shot" not too recently. Narration is by Lowell Thomas. Running time, 9 mins.

**Stranger Than Fiction, No. 86**

(20th Century-Fox)

Six subjects, which just border on the subject, are presented. They are an intricate Japanese typewriter, an automatic lifeboat launching device, a tree planted upside down, a miniature city, a train that runs through water and an artist who wields the brush with his teeth. Running time, 9 mins.

---

**Off the Antenna**

**Although full details have not been set yet, it has been learned from the Department of Transport at Ottawa that Canadian broadcast stations will switch to the new frequencies under the National Area Regional Broadcast Commission's order at 3 A.M., on March 29, the same time set for the switch on U. S. stations by the FCC.**

**Purley Personal:** Bob Wilton has joined the WNEW newsroom staff... Ben Bernie will return to New York with the cast of his NBC-Blue show for Tuesday's broadcast... Dorothy Thompson will be guest on "Hey Democracy" over WMAA tomorrow at 10:30 P.M. M. ...Wolfgang Martin has been named musical director of WTBS, M., Baltimore.

**Women newsreel commentators will battle male commentators on the "Battle of the Sexes" over NBC-Red, Tuesday at 9 P.M. The women's team consists of Arlene Francis, EKO-Path... Pat Read, Paramount News; and Kaye Webb, Movienews in the morning se... Two other panels will appear on NBC-Red, March 29, the women's panel at 9:30 P.M. The topics of the women's panel are "Are Most Women Back in the Workforce?" and "Bobby Darin."**

**NBC has decided to concentrate control over all auditions in the future in the production department. Requests will be required to clear through this same department.**

**Program News: Mars Candy has taken an option on the 5.30-6:00, CST, Sundays, spot on NBC-Red, effective March 2. A musical show to supplement... Newsreel of Miller Smith Carpent, will sponsor a series on home decoration for over six New England CBS stations beginning Monday. The following will be heard Wednesdays, Thursdays and Fridays at 3:30 P.M. The "Pot o' Gold" show moves to Chicago for its Feb. 13 broadcast over NBC-Blue.**

**FCC Seeks Battle on Channel in Brooklyn**

WASHINGTON, Feb. 5.—The Federal Communications Commission today settled the controversy over the use of the 1,500-kilocycle channel in Brooklyn with a proposal dismissing with prejudice of the application of WMBQ for renewal of license; dismissal with prejudice of the application of Lillian E. Kiefer for a construction permit for a new station; denial of the application of Paul J. Golliher for a construction permit for a new station on the same frequency; and denial of the application of Station WBNR for renewal of license and dismissal with prejudice of the application of the station for modification of license, and grant of the application of Station WYRL for renewal of license and modification of license.

**Wind Is Buffalo's Leader At $15,500**

BUFFALO, Feb. 5.—"Gone With the Wind" continued strong in its second week at the Great Lakes with $15,500. "The Philadelphia Story" and "The Wild Man of Borneo" made $16,100 at the Orpheum.

**Estimated takings for the week ending Feb. 1:**

**Radio Theatre Is Planned in Mexico**

MEXICO City, Feb. 5.—A radio theatre in English, the first of its kind in Mexico, is being organized for opening in March by Leonildo Samaniego, new director of Station XECA here, which is owned by the Ministry of the Interior. Samaniego has long worked in radio in Mexico and has seen service in the United States. This is part of the station's program of general improvement in its educational and news broadcasts, which are intended to give better cultural, educational and Government publicity service to the people of the United States and the United States.**

**Repair Mexican Station**

MEXICO City, Feb. 5.—Repairs are being rushed on XEB, the short wave network of Station XEB here, owned by the Ruan Tano Cigarette Co., which was destroyed by fire caused by a power short circuit.
Universal to Offer 42 to 46 Next Season

Production Budget Will Be Firm's Largest

Universal will schedule between 42 and 46 features for new season release, approximately half of which will be top budget productions representing the largest cash outlay on a season's program in the company's history.

District and branch sales managers at the company's three-day sales convention opening at the Blackstone Hotel, Chicago, tomorrow, also will be informed that the company will release 12 to 14 action pictures, four serials, 98 shorts and 101 issues of Universal Newsreel next season.

The program numerically is about the same as the company announced for the current season, but represents a much higher production appropriation.

Definite commitments for new stars, producers and directors for the new season's lineup already have been made by the studio. The company's product announcement will be made to the convention on Monday.

The first two days of the session will be devoted to discussion of the balance of Universal's current season releases, a large part of which also has been augmented by increased appropriations for the addition of stars and other production values under Universal's policy of flexibility. Between now and Sept. 1, Universal will (Continued on page 6)

Holdovers Bring Good B'way Gross

Holdover attractions brought strong grosses to Broadway first runs during the week as mild winter weather drew crowds to the downtown area.

With an estimated $85,000 for its sixth week, "Philadelphia Story" and a stage show set a new Music Hall mark for a single engagement by bringing the total six-week tally to an estimated $590,000.

Another big holdover gross was that of "Tall, Dark and Handsome" with a stage show and the Fox which drew an estimated $48,500 for its second week but had to be withdrawn because of a crowded booking calendar.

"Western Union" opened there yesterday. At the Strand, the second week (Continued on page 7)

General Price Increase Advocated by Bernhard

A general raise of admission scales throughout the country in order "to protect the financial structure of our business," was advocated by Joseph Bernhard, general manager of Warner's Theatres, in addressing members of the Ampe at their luncheon meeting at the Hotel Edison.

At the same time, Bernhard reiterated his objections to periodic admission increases for occasional big attractions.

Bernhard pointed out that there were not enough such big attractions to support the industry profitably and that the occasional raising of scales eventually will make the public "price-conscience to a dangerous degree."

"Our customers will look upon prices as a trade's mark," said Bernhard. "Unconsciously, we will be telling the public that when the price goes up it is a good picture."

"Price remains stationary, it is not good. Keep up the jingling of prices and you will shift emphasis toward the entertainment to price."

"When we do play a 'splash' picture at regular prices that is a special dividend we are giving to our customers to keep them coming, and to earn their goodwill."

Asserting that where 10 years ago the customer was spending an average of $0.50, "this is a better than $2.00."

MPTOA Convention On Coast in Spring

National convention of M.P.T.O.A. probably will be held in Los Angeles toward the end of April or early in May, Ed Kuykendall, president, said on his arrival here yesterday from Washington.

Kuykendall emphasized that no definite arrangements have been made yet but that he hopes to complete plans for the convention before leaving New York within a few days. The M.P.T.O.A. head conferred with members of Congress in Washington on possible revisions of the Federal admission tax. Kuykendall reported that while a revision of the admission tax appears to be certain when the general tax bill comes before Congress later, no final decisions have been made on changes yet.
Argentina to Set 'Dictator' Status
Buenos Aires, Feb. 6.—The Argentine Federal Government will name a special committee to determine whether the "Great Dictator" affects foreign relations with the friendly government.

The move will be made in view of the fact that the film has been banned here but is being shown in several other cities. The committee will determine whether exhibition is to be permitted and if so, whether cuts must be made.

Studio Locals May Seek Aid in Dispute

Hollywood, Feb. 6.—Aid of their Internationals may be sought by locals in the studio basic labor agreement for settlement of their demands for better working conditions, it appeared today. Business representatives of the locals involved met today and turned over their demands to the International, which is seeking a compromise.

Among the demands of the teamster, plasterer, laborer, musician, carpenter and electrician locals was a limitation of cancellation of a work permit to eight hours before the work was to start. The producers agreed to a three-hour period of cancellation but this was rejected today. At present there is no cancellation period provided.

Sets Combination Bill

COLUMBUS, O., Feb. 6.—The RKO Palace, which plans a combination straight pictures, with an occasional stage attraction, will play a combination stage show for about four consecutive weeks. It has not been decided whether this policy will be permanent.

Centralized Warner

Philadelphia, Feb. 6.—In a move to centralize the operation of Warner Bros. here, this area, Zone Manager Ted Schlanger today made A. Vanni, formerly in charge of the Wilmington district, head of all the circuit houses outside of Philadelphia.

Vanni’s territory also includes Atlantic City, filing a vacancy left today by the resignation of Herbert L. Copelan, Vanni’s headquarters will be here. Three district managers covering the area outside Philadelphia were set up under Vanni: Mort Levine, for southern New Jersey from Atlantic City to Camden; Jack Malliull for eastern Pennsylvania, covering Allentown, Chester and Reading, and Edward Moore, for central Pennsylvania, covering Lancaster, York, Hanover and Gettysburg in addition.

For the first time five city manager posts were designated, Joe Murphy, Camden Fullin, Jack Fullin, from Holly, Ed. O’Connell, Lancaster; Lou Black, Wilmington, and Paul Harvey, York.

Waldorf Theatre Sold

The Waldorf Theatre, 50th St., has been sold by the Greenwich Savings Bank to William A. O’Brien, who plans stores on the site.

Personal Mention

STANTON GRIFFIS, chairman of the Paramount executive committee, will leave for Florida tomorrow for a 10-day vacation.

ALBERT DEANE of the Paramount foreign department is recovering from an injury incurred in a fall on an icy walk.

MRS. E. W. HAMMONS will leave for Mexico, Ariz., today for a lengthy stay.

GEORGE J. SCHAEFFER, RKO president, has postponed his departure for the Coast again. He is scheduled now to leave a week from today.

Mr. and Mrs. Leo Spitz are scheduled to return from California on March 1.

HAL WALLIS, Warner executive producer, is en route back to the Coast today after two weeks of conferences at the home office.

BEN KALMANSOHN, Warners’ West Coast southern sales manager, has returned from a tour of exchanges in his territory.

GEORGE S. JEFFERY returns tomorrow from a four-day business trip to Montreal and Boston.

LYNN FARNOL will leave for the Coast by plane Sunday for a brief visit.

ROBERT DENTON, Paramount news chief in Washington, has recovered from influenza.

EMANUEL SILVERSTONE, HARRY COSMAN, SYMEY POE and SAM TULPE at Lindy’s (next to the Rival) for lunch yesterday.

Central Warner

Philadelphia, Feb. 5.—A move to centralize the operation of Warner Bros. here, this area, Zone Manager Ted Schlaner today made A. Vanni, formerly in charge of the Wilmington district, head of all the circuit houses outside of Philadelphia.

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Newsreel Parade

Outstanding in the new issues is Wendell Willkie’s visit in England. President Batista of Cuba is in New York. The world is beset with miscellaneous war items and general news material, including sports, for the reels. The contents:

Motion Picture News, No. 44—Brittle take Burdine, Willkie in England, Kirk, commission old locomotives. Army 1000 students test final installation of flat facings. Silver Skates championships. Out for Flights.也为．


Lindy’s Restaurants

1626 BROADWAY 1667 S. HILL (Across from the Rialto Theater) (3430 E. CLEVELAND)

For over 20 years the luncheon and dinner place for Motion Picture People

Sale agents in New York for FAMOUS

Blum’s Almondettes

from San Francisco, California

Sues Loew Officers On Proskauer Fee

Ruth L. Kirby, minority stockholder of Loew’s, filed suit yesterday against Myron S. Kibbee, C. D. Weinberg, Frank Paine, I. E. Lopert, Arthur Krims, Toby Gruen, Luther Adler, John D. Hertz, Jr., John Buchanan, and Jack Skouras holding luncheon yesterday at Sardi’s.

Harry Brand, Robert Weitman, Jack Gortz, Joseph Pincus and Joseph Moskowitz having lunch yesterday at Lindy’s (51st St.).

Baines’ to Open in Vermont Thursday

The world premiere of “Scattergood Baines,” RKO film starring Guy Kibbee, based on the Clarence Budington Kelland character, will be held at the Center Theater, with Gov. William H. Wills of Vermont scheduled to attend. With him will be many state officials, leading business men and newspaper representatives from New England cities. Kibbee will attend the premiere from a group from the RKO home office who will accompany him from here.

Dietz Starts East Today

Hollywood, Feb. 6.—Howard Dietz, M-G-M director of advertising and publicity will leave tomorrow by train for New York after a month of conference about campaigns on Spring product.
CAGNEY'S TOP IS STRAWBERRY BLONDE! DEFINITELY!
We’re not kidding. Better stop all booking commitments after ‘Strawberry Blonde’ because there’s no telling how long you’ll be holding it!

It’s the same old Cagney—in the good old days!
IT'S GOT EVERYTHING THAT WARNERS' TOP CAGNEY SHOW COULD HAVE
AND (it's a big 'and'!)
A GREAT FAMILY APPEAL
BESIDES!

JAMES CAGNEY
He scraps as hard as ever—only it looks a lot funnier!...and
OLIVIA DEHAVILLAND
Delivering their all-time standout performances in
Strawberry Blonde
The gayest story of the gay '90's you've ever seen on celluloid!

RITA HAYWORTH
with ALAN HALE • JACK CARSON • GEORGE TOBIAS

Directed by RAOUl WALSH
Screen Play by Julius J. and Philip G. Epstein • From a Play by James Hagan
A Warner Bros.-First National Picture
Universal to Offer 42 to 46
Next Season

(Continued from page 1)

deliver 29 features and a serial, all of which either are completed, in work or in preparation. Considerable attention will be given by the sales force to the proper marketing of the balance of this season's product during the coming months.

The meeting will be attended by all of Universal's top home office and studio executives, in addition to the district and branch managers who were listed in MOTION PICTURE DAILY on Jan. 30.

The Eastern contingent, consisting of the following, will leave here tonight for Chicago: J. Cheever Cowdin, chairman of the board; Nate J. Blumberg, president; W. A. Scully, vice-president and general sales manager, who will preside at the meeting; J. A. McCarthy, Eastern sales manager; W. J. Heineman, Western sales manager; J. H. Seidman, vice-president and foreign manager, Charles D. Prutzman, vice-president and general counsel; Adolph Schimmel, home office attorney; B. B. Kreisler, short subjects sales manager; James J. Jordan, F. T. Murray, A. J. Sharick, Morris Akin and Henry A. Linet.

Representing the studio will be: Cliff Work, vice-president and studio head; Matthew J. Fox, vice-president; John Joseph, advertising and publicity director; Joe Pasternak, Milton Feld and Dan Kelley.

A Canadian contingent will include: Oscar Hanson, president of Empire-Universal, Canadian distributor for the company; Paul Nathanson, vice-president of Empire-Universal; A. W. Perry, general sales manager, and Clair Hague, Canadian representative.

33 RKO Theatres Shift Feature Time

By Wednesday 33 RKO theatres in the Metropolitan area will have adopted the policy of showing the main feature at either 9:30 P. M. or as a further inducement to patrons not desiring to see both features on double feature programs.

The circuit experimented with such a policy last September at the 86th Street Theatre and to date has instituted the change in about eight others.

As scheduled, 31 Loew's double bill theatres in the area began last night, presenting the main feature at 9 P.M.

O'Brien Play Ready

Robert O'Brien, son of Dennis F. O'Brien, prominent industry attorney and member of the board of United Artists, is co-author and producer, with Eddie Gilmore, of a revue to be presented at the Barrow-Plaza Little Theatre, Feb. 21-23, for the benefit of the British War Relief Fund.

Hettesheimer Dies

Cincinnati, Feb. 6.—Andrew G. Hettesheimer, 73, operator of the suburban Norwood Theatre, died at Christ Hospital last night following a heart attack Saturday. His widow, two sons and two daughters survive.

Universal Executives Attend Convention

Commonwealth Shift Auditor, Managers

KANSAS CITY, Feb 6. — L. D. Parrot, auditor for Commonwealth Amusement Corp., has been shifted to Creston, Ia., as manager for the Commonwealth houses there. He succeeds Merl Hillyer, who will manage the Commonwealth Benton, Kansas City suburban house.

Howard Wolf goes from the Benton to the Variety at Lawrence, Kansas, as manager under Stanley Schwaun, city manager. Hazel Ralph becomes auditor for the circuit here.

AFA Fund Plan to Court

Plan for the appointment of Senator Robert F. Wagner, Joseph Padway and Sidney E. Cohen as trustees without compensation to administer the death benefit fund of the defunct American Federation of Actors was submitted yesterday to N. Y. Supreme Court Justice Bernard L. Shientag for his approval.

Kyser, ‘Play Girl’ $28,000, Cleveland

CLEVELAND, Feb. 6. — Kay Kyser on the RKO Palace stage, with “Play Girl” on the screen, hit a smash $28,000 at the RKO Palace. “Gone With the Wind” at Loew’s State took $22,000 in its second week.

Estimated takings for the week ending Jan. 30:

“Kitty Foyle” (RKO) ALLEN — (3,000) (3c-39c-47c) 7 days, 3rd week. Gross: $3,500. (Average, $1,000)

“This Thing Called Love” (Col.) Hipodrome — (3,400) (3c-39c-47c) 7 days. Gross: $4,000. (Average, $1,000)

“Play Girl” (RKO) RKO PALACE — (3,300) (3c-39c-47c) 7 days. Kay Kyser on stage. Gross: $2,000. (Average, $1,000)

“Gone With the Wind” (M-G-M) LOW’S STILLMAN — (1,000) (3c-39c-47c) 7 days, 2nd week. Gross: $2,000. (Average at 3c-39c-47c, $1,000)

69 Canada Stations Change Frequency

OTTAWA, Feb. 6. — Sixty-nine of the 86 broadcasting stations in Canada operating in the standard broadcasting band will be changed at 3 A. M., March 29, Supply Minister Howe has announced.

The relocation of frequencies conforms with the agreement reached at the international radio conference in Havana in 1937, and the Washington engineering conference just completed, said the Minister, under whose jurisdiction radio broadcasting falls.

Howe's statement listed the following as some of the principal allocations in central Canada: CBF, Montreal, 690 kilocycles from 910 kilocycles; CBL, Montreal, 740 kilocycles from 840 kilocycles; CFRB, Toronto, 860 kilocycles from 690 kilocycles; CKAC, Montreal, 730 kilocycles, no change; CKJW, Windsor, Ont., 800 kilocycles from 1,030 kilocycles; CBM, Montreal, 940 kilocycles from 960 kilocycles.
Goldwyn May
Stay With UA
Despite Deal

"The Mad Doctor"
(Parmount)

Hollywood, Feb. 6

T HIS is a melodrama in the thrill-chilled tradition. It is being coupled, in fact, with "The Monster and the Girl" as a "spook week" attraction at the Paramount Theatre in Los Angeles. The film contains three murderers, not counting a couple that have occurred prior to the start of the picture, but is set apart from other films in kind by the introduction of psychoanalysis as a major factor in what goes on. That is to say, the doctor of the title, the psychiatrist, psycho-analyses an intended victim and also himself, by standard means, thus furnishing to the audience a motive for his activities which differs from those commonly employed in these shockers.

Basil Rathbone is seen as the doctor, Ellen Drew as the girl he marries later, and Richard Denning as a reporter sweetheart, Martin Kosleck as the doctor's companion in crime, and Ralph Morgan as an honest practitioner.

Origin of the doctor's impulse to marry and murder women of wealth, is according to his explanation, his betrayal by his first wife and his best friend, both of whom he murdered. With Allen and two more women, he meets and psycho-analyses a girl whose influence, he believes, will reform him. His last previous murder is detected, however, and, although two more murders are committed by way of trying to prevent capture and conviction, his plot fails and he commits suicide. A bit of body-snatching is an incident in the film. Direction is by Tim

Holdovers Bring
Good B'way Gross

"High Sierra" with Henry Basse's band on the stage was good for an estimated $35,000 and "Honeymoon for Three" with Red Buttons both of which on the stage will open this morning, with the next film scheduled to be "Strawberry Blonde." In its return engagement at the Capitol, "Gone With the Wind" garnered an estimated $50,000 for the second week and started the third yesterday.

Sixteenth week for "The Great Dictator" brought an estimated $13,000 at the Astor. At the Broadway, "Fantasia" should gross an estimated $22,000 for the 13th week which ends tomorrow. "The Saint in Palm Springs" brought an estimated $7,000 for a week at the Rialto and was followed yesterday by "Face Behind the Mask."

Majors Watching
British Film Plan

(Continued from page 1)

change agreement, the Government indicated it would be in favor of the commission situation, and would not promise to abandon it at that time.

It is believed that the commission plan of the British Board of Trade is aimed particularly at assistance to producers, but a close watch will be kept by American interests for other developments on the commission situation.

Lane Heads N.A.B.
District on Coast

SAN FRANCISCO, Feb. 6.—Howard Lane, manager of all McChesney stations in California and Nevada, was unanimously reelected director of the 15th District of the National Association of Broadcasters at the district session here. He will serve for two years. The session went on record as favoring such a program as the BMI program of combating Ascap.

WIP Joining Mutual

WIP, Philadelphia, operating with 5,000 watts on 60 kilocycles, will become a full-time Mutual affiliate March 1 when Mutual's present outlet in that city, WIPH, will end its affiliation.

Fleischer Starts
Feature Cartoon

MIAMI, Feb. 6.—The Fleischer Studio has started production on its second feature length cartoon. The feature, titled "Mr. Bug Goes to Town," will be in Technicolor, and will be a Paramount release.

Based on an original story, the film is expected to require 10 months to complete, employing about 70 artists, according to Dave Fleischer, production head and director of the film. The story is intended as a dramatic theme, concerning a group of insects whose home is a patch of earth just off Broadway.

Skouras to Washington

Sproyo P. Skouras, president of National Theatres and president of the Greek War Relief Association, flew to Washington last week with a letter from Greek Ambassador Riman Diamontopolous about future plans for civilian relief in Greece.

"Boudoir," New Play
Is Opening Tonight

Jacques Chambrun's production of "Boudoir," a new play by Jacques Deval, opens tonight at the Booth with Helen Twelvetrees, Taylor Holmes and Else Argal in the top roles.

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OH, BOY, I BEEN
EAVESDRIPPIN' ON NEIL AGNEW
AND HE SAYS...

INTER-COMMUNICATION

TO: ALL SALES EXECUTIVES
FROM: NEIL AGNEW

First reports on "VIRGINIA" are as follows:

LYNCHBURG (1 wk.) — 75% over "N.W.M.P."
CHARLOTTESVILLE (1 wk.) — 70% over "N.W.M.P."
NEWPORT NEWS (1 wk.) — 50% over "N.W.M.P."
RICHMOND (1 wk.) — 25% over "N.W.M.P.", which played at advanced prices
NORFOLK (1 wk.) — Tops "N.W.M.P.", which played at advanced prices
WASHINGTON (5 days) — Equals "N.W.M.P." take and outgrosses "Road to Singapore", "Union Pacific", "Love Thy Neighbor"
NEW YORK (1 wk.) — Outgrosses "Love Thy Neighbor" 
"Arise My Love", "Road to Singapore"

Signed

 PARAMOUNT PRESENTS

"VIRGINIA"
IN TECHNICOLOR!

MADELINE
CARROLL • MACMURRAY
FRED
— Stirling Hayden • Helen Broderick
Marie Wilson • Carolyn Lee

Screen Play by Virginia Van Upp • Based on a Story by Edward H. Griffith
and Virginia Van Upp • Produced and Directed by EDWARD H. GRIFFITH
U' Production
Budget Raised
By $2,500,000

Chicago Meeting to Get
New Lineup Today

Chicago, Feb. 9—Universal's pro-
duction budget for the 1941-42 season
will be increased by approximately
$2,500,000 over the current season's
budget; the company's district and
branch managers in convention at the
Blackstone Hotel here were informed
yesterday by Nate J. Blumberg, presi-
dent.

The increase, following upon one
of $2,000,000 last year, will pro-
vide the studio with $4,500,000
more of production funds than were
available to it for the 1939-40 program, it
was pointed out.

The company's new season produc-
tion schedule, insofar as definite com-
mittments entered into thus far will
permit, will be disclosed to the meet-
ing tomorrow by William A. Scully,
vice-president and general sales man-
geur. Scully opened the meeting Sat-
urday morning and is presiding over
the sessions. About 100 Universal
home office and studio executives, dis-
trict and branch managers and Ca-
nadian representatives are here for
the convention, which will end mon-
to.

The first two days of the session
were devoted to discussion of the 29
features which Universal will release
(Continued on page 4)

Zukor Chairman of
Greek Relief Drive

Adolph Zukor, chairman of the
Paramount board, has accepted the
chairmanship of the amusement indus-
try division of the Greek War Relief
Association, headquarters of which have
been opened in the Paramount
Building.

Zukor announced that the following
will serve on the advisory committee:
Will H. Hays, Martin Quigley, Sid-
ney R. Keeney, Sam H. Harris, Joseph
Bernhard and W. G. Van Schmus.

Gradwell L. Sears is chairman of the
distributors' committee and John
H. Harris, chairman of the exhibitors'
committee. The country has been di-
hid into 12 zones and the chairman
are: Arch M. Bowker; John J. Friedl,
Harry M. Kalmine, M. A. Ightman,
M. J. Mulin, R. J. O'Donnell, Elmer
E. Knoedel, E. V. Richards, Frank H.
Rickerson, Jules J. Ruben, J. R.
Vogel and R. B. Wilby.

Nominations for Academy
Awards Are Announced

Hollywood, Feb. 9—Nominations
for the Academy Awards of 1940,
from which the prize winners will be
decided at the annual banquet here
on Feb. 27, are as follows:

Outstanding Production—"All This,
and Heaven Too," "Foreign Cor-
respondent," "Grapes of Wrath," "The
Great Dictator," "Kitty Foyle," "The
Letter," "The Long Voyage Home," "Our

Best Performance by Actor—
Charlton Heston in "The Great Dicta-
tor;" Henry Fonda in "Grapes of
Wrath;" Raymond Massey in "Abe
Lincoln in Illinois;" Laurence Olivier
in "Rebecca;" James Stewart in "The
Philadelphia Story.

Best Performance by Actress—
Bette Davis in "The Letter;" Joan
Fontaine in "Rebecca;" Katharine
 Hepburn in "The Philadelphia Story;"
Ginger Rogers in "Kitty Foyle;" Marsha
Scott in "Our Town.

Basserman Nominated

Best Performance by an Actor in
Supporting Role—Albert Basserman
in "Foreign Correspondent;" Walter
Brennan in "The Westerner;" Will-
liam Gargan in "They Knew What
They Wanted;" Jack Oakie in "The
Great Dictator;" James Stephenson
in "The Letter.

Best Performance by an Actress in
Supporting Role—Judith Anderson in
"Rebecca;" Jane Darwell in "Grapes
of Wrath;" Ruth Hussey in "The
Philadelphia Story;" Barbara O'Neil
in "All This, and Heaven Too;"
Marjorie Rambau in "Primrose Path.

Best Direction—John Ford for
"Grapes of Wrath;" Sam Wood for
"Kitty Foyle;" William Wyler for
"The Letter;" George Cukor for
"The Philadelphia Story;" Alfred
Hitchcock for "Rebecca.

Best Original Motion Picture Story
—Benjamin Glazer and John S. Tolby
for "Arie My Love;" Walter Reisch
for "Comrade X;" Dore Schary and
Hugh Butler for "Edison the Man;"
Bela S pawk, Samuel Spawack and Leo
McCary for "My Favorite Wife;" Stuart
N. Lake for "The Westerner.

Name Nunnally Johnson

Best Written Screenplay—Nunnally
Johnson for "Grapes of Wrath;"
Dalton Trumbo for "Kitty Foyle;"
Dudley Nichols for "The Long Voy-
age Home;" Donald Ogden Stewart
for "The Philadelphia Story;" Robert
Sherwood and Joan Harrison for
"Rebecca.

Best Original Screenplay—Ben
Hecht for "An Account Over Broadway;"
John Huston, Heinz Herald and Nor-
mun Burnside for "Dr. Ehrlich's
Magic Bullet;" Charles Bennett and
Joan Harrison for "Foreign Cor-
respondent;" Charles Chaplin for
"The Great Dictator;" Preston
Sturges for "The Great McGinty.

Complaint in
Capital First
Under Decree

Baltimore House Names
20th-Fox Warners

Washington, Feb. 9.—The first
petition for arbitration of a complaint
under the industry's Federal consent
decree was filed at the local arbitra-
tion board here on Friday.

The complainant is the Wal-
brook Amusement Co. of Balti-
more, Thomas D. Goldberg,
president. The company oper-
ates the Wallbrook Theatre in
that city.

In the complaint filed with H. B.
Barton, manager of the local arbitra-
tion office here, arbitration is asked to
settle a clearance controversy with
Vitagraph, Inc., and 20th Century-
Fox. The other Baltimore theatres for
which the company does business are
the Ambassador, Forrest and Gwynn.

The first complaint was filed just
as the first week of operation of the
industry's 31 local boards set up under
the consent decree was coming to an
end. No complaints were filed an-
where else in the industry during the
first week of the 31 boards were open.

It is estimated that a hearing on
the complaint can be had in about
(Continued on page 4)

Paramount Doubles
Earnings for Year

With 1940 earnings estimated at
$7,617,000 Paramount nearly doubled
its net of $3,874,000 for the preceding
year, it was disclosed by the com-
pany's report issued over the week-
end. The result is Paramount's best
in 10 years.

The Paramount board on Friday
declared a 20-cent dividend on the
2,465,927 shares of common stock out-
standing, together with a quarterly
dividend of $1.50 per share on the
first preferred stock and a dividend of
15 cents per share on the second pre-
ferred. The dividends are payable
April 1 to common stockholders of
record on March 14 and to preferred
holders of record on March 11.

Paramount's earnings for the fourth
quarter of 1940, after all charges in-
cluding Federal taxes and interest,
are estimated by the company at
$2,807,000, compared with net of $1,030,000
for the corresponding quarter of the
preceding year. Estimated earnings
for the 1941 quarter do not include
$381,000, representing a partial
(Continued on page 4)
Keeping Busy
St. John, N. B., Feb. 8.—A man of diversified interests is R. G. March, manager of the local 20th Century-Fox exchange. He heads the Film Center Building project, is part owner of the Capitol, Sussex, N. B., is part owner of a local bank and has been a member of the Gulf of St. Lawrence, and as for a hobby, he is the official master of ceremonies and song leader for the St. John Rotary Club.

Detroit Fox Polling Patrons on Duals
Detroit, Feb. 9.—A poll of patrons to determine preferences for single or double features has been started at the Fox here.

Patrons are being asked to cast ball- lots for their preference whenever the week's close next Thursday. Under the test policy, Jackson S. Hurford, manager, has arranged a program of two features, "Information, Please," featuring Wendell Willkie for three shows up to 7:15 P. M. For two evening shows only one feature plus "Information, Please" will be screened. "Back Street" is the main feature for the evening show, with "Youth Will Be Served" as the added afternoon feature.

Ufa Reports Year's Net 1,700,000 Marks
Ufa, Germany's leading film company, reported over the weekend, according to press dispatches, net profit for the fiscal year 1939-1940 to May 31, last, of 1,700,000 marks, against 470,000 marks the previous year. Gross turnover was given at 160,100,000 marks, against 142,400,000 marks previously. Dividends were still withheld.

Theaters enjoyed good attendance during the fiscal year in Germany, it was reported, chiefly because of war newsreels. Twenty-seven features were produced, against 30 the previous year. Foremost among the German feature films was "Ice Bound," against six; 18 shorts, against 15; 32 German culture films, against 28; 24 industrial films, against 125.

AFM Passes Over Ascap-BMI Battle
MIAMI, Feb. 9.—Executive officers of American Federation of Musicians endorsed the American Society of Composers, Authors, and Publishers here Friday with no action taken on the Ascap-BMI situation. Most of the business was taken up with letters and appeals from local unions, officials said.

J. W. Parks was appointed to represent the A.F.M. in Washington on all matters concerning, the Copyright project. The meeting was attended by nine delegates and two honorary delegates.

To Advise on 'One Foot'
Rev. Norman Vincent Peale, pastor of the Marble Collegiate Church, New York, has been selected by a group of Protestant clergymen to act as adviser on the film "Warriors are producing from the book by Hartzell Spence, "One Foot in Heaven."
WESTERN UNION
IS WHOOPING IT UP
—WITH TWO BIG FEATHERS
IN ITS BONNET!

NEW YORK
BOSTON

"WESTERN UNION' SPECTACULAR
ENTERTAINMENT!" — N. Y. Times

"MAKES PICTURE HISTORY!"
— N. Y. Daily Mirror

"ENTERTAINMENT WITH A CAPITAL
'E'! ENORMOUSLY EXCITING!"
— N. Y. World-Telegram

"FAST! FURIOUS! PUNCH-PACKED!"
— N. Y. Post

"A ROUSING GOOD WESTERN!"
— N. Y. Herald Tribune

And in Boston: . . . THE BIGGEST OPENING BUSINESS IN OVER A YEAR! . . . BEATING "TIN PAN ALLEY", "LILLIAN RUSSELL", "DOWN ARGENTINE WAY"!

One of the Big Money-Making Pictures of the Year!
"U" Production Budget Raised By $2,500,000

Omaha Gives Story 'Good' $10,100 Gross

Paramount Doubles Earnings for Year

‘Girls’ Holtz Group $11,000, Milwaukee

Smakowitz Wins Contest

Showmanship Flashes...
"TEN BEST" ALL ON EASTMAN FILM

EVERY one of the Ten Best Pictures, selected in the Film Daily's critics poll for 1940, was made on Eastman Negative Films. This impressive record speaks for itself. In 1941, these exceptional films will continue to contribute to the success of outstanding screen productions.

Eastman Kodak Company, Rochester, N.Y.

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

PLUS-X for general studio use

SUPER-XX when little light is available

BACKGROUND-X for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
**Short Subject Reviews**

**“Unusual Occupations, LO-3”**
(Paramount)

Reall unusual and interesting material has been filmed here in color. The first subject, given thorough treatment, is a California girl who makes beautiful ornamental dolls. Following are a mechanical elephant in Oklahoma, Speedster Ab Jenkins in a record-breaking run, a New York man employing puppet-like mattresses on a miniature village, and finally, and most amusing, is a Hoosier who creates a variety of bubbles. Running time, 10 mins.

**“Gene Krupa and His Orchestra”**
(Paramount)

The maestro, accepted as the hottest drum stick wielder of the nation, has been through the wiles with such jitterbug delights as “Jungle Madness,” “Hamtramck” and “Perfidia.” Irene Daye and Howard Du- lancy handle the vocals engagingly, while the other members of the troupe play loud and “swinging.” Running time, 11 mins.

**“Bagdad Daddy”**
(Universal)

The musical featurette is a harem with Fuzzy Knight, comic in many of Hollywood’s sargebrush productions, as the character. Here, though, he is virtually inactive, merely reposing comfortably while a group of entertainers, including Gertrude Niesen, strives to please him. Miss Niesen sings one number entertainingly. The others on the program, Milton Wilkins, dancer; “Stop, Look and Listen,” a singing trio; Mavis Mims, dancer, and Jack Gwyrne, magician, are of the standard vaudeville type. Running time, 15 mins.

**“Mouse Trappers”**
(Universal)

Andy and Papa Panda, cartoon characters, create a few laughs with the help of a mouse. Papa is first seen boasting of his exploits with wild animals and when the mouse enters, his encounter with the mouse is occasionally amusing. Running time, 7 mins.

**“Going Places, No. 86”**
(Universal)

Here is a tour “South of the Border,” with interesting off-screen comments about the history of each place visited. The short lacks color, however, which would have made it considerably more effective. Running time, 9 mins.

**“Two for the Zoo”**
(Paramount)

Here again is Gabby, the loquacious hero of “Gulliver’s Travels.” He has difficulty with a racing-bagaroo which is consigned to the local zoo but because of interference escapes. Gabby was much funnier when he made his debut with Gulliver. Running time, 7 mins.

**Feature Reviews**

**“The Monster and the Girl”**
(Paramount)

TITLED “D. O. A.,” short for “Dead On Arrival,” during production, and released as “The Monster and the Girl” for purposes of pairing with “The Mad Doctor,” on what the Los Angeles Paramount theatre billed as a “shock week” program, this picture contains seven murders, an execution, a galaxy of gangsters, some mystified police and a scientist who endows a gorilla with a man’s brain, surgically, in the interests of humanity. The man whose brain is given to the gorilla has been executed for a murder he didn’t commit and the gorilla, guided by the man’s brain, memory, escape and commits six murders by way of revenging himself upon those who contrived his conviction.

Preliminary to the operation by which the gorilla is given the human brain, a court room sequence, with flashbacks, relates the tale of a girl, victim of a mock marriage, whose brother, seeking the man who has wronged her, is present at his killing by another and is charged with the crime. The gorilla, which is subject to murder, has been operated on by the man’s brain and memory, escapes and commits six murders by way of revenging himself upon those who contrived his conviction.

Ellen Drew, Robert Paige, Paul Lukas, Joseph Callela, Onslow Stevens, George Zucco, Rod Cameron, Phillip Terry, Marc Lawrence, Gerald Mohr, Tom Dugan, Willard Robertson, Minor Watson, George F. Meader, Cliff Edwards and Skipper, a dog, are listed in the cast. Direction is by Stuart Heisler.

Running time, 63 minutes. “G.”
Roscio Williams

**“The Face Behind the Mask”**
(Columbia)

BASED on a radio play, this melodramatic picture offers a moderate amount of entertainment for those whose tastes run to the active and slightly weird in screen fiction.

Peter Lorre is in the leading role as the immigrant whose hopes are dashed in this country when an accident in a fire mutilates his face, and who becomes a master thief in order to obtain the money to have a plastic operation. Failing that he wears a skin mask, finds a moment or two of happiness with a blind girl who loves him, then, when she is killed because of his past association with criminals, he pays his debt to them and to society at the same time on an Arizona desert.

Success! Lovers are Evelyn Keyes as the blind girl Bertha and Don Beddoe as the detective who had befriended him, and to whom he repays his obligation by destroying the criminal gang; George E. Stone, as the man who proved his friend when he had none, and James Seay as the former gang leader who causes the death of the blind girl by a bomb trap set for Lorre.

The onlookers wisely permitted Lorre to dominate the footage, and he works valiantly with a script which borders on the improbable. Running time, 67 minutes. “G.”
Charles S. Aarons

**“The Pinto Kid”**
(Columbia)

HERE gunplay, hard riding and a few moments of Western melody, all typical of the standard Western, are presented earnestly in a creditable story. Robust Charles Starrett plays the hero smoothly and Louise Currie in a lesser role, which gives her little opportunity to display her ability, nevertheless contributes a good deal. The Sons of the Pioneers provide the melody.

Others involved in this tale of cattlemen's trying to sell their stock to prejudiced Kansans include Bob Nolan, Paul Sutton, Hank Bell, Francis Walker, Ernie Adams and Jack Rockwell. The Northerners believe that all Texans are outlaws but Starrett and his group convince them to the contrary. The title seems hardly appropriate since there is no reference to such a character as “The Pinto Kid.”

Running time, 61 minutes. “G.”

**Ohio Censors Order 47 Cuts in January**

**Name Drive Winners**

Philadelphia, Feb. 9.—Winners of the businessthe for the last quarter of 1940, conducted among managers of Atlantic Theatres, circuit headed by Ben Amsterdam, are: Gene Stutenroth, Fox, Burlington, N. J., first; Milton Marfin, Fox, Riverside, N. J., second, and Leo Toner, Fox, Mount Holly, N. J., third.

COLUMBUS, Feb. 9.—The Ohio censor reviewed a total of 646 reels in January, from which 47 examinations were ordered. This compares with 412 reels and 29 examinations in December, while in January, 1940, a total of 644 reels were reviewed, and 51 examinations ordered.

**Short Subject Reviews**

**“The Rodeo Goes to Town”**
(20th Century-Fox)

Preparations for a rodeo form the subject matter here, with an amusing riding and such seen in rapid sequence. The big show at Madison Square Garden is short to an exciting climax. There are many thrilling shots packed into this reel. Running time, 10 mins.

**“The Temperamental Lion”**
(20th Century-Fox)

This color cartoon by Paul Terry tells of “Major Doolittle’s” prize strange custom lion, whose unusual nature is uncomfortable confined to a zoo. Ridiculed by the other inmates, he becomes desperate, escapes and settles accounts with the major. His antics lack originality. Running time, 7 mins.

**“Mississippi Swing”**
(20th Century-Fox)

Paul Terry here has an entertaining color cartoon burlesquing the familiar Old South scene of negroes picking cotton and harmonizing with Foster melodies. A showboat attracts the folks and then a satirical minstrel show delights them. The story is somewhat pointless and amusing and is always in good taste. Running time, 7 mins.

**“What a Little Sneeze Will Do”**
(20th Century-Fox)

This cartoon shows Oscar, a pig-strolling briskly and in perfect health. He sneezes and immediately falls dead. Taking these, he passes out and finds himself in a land of medicine bottles. The short is somewhat pointless, with few laughs. Running time, 7 mins.

**“A Village in India”**
(Paramount)

An ingenious cartoon from the Max Fleischer studios, this has puppet-like characters performing in the typical cartoon’s puppet show with Mom and Pop Mouse, the latter seeking to procure food for the family and in so doing is attacked by a group of emus and shells. Mom Mouse comes to the rescue. An unusual short, made in color, it should please. Running time, 11 mins.
Key Grosses Show Gains; $1,624,700 for 150 Houses

Theatre receipts in recent weeks showed a reasonably strong trend upward, probably accounted for by the release of a number of outstanding pictures, in the key cities of the country.

A total of 150 theatres in a score of key cities reported an aggregate gross of $1,624,700 for the week ending Jan. 24-25 at the Motion Picture Daily's compilation from weekly box-office reports of key city theatres. During the week ending Jan. 3-4, including the holiday period, a recent high was reached of $1,725,700 from 139 houses. The combined grosses for the weeks of January show a marked increase over any since the start of the current season last September.

The following tabulation indicates the total gross each week and the number of theatres reporting since Jan. 1, 1940:

<table>
<thead>
<tr>
<th>Week Ending</th>
<th>No. of Theatres</th>
<th>Total Gross</th>
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<tbody>
<tr>
<td>Jan. 5-6, 1940</td>
<td>159</td>
<td>$2,077,200</td>
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<tr>
<td>Jan. 12-13</td>
<td>145</td>
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<td>Jan. 19-23</td>
<td>151</td>
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<tr>
<td>Jan. 26-27</td>
<td>157</td>
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<td>Feb. 2-3</td>
<td>157</td>
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<tr>
<td>Feb. 9-15</td>
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<tr>
<td>Feb. 16-22</td>
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<td>160</td>
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<tr>
<td>March 8-14</td>
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<td>March 15-21</td>
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<tr>
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<td>May 24-30</td>
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<td>Aug. 23-29</td>
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<td>Aug. 30-36</td>
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<td>Sept. 28-34</td>
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<td>Oct. 8-14</td>
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<td>Dec. 27-33</td>
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<td>Jan. 10-16</td>
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</tr>
<tr>
<td>Jan. 24-30</td>
<td>150</td>
<td>1,624,700</td>
</tr>
</tbody>
</table>

Plan Valentine Party

New Haven, Feb. 9—The Loew-Poli ushers will hold a Valentine Day dance at the Seven Gables Inn here Feb. 14, with Harry F. Shaw, division manager; Louis Brown, publicity chief; Robert Russell, Loew-Poli manager; Nat Rubin, assistant; Sam Badamo, College manager, and William Reinhofer, Bijou manager, as guests of honor. In charge of arrangements are Marshall Blevis, Jerry DeLise, Arthur DeFrank, and John Santillo.

New Edison Equipment

Color photography equipment has been installed at the Edison Motion Picture Studio here, according to Leon Levy, vice-president.

Theatre Firm Formed

ALBANY, Feb. 9—Staten Amusement Corp., Manhattan, has been incorporated here by Benjamin R. Raphael, Jesse Chinich and Evelynne Kuhl.
2 New FM Stations Approved by FCC

Washington, Feb. 9.—The Federal Communications Commission has granted construction permits to the WFTL, Philadelphia, for an FM station at 45,300 kilocycles to cover 9,300 square miles with a population of nearly 4,000,000, and to WJAX, Jacksonville, Fla., for a station on 47,100 kilocycles to cover 4,300 square miles with a population of 44,000.

Construction permits for standard broadcasting transmitters were issued to the Clinton Broadcasting Co., Inc., for a 1,240-kilocycle station at Clinton, Iowa; Burlington Broadcasting Co. for a 1,490-kilocycle, 250-watt station at Burlington, Iowa; and Courier-Press Publishing Co., for a 1,340-kilocycle, 250-watt station at Hanibal, Mo.

Station WCL, Joliet, Ill., was authorized to change frequency from 3,130 to 1,340 kilocycles and increase power from 100 to 250 watts, effective March 26. An application for Station WJAJ, Jacksonville, for increase of night power from 1,000 to 5,000 watts was ordered set for hearing.

Further evidence in connection with applications from WHCU, Ithaca, N. Y., for a change of frequency from 200 to 800 kilocycles and extension of time from day to limited, and WSKB, McComb, Miss., for change of frequency from 1,200 to 590 kilocycles was received.

Files Test Action on Dance Hall Records

A suit to prevent the alleged unauthorized playing of records in public dance halls was filed in N. Y. Supreme Court by the National Association of Performing Artists, group said to represent over 600 stars of stage, screen, radio, and stage, against Robert L. Douglas, trading as the Renaissance Ballroom. An application was filed by the NAPA for a preliminary injunction pending a suit to prevent the alleged failure to state a cause of action was also filed.

The NAPA claims that the defendant has been playing copyrighted records without the consent of the copyright owner. It seeks $50,000 damages, an injunction, and an accounting.

Philadelphia' Pulls $13,000, New Haven

NEW HAVEN, Feb. 9.—"The Philadelphia Story," styled with "Saint in Palm Springs," took $13,000 at its first appearance here, with "Give Us Wings" and "Little Men" drew $5,000.

Early takings for the week ending Feb. 6:

"Gene With the Wind" (M-G-M)
COLLEGE—(1,499) (40c-50c) 3 days, $2,127, 75c.
"The Philadelphia Story" (M-G-M)
LOWE-POLI—(800) (30c-50c) 7 days. Gross, $4,000. (Average, $571.)
"Give Us Wings" (RKO)
PARK—(5,500) (30c-50c) 7 days. Gross, $4,500. (Average, $643.)
"Little Men" (RKO)
PARK—(5,500) (30c-50c) 7 days. Gross, $5,000. (Average, $909.)
"High Sierra" (W.-B.)
Six Lessons from Madame Lazonga (Univ.)
SHERMAN—(2,200) (30c-40c) 7 days. Gross, $660. (Average, $300.)

MPTOA Convention Details Set Short!

Final arrangements for M. P. T. O. national convention will be completed by Ed Kuykendall, president, within the next few days. Indi-
cations are the meeting will be held in Los Angeles in late April or early May, depending upon the arrangements still to be made, Kuykendall will depart for his Columbus, Miss., home week-end.

Off the Antenna

SPONSORSHIP of a radio program by dentists in the State of California, in which the dentists refer to themselves as "gentle dentists," violates no law in that State, it has been held on appeal in the case of Barron et al. vs. Board of Medical Examiners of California. The court, in overruling upon the case, the New York Law Journal observes that truthful advertising by dentists is not prohibited in California and apparently it was not made to appear that the respondents were not 'gentle dentists.'

Purely Personal: David Soroff, RCA president, will preside at a dinner of the Economic Club at the Hotel Astor this evening during a discussion of "The Future of Radio." Shubert, Shubert Company, has announced the date of the dinner is February 30. This dinner will be the last of the year, and the date of the New Year. RCA is an industrial center which is benefiting from the defense activity.

Theatre Changes

Enlarge Ottawa Theatre

Ottawa, Feb. 9.—The capacity of the Elgin Theatre here is being increased by 100, Lloyd Mills, 20th Century Theatres, Ltd., manager, has stated.

Reopen in New Britain

New Britain, Feb. 9.—Walters have reopened the Capitol here for Sunday showings only. The house has been closed for many years. Since the war, New Britain is an industrial center which is benefiting by defense activity.

Assistant in Philadelphia

PHILADELPHIA, Feb. 9.—Joseph Titchen, has been named assistant manager of Walters' Astor here.

Plan Two in Trenton

TRENTON, N. J., Feb. 8.—American Community Theatres Inc., of New York, has announced plans to construct two new theatre here. Each structure will have cost of about $150,000. Bids are due shortly.

Lease House in Savannah

Savannah, Ga., Feb. 9.—The old Arcadia Theatre here has been leased to the F. & W. Amusement Co. The site was under lease to the Lucas & Jenkins circuit until Jan. 1. The house will be completely remodeled.

Buy Theatre in Ohio

ATLANTIC, O., Feb. 9—Wylie Minton and Ralph E. Smith of McArthur, 40c-50c) 7 days. Gross, $5,000. (Average, $714.)

Baltimore House Opened

BALTMOORE, Feb. 9.—The new Mayflower Theatre, for Federal housing project, under construction near North Dayton, completion of the theatre is scheduled for June 15.

Open Theatre in Reading

READING, Pa., Feb. 9—Wilmers & Vincent, which recently leased the long-closed Arcadia, have opened the house after remodeling as the New Ritz. The State here has been closed recently for alterations and improvements, and its policy will be used by the New Ritz.

Sloan Adds Three

TRENTON, N. J., Feb. 9—Alvin F. Sloan, of nearby Washington, has taken three theatres in Trenton, Union, and Worksheet Counties to his circuit, now numbering 12 houses, controlled by the St. Cloud Corp.
Films Beat Miami Slump, Bad Weather

Season Started Early, May Extend to May

By SAM SHAIN

MIAMI, Feb. 10.—Theatres owners believe that the Miami season will stretch into May this year. The season also got an earlier start. By December, official reports show that hotels were jammed and transportation lines were running at capacity trains. Bad weather during the past 10 days, rain and cold, slowed up general business but not at the theatres, where good product is standing up very strong under this unusual slump for everybody else.

Among films which are current are "Back Street," "Gone With the Wind," "Mr. and Mrs. Smith," "Hudson's Bay," "Vir.

New Schenck Pact Up at Meet Today

All 12 members of the board of directors of Loew's, Inc. are scheduled to be reelected at the annual meeting of the company's stockholders to be held at the home office today. The meeting also is scheduled to act on a new five-year contract for Nicholas M. Schenck, president.

Gabe Yorke Joins 20th-Fox on Coast

Gabe Yorke has been appointed Western Division promotion manager for 20th-Fox, it was announced yesterday by Charles E. McCarthy, director of advertising and publicity. His headquarters will be in Los Angeles, where he will supervise promotion work in cooperation.

Ascap Approves U. S. Decree in Principle

The Ascap board of directors during an all-day meeting yesterday considered consent decree proposals advanced by the Department of Justice at the weekend meeting in Washington between the board and officials of the Department. While officials refused comment, it was learned following the meeting that the board approved Government consent decree proposals in principle, with only minor points to be worked out. The board voted to discontinue the "Ascap on Parade" program which has been broadcast on four New York independent stations Saturday night.

Unfavorable weather over the weekend weakened grosses along Broadway to a certain extent, but they maintained fairly good levels.

"Western Union" opened strongly at the Roxy with a stage show on Thursday, and drew an estimated $34,000 for the first four days of the first week. It will be held for a second week. "Virginia," at the Paramount, with Glenn Miller's orchestra on the stage, garnered an estimated $23,000 on Saturday and Sunday, and is expected to clear about $49,000 for the second week. The bill will be held for a third stanza, beginning tomorrow.

The fifth and final week of "Kitty Foyle" will end tomorrow, with an estimated gross of $17,000. "Back Street" will open at the house tomorrow night. At the Music Hall, "Arizona," with a stage show, grossed an estimated $30,000 from Thursday through Sunday. It will be replaced by "This Thing Called Love" on Thursday.

"Honeymoon for Three" at the Strand with Ray Noble heading the stage show gave the theatre about $18,000 from Friday through Sunday, and will be held a second week. "Night Train," continuing at the Globe, drew an estimated $5,000 for Saturday and Sunday. Its seventh week, after a sixth week which ended Saturday with an estimated $8,000. It will be held over for an eighth week.

The "Great Dictator" ended its 17th week at the Astor last night with an estimated $14,600. It continues on its two-a-day run at the house. A special Lincoln's Birthday performance will be held tomorrow at 6 P.M.

"Fantasia," now in its 14th week at the Broadway, completed its 13th week last Saturday with an estimated gross of $24,000.

Six Reviews Today

Six features are reviewed in this issue, as follows: "The Trial of Mary Dugan," "Road Show"—Page 5; "Ride Kelly Ride," "Quiet Wedding" (From London) — Page 6; "Meet the Chump," "Petticoat Politics."—Page 9.

B'way Box-Office Fair; 'Union' Sets Pace at First Runs

36 of 47 New Season Films Detailed by 'U'

Year's Earliest Meeting Ends in Chicago

CHICAGO, Feb. 10.—With 36 features of the 1941-'42 production schedule of 47 already designated, Universal today ended the earliest annual sales meeting held by a major company in many years.

In addition to the 47 features for next season, William A. Scully, Universal vice-president and general sales manager, told district and branch managers at the Blackstone Hotel here that the company also would release 14 action pictures, four serials, 69 short subjects, a special two-reel featurette and 104 issues of Universal Newsreel.

The schedule represents an increase of two features and 14 short subjects over the product lineup announced by Universal for the current season.

The three-day meeting was attended by a full representation of home office executives, headed by Nate J. Blumberg and J. Cheever Cowdin, and of studio executives headed by Cliff Work, Matthew Fox and John Joseph. Indications at regional sales meetings for Universal salesmen will

Bannon, Craddock

Sales Aides at 'U'

CHICAGO, Feb. 10.—Changes and additions in the Universal managerial sales setup were announced here today by W. A. Scully, general sales manager.

Jack Bannon, formerly with National Screen Service and more recently reported to be joining the Paramount home office distribution

Home Offices' Half Holiday Tomorrow

Home offices of all major companies will have a half-day holiday tomorrow, Lincoln's Birthday, for all employees, with the exception of 20th Century-Fox, which will remain closed all day. Other home offices will close at 1 P.M.

F.C.C. IS STUDYING FOREIGN BROADCASTS AIMED AT U. S.

Washington, Feb. 10.—"Serious study" is being given European propaganda broadcasting directed at the United States, it was disclosed today by Chairman James L. Fly of the Federal Communications Commission.

He said, however, that the commission cannot disclose what steps, if any, will be taken to meet any serious situation that may arise, although there are several ways in which the problem could be dealt with.

Chairman Fly declared that the commission's surveillance of subversive use of radio does not indicate that the situation is acute although, he admitted, "pay dirt" has been struck in several instances and "some substantial amount" of equipment has been seized.

Vol. 49, No. 29, New York, U.S.A., Tuesday, February 11, 1941, Ten Cents
Coast Flashes

Hollywood, Feb. 10

FIRST of a projected series of 36 one-reel animated subjects on the war, with script and commentary by Raymond Gram Swing, has been completed and will be released shortly by Columbia, according to Lawson Hattis, president of Cartoon Films, Ltd. Six of the films, in the series titled "This Changing World," are scheduled for release this season. All are in color.

George J. Schaefer, president of RKO, is due tomorrow for conferences with studio executives.

Herbert J. Yates arrived today from New York. He expects to remain four weeks, during which he will set Republic's production schedule for the quarter.

The million dollar damage suit filed a year ago by former Mayor Frank Shaw of Los Angeles against Warners has been settled out of court, his attorney, H. DeLorey, announced today. The action was based on alleged depiction of incidents in the mayor's administration in "The Man Who Dared."

W. Ray Johnston, Monogram president, has left for New York to confer with Samuel Brody, general sales manager, on the new season's sales policy. He is stopping over at exchanges en route.

J. "Rig" Hayworth, Paramount vice-president and foreign manager, will arrive from Panama on the Ancro next Sunday.

Harry L. Gold, United Artists vice-president and Eastern sales manager, has returned to New York from the Southwest.

Joseph M. Sedler, head of Prudential Playhouses, will leave Wednesday on the Orient for a Havana vacation after several weeks' illness.

Jack Flynn, Warner Theatre district manager in Philadelphia, is the father of a daughter, born last week at Fitzgerald-Mercy Hospital.

Francis L. Harley, managing director of 20th Century-Fox in England, now vacationing at Palm Beach, plans to sail from New York for his post about March 1.

Ethel Leff, daughter of Abraham Leff of the 5 Boro Circuit, was married Sunday to Albert J. Beerdener at the Hotel Riverside Plaza.

J. M. Franklin, president of Franklin and Herschorn Theatres, St. John, N.B., is on vacation at Miami Beach.

A-Mike Vogel has returned from Miami.

Expect Decision on Money Pact Feb. 28

The decision of Milton J. Handler, arbitrator, on the method of allocating the British currency withdrawals among the eight major companies is expected on Feb. 28, it was stated following the opening of the arbitration hearings on the matter yesterday.

Loew's which advocates distribution of the withdrawals on the basis of individual companies' net profits, will be heard today by the hearing by Sam Cohen, company attorney. The other seven companies, which favor retention of the allocation method used last year, and which was based on each company's gross British business, were represented by Joseph L. Sidney.

Foreign department representatives of several of the companies were heard yesterday and others will present their views later.

Committees Named in Greek Relief Drive

Adolph Zukor, chairman of the board of Paramount, and chairman of the amusement division of the War Relief Association, yesterday designated a campaign committee headed by L. E. Thompson as chairman of the drive. A. F. Waxman will be director. They will be assisted by Jack Connolly, Leonard Goldenson and George P. Skouras.

Zukor also announced an exhibitor organization committee, as follows: Harry Brandt, Col. H. A. Cole, Ed Kuykendall, Abram F. Myers, M. A. Rosenberg, W. A. Steffes and Nathan Yamin. The drive in theatres and other places of amusement will extend from March 25 to March 30, inclusive.

Fellerman Heads Big U Branch Club

Harry Fellerman has been elected president of the Big U Club, organization of employees at the Universal exchange here. He succeeds Leo Simon.

Other officers elected are: Fred Mayer, vice-president; James Davidson, treasurer; Rose Youngfield, secretary, and Thomas Goff, sergeant-at-arms.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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MOTION PICTURE DAILY

Tuesday, February 11, 1941

Personal Mention

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Harry Rose, manager of the Globe, Bridgport, is resting in Atlantic City with Mrs. Rose after an illness.

Aaron Fishman, manager of the Community, Fairfield, Conn., is recuperating after the grippe.

Jack O'Connell, assistant manager of the Rialto, Sherman, New Haven, has enlisted in the National Guard.

Joseph A. Scott, manager of the 20th Century-Fox branch in Omaha, has a new secretary, Dorothy Nelson.

Mary DePrato, cashier at the Imperial, Ottawa, has become engaged to Ralph Hughes, assistant manager of the Regent there.

Lazarus Named U.A. Kelly Drive Leader

Paul Lazarus, United Artists contract manager, has been named leader of the United Artists sales drive in honor of Arthur W. Kelly, vice-president in charge of distribution. Lazarus replaces L. J. Schläffer as drive leader. The latter returned from United Artists several weeks ago. The sales drive began Jan. 6 and will continue to April 19.

At the conclusion of the first month of the drive, it was announced yesterday, the district managers leading are Charles Stern, Jack Goldfarb and Ibert Stearn.

Shoot Your Next Film at Edison Motion Picture Studio

NEW YORK'S FINEST

Large and small sound stages—Latest equipment—Reliable men—Private connection theatres—Exhibitors office—Conveniently located near Times Square.

Phone: Coloricker 4-8167-8
ALL AMERICA IS WAITING TO MEET
THOSE AMAZING KIDS FROM
INTERLOCHEN, "AMERICA'S MUSIC TOWN!"

Frackles
KAYE CONNOR

The Fiddling Finn
HEIMO HAITTO

Dead Pan Patsy
PATRICIA TRAVERS

Wizard of the Keys
DOLLY LOEHR

ALLAN and MARGARET
...love birds who tame
the Tough Canary!

...and your new singing starlet, SUSANNA FOSTER, leads the parade of youth!

SUSANNA'S the only girl
to hit B Flat above High C!

"THE HARD-BOILED CANARY"

with ALLAN JONES · SUSANNA FOSTER
MARGARET LINDSAY · LYNNE OVERMAN

GRACE BRADLEY · WILLIAM COLLIER, Sr.

Produced and Directed by Andrew L. Stone · Screen Play by
Frederick Jackson · From a Story by Andrew L. Stone and
Robert Lively · Based on an idea by Ann Ronell

Take it from a cagey
THEY'LL BE THE NATION'S TOAST FROM COAST TO COAST!

SUSANNA FOSTER and ALLAN JONES...winging and singing their way the length and breadth of the country in one of the greatest personal appearance tours ever planned...covering 40 key cities. Broadcasts...civic celebrations...concerts...interviews...reams and reams of publicity...all to make all America beat a path to your box office!

BUT THAT'S NOT ALL! SUSANNA FOSTER and ALLAN JONES climax their thrilling tour with personal appearances together on the...

KATE SMITH HOUR, Friday, Feb. 21, 8 to 9 P.M., E.S.T. over the 111 stations of the Columbia Broadcasting System. This tremendous broadcast will be plugged by Kate Smith for an entire week on her daytime broadcasts.

That's how Paramount builds audiences...and pre-sells them for your box office!

SUSANNA FOSTER'S TOUR —— ALLAN JONES' TOUR
Universal Corp.

Clears $2,232,805

Universal Corp., parent company of Universal Pictures Co., Inc., yesterday reported consolidated net profit for the fiscal year ended Nov. 2, 1940, of $2,232,805 after all charges, including taxes and dividend requirements on the picture company's outstanding first preferred and common shares. The directors have recommended that the annual financial statement of Universal Pictures Co., the operating company.

The report compares with consolidated net earnings of $959,110 in the preceding year, or an increase of 125 per cent. The report shows total assets of $7,779,833, of which $2,088,053 is investments in securities of Universal Pictures Co. and Big U Film Exchange, Inc.

William Freiday, plaintiff in an action against the company for alleged mismanagement, has resigned from the board of Universal Corp., as well as from the board of Universal Pictures Co., as reported earlier.

N. T. S. Holds Annual Sales Meeting Here

The annual convention of the National Theatre Supply Co. was held here yesterday at the Belmont Plaza Hotel. It will continue through Friday, with branch managers from various parts of the country in attendance and the entire sales force from the New York office, as well as home office executives.

Walter E. Green, president of the National Theatre Supply, is presiding. Yesterday's session was devoted to a discussion of the problems confronting the managers and plans to increase the efficiency of the organization.

Judge Bondy Grants New RKO Allowances

Additional allowances of $7,250 were granted yesterday to attorneys and accountants attending the proceedings of RKO by Federal Judge William Bondy, George L. Schein, attorney for the independent committee of common stockholders, who previously received $8,000, obtained an additional $4,500; Gottlieben and Bercu, Schein's accountants, received $1,250, having previously been allowed $2,000; and David Stock and Donald Macks, attorneys for H. Casset and Company, were awarded $1,500.

Feature Reviews

"The Trial of Mary Dugan"

(M-G-M)

A HIT show and a successful film in the late 1920's, "The Trial of Mary Dugan" has been brought back to the screen by producer Ed- win Knopf with Laraine Day as Mary Dugan in the title role and some minor changes in the script. For one thing, it is not Mary Dugan's husband who rushes in to do her bidding on trial for her life, but her lover instead, portrayed by Robert Young.

Most of the interest is concentrated in the trial itself, a trial which has become known as a minor classic for expert handling among the plays of the last 15 years. The prelude to the trial, which sometimes drags a bit, tells of Mary's meeting with Jimmie Blake (Robert Young) who has forsaken a promising career in criminal law for a more lucrative income in business. When Jimmie asks Mary to marry him, she lacks the courage to tell him of her record in a reformatory. He leaves the country, half suspecting that Mary is in love with their common employer, Edgar Wayne (Tom Conway).

The next scene finds Mary on trial for the murder of Wayne. Jimmie rushes in, replaces the attorney who is conducting the defense, and proves Mary's innocence. The trial is highlighted by many tense moments and the boisterous humor supplied by Marjorie Main in the role of an apartment house owner.

The direction by Norman Z. McLeod helped point up many of the plot's inherently tense moments. Frieda Inescort, John Litel, Marsha Hunt, Henry O'Neill, Sara Haden and Francis Pierlot round out the cast. The nature of the testimony, which is directed to show that Mary had improper relations with Wayne, makes the story unsuitable for children.

Running time, 90 minutes. "A"** EDWARD GRIFF

"Road Show"

(Roach—United Artists)

Hollywood, Feb. 10

DIRECTING his own picture and reaching back into his slapstick days for the kind of humor that made the name of Hal Roach synonymous with the comedy, Producer Hal Roach offers here with 85 minutes of the laughter which people have been saying the screen needs at this time. Backgrounds for the successive complications are, in the order given, a society wedding, an asylum, a carnival on lot and on tour, a country estate and finally a highway full of fire engines, the humor being as varied as the settings.

The cast is topped by Adolph Menjou, John Hubbard and Carole Landis and the support includes Charles Butterworth, Patsy Kelly, Willie Best, George E. Stone, Margaret Roach, Polly Ann Young and The Charioteers, a quartette excellent close-harmony singing without stopping the progress of the action. Heagy Carmichael supplied the songs used by the Charioteers and others.

Episodes which elicited loudest laughter from a Hollywood preview audience are the hero's experiences in and escape from a lion-cage, the fight by boat from an asylum, the breakdown of a society wedding and, finally, the dash of the entire company down a country road aboard fire engines to a fire staged by a slightly demented millionaire for his own amusement.

Running time, 85 minutes. "G"** ROSCOE WILLIAMS

"Fly-by-Night"

(Columbia)

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38 Features Now in Work

In Hollywood

Hollywood, Feb. 10—Thirty-eight pictures were before the cameras this week, as 10 finished and eight started. Twenty are being prepared, and 62 are being shot.

The tally by studio:

Columbia

Globe
Finished: "Pot O' Gold."

Gloria
In Work: "New Wine."

M-G-M
In Work: "Billy the Kid," "A Woman's Face," "Blossoms in the Dust," "Love Crazy."

Starts: "Dr. Jekyll and Mr. Hyde."

Monogram
Finished: "Air Devils."

Paramount
In Work: "Men of Action."

Republic
In Work: "The Devil and Miss Jones," "Sunny," "Repent at Leisure," "Robbers of the Range."

Repulse
In Work: "The Great Train Robbery," "Cigarette of the Saddle."

ROI
In Work: "Sis Hopkins."

Starts: "Mr. District Attorney."

Roach
Finished: "Broadway Limited."

20th Century-Fox

Starts: "Unfinished Business," "Double Date."

Walters


"Fly-by-Night" Curb

Pressed in Indiana

INDIANAPOLIS, Feb. 10—Associated Theatre Owners of Indiana hope to bring their bill curb to "fly-by-night" shows and require bonding and registration of transient promoters to the floor of the House of the Indiana General Assembly this week. It has been in the Judiciary Committee for several days.
Films Beat Miami Slump, Bad Weather

(Hollywood Review)

(Ride Kelly-Fox)

Hollywood, Feb. 10

T
H
IS is a tragi comedy of the race track and the people who own, train, ride and sometimes bet on the ponies, the good sports and the bad sports and the plain people who follow the turf, one way and another, as a business. It offers no galaxy of marquise magnets but more than most race track pictures of present and past in authenticity, plausibility and point.

Eugene Pallette, who plays a trainer addicted to epigrams and honesty, is perhaps the name best known to the public. Marvin Stephens as the honest jockey, Rita Quigley as the girl, and Dorothy Peterson as her mother are next in line, as concerns public awareness of their talents. Mary Healy, Richard Lane, Chuck Chandler, Lee Murray, Frankie Burke, Cy Kendall and others rounding out the cast, which is directed by Norman Foster for Executive Producer Sol Wurtzel.

The story has to do with the fortunes of a boy befriended by a race horse trainer and trained for jockey service with a proper code of morals. When he declines to obey an owner's orders to pull a horse, he is purposely injured in the race and taken to a hospital, from which he escapes, learning that a plot is afoot to frame a race which will bankrupt his friends, to ride the right horse to victory and outwit the framers. It has a trite sound in synopsis but is not trite as played.

Universal Party Cost $30,000

The press party which Louis Pollock of the Universal home office major donned last week for 100 newspapermen of Hollywood and the country has undoubtedly helped arouse office interest here and around the country. That party, according to latest figures, cost an estimated $25,000 at the Roxy and Colony theatres, officials state, and the Back Street" will open at two additional theatres tomorrow, the Miami and Mayfair, besides current performances at the Lincoln and Surf theatres. “Back Street" is reported approaching records with $14,000 for the first week.

Film Names Among Talent

On the stage or in the clubs now are Sterling Hayden, George Jessel, Lois Andrews, Emery De Vito, Pauline McSorley, Elaine Miller, Milton Berle, Martha Raye, Harry Richman, Sophie Tucker, Joe E. Lewis, Abe Lyman, Paul Whiteman, Georges Jell, Gene Austin, Lucille Ball, Dezi Arnaz, Tommy Tucker, Kitty Carlisle and Clyde McCoy. Soon coming to the Paramount theatres there will be Carolyn Lee, John Boles and Hildegarde. They are being imported by George Hoover to show to the visiting Northeners, Southerners, and Westerners who take their winter vacations in this semi-tropical spot. Hotels such as the Miami-Biltmore, which is under the direction of Milton Chapman, and the Croyden Arms, another favorite, are having one of their best seasons. Chapman was host to the visiting newspapermen brought here by Universal.

On the legitimate stage at present there are Francis Lederer, Mary Brian and Sinclair Lewis. They are appearing in East Coast productions. There have been 92 hotels built in Miami in the past two years. Forty were constructed during the past summer, 38 in the current apartment houses and residences. Altogether Miami Beach boasts of 280 hotels and 893 apartment buildings, besides 3,351 residences.

Among exhibitors and other trade personalities who are or shall have been here this season are Barney Balaban, Tom Connors, A. H. Blank, N. Nathanson, B. S. Moss, Max A. Cohen, Herman Robbins, George Dembow, Frank McCarthy, William Hemmen, Charles Prutzman, Matthew Fox, Leonard Goldenson, Charles Kessner, John D. Hertz, Arthur Lee, William and Lou Brandt, and Max H. Halpern.

Swann Comedy Will Open Here Tonight

(Continued from page 1)

Out of the Frying Pan," a new comedy by Francis Swann, opens tonight at the Windsor. William Deering and Alexander Deinhard produced. The cast includes Louise Snyder, Florence MacMichael, William T. Terry, Leopold Friedman, Alfred Drake, and Mabel Paige.

New Schenck Pact

Up at Meet Today

(Continued from page 1)

whose present pact will expire at the end of the year. The new contract is at the same salary, $2,500 per week, as the present one. In addition, it provides for payment to Schenck of two and one-half per cent of the annual consolidated gross of the company after specified deductions therefrom. The contract also contains provision for the extension of an option to purchase 4,892 shares of Loew's common stock at $40 per share up to March 1, 1947.

Hartmann Service

To Be Held Tonight

Funeral services for Louis Hartmann, lighting and sound technician at Radio City Music Hall, will be held tonight at the Park Funeral Home, 40 West 58th St. He died Sunday at Roosevelt Hospital of a cerebral hemorrhage. Burial will take place tomorrow in Arlington, Va.

Gabe Yorke Joins 20th-Fox on Coast

(Continued from page 1)

with theatres playing 20th Century-Fox films. He formerly was head of the studio's Western department and was advertising manager for Fox Film Corp., leaving that organization in 1935. Later he became advertising and publicity director at the Paramount studio and in 1937 was appointed head of the Advertising Advisory Council in Hollywood.
She paid him $17.80 a week to be his bride until he took her on a 3-day week-end amidst the birds, the bees and the flowers.

"OH!"..."AH!"...
"UM-M-M-M-M-M!"


Metro-Goldwyn-Mayer Presents
James STEWART • HEDY LAMARR
in CLARENCE BROWN's Production of
"COME LIVE WITH ME"
with IAN HUNTER • VERREE TEASDALE • DONALD MEEK
Screen Play by Patterson McNutt • An M-G-M Picture
Directed by CLARENCE BROWN
**Feature Reviews**

"Meet the Chumps" (Universal)

_Hollywood, Feb. 10_

FROM Universal's "shifty department" has come one of the best efforts along laugh lines witnessed in recent months. Hugh Herbert has the same kind of acting field day that he had in "La Congo Nights," whereas he played seven parts.

Here Herbert plays but three: that of an investment counselor who has innocently spent funds not belonging to him, and a shadowy portrayal of his own good and bad selves, respectively trying to prevent him from doing anything wrong, and egging him on in questionable enterprises.

Under the terms of a will, Herbert, as trustee, was to have turned over to his nephew a total of $10,000,000 if the young man got married on his 25th birthday. Unfortunately, half that sum has been spent on charitable undertakings, and the counselor conceives the idea of saving himself from jail by pretending insanity. Complications ensue with all turning out for the best.

Lewis Howard enacts the young nephew bound to find romance for the sake of his inheritance, Jeanne Kelly the girl with whom he ultimately finds it. Also contributing to the proceedings are Annie Nagel, Kathryn Adams, Shemp Howard and Richard Lane.

Edward Cline directed the picture, with Ken Goldsmith as associate producer.

Running time, 60 minutes. "G."*"* W. S.

"Pettticoat Politics" (Republic)

THE Higgins Family series, designed for the family trade, continues in this film. Roscoe Karns and Ruth Donnelly again personality Joe and Lil Higgins; Spencer Charters, grandpa, and George Ernest and Lois Rason, son and daughter. Molly Moran, Paul Hurst, Pierre Watkin, Alan Ladd, Harry Woods and Claire Carleton are in support.

This episode concerns an election for mayor with Karns the reform party candidate against the crooked one. The film falters occasionally with a number of incidents of slapstick character. One of these, for example, has Karns attempting to lay a roll of kitchen linen without either tack nor glue so that as he unrolls it, it coils behind him, while he becomes enraged.

Running time, 67 minutes. "G."*"* W. S.

*Captive Wild Woman," a "novelty" feature.


"Hello Sister" and "Man or Machine, starring Hugh Herbert.

"Juke Box Jenny."

The balance of the program will be selected from story and play properties which the studio has on hand or will acquire later.

**Action Pictures**

Seven of the action pictures will star Dick Foran, Leo Carrillo and Andy Devine. Titles are: "Beyond the Pampas," "In Old Monterey," "Viva, Pancho," "Sunset of the Sierras," "Dons of San Marcos," "The Fighting Padre," and "The American Legion." Two other Westerns will star Johnny Mack Brown, with Fuzzy Knight and Nell O'Day.

**Four Serials Listed**

The serials include "Riders of Death Valley," 15 chapters, starring Dick Foran, Leo Carrillo, and Andy Devine. "Charles Bickford, Jeanne Kelly and Lon Chaney, Jr. It will be designed especially for adult audiences, as will also an additional serial, "Gang Busters," based on the radio program. The latter may be re-made into a series of features or a feature, it was said. Other serials will be: "The Sea Raider," in 12 chapters, and "Head Hunters of the Amazon," 12 chapters.

"Soft subjects will include: 15 issues of the "Stranger Than Fiction" single reel subjects; 13 Technicolor cartoons featuring Andy Panda, by Walter Lantz; a special two-reel subject and 104 issues of the newsreel, which has as its 15 "Going Places" series.

**Hudson's Scores $10,000, Montreal**

_Montreal, Feb. 10.—"Hudson's Bay" led Montreal grosses last week with $10,000 at Loew's "Victory," and "Life With Henry" took $5,000 at the Capitol.

Estimated takings for the week ending Feb. 6:

- *Hudson's Bay* (28th-Fox)
- LOEWS—$9,000 (62c-3c-6c) 7 days.
  - Gross: $9,000. (Average, $1,286.)
- "No, No, Nanette" (RKO)
- PALACE—$2,000 (2c-4c-4c-6c) 7 days.
  - Gross: $2,000. (Average, $286.)
- "Meet the Wildcat" (Univ.)
- CAPITOL—$1,000 (3c-4c-4c-6c) 7 days.
  - Gross: $1,000. (Average, $143.)
- *Love* (M-G-M)
- LOEWS—$1,500 (3c-4c-4c-6c) 7 days.
  - Gross: $1,500 (Average, $214.)
- "This Thing Called Love" (Col)
- CATHERINE—$750 (1c-3c-4c-6c) 7 days.
  - Gross: $750. (Average, $107.)

_Note: All estimates were from 7 days."

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_Bannon, Craddock_ Sales Aides at 'U'

_(Continued from page 1)_

staff, was appointed assistant to F. J. A. McCarthy, Eastern sales manager. Gordon Lecky, formerly Uni-

versal branch manager at Indianapolis, was named assistant to William J. Heineman, Western sales manager.

H. H. Hull, acting branch manager at Indianapolis, was made managing director, succeeding Craddock. W. M. Richardson, former New Orleans branch manager, was appointed manager at Atlanta, replacing John Ezell, recently resigned from Fox. Former Clevel-
dan salesman, was named to succeed Richardson as New Orleans manager.

In addressing the meeting today, Scully predicted that no "fear of sales force will be held responsible for ad-

vertising to the company's policy of fair sharing.

"Make no use of 'sales talk that can't be put into a contract,' Scully told the men.

Paul R. Nathanson, vice-president of Empire-Universal of Canada, told the meeting that Universal has be-
ned an advertising campaign in Canada, enjoying a high standing with exhibitors for its product and busi-

ness dealings.

_Leonard Gets New Pact_

_Hollywood, Feb. 10.—Robert Z. Leonard has signed a new producer-
director contract with M-G-M, the studio with which he has been asso-
ciated for the last 17 years._
Story' Gets Fine $19,000 Loop Gross

CHICAGO, Feb. 10.—"Philadelphia Story," in its second week, at the United Artists, drew $19,000. "This Thing Called Love" also was strong with a low show at the Chicago Theatre, grossing $38,000. Estimated takings for the week ending Feb. 7:

"The Son of Monte Cristo" (U. A.)
APOLLO—$1,940 (35c-55c-75c) 7 days; Gross: $3,980. Average: $560.

"This Thing Called Love" (Col.)
CHICAGO—$4,000 (35c-55c-75c) 7 days; Gross: $8,300. Average: $1,190.

"Second Chorus" (Par.)
GARRICK—$1,000 (35c-55c-75c) 7 days; Gross: $2,000. Average: $280.

Theatre Changes

Plan New Ohio Theatre
CINCINNATI, Feb. 10.—The Eley Amusement Co., has been granted a $10,000 capitalization, to build and operate a new theatre, to be known as the Shari, and the company will be controlled by the interests of the late Elmer Shari, and Ralph Kinnsler, who recently became manager of a theatre in the downtown section of the city. The concessionaire will be associated with the Shari enterprises which operate other suburban houses here.

Manages Columbus House
COLUMBUS, O., Feb. 10.—Milton Yassencoff has been named manager of the Beechwood, suburban theatre, taken over by Louis Wiethe, Cincinnati, from the estate of the late Clarence A. MacDonald.

Manager in Lancaster
LANCASTER, Pa., Feb. 10.—John Neuer, assistant manager of Warners' Hamilton, here, has succeeded manager of the Lemony in Lemony, Pa.

Manages Canadian House
OTTAWA, Feb. 10.—R. B. Berczin, former local assistant manager at the Elgin here, has been appointed manager of the Elgin Theatre in Sudbury.

Schines Transfer Levitch
ROCHESTER, Feb. 10.—Louis Levitch, manager at Schine's Riviera here, has been transferred to Buffalo where he will serve as manager of the Grand and assistant in the booking department.

Named Assistant Manager
WORCESTER, Feb. 10.—Robert Bergin, former student assistant at the Elm Street Theatre, has been moved up to assistant, replacing Max Nevetzky, who was recently promoted to assistant at the Poli here.

Costar Takes Trenton House
TRENTON N. J., Feb. 10.—A. A. Costar of Albany, N. Y., has taken over the operation of the Victory.

Name Minneapolis Club's Committees
MINNEAPOLIS, Feb. 10.—B. E. Bloticky, chief Barker of the local Va- riety Club, has named committees for 1941. The chairmen are: William, house; Samuel Halpern, law; Joseph Podofsky, theater; Lester Rees, publicity; Harry Dryer, adventure; Edward Ruben, McCorkin, finance; Charles Runen, Louw, entertainment; Nels Hanson, sports; Maitland Frosch, membership; William Elson, convention.

Siegist Leaves Para.
INDIANAPOLIS, Feb. 10.—Keith Siegist, formerly a booker for Para- mount, is now with Theatrical Managers, Inc., here, replacing the late Bowling Green, Ky., takes his place with Paramount.

Change Company Name
ALBANY, Feb. 10.—Change of name has been filed here by RKO Proctor Mutual Vernon Corp. The papers indicate the new name will be Parkway Theatre Corp.

Wax Purchases Theatre
PHILADELPHIA, Feb. 10.—Morris Wax, head of the circuit operating a group of colored neighborhood houses in this city, has purchased the Lincoln, at 4101 N. 20th St., for $157,000. The house originally erected at a cost of $500,000, has been dark for some time.

Takes Atlantic City Theatre
ATLANTIC CITY, Feb. 10.—John C. Brown, has purchased a half interest in the Globe as receiver of the closed Central Truss and Savings Co. of Philadelphia for $1,700. He held a second mortgage foreclosure decree for $78,112.40 against Alexander Seltzer, former owner of the one-half interest.

Build House in Oregon
SAN FRANCISCO, Feb. 10.—George Gross and associates of this city have completed erection of a new theatre building, costing $100,000, at Klamath Falls, Ore. A second 1,200-seat house is being built in the same locality.

Rebuild in California
SAN FRANCISCO, Feb. 10.—Sylvester and Samuel Esoa, owners of the Enaco Theatre, in suburban Dublin, are rebuilding the house following its damage by fire.

To Build Virginia House
NORFOLK, Va., Feb. 10.—William S. Wider, operator of a circuit bearing his name, plans a new house, costing approximately $200,000, in the neighborhood community of Portsmouth. It will seat 1,200.

Goldman Shifts Managers
PHILADELPHIA, Feb. 10.—William Goldman Theatres, Inc., announced the appointment of two new managers for circuit houses here. Morris Phillips, former owner of the Upsal, was appointed manager of the Fredrick and Innocenzo Ben Zimmerman of the 56th St. Theatre.

To Install New Marquee
ROCHESTER, Feb. 10.—The RKO Palace is planning to install a new marquee and a new sign.

Legion Approves 4 Of Six New Pictures
Of six new pictures reviewed and classified by the National Legion of Decency, four were approved, three for general patronage and one for adult audiences. One was cabled as objectionable in part, and one was condemned. The new films and their classification follow:


Gerts Condom Proprietor
Guaranteed Pictures Co., Inc., has acquired exclusive distribution rights to 11 Condor productions, formerly released through Grand National. They include three in natural color, six action dramas and two Ken May- nard westerns.

Friendship
Providence, Feb. 10
A PRESSBOOK on Parm- mount's "Dr. Cyclops" contains a letter of Edward L. Reed, manager of the Strand here. The picture was reviewed by Douglas D. Rog- ers, manager of the New York's Theatre, Grahamstown, South Africa, who wrote to Reed: An exchange of coins last week, beginning a friendship via the mail.

Cristo' and Show
$27,000 in Detroit

DETROIT, Feb. 10.—"The Son of Monte Cristo" and the stage show, "Folies Bergere of 1941," grossed $27,000 at the Michigan. The Fox reported $16,500 with "This Thing Called Love" and "Night Train." Estimated takings for the week ending Feb. 7:

"The Invisible Woman" (Univ.)
"Romance of the Rio Grande" (20th-Fox) (A.)
"M-G-M" (3,000) (35c-50c-75c) 7 days; Gross: $3,000. Average: $430.

"North West Mounted Police" (Para.)
"Dr. Kildare's Crisis" (M-G-M)
"Melodrama" (M-G-M) (4,000) (35c-50c-75c) 7 days; Gross: $6,900. Average: $980.

"Night Train" (Col.)
"Night Train" (20th-Fox) (2,000) (35c-40c-55c) 7 days; Gross: $2,000. Average: $286.

Sunday Child Bill Is Urged for Pa.

PHILADELPHIA, Feb. 10.—The passage of a state bill to prohibit children under 15 years of age from attending motion pictures on Sunday unless accompanied by an adult was urged by Rev. Dr. William B. Forney, executive director of Pennsylvania's Day Alliance, which has led the fight against Sunday films in the state.

Dr. Forney announced that he would confer in New York next Saturday with Will H. Hays on the whole question of Sunday films. "The people of Philadelphia had something put over on them when the 240 movie law was passed in 1923," he said.

Will Hays, president of the M.P.P. D., was expected to visit New York, but not expected back in New York for several weeks.

Four Companies Formed


Toronto Doric Is Shut for Matinees

TORONTO, Feb. 10.—As a result of the accident at the Doric Theatre here, in which 35 children were overcome by coal gas fumes because of faulty furnace construction, Sam Lester, owner of the theatre, has been ordered by the Ontario Government to close the theatre for all matinee performances indefinitely for alleged negligence and as a warning to other exhibitors. The Doric will not be permitted to reopen for matinees until such time as he has engaged sufficient staff to insure the safety of juvenile patrons, according to O. J. Silver- thorne, director of the Theatres Branch of the Provincial Government.

Silverthorne announced that the Theatres and Cinematographs Act would be amended at the next session of the legislature to provide for an adult guardian with every child under seven years of age admitted to a ma- tinee performance in any theatre and to require the constant attendance of a uniformed matron inside the theatre at all shows to which juveniles are admitted. There will be other re- quirements governing the structural arrangements of both new and old theatres, as a safeguard against the recurrence of such an accident due to heating or ventilating installations.

Lewin Lecturing

ALBERT Lewin, United Artists pro- ducer, is continuing his lecture tour of Eastern universities. He spoke yesterday on production problems and technique before combined classes of Brown University and Pembroke Col- lege at Providence. He will lecture to- day at Harvard.

MOTION PICTURE DAILY
Tuesday, February 11, 1941
The New "One Kilowatt" Arcs use "National," "Suprex" and "Orotip" Carbons

1881-1941

This is our sixtieth year of continuous service in the field of carbon arc lighting. Remarkable progress has been made in carbons and carbon arc equipment. Many industries and the general public have profited by these accomplishments. Greater achievements are assured by the most modern research and manufacturing facilities.

- The new "One Kilowatt" arcs have established a record in performance. That's why hundreds of new installations have been made in the smaller theatres in every section of the country. The remarkable improvement in projection offered by these new high intensity arcs is just what smaller theatres have needed for years. Low initial and operating costs have been a great factor in their universal acceptance.

If you are not now using modern high intensity projection in your theatre ask your dealer for a demonstration. Note the improvement in black and white projection and how natural and pleasing the color features appear on the screen. Your patrons too will notice this difference.
Films' Defense Aid Air Meeting Topic

"How Should the Movies Aid National Defense" will be discussed on "America's Town Meeting of the Air," on NBC-Blue Thursday, Feb. 15, at 9:35 P.M. EST. The broadcast, which will take place the same night as the Academy Awards Dinner, will originate from Hollywood. Speakers will include Walter Wanger, Donald Ogden Stewart, Rosalind Russell and Marlene Dietrich, publisher of the Los Angeles News.

The "Town Meeting" program will leave for a tour after its broadcast this Thursday with Birmingham, Ala., as the first stop.

Clear Channel Unit Sets Publicity Plan

WASHINGTON, Feb. 10.—Clear channel unit, dropped a Washington office under the direction of Victor Sholls, publicity man for the Department of Commerce under former Secretary Harry Hopkins, it was announced today by Edwin W. Craig of Nashville.

Craig explained that the work of the office will be directed toward impressing the American radio audience with the importance of retaining the clear channels assigned to the United States under the North American Regional Radio Agreement.

Para., Col. Purchase Two B'way Stage Hits

Two Broadway stage hit musical plays have been sold for screen production, "Pal Joey" and "Lady in the Dark." Paramount has acquired the screen rights to "Lady in the Dark," for a price in excess of $275,000, according to Barney Balaban, Paramount president. Paramount purchased "Pal Joey," said to be the highest ever paid by a film company for a stage property.

Columbia has purchased the screen rights to "Pal Joey," produced by George Abbott. It is understood Abbott will also produce the screen version for Columbia.

Detroit Drafts Coin Machine Ordinance

Detroit, Feb. 10.—Informed that nickel film machines will soon appear in Detroit, the Common Council has asked Nathan H. Goldstick, Assistant Corporation Counsel, to prepare a regulations ordinance.

Thomas McGuire, representing the Co-Operative Theatres of Michigan, told the council that he understood that several thousand machines would be installed here during the next two years.

W. B. Gets 'Spy' Verdict

A Federal jury after deliberating three minutes yesterday dismissed the $75,000 damage suit of Katherine Moog against Warners, after trial before Judge Matthew T. Abruzzo lasting several days. Plaintiff had claimed defamation of character in the film, "Confessions of a Nazi Spy."

Off the Antenna

B ROADCASTING, As an Instrument of Democracy" will be discussed by FCC Chairman James L. Fly at a luncheon meeting of the American Civil Liberties Union tomorrow. The speech will be carried by NBC-Red and Mutual. Raymond Gram Swing, Mutual commentator, and Pearl Buck, novelists, will also speak.

Purely Personal: Robert Gerdy, CBS assistant trade news editor, returned from Chicago yesterday after a short vacation trip. Wendell Adams of the CBS production staff has been named supervisor of all popular understanding, writing to Hall-Florian, musical director. Frank Barton, KMO-KPO, San Francisco, announcer, and Don Hall, engineer, became father of a daughter and son, respectively, last week. Oscar Levant will make a return appearance on the "Kraft Music Hall" over NBC-Red Thursday at 9 P.M., while Bing Crosby will take a vacation.

Thomas A. Edison's development of the early motion picture machines will be discussed in a memorial program dedicated to the inventor over WNEW at 9:30 tonight. Among the guests will be A. O. Tait, who was Edison to Edison for seven years, 1887-1894. WHOM will also devote a memorial program at 4:30 this afternoon with a recording of a speech by Edison in 1908 as the highlight.

Lincoln's Birthday will be the occasion for sending two messages of cheer to Europe by the NBC short wave stations. William V. C. Ruxton, president of the British-American Ambulance Corps will present an ambulance to the Belgian Red Cross during one program. The other will be a salute to Czechoslovakia with a message by Edward Bene, former Czech president, Dorothy Thompson and Jan Masaryk, Czech foreign minister at London. Alfon Havrilla, Czech-born announcer, will conduct the show.

Honorary membership in the Veteran Wireless Operators Association will be bestowed upon James L. Fly, FCC chairman; Niles Trammell, NBC president; General Charles A. Stope, president of the American Radio Relay League; Maj. Gen. J. O. Mauborgne, Army chief signal officer; and Rear Admiral Leigh R. Noyes, director of naval communications, tonight at the 16th annual dinner cruise of the association at the Hotel Astor.

Marconi's Memorial will also be awarded to the last two named. National defense will be the keynote of the meeting and Dr. Lee de Forest, honorary president, will address the meeting by telephone from Los Angeles.

School Holiday for Opening of 'Baines'

MONTPELIER, Vt., Feb. 10.—Mayor William Corry has declared a school holiday here Thursday, in connection with the world premiere of RE's "Scattergood Baines" at the Capitol here on Thursday evening.

Star of the film, taken from the Clarence Biddington Kelland character, Guy Kibbee will make a personal appearance at the opening. Among those scheduled to attend are Governor W. T. Wills of Vermont, Lieutenant Governor Mortimer Proctor, Mayor Corry and members of the state legislature.

3,500 Expected at Photographic Ball

Approximately 3,500 are expected to attend the 12th annual dance and entertainment of the Press Photographers Association of New York, to be held at the Hotel Astor on Friday night. Lieutenant Governor Poletti of New York State, and Mayor LaGuardia of New York City are expected to be among the honored guests.

With several masters of ceremonies scheduled to take part in the entertainment, a lengthy list of stars of screen, stage and radio will make personal appearances. Eli Dantzig and Augusto Sanabia and their orchestras will provide dance music.

Frances Marion Signed

Frances Marion has been signed by Sol Lesser to adapt "Confessions of Victory," which Lesser will produce for U. A. release.

Canada Music Unit Called No Monopoly

TORONTO, Feb. 10.—As a prelude to the reopening of the session of the Copyright Appeal Board of Canada to investigate applications for approval of scheduled license fees for the use of copyrighted musical works during 1941, a statement from an official Government source indicates that the Canadian Performing Rights Society no longer could be regarded as a monopoly in the control of composition and performance in the Dominion because of the creation of Broadcast Music (Canada), Inc., which is seeking permission to impose performing fees on a reduced scale.

"It is a question of the degree of the use of each company's repertoire in Canada and it is a very difficult one to decide. We are between bricks from both sides," declared the Government spokesman. The board will resume the hearing Feb. 12, when it will deal with the terms of the application from BMI, the recognition of which is opposed by the Performing Rights Society.

Warner's Receive 1940 Tax Refunds

WASHINGTON, Feb. 11.—Income tax refunds of $8,854 were received from the government during the 1940 fiscal year by Warner's. Jack Warner, vice-president in charge of production, received $5,835.

Other income tax refunds were paid to Sonja Henie, who received $6,381; Raymond Massey, $524, and Sylvia Sidney, $801.

CAGNEY'S TOP IS 'STRAWBERRY BLONDE'!

JAMES CAGNEY, OLIVIA de HAVILLAND in 'The Strawberry Blonde'

Rita Hayworth and ALAN MALE - JACK CARSON in 'Strawberry Blonde'

Directed by Raoul Walsh

...so get that Trailer going!
N.A.B.-Ascap Parley Seen Starting Soon

U. S. Accord with Ascap Is Anticipated

Opening of negotiations between Ascap and the networks for a new music licensing agreement is expected simultaneously with or immediately following, an accord between Ascap and the Government on a consent decree, Ascap officials indicated yesterday.

Some Ascap officials expressed the belief that negotiations with the Department of Justice might be concluded "before the end of the week" with meetings with the broadcasters then proceeding immediately.

Other Ascap spokesmen asserted that up to yesterday there had been no agreement on several of the major proposals and that even should an agreement be reached today or tomorrow, additional time still would be required for its submission to the board of directors for approval. These sources, therefore, discounted the possibility of any meeting with networks' representatives this week.

N.A.B. spokesmen were inclined to agree with this faction in Ascap. They asserted that there was no possibility of a meeting this week, adding that they would not be inclined to open negotiations with Ascap until they had an opportunity to study whatever decree proposals might be agreed upon by the Government and the society.

Haddock Dismissed By Variety Artists

Hoyt Haddock, executive secretary of the American Guild of Variety Artists, was dismissed Monday by the AGVA national board at a meeting held over the holiday. The dismissal ended a long controversy during which Haddock was accused of fostering the desires of Communist members of the AGVA.

The vote on the dismissal was six to six with Dewey Barto, president and opponent of Haddock on the board, breaking the tie and voting for the dismissal. The vote came on an amendment to a motion requesting Haddock to resign. Before the vote on the original motion was taken,

British CEA Weighs Commission Scheme

LONDON, Feb. 12—Harry P. E. Mears, president of the Cinematograph Exhibitors Association, discussed with the organization's general council, meeting at Nottingham today, the Government's plan for the establishment of a Films Commission. Mears has greeted the commission proposal here. The main objection is the absence of any evidence that the commission is either needed or likely to operate satisfactorily, and the sharp opposition to what is seen as another attempt to cloak in the future plans for industry legislation.

Universal Starts 5 Regional Meetings

CHICAGO, Feb. 12—The first of five regional meetings to inform Universal salesmen of new season production and sales plans opened here today with William J. Heineman, Western division manager, presiding.

The second will be held Saturday in Cleveland, with F. J. A. McCarthy, Eastern division manager, in charge. McCarthy will follow up the Cleveland meeting with one in Phila...

RCA May Demonstrate Color Television to Speed Medium

In an effort to pile up convincing evidence to persuade the FCC to grant commercialization of television at the hearings scheduled for March 20, RCA has under consideration a demonstration of color television, it was learned today. Whether the demonstration is to take place before the hearing date is scheduled to be made within the next week or 10 days.

Several factors bear on the situation. On the one hand, it was reported, the commission obviously was impressed by Dr. Peter Goldmark's re...

First Defense Films Go Out This Week to 7,500 Houses

The industry committee for national defense cooperation will ship the first national defense film subjects to the 31 exchange cities throughout the country today and tomorrow for exhibition in almost 7,500 cooperating theatres, Francis S. Harmon, of the M.P.P.D.A., committee co-ordinator, reported yesterday.

The shipments consist of 12 one-minute trailers made by the War Department to stimulate recruiting, each dealing with a branch of the armed forces, and, additionally, 300 prints of a Government-made short subject, "Power for Defense." The latter is a 10-minute subject produced by the National Defense Advisory Commission, depicting the use of T.V.A. power for defense industries.

300 Prints on Each Film

The 12 trailers will be released three at a time at three-week intervals. The War Department has provided 300 prints of each.

To facilitate distribution of defense subjects, the distributors' division of the industry committee has divided the 31 exchange centers into six districts, with one major company exchange in each of the 31 centers handling distribution of the subjects in its territory.

Exchanges handling the subjects by cities are: Warners, in Pittsburgh, New Haven, Philadelphia, and St. Louis; Loew's, in New York, Detroit, Salt Lake City, and Memph.; Universal, in Cincinnati, Washington, Indiana, and Minneapolis; Columbia, in Albany, Boston, Des Moines and Omaha; Paramount, in Atlanta, New Orleans, Chicago and Portland; 20th Century-Fox, in Milwaukee, Kansas.

5-Year Pact Approved for N. M. Schenck

Loew Stockholders Laud Company Management

A five-year contract for Nicholas M. Schenck as head of his firm, was approved by stockholders of the company at their annual meeting at the home office on Tuesday.

Stockholders also elected the 12 members of the board of directors, who met subsequently and re-elected all officers.

The new contract for Schenck was approved without change and is to take effect on the expiration of his present pact at the end of the year. Submission of the new contract to the stockholders was the occasion for enthusiastic expressions from individual shareholders and directors present on the caliber of...

N. Y. Chain Tax Bill Includes Circuits

ALBANY, Feb. 12—Assemblyman Louis Beaucott has introduced in the New York State Legislature an amendment to the tax law, providing licenses for operation and maintenance of chain stores, including theatre circuits.

The amendment provides that any person desiring to operate a chain of stores must apply to the Department of Taxation and Finance for a license. The definition of the term "store" in the bill includes theatres. A sliding scale of fees is provided for more than two units, with an annual license fee of $1,000 each for groups in excess of 25.

Reviewed Today

Reviews of "Strawberry Blonde?" "Scattergood Baines" and "The Phantom Cowboy" as seen by Motion Picture Daily reviewers in New York, will be found on Page 5.
**Personal Mention**

Nicholas M. Schenck has arrived on the Coast for conferences at the M-G-M studio.

Ned E. Depinet, RKO vice-president in charge of distribution, will leave for the Coast tonight or tomorrow.

Harry Goldberg, Warner theatres advertising and publicity head, will return today from Chicago and Milwaukee.

Charles Einfeld, Warners' director of advertising and publicity, has left Hollywood for a month's vacation in Hawaii.

Stanley Shuford, Lord & Thomas account executive, has arrived at the RKO studio from New York.

Herbert J. Bowers of the maintenance department of Comerford Theatres in Seattle, has become engaged to Elizabeth A. Finney. They will be married Feb. 22 in Scranton.

Harry I. Wasserfeld, district manager for M. G. M. Theatres, addressed the state extension course of Massachusetts Institute of Technology on theatre management.

Barney Balaban, Paramount president, will leave for Florida tomorrow, for a vacation of several weeks, Stanton Griffis, chairman of the executive committee, is expected back from Florida on Monday.

Charles Kurtzman, New England division manager of Loew's, was in Providence this week.

Arthur Schwartz of the Schwartz & Frohlich law firm has been appointed a special master by Federal Judge William Bondy to conduct hearings in an aviation patent infringement case.

Henry Needles, Warner district manager in Hartford, Conn., has returned from a vacation in the South.

Ben Simon, 20th Century-Fox manager in New York, returned from a visit to Philadelphia.

Robert Johnson, son of Adolph Johnson, operator of the Strand, Hamden, Conn., has enlisted in the Air Corps.

Jeanette Carroll, cashier at the Paramount, New Haven, is ill with the grippe.

**Realignment Made By Loew's in N.E.**

Jack A. Simons, manager of Loew's Poli, Hartford, has been appointed manager of Loew's State, Providence. It was learned yesterday he succeeds Edward H. McBride, who has been transferred as manager of Loew's State, Boston, after several years in Providence. Fred Greenway, manager of the State, Boston, has been transferred to the Poli Palace, Hartford, while Lou Cohen has been appointed to succeed Simons as manager of the Poli, Hartford.

**Allied Unit Finishes Business Aid Plan**

Screem Writers' Guild negotiating committee, headed by Sheridan Gibney, president, is expected to begin conferences next week with representatives of the major studios on a new contract. The Guild's executive board at a meeting early this week prepared to refer demands submitted to the Producers' Association last October when a six-months' stop-gap contract terminating next April 10 was adopted by mutual consent.

Harold Wilson yesterday was appointed to assist G. DeSylva, Paramount pictures manager. He was with Paramount for a month as associate producer of Sol C. Siegel. DeSylva also announced the signing of Monta Bell as an associate producer. Bell, recently with M-G-M, was in charge of the Paramount studios in the East in the silent film era.

Trial of Joseph N. Ermolieff's suit against George J. Schaefer, president of RKO, started in Federal Court yesterday. Ermolieff, former European producer, seeks $1,042,000 damages. It is alleged that Schaefer on Oct. 31, 1939, cancelled a contract made with him in July of that year whereby Ermolieff was to produce and direct "Outpost in Morocco," based on his play, "I Solemnly Swear." Ermolieff asserted he had produced 200 films in Europe and had made contacts with the French army which would be useful in the proposed film, which Schaefer felt would not now be effective due to changed conditions in France. The case is being heard by Judge J. F. T. O'Connor without a jury.

**Late News Flashes from the Coast**

Hollywood, Feb. 12

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**Newsreel Parade**

Wendell Willkie, returning from his eventful tour of England, is given attention in the news issues along with midwinter graduations. "Wendell's War" film is in the Mediterranean, the Greek War Relief show in Hollywood and an assortment of general news.


**Cooper to England**

Merian C. Cooper has left for England to film background material for "The Red Baron" spectacle which Walter Wanger is producing for United Artists' release. The film concerns Americans with the Royal Air Force.

**Increase Sunday Price**

Waterbury, Conn., Feb. 12.—Warner Theatres announced yesterday that all Sunday admission prices at the State from $3.44 cents to 35-50 cents, including tax.

**Motion Picture Daily**

Registered U. S. Patent Office

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BOOKED IN AHEAD OF EVERYTHING—EVERYWHERE THIS WEEK!

JAMES CAGNEY ∙ OLIVIA DE HAVILLAND

in 'THE STRAWBERRY BLONDE'

with RITA HAYWORTH and ALAN HALE ∙ JACK CARSON ∙ GEORGE TOBIAS

Screen Play by Julius J. and Philip G. Epstein ∙ From a play by James Hagan

Directed by RAOUL WALSH
5-Year Pact Approved for N. M. Schenck

Schenck's leadership and the capabilities of his management associates.

"If it were in my power to do so," said George N. Armsby, a director, "I would make the company the envy of the effects for the rest of Mr. Schenck's natural life."

On the motion of A. Hirschman, a stockholder, the meeting voted its thankfulness for the accomplishments of Schenck, the other officers of the company and the board of directors.

Directors Reelected

The directors who were reelected are: Armsby, David Bernstein, Lepold Friedman, John R. Hazel, Al Lichtman, C. C. Moskovitz, William A. Parker, Robert Rubin, Schenck, Josef Vogel, David Warfield and Henry Rogers Winthrop. The reelected officers are: Schenck, president; Armsby, vice-president; Rubin, secretary-treasurer; Arthur M. Laow, first vice-president; Rubin, Lichtman, Edgar J. Mannix, Sam Katz and E. A. Schiller, vice-presidents; Lepold Friedman, secretary; J. T. Mills, comptroller and assistant secretary; Hattie Helborn, Robert Benigin Thu, assistant treasurer; Moskovitz, Ben Cohen, Charles K. Stern, Nicholas Nayfack and Rae Lazarus, assistant treasurers.

Rubin Meeting Chairman

Rubin, acting as chairman of the meeting, assisted by Bernstein and Friedman. Of the 1,802,435 shares of common stock outstanding, more than 1,209,000 shares were represented at the meeting. Of the latter, 1,146,000 shares were cast for the reelection of directors. No names other than those of the two directors were placed in nomination. Approximately the same number of shares were voted in favor of the new Schenck contract, and 87,754 shares were voted against its approval. No other business came before the meeting.

One shareholder asked whether any emergency existed which prompted the board to submit the new long term contract for approval at this time. Rubin replied that in the best judgment of the board of action on the contract was desirable at this time.

"No one is more capable, or as capable, of carrying on the business of this company as Mr. Schenck," Rubin said. "Leadership such as his is more essential in difficult times than in easy times. This company came through the war with its colors flying, and has now overcome serious foreign problems and is operating at a profit. Those results are due in no small measure to Mr. Schenck's leadership."

Other shareholders praised Schenck and the Loew's management highly. One said that in normal times he would be inclined to oppose the contract, but in view of world conditions today he believed it necessary and a

Critics' Quotes . . .

"THIS THING CALLED LOVE" (Columbia)

At times this marital maneuvering runs thin and repetitious, but a trio of actors make up the deficiency with cosmic incident and subtle innuendo, and Rosalind Russell, supported by an excellent cast, keep their special problems amusing without being offensive.—Neowerick.

Extracts a prodigious amount of fun from a subject which has been taboo more or less in motion pictures for years. Its situations are drawn from certain biological aspects of marriage, and it is a refined but tedious escape extension of that standard stage device, the bedroom farce.—Donald Kirby, Baltimore Sun.

Heaps of fun, skates on thin ice here and there . . . a sparkling adult farce. The production is nothing—a little editing would have helped.—Norman B. Bynum, Providence Journal.

Should provide acceptable entertainment for mature audiences who enjoy seeing a farcical idea resourcefully elaborated upon.—Garrett D. Byrnes, Providence Journal.

"WESTERN UNION" (20th Century-Fox)

Makes picture history . . . One of the best historicals ever turned out by any studio. It will probably turn out to be one of Hollywood's most successful Westerns.—Lee Mortimer, New York Daily Mirror.

It's a rousing good Western, history or no history . . . a powerful outdoor film which most persons will probably remember for its brilliant Technicolor.—Robert W. Dana, New York Herald Tribune.

Spectacular screen entertainment—a Western, you might say, with the proper trimmings.—John House.

None too absorbing . . . at times, interesting, and at times, exciting, but not altogether so in its detailed account of the obstacles builder Edward Creighton meets and overcomes.—Wanda Hale, New York Daily News.

"ESCAPE TO GLORY" (Columbia)

A melodrama with smacking good suspense, shrud e weight of detail and several exciting episodes that make it an engrossing if minor film.—Richard L. Coe, Washington Post.

Not polished movie technique nor high art . . . But for suspense and melodrama this film is all you could ask.—Washington News.

A combination of cliches, but pretty exciting nonetheless.—Washington Times Herald.

Somehow or other, Director John Brahm has taken these hokum characters and situations and whipped up a topical suspenseful yarn. Good players and dialogue that is downright flashy in spots are also a help.—Gerard O'Grady, Philadelphia Ledger.

It is all quite different, and extremely diverting, with the entire cast of principals turning in good performances.—Douglas Wyman, Philadelphia Daily News.

"NIGHT TRAIN" (20th Century-Fox)

Although "Night Train", directed by Carol Reed, lacks the polish of its Hitchcock predecessors, its sustained excitement is agonizing.—Time.

Fast moving and very exciting. It is taut with the constrictions of romance and suspense.—Chicago Tribune.

proper safeguard of the company's interests.

Another shareholder expressed gratification over the evidence of many small stockholders voting with the larger ones on the two subjects before the meeting.

Management Praised

"I believe we have the best management obtainable," he said. "It should be retained and rewarded." A vote of thanks was made and carried and directors who were present then were introduced and applauded by the shareholders. Directors present in addition to Rubin, Bernstein and Friedman were: Armsby, Warfield, Moskovitz, Parker and Vogel. In reply to questions put by shareholders later, Bernstein stated that the effects of the war on the company's earnings appear to be no greater today than they were last year. He said the outlook appears to be "encouraging," with remittances still being received from Britain, business gains being made in Latin America and domestic earnings showing continued improvement.

Universal Starts 5

Regional Meetings

(Continued from page 1)

Haddock Dismissed By Variety Artists

Haddock was asked if he would resign if the board requested such action.

Haddock replied that he would, provided he were given an opportunity to draw a final report and submit it to the board. When Haddock took this stand the amendment calling for the resignation of the treasurer was offered. Walter Greaza, representing Actors Equity; Florence Marston, representing SAG, and Arthur); and Ruth Richmond, representing Chorus Equity, who are entitled to membership on the board because of the loans made by their organizations to AGVA, all voted against the dismissal, although they are known to be opposed to his resignation.

It was explained later that they voted in this manner because they believed Haddock was entitled to a chance to explain his position and, further, that the organization had no one to substitute in his place. Haddock has been temporarily secretary in the 17 months of AGVA's existence. AGVA was created to replace the American Federation of Actors. Haddock still holds the office after a stormy controversy in September, 1939.

Haddock declared that he would take the issue before the New York membership at a meeting at the Hotel Abbey on Monday afternoon. He said that if he had been given a vote of confidence by the locals in Chicago, Detroit, Cleveland, Pittsburgh and Cincinnati.
Kitty Foyle’  
Seattle Lead With $8,500  

Seattle, Feb. 12.—“Kitty Foyle” drew $8,500 at the Fifth Avenue Theatre in Seattle, while “High Sierra” took $8,300 at the Orpheum. Competition was light from new entries due to a sell-out run at the Fontaine engagement at the Metropolitan, and several concerts.

Estimated takings for the week ending Feb. 7:

“Victory” (Par.)
“Up in the Air” (Mona.)
BLUE 40 (O.K.) 30c-40c-30c-65c) 7 days. Gross: $3,100. (Average, $450.)

“Tall, Dark and Handsome” (20th-Fox)
FIFTH AVENUE—(2,500) (30c-40c-50c) 7 days. Gross: $5,500. (Average, $7,143.)

“Escape to Glory” (Col.)
HANDLER HAYS “Trouble” (Col.)
LIBERTY—(1,800) (30c-40c-50c) 7 days. Gross: $2,100. (Average, $300.)

“The Philadelphia Story” (M-G-M)
Michael Shaun, Private Detective” (20th-Fox)
MUSIC BOX—(950) (30c-40c-30c-65c) 7 days. 3rd week. Gross: $3,000. (Average, $400.)

“High Sierra” (W. B.)

“Where Did You Get That Girl?” (Univ.)
ORPHEUM—(2,600) (30c-40c-50c-5c) 7 days. Gross: $7,800. (Average, $6,500.)

Six Lessons from Madame Lazonga” (Para.)

“Hold That Woman” (Mona.)
ZOLMANN—(950) (30c-50c-50c-5c) 7 days. Vaudville headed by Pimpy Tolin, Gross: $3,200. (Average, $450.)

“Hudson’s Bay” (20th-Fox)

“The Saint, the Lady and the Springs” (20th-Fox)
PARAMOUNT—(3,050) (30c-35c-5c) 7 days, 2nd week. Gross: $5,200. (Average, $650.)

$19,000 Is ‘Wind’  
Kansas City Gross  

Kansas City, Feb. 12.—“Gone With the Wind” in its second week at the Midland, scored a fine $19,000.

“The Bank Dick,” with a stage show at the Tower, tallied $7,250. (Student takings for the week ending Feb. 4: $1,500.)

“Buck Privates” (Univ.)

“Gone With the Wind” (M-G-M)
MIDLAND—(1,300) (40c-50c-5c) 7 days, 2nd week. Gross: $19,000. (Average, $9,500.)

“Santa Fe Trail” (W. B.)

“Shenandoah” (Par.)

“The Bank Dick” (Univ.)

“Phantom Cowboy” (RKO)

The Phantom Cowboy” (Reg.)

The Phantom Cowboy” (Repub.)

The Phantom Cowboy” (Repub.)

Folsom Resigns from Defense Commission  

Rochester, Feb. 12.—The resignation of Marion B. Folsom, Eastern Kodak treasurer, from the executive post he has held on a part-time basis with the Kodak Hunter Defense Advisory Commission, has been announced here.

Dr. Grenville R. Holden, economic adviser for Kodak, will continue on a full-time basis with the commission. He has been conducting statistical studies on the availability of minerals and metals.

Feature Reviews  

Strawberry Blonde” (Warners)

IN NEW YORK of the 90’s is recaptured this drama of the man who found happiness in the simple home of his own making, and in the love of a simple woman, rather than in the glamorous ideal he long had held before him. The film gives every evidence of being all-around good entertainment for any audience.

Taken from the stage play by James Hagan, this was produced first on the screen by another company some years ago, under the title, “One Sunday Afternoon,” and in the present version suffers not one whit by an inevitable comparison. For the older generation of patrons, there will be a strong nostalgic appeal in this film, by reason of its setting, and its delightfully amusing picture of the habits and dress of an older generation.

But there is much more than that for all audiences, in a human story of the man who thinks he has been double-crossed in his love for a woman, who has his opportunity for revenge, but comes to a sudden realization that he is the winner, and not the victim.

James Cagney, in a role more subtle than usual, displays once again that he is an actor of versatility and ability, as the dentist who marries Olivia de Havilland as a second choice, when Rita Hayworth marries Jack Carson, bluffer, gratter and wealthy politician.

Miss de Havilland is splendid as the girl whose loyalty and love show Cagney that there is much in life beyond wealth.

Alan Hale is delightful as a young Chicago lawyer, and George Tobias is amusing as the Greek barber and friend of Cagney.

As Cagney is faced with an opportunity to administer justice to the man who stole his sweetheart, used him as a dupe and caused him to serve a five-year jail term as a result, a flashback tells that story and returns to the picture’s present with Cagney’s realization that he, not Carson, is the happy man.

Rao Walsh has given the film an incisive, well-placed production. Technical values are of the best. William Cagney was associate producer.

Running time, 97 minutes. “G.”

Charles S. Aaronson  

Scattergood Baines” (RKO)

THE sage of Coldriver, U. S. A., Clarence Budington Kelland’s loveable character of fiction, who offers homespun philosophy on the slightest provocation, here makes his initial screen appearance in the person of Guy Kibbee, who most certainly bears some resemblance to the character pictured in the minds of the story’s readers.

The film, made at no great cost, moves along with its central character, at a slow, but smooth pace with drops of humor injected frequently in an effort to sustain interest, which might wander due to a lack of action. Kibbee does the job well and although some of the supporting players show signs of inexperience, the story on the whole is enacted in adequate fashion.

Carole Hughes, John Archer, Francis Trout and Emma Dunn are the others principally involved.

Although obviously designed for small town patronage, there is a pleasant quality about “Scattergood Baines,” which should appeal to big city patrons. The circulation of the original makes for a selling point that commands attention.

Running time, 69 minutes. “G.”

The Phantom Cowboy” (Repub.)

A PLOT to deprive a group of Mexican peons of property bequeathed to them by a hacendado owner is the subject of this Western. Don ‘Red’ Barry has the leading role and is supported by Nyle Marx, Virginia Carroll, Milburn Stone, Rex Lease and others.

George Sherman guided the production for director and associate producer. It is hardly up to the standard of Republic Westerns.

Stone, former assistant to the hacienda owner, learns the details of his will which provides for Barry, a ward of the dead man, in addition to the peons. In an effort to take over the property himself, Stone tries to drive off the peons and kill Barry. The title character, played by young Mexican, who seeks to avenge his father’s death in cooperation with Barry.

Running time, 56 minutes. “G.”

*G” denotes general classification.

Hudson’s $5,300  
Strong in St. Louis  

St. Louis, Feb. 12.—“Hudson’s Bay” and “Love Thy Neighbor” scored $5,300 at the Missouri. “Gone With the Wind” drew $3,500 in its third and final week at Loan’s State.

Estimated takings for the week ending Feb. 6:

“Gone With the Wind” (M-G-M)
LOE—(350) (35c-46c-56c-76c) 7 days, 3rd week. Gross: $3,500. (Average, $500.)

“Kitty Foyle” (RKO)
KEITH—(2,000) (30c-46c-56c-76c) 7 days, 3rd week. Gross: $2,600. (Average, $370.)

“Gone With the Wind” (M-G-M)
STANLEY—(2,500) (35c-46c-56c-76c) 7 days, 2nd week, return engagement. Gross: $5,000. (Average, $655.)

“Tall, Dark and Handsome” (20th-Fox)
STANTON—(1,700) (35c-46c-76c) 7 days, 2nd week. Gross: $8,500. (Average, $1,215.)

Rooney on Vacation  

Hollywood, Feb. 12.—Mickey Rooney leaves tomorrow for a month’s vacation in Honolulu.
### MOTION PICTURE DAILY'S BOOKING CHART

Dates are based on National release schedules and are subject to change. This Chart is revised weekly. Letters in parentheses after titles denote the following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers follow titles.

<table>
<thead>
<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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<td>Grant-Hobart James Stewart</td>
<td>W. Lawson Leslie Banks</td>
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<td>Joe Crosby</td>
<td>Cesar Romero</td>
<td>George Brent</td>
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<td>You're Out of Luck (D) Frankie Darro M. Moreland</td>
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<td>Come Live With Me (C) James Stewart Hedy Lamarr</td>
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<td>Arkansas Judge (C) 010 The Weavers Roy Rogers</td>
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<td>Higgins Family</td>
<td>Along the Rio Grande (O) 076</td>
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<td>Adam Had Four Sons (D) Meet Boston Blackie (D)</td>
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<td>Virginia (O) F. MacMurray M. Carroll</td>
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<td>Mar. 7</td>
<td>Lone Wolf Takes a Chance (D)</td>
<td>Free and Easy (O) 127 Ruth Hussey Robt. Cummings</td>
<td>In Old Colorado (O) William Boyd Russell Hayden</td>
<td>Ridin' the Cherokee Trail (O) Tex Ritter</td>
<td>The Hard-Boiled Canary (M) 4020 Allan Jones</td>
<td>Citizen Kane (D) 076</td>
<td>Western Union (D) 126</td>
<td>Murder Among the Pioneers (D) M. Weiser John Hubbard</td>
<td>Dark Streets of Cairo (D) Ralph Byrd Sigrid Gurie</td>
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<td>Mar. 14</td>
<td>Penny Serenade (C) Cary Grant Irene Dunne</td>
<td>The Bad Man (O) 124 Wallace Beery L. Barrowsmore</td>
<td>Air Devils (D) Leo Gorcey Bobby Jordan</td>
<td>The Hard-Boiled Canary (M) 4020 Allan Jones</td>
<td>The Hard-Boiled Canary (M) 4020 Allan Jones</td>
<td>Back in the Saddle (O) Gene Autry Smiley Burnette</td>
<td>Tobacco Road (D)</td>
<td>Mr. Dynamite (D) Lloyd Nolan Irene Hervey</td>
<td>From the Stairs (O) P. Inescort E. Rayfords</td>
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<td>Mar. 21</td>
<td>Penthouse Mystery (D) R. Bellamy M. Lindsay</td>
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<td>The Lady Eve (O) 128 B. Shawmey Henly Fonda</td>
<td>The Lady Eve (O) 128 B. Shawmey Henly Fonda</td>
<td>A Girl, A Gob and A Guy (C) George Murphy Lucille Ball</td>
<td>Footlight Fever (D) 119 Alan Mowbray Donald McBride</td>
<td>Model Wife (D) Joan Blondell Dick Powell</td>
<td>Blanket Fire (D) Ed. G. Robinson Lupino-Gelford</td>
<td></td>
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<tr>
<td>Mar. 28</td>
<td>North From the Lone Star (O) Bill Elliott Dorothy Fay</td>
<td>At the Villa Rosa (D) Judy Kelly Kenneth Kent</td>
<td>Las Vegas Nights (M) Regan-Wheeler Tommy Dorsay</td>
<td>Border Vigilantes (O) William Boyd Russell Hayden</td>
<td>Las Vegas Nights (M) Regan-Wheeler Tommy Dorsay</td>
<td>A Girl, A Gob and A Guy (C) George Murphy Lucille Ball</td>
<td>The Outlaw (D) Walter Huston Jane Russell</td>
<td>The Sea Wolf (D)</td>
<td>Double Date (D) Peggy Moran Rand Brooks</td>
<td></td>
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<tr>
<td>Apr. 4</td>
<td>The Penalty (D) L. Barrowsmore Edward Arnold</td>
<td>Border Vigilantes (O) William Boyd Russell Hayden</td>
<td>Sis Hopkins (C) Judy Canova Bob Crosby</td>
<td>Border Vigilantes (O) William Boyd Russell Hayden</td>
<td>Border Vigilantes (O) William Boyd Russell Hayden</td>
<td>A Girl, A Gob and A Guy (C) George Murphy Lucille Ball</td>
<td>Double Date (D) Peggy Moran Rand Brooks</td>
<td>Lady From Cheyenne (O) L. Young Robert Preston</td>
<td>Knockout (D) Art Kennedy Olympe Bradia</td>
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**Paramount**

Pack 'em with pep and pulling power!

**February 7**

Popye's the Seller

"QUIET, PLEASE!"

**February 15**

Grandland Rice Sportlight

"ACROBATIC Aces"

**February 21**

Gabby Color Cartoon

"TWO FOR THE ZOO"

(Aluminum)

**February 21**

Box Office Tested!
Operators' Union Marks 40th Year
Wilkes-Barre, Pa., Feb. 12.—Local 32, IATSE, and the operators' union here, held a buffet supper marking the 40th anniversary of the unit. It was attended by many of the officers of the newly elected officers is a charter member. The seven remaining charter members still active were invited at the affair. They were Patrick J. Gallagher, president and business agent; John F. Bradel, financial secretary and treasurer; Frank J. Freale, recording secretary; John Fowl, Edwin Thomas, Harry Strong and Fred Ball.

Showmanship Flashes

Preview for Women
Is 'Kitty Foyle' Stunt

As a promotional stunt for "Kitty Foyle," the RKO Keith-Albee-Orpheum Theatre in the Bronx, a private preview for women only will be held at the house. No men will be admitted and an all-female staff will be in charge. The projectionist will be locked in his booth and the engineer will be confined to his quarters in the boiler room.

Street Heat Cutouts Aid Allentown Run

Allentown, Pa., Feb. 12.—M. T. Toomey, manager of the Commodore, had a model ship building contest for youngsters from six to 16 years old.

Soldier's Peels Potatoes

"Back Privates' Stunt

Providence, Feb. 12.—A man in the work uniform of a rookie soldier was placed at the vegetable counter in a local supermarket here to peel potatoes as a ballyhoo for "Back Privates." Passers-by were asked to guess the number of potatoes peeled in a day, the 10 closest getting free tickets. The potatoes went to a local charity. The Theatre was managed by George French, press agent William Morton, and Universal exploiter Hank Arnold.

Jan. Gross $216,161 On Cincinnati Games

Cincinnati, Feb. 12.—There were 249 city-licensed chance game parties here in January, at which total attendance was 301,942. Gross was $216,161.80, and prizes, $52,474.74, leaving a net of $163,687.06 to sponsoring organizations, according to a report of Police Chief Eugene T. Weatherly to City Manager C. O. Sherrill, who issues the permits. Average net per player was $4.2 cents. Comparatively, attendance at 227 parties in December was 270,663, gross, $97,406.39, and net, $51,151.31.

Carrying the comparison further, to show the increase in games, and the corresponding increase in the theatre entertainment, the records show attendance of 233,766 at 209 parties in January, 1940. Gross was $120,681.72, prizes, $46,792.80, and net, $147,988.57.

John Ryan Dies

Susquehanna, Pa., Feb. 12.—John J. Ryan, 62, who retired as manager of the Susquehanna, died in the hospital. He is survived by his wife, a son, three brothers and a sister.

Exploitation Plan
For 'The Lady Eve'

"The Lady Eve" will be given special exploitation handling, it is announced by Neil Agnew, Paramount general sales manager. In order to give the picture the premiere at the Paramount on Broadway on Feb. 18, there will be a three-week campaign in each of the 10 cities where the film will open up to March 14. This will be followed by a three-week campaign prior to the opening of the film in 20 other key cities about March 21.

Reviews by Amateurs

Baltimore, Feb. 12. — In connection with the showing of "Back Street" at Keith's, a tie-in with a local newspaper arranged for members of the Amateur Press Club of Baltimore to review the picture. The best written review was published on the theatre page of the newspaper and the club member awarded a prize.

"Elsie's" Invited to See
"Little Men" as Guests

Philadelphia, Feb. 12.—Roy Robbins, manager of Warner's Carlton, for the opening of "Little Men," invited all girls and women named "Elsie," who appeared at the theatre opening night between 8 and 8:15 P.M. with proper identification, to be seated in the best rows and to see the movie featured in the picture.

Letters to Stereographers

Help Plug 'Kitty Foyle'

Toledo, O., Feb. 12.—Personal letters to 2,842 stereographers and secretaries in Toledo addressed "Dear White Collar Girl," was managed Howard Peiley's way of creating interest in "Kitty Foyle" when it opened at the RKO Riori.

Technical Awards Committees Named

Hollywood, Feb. 12.—Six committees to assist the Research Council of the Academy of M. P. A. and Sciences in judging nominations for Scientific or Technical Achievement Awards have been appointed by Darryl F. Zanuck, council chairman. Members of these committees are: Committee on Laboratory Nominations, Sidney Solow, chairman; Lighting, John Arnold; Photographic, Keith Glenn; Production Equipment, Mitchell Leisen; Sound, E. H. Hansen; Special Effect, Farciot Edouart.

N. Y. Bill Introduced On Wages Liability

Albany, Feb. 12.—Sen. Fred Young of Lowville has introduced a legislative amendment to the penal law relating to the payment of wages to the employees of any corporation. The bill would make it a misdemeanor for any officer and directors of corporations who knowingly permit the corporation to violate the labor law by failing to pay the wages of any of its employees guilty of a misdemeanor.

Atlas Acquisition Of RKO Common Is Reported by SEC

Washington, Feb. 12.—Acquisition in December of 138,578 shares of RKO common stock by the Atlas Company is reported by the Securities and Exchange Commission. The semi-monthly summary of the S. E. C. showed that the Atlas also acquired 2,900 shares of RKO preferred stock in a series of purchases during February, giving it a total of 35,481 shares.

Also in RKO, Frederick L. Ehrman was reported as disposing of 600 shares of common and 75 shares of preferred stock, leaving him with 290 shares of the former and none of the latter, and L. Lawrence Green disposed of 100 shares of preferred common, leaving him with 2,250 shares.

Meehan Disposes of 9,900 Shares

A report on Keith-Albee-Orpheum showed that Michael J. Meehan disposed of 9,900 shares of preferred stock, 2,400 of which were a trust for his children, leaving him with 17,004 shares, and Malcolm Kingsberg exchanged 10 shares of preferred and six shares of common with former employees, bringing his holdings to a close of the month consisting of 490 shares of preferred and the ten certificates.

20th Century-Fox, Feb. 12, was reported as acquiring 1,000 shares of the company's common stock, giving it a total of 1,318 shares, and in Trans-Lux Corp., Feb. 21, Robert L. Gordon disposed of 500 shares of common stock, his total holdings, and Walter Siemens acquired 200 shares, giving him a total of 1,200 shares.

Other S. E. C. Reports

Other transactions reported included the acquisition of 200 shares of General Theatres Equipment capital stock by Edward Johnson, leaving him with 10 of the total; acquisition of four shares of Loew's Boston Theatres by Loew's, bringing that company a total of 117,758; acquisition of 100 shares of Loew's Inc. common stock by Al Lichtman, representing his entire holding trust certificates, his holdings at the close of the month consisting of 490 shares of preferred and the ten certificates.

A report on the holdings of directors of closed-end investment companies showed that on Nov. 1, Robert M. McKinney, Morristown, N. J., director in Pathe Film, held 11 shares of common stock, and Louis Phillips held none direct, but 400 shares of common stock in the Trust.

In Columbia Broadcasting System, Leon Levy disposed of 462 shares of Class B common stock by a gift to his son, leaving him with 19,963 shares of Class B and 37,723 shares of Class A stock. In Radio Corporations, George E. Millhass acquired 500 shares of common stock, giving him a total of 1,000 shares.

Columbia Signs Shaw

Hollywood, Feb. 12.—Columbia has signed Irving Shaw, playwright, to prepare the screen adaptation for "Mr. Twilight," a story of the United States Supreme Court.
Television in Color May Be Shown by RCA

(Continued from page 1)

cent demonstration at the CBS studios of his own color system. It is believed, therefore, that RCA, which has a system of its own, should demonstrate it to show how far color television has developed, to convince the FCC that RCA is prepared to go ahead on the basis of color if the commission insists on it.

Avoiding Pressure Angle

On the other hand, it was said, RCA is fearful of creating the impression that it is trying to "high-pressure" the FCC into any action it does not wish to take. Last year, when a storm of newspaper criticism arose against the commission's withdrawal of permission for commercial television schedules, it was said, the FCC was pointed out. Another factor is the belief that television would do better to start with black and white and solve the problem in that field before attempting color, if it was said. Many RCA officials believe that television can serve further research but that it is not yet ready for home use.

Also under consideration is a series of large screen demonstrations, similar to those for the FCC, it was reported. These demonstrations, however, will be limited in the benefit of the trade and would be intended to interest motion picture exhibitors, sports promoters and film producers, it was said. Here, too, the danger of antagonizing the FCC is cited as a danger which may delay the demonstrations.

Plans Marking Time

Meanwhile, most television plans are at a standstill, pending the March 1 hearing. Even as its belief that the report of the National Television Systems Committee will lay a basis upon which television standards can be fixed and commercialization granted, the same disagreement within the industry exists as it did a year ago when the FCC revoked the so-called "green light." Moreover, the national defense program has complicated the picture and industry figures have expressed doubt as to whether television transmitters and receivers could be manufactured in sufficient quantity with defense requirements as high as they are.

Consolidated Is Sued

Travelcast Corp., on Tuesday filed suit in N. Y. Supreme Court for $25,000 damages against Consolidated Film Industries, asking for an examination of the consolidated's officers. The complaint charged that six telegraph negatives delivered to Consolidated were held for two months and prints were not made.

Leaves Schine Post

ROCHESTER, Feb. 12—Robert Meagher, manager of the Lake and advertising and publicity director for Schine Theatres here, is now associated with the Seymour Distributing Co.

MOTION PICTURE DAILY

Thursday, February 13, 1941

Off the Antenna

CARRYING out plans made during the program directors' meeting in January, Mutual will start a series of daytime script shows and will add two news periods to give the network at least one news period or one new feature daily. Starting Feb. 12, three five-minute serials and 15-minute daytime serials will be presented. They are "We Are Always Young," which will originate from WOR: "Edith Adams' Future," from WKRC; "Helen Holden's TV Girl," from WOL, Washington; and an unlisted show from WGR, Buffalo.

The shows will be on a sustaining basis and will be heard consecutively in 15-minute programs between 1 and 2 P.M. Unlike most daytime serials which are heard Mondays through Fridays, Mutual's shows will be heard Mondays through Saturdays. With 11 commentators already on the network, news periods at 3:55 P.M. and 12:55 P.M. will give Mutual a schedule of a news period or commentator at least once every hour.

* * *

Purely Personal:

Anton Leake, formerly WMCA production manager, has joined the NBC production staff. ... Alan Manton has joined the cast of "The Light of the World." Warren Gerz, of the NBC press staff, is the father of a son, Warren, Jr. ... Uncle Don will take his first vacation in 15 years when he leaves the WOR microphone Saturday for a week in Miami. ... WTRW, Troy, will replace WABY, Albany, as the NBC Blue upstate outlet March 16. WTRW, which operates on 1,000 watts, full time, will become part of the Basic Blue. The rate for WTRW will be $150 per evening hour.

Program News: Armstrong & Co. will sponsor "Treat Time" with Buddy Clark, Mondays, Wednesdays and Fridays at 11 A.M. over 51 CBS stations ... Bob Zuckerman, announcer for WMCA, will be heard tomorrow, Thursdays, and the following Saturdays at 4 P.M. ... WMCA will start a 32-week series of boxing broadcasts from the Bronx Coliseum Tuesday under the sponsorship of American Safety Razor Corp. The program will be heard Tuesdays, 9:45-10:30 P.M.; with Jimmy Powers, sports editor of the Daily News, and Joe O'Brien at the mike.

Exhibitors Sponsor Most Commentators

(Continued from page 1)

WNEW is president of the group. Among those sponsored, 87 per cent are by exhibitors while the remaining 13 per cent are divided among women's wear, furniture, jewelry, wines, newspapers, restaurants and cosmetics. Most of the commentators, 51 per cent of them, are heard during after-morning hours, 39 per cent during the noon and 10 per cent evenings. Concerning publicity material received from studios, 86 per cent said they received releases, nine per cent said they received none and two per cent said they received them occasionally. A total of 63 per cent of the commentators said they used these releases to a greater or lesser degree.

Time schedules for film commentators vary greatly, according to a survey made by the FCC. Certified for half-hour periods, 68 per cent for quarter-hours, 18 per cent for 10 minutes and four per cent for five minutes. Only four per cent have Sunday shows, but 47 per cent are heard six times weekly; 12 per cent, five times weekly; two per cent, four times; 23 per cent, three times; six per cent, two times; and 10 per cent, once weekly.

Select, Equity in Deal

Select Attractions has closed with Berkson and Mills' Equity Film Exchange to handle Select's 1941-42 product in the New York territory, including Albany and Buffalo.

WMC Sets New Ascap Music Show

Ascap last Tuesday officially notified WMCA that its Saturday evening program, "Ascap on Parade," has been canceled. The program had originated in the WMCA studios and was carried by three other New York stations as well as more than 100 other stations. The transcription was intended as Ascap's "answer" to the networks in the current controversy. It was broadcast on May 14, 1940. In place of this program, WMCA will present "Just Dance," two hours of recorded music, featuring Ascap numbers, from 8 to 10 P.M.

Seek New Station

In Pennsylvania

WASHINGTON, Feb. 12—A construction permit for a new 1,420-kilo-
cycle, 250-watt broadcasting station between the towns of the Pennsylvania Communications Commission by the Washington Broadcasting Co., Washing-
town.

The commission also received an application from Station KGVO, Mis-
soula, Mont., for increase of night power from 1,000 to 5,000 watts.

Extend 9 P. M. Plan

ROCHESTER, Feb. 12—The RKO Palace, Century and Regent here will extend their nightly showings of feature pictures from 9 P.M. Wednesday openings. The 9 P.M. plan has been instituted by the circuit in New York.

War Pictures Spur Newsreel Grosses

Pittsburgh, Feb. 12—War pictures boosted the grosses of the local Newsreel Theatre, as do films showing the American flag, according to John McGreavy, booker for the Harris Amuse-
ment Co.

The Newsreel has been steadily increasing its gross since its conversion 16 months ago from a fourth floor grind to Grand. It added 8:30 A.M. to 11 P.M., the theatre charges 10 cents until noon, and 15 cents to closing.

Protest School for Ontario Operators

TORONTO, Feb. 12—On the ground that the move by the Ontario Gov-
ernment in establishing a training school for projectionists created a dangerous precedent, President Tom Moore of the Independent Labor Congress, representing a large percentage of organized labor in Can-
da, has called on labor councils and individual unions to support a protest against Premier M. F. Hepburn of Ontario because of the opening of the school at Toronto with 30 students. Moore contended that the establish-
ment of the school is an offense under the Anti-Trust Act which was put into force last year to restrict the activities of institutions for specialized learning and argued that the move by the projectionists' classes would lead to the opening of Government schools for other industries, thereby upsetting the whole apprenticeship system. The Toronto District Trades and Labor Council adopted a resolution unani-
mously protesting the move by the Dominion Congress which will be brought before the coming session of the Ontario legislature.

Canada Towns Ban All Traveling Shows

TORONTO, Feb. 12.—A number of municipal councils in Ontario have placed a ban on further appearances of carn-
ivals or traveling circuses for the re-
mainder of the war through the adop-
tion of resolutions by the city or town councils providing for the withholding of further licenses for such shows whether they are to be held under city auspices or not.

The first to take this action was the City of Sault Ste. Marie and the lat-
est to invoke the ban is Smiths Falls, the authorities of which have called on other cities and towns to make a simi-
lar stand.

Realign Circuit League

SHERMAN, Pa., Feb. 12.—The Combined Theatres Basketball League of Scranton, the body controlled with Jack Gaughan and Robert Kicilew, retained as president and secretary, re-
signed its officers. The officers were chosen in a poll include: Robert Kicilew, Strand; Gene Lynch, Comerford; Roy Sharke, West Side; Jack Gaughan, State; Sam Miles, Capitol; Joe Phil-
lips, Riviera.
Exhibitors in England Ask
Cut in Quota

Seek Reduction from 17½
To 15% Next Year

LONDON, Feb. 13—The Cinematograph Exhibitors Association will ask the British Board of Trade to reduce next year's exhibitor quota from 17½ per cent to 15 per cent, it was decided at the meeting of the C.E.A. general council yesterday.

Under the exhibitor quota as provided in the British Films Act, 17½ per cent of the product shown by a British theatre owner in any one year be of British origin. Curtailing British production has led exhibitors to ask a reduction in their quota.

The C.E.A. also has given its approval to complete opposition to the Government's new plan for a Films Commission which would have far-reaching effect on the industry. At the same time, the C.E.A. rebuked the Board of Trade for what

'Doe' Entertaining, Herald Review Says

Motion Picture Herald, in a review of Frank Capra's new picture, "Meet John Doe," published today, describes the film as follows:

"A political and sociological idea, sweeping in portent as this morning's headlines, is here reduced to its least common denominator and surrounded with romance, laughter and melodrama in sufficient quantity to provide entertainment even for those who prefer to ignore, or are unaware of, the idea.

"His executives can emphasize to their audiences that both are combined without departure from the past performance record of the Frank Capra-Robert Riskin team and with the universal appeal which that item has proved it can evolve."

In its March issue, Redbook has this to say about the picture:

"And while it is excellent entertainment, it is an alarming story. Although entirely fictional, it does show how easy it would be for a resourceful man to switch America into the totalitarian column. All he would need would be a bankroll and a clever rabble-rouser."

"Meet John Doe" is a Warner release.

Day and Night Roxy
'Tobacco' Opening

Twentieth Century-Fox plans a full day and all-night premiere of "Tobacco Road" at the Roxy Theatre next Thursday. The theatre will open its doors at 8 a.m. and will remain open throughout the night, according to present plans. Old timers believe this is the first time that such an opening has been attempted on Broadway.

Wheeler in New Attack on Films, Radio

WASHINGTON, Feb. 13.—In a new attack on alleged war propaganda by films, radio and newspapers, columnist, Sen Don K. Wheeler today demanded that "official notice" be taken of the numerous complaints against such editorializing. Sen Wheeler disclosed that he had sent a letter to Fred Weber, Mutual general manager demanding copies of all talks by commentators on the network during the past year, and that he had previously sent similar demands to NBC and CBS.

"Sponsored news comments on the chains have been quite one sided in the great issue that is pending before the country at the present time, name-

Second Arbitration Case Filed in Capital

Washington, Feb. 13.—John H. Taylor, owner of the Charles Theatre, LaPlata, Md., today filed an arbitration petition under the consent decree. Taylor asks relief from the 14-day clear-

Arnold Seeks Union Laws;
Ascap, U. S. Near Decree

WASHINGTON, Feb. 13.—Ascap counsel today, in lengthy conferences with Department of Justice officials, presented the consent decree proposals which were approved by the Ascap board of directors on Monday, it was reported after the meeting.

Added importance was given to the sessions by the personal participa-

WASHINGTON, Feb. 13.—Revision of the anti-trust laws to enable the Gov-

F. D. R. TO ADDRESS
ACADEMY BANQUET

Networks to Carry Speech Nationally from
White House; Theatres May Bring
Historic Talk to Patrons

LOS ANGELES, Feb. 13—President Roosevelt, via radio from the White House, will address the 13th Annual Academy of Motion Picture Arts and Sciences Awards Dinner, to be held Feb. 27 at the Biltmore Hotel. The talk, which will open the program, will be carried nation-

Reviewed Today
Reviews of "Father's Son" and "Phantom Submarine" will be found on Page 7.
Coast Flashes

Hollywood, Feb. 13

SCREEN Actors Guild today informed members that George A. Hirlane, producing in Florida, and nine advertising film companies have been placed on the unfair list because of refusal to sign Guild contracts. The notice prevents members from working for the companies under threat of suspension.


Dismissed as an individual defendant in Joseph N. Ermoloff's $1,042,000 damage suit against RKO, George J. Schaetz, RKO president, said on the witness stand today that the company's contract with the producer was only provisional and based on Ermoloff's ability to obtain certain players acceptable to RKO.

International unions in the basic studio labor agreement and the producers have agreed on the question of cancellation of work notices and payment of day workers within 48 hours of dismissal, thus breaking the impasse in which the locals were about to appeal to the international unions for aid. The studios have agreed to notify workers at the end of each shift if they will be needed the next day.

CAGNEY'S TOP IS STRAWBERRY BLONDE!

-So get that Trailer going! WARNERS, Producers

Personal Mention

JOHN JOSEPH, director of advertising, publicity and exploitation for Universal, will leave for the coast today after a brief visit here.

TOM CONNORS leaves today for Florida.

AUSTIN C. KEOGH is at Miami Beach.

DR. EMILIANO C. STERN, in charge of Paramount home office employees, has been under observation at the French Hospital for the past few days.

GABRIEL PASCAL, British producer, and AL MARQUILES, United Artists publicity manager, return today from Washington.

MAX MULLIN, Wather Theatres district manager in Boston, will leave for Miami next week.

WILLIAM STURGES, operator of the Lyric, Waterbury, Conn., is vacationing in Miami, while Fred QUATRANO is handling the theatre.

HARRY GITTLESON, editor of the RKO house organ, Flash, has returned to the home office from Toronto.

GEORGE MERRICK, independent producer, is here from the Coast.

HERMAN RIFKIN is in town from Boston.

W RAY JOHNSTON, president of MGM, is here for a visit from Hollywood.

MONROE GREENHALF, JACK GOETZ, JOSEPH MOROSZ and HALL YOUNG at Lindy's (31st St.) yesterday for lunch.

HERMAN WOBER, ADOLPH ZUKOR, JOHN HERTZ, JR., BERNARD BALABAN, SAM SHAIN, EDWIN WESL, TOBY GREN, AL LEWIN, CHARLES CURRAN, ARTHUR LOWE, DAVID LOWE, CLAIRE ROBINSON, MAX GORDON, A. L. BERMAN and SIDNEY PHILLIPS having lunch yesterday at Sardi's.

GEORGE MARSHALL has arrived in town from the Coast for a brief visit.

ROBERT SHERWOOD, producer, arrives here today from Miami.

WILLIAM F. ROGERS, TOM CONNORS, OSCAR DOOR, DAVID LIPTON, MAURICE BERMAN and GEORGE SKOOG is having lunch yesterday at Nick's Hunting Room in the Astor.

JAMES SMITH, AL ALTMAN, DOUG RAMSAYER, DON HANCOCK and WILLIAM BERTSECKA having lunch at the Tavern yesterday.

HARRY LINK, general professional manager of Feist, Inc., is in Hollywood.

DON CHAMBERS, Paramount exploitation man in New England, is in Providence.

DAVID DUGAN, manager of the Strand, Newport, R. I., is the father of a son, born early this week.

NICK MARKKES, operator of the Roxy in New Britain, Conn., is vacationing in Florida.

DR. J. B. FISHMAN, general manager, Paramount Theatres, Inc., New Haven, will leave next week on a boat trip to Miami with his family.

GARRY BYRNES, film editor of the Providence Journal, is visiting here.

Newsreel Parade

THE newswreel spotlight for the week is focused on Wendell Willkie. Here is seen giving his views on the lend-lease bill before the Senate Foreign Relations Committee. Among other events are the annual dog show in New York, a chemical explosion in Croydon, British freighters captured off-landing and U. S. Marines in parachute jumps. The contents:

MOVETIME NEWS, No. 49—Willkie pleads for British aid, British ship capsizes.


PARK ROW PHOTO NEWS, No. 49—Willkie testifies. British ship capsizes.


Paramount Pep Club Holds Party Tonight

More than 1,200 members and guests will attend the Paramount Pep Club St. Valentine Day party tonight at the Capitol Hotel. The program will consist of a buffet supper, presentation of “The Gofer Goes to Town,” a play written, staged and played by home office employees, and dancing to the music of Dick Raymond and his orchestra.

Lindy's

RESTAURANTS

1626 BROADWAY 1655

(Near to the (at State
Rivoli Theatre) Corner)

For over 20 years the lunchen and dinner place for Motion Picture People

Sole agents in New York for FAMOUS

BLUM'S ALMONDETTEs

from San Francisco, California
PARAMOUNT'S
“VIRGINIA” IS TAKING
THE COUNTRY BY STORM!

In every theatre where “Virginia” has been shown to date, it has played to more people than such record-breaking smash hits as “North West Mounted Police” and “Union Pacific”!

THE PUBLIC IS RIGHT AGAIN!

AND IN NEW YORK—in its first two weeks at the Paramount Theatre, “Virginia” has been seen by 210,000 people!

That’s why we’re holding New York’s outstanding 2-for-1 show for a 3rd SMASH WEEK!

“VIRGINIA” in Glorious Technicolor

MADELEINE CARROLL
FRED MACMURRAY
with Paramount’s sensational new discoveries
STIRLING HAYDEN
and CAROLYN LEE
A Paramount Picture

“Looks like Lee has taken the South again!”

Carolyn Lee

Pre-release engagements give you the tip-off on “VIRGINIA” business!


“VIRGINIA” Outgrosses “Love Thy Neighbor” in Miami, Memphis, Nashville, and Atlanta.

You think that’s sump’n? Wait’ll you see those golden box-office returns from Paramount’s tremendous country-wide day-and-date opening in 275 situations on Washington’s Birthday!

DOORS OPEN 9:30 A.M.
PARAMOUNT TIMES SQUARE
Myers, Keough Discuss Decree and Arbitration in A. A. A. Symposium

T HE Federal consent decree in such a case as the A. A. A. case, if it is enforced, presents an interesting problem. If it proves successful, it may serve as a model for other industries, the A. A. A., asserts, and the symposium is presented in view of this significance.

The symposium, held at the Chase, includes all the elements concerned in the film arbitration setup. Provisions of the decree are discussed by James V. Hayes, special assistant to the U. S. Attorney General, in excerpts from his opening statement before the Federal Judge Henry W. Goddard at the time the New York film case is the first arbitration, provides adequate means of stated by the American Arbitration symposium on the film arbitration issue of Arbitration Journal, quarter.

The decree was presented to the court, Abram F. Myers, general counsel and chairman of the board of Allied States, and includes the viewpoint of the independent exhibitor on arbitration. Austin C. Keough, vice-president and general counsel of Paramount, discusses the decree and arbitration from the distributor's viewpoint, and there is an article on the administration of the film arbitration system by Paul Felix Warnburg, chairman of the motion pictures administrative committee of the A. A. A.

What Keough Says:

Keough, presenting the distributor's viewpoint, declares: "It must be admitted that exhibitors generally are opposed to the arbitration system, because it's a 'gag' of five sections of the decree. They argue that instead of benefiting exhibitors, big or little, independent or circuit, and through them the public, the new selling system will impose hardships in time consuming and costs increased that will out weigh any good it will do. But they say it will not do. It is to be hoped that they are mistaken. In any event, the decree can be amended if the experiment does not prove the new system a good thing for all concerned.

Discusses Provisions

The Paramount general counsel discusses various provisions of the decree and the arbitration setup.

"To the extent that the decree imposes and ultimately undertakes by the distributors, it imposes upon them new rules of trade conduct," he says, "it does not go beyond this. It does not make new law. It does not empower the arbitrators to establish additional trade practices or put additional restraints or limitations upon either exhibitors or distributors who consent to the decree or exhibitors who arbitrate under it. Economic and social theories are not involved in the adjudicated in existence by arbitration.""n

Keough further states: "It will be apparent that many disputes can arise over the application of the principles announced in the consent decree to the facts in any given situation and there will be controversies as to whether or not the feature is being carried out.

"Has an exhibitor unwillingly licensed more groups of feature pictures than he desires because the distributor may have a condition of dealing that he take 'all or none'? Or has the distributor refused to deal with an exhibitor because he will not take the extra unwanted pictures? Has the distributor tried to force newspapers and short subjects upon the customer instead of getting the exhibitor's feature pictures? Or was the refusal of the distributor to deal with the exhibitor in a given instance merely the result of their inability to agree upon the terms of a contract? Is the exhibitor's demand to cancel out a feature based upon the fact that it gives offense generally to his patrons on some ground of morals, race or religion? or does the claim arise merely because a few vehement critics, who want to be the unofficial censors for the entire community, have exerted pressure upon the theatre owner? Or does the manager merely think he will not make enough money on the picture and is asserting a special ground of cancellation to avoid what he thinks may turn out to be a bad bargain?"

Arbitration "Obvious Solution"

"The foregoing, by way of illustration, are some of the questions that will have to be decided under the decree. Made at the suggestion of the Government and of the five companies that there should be a reasonably speedy and inexpensive method of decision provided for the settlement. Arbitration was the obvious way."

Local Arbitration Panel Set Tuesday

The American Arbitration Association will appoint the panel of 25 to 40 arbitrators who will serve in the New York area in handling film cases under the consent decree arbitration system, it was learned yesterday.

"There is reason to believe that the distributors would rather see the system still than to see it fail," Myers declares in his article. In arbitration, the decree is generally construed in favor of the independent exhibitor, Myers believes.

Use by the distributors of the right of appeal on every case at arbitration under the consent decree regardless of the amount involved, would bring the system into disrepute, Myers says.

"The arbitration proceedings will constitute the record on which the Department of Justice will eventually decide whether to apply to the court for further relief against the defendants, Myers says. The code or the arbitration proceedings to independent exhibitors will depend largely on whether the tribunals function quickly and cheaply, Myers declares.

Referring to conciliation, Myers points out that there has never been a time when conciliation could not have been practiced with respect to the special benefits and privileges enjoyed by the circuits, "but the latter were not willing voluntarily to relinquish those privileges."

'Aims at Conciliation' Myers continues: "The important consideration overlooked by these critics (of the decree) is that the decree is definitely calculated to provide a means of settlement and side-line settlements."

"Taking a broad view, it is decided by the advantage of the distributors as many claims as possible before proceedings are begun," says Myers in a reference to the three-year trial period on theatre holdings of the consenting companies. "If, at the end of three years, it should appear that no cases have been filed and no awards have been made, there would be no record on which the Attorney General could apply to the court for further relief."

"The decree necessarily imparts in to every arbitration proceeding as a basic and indispensable element the background of Sherman Law violations of the decency, hence, the principle that the purpose of the decree is to remedy the conditions graphically depicted in the Government's complaint shines through in all of its verbiage. Arbitrators both on the local tribunals and on the Appeal Board in interpreting and applying the decree will give full scope to its remedial purpose."

Unique features of the arbitration system of the decree pointed out by

Exhibitors in England Ask Cut in Quota

(Continued from page 1)

was described as the secrecy of its policy, but expressed a willingness to contribute constructive suggestions.

It is unofficially understood that such suggestions would be "in the spirit" of the new-look Board of Trade already possesses adequate power to adjust legislation, as required, with the necessity of a Films Commission. The clearance yesterday endorsed the stand of Mr. H. E. Mears, C.E.A. president against a commission, and authorized local branches to deal with further developments.

The Kinematograph Renters Society, for its part, today discussed the commission proposal.

"Rapid developments in the commission situation are anticipated in informed quarters, with the increased conference a possibility in the near future, and the likelihood existing that within the next week the Board of Trade will announce the completion of the commission plan, and it is also understood that the exhibitors, with Mears as the dominant factor, would ask that British interests are identical with American interests and would oppose any action likely to interfere with Anglo-American trade and political relations.

Exhibitors, concerned over business in the areas subjected to constant change, will ask the K.R.S.-C.E.A. joint committee to consider the possibility of special rental terms in the areas affected by enemy action. The annual general meeting of the C.E.A. will be held at Nottingham on March 11."

Brodstein Dropped
In Philadelphia Suit

PHILADELPHIA, Feb. 13.—Judge Guy K. Bard in Federal Court here granted a temporary injunction against David Brodstein, Reading, Pa., exhibitor, to be dropped as joint defendant in an anti-trust suit against seven exhibitors and the major distributors.

The suit, filed last November, was brought by Harry Block and Henry Sork, independent exhibitors. Looking at Schuykill Haven, Brodstein contended that as operator of a single house he had nothing to do with clearance, which was the basis of the suit.

Myers are: provision for arbitration by exhibitors against distributors, but no provision for proceedings by distributors against exhibitors; contracts are to be arbitrable which cannot be subject of civil actions at law without allegations and proof of violation of the decree; arbitrators on both local tribunals and the Appeal Board are to be selected with necessary standards to guide them, and a complaining exhibitor may receive an award at the expense of another exhibitor, whereas the latter may intervene.
quality
plus
quantity

The audit reports of the Audit Bureau of Circulations for the twelve month period ending June 30, 1940 (last audited circulation figures) show the following comparative figures for the publications in the motion picture field reporting to the Audit Bureau of Circulations:

**NET PAID SUBSCRIPTIONS**

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**SUBSCRIPTIONS SOLD AT LESS THAN BASIC PRICE**

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**BASIC SUBSCRIPTION PRICE**

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Over a period of ten years of constructive service to the industry, MOTION PICTURE HERALD has maintained, and still maintains, its solid, substantial subscription list without resort to promiscuous price-cutting and premium inducements.

(*Motion Picture Herald’s basic price is five dollars per year, with reduced prices for subscriptions in groups of ten or more.)

**MOTION PICTURE HERALD**
Todd Takes Over Chicago Oriental

CHICAGO, Feb. 13.—Effective tomorrow, Michael Todd will begin operations at the Chicago Oriental. Todd will take over from Jones, Linick and Schaefer, who have operated the house for the past two years.

Todd leased the house from the 32 West Randolph Street Building Corp. At present he has two legitimate stage shows on here, which will go on under the name of Michael Todd Theatre Cafe on Chicago's North Side. He also operated concessions at the New York World's Fair.

Reports were current recently that Balaban & Katz were negotiating for the theatre. The Department of Justice filed a suit to prevent the lease of the Oriental by B. & K. would have involved violation of the Chicago consent decree to which B. & K. is a party.

The negotiations presaged by the drop in rentals at the Theatre, it was understood that Jones, Linick and Schaefer would continue to operate the theatre as usual. But there had been no previous indication that Todd would operate the theatre.

File New Queries in Schine Trust Action

BUFFALO, Feb. 13.—Additional interrogatories have been filed by the Department of Justice in the Schine anti-trust case in Federal Court here against John A. May, J. Myer Schine and Louis W. Schine, executives of Schine Chain Theatres, Inc.

The Department of Justice has been concerned by the business activities of the three men. They ask that their positions in the corporation be stated and that all Schine theatre employees be listed. The Government also seeks to learn details of all loans made to any of the defendants and particulars of contracts of company or exhibition of pictures in any "Schine towns," dates of exhibition, film rentals paid and other information.

Grainger Is Guest At Seattle Luncheon

SEATTLE, Feb. 13.—A luncheon was tendered J. R. Grainger, president of Republic, on his arrival in Seattle yesterday by J. T. Sheffield, Republic franchise owner in the Northwest, at the Washington Athletic Club.

Grainger prominent exhibitors and newspaper men were present, among them Frank Newman, Al Rosenberg and Frank Christie of the Fox-Evergreen Theatres Corp.; John Danz, president of Sterling Theatre Corp.; and William Forman of Sterling Theatre Corp., John Von Herberg, president of the Von Herberg Circuit; Fred Murphy Sr. and Fred Murphy Jr. of the Murphy, Washington and Oregon Theatre Corp., and James H. Farnworth of the B. F. Shearer Theatre Circuit.

Cromwell Gets Trophy

John Cromwell has received a New York University trophy for "Exceptional and Consistent High Quality of Directorial Craftsmanship."

Dover, Del., Feb. 13.—Setting a record for speedy action on important legislation, the Delaware Senate today passed, 14-3, a bill introduced by Sen. Earl Rice. The local option on Sunday film shows and other business, and heavier penalties for violation of Sunday laws, would be a part to be sought by the Senate. The measure, which empowers incorporated municipalities to enact ordinances to prohibit or regulate Sunday business, is expected to go to the Governor and may be in the hands of Gov. Walter W. Bacon for signature tomorrow.

Rinard, who introduced the Sunday films bill which was defeated in the last session of the General Assembly, would have been happy to have had complied with the suggestions of the special blue law commission which has studied the legislation and made its recommendations recently to the General Assembly.

Roxy, Music Hall Lead B'way Films

"Arizona's" $78,000 at the Radio City Music Hall, and "Western Union's" $50,000 at the Roxy, led the Broadway film parade for the week.

Both theatres offer presentation shows with the pictures. While "Western Union" holds at the Roxy for a second week, "Arizona" moves out of the Rockefeller Center house because of over bookings, making way for "This Thing Called Love."

All the product benefited from good weather and Lincoln's Birthday, observed as a holiday.

At the Strand, "Honeymoon for Three," with Ray Noble's band on the stage, is expected to finish the first week tonight with about $27,000 and will hold over.

The Devil Commandos," opens at the Rivoli today, after a $7,000 week for "Face Behind the Mask."

Award for Special Effects Is Planned

HOLLYWOOD, Feb. 13.—Walter Wander, president of the Academy of Motion Picture Arts and Sciences, has appointed a special effect award committee, which will select one production as the outstanding special effect picture of the year.


Bill in Iowa Would Tax Distributors

des Moines, Feb. 13.—A bill introduced in the House of Representatives of the Iowa legislature would place an annual license fee of $1,000 on every town distributor of motion pictures and a special tax of $1 on every reel shown in the state. The $1 a reel tax was levied on all films in circulation.

Exhibitors would not be taxed, but charged from buying, leasing, showing or exhibiting any film acquired in any manner from an unlicensed distributor or any film on which the $1 tax had not been paid. Sunday Option Bill

‘Virginia’ Capitol’s Winner at $23,600

WASHINGTON, Feb. 13.—An eight-day struggle at the Warner’s Earle took $23,600. "Second Chorus" at Loew’s Capitol did $17,500. Estimated takings for the week ending Feb. 13:

"Second Chorus" (MGM)—LOEW’S CAPITOL—(3,450) (£3,450—46c-66c-75c) 7 days. Gross: $24,500. (Average: $3,493.
"Back Privates" (Univ.)—RKO-KEITHS—(2,800) (£2,800—66c-75c) 7 days. Gross: $7,500. (Average: $1,071.
"West Two Mountain Police" (Para.)—RKO PALACE—(2,200) (£2,200—46c-66c-75c) 7 days. Gross: $6,600. (Average: $943.
"Wildfire" (Loew’s)—LOEW’S PALACE—(2,800) (£2,800—66c-75c) 7 days. 3rd week. Gross: $1,300. (Average: $186.

"Hudson’s Bay" (20th-Fox)—COLUMBIA—(2,650) (£2,650—66c-75c) 7 days. Return engagement. Gross: $5,000. (Average: $714.

"North West Mounted Police" (Para.)—RKO-KEITHS—(2,700) (£2,700—75c-85c) 7 days. Gross: $4,100. (Average: $585.

"Called Love" Gets $9,000, Cleveland

CLEVELAND, Feb. 13.—“This Thing Called Love” did an excellent $9,000 at the Allen in Cleveland last week. "Escape to Glory," assisted by Cab Calloway on the Palace stage, drew a strong $21,500.

Estimated takings for the week ending Feb. 6:

"This Thing Called Love" (Col.)—(2,300) (£2,300—39c-46c) 7 days. 2nd week. Gross: $9,000. (Average: $1,286.
WARNER’S HIPPODROME—(3,300) (£3,300—52c-60c) 7 days. Gross: $10,000. (Average: $1,429.
"Escape to Glory" (Col.)—RKO PALACE—(2,100) (£2,100—46c-60c) 7 days. Gross: $2,000. (Average: $286.
THAT BAYOU LADY—(2,700) (£2,700—46c-66c-75c) 7 days. Gross: $14,000. (Average: $2,001.
LOEW’S STILLMAN—(4,000) (£4,000—68c-85c) 7 days. 3rd week. Gross: $16,000. (Average: $2,286.

"Wine" with $18,500

Is Indianapolis Hit

INDIANAPOLIS, Feb. 13.—In its return engagement, Gone With The Wind" hit a smash with $18,500 at Loew’s. "Mr. and Mrs. Smith" and "The Saint in Palm Springs" drew $9,000 at the Indiana. The weather was cold.

Estimated takings for the week ending Feb. 7:

"Kitty Foyle" (RKO)—RKO CIRCLE—(3,600) (£3,600—52c-60c) 7 days. Gross: $10,000. (Average: $1,429.
"Mr. and Mrs. Smith" (RKO)—RKO CIRCLE—(3,600) (£3,600—52c-60c) 7 days. Gross: $9,000. (Average: $1,286.
"The Saint in Palm Springs" (RKO)—RKO PALACE—(2,000) (£2,000—60c-75c) 7 days. Gross: $9,500. (Average: $1,357.
LOEW’S—(2,500) (£2,500—60c-75c) 7 days. Gross: $10,000. (Average: $1,429.

File RKO Suit Notice

RKO filed notice in Federal Court here yesterday that Helen Twelve trees, plaintiff in an action for $100,000 against the company, would be examined, or "The acres, claimed to have been libeled in the film, "I’m Still Alive."
**Feature Reviews**

**"Father's Son"**

B ASEED on a story by Booth Tarkington, "Father's Son" is a sentiment-mental but familiar tale of a father (John Litel) who was too busy with business and community affairs to understand his own son. The latter, engagingly portrayed by young Billy Dawson, is a typical, mischievous young lad who manages to annoy his father from sheer exasperation.

Parents and grandparents, too, are likely to enjoy this portrayal of family life, with its cares, its tribulations and simple joys. D. Ross Lederman, who directed, has supplied many such touches, but the younger folk are likely to find the lack of good plot development a shortcoming.

Frieda Inescort plays the understanding mother who, when she finds that her husband's short temper is depriving Bill of his natural home life, decides that it would be better to set up a home of her own for herself and her son. Bill, of course, who is a normal youngster, notices that his parents are unhappy about the separation and arranges a fake kidnapping to bring them together again.

Running time, 57 minutes. **G.**

EDWARD GREGG

**"Phantom Submarine"**

(San Francisco, Feb. 13.—Two holdovers set a good pace. "Philadelphia Story," paired with "Jennie," took $17,500 for the second week at the Fox, and "Kitty Foyle" turned in strong $14,500 at the Golden Gate. The weather was good most of the week.

Estimated takings for the week ending Feb. 7:

"Kitty Foyle" (RKO) $2,500. (35c-
$6c-5c) 7 days, 2nd week. Stage: vaudeville. Gross: $2,500. (Average, $350).

"The Long Voyage Home" (U.A.) $7,000. (35c-$5c) 7 days. Gross: $7,000. (Average, $1,000).

"Day After Tomorrow" (M-G-M) $5,000. (35c-$5c) 7 days. Gross: $5,000. (Average, $714). $7,000. (Average, $1,000).

"This Thing Called Love" (Col.) $6,500. (30c-$2c) 7 days. Gross: $6,500. (Average, $928).

"Queen of the Nile" (Foreign) $3,500. (25c-$5c) 7 days. Gross: $3,500. (Average, $500).

**Chorus’ and Show Minneapolis High**

**'Shock' Dual**

Paramount’s two new films, "The Mad Doctor" and "The Monster and the Girl," will be offered in dual territories as a picture show package, according to Neil Agnew, Paramount vice-president in charge of sales.

**Provence Gives Wind Big $14,400**

**Wind Registers $12,000 in Toronto**

T ORONTO, Feb. 13.—"Gone With the Wind" took $12,000 in the second week at the St. Andrew’s. "This Thing Called Love" at the Imperial in the third week drew $9,800. "Kitty Foyle" registered $11,800 at the Uptown. Estimated takings for the week ending Feb. 8:

"This Thing Called Love" (Col.) $7,500. IMPERIAL—(35c-$5c) 7 days, 3rd week. Gross: $7,500. (Average, $1,071).

"Gone With The Wind" (M-G-M) $6,000. LOEW’S—(25c-35c-40c-50c) 6 days, 2nd week. Gross: $6,000. (Average, $1,000).

"Little Men" (RKO) $2,000. SHERA’S—(25c-35c-40c-50c) 6 days. Gross: $2,000. (Average, $333).

"Pan Alley" (20th-Fox) $2,500. TIVOLI—(14c-35c-40c-50c) 6 days, 2nd week. Gross: $2,500. (Average, $416).

"Kitty Foyle" (RKO) $6,000. UPBOWN—(30c-$5c) 7 days. Gross: $6,000. (Average, $857).

**Lyons Is Transferred**

DES MOINES, Feb. 13.—Harold Lyons, formerly salesman at the 20th Century-Fox exchange in Minneapolis, has been transferred here as salesman, replacing A. W. Riegelman, who died recently.

**New Film atFlorey**

"Compliments of Mr. Florey," French film starring Fernand Gravet and Louis Jouvert, will open at the Florey on Sunday. The film is released by Hoffberg Productions.

**Get Puerto Rican Post**

Hal Winston has been appointed advertising and publicity manager of the Latinos Circuit in San Juan, Puerto Rico.

**John Graham Moves**

John Graham of Movietone News has leased an apartment at 24 Central Park West, from Pease & Elliman, Inc., through Brown, Wheelock, Harris, Stevens, Inc.

**To Quiz Zanuck in Suit**

Notice was filed in Federal Court by former E. F. Zanuck, 20th Century-Fox vice-president in charge of production, who would be examined under oath in connection with the suit of Eleanor Harris against the company. She has asked $30,000 damages for alleged impropriety in a confidential position.

**Official**

FRISCO HEAD

SAVANNAH, Ga., Feb. 13.—R. C. Smith, 25, former assistant chief of police, has been appointed police judge of the fourth district.
14-Cent Music Royalty Sought on Canada Sets

OTTAWA, Feb. 13.—The Copyright Appeals Board yesterday ruled against applications by the Canadian Performing Rights Society, which controls Ascap music here, for an increase in the broadcast royalty rates from eight to 14 cents per radio set, while Broadcast Music of Canada, Inc., which controls BMI music, demanded four cents of the present eight cents per set.

Col. O. M. Biggar, representing the P. R. S., which hitherto has held excul- deduce, the price at which it may be sold or the purpose in manner in which it may be used, was suggested to the Temporary National Economic Committee. Biggar announced that he was attending to the matter of the award of the copyright. Arnold appeared before the committee at the opening of sessions at which the members of the T. N. E. C. will offer their suggestions for legisla- tion recommendations. Patent legislation, said Arnold, should permit a patent owner to enjoy the full fruits of his invention, and at the same time give the public an exclusive privilege of producing there- under, but if he elects to grant licenses, no restrictions on price, production or use of the patented article could be made.

Radio Company Formed

DOVER, Del., Feb. 13.—The Gibraltar Service Corp. has been incorpor- ated here to deal in radio broadcasting with a capital of $500,000.

Off the Antenna

Ottawa, Feb. 13.—SO great has been the congestion in radio manufacturing plants caused by defense orders that the FCC has compelled to set back for a year or more all requirements on the wartime band. Expected deliveries of ultra high frequency equipment, particularly aircraft receiving equipment, have been delayed by the defense program. Under the new order, airports must start operations on the new band between Jan. 1, 1942, and July 1, 1943, depending on the type of airport.

Program News: Ralph Purina Co. has extended its NBC-Blue contract four weeks to April 23 for "Tom Mix Straight Shooters." The "Dr. I.Q." show moved Mondays at 9 P.M. over NBC-Red will originate from the stage of the Orpheum Theatre in Seattle, for six weeks beginning Feb. 24... New spot accounts on WHN include Parker Bros., Mission Bell wines, Packard Motors, and the Roxy, Wise Shoe Co. has signed for participation in the "Cordellia" show...

WNYC is staging its second annual Music Festival which features American music in all its forms. Among the organizations and guests who will be heard during the series are the Metropolitan Opera Co., League of Composers, Kolisch Quartet, Juilliard School of Music, Deems Taylor, Morton Gould, Philip James, Olin Downs, American Ballad Singers, Ruggiero Ricci, Abram Chasins, Richard Hale, Benny Goodman, and many others.

Arnold Seeks Union Laws; Ascap, U. S. Near Decree

WASHINGTON, Feb. 13.—Legislation prohibiting owners of patents from granting licenses which restrict the amount of any article which may be produced was introduced in the House of Representatives yesterday. In his final speech in Congress, Arnold appeared before the committee at the opening of sessions at which the members of the T. N. E. C. will offer their suggestions for legislation recommenda- tions. Patent legislation, said Arnold, should permit a patent owner to enjoy the full fruits of his invention, and at the same time give the public an exclusive privilege of producing there- under, but if he elects to grant licenses, no restrictions on price, production or use of the patented article could be made.

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Northwest Allied
Pressing Bill to Ban Blocks of 5

MINNEAPOLIS, Feb. 16.—The possibility that Northwest Allied might back up its decision to seek a bill in the Minnesota legislature contravening the block-of-five provision of the consent decree, was dashed yesterday when the legislative committee determined to go ahead full force with the bill.

Fred Strom, secretary of Northwest Allied, in a statement said the legislative committee, to which the bill was referred at the recent Alliance meeting here, had held a number of meetings and considered the question from all angles, then had voted unanimously to seek its passage.

His statement said: "The company was firm and unalterable in its opinion that the independent exhibitor, both as it relates to subsequent runs in the Twin Cities and out-of-town situations, many of them hundreds of miles removed from the Minneapolis exchange center, will be infinitely better off buying an entire season’s output with a cancellation privilege of 20 per cent, and with no forcing of shorts, than he would be attempting to operate under terms of the consent decree.

There were many other factors which entered into the committee’s deliberations and were given careful consideration, and it was the committee’s judgment and conclusion that the bill should be vigorously pressed for passage, and should receive the wholehearted support of the industry."

Court Sees
Schine Trial
For ‘Little 3’

U. S. Seeks Information
From Companies

BUFFALO, Feb. 16.—Federal Judge John Knight over the weekend told MOTION PICTURE DAILY that there is a good chance the Government’s anti-trust suit against Schine Theatres will go to trial, but declined to say when the case may be heard.

Judge Knight said he understood a consent decree was in prospect, but added that such a decree would not affect all defendants in the case, even "Little 3," including Columbia, Universal and United Artists, will remain defendants, while the "Big 3," assentors to the New York case, will be dismissed.

The calendar in the Federal district court here is crowded at least until April, and court attaches believe that (Continued on page 6)

Goldwyn Sale
Of Stock Will
Be Cash Deal

Papers Being Drawn for $300,000 Transaction

Samuel Goldwyn's deal on the sale of his one-fifth interest in United Artists to the company for $300,000 on a strictly cash basis, was learned over the weekend. Final papers are now being drawn by the attorneys representing Goldwyn and United Artists.

Maurice Silverstone, operating head of the company, who has been in Palm Springs with David Selznick, returned to Hollywood on Friday and is expected to be in New York some time this week.

Goldwyn, according to spokesmen, will not rush into any new releasing agreement. He is said to be content to finish his time before entering into another distribution arrangement.

Further details of Goldwyn's deal with United Artists are expected to be revealed when the stock disposal deal will be consummated, according to Goldwyn's associates.

Alexander Korda is due here late this week with a print of "That Hamilton Woman," his latest picture, starring Vivien Leigh and Laurence Olivier.

NBC, Mutual to Carry F.D.R.'s Awards Talk

President Roosevelt’s address to the Academy of M.P. Arts and Sciences on the night of the 13th annual awards dinner Feb. 27 will be carried by Mutual and possibly also CBS besides the NBC-Blue network.

A 15-minute program will start at 11:45 P.M. EST will be introduced by Walter Wanger, President of the news service, and will introduce President Roosevelt.

The President will speak for five minutes and the remaining eight will be divided among two or more other speakers. The President will speak from Washington.

Friedman Is Quigley
Hollywood Manager

HOLLYWOOD, Feb. 16.—Martin Quigley has announced here the appointment of Leon A. Friedman as manager of the Hollywood office of Quigley Publications. Friedman was an account executive in association with Eastern advertising agencies, and is experienced in advertising, publicity and promotion.

Greek Relief Drive
Ready in Theatres

Adolph Zukor, Paramount board chairman, and chairman of the Amusement Division of the Greek War Relief Association, yesterday officially opened the drive in more than 10,000 theatres throughout the country. W. G. Van Schmus, managing director of the Radio City Music Hall, made the first pledge of cooperation.

Film houses have been placed on a direct quota basis by district chairmen, with special shows to be staged during the week of March 25 to 30. John H. Harris, vice-president and film buyer of National Theatres, died here Friday. He was ill about a year. Funeral services will be held at 9 A.M. tomorrow at St. Paul’s Cathedral here. Survivors include his wife, two sons and two daughters.

Buenos Aires, Feb. 16.—Local newspapers have picked up the threads of a pattern by which, it is charged, the Nazis are seeking to influence and eventually to control the motion picture market in Argentina.

Bankruptcy claims by Argentine film companies invariably list Agfa de la Argentina, raw stock distributing company, which denies any direct Berlin connection, as the largest creditor. Producers seeking backing receive support from the Banco Germanico. A circuit operated by a citizen of Italian extraction is expanding with the profits of the exhibition of German films, although most of its patrons attend by "invitation." These are some of the threads which have been woven into the pattern of Nazi infiltration.

The attorneys for Agfa on numerous occasions have acted on orders from Berlin, it is known, despite the firm’s repudiation of official connection. Both Agfa and Siemens Schuckert, supply house, show amazing readiness to extend most liberal credit to studios.

The Argentine Sono Film is typical of the producing companies which have received large credits from the Banco Germanico. Officials of the bank appear with officers of the film company at all premieres, banquets and social functions, and in newreels edited by the company the bank officers frequently appear prominently. The (Continued on page 6)
Personal Mention

LUDWIG LAWRENCE, general manager for M-G-M in Europe and North Africa, is due today from Lisbon on the Excursion.

BARNEY BALABAN, president of Paramount, is in Florida.

Lester Isaac, director of sound and projection for Loew’s, this week observes his 25th anniversary with the company.

William K. Saxton, Loew’s city manager in Baltimore, will spend a week in Freeport, L.I., recovering from a recent operation.

Harry Fishman of Fishman Theatres and the Community in Fairfield, Conn., has gone to Miami for six weeks with his family.

Douglas Pratt, Columbia district auditor, is in Des Moines for several weeks from his headquarters in Kansas City.

A. W. Alexander, Allcoiie engineer of Nsville, N. C., has just celebrated his silver wedding anniversary.

$7,000 Verdict in
Ermolieff-RKO Suit

LOS ANGELES, Feb. 16.—Ruling RKO’s attempt to have Joseph N. Ermolieff’s, European pro-
ducer, Federal Judge J. T. T. O’Con-
nor here on Friday granted a judg-
ment for $7,000. Ermolieff had sued for $1,042,000, claiming that the com-
pany had broken its promise to have the film "Hollywood." The court dis-
missed Ermolieff’s request for com-
pensation for services allegedly ren-
dered as a producer with $20,000 which he said he spent preparing the film. The decision held that he still has the script of "I Solemnly Swear," and that it "has not lessened in value."

Robbins Honored
By Ampa Thursday

Herman Robbins, president of Na-
tional Screen Service, will be hon-
ored at the Ampa luncheon meeting
next Thursday at Harry Drescher Deutschbein, a construction engineer. The ceremony took place at the Hamptons House with Rev. Jesse William Stitt officiating. The couple left for a honeymoon in Florida and Cuba after the ceremony.

Martha Sleeper Wed
Here to Engineer

Altha Marie Sleeper, actress
niece of Mr. and Mrs. John J. Mur-
dock, was married Friday to Harry Drescher Deutschbein, a construction engineer. The ceremony took place at the Hamptons House with Rev. Jesse William Stitt officiating. The couple left for a honeymoon in Florida and Cuba after the ceremony.

Gabin Coming Here

Jean Gabin, French actor, was re-
ported to have left Marseilles for Hollywood over the weekend.
Norway’s Boycott of Films Angers Nazis

WASHINGTON, Feb. 16.—"Unenlightened" Norwegians are boycotting Nazi films so enthusiastically that the American authorities in Norway have warned that other taxes will have to be increased as a result. With motion picture theatres improving, it was disclosed here by the Norwegian government’s press representative.

Reports show that citizens of Stavanger, Trondheim and Lillehammer have for weeks refused to attend local theatres, while in other town audiences are sparse. It is feared the Nazi regime has issued a code of behavior, and, in the Oslo district, ordered the theatres to remain open. The men are stationed in every theatre to preserve order.

The German-dictated “code” for Norwegian films, announced last week, is a plan at the wrong place in a film, stamping feet, whistling, crying and even clearing of the throat. By some oversight, the Norwegian representatives here pointed out, there is no ban on sneezing.

Norwegian theatres now show mostly “enlightenment” films, it was said, and in the effort to attract audiences at least one Oslo house is advertising a full benefit party turn in addition to the picture at no advance in admission.

Delaware Exhibitors Name Defense Group

HARRINGTON, Del., Feb. 16.—The Independent M. P. T. O. of Delaware and the Eastern Shore of Maryland has appointed a committee for national defense. The committee comprises: A. Joseph DeFiore, chairman; Mayor Edward C. Evans and Henry Handoff.

DeFiore is a member of the Delaware state defense commission.

A pledge to cooperate with the committee in promoting the spirit of patriotism among American citizens, in supporting the movement for national unity, and in assisting in the national plan for arming America, was signed by each of the independent theatre men.

Continuing Sunday Pictures in Halifax

HALIFAX, N. S., Feb. 16.—Sunday programs at the Capitol here will be continued “until further notice” according to the committee in charge. Capacity attendance has prevailed at all shows, but there is no indication of the plan affecting any other house than the Capitol.

Whether the gross has been equaling the overhead has not been disclosed by the committee. There is no charge for the theatre use, the outlay being for rental of one feature picture, one or two reels of shorts, and wages for the operators and other Capitol employees.

Rockester Union Elects

ROCHESTER, Feb. 16.—Officers of the new local union for front of house employees, have been announced, by officers of the union, are: Harry Lemieux, Palace, president; Edward Reynolds, Regent, vice-president; Melville Thomas, Palace, treasurer, and Mary Fink, secretary.

Feature Review

"Blonde Inspiration" (M-G-M) This appears to have been produced as a training film for some of the M-G-M studio’s promising new stars. Among whom two, John Shelley and Virginia Grey, have the leads. The two give every evidence of ability and screen personality, especially in view of the fact that they were able to register in spite of most inex oil material.

The story, based on “an original play” by John Cecil Holm, is concerned with the effort of a young man, burning with the literary fire, but going his way by writing for a Western magazine. His entanglement with the pair of crooks who operate it, and his romance with Miss Grey, secretary to the two men. The boy learns his lesson by experience, after almost losing $2,000 his uncle had given him without the knowledge of his “business-woman” aunt, and love, we are informed, also. But such stalwart and able performers over the years as Charles Butterworth and Donald Meek are, in the supporting cast, and they work hard, but they have little with which to work.

B. P. Fineman produced, and Busby Berkeley directed this film, which might have some interest for younger patrons in double bill showings.

Running time, 72 minutes. "G."

Charles S. Aarons

Short Subject Reviews

“More About Nostradamus” (J-M-G-M)

The prophecies of the French seer of the 16th century are dramatized by Carey Wilson in a dynamic sense of historical reconstruction of two years ago. The film first depicts dramatically the death of a nobleman who desecrated Nostradamus’ tomb, just as predicted. It then follows Nostradamus’ book of predictions, “Prophetic Centuries,” and attempts to correlate the historical developments as Britain’s defeat of the Spanish armada, the World War and various episodes in the second World War. Nostradamus also wrote of the U. S. entry into the present war and of a vanished German nation. The effect is startling. Running time, 11 minutes.

“Red Men on Parade” (M-G-M-M) In this instance James A. Fitzpatrick’s color camera is focused on activities at the American Indian Int’l Tribal meeting at Gallup, N. M., at which the various tribes of the continent in colorful regalia vie for awards for dancing, games and arts and crafts. It is an interesting travelogue, but the subject matter is not unusual. Running time, 9 minutes.

“Whispers” (M-G-M) As diversified as any subject in John Nesbitt’s “Passing Parade,” this concerns gossip and how that method of spreading rumor and peddling conviction is utilized, legally and otherwise. It holds the interest through out. The chief case illustrated has to do with a crook employing flattery and even of stem tannings to condemn in the public’s mind the personal character of an honest opponent of a housing development, thus defeating his plan. Running time, 10 minutes.

“March of Time, No. 7” (RKO) As entitled “Americans All!” the latest March of Time issue emphasizes the fact that the United States is still the great melting pot, and that the cultures of many lands and many peoples helps make this country what it is today.

The real attempt to show in brief the incidents which the each class of immigrants has made and, in the case of some nationalities, the sub- jective groups among them. Primar- ily, however, the subject is a plea for tolerance and understanding of the new and former aliens in our midst. Running time, 18 mins.

“Quiz Biz” (M-G-M) Again Pete Smith offers his screen queries to audiences in an entertain- ing fashion. The object which the question concerns is first seen, such as an onion being peeled, and then the question is flashed on the screen. Running time, 9 minutes.

Mexico Producing Resumes; ‘Strike’ Against Union Ends

MEXICO CITY, Feb. 16.—Peace has come to the troubled film industry and labor unions in Mexico, in an agreement reached between the Mexican Picture Producers Association and the members of the producers section of the National Cinematographic Workers’ Union.

The settlement ends the “strike” of producers in protest against what has been called Solis’ policy of placing obstacles in the way of production. The producers’ “strike” lasted for 70 days. Alfonso Tello, producer, whose difficulties precipitated the fight, has quit production.

Apparantly amicable relations have been restored between the two factions. Solis is understood to have agreed to permit the producers to select their own sound engineers and other technicians. Solis also has lifted the strike he called against Jesus Grovas because the latter refused to employ four additional employees at Solis’ order. The agreement calls for the organization of the sound engineers in Mexico in two groups.

On another front Generalissimo has given his blessing to the Mexican film scene, an organization calling itself the National Party for Administrative Purification has attacked Vincente Toledo, chief of the Confederation of Mexican Workers, for forcing exhibitors to pay exorbitant salaries. The attack have been compared with those in the army in paid newspaper advertisements, indicating, for example, that a projectionist receiving $1.50 a day was higher than a division general, highest ranking officer in the Mexican army.

Mexico Assisting Legitimate Theatre

MEXICO CITY, Feb. 16.—Legitimate theatre men here are much encouraged by aid the Municipal Government has given them in the form of resinding the new theatre taxes of 7 per cent to 14 per cent and allowing the 1940 rates taxes to continue, and the creation by the Federal Government of a council to help the theatre by stimulating greater interest in it.

The theatre men had told the city Government that if the higher taxes were put into effect, they would be driven out of business. The Federal Government organized the aid committee when the stage people assured them that some measure might help the theatre. The council is to work until next Jan. 31 and is preparing a big program to assist the theatre.

‘U’ Officials Appel

An appeal was filed Friday from an order requiring the appearance of 100 to 200 theatrical officials before trial in the suit brought by Samuel J. Posen, against Universal and affiliated companies.

$1.50 Eastman Dividends

ROCHESTER, Feb. 16.—The board of directors of Eastman Kodak has voted dividends of $1.50 per share on common and preferred stock. The quarterly payment will be made April 1.
To the millions who loved her as the impish little 'smart girl' ... now add the millions more who will adore her as the screen's most beautiful, most talented actress ... in a romantic role that makes her sparkle like new wine...!
BOXOFFICES WILL CHEER

the new, charmingly "misbehaving"

DEANNA DURBIN

in

Nice Girl?

with her grandest cast

FRANCHOT TONE

Walter BRENNAN • Robert STACK

Robert BENCHLEY • Helen BRODERICK

Ann Gillis • Anne Gwynne • Elisabeth Risdon • Nana Bryant

Screen Play by Richard Connell and Gladys Lehman
Based on the play "Nice Girl" by Phyllis Duganne

Directed by WILLIAM A. SEITER

A JOE PASTERNAK Production

NATIONAL RELEASE
FEBRUARY 21

A UNIVERSAL PICTURE
Court Sees Schine Trial For 'Little 3'

(Continued from page 1) the Schine case could hardly receive attention until after that time. Credence that the case will proceed against the "Little 3" was added when U. S. Attorney George L. Grobe on Friday filed additional interrogatories in the district court here, naming, with Schine Chain Theatres, Inc., United Artists Corp., Universal Film Exchanges, Inc., Universal Pictures Co., Inc., and Columbia Pictures Corp. The interrogatories are identical in each instance. All ask the distributors to give dates of their incorporation, the states in which they are incorporated and the purpose for which the corporations were formed.

The U. S. Attorney also seeks locations of the principal distributor executive and branch offices from which the theatres located in any "Schine towns" are served. The distributors are also asked to name theplaces where feature prints are developed, their means of transportation to Schine houses and whether or not such prints move across state lines in the course of their transportation. The Government also asks the distributors to name their managers, their duties and authorities, and to list their film salesmen and their duties.

An additional 100 or more questions are asked under the heading of "distribution activities."

Schafer Declares RKO Weathered Severe Crisis Without Borrowing

Hollywood, Feb. 16.—Here working on plans for the RKO 1941-'42 program, George J. Schaefer, president, said on Friday the company had weathered one of the most severe crises in the history of the industry without borrowing from the banks. "This has been effected," he said, "despite the loss of certain foreign markets, reduction in foreign currencies and serious restrictions on the flow of foreign funds to New York." Optimistic over the coming year, he cited "Kitty Foyle" and "Mr. and Mrs. Smith" as among RKO's biggest grossers.

Northwest Allied Pressing Bill to Ban Blocks of 5

(Continued from page 1) hearted support and endorsement of every independent exhibitor in the Northwest, whether affiliated with Al- lied or not.

Especially careful study, it pointed out, was made of the competition and the state constitution to make sure the bill would not strike a jag on these provisions.

May Act Elsewhere

Harold Field is head of the legislative committee. His group will proceed at once, N. W. Allied reported, preparing the actual bill and lining up its actual presentation in the legislature. A companion bill is expected to be pressed through other nearby state legislatures.

Strueve's announcement was made after the returns of E. L. Peasee, Northwest Allied president, from the national Allied meeting in Washington and a subsequent tour of Eastern points to sound out views of independents.

Charge Nazis Are Seeking Argentine Film Control

(Continued from page 1) movie company has made a propaganda film for the German Condor air line.

Films depicting activities in the Spanish war had no satisfactory exhibition outlet until recently. Now there is at least one house available and a distribution company in the offing. Between the Cine opened, Nicholas Di Fiore, the owner, who is a naturalized citizen of Italian extraction, announced exclusive showings of films, which are distributed as well as German films with relatives in Germany. The subjects for the most part are propaganda films, which are to be had entered the country without duty through diplomatic channels.

Recently it was reported that Hans Biester, representing Ufa and Tobis, leading German companies, is due here to direct distribution of German features, with power to coordinate all activities in that direction.

Sowing Levy Cut Is Proposed

COLUMBUS, Feb. 16.—Among 389 new proposals introduced in the Ohio legislature in a single day last week, in order to beat the deadline for filing, one seeks to reduce the retail sales tax from three to two percent, and another seeks a like reduction in the admission tax.

Earlier in the session, a bill was introduced to eliminate newssheets from censorship, and one to bring theatres showing television pictures under the jurisdiction of the Department of Workshops and Factories. Possession or showing of obscene motion pictures would be a felony under another bill introduced.

Ohio Ticket Levy Cut Is Proposed

'Strict' Is $15,000 Winner in Baltimore

Baltimore, Feb. 16.—In a week of generally good grosses, "Back Street" at Keifh's took $15,000, and the third week of "I've Gone With the Wind" at the Century brought $13,000.

Estimated takings for the week ending Feb. 13: "Gone With the Wind" (M-G-M) $13,000; "Back Street" (Univ. $8,000; "High Sierra" (B-W) $7,000; "Stanley" (280) $5,000; "Moder M-G-M) $5,000; "High Sierra" (Univ. $5,000; "Century" (RKO) $4,000; "Bismarck Airlifts Child" (M-G-M) $4,000; "Return" (2,200) $2,000.

Bismarck Adopts Child

Madison, Wis., Feb. 16.—Prof. Hans T. Sondegaard of this city has announced the adoption of a six-week-old daughter by his and Miss Gerda Sondgaard, and her husband, Albert Billerman of Hollywood. Miss Sondgaard and her husband visited Madison during January and selected the child from a Midwest foundling home.

'(Story' at $5,000 Leads New Haven

NEW HAVEN, Feb. 16.—The second week of "Philadelphia Story" and "Saint in Palm Springs" of the American Arbitration Association. The theatre men were given an explanation of their rights under the Federal consent decree. An arbitration complaints have been filed here as yet, however, and the exhibitors represented did not indicate at the conference whether any would be brought.

Detroit Exhibitors Confer with A.A.A.

DETROIT, Feb. 16.—Some problems facing exhibitors in this area have been discussed by exhibitor representatives with the local office of the American Arbitration Association. The theatre men were given an explanation of their rights under the Federal consent decree. An arbitration complaints have been filed here as yet, however, and the exhibitors represented did not indicate at the conference whether any would be brought.

"Philadelphia Story" at $5,000 Leads New Haven

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Most advanced textbook on sound reproduction and projection

2nd Revision
F. H. Richardson's
Bluebook of
Projection

Sixth Edition—Supplemented with Sound Trouble Charts and Alphabetical Index

You will find this newly revised edition the most complete and practical treatise of its kind and a sure solution to the perplexing problems of projection room routine.

The book is supplemented with a comprehensive group of Trouble-Shooting Charts to help meet every possible emergency in the projection room. It also includes a lightning-fast index system alphabetically arranged for swift easy reference.

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Off the Antenna

INCREASED rural coverage by the Canadian Broadcasting Corp. is ex-
pected to attract new listeners to the broadcaster's new short wave station at
Wellesley, Que., recently. At present the station, CBFW, is operating with a
vertical, non-directional antenna but after the tests are completed a directional
antenna is expected to result in even greater coverage in sparsely settled
areas.

Papers:

Purely Personal: Maj. Leonard Nazon, WOR military analyst, has been
called to active service at Fort Benning, Ga. ... Jemette MacDonald will be
co-chaired with Grace Raymond on the "Campbell Playhouse" next Fri-
day at 9:30 P.M. ... WHN will start a transcribed series, "UP News Is On The
Air," tonight at 8, and it will be heard Mondays weekly thereafter. ... Rash
Hughes will handle the programs. ... Edward J. Content, assistant chief en-
gineer of WOR, will attend the Broadcast Assn. Convention, Columbus, O.,
Thursday and Friday. ... Dick Powell plans to join Joan Blondell on the "I Want a Divorce" series over Mutual but no date has been set.

With its television program schedule reduced to a bare minimum,
NBC's schedule for this week includes only the wrestling bouts from Ja-
maica Arena Friday night and the National A.A.U. track championships
Saturday night. Five hours of test patterns will be telecast on those days.

Around the Country: Backstage broadcasts from the Stanley Theatre,
Philadelphia, have been started over WSW Friday. The station also broad-
casts a show from the Ewing Theatre on Saturdays. Both houses are War-
ner theatres. ... WTHI, Baltimore, which is scheduled to start operations
March 1, plans to operate on a 24-hour day. ... Madelum Chace, former free-
time publicity writer in Chicago, has joined HAB, Atlanta, as assistant pub-
licity director. ... WFLI, Philadelphia, will have its FM transmitter ready
to go on the air by May 1, according to Roger W. Chip, general manager.

Theatre Changes

Open Columbus House

COLUMBUS, O., Feb. 16.—The new
Beecrood built by the late Clarence A.
MacDonald, as one of the suburban
units in the local circuit operation. The
house recently was taken over by Louis Wiethie, Cincinnati, who also has
acquired two other MacDonald houses.

Mallars Acquires Theatre

FORT WAYNE, Ind., Feb. 16.—Peter
Mallars, local exhibitor, has assumed
operation of the Rialto here, acquiring it from the Quinny circuit.

Take Pittsburgh House

PITTSBURG, Feb. 16. — Warners
have taken over operation of the
Oakland Theatre from Lou Gilbert, who
is expected to go to Florida, and
placed Al Skigan in charge. Warners
recently also took over the Princess
in Donora.

Deals Closed by Altec

The following theatres have con-
tracted for Altec service: Lake, Buf-
falo; Robin, Robbinsdale; Granite;
Grande Falls; Falls and Cameron;
and all in Minneapolis. ... Stanley, N.
D.; College, Brooksing, S. D., and the
Plaza, Potosi, Mo.

Tibbett-Boston Assistant

BOSTON, Feb. 16. — James Tibbett,
treasurer of Loew's Orpheum here,
has been promoted to assistant man-
ger of the State, replacing Edmund
Howard, resigned.

Club to Hear Lecture

Members of the Warner Club will be
guests of the Paramount Educational
Committee at a lecture at the
Paramount home office tomorrow at
which Dr. Josef Raoul will discuss his
interview with Adolf Hitler.

Shea to General Motors

Joseph Shea has joined the public
relations department of the motion pic-
ture division of General Motors and
will spend several weeks in their plant
in Detroit and industry cities establish-
ing exhibitor contacts for defense film showings.

Mexico Composers Protest Low Royalty

Mexico City, Feb. 16.—Complaints have been made by composers of the
Union that certain radio stations are paying its members a paltry sum as roy-
te for each record they play and most popular songs. The union says that some radio stations pay the composers only 45 cents per song. The union charges that the big stations have set this low rate and that they are so strong that they can do as they please.

Coast FM Station Sought by Metro

WASHINGTON, Feb. 16.—M-G-M has
filed an application with the FCC for
a construction permit for an FM sta-
tion in Los Angeles. The frequency requested is the 45,500 k.c., channel for
a transmitter to cover 7,000 square
miles with a population of 2,467,178.

Herbert L. Pettye, WHN director, who
prepared the Los Angeles applica-
tion, explained over the weekend that
M-G-M had no specific plans in connec-
tion with the station. Pettye declared that the station would be used for
further promotion of the 16-station
Metro network which exists on the Coast but that no direct tie with the studio there is planned.

Ask Approval for
New Local Station

WASHINGTON, Feb. 16.—Yankee
Broadcasting Co., Inc., has submitted
to the Federal Communications Com-
mission an application for a new 620-
kilowatt, 1,000-foot station at New
Taylor, Oreg. The station, known as
K-16, has been asked for a 1,200-kilowatt, 250-station station at
Anacopa, Mont.

Applications coming in to the com-
mission also included the requests of
Stations KINY, Juneau, Alaska, for
increase of power from 1,000 to 5,000
watts and WBUT, Rutland, Vt., for
change of frequency from 1,500 to
1,350 kilowatts and increase of power
from 250 to 1,000 watts.

Kibbee Addresses Solons

MONTPELIER, Vt., Feb. 16.—Guy
Kibbee addressed the state senate and
house here on Friday, following the
opening of "Scattergood Baines," in
which he appears, at the Capitol here
Thursday night. He was introduced by
Gov. William H. Wills.

Welles Rehearses Play

Orson Welles has begun rehearsals for
his new production, "The Icicle Son,"
based on the book by Paul Green and Richard Wright. It will open within four weeks.

Fay Courtney Dead

Mrs. Fay Courtney MacNicol died
Friday at her home here. With her
sister, Florence, another former New
Yorker, she was in Aventailed in an act known as the "Courtney Sisters."
London Office Of M.P.P.D.A. Is Destroyed

All Records Are Lost in Fire Sunday Night

ONDON, Feb. 17.—The office and all records of the M.P.P.D.A., representative in London for the Motion Picture Producers and Distributors of America, were completely destroyed last night in a fire which swept the building housing the offices.

Meanwhile, the committee representing the Cinematograph Exhibitors Association and the Cinematograph Renters Society (distributors) dealing with exhibitor problems due to the war, has agreed on a procedure for the relief of exhibitors in bombed areas.

The K.R.S. has promised sympathetic consideration of all cases, but (Continued on page 7)

Seven Big Features Are Set by 20th-Fox

Twenty Century-Fox plans to release seven important features between the beginning of March and Spring, starting with "Tobacco Road," to be released on March 7, followed by "The Outline," Howard Hughes film, on March 21.

Other major films to be released later include: "That Night in Rio," (Continued on page 7)

Broadway Theatres Have Good Weekend

Business was good at most Broadway first runs over the weekend, and at the Rivoli, Music Hall and Roxy was well above average.

At the Music Hall, "This Thing Called Love" with a stage show grossed an estimated $55,000 Thursday through Sunday. "Back Street" (Continued on page 7)

Reviewed Today

Hollywood reviews of "Adam Had Four Sons" and "Golden Hoofs" and a New York review of "The Devil Commands" will be found on Page 3.

Wheeler Charge Denied by F. C. C. Washington, Feb. 17.—The belief of Senator Burton K. Wheeler that radio commentators have engaged in extensive propaganda for the aid-Britain bill does not appear to be shared by the general public, it was indicated today at the Federal Communications Commission.

Officials said there has been no flood of protests against the news broadcasts, which Senator Wheeler is investigating and on which, last week, he asked for information from the networks.

Ascap Decision on Decree Due Today

Ascap's board of directors is scheduled to decide on acceptance or rejection of a Federal consent decree at a meeting to be held here today, culminating several weeks' negotiations with the Department of Justice.

There were reports last night that the Ascap board had agreed on a decree, with a compromise providing that individual songwriters may make separate deals for their music with the broadcasters and others, but that Ascap will continue to collect the fees. Ascap officials could not be reached for comment.

The Ascap board met yesterday and heard a report of the final negotiations (Continued on page 6)

Printing Trades Plan to Ask For Radio Ownership Limit

MIAMI, Feb. 17.—Following an attack on radio here today by the International Printing Trades Association, it was disclosed that a special committee of the association will meet Monday in Washington to decide whether to ask the FCC for station ownership limitation.

The association today discussed a proposal that the ownership restrictions imposed by the Government on television be extended to standard and FM stations. Ownership of television outlets is now limited to three in any group.

In addition, the committee will discuss a suggestion that it ask the FCC to limit station ownership to persons living in the vicinity of the station concerned. It would base that request upon the claim that "it would best serve the public interests."

Earlier today, John B. Haggerty, chairman of the association's board of governors, announced a plan to urge Congress to impose additional taxes on broadcasting companies and to restrict their advertising activities. Haggerty, A.F.L. leader, said printing trades in this country have lost 25,000 jobs because of diversion of advertising from printed media to radio.

Tonight I.P.T.A. officials indicated (Continued on page 6)

Schaefer Takes Complete Charge Of RKO Studio

HOLLYWOOD, Feb. 17.—George J. Schaefer, president of RKO, tonight announced that he will take complete charge of RKO studio operations and that he will remain here indefinitely. He also announced that J. J. Nolan will be his assistant at the studio.

RKO has set a tentative schedule of 35 top bracketed features for its 1941-'42 program, Schaefer disclosed earlier, rather than the 40 pictures which he said last December were contemplated for next season.

In addition, RKO will have a program of westerns and short subjects, Schaefer said.

Ned E. Depinet, vice-president in charge of distribution, arrived today at the studio for conferences with Schaefer and production executives on the 1941-'42 program.

Col. Program to Be Announced April 1

CHICAGO, Feb. 17.—Columbia will have its 1941-'42 product program ready for announcement to the trade about April 1, Abe Montague, general sales manager of the company, said here today while passing through en route to New York from Hollywood.

Leo Jaffe, assistant to Abe Schneider, Columbia treasurer, accompanied Montague.

Contracts of 'Little Three' Are Called Illegal

No Monopoly Charged in Amended U.S. Complaint

The Government does not charge the "Little Three" with monopoly in its amended complaint in the New York anti-trust suit but contends that their exhibition contracts are illegal and constitute restraint of trade in violation of the anti-trust laws. George L. Wright, Assistant U. S. Attorney General, told the Federal district court yesterday in opposing the motions of the "Little Three" for dismissal of the amended complaint.

Federal Judge Henry W. Goddard denied the motions to dismiss following the hearing, asserting: "I am convinced there are issues here for trial." The court gave the three defendants, Columbia, United Artists and Universal, to March 10 to file answers to the Government's complaint.

A similar motion to dismiss the amended complaint against the three companies in the Government's action against Crescent Amusement Co. will be argued in Federal court at (Continued on page 7)

Freeman Reelected Head of Producers

HOLLYWOOD, Feb. 17.—Y. Frank Freeman was reelected president of the Association of Motion Picture Producers for the second year at a directors' meeting today, held on the 12th anniversary of the founding of the organization.

Also reelected were E. J. Mankiewicz, first vice-president; Cliff Work, (Continued on page 7)

Waltz of the Century

WASHINGTON, Feb. 17.—War Department officials tonight attended a screening at the National Archives building here of Paramount's "Waltz of the Century," in the presence of which the Government cooperated. Robert M. Gilliam, Paramount advertising and publicity director, and other home office representatives came here for the screening.
Coast Gambol to Raffle F. D. R.'s Hat

Hollywood, Feb. 17.—President Roosevelt's famous hat, which he wore during three Presidential campaigns, will be raffled, with proceeds going to the Motion Picture Relief Fund, at the annual "Gambol of Stars" to be held March 17 at the Ambassador Hotel here by the Screen Actors Guild and the American Federation of Radio Actors. The committee includes Edward Arnold, chairman; Bette Davis, I. B. Kornblum and Kenneth Thomason.

Theatre Committee Is Named for Drive
Joseph R. Vogel, division chairman of the Amusement Districts Division of the Greek War Relief Association, has announced his committee for the New York territory. His district exhibitor cochairmen are Buffalo, Vincent Mc Faul; Albany, Mo Silver; New Jersey, Don Jacooc; and New York City and Brooklyn, Harry Brandt, John J. O'Connor and A. A. Hovell.

The other members of his committee are Sam Resnik, Joseph Seider, Si Fabian, Irwin Wheeler, Robert Weitman, Sam Straussberg, Fred Schwartz, Laurence Bolognino, Gus Eyvall and Leo Bresler. Dewey has been named chairman of the publicity committee, and Marvin Schenck, chairman of the entertainment.

The first meeting of the committee will be held today at the Hotel Astor and plans will be made to enroll every theatre in the territory in the drive.

Goodman and Reiner In Paramount Posts
Monroe R. Goodman of the Paramount distribution department yesterday was appointed assistant to Oscar A. Morgan, Paramount short subjects and production executive. He succeeds Manny Reiner, publicist, who was named to head the separate publicity and advertising department. The Paramount appointment is made to establish for short and newsreel under consent decree operates.

Goodman was associated with Paramount for 11 years in the home office and in recent years was an assistant to Morgan, until recently the company's Southern division manager. Reiner has been associated with Monogram, M-G-M and Warners advertising and publicity departments and at the time of his present appointment was publicity manager for the Quiz Kids radio program.

Rhoden and Cole in K. C. Army Aid Group
KANSAS CITY, Feb. 17.—Elmer C. Rhoden, head of Fox Midwest here, and Paul J. Cole, manager of the local Paramount exchange, represent exhibitors and distributors, respectively, on a local committee designed to provide service men with information on places of entertainment.

Cincinnati Club Party
CINCINNATI, Feb. 17.—The wives of local Variety Club members will hold a party on Saturday night.

Personal Mention

NICHOLAS M. SCHENCK is scheduled to arrive from the coast by train today following a week of conferences at the M-G-M studio.

LOUIS BRANTZ, BERNARD BRANTZ, and their mother, Mrs. Gusti Brantz, have returned yesterday from Florida.

ALEX LEWIS will lecture on films in Washington tomorrow before students of Catholic University and Trinity, Dumbarton and Immaculate colleges.

LOUIS J. ALLEMAN, II, of the RKO holding's public relations department, has resigned to volunteer in the National Guard. He is now stationed at Fort Deven, Mass.

GEORGE KURINASKI, owner of the Towne and the Transit, Allentown, Pa., is back from Florida.

ANTHONY ARCHER, president of Civic Theatres, Denver, is in Florida.

ALEX BOOKSPAN of Fishman Theatres, New Haven, is the father of an eight-pound son, named Richard.

MAURICE ROSEN, son of Samuel Rosen, manager of the Monogram branch in Philadelphia, left yesterday for service with the National Guard.

MARTIN GOLDENBERG, manager of Warner's State, Philadelphia, and Mrs. Goldenberg are the parents of a daughter.

FRANKLIN MAURY, assistant manager at the Embassy, Reading, Pa., and OTOÑA ELIZABETH SIEBERER, formerly of the theatre's service staff, were married last week.

20th-Fox Promotion Bureau Organized

A divisional promotion bureau has been established by 20th-Fox, headed by Ted Carthy, advertising and publicity director of 20th Century-Fox, to handle "localized exploitation." The bureau will operate as a unit of the home office advertising and publicity department with representatives in the Western, Central and Eastern districts. As recently announced, Gabe S. York, has been assigned to the Western post while the other representatives have not yet been named. The bureau will function under Rodney Bush, exploitation manager.

Honor Gus Schafer

Gus Schafer, Northeastern district manager for RKO, is being honored by the branches under his jurisdiction during the current week, as part of the company's Sales of the Stars. The branches are Albany, Boston, Buffalo and New Haven.

Sherwood Due in N. Y.

Hollywood, Feb. 17.—Robert C. Sherwood, who produced "Adam Had Four Sons" for Columbia as his first production, is left by plane today for New York to discuss plans for a second picture.

HAL HORNE left yesterday for Detroit and Chicago.

ARTHUR KELLY, HARRY GOLD, MONROE GRANTHAL, HANK LANE, ARNOLD MAYS, SAM SPRING and L. E. LOPERT lunching at the Tavern yesterday.

ARTHUR GOTTLEIB, GEORGE BURNS, MARTIN MOSKOWITZ and JOSEPH PINCUS having lunch at Andy's (51St St) yesterday.

HOWARD DIETZ, WILLIAM F. ROBERGS, JACK McKOWAN, CHARLES E. MCCARTHY, SAM SHAIN, RUDY MONTESCHIA, MORRIS KINZIE, EDWARD RAPF, FRANKY RUSSELL, HOWARD HOLMAN, J. J. UNGER, CHARLES M. REAGAN, MAURICE BERGEN, RALPH AUSTRIN, EDMUND C. GRAHN, ARTHUR HOPKINS, MARCUS HEIDMAN and TONY GRUEN at Nick's Hunting Room in the Astor yesterday for lunch.

ROBERT WEITMAN, JOHN BARRY, ARTHUR LOWE, DENNIS KING, FRANK PHELPS, JOHN GOLDEN, HARRY OSHER, GEORGE HALE, RUSSELL CROUSE, WM. MELNIKER, CLAYTON BONNIE and VERNON DUKE lunching yesterday at Sardi's.

MARCUS REIDY, European staff campaigner for March of Time, and MAURICE LANCASTER, in charge of the company's British production units, have arrived here from Europe.

ARTHUR KNOBR of the stage produc- tion department at the Roxie Theatre has two water colors in the current exhibition of the American Water Color Society.

Hunter President of Toronto Film Board

TORONTO, Feb. 17.—J. L. Hunter, manager of the Toronto Film Board, has been named president of the Toronto Film Board of Trade for the current year, the vice-president being Ted Gould, branch manager of Regal Films, Ltd., Frank Fisher of Empire-Universal, H. J. Bailey of Century-Fox and Maxy W. Russell, branch manager of RKO, are members of the committee with E. H. Wells continuing as secretary.

Savini Is Eastern Agent for Hughes

HOLLYWOOD, Feb. 17.—Robert M. Savini, independent distributor, has been named New York representative of Howard Hughes, whose new production, "The Outlaw," will be sold by 20th Century-Fox as a special edition. For the past five years, he has represented Paramount and other major houses. Savini, in recent years, has headed Promotional Pictures, Inc., and Astor Pictures, and was a member of the Sales of the Stars.

Bookers Party May 18

The annual party of the Motion Picture Bookers Club has been set for the Astor Roof. Dan Ponticelle of Warners is in charge of arrangements.

Exhibitors Form N.Y. Allied Organization

ALBANY, Feb. 17.—An organization meeting of 25 exhibitors at the DeWitt Clinton Hotel here today initiated a temporary group which was to afliate with the National Allied. Incorporations of the New York state unit of National Allied, Inc., turned its papers over to the group.

A motion was adopted authorizing the group to prepare the organization, and it was voted to have a state convention no later than Oct.

The organizing committee will have six members. Four named today were Leonard Rosenthal, Troy; Max Cohen, Lido Theatre, Brooklyn; Abe Stone, Eagle Theatre, Albany and Robert Goldblatt, Music Hall, Tarry- town. Two others will be chosen at a Buffalo meeting next month.

Service Is Held For John Hicks' Mother

Mrs. Fred Phipps, mother of John W. Hicks, producer of "Lust and Honor," and foreign manager, who died last week in her home in Sedalia, Mo., was buried there yesterday. Hicks' aunt and foreign manager for his services following his arrival in New York from Panama on Saturday, will return to New York tomorrow.
Miami, Feb. 17.—George Browne, president of the I.A.T.S.E., will go to Detroit in an attempt to adjust the controversy there between United Detroit Theatres and the janitor union, in which theatres have been picketed since last New Year’s eve.

Browne, a committee from Detroit, and William L. McFrettridge, head of the Building Employes’ local, met yesterday before the A.F.L. executive council in session here. William Green, A.F.L. president, directed Browne and McFrettridge to “get together” on the problem, and Browne indicated he would go directly to Detroit as soon as the council ends its meeting late this week.

Resume Hearings On S. P. G. Petition

After a two-week recess, hearings were resumed yesterday before Daniel Baker, National Labor Relations Board trial examiner, on the petition of the Screen Producers of Canada Ltd., for designation as collective bargaining agency in the publicity and advertising departments of six major companies.

The case against Warners and Loew’s was postponed indefinitely at the outset of the hearings.

The testimony continued yesterday to concern itself with the type of employees to be included in the various bargaining units. Hearings will continue today.

Film Appropriations In Canadian Budget

TOTTB, Feb. 17.—Items of special interest to the Canadian motion picture industry were brought down in the Estimates debate in the House of Commons yesterday.

They included grants to the National Film Board of $39,100, and the Motion Picture Bureau of $382,635. The Film Board appropriation was decreased by $20,000 compared with last year, while the grant bureau was increased by $18,471.

3 Companies Formed

ALBANY, Feb. 17.—Three motion picture concerns, incorporated to do business in New York State, are: Maple Theatre, Inc., Livingston, by Samuel J. Cohen, Carl Bogner and Joseph L. Kutcher; Deed Theatre Corp., Village of Pelham, by Lawrence Zourek, Hilda Bloom and Helen Strasser; Forrester Film Corp., New York, by Jack Forrester, Mr. Newman Lawler and M. C. Monahan.

Guy Kibbee on Tour

Guy Kibbee, who made a personal appearance at Montpelier, Vt., last Thursday in connection with the opening of his new RKO film, “Scattergood Baines,” is making a personal appearance tour through New England, accompanied by his personal assistant, head of the RKO field staff.

Schenck Suit to March 3


Feature Reviews

“Adam Had Four Sons” (Columbia) Hollywood, Feb. 17

Presenting Ingrid Bergman, Warner Baxter and Susan Hayward in principal roles, this production by Robert Sherwood (not the Robert E. Sherwood of “Abe Lincoln in Illinois”) of “Legacy,” a novel by Charles Bonner, tells a story of a man and his four sons, their governess, and a loose woman who complicates their lives by marrying the sons, seducing another and attempting to entice still another. The governess shields the father from knowledge of all this, in the interests of the family, by pretending to be the sinner in the case. A happy ending is brought about at the end by the erring son’s confession of the facts to his father, following his brother’s attempted suicide, the father proposing marriage to the self-sacrificing governess in the final scenes.

Seen in support of the principals are Fay Wray, as the mother who dies early in the picture. Richard Denning, Johnny Downs, Robert Shaw and Charles Lind as the boys grown up, Billy Bay, Steven Muller, Wallace Chadwell and Bobby Wallberg as the boys in childhood. Helen Westley as an aging woman undeciphered by the young woman who brings grief to the household gives an especially notable performance.

The picture, directed by Gregory Ratoff, has timeliness in that it deals with young men joining the army, shipping for overseas, returning to take up their lives as citizens, and the effect of all this on the family unit. It has appeal to womanhood in its depiction of the sacrifice and devotion of the governess to the boys in her charge. It is not, however, a picture for children.

Running time, 80 minutes. “A.”

Roscoe Williams

“Golden Hoofs” (20th Century-Fox) Hollywood, Feb. 17

First film in ready memory to center its story around harness-racing, which it treats as both sport and tradition, this comedy-drama starring Jane Withers with Buddy (Buddy) Rogers opposite is fresh in subject matter, wholesome as a whole and in detail and altogether entertaining. George Irving, Katharine Aldridge, Buddy Pepper and Phillip Hurlock, a pickaniny who steals the show repeatedly, supply the support.

Miss Withers is seen as an adolescent trainer of trotting horses whose happiness in the calling is wrecked by Rogers, a wealthy sportsman, who purchases the farm and stables which have produced trotting champions for a century, intending to breed race-horses instead. Gradually she interests him in trotters, developments creating a climax in which he competes with her grandfather in the annual classic, both men driving horses she has trained.

The unexpected outcome of the race results in a happy ending.

Although Miss Withers is presented as enamoured of Rogers for a part of the picture, this romance is resolved well before the ending. There is no villainy in the picture but there is much of human interest and an adequate amount of humor.

Running time, 68 minutes. “G.”

Roscoe Williams

“The Devil Commands” (Columbia) Hollywood, Feb. 17

A MELODRAMA about a scientist attempting to communicate with the dead, this is newly timed, since the scientist is Boris Karloff, about whom many kind words have been said of late by critics and public for his shenanigans in one of Broadway’s most successful comedies, “Arsenic and Old Lace.”

There is nothing unusual about the film itself, however. The familiar tropes invariably found in pictures which concern themselves with life beyond, such as grotesque electrical contraptions, are effectively on hand and the sound track carries appropriately weird music.

Karloff is at first a reputable scientist but upon his wife’s death he and a seance practitioner seek to develop a method by which he might bring her back now and then for a chat. His experiments, which incidentally require a group of corpses quietly seated around a table, cost the life of two assistants and finally his own. Amanda Duff, Richard Fisk and Ann Revere appear in supporting roles.

Running time, 65 minutes. “G.”

*G” denotes general classification.

Nine New Films Start; 42 Are Now in Work

Hollywood, Feb. 17.—Forty-two pictures were before the cameras this week, as nine started and five finished. Fifteen were being prepared, and 67 being edited.

The tally by studio:

Columbia

Finished: “They Dare Not Love” In Work: “The Best Friend Is Wall Street,” “Her First Bean,” “Under Age,” “North from the Lone Star.”

Started: “Senate Page Boys.”

M-G-M

In Work: “Billy the Kid,” “A Woman’s Face,” “Blossoms in the Dust,” “Love, Crazy,” “Dr. Jekyll and Mr. Hyde.”

Started: “The Uniform.”

Paramount

In Work: “Air Devils.”

Producers Releasing

Started: “Federal Fugitives.”

Universal


Started: “Before the Fact.”

Republic

In Work: “Sis Hopkins,” “Mr. District Attorney.”

Started: “In Old Cheyenne.”

20th Century-Fox

Finished: “The Outlaw.”


Universal

Finished: “The Man Who Lost Himself.”


Warners

In Work: “Miss Wheelwright Discovers America,” “The Bride Came C.O.D.,” “Affectationally Yours,” “Sergeant York.”


House Policy Changed

St. Louis, Feb. 17.—The St. Louis Theatre, Paroch and Marco first run here, has modified its policy and is now changing its bill twice a week. Two first run pictures are shown Sunday through Thursday and two revivals Thursday, Friday and Saturday. Admissions are 25 and 35 cents.

Louis Stern Dies

Hollywood, Feb. 17.—Louis Stern, veteran character actor, is dead here after a long illness at the age of 81. He appeared in silent and talking films over a period of 23 years. His widow survives.
They SING...They DANCE

THE BUMSTEADS GO MUSICAL!

"THESE LATINS DO THINGS TO ME!"

"MY GIRL FRIEND'S A HOT NUMBER!"
2 FAMOUS SINGING STARS!
5 SWELL NEW SONG HITS!
A HOT BAND!
THRILLING DANCE NUMBERS!

Based upon the comic strip created by CHIC YOUNG
with THE BUMSTEADS
PENNY SINGLETON • ARTHUR LAKE • LARRY SIMMS
- as Blondie
- as Dagwood
- as Baby Dumpling

RUTH TERRY • TITO GUIZAR, Radio’s Famous Mexican Singing Star
Screen play by Richard Flournoy, Karen De Wolf • Directed by FRANK R. STRAYER
Produced by Robert Sparks • A COLUMBIA PICTURE
FCC Will Get Chain Report Draft Shortly

WASHINGTON, Feb. 17.—Draft of the network monopoly report is expected to come before members of the Federal Communications Commission in consideration this week or next, it was announced today by Chairman James L. Fly.

The report has been discussed by the FCC with members of its legal staff, which has prepared a report on which action is expected to be taken before the end of the month, the chairman said.

Fly would give no indication of the position which would be taken by the commission on the question of broadcasting, but said the report would be “comprehensive.”

The monopoly report long has been a political issue here and during the hearings on a bill to legitimatize them H. Brown as commissioner last year they became a major item. The sub-committee which drew the monopoly report submitted its report finally as a result of the Senate committee’s criticism.

One of the principal contentions of CBS and NBC is that the FCC has no power to regulate or control networks as such. Mutual, on the other hand, has submitted briefs contending that the FCC has such power.

Newsreels to Cover F.D.R. Academy Talk

Hollywood, Feb. 17.—All five newsreels will broadcast the cover to the Academy Awards banquet of President Roosevelt from the White House on Feb. 27. The reels will cover the event at the White House and at the Biltmore Hotel here.

Bob Hope will be master of ceremonies, with Alverne Lunt and Lynn Fontanne, nominees for the award acting in 1931–32, will present the statuettes to player winners.

Alfred LeRoy, chairman of the dinner committee. The broadcast will be carried at 11:45 P.M., E.S.T., by all three major networks.

Exclude Theatres in Legalized Games Bill

ALBANY, Feb. 17.—Theatres would not be empowered to conduct chance games, in a bill to legalize them in New York State, under strict licensing regulations, which is expected to be introduced into the state legislature this week.

The Secretary of State would be empowered to issue licenses to charitable societies and the like, collecting the fees for general state revenue.

Washington Club Party

WASHINGTON, Feb. 17.—Arch Engel and Eddie Melniker reigned as “Kings for a Day” at the Variety Club’s annual Valentine-George Washington’s Birthday luncheon here today. New members were introduced by Chief Barker Hardie Meakin.

Weed Sees Trend To Spot Programs

A growing trend toward the use of spot advertising by national advertisers is seen by the President of Weed & Co., station representatives. Weed declares that crooners and network shows who have had them traveling from city to city have noted the growth of advertising in the space. A story directly from a program’s origination in a specific locality. Spots announcements have also the local, more exacting asset, according to Weed.

Ascap Decision on Decree Due Today

(Continued from page 1) with the Department in Washington from Lt. Gov. Charles Poletti and Milton Barlow, counsel for Ascap.

The board is reported to have forwarded new suggestions to Government officials concerning the proposed decree with respect to regard as representing its final stand.

The Department’s response is expected to be received by Ascap today and tomorrow at the Justice Department immediately for acceptance or rejection, it was stated last night.

Meanwhile, no further conferences or meetings between Ascap and Government representatives are anticipated.

Miller Confers in Capital

WASHINGTON, Feb. 17.—Neville Miller, president of the National Association of Broadcasters, said tonight that he had spent the entire day confering with Department of Justice officials on the Ascap situation but refused to discuss the matter.

Missouri Measure Is Aimed at Ascap

JEFFERSON CITY, Mo., Feb. 17.—A bill aimed at Ascap which would make it unlawful for anyone owning or using copyrighted compositions to pool their interests for the purpose of collecting fees in this state, or to issue blanket licenses for the commercial sale of their music, has been introduced in the legislature here by Representative Paul E. Turner of St. Joseph.

It provides that publishers may, however, enter into group arrangements if they issue licenses based on a “per program” basis; the state to have power to take title to copyrighted music if such system is violated, to fix fees and retain them. The bill would also extend restrictions over radio music intended for hearing within the state even though originating outside.

Introduction of the bill is credited to distort the character music of the air, a necessity for music suitable and temperate youth, and to alleged popular protests against the present licensing methods.

Censor Decision Due

ALBANY, Feb. 17—Decision by the Board of Regents is expected Friday on the appeals from two distributors from a refusal by the New York State censor board to license the movies “Kidnapping Gorillas” and “Life on the Hortobagyi.”

Off the Antenna

THE “Carnation Contended” program heard over NBC-Red at 10 P.M. Mondays will salute the motion picture industry during next Monday’s show.

Purely Personal: The old team of Stopnagle & Budd will be reunited on the air this Sunday when Budd will join Col. Stopnagle’s CBS show Sunday at 5:30 P.M. . . . Robert Kinkead has joined the CBS publicity staff. . . . David S. Garland has been named sales promotion manager of WEEI, Boston. . . . Leo Cohen, head of WHN of %ART’s artist bureau, has written “With Your Permission;” a new song, . . . Bing Crosby returns to “Kraft Music Hall” Thursday. . . . Fibber McGee & Molly will be guests on “Lux Radio Theatre” Monday. . . . Jack Von Tiller has resigned from the NBC program sales division, and Larry Adler will be head of Bill Bern. . . . “Showboat” WBUX Sunday. . . . Fred Wether, Mutual general manager, returned from the Coast yesterday.

Starting Monday, the “Farm and Home Hour” over NBC-Blue will include in its Monday through Friday broadcasts at 12:30 P.M. news about the day-to-day developments on national defense with a review of all news on defense activities. Charles Barry, NBC Washington announcer, will handle the feature.

Program News: Hecker Products has renewed “Lincoln Highway” for an additional seven weeks over NBC-Red stations, effective March 15.

The renewal will bring the program up to the daylight saving time switch-over. “John’s Other Wife” and “Plain Bill” have been renewed for an additional 52 weeks, effective March 24, over 64 NBC-Blue stations. Sponsors are A. S. Boyle Co., Wyeth Chemical Co., Anacin Co. and Bisolod Co. . . . E. B. Cantor will bring his show to New York and Kate Smith will move to Hollywood for “Just Music” over WQXR, 11 P.M. tonight, will be sponsored by Andrea Jergens Co. beginning March 1.

Around the Country: Starting Monday, WBIG, Glenwood, Pa., will start its program hour early, with a 6 A.M. opening instead of 7. . . . Al Nelson, general manager KGO-KPO, San Francisco, has been elected to the board of directors of the San Francisco Better Business Bureau . . . WBAX, Wilkes Barre, and WARM, Scranton, Pa., will broadcast the Eastern Baseball League games from their respective cities. . . . Tidewater Broadcasting Co. has been formed in Norfolk, Va., to operate a 250-watt station. Robert G. Huchieimer is president and Alex H. Bell, vice-president. . . . WJLB, a new station will replace WMBC in Detroit next Tuesday.

Printing Trains Plan to Ask For Radio Ownership Limit

(Continued from page 1) the matter would come before a Congressional committee late in March, after the Treasury Department presents its tax bill to the ways and means committee soon after March 15. The association would ask that its plan be incorporated in the general tax bill.

It is understood the plan will not be presented before the A.P.L. executive council, which is in session here.

N.A.B. Heads Fail To Answer Attack

Broadcasting officials declined to comment yesterday on the announcement in Miami of the International Lighting Traders Association that it planned to seek legislation limiting commercial time on the air to 25 per cent of all broadcasting periods, and that it would ask heavy tax for the radio industry.

Officials took the position that the attempt to impose on the industry that, under such circumstances, the National Association of Broadcasters was best qualified to answer. In Washington, New York and Los Angeles, President James Rau, Rialto projectionist, is business agent of the local.

Union Party Today

ALLENTOWN, Pa., Feb. 17.—The annual ball of the motion picture projectionists union here will be held tonight at the Kirkland Hotel.

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**Contracts of ‘Little 3’ Are Called Illegal**

(Continued from page 1)

Nashville on Friday by Louis Frohlich, chairman of Schwartz & Frohlich, Columbia counsel.

In supporting the motion to dismiss before Federal Judge Goddard yesterday, Frohlich argued that the Government had presented no "triable issue" in its suit and blamed the complaint that Government statements of record revealed that the Department of Justice had "no case" against the three companies, and that with the motion for dismissal no longer involved, conspiracy cannot figure in the case.

Benjamin Pepper of O'Brien, Driscoll & Kehoe, counsel for United Artists and Universal, quoted the Government as referring to the "Little Three" as "reluctant defendants" in the original suit. He charged that the decree provision for blocks-of-five selling was a conspiracy which the three companies refused to join. He contended they would be its first "victims" if they did.

"In abandoning affiliated theatre disorganization," Pepper said, "the Government gave up the one thing that would stop a monopoly in the industry."

Judge Goddard remarked that the dropping of disorganization from the new complaint made no difference in its validity and having refused earlier to grant the petition of the "Little Three" to prohibit the filing of the Government's amended complaint, the court could not reverse itself now and dismiss that complaint.

Wright conceded that the "Little Three" do not monopolize the film business, emphasizing, however, that one small distributor could violate the anti-trust laws through contractual terms with others in matters of discrimination and clearance, even without conspiracy being involved. He cited as an example, the Interstate Circuit case in which the Government won several years ago.

**London Office Of M.P.P.D.A. Is Destroyed**

(Continued from page 1)

Bills Bans Taverns Near Film Houses

Indianapolis, Feb. 17—Far-reaching revisions in Indiana's liquor laws are sought in bills introduced in the legislature by Republican forces. One proposed proposal would prohibit taverns within 50 feet of a motion picture theatre.

**Broadway Theatres Have Good Weekend**

(Continued from page 1)

attracted big crowds to the Rivoli, raising the house about $45,000 for its first week.

"Western Union" with a stage show at the Roxy drew an estimated $25,000 Thursday through Sunday. The premiere of "Tobacco Road" at the Roxy, in addition to starting at 8 A.M. Thursday and continuing through Friday, will be given an extra show that night, extending the opening to 1 A.M., Saturday, for 41 hours.

"Road Show" opens today at the Rialto, replacing "The Devil Command," which did about $5,000 for six days. "Strawberry Blonde," with Raymond Scott's orchestra on the stage goes into the Strand, succeeding "Honeymoon for Three." The latter in its second week with Ray Noble and his band on the stage garnered an estimated $12,000 Friday through Sunday.

"You're the One" and Ella Fitzgerald's band opens at the Paramount tomorrow. The third and final week of "Virginia" and Glenn Miller ends tonight at an estimated $42,000 expected. The film brought about $20,000 over Saturday and Sunday.

"Night Train" is now in its eighth week at the Globe. Business Saturday and Sunday was estimated at $3,000, which is about average. The 18th week of "The Great Dictator" ended last night with about $4,100.

**More Active Propaganda Important, Says Grierson**

By PAT DONOVAN

Montreal, Feb. 17—Democracies have overlooked the fact that propaganda is more necessary for their citizens than for citizens of totalitarian countries, John Grierson, Canadian Film Commissioner, told a luncheon of the Canadian Club at the Windsor Hotel here today. Grierson is responsible for propaganda and documentary films showing the extent of Canada's war effort.

"We know," said Grierson, "when the horizon of the schoolroom and give to every individual, each in his place and work, a living sense that he is contributing to his community which has the privilege to serve. We can light up his life with a sense of active citizenship and is so doing we can make him a citizen more ardent and satisfactory to himself."

In the earlier part of his talk, Grierson pointed out that Hitler rightly considered propaganda as the first and most vital weapon in political and military management, and used it perfectly in the downfall of France. He described the "strategy of terror," as used by Hitler in showing horror film of the Polish invasion to Norwegians before that conquest.

"Everything," he said, "is grist to their mill, so long as they divide the enemy and weaken his forces in himself." Grierson added, "For myself, I watch the German procedure and wish a little sometimes that we could, without running over into harshness and brutality, bring a little more about ourselves and put our propaganda a little more plainly on the offensive. They have flooded the world with pictures of action, of their mechanized and efficient might, of their young troops on the march with acts of deeds done. I confess I like to see them getting away with it."

**Freeman Reelected Head of Producers**

(Continued from page 1)

and vice-president, and Fred W. Betson, executive vice-president.

Attending the meeting representing member companies, in addition to those named, were Harry Cohn, president of Columbia; J. R. McDonough, RKO; William Goetz, 20th Century-Fox, Walter Wanger, Wanger Productions; H. M. Warner and Will H. Hays.

**Joins Goldberg Circuit**

San Francisco, Feb. 17.—Roland Lloyd, well known in local theatre circles, has joined Aaron Goldberg's district circuit as chief booker.
Let people know you've got something to sell. Let them know it's good ... attractive ... amusing ... entertaining. Use advertising. For there never was a time in the history of the world when the seller had more or better means of blowing his own horn than today. There never was a business or an industry that afforded more or better means of blowing your own horn than this motion picture industry of ours.

There never was a better method than the Three Best Sellers offered by the Prize Baby of the Industry...

Trailers ... Lobby Displays ... and every conceivable kind of Standard Accessory made by the Prize Baby of the Industry!
Decree to Be Submitted to Vote of Ascap

Will Precede Closing with Justice Dep’t

The proposed Ascap consent decree will be submitted to a general meeting of the society’s members for acceptance or rejection within the next few days before being formally closed with the Department of Justice, Ascap officials stated last night following an all-day meeting of the board of directors.

Final action on the decree proposal by the Ascap board which had been expected yesterday failed to materialize when the board adjourned until this morning without completing its discussion.

Action was delayed, it was said, due to differences of opinion within the directorate over the effects of some of the decree proposals on Ascap’s future operations.

The board now is expected to complete its discussion today by approving the decree terms subject to the

(Continued on page 5)

Bill Would Send Music Fights to FTC

Washington, Feb. 18.—Representative Martin J. Kennedy of New York today introduced a bill in Congress providing that disputes between holders of copyright and users of music may be brought within the jurisdiction of the Federal Trade Commission. The bill provides that where agreement over terms cannot be reached the matter shall be referred to the Trade Commission for arbitration on the grounds that the use of copyrighted music is a matter of public interest. Refusal to abide by the Commission’s decision would result in condemnation proceedings and disposal of the copyright by the Federal Court to the highest bidder.

‘John Doe’ to Open At B’way Houses Early in March

Gradwell L. Sears, general sales manager of Warners, yesterday announced that “Meet John Doe,” the Frank Capra-Robert Riskin picture starring Gary Cooper and Barbara Stanwyck, will have its world premiere simultaneously at two Broadway theatres, the Hollywood and the Rivoli, early in March, following the current run of “Back Street” at the latter house. The Hollywood Theatre, a Warner house, presently shelters a ballet troupe. It is one of the newest theatres on Broadway. The scale will be 90 cents top, according to tentative plans.

The event will be heralded with a top hat and ermine opening studied with celebrities of all kinds. And under the direction of Mort Blumentock, a radio and newspaper campaign of substantial magnitude will support the event.

Following this two-theatre premiere, the film, according to Sears, will be launched on its national engagements schedule.

Besides Cooper and Stanwyck, the cast includes Edward Arnold, Walter Brennan, James Gleason, Irving Bacon, Gene Lockhart, Rod La Rocque, Spring Byington, and Regis Toomey. The picture runs two hours and 14 minutes. Richard Connell did the script.

(Continued on page 4)

Stagger Release Of ‘Tobacco Road’

Twentieth Century-Fox will stagger the release of “Tobacco Road.” There will be no “bendong” release of the picture such as has been talked about in the trade. The company intends to give the picture the fullest box-office value possible by a selected pre-release in about 18 cities following the world premiere at the Roxy and the Miami opening. The film, which opens here tomorrow morning, will begin a two-theatre run in Miami at the Lincoln and Surf theatres on Feb. 27, according to current plans. As one high company executive described the company’s intentions with regard to this film—it will be released “intelligently.”

McDonough Handles RKO Program Films

Hollywood, Feb. 18—J. R. McDonough, vice-president of RKO, will assume the duties hereafter held by Lee Marcus, executive producer in charge of program pictures.

Marcus will serve as an associate producer under McDonough, who will continue to handle the company’s relations with its independent producers.

(Continued on page 4)

Total Film Theatre Gross

In 1939 at $673,045,000

Payroll $131,583,000; Gross 30 Per Cent Gain Over 1938

Washington, Feb. 18.—The total motion picture theatre box-office gross in the United States for 1939 amounted to $673,045,000. The legitimate theatres grossed $32,561,000. All other forms of amusement, excepting radio, grossed $291,473,000. The gross reported for motion picture exhibition covers income by 15,115 theatres. These figures are from a preliminary report of the United States Census Bureau.

The figures on motion picture exhibition income reveal that the theatres of the country grossed well over 30 per cent above the $598,196,000 reported in 1938. The number of theatres reported for 1939 is approximately 25 per cent greater than the 1935 count of 12,024.

The total motion picture theatre payroll for 1939 was $131,583,000 against $102,801,000 four years earlier, and the number of employees in 1939 in all film houses was 125,684, against 93,652 in 1935.

There were fewer owners of unincorporated business in motion picture exhibition in 1939, as against the previous year. In 1939 there were 6,104, as against 6,277 in 1938. However, the Census Bureau’s report does not indicate how many theatres these totals represent.

Motion picture theatres (including those with vaudeville) accounted for 33.7 per cent of the total number of establishments found in the census of amusements; 67.4 per cent of the total

440 Named to Act on Panels Of Arbitrators

Expect Total in 31 Cities To Reach 1,200

Lawyers, accountants, business men, bankers, brokers, realtors, college professors, economists, magazine editors, utility executives, school teachers and manufacturers are among those selected by the American Arbitration Association for the motion picture panels which will be set up in the 31 key arbitration centers around the country.

Already, about 440 arbitrators in 27 cities have been named, and when the full list of the New York panel of 53 arbitrators appointed to date, see Page 5.

For the full list of the New York panel of 53 arbitrators appointed to date, see Page 5.

Chicago Board Gets Case on Clearance

CHICAGO, Feb. 18.—The second arbitration case to be brought before the local board was filed today on behalf of Ben Banovitz, president of Ken Theatre Corp.

The complaint charges 20th Century-Fox, Paramount and RKO with granting unfair clearance to the Shakespeare Theatre, operated by Arthur Schoenstein, and to the Piz Theatre, operated by H. Schoenstein.

According to Maxwell Landis, attorney for Banovitz, the Ken was taken over from Schoenstein by the complainant recently. He charges that thereafter the Ken’s second week clearance was denied it by the companies named in the complaint, although M-G-M and Warners continued to grant the house that protection.

DENVER, Feb. 18.—Joseph G. Goodstein Enterprises, operating the Longmont Theatre, Longmont, Colo., filed an arbitration complaint here today charging Fox Intermountain Theatres with overbuying.
**Hays to Celebrate 19th Year March 5**

Will H. Hays will observe his 19th anniversary as president of the M.P.P.D.A. on March 5, having been appointed to the post on March 5, 1922. Hays is expected back from the Coast about the middle of March to complete arrangements for the annual meeting of the M.P.P.D.A. board, scheduled for March 23. Ratification of Hays's new five-year contract and reelection of directors and officers is expected at the annual meeting.

**Shirley Acts for M-G-M in Chicago**

Chicago, Feb. 18.—Sam Shirley, who retired as district manager for M-G-M in this area two years ago, has been recalled to act as branch manager here pending the return of Walter E. Banford, who is recuperating from a serious operation.

**Kunkel Rites Held**

Pittsburgh, Feb. 18.—Funeral services were held yesterday for Frank B. Kunkel, pioneer theatre manager, who died last Thursday, at the age of 54. Surviving are a son, two brothers and a sister.

**Personal Mention**

**J**ack Cohn, Columbia vice-president, is scheduled to arrive from the Coast by train on Friday. He left Hollywood yesterday with Abe Schneider, Columbia treasurer.

**John J. Payette**, Warner Theatres zone manager in Washington, and his assistant, George Crouch, are vacationing in Florida.

**Carlo Bayetta**, managing director of 20th Century-Fox in Brazil, will leave here for his post in Rio de Janeiro by plane Feb. 7.

**Frank T. Murray**, manager of Universal exchange operations, is spending a few days at the Des Moines exchange.

**Phil Sherman**, manager of Warner's Montreal exchange, has returned to his desk after a check-up at the Montreal General Hospital.

**W. C. Hicks**, owner of five houses in Baltimore, is vacationing in Florida.

**Frank Mullen**, M-G-M office manager in New Haven, is confined to his home with a kidney injury.

**Sal Popolizio**, assistant booker at the 20th Century-Fox exchange in New Haven, is ill with the flu.

**Joseph I. Green**, director of the Production Code Administration, is expected here from the Coast late this week.

**Arthur Ungar** leaves Friday for Hollywood after a New York visit.

**Nate Blumenberg**, **Harry Gold**, **Nate Spingold**, **J. J. Milstein**, **Jack Gortz** and Joseph Moskowitz lunching yesterday at Lindy's (51st St.)

**Harry Buckley**, **Max Weisfeld**, **Rube Jacker** and **Irving Shapiro** at Lindy's (next to the Rivoil) yesterday for lunch.


**Charles Casanave**, **Herbert Robbins**, **William Orr**, **Max A. Cohen**, **Max Dreyfus**, **Nate Mayer**, **Tony Grun** and **Lou Dreyfus** at Nick's Hunting Room in the Astor yesterday for lunch.


**Phil Engel**, Warner Eastern district exploiter, left yesterday for Providence and Boston.

**Dallas Day**, RKO booker at Des Moines, is recovering from an operation at Rochester, Minn.

**Jack Waxman**, operator of three theatres at Atlantic City, is on vacation at Miami Beach.

**Harry J. Schap**, Reading, Pa., theatre owner, has been elected to the board of the Reading Fair.

**Canary Premiere in Dallas on March 8**

Dallas, Feb. 18.—World premiere of Paramount's "The Hard Boiled Canary" will be held at the 3,800-seat State Fair Auditorium here March 8, as a benefit for British war relief. Merchants are cooperating in selling tickets, which are priced at $2 and $2.50. A $10 a plate dinner will be held March 7 to call further attention to the show. A number of Hollywood players will attend the festivities and starring showings of the premiere, at which the Dallas Symphony Orchestra will play.

**Oriental Opens with 'Angels' on Friday**

Chicago, Feb. 18.—"Hell's Angels," which is being reissued, will open the Oriental in the Loop here on Friday, under the first week's management by Michael Todd of the former Jones, Linnick & Schaefer house. The bill will also have a stage show produced by Todd, called "Naughty Nineties."

**California**

**AMERICAN'S SOUTHERN SUNSHINE ROUTE**

★ Five American Flagships daily take you along the Southern route across Virginia, Tennessee, and through the sunshine of the Carolinas and the Pacific Coast. Save days of time, enjoy every minute of your trip. For reservations, call your Travel Agent or HAVemeyer 6-5000. Ticket Offices: 18 W. 49th St. at Rockefeller Center and Airline Terminal, 42nd Street at Park Avenue.

**Route of the Flagships**

**American Airlines** Inc.

**Newsreel Parade**


"HERE'S LOOKING AT YOU!"

THE BIGGEST SOCK THE SCREEN CAN GIVE!

METROSCOPIX!

(new and improved successor to Audioscopix)

As usual that gang of live-wire M-G-M Shorts Specialists is thinking up new ways to fascinate and intrigue your patrons. You got a big kick out of hearing your audiences scream and howl at M-G-M's two previous third-dimensional Audioscopix shorts, action that leaps right out of the screen! Now they've given the idea a new sock (hereafter called Metroscopix) and they've concocted a real old-fashioned mystery meller-drammer with spooks, spiders and skeletons that come right at you. Get set for the greatest novelty in show business!

PETE SMITH's

"THIRD DIMENSIONAL MURDER"

Be first with the first Metroscopix — Book it now for MARCH 1st RELEASE.
**‘Live’ Draws Good$13,500, Frisco’s Best**


**Kitty Foyle** (RKO)
GOLDEN GATE—(2,389) 35c-40c-55c 7 days, 3rd week. Stage, vaudeville, Gross: $18,500. (Average: $2,500)

“High Sierra” (W. B.)
Ride, Kelly, Ride—(2,389-FOX)
FOX—(5,000) (15c-35c-40c-50c) 7 days, Gross: $24,500. (Average: $3,500)

**Night Train** (20th-Fox)
**Manne Was a Lady** (M-G-M)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $5,300. (Average: $750)

**Trail of the Vagabonds** (Univ.)
Invincible Woman—(Univ.)
GREEN — (2,445) (15c-35c-40c-50c) days, Gross: $9,500. (Average: $1,300)

**The Long Voyage Home** (U. A.)
UNITED ARTISTS—(1,800) (35c-35c-40c-50c) 6 days, 2nd week. Gross: $6,500. (Average: $1,100)

**Come Live With Me** (M-G-M)
**The Mad Doctor** (Para.)
PARAMOUNT—(2,480) (15c-35c-40c-50c) days, Gross: $13,500. (Average: $2,100)

**The Philadelphia Story** (M-G-M)
**Jennie** (20th-Fox)
WARFIELD—(2,000) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $10,000. (Average: $1,200)

**One Way of a Scala** (foreign)
CLAY—(400) (15c-35c-40c) 7 days, 2nd week. Gross: $800. (Average: $100)

**Joins Universal**
Des Moines, Feb. 18—Gene Post, former Republic booker here, has joined United, exclusive as booker, succeeding Charles Elder.

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**Feature Review**

“Andy Hardy’s Private Secretary” (M-G-M)

CHALK up another winner in the ever-lengthening list of “Andy Hardy” box-office tonics. “Andy Hardy’s Private Secretary” is swell entertainment for the entire family, anywhere, anytime. It is all humor till the Columbia chapter ends in the town of their “Texas,” in which William Holden will play the top role... 

**Hollywood Notes**

Hollywood, Feb. 18.

Robert Z. Leonard has been given a new contract as producer-director at M-G-M, marking the beginning of his 18th year with the company. His next production will be “Two Women...” George Marshall, who directed Universal’s “Destry,” will be the new top man at Columbia’s “Texas,” in which William Holden will play the top role... 

Onville Dull, associated with John W. Considine for more than 10 years, has been elevated to be the rank of producer at M-G-M... 

**Total Film Theatre Gross In 1939 at $673,045,000**

(Continued from page 1)

volume of business of the amusement industry; $62.2 per cent of the total employment and $58.4 per cent of the total pay roll, the Census Bureau found.

A breakdown of the employment figures showed that in 1939 the picture houses employed 103,879 full-time employees who were paid $884,000. 21,805 part-time workers, who paid $7,418,000.

Legitimate Houses Increased

The report showed also that the number of legitimate theatres, opera houses and theatrical productions totaled 2,319 in 1939 against 1,588 in 1935 and had aggregate receipts of $32,461,000 compared with 19,530,000.

The annual statistical survey of legitimate—accounted for $705,000 of the total $998,079,000 reported as the receipts of the whole amusement industry.

The greatest number of establishments in 1939 (17,644) was reported for Boston, Portland and pool parlors and bowling alleys; but there were 245 amusement parks, with receipts of $10,123,000; 56 horse and dog race tracks, with receipts of $43,507,000; 84 riding academies, with receipts of $2,957,000, and 668 commercial swimming pools, with receipts of $2,815,000.

Details of motion picture exhibition, showing admission by states, will be developed by the Census Bureau in later reports, now in the course of preparation.

McDonough Handles RKO Program Films

(Continued from page 1)

The change is effective immediately.

This was announced today by George J. Schafer, president, who contracted here to take complete charge of studio operations. He will leave tomorrow for New York for two days of business conferences and then will return here for an indefinite stay.

Schafer also announced that Don Winkler will continue in his present capacity in charge of studio talent commitments. Winkler is rounding out his first year with the studio.

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**Hakim Brings Suit**

Raphael Hakim, owner of the French film, “The Baker’s Wife,” filed suit in Federal Court yesterday against the Baker’s Wife, Inc., asking an injunction, accounting and damages. Hakim claims that under a distribution contract the defendant was to file a weekly accounting, but failed to do so, and terminated the film’s run at the World Theatre without his consent.

**Davidson Is Upheld**

The United States Circuit Court of Appeals yesterday upheld a Federal Court decision appointing James A. Davidson as trustee of Educational Pictures, Inc. The election of Davidson was contested by Harry F. Fromberg, trustee of National Pictures, on the ground that it was improper.

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**Los Angeles**

**FLY THE CENTRAL YEAR ROUND MAIN LINE AIRWAY**

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649 Fifth Ave. MU-2-7300

**Hollywood, Feb. 18.**

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Onville Dull, associated with John W. Considine for more than 10 years, has been elevated to be the rank of producer at M-G-M... 

J. Garfield, J. Lippert, G. Azar...
53 Arbitrators Appointed
For Service on N. Y. Panel

Fifty-three members of the panel of arbitrators for the New York local board were formally presented their certificates of appointment yesterday by C. V. Whitney, president of the American Arbitration Association, at a brief ceremony at association headquarters.


Robert B. Bruce, attorney; Robert Buchner, broker, Wainwright & Willitts; Frederick R. Cantzlar, secretary-treasurer, Binney & Smith Co.; William Peter Cavanaugh, attorney; Julius Henry Cohen, general counsel; N.Y. & State Chamber of Commerce; Roscoe S. Conkling, attorney, National Food, Drugs and Cosmetics Board of Trade; Robert Emmett Connolly, attorney; Edward F. Darrell, Jr., N.W. Ayer & Son executive; W. Palmer Dixon, broker; Carl L. Lord, Rhodes & Co.; Guy Emerson, vice-president, Bankers Trust Co.; George H. Engelhard, attorney; Benedict L. Eustis, attorney; Erst Co., Paul J. Fitzpatrick, General Motors Corp. executive.

(Continued from page 1)

540 Named to Act on Panels Of Arbitrators

Buffalo, 23; Charlotte, 21; Chicago, 12; Cincinnati, 13; Cleveland, 17; De— 9; Denver, 14; Detroit, 15; Kansas City, 9; Los Angeles, 18; Memphis, 8; Milwaukee, 19; Minneapolis, 10; Des Moines, 15; New Orleans, 10; Oklahoma City, 14; Philadelphia, 20; Pittsburgh, 9; Portland, 20; Salt Lake City, 18; St. Louis, 21; San Francisco, 10; Washington, D.C., 10.

10 Members Minimum Under the arbitration rules of the decree, a panel of at least 10 members must be named. Typical of those selected are the following:


Dakota—J. B. Abbe, Jr., president, National Bank of Commerce, and Lewis W. MaNaughton, geologist.


Newspaper Executive on Panel


Florida—Earl Dalley, vice-president Oklahoma City Hardware Co., and Aaron M. Weitenhauer, president, Davon Oil Co. Omaha—Thomas R. Coleman, Pittsburgh Plate Glass Co., and C. P. Horn, Omaha Association of Credit Men.


2 New Census Bills Planned for L. A.

Los Angeles, Feb. 18.—Hearing on a proposed film and stage show census ordinance which represents the interest of various organizations attended broke up late tonight with Councilman Norris J. Nelson abandoning his attempt to exempt films approved by the Production Code Administration. He is planning to draft two new measures for stage shows and another for films.

Upon being informed by attorneys that exemption of any group of films would be unconstitutional, Nelson said he would provide a council city attorney to start injunction proceedings to stop the exhibition of films and put the case on the docket until the court approves the exemption. The other measure would suspend a theatre license for putting on live stage shows.

(Continued from page 1)

Decree to Be Submitted to Vote of Ascap

WASHINGTON, Feb. 18.—Department of Justice officials today expressed the belief that Ascap would come into being in the near future. However, the decree, a copy of which was submitted to the president, will not be voted on before Thursday, the departments said, that even if Ascap comes into being it will not be able to influence decisions because of the necessity for a new review of the document by Department experts to make sure it is in proper form.

Anti-Ascap Bill Introduced in N. J.

TRENTON, Feb. 18.—Assemblyman J. Stanley Herbert of Monmouth yesterday introduced a bill in the legislature which would prohibit "monopolistic abuses and activities" which come under the guise of copyrights within the state by price-fixing combinations, monopolies and pools. Herbert said his measure was aimed at all combinations of music publishing organizations.

Ascap Sues Theatre For Infringement

NEW HAVEN, Feb. 18.—Infringement suit against Middletown Enterprises, Inc., has been filed in the U. S. District Court here, on behalf of Ascap. The defendant, Robert Buck, president of Ascap, for Mills Music Inc., and Irving Berlin. The alleged infringement occurred Jan. 17, 1941, at a Capitol, Middletown, ran three vaudeville acts and "Ain’t Misbehavin’" and "Careless" were rendered.

Legitimate Group Enters Ascap Fight

The League of New York Theatres, legitimate producers’ theatre group, yesterday sought to enter Ascap consent decree negotiations by filing a memorandum with the Department of Justice asking that the proposed decree incorporate a provision covering musical comedy producers. It was reported, it was reported, would permit producers to negotiate with Ascap for a share of its royalties on use of songs from plays. Ascap officials said the memorandum probably would not affect the proceedings.
LOUIS, Feb. 18—"The Philadelphia Story" grossed $17,500 in its first week at the Loew's State, while grosses at other houses remained near the $10,000 mark. Estimated takings for week ending Feb. 13:

Mr. and Mrs. Smith" (RKO)
Ambassador—(3,500) (33c-44c-55c-75c) 7 days, Gross: $1,100. (Average, $157.)
"Western Union" (28th-Fox)
Fox—(3,500) (33c-45c-55c) 7 days, Gross: $900. (Average, $129.)
"The Philadelphia Story" (M-G-M)
Loew's—(1,616) (28c-30c-39c-44c-55c-75c) 7 days, Gross: $1,300. (Average, $186.)
"Keep the Peace" (Fox)
Earl—(1,300) (28c) 7 days, Gross: $900. (Average, $136.)
"Jury's Verdict" (RKO)
States—(1,800) (33c-44c-55c) 7 days, Gross: $1,000. (Average, $143.)

"Street" at $9,100 Leads Kansas City, Feb. 18—"Back Street" drew a total of $9,100 at two houses, $4,300 at the Esquire and $4,800 at the Uptown. "Romance of the Rio Grande," aided by Clyde McCoy and his band at the Tower, took $8,900. Estimated takings for the week ending Feb. 13:

"You're the One" (Para)
The Mad Doctor" (Paramount)
Fly Away Home" (20th-Fox)
Gross: $1,500. (Average, $214.)
"The Harder They Fall" (M-G-M)
Riverside—(2,700) (33c-44c-55c) 7 days, Gross: $1,400. (Average, $200.)
"Tom and the Treasure" (Col.)
"The Harder They Fall" (M-G-M)
Gross: $1,500. (Average, $214.)

Bill in Wisconsin Legalizes Betting
Madison, Wis., Feb. 18—A bill legalizing and licensing pari-mutuel horse racing in the state has been introduced into the Wisconsin legislature.

The measure was introduced by Assemblyman Nicholas Bichler. Similar measures have been strongly opposed by exhibitors during past legislative sessions and have been defeated.

Assessment Reduced
The assessed value of the New 14th Street Theatre has been reduced from $125,000 to $100,000 in settlement of the theatre's tax reduction application.

Minneapolis Gives 'Command' $14,000
Minneapolis, Feb. 18—"Flight Command," coupled with a strong stage show, led with $14,000 at the Orpheum. "Santa Fe Trail" took $11,000 at the State.

Estimated takings for the week ending Feb. 13:

"Flight Command" (M-G-M)
Orpheum—(2,800) (28c-39c-44c-55c) 7 days, Gross: $1,400. (Average, $200.)
"Santa Fe Trail" (W. B.)
Orpheum—(1,900) (33c-44c-55c) 7 days, Gross: $1,100. (Average, $157.)
"Long Voyage Home" (U. A.)
World—(3,200) (33c-45c-55c-75c) 7 days, Gross: $1,300. (Average, $186.)
"Escape to Glory" (Col.)
Gross: $1,500. (Average, $214.)

Western Garners $8,800, Milwaukee
Milwaukee, Feb. 18—"Western Union" and "Blonde Inspiration" at Fox Grossed $8,800. The Mills Brothers on the stage and the film "Behind the News" at the Riverside, grossed $9,700. Estimated takings for the week ending Feb. 13:

"You're the One" (Para)
The Mad Doctor" (Paramount)
Gross: $1,500. (Average, $214.)
"The Harder They Fall" (M-G-M)
Riverside—(2,700) (33c-44c-55c) 7 days, Gross: $1,400. (Average, $200.)
"Tom and the Treasure" (Col.)
Gross: $1,500. (Average, $214.)

Bagdad Is Omaha Lead with $6,600
Omaha, Feb. 18—Bad weather pushed grosses downward. "Theft of Bagdad" at the Omaha drew $6,600. Heavy competition came from Sonja Henie's revue.

Estimated takings for the week ending Feb. 13:

"This Thing Called Love" (Col.)
Orpheum—(3,500) (33c-44c-55c) 7 days, Gross: $1,500. (Average, $214.)
"The Thief of Bagdad" (U. A.)
Orpheum—(2,800) (33c-44c-55c-75c) 7 days, Gross: $1,400. (Average, $200.)
"Trail of the Vigilantes" (Univ.)
Orpheum—(2,000) (33c-45c-55c) 7 days, Gross: $1,300. (Average, $186.)

Takes N. T. S. Post
Indianapolis, Feb. 18—B. N. Peterson is here from the Cincinnati office to be the new manager of the local branch of the National Theatre Supply Co. He succeeds Don K. Smith.

House Raises Price
Denver, Feb. 18—The Federal, north Denver suburban unit of Civic Theatre has announced a price increase from 25 to 30 cents. They now picture books in the house a month earlier than second run downtown houses. The increase has not decreased due to the price boost.
Sunday Films Win
On Ballot Recount

Greensburg, Pa., Feb. 18—A recount of voting last No-

vember shows that citizens of this city placed a two-

vote favor Sunday films. On the recount, the proposal to

permit Sunday films carried by a slim majority of 57 votes. The re-
count was ordered last week by Judge J. Hilary Keenan

after supporters of the pro-
aposal, contending errors had been

made in computing the origi-
nal tally.

New Booking Group
Formed in Toronto

Toronto, Feb. 18.—Consolidated
Theatres Association, a co-operative
booking syndicate for independent the-

atres of Ontario with headquarters in
Toronto, has been organized with the
following officers: Morris Weiss,
Colony Theatre, president; B. Gold-

bar, Paramount Theatre, vice-presi-
dent; Gus Soloway, Bloordale Theatre,
treasurer; Harry Romberg, Metro
Theatre, secretary, and Harry S.
Bahn, general manager.

This is the second independent buy-
group in the Toronto district, the
other organization being the Exhi-
bitors Booking Association of which
Nat Taylor is the general manager.
In Toronto alone, there are also four
circuits. Very few exhibitors are now
doing their own booking in Toronto
and suburbs.

Toronto’s Blackout
Rehearsal Dropped

Toronto, Feb. 18.—There will be no
blackout test in Toronto at 11:40 to

on Thursday night and the arrangements which local exhibi-
tors had made to meet the situation
have been dropped. Representatives of the Dominion
Cinematograph and the Toronto
War Savings Committee, under whose au-
spices the experiment was to be made, have
been informed that the plans are not
for the rehearsal, although many sug-

gestions were offered. The theatres
affected have been notified to take
out and distribute pass-out checks
among patrons so that the latter could return
to their seats for the remainder of the show.

A number of smaller cities in
Ontario have staged blackouts, along with
military demonstrations, fire brigade
runs and bowling parties.

Susanna Foster Due

Susanna Foster, Paramount player
now on tour, arrives here tomorrow.
She will appear on the Kate Smith
air show Friday in a radio version
of "The Hard Boiled Canary," in which
she is featured in the "Till o’ the
County Grand program. She will
resume her tour Saturday in New England.

Film at Carnegie

The American premiere of "It Happened
To One Man," co-starring Wil-

red Lawson and Nora Swinburne,
will be held at the Little Carnegie
Playhouse on Saturday. The film was
produced in England and is released
here by RKO.

Midnight Shows for Greek Relief

Arrangements are being made by
the annual film industry division of
the Greek War Relief Association
to hold midnight shows during the week
of March 25 in all theatres cooperat-

ing with the division’s activities. The
date is the anniversary of Greek
independence.

The shows, directed by 12 division
chairmen, are working in the 31 ex-
change centers now to obtain theatre
participation in the drive, which is

named "One Hour for Greece.

A two-minute short subject is being
prepared in Hollywood for free dis-
tribution to participating theatres.

Joseph R. Vogel of Loew’s, camp-
aign chairman for New York City,
recalled plans for Greek War Relief Week at a
luncheon yesterday at the Hotel
Astor. Adolph Zukor, chairman of the American Industry
Committee, and Spyros Skouras, active head of
the national campaign, were guests
of honor. Vogel announced receipt of
pledges from the Loew, RKO,
Warner, Paramount and National
Theatre circuits. Pledges were made
date the luncheon by representatives of
the Radio City Music Hall, and the
Brando, Fabian, Bolognino,
Randorf, Casey & Wheeler, Century
and Prudential circuits.

Mo. Bill Planned to
End Triple Features

ST. LOUIS, Feb. 18.—The Better
Films Council of Greater St. Louis,
which has launched a drive against
triple bills, is planning to introduce
the legislative committee of the
theatres in session to limit the length of
performances in theatres.

Milton Grodinsky, city attorney for
the council, said he has been instructed to
prepare a draft of the bill, the pro-
visions of which will conform to the
recommendations of the council. Plans
are being made by James R.
Granger, president, and H. J. Yates,
who is in charge of Grodinsky’s work.

Granger, it is expected, will bring
the bill to the council in time to have it
considered by the legislature.

Republic to Start
Meetings on Coast

Hollywood, Feb. 18.—First of a
series of Republic regional sales meet-
ings will be held at the studio here
Feb. 27 to 29, to set plans for the
last quarter of the current year. Plans
are being made by James R.
Granger, president, and H. J. Yates,
who is in charge of Grodinsky’s work.

Granger, it is expected, will bring
the bill to the council in time to have it
considered by the legislature.

Legion Approves 7
Of Nine New Pictures

Seven of nine new pictures reviewed
by the Legion of Decency have been
approved, four for general patronage
and three for adults, and two have been
classed as objectionable in part. The
new films and their classification fol-


class A-1, Unobjectionable for
General Patronage—"Father’s Son," "Golden Hooves," "Petticoat Politics," "Wildcat of Tucson." Class A-2, Un-

Hearings Held On
Delivery Services

ALBANY, Feb. 18.—The Public Ser-
vice Commission held a public hear-
ing here yesterday on charges that
the State Film Delivery, Inc., had op-
erated its trucks beyond limits set
in its franchise as a motor carrier.

State Film Delivery, Inc. contended
through its attorney that it was forced
to extend operating hours because
Charles M. Powell of the Howell Delivery discontinued part of its
service. Testimony of George E.
Thomson, Saunders exhibitor, was
introduced in this phase.

Managers Shifted
By Circuit in N. C.

COLUMBIA, S. C., Feb. 18.—T. Gray-
son Poats, former manager of the Ritz
here, has been transferred to Rock-

ingham, N. C., as city manager for the circuit. Replacing Poats at the
Ritz is Curtis H. Mee, who has
been manager of the Strand in Colum-
bia, and replacing Mee as manager of
the Strand is Jack Jordan, formerly
assistant manager of the Palmetto.

Tom Allen, formerly assistant man-
ger of the Ritz, succeeds Mee at
the Palmetto. Allen’s post at the
Ritz has gone to Frank D. Bryant
of Marion, S. C.

Cartoon Book Out Soon

Foundation Books will publish shortly "How to Make Animated Car-
toons," written and illustrated by Nat
Falk, with a foreword by Paul Terry.

Exhibitor Problems
Aired in Commons

LONDON, Feb. 18.—The shortage of
British films and other difficulties of
English exhibitors were brought up
in the House of Commons today as
members questioned Oliver Lyttleton,
president of the British Board of
Trade.

Lyttleton replied that he has re-
ceived representatives of the Cinema-

lograph Exhibitors Association and
has asked the Films Council to ad-

vice him of appropriate action to be
taken in the situation.

It is understood that Harry P. E.
Mears, president of the C.E.A., will
ask for a meeting of all branches of
the industry in the near future. The
exhibitor organization is insisting that
it is the duty of the Board of Trade
to counter the current varying press
reports by abandoning its policy of
secrecy with regard to plans for the films industry and by making a public
declaration of its intentions.

Bernfield Now Manager

NORTHAMPTON, Mass., Feb. 18.—
William J. Bernfield, for many years
a theatre and film man in the Kam-
in City area, has taken over the manage-
ment of the Calvin Theatre here.
He is also handling publicity. In recent
years Bernfield was exploitation re-
presentative for United Artists in the
Midwest.

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SOUND
ENGINEERING
The Industry’s leading sound engineers
prepared this book for you!

S$47 pages, completely covering
every practical method and process
in present day sound engineering.
Every detail of apparatus and its
arrangement is minutely explained
and profusely illustrated. Here is
the practical answer to the perplex-
ing problems of sound en-
gineering. Order today!

$6.50 POSTPAID
QUIGLEY BOOKSHOP
ROCKELELLER CENTER, NEW YORK
Off the Antenna

THE plan by which the New York Post was to have been merged with the Brooklyn Eagle has been abandoned, it has been learned.

Continuation for five more years of the "America's Town Meeting of the Air" over NBC-Blue was arranged yesterday.

• • •

Around the Country: Three members of the WLW, Cincinnati, staff became fathers during the past week. They were Eugene Patterson, short wave manager; Charles Wayne, rural broadcaster, and Buddy Ross, who is heard on "Boone County Jamboree"... Lowell MacMillan, WHEC, Rochester, sportscaster, who gave up a music career for sports announcing, will be succeeded by Robert Hayforth of Rochester Civic Orches-
tra. John Nesbit, language professor at Grove City College, has begun a series of news programs over WCAE, Pittsburgh, sponsored by Olsen Homes... Dwight A. Myer, formerly in charge of WBZ, Springfield, Mass., was appointed division chief of the American Federation of Radio and Electrical Workers. F. M. Sloan succeeds Myer in Springfield... WWSW, Pittsburgh, is building a new control room to handle FM.

Program News: WOR will celebrate its 19th anniversary on the air on Saturday... For the fifth year, Joseph Martinson & Co. has signed a contract with WQXR for 13 weekly station break announcements for 52 weeks... Illinois Meat Co. has renewed "Play Broadcast" over four Mutual stations.

Purely Personal: Edythe J. Mersend, who has been serving as secretary to Dave Driscoll, head of WOR special features, has been promoted to the special features staff. She was formerly with NBC and Hearst Radio and, in her former job, will be charged with booking talents of interest to women... Tom Connolly, CBS manager of program promotion, will address the Alabama Broadcasters Association at Gaden, Ala., tomorrow. Before his return he will visit the studios of WAPI, Birmingham... Edwina B. Sibley's news analysis and report for NBC News is going over to the Truck Fleet Owners Association at the Lord Baltimore Hotel, Baltimore, tomorrow... Saman Baker, producer of the "Quixie Doodoo" show, is the father of a girl.

Use Professionals For Camps: Equity

An immediate start of negotiations for the use of professional actors to entertain men in Army camps is urged in the current issue of Equity, official organ of Actors Equity. An editorial points out that plans for regular professional entertainment will take a considerable period for formulation and asks that they be started at once.

Declaring that the men are fre-
quently told that they deserve "nothing but the best," the editorial continues, "In this instance it is entertainment and Equity feels and the men know that there is nothing but profes-

sional entertainment and they will not be satisfied with anything less. They may have to take what they can get."

The Equity council yesterday set March 26 at 2 P.M. as the time for the next quarterly membership meet-
ing, to be held at the Hotel Astor. The principal business will be the elec-
tion of a nominating committee of six members. The remaining three mem-
bers of the committee are selected by the council.

Train' Set For S. A.

Distribution of the English film, "Night Train," in Central and South America, beginning with Latin America, will be handled by 20th Century-Fox, which is releasing the film here, Wal-
ter J. Hutchinson, director of foreign distribution, said yesterday.

Sues for Costs of Ohio Games Action

Troy, O., Feb. 18.—Andrew Attewill, who, as a taxpayer, brought suit nearly two years ago against Troy Amusement Co., seeking $500 in exemplary damages and $10 as refund of admissions to the Mayflower, at which house he also sought to stop games on the ground of violation of the Ohio lottery law, has filed suit in Common Pleas Court against the city of $11,610.50 in principal, 
surety on bonds and attorney fees in the original action.

He claims to have suffered damages in the sum of $11,610.50, and incurred liability to his counsel, Michael E. Morris, for $923.22.

Pa. Town Clamping Lid Shut on Games

WILLIAMSPORT, Pa., Feb. 18.—Deadline for clubs and organizations operating games in Lycoming County to end their activities was last night, according to a ruling made from the office of District Attorney Charles S. Williams. The action outlawing the games was taken by the county of-

cial, it is understood, after city au-
torities failed to close the games. Several months ago the district at-
orney ruled that games constituted a violation of the gambling law and an existing Pennsylvania statute.

Exempt from Taxes

MEXICO City, Feb. 18.—Coahuila State, one of the most important mining regions in Mexico, has decided to assist all radio stations in its territory by exempting them from the state tax. This exemp-
tion will be of particular benefit to the stations in Coahuila's largest cities, Saltillo, the capital, Piedras Negras, on the American border, and Torreon, center of Mexico's cotton industry.

$75,000 Reported

As Debt of AGVA

The American Guild of Variety Art-
ists yesterday filed notice of its intention to bring its injunctive suit against the American Federation of Musicians to the Court of Appeals. The New York Appellate Division last month reversed a Supreme Court decision and dismissed AGVA's suit.

The suit was filed last August to restrain enforcement of an order by James C. Petrillo, A.F.M. president, that all instrumentalists who are members of A.F.M. shall not be engaged by any union other than the A.F.M. Petrillo set Labor Day, 1940, as the deadline for the members. AGVA, the suit prevented enforcement of the order.

In the event the dismissal is upheld by the Court of Appeals, all concert instrumentalists will be compelled to join the A.F.M. or be prevented from appearing in any entertainment field before the musician's union has con-
tacted. AGVA has appealed for as-
sistance to other performers' unions in the Associated Actors and Artists of America but no action has been taken other than general pledges of support.

Bill Bans Machines

In Minnesota Bars

MINNEAPOLIS, Feb. 18.—Representatives Andrew U. Hayforth and William Huntala today introduced in the Minnesota legislature a bill prohibiting the operation of film coin machines in places selling beer or liquor or that permit the operation of films as entertainment without revenue.

The latter provision is aimed at the projection of 16mm films, as subject to a free show by the management of any establishment. Coin machines are to be filtered into a number of bars here.
Kirsch Proposes Arbitration Bureau
To Illinois Allied

CHICAGO, Feb. 19.—Jack Kirsch, president of Allied of Illinois, today proposed to the organization's annual meeting that it set up a central complaint bureau which will instruct members in the procedure for filing arbitration cases under the Federal consent decree, and to advise exhibitors on their rights and benefits under the decree.

All present officers and directors were reelected at the meeting, held at the Congress Hotel. Kirsch's three-year contract as president has two years to run, and he therefore was not a candidate. Others reelected were Van Nomikos, vice-president; Richard Selkin, secretary and treasurer, and Harry Nepo, sergeant-at-arms.

May Regulate Coin Films

In his annual report, Kirsch disclosed that a contract had been signed by Allied with the Chicago Theatrical Janitors' Union, Local 25, calling for a wage increase of five per cent, retroactive to Jan. 1.

Kirsch said that the police censor board has indicated that it will insist that all coin machine films be passed on by the board. A special license for the machines, costing much more than the license for music machines, may be enacted by the city council, Kirsch stated.

Print 'Railroading' Stopped

The constant campaign by Allied to have exchanges discontinue the "railroading" of prints has resulted in the virtual elimination of this practice in Chicago, it was reported by Kirsch.

All members at the meeting signed pledges of cooperation with the industry's committee on national defense.

Complaint Is Filed With N.Y. Local Board

Brooklyn Theatre Names 5 Major Companies

First complaint filed for arbitration with the New York local board under the Federal consent decree has been brought by the Hilary Theatre Corp., operating the Regent, Brooklyn, and names all five consulting directors as defendants.

The complaint, which was filed by Albert Marguelles, secretary of the Hilary company, with Charles S. Wall, clerk of the local arbitration board, seeks the elimination of the seven days' clearance which is accorded the competing Apollo over the Regent.

The complaint contends that the Regent played day and date with the Apollo up to the time of an N.R.A. decision establishing the seven-day clearance. It contends that the houses are situated one mile apart and that the Regent's admission scale is five.

Fear New Break in Italian Agreement

Fear that other producers or distributors may break the "gentleman's agreement" not to sell films to Italy has been expressed in trade circles here yesterday following disclosure that a deal has been made with an Italian agent for the Italian distribution rights to two David O. Selznick productions.

It is known that Italy has been anxious to obtain Walt Disney's "Pinocchio" and also has made overtures to Columbia and Universal in the past for bulk product.

United Artists, which represented Selznick in the deal with Renato Sechia, described an Italian trade representative in this country, said that the deal was closed last month. The price of $32,000 was paid by Sechia for the Italian.

Strict Nazi Film Control Is Exercised in France

LONDON, Feb. 19.—Rigid control and censorship of the French film and theatre industry by Nazi military authorities in occupied France has been established, according to information reaching London.

Under Nazi control, foreigners and Jews are excluded from positions of importance in the industry. The distribution of newsreels and instructional films supervised by Nazis is being extended and the type and trend of French films is being influenced.

The new regulations state explicitly that the censorship will not be merely passive but has been designed to guide the work of producers. Nothing likely to embarrass the French or German Governments or the Nazi military command will be permitted in French productions or newsreels.

The position of Marshal Petain must be treated with scrupulous care and there must be no mention of the German army, navy or air force, or the disposition or movement of troops. No allusion to General de Gaulle or to Great Britain is permitted.
Coast Flashes

Hollywood, Feb. 19

PROSPECT of a settlement caused the deletion from the Federal district court calendar in Los Angeles today of the damage suit brought by Lou Bard's Colada Corp. against Fox West Coast and major distributors for alleged refusal to permit the Colorado Theatre in Pasadena to obtain a "satisfactory" product.

Republic today shifted the dates of its Coast regional quarterly sales meeting from Feb. 27-28 to Feb. 24-25. The new schedule calls for the Midwest meeting to be held in Kansas City Feb. 27-28; the Southern session in Atlanta March 3-4; Eastern in New York, March 6-7, and the Canadian in Toronto on April 1.

George West, Monogram franchise holder in St. Louis, Kansas City and Cincinnati, has arrived here from New York for an extended stay.

Some Smiths Attend Music Hall Opening

Some notable Smiths of New York and vicinity will attend the premiere of the RKO film, "Mr. and Mrs. Smith," this evening at the Radio City Music Hall, as guests of A. W. Smith, Jr., sales manager of RKO. Among the Smiths invited to the party are Mr. and Mrs. Al Smith, Al Smith, Jr., Kate Smith, Horton Smith, golfer, and Fred Smith, who founded the "Fred Smiths of America."

Hellinger Resigns

Hollywood, Feb. 19.—Mark Hellinger, Warners associate producer, has submitted his resignation to the studio. He said he probably would remain until his next assignment, "Hard to Get," is completed. His contract has a year and a half to run.

Personal Mention

E. K. O'Shea, central division manager for M-G-M, returned yesterday from a tour of exchanges in his territory.

Walter Gould, United Artists foreign manager, will leave for Florida today for a vacation.

John W. Hicks, Paramount vice-president and foreign manager, returned to New York yesterday from the Midwest.

Denis F. O'Brien, United Artists' counsel, will leave for the Coast tomorrow for a three weeks' stay, combining business and a vacation.

Jesse Goldberg arrived here yesterday from the Coast.

Lester Park is in town from California.

Hazel Kirksride, secretary to W. E. Gregory of Altec, is recovering after two operations.

Harry Goodrich, manager of the Fox Ogden in Denver, is vacationing in California.

Emerson Yorke will leave for Boston today.

Oscar Levant returns tomorrow from the Coast.

Jack Moss, Walter Wanger production executive, is in town from Hollywood.

George Batcheller, supervisor of production for Producers Releasing Corp. and Amelie Palmer, Republic costume designer, will be married on the Coast in June.

John A. Schwalm, manager of the North-Coast Circuit's Rialto at Hamilton, O., left this week for a vacation in California.

Jack Hively leaves for the Coast tomorrow.

Monsieur Greenthal, Edward Peskay, Sam Tulpan and Rube Jackson lunching at Lindy's (next to the Rivoli) yesterday.

Moe Sterlie, Charles Paine, Alan Freedman and Sam Citron lunching at the Tavern yesterday.

Joseph Moskowitz, Arthur Cotton, J. J. Mistletoe and Jack Green at Lindy's (51st St.) yesterday for lunch.

William F. Rodgers, Oscar Dooy, George Skoufes, Russell Holman, John W. Hicks, Adolph Zukor and Lou Dreyfus having lunch at Nick's Hunting Room yesterday.

Otto Preminger, Max Gordon, Russell Crouse, Frances Farmer, Betty Field, Robert Milton and Luther Adler having lunch yesterday at Sardi's.

D. G. Hon.

Snakes Alive!

Tom Walle, Bob Gilliam's big game expert at Paramount, is said to be in the final stages of a process by which the company is giving today on behalf of the new film, "The Lady Be Good," the chief guest a real snake, borrowed for the affair from one of the zoos. It will go on exhibition for the press at the New Aquaparadrome, sometime around 4 P. M. The snake is a 52-inch reptile of the king variety, which will be locked up, of course, in a box of golden hue.

War Story Parallels Wanger Film Theme

The New York Post yesterday carried a United Press story from London indicating that Netherland authorities in London are investigating a report that Joukheire Dirk Jan de Geer, former Dutch premier, had been kidnapped in Portugal and taken to Germany. "Van Meer," is abducted by the Nazis and tortured.

The story, in a bracketed editor's note, points out that the de Geer report parallels the "fantastic situation" in the United Artists-Walter Wanger film, "Foreign Correspondent," in which a Netherland Government official, "Van Meer," is abducted by the Nazis and tortured.

Mullhalls into Army; Morgan Gets Post

PHILADELPHIA, Feb. 19.—John L. Mullhall, Warner Theatres suburban district manager, has been called into the Army with the rank of Captain, and has been ordered to Fort Bragg, N. C.

During Mullhall's absence, his place will be taken by William Morgan, manager of the United Artists-Walter Wanger division in the South, and N. J. Mullhall's territory included Chester, Westchester, Ambler, Willow Grove and Reading, Pa., and Wilmington, Del.

Briggs Due in March

O. Henry Briggs, president of Producers Releasing Corp., is expected to leave the Coast March 1, stopping off for visits with franchise holders en route East.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Sundays and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, New York City, Telephone 7-3100. Cable address, "Quigphob, New York." Mail and Quigleys, Editor-in-Chief and Publisher; Calvin Brown, Vice-President and General Manager; William H. Columbia executive, and Columbia executives, are expected to attend the 11th annual dinner dance of the Italian Club in the grand ball room of the Waldorf-Astoria Saturday night. Harry Hershfield will be master of ceremonies. Screen and stage players will entertain.

Columbia Releasing Short from England

"This Is England," British short subject recently brought over by Harry Hopkins, emissary of President Roosevelt, is to be released by Columbia, the company announced yesterday. Edward Murrow, London commentator for CBS, does the narration for the subject.

Dee Lowrance to N.E.A.

Hollywood, Feb. 19.—Dee Lowrance has resigned from the Paramount Studio publicity department to become associated with the Newspapers Enterprise Association.

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CHANGE TO ALTEC SERVICE

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250 West 57th Street - New York City

MOTION PICTURE DAILY

Registered U. S. Patent Office

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You too can hold the Strawberry Blonde!

Warners again!

also ALAN HALE • JACK CARSON • GEORGE TOBIAS • Directed by RAOUl WALSH

Screen Play by Julius J. and Philip G. Epstein • From a Play by James Hagan

EVERYBODY'S DOING IT!
Complaint Is Filed With N.Y. Local Board

(Continued from page 1)

cents more than the Apollo’s, making the clearance in the Apollo’s favor unwarranted. The Apollo is operated by Argyros Amusement Corp. (Argyros brothers) as part of the Cocalis circuit.

First N. O. Case Filed

New Orleans, Feb. 19.—The first demand for arbitration filed with the local board was made today by Charles K. Woolner, president of Modern Theatres, Inc., operator of a drive-in theatre here. Woolner’s complaint charges Paramount with refusing to license his open-air theatre on Canal Drive for “some run.”

Colorado Overbuying Case

The first complaint filed with the Denver arbitration board, which was reported in *Motion Picture Daily* yesterday, asks a redistribution of product between Joseph J. Goodstein’s Longmont, Colo., and James B. Monogram, Colo. The complainant, Goodstein, charges that the Fox Intermountain house is overbought and can’t use its entire product.

Goodstein charges that the Fox house has exclusive contracts with 20th Century-Fox, Loew’s, MGM, Universal, Columbia, United Artists and Monogram, whereas his theatre has insufficient product available from only Warners, RKO and Republic.

Strausberg Wins

Stockholder Suit

N. Y. Supreme Court Justice Samuel Hofstadter has dismissed a minority stockholders’ suit against Samuel Strausberg, head of Intermountain Theatres, Inc., of Brooklyn. The suit was instituted in 1937 and alleged that certain changes in stock ownership had been brought about through fraud.

Justice Hofstadter, after a lengthy description of the financial transactions involved, pointed out that the plaintiffs, Abraham Werbelovsky, Samuel Small, William Small, August Small, Mandel Lerner and Harry Gross, had apparently been “satisfied with the result, but now that the financial prospect of the new corporation has become brighter, due in great part to the effort and attention of Strausberg, they seek to undo what they had previously consented to and acquiesced in.”

In dismissing the suit, Justice Hofstadter also observed: “We are dealing here with a close corporation in which whose stockholders are shrewd and suspicious business men who gave no influence in the supply the witness stand of being either guileless or credulous. They met frequently and took an active interest in the affairs of the corporation and whatever they did or consented to was scrutinized carefully by counsel of their own choosing before action was taken.”

Feature Reviews

“Ridin’ the Cherokee Trail” (Monogram)

Hollywood, Feb. 19

ARKANSAS SLIM” Andrews and the “Tennessee Ramblers” are featured in this nineteenth of the Monogram westerns starring Tex Ritter. “Arkansas Ranch Hands,” and are heard over radio station WBT in Charlotte, N. C., Ritter and “Slim,” Texas Rangers both, cross the border into the Cherokee Strip and finally manage to bring to justice the territory’s ruling spirit, who fancies himself cure of the neighborhood, and is preventing attempts to bring the Strip into Oklahoma Territory. Forrest Taylor interprets the character, which is somewhat overdrawn in the writing.

Eight songs are heard, four written by Jack Gillette and Harry Blair; one by Andrews; another by Ritter and Andrews; and one by Jack Smith, and one by Johnny Lange and Lew Porter. Rounding out the cast are Bitty Miles, Jack Roger, Fred Burns and Bruce Nolan.

Edward F. Finney produced and Spencer G. Bennett directed the film. Running time, 62 minutes. “G”

“Queen of Crime” (Film Alliance)

THIS is an Edgar Wallace story produced in England about three years ago, with two Hollywood, players who will be immediately recognized, Genevieve Tobin and Noel Madison, and with various Britons with whom audiences are not so familiar. Reginald Denham directed.

It is an improbable melodrama which concerns Miss Tobin, as a gang leader directing a big gold robbery, and a Scotland Yard detective, Jack Hubert, who strives to be funny on every occasion, but without marked success. Moreover, many of his speeches are not carried clearly enough, resulting in what sounds like a British version of Broadway double talk. The photography about meets requirements.

Running time, 55 minutes. “G”

*“G” denotes general classification.*

Strict Nazi Film Control in France

(Continued from page 1)

mited and there must be no polemics about the armistice with France, it is said.

Reference is made to diplomatic news, only the versions to be quoted are those issued by the German official news agency or given in German broadcasts.

Similar prohibitions are enforced under the new regulations in respect to theatres and music halls. No news originating in unoccupied France may be used without the approval of the German military press bureau.

Early Player Dies

OAKLAND, CAL., Feb. 19.—William M. MacDowell, screen player of the early silent days, died here today at the Masonic Home at the age of 84.

Jan. Tax Revenue Off to $6,583,278

WASHINGTON, Feb. 19.—Federal admission tax collections last month touched the lowest figure for any month since September, $6,583,278, but when averaged during the December period (total of $6,635,571), remained $5,906,743 above the January, 1940, receipts of $1,496,534, it was reported tonight by the Internal Revenue Bureau.

Collections for the first seven months of the current fiscal year, excluding those of the current month, failed to exceed $50,000,000 for the first time in 15 years, and was $13,046,597 less than collections in the corresponding period last year, it was disclosed.

Broadway Increase

Contrary to experience nationally, collections in the Third New York (Broadway) District showed an increase last month, totaling $1,287,553 against $1,193,461 in December, it was stated. The improvement was due to an increase in box-office collections from $1,109,505 to $1,212,456 and on brokers’ sales from $12,610 to $13,115.

Receipts from tickets sold by proprietors in excess of established prices, however, dropped from $155,945 to $130,300, due to a drop in the number of tickets sold.

January collections in the Broadway sector were well over $1,000,000 above the $192,233 reported for the month last year, it was shown.

Fear New Break in Italian Agreement

(Continued from page 1)

rights to “Rebecca” and “Intermezzo” for five years.

The deal was a cash transaction. It gives the purchaser the right only to show the pictures in Italy and the purchaser is to pay the print cost.

Since the importation of the films opened the subject of the sale to trade officials here last Summer, giving as his reason for the sale of the rights in order to aid in the liquidation of Selznick-International Pictures, which was in progress at that time.

Budd Rogers, representative here for British producers, has been mentioned in connection with the deal, but yesterday he denied any association with it.

The M. P. P. D. A., which has strongly supported the trade agreements, is now in business with Italy since the Italian film industry was made a Government monopoly more than a year ago, and stated that it had not been informed that the deal had been closed. It was stated that the “gentlemen’s agreement” was still in effect, but it was hoped that it would continue so.

‘Dictator’ in Phila.

PHILADELPHIA, Feb. 19.—“The Great Dictator” will have its regular run here at the Stenton, first run Warner house. It will be open March 1, for an extended run. It played the Alhine on a two-day basis last Fall.

Mexican Trade Hopes for Better Labor Relations After Convention

Mexico City, Feb. 19.—The Mexican film industry is looking forward hopefully to better labor relations following the annual convention of the Confederation of Mexican Workers, which opens here Feb. 25.

The industry hopes are built on reports that a majority of the organizations which make up the Confederation have promised to vote for Fidel Velasquez, new Confederation publicity chief, to replace Vincente Toldeo, head of the organization for many years. It is believed that Confederation policies will be definitely less radical with Toledo replaced. Labor difficulties have been a serious problem to the industry for the past several years.
INTELLIGENCE IN MOTION PICTURE ADVERTISING

by Kenneth Collins

Mr. Collins, assistant to the Publisher of the New York Times, was formerly Publicity Director of Macy’s and Gimbel’s and is author of many books on advertising. He is recognized as a noted authority on selling and merchandising.

SOME ten years ago, I did a very rude thing. I addressed a group of motion picture advertising people, and told them that I thought the advertising for the movies was about the worst in the country. I was particularly rude because I had just eaten lunch at their expense, and had been invited to tell them pleasant things. But I said what I thought was then true.

I couldn’t make that talk today. For a number of years, I’ve watched moving picture advertising with increasing admiration. And in Twentieth Century-Fox’s current campaign for TOBACCO ROAD, I see what to me is a particularly intelligent series.

Now, in the last analysis, intelligent advertising is the kind of copy that “sells the goods.” In the case of moving picture theatres, it’s the kind that makes people buy tickets. I think this campaign will do just that.

Nearly every adult in the United States has heard about the play TOBACCO ROAD. As a matter of fact, it has been presented on stages in all but six states of the Union, so an advertising campaign about the play itself is not now necessary. The important thing is that TOBACCO ROAD is now on the screen.

This series of advertisements sells that idea. It starts from the assumption that most people know about the play, want to see it, and then lets them realize that at last it is available in their favorite moving picture theatres.

Thus the advertising problem becomes chiefly one of circulation. Twentieth Century-Fox apparently realized this and set out to get the greatest possible circulation, using every medium to tell the people in the metropolitan area that TOBACCO ROAD was coming to the Roxy screen.

As an advertising man, I’m particularly gratified with the excellence of the photos and the strong dramatic nature of the layouts. It is my belief that the exhibitors who follow the New York campaign will meet with tremendous success.

P.S. NEW YORK'S "TOBACCO ROAD" CAMPAIGN—INCLUDING THE ENTIRE SERIES OF ROXY ADS WHICH MR. COLLINS LIKES SO MUCH—NOW AVAILABLE IN A SENSATIONAL 16-PAGE SHOWMANSHIP MANUAL WHICH IS THE TALK OF THE Trade! ASK FOR IT—AT YOUR 20TH CENTURY-FOX EXCHANGE!
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<td>Across the Sierras (O)</td>
<td>Bill Elliott L. Walters</td>
<td>Trial of Mary Dugan (D)</td>
<td>Robert Young</td>
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<td>Feb. 21</td>
<td>Adam Had Four Sons (D)</td>
<td>Meet Boston Blackie (D)</td>
<td>Andy Hardy's Private Secretary (C)</td>
<td>M. Carroll</td>
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<td>Feb. 28</td>
<td>Blondies Goes Latin (C)</td>
<td>Outlaw of the Panhandle (O)</td>
<td>Free and Easy (O)</td>
<td>Ruth Hussey</td>
<td>Tex Ritter</td>
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<td>Mar. 7</td>
<td>Lone Wolf Takes a Chance (D)</td>
<td>Warren William June Storey</td>
<td>Rage in Heaven (D)</td>
<td>R. Montgomery I. Bergman</td>
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<td>Mar. 14</td>
<td>Penny Serenade (C)</td>
<td>Cary Grant Irene Dunne</td>
<td>The Penalty (D)</td>
<td>L. Barrymore Edward Arnold</td>
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<td>Mar. 21</td>
<td>Penthouse Mystery (D)</td>
<td>K. Bellamy M. Lindsay</td>
<td>Ziegfeld Girl (M)</td>
<td>Stewart-Lamarr Turner-Garland</td>
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<td>Mar. 28</td>
<td>North From the Lone Star (O)</td>
<td>Bill Elliott Dorothy Fay</td>
<td>The Bad Man (O)</td>
<td>Wallace Beery L. Barrymore</td>
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<td>Apr. 4</td>
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'Back Street' Capital Winner with $17,000

WASHINGTON, Feb. 19.— "Back Street" drew a big $17,000 at the RKO Keith's. "The Philadelphia Story" took $23,000 at Loew's Palace. The weather was good.

Estimated takings for the week ending Feb. 13-14:

- "The Philadelphia Story" (M-G-M)
  - LOEW'S PALACE—(2,380) (26c-46c) 7 days. Gross: $23,000. (Average, $3,286) (3,000)
  - WARNER'S EARLE—(2,300) (26c-46c-76c-77c) 7 days. On stage: 8 Men of Melody, Ray & Trent, Gil Lamb, Linda Moody, Rosettes. Gross: $17,800. (Average, $2,543) (2,500)
  - "Road Show" (U. A.)
    - LOEW'S CAPITOL—(1,434) (26c-46c-65c-76c-77c) 7 days. On stage: Joe Howard, Wally Brown, Love Sisters. Ruby and Rockets. Gross: $12,000. (Average, $1,714) (1,750)
  - "Back Street" (Univ.)
    - RK-O KEITH'S—(1,840) (26c-46c) 7 days. Gross: $17,100. (Average, $2,443) (1,840)
  - "Victory" (M-G-M)
    - WARNER'S METROPOLITAN—(1,600) (26c-46c) 7 days. Gross: $16,000. (Average, $2,357) (1,600)

'Western Union' at $9,100, Providence

For week ending Feb. 19, "Western Union" and "Meet the Chump" got $9,100 to the Majestic, and "Gone With the Wind" in its third week at the Arlington took $4,500.

Estimated takings for the week ending Feb. 12-13:

- "Kitty Foyle" (RKO)
  - "Western Union" (M-G-M)
    - BOYD—(6,900) (36c-46c-56c-66c) 7 days, 4th week. Gross: $13,500. (Average, $2,333) (6,900)
  - "Phantom Submarine" (Col.)
    - LOEW'S STATE—(3,212) (28c-39c-49c) 7 days. Gross: $11,500. (Average, $1,643) (3,212)
  - "Western Union" (20th-Fox)
    - METROPOLITAN—(3,045) (39c-49c-59c-69c) 7 days. Stage show with Johnny (2,400) Days and Orchestra, the Kidobitos, Three Winter Sisters, Hoke & Pole, and Cortine's Comic Minstrels. Gross: $4,700. (Average, $1,333) (3,045)
  - "Golden Horseshoe" (20th-Fox)
    - FAY'S—(1,200) (39c-49c-59c-69c) 7 days. Stage show with Deep River Rivas, Via Hyde, Oriental Pasiflora, Lewis and Lorraine and Ballard and Rite. Gross: $4,100. (Average, $3,417) (1,200)
  - "Gone With The Wind" (M-G-M)
    - CARLIN—(1,750) (26c-46c-55c) 2nd week. Gross: $4,500. (Average, $2,250) (1,750)
    - "No, No, Nanette" (RKO) (3 days)
      - "Gallant Sons" (M-G-M) (1 days)
        - "Comrade X" (M-G-M) (4 days)
          - EMPERORS—(1,200) (26c-36c) 2nd week. Gross: $4,000. (Average, $1,000) (1,200)

Most Costly Film Is Planned in Mexico

MEXICO CITY, Feb. 19.—An ambitious picture has been started here by Miguel Zacarias, who has several successful films to his credit. This picture is to cost $85,000, the most yet spent for a picture made by Mexicans. It is to be 180,000 feet long and will be exhibited in two parts, with an intermission, something new for a Mexican picture.

This film is to be titled "Papa Se Enreda Otra Vez" ("Papa Gets In A Jam Again"). The picture is to be released late in April.

'Wind' with $12,000

INDIANAPOLIS, Feb. 19.—"Gone With the Wind," playing at slightly higher than regular admissions, took a fine $12,000 in its second and final week at Loew's. "Back Street" and "Six Lessons from Madame La Zong" took $7,500 at the Indiana.

Estimated takings for the week ending Feb. 14:

- "No, No, Nanette" (RKO)
  - "The Invisible Woman" (Univ.)
  - "Six Lessons From Madame La Zonga" (Univ.)
  - "Gone With The Wind" (M-G-M)

ATTENDANCE

INDIANA—(1,500) (26c-36c-46c) 7 days. Gross: $7,500. (Average, $1,000) (1,500)

Motion Picture Daily
Ascap Decree Opens Way to Radio Accord

(Continued from page 1)

is that Ascap's acceptance does not make the Decree's rulings void, therefore, there is no hurry to begin negotiations.

The Decree will become effective 90 days after its approval by the Federal court. It will first be submitted to a general membership meeting of Ascap at the Malcom Astrotower for ratification and, thereafter, must be approved and signed by the Department of Justice in Washington. It is possible that Ascap may be charged with being in violation of the new law.

Supplementing the Decree is an agreement under which Ascap is to pay a $5,000 fine and 19 of its music publisher members. The agreement, as presented on the Ascap board of directors, is to pay fines of $1,000 each, a total of $19,000. The fine was proposed by the department at Milwaukee. There is a possibility that these fines may be suspended if Ascap is not found guilty.

Ascop Sole Agent

Ascop members are prohibited from appointing agents other than Ascop for the purpose of selling works. AnyAscop member who deals directly with users of its music will be suspended from the organization. The Decree permits Ascop to continue as a licensing agency for its members and to function as a collecting society.

No Objections by Buck

Buck continued that the society has "no objection whatever" to having directors elected by the membership; the Decree also provides that the Decree should not be used for any other purpose or to conflict with the rights of the directorate. The Decree also provides that Ascop directors be elected by the general membership as the terms of the present directors expire, rather than by the board itself as has been the case.

The Decree gives broadcasters the right to choose either a blanket or per program license from Ascop, in either case paying fees only for such programs as are broadcast onAscop music. It also directs that in the case of network broadcasts the entire music fee is to be paid by the originating station, and none by the interconnected stations.

In commenting on the decree, Gene Buck, Ascop president, said: "We are entirely willing to accept the guidance of the Decree as to our future policies, and we feel that while we have been in complete disagreement with the Department of Justice as to the alleged illegality of any phase of our operations or policies which have for more than a quarter of a century reigned over the pop music field, we believe that on the whole the Decree's conditions will clarify the whole attitude and centralize the Decree to the extent to which it is to last being in operation in a full accord rather than in constant disagreement with the Department of Justice."

No Tax on Fees in South Dakota Measure

Sioux Falls, S. D., Feb. 19—Bill which would levy a tax of 25 per cent on fees collected by Ascop in South Dakota has been introduced in the legislature by Rep. Dean Tripper, Canova publisher.

Open Mexican Station

Mexico City, Feb. 19.—Radio Station XENC, 1,500 kilocycles, has opened its doors in the city of Ramon Ferreiro, who has had radio experience in Mexico and the United States. There are now 32 active radio stations in the country, including several broadcasting with the Federal Government's better radio program policy.

Settle Radio Action

The Federal Court action for $25,000 brought by Joseph Kane, author, against Plough, Inc., in which he charged that a Federal grand jury program title, "Famous Firsts," has been settled.

Petrillo Sets AGMA Deadline at March 1

Members of the American Guild of Musical Artists must join the American Fed- eration of Musicians by March 1 or be forbidden to work in films, on the radio, in concert halls or make re- cordings. Petrito, president of the A.F.M., ruled yesterday in his ultimatum: "All AGMA is appealing this 1st-junction suit against Petrillo et al. to the N.Y. Court of Appeals. The suit prevents enforcement of Petrillo's original order.

Plan Reading Show For English Relief

Reading, Pa., Feb. 19.—Theatre managers here are pooling their inter- ests to help English bomb victims and will sponsor a benefit March 26 at the Rahaj, called "The British War Relief Revue." Pro- ceeds will be sent to the British War Relief Society.

Frank L. Dieffenderfer, president of the local of the union, is gen- eral chairman; C. G. L. Jones, Park manager, chairman of public relations; George Peters, Loew's man- ager, publicity chairman; J. Lester Sullman, general manager of the Theatre; H. J. Schad theatres, advertising chairman; Paul E. Glase, Wilmer & Vincent manager, chairman of production; and J. L. Mulhall, Warners' district manager, and W. B. Huffman, Astor manager, committee members.

Establish Mexican Cooperative Society

Mexico City, Feb. 19.—Mexico's first picture workers' cooperative soci- ety, an organization of 25 scenarists, editors, directors and mus-icians, has been founded here under the name, Sociedad Cooperativa Cine- matográfica de Producción y Servicio (Cinematographic Cooperative Produc- tion and Service Cooperative Society).

Objects of the society are to exploit collectively the distribution of pictures and to produce films of a documentary, artistic, scientific and educational character. Officers of the society are: Emilio Amaro, president; Jose Mendozaqueta, secretary, and Landelinio Wencel, treasurer.

Bill on Recordings Introduced in N. Y.

Albany, Feb. 19.—Senator Charles Perley has introduced a bill in the New York State legislature designed to prevent unauthorized recordings. The measure was sponsored by the National Association of Performing Artists. In former sessions the meas- ure was fought by radio stations, and the bill has been drawn to meet the objections of the networks and broadcasters.

Nancy Kelly Married

Yuma, Ariz., Feb. 19.—Nancy Kelly and Edmond O'Brien, film players, were married here today after an elopement from Hollywood.
Per Program
Ascap Pacts
For Theatres

May Elect Them Instead
Of Blanket Deals

Theatres may elect to make "per program" contracts instead of blanket licensing agreements with Ascap if they wish to do so under the Federal consent decree to be adhered against the society next week.

That is the only phase of the decree which applies to Ascap licensees other than broadcasters, attorneys, for the society stated yesterday. In particular, the clearance at the source provision of the decree applies solely to network licensees and has no relation whatever to theatres, it was stated.

Ascap officials, however, said they doubted whether theatres would see fit to avail themselves of the per program licenses, since the cost of that method would be two to four times more than the present blanket agreement.

A special meeting of 650 Ascap members at the Hotel Astor last night unanimously ratified the action of the board in accepting the decree. Gene Buck, Ascap president, was chairman and introduced Lieut.-Gov. Charles Polert, who was a special Ascap counsel in the negotiations with the Department of Justice. Each member

(Continued on page 8)

$1,000,000 for P. R. C.
From Consolidated

Producers Releasing Corp. has closed a deal with Consolidated Film Industries whereby Consolidated will make funds for production available to the film company, in return for handling its laboratory work during the next year. A joint announcement said the deal involves more than $1,000,000. Participating in the deal, in which P. R. C. was represented by O. Henry Briggs, president, is RCA, which will do all P. R. C. feature recording. P. R. C. also announced a deal with British Empire Films for distribution in Australia and New Zealand.

Robbins Urges Flexible
Budgets for Theatre Ads

By SHERWIN A. KANE

Increased and better use of all forms of theatre advertising was urged as an industry need by Herman Robbins, president of National Screen Service, in an address at the Amuse luncheon meeting at the Hotel Edi- yesterday, attended by about 200 persons.

"The average exhibitor," Robbins said, "seems to have fallen very hard for that word "budget." He makes up his mind that he is going to spend so much on advertising every week, and come what may—big picture or sensation—the advertising budget stays put. We know that's no way to es- tablish records. We know that isn't showmanship. The exhibitor must get back to some degree of the old-time showmanship when everyone time he played a picture he had to go out and plaster the town with its virtues.

"There is a job of showmanship to be done that isn't being done. Advertising is the medium that will do it, that will bring people back to the theatres."

Robbins cited the theatre lobby as an example of wasted business opportunity in many places. Comparing the lobby with the merchant's show window, he pointed out that only care-

(Continued on page 7)

Tobacco Road

By SHERWIN A. KANE

"Tobacco Road" is a film of interest, as it depicts the life of a Southern Negro in the days of the cotton fields. Directed byTelefone Zanuck, it is one of the four films scheduled to open this week in the same group of theatres in New York City.

The story is based on the novel by John Lee Williams, and is adapted for the screen by Robert E. Sherwood, the author of "The Petrified Forest." The cast features Robert Young and Paulette Goddard, along with supporting players who bring life and color to the characters in the story.

The production is a joint venture of Warner Bros. and First National Pictures, and is expected to do well at the box office.

(Continued on page 7)

"Tobacco Road"

[20th Century-Fox]

LONG since having become the story of one of the American stages, its opening as a Broadway play by Jack Kirkland in 1933, the saga of Jeeter Lester here comes to the screen. Endowed by its cinematic creators with an exceptionally able cast, each member of which plays a role to the hilt, and a high degree of technical production value, "Tobacco Road" emerges as occasionally amusing, but generally rather depressing entertainment. Since compari- sons with "The Grapes of Wrath" would appear inevitable, it may be said that this film does not have the dramatic force or the dynamic sweep of that earlier study of a sociological situation, but it does have slightly focused dramatic power.

It purports to tell the story of the shiftless, wholly worthless, dirty and unlettered hill-billies of the Southern mountains. In so far as that story and its telling goes, the job has been most effectively done. The point is, however, just to what extent the American public will want

(Continued on page 7)

Col. Will Not
Adopt 5-Block
Sales Method

So Declares Jack Cohn,
En Route from Coast

By IRVING YERGIN

Chicago, Feb. 20.—There will be no block-of-five from Columbia Pictures. The method of selling which is prescribed for the "Big 5" in the New York case that the decree will not be adopted by Columbia. So stated Jack Cohn, vice-president and Eastern head of Columbia Pictures, en route here today from the company's studio in New York. Cohn in conferences at the studio presented several new and big ideas to his associates for the new season.

Columbia's sales plans for the new

(Continued on page 7)

Le Baron Signed as
20th-Fox Producer

Hollywood, Feb. 20.—William Le- Baron, who resigned as production executive at Paramount recently, today was signed by 20th Century-Fox as producer in charge of his own unit under Darryl F. Zanuck, vice-president in charge of production.

The deal, described as a long term one, is effective March 10. It was originally announced at Paramount when LeBaron left his post there that he would form an independent production unit and release through that company.

Anti Five-Block
Bill in Minnesota

St. Paul, Feb. 20.—A bill to ban the sale of films in blocks of five in Minnesota was intro- duced in the legislature today. It is sponsored by Northwest Allied, which seeks to contravene the provision of the Federal consent de- cree. Similar bills may be supported in North and South Dakota.
John J. O'Connor, vice-president in charge of RKO Theatres; Fred Meyes, booking head, and Harry Mandel, publicity manager, will "preview" the new RKO Reade's Tent Theatre in Brentwood, N. J., tonight, prior to the reopening of the house Saturday afternoon. RKO will handle booking and operation of the house.

The theatre, jointly operated by RKO and Walter Reade, was remodelled by Thomas W. Lamb, architect. James Brennan is manager of the house. Walter Reade will be host at a cocktail party in Tent Brentwood Saturday evening, following the opening.

U. S. Suit Lawyers Form Partnership

Robert E. Sher and James V. Hayes, who as special assistant U. S. Attorneys General were active in the negotiations for a present decree in the Government's New York antitrust suit against major companies, have resigned and will engage in private practice in Washington, it was learned yesterday.

Executive Preview RKO Trenton House

John J. O'Connor, vice-president in charge of RKO Theatres; Fred Meyers, booking head, and Harry Mandel, publicity manager, will "preview" the new RKO Reade's Tent Theatre in Trenton, N. J., tonight, prior to the reopening of the house Saturday afternoon. RKO will handle booking and operation of the house.

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Phineas Ronan, an old hand in the trade, will provide the stage and screen personality for the preview of "Back Street" at the Rivoli. A celebrity premiere will usher in the regular showing of the picture the same night. It was announced this week by Gradwell L. Sears, general sales manager. Mort Blumenthal is directing a special campaign on the event.

**Newsreel Parade**

THE return of Haile Selassie to command his own troops against the Italians in Ethiopia is accorded attention in all of the reel's weekend issues. Other war news is covered. Contents follow:

**MOVIE TONE NEWS, No. 41 — Bombers for England**


**NEWS OF THE DAY, No. 246 — Haile Selassie in Ethiopia**


**PARAMOUNT NEWS, No. 21 — Bombers for England**

Britain's new bombers is the most formidable. Purchase of the French Union for films in France. Warner Bros. new studio in Hollywood.

**UNIVERSAL NEWSREEL, No. 956 — Haile Selassie in Ethiopia**


**E. C. Grainger on Tour**

E. C. Grainger, president and general manager of the Feiber & Shea circuit, has left, on a tour of houses in Newark and Zanesville, O., and Lebanon, W. Va. He will return next week.
24 HOURS THAT SHOOK NEW YORK!

"Tobacco Road" is the first motion picture ever to run all night in a deluxe Broadway theatre... following an unprecedented 8 A.M. opening at the 6000-seat Roxy yesterday!

The doors never closed--here's why!
8 A. M. Thursday—12° above Zero

"I'VE BEEN WAITING SINCE 7 A. M.—AND I BROUGHT MY LUNCH! I'M GOING TO BE THE FIRST ONE IN!"
Charles Geramita
635 Glenmore Ave.
Brooklyn, N. Y.

"GOT UP AT 5 A. M. TO PUT MY MAKE-UP ON SO I COULD SEE 'TOBACCO ROAD' ON THE SCREEN AT THE EARLIEST SHOW!"
Florence Millett
130 E. 34th St.
New York City

"I'M A NURSE—WAS ON DUTY ALL NIGHT AND CAME STRAIGHT HERE TO SEE IT! I'LL BET IT'S BETTER ON THE SCREEN!"
K. Keys
301 E. 38th St.
New York City

"FREEZING, ISN'T IT OUTSIDE? BUT I SAW THE STAGE PLAY AND I WANT TO SEE THE PICTURE!"
J. Horke
276 New Jersey Ave.
Brooklyn, N. Y.

"I WAS SOLD BY THE ADS. I DON'T MIND THE COLD."
Marita Alercem
258 Mt. Hope Pl.
Bronx, N. Y.
"THE PICTURE'LL BE GREATER THAN THE PLAY. BROUGHT MY DAUGHTERS VICTORIA AND CONSTANCE ALL THE WAY FROM YONKERS TO SEE IT."

L. M. Clark
32 Riverview Terrace
Yonkers, N. Y.

"I'M ON LINE BECAUSE I'VE HEARD PLENTY ABOUT THE PLAY!"

Morris Brandler
145 Terrace Ave.
Hempstead, L. I.

"SAW THE PLAY... READ THE BOOK... AND NOW I'M GOING TO SEE THE PICTURE, 'TOBACCO ROAD'."

H. Retus
3130 44th St.
Astoria, L. I.

"WE BOTH THOUGHT THE PICTURE WOULD BE SWELL SO WE MADE A SPECIAL TRIP."

Mr. and Mrs. B. Homel
Townsend, Conn.

"I TRIED TO SEE IT FOR EIGHT YEARS AT THE FORREST THEATRE BUT NEVER MADE IT. I HOPE IT'S AS GOOD AS THEY SAY!"

John Sheedy
1000 Cypress Ave.
Brooklyn, N. Y.
3:30 P. M. Thursday!

“I DON’T MIND THE COLD. I SAW THE SHOW, TOO— AND ‘TOBACCO ROAD’ IS WORTH WAITING FOR—I’M ON PINS AND NEEDLES TO SEE JEETER AGAIN!”

Rose Kosko
534 E. 6th St.
New York City

“I’VE NEVER SEEN THE PLAY—SO I’M GOING TO SEE THE PICTURE IF I HAVE TO WAIT ALL NIGHT.”

Carole Mazza
733 Arnow Ave.
Bronx, N. Y.

“I NEVER WAITED SO LONG FOR A PICTURE BEFORE...BUT IT MUST BE WORTH IT!”

Ruth Heyt
450 North Grove St.
East Orange, N. J.

“I’VE BEEN PHOTOGRAPHING THEATRE CROWDS FOR 20 YEARS—AND I HAVE NEVER SEEN THEM STORM IN LIKE THIS!”

Jimmy Sileo
79 W. 45th St.
New York City

and so on thru the night!
MOTION PICTURE DAILY

Schine Opposes
Queries by U.S.

BUFFALO, Feb. 20.—Objections to the Government’s recent interrogatories in the Schine Circuit anti-trust suit were filed here today by Willard S. McKay, attorney for the Schine enterprises.

McKay petitioned the court for an order striking out the interrogatories on the grounds that the Government papers seek the disclosure of matters outside the issues raised by the pleadings and of personal financial transactions in which the defendants may have engaged. He also said they were not involved in the issues of the case.

The Schine counsel asserts that the compilation of such information would give the Government “would be unduly burdensome and expensive to the defendants,” and described the interrogatories as “vague and unclear” with respect to their application to J. Myer Schine and Louis W. Schine. The defendants, McKay pointed out, would be required under only one subdivision of the interrogatories to furnish the titles and other information on from 2,000 to 3,000 leases for a period of 10 years which played between 125 and 150 theatres.

McKay stated that the interrogatories seek the disclosure of “confidential and business secrets not involved in the case’s issues” and seek information concerning “matters of public record.”

British ‘Carnival’
S.R.O.; $50 Offered

(Continued from page 1)

George S. Kaufman and Vinton Freedley have produced the show. The entire proceedings will go to the British War Relief Society. Use of the theatre and staff have been donated by the Music Hall. WNEW will broadcast the program over its network.

Fred Allen and Deems Taylor will be masters of ceremonies. Scheduled to appear are Irving Berlin, George Burns, Ginger Rogers, Tony and Renee DeMarco, Maurice Evans, Gracie Fields, William Gaxton, William Morrisey, Bill Robinson, Ethel Waters, Peggy Wood, Vera Zorina and Anton Dolin, the Yonkers Kiltie Band, British War Veterans Color Guard and the Radio City Music Hall symphony directed by Enro Raper.

Marcus Loew Dividend

Toscano, Feb. 20.—A further dividend of 3½ per cent on the preferred shares has been declared by Marcus Loew’s Theatres, Ltd., here, payable March 31, 1941, reducing the arrears on this stock for the past two years.

The current payment is for the half-year period ending June 30, 1940.

Moray on Tour

Norman Moray, Warner short subject sales manager, has left for his annual trip to the company’s branches on plans for next season’s short subject lineup, which will be set at a studio conference in March. Moray will be away eight weeks.

“Tobacco Road”
[20th Century-Fox]

(to continue from page 1)

to see this particularly black blotch on the supposedly spotless escutcheon of the nation.

The frankly indecent aspects of the stage play, which may or may not have had much to do with the astoundingly long run the play still is enjoying, in New York and on the road, have been almost completely eliminated. There is only one sequence in which there is a suggestion of the play’s most criticized aspects, and that is hurriedly passed over. However, there are other sequences of dialogue and action which picture in sharp outline the immorality, or complete lack of morals, of these mountain people.

The film is a compelling picture of the manner of these worthless, but apparently happy people. The interpretations are excellent, with Charley Newcomb as Jester Lester; Elizabeth Patterson as his hopeless wife; Marjorie Rambeau as the psalm-singing widow, who marries the half-demented Lester son, played by William Tracy; Ward Bond as the physically strong but mentally childish husband of one of the Lester daughters; Gene Tierney as the obviously sex-starved other daughter, and a number of lesser players in support.

The basic theme of the story is indicated in the closing sequence, when Lester and wife, about to be evicted from their shack for non-payment of rent when the bank takes the land, are saved by the son of a former landlord and given money to plant a crop. Lester, verbally fired with ambition,urges his wife against post on the porch and falls into the accustomed doze which is his way of life.

En route to that point is pictured a series of Jester’s adventures, as he seeks to raise the money by not so scrupulous means, and moments of wild comedy as Tracy, behind the wheel of a new car, drives it like a boy gone mad with results more amusing than tragic. John Ford’s direction kept the picture switch to a minimum.

Ending where it started, the film points no moral, nor is any attempt. It is a picture of a sad pattern of life, lacking great significance even as the lives of its characters lack it.

The exhibitor may well bear in mind that the extraordinary run of the play and the multi-million advance, which has been accorded the picture, must have aroused a large measure of public curiosity concerning the picture, which may be turned to advantage at the box-office.

It is, of course, definitely adult fare.

Running time, 84 minutes. *A.*

Charles S. Aaronson

**“A” denotes adult classification.**

Robbins Urges Flexible
Budgets for Theatre Ads

(Continued from page 1)

fully planned and effective advertising methods will keep them alive to draw audiences.

Discussing the place of the trailer in theatre advertising, Robbins said it has kept pace with every improvement in motion picture production. He said that more than 14,000 theatres are served by the company’s trailer service and more than 7,000 by its accessory service. Trainers, today, he said, are made to be believed—by the exhibitor and the theatre patron, and in their present state of development, are doing a major job of effective selling.

Robbins was introduced by Maurice Kumm, editor of Balsoptic, Leon C. C. Cherry, president, presiding. Others on the dais were George Dembow, Charles Casanova, Toby Grun, Vincent Tarino and Harry Starkey.

Among the industry personalities at the luncheon were: A. W. Smith, Oscar Morgan, J. J. O’Connor, Marny Kesten, Fred Meyers, Abe Wagenfeld, William Sussman, Ando Baruch, Max Fefferman, Bob Mochrie, Harry Buxbaum, William Gehring, L. E. Thompson, Henry Rossiter, John Shaw, the continuing partners, H. M. Richey, Charles McDonald, R. M. Savini, David Lipton, A. Mike Vogel, Martin Quigley, Jr., Herman Wober, Olga Baczonova, Jack Hively, Martin Smith and Alec Moss.

William F. Rodgers, M-G-M general sales manager, will be guest of honor at the next AMPA luncheon, March 6.

Col. Will Not Adopt
Five-Bell Blocking

(Continued from page 1)

season was otherwise not revealed.

This will be left for Abe Montague, general sales manager, and his staff. The agency presence at the time when the company, under Montague’s direction, holds its sales convention early in April, Montague, who passed through here earlier this week, had been on the Coast with Cohn, and the new Arthur Firestone appointments have been tentatively discussed at that time.

Cohn was accompanied by Phil Durbin, Columbia district manager in Chicago, when proceeding to New York tonight.

Detroit Group Asks
For New Clearances

Detroit, Feb. 20.—Allegations that several companies are refusing “reasonable” clearance and charging “arbitrary” film rentals are made in the first two years of the arbitration board here.

The complaints were filed by Julius D. London and Milton London, owners of several households. Warners and Paramount are named in one case, and Paramount, RKO, Warners and 20th Century-Fox in the other.

The papers allege that at least four of the complainants’ theatres are affected by clearances favoring competing companies. Warners and Paramount asks a clearance adjustment which would permit Warners to play immediately after the Bell and seven days ahead of the De Luxe, Whittier, East and Plaza.

Cleveland Case
Permitted to Stand

After considering the status of a complaint filed early this week with the Cleveland arbitration board, the local delegation of the National Theatre Circuit Arbitration Association here yesterday decided to permit the complaint to stand in order that its eligibility for arbitration may be decided by the arbitrator who will hear the case.

The complaint was brought by Louis Israel, president of Ellett Amusement Co., Akron, against all five consenting distributors. He asks seven days’ clearance over the Norka and Rialto, for a new theatre which he will open there on March 12. The question of the admissibility of the complaint arises from the fact that the new theatre does not replace one in existence on or before last Nov. 20, which is a decree condition for arbitration.

‘Tobacco Road’ Gets
Big Welcome at Roxy

(Continued from page 1)

000. The fourth and final week was most healthy with an estimated $35,000.

There’s a stage, course, of the Roxy and the Radio City Music Hall. The Capitol does not have one. At the Capitol, “Go West,” the new Marx Brothers film, opened well.

Besides these new pictures at the Music Hall and the Capitol, the Paramount also opened with a new film, “You’re the One,” with Ella Fitzgerald and her band on the stage, and the Strand had its initial showing of “Strawberry Blonde,” supported on the stage by Raymond Scott’s band.

The release of “Western Union” brought the Roxy an estimated $31,000. At the Music Hall, “This Thing Called Love” with a stage show finished a week’s stand with about $80,000. “Honeymoon for Three” with Ray Noble grossed an estimated $75,000 in its second week at the Strand.

Lucille Watson in Today

Lucille Watson, stage and screen star, from the Coast to begin rehearsals for a new Broadway show.
Per Program
Acap Pacts
For Theatres

(Continued from page 1)

signed a rider declaring himself a part to the decree, after Poletti read the decree and explained its provisions.

The announcement that the “self-perpetuating” board of directors would be eliminated and the board will be elected by the members, as the decree provides, was greeted with applause.

Buck said he would fly to the Coast today to obtain the signatures to the decree of about 250 members in Hollywood.

N. A. B. to Canvass Members

Definite arrangements for the beginning of negotiations between Ascap and the radio networks appeared no nearer yesterday, although Buck communicated with Neville Miller, head of the National Association of Broadcasters, by telephone on the subject. Miller informed Buck that N.A.B. members would be canvassed on the matter, and Ascap would be advised of the result.

The procedure in putting the Ascap decree into effect will involve the making of a government anti-trust suit against the society here, with the decree terminating the action being agreed upon immediately afterward. The Government then will move for dissolution of the 1934 New York anti-trust suit against Ascap and also will withdraw its criminal information against Ascap in order to foreclose the payment of $25,000 fines.

The first election of Ascap directors by the general membership of the society, as directed by the decree, may not occur until next year, due to the fact that the decree will not be in effect when the terms of the first four directors expire with Ascap’s annual meeting next month. The decree does not become effective until 90 days after its approval by the court, which would be some time next June at the earliest, and it permits the present directors to serve out their terms.

Ascap directors have been elected by the board itself, in a way that the terms of four members, two publishers and two writers expire annually. The Ascap by-laws governing the end of their terms are to be revised to conform with the decree’s provisions and that, too, may not be completed by the time of the annual meeting, further lessening the likelihood of the election of four members by the new method next month.

Writers Guild Gets Pact from NBC, CBS

Contracts were signed yesterday between the Radio Writers Guild and NBC and CBS. The contracts mark the first writers a guild shop. The new contracts provide that the writers shall share in any profits derived from sale of script rights to films or magazines or for stage production.

London, Feb. 20.—Permission for legitimate theatres, music halls and similar places in England and Wales to open on Sundays under an extension of the regulations, which has been formally approved and will be put into effect in the immediate future, according to Herbert Morrison, minister of health; the regulations of last year removing the cumbersome machinery of an appeal, and allowing local authorities to try the applicational and rejection of applications for the opening of film houses, will be extended, subject to the approval of the local authorities, to travelling vaudeville houses, concerts and the like.

Morrison, in explaining the move, emphasized the great need of the licensed services and industrial workers for weekend recreation and entertainment. The extension of the regulations, it is said, establishes regulations for the civil and industrial population, and not merely for the armed forces, as previously. Extension of the film trade generally are expected to look upon the move as a dubious blessing. It is seen by the trade as doing nothing further to further the general opening of film houses on Sunday beyond a suggestion to local authorities, and at the same time opens the way for the exploitation of the big house exhibitors consider unfair, since only film houses pay the Sunday charity tax. The general principles of the forms of entertainment, Scotland is excluded from the new regulations. Debate in Commons on the situation is promised by the Government if necessary.

‘Story’ Holds Pace,
$17,000, Pittsburgh

Pittsburgh, Feb. 20.—“The Philadelphia Story” in the home market took $17,000 at Loew’s Penn, “Great With the Wind” drew $7,500 in the fourth week at the Warner.

Estimated takings for the week ending Feb. 15:

- To “See Our Night” (U. A.)
- “Minnie Was A Lady” (M-G-M) BUFFALO — (3,409) (36c-5c) 7 days, Gross: $11,300. (Average: $1,614."

- “Go With The Wind” (M-G-M)
- “Gone With The Wind” (M-G-M) 1,500. 7 days, week, Gross: $9,000. (Average: $1,286."
- “The Philadelphia Story” (M-G-M)
- “This Thing Called Love” (Univ.) SENATOR — (1,000) (36c-35c) 7 days, week, Gross: $9,700. (Average: $1,386."
- “Trai Of The Vigilantes” (Univ.) HIPPODROME — (1,500) (36c-35c) 7 days, week, Gross: $11,000. (Average: $1,571.

Philadelphia Story’ $19,500, Cleveland

Cleveland, Feb. 20.—“Philadelphia Story” was a smash at Loew’s State last week, drawing $17,000 from “Dark and Handsome” at the RKO Palace, with “Follies Berenger,” earned $17,000.

Estimated takings for the week ending Feb. 13:

- “This Thing Called Love” (Col.) PALACE — (2,000) (36c-45c) 7 days, Gross: $11,000. (Average: $1,571.
- “Follies” (RKO) LOEWS STATE — (1,000) (36c-35c) 7 days, week, Gross: $9,500. (Average: $1,357.
- “This Thing Called Love” (Col.) STARK — (3,000) (36c-35c) 7 days, week, Gross: $13,000. (Average: $2,333."
- “Philadelphia Story” (M-G-M) EDISON — (1,500) (36c-35c) 7 days, week, Gross: $11,000. (Average: $1,571.
- “The Philadelphia Story” (M-G-M) LOEWS STATE — (1,500) (36c-35c) 7 days, week, Gross: $10,000. (Average: $1,429.

Sues for Print Return

Duo World Pictures, Inc., World Film Corp., Lloyd’s Film Storage Corp. and officers of Du World were named defendants yesterday in a suit brought to the courts by Vincent Rex Colc, which seeks return of 25 prints of “Legong,” and “Khione,” claim, as president of the Bennett Picture Corp., claims that the defendants’ distribution contract has expired.

Love’ Draws Good $8,500, Tops Seattle

Seattle, Feb. 20.—This Thing Called Love at Liberty took $8,500, “Mr. and Mrs. Smith” at the Paramount drew $6,200 on a dual. The weather was mild and dry.

Estimated takings for the week ending Feb. 14:

- “Houdin’s Bay” (20th-Fox)
- “The Phoenix” (RKO) BLUE HORN — (1,000) (36c-25c-36c-50c) 5 days, week, Gross: $3,200. (Average: $640.
- “This Thing Called Love” (Col.) LIBERTY — (1,000) (36c-35c-5c-5c) 5 days, week, Gross: $4,000. (Average: $800.
- “Kipling’s Kite” (RKO) BLACK DUCK AND HANDSOME — (20th-Fox) 2,200 (20c-40c-35c-50c) 7 days, week, Gross: $6,500. (Average: $928.
- “This Thing Called Love” (Col.) PARADISE — (800) (30c-30c-35c) 7 days, week, Gross: $6,200. (Average: $886.

Back Street’ Gets $19,000 in Detroit

Detroit, Feb. 20.—A new single bill policy for night performances at the Fox brought $19,000. “Back Street” had been shown at night. During the afternoon Youth Will Be Served was added. The Michigan reported $17,000 with “Kitty Foyle” and “The Saint in Palm Springs.

Estimated takings for the week ending Feb. 17:

- “This Thing Called Love” (Col.) NIGHT TRAIN — (2,500) (36c-35c-45c) 7 days, week, Gross: $6,000. (Average: $850.
- “This Thing Called Love” (Col.) FISHER — (1,500) (36c-35c-45c) 7 days, week, Gross: $5,000. (Average: $714.
- “Buck Street” (Univ.) KEMP WILL BE SERVED — (20th-Fox) FOX — (3,000) (36c-35c-35c-35c) 7 days, week, Gross: $6,500. (Average: $928.
- “Kitty Foyle” (RKO) THE SAINT IN PALM SPRINGS — (3,000) MICHIGAN — (4,000) (36c-35c-45c-50c) 7 days, week, Gross: $7,000. (Average: $1,000.
- “South of Suez” (W. B.) PALM — (3,000) (36c-35c-45c-50c) 7 days, week, Gross: $6,800. (Average: $971.
- “Minnie Was A Lady” (M-G-M) THE LORNE VICTORY — (2,500) (36c-35c-35c-45c) 7 days, week, Gross: $5,000. (Average: $714.

Emma’ Wiggles at Pressmen’s Party

A snake which Paramount publicity spokesman claims is “Emma,” which—or who—appears in “The Lady Eve,” was on hand yesterday for a cocktail party given by the company for the press at the Copacabana. Among those at the party were: James Ivers, Paul Mooney, James Cron, Sid Rechter, Bob Winkler, Frank Burton, George Morris, Iris Wolfert, Tom Waller, Al Wilkie, Ed Sullivan, Mrs. Louis Janin, Giammottinis, Herb Berg and Kelley Allen.
U. S. Weighing Added Taxes On Amusement

May Tax Radio Licenses, Raise Ticket Levy

WASHINGTON, Feb. 23.—Concerned over the dearth of new fields into which the Government can go for new tax revenue, Treasury officials were said tonight to be giving serious attention to the possibility of taxing radio licenses.

The large revenue derived from the admission tax on film theatre tickets and other sources since the exemption was reduced also has turned attention to the possibilities of further exploiting the amusement field, either by the total elimination of the exemption or by an increase in the rate.

Various schedules have been drafted in the past of the possible return from radio license taxes, which show that from $1,000,000 to $3,000,000 could be obtained.

A small sum from the viewpoint of the Treasury’s great need, this would at any rate pay the expenses of both of Communication Commission regulation of broadcasting and other services, spokesmen assert.

In the first six months of its application, admission tax revenues under.

(Continued on page 4)

Detroit Manager Sign Circuit Pact

Detroit, Feb. 23.—First union contract in this area between theatre owners and managers has been signed here between the newly formed Theatre Managers and Assistant Managers Union, affiliated with the A. F. of L., and Jack Broder, who controls five local houses.

The contract provides for a six-day week, shorter hours, a week’s vacation with pay, and salary increases ranging from $10 to $15 weekly. Theatres affected are the Rainbow, Times Square, Temple, Town and Seville. Arthur F. Brock, president, represented the union.

U. A. Sets ‘Topper’ Trade Screenings

United Artists will hold trade showings of “Topper Returns,” Hal Roach production, during the week from March 10 to 15, in all key cities. The release date of the film is March 12.

803 New Theatre Projects in 1940

Cost $21,906,000

Last year, 803 film theatres were built or underwent major alterations in the 37 states East of the Rocky Mountains. It was announced yesterday by Dodge Reports. This just eased over the total of 798 houses recorded for the same area in 1939.

Cost of work and materials involved totaled $21,906,000, as compared with $22,667,000 for the projects between 1937 and 1938, the Dodge service reported.

The average floor area of the 1940 projects increased somewhat over the average the year before with a total of 3,125,000 square feet of floor space involved in 1940 contracts, against 2,730,000 in 1939.

The theatre building program East of the Rockies is currently characterized by Dodge Reports as “just holding its own.” The 1938 total was about $21,000,000, and in 1937 it was over $27,000,000.

U. S. Films Have 90% Of Palestine Market

WASHINGTON, Feb. 23.—About 90 per cent of the films exhibited in Palestine are produced in the United States, according to a report of the Department of Commerce. A relatively small supply of Egyptian films is also in the market and presents the only competition.

The sustained demand for U. S. films is attributed to the extremely limited production of British films because of the war.

Ascap Appoints Committee To Negotiate Network Pact

A negotiating committee to meet with broadcasters to discuss terms of a new music licensing agreement between Ascap and the networks was named by the Ascap board of directors on Friday.

However, no date for a meeting between the representatives of the two camps has been set and it is regarded as unlikely that a conference will materialize within the next 10 days.

The naming of the Ascap committee is significant principally as an indication of the society’s readiness to begin negotiations at an early date.

Gene Buck, Ascap president, communicated with Neville Miller, presi-

Durning Elected to Atlas Corp. Board

Harry M. Durning has been elected a member of the board of directors of the Atlas Corp., it was announced on Friday following a meeting of the Board in Jersey City. Durning is Collector of Customs of the Port of New York.

The Atlas board now includes: Durning; Oswald L. Johnston, a partner of the law firm of Simpson, Thacher & Bartlett; Samuel Zemurray, president of United Fruit Co.; and Floyd B. Odum and L. Boyd Hatch, president and executive vice president, respectively, of the corporation.

1,000 Houses Pledge Greek Relief Shows

More than 1,000 theatres have already pledged to put on midnight shows for Greek war relief during the week of March 23 to 30 designated for the purpose, Adolph Zukor, amusement division chairman, reported Saturday. Midnight benefits have been given already by Warner in Johnstown, Pa., and Loew’s in Memphis. Sam H. Harris has been named chairman of the legitimate theatre division of the campaign.

CBS Gives Impetus To Color Television

CBS took steps Friday to advance color television to the stage of a commercial reality when it called a meeting of television manufacturers and research engineers in an effort to interest them in manufacturing color television receivers and transmission equipment.

Dr. Peter C. Goldmark, CBS engineer in charge of the system, has previously stated that color sets could be manufactured for a commercial basis without adding greatly to the cost of receivers. Adrian Murphy, CBS executive director of television, declined to reveal the nature of the discussions after the meeting.

Meanwhile RCA officials gave no further indication of their plans regarding color television. At the close of the informal National Televisions.

(Continued on page 8)

11 Arbitration Cases Brought In Three Weeks

Seven on Clearance, One On Overbuying

Eleven complaints were filed for arbitration on the eighteenth of the industry’s 31 new arbitration boards during the first three weeks the boards have been in operation. No complaints have been filed in 23 of the local boards. The boards started operating February 1.

Hearing dates have not been set as yet for any of the 11 complaints on file. Normal procedure requires 15 to 25 days to bring a case to bearing. Seven of the 11 complaints concern clearance, three ask for "some run" and charges overbuying.

The policy of consenting companies will be to devote as much attention to a demand for arbitration as is normally given to a complaint at law. Each complaint will be carefully studied and investigated and, if the circumstances warrant, efforts to adjust the grievance will be made before the complaint is brought to arbitration.

Full defenses will be prepared by company attorneys for all complaints which proceed to a hearing, it was said.

Company spokesmen said there would be no inclination to settle complaints which were not well grounded, in order to avoid arbitration proceedings.

(Continued on page 4)

Col. Dedicates Sales Drive to Exhibitors

Columbia this year will dedicate its annual sales drive to the individual exhibitor and salesmen—our contract men. The theme of the three months’ drive the “Columbia Exhibitor’s Good Will Campaign.” The drive will begin March 1 and continue through May 30. During the period Columbia will release 15 outstanding attractions on its current season’s schedule which at the close of the campaign is, “Good will be the best asset of any business.”

Reviewed Today

Reviews of “In Old Colorado,” “Prairie Pioneers” and “Outlaws of the Rio Grande” will be found on Page 5.
Coffee for Troops

Scranton, Pa., Feb. 23—Local 329 of the operators union is offering coffee free to 500 soldiers of the 109th Infantry, Pennsylvania National Guard. Cooperating with the Salvation Army and Recreation, the union has set up a canteen at Weston Field, municipal recreation center, where the troops are drilling and conditioning for 11 days prior to their departure for camp.

C.E.A. Asks Revision Of Opening Hours

London, Feb. 23.—The London and Home Counties Branch of the Cinematograph Exhibitors Association has decided on a broad plan which would have the effect of altering the whole structure of war-time theatre opening hours.

The exhibitor group plans to approach various local authorities, asking the advance of the concession schedule by 10 minutes. Such schedules would increase total theatre hours and be adjusted progressively.

The ultimate aim is to replace the present variable London closing hours by a regular 10 P.M. and 11 P.M. closing. The C.E.A. will also ask that schedules be open to revision in accordance with prevailing circumstances. Longer Sunday opening hours will be requested on the ground that Sunday is now the busiest day of the week, often meaning the difference between profit and loss on the week's business. They will also ask a reduction in the present charity tax for Sunday operation, which, it is claimed, is keeping some exhibitors in the red.

The London move will be closely watched, and similar action in other areas is considered likely.

250 at Philadelphia Dinner for Sweigert

Philadelphia, Feb. 23.—Approximately 250 attended a testimonial dinner at the Hotel Warwick here Friday night for Earl W. Sweigert, Paramount branch manager recently named district manager, and Ulrik F. Smith, promoted to local branch manager.


Personal Mention

S. I. Seadler, M-G-M advertising manager, left by plane for the Coast Friday on a combined business and vacation trip. He expects to return in two weeks.

Edward A. Golden returned to the Coast over the weekend from New York.

Joseph Lee, sales manager at the 20th Century-Fox exchange here, is expected back from Florida March 3.

A. A. Howell, Joseph R. Springer and Arthur Baker, Century Circuit executives, are due today from Florida.

Ben Gladstone of the Century Circuit became the father of a boy on Friday.

Arthur Greenblatt of the Monogram exchange here has been appointed honorary member of the New York Bookers Club.

Alger Jenkins, Jr., nephew of Felix A. Jenkins, general counsel of 20th Century-Fox, has left for England to join the Royal Air Force.

Martin Smith, I.T.O. of Ohio president, has returned to Columbus from New York.

LeMaire Named Aide To DeSylva at Para.

Hollywood, Feb. 23.—Rufus LeMaire has been appointed assistant to B. G. DeSylva, executive in charge of Paramount production, it was announced over the weekend. Studio spokesmen pointed out that this appointment does not conflict with that of Harold Wilson, who recently was named assistant to DeSylva. LeMaire formerly was with the RKO studio.

Whitney Here After Conferring on Coast

John Hay Whitney arrived here yesterday after several weeks in Hollywood where he conferred with producers and industry leaders on Pan-American cooperation. He is the motion picture industry chairman of the office of U. S. Coordinator of Commercial and Cultural Relations between the American Republics. Whitney is expected to return to the Coast in a week.

Industry Praised for Federal Aid

Tribute to the part played by the amusement industry in the recent campaign of the New York and Brooklyn Federation of Jewish Charities was contained in a statement by the RKO branches in Chicago, Kansas City, Milwaukee and St. Louis, honoring Walter Branson, Midwestern district manager, as one of the sales Disneym sales drive, which runs until May 9.

Frank Capra is expected here soon from the Coast for a short stay.

Irving Cohen of the Paramount legal office department has returned from a two-week business assignment at Erie, Pa.

Joseph L. Breen, Production Code Administrator, will leave for the Coast next week for a few days here on personal business.

Louis D. Frohlich, Columbia counsel, left for Nashville over the weekend.

Morris Mechanic, owner of the New Theatre, Baltimore, is in Miami Beach for a two-week vacation.

Maurice Bailey, operator of the Whalley in Westville and the Whitney in New Haven, has moved to New Orleans with Jack Halpern, theatre contractor.

William Pfeiff, son of Harold L. Pfeiff of Paramount's Toronto office, has joined the Royal Canadian Air Force.

Arthur Ungar left for the Coast over the weekend.

Readers' Say-So

You're Welcome, Judge Proskauer

Editor, Motion Picture Daily:

With the Federation campaign just over, I do want to take this occasion to extend to you, on behalf of myself, Proskauer, Rose & Co., and the trade leadership, heartfelt thanks for the cooperation extended to us through your publication.

Federation is deeply indebted to the trade press, under whose able guidance this work has been carried on. We know that you, as a responsible group of readers, through your fine coverage of our campaign events, you rendered a distinct public service. We are deeply grateful for your cooperative support which contributed directly to the success of the drive.

I do hope we may look forward to enjoying your cooperation for many more years to come. Let me assure you of our warm appreciation for all you have done.

Joseph M. Proskauer

1940 Federation Campaign Chairman

Suggests Aid for Spain

Editor, Motion Picture Daily:

A cable came to us today from Santander, where the hurricane and fire have destroyed homes, killed hundreds, and made 30,000 homeless. All this to add to their already miserable plight.

However, that is aside from the point. I would like to make a suggestion, being one whose contact with Latin people dates back 30 years.

The motion picture companies have found it is possible here to release a part of their money to General Franco for the rehabilitation of Santander, a finer gesture could not be made. It would pave the way towards a bigger and better understanding between that Government and the motion picture industry. Remember, it would not be for the present regime, but for the relief of the suffering. Besides—and I know the standards—this is a worthwhile, efficient and worthwhile project.
All-Night Test
O.K. at Roxy

Box office officials at the Roxy Theatre announced early today that they were more than gratified at the response to their experiment of keeping open all night for the first showing of "Tobacco Road." At the start of the 3:10 A.M. performance they reported 1,100 patrons on hand. The theatre's seating capacity is 6,000.

OPEN
ALL NIGHT

At Last... It's on the Screen!
Tobacco Road

World Premiere

Charley Grapewin's

BIG REVUE ON STAGE

World Premiere

At Last... It's on the Screen!
11 Arbitration Cases Brought In Three Weeks

(Continued from page 1)

In this respect, it was pointed out that as much could be accomplished in the way of adjustments by exhibitors with well founded grievances if they were brought to the attention of company authorities before a demand for arbitration was made as they would later. The mere fact that a complaint was on file would not better the chances of a settlement for an undesignated case, it was said.

First in Washington

The complaints filed to date consist of two not the Washington board, including the first one of record; two with the Chicago board, two at Detroit and one at the New York and New Orleans boards.

Paramount, 20th Century-Fox, Warners are named in eight of the 11 complaints, RKO in six and Loew's in five. United Artists, which is not a party to the decree and therefore not obligated to participate in arbitration, is named along with Loew's, 20th Century-Fox, and Warners in the Baltimore board, and one of these on file in Washington.

Present Deals Unaffected

Trade authorities believe that the comparatively small number of complaints filed to date is due largely to the fact that arbitration awards made at this time promise no relief to a complaining exhibitor even though he wins his case, since the decree specifically provides that existing contracts are to be regarded as of no effect from the date of decree hence the minutes and records of cases under the decree may alter existing conditions so much as to make such awards meaningless under new season playing conditions.

Denies Baltimore Case to be Settled

Baltimore, Febr. 23.—Reports that the Wilbrook Theatre Company's clearance complaint against 20th Century-Fox, Warners and the Durkee Circuit, the first to be filed under the industry's new arbitration machinery, would be settled before progressing to a hearing were denied here today by Thomas Goldberg, president of Wilbrook. J. Purdue Wright, attorney for Goldberg, made a similar denial.

Committees Named For Columbus Club

COLUMBUS, O., Feb. 23.—Virgil Jackson, recently elected chairman of the local Variety Club, has named the following committee chairman: house, Al Redlin; membership, C. Harry Schriber; finances, Jacob Litt; welfare, P. J. Wood; publicity, John Bancroft; golf, Joe Hoffmeier; activities, James Hale, and mobile unit, Lou Holleb. Holleb and Ben Almond were named delegates to the national convention.

Congress Hears Tribute to Screen Aid on President's Birthday Parties

Washington, Feb. 23.—Appreciation of the industry's contributions to the programs attendant upon President Roosevelt's inaugural and birthday ball celebrations has been voiced in the Senate by Senator James M. Mead of New York and in the House by Representative Lawrence Keith.

The remarks of both were printed in the Congressional Record. The legislators, in addition to acknowledging the presence and contributions of the Hollywood in their participation in the January entertainments, expressed their appreciation of the efforts of industry executives who cooperated.

Of the latter, those named included Joseph M. Schenck, chairman of 20th Century-Fox; Carver Barron, Loew Theatres division manager in Washington, Y. Frank Freeman, Paramount studio head; Louis B. Mayer, M-G-M studio head; Jack L. Warner, head of Warner Bros. studio, and Ned E. DePatie, vice-president of RKO.

Ontario Censor Saw 497 Films Last Year

TORONTO, Feb. 23.—During the year ending Dec. 31, the Ontario Board of Motion Picture Censors examined 497 features in which the dialogue was in the English language. Of this number 455 feature pictures were imported from the United States and 42 from Great Britain. It is also stated that the foreign country are being maintained, according to the censorship figures, in spite of the war.

Of the English-language features, 91 per cent were from the United States. With the exception of a number of French features, which are examined in the Province of Quebec in a proxy arrangement for the Ontario Board, the number of foreign features was practically negligible during 1940.

U. S. Weighs Added Amusement Taxes

(Continued from page 1) The 20-cent exemption were $26,000,000 greater than in the same period the previous year, and while some of this increase is admitted due to better business conditions the greater part is due to the field of amusements with admissions between 21 and 41 cents.

Whether the Treasury will want to go into these fields for more revenue, however, will depend upon the determination of how much can be raised from other sources.

Pictures Studied For Effect Award

Hollywood, Feb. 23.—A committee of technicians recently has studied a number of productions from among which will be selected one to receive the Academy Award for Special Effect Achievement.


SMPE Convention Committees Named

Committees have been set for the 1941 Spring Convention of the Society of Motion Picture Engineers, to be held at the Statler Hotel in Rochester, May 5 to 8.

Program and facilities will be charged in Emery Huse, S.M.P.E. president; E. A. Williford, Herbert Griffin, W. C. Kinnzmann, George A. Blair, Sylvan Harris, Julius Haber, James Frank, Jr., and H. F. Heilger.

Asks Quiz in Col. Suit

Application to examine Columbia Pictures officers was filed Friday in N. Y. Supreme Court by Minnie Saltzmann-Stevens, plaintiff in a $10,000 damage suit. She claims authorized use of her photograph in "I'll Take Romance."

Warners Sue on Book

Philadelphia, Feb. 23.—An injunction to restrain MacRea-Smith Co., local publisher, from issuing a book, "Two Feet from Heaven", by Percival Christopher Wren was sought in Common Pleas Court here Friday by Warners. The action alleged the book is an infringement of "One Foot in Heaven," film rights to which were purchased by Warners.

SMITH’S SMASH

Los Angeles Hit, $29,000

LOS ANGELES, Feb. 23.—Mr. and Mrs. Smith are the proud parents of A. Smith "Keeps a Date" were real hits here, taking a total of $29,000 at two houses, $15,000 at the Hillstreet and $14,000 at the Pantages. Estimated takings for the week ending Feb. 19:

Washington, D.C.—(9th-Fox)

"Rode, Kelly, Ride!" (9th-Fox) Chinesic—$2,500 (33c-4c-5c-7c) 7 days Gross. $19,500. (Average, $2,320)

"Fantasies" (Disney) Code—$900 (CIRCLE—$1,500) 35 to $1,65) 7 days, 3rd week. Gross: $14,000. (Average, $17,000)

"Cheers for Miss Bishop" (U. A.) 4 STAR—$900 (4c-5c-6c) 6th week. Gross: $900. (Average, $2,250)

"Mr. and Mrs. Smith" (RKO) "The Lone Wolf Keeps a Date" (Col.) HILLSTREET—$2,000 (33c-4c-5c-7c) 7 days. Gross: $12,000. (Average, $1,600)

"Western Union" (20th-Fox) "Rob. Kelly, 7th Ride" (20th-Fox) LOEWS—$2,500 (33c-4c-5c-7c) 7 days. Gross: $15,000. (Average, $1,750)

"Mr. and Mrs. Smith" (RKO) "The Lone Wolf Keeps a Date" (Col.) PANTAGES—$2,000 (33c-4c-5c-7c) 7 days. Gross: $14,000. (Average, $2,000)

"Virginia" (Para.) PARAMOUNT—$1,500 (33c-4c-5c-7c) 7 days. Gross: $10,000. (Average, $1,400)

"Shaggy Dog" (W. B.) WARNER BROS. (Hollywood)—$1,500 (33c-4c-5c-7c) 7 days. Gross: $12,000. (Average, $1,700)

"Strawberry Blonde" (W. B.) WARNER BROS. (Hollywood)—$1,500 (33c-4c-5c-7c) 7 days. Gross: $12,000. (Average, $1,700)

"Strawberry Blonde" (W. B.) WARNER BROS. (Downtown)—(3,400) (33c-4c-5c-7c) 7 days. Gross: $12,000. (Average, $1,700)

Army Officer West On Training Films

WASHINGTON, Feb. 23.—Major General J. O. Mahargne, Chief Signal Officer, left today for Los Angeles, where he will confer with producers on the series of training films the studios are to make for the army. He will confer with officers of the Motion Picture Association of America, Motion Picture Art and Sciences, which has charge of Army film production.

To Discuss Kodachrome

Hollywood, Feb. 23.—Kodachrome improvements will be discussed before the Pacific Coast Section of the S.M.P.E. here Tuesday. Speakers include: K. A. Tanna, director of Cinecolor, and L. R. Martin of Eastman Kodak.

Moko Benefit Opening

"Pepe Le Moko," French film release, via Paramount, will be shown at the Pantages here Monday and Joseph Burstyn, will have its American premiere March 3 at the World Theatre. Prices will be scaled to $10, a benefit for the France Forever fund.

Pollock Due This Week

Louis Pollock, Universal Eastern advertising and publicity manager, will leave Miami tomorrow for the home office, ending a long vacation which followed the recent Miami opening of "Back Street."
AGMA Seeks Other Union Aid in Fight

American Guild of Musical Artists officials were said over the weekend to be engaged in a last minute effort to rally support from other labor unions in AGMA’s dispute with the American Federation of Musicians. James C. Petrillo, A.F.M. president, has set April 19 as the new deadline for concert instrumentalists to his union.

AGMA reported to be seeking an agreement from Screen Actors Guild, American Federation of Radio Artists and Actors Equity by which their members could refuse to play with A.F.M. members if the latter enforced the deadline. Informed sources, however, said there was little likelihood of such development. Four-A unions are not seeking to precipitate another industry-wide jurisdictional dispute, it was said.

Meanwhile, Henry A. Friedman, A.F.M. attorney, explained that the March 19 strike had been set because AGMA’s motion for a temporary injunction had been denied and no appeal could be taken.

He said that AGMA was appealing from the decision dismissing its bill of complaint but could not appeal from the refusal of the injunction order.

Theatres Win Delay

On Wis. Daylight Bill

MADISON, Wis., Feb. 23.—What appears to be a victory for exhibitors in their opposition to the Wisconsin daylight saving bill is seen in the recommendation by the Senate Committee on State and Local Finance that the measure be indefinitely postponed.

Exhibitors, in a hearing before the committee, had contended that adoption of the measure would lead to confusion in time.

Another measure of interest to the theatre industry is the Wisconsin bill, which seeks to establish a 40-cent per hour minimum wage for every non-farm worker in Wisconsin. The measure would amend, and recast, the present minimum wage statute, which is limited to women and minors and lacks a specific hourly wage provision.

RKO Will Release

3 Subjects on S.A.

Three short subjects, produced by RKO Pathé, dealing with Nazi activities in South America, will be released by RKO, Ned E. Depinet, RKO vice-president, announced yesterday. The three subjects, filmed by Julien Bryan, who also is narrator, are titled: “Eyes on Brazil,” “What’s Happening in Argentina?” and “The Swastika in Chile.”

The national release dates are, respectively, Feb. 21, March 21 and April 18.

SWG in Survey on Bargaining Points

HOLLYWOOD, Feb. 23.—The Screen Writers Guild is conducting a survey of members for their position on minimum salary, elimination of flat deals under $5,000 and other problems for use by the bargaining committee in the forthcoming negotiations for a new contract with producers to supplant that expiring April 10.

Feature Reviews

“In Old Colorado”

(Paramount-Sherman) Hollywood, Feb. 23

HARRY SHERMAN, producer of the Hopalong Cassidy stories for Paramount release, has injected much more comedy into “In Old Colorado” than in previous offerings. Building up the role of Andy Clyde, used in several previous offerings as a companion of William Boyd (Cassidy) and Russell Hayden (Lucky), to the overshadowing of the latter, Sherman also used Cliff Nazarro, double talk expert, as one of the characters.

Others in the cast are Margaret Hayes, who supplies the slight romantic interest; Morris Ankrum, Sarah Padden, Stanley Andrews, James Seay, Morgan Wallace, Weldon Heyburn and Eddy Walker.

The picture is alive with action, and holds up its suspense to the end. The story deals with a fight between ranchers and nesters, who fight over land and water, and their ultimate discovery that the trouble is caused by neither group. Howard Bretherton directed.

Running time, 67 times. “G.”

VANCE KING

“Prairie Pioneers”

(Rexall)

A NOTHER Western adventure with the popular exponents of prairie righteousness, “The Three Mesquiteers,” this is not as exciting as previous pictures with Robert Livingston, Bob Steele and Rufe Davis. The dashing trio performs as smoothly as in any of their previous efforts but the story lacks robust action and the situations have not attained a sufficient degree of tension.

The story concerns Spanish vaqueros (cowboys), who, under the misapprehension that American settlers in California are there for no good, attempt to drive them off. The heroes find a fifth columnist among the Spaniards who is causing all the trouble and the dispute is settled.

Lester Orlebeck is responsible for the direction. Louis Gray was associate producer.

Running time, 58 minutes. “G.”

Edward Greff

“Outlaws of the Rio Grande”

(Producers Releasing Corp.)

HARD riding and a number of rough-and-tumble fist fights enliven this story of Tim McCoy’s capture of a gang of counterfeiter.

Tim, a U. S. marshal, is aided in the manhunt by the Mexican secret service which also is trying to track down the gang.

Tim picks up the trail after his pal, Ken Duncan, is seized by the gang. Aided by Ralph Peters, who supplies the comedy, Tim discovers the gang’s hideout. He is trapped, however, when Virginia Carpenter, a Mexican serving girl, delivers him to the gang in an effort to save her father.

The action is fast throughout and should please Western fans who want something happening every foot of the film. Others in the cast include Charles King and Karl Hackett, the bad men; Rex Lease, Phillips Turich, Frank Ellis, Thornton Edwards and Joe Dominguez. Sigrid Neufeld produced and Peter Stewart directed.

Running time, 53 minutes. “G.”

Census Bureau Hits Snag in Issuing Theatre Data Without Violating Law

Washington, Feb. 23.—The Census Bureau, which last week completed a preliminary analysis of the 1939 census of film houses, is finding it difficult to show business by states without disclosing the operations of some of the smaller circuits.

In the 1933 and 1935 canvasses, the bureau’s state and city figures brought protests in areas where business was largely controlled by one national and one local circuit. It was said that the national circuit, could subtract its own figures from the total and apply this to the businees of its competitors. Census officials are prevented by law from disclosing the operations of any single individual or firm. It may be necessary to withhold specific figures in certain states, and to issue statistics covering two or more states as a group.

Opera House Same

As Theatre in Mo.

St. Louis, Feb. 23.—The Missouri Supreme Court has held that St. Louis County cannot assess a theatre tax on film houses. The St. Louis Amusement Co. successfully challenged the validity of a statute of 1885 which provides that no tax may be levied on a performance held in an "opera house." The court ruled the phrase "opera house" to be synonymous with "theatre."

A. G. V. A. Asks Boost

If Living Costs Rise

All future contracts of more than a year’s duration must provide for increased wages if the index of living costs rises, the Southwest Council of Various Artists board has decided. The new provision will be incorporated in all contracts signed in the future. It was said the U. S. Department of Commerce issues an index of living costs at regular intervals.

AGVA plans a drive to organize eight chains and theaters in New York area, especially in Brooklyn and Queens. Among other new developments reported was the requirement that all AGVA locals drop any booking offices which they may have established. The national board takes the position that AGVA is engaged in licensing legitimate talent agencies and that the union should not compete with them.

Dismiss Petition of

Operators’ Union

The State Labor Relations Board has dismissed the petition of Metropolitan Projectionists Union for certification as collective bargaining agency for projectionists employed in six Long Island houses operated by Casey & Wheeler Theatres as part of the Prudential Circuit.

Both the 300 and Empire State Operators Union opposed the petition on the ground that there is no need for an additional union in this area. The theatres involved included the State, Ozone Park; Garden, Springfield Gardens; Farrell, Ozone Park; Park, South Ozone Park; Belleair, Belleair, and Hollis, Hollis. The new union was organized by some of the projectionists in the six houses involved.

Minnesota Theatre

Shut in Minneapolis

MINNEAPOLIS, Feb. 23.—The Minnesota Theatre, ordered closed Jan. 1 by the Middle States Theatre Corp., under a vaudeville-film policy, closed on Thursday. Louis Armstrong and his orchestra were engaged to play in the theatre, but the contract was cancelled. The theatre has shown an almost consistent loss since its opening.

M-G-M Gets 2 from RKO

HOLLYWOOD, Feb. 23.—M-G-M has acquired the remake rights from RKO for Edna Ferber’s “Cimarron” and “Rio Rita,” the latter a musical.
Thank You for MEETING ROBE
ANK CAPRA ART RISKIN JOHN DOE' Warner Bros.
Ascap Names Committee on Network Fact

(Continued from page 1) decendent of the National Association of Broadcasters, late last week, notifying the latter that Ascap was willing to begin negotiations on whatever basis is imposed by the consent decree accepted by the society. Miller said that the broadcasters would be informed of this and their answer would be given to Ascap later.

Seven on Committee
On the negotiating committee named by the Ascap board are the following: Buck E. Mills, John G. Paine, Walter Fischer, Oscar Hammerstein II, J. J. O'Connor and Herman Starr. The committee held its first meeting Friday and began its study of the changes in contractual formulas and negotiating procedure required under the decree.

The X. A. B. Blum of New York is reported to be prepared to call a meeting of its negotiating committee to begin similar preparations for negotiations. Both sides are expected to require at least a week or 10 days to study the effect of the decree on their coming negotiations.

Decree Hearings Soon
Indications over the weekend were that the Department of Justice would be ready within a day or two to file its new anti-trust suit against Ascap in Federal court here and hand up the consent decree immediately afterward. Public hearing on the decree would be set for a week or 10 days later.

On Friday, 13 songwriters filed a request with the Federal Communications Commission asking an amendment of its regulations to prevent radio networks from publishing music, as is being done in the case of Broadcast Music, Inc. They also opposed renewal of licenses with 23 stations affiliated with CBS and NBC, on the ground that the stations were not being operated in the public interest.

CBS Gives Impetus To Color Television
(Continued from page 1) Systems Committee hearings before the FCC last month, James L. Flye, chairman, declared the commission expected that the companies would continue to study color television. The FCC hearing on commercialization for television broadcasting takes place March 20 and there is a likelihood that RCA may have a color demonstration before that time.

Vacancy on FCC Seen Filled Soon
Washington, Feb. 23.—Possibility that President Roosevelt is considering filling the vacancy on the Federal Communications Commission is foreseen in a visit of chairman James L. Flye to the White House. This was the first time Flye had been to the White House.

Ascap Asks Dismissal
Ascap on Friday filed application in N. Y. Supreme Court to dismiss the suit against it by Leo Ascher, Herman Leopold, Franz Sobolka and Ladislav Szegs for $57,994. The move will test the plaintiffs' right as former members of A. K. M. Norwegian affiliate of Ascap, to seek funds from Ascap on the claim that they had previously secured a judgment against A. K. M.

Off the Antenna

RADIO'S role in national defense will be the chief topic under consideration at a meeting of the NBC Advisory Council on Friday. The Council was organized 14 years ago to guide NBC in matters of public policy. Specific consideration will be given not only to radio as a means of communication but also as a method of maintaining national morale.

Purely Personal: Otto Brandt has been named assistant to the manager of the NBC-Blue station relations department. Robert Stiglich, Mutual South American representative, has returned from a trip through Latin American countries for conferences at the home office. Edgar Jacobs has been appointed the NBC-Columbia station relations director. Katherine MacKillop has been named assistant sales promotion manager of WEEI, Boston.

Continuing its tests on different methods of synchronization, NBC this week will again limit its telecasting to two days. On Friday night there will be wrestling from Jamaica Arena and on Saturday the inter-collegiate 4-A track meet at Madison Square Garden.

WAGE, a new station to be opened in Syracuse, N. Y., will become a basic affiliate of Mutual when it goes on the air late in March, it was disclosed over the weekend by Frank G. Revoir, president of the Sentinel Broadcasting Corp., licensor of the station, and Fred Weber, Mutual general sales manager. The station which have studios and offices in the Loew's Theatre Building, Syracuse, and will operate on 620 k.c., with 1,000 watts, full time. William T. Lane will be executive vice-president and general manager of the new station.

Program News: Colgate-Palmolive-Peet announced the weekend that its "Myf and Marge" program would continue despite the recent death of Mrs. Donna Damereel Pick, who played the role of "Marge"... WMCA has signed Jimmy Poppers, sports editor of the Daily News, and Leo J. Brodberg, house announcer on the World-Telegram, for two new program series. Powers will be heard daily beginning March 17 in "The Powerhouse of the Air," while Bromberg will start Thursday at 8:30 P.M. in a twice-weekly program called "Sportscope."

Nazis Yell 'Kamedar' As Stunt Backfires
The German Government finally yelled "kamedar" Saturday night, it was reported, to the huge radical campaign it had engineered against itself, when it asked via short wave for messages from America, sent collected. In the six days before the offer was rescinded, ill wishers sent all kinds of ridiculous replies to Germany. Many asked when Hitler was to be killed, and why it wasn't soon. Others asked for his funeral date, and some pointed to Goering's enormous girth, while the rank and file of the people cackled on rations. The stunt which backfired on the Germans cost them around $100,000, at $2.19 per message, according to estimates. The German government cover approximately close to 50,000 messages. The Germans, however, claim that although every story printed in the U. S. press was discarded at the German stunt and nearly all the messages were derogatory, they consider it worthwhile because they landed space in the newspapers here. Ridicule or not, they got space, they aver.

"Which is just another German viewpoint," as one observer stated. "It's upside down to the world but all right to the Germans."

NBC and CBS

Issue Maps On Coverage

In what appeared to be an outburst of a battle of statistics, both NBC and CBS over the weekend announced that surveys had been completed in every county of this country and that new color maps would be issued shortly.

NBC has discarded the designation of primary and secondary coverage and lists a station's coverage as that area where there are at least 75 per cent of the number of sets in key cities where Crosley and Hoover surveys are now conducted, CBS, on the other hand, designates a primary area as one where 67 to 100 per cent of the sets are tuned to a CBS station, 33 to 66 per cent making it a secondary area and 10 to 32 per cent an "occasional" area.

Frank Stanton, CBS director of research, pointed out that the NBC figures of 75 per cent referred to a percentage of sets actually in use while the CBS figure of 67 per cent referred to all radio families. As a result, Stanton concluded, the NBC figure of 75 might in reality be only 45 per cent of all radio families.

These four points were emphasized in the CBS statement: it is the first survey of every county and every population center within such counties in the country; it covers the audience by income levels; it gives the actual weekly circulation of each station, and is based on a complete family report.

The hero of "Wuthering Heights" and "Rebecca" is the perfect lover for That Hamilton Woman!
N. J. Theatre Sues Majors; Weighs Crescent Dismissal

NASHVILLE, Feb. 24.—Federal Judge Elmer Davies today took under advisement a motion to dismiss the Government’s amended complaint against Columbia, Universal and United Artists in the anti-trust suit against the Crescent Amusement Co. of this city.

Argument was closed on the motion and on the Crescent company’s objections to certain of the Government’s exhibits in evidence. A contingent of the Government’s witnesses was present, including one expected to be held in Canada.

A no-ties or properties have been announced for the new program. Grainger explaining that the company’s policy will be to make detailed announcements at the (Continued on page 6)

Viols Result in Late Release of Award Winners

HOLLYWOOD, Feb. 24.—Because of violations of release last year, the Academy of Motion Picture Arts awards winners will not be disclosed until they are announced at the awards banquet here Thursday night.

Eastern newspapers and radio networks are expected to enter the objection, due to the lateness of the hour because the difference in time and the necessity of meeting deadlines, but the Academy board of governors ruled today that the new arrangement will stand. Events on the program will, however, be expedited to minimize distress.

In previous years the press across the country was furnished the names of winners in advance of the actual awards presentations, subject to release at 11 P.M. in all zones. Breaking of the release last year by the Los Angeles Times and Station KFTR caused another announcement on the (Continued on page 6)

Holiday Booms Box-Offices On Broadway

Product, Clear Weather Help Boost Takes

George Washington’s birthday, falling on Saturday, helps swell the weekend gross of new, high grade product at all Broadway film houses. The good, clear weather contributed to the business improvement.

“Tobacco Road” on Saturday almost made the Roxy halls bulge with traffic, as it grossed upwards of $17,000. From Thursday through Sunday through this Western, the house grossed an estimated $44,000, which is very big.

“Mr. and Mrs. Smith” played “above capacity” at the Radio City Music Hall on Saturday, when it grossed $22,000, and from Thursday through Sunday attracted a handsome $63,000. Both the Roxy and the Radio City Music Hall have their usual stage shows.

Another stage show, the Strand, according to Warner Bros. official, set a new one-day record on Saturday when “Strawberry Blonde” grossed $12,000. From Thursday through Sunday, the home office announcement states, the picture grossed $29,000 and will stay over two and may three weeks (Continued on page 6)

Great Neck House Files on Clearance

Second demand for arbitration to be filed in New York was made to the local board yesterday by Herbert Scheitel, operator of the Squire, Great Neck, L. I.

Naming all five competing companies, Scheitel charges that the 30-day clearance granted by them to the Playhouse, Great Neck, is unreasonable and should be reduced. The (Continued on page 7)

Five Reviews Today

Coast Flashes

Hollywood, Feb. 24—Business representatives of I.A.T.S.E. studios today decided to ask Pat Casey, producers' labor representative, for the exact stand of producers on the question of demands for wage increases and changes in working conditions at a meeting with him on Thursday. Meeting with Harold V. Smith, Sound 'Technicians' representative and negotiating committee chairman, the agents concurred in a plan to push the negotiations, pending for some time. A decision whether to ask the I.A.T.S.E., for assistance depends on the studio's stand, a spokesman said.

J. J. Curry, formerly branch manager for Paramount in Oklahoma City, today was appointed sales representative in the Los Angeles district for the newly formed Paramount short subjects and news sales department.

Ewing Scott, writer-director, and Malita, Edko acting, left today by plane for Seattle en route to Point Barrow, Alaska, to make "Son of Nanook" for Republic. Camera and sound crews will follow. The company expects to spend six months on location. Scott and Malita 10 years ago went to Alaska to make "Igloo" for Republic.

Kay Harris, Cincinnati stenographer, has been signed by Columbia to play the title role in the "Tillie the Toller" series.

Personal Mention

N. L. NATHANSON, head of Famous Players Canadian, is in town after a Florida vacation.

MATTHEW Fox, Universal vice-president, leaves for the Coast tomorrow.

Mr. and Mrs. Leonard Goldenson have returned from Florida.

Robert J. D'ONNELLY is in town from Dallas.

Frank H. Durkee Baltimore circuit operator, is spending the remainder of the Winter in Florida.

Harry E. Weiner, Philadelphia branch manager for Columbia, returned from Florida yesterday.

Leo Donoff, operator of the Madison and the Saybrook, New Haven, will leave for Miami next month.

Edgar Moss, district manager for 20th Century-Fox in Philadelphia, left for a vacation in Hot Springs, Ark.

Rubin Shapiro, operator of the Admiral, Philadelphia, became the father of a daughter last week.

Lawyer J. Schultz of the Warner circuit in Philadelphia and Lena Wertz, of Scranton were married recently.

Leo Spitz is in town, having returned from an extended stay on the Coast.

Tom Connors caught eight sailfish in the deep waters off the Florida coast.

James Bracken, head of the Warner Theatres contract department in New Haven, is vacationing in Miami.

William Smallay, head of the Smallay circuit of upstate New York, is in Miami.

George Weltzer, Owen Davis, E. K. O'Shea, Max A. Cohen and M. S. Schlesinger were vacationing at Nick's Hunting Room in the Astor.

Monroe Greenhut, Ben Washers, Mrs. James Mulkey, Sam Shaw, Armand Schreck, Betty Goldsmith, Hank Linet, Charles Allcoat, Joseph Gallaghe, Walter Furey, Dave Estensen and Ben; Jacobson at the Tavern yesterday for lunch.

Harry Brandt, Alan Freedman, Joseph Pincus, Jack Goetz, and George Burns having lunch at Lin- dy's (next to the Rivoli) yesterday.

Are Schneider, Rubie Jackter, Joseph R. Vogel, Eugene Picker, Martin Schenck, Harry Gold and John Wight having lunch at Lindy's for the other last week.

Consolidated Will Operate New House

Bliss Properties, Inc., of which Morris Jacobson is president, will operate a new 1,600-seat theatre planned for the corner of Eighth Ave. and 19th St. The house will be affiliated with Consolidated Amusement Enterprises, Inc. Burk & Krumgold negotiated the purchase.

Seeks to Enjoin W.B.

Los Angeles, Feb. 24.—An injunction suit to restrain Warners from exhibiting "The Sea Wolf" unless a special note is made calling attention to the fact that the characters are fictitious, was filed today in Superior Court here by Louis Hansen, describing himself as a nephew of the late Capt. Alex McLean, said to be the original of Jack London's novel.

Menken to Orient

Arthur Menken, Paramount newsreel cameraman, arrived in San Francisco yesterday from New York and is awaiting clipper transportation for Hong Kong from where he will proceed to Singapore. Developments are expected in that sector soon.

Plan Copelan Dinner

Atlantic City, Feb. 24.—A farewell dinner to Herbert L. Copelan, who recently resigned as general manager of Warner theatres here to head his own circuit in Florida, will be held Friday at the Shelburne Hotel.

Among Other Things

Providence, Feb. 24.—Archibald Silverman, is among other things, a banker, manufacturer, owner of the Strand Theatre and chairman of the local draft board. In his spare time he plans host to new drafter to the theatre.

Sees Extension of Cinema Club Idea

Cincinnati, Feb. 24.—Soctal organization of film and accessories salesmen, known as Cinema Clubs, will be formed in Kansas City, St. Louis, Minneapolis, Des Moines and other points in the network. Ac- cording to Jack Stewart, Universal salesmen and president of the Detroit Club, here over the weekend. The clubs will be nationwide before the end of the year, he said.

Approximately 150 branch managers, salesmen and salesmen at the second annual installation dinner of the Cincinnati Cinema Club. In ducted were Rudy Knoepfe and Pete Nilsson, general secretary and treasurer, respectively; and Martin Schaffner and Jcck McKinney, first and second vice-presidents.

Players to Canada

For Air Force Film

Ottawa, Feb. 24.—To film "Bush Pilot," a picture depicting the story of Canada's "wilderness fliers" who left the rock and lake country of the Northland at the outbreak of war to join the Royal Canadian Air Force, Errol Flynn, Cary Grant, Burgess Meredith and Olivia De Havilland, it is stated, will come to Ottawa some time during the Summer for the filming of background scenes at the Rockef- lecker, Uplands or Trenton Air sta-

Aampa to Nominate Slate on Thursday

Aampa members at a luncheon business meeting at the Hotel Edison on Thursday will elect a nominating committee which will select a slate of officers for the ensuing year. Plans will be discussed for Aampa's Silver Jubilee dinner and dance April 4 at the Edison.

"AS FOR ME, I LIKE TO RELAX"

Some folks may enjoy carrying around in their own heads all the worries of the world. Not so, smart showmen. Worries that can be delegated, they delegate—to people willing and able to take responsibility. To keep projection room equip-

ment in the pink of condition, they know they need engineers, so they take Altec service—sound service and booth parts service. Take this time-tested way to relax: save all your energies for the prime job of showmanship. Change to Altec.

ALTEC
SERVICE CORPORATION
250 West 57th Street, New York City
CHANGE TO ALTEC SERVICE • A CHANGE FOR THE BETTER
BIGGEST N.Y. STRAND SATURDAY OF ALL TIME!

Doors opened 8:30 A.M., closed 4 A.M. on the following morning!
House capacity, 2800 seats; seats sold, 19,000 in one day!! S.R.O. practically every performance since!

WARNERS again!
Indianapolis Regulation Measure Seen Dead

Indianapolis, Feb. 24.—The House of the Indiana General Assembly has indefinitely postponed the bill of the Associated Theatre Owners of Indiana to curb "fly-by-night" entertainment by bonding and registration of transient promoters. The bill had been in committee several days. Indefinite postponement now is tantamount to killing the bill, since the session ends March 10.

**New York Sales Tax Spread Is Unlikely**

Albany, Feb. 24.—Even though bills were introduced in the New York State legislature last week to give New York a "New Hampshire" uniform tax on retail sales of groceries, wines, liquors, and tobacco, with the bill providing for a spread of local sales taxes, the legislators are not likely to act on them, or at least not in any form similar to the original bill.

**'Dicator' National Release March 7**

Charlie Chaplin’s "The Great Dic-tator," which will be nationally released by United Artists on March 7. Popular prices will prevail for the general re-lease engagements, even in cities where the picture has been shown previously at advanced admissions.

The national release date was gov-erned by a guarantee given by United Artists to Loew’s Theatres which played the picture pre-release at advanced admission scales on terms of 70 per cent that it would not be shown at regular admission scales for six months afterwards.

**Boren Asks Wide Probe of Industry**

Washington, Feb. 24.—Congressional investigation of the practices of the film in-dustry and the influence of films upon economic, political and social conditions in a resolution introduced in Con-gress today by Rep. Lyle H. Boren of Alabama, Boren seeks a "Blue Ribbon Com-mission" to conduct the investigation. He worked actively for the Neely bill in past sessions.

**Hollywood Reviews**

**"Nice Girl?"**


Deanna Durbin continues to delight with her singing and to grow up in point of material dealt with, performing here, more as actress, less as singing prodigy, a role that would tax most of the maturing leading ladies of motion pictures. Herein she is surrounded, too, by such talent as Franchot Tone, Walter Brennan, Robert Benchley, Helen Broderick and Elizabeth Risdon, to name the elder side of the cast first, with Robert Stack as the young man of the principal romance.

Franchot Tone has an attractive young male role, and young Tommy Kelly and Marcia May Jones also present and accounting for their share of the entertainment.

The story, directed by William A. Seiter for producer Joe Pasternak, casts Miss Durbin as daughter of Benchley, who does a nice job of fatherly portrayal, sidetracked romantically from her devotion to Stack and enamoured of Tone, who visits her father and with whom she manages to return to the city by devices amusing enough to keep humor above emotion in the scale of values. Ultimately she returns to her first love, Stack, after quieting what threatens to become a town scandal. Stack has enlisted in the air corps, making plausible a finale in which she sings "Thank You America" to the troops.

In common with previous Pasternak productions starring Miss Durbin, this one glides gracefully and brightly along, getting its slight story told by means of incidents amusing in themselves. Like all of them, it also profits from the expert art direction of Jack Oterton. The star has five song numbers, which she handles with her usual skill.

Running time, 95 minutes. "G."* Roscoe Williams

**"The Hard-Boiled Caney"**


Designed to present in story setting the juvenile orchestra, chorus and soloists trained at Inter-Lachen, Michigan, this comedy-drama opens with a strip-tease performance on a burlesque stage, moves to the union music hall and closes with a grand opera sequence wherein the youngsters sing "Faust" in alternation and for a part of time in concert with an adult company singing "Carmen." It is at its best in the presentation of the musical prodigies, singly and in group, and weakest in the connective passages which work out the progress of the story fitfully.

Allan Jones, who sings one song; Susanna Foster, who sings several; Margaret Lindsay and Lynne Overman, who sing not at all; Grace Bradley, William Collier, Sr., and others supply the professional performances in the picture. Heimo Haitto, Kaye Connor, William Chapman, Richard Bonelli, Dolly Loehr, Richard Hageman, Ira Petina, Detta Kenzie, Deems Taylor and Patricia Travers, a young lady with a gift for comedy, portray themselves.

In the story, Allan Jones, son of the head of the music school, rescues a burlesque girl from a raid and, to prevent her being returned to a reform school, enrols her as a student at the camp. There the young folks bring about a change in her views of life and it is her voice which saves the school from economic disaster.

Andrew L. Stone produced and directed the picture.

Running time, 80 minutes. "G."* Roscoe Williams

**"Ellery Queen’s Penthouse Mystery"**


Second in the series of pictures based on the stories written by Ellery Queen, this film deals with several criminals who attempt to hi-jack jewels shipped to this country by Chinese patriots for sale in order to obtain money for starving refugees. Two murders are com-mitted, mysterious Chinese appear and disappear and the solution is brought about by the customary grouping of all suspects at the climax. The melodrama wears again as the detective-author, Margaret Lind-say as his secretary. Charley Grapewin as the police inspector, James Burke as an officer, also appeared in the film. Added to the cast are Anna May Wong, Eduardo Cianelli, Frank Albertson, Ann Doran, Noel Madison, Mantan Moreland and others.

Ellery Queen has a wide radio and book following, an item which should help the film's gross. The story has little action and lags through much of its running time.

Larry Darmour produced for Columbia release, with James Hogan directing.

Running time, 65 minutes. "G."* VANCE KING

*"G" denotes general classification.
"TEN BEST" ALL ON EASTMAN FILM

EVERY one of the Ten Best Pictures, selected in the Film Daily’s critics poll for 1940, was made on Eastman Negative Films. This impressive record speaks for itself. In 1941, these exceptional films will continue to contribute to the success of outstanding screen productions.

Eastman Kodak Company, Rochester, N.Y.

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

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
Republic Will Offer 60 Films Next Season

(Continued from page 1)

beginning of each quarter, in order to keep abreast of incoming pictures. The features will include six De Luxe productions; two Special Premiere films, starring Gene Autry, with Smiley Burnette as his partner; eight Historical Westerns, starring Roy Rogers with George Hayes and Sally Payne; eight Three Mesquite productions starring Robert Livingston, Bob Steele and Rufe Davis; and eight Action Westerns featuring Don "Red" Barry. Two of the serials will be in 13 episodes and will be 12 episodes. The shorts, to be released one each month, will be Harriet Parsons' series, "Meet the Stars," a Hollywood red carpet.

Salesmen and bookers left tonight, others remaining.

Yates, Grainger Speak

H. J. Yates, Grainger and M. J. Siegel, president of Republic Produc-
tions, and among the speakers at the meeting here. Grainger will also pre-
side at the other regional meetings, which will be held in New York.

Attending the meeting here are J. T. "Sheffield, franchise holder in the Northwest, and the following branch managers: J. E. Reilly, Seattle; J. H. Sheffield, Portland; Gene Gerhase, Denver; E. M. Loy, Butte; G. S. Pinell, Salt Lake City; Sid Welsbacher, Chicago; and Francis Bateman, Los Angeles.

The second meeting will be held in Kansas City on Thursday and Friday. These meetings will be in St. Paul, Rust, Dallas; Nat Steinberg, St. Louis; F. R. Moran, Des Moines; C. E. Reese, Omaha; with E. R. Withers, franchise owner in Kansas City; Gilbert Nathanson, franchise owner in Minneapolis and Sol Davis, franchise owner in Oklahoma City.

Third Meeting in Atlanta

The third meeting will be held in Atlanta on March 4 and 5. Attending will be: A. C. Bromberg, franchise owner of the Southern division, and Managers L. V. Seidman, New York; M. W. Seidman, Memphis; Heny Glover, Atlanta; J. H. Dillon, Charlotte, and H. V. Laird, Tampa.

The fourth meeting will be held in New York on March 6 and 7. The following will attend: Managers Arthur Newman, Albany; Jack Bellman, Buffalo; Morris Epstein, New York; M. E. Morey, Boston; Sam Seltzky, New Haven; Max Gillis, Philadelphia; Sam Seglowis, Detroit; Jack Flax, Washington franchise owner; J. H. Alexander, Pittsburgh franchise owner; Nat Lefus, franchise owner in Cleveland and Cincinnati and man-
gers Sam Gorrel of Cleveland and George Kirby of Cincinnati.

Indianapolis Triplets

Indianapolis, Feb. 24—Triple bills are being used here. The Fountain Square, de luxe neighborhood man-
gage has been going to them each week for the past month. The bills are as follows: "The Marvelous Wonder Woman; They're the Heroes" presented on Friday nights, "Four Mothers" and "Calling All Men."
Great Neck House Files on Clearance
(Continued from page 1)
Playhouse is operated by Skouras Theatres Corp.
Notices of intervention have been filed with the Washington board in the first industry arbitration case of record there, by the three Durkee Circuit houses named in the clear-

Atlantic City, Feb. 24.—The
screen, in its capacity as a significant
aid to defense, "should not and will not
be used as propaganda," Nathan D. Golden, Chief of the Motion Pic-
ture Division of the Department of
Commerce, declared in an address
here today on "Motion Pictures in
Education," before the 71st annual
convention of the National Educa-
tion Association.
"The industry fully realizes," Golden
said, "that motion pictures, to be
really useful in carrying out their true
defense objectives, must be enlight-
ning, instructive, and devoid of any
intend to sway the individual opinions
of the persons who enjoy them and
benefit substantially from them."
The industry, Golden pointed out,
with its vast facilities and manpower,
is now rendering valuable service
to the defense program in producing
films of value in cultural relations and
in the training of the nation's armed
forces. Films showing the best meth-
ods for expediting industrial proces-
ses, improving home defense and fur-
thering other objectives essential to
preparation can be made easily, Golden
said.
Reporting on a survey undertaken
late last year by the Department of
Commerce at the request of the non-
thatrical motion picture industry and
in the interest of national defense,
Golden indicated that 12,443 16mm.
projectors and 2,447 35mm. projectors
are owned by colleges and high
schools in the United States and in
possessions of the 12,443 16mm. pro-
jectors, 6,059 are silent and 6,384 are
equipped for sound. Of the 2,447 35-
mm. projectors, 1,624 are silent and
823 are sound-equipped.
A total of 7,526 schools state that
they have no permanent motion picture
equipment of any type, Golden report-
ed. Some schools indicated that they
had facilities to "borrow" or "rent"
as many as 5,578 16mm. projectors and
1,070 35mm. projectors either from
other schools or from commercial dis-
tributors of such equipment.
Golden cited the fact that a survey
in 1936 which covered 9,000 school
systems in the urban areas of the
United States, indicated that 6,074
16mm. silent projectors and 458 16mm.
sound projectors were available, while
3,230 35mm. silent projectors and 335
sound projectors were in use. Also,
2,733 film-strip projectors were avail-
able at that time.

No Defense Propaganda
In Films, Golden Says

Problems Weighed
By British Council

Second Case Filed
Against Durkee
WASHINGTON, Feb. 24.—The West-
way Theatre of Baltimore, operated
by Leo J. Homand, has filed a com-
plaint with the local arbitration board,
alleging unreasonable clearance held
by the Edgewood Theatre, operated by
the Durkee interests. Companies
named are 20th Century-Fox, M-G-M
and Warners. This is the second Bal-
timore clearance case against Durkee.
The Irvington in Baltimore and the
Alpha of suburban Catonsville also
have protection over the Westway,
and as a result of "discrimination" the
theatre has lost money since its open-
ing in 1939, the complaint alleges.

BMI Music in Film
Hollywood, Feb. 24.—First com-
plete use of BMI music in a picture
will be in Republic's "Puddin'head,"
according to Harry Engel, BMI
Hollywood manager.

8th ANNUAL I.T.O.A.
MOVIE BALL
Hotel Astor, Saturday Night, March 1st, 8 P.M.

ELI DANTZIG
And His Orchestra

ZITO
And His Rhumba Band

STARS — ENTERTAINMENT — SURPRISES

Tickets: Ten Dollars per Person

Obtainable at I.T.O.A., Room 192, Hotel Astor—Circle 6-6460
Ascap Decree

Hearing Set for Monday

Federal Judge Henry W. Goddard yesterday set Monday as the tentative date for a public hearing on the proposed Ascap Federal consent decree.

Victor O. Waters, special assistant to the U. S. Attorney General, and Herman Finklestein, of counsel for Ascap, told the court that negotiations on the decree were nearing a conclusion, and it could be completed in time to submit the decree to the court on Wednesday.

Will File New Suit

Waters said the Government’s procedure will be to ask for dismissal of the Goodyear, 1934 antitrust suit which is still pending against the society here, to file a new anti-trust suit against Ascap in its stead and to barter by abandoning the suit in exchange for embodying in the decree itself an interpretative notation appended to it by the Ascap board of directors. The time they approved the decree, setting forth the understanding that the decree will not prohibit Ascap and the broadcasters from adopting any new contract terms which they are able to agree upon mutually. The interpretation follows an agreement with the Government that the society and the broadcasters are not to be restricted to the blanket or per piece contracts referred to in the consent decree but that any other forms of contractual procedure may be agreed upon by the two.

Milton Diamond, attorney, and John G. Palme, Ascap general manager, also appeared in court yesterday for the society, and Warren Cunningham, Jn., for the Government.

NY Bill Bans Liquor Price on Programs

ALBANY, Feb. 24.—A measure introduced in the New York State legis- lature by Assemblymen Ed Hollen- well is construed as prohibiting the price of beer, wine or liquor on radio programs.

The bill includes a paragraph which reads, “No person shall advertise in any form whatsoever the price or process of acquiring a liquor. The measure was submitted as an amendment to the alcoholic beverage control law.

Settle Farnsworth Strike

MARION, Ind., Feb. 24.—Employees of Farnsworth Television & Radio Corp. returned to work today following a nine-day strike. The company is working on $900,000 of government contracts for military radio equipment. About 600 are employed.

Off the Antenna

PHILADELPHIA is running a close second to New York in FM activity. Six applications have been filed there and four construction permits have been granted already. For the New York area, 18 applications have been filed and seven granted.

The total around the country is 91 applications filed and 39 granted. In other big cities, six sought and four were granted; Los Angeles, five sought, one granted; Detroit, four sought, two granted; Pitts-burgh, three sought, two granted; Boston, three sought, one granted; St. Louis, three sought; Hartford, Conn., two sought, two granted; Schenectady, two sought; and Providence, two sought.

Purley Personals: Joe Rives has been named musical director at WJMC, effective March 22. Rives was featured in charge of Docca records for children. ... Frank Danzy of WMC’s production staff will be guest lecturer at Long Island University tonight. ... Elizabeth Wayne has been named Mutual correspondent at Balboa, Java, Dutch East Indies. ... Walter T. Gibbons, a guest of WEDU, will be broadcasting the "Weddies," roll call of weddings, Thursday night. ... Tinbetti will return as guest soloist on the "Ford Sunday Evening Hour" over CBS Sunday at 9 P.M.

Calling attention to March 29, the date for the FCC for the change of name of Kentucky is designated that day "Radio Movin’ Day" in Kentucky. His order named the 10 Kentucky stations which are affected.

Two outstanding exponents of Pan-American friendship, Dr. Leo S. Rowe, director general of the Pan-American Union, and Nelson Rockefeller, chairman of the Inter-American Relations Commission, will be guest speakers before the Conservation Conference of the CBS “School of the Air of the Americas.” They will speak Saturday at the Waldorf-Astoria Hotel and the speeches will be carried by CBS from 10:15 to 10:45 P.M. Outstanding educators from every country in the Western Hemisphere are expected to attend the session, which starts in Atlantic City Thursday.

Program News: NBC has succeeded in selling part of its 11 P.M. news spot on WEAF. Beginning Thursday, Philip Morris & Co. will sponsor the Thursday, Friday and Saturday evening news. ... The Coca Cola show over CBS at 4:30 P.M. will be extended from 30 to 45 minutes beginning Sunday. ... "Prof. Quiz" will shift its program from Tuesdays at 9:30 P.M. to Thursdays at 10:15 P.M. ... The "Century-Fox Wonders" will be "dramatized" by Fred Allen over CBS tomorrow evening at 9. ... Joan Edwards, the former Paul Whiteman vocalist, will start a CBS series of her own Monday when she is heard Mondays, Wednesdays and Fridays at 10:30 P.M. in "Girl About Town.

FCC Approves Five FM Stations

WASHINGTON, Feb. 24.—Construction permits for five FM and four regular broadcasting stations have been granted by the Federal Communications Commission.

Four of the five FM permits were issued to Westinghouse Radio Stations, Inc., for transmitters at Philadelphia on the 45,700-kilocycle channel, to cover 9,300 square miles with a population of 4,500,000; Boston, on 46,700 kilocycles, to cover 6,700 square miles with a population of 3,400,000; Fort Wayne, Ind., on 44,900 kilocycles, to cover 6,100 square miles with a population of 420,000; and Springfield, Mass., on 48,100 kilocycles, to cover 2,500 square miles with a population of 500,000. The fifth permit went to Rockford Broadcasters, Inc., Rockford, Ill., for a station on 47,100 kilocycles to cover 3,900 square miles with a population of 270,000.

Seek Hawaiian Station

The permits for new regular broadcasting facilities were issued to Hawaiian Broadcasting System, Ltd., for 210,000-kilocycle station in Honolulu, T. H.; Vermont Radio Corp., Inc., for a 1,500-kilocycle, 1,000-watt station at St. Albans, Vt.; and Harberton Broadcasting Co., for a 2,140-kilocycle, 250-watt station at Harlingen, Texas, and William D. and Violet Hutton Hudson for a 1,570-kilocycle, 250-watt station at Clarkville, Tenn.

The commission also authorized Stations WFPS, Hattiesburg, Miss., to increase power from 100 to 250 watts, and WEVD, New York, to increase power from 1,000 to 5,000 watts.

An application of Columbia Broadcasting System for a new FM station at Boston was ordered set down for hearing, at a date to be fixed later.

Fort Wayne, Ind., for a station on 47,100 kilocycles to cover 3,900 square miles with a population of 270,000.

Battle Looms Between AFM, Artists Guild

A battle of major proportions between the American Guild of Musicians and the American Federation of Musicians is expected to break out within the next few years. The judicial fight is expected to start in the symphonic and concert field but there is a real possibility that it will spread to the radio field, particularly radio, it was said.

AGMA officials for the past week have been engaged in almost continuous discussion with representatives of other labor unions in the Associated Actors and Artists of America. When Petillo issued his original edict last August, the other unions passed formal resolutions promising support but indicated that they did not wish to be involved in another jurisdictional battle. If the other unions have no resolutions which state as a matter of policy that they will not support such an action, they do not appear to have changed much since that time.

AGMA officials believe that their organization may be sufficiently strong to put up a good fight. Most concert orchestras in the country, moreover, are drawing substantial sums of money from the income of the unions, and if the ASCAP/AGMA case is allowed to proceed, their income sources may not be able to meet their obligations.

Support Not Expected

American Federation of Musicians, whose members are employed in the motion-picture industry, have long been considered as possible sources of support for the AMG.

May Force Settlement

Additionally, most of these instrumentalists are under contract for some months in advance. If the musicians refuse to play with them, the sponsors of the concerts will be in the position of being compelled to pay for their services while gaining no benefits from their drawing power. Under these circumstances, AGMA officials say, it is possible that the sponsoring organizations may be compelled to ask the musicians to compromise some settlement of the dispute.

Students in Radio

Accolades to S. A.

Forty students at the Peckskill Military Academy whose homes are in Central and Southern States will salute their homelands in a special broadcast over NBC short wave tomorrow evening. The students, who have been invited by the New York stations to the studios to witness the broadcast and Col. Eloy Alfaro, Ambassador from Ecuador and Auxiliary Pastor of the Dominican Republic, will also be present.
Appeal Board To Open Here On March 12

Complaint in Milwaukee Names Paramount

Opening of the national arbitration appeals board headquarters in Rockefeller Center on March 12 will be marked by the American Arbitration Association with a reception to which a representative list of industry executives has been invited.

Meanwhile, the A. A. A.'s yesterday completed designation of the initial panels of arbitrators for the New Haven and Seattle boards. The initial panel for the New Haven consists of 15 arbitrators, seven of whom are attorneys, and that for Seattle consists of 10 arbitrators, six of whom are attorneys.

Typical of those selected for the panels are: A. G. Gulliver, dean of the Yale Law School, and Henry W. Jones, Jr., president of American Tube Bending Co., on the New Haven (Continued on page 6)

Abrams N. Y. Branch Manager for N.S.S

Leo Abrams, who resigned recently as short subject sales manager for Universal, has been appointed New York exchange manager for National Screen Service by George Dembowski, vice-president in charge of sales. The appointment is effective on March 10, and will free Morton Van Praag, who has been supervising New York for his duties as Midwestern district manager, a post he has held for two years.

Abrams, a Universal man for nearly 25 years of service with the company, started as a salesman for the Big U Exchange, and was manager successively in New Haven, St. Louis and Kansas City. Then he was named manager of the New York exchange after a period as salesman here. He was at the local exchange for 10 years before becoming short subject sales manager.

Quigley En Route To N. Y. from Coast

Hollywood, Feb. 25—Martin Quigley, publisher of Motion Picture Daily and Motion Picture Herald, left here tonight by Super Chief for New York after several weeks on the Coast.

SCHINE-U. S. TALKS ON DEGREE ARE OFF

SCHRINE—U. S. TALKS ON DEGREE ARE OFF

Fail to Agree on Terms of Future Expansion; U.S. Sees Chance Against New Parleys And No Crescent or Griffith Settlements

Negotiations for a consent decree between the Schine Circuit and the Department of Justice in the Government's anti-trust suit pending in Federal court at Buffalo have been discontinued and there is little prospect of their being renewed, an official Government source said yesterday.

Breakdown of the negotiations for a decree in the Schine suit are reported to have resulted from inability to agree upon proposals under which the circuit could continue natural and advantageous expansion in the future.

The same source expressed the opinion that there would be no consent decree settlement of the anti-trust suit against the Crescent Amusement Co. in Federal court at Nashville and the Griffith Amusement Co. at Oklahoma City. Prospects of a settlement of the Griffith suit have nearly been promising, however, even though discussions have been under way since last Fall. No serious discussions of a decree have been held in the Crescent case.

Freedom to acquire theatres under circumstances deemed advisable was one of the basic conditions known to have been insisted upon by the Schine circuit throughout the decree discussions with the Government. Those discussions have been under way for many months with Willard S. McCoyle.

(Continued on page 6)

Atlas Owns 39% of RKO

Common, 28% Preferred

Increasing its holdings of both RKO preferred and common stock during the six months ended Dec. 31, last, Atlas Corp. on that date owned 28 per cent of the outstanding RKO preferred and 39 per cent of the common.

Atlas Corp. at Dec. 31 owned 26,590 shares of Hearst Consolidated Publications, Inc., preferred stock, with a market value on that date of $148,390, the Atlas report shows. This makes Atlas one of the largest stockholders in the Hearst publishing enterprises.

An analysis of the report shows that 14 per cent of the total of Atlas investments in common stock of all of its Paramount first and second preferred stock, partially by conversion into common, added 7,000 shares of Keith-Albee-Orpheum preferred stock and 10,000 shares of Walt Disney Prod. preferred, and retained 7,000 shares of General Theatres Paramount Corp. common during the six months period.

The Atlas holdings in RKO at the end of the year consisted of 35,481 shares of preferred valued at $1,525,694; 1,001,136 shares of common, valued at $3,874,224, and 327,011 RKO (Continued on page 6)

New Orleans Houses Enjoy Good Grovers

New Orleans, Feb. 25—Theatres in the business district here played to full houses today as the 114th Mardi Gras reached its height. It was the first good business day the local theatres have had, however, in over a week.

For the past 10 days parades and balls have resulted in virtually empty film houses, with some of the neighborhood theatres closing entirely. They will not reopen again until Ash Wednesday, tomorrow, when the festivities will end.

Reviewed Today

"Meet Boston Blackie" is reviewed on Page 6. Critics' quotes will be found on Page 5.
**Coast Flashes**

**Hollywood, Feb. 25**

**PARAMOUNT** today purchased the film rights to "Louisiana Purchase," successful Broadway musical comedy written and produced by B. G. DeSylva, since made executive producer at the studio. Studio spokesmen said the price was $150,000.

In an unusual complaint of its type, Mel Forrester, an extra, today charged in an N.L.R.B. complaint that the Central Casting Corp. has violated the Wagner Act through alleged discrimination against him in job distribution. Although the Screen Actors' Guild, bargaining agency for extras, was not mentioned in the complaint, Forrester charged his union activities caused the "discrimination."

A $150 minimum salary for writers will be sought by the Screen Writers Guild in bargaining conferences with the producers, members decided at a meeting last night.

Tyroene Power was set today by 20th Century-Fox to star in "A Yank in the R.A.F.,” story of an American in the Royal Air Force.

RKO today signed Anna Lee, English actress, to a term contract. Her first assignment will be opposite Ronald Colman in "My Life with Caro-line."

**Personal Mention**

**GEORGE J. SCHAFFER, RKO** president, has returned to the Coast after a brief visit here.

**Carter Barbon**, Loew Theatres Eastern division manager at Washington, is visiting the home office.

**C. A. Kirby** of the Universal foreign department, has returned from a Florida vacation.

**Arthur Herschman** of the Loew Circuit advertising department is in Miami convalescing from a long illness.

**Ben Louie**, Columbia salesman in New Haven, is visiting Phil Solomon, Columbia manager in Buffalo.

**Ed Thorogood**, Movietone News sports commentator, has left for his annual vacation in Miami. He is due back on March 10.

**Robert Talbot**, city manager in Spartanburg, S. C., for Wilby-Kinsey, has been named a director of the merchants bureau of the Chamber of Commerce there.

**Mathilda Kase**, head of Paramount's foreign billing department, was married recently to Abe Cohen of this city.

**George Jeffery** has returned from a trip to Canada and New England.

**Julius Gordon** of Beaumont, Tex., is in town for conferences with Paramount home office officials.

**Ted Schlanzer**, Warner zone chief in Philadelphia, has left for Florida.

**William F. Rodgers**, David Wein-stock, Max Dryfus, Lou Dryfus, John W. Hicks, Russell Holman, Sidney Phillips and Richard Rodgers lunching at Nick's Hunting Room in the Astor yesterday.

**Al Richard**, Jacob Wilk, John Emery, Brock Pemberton and Nat Karson having lunch yesterday at Sardi's.

**Clarence Eisenman**, Haskell Masters, Joseph Monowitz, Harry Gold and Bernard Brandt at Lindy's (31st St) yesterday for lunch.

**Al Margolies**, Monroe Greenfield, Sam Tulpan, Sam Goldberg and Maurice Freeman lunching at Lindy's (next to the Rivoli) yesterday.

**James Smith**, Jack Mills, Harry Thomas, Douglas Rotheacker and Jeffrey Bernerd at the Tavern yesterday for lunch.

**Spyros Skouras**, Sam Shain, Maurice Bergman, Morris Kitzler and Jack McKee at the Oak Room in the Plaza Hotel for lunch yesterday.

**Nat Ross Fatally Shot; Was with ‘U’**

Hollywood, Feb. 25.—Nat Ross, 37, formerly a film distribution and production figure, was shot and killed last night at his office in the Cotton Products Corp., of which he was partner and owner. His assailant is held by the police. Ross left the film business about two years ago, after being in it more than two decades. At one time he was assistant managing director of the Strand Theatre in New York and later was private secretary to Carl Laemmle, Universal president, and then assistant to Irving Thalberg at Universal. Ross directed at the studio for several years and produced for M-G-M and Columbia in England.

**W. B. Product Talks On Coast in March**

Chicago, Feb. 25.—Conferences to determine the new season Warner product will be held early in March in Hollywood, according to Jack L. Warner, vice-president in charge of production, who passed through here today en route to New York. H. M. Warner, Jack Warner, Hal B. Wallis, Gladys Cooper, Sears and S. Charles Einfeld will participate.

**Newsreel Parade**

**THE newsmen in their new issues give sports and defense thorough treatment. They depict among other things the navy's new patrol boats, the Navy's new airship "Zephyr of Miami. Rowing, bowling, skating, track and horse racing are covered in the sporting world. The contents:**


—**E. J. O’Brien, Metro British Editor, Dies**

**London, Feb. 25—Edward J. O’Brien, famous short story expert and European story editor for M-G-M, with headquarters at the Metro-British studio, died at Gerrards Cross, Buckinghamshire, on Friday, according to word received here today. He was 50 years old.**

O’Brien, who had edited annual volumes of short stories since 1915, first in the United States and then in England, had been story editor here for M-G-M about four years.

**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

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"The Hardys are in town!"

THE HARDYS ARE IN TOWN!

LEWIS STONE
MICKEY ROONEY
FAY HOLDEN
Ann Rutherford
Sara Haden
Ian Hunter and
KATHRYN GRAYSON
Directed by GEORGE B. SEITZ
Screen Play by Jane Murfin and Harry Ruskin
A Metro-Goldwyn-Mayer Picture

THE BEST YET AND THAT MEANS TERRIFIC!

ANDY HARDY'S PRIVATE SECRETARY
'Wind' Takes Good $13,500
Seattle Gross

Seattle, Feb. 25—"Gone With the Wind" at the Paramount took $13,500 at slightly advanced prices. "This Thing Called Love" drew $6,000 at the Liberty. The weather was clear and warm.

Estimated takings for the week ending Feb. 21:

- Mr. and Mrs. Smith (RKO)
- Little Men (RKO)

BLUE MOUSE—(900) (30c-40c-50c) 7 days. Gross: $4,000. (Average: $571.)

COME LIVE WITH ME—(M-G-M)

LAND OF LIBERTY—(M-G-M)

BLUE MOUSE—(900) (30c-40c-50c-60c) 7 days. Gross: $6,800. (Average: $971.)

THREE THING CALLED LOVE—(Col.)

THE PHILADELPHIA STORY—(M-G-M)

MICHAEK SHAZER, Private Detective—(20th-Fox)

MUSIC BOX—(900) (30c-40c-50c-60c) 7 days. Gross: $8,200. (Average: $1,171.)

ROCK PRIVATES—(Univ.)

THE CASE OF THE BLACK PARROTS—(W. B.)

ORPHEUM—(7,000) (30c-40c-50c-60c) 7 days. Gross: $4,600. (Average: $657.)

WHO KILLED ANNIE MAGGIE—(Univ.)

PALOMAR—(1,700) (30c-40c-50c-60c) 7 days. Gross: $1,400. (Average: $200.)

COME LIVE WITH ME—(M-G-M)

GONE WITH THE WIND—(M-G-M)

PARAMOUNT—(3,000) (40c-50c) 7 days. Gross: $3,500. (Average: $500.)

"Annie," Stage Show Sells $15,000, Cincinnati

CINCINNATI, Feb. 25—"Tightrope Annie Sails Again" pulled $15,000 at the RKO Shubert with the aid of "Follies Berger" on the stage. "Western Union" delivered $12,300 at the RKO Keith's. The weather was the coldest of the Winter.

Estimated takings for the week ending Feb. 18-22:

- Western Union—(26th-Fox)
- Little Men—(RKO)

RKO PALACE—(3,700) (30c-40c-50c-60c) 7 days. Gross: $10,000. (Average: $1,429.)

RKO SHUBERT—(2,150) (30c-40c-50c-60c) 7 days. Stage gross: $1,750. (Average: $250.)

BLACK STREET—(Univ.)

Hollywood—(1,200) (30c-40c-50c-60c) 7 days, 2nd week. Gross: $3,000. (Average: $428.)

LAND OF LIBERTY—(M-G-M)

RKO GRAND—(1,650) (30c-40c-50c-60c) 7 days. Gross: $4,400. (Average: $629.)

Mr. and Mrs. Smith—(RKO)

RKO SYRACUSE—(1,600) (30c-40c-50c-60c) 7 days, 3rd week. Gross: $3,200. (Average: $457.)

THE DEVIL'S PIPELINE—(Univ.)

THE LONE RIDER RIDES ON—(P. R. C.)

RKO FAMILY—(1,000) (15c-25c) 4 days. Gross: $1,500. (Average: $375.)

Little Men—(RKO)

SAN FRANCISCO Docks—(Univ.)

RKO FAMILY—(1,000) (15c-25c) 3 days. Gross: $900. (Average: $300.)

HIGH SIERRA—(Univ.)

KERRY—(7,000) (30c-40c-50c) 7 days, 2nd week. Gross: $1,500. (Average: $214.)

Two Quit Republic

ATLANTA, Feb. 25—George Jones, booker for Republic here, has resigned to set up his own booking office. Al Rouk, local Republic salesman, has resigned to go in business with his brother, Charles Rouk, operating a new theatre in Montgomery, Ala.

Critics' Quotes . . .

"It's a story of democracy resolved into essential ethics—simple honesty, good neighborhood, brotherly love and something very much like religion. It is holom, sure—but good. —Look.

"Buck Privates" (Universal)

An hour and a half of uproarious monkeyshines—New York Times.


An unpretentious comedy with music, and the principal charm is in its 'non-colossalsiveness,' its lead comics, and the natural way in which the fun and music are alternately featured.—Herman Shaver, Washington Times-Herald.

"This Thing Called Love" (M-G-M)

A hilarity hit... slapstick comedy of the 1941 streamlined variety.—Rita Swann, Baltimore News Post.

A more enjoyable story than the one in the cast promised.—Gilbert Kanour, Baltimore Evening Sun.

"Western Union" (20th-Fox)

The dash of history in this case is too negligible to get in the way of a streamlined presentation.—New York Herald Tribune.

Probably the best of the de luxe outdoor pictures of pioneering days proposed by 20th Century-Fox.—Edwin Schallert, Los Angeles Times.

A smash thriller.—Loelita O. Parsons, Los Angeles Examiner.

"It's a one-and-only call of the sturdy pioneers...a 'must-see' for action, romance, drama and thrills.—Jimmy Starr, Los Angeles Herald and Express.

"Back Street" (Universal)

Margaret Sullivan gives a compelling performance, and once again the studio, dramatizing clandestine love, turns a flood of tears into very probable profits.—New York World-Telegram.

A sleek and sentimentally off-center, yet inspired, story from start to finish and expertly acted.—Nicholas Clark, Baltimore News Post.

This is an absorbing history of two people...Its love story is poignant and contains a world of pathos, but it is seldom saccharine.—Lee Mortimer, New York Daily Mirror.

A smooth manufacturing job. With its tear-jerking treatment, it is bound to appeal to feminine audiences.—Howard Barnes, New York Herald Tribune.

"Give Us Wings" (Univ.)

Fifteen of the funniest songs and situations.—Pratella Hall, Boston Post.

"It may be that the Westward Sphere is most of it—a fast-paced visual fun, embellished with plenty of gag lines and some pleasant musical interludes.—Garrett D. Byrnes, Providence Journal.

"We'll Make You Laugh" (Col.)

Donald Kirkley, Baltimore Sun.

The Marx Brother's film is nearly as comical in their new show as on previous occasions... Silly? Yes, but just try to keep from laughing—we couldn't. —This is a good family film. The youngsters will howl over it and grown-ups will feel like asking.—Edith Wrenn, New York Daily News.

A two-reel slapstick comedy prolonged to feature length.—Donald Kirkley, Baltimore Sun.

"This Thing Called Love" (Columbia)

It is to be doubted if the firm has ever turned out anything quite as consistently hilarious... The plot and its ramifications are a bit risque for the cinema, but despite its implications, it never gets without the bounds of good taste.—Gilbert Kanour, Baltimore Evening Sun.

Smartly written and quite satirical with daffy fun and those who delight in watching a slapstick wielded by experts will find this a most delightful photoplay.—Donald Kirkley, Baltimore Sun.

"Santa Fe' Omahas' Winner at $5,400

OMAHA, Feb. 25—"Santa Fe" tops with $5,400 gross at the Brandeis. Cold weather hurt business generally.

Estimated takings for the week ending Feb. 19-20:

- "The Bank Dick" (Univ.)
- "Give Us Wings" (Univ.)
- "The Philadelphia Story" (M-G-M)
- "Texas Rangers Ride Again" (Paras.)
- "The Great Profile" (20th-Fox)
- "Santa Fe" (B. W.)

"Virginia" and Show Chicago Draw $42,000

CHICAGO, Feb. 25—"Virginia" plus Phil Spitalny and his all-girl orchestra drew a good $42,000 at the Chicago. The last week of Jones, Linick & Schroeder management of the Oriental ended with $16,000 for Louis Armstrong and band on the stage with the San Francisco Docks. —RKO.

Estimated takings for the week ending Feb. 21:

- "Fantasia" (Disney)
- "Stage Door" (M-G-M)
- "Call My Wife" (M-G-M)
- "Love on the Air" (Univ.)
- "Lady of Houston" (Univ.)
- "The Perfect Man" (M-G-M)
- "Sweetheart" (M-G-M)
- "The Great Profile" (20th-Fox)
**Feature Review**

"Meet Boston Blackie"

(Continued from page 1)

**Varity Clubs to Set National Convention**

PITTSBURGH, Feb. 25.—Representatives from all 24 Variety clubs will meet March 2 at the Hotel Traymore in Atlantic City to set arrangements for the national convention, National Chairman Barker John H. Harris has announced. The meeting will name convention committees, choose the convention hotel, and draft an agenda. Ten men will attend from the Philadelphia tent, which will be co-host with a showmen’s committee from Atlantic City.

The annual banquet of the local Variety Club will be held Sunday, Nov. 2, Chief Barker C. C. Kellenberg reviewed before leaving for a Florida vacation.

**Zanuck Will Deliver Army Training Films**

Hollywood, Feb. 25.—The first two films on army training produced here for the War Department by the Research Council of the Academy of Motion Picture Arts and Sciences will be delivered to army officials in Washington personally by Darryl Zanuck, who is chairman of the council; Nathan Levinson, vice-chairman of the council; Capt. Gordon S. Mitchell and Major General J. O. Mauldin.

The group will leave immediately following a dinner Friday night in honor of Mauborgne, which will be given by Zanuck at the 20th Century-Fox studio.

**Atlas Owns 39% of RKO Common, 28% Preferred**

(Continued from page 1)

option warrants, valued at $102,441, as well as the 7,000 shares of K-A-O, valued at $728,875. The holdings of RKO preferred reflect a six months increase of 5,600 shares and an increased valuation of approximately $50,000 over the holdings of June 30, 1940. The holdings of RKO common include 120,000 shares to be received by Atlas under arrangements reached with the court for reorganization services and represent an increase of approximately 168,000 shares and an increased valuation of approximately $1,250,000 over the holdings of June 30, 1940.

The number of RKO option warrants held by Atlas at the end of the year was unchanged during the six months’ period but reflected a $22,000 decline in valuation.

The Paramount preferred, however, showed a decline of $231,200, and 5,000 shares of second preferred valued at $36,875.

Atlas’s Paramount holdings at the end of 1940 consisted of 20,000 shares of common valued at $205,000, or $65,00 less than the combined value of the preferred held formerly.

The 10,000 shares of Walt Disney preferred was valued at $97,500 as of Dec. 31, last. The 7,000 shares of General Theaters equipment common increased approximately $20,000 in value during the six months.

The report reveals that the Atlas option on Keith-Albee-Orpheum preferred stock is for 23,800 shares certain, or $2,000,000 shares conditional, at $112.50 per share, and expires on April 30, 1940.

Atlas reported net income for 1940, including $1,739,243 net realized profit on securities, or $2,521,022. The indicated asset value of Atlas common on Dec. 31, 1940, was valued at $122.80 per share, compared with $122.80 per share at the end of the preceding year.

During 1940 one company paid $1,355,014 in dividends on its preferred stock and $1,424,607 on its common.

**Schine-U. S. Degree Talks Broken Off**

(Continued from page 1)

Ray, attorney for Schine, representing the circuit. McKay could not be reached for comment on the Government spokesman’s statement of the negotiations breakdown.

Indications that the besoin discussions had reached an impasse were first published in Motion Picture Daily on Feb. 17, when Federal Judge John Knight, who has jurisdiction over the case, expressed the belief that “there is a good chance that the Government’s anti-trust suit against Schine Theatres will go to trial.”

Motion Picture Daily also revealed exclusively that Schine Circuit had moved for the striking out of the Government’s interrogatories last week, indicating that the suit would be contested.

The five coating companies in the Government’s New York anti-trust suit have not been dismissed as defendants yet in the Schine suit, although they have been in both the Nashville and Oklahoma City actions. The Government’s position, however, said that the dismissals of the five at Buffalo was in prospect for the near future.

**Dramatists Guild Approves Contract**

(Continued from page 1)

plays can be produced here, Guild officials said yesterday that this objection would not alter their plans to put the new contract into effect. Guild officials pointed out that individual managers, and not the League, are parties to the agreement. Any attempt to sign, would not be permitted to produce shows by Guild members, it was said.

The only other important change from the five-year agreement is the extension from three to five years of the period in which managers share in proceeds from subsidiary rights.

**Cinema Lodge Heirs Address on Germany**

Cinema Lodge, B’nai Brith, at a meeting at the Hotel Astor last night heard a talk by Dr. Gerhard Seger, former member of the German Reichstag, on “Germany, a Nation Paralyzed.” Other speakers were Stuart Arons and Jerome I. Hyman. Entertainment was provided by the Paramount Choral Singers. Arthur Israel, Jr., president of the lodge, was chairman.

**Sunday Film Bill 1s On File in Georgia**

ATLANTA, Feb. 25.—A bill to legalize Sunday films in Georgia is due for consideration this week in the Georgia Senate.

Both provisions of the proposed bill, Sunday film would be permitted in any city where 25 per cent of the registered voters request them. It also provides that exhibitors obtain Sunday permits.
Skouras to Attend Meeting on Coast

Spyros Skouras, head of National Theatres, and other executives of the circuit will leave for Los Angeles late this week to attend the circuit's annual meeting of division managers, which will start March 6.

Productions for the 1941-42 season and other matters will be discussed by 30 executives expected to attend. Winners in the Spyros Skouras drives will be tabulated. The meeting will last about a week.

The home office group, besides Skouras, will include C. C. Adkins, Edward Zale, Aubrey Schenck, William Powers, Harry Cox and Pete Lundgren.

Among those attending will be Charles Skouras and Larry Kent, Los Angeles; Elmer C. Rhoden and Lou Cox, Kansas City; Rick Rickelson, Denver; Dennis L. Spooners, San Francisco; Frank Newman, Seattle; Al Finke, Portland; H. J. Fitzgerald and Ed Alperson, Milwaukee, and Dave Ideal, Detroit.

‘Boom Town’ Wins In Gallup Survey

“Boom Town” was voted the best liked film of 1940 in a public survey conducted in all states by the American Institute of Public Opinion, of which Dr. George Gallup is director. The five following choices, in order of rank: “Northwest Passage,” “Rebecca,” “Kane,” “Boom Town,” “Galveston.”

The survey, which is claimed to have covered a representative cross-section of the population, was confined to the films released between Jan. 1 and Nov. 30, last year. It covered two types of patrons, those who attend once a week or more and those who attend less than once a week. Those who select the following, six films, in the order of their choice: “Rebecca,” “Boom Town,” “Northwest Passage,” “Kane,” “Blonde Venus,” “Galveston.”

The latter group selected the following six films, in the order of their choice: “Rebecca,” “Boom Town,” “Northwest Passage,” “Kane,” “Blonde Venus,” “Galveston.”

F. P. Canadian Profit Estimated at $800,000

Toronto, Feb. 25.—A preliminary report for the past fiscal year of Famous Players-Canada, Inc., reveals that operating profit of approximately $800,000, higher than for the previous year, increased taxation will be more than counterbalance the increase, it is pointed out.

The gross profit equals $2.09 per outstanding share of common stock, on which the company paid a total of $1 in dividends during 1940, the same as in 1939.

GTE Votes 25 Cents

Directors of General Theatres Equipment yesterday declared a dividend of 25 cents per share on the capital stock, payable March 17 to stockholders of record March 10.

Yorke Making U. S. Short

Emerson Yorke, independent producer, has been engaged by the U. S. Forest Service to write and produce a one-reel short on hunting in Alaska.

Short Subject Reviews

“Information, Please, No. 6” (RKO-Pathé)

The three experts, John Kieran, Franklin P. Adams and Oscar Levant, aided by the English novelist, Jan Struther, again submit to the questioning of Clifton Fadiman. Miss Struther contributes some lively quips and the four regulars are as funny as ever. The questions range from nursery rhymes to the identification of warships. As good as ever. Running time, 11 mins.

“Eyes on Brazil” (RKO-Pathé)

This is a series of three single-reel subjects on South America photographed and narrated by Julian Bryan. This one describes the influence of Gerintas culture in Brazil and the steps now being taken by the joint efforts of the United States and Brazilian Governments to combat the Nazi menace. This magazine has published many of Bryan’s slants on this subject and this fact may be useful in exploitation. Worthwhile. Running time, 11 mins.

“Caballero College” (RKO-Pathé)

The latest release in the “Sportscope” series describes the Cavalry School of Chile. Brilliant riders display their horsemanship while the camera shows how the valuable horses are trained. Highlights of the reel are an exercise which requires a cavalryman to lance a series of targets while riding at breakneck speed, and a performance by a team of four who jump the hurdles in unison. Running time, 9 mins.

“Pluto’s Playmate” (Disney-RKO)

Another engaging personality enters the Disney menage in the form of a friendly little seal. Pluto, playing on the beach with a ball, is mystified, then angered, as the seal starts tossing the ball around on its nose. Later, the seal saves Pluto’s life when the latter learns how to toss the ball with his nose. The seal should prove popular. Running time, 8 mins.

“Prairie Spooners” (RKO)

Another in the series of Ray Whitley Western Musicals, this reel is for the most part a group of tunes sung by Whitley and the Six-Bar Cowboys. The party starts on a hayride and when they get to the barbeque Bob McKenzie tells Ray’s girl, Virginia Vale, of the time he met her mother on the covered-wagon train. Running time, 13 mins.

“Mat Men” (RKO-Pathé)

Wrestling is a major sport at Lehigh University under the guidance of Billy Sheridan, coach. Here the sport is reduced to a fine art and Sheridan demonstrates to a squad of college wrestlers how skill can conquer brawn. The reel ends with a hilarious burlesque of professional wrestling. Instructive and entertaining. Running time, 9 mins.

Good Authority

Pittsburgh, Feb. 25.

QUOTING the Bible as reason for not distributing passes, local exhibitor answers requests with one of the following: “Though they roar, they shall not pass” (Nahum 1:15), “This generation shall not pass” (Mark 12:30), “The wicked shall no more pass” (Jeremiah 5:22), “Suffer not a man to pass” (Judges 3:28), “Thou shalt not pass” (Numbers 30:18), “None shall ever pass” (Isaiah 35:15). “So he paid his fare and went” (Jonah 1:3).

‘Kane’ Ads Appear

First national magazine advertisements on “Citizen Kane,” Orson Welles film which will be released by RKO, are already appearing. The magazine campaign was prepared by Donahue & Co.

The most famous hero of his day in the arms of the notorious beauty of the world called That Hamilton Woman!
WMCA to Give Free Time to Candidates

In what is believed to be one of the few times a station has given free time for political talks, WMCA will offer an hour and one-half to Democratic, Republican and Socialist candidates for the Congressional vacancy in the 13th New York district. The candidates will discuss current issues. The talks will be March 1, 5 and 7.

Aascap Decree Goes to Goddard Today

Aascap's Federal consent decree will be submitted to Federal Judge Henry W. Goddard in U. S. District court here today. Public hearing on the decree will have been tentatively set for Monday.

Set Canada Survey in Music Fee Fight

Toronto, Feb. 25.—To help settle the dispute between the Canadian Performing Rights Society and Broadcast Music of Canada, Inc., over the question of determining what fees for performing compositions, a listener survey of music played over the air will be conducted on the suggestion of the Copyright Appeal Board.

No intimation has been made as to the method to be used or whether it will be a check of CBC network stations or programs of independent broadcasters, or both. The suggested method was worked out of the claim of Col. O. M. Biggar, made largely to the Copyright Appeal Board, that music was being broadcast than ever before and that music was the popular feature of programs generally.

FCC Hearings Set On 3 Applications

Washington, Feb. 25.—The Federal Communications Commission has set a hearing March 28 on the applications of J. C. Kaynor for a new 1,310-kilowatt broadcasting station at Ellensburg, Wash., and Station KGNQ, Dodge City, Kan., for increase of night power from 250 to 500 watts.

It was also announced that a hearing will be held April 10 on the application of the Granite District Broadcasting Co. for a new 1,300-kilowatt, 250-watt station at Murray, Utah.

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Theatre Changes

Plans Ontario House
TORONTO, Feb. 25.—Jack Allen, independent proprietor of the Tivoli Theatre at nearby Thornold, has started construction of a theatre which will be the first for Niagara-on-the-Lake, Ontario. It is planned to open the theatre in time for the summer holiday trade, the town being a tourist center.

Manages Warner House
RACINE, Wis., Feb. 25.—Stanley Tambo, manager of Rarities here, has been named manager of the circuit's Venetian, succeeding Jack Keegan, who has become buyer for United Detroit Theatres, Detroit.

Plans Kentucky Theatre
CINCINNATI, Feb. 25.—Mrs. Ruth Bressler has purchased a site near by Bellevue, Ky., on which she will erect an 800-seat theatre.

Rochester Suburban Planned
ROCHESTER, Feb. 25.—With plans approved by the Bright Town Board, construction of a new 1,000-seat theatre for the suburban community will start shortly.

Renovate Warner Theatre
PHILADELPHIA, Feb. 25.—Warner's Princess, in the downtown area, is being equipped with a new front and lobby, modernized rest rooms and general renovations to be completed next month.

Columbus House Opened
COLUMBUS, O., Feb. 25.—The 900-seat suburban Beechwood, has opened here. Admission is 25 cents, children 10 cents. Milton Yasenoff is manager of the house, which recently was acquired by Louis Wietze, Cincinnati, from the estate of the late C. A. MacDonald.

Acquires Wheeling House
WHEELING, W. Va., Feb. 25.—The Virginia Theatre here, a local landmark, has been purchased for $80,000 by Wheeling Theatres, Inc., from the Conservative Life Insurance Co. The circuit controls five other houses here.

Manager Transferred
MINNEAPOLIS, Feb. 25.—A. J. Sonasky has been transferred from the Minnesota Amusement Co. staff at Virginia, Minn., to become manager of the Loring Theatre, one of the company's suburban houses in Minneapolis.

Reopens in San Francisco
SAN FRANCISCO, Feb. 25.—Jess Levin's Avenue Theatre, recently gutted by fire, has been reopened after complete reconditioning.

Manages Telenews Theatre
CLEVELAND, Feb. 25.—Holden Sawyer, managing director of deluxe theatres, has been appointed manager of the newly opened Telenews Theatre here.

Discuss Sales Quota At Regional Convention
LOS ANGELES, Feb. 25.—Discussions today at the second and final day's session of Republic's western regional sales meeting here was concerned with sales quotas for the 1941-'42 season.

Increases in quotas, the sales force was told, will be based on increased production budgets for the new screen names R. Grainger, partner in the motion picture division and Herbert J. Yates spoke. They will go from here to Kansas City, where the second regional meeting is scheduled to open Thursday for two days.

Five Arraigned in Theft from Eastman
The Grand Jury of Union County, N. J., yesterday held that Bingo, regardless of the purpose for which it is played, is gambling. As a result, Assistant Prosecutor Thomas F. Fineston directed the chiefs of police in the county's municipalities to clamp the lid on the game, which has been put on by numerous organizations and proved stiff competition to theatres.

Bingo Is Gambling
The publicists hearing on WB, M-G-M Today
Screen Publicists Guild will start its case against Warner and M-G-M for designation as a color film. The opening agency today before Daniel Baker, trial examiner for the National Labor Relations Board, Tuesday in the case against the six other major companies was concluded Monday, after 15 days of hearings.

The S.P.G. claims 90 per cent of the home office publicity department employees eligible to vote in NLRB elections. The companies' principal chief contention before the board was that artists, particularly those who free lance, should not be excluded. With the exception of foreign publicity staffs, an agreement was reached on all other employees in the advertising and publicity departments.

After testimony is completed, transcripts of the record are sent to Washington for a decision by the Board.

Publicists Hearing
On WB, M-G-M Today

Bingo Is Gambling
Jersey Jury Holds
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Boston Group Takes House in Rochester
ROCHESTER, Feb. 25.—Philip Smith Theatrical Enterprises of Boston has taken a lease on the new 1,200-seat theatre planned in suburban Brighton. This is the first neighborhood house built here in several years.

Tax Claim Settled
The Government yesterday agreed to settle an income tax claim against the estate of the late Marilyn Miller for $30,000, after demanding $27,164 on 1930 and 1931 income. Miss Miller died in 1936, leaving an estate estimated at $91,539.

2 Games Measures Filed in Albany
ALBANY, Feb. 25.—Assemblyman Max Turshen today introduced into the New York State legislature two chance games bills. One is a constitutional amendment, requiring two successive votes by the legislature, followed by a popular referendum, to legalize the games.

The other, setting up games regulation under the Department of State, provides a $100 annual license fee; restricts the games to charitable, religious and similar organizations incorporated as non-profits. Written parental consent and notification to the Secretary of State will be required. Cruelty to children will be required.

Assemblyman William Manning of Rochester submitted a bill permitting employing agencies to license children in performances by non-profit associations. Written parental consent and notification to the Secretary of State will be required.

Greek Relief Fund Committee Is Named
An organizing meeting of the New York metropolitan area committee of the local Amusement Industry Division for the Greek War Relief Week, March 25 to 30, was held at the Hotel Astor yesterday. Joseph R. Vogel of Loew's is chairman of the division.

John J. O'Connor, co-chairman of the area with Harry Brandt and Fred Schwartz, presided. Brandt spoke on work among neighborhood theatres. Schwartz was named local treasurer, and the meeting was also addressed by A. P. Waxman, general publicity director of the National Greek Relief Drive.

Ray Whitaker of the Shubert organization promised legitimate theatre cooperation. Spyros Skouras discussed the aims of the drive.

The borough committee named at the meeting includes: Manhattan, Leo Brecher and Max Cohen; Bronx, J. T. Thompson and Lawrence Bolognino; Westchester, Irwin Wheeler; Queens, Fred Schwartz and Samuel Rabinheimer; Brooklyn, Harold Kinsler and Sam Straussberg; Staten Island, Si Fabian and Charlie Moses; Long Island, Joe Seidler. In addition to these borough chairmen, the division and district managers of all circuits will act as co-chairmen in each section.

Club Sponsors Ball
Baltimore, Feb. 25.—The annual Preakness Ball in Baltimore, which takes place on the evening of the celebrated Preakness Race, is to be sponsored this year by the Variety Club and the proceeds go to charity.
An open letter to the Motion Picture Industry

History repeats itself—with Greece and Fascism enacting the roles of David and Goliath.

The heroic valor of the Greeks in their defense of democracy, has aroused the admiration of every liberty loving American. This little country—and it's a very small country—has stood up and fought Fascism to a standstill. It has put new heart into all little countries.

Today, we of the Amusement Industry, are asked to do our small part. The suffering, the struggles of millions of valiant men, women and children, will be lightened by knowing that here in the United States are fellow humans who want them to win and furthermore—are willing to do something about it! John H. Harris and Gradwell L. Sears have very kindly volunteered to aid me in organizing all exhibitors and distributors for this great cause. We have set aside the period of March 25-30 as the days to raise the funds through the active participation of all theatres everywhere. As Chairman of the Amusement Industry Division of the Greek War Relief Association, I appeal to you to do your share in making our drive a complete success.

The Greeks love liberty so much they're willing to die for it. The least we of this thrice blessed country can do is to help the women and children of these gallant defenders of democracy. We have nothing to lose if they gain. We have nothing to gain if they lose.

Sincerely,

ADOLPH ZUKOR, Chairman
Ascap Decree Sets Stage for Air Agreement

Per Program Formula Is Awaited by NAB

The Ascap consent decree "paves the way for immediate settlement of the difficulties between the music society and the broadcasters which have resulted in the barring of Ascap music from the air since Jan. 1," Assistant U. S. Attorney General Thurman W. Arnold asserted in a statement issued following the submission of the decree yesterday to Federal Judge Henry W. Goddard.

At the same time, the Department of Justice filed a new civil antitrust suit against Ascap in Federal court here and moved for dismissal of the 1943 Federal action pending against the society, if approved by Judge Goddard following the public hearing tentatively set for next Monday, the decree will dispose of the new suit.

"All objectionable practices (of Ascap) have been resolved by the (Continued on page 6)

Legion Reclassifies
'Thing Called Love'

The National Legion of Decency has reclassified "This Thing Called Love," Columbia picture, from Class C (Condemned) to Class B (Objectionable in Part), following revision by the company.

The Legion yesterday issued the following statement to its members:

The many and important cuts which were made in the original version of the film have been deemed sufficient to warrant a change in classification from C to Condemned to B or Party Objectionable. The cut (Continued on page 6)

Para. Is Considering 'Wings' as Roadshow

"I Wanted Wings" is under consideration for roadshow exhibition by Paramount, it was learned yesterday. If this handling is decided upon, the film, according to officials, will have its first run performance at the Astor on Broadway, following the run of (Continued on page 6)
Coast Flashes

Hollywood, Feb. 26

ARTHUR M. LOEW, first vice-president and general foreign manager of Loew's, and Morton Spring, assistant manager of the New York office; arrived here today for a week of conferences at the M-G-M studio on forthcoming product.

Sam Bisnik arrived from the studio for conferences with Columbia home office executives.

E. C. Grainger, head of the Shea circuit, will leave tomorrow with his wife and daughter (Linda Patricia) for a month at Fort Lauderdale, Fla.

Robert Sheltzer, Warner's Central district manager, returns from Washington today after conferences here with Roy Haines, Eastern and Canadian sales manager.

Arthur Will, RKO Eastern talent scout, leaves today for Buffalo. He will return here Saturday.

William Brennan, vice-president in charge of operations for National Screen Service, is recuperating at home after a serious illness.

Harry Buckley, John Wright, Rube Jacker and Max Weisfeldt lunching yesterday at Lindy's (next to the Rivoli).

Music Hall Sets Greek Relief Show

A midweek show for the benefit of Greek War Relief will be held at the Music Hall during the week set aside for theatres' participation in the drive. The tentative date for the benefit is Friday, March 20. Joseph V. Vogel of Loew's, chairman of the New York division committee, is handling arrangements.

Maurice McKenzie Married in Indiana

Announcement was made here yesterday of the marriage of Maurice McKenzie and Nellie Stone at Crown Point, Ind., last Saturday. McKenzie is president of John Hays, president of the Motion Picture Producers and Distributors of America.

Rita Hayworth in 'Wife'

Hollywood, Feb. 26.—Rita Hayworth will appear in "Our Wife," to be produced ad directed by John Stahl as his first for Columbia.

Personal

JACK L. WARNER, vice-president in charge of Warner production, arrived here from the Coast yesterday.

Services Held for Jack Segal's Wife

Funeral services were held yesterday morning from St. Elizabeth's Church in New York. Flat, N. J., for Mrs. Anna Segal, wife of Jack Segal, head of Columbia exchange operations. Mrs. Segal was killed in an automobile crash early last Sunday morning.

Segal was seriously injured in the accident, which was reported yesterday as slightly improved at the Paterson, N. J., General Hospital. The accident occurred at Glen Rock, N. J., as the couple was returning from the annual Columbia Club ball.

Joseph McCamelly, foreign sales chief, called off a trip to Latin American branches when he learned of the accident, attended the funeral yesterday. He has made no plans to resume the South American trip.

JACKER LEADS COL. ANNUAL SALES DRIVE

Rube Jacker, Columbia assistant sales manager, was named chairman of the committee in charge of the company's annual sales drive, which opens Saturday and continues for three months through May 30.

Members of the committee in addition to Jacker are: Louis Astor and Louis Weinberg, in charge of sales; Max Weisfeldt, sales; Maurice Grad, sales promotion manager; Henry Kaufman, manager of exchange operations; George Josephs, manager sales accounting department.

The drive, called the "Columbia Exhibitors Good Will Campaign," will feature competitive events with special awards for branch managers, salesmen and bookers.

Metro Club Elects

NEW HAVEN, Feb. 26.—The Metro Club has elected Rosemary Patterson president. Other officers are: Molly Smith, vice-president; Anna Caparros, treasurer, and Ethel Phillips, secretary.

‘Tobacco Road’ and Critics

A WAY back in December, 1933, just about the time Prohibition was being repealed, Hitler had just come into power, the NRA hadn't been heard of as yet and President Roosevelt was in the first year of his first term, "Tobacco Road" opened to the unanimous disapproval of Broadway's critics. The only disagreement among them was that they believed the play would not last a week, while others though it might run for as much as two weeks.

Times have changed since then, but not the critics.

"Tobacco Road" is still running. So is 20th Century-Fox's film of the same name based on the play, which today enters its second week at the Roxy, after a nice $50,000 on its first week.

1942 Mardi Gras Is Set for Feb. 17

NEW ORLEANS, Feb. 26.—New year's annual New Orleans Mardi Gras has been set for Feb. 17.

The current year's festival concludes with a parade on Mardi Gras, a week of parades, balls and parties of all sorts. Theatre business suffered, as usual, during the performances of the Mardi Gras, but pick up measurably on the last day, Wednesday. The affair played to hundreds of thousand of people, mostly tourists.

The carnival spirit was even more in evidence this year than before, in the opinion of many observers, and it is thought that one of the brightest and most colorful of all Mardi Gras. The nightly pageant, or balls are financed secretly by local business men, since it is one of the rules of the carnival organization that no one shall know the identity of its members.

The series of parades which were carried on throughout the past week concluded yesterday, Mardi Gras day, when virtually everyone in the city was on Canal Street at some time or other.

Grainger and Yates Plan Exchange Tour

James R. Grainger, Republic president, and Herbert J. Yates plan a tour of Old World countries, and Canada, with representatives of Dunlop and foreign agencies, to contact exhibitors and exchange views on ideas for exploitation of new product. The trip will be made in April.

Grainger and Yates are attending a second regional sales meeting today and tomorrow in Kansas City, following the first in Los Angeles.

Complete production plans will be announced at a New York sales meeting March 6 and 7. The company has increased the number of Jubilee Production schedules for next season from eight to ten, making the total planned 60, including 30 Westerns. Included are liner production of "Mardi Gras" and "Hip to Be Square," and World War II Anniversaries Productions and six Supreme Productions starring Gene Autry, in addition to other groups already scheduled. The latter are planned next season on "Sis Hopkins" and "Lady from New Orleans," the latter in New Orleans.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Hollywood Reviews

“The Lady Eve”  
(Paramount)  

This third of the pictures contributed to Paramount by Preston Sturges establishes definitely the fact that the Sturges name is mark material to the same extent as those of such screenwriters as an Alfred Hitchcock, John Ford and the others whose names mean money in the till.

Demonstrated without any possibility of doubt is Sturges’ flair for the fresh treatment of screen material, evinced previously in his “The Great McGinty” and “Christmas in July.” Here his talent for doing the almost turn out superlatively well is indicated by casting Barbara Stanwyck and Henry Fonda in roles departing from their usual characterizations.

Miss Stanwyck, as both the daughter of a professional shipboard gambler and the glamorous British “Lady Eve,” has parts compounded of comedy and romance and excels in each department. Fonda, as the awkward naturalist son of a wealthy broker, emerges from homespun drama to modern comedy without a shaze of hesitancy.

From the time it first flashes on the screen, with a Leon Schlesinger cartoon snake pointing up the title, to its final fadeout, in which William Demarest, as Fonda’s guard and valet, exclaim “Positively the same dame!” the story is a hilariously adult treatment of the female’s luring, and damsel capture, of the male of the species.

Typical of the dialogue, and of the mood the picture sets, is the scene aboard ship in which the stars and Charles Coburn, as Miss Stanwyck’s father, each make a toast before having their first drink together. The professional card sharp, his hooks sharpened for the inviting prey he sees in Fonda, says “Washington and Valley Forge.” Not to be outdone, Fonda replies “Devey and Manhattan,” which the girl climaxes with “Napoleon and Josephine.”

Their romance abruptly terminates when the boy discovers that the girl with whom he has fallen in love while returning from a year spent up the Amazon is really a card sharp, as is her father. The girl then proceeds to pose as a member of the English aristocracy visiting a friend of his family. Actually, the “friend,” played by Eric Blore, is equally anامر of an identical sister, daughter of the same mother as but of a coachman rather than an English nobleman, fools the boy to such an extent that he marries the girl.

To compensate for her humiliation at his hands, she fills the boy with stories about her wild youth, again convinces him so fully that he jumps off the train on their wedding night, refuses to see her again.

They meet once again on board ship, the girl this time in her first characterization, and reactions between them indicate no doubt that the romance will be consummated. It is here that the “Positively the same dame” line ends the film.

Handled throughout in a light vein, as indicated, the picture does not hesitate to kid itself in part, through musical effect and varied forms of slapstick. The success of the treatment may best be indicated by reporting that a press preview night audience laughed throughout, at an extent extending beyond out dialogue.

In addition to the players mentioned, Eugene Pallette, Melville Cooper, Martha O’Driscoll and Janet Beecher are featured. Paul Jones produced, as he did the two preceding Sturges pictures.

Running time, 95 minutes. “A” *  
W. S.

*”A” denotes adult classification.

“The Flying Wild”  
(Monogram)  

FiFTH in the series of pictures featuring “The East Side Kids” produced by Sam Katzman, “Flying Wild” deals with a band of saboteurs and spies stealing plane plans from a factory in which the youths work. The boys, headed by Leo Gorcey and Bobby Jordan, capture the band after some implausible adventures laden with excitement and comedy.

The stars are Joan Barclay, Dave O’Brien, George Pembroke, Sunshine Sammy Morrison, David Gorcey, Donald Haines, Eugene Francis, Bobby Stone, Herbert Rawlinson, Dennis Moore, Forrest Taylor and Bob Bill.

William West directed the film, for which Pete Mayer was Katzman’s associate producer.

Running time, 63 minutes. “G” *  
VANCE KING

*”G” denotes general classification.

Aluminum Shortage May Hit Air, Films

Film producers and radio broadcasters are facing the prospect of a recording embargo unless, within the next month, the result of the Office of Production Management’s action early this week is reserved first call on aluminum for national defense operations.

Aluminum is the basic metal en- 
In the making of master plates, from which playbacks are made for radio programs, and recording disks for radio stations.

President of Audio Devices, Inc., New York disk maker, said yesterday that only several weeks supply of aluminum was on hand among the companies serving the film and radio industries and that no new orders for aluminum can be placed unless the two industries receive either emergency allotments from the O. P. M. or an essential national defense industry rating.

All of disk and recording companies, as well as the Radio Manufacturers Ass’n, have sent representatives to Washington to make representations to the O. P. M. It has been pointed out that both films and radio are important factors in national defense work, and that no substitute for aluminum has been found for disk making and the two industries use only approximately $50,000,000 annually of a total supply of almost 600,000,000 pounds.

Navy Gets $250,000 For Film Expansion

WASHINGTON, Feb. 26.—Preparing to expand its motion picture service, the Navy today ordered Warners and Loew’s to produce all records on payrolls, employ lists on publicists and similar data, at the hearing on the Screen Guild demand for designation as collective bargaining agency.

The hearing was adjourned until next Wednesday. Attorneys present at the hearing were Berton Zorn, for Loew’s; H. S. Bardofeld, Warners, and H. W. Williams, Screen Guild. Both sides asked for further hearings than were held for other companies.

Order Records in Publicists Hearing

Trial Examiner Daniel Baker of the National Labor Relations Board yesterday ordered Warners and Loew’s to produce all records on payrolls, employ lists on publicists and similar data, at the hearing on the Screen Guild demand for designation as collective bargaining agency.

The hearing was adjourned until next Wednesday. Attorneys present at the hearing were Berton Zorn, for Loew’s; H. S. Bardofeld, Warners, and H. W. Williams, Screen Guild. Both sides asked for further hearings than were held for other companies.

Record for ‘Heaven’  
MEXICO CITY, Feb. 26.—“All This, and Heaven Too” is establishing a record for this country, with nine consecutive weeks at the local Civic 1,000-seat house. The film is continuing its run.

Wagner Planning 3 For UA Next Season

WALTER Wagner plans three pictures for United Artists release during the 1941-42 season.

In addition to “Sundown,” already announced, he will make “Eagle Squadron,” story of Americans in the R.A.F., and a third to be selected from among three properties. Merian C. Cooper is in England filming background material for “Eagle Squadron.” The film, “So Gallantly Stream.” Originally announced for 1941 release, has been postponed.

ITO Talks Continue Over Union Contract

The New York I.T.O.A. is continuing negotiations with Operators’ Local 306 on the union’s request for a wage increase, which was to have become effective last September, but the membership was informed at a meeting at the Hotel Astor yesterday.

Under the previous agreement concluded in September, 1936, wage increases of at least $1 a week per booth are provided every two years. The present negotiations are over the union’s new wage demands made last September.

N. S. S., Casanave In Court Actions

National Screen Service, Inc., yesterday filed suit in the N. Y. County Supreme Court through Herman Robbins and Tolby Gruen, directors, against Charles E. Resnick, vice-president and general manager of National Screen’s subsidiary, National Screen Accessories, Inc., and, against the latter company, seeking an accounting of alleged secret profit made in a stock purchase and manufactured agreement between National Screen Accessories and American Display Company, Inc.

A summary has already been served in an action in the Westchester County Supreme Court at White Plains by Casanave against Robbins, Gruen and Elliot E. Kreuger, president of National Screen Service, on Harry A. Samwick and Murray Hellwick, offerers of American Display, and on National Screen Accessories, American Display and Advertising Accessories, asking for declaratory judgment setting forth that the contract between Casanave, National Screen Accessories and American Display is valid.

Foresees Passage Of Ga. Sunday Bill

Augusta, Ga., Feb. 26.—Passage of the bill to legalize Sunday films in Georgia municipality by a margin of 19-14, up for a second vote in the Senate was foreseen today by Floor Leader H. B. Edwards. The bill was defeated Monday by four votes, and Sena- tor Pat Campbell, its co-author, today filed intention to have the Senate vote again. It would permit Sunday shows where 25 per cent of the vot- ers required, each year recall by the same number of voters, with one referendum a year permitted.

Thursday, February 27, 1941  MOTION PICTURE DAILY 3
ERROL FLYNN

In his big MODERN adventure!

Footsteps in the Dark

It's a great mystery!
It's a terrific romance!
It's a howling comedy!
It's a smash!

with
BRENDA MARSHALL
RALPH BELLAMY • ALAN HALE
LEE PATRICK • ALLEN JENKINS • LUCILE WATSON

Directed by LLOYD BACON
Screen Play by Lester Cole and John Wexley • From the Play by Izaak Fodor, Bernard Merrills and Jeffrey Dell

ONLY THE WARNER EXHIBITOR CAN FOLLOW 'STRAWBERRY BLOND' BOTH
The Sea Wolf

JACK LONDON'S thundering story!

Directed by MICHAEL CURTIZ

with Alexander Knox • Gene Lockhart • Barry Fitzgerald
Screen play by Robert Rossen • Music by Erich Wolfgang Korngold

IN MARCH!
Court Orders Dismissal in La Crosse Suit

(Continued from page 1)

aires in LaCrosse to two new theatres which had been opened there by Well- worth. The plaintiff previously op- erated the only first run in LaCrosse.

The case first came to trial last Oct. 30 before Judge Stone and a jury but was interrupted by the sud- den illness of plaintiff’s attorney. Trial was resumed Feb. 17 before Judge Stone and a new jury. Coun- sel for the plaintiff today sought an- other continuance for introduction of evidence, which was denied by the court, and the case was ordered dis- missed on its merits.

United Artists and 20th Century- Fox had contended that the sale of their films to the New Wellworth house was decided by their own busi- ness judgment and was not the result of an alleged conspiracy, as charged. The court’s ruling sustained this position.

Frederick Pride of Dwight, Harris, Koegel & Caskey represented 20th Century-Fox at the trial. Paramount was represented by Louis Phillips, home office attorney.

Legion Reclassifies ‘Thing Called Love’

(Continued from page 1)

version of the film has been rated as Partly Objectionable because of the original theme—emphasis on which, however, has been considerably less- ened.

Inasmuch as Legion classifications are national, it was necessary that the Legion be sure that the revised version would be the version exhibited throughout the United States. This assurance was given in a spirit of co- operation by Mr. Jack Cohn, execu- tive vice-president of Columbia Pic- tures, who wrote to Mr. Wellworth be- fore the Legion under date of Feb. 25, reading as follows:

"In accordance with your request, this company has made all the changes in its production, "This Called Love," requested by the National Le- gion of Decency. It was felt that every one of our branches, as well as our studio, notifying them of these changes, and that they are effectively communicated."

"Mr. Hode has informed me that these changes will alter the Legion’s rating on this picture from C to B."

"May I, on behalf of Columbia Pictures, express my thanks to the National Legion of Decency for its cooperation in the foregoing?"

Starr Edits Journal

Martin Starr has been appointed editor of the Amsa’s souvenir journal for the organization’s Silver Jubilee dinner and dance at the Hotel Edison on April 4, it was announced yester- day by Leon Bamberger, president. March 15 has been set as the deadline for editorial contributions for the pub- lication.

Government Plans No Censorship
Of Press or Radio, Mellett Says

Washington, Feb. 26.—Absolutely no censorship of radio, the press or other mediums is contemplated by the Administration. A House committee was told yesterday by Lowell Mellett, director of the office of Government reports.

Appearing before the committee to discuss a $1,500,000 appro- priation asked by Postmaster General C. Frank, Mellett assured inquiring members that recent re- ports of a contemplated censorship are entirely without foundation.

"If any censorship is contemplated this office knows nothing about it," he said. "I know no censorship is contemplated, either now or if this country should become involved in war. When I say no censorship is contemplated in the event of war I do not mean that there will not be censorship of military or naval information, but censorship of the press and the radio, such as is exercised in some countries abroad."

Mellett denied also that his office was engaged in propaganda, as charged by Representative Gifford of Massachusetts, who referred to a motion picture short on the Rural Electrification Administration.

Col. Files Queries
In Schine Action

BUFFALO, Feb. 26.—Columbia today filed extensive interrogatories in Federal District Court here for the Gov- ernment to answer in connection with the Federal anti-trust suit against the Schine Circuit and Columbia, Uni- versal and United Artists.

The interrogatories filed by Schwartz & Frohlich, New York counsel for Columbia, go that answers be filed not later than March 13. In 46 pages Columbia requests various definitions of phrases used in the Government complaint, in addition to detailed descriptions of alleged illegal distributor practices.

In one instance the Government is asked to state the title of each “first class picture” released by Columbia and exhibited in the Schine towns during the last 10 years and each of the factors considered by the Govern- ment in determining that such pic- tures are “first class.” A definition of the words “collectively distributed” is requested.

Warners Transfer
Managers in Phila.

PHILADELPHIA, Feb. 26.—Manager changes at the Warner theatres in this area follow: In York, Paul Harvey, former Capitol manager, moved over to the Strand with Harry Osmund, manager, and Allen M. Murray in coming from Phila- delphia for the Ritz. Charles Crowley, manager of the State, Chester, re- placed William Monahan. Murray, manager of the Grand, Vineland, N. J. Morgan is filling in as suburban district man- ager for Jack L. Mulhall, who was called for Army duty.

New Formula Is Key to Deal, Miller Declares

Beginning of negotiations with Ascap to determine how the new society can develop a licensing formulas based upon a per-program arrange- ment, Neville Miller, president of the National Association of Broadcasters, said yesterday in commenting upon Thurman Arnold’s statement.

Miller said: "How imminent a set- tlement between broadcasting and Ascap may be depends on how soon Ascap can readjust its whole setup to conform with the terms of the decree, and how soon thereafter it will be in a position to work out a proposal for our consideration."

Iowa Would Regulate Games, Set Sales Tax

DES MOINES, Feb. 26.—A bill in- troduced in the Iowa House of represen- tatives requires theatres using games to award a prize at every drawing and would prohibit more than three theatres from combining in any one drawing.

Another bill would place a special state sales tax on all forms of amuse- ment dealing with a tax of 5 cents on all tickets costing $1, and 9 cents on sales over $2. No exceptions would be made and it would be in addition to the present sales tax now levied on amusements.

Theatre men are fighting the measures.

Form-Albany Club

ALBANY, Feb. 26.—Exchange clubs have formed the Albany Club, so called because of its or- ganization date, Feb. 22. Officers are: Daniel R. Houdhia, 20th Century-Fox manager; George Y. Sichel, also a 20th Century-Fox booker; secretary. The board of di- rectors comprises J. Marchetti, Universal booker; George Bing- ham of Columbia and William J. Murray of Monogram.

Air Aid Hospital Fund

WASHINGTON, Feb. 26.—Cooperat- ing in their third annual campaign for the Children’s Hospital blood and serum bank, the Warner Tivoli will give a pre-release benefit showing of "In Old Colorado" Saturday morning. Warners are donating the house and Paramount the film.

RCA Held 44,757
RKO Shares Dec 31

(Continued from page 1)

$1,000,000 was attributable to defense orders.

Of the $32,491,111 gross income, $4,378,307, an increase of 11.5 per cent over 1944, was attributed to the use of production of $37,641, up 20.2 per cent from manu- facturing; $10,287,899, up 17.8 per cent, from communications; and $5,- 447,804, up 9.2 per cent, from all other sources. RCA does not break down the net earnings of its subsidiaries.

Total number of employees at the end of the year was 25,038, an in- crease of nine per cent.

The surplus account was increased $326,179 for a total of $13,312,579 at the end of 1940. Cash on hand amounted to $17,408,406; current assets, $54,865,967; current liabilities, $24,530,483; and working capital, $30,335,482.

A supplemental report by Maj. Gen. James H. Hedy, chairman of the board, and David Sarnoff, president, stressed the importance of the company’s increasing role in defense ac- tivities.

Ascac Deed

Ascac Decreed

Sets Stage for Air Agreement

(Continued from page 1)

decree," Arnold’s statement declares. "The only matter remaining for a just settlement is one of payments between the broadcasters, and the Government.

The tone of Arnold’s statement was interpreted as indicating that the De- cree interpreting the relationship between Ascap and the broadc- asters to begin as soon as the decree is approved by the court and prepared to intervene.

The statement pointed out that the only portion of the decree which dele- tiously is the provision for a formal blanket or per piece contract with Ascap, as reported in Motion Picture Daily on Feb. 21.

The file points out that the court yesterday does not include the pro- posed interpretation of freedom of selection of contract terms by Ascap and the broadcasters, as advanced by the Broadcasters at the time it ac- cepted the decree. It was stated however, that such an interpretation is implicit in the wording of the decre- e and it was agreed by Ascap and the Department that further amplifi- cations are necessary.

Settlement of the Government’s criminal information against Ascap was mentioned in today’s report. The board, the court stated, will be accomplished, probably next Wednesday, with the payment a- fines by Ascap totaling $24,000.

Ascac Coast Meeting

HOLLYWOOD, Feb. 26.—Gene Buck, Ascap president, at a closed member- ship meeting at the Beverly Wilshire Hotel here this morning explained the pro- visions of the society’s consent de- cree. Secretary Buck the Coast members voted to ratify it.

Para. Is Considering ‘Wings’ as Roadshow

(Continued from page 1)

"The Dictator," and otherwise will have runs in Los Angeles, Chicago and Dallas. The roadshow idea is unex- pectedly supported by Jack Gagne, Paramount general sales man- ager. Robert Gillham, advertising di- rector, is reported to have heard in- teractive arrangements for an enlarged exploitation staff should the film be roadshown.
If ever a picture was made
to Make Money, it's
That Hamilton Woman!
THE KIND OF PICTURE THAT HAS MADE THE GOSSIP ABOUT THAT HAMILTON WOMAN IS SPREADING TO MILLIONS...

...thru national radio hookups; 4 full-color magazine covers; wire-service publicity stunts to crack headlines in cities large and small; a quarter of a million dollars worth of tie-ups with national advertisers...including the largest single tie-up ad ever effected for a motion picture, sponsored by Chesterfield and inserted in 2,000 newspapers with a combined circulation of 43,000,000!
THE PICTURE BUSINESS GREAT...

...a heaven-sent piece of casting which brings together the world's most publicized couple in a hit that's big and exiting not only in its romance but in its whole plan of profit for you from its first great story idea... through every phase of its stirring production... to the hard-hitting promotional campaign that will bring it to your marquee in a blaze of glory!

ALEXANDER KORDA presents

Vivien Leigh

Lawrence Olivier

That Hamilton Woman!

Directed by Alexander Korda

with ALAN MOWBRAY • SARA ALLGOOD • GLADYS COOPER • HENRY WILCOXON

Original screenplay by Walter Reisch and R. C. Sherriff

Released thru UNITED ARTISTS
These Stars attracted an unprecedented rush of newspaper correspondents to Hollywood to watch their news-making performances under the personal direction of Alexander Korda, working for the first time with the unlimited facilities of American production close at hand. Hundreds of full pages in black and white and in color have been these journalists' advance publicity tribute to the importance of THAT HAMILTON WOMAN!
**Fantasia** Is Philadelphia Best, $18,500

PHILADELPHIA, Feb. 26—“Fantasia” gets off to a strong start at the Aladin, in spite of mixed press notices, with $18,500 for its first week. “This Thing Called Love” took $11,900, “Gone With The Wind” in its fourth and final week at the Stanley drew $17,800.

Estimated take-aways for the week ending Feb. 26:

- **Fantasia** (Disney): ALDINE—(1,400) (8c-14c-3L12) 7 days. Gross: $18,500. (Average, $2,643)
- **Rebecca** (M-G-M): ARCADIA—(600) (3c-4c-6c-5c) 7 days, rev. gross: $24,400. (Average, $3,486)
- **Victory** (Para): SYDNEY—(2,000) (5c-5c-6c-7c-9c-6c-8c) 7 days, Gross: $11,200. (Average, $1,600)
- **Honeymoon for Three** (W. B.): XIV—(2,000) (2c-2c-4c-5c-6c-8c) 7 days with vaudeville including Johnny “Scat” Davis’ orchestra, Julie Sherwin, Johnny Downs, Sue Ryan and the El-Dee-Dee Brothers. Gross: $15,900. (Average, $2,271)
- **Ellery Queen, Master Detective** (Col.): FAYAYE—(1,000) (5c-5c-6c-7c-6c) 7 days, Gross: $12,000. (Average, $1,714)
- **Philadelphia Story** (M-G-M): KARLTON—(1,000) (3c-4c-6c-7c-6c) 7 days, 2nd run, Gross: $8,000. (Average, $1,143)
- **High Sierra** (W. B.): KEITH’S—(2,300) (5c-4c-6c-6c-6c-6c) 7 days, 2nd run, Gross: $3,500. (Average, $500)
- **This Thing Called Love** (Col.): PARIS—(3,000) (5c-5c-6c-7c-6c) 7 days. Gross: $18,700. (Average, $2,664)
- **Gone With the Wind** (M-G-M): STANLEY—(1,000) (2c-4c-5c-6c-7c-8c) 7 days, 4th week. Gross: $17,800. (Average, $2,543)
- **Convoy** (RKO): STANTON—(1,700) (3c-4c-6c-5c) 7 days. Gross: $8,600. (Average, $1,229)

‘Privates’ at $11,800

**Top in Providence**

PROVIDENCE, Feb. 26—“Buck Privates” and “The Invisible Woman” at the RKO-Pabst took $11,800. Elsewhere business was about average. Estimated take-aways for the week ending 18-Feb:

- **Buck Privates** (Univ.): THE INVISIBLE WOMAN (UFO) ALBEE—(600) (3c-3c-5c) 8 days. Gross: $11,800. (Average, $1,475)
- **So Ends Our Night** (L. A.): MAISIE WAS A LADY (M-G-M) SUNSHINE—(1,000) (5c-5c-6c-5c-6c) 7 days. Gross: $1,500. (Average, $214)
- **Western Union** (20th-Fox): MAJESTIC—(2,250) (2c-2c-3c-5c-6c-7c) 7 days, 2nd week. Gross: $6,000. (Average, $857)
- **The Mad Doctor** (Para): BARMAYE—(1,250) (3c-3c-4c-6c) 7 days. Gross: $4,900. (Average, $692)
- **Road’s End** (RKO): FAY’S—(1,800) (3c-3c-4c-6c) 7 days. Story of a Down-Driver. Headlining featuring Jean Arnold and Six Sweetie Girls. James Evers, Paul Thompsons and Norma; and Howell and Hubbard. Gross: $1,500. (Average, $214)
- **Gene With The Wind** (M-G-M): CARLTON—(1,520) (3c-3c-4c-6c) 7 days, 4th week. Gross: $3,500. (Average, $500)
- **Thief of Bagdad** (U. A.): 2nd run, Gross: $4,900. (Average, $692)
- **Go West** (M-G-M): 4 days. Gross: $4,900. (Average, $692)
- **Empire’s** (Circle): 2nd run, Gross: $4,900. (Average, $692)

**‘Strawberry Blonde’ (Warner)**

There is an infectious gaiety and an ingenious sort of mirth about the piece that makes it highly acceptable entertainment ... I found it a lot of fun.—Garratt D. Byrnes, Providence Journal.

Beguiling entertainment with a nostalgic flavor, directed expertly and well acted in all its leading roles.—Gilbert Kanour, Baltimore Evening Sun.

As hilarious a picture that Hollywood has made in ages about the good old days. It is full of laughs, of heart interest, of nostalgic allusions ... will be one of the biggest box-office hits of the year.—Harrison Carroll, Los Angeles Times.

The events will prove amusing for a majority of audiences. And there is an abundance of romance linked with the fun.—Edwin Schallert, Los Angeles Times.

**MR. AND MRS. SMITH** (RKO)

A chuckle comedy that fails to mount into a corrugation wave of laughter.—New York Times.

The action of the picture is fast. The comedy, if a bit aged and corny, still is funny enough to evoque hearty laughs.—Lee Mortimer, New York Daily News.

Skillfully made ... a fluffy piece, made for chuckles and getting them.—New York Sun.

Pretty routine stuff, and were it not for the fresh and imaginative touches Hitchcock has brought to it, its bubbling lines and expert performances, it would be just another routine entertainment.—William Boelnh, New York World Telegram.

I think it’s fine ... worth making, and is certainly worth experiencing. The direction, writing and acting are fused into a compatible whole. It’s an intact, consistent job, delivered up out of steady craftsmanship.—Cecilia Alger, P.M. (New York).

Just comes under the wire as an amusing but pointless film ... a slightly soiled family film, a poor-white family film... and not a great deal more.—Bosley Crowther, New York Times.

**TOBACCO ROAD** (20th-Century-Fox)

Occasionally John Ford brings some inventive touches to the script but not as often as one would expect from a director of his imagination and inventiveness. The camera work is superb. But the whole thing is a bitter disappointment.—William Boelnh, New York World Telegram.

I think it’s fine ... worth making, and is certainly worth experiencing. The direction, writing and acting are fused into a compatible whole. It’s an intact, consistent job, delivered up out of steady craftsmanship.—Cecilia Alger, P.M. (New York).

**Western Union** at $8,500, Pittsburgh

PITTSBURGH, Feb. 25.—Despite rain, snow and cold weather, “Western Union” pulled $8,500 at the Senator, while “Mr. Kelly’s Rule” drew $17,900 at Loew’s Penn.

Estimated take-aways for the week ending Feb. 20:

- **The Trinidad** (Univ.): FULTON—(1,700) (3c-3c-4c) 7 days. Gross: $1,180. (Average, $169)
- **Kitty Foyle** (RKO): LYCEUM’S PENN—(1,400) (2c-3c-5c) 7 days. Gross: $1,175. (Average, $167)
- **Go With the Wind** (M-G-M), WAFIELD—(2,600) (2c-4c-5c) 7 days. Gross: $1,165. (Average, $166)
- **They Met On Skis** (C. L. Import): LOEW’S—(1,050) (5c-5c-7c) 7 days. Gross: $1,165. (Average, $166)
- **The Philadelphia Story** (M-G-M): WAFIELD—(1,350) (5c-5c-7c) 7 days. Gross: $1,165. (Average, $166)

**New Haven** Gives ‘Privates’ $6,000

NEW HAVEN, Feb. 26—“Buck Privates” and “Girl in the News” at the Paramount took $6,000. “Honeymoon for Three” and “Hudson’s Bay” at the Roger Sherman drew $5,500.

Estimated take-aways for the week ending Feb. 20:

- **Philadelphia Story** (M-G-M): SOUTHERN PALM SPRINGS (RKO) OCTOBER—(1,100) (3c-3c-4c-5c) 7 days. Gross: $2,700. (Average, $393)
- **Tail, Dark and Heroine** (20th-Fox): PARAMOUNT—(1,250) (3c-5c-4c) 7 days. Gross: $2,700. (Average, $393)
- **Honeymoon for Three** (W. B): ROXIE—(1,100) (2c-2c-3c) 7 days. Gross: $2,700. (Average, $393)
- **Roger Sherman** (2,250) (3c-5c-6c) 7 days. Gross: $2,700. (Average, $393)
### Motion Picture Daily's Booking Chart

**Notes:**
- Dates are based on national release schedules and are subject to change. This chart is revised weekly. Letters in parentheses after titles denote the following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production numbers follow titles.

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<tr>
<th>Jan. 31</th>
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<th>MONOGRAM</th>
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<th>RKO RADIO</th>
<th>20TH-FOX</th>
<th>U.A.</th>
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<td>Blonde Inspiration (C)</td>
<td>John Shelton, Virginia Greg</td>
<td>You're the One (M)</td>
<td>Bonnie Baker, Orrin Tucker</td>
<td>Arkansas Judge</td>
<td>(C) 010</td>
<td>The Weavers, Roy Rogers</td>
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<td>Trial of Mary Dugan (D)</td>
<td>Robert Young</td>
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<td>Feb. 7</td>
<td>Adam Had Four Sons (D)</td>
<td>Meet Boston Blackie (D)</td>
<td>Blondes Go Latin (C)</td>
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<td>Ruth Hussey, Cummings</td>
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<td>Feb. 14</td>
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<td>Rage in Heaven (D)</td>
<td>R. Montgomery, I. Bergman</td>
<td>The Penalty (D)</td>
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<td>Feb. 21</td>
<td>Penthouse Mystery (D)</td>
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<td>Ziegfeld Girl (M)</td>
<td>Stewart-Lamarr, Turner-Garland</td>
<td>The Bad Man (O)</td>
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<td>Bill Elliott, Dorothy Day</td>
<td>The Bad Man (O)</td>
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<td>The Kid's Last Ride (O)</td>
<td>Range Busters</td>
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<td>The Devil Commands (D)</td>
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<td>Mar. 27</td>
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<td>R. Belmondo, M. Lindsay</td>
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<td>124 Wallace Beery, L. Barrymore</td>
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<td>Apr. 4</td>
<td>Penny Serenade (C)</td>
<td>Cary Grant, Irene Dunne</td>
<td>Road to Zanzibar (C)</td>
<td>Bing Crosby, Lamour-Hope</td>
<td>Raiders of the Alamo (O)</td>
<td>3 Mesquites</td>
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<td>Apr. 11</td>
<td>Penny Serenade (C)</td>
<td>Cary Grant, Irene Dunne</td>
<td>Road to Zanzibar (C)</td>
<td>Bing Crosby, Lamour-Hope</td>
<td>Raiders of the Alamo (O)</td>
<td>3 Mesquites</td>
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<tr>
<td>Apr. 18</td>
<td>Penny Serenade (C)</td>
<td>Cary Grant, Irene Dunne</td>
<td>Road to Zanzibar (C)</td>
<td>Bing Crosby, Lamour-Hope</td>
<td>Raiders of the Alamo (O)</td>
<td>3 Mesquites</td>
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**Paramount Shorts**
- Jammed with Showmanship! Cramped with Entertainment!
- Color Cartoon
- "Two for the Zoo" (Technicolor)

**Paragrapic**
- "Red, White and Blue Hawaii" (Magnacolor)

**Grantland Rice Sportlight**
- "Fishing Fever"
**Motion Picture Daily**

**Wednesday, February 27, 1940**

**Story’ Strong in Capital at $16,500**

WASHINGTON, Feb. 26.—In its second week, The Philadelphia Story’ grossed $16,500 at Loew’s Palace. The weather was ideal.

Estimated takings for the week ending Feb. 20:

- **Arizona** (Col): WARNERS’ EARLIE.—(2.60) (28c-39c-44c-55c) 7 days, Gross: $2,600. (Average, $370.50)
- **Brooklyn Biarritz’ At Royale Tonight**

Brooklyn Biarritz’ playing for Maurice Allott and Howard Newman, opens tonight at the Royale. The cast incl.

- **Story’ At $16,500**

KANSAS CITY, Feb. 26.—The Philadelphia Story’ and ‘Maisie Was a Lady’ on a dual at the Midland, scored a fine $16,500. ‘Mr. and Mrs. Smith’ and ‘The Case of the Black Parrot,’ at the Orpheum, tallied $13,000.

Estimated takings for the week ending Feb. 18-20:

- **Back Street’ (Univ.)**
- **Project Wild’ (Univ.)**
- **Philippine Story’ (M-G-M)**
- **Mailsie Was a Lady’ (M-G-M)**
- **Case of the Black Parrot’ (W. B.)
- **Let’s Make Music’ (RKO)**
- **Powers’ Back Street’ (Univ.)
- **Canyon’ (M-G-M)**

**Mr. Smith’ Tallies $7,800, Milwaukee**

MILWAUKEE, Feb. 26.—Snow and sub-zero temperatures hurt the box-office. Mr. and Mrs. Smith and the Seniors at the Fox drew $7,800 at the Warner, ‘Come Live With Me’ and the ‘Wild Man of Borne’ grossed $7,800 at Fox’s Wisconsin.

Estimated takings for the week ending Feb. 18-20:

- **Back Street’ (Univ.)
- **Six Lessons From Madame La Zonga’ (Univ.)
- **Western Union’ (20th-Fox)
- **Melody Ranch’ (RKO)
- **Six Lessons From Madame La Zonga’ (Univ.)
- **Riverside’ (20th-Fox)
- **You’ Cant Have ’Em’ (Para)
- **Strand’ (1.40) (30c-40c-55c) 7 days, Gross: $1,400. (Average, $200.00)
- **Mr. and Mrs. Smith’ (RKO)
- **Vice’ (RKO)
- **Wisconsin’ (20.25) (30c-40c-55c) 8 days, Gross: $2,800. (Average, $350.00)

**Virginia’ Garners $12,500 in Toronto**

TORONTO, Feb. 26.—‘Virginia’ plus the personal appearance of Stirling Hayden for the opening, accounted for $12,500 at the Uptown, while ‘Sara Fe Traill’ registered $9,800 at the Imperial.

Estimated takings for the week ending Feb. 23:

- **Santa Fe Traill’ (W. B.)
- **The Philadelphia Story’ (M-G-M)**
- **Old Early—(1.33) (16c-23c-30c-36c-75c) 6 days, Gross: $900. (Average, $150.00)
- **Gone With the Wind’ (M-G-M)**
- **Lowes’ COLUMBIA.—(1.20) (20c-35c-55c) 7 days, Gross: $400. (Average, $57.14)
- **Tico’ (M-G-M)**
- **Tivoli.—(1.44) (15c-25c-35c-75c) 7 days, Gross: $1,050. (Average, $150.00)
- **Back Street’ (Univ.)
- **Project Wild’ (Univ.)
- **Philippine Story’ (M-G-M)**
- **Mailsie Was a Lady’ (M-G-M)**
- **Case of the Black Parrot’ (W. B.)
- **Let’s Make Music’ (RKO)**
- **Powers’ Back Street’ (Univ.)
- **Canyon’ (M-G-M)**

**St. John Grosses Are at High Levels**

ST. JOHN, N. B., Feb. 26.—Despite keen opposition from epidemics, chance games, outdoor and indoor ice skating, and the like, all local theatres are doing well. The city proper had been without a large rink until the recent conversion of the site of the former Queen Square Theatre, which now functions as an open air skating space.

Sailors of the merchant marine, practically all balloting from the British Isles, are taking strangely to the picture business. Shows are business in high gears.

**Show’ and Callaway $16,200 for Buffalo**

BUFFALO, Feb. 26.—‘Road Show’ and ‘Song of Songs’ and ‘Six Lessons’ on the stage at the Buffalo drew $16,200. ‘Back Street’ and ‘Meet the Chump’ at the Lafayette took $9,400, the estimated takings for the week ending Feb. 19.

- **Road Show’ (U. A.)
- **Six Lessons From Madame La Zonga’ (Univ.)
- **Riverside’ (20th-Fox)
- **You’ Cant Have ’Em’ (Para)
- **Strand’ (1.40) (30c-40c-55c) 7 days, Gross: $1,400. (Average, $200.00)
- **Mr. and Mrs. Smith’ (RKO)
- **Vice’ (RKO)
- **Wisconsin’ (20.25) (30c-40c-55c) 8 days, Gross: $2,800. (Average, $350.00)

**Philadelphia’ Gets $19,000, Baltimore**

BALTIMORE, Feb. 26.—The biggest business in town went to ‘The Philadelphia Story’ with $19,000 at the Century. ‘Western Union’ took $10,500 at the Midland.

Estimated takings for the week ending Feb. 19:

- **The Philadelphia Story’ (M-G-M)**
- **Western Union’ (20th-Fox)
- **Flight from Destiny’ (W. B.)
- **Tic’ (M-G-M)**
- **Tico’ (M-G-M)**

**Bill Regulates Averages**

TOPEKA, Kan., Feb. 26.—A bill introduced in the Kansas legislature by Senator Dale, affecting smaller theatres, allows a single aisle, which must be 44 inches wide; although there must be no more than six seats intervening between any seat and an aisle. This affords seven seats on each side of a center aisle.
Motion Picture Daily

Thursday, February 27, 1941

King-Trendle Asks Approval for New FM Station in Mich.

WASHINGTON, Feb. 26—Applications for construction permits for new broadcasting facilities have been filed with the Federal Communications Commission by the Portmouth Radio Corp. for a 1,500-kilocycle, 250-watt station at Portsmouth, Va., and Roy St. Lewis for a 2,100-kilocycle, 250-watt station at Vicksburg, Va. An application also was filed for a construction permit for a new FM station to operate on 910 kilocycles with a coverage of 1,340 square miles, from the King-Trendle Broadcasting Corp., Grand Rapids, Mich.

WAPI Asks New Frequency

The commission also received applications from Stations WAPI, Birmingham, Ala., for change of frequency, from 1,140 to 1,070 kilocycles, extending the time of sharing to unlimited; and increase of power from 5,000 to 10,000 watts; WSAM, Saginaw, Mich., for change of frequency from 1290 to 1270 kilocycles, extension of time from specified hours to unlimited and increase of night power from 100 to 250 watts, and KHSI, Chicago, Ill., for increase of power from 500 to 1000 watts.

Other Authorizations

Authorizations also have been issued to Stations WJAY, Norman, Okla., for increase of power from 500 to 1000 watts; WTAJ, Worcester, Mass., for increase of night power from 1000 to 5000 watts; WJAH, Wash., for change of frequency from 1290 to 1270 kilocycles and increase of power from 250 to 5000 watts; WCFL, Chicago, Ill., for increase of power from $3000 to 10000 watts, and WINS, New York, for change of frequency from 1180 to 1200 kilocycles, extension of time from limited to unlimited and increase of power from 1000 to 5000 watts.

The commission announced that it had ordered hearings on the applications of the Western Gateway Broadcasting Corp., for a new 1,210-kilocycle, 250-watt station at Schenectady, N. Y., and the Parkersburg Sentinel Co., for a 1,310-kilocycle, 250-watt station at Parkersburg, W. Va.

Dec. Radio Exports Reach Year's Peak

WASHINGTON, Feb. 26.—The value of December exports of radio and receiving sets reached a peak for 1940 of $1,220,178 for 64,508 sets, the Department of Commerce has reported. Mexico, the Union of South Africa, Brazil and Cuba accounted for 58 percent of the units purchased.

Trial on Radio Rights

Trial of the suit of Chilean Nitrate Educators against the Grombach Productions and O'Dea, Sheldon and Canaday, Inc., and the Trans-American Broadcasting and Television Corp. for an injunction, were brought in as defendants by Grombach, started yesterday before N. Y. Supreme Court Justice Benjamin Schreiber and a jury. The dispute concerns the right to the use of the radio program, "Uncle Natchie."

Off the Antenna

WINS is no longer for sale, it was disclosed by the Hearst Radio officials yesterday, following the announcement by the FCC that the station had been granted permission to increase its power to 50,000 watts after finding a suitable transmitter site.

The increase, which will give the station the same power as now used by WADC, WIZ and WOR, instead of its present 1,000 watts, made possible because of the shift in frequencies due to the North American Regional Agreement and the shifting of WCFL, Chicago, to another frequency.

Other local stations which will be eligible for 50,000 watts under the new setup are WOV, WQXR and WBY, the latter having already applied for permission to go up to the top power.

Purely Personal: Fred Gropper, former publicity director for Compton Advertising, is now Pete. Gropper, Co. F, 4th Inf., 9th Div., Fort Bragg, N. C. Simone Simon will be guests on the premiere broadcast of "What's Your Idea" on NBC-Red Sunday... Babe Ruth will be guest on "Your Happy Birthday" on NBC-Blue tomorrow at 9:35 P.M. Lenore Ulric is now heard in "Friend in Need" on CBS.

AGMA Wins Point

In Fight With AFM

American Guild of Musical Artists hosted the first preliminary skirmish yesterday in its jurisdictional dispute with the American Federation of Musicians when James C. Pettrillo, A.F.M. president, appeared against the appearance of Albert Spalding, violinist, with the Andre Kostelanetz orchestra in a Columbia program over CBS Sunday afternoon.

Pettrillo had previously notified all his union to refuse to play with any instrumentalists who had not joined the A.F.M. by next Saturday. After receiving notice that CBS was under contract to supply the services of Spalding for the program, agreed to perform, and performances pending a study by Pettrillo of the contractual situation. AGMA officials on Tuesday had pointed out that the A.F.M. contract with the networks expressly excluded concert instrumentalists but the A.F.M. had contended that such contracts had been signed by the local unions and could be superseded by an agreement with the national organization.

No further disclosure of AGMA plans after Saturday was made yesterday. It had been indicated previously that the lingering of pressure exerted by radio sponsors, leading symphonic orchestra societies and others to obtain revocation of the ban could have been successful in at least one instance.

"Forced Off Radio" Commentator Claims

Cosimo Marcarel, Italian language commentator, filed in Brooklyn Supreme Court yesterday seeking $21,500 damages for alleged interference with his local radio shows. WHOM. Defendants are Santo Carlo Cerbelli, beverage manufacturer; Elio Ballerini, attache of the Italian Embassy; and Ferdinando Petrillo, Cerbelli's agent.

Marcarello, who broadcast under the name "Armato Rosso," claims that the ban was "wage off the air because he "failed to color his broadcasts with Fascist doctrines. A spokesman for WHOM said that the ban had no connection with the matter. No propaganda is permitted on foreign language programs, he added, and the station had no record of Marcarello's violation of this rule.

Thad Brown Dies; Former FCC Member

CLEVELAND, Feb. 26.—Col. Thad H. Brown, 74, former member of the FCC, and former president of WJAY, Cleveland, before being appointed general counsel to the Federal Radio Commission.

He was named to the old Federal Radio Commission in 1932 and, subsequently, to the FCC when that body succeeded the commission. When his six-year term elapsed June last, Brown was retired by President Roosevelt and appointed to the Federal Communications Commerce Committee with the approval and continued hearings over a long period. In October, while hearings were still pending, Brown asked that his name be withdrawn.

Canadian Programs Lack Vitality of Product in U.S.

By PAT DONOVAN

MONTREAL, Feb. 26.—For the most part radio programs in Canada lack the vitality of the American product, as radio here must cater to a French and English speaking population.

French Canada has made the only distinctive Canadian contribution to the art of broadcasting. English Canadian broadcasts follow closely the American pattern, but French-Canadians have developed a technique of their own.

The most popular form of radio broadcasting in Canada is the "sketch." These go on interminably, similar to the daytime serials on the American radio, but they ordinarily lack plot or story.

The use of variety has been five nights a week for four years was "Le Curte du Village" ("The Village Curate"), which had a typical village as its locale and the cramped glee of a small town as its story. The "curé" has now departed but he has been followed by another "sketch" which promises to continue as long or longer.

In addition to creating a distinctly Canadian type of radio entertainment, French Canada has probably the only outstanding radio star. Worshipped by thousands in Quebec and by Franco-Americans in New England, is "Fridolin," the French-Canadian radio clown. Stores throughout Montreal sell his signed photos and little wooden statues of "Fridolin" in costume. He is the best known French-Canadian, central figure of an annual revue which is sold out weeks in advance.

Fridolin was sponsored by a brewery and government restrictions, however, sought to curtail the advertisement of brewed beverages by radio, and consequently the brewery people cut their advertising and their radio star.

The comic is currently playing at one of Montreal's oldest playhouses, Monument National, in his annual revue, and French Canadians are flocking to the show.
THE FINEST ACCOUNTING BOOK EVER COMPILED FOR MOTION PICTURE THEATRE OWNERS!!

NOTICE THE UTTER SIMPLICITY OF THESE SAMPLE PAGES

YOUR MONEY WILL BE IMMEDIATELY REFUNDED IF YOU DON'T FIND THIS TO BE A PRACTICAL, SIMPLIFIED BOOKKEEPING SYSTEM

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QUIGLEY BOOKSHOP, ROCKEFELLER CENTER, NEW YORK

Here is my check for $2.00. Send me "THEATRE MANAGEMENT RECORD."

Name __________________________ Address __________________________
City and State __________________________ Theatre __________________________
Take a walk past your theatre. Regardless of the picture you’re playing...does it look inviting as a place to spend an evening?

*That’s* a test of showmanship.

Because your lobby...your marquee...your theatre front is your first appeal to the public to come in.

And it makes a big difference to your box office how you *make* that first appeal. They’ll never reach your box office unless you can make them *believe* you’ve got something more desirable *inside* than the price of admission.

And we claim that the combined product of THE THREE BEST SEAT SELLERS...Trailers...Lobby Displays...General Accessories from the Prize Baby of the Industry—will give your theatre that *"gee-I-must-see-that"* look.
Radio Objects To Portions of Ascap Decree

Opposes Formula for Dividing Royalties

While officials of the National Association of Broadcasters have little hope of blocking approval of the Ascap consent decree negotiated with the Government, it appears certain that the N.A.B. will enter formal objection when the decree comes up for approval in Federal court here. This has been set tentatively for next Monday by Judge Henry W. Goddard.

The N.A.B. is expected to object to the provision which permits Ascap members to make deals directly with a user of music but gives control of the distribution of royalties so received to Ascap in accordance with its old formula of distribution.

Additionally, the N.A.B. is expected to object to the method of electing Ascap directors which gives members votes in accordance with their ratings.

Broadcast Music, Inc. yesterday.

(Continued on page 12)

Wanger to Preside At Quigley Awards

Hollywood, Feb. 27—Walter Wanger, president of the Academy of Motion Picture Arts and Sciences, has accepted the post of toastmaster at the presentation of the 1940 Quigley Grand Awards here on March 18.

Wanger spoke at last year’s gathering and has been a regular attendant at other award ceremonies. Presentation of the annual plaques will take place during a luncheon in the Flora.

(Continued on page 4)

Crescent Dismissal Motion Is Denied

Nashville, Feb. 27—Federal Judge Elmer Davies today denied the motion of Columbia, Universal and United Artists for dismissal of the Government’s amended anti-trust suit complaint against them and the Crescent Amusement Co. of this city.

The motion was argued by Louis D. Frielich of New York, counsel for Columbia, on Monday in U. S. Dist.

(Continued on page 10)

Academy Winners

Hollywood, Feb. 27—Winners of the awards announced tonight at the annual dinner of the Academy of Motion Picture Arts and Sciences follow:


Best performance by an actor—James Stewart in "The Philadelphia Story," M-G-M.

Best performance by an actress—Ginger Rogers, "Kitty Foyle," RKO.


Best original motion picture story—Benjamin Glazer and John S. Tolly (pen name) for "Ariane, My Love," Paramount.

Best written screenplay—Donald Ogden Stewart for "The Philadelphia Story," M-G-M.


Best achievement in art direction (black-and-white films)—Cedric Gibbons and Paul Groesse for "Pride and Prejudice," M-G-M.


Best achievement in sound recording—Douglas Shearer for "Strike Up the Band," M-G-M.

Best achievement in film editing—Anne Bauchens for "North West Mounted Police," Paramount.


Special effects—"The Thief of Bagdad;" Lawrence Butler, photographic, and Jack Whitney, sound.

Wanger Tells How Industry May Aid National Defense

By SAM SHAIN

There are four ways in which the motion picture industry could aid national defense, according to Walter Wanger.

These are:

(a) Newsreels should give a realistic picture of the world.

(b) Motion pictures should cooperate to the full with the Army, Navy and national defense authorities to make films for training purposes to be used for Army camps and training posts.

(c) Hollywood should make more pictures about North and South America and awaken Americans to the majesty and achievements of this great democratic society.

(d) Motion pictures should widen their scope and vision when they portray contemporary life.

Wanger listed these four ways last night in a symposium of the "Town Hall of the Air," broadcast from Los Angeles over the NBC-Blue network.

The subject was "How Should the Movies Aid National Defense?" Appear with Wanger on the program were Rosalind Russell, Donald Ogden Stewart and Manchester Boddy.

In regard to the charges of propaganda and war mongering which have

(Continued on page 4)

AGMA-Petillo Fight Up to Justice Dept

Washington, Feb. 27—It is reported that the Department of Justice has been asked to investigate the controversy between James C. Petillo and the AGMA and to prevent interference by him or the American Federation of Musicians with AGMA members.

In Today's Issue


President Hails Industry For Service to U.S.

Addresses M. P. Academy Annual Awards Dinner

Text of address on Page 4.

By BERTRAM F. LINZ

Washington, Feb. 27—Spanning the continent with his words, President Franklin D. Roosevelt by radio late tonight hailed the motion picture industry for its achievements and for its services to national defense and the cause of democracy.

The President spoke from the White House. His address, heard by the nation over all networks, was directed specifically to the 13th annual awards dinner of the Academy of Motion Picture Arts and Sciences in the Hotel Biltmore Bowl in Los Angeles. The President spoke for seven minutes.

"From Los Angeles," it was reported that the address was enthusiastically received by the 1,200 guests assembled at the Academy dinner.

President Roosevelt emphasized the role of the American films in national defense, in inter-American solidarity and in warring off "the assault on the Democratic form of government."

"We have seen the American motion picture become foremost in the world," he said. "We have seen it reflect our..." (Continued on page 4)
**Bolognino Confirms Deal with Joelson**

Laurence Bolognino, head of Consolidated Amusement Enterprises, yesterday confirmed that his company's 21 theatres in the Manhattan and the Bronx will be taken over tomorrow by Julian Joelson, former New York and Massachusetts theatre operator, as reported yesterday in Motion Picture Daily.

Bolognino, however, declined to divulge any details of the deal or to discuss his future plans, pending the formal closing.

Houses now operated by Consolidated are: Arena, Bryant, Chelsea, Morningside, Squire, Times and Ti-voli in Manhattan, and Ascot, Avalon Casino, Earl, Fleetwood, Forum, Jerome, Kent, Kingsbridge, Luxor, Mt. Eden, Ogden, Oxford and Surrey in the Bronx. Consolidated also has arranged to operate a new theatre under construction at Eighth Ave. and 19th St.

It is understood that Joelson plans an expansion of the circuit.

**20th-Fox Pays 37½ Cents**

Board of directors of 20th Century-Fox yesterday declared a dividend of 37½ cents a share for the first quarter of 1941 on the company's preferred stock, payable March 31 to holders of record March 17.

**LINDY'S**

1626 BROADWAY 1655

For over 20 years the luncheon and dinner place for Motion Picture People

Solo agents in New York for FAMOUS

BLUM'S ALMONDETTEs

from San Francisco, California

**Motion Picture Daily**

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**Feinberg Injured in Crash of Plane**

ATLANTA, Feb. 27.—George J. Feinberg, vice-president of Dazien's, Inc., New York theatrical costume company, who was among the passengers on the Eastern Airlines' sleeper plane which crashed near here today. He suffered minor, back injury and is being treated at the Piedmont Hospital. He was on route to New Orleans on business. Seven passengers were killed in the crash and eight others were injured.

**Many Expected at ITOA 'Movie Ball'**

Several hundred are expected to attend the eighth annual "Movie Ball" of the Independent Theatres Owners Association Tuesday night at the Hotel Astor. A number of civic notables have been invited as guests of the organization.

The entertainment program lists, among others, Carole Bruce, Boris Karloff, Orson Welles, Ben Blue, Ella Logan and the Callaways. David Weinstock is general chairman of the affair.

**MOVIEPICK OF THE DAY**

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**MOVIEPICK OF THE DAY**
The NORTH sure goes for those SOUTHERN WOMEN!

We knew "Virginia" was going Southland... but look at these cold, cold north. Just goes a picture, and a big picture, you're in the money. get the idea... AND THE NEWEST DIXIE to wow 'em in the good old returns from the supposedly to show you... if you build round a Southern gal...

Remember... well, you LOOK AT WHAT GAL IS DOING...

"VIRGINIA" tops every Paramount Picture but "N.W.M.P." in

Kansas City, Mo. Tucson, Ariz.
Salt Lake City, Utah Hartford, Conn.
Scranton, Pa. New Haven, Conn.
South Bend, Ind. Springfield, Mass.
Buffalo, N. Y. Boston, Mass.
Toledo, Ohio Fort Worth, Tex.
St. Paul, Minn. Dallas, Tex.
Minneapolis, Minn. Lincoln, Neb.
Phoenix, Ariz. Omaha, Neb.

Madeleine Carroll • Fred MacMurray
with Stirling Hayden • Helen Broderick • Marie Wilson • Carolyn Lee
A Paramount Picture Produced and Directed by Edward H. Griffith • Screen Play by
President Hails Industry For Service to U.S.

(Continued from page 1)

celebration throughout the rest of the world—the aims and aspirations and ideals of a free people and of freedom. That is the real reason that some governments do not want our American films exhibited in their countries.

The President acknowledged "the great service" of the newscasts in acquainting the public with the "implications" of the lend-lease bill, "whose early enactment by the Congress we confidently anticipate."

He concluded: "I do not minimize the importance of the motion picture industry as the most popular medium of mass entertainment. But today I want to place the chief emphasis on the service you can render in promoting solidarity among all the people of the Americas."

"For all this and for your splendid cooperation with all who are directing the expansion of our defense forces, I am glad to thank you."

President Roosevelt addressed the dinner by radio because he could not make the trip to Los Angeles due to the stress of international affairs. This was the first time a President of the United States had addressed the industry Awards gathering. The only previous occasion when a high national official addressed this gala event was when the late Vice-President Curtis attended the event in 1931.

The President's address was the opening ceremony of the Awards dinner, which was attended by the late Walter Wanger, president of the Academy. The radio program was concluded by the singing of "America" by Judy Garland.

Cites Screen's Part In Nation's Defense

Hollywood, Feb. 27.—Major Gen. Joseph O. Mauborgne, former military officer of the U.S. Army, today described the film industry's contribution to the national defense program as "of vital importance" and "as important to the Army as is the steel industry's contribution."

Gen. Mauborgne arrived here today to confer with studio executives engaged in making Army training films. He attended the Academy Awards dinner tonight, where he made the presentations to the technical awards winners. A dinner will be given in his honor tomorrow night and he will leave for San Francisco on Saturday.

Schne, Altec in Deal

The Schine Cluen has renewed an agreement with Altec Service Corp., providing for sound service, repairs and replacements in 117 Schine houses.

Text of President's Speech

WASHINGTON, Feb. 27.—Following is the text of President Roosevelt's address to the Academy of Motion Picture Arts and Sciences Awards Dinner in Los Angeles tonight:

Mr. WANGER, Ladies and Gentlemen:

I am happy to greet the motion picture industry of America, whose representatives are gathered here tonight, and far and near for the annual Awards Dinner of the Academy of Motion Picture Arts and Sciences.

In the days of anxiety and world peril our hearts and minds and all of our energies are directed toward one objective. That objective is the strengthening of our national defense. Every day we realize that more and more things in our life must be evaluated in just such proportion as they contribute to the national defense.

American Industry Foremost

The American motion picture as a national and international force is a phenomenon that has grown from small beginnings. Within living memory we have seen it born and grow up into full maturity. We have seen the American motion picture become foremost in the world. We have seen its influence on all of the world—the aims and aspirations and ideals of a free people and of freedom. That is the real reason that some governments do not want our American films exhibited in their countries. Dictators—who enforce the totalitarian form of government in the countries. Dictators—who enforce the totalitarian form of government on their countries. Dictators—who enforce the totalitarian form of government on their countries. Dictators—who enforce the totalitarian form of government on their countries.

Defense Problem Hemispheric

In all that I have said on that all-important subject through many months past I have not dwelt in any assault on the democratic form of government which impairs world civilization today, our solution of the problem of defense has become one of defending the entire Western Hemisphere — all three of the Americas — North, Central and South American. And today, as we grow in numbers, we shall consider our own problem of defense as a separate interest. It involves the defense of all the democracies of all the Americas and, therefore, in fact it involves the future of democracy wherever it is imperiled by force or terror. An all-important factor in hemispheric defense is the lend-lease bill, whose early enactment by the Congress we confidently anticipate.

It is a pleasure here and now to acknowledge the great service which the newscasts have performed in acquiring the news of all of the implications of this measure as it takes its way through the various legislative stages.

Acceptance of the task of cooperating with all the Americas in defending the entire Western Hemisphere, implicit in our plans for national defense, is a natural outgrowth of our good neighbor policy in our relations with other American republics. Happily for democracy, the Americas stand forth today as a notable example in the history of nations, a place in a world in which freedom and human liberty are threatened with extinction.

Industry Used Resources

We have been seeking to affirm our faith in the Western Hemisphere, that is, the world outside of the Western Hemisphere, through a wider exchange of culture, of education, of thought and of free ideas, among the various nations of this hemisphere. Our industry has utilized its vast resources of talent and machinery as a single effort to help the people of this hemisphere to come to know each other.

In carrying on this program of advancing the spirit of American solidarity and continental defense, our government has established relations with the government of the Western Hemisphere to one another, and all of us in the Americas are grateful that your response is so immediate and so wholehearted.

Emphasis on Service

I do not minimize the importance of the motion picture industry as one of the most popular medium of mass entertainment. But tonight I want to turn my emphasis on the service you can render in promoting solidarity among all the people of the Americas.

For this reason and for your splendid cooperation with all who are directing the expansion of our defense forces, I am glad to thank you.

In the weeks and months that lie ahead we in Washington know we shall have your continued aid and support.

Wanger to Preside
At Quigley Awards

Hollywood, Feb. 27.—Kenneth Macgowan, 20th-Century-Fox producer for the prestigious event, gained his first New York award. He left last night by plane for New York to complete arrangements to take the position of Non-Theatrical Director for the Pan-American relations coordinating committee. The committee is part of the Nelson Rockefeller-John Hay Whitney project for hemisphere goodwill.

Scientific Awards
To 20th-Fox, W.B.

Hollywood, Feb. 27.—Jarryl F. Zamick, chairman of the Research Council of the Academy of Motion Picture Arts and Sciences, tonight announced awards to 20th Century-Fox for its silenced camera and to Warren's art department and Anton F. Grot, designer of the Dresden design and perfection of a water ripple and wave illusion machine. The awards are in the scientific and technical achievement categories of the Academy awards, presented tonight.

The major award, consisting of a gold statuette, was given for the silent camera to Daniel Clark, Grover Laube, Charles Miller and Robert W. Stevens. A certificate of honorable mention was given for the Warner development. Only five major awards in this classification have been given in the history of the Academy selections. Forty-one nominations were considered for this division, a considerable number, according to the judging. It has been noted that consideration next year pending their more widespread use.

Wanger Tells How
Trade May Aid U.S.

(Continued from page 1)

been leveled at the motion picture industry by political critics and others. Wanger pointed to the film, "Escape," which appeared first as a novel in the Saturday Evening Post, and yet that magazine was not accused of war mongering but when it was produced as a film, the industry was censured. He cited also the fact that of 342 major films released during the year only 10 dealt with propaganda subjects.

Form Radio Company
HARTFORD, Conn., Feb. 27.—The Torrington Broadcasting Co., Inc., has been formed here, with the following officers: Joseph R. Schifini, president and agent; Joseph A. Ciccaglione, vice-president; Gerard T. Schifini, treasurer, and Carmela S. Ciccaglione, secretary.
Great
Martha SCOTT
CHEERS

for

Richard A. Rowland's

"CHEERS for M
LOEW'S launches in 1941 a new service for moviegoers! Each year the leading critics of the nation select the "ten best" pictures of the year. Unfortunately, that choice is made TOO LATE to furnish a guide to you ticket-buyers.

Loew's modestly and with great sincerity, proposes to pick its own "ten best" as the passing parade of pictures goes by. These selections will be made in time for you to see and enjoy them.

In 1940, Loew's showed six out of the year's "ten best": Rebecca, Foreign Correspondent, Boom Town, Northwest Passage, Our Town and The Mortal Storm.

For 1941 we have created a "Loew Award" for those pictures we can honestly predict will be among the year's "ten best". There will be many other fine, entertaining pictures shown during this year which may, in your opinion, deserve equal recognition. Your personal comments or letters praising or criticising our selections will be welcomed.

As our first "Mark of Merit" picture for 1941 we choose CHEERS FOR MISS BISHOP—and, in addition, we predict that the performance of Martha Scott will be considered for the 1941 Academy Award.

RICHARD A. ROWLAND presents

Cheers FOR MISS BISHOP

with MARTHA SCOTT - WILLIAM GARGAN

EDMUND GWENN and introducing MARY ANDERSON

RELEASED THRU UNITED ARTISTS

plus

Loew's

MORE ELOQUENT THAN ANY REVIEW

is this ad which the Loew's Circuit tells the public about . . . . .

Richard A. Rowland's

CHEERS

for

MISS

BISHOP

Released thru

UNIVERSAL ARTISTS
Lent Sends B’way Business Down After Good Week

Broadway is already feeling the effects of Lent. First run houses reported business was especially off on Ash Wednesday, and it will continue until Easter. There was some improvement yesterday, however.

Up to the start of Lent, most theaters had a good week, with the Washington’s Birthday business last Saturday.

The outstanding attraction was “Tobacco Road,” which with a stage show grossed an estimated $3500 at the Roxy in its first week. "Strawberry Blonde" and Raymond Scott’s orchestra at the Strand also is going strong, having finished its first week with an estimated $48,000. It is expected to play three weeks.

Two new plays opened yesterday, “So Ends Our Night” at the Radio City Music Hall and “Come Live With Me” at the Capitol. Mr. and Mrs. Smith, under a bill presented to week run at the Music Hall with a stage show. At the Capitol, “Go West” drew about $28,750 for the week.

“Night Train” completes its ninth week at the Globe tonight with an estimated $7,500 expected. It will continue.

Philadelphia Story $10,000 in Cleveland

Cleveland, Feb. 27.—“Philadelphia Story” at the Stillman drew $10,000 in the second week. The Annual Grotto Candles, under a bill presented to the other earnings of the opening.

Estimated takings for the week ended Feb. 20: Mr. and Mrs. Smith (RKO) ALLEN (33c-47c) 7 days, 2nd week, Gross: $6,000. (Average, $4,000)

“Western Union” (20th-Fox) WARNERS’ HIPPODOMES (3,100) 33c-47c, 7 days, 2nd week, Gross: $10,000, (Average, $1,000)

“Goldstone’s Boy” (20th-Fox) RKO PALACE—(3,100) 33c-47c, Joe Yamit, Andrews Sisters on stage, 7 days, Gross: $12,500. (Average, $1,500)

“So Ends Our Night” (U. A.) LOWES STATE—(3,500) 33c-47c-6c) 7 days, Gross: $8,500. (Average, $1,000)

“Philadelphia’s Boy” (M-G-M) LOWES STILLMAN—(3,400) 33c-47c-6c) 7 days, 2nd week, Gross: $8,000. (Average, $1,000)

Mexican Bill Seeks Federal Censorship

Mexico City, Feb. 27.—The Interior of the Mexican Interior is to have sole charge of supervising and censoring pictures, which will be submitted to Congress which demands that this function be removed from the Mexican City Government. This centralized censoring is pleasing to the industry. The bill provides charges of $1.10 for reviewing all pictures and 65 cents for Mexican films that are to be exported, and allows the $800,000 to cover censoring and supervision expenses this year. It is expected that Congress will pass the bill soon.

Building in Missouri

Saint Louis, Feb. 27.—J. P. Goshen, Sedalia, Mo., exhibitor, and the Com- modeouth Co. are building theaters in Wayneville, Mo.

Feature Reviews

“Footsteps in the Dark” (Warner’s)

A neat combination of smart comedy and a real murder mystery, this is spotted and spiced with laughs and well-paced action to provide a lively item of general audience entertainment.

The role solved by the man who has handled recently, is in fineettle as the wealthy young married man whose double life has for its second half the writing of smart fiction under an assumed name, combined with a taste for amateur sleuthing which tosses him squarely in the middle of a pair of murderers.

Offering capable support are Brenda Marshall, a Flynn’s wife; Ralph Bellamy, as a dentist whom Flynn proves to be the key to the puzzle; Alan Hale, as the police inspector and friend of Flynn; Lee Patrick, blonde burlesque dancer who is one of the victims; Allen Jenkins, as the Flynn chauffeur and confidante, and Lucile Watson, as Flynn’s too-knowing partner in law.

Lloyd Bacon, in his direction, gave the film pace and a light touch, in the adaptation of a play by Laxlo Fodor, Bernard Merivele and Jefrey Dell.

The title is in a sense somewhat misleading, since it connotes a dirie and melodramatic chill story. It is true that the film has murder and mystery, and excitement, but actually the title is that of a book written by Flynn, which arouses the ire of his mother-in-law.

On the way to solving the murders which baﬄe the police, and which involve a jewel ring, Flynn runs into a series of adventures, not the least of which involves keeping his wife in the dark concerning his murder. The plot is well established, and the climax is a good one.

The mystery of this entertaining, well-paced story is the author of the book, and the identity of the guilty party, which is not revealed until the final scene.

Running time, 96 minutes. “G.”

“Stev’s Great Train Robbery” (Republic)

Not in relation to the film of the same name produced by the Edison Company some 38 years ago, “The Great Train Robbery, is a bang-up, action-full outdoor drama with a novel touch. Starting with a short sequence in which a crack train carrying a gold shipment completely disappears from the tracks, the camera reverts to a period of five hours before the disappearance and reconstructs the event.

There are several characters, gun fights and “free-for-alls,” Bob Steele, a railroad detective, is assigned to convoy the gold shipment while his brother, Milburn Stone, plots to hold it up. Stone’s gang succeeds in overpowering the engine crew and in running the train off on a spur into an unused mine. The railroad officials looking for the train are misled by a phonograph record of train’s noise, and believe that the train had passed a definite point before being switched off.

Claire Carleton is the girl who is loved by both brothers and Helen MacKellar plays the role of their mother. Joseph Kane produced and directed.

Running time, 61 minutes. “G.”

Edward Greff

“Wraith Chosen by Mexican Writers”

Mexican City, Feb. 27.—The Association of Cinematographic Journalists of Mexico has named “The Grapes of Wrath” as the best foreign film exported in this country in 1940. Selected for second and third choices were “The Day Has Drowned,” Mexican film, and “Tariatic de la Tierra” (“Tillers of the Soil”), Argentine picture.

The association has elected the following officers: Roberto Cantu Robert, president; Thomas G. Perrin, vice-president; Severo Corte, secretary, and Salvador Ortizego, treasurer.

3 Join Cinemates

Bert Wilson has been named chief cutter and editor; John E. Graham, assistant director and casting head, and Don Malkames, chief cameraman for Arthur Leonard and Dick Hyland’s Cinemates, Inc.

Stanley Mortgages 25 Jersey Houses

The Stanley Co. of America has received a mortgage on 25 New Jersey theatres from the Connecticut Mutual Life Insurance Co. A blanket mortgage, it was filed with the registrant in each county in which the Stanley Co. has a theatre.

The loan is for 15 years, expiring Feb. 15, 1956. Securing the mortgage are theatres in the following New Jersey counties: Essex, Hudson, Bergen, Morris, Passaic and Atlantic.

“Set Cavalcade” Deals

Jeffrey Picture Corp. has closed distribution deals on “Cavalcade of Faith” with Charles Lammierie for Canada and Lester P. Sussman for Central America. Jeffrey plans a feature with a Canadian background, and six color shorts in French, Spanish and English.

Stars to Frisco for “Girl, Gob” Opening

Hollywood, Feb. 27.—Harold Lloyd, producer of “A Girl, a Guy and a Goof,” RKO release, and stars Lucille Ball, George Murphy, and Edmond O’Brien are going to San Francisco for the Coast premiere of the film here on March 3 at the Golden Gate Theatre. Terry Turner, head of the RKO field exploitation staff, is in charge of the premiere festivities in San Francisco.

Urge British Gov’t to Assist In Production

By AUBREY FLANAGAN

London, Feb. 27.—The British Films Council, in a discussion of the entire English film problem, asked particular attention to the film industry. A motion to advise the President of the Board of Trade that the most constructive policy under the circumstances is to assist British production.

Such assistance, it will be recommended, should take the form of obtaining releases, securing studio space, man-power and material supplies, and to encourage the financing of new production.

It was agreed that this method of procedure in view of the shortage of product which has alarmed exhibitors, is better than a reduction of the exhibitors quota to 15 per cent, which was sought by the Cinematograph Exhibitors Association, but opposed strenuously by producers and labor interests.

Nevertheless, it is understood that certain interference in the Films Council favor the abolition or suspension of the quota during the period of the war, as the only method which may be pursued successfully.

The recommendations of the Films Council, along the lines indicated, are expected to be presented to Oliver Lyttleton, president of the Board of Trade, to whom, after the government in the recommendation of national legislation affecting the film industry in England.

The London and Home Counties Branch of the C.E.A. decided today to adopt, with the approval of various local associations, extending hours of 10 and 11 p.m., in accordance with blackout regulations. The decision of the C.E.A. branch confirms the forecast of such action published recently in Motion Picture Daily.

The branch also decided to go ahead with the plan to approach Government authorities with a plea for reduction or elimination of the charity tax assessed only on film houses for Sunday opening.
Theatres $4.75 for $1 of Producing Cost  
Washington, Feb. 27.—Film theatre operators in the United States in 1939 took in nearly $41.75 for every $1 spent on the average, according to the report of the Census Bureau. While the intake for theatres was $675,077,650, the producers spent $144,577,050.

Hearing Monday in  
Phila. Trust Action  
Philadelphia, Feb. 27.—Federal Judge George A. Welsh in District Court on Monday will hear arguments on a petition to subpoena records in the anti-trust suit of Harrison Bros., operators of the suburban Lansdowne Theatre, against the Warner Circuit and the I.A.T.S.E. union.

Harry Norman Ball, Harrison's attorney, gave notice of his intention to examine before trial certain of the defendant's books and seeks the subpoena files. The suit, seeking $210,000 triple damages and involving the clearance of films in the sub-urban circuit, was filed in November, 1939. It is tentatively set for hearing April 21, contingent on William A. Schaefer, counsel for the distributors, being free of other assignments to try the case. Morris Wolf will represent Warners.

Third Arbitration  
Plea Is Filed Here  
The third demand for arbitration to be filed in New York is the 10th for the entire country since the opening of the 31 local boards on Feb. 1 was filed here yesterday.

The complaint was brought by Jack Davis, president of Monoscreen Enterprises, operator of the Forum at Metuchen, N. J., against all five competing distribution companies. The complaint sets forth that Metuchen is obliged to follow Plainfield, N. J., on all releases and asks an arbitration finding this clearance unreasonable and an award permitting Metuchen to play day and date with Plainfield.

Three theatres in the latter city, the Paramount, Oxford and Strand, are cited by Davis as involved in his complaint.

Crescent Dismissal  
Motion Is Denied  
(Continued from page 1)  
District court here. Judge Davies had the motion under consideration since.

Similar motions made in the Little Theater section of Buffalo and Ohio anti-trust suits previously were denied by the bench on the close of argument.

Judge Davies also overruled all but two objections made by the Crescent Co. and affiliated exhibitor defendants to the Government's interrogatories addressed to them.

U.S. Producers Expended  
$144,577,050 During 1939  
Washington, Feb. 27.—American producers in 1939 expended $144,577,050 on the production of 200 theatrical features, including 27 in color, and an undetermined number of shorts, numbering more than 2,000, but of which 125 were in color. It was disclosed in preliminary Census Bureau figures released tonight.

The total expenditure for the production of pictures, including theatricals' standing, educational, news, and all other expenses, was $215,649,295, a new all-time high comparing with $197,741,338 in 1937 and $161,864,812 in 1935, the bureau reported.

Bureau officials commented that the figures show that in less than 20 years the outlay for the making of films has approximately tripled, while the $577,000,000 reported for 1921.

The preliminary report showed a total of 178 establishments engaged in the production of pictures in 1939, against 81 in 1937 and 129 in 1935. Less than 60 per cent of the establishments were located in California, but they spent approximately 85 per cent of the industry's total.

The bulk of the expenditure for production was reported for California, although only little more than half of the total number of stories were located in that state, it was shown.

There were 93 studios in the coast state with a total outlay for work of $186,648,971, compared with 35 studios with an outlay of $147,943,349 in 1937 and $172,705,345 in 1935. These establishments employed 8,800 salaried officers and employees and 21,371 wage earners in 1939 compared with 5,777 salaried and 14,970 wage earners in 1937. Total salary and wage payments were $4,874,822 in 1939 against $4,516,721 in 1937 and $4,953,049 in 1935.

Illinois reported nine establishments with an outlay of $499,132 in 1939. Michigan five with an outlay of $1,154,312, and Missouri five with an outlay of $166,876. The number of establishments in all other states was 23 and their aggregate expenditure was $3,694,913 in 1939.

The report disclosed that two establishments in California, Florida, Georgia, Louisiana, Massa- chusetts, Minnesota, New Jersey, and not Pennsylvania, and one each in Iowa, Maryland, Washington, Texas and Wisconsin.

U'S. Stock Purchase  
Reported by S. E. C.  
Washington, Feb. 27.—Acquisition by two Universal Corp. officials of 500 common voting trust certificates in that company constituted the only stock transaction reported tonight by the Securities and Exchange Commission in its final December summary.

The SEC report showed that Preston Davis, director, acquired 400 certificates at $90 each for a total of $3,600 at the close of the month, and Potter Gibson, secretary, acquired 100, giving 1 a total of 1,400. The Universal Corp. report showed also that Standard Capital Co. held 26,300 voting trust certificates with the certificate warrants at the close of the year.

Union Meeting Today  
Hollywood, Feb. 27.—The meeting of the I.A.T.S.E. locals' business representatives with Pat Casey, producers' labor contact, relative to the production of war films and working conditions, has been postponed from today to tomorrow.

Republic Regional  
 Held in Kansas City  
Kansas City, Feb. 27.—Republic's Midwest sales session, second of a series of five regional meetings, opened at the Muehlebach Hotel here today with James R. Grainger, president, in charge. H. J. Yates is attending.

Today's session was devoted to con- sidering pictures to be released during the remainder of the current season. Grainger reported that 30 of the 132 pictures scheduled for release have been delivered and the balance of the program will be released before Aug. 31. The closing session tomorrow will be devoted to a discussion of product planned for next season.

Among those attending the meeting were J. H. Withers, Kansas City; Gil- bert Nathanson, Milwaukee; E. I. Davis, Oklahoma City; Lloyd Rust, Dallas; Nat Steinberg, St. Louis; P. R. Reaves, Des Moines, and C. R. Reese, Omaha.

Grainger and Yates are scheduled to leave here for Atlanta tomorrow. Neither will conduct the Southern sales meeting next Monday and Tuesday.

Producer Salaries  
$139,077,063 in '39  
Washington, Feb. 27.—Total expenditures for salaries for producers and wages in 1939 was $139,077,063, as compared with $139,551,338 in 1938 and $104,129,558 in 1935, the Cen- sus Bureau reported today.

The drop in 1939 was in salary payments, to $63,544,317 from $66,341,137 from $102,393,327, but the average salary was much higher than in 1935, when salaries totaled only $78,428,088 for one-third more persons than were employed in 1939. Salaries paid in 1939 were at a new high, $45,753,926 against $37,157,735 in 1937 and $24,686,465 in 1935.

33,687 Employed  
In Studios in '39  
Washington, Feb. 27.—The Census Bureau reported tonight that 33,687 were employed in film studios in 1939 against 2,598 in 1937 and 2,922 in 1935; the salary and employees numbers were 9,035 in 1939, 10,258 in 1937 and 6,756 in 1935, while the average number of wage earners was 24,052 as against 19,338 and 14,971 in 1937 and 1935, respectively.

The bureau disclosed that the cost of studio supplies, containers for films, fuel and energy in 1939 ran to $43,564,969, compared with $34,574,874 in 1937 and $29,541,118 in 1935; the cost of contract work was $15,849,844 against $7,012,657 in 1937 and $5,144, 975 in 1935, and other expenses were $92,891,244 against $15,022,742 two years earlier and $22,749,60 in 1935.

$4,035,493 Exposed  
Film Exported in 1940  
Washington, Feb. 27.—Exported film led the list of motion picture exports for the year 1940, as compiled by the Department of Commerce, with $39,241,259 linear feet valued at $4,035,493.

One inch or more in width, positive, was reported at 74,129,985 linear feet valued at $683,839 and negative, 20- 45,458,288 linear feet valued at $314,372. Negative (exposed or exposed and developed), features (4,000 linear feet or over) were reported at 7,562,899 linear feet valued at $321,755. Others (less than 4,000 linear feet) included at $1,279,279 in 47,254 linear feet valued at $101,259. Other negative feet, etc., were at 2,014,976 linear feet valued at $887,572.

Under positive films, features (4,000 feet or over) were reported at 141,413,331 linear feet valued at $2,745,173 and less than 4,000 linear feet; newsreels, 6,830,055 linear feet valued at $123,357 with other shorts, 31,226,401 linear feet valued at $746,511.
There is no substitute for RICHARDSON in the projection room

Second Revision
Sixth Edition

Trouble-Shooting Charts

Alphabetical Index System

700 Pages of up-to-the-minute data that every projectionist needs!

THE REVISED BLUEBOOK
MOST ADVANCED MANUAL ON MODERN SOUND REPRODUCTION AND PROJECTION

The newly revised Bluebook does a threefold job:
(1) It gives a detailed description of the construction, wiring and functioning of every piece of sound and projection apparatus used in a modern projection room.
(2) It gives careful instructions on the operation and maintenance of this equipment. (3) It is a quick and effective trouble-shooter with sound trouble-shooting charts that enable the projectionist to spot and repair sudden breakdowns both in the projection and sound apparatus. The new edition is handy to keep and handy to use, with an alphabetical index system for quick, easy reference.

You will find the revised Bluebook the most complete treatise of its kind and a sure solution to every projection problem.

ORDER THE BLUEBOOK NOW

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER, NEW YORK, N.Y.
Motion Picture Daily
Friday, February 28, 1941

Off the Antenna

PARAMOUNT has arranged a promotion campaign for four forthcoming films on Kate Smith's Friday evening hour over the CBS network. Although Miss Smith generally uses film material for drama- tizations on her programs, Paramount's stunt is believed unique because for promotion on four successive Fridays, beginning March 28. The films will be "Road to Zanzibar," "The Roundup," "I Wanted Wings" and "Reaching for the Sun." Each show will be preceded by announcements on Miss Smith's weekly programs.

Purely Personal: Raymond Paige will be guest on "So You Think You Know Music" over NBC-Red Tuesday...

Program News: Penn Tobacco has renewed Park Johnson and Wally Butcher's "Fancier" for another 13 weeks over CBS.... Andreas Jergens Co. has renewed "Jergens Journal" with Walter Winchell and "The Parker Family" over NBC-Blue for 13 weeks. The Elmer Davis news program heard nightly during except Sundays beginning next week when Chrysler Co. takes over the Monday, Wednesday, Thursday and Saturday spots. Gillette Safety Razor Co. is the sponsor Tuesdays and Fridays. WHY will start a quiz show with all questions directed to material furnished Bible Sunday at 5 P.M. Dr. Frank Finkston will conduct the quiz and Chestema Memorial Park will sponsor.

New Television Regulations

WASHINGTON, Feb. 27.—Preparatory to the March 20 hearing on sound standards for television, the FCC today released a set of proposed rules. These rules concern the establishment of commercial television stations and are intended for study by interested parties prior to the hearing. The commission asked for suggestions as to the best date for the start of commercial television and also whether standards shall be applied to the higher frequency channels, Nos. 8-18 inclusive, or whether these upper channels should be left open as at present.

Interested parties are asked to suggest alternative rules and regulations if the proposed plans set forth to this day inferior. Among the rules suggested today were provisions to prevent undesirable single ownership of stations; provisions requiring commercial stations to operate a minimum of five to eight hours a day, and a requirement that stations be operated fully used during a telecast must be preceded by an announcement that film is being used.

The hearing is expected to center around the question of lines and frames, flexible or fixed standards, relationship of television to national defense, use of frequency modulation for the sound channel, color and synchronization of signals.

KIRO, Seattle, to Boost Power July

CBS disclosed yesterday that KIRO, Seattle, will increase its power from 1,000 watts to 50,000 on July 1 when a new transmitter now under construction on an island in Puget Sound is expected to be completed.

The station will continue on its 710 kc. frequency. Basic rate per evening hour will be increased from $225 to $325.

Radio Objects To Portions of Ascap Decree

(Continued from page 1) gave no indication whether it would accept the Ascap decree as binding upon itself. Under the terms of the MBI decree, it does not go into effect until Ascap has been bound by a similar decree. BMI has 20 days after receipt of a certified copy of the Ascap decree to state whether it regards itself as bound. In music circles it is believed that BMI may ask several modifications in view of the Ascap settlement.

Meanwhile, John G. Paine, Ascap general manager, said yesterday that Ascap will concentrate its first efforts on reorganizing its official organization as soon as the present decree is approved. He pointed out that a number of arrangements will be necessary under the terms of the BMI and the operations of the 38 field offices will have to be revised.

Paine’s statement was made in answer to a question concerning the length of time Ascap would require to comply with the radio broadcasters’ demand that Ascap submit a new proposed contract based on “per program” licensing.

It was explained that Ascap’s recently appointed negotiating committee and committee chairman, who are busy. They felt that the sessions are exploratory in nature. Paine said the committee will arrive at definite formulae to be followed in negotiations after the decree is approved, and probably not for some time thereafter. Paine reiterated that he believes the society was completely satisfied with the decree but pointed out that it would be necessary to study its legal aspects before drafting any contract or arranging for new office practices.

Buck Expresses Hope For Early Radio Pact

HOUSTON, Feb. 27.—Hope that Ascap may begin negotiations with broadcasters immediately on a new licensing agreement was expressed here today by Gene Buck, Ascap president.

Buck came here to explain to representatives of the society’s West Coast members, who subsequently endorsed the decree unanimously. He will leave for New York this weekend.

Ascap Wins Suit on Austrian Royalties

N. Y. Supreme Court Justice Aros Stener yesterday dismissed the complaint of four former members of A. K. M., Austrian affiliate of ASCAP against ASCAP for $57,994. The court upheld a judgment against A. K. M. in New York for $96,638, and sought to collect $57,994 which ASCAP is believed to have paid to ASCAP’s Austrian affiliate.

Wise Invites MacMurray

MADISON, Wis., Feb. 27.—The Wisconsin legislature today adopted a joint resolution inviting Fred MacMurray to Madison on March 13 for the showing of "Virginia," Paramount film. He attended high school here,
British Money Split Decided On 1940 Basis

 Arbitrator Puts Formula On Gross Business

An arbitration decision favoring the British currency distribution method advocated by seven major companies over that proposed by Loew's has been handed down by Milton J. Handler, attorney and Columbia University professor, who served as arbitrator for the companies.

As a result of the decision, the allocation of the $12,900,000 which may be withdrawn by the eight companies from London this year will be on the same basis as last year. Loew's had advocated withdrawals on the basis of the net rental than the average gross business in Great Britain.

The arbitrator's decision can not be appealed.

A decision in Loew's favor might have meant a difference of $1,000,000.

(Continued on page 6)

Catholic Charities

Drive Starts Today

The annual campaign of the motion picture industry committee of the Catholic Charities of the Archdiocese of New York will get under way today. It was announced over the weekend by John J. O'Connor, vice-president and general manager of RKO Theatres, who is chairman of the industry committee.

The drive is for the purpose of raising funds toward the support of more than 100 charitable institutions. It is the 22nd annual appeal of the Archdiocese's Committee of the Laity.

(Continued on page 6)

Kent Scheduled to Go to Coast Soon

Sidney R. Kent, president of 20th Century-Fox, is scheduled to leave for the Coast within two weeks to resume conferences on the 1941-42 production program which were started at the studio several weeks ago. Also attending the meeting will be Herman Wehber, general manager of distribution, and Charles E. McCarthy, director of advertising and publicity.

(Continued on page 6)

Nathanson Reported Forming New Circuit In Canadian Cities

TORONTO, March 2—A new Canadian theatre circuit is in formation, reportedly with N. L. Nathanson, whose contract with Paramount as head of the Famous Players Canadian Circuit expires in June, at its head, it was learned here today. Formerly with the Gaumont-British Circuit in England, it is also linked with the new circuit, although it could not be ascertained whether he is directly interested, financially or otherwise. He was a recent visitor here and conferred extensively at the time with Nathanson and associates.

(Continued on page 6)

Canada Will Have 5% Tax on Tickets

TORONTO, March 2—Canada's Federal Government on April 1 will institute an amusement tax of five per cent on admission tickets, the industry learned over the weekend. Exhibitors will pay the tax on monthly box-office reports without the use of tax tickets. This will be in addition to the 4.5% now levied by the provincial governments, excepting Ontario. The Federal tax is expected to bring $5,000,000 or more a year.

(Continued on page 6)

Film Program on Defense Shown at Camp Bowie, Tex.

By HARRY McCORMICK

DALLAS, March 2—A film program in connection with a talk on "National Defense and the Motion Picture Industry" was presented to high-ranking officers at the Army Tent Theatre, Camp Bowie, Brownwood, Tex., by Richard Stout, attorney for Interstate Circuit, Inc., and Texas Consolidated Theatres, Inc.

With the cooperation of Sol Sachs, manager of the RKO exchange in Dallas, Stout obtained a print of "Britain's R.A.F.," March of Time release, at the request of Major Aubrey W. Schofield, commanding officer of the 111th Observation Squadron of the 36th Division.

For showing to the officers and men of the 111th Observation Squadron, Stout then built up a "National Defense Aviation Program," with the aid of RKO and Warners. He used the Time reel, "Service With the Colors," "Air Army" and "London Can Take Major General Claud V. Birkhead, commanding general of the 36th Division and Camp Bowie, was present at the showing with his entire staff.

Stout preceded the showing with a 10-minute talk on the role of the industry in the national defense program. He emphasized the work of the Motion Picture Committee Co-operating for National Defense. "All branches of the industry are fully mobilized to back up the armed forces," Stout said.

General Birkhead introduced the program, which he described as "a pioneer effort in the important field of visual education for the army."

He lauded Karl Hoblitze and R. J. O'Donnell, president and vice-president, respectively, of the circuits, for their cooperation in the national defense mobilization in Texas.

Great Majority Of Arbitration On Clearance

Practice in Dispute in 14 Of 17 Cases

Fourteen of the 17 complaints filed to date under the industry's arbitration system are on clearance. During the first month of operation of the new tribunals, which ended Friday, only 10 of the 31 boards had received complaints for adjustment.

No affiliated circuit theatre has been named in any of the complaints on file. New York and Washington, each with three cases, lead in number. Boston, Chicago, and Detroit each have two complaints on file. Five boards in Denver, Milwaukee, New Orleans, Cleveland and Dallas each have one case.

Though complaints on clearance predominate, an award on this type of dispute cannot be made effective during the life of existing contracts or even later if material changes occur.

(Continued on page 6)

16 Single Feature Dates Set on 'Doe'

Sixteen special key city single-bill engagements have been set by Warners on the Capra-Riskin film, "Meet John Doe," which Warners is releasing, it was determined following conferences between Gradwell L. Sears, Warners general sales manager, and Robert Riskin. Contracts for all playdates on the film call for single bill engagements.

(Continued on page 6)

Rodgers to Address Ampa on Thursday

William F. Rodgers, general sales manager of M-G-M, will be the speaker at the Ampa luncheon meeting Thursday at the Hotel Edison. He is expected to speak on the role of the advertising and publicity men in the industry.

In Today's Issue

Personal Mention

ALEXANDER KORDA left by plane for the Coast on the weekend.

MAURICE SILVERSTONE, chief of United Artists world-wide operations, arrives today from the Coast.

G. E. BUDD, Ascap president, returned from Hollywood over the weekend.

J. CARLO BAVETTA, 20th Century-Fox managing director in Brazil, is en route to his Rio de Janeiro headquarters from New York.

A. M. VAN DYKE, 20th Century-Fox salesman in Chicago, has been presented a watch by the Red Felows Club, of which he is secretary, in recognition of his services.

PHIL. ENGEL, Warner Eastern district exploiter, is in Buffalo.

GEORGE J. FEINBERG, who was injured in the airplane crash near Atlanta on Thursday, will be in the Piedmont Hospital, Atlanta, for about a week.

Charles Richardson Dead; Was Trustee

BYRN MAW, PA., March 2—Charles E. Richardson, former treasurer for RKO, former trustee of Paramount-Publix, and former vice-president and treasurer of the old Fox company, died at his home here on Thursday.

He is survived by his widow, Philippa Q. Richardson. He resigned in May, 1933, from the Fox Film post to become Paramount trustee. He resigned as trustee in December, 1934, and was a Paramount director from the termination of the receivership until January, 1936.

Eastman-Aga Suit Discontinued Here

Stipulation discontinuing the patent infringement suit of Eastman Kodak Co. against Agfa Anso Corp., was filed on Friday in the U. S. District Court. The discontinuance is without prejudice to a renewal of the suit and without costs to either party.

Eastman had sought an injunction, accounting and damages, claiming the defendant was infringing a patent for the manufacture of motion picture film. Agfa denied the charges and claimed Eastman was seeking to set up a monopoly in the manufacture of films.

Parry, Farnol on ‘Wings’

David Parry, special writer for Donahue & Coe, has been joined by the agency for special work on Paramount’s “I Wanted Wings,” road show engagements. He will work with Lynn Farnol, who has been employed by Neil Agnew, vice-president in charge of distribution, to do publicity on the road’s showings. Farnol formerly was director of advertising and publicity of United Artists, was in Washington on Saturday with Robert Gillham, Paramount advertising and publicity director.

Named ‘U’ Manager

INDIANAPOLIS, Ind., March 2—Hadley H. Hall, secretary manager of the Indianapolis branch for nine months, has been named manager.

Motion Picture Daily

Monday, March 3, 1941

Night in Rio’ Roxy Premiere March 13

THAT Night in Rio,” 20th-Fox musical in color starring Alice Faye and Don Ameche, will be given a world premiere at the Roxy on Broadway on March 13, it was disclosed yesterday, it was announced by Herman Wobber, the company’s sales chief. The film will be given a general release as an Easter week attraction around the country.

An extensive advertising and exploitation campaign, including radio, is being planned under Charles E. McCarthy’s direction.

Para. Sets Up Sales Division for Shorts

Oscar A. Morgan, Paramount general sales manager for short subjects and newsreels, has created a separate sales organization for these divisions.

There will be 10 district sales representatives, all under Morgan’s direct supervision.

Eight of these already have been appointed and remained two weeks until they were announced shortly. Those already appointed are Richard Scheinbaum, Chicago; J. J. Cary, Los Angeles; James Harris, Boston; O. Y. France, New York; Charles Duer, Denver; Harry Dodge, Atlanta; Saul Jacobs, Philadelphia, and Max Stahl, Cleveland. Yet to be named are the representatives in Dallas, and Kansas City.

Harley Returning To Post in London

FRANCIS L. HARLEY, managing director in Great Britain for 20th Century-Fox, will leave today on the Siboney for his London post. He arrived here several weeks ago for a special assignment and spent some time on the Coast where he conferred with officials at the studio on forthcoming films.

Parry, Farnol on ‘Wings’

David Parry, special writer for Donahue & Coe, has been joined by the agency for special work on Paramount’s “I Wanted Wings,” road show engagements. He will work with Lynn Farnol, who has been employed by Neil Agnew, vice-president in charge of distribution, to do publicity on the road’s showings. Farnol formerly was director of advertising and publicity of United Artists, was in Washington on Saturday with Robert Gillham, Paramount advertising and publicity director.

Named ‘U’ Manager

INDIANAPOLIS, Ind., March 2—Hadley H. Hall, secretary manager of the Indianapolis branch for nine months, has been named manager.
Congratulations
Ginger Rogers
from RKO Radio Pictures
GINGER ROGERS

as

Kitty Foyle

the role that won the Academy Award

and congratulations to

all who had a part in making "Kitty Foyle" the box-office sensation of the year... the show that set long-run and money records in dozens of cities... the picture that today is playing to spectacular business everywhere!

GINGER ROGERS
In the First Great Romance of the White Collar Girl
"KITTY FOYLE"
Christopher Morley's Natural History of a Woman
With
DENNIS MORGAN • JAMES CRAIG
Eduardo Ciannelli • Ernest Cossart • Gladys Cooper
Directed by SAM WOOD
Who Made "Goodbye, Mr. Chips"
Produced by David Hempstead • Harry F. Edington. Exec. Prod.
Screen Play by Dalton Trumbo • Additional Dialogue by Donald Ogden Stewart

RKO RADIO PICTURES
Pittsburgh Houses Reject Games Ban

PITTSBURGH, March 2—Independent and circuit exhibitors alike have informally indicated that they will not voluntarily stop chance games following receipt of a second letter from George Dennison, manager of the Better Business Bureau, asking them to ban theatre lotteries, while the B.B.B. is planning a campaign to try to abolish prize promotions through arousing public indignation if the theatres do not cease themselves, according to official but authoritative sources.

Following a meeting of Allied M.P. T.O. of Western Pennsylvania, Fred Hervington, secretary, declared that requesting theatres to stop games because they were the cause of other gambling, was an insult to exhibitors, and that they probably would ignore Dennison’s letter.

Executives of the Warner Theatres and Harris Amusement Co., operators of more than 30 theatres in metropolitan Pittsburgh, thus far have declined to issue any statement on the question raised by the Better Business Bureau, but privately some of them have stated that they believe the bureau’s attack is unwarranted and unwise, and in their opinion that motion picture houses are not gambling.


Indianapolis Club Committee Named

INDIANAPOLIS, March 2—Standing committees for 1941 have been named for the local Variety Club by Kenneth T. Collins, Circuit Marker.

Chairmen are: Heart fund—Wade W. Willman; membership—Fred Greener; entertainment—Carl Niesse; housing—Art Directors; public relations—H. L. Hancock.

Art Fund by Theatre

CHICAGO, March 2—A scholarship for the children of deceased Variety Club members, known as the American Institute of Decorators, will be provided by the receipts, at $1 a ticket, of Friday night’s opening of today, renewed house operated by Richard E. Beck.

Review of the Week

Feature Review

“A Girl, A Guy and A Gab” (RKO-Lloyd)

HAROLD LLOYD, this time as producer rather than actor, draws upon his extensive knowledge of, and experience in, comedy to furnish exhibitors with a satisfyingly laughter-package in “A Girl, A Guy and A Gab” as has come from Hollywood in many a month.

The picture has no other aim than to provide laughs. This it succeeds in doing by methods so varied and uncalculated, one to another, that chuckles or outright guffaws follow one another upon another in quick succession, or, after brief and infrequent periods of drought, burst in such floods that only the overtones are missed.

Lloyd has returned for much of his formula to the comedy methods which made him one of the leading comedians of the screen. He has distilled sophistication, even for purposes of background, and ignored the subtlety. His laughs and whatever breeds them are as obvious as the screen images. They are extracted from ludicrous situations, outright slapstick, irresistible and irrepresible—but likable—characters, and child-like adults and zanies of the kind who enriched “You Can’t Take It With You.”

The framework on which Lloyd has hung his generous outlay of amusing antics is simply the romance between the girl who loves the guy who loves the Navy more, and his writing a series of articles for the sake of the guy to the guy who really loves her. The laughs are inherent in the characters and the situations which they create for themselves, rather than in plot or story, there being very little of either. The touch of true comedy is upon all characterizations and incident.

All of it is played to the hilt by every member of the cast under the knowing direction of Richard Wallace. While the major chinks fall to George Murphy as the gob, Lucille Ball as the girl, and Edmond O’Brien as the guy, others within the limits of their lesser roles are equally good. Especially is this true of George Cleveland as the father, Kathleen Howard as the mother, and Lloyd Corrigan as the brother.

Good going is played to the hilt by every member of the cast, and the picture can be readily sold wherever there is a market for comedy, a movie-goer in quest of laughs. It is an antidote for and a respite from the headlines and the din of the “exposure” of radio commentators, and may be sold as such safely and truthfully.

Minor fault might be found with the closing sequence which seems overly long in its development in contrast with the headlong pace of what precedes it.

Running time, 92 minutes. *G*.

*SHERWIN A. KANE.*

*“G” denotes general classification.*

Mexican Theatres Sign Union Contract

MEXICO CITY, March 2—Exhibitors here are assured freedom from labor troubles until 1943 with the signing of the collective contract that the National Film Workers Union has been demanding since October, 1939. This contract allows the continuation of high wage scales for most of the theatre employees besides a 10 per cent increase for other workers. The union called five strikes to enforce the agreement.

Both chiefs declare that this contract will be fully respected by the workers. It is two Telles is secretary general of the union.

Pittsburgh Houses Reject Games Ban

“Reformer Threatens Industry ‘Expose’ ”

PHILADELPHIA, March 2—Rev. Dr. William B. Forney, secretary of the Lord’s Day Alliance, which is leading the fight against Sunday films in this state, has threatened to ‘expose’ the film industry.

Using his invitation to support “Land of Liberty” as a stepping stone, he charged the industry is presumptuous in asking the ministry to support anything connected with it. He said he is writing a series of articles for the industry and “exposing unethical and illegal methods used by the industry to get legislation.” He was vague about the publication in which his articles would be published.

Building Under Way

New Haven, March 2—Spring construction has begun to vet under way in Connecticut. Joseph Faith, owner of the Unionville, Collinsville, and Terryville, will open his new 630-seat Carberry Theatre in Bristol, Conn., converted from a dance hall. Prior to this month, Peter Perakis and Joseph Quinnett, are building a 1,000-seat house in East Hartford, Conn., Fred Quattrano, operator of the Lido, Waterbury, is proceeding with a 700-seat house to be constructed in Newtown, Conn., which has been hypothezized.

Strand Amusement Co., operator of Bridgeport neighborhood houses, will continue to remodel the Stratford Theatre, which was built in 1912, installing new heating, new marquee, modernistic glass front and new seating. Bids are out for interior and exterior. Michael Daly’s 700-seat Plainfield Theatre. Philip Schwartz, operator of the Parkway, Bridgeport, will enlarge that house its present 400 to 600 seats, and renovate generally. The Roger Sherman and other A+ houses on the Warner circuit are trying out a new type of lamp for interior effect.
Great Majority
Of Arbitration
On Clearance

(Continued from page 1)

In selling and exhibition practices in
the industry, as they may under
the lock-and-key method which
will go into effect with the 1941-42
selling season.

For this reason, the RKO Uptown,
Detroit, last week chose to bring an
action in circuit court there, instead
of in Los Angeles, under the
hope of obtaining the immediate
clarification of a court which the
arbitration board cannot give.

Alleges Contract Violation

The action was in the form of an
application for an injunction to
restrain Paramount, Loew’s and 20th-
Century-Fox from licensing United
Detroit houses as second runs, in
what the Uptown charged was a viola-
tion of the specificity in the deduct,
with those companies. The defendants
tended that the United Detroit houses
so licensed are in neighborhoods com-
petitively removed from the Uptown,
and so not affected by the Uptown’s
to.

One, and possibly three, of the 17
complaints on file are of dubious
validity. One of these, the only
complaint on file with the Cleveland
board, involves “some run” for a the-
ater under construction which, it is
said, does not replace one in exist-
ence provided for under the deduc-
trate, such a theater is not eligible
for arbitration. However, the com-
plaint has been permitted to stand in
order that the arbitrator himself may
make the ruling on its validity.

Two by Drive-In-Theatres

The other two doubtful complaints
are on file with the New Orleans and
Dallas boards. Both were entered by
drive-in theaters, which are not men-
tioned specifically in the decree as
having arbitration rights. These also
will be decided by arbitrators.

Roosevelt, Dr. walk in the last
filed during February. It was
made by Joseph’s Drive-In Theatre
at Austin, Tex., and asks an
adjust-
ment of clearance and “some run” from
Loew’s and 20th-Century-Fox.
Theatres involved in the complaint
are the Interstate, Underwood and
Exel, all in Dallas.

16 Single Feature
Dates Set on ‘Doe’

(Continued from page 1)

advanced admissions and extended
runs. The 16 dates thus set far in-
close:

Rivoli and Hollywood, New York
March 12; Hollywood and Down-
town, Los Angeles, March 12; Vic-
tory, Manhattan, New York; Col-
ton, Richmond, March 14; State, Harris-
burg, March 21; Norva, Norfolk,
March 21; Grand, Cleveland; and
Oakland, Calif., March 19; Criterion,
Oklahoma City, March 12; Roxie,
Springfield, Ill., March 14; Mary An-
derson, Minneapolis, March 14; Eke-
brocker, Nashville, March 14;
Beach, Miami Beach, March 12; Par-
amount, Miami, March 12, and Cir-
cle, Indianapolis, March 12.

Nathanson Reported
Forming New Circuit
In Canadian Cities

(Continued from page 1)

tribution executive here, identified
with the Nathanson enterprises, are
reported to have been strengthen-
the circuit building activities. Further
acquisi-
tions of theatres in Western, Central and
Eastward Canada, possibly in the
Ontario region, are expected.

It is also reported that negotiations
are under way for the acquisition of
Twentieth Century-Fox, Ltd., a circuit
developed recently by Nat
Taylor, who has been an officer of the
Independent Theatres Association of
Canada for several years.

It was learned that William J.
L. Long of Vancouver has been named
supervisor for the new Odeon The-
tres Company in British Columbia.

The development activities have
been so active, it was learned, that
Hanson was obliged to forego attend-
ing the recent Universal annual sales
convention in Chicago because of
them. Hanson is director of Empire-
Universal Films, Canadian distribu-
tor for Universal.

Paramount Officials
Confirm Canada Reports

Paramount home office officials said
they had heard reports that N. L.
Nathan, president, were en-
gaged in theatre acquisitions in
Canada. They declined to comment on
the renewal of his contract as oper-
ator of Famous Players Ca-
nadian.

British Currency
Is on 1940 Basis

(Continued from page 1)

in the allocations of British remit-
tances to that company, according
to unofficial reports. This would be
due to the large increase last year
from “Gone With the Wind” in
Metro’s normally good business in the
United Kingdom.

Inasmuch as the allocations will be
on the same basis as last year, each
company’s receipts should be around
one-third less than in 1940. This is
due to the fact that only $12,000,000
may be withdrawn by eight compa-
is, as compared with $17,500,000
by seven companies the year before.

J. Robert Rubin, general counsel
for Loew’s, and Samuel D. Cohen
of Loew’s home office legal staff, rep-
resented that company. Joseph H. Ha-
zen of Warner’s represented the other
two companies. The hearing before
Handler lasted about three weeks.
His decision was accomplished by a 14-page opinion.

Chakeres Takes Theatre

SPRINGFIELD, O., March 2—Chakeres
Theatres, Inc., which dominates this
situation through operation of all first
run houses in the city and several
neighbors in the town, has taken over
the Forum, Hillisboro, O., from Will-
liam Hill.

Film on Palestine

“Palestine Speaks,” new film pro-
duced in that country by the Palestine
Films, is currently playing at the
Ascot Theatre, Bronx.

Critics’ Quotes . . .

“NICE GIRL” (Universal)

Refreshing and wholesome entertainment that should win the popular star
of the year. The five songs she sings are first-rate and will involve no
operatic.—Neureuther.

A pleasant, if unimportant, little incident in the development of this singing
star . . . there’s a lighthearted, humorous air about it that is so well done
this will satisfy the Durbin fans.—Virginia Wright, Los Angeles News.

“TOBACCO ROAD” (20th Century-Fox)

The director-writer team responsible for “The Grapes of Wrath” again
turn in a universal and highly entertaining narrative into an unusual and
 arresting screenplay . . . developed on the screen with the accent on the
broads and folksy comedy. While this switch is effective in its own right,
it remains less satisfying.—Neureuther.

Not a sturdy story, and it is inclined to ramble, but excellent acting plus
dialogue, impart to it a charm and warm humor that make it enjoyable.—
Norman Clark, Baltimore News Post.

“COME LIVE WITH ME” (M-G-M)

A delightful picture in spite of some inconsistencies . . . alternately
clever, tender and humorous. Again, that combination so
this element is fleetingly inserted and seemingly necessary to set
things right.—Wanda Hale, New York Daily News.

Rather slow in getting under way, but developing a steady pace in its later
passages, and a happy sentiment and fortifying
to.—Robert W. Dunn, New York Herald Tribune.

“The LADY EVE” (Paramount)

This bubbly and frothy comedy-romance, which Mr. Sturges has
whipped up for Paramount, possesses all the pristine bounce and humor, all the fresh-
ness and ingenuity that seems to have been lacking from the movies since
away back—we don’t know when. —Ray Bolser, Crocsher, New York Times.

A highflying’ slapstick comedy that bristles with laugh-provoking ma-
terial . . . Sturges has written a highly amusing comedy and has directed
it with a cleverness that is sometimes extremely subtle and at others as
broad as the beam of the ship on which the hilarious affair begins.—Kate
Cameron, New York Daily News.

“MEET JOHN DOE” (Warner’s)

The picture has many excellent, many not so excellent details, and will
obdurate accent for millions the virtues of neighborly compassion.—Time.

Catholic Charities Drive Starts Today

(Continued from page 1)

of which Alfred E. Smith is chair-
man; John A. Coleman, chairman;
Postmaster General Frank
C. Walker, treasurer, and George J.
Schaefer, president of RKO, assistant
treasurer.

C. S. F. of California announced members of motion picture commission,
which Walker and Schaefer are serv-
ing, as follows: W. B. Van Schouw
of Radio City Music Hall; Nathan J.
Blumberg, Universal; Herman Rob-
sins, National Screen Service; Mar-
tin Quigley, publisher of Motion Pic-
ture Daily and Motion Picture Her-
ald; Harry Brandt, Brandt Theatres;
Austen C. Keough, Paramount;
Alaether, Film Editor; Edward Bowes;
Samuel Brody, Monograpm;
Harry Buckley, United Artists; Spy-
ro Skouras, National Board of Rev-
wad. H. F. Rodgers, M.G.M.; PhilReis-
man, RKO; William A. Scully, Uni-
versal.

Also in Gradel L. Sears, Warner;
Patrick Casey, Casey Enterprises;
H. M. Doherty, Warner; George Skou-
ras, Skouras Theatres; Sholom White,
Shouras Theatres; John No-
lan, Comerford Theatres; John Mur-
phy, Loew’s; Leon Nelter, Para-
mount; Dennis F. O’Brien, of
O’Brien, Driscoll & Raftery; Si Fa-
bian, Fabian Theatres; James R.
Granger, Republic; Al Hovell, Cen-
tury Circuit; E. C. Grainger, Feiber
& Sheba Theatres; John Kane, Colum-
bria; Maurice Kahn, Bosford; Jo-
seph McConville, Columbia; Charles
B. Donaldson, RKO Theatres; Jo-
seph P. McLaughlin, Paramount; Jo-
seph McDonald, MGM.

It is hoped that the campaign which
will continue through the month of
April, will be successful and
may be of great assistance to
Catholic Charities of the city.

Arraigned in Tax Case

DETROIT, March 2—Two brothers,
Mac and Sol Krim, arraigned here
of the Federal Judge Judge Edward J.
Morgan on a charge of failing to pay taxes
on theatre admissions, pleaded not
guilty. The theatres involved are the
Harmony, Lasky and Park, neighbor-
hood houses.
DAVID O. SELZNICK
producer of "Gone With The Wind" and "Rebecca"
and many other outstanding box-office successes, says:

"I have seen 'CHEERS FOR MISS BISHOP'. It is a tender and touching piece of Americana!"

Richard A. Rowland
presents
Cheers for Miss Bishop
An Unforgettable Love Story
with MARTHA SCOTT • WILLIAM GARGAN
and featuring EDMUND GWENN • SIDNEY BLACKMER • DOROTHY PETERSON
and introducing MARY ANDERSON • Directed by TAY GARNETT
From the novel "Miss Bishop" by BESS STREETER ALDRICH • Screen adaptation by STEPHEN VINCENT BENET • Screenplay by ADELAIDE HEILBRON and SHERIDAN GIBNEY • Released thru United Artists
U.S. to Probe
AFM, Agencies
In AGMA Row

(Continued from page 1)

SATURDAY was the final day on which the National Television
System Committee accepted suggestions for standards for television. Although
the NTSC's final report to the FCC on Jan. 27, it was decided
to accept further suggestions up to March 1 in order that the commission
might have benefit of later developments or suggestions on March 20,
when the FCC will hold formal hearings on commercialization and standards
for the new art.

It was learned that the NTSC made March 1 the final date for new
suggestions because it has been decided that two more were required for the
study and additional time for a report. Several papers on the question of lines per frame and synchronization were submitted, it was said.

Off the Antenna

Dvorski Resumes Post

MANSFIELD, O., March 2—William
Dvorski, manager of WOJO, Ohio,
and city manager here, who resigned
recently to return to his home in
Cincinnati, has changed his plans and will take charge of WOJO's
1,700-seat Palace, in Lorain, O.
William Harrell, former manager in
Canton, succeeds Dvorski here.

To Improve Fox Denver

DENVER, March 2—The Fox Den-
ver will have some $10,000 in new
improvements made during the next few
weeks, Manager Bernie Hyens has
announced.

To Reopen California House

ARROYO CAL, March 2—George
Sanger, manager of the El Prado Hotel,
has completed plans to remodel and
reopen the Casino Theatre here.

Reopens Cincinnati House

CINCINNATI, March 2—Mrs. J. T.
Cronc, who closed the Ideal, neighbor-
hood house, seven years ago when temporary improvements were started on the
new Columbia Parkway, has reopened the
house.

Additional exploitation over the air for "Road to Zanzibar" can be
arranged by Paramount. The new spots include a guest appearance by Bing
Crosby on Bob Hope's show on April 8 and a subsequent return appearance
by Hope's "Kraft Music Hall." On April 7, 9 and 11, Hedda Hopper
will dramatize the life of Bing Crosby on her CBS show.

Break Ground for
WISN Transmitter

MILWAUKEE, March 2—Ground has
been broken in Greenfield, near the
site of the proposed new transmitter
buildings for WISN, which is planned for completion early in the
summer, according to Don Weller, the station's engineer.

Bruce Smith, WISN's sales manager, will take charge of the
five-acre tract on the North Side.

Theatre Changes

Wildner Leaves for S. A.

Thorton Wildner, film writer and
novelist, left Friday for South America
to lecture under the auspices of the
State Department.

WILY WHL, the Crosley short wave station in Cincinnati, has added pro-
grams in French, in addition to those in Spanish, Portuguese and
English previously carried. The station has obtained the services of
Jean ten Have, French consul in Cincinnati, for a weekly news program
Sundays at 8:15 P.M., EST.

WMCA at its signoff at 1. A. M Saturday started an expanded news
service, utilizing the full Associated Press wire. International News,
WOR, will be used exclusively with newscasts by AFN.

Fourteen evening broadcasts a day will be given, for a total of about three
and one-half hours, not including the talks by staff commentators. The
newscast setup is handled by Hal Janis and a newsreader staff of six.

40th Anniversary

Reading, Pa., March 2—Local IS.
36, of the American Federation of Musicians, has
arranged a celebration on March 16 at the Abraham
Lincoln Hotel to mark its
40th anniversary. Fronting W.
Birnbaum, national secretary, will
make the principal address
and it is expected that
James C. Petrillo, interna-
tional president, also will at-
tend. Frank L. Dieffenderfer
is president of the local.

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1,700-seat Palace, in Lorain, O.
William Harrell, former manager in
Canton, succeeds Dvorski here.

Altec, Williams in Deal

Mr. Williams has appointed Altec
Service to provide repair-replacement
service for projection equipment in his
five Interstate Theaters theatres
in southern Georgia. L. W. McCune
negotiated for Altec.

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hood house, seven years ago when temporary improvements were started on the
new Columbia Parkway, has reopened the
house. The Columbia thoroughfare
was completed recently.

Gore Opens Tampa House

TAMPA, Fla., March 2—Butler E.
Gore has reopened the Howard here,
as an outlet for Warner product, play-
ing second run. The 700-seat house is a unit in Gore's Broadway Thea-
tres, Inc.

Postpones Theatre Opening

BRISTOL, Conn., March 2—Joseph
Fith, of Terryville, Collinsville and
Unionville, has postponed opening of the
new 700-seat Bristol, Conn, house. Work has been delayed and opening
is scheduled for some time in March

Northio Shifts 2 Managers

MIDDLETOWN, O., March 2—Robert
Peffley, manager of the Northio Th-
atre, in Middletown, has resigned,
succeeding James Stamper, who takes
over the Sorg.

Remodels Frisco Theatre

SAN FRANCISCO, March 2—Dan Mc-
Lean has called for bids for complete
remodeling of the downstairs section of his Embassy Theatre, including in-
stallation of new seats.

Schechter Author
Of Book on Radio

A. A. Schechter, news and special
events director for NBC, in collabora-
tion with Edward Anthony, is the
author of "Live On Air," published by
Whittlesey House, Boston.

Told in a series of dramatic anecdotes, the book gives a personalized
account of the growth of one of the finest news gathering organizations in
radio today. Whether it is a descrip-
tion of NBC scoring a scoop by tele-
phoning directly to a judge presiding
over an important case, or a broadcast
with singing mice, or the graphic
blow-by-blow description of the war in
Europe, the tales are enlivened with a
detailed record of names, places and
madcapadventures in the broadcast-
ning world.

"Radio," says Schechter, "formu-
lated its policies the hard way," and
he illustrates with a story of a news
flash that the dirigible Macon had crashed
with an unknown number on board and
dead. As the controls switched back to the interrupted program, an
astounded radio audience heard Ben
Bernie singing a line from a then-
recently burned down, "Take a number from one to ten, double it and add a mil-
lion."

Crosley Seeks to
Halt Hazeltime Suit

CINCINNATI, March 2—The Crosley
Corp., has filed motions in U. S. Dis-
circuit Court designed to halt prosecu-
tion of nine suits in Hazeltime
Corp., Jersey City, N. J., charging
infringements of as many patents on
inventions of radio parts.

Dismissal of the bills is asked or
an injunction to restrain prosecution
of the suits until final determination by the U. S. District Court in Dela-
ware, he argues, is the same companies and the same "subject mat-
ter."

Kyler Heads Wins.
League of Stations

JANESVILLE, Wis., March 2—James
F. Kyler, manager of WCLQ,
here, has been elected president of the
League of Wisconsin Radio Stations.
Officers for the next two years will
include the Rev. James A. Wagner, WTAQ,
Green Bay; William Forest, WIBU, Poy-
gate; George E. Franchette, WFKH,
Wisconsin Rapids; and H. J. New-
comb, WBIN, Racine, all vice-presi-
dents. Ed Cunniff, WBKH, La Crosse,
was elected secretary, and Hiram
Born, WHBL, Sheboygan, treasurer.
TOBACCO ROAD ESTABLISHES THREE NEW MIAMI RECORDS IN DUAL OPENING!

Record Number 1
The biggest day's business ever done by the Lincoln and Surf Theatres combined!

Record Number 2
The biggest week-day's business in the history of the Lincoln Theatre!

Record Number 3
The third biggest day's business ever done at the Lincoln Theatre! (Opening day—Thursday—exceeded only by two Sundays!)

"TOBACCO ROAD" IS NOW THE MOTION PICTURE INDUSTRY'S GREATEST PROPERTY!
RKO RADIO PICTURES

Thanks the Academy of Motion Picture Arts and Sciences on the occasion of its thirteenth Annual Awards and again congratulates

GINGER ROGERS

For the Year's Best Performance in

"KITTY FOYLE"
“REBECCA”

ACADEMY AWARD FOR THE BEST PRODUCTION OF 1940

With gratitude to the makers and voters...

David O. Selznick
The Outstanding Performance
By an Actress

GINGER ROGERS
The Outstanding Performance
By an Actor

MY SINCERE THANKS

JAMES STEWART
Selznick First to Win Two Consecutive Film Awards

Hollywood, March 2—David O. Selznick has the coveted distinction of being the only producer in the history of the annual Awards of the Academy of Motion Picture Arts and Sciences to have won the outstanding award two consecutive years.

His production for United Artists release, "Rebecca," took the accolade among 1940 pictures, and for 1939 his film, "Gone With the Wind," produced for M-G-M release, virtually swept the awards listing.

Three Awards to Capra

The only man to have accomplished some sort of a similar record was that of Frank Capra, who directed films which took the outstanding film award in 1934 with "It Happened One Night," in 1936 with "Mr. Deeds Goes to Town" and in 1938 with "You Can't Take It With You." This was for direction and not production, and the winners did not strike consecutively.

An interesting comparison is to be had in the selection of the outstanding pictures of the past three years by the members of the Academy and the New York Film Critics. In 1940, with the Academy selected "Rebecca," the New York critics named "Grapes of Wrath," in 1939 the Academy picked "Gone With the Wind" and the critics chose "Wuthering Heights," while in 1938 the Academy went to "You Can't Take It With You" and the critics named "The Citadel."
Congratulations to all of the Academy Award Winners

Of Course—

EASTMAN NEGATIVE

was used on both

“REBECCA” in black and white
and
“THE THIEF OF BAGDAD” in color

J. E. BRULATOUR
(INC.)
SOLE DISTRIBUTOR

Fort Lee • Chicago • Hollywood
Best Cartoon
“MILKY WAY”

My appreciation to the Academy for the award received for the best cartoon. I am deeply appreciative to Metro-Goldwyn-Mayer and to my co-workers whose cooperation and help made this award possible.

RUDOLF ISING

Our Sincere Thanks

VINCENT KORDA
Art Direction
(Color Film)
Award
“Thief of Bagdad”

LAWRENCE BUTLER
Special Effects Award
“Thief of Bagdad”
It is significant that throughout its eleven year history, the sound recording award of the Academy of Motion Picture Arts and Sciences has been made every year to ERPI licensees using Western Electric equipment. Congratulations to the individuals and Sound Departments who have won the awards!

This Year’s Winner:
Douglas Shearer...MGM...“Strike Up The Band”

Electrical Research Products Inc.
195 Broadway, New York, N.Y.
Subsidiary of
Western Electric Company
Thousands of Theatres are using

PRODUCT DIGEST

Product Digest is Motion Picture Herald's new and valuable exhibitor service section. It is a master index to all information available to date on 1940-41 product and provides synopses, casts, release dates, review dates, audience classification, Legion of Decency ratings, running time, production numbers and other information of inestimable value.

...and for your convenience

THIS BEAUTIFUL RING BINDER
AT ACTUAL COST PLUS HANDLING

A well known manufacturer of ring binders has agreed to furnish leather ring binders (11" x 12½") for the Product Digest section which appears in the Motion Picture Herald every other week at the actual manufacturing cost of 54c which includes handling charges.

54c

Canada... $1.00
(This includes Canadian Sales and War Tax.)

Mail coupon today

Quigley Bookshop
Rockefeller Center, New York, N.Y.

Please send me a leather ring binder for the Product Digest section of Motion Picture Herald.

I enclose 54c covering the manufacturing cost, which includes handling charges. (Canada $1.00 which includes Canadian Sales and War Tax.)

Name

Address

City...........................................State...

Name of Theatre
TEN CENTS


Says Hollywood Can Make Them More Effectively

By LEE ROGERS

ATLANTA, March 3—"There will be less chance of the pictures smelling of propaganda if they will only tell us what they want, and then let us make those films our own way," Herbert J. Yates, president of Consolidated Film Industries, said here today, in referring to the use of the screen in the current national defense effort.

"The great danger will come from Army and Navy supervision of the..." (Continued on page 6)

B’way Grosses Fair Despite Storm, Lent

Broadway weekend grosses showed improvement Saturday and Sunday after the severe snowstorm and gale Friday afternoon and evening, and despite the beginning of Lent.

The Paramount emerged with flying colors, "The Lady Eve" with Tony Pastor on the stage grossed an estimated $25,000 Saturday and Sunday and completes its first week tonight with about $55,000 expected.

"So Ends Our Night" and a stage show at the Radio City Music Hall also was strong, drawing an estimated $50,000 Thursday through Sunday.

Gradon Gets Pact As Col. Producer

Max Gordon, producer of "My Sister Eileen," Broadway comedy, plans to leave Friday for the Coast under a contract with Columbia whereby he will produce the comedy for the screen, Columbia having purchased the play for a consideration which Columbia announced yesterday as $225,000. His contract also calls for his services as a producer of other films as well.

MPTOA National Convention June 2; Place Not Decided

The M.P.T.O.A. national convention has been definitely scheduled for June 2 to 6, but a final decision has not been made yet on the convention city, Ed Kuykendall, president, said yesterday.

Tentatively set for Los Angeles in May several weeks ago, Kuykendall said the decision to hold the convention during the first week in June instead was made when it was learned that a number of other conventions were already scheduled for that week. Among them are the national Variety Clubs convention, the Society of Motion Picture Engineers and the Pacific Coast Conference of Independent Theatre Owners, the latter at Los Angeles.

Kuykendall said that several resort cities besides Los Angeles are under consideration for the M.P.T.O.A. convention. He expects final arrangements to be made within the next week or 10 days.

Kuykendall will leave for Washington tonight after attending a meeting of the theatres coordinating committee on national defense at Joseph Bernard’s office at Warners this afternoon.

Schaefer Appoints Armour Studio Aide

HOLLYWOOD, March 3—Reginald Armour, formerly European manager for RKO, has been appointed by George J. Schaefer, RKO president, as his personal assistant at the studio.

Blue Law Fight Flares in Del.; Arrest Radio Official

WILMINGTON, Del., March 3—The only arrests in the entertainment field yesterday were those of Robert Walsh, manager of WDEL and WILM here, and Harvey Smith, announcer, on an enforcement agency throughout the state cracked down in an effort to force repeal of the Delaware’s 200-year-old Sunday Blue Laws.

The decision to enforce the law rigidly was taken after the House defeated a local option measure, following passage earlier by the Senate.

Theatres were not open yesterday but practically every other line of business was hit by the wholesale enforcement. The entertainment field drove the opening wedge in the legislative campaign for repeal.

Paramount Partners’ Meeting in Chicago

CHICAGO, March 3—Paramount the- are associates from the Midwest and Far West met here today to discuss operating problems and forthcoming product from all companies.

Leonard Goldenson and Sam Dem- bow, Jr., represented the Paramount home office. Others at the meeting were: John Balaban and Jules Ruben, Chicago; Harry Nance, Phoenix; Harry David, Salt Lake City; Earl Hudson, Detroit; A. H. Blank and Ralph Branton, Des Moines.

Goldenson will return to New York by plane Tuesday and Dembow will remain here for further conferences.

B & K Starts New Ads in Chicago

Chicago, March 3—A new type of advertising copy for Balaban & Katz, patterned after the Loew circuit copy designed and supervised by Oscar A. Doob, made its appearance in newspapers here yesterday. An increase of about 20 per cent in space over the previous type of ads is appearing in present insertions, but, according to B & K, this will be reduced shortly.

Ascac Decree Approval Due in Court Today

Federal Judge Henry W. Goddard indicated yesterday that he might give his formal approval to the consent decree which Ascac entered into with the Department of Justice some time today, despite objections which were made in court to the decree by Neville Miller, president of Broadcast Music, Inc., Ascac’s chief competitor, and the National Association of Broadcasters. Objections by others were also rejected.

Miller’s objections caused some con- sternation among observers, since the organizations which he heads and... (Continued on page 6)

UA Never to Join Decree: Silverstone

SEES YOUTHFUL VIEWPOINT IMPROVING HOLLYWOOD

By IRVING YERGIN

CHICAGO, March 3—United Artists never will become a party to the Federal consent decree under which five companies will operate next season. Maurice Silverstone, United Artists chief executive, said yesterday while here en route to New York from the Coast.

Silverstone said that if film release conditions which prevail in Chicago were to spread to other parts of the country, producers would be forced to make fewer but better pictures. He referred to the circumstances which force some pictures into neighborhood “A” houses for their first runs because two B & K Loop houses are on extended run policies, making it impossible to clear all releases... (Continued on page 6)

UPTOWN, DETROIT, CASE IS POSTPONED

DETROIT, March 3—The injunction suit of the RKO Uptown here aimed at United Detroit Theatres was ad- journed today in circuit court until March 14. The RKO Uptown seeks to restrain Paramount, Loew’s and 20th Century-Fox from licensing United Detroit houses as second runs, in alleged violation of the Uptown’s second run contracts.

Three Reviews Today

Reviews of “Raze in Heaven,” “Melody for Three” and “Murder Among Friends” are... (Continued on page 4)
Coast Flashes

Hollywood, March 3

REPORTS that certain extra players are petitioning the Department of Justice to sue Walt Disney Productions, Inc., to-day declared a quarterly dividend of one and one-half per cent, amounting to 37½ cents a share on the six per cent cumulative preferred stock, representing a par value, payable April 1 to stockholders of record March 15.

Walt Disney Productions, Inc., today was appointed West Coast director of advertising and publicity for Producers Releasing Corp., replacing Edward Graneman. Raynor will now edit Monogram press book editor.

Buffalo Complaint Brings Total to 18

The first arbitration complaint to be filed with the Buffalo tribunal, and the 18th for the 31 industry boards, was reported to American Federation of Arising Association headquarters here yesterday.

The complaint was brought by Richard Davereto, operator of the Genesea at Mount Morris, N. Y., against 20th Century-Fox and Warners, asking that the two studios be directed to license the Genesea for “some run,” the complaint charges that this has been refused him for the past five months on this season’s product. The competing Family Theatre, the complaint states, has “practically tied up all of the product of the two companies” in Mount Morris.

N.Y. Senate Passes Child Actors’ Bill

ALBANY, March 3-The Senate tonight unanimously passed a bill changing regulations concerning child actors under 16 years. The bill, sponsored by Sen. William H. Hampton, repeals the present penal statute and would substitute an enactment whereby permission for work by child actors is subject to written approval of boards of education and other authorized officials. The bill exempts minors appearing on radio amateur programs emanating in principal studios for not more than one hour a week.

Jack Simons Honored

HARTFORD, CONN., March 3—Jack Simons, former manager of the Loew-Poli, promoted to Springfield, was honored to a farewell dinner at the Club Ferdinandino here tonight, with Lou Cohen, his successor at the Loew-Poli, in attendance. In charge were Lou Brown, managers from all Loew-Poli houses, and other theaters in Hartford were present.

Kreisler Joins U.A.

Samuel Kreisler, former newspaperman, has been added to the United Artists’ handsome new publicity department as a feature writer.

Personal Mention

HERMAN WOBBER, general manager of distribution for 20th Century-Fox, leaves for the Coast tomorrow.

WALTER GOUDE, United Artists for- manager, left yesterday for a vacation from Florida.

HILLER INNES, manager of the Paramount home office production department, leaves tomorrow for a vacation in Florida and the West Indies.

GEORGE DEMIDOW, George Skordas, Lou Dreyfus, Dave Levy, George Welte, John W. Hicks, Edward Saunders, Max A. Cohen and M. Margolin departed from Nick’s Hunting Room in the Astor.

Jack Cohn, Haskell Masters, Clarence Edelman, Bernard Brandt, Martin Moskowitz and George Burns lunching at Lindy’s (51st St.) yesterday.

Harry Buckley, Rube Jacker, Archie Mayer and Irvin Shapiro at Lindy’s (next to the Rivoli) yesterday for lunch.

Lou Pollock, Hake Linet, Harry Thomas and Douglas Rothacker lunchehing yesterday at the Tavern.

CLARKE ROBINSON and Louis Lettrow among those lunchehing at Sardi’s yesterday.

Group of Exhibitors Gets Trenton House

TRENTON, N. J., March 3.—A new theatre company, comprising a group of local independent exhibitors, has been organized here for the operation of the Orpheum. Headed by Mrs. Helen H. Hildinger, New Jersey Al- leys, the new group was incorporated as the H. & I. Amusement Co., with Frank P. Levy, treasurer; Isaac Hildinger and Isaac Settler as directors.

When the company will operate the single house only, the individual corporate members operate the Stacey, Bijou, Greenwood, Strand, Rialto and Ritz-Theatres. The house, on a 20-year lease, approximately $125,000 will be expended in modernizing the house and its adjoining stores.

Hempstead Here to Confer on Next Film

David Hempstead, producer of “Kitty Foyle” for RKO, arrived here yesterday from the Coast to confer with Ben Hecht on the making of “Journey Into Fear,” by Eric Ambler, which Hempstead will produce next for RKO.

To Honor Lewis Swaab

PHILADELPHIA, March 3.—The local industry will honor Lewis M. Swaab, 37th birthday. All residents, including Charles M. of April 5, marking his 75th birthday. Although retired, the veteran would be in the business 44 years in April, having started back in 1897. On February 28 he and Mrs. Schwab celebrated their golden wedding anniversary.

Obituaries

Col. Branch Head Dies

ATLANTA, March 3.—Walter W. Anderson, Sr., who was branch manager for Columbia here for the past 15 years, died yesterday following a brief illness.

Anderson was 52 years old and had been in the film business here for the past 18 months. He is survived by his wife and one son.

Mrs. Michael Shea Dead

BUFFALO, March 3.—Mrs. Michael Shea, widow of the founder of Shea Theatres, died here yesterday after a long illness. Surviving her are two brothers, John E. Carr, manager of Shea’s Hippodrome Theatre, and Edward G. Carr of New York; two sisters, Elizabeth Carr and Mrs. Edward Carney, and a daughter, Mrs. Emile Giffonello. Funeral services will be held at St. Patrick’s. Burial will be in Mt. Calvary Cemetery.

Rites Held for Mrs. Davis

ATLANTA, Ga., March 3.—Final services for Mrs. Thomas L. Davis, formerly of Philadelphia and wife of T. L. Davis, district sales manager for United Artists, were yesterday at the Sacred Heart Church. Burial was held at West View Cemetery here.

Rites for Mrs. Aberman

Funeral services were held Sunday for Mrs. Esther Aberman, 56, mother of Sam Aberman of the Quigley Public Relations department, who died early Sunday. Services were held at the Glassman Memorial Chapel and burial was made at Mt. Carmel Cemetery, Brooklyn. She is survived by two daughters in addition to her son.

St. John Manager Dies

ST. JOHN, N. B., March 3.—James A. Golding, 39, of the staff of the community newspaper, is dead. He had been ill several months. He is survived by his widow and two children.

Party for Gall Today

W. Ray Johnston, president of Motion Picture Magazine, will have this afternoon a cocktail party for William Gall of Pathé, Ltd., London, who arrived yesterday by clipper from New York 48 hours earlier than a week on route. Gall is confering with Johnston.

Will Show ‘Topper’ Here Next Tuesday

The United Artists-Hal Roach film, "Topper Returns," will be shown at 11:15 A.M. at the Astor Theatre here next Tuesday, March 13.

In addition to the 15 key city trade showing on "Topper," New York will be made ready for newsreel and trade showings in the local showing have been set. They include: March 10, Park, St. Louis; March 13, at Minneapolis on Friday; March 11, Studio, Salt Lake City; Egyptian, Seattle, and Tower in Dallas; March 12, Alhambra in San Francisco.

Briggs Back from Coast

O. Henry Briggs, president of Producers-Releasing Company, returned yesterday from three weeks of conferences on the Coast. En route East he stopped off at exchanges in Dallas, Oklahoma City and Chicago.
THE GREATEST HEADLINE NAMES IN THE WORLD TODAY...TOGETHER IN ONE EXTRAORDINARY FILM!

HARRY WARNER
SPYROS SKOURAS
BOB O’DONNELL
HARRY ARTHUR
JOHN H. HARRIS
SAM DEMBOW, Jr.

have seen and enthusiastically booked this sensational motion picture scoop in their theatres..

DOROTHY THOMPSON
America’s “First Lady of Journalism”; noted columnist and National Broadcasting Company’s ace commentator.

WYTHE WILLIAMS
Commentator over Mutual Network; famous war correspondent, noted for his uncanny foreign affairs prophecies.

WILLIAM L. SHIRER
Foreign correspondent; for many years Columbia Broadcasting Company’s chief newsgatherer in Berlin.

LINTON WELLS
Former United Press star reporter, famed for broadcasts from the Orient and other trouble spots.

in the First Round-Table of the Screen

INTERNATIONAL FORUM

New! Timely! Different! Exciting!

A COLUMBIA SPECIAL 2-REEL PRESENTATION,
FIRST OF A NEW SERIES • NO. 1 RELEASED NOW!
A William Rowland Production • Burnet Hershey, Supervising Editor

THEM DARE
SPEAK THEIR MINDS
FRANKLY...

Uncensored!
Feature Reviews

"Rage in Heaven" (M-G-M)

NOVELS by James Hilton in the past have made unusual film material and "Rage in Heaven," which was published in 1932, is no exception. For the author of "Goodbye, Mr. Chips" and "Lost Horizon" has traced the depraved working of a paranoiac's mind and W. S. Van Dyke II, who directed, has brought it to the screen in all its stark reality.

Robert Montgomery is the unfortunate, demented husband whose jealous furies drive him to suspect his devoted wife, Ingrid Bergman, and his closest friend, George Sanders. Together, the trio offer effective performances in this combination romance and horror story. Miss Bergman gives an excellent account of herself, adding new laurels to her career on the American screen.

Like other Hilton stories, "Rage in Heaven" should find a large audience, especially in the larger cities. The grimness of the story is hardly ever relieved by either humor or sentiment and the tenseness it created in a preview room was well indicated when a minor humorous incident drew a hearty laugh of relief near the end of the film.

Montgomery, who has lived under the influence of his mother, Lucille Watson, and his friend, Sanders, returns home to find Miss Bergman. Both he and Sanders fall in love with her but Montgomery wins her hand. After the marriage, however, Montgomery suspects that Miss Bergman and Sanders are still in love, and his mania compels him to attempt murder both. When he fails, he contrives a fiery scheme that will commit suicide and plant a murder charge on Sanders. However, a psychiatrist solves the mystery for a satisfactory conclusion.

Gottfried Reinhardt, who produced, has provided an excellent supporting cast which includes, among others, Oscar Homolka, Philip Merivale, Matthew Boulton and Aubrey Mather.

Running time, 83 minutes. "A."**

EDWARD GREFF

"Melody for Three" (RKO-Stephens-Lang)

Hollywood, March 3

BY far the best of the 'Dr. Christian" series being produced for RKO and excellent all purpose entertainment in its own right, "Melody for Three" is the sixth of the series of Jean Hersholt's cinematic portrayals of the kindly country doctor of River's End. This one has sustained human interest, comedy, and pathos wrapped up in a substantial story of universal appeal, as well as a musical background that is part of the plot. It is produced William Stephens' finest effort.

Chief figure is a film "find," 13-year-old Schuyler Standish, who plays the violin with rare feeling. In the story, the boy is reared by his mother, who divorced his father before he was born. The father, now a famous conductor, is hurt in an airplane crash at River's End, and the doctor brings the former life and husband together. However, a misunderstanding occurs before the conductor can find out that the boy is his son. The physician takes the boy to Chicago and effects a complete reconciliation.

In addition, Stephens and Erle C. Kenton, the director, used stronger talent, supporting Hersholt and Maude Eburne, another cast regular, with Fay Wray, Walter Hofeldt King, Patsy Lee Parson, Astrid Allwyn and Andrew Tombes.

The CBS radio program featuring Hersholt as "Dr. Christian" is extremely popular.

Running time, 68 minutes. "G."**

VANCE KING

"Murder Among Friends" (20th Century-Fox)

A BLEND of comedy and horror melodramas, with Marjorie Weaver and John Hubbard playing the familiar amateur detectives, the film is satisfying if its plot in the development of the mystery.

Cobina Wright Jr., has a relatively insignificant role but because of her social status it might be of value to mention her in promotional copy. Truman Bradley and Mona Barrie also are in support.

Running time, 67 minutes. "G."**

*G" denotes general classification.

42 New Films
Now Shooting; Nine Finished

HOLLYWOOD, March 5.—Forty-two pictures were before the cameras this week, as fourteen were finished and nine were started. Fourteen were being prepared, and 68 were in the cutting rooms.

The tally by studio:

Columbia

Finished: "She Knew All the Answers."

In Work: "Her First Beau," "Deny Page Boys," "Chain Gang."

Started: "Naval Academy," "Time Out for Rhythm."

M-G-M

In Work: "Billy the Kid," "A Woman's Face," "Blossoms in the Dust," "Love Crazy," "Dr. Jekyll and Mr. Hyde."

Started: "Washington Melodrama."

Paramount

Finished: "One Night in Lisbon," "Kiss the Boys Goodbye."


Started: "Night of January 16th."

RKO

In Work: "Sunny," "Before the Fact," "Tom Dick and Harry."

Started: "My Life With Caroline."

Republic

Finished: "Mr. District Attorney," "In Old Cheyenne."

In Work: "Six Hopkins," "Two Gun Sheriff."

Started: "Pals of the Pecos," "Rookies on Parade," "Lady from New Orleans."

20th Century-Fox

Finished: "The Cowboy and the Blonde."


Universal

Finished: "Oh, Charlie," "Double Date."


Warners

Finished: "The Nurse's Secret."


Bolognino-Joelson

Deal Nearing Close

Deal by which Julius Joelson, former New York and New England circuit operator, would take over operation of Consolidated Amusement Enterprises from Lawrence S. Bolognino is expected to be closed in the near future, it was indicated yesterday.

Principal spokesmen in the negotiations said that discussions are continuing and will not be terminated until the latter part of the week.

Second Run First

Des Moines, March 3.—When "Night Train" opened in Tri-State's Paramount here, it was the first time a film had been shown in one of the circuit's first run houses after second run. The film originally was set for the suburban houses but its popularity made a larger house necessary, and it was moved downtown to Paramount.

Lloyd Film Will Open
In Frisco Tomorrow

SAN FRANCISCO, March 3.—The Harold Lloyd production, "A Girl, a Guy and a Bob," released by RKO, will have a premiere at the Golden Gate Theatre here Wednesday evening, following a similar opening tomorrow evening at the Hawaiian in Honolulu. The film will act as master of ceremonies at the opening here, introducing the stars of his film, who will make personal appearances. Those to be included are Lucille Ball, George Murphy, Edmund O'Brien, Nancy Kelly, Des Arnaz and Carl Brisson. The latter will be on the opening bill. The film will begin its regular run at each theatre the day after the opening.

W.B to Show Files in
Phila. Trust Case

PHILADELPHIA, March 3.—Petition for a subpoena in the anti-trust suit of the Harmony Brothers, operators of the suburban Lansdowne, against Warner Theatres and major distributors, scheduled to be argued in Federal Court here today, has been withdrawn.

Joseph P. Ball, counsel for the plaintiffs, advised the court that the Harmony counsel had agreed to produce the certain requested records. The taking of pre-trial testimony has been set for Friday. Those to be examined are Lester Kreiger, circuit booker; John Turner, assistant booker, and William G. Mansell, local exchange manager.

Legion Approves
8 Of 10 New Pictures

The National Legion of Decency has approved eight of 10 new films, six for all audiences and two for adults, and found the remaining two pictures objectionable in part. The films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Footlight Fever;—"Meet Boston Blackie;—"Melody for Three;—"Nice Girls!;—"Outlaws of the Rio Grande;—"Prairie Pioneers;—"Tom Sawyer;—"A-Z, Unobjectionable for Adults;—"Free and Easy;—"Road to Zan-zi-bar."

Class B, Objectionable in Part—"The Devil's Bachelor;—"This Thing Called Love" (revised version).

Mitchell to Washington

CHICAGO, March 3.—Capt. Gordon S. Mitchell, U. S. Army Signal Corps reserve and manager of the Research Council of the Academy of Motion Picture Arts and Sciences, passed through here today en route to Washington where he will show two Army training films made in Hollywood to ranking Army officers.
More Cheers!
FROM MEN
WHO KNOW BOX-OFFICE VALUES!

We've told you what David O. Selznick says. Now read what

LOUIS B. MAYER
Vice-President in Charge of Production,
Metro-Goldwyn-Mayer Studios, says:

"I have seen 'CHEERS FOR MISS BISHOP': Dick Rowland has made a MAGNIFICENT picture that should achieve outstanding business at the box-office!"

Richard A. Rowland
presents
Cheers for Miss Bishop
An Unforgettable Love Story

with MARTHA SCOTT • WILLIAM GARGAN
and featuring EDMUND GWENN • SIDNEY BLACKMER • DOROTHY PETERSON
and introducing MARY ANDERSON • Directed by TAY GARNETT
From the novel "Miss Bishop" by BESS STREETER ALDRICH • Screen adaptation by STEPHEN VINCENT BENET • Screenplay by ADELAIDE HEILBRON and SHERIDAN GIBNEY • Released thru United Artists
Ascap Decree

Approval Due In Court Today

(Continued from page 1)

which have been combing Ascap, a short duration radio broadcasters to obtain
ative fight to abrogate the ancient statutes, more than a year ago.

The House today without a dis-
sion of the evidence, ordered the as-
tended, the order of the case. The House
sion of the two, the Court. The House

The court further resolved that it
will take its time in deliberating the
inside record of the trial, and which
enforcement drive, which
resulted in the arrest of 493 persons
throughout the country. The case

sided by the United States Attorney
in the court he was "at a loss to"
with the latest Miller attitude. Waters told
the court that he had evi-
icted the Ascap decree as following
"very closely" the one entered into
by Miller and his official.

Other objections were made
by the New York League of Theatres and by
Schroeder & Gunther, a publisher
member of Ascap.

Miller's objections centered upon
three phases of the Ascap decree. They were:

1. The continuation under the
decree of long term, exclu-
sions, and the lack of order
Ascap and its members.

2. The provision permitting
Ascap licensees other than
radio broadcasters to obtain
commercial licenses on a per-
program as well as blanket
basis.

3. The requirement that
Ascap members license
their works directly to users
must turn over royalties as
received to Ascap for distribu-
tion.

The latter provision, Miller said, "destroys the economic incentive for
private licensing." The other provi-
sions, unless corrected, he said, will fail to provide the results sought for
the decree and also will place Govern-
ment sanction on illegal practices
of Ascap.

"The decree starts out to make
Ascap a non-exclusive licensor," Mill-
er said, "and ends by making it an
exclusive licensor.

Waters indicated that the dis-
tribution by Ascap of royalties obtained from
private licensing by its mem-
bers was a safeguard adopted to pre-
vent commercial agencies from invad-
ing the field. Judge Goddard ob-
served to Miller that the arrangement was a
"matter between Ascap and its
members."

The New York League of Theatres
asked that the decree be made to in-
clude a guarantee that Ascap would
not interfere with the broadcasting of
condensed versions of dramatic produ-
cutions. It is required to keep records of the number of
replay of each of its songs is performed in
order to ensure that producers of musical
production will have full informa-
tion concerning their sale of

Judge Goddard, in reply to that
asked, said he had been notified
by the court that Ascap had

"Hands Off Defense Films, Yates Urges"

(Continued from page 1)

production of these propaganda films," he said.

Yates, here attending Republic's
Southern regional sales meeting,
dclared: "Men who know nothing about
the film industry cannot be expected
to direct propaganda."

Defense studios are currently working
out plans with Army and Navy
officials for the production of propaganda
to pictures which this country needs
to win the war.

"Film representatives are seeking to
learn just the type of pictures the
services will wish produced in time of
wartime," he said.

Loretta Young Here

Loretta Young, Tom Lewis, her hus-
band, and Judy, her adopted daughter,
arrived from the Coast by train yest-

Republic's Second
Regional in Atlanta

ATLANTA, March 3—Republic's plans for national advertising were
outlined here today at the opening of
the two-day regional sales convention
at the Hendry-Grady Hotel. This is
the second regional meeting, the first
having been held last week in Los
Angeles.

James R. Grainger, president, is pres-
ing. In attendance are Herbert J.
Yates, A. C. Bromberg, Southern fran-
chise holder, and the following branch
managers: Henry Glover, Atlanta;
W. N. Nielson, Memphis; L. V.
Schmalz, St. Louis; New York, H.
Dillon, Charlotte; Harold Laird,
Tampa. Also present are all members
of the sales staffs of the Southern divi-
sion branches.

Janitors in Chicago
Sign New Agreement

CHICAGO, March 3—The local unit of
the Theatrical Janitors' Union has
signed an agreement with all local
houses, independent and circuit, which
calls for a salary increase of five per
cent, according to Thomas Burke,
secretary-treasurer of the union.

The new contract, retroactive to
Jan. 1, 1941, also provides for a six-
day, 40-hour week and one week's
vacation with pay. The pact expires
Feb. 28, 1942, when a new contract
might become effective, calling for an additional five per cent
salary increase.

Iowa I.T.O. Meeting
Scheduled Monday

DES MOINES, March 3—The Indepen-
dent Theatre Owners of Iowa and
Nebraska plan to hold their annual
meeting here next Monday and Tues-

UA Never to
Join Decree: Silverstone

through houses in the Loop area.

Goldwyn's recent Academy awards, Silverstone pointed
out, had marked change has occurred ....
the ages of leading Hollywood prod-
ucers and directors during recent
years, the average age of the lead-
ers being less than it was a few
years ago.

With the change has come a fresh and youthful view
which has resulted in better pictures
in general.

Charlie Chaplin will be in his
next picture, Silverstone said. He
conferred with Chaplin on the pro-
duction while on the Coast, but
would disclose no additional
information about it other than it
would be a comedy.

Silverstone had been on the
Coast six weeks confering with
United Artists producers on plans
for next season and with Samuel
Goldwyn on his release from his
United Artists distribution con-
tract. An agreement in principle
was reached with Goldwyn but has
not been consummated as yet. Sil-
verstone will be back in the
Coast in about two weeks.

Ericksen to New York
To Confer on Program

HOLLYWOOD, March 3—Clarence E.
Ericksen, vice-president and general
manager of Walter Wanger Produc-
tions, left for New York by train
week to confer with Maurice Silver-
stone and Arthur W. Kelly on the
1941-42 program. Ericksen also
represents Edward Small and Sol
Lesser. He plans to remain East a month.
Short Subject Reviews

“Adventures of Captain Marvel” (Republic)

A 12-EPIPODE serial based on the character currently appearing in “White Comics Magazine, the adventures of Captain Marvel” would prove popular with devotees of the serial adventure story. In addition to the customary excitement attendant upon masked villains and gadgets for making gold, the “superman” character is still enough of a novelty to add an extra touch.

When showing Billy Batson (Frank Coghlan, Jr.), a member of an expedition to Slum, refuses to violate the tombs of an ancient Scorpion Dynasty, by riding forth being given the power to transform himself into Captain Marvel, a superman, played by Tom Tyler. The hero switches from Coghlan to Tyler as the occasion demands. Excellent effects are obtained for scenes showing Tyler flying through the air. The expedition finds a machine for making gold, but its parts are divided among members of the party. A masked figure attempts to steal the trophy.

Hiram S. Brown, Jr., was associate producer and William Witney and John English directed. The cast includes William Benedict, Louise Curri, Robert Strange, Harry Worth, Bryant Washburn, John Davidson and others. Running time, first episode 31 mins, others 19 mins.

“International Forum” (Columbia)

This is the first of a new series of film round-table discussions of world events by radio commentators and newspaper columnists. It offers the views of Dorothy Thompson, Wythe Williams, William L. Shirer and Linton Wells on America’s danger from Nazism and what they believe should be done about it.

A more vital production might have been achieved if all four commentators were more dissimilar than they are. At the same time, each of the commentators would have contributed to making the discussion more of a forum and less a one-sided discussion of the subject now under debate in Congress. Despite its general interest and outspokenness, there may be audiences which will receive it as propaganda rather than an informative discussion of international affairs. William Rowland produced and directed. Running time, 16 mins.

Named Club Delegates

DETROIT, March 3—Charles C. Petry and Howard have been elected by the local Variety Club as delegates to the national convention in Atlantic City in May. The club held its annual meeting on Sunday with William Carlson in charge of arrangements.

Whale, Boys Here

James Whale, Warner director, arrives from the coast today on the United States liner, America. Also arriving are William Boyd, Paramount Western star, and Mrs. Boyd.

 Studios Swing Into Final Quarter of This Season

Hollywood, March 3

ASSIGNMENT of name players to roles in new vehicles made the week’s biggest production news, as studios prepared to swing into their final quarter of 1940-41 product. Twentieth-Century-Fox borrowed Rita Hayworth from Columbia for a role in “Blood and Sand,” Tyrone Power vehicle, while Twentieth-Century-Fox also bowed to the demands of John M. Stahl production. Twentieth-Century-Fox also borrowed Walter Pidgeon from M-G-M for “It’s All True,” in which George Sanders also will be featured. Milton Berle and Joan Davis drew the comedy assignments in “Sons Valley,” Sonja Henie picture.

Warners set Bette Davis to star in “The Gay Sisters,” from the Stephen Longstreet novel, Errol Flynn, to star in “Dive Bomber,” before “They Died With Their Boots On,” will be supported by Errol MacMurphy borrowed from Paramount by Warners.

RKO Rita, dance hand leader, has been signed by Paramount for “Aloma of the South Seas,” starring Dorothy Lamour and Charles B. Fitzsimons are being sought by RKO for “World Premiere,” according to Sol C. Siegel. The story deals with the Hollywood custom of casting foreign actors in foreign parts. Barbara Morris and Jimmy Lydon have set to head the cast of “Naval Academy,” at Columbia, while Lydon and Charlie Chaplin are Paramount’s new “Henry Aldrich” and “Dizzy,” respectively, in the Aldrich Family series there.

JACQUE COOPER and Eddie Bracken, who played the roles in the first two Aldrich pictures have been dropped, the former because he had outgrown the role and the latter because he is too busy with other film commitments.

Columbia also signed Gloria Dickson for a picture opposite John Hodiak and Errol MacMurphy, the latter to star in “Mr. Peabody,” which H. R. Lewis Productions will produce, and has signed Elsa Lanchester for “Murder by the Stars,” another horror picture.

KENT TAYLOR draws the role of a tabloid newspaper editor in M-G-M’s “Washington Melodrama.” Given a four contract by Republic, Ray Mulleton, singer, goes into “Lady from New Orleans,” starring John Wayne and Osa Massen. Bob Crosby has been held for another picture by Republic. RKO assigned James Craig and Anne Shirley for the romantic leads of “A Certain Mr. Thorn,” which will star Thomas Mitchell and Walter Huston. June Preisser, released by M-G-M, has been signed by Paramount.

Recent story buys include M-G-M’s purchase of “The Road Away From Home,” original by Richard English and Clifford Odets, dealing with conflict between western settlers and a big mining company; “The Dam,” by Lester Cohen; “Johnny Egger,” by James Edward Grant about Chicago’s underworld, and “Odor of Violets,” by Bairo Kendrick of a blind war veteran who with the aid of a “seeing eye” dog, takes up detection of crime, Edward Arnold will be starred in the latter.

Paramount has bought “Cupid with a Beard,” original by Michael Urs, as a vehicle for Bing Crosby; and “War Town,” by Sidney Biddell, which concerns the overnight building of a sleepy village to a metropolis by the influx of defense workers. Fred MacMurray, Dorothy Lamour and Brian Donlevy are tentatively set for top roles. The Crosby vehicle has a Latin American background.

“Journey Into Fear,” novel by Eric Ambler of espionage in Turkey, and “Joan of Paris,” original by Jacques Thiery and Georges Kessel of present day Paris has been acquired by RKO as possible Michele Morgan vehicles. “In This Our Life,” novel by Ellen Glasgow dealing with distinguished Virginia families, was purchased by Warners, possibly for Errol Flynn.

Free Board

Chilton, Wis., March 3

HERBERT GRAEF, manager of the Chilton, plugged “Come Live With Me” by inserting a newspaper advertisement as follows:

“HUSBAND WANTED: Young man, neat and attractive to become a husband for convenience of a beautiful Wisconsin refugee who wishes to avoid deportation due to the present war conditions in Europe. He will be given a comfortable home and maintained in a very comfortable home. All applicants should call Chilton No. 6, any time after 6 P.M.” The stunt, said Graef, created “considerable comment.”

FLYNN and OLIVIA de HAVILLAND, Monogram Producer E. B. DERR accepted John T. Neville’s “I Give My Life.”

RENE RIANO goes into Warners’ “Affectionately Yours.” GEORGE BACHTE LLER, production supervisor for Producers Releasing Corp., has added “The Confession,” from the play, to the company’s production schedule. T. H. RICHMOND’s next picture for the company will be “South of Panama,” spy melodrama by Sidney Sheldon and Dick Roberts. Columbia has changed the title of “Show Business” to “Time Out for Rhythm.” A Cincinnati secretary, KAY HARRIS has been signed by Columbia for the title role of “Tillie the Toiler.”

“A MAN BETRAYED”

“Father, why did you look so funny when I said ‘by hook or crook’?”

“You’re just imagining things, honey.”

JOHN WAYNE—FRANCES DEE

EDWARD ELLIS

WALLACE FORD—WARD BOND—HAL ROBERTS

ALEXANDER GRANACH-JOHN H. ABER—Director

A NATIONALLY ADVERTISED REPUBLIC PICTURE
8 NBC Shows Are Canceled; P & G Drops 5

Eight NBC shows have been canceled effective during this month. Proctor & Gamble has canceled five of its programs. They are "This Small Town," Pepper Young's Family, "The Story of Mary Marlin," all heard Mondays through Fridays between 10 and 11 A.M. over the Blue network, and Arch Oboler's "Everyman's Theatre" heard on the Red Frisdays, 9:30 to 10 P.M. The cancellations are effective after March 28.

Also canceled are the Burns & Allen show for the George A. Hormel Co., on behalf of Spam, heard weekdays on the Red, which will wind up its season on March 24; "Wake Up and Sing," sponsored by Vick-Channel/Philadelphia, which will be heard effective after March 28; and "The Piso Co," sponsored by the company of the same name, which was also heard over WJR Mondays through Saturday. The last named program was canceled as of yesterday.

The "Cavalcade of America," sponsored by E. L. du Pont de Nemours Co., will move into the 7:30 to 8 Monday evening slot vacated by the Burns & Allen program. At present "Cavalcade of America" is heard Wednesdays at the same time.

Radio Chain Report

Action Faces Delay

Washington, March 3—There will be no quick action by the Federal Communications Commission to dispose of the radio monopoly report, it was asserted today by Chairman James H. Wilson, pointing out that the legal division's report on the subject of chain broadcasting will be taken up for action at its next meeting on March 17.

First discussions of the report, the chairman said, will be purely exploratory and nothing definite probably will be done at the next meeting. All members of the commission have had an opportunity to make a thorough study of the legal division's findings.

Phila. Station Signs 3-Year A. C. A. Pact

PHILADELPHIA, March 3—WFIL has signed a three-year closed shop agreement with the American Communications Association, governing the station's engineers. The contract provides for 10 per cent wage increases and minimums of $43 and maximums of $75 weekly, plus 10 per cent bonus for night work. The contract also provides for severance pay, sick leave and seniority rights.

Plan Summer Concerts

PHILADELPHIA, March 3—The way was smoothed for another Summer season of outdoor concerts at Robin Hood Dell this season when the local musicians union and the Dell management settled differences and signed an agreement calling for a seven-week season, providing 28 concerts between June 19 and Aug. 8 with an orchestra of 90 men.

Off the Antenna

THOSE magnetic storms cropped up over the weekend and radio engineers again found short wave communication considerably jammed. Reception from Europe was impossible most of the time although there were several clear stretches.

While the storms were abated yesterday, engineers reported that they will continue well into April with varying degrees of interference. These storms are not related to the difficulty created by sunspot activity, caused by Northern Lights but there are different theories for their occurrence and nobody knows what to do about them.

• • •

Purely Personal: Thomas D. Connolly, CBS director of program promotion, will address the Advertising Club of New York's Women's Club Hits

PHILIP L. BARBER, who has been in charge of foreign press and foreign station relations for NBC's short wave international division, has been granted a leave of absence to join the Nelson A. Rockefeller Committee on Cultural and Commercial Relations with Latin American Republics.

Around the Country: Captain "Deacon" Moore, orchestra leader, has been appointed as the WNBC producer of the "On the Air and Off" show, while Jim Williams, the manager, has been promoted to general sales manager for all Crosley stations. He will be succeeded in his sales post by Harry Mason Smith of the Crosley New York offices.

Arden X. Pangborn, managing editor of the Portlands Commercial, has been named advertising director of the paper's stations KGW and KEX there. WFBM, Indianapolis, has added Lee Harris to the sports department.

WQXR has named the Foreman Co., Chicago, as its national sales representative. Hugh Kendall Boice, vice-president in charge of sales, made this announcement yesterday.

• • •

Taylor Reelected NAB District Head

SAN ANTONIO, March 3—O. L. Taylor, president of KXVR, Amarillo, was re-elected for the third time as director of the 13th district of the National Association of Broadcasters at the annual conference at the Gunter Hotel here. The meeting also supported the broadcasting industry in its fight with Aasap.

Changes Sunday Policy

CRESO, IA., March 3—Central States, Cresco Theatre here has changed its policy, running continuous shows from 2 P.M. until 11:30 P.M. Sunday, will be 30 cents until 6 M. and 35 cents for evenings.

AFM Sifts Cases in AGMA Dispute

The American Federation of Musicians, in enforcing its rule against instrumentalists who refuse to join the union, will act in accordance with the requirements of each individual case, Henry A. Friedman, A.F.M. attorney, disclosed yesterday. "The attitude was made necessary because the A.F.M. did not wish to cause interference with any duration hardships, Friedman explained.

The American Guild of Musical Arts, scheduled after the A.F.M. to consider its next move. The March 1 deadline which was set by James C. Pettilo, A.F.M. president, for all AGMA instrumentalists to join his own union, passed over the weekend with at least one important defection from AGMA's ranks. Albert Spalding, violinist, resigned from the Guild to join the A.F.M., although the latter union does not require resignation from the Guild.

F.C.C. Again Will Inspect Television

WASHINGTON, March 3—All five members of the Federal Communications Commission and several of its staff members will be in Philadelphia today and New York the following day for another inspection of television developments, it was disclosed today by Commissioner R. J. F. Sulzer.

In Philadelphia, Dr. said, the Commission will inspect the Farmworth-Philco synchronization pulse development. The investigation will study the fine line experiments of the Bell Laboratories and DuMont's work on frame synchronization. Synchronization is one of the principal problems which require solution before television standards can be fixed, it was indicated by Dr. when he heard the informal report of the National Television System Committee in January. The Philco development is a synchronizing pulse which is transmitted in combination with the AM transmission of the rest of the television signal.

Television Officials Optimistic on F.C.C. Action

The officials of the broadcast companies who have been studying the proposed rules promulgated last week by the FCC are optimistic about the March 20 hearing which marks the beginning of the new act. It was pointed out that the FCC had gone to considerable pains to prepare these rules and that it was not likely the FCC would have gone to this length if it had not been sure that it had done so if it had planned to hold up television because of the national defense program.

Although the restrictions on the aluminum supply may prove a handicap, substitutes are available, it was pointed out. As for the factories' preoccupation with defense contracts, it was said that if every factory interested in television manufacture were to be required to build only a small number of television receivers, the total supply would be likely to meet the demands of the near future.

Four Firms Chartered

ALBANY, March 3—Four new companies have been chartered: M & M Amusement Co., by Myron J. Glantz, Benjamin Davidson and An- ne F. Glantz; Belleman, Inc., by Bena Barnard, L. Arnold Weissberger and William Herz; Morris Park Amuse- ment Corp., by Marion Lehrfield, Mil- dred Brawn and Affiliated Producers Corp., by David Freeman and Henry Cohen. All are New York City companies.
Financing Plan Considered for UA Producers

Silverstone Also Reveals New Bonus Method

By SHERWIN KANE
Maurice Silverstone, chief of world-wide operations of United Artists, at a press interview held in his offices at the company's headquarters, revealed yesterday that he is prepared to sponsor a new bonus plan and that a new financing plan for outstanding producers who seek to be associated with the company is also under consideration. This new plan, which he has worked out with certain "prominent West Coast financiers," Silverstone stated, will be presented to the United Artists board within the next month, after he returns to the Coast. He arrived here from the Coast on Monday.

No further details of the plan were disclosed by Silverstone. He indicated that under the new plan, as (Continued on page 6)

New U.A. Program Set in Two Weeks

Maurice Silverstone said yesterday that the complete United Artists lineup for 1941-42 will be ready in about two weeks, and numerically will not vary importantly from the 22 announced for this season.

The program will be ready in time for the company to hold its annual sales convention considerably earlier than usual, in the event that Arthur W. Kelly, United Artists distribution head, believes it desirable to begin new season selling earlier this year.

(Continued on page 6)

'Sings' to Open at Astor on March 26

Paramount's "I Wanted Sings" will have its world premiere at the Astor on Broadway March 26. It will play a road show, advanced price engagement at the house, according to Neil F. Agnew, vice-president in charge of sales.

Stars of screen, stage and radio will attend the opening, as well as Government officials and Army and Navy officers. Several additional road show engagements will be scheduled shortly in key cities.

Selznick Italy Deal To Benefit Britain

Winthrop W. Aldrich, president of the British War Relief Society, announced yesterday that $25,500 which Selznick International, received from Italy from the sale of "Rebecca" and "Intermezzo" has been contributed by the company to the fund for the purchase of small ships designed as sea ambulances which will be used in rescuing the victims of Axis submarine warfare.

Carr in Charge of Monogram Lineup Of 50 Next Season

Trem Carr will be in charge of Monogram's new season production schedule of 26 features and 24 Westerns, returning to the company as its president, and after a two-year absence, W. Ray Johnston, Monogram president, stated yesterday, Scott Dunlap, former production head, will remain with the company. (Continued on page 6)

Goddard Approves Ascap Decree Without Change

Overruling the objections of the National Association of Directors, Wynn and the League of New York Theatres, Federal Judge Henry W. Goddard yesterday signed the consent decree in the Government's suit against Ascap. Judge Goddard, who had indicated at Monday's hearing that he would sign the decree, made no changes in the document as it was presented to him.

No further progress was made, however, in the settlement of the dispute between the society and broadcasters. N.A.B. offices would not comment in the absence from the city of Neville Miller, president. However, Miller had previously stated that negotiations would not start until Ascap prepared a contract based on a "per program" charge instead of a blanket license.

Meanwhile, a BMI spokesman declared that his organization had 20 days after receipt of a certified copy of the Ascap decree to accept or reject it. Under the terms of the decree signed by BMI, it did not become effective until May 30.

S.E.C. Report Shows Loew 1940 Salaries

A total of $16,104,869 was paid to 228 Loew executives for the year ended Aug. 31, 1940, an S.E.C. report filed with the New York Stock Exchange revealed yesterday. Louis B. Mayer, vice-president in charge of production, received $697,049 and Nicholas M. Schenck, president, $318,882. Mayer received $541,049 of the total as his share of the profits. He received $683,369 during the previous year, of which $541,191 represented a share of profits.

Other salaries and bonuses reported were: Hunt Stromberg, $332,267; J. Robert Rubin, $128,870; David Bernstein, $113,289; E. J. Mannix and Sam Katz, $96,356 each.

Universal filed a report for the year ended Oct. 31, 1940, showing payments to W. C. Fields of $255,000; Deanna Durbin, $209,833, and Bing Crosby, $150,000.

Agreement Banning 'Stars' Abandoned

The "gentlemen's agreement" in effect for the past three years whereby major companies pledged not to use film critics' "star" awards and other symbols in their advertising has been abandoned, due to the inability to obtain full adherence to it by all Broadway houses. The M.P.P.D.A. Advertising Advisory Council has advised all member company advertising directors that they are free to use these symbols if they wish.
20th Anniversary
Toronto, March 4.—A gala occasion was the 20th anniversary of the opening of the Palace, in Toronto’s East End, under the continuous management during the score of years of C. L. Querrie, former famous Canadian athlete and owner of a professional hockey club. The theatre is a part of the Famous Players Canadian Circuit.

All Amusements Aid Greek Relief Show
All branches of the amusement industry are cooperating in the midnight benefit show for Greek relief, known as the Greek Festival for Freedom to be held at the Radio City Music Hall March 28.

Marvin Scheneck, head of the production committee in charge of the show, declared yesterday that tickets will be scaled from $1 to $10. The show will be sponsored by the Amusement Industry Division of the Greek War Relief Association, of which Adolph Zukor is chairman. W. G. Van Schmus, managing director of the Music Hall; Gus Eysell, his assistant, and other theatre executives are cooperating.

Starts Stage Shows
BUFFALO, March 4.—The Hippodrome has started a new policy with a stage show, the first in many years.

Personal Mention
Leo SPITZ leaves tonight for California.
A. A. SCHUBART, manager of exchange operations for RKO, is visiting exchanges in Chicago, Indianapolis and Kansas City.
W. M. HONE, circuit contact representative for RKO, is on a two-week vacation cruise in the Caribbean.
Clifford Johnson, operator of the Lyric in downtown St. Louis, is the father of a son, born late last week.
Tracy BARHAM, general manager of Northoth Theatres, Cincinnati, is vacationing in Florida.
Leon LEONDOFF, Erno RAPPE, William F. ROGERS, Charles E. MCCARTHY, Oscar DOBEL, Ralph E. AUERSTROM and John W. Hicks lunching at Nick’s Hunting Room in the Astor yesterday.
Kay KAMEN, Sam GOODMAN, Clarence EIDEMA, Charles SYRES, John BOLES, Jack PEARL and George Goitr having lunch yesterday at Linda’s (51St St.).

N.O. Exhibitor Dies
NEW ORLEANS, March 4.—Alexander Schuhrman, 51, owner of the American Theatre, neighborhood theatre, died yesterday after a brief illness. Two sons, a daughter, two brothers and a sister survive.

Jackter at Atlanta
Atlanta, March 4.—Rube Jackter, Columbia assistant general sales manager, will preside at a Southern division meeting here Thursday in connection with the “Exhibitors’ Good Will Campaign” which started this week. Attending will be Sam Moskov, division manager, and branch managers J. G. Ingram, Charlotte; J. B. Underwood, Dallas; J. J. Rogers, Memphis; C. A. Gibb, Oklahoma City, and H. Duvall, New Orleans.

M.P.P.D.A. Meeting
LOS ANGELES, March 4.—Joseph Ermolieff, European producer, today filed a new suit against RKO, seeking $4,000,000 damages for alleged distribution of “The Soldier” and “The King.” He recently obtained a declaratory judgment in Superior Court which ruled Ireland is not part of the United Kingdom.

O’Brien Left 5 Million
TORONTO, March 4.—M. J. O’Brien, president of the Ottawa Valley Amusement Co., which operates four theatres in Ontario, left an estate of $5,000,000, according to the probate of the will. O’Brien, who died a few weeks ago, made provision for cash gifts to many employees and relatives.

Newsreel Parade
THE address of President Roosevelt to the Academy of Motion Picture Arts and Sciences’ annual awards banquet, and the aftermath of the tragic Mary新城 crash, are Atlanta captured considerable newsmen attention. The reels and contents follow.

MOVIECENTRE NEWS, No. 81—Now in Libby, India, the States, Scotland and England. Captain Rickenbacker lights down Reich Air Base on the Reich’s northeastern front. Roosevelt lends screen in address to film Academy. The Cleveland Indians train for ball season; new clubs in training. Running of the Santa Anita handicap.


‘Doc’ Opening in 3 Cities Wednesday
“Meet John Doe,” Capra-Riskin picture released by Warners, will have a premiere at the Paramount and Beach theatres in Miami Beach Wednesday, in addition to the openings at the Hollywood and Rivoli in New York and the Hollywood and Down town in Los Angeles on the same day.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

CALIFORNIA
AMERICAN’S SOUTHERN SUNSHINE ROUTE
☆ Five American Flagships daily take you along the Southern route through Virginia, Tennessee, and through the sunshine of Texas and Arizona to Los Angeles and the Pacific Coast. Save days of time, enjoy every minute of your trip. For reservations, call your Travel Agent or Havemeyer 6-5000, Ticket Office: 18 W. 49th St. at Rockefeller Center and Airlines Terminal, 42nd Street at Park Avenue.

AMERICAN AIRLINES, Inc.
ROUTE OF THE FLAGSHIPS
SHORTS CHAMP
OF THE INDUSTRY!

When you buy Shorts for the coming season remember M-G-M gave you TWO OUT OF THREE ACADEMY AWARD WINNERS this year.

BEST CARTOON
Rudolph Ising's "THE MILKY WAY"

BEST ONE-REELER
Pete Smith's "QUICKER'N A WINK"
Ginger Rogers, best performance by an actress... in "Kitty Foyle."

Ginger Rogers

RKO Radio Pictures

PANDRO S. BERMAN IN CHARGE OF PRODUCTION

with JAMES ELLISON • BEULA

NEW PRINTS: NEW ADS: NEW ACO
WARD WINNERS

JAMES STEWART, best performance by an actor... in "The Philadelphia Story."

WONDI • CHARLES COBURN

A GEORGE STEVENS PRODUCTION
Screen Play by P. J. Wolfson and Ernest Pagano

NATIONAL RELEASE DATE
MARCH 28
Universal Officials Are Awarded 7-Year Pacts (Continued from page 1)

charge of studio operations; William A. Scully, vice-president in charge of domestic sales; Joseph H. Seidelman, vice-president in charge of foreign sales; and Matthew Fox, vice-president and general counsel, to act as agent to the president. Authorization for the contracts was voted by the boards of directors of Universal Pictures Company, Inc., and the Universal Corporation, at special meetings.

Under the new terms, the annual salaries of the group will range from $62,400 to $91,000 during the first two years and thereafter will range from $75,400 to $117,000. Additional incentive compensation will be paid to executives through a profit-sharing plan in which the executives will share by receiving a percentage of the operating income up to $2,500,000, and an additional percentage of operating income above that figure. Individual participation will consist from one-half of one per cent to one per cent of operating income up to $2,500,000, and from one to two per cent in excess of that figure. The contracts provide also that these percentages are to be reduced proportionately as the picture increases in take rates and that balances blocked in Great Britain shall be excluded in computing operating income for any year.

The contracts provide that the amounts of the new warrants will be made only when and as these balances are actually transferred into dollars.

Under the terms of the contracts with Universal Corp., each of the five vice-presidents is to receive each year warrants to purchase 3,000 shares of Universal Corp., common stock at $10 per share, expiring in April, 1956. The chairman and president will receive 2,500 such warrants. The warrants now held by members of the executive group, running for five years and giving them the right to purchase the common stock at $91,000 per share to $10 per share, are to be exchanged for the longer-term warrants stipulating the higher price.

Carr in Charge of Monogram Lineup (Continued from page 1)


The 24 Westerns on the schedule will include 16 new productions, eight of which will be the second series of "Bonanza Busters," and eight will be a new group entitled the "Rough Riders." Eight John Wayne Westerns are also scheduled.

Monogram's annual sales convention is scheduled for the first week in April, in Los Angeles, and will be attended by company franchise holders.

Johnson's announcement was made at a cocktail party given at the Hotel Warwick yesterday for William Gell, managing director of Pathe Pictures, Ltd., of London, who arrived from Europe by clipper on Monday.

Financing Plan Considered for UA Producers (Continued from page 1)

distinguished from the Silverstone Plan which is utilized by U.A. presently, producers will have the opportunity of participating in the earnings of their own pictures without respect to the consolidated program results of the company.

This new financing method, Silverstone stated, will be provided through a new and separate unit of United Artists, soon to be organized. The financial interests which will be part of the organizations, he stated, have not been associated with U.A. producers. Producers who wish to take advantage of the plan will be required to contribute a certain investment of their own.

Since the new producers' bonus plan appears to meet the basic objections of Samuel Goldwyn to continuing his distribution deal with the company, Silverstone is asked whether Goldwyn would continue to release through United Artists even though he be now as he is the owner of the company, under the pending settlement of litigation.

Silverstone declined comment on the speculation that the settlement is near in negotiation, but added significantly: "Goldwyn is a great producer; I would like to have him stay in the company.

Silverstone said that the present 12 United Artists producers, other than Goldwyn, would contribute to the company's new season schedule and that deals with several additional producers are in work and will be concluded soon. A production deal has been closed with Arnold Pressburger, he said, and "New Wine," produced by William Salezky, recently signed by X-M-3, will be a new season release.

New U. A. Program Set in Two Weeks (Continued from page 1)

cause of the uncertainties of film buying with five major companies operating under the consent decree.

In reply to a question, Silverstone indicated that the office officials will confer with representative theatre circuit heads to obtain their reactions to productions planned and their suggestions for possible changes.

Cooper Leaves Red Cross

TORONTO, March 4—Col. John A. Cooper, chairman of the Motion Picture Distributors of Canada, has re-signed as president of the Ontario branch of the Red Cross Society of Canada, to which he has devoted considerable time in the past few years. He is succeeded by Wallace R. Campbell, vice-president of the Ford Motor Co. of Canada.
9,165 Companies Net $51,983,000 in 1938

WASHINGTON, March 4—Total income of 9,165 amusement corporations, operating in 1938 was $1,140,769,000 and total deductions were $1,088,785,000, leaving a net income of $51,983,000 and a net income, resulting from the elimination of $77,000 in tax exempt interest of Government bonds of $46,000,000, it was reported tonight by the Internal Revenue Bureau.

These companies, an analysis of the 1938 returns disclosed, paid income taxes of $11,614,000 and excess profits taxes of $88,000, leaving them a net profit, after tax, of $40,281,000. Dividends paid during the year were $43,285,000 in cash and assets other than the corporation's own stock, and $159,000 in corporation stock, it was shown.

The bureau figures disclosed that the 9,165 corporations had gross receipts from operations of $1,023,439,000 and receipts of $58,388,000 from sales, $22,680,000 from rents and royalties, $14,945,000 from dividends from domestic corporations, and $13,100,000 in dividends from foreign corporations.

Levy Must Repay CBS $85,000 Total

Isaac D. Levy, director of CBS, was ordered yesterday by N. Y. Supreme Court Justice John Carewe to repay to CBS $85,000 and interest after trial of a stockholders' suit against CBS, its officers and directors.

Henry G. Mason and Nat Gluck, plaintiffs, had charged that Levy and his associates had participated in a transaction in which CBS had acquired the entire interest of the American Record Co. from Consolidated Film Industries, Inc.

Goddard Approves Decree for Ascap

(Continued from page 1)

come effective until Ascap signed one substantially similar. While the official would not disclose BMI's attitude until the decree had been studied, he indicated that the objections presented to the N.A.R. had involved communication to BMI and that only minor changes in phrasing would be sought in the BMI decree to make it conform to the one signed by Judge Goddard yesterday.

French Film to Open

"The Mad Emperor," French film starring Harry Baur, will open on Saturday at the 55th St. Playhouse.

Mutual Gross Up 31% in February

Mutual's gross billings continued to increase during February and ended with a total of $412,157, a rise of 31 per cent over the same month last year. The cumulative total for the first two months was $947,388, an increase of 44.6 per cent over the same period last year. The gross totaled $553,785,383, CBS and NBC discontinued disclosures of gross billings in January.

Republic Opens N. Y. Meeting Tomorrow

Republic's fourth regional sales meeting will open tomorrow at the same office, with James R. Grainger, president, presiding, and Herbert J. Yates in attendance.

Grainger and Yates arrive here to-day from Atlanta, where they attended the Southern regional which ended yesterday. They previously had attended the meetings in Los Angeles and Kansas City.

Among the sales representatives who will attend the two-day regional meeting are: Jake Flax, Washington franchise owner; Nat Lefton, Cleveland and Cincinnati franchise owner; J. H. Alexander and S. A. Fineberg, Pittsburgh franchise owners, and the following branch managers: Morris Epstein, New York; Arthur Newman, Albany; Jack Bellman, Buffalo; M. E. Morey, Boston; Sam Seleskey, New Haven; Max Gils, Philadelphia; Sam Selpoin, Detroit; Sam Gross, Cleveland, and George Kirby, Cincinnati.

AGMA to Continue Fight Against AFM

The American Guild of Musical Artists will continue to fight the efforts of James C. Petullo, American Federation of Musicians president, to compel all instrumentalists to join the A.F.M., Cora Witherspoon, AGMA executive secretary, asserted after a meeting of the AGMA board of governors yesterday. Miss Witherspoon added that because of pending litigation in the New York Court of Appeals, the Department of Justice statement that a Federal grand jury investigation would be started, further details could not be revealed now.

March 10 Set for Casanave Hearing

Argument on a motion to consolidate actions filed against officers of National Screen Service and affiliated companies by Charles Casanave was postponed yesterday to March 10 in Supreme Court at White Plains. The separate actions seek a declaratory judgment setting forth that the contract between Casanave and National Screen's subsidiaries, National Screen Accessories, Inc., and American Display, is valid. National Screen Service attorneys are expected to seek a change of venue to New York where the cases would be heard in conjunction with a suit filed in N. Y. County Supreme Court by National Screen Service, through Herman Robbins and Toby Grue, directors, against Casanave as vice-president and general manager of National Screen Accessories.

N. Y. Board Leading In Complaints Filed

The New York arbitration board took the lead in number of complaints on file when Jack Fields, operator of the Cameo, Jersey City, entered a clearance complaint against all five competing companies yesterday. The case was the fourth filed in New York. The Washington tribunal is second with three cases pending.

Fields' complaint states that he is obliged to follow the Fulton, Apollo and Orient, operated by Showers Theatres, despite the fact that all three have 500-seat houses, whereas the Cameo seats 1,450. The theatres are all located within a mile of his, the complaint sets forth.

Clearance Complaint Filed in Philadelphia

PHILADELPHIA, March 4—The first complaint in this territory under the consent decree was filed yesterday by John Geyster, president of the High Bridge Corp., operating the Florentine Theatre in Florence, N. J. The complaint charges unreasonable clearance and names the five competing major distributors, in a situation involving the Fox Theatre at Burlington, N. J., operated by Ben Amsterdam's Atlantic Circuit.

Indianapolis Panel Of Arbitrators Set

An initial panel of 10 arbitrators for the court board at Indianapolis was named yesterday by the American Arbitration Association.

The list includes business men, educators, lawyers and financiers, typical of whom are: Louis J. Borinstein, capitalist and industrialist, and Professor James E. Moffat, head of the department of economics, Indiana University.
“Tobacco Road”...after dual opening Thursday which smashed 3 Miami records...gives the Lincoln Theatre biggest Saturday in its history!!!

And at Augusta, Ga. . . .
Opening day of "Tobacco Road" beats entire run of "The Grapes of Wrath."
NBC Tries Out Live Talent in Color Telecast

FCC in Philadelphia on Television Inspection

On the eve of the departure of FCC members for a last minute trip through Philadelphia and New York for an inspection of television developments prior to a hearing on television March 20, it was revealed yesterday that NBC had telecast a live talent show in color last Friday.

That NBC and RCA would embark on color television tests was reported in *Motion Picture Daily* Feb. 13. The transmission involves a mechanical system with revolving color disks on camera and receiver. NBC withheld announcement of the color telecast but confirmed the fact upon inquiry. Additional tests will be made from time to time in the next few weeks, it was said.

FCC members and staff will be in Philadelphia today to inspect the

Consolidated Film
1940 Net $590,031

Net income for 1940 of $590,031 was reported by Consolidated Film Industries yesterday. The result compares with a net of $628,297 for 1939. In his letter to stockholders, H. J. Yates, president, reports that gross income of Republic Pictures for 1940 amounted to $8,330,000, an increase of 47 per cent over the preceding year. He states that Consolidated has acquired an additional 139,000 shares of Republic stock during the

Schenc Has Deal On for N. Y. Yanks

Joseph M. Schenc, yesterday told reporters that he would like to buy the New York Yankees baseball club of the American League. He said he hopes to meet the owners representing the Jacob Ruppert estate interests, which own the club, and he will go through with the deal if the price is right and $1,000,000 down will swing it.
**Pilfered Pipes**

**Denver, March 5**

ERNIE HYNES, manager of the Fox Denver, is beginning to worry that last year burglars broke into the house and stole 50 pipes from the organ, damping the organist's style when special effects were desired. The other night, almost a year to the day, the pipes were missing when the doors were opened.

**N.Y. Measure Bans Admission Refusal**

ALBANY, March 5—A bill introduced into the New York legislature today by Assemblyman Irwin Davidson would insert a new section in the Civil Rights Act to prohibit the refusal of admission and wrongful ejection from places of entertainment, including theaters.

The measure provides, in effect, that no person over 21 years who presents a ticket of admission at a reasonable time, at which time a performance shall be denied admission. It provides also that a patron cannot be asked to leave even if the theater offers to refund the admission price, when nothing tending toward a breach of the peace is committed.

ALBANY, March 5—Senator Alexander Falk yesterday introduced measures amending the law in relation to discrimination in businesses affecting the public interest. Assemblyman William Andrews previously introduced the measure in the Assembly. The discrimination situation was aired before the Assembly Judiciary Committee at a public hearing yesterday afternoon.

**N.Y. Allied Meeting In Buffalo March 18**

The New York State Unit of National Allied, which is in process of formation, will hold a regional meeting at Buffalo on March 18 at which two representatives will be selected to serve on the organizing committee. The New York City and Albany regions are already organized.

The organizing committee is directing activities until a state-wide meeting is held at which officers will be elected. Max Cohen of the Lido, Brooklyn, and Robert Goldblatt of the Music Hall, Tarrytown, represent New York City area. Albany is represented by Abe Stone of Albany and Leonard Rosenthal of Troy.

**Rodgers Speaks at Ampa Meet Today**

William F. Rodgers, M.G-M general sales manager, will address the Ampa luncheon meeting at the Hotel Edison today on the functions of advertising and publicity in the industry. Harry Goldberg, Warner Theatres director of advertising and publicity, will be toastmaster.

Among those in attendance will be Ralph Pielow, New York exchange manager for M-G-M, whose recent appointment to that post has been warmly received here, according to trade circles. Olga Kargan will entertain with songs before the speaking starts.

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**Personal Mention**

MR. and MRS. EDWIN L. WEISL left yesterday for California.

E. Z. Walters, comptroller of Altec, has returned from a Florida vacation.

NAT HOLT, RKO Theatres division manager, left for his headquarters in Cleveland last night.

Herman Wender, Lou Spitz, Nate Blumberg, Sam Shane, William C. Gehring, Malcolm Kingsberg, Nat Holt and Lowell Calvert lunching at the Plaza Grill yesterday.

William C. Gehring, Central division manager for 20th Century-Fox, expects to return here Saturday.

FRANK CULP, manager of the Fox Theater in Denver, is recovering from an operation.

J. Louis Rome, circuit operator in Baltimore, is on a month's visit to the Coast.

Herbert J. Bowers of the Comerford Circuit, Scranton, and Elizabeth Anne Finkenrath were married recently.

Katherine Bragg, secretary to John Nolan, Comerford circuit film buyer in Scranton, has recovered from an illness.

Frank Mullen, M-G-M office manager in New Haven, has returned to his post after recovering from a leg injury.

Vernon Burns, assistant at the Bijou, New Haven, is on a leave of absence.

Matt Schuler, in charge of booking for the St. Louis Amusement Co., is vacationing in Hot Springs, Ark.

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**Late News Flashes from the Coast**

Hollywood, March 5

PYROS SKOURAS, head of National Theatres, arrives tomorrow from New York to conduct the circuit's annual meeting at Arrowhead Springs. About 90 executives, including division managers, film buyers and home office representatives, are expected to be present until the end of the week. Charles Skouras heads the Los Angeles delegation.

James H. Stedman, investigator for the Dies Congressional committee on un-American activities, today reopened the committee's offices in the Federal Building in Los Angeles and indicated that film personalities involved some time ago would be recalled in a continuation of the committee's investigations.

I.A.T.S.E. locals today decided to appeal to the International Alliance for assistance in pushing negotiations for new wage scales and working conditions. The decision was reached at a meeting by representatives of costumers, launders, projectionists and grips. Property Manager Local 44 already has asked the International to take over the studio locals' autonomy, while Charles Ferguson of Local 728 said he would take the matter up with his board.

Arthur M. Low, vice-president of Loew's in charge of foreign activities, left last night for a week's stay at Palm Springs before returning to New York.

Lou Brock, producer, having completed "They Met in Argentina" for RKO will check off the lot this week.

Republic today extended the contracts of Roy Rodgers and George (Gabby) Hayes, featured together in westerns.

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**Name Committees on Variety Club Party**

ATLANTIC CITY, March 5—Representatives of 15 local clubs met today to make preliminary preparations for the national convention of Variety Club, May 15-17. The traveling representatives and headquarters men and women are expected to be in Atlantic City May 12 to attend the convention.

**Harris Heads Committee**

John Harris, convention chairman; Louis Rome, Earl W. Sweigert and Collier Barnes, co-chairmen; Frank P. Gravatt, executive finance; Goodell H. Sears and Ned E. Depinet, Eastern honored guests; Robert J. O'Donnell, Walter Wanger, Paul Short, Western honored guests; Harry Mayer and Edward Sherman, entertainment; Clark, transportation; Mort Lewis and George Welland, greeters; Ted Schilanger, Boardwalk parade; Emmaline Munter, Boardwalk songs and decorations; Henry Freedman, registration and hotel; Jay Emanuel, souvenir program make-up; Charles E. Lewis, programming.

**Golf Committee Named**

Bert King, Sam Galanti and John Howard, golf tournament; William McAvoy, Jr., technical and decorations; Max Leven, souvenir badge and events; Charles L. Lewis and Maurice D. Kann, publicity and general advertising; Earle W. Sweigert, newslady; Jay Emanuel, photographic and film; Frank Elliott, fishing party and expedition; Jack Berean, luncheon and Friday evening dinner; Leonard Rains, boxing show; Dr. Leon Levy, radio; William McAvoy, Jr., games, equipment and money script; Dave Barrist, special events; John Hayes, Fred Meeke, Harry Helm, Jack Spec- kin, Humanitarian Award; James Balmer, attendance; Earl W. Sweigert, attendance; Ray O'Rourke, exhibition, and Charles Goldfine, general utility.

**Edwin Percival Dies**

SANTA BARBARA, Calif., March 5—Edwin Percival, 62, former Canadian theatre manager and uncle of Norma Shearer, died at his home near here yesterday after a lingering illness.
**Feature Reviews**

**“Here Comes Happiness” (Hawks)**

THE problem of a poor young man in love with an heiress and the difficulties of a rich young girl who can’t find a “real” man within her own set is re-examined in “Here Comes Happiness.” Mildred Coles is the girl and Edward Norris is the man, while Richard Ainley rounds out the triangle as the fortune seeker who loves Miss Coles for her father’s money.

Miss Coles is about to be engaged to Ainley but she refuses to go through with it. Her social-climbing mother, Marjorie Gateson, is shocked. Her father, Russel Hicks, remembering his hard-working days as a prospect, secretly approves. Miss Coles takes an apartment in the Greenwich Village slums and falls in love with Norris. Hicks tries to understand when he sees her in the company of several rich men, but Hicks works out a reunion.

Although it is a simple story, Noel M. Smith, who directed, has provided several humorous sidelights and the film should make satisfactory program fare. William Jacobs was associate producer.

Running time: 58 minutes. “G”.

EDWARDS

**“A Dangerous Game”**

(Universal)

ANOTHER in the series of sociated adventures teaming Richard Arlen and Andy Devine in the leading roles, this film is out-and-out farce, with little to recommend it to other than double bill addicts in the lesser situations.

It is composed largely of slapstick excitement and rarely climbs above that level. A satirical yarn poking fun at the eerie type of detective mystery, the story is weak and the unevenness which is a necessary ingredient of the better films of its kind.

John Rawlins, who directed, apparently concentrated on providing as much general noise and excitement as could be engendered from a sanitairum for the seemingly insane, a man obviously under the influence of drugs, another with a switch containing an enormous sum in cash, a detector. The story lacks the telling of utterly ridiculous crooks all after the money. Arlen emerges as an insurance detective and Devine posings as a masculine nurse in the sanitairium, as Arlen’s assistant.

Running time: 61 minutes. “G” *

* “G” denotes general classification.

**Hearings Resumed On Publicists’ Plea**

Hearings were resumed yesterday at the National Labor Relations Board offices here before Examiner Daniel Baker on the petition of the Screen Service Guild for recognition as collective bargaining agency in the Warner and M-G-M publicity and advertising departments. Taking testimony was completed several weeks ago in the cases against the other six major companies.

The hearing yesterday was continued chiefly with presentation of evidence by the Guild concerning the workings of the advertising and publicity departments of the two companies involved in order to determine the basis for a determination of which employees are eligible to vote for a collective bargaining agency.

**Managers Threaten To Strike in Detroit**

**Detroit**, March 5.—Claiming that its members were compelled to do janitor work, Local No. 23,313 of the Theatre Managers and Assistants Union has served notice with the state labor board of intention to strike against the William J. Schultz circuit of neighborhood theatres.

**Para. Partners Will Convene in Chicago**

**CHICAGO**, March 5.—Paramount theatres associates will hold a preliminary meeting here late this month before leaving for their scheduled meeting at White Sulphur Springs, W. Va., March 27-29.

**Special Report**

**VIRGINIA’ GROSSES $12,000 IN ST. LOUIS**

**St. Louis, March 5—**"Virginia," staged with “Golden Hoofs” at the Ambassador both with $12,000. "Back Street" garnered $5,200 in its second week, having moved to the Mississippi Grand for the fourth week ending Feb. 27.

"Virginia" (Para.)

Gross: $12,000 (20th-Fox)

AMERICAN-OF (22,614) 3 days.

(Average, $530)

"Golden Hoofs" (Para.)

ABM (4,003) 3 days.

(Average, $1,100)

"Back Street" (Universal)

FOX—(5,003) 3 days.

(Gross: $1,100)

"Golden Hoofs" (Para.)

B. (20th-Fox)

FOX—(3,162) 3 days.

(Gross: $8,500)

"The Son of Monte Cristo" (U. A.)

"Nobodies’ Children" (Col.)

LOEW’S—(3,162) 2 days.

(Gross: $3,400)

"Michael Shayne, Private Detective" (Universal)

RKO—(4,580) 3 days.

(Gross: $8,500)

"Western Union at $8,000, Kansas City**

**Kansas City, March 5—**"Western Union" took $3,500 at the Esquire and $4,500 at the Uptown for a total of $8,000. "Virginia" scored $9,000 at the Newman.

Estimated take for the week ending Feb. 25-27:

"Western Union" (20th-Fox)

ESQUIRE—(3,162) 2 days.

(Gross: $3,500)

"Mailie Was a Lady" (M-G-M)

NEWWAL—(3,162) 2 days.

(Gross: $8,500)

"Mr. and Mrs. Smith" (RKO)

RADIOR—(3,162) 2 days.

(Gross: $8,500)

"Orpheum" (M-G-M)

TOWER—(2,200) 3 days.

(Gross: $2,500)

"Western Union" (20th-Fox)

UPTOWN—(3,514) 2 days.

(Gross: $4,500)

"Street with $9,000 Toppers Indianapolis**

**INDIANAPOLIS**, March 5.—"The Street with $9,000 Toppers" and "Gallant Sons" were strong in their second week at Loc’s, with $9,000. "Strawberry Blonde" and "Convoy" did $7,000 at the Indiana.

Estimated take for the week ending Feb. 28:

"Virginia" (Para.)

"Let’s Make Music" (RKO)

RKO—(3,162) 2 days.

(Gross: $6,500)

"Convoy" (RKO)

"The Philadelphia Story" (M-G-M)

"Convoy" (20th-Fox)

"Bro’ in Law" (Col.)

NEWWAL—(3,162) 2 days.

(Gross: $2,500)

"White Hoofs,"" (20th-Fox)

TOWER—(2,200) 3 days.

(Gross: $2,500)

"Rood Show" (U. A.)

"Let’s Make Music" (20th-Fox)

"White Hoofs,"" (20th-Fox)

LUCY—(3,162) 2 days.

(Gross: $2,500)

**WOBBER LEAVES ON TRIP TO HOLLYWOOD**

Herman Wobber, in charge of distribution for 20th-Century-Fox, left yesterday for an extended trip to England. En route he plans to stop off at Denver, Salt Lake City, Portland, Ore., San Francisco and Los Angeles. He is expected to be gone about three weeks.
WARNERS MADE THE 'SEA HAWK'

EDWARD. G.

ROBINSON • LU

THE Sea

JACK LONDON'S ST
NO · GARFIELD

OF TERROR AFLOAT

Directed by
MICHAEI CURTIZ
He never misses! Here's just a part of his hit list: 'Robin Hood' · 'Four Daughters' · 'Angels with Dirty Faces' · 'Dodge City' · 'Virginia City' · 'Sea Hawk' · 'Santa Fe Trail'
First Hearing
On Arbitration
Set in Capital

(Continued from page 11)

slightly more than two years will have been required to bring the case to hearing.

Reports that the case would be settled before going to hearing were heard in Washington and Baltimore shortly after it had been filed. However, the original time estimates subsequently made emasculated denials, asserting that a question was at stake on which a final decision was desired.

Braden to Talk
On Film Arbitration

J. Nolle Broden, executive secretary of the American Arbitration Association, will discuss the organization and functioning of the motion picture and other arbitration systems at the films forums next week. On Monday he will address the Wharton School of Finance and Commerce at the University of Pennsylvania in Philadelphia, and the following day he will address the Harvard School of Business at the Harvard Club here.

Estimate $500,000
"U" Net in Quarter

(Continued from page 11)

Joseph H. Sedelmeier, vice-president and foreign manager, will conduct a convention of the company’s Latin American sales representatives in Panama, April 2 to 6. C. G. Marston, Latin American supervisor, and Fortunat Baronot, foreign publicity man, will accompany him.

Peyton Gibson, secretary of the company, will be proposed for election to the Universal board of directors at the annual meeting of stockholders in Wilmington, March 15, to fill the post left vacant by the resignation some time ago of William Freday, who was proposed by the board recently to serve Freday’s unexpired term. All present members of the board will be proposed for re-election.

In addition, the stockholders will act on the new seven-year contracts for the company’s seven "key" executives. They will also vote on a proposed amendment to the company’s by-laws which would indemnify current and former directors and officers and their personal representatives against all costs and expenses resulting from legal actions to which they were made parties by reason of their positions, except upon findings of their having acted in bad faith.

Consolidated Film
1940 Net $590,031

(Continued from page 11)

past two months and reports that during 1940 Republic acquired film exchanges in New York, Philadelphia, St. Louis, Chicago and Denver.

Consolidated’s net sales and royalties for 1940 amounted to $7,235,337. The company reported cash on hand and in banks of $901,335; total current and working assets of $6,374,288, and total current liabilities of $1,159,652.

Short Subject Reviews

“Splits, Spares and Strikes” (Columbia)

The current feminine interest in bowling should make this a worthwhile subject as the right and wrong way of playing the ball is made clear by Billie Taylor, expert extraordinary. Miss Taylor performs gracefully and scores a strike invariably. A few bowling tricks are included. By way of contrast, a plum miss clumsily tries her hand at the game. Running time, 10 mins.

“Take It Or Leave It, No. 3” (Columbia)

Bob Hawk conducts for the screen another quiz based on his radio program. Four contestants answer a varied lot of queries but only one wins the money prize, and a group of questions is given to the contenders on the screen and the audience. Running time, 11 mins.

“Mad About Moonshine” (RKO)

Edgar Kennedy, Vivian Oakland and Bill Fansy go to the hillbilly country to produce lots of laughs in this two-reeler comedy. Kennedy is betrayed by his wife because he can’t make any decisions when he learns that his father-in-law has inherited an estate. Fansy knows the estate is worthless but finally accepts Kennedy’s repeated offers to buy. When he learns that the house is being built on the site and themselves in the midst of an old feud and with a charge of moonshining lodged against them. Running time, 19 mins.

“From Singapore to Hong Kong” (Columbia)

In un distinguished fashion the camera moves through the streets of Singapore and is accompanied by the commentator calling attention to such points of interest as junks, rickshas and the oriental dress, all of which have been seen before. Running time, 10 mins.

“Community Sing, No. 5” (Columbia)

The audience is asked to sing in company with Lew White’s organ, harp and guitar, the hits they like. The commentator calls attention to such points of interest as junks, rickshas and the oriental dress, all of which have been seen before. Running time, 10 mins.

“Fights, Freshman” (Columbia)

Here David Durand, Paul Hurst, Wally Vernon, Rita Rio and others are assembled in a comedy affair in Hollywood. The comedy is unadulterated slapstick with the dean continually the victim of a flying shoe or something equally effective in rendering him unconscious. Miss Rio’s work is limited to one song and a small part in the story. Running time, 18 mins.

NBC Tries Out
Live Talent in Color Telecast

(Continued from page 11)

Philo laboratory developments of synchronization and will make a second call at the Allen B. DuMont laboratories here tomorrow. Neither NBC nor the FCC has plans to demonstrate television from before its broadcast is compelled to go off the air for adjustments to a new frequency.

Agreement on ‘Star’
Publicity on Again

(Continued from page 11)

only, and all major company advertising directors were so informed by a recent meeting of the Council of M.P.P.D.A. Later, however, several advertising directors who had been appointed to the committee to prepare the agreement by the latest out break of “star” advertising on Broadway, agreed to give it “one more chance.” The decision, it was said, was the decision of the Rivoli to become a party to the agreement.

The Rivoli, which was directly responsible for one of the earlier aban donments of the agreement, has not been a party to the “act” up to now.

Some advertising managers yesterday expressed the hope that the new trend might be brought into the agreement later. They are the only house of standing on Broadway still not parties to it.

Warner Ball Saturday

The 12th annual banquet and ball of the Warner Club takes place Saturday in the grand ballroom of the Hotel Waldorf-Astoria. About 1,500 are expected. Music will be furnished by the Roland Scott and their orchestras and by Ramon’s Cuban Caballeros.

“Take the Air”

A musical comedy of the “Broadway Brevities” series, this is ably performed by William T. Orr, Mary Brodel, Eddie Foy Jr., Andrew Tombes and Frank Ferguson. The story concerns Foy’s effort to bring new talent to his national radio station, and Orr becomes involved as a hitch-hiker who, after accompanying Foy to the station, meets Miss Brodel. Almost immediately they go into a song. The short is gay and entertaining throughout. Running time, 20 mins.

“Forbidden Passage” (M-G-M)

This “Crime Does Not Pay” short, in exploring the racket of smuggling aliens into the country, is exciting and tense and at times achieves a depth of stark realism that is almost unbearable. Upon finding bodies wrapped in sacks and chains in the wolves, U.S. immigration agents investigate and by clever devices eventually uncover the racket. Running time, 21 minutes.

“Wild Boar Hunt” (Warner)

Howard Hill, who is described as the “world’s greatest archer,” again demonstrates that the title is justified. Here he embarks on a boar hunt with his. Do’s dog and “during the search handles the bow with incredible speed and accuracy. Most of the shots are exciting entertainment. The final sequence are more exciting at Hill is seen rescuing with a timely shot a farmer being devoured by a boar. The boar is all very thrilling and well done in color. Running time, 10 mins.

“Picture People, No. 6” (RKO-Pathé)

Here is a lively short with big film names which should please. On view are Warren William with a vacuum cleaner to take up leaves from the front lawn, Cary Grant, James Cagney and Preston Foster harmonizing in a ditty about a coyote: Anita Louise in a Philadelphia department store and C. Aubrey Smith working in his garden. Charles Laughton and Elsa Lanchester wind up the reel with a radio rehearsal directed by Arch O’Brien. First running time, 10 mins.

“Sniffles Bells the Cat” (Warner)

A group of mice decides that the only way to learn when the cat is approaching is to place bells around the cat’s neck. The smallest, Sniffles by name, is elected to do the job. His finally successful effort, sometimes amusing, forms the main body of the cartoon. Running time, 7 mins.

“Fight, Fish, Fight” (Warner)

A marin expedition in the New Zealand Bay of Islands with Mr. and Mrs. Michael Lerner is photographed well in color and the result is truly exciting entertainment. From the time the sea monster, said to weigh 706 pounds, nibbles on Lerner’s hook to the time he is reeled in the battle is exciting entertainment. The surrounding country filmed in color, adds to the effect. Running time, 10 mins.

“Ice Capers” (Warner)

An ice skating demonstration by Olympic Champion Irving Jaffe, who essays a dual role, clump and clump. It might prove instructive for the young English and American short enthusiast since Jaffe’s maneuvering on the ice is masterful. As the clump character, Joe Fline, donning high hat and fur coat, he is seen falling repeatedly in a manner which some may consider amusing. Running time, 10 mins.

“The Haunted Mouse” (Warner)

A clever variation of the over-worked cat-pursuing-mouse theme this “Looney Tune” has all sorts of perplexities because the mouse is really a ghost and appears and disappears. Running time, 7 mins.
It's ROUGH Rowdy and ROMANTIC

THE BIG SURPRISE OF ALL LAUGH SENSATIONS...
A GIRL A GUY and A GOB
HAROLD LLOYD’S bombshell of laugh dynamite!...All about the sailor’s sweetie who drove the navy nutty!...It’s FUN from the FLEET—and you get it while the angle’s HOT!...Spectacular two-ocean world premiere at San Francisco’s Golden Gate Theatre to launch the screen’s big all-out comedy smash!

WITH

GEORGE MURPHY
LUCILLE BALL
EDMOND O’BRIEN
HENRY TRAVERS • FRANKLIN PANGBORN

Directed by RICHARD WALLACE

Screen play by Frank Ryan and Bert Granet

Produced by

HAROLD LLOYD
Here is a library of factual information that meets an urgent need. Authoritative manuals expressly prepared for theatremen as practical aids in their daily routine. Glance over the titles! There are books here that should be on your desk now—books that will save you time, effort and expense in the voluminous information they will put at your fingertips.

The second revision, sixth edition of the Bluebook. Supplemented with sound trouble shooting charts and alphabetical index. 700 pages. A quick trouble-shooter and a sure solution to all projection problems. $7.25

Theatre Management Record. The most simplified bookkeeping system yet devised for the exhibitor! No accounting experience necessary. Individual sections for all operating data. Full tax information always readily available. $2.00

A practical treatise devoted to all the diverse elements of theatre air-conditioning and its operation, including codes and ordinances regulating installation. An indispensable manual that all theatremen will welcome. $4.00


Motion Picture Sound Engineering—the most advanced sound manual to date. Prepared by the country's leading sound engineers. 547 pages, explaining every detail of apparatus. Profusely illustrated with diagrams, tables, charts and graphs. $6.50

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**MOTION PICTURE DAILY**

**Thursday, March 6, 1941**

### ‘Wind’ Draws $8,700, Holds Seattle Pace

SEATTLE, March 5.—With five houses showing holdovers, grosses were down. “Gone With the Wind” drew $8,700 in the second week at the Paramount. The weather was mild and dry.

Estimated takeings for the week ending Feb. 28:

- **Carroll’s** (Col.) — Estimated gross: $4,000.
- **Frisco** (Para.) — Estimated gross: $4,700.
- **Magnolia** (M-G-M) — Estimated gross: $6,000.
- **Theodore** (M-G-M) — Estimated gross: $6,300.
- **United Artists** (Col.) — Estimated gross: $10,500.

### ‘Andy Hardy’ Frisco High, Gets $17,500

SAN FRANCISCO, March 5.—Business held up well here with favorable weather. The Fox took $17,500 with “Andy Hardy’s Private Secretary” and “Murder Among Friends.” “Gone With the Wind” took $14,500 in the second week at the Warfield.

Estimated takeings for the week ending Feb. 25:

- **Mr. and Mrs. Smith** (RKO) — Estimated gross: $3,200.
- **The Philadelphia Story** (M-G-M) — Estimated gross: $6,000.
- **Gone With the Wind** (M-G-M) — Estimated gross: $7,000.
- **Road Show** (U. A.) — Estimated gross: $3,000.

### ‘Virginia’ $10,500 Providence Best

PROVIDENCE, March 5.—The Strand, playing “Virginia” and “Girls Under 21” at $10,500, and “Back Privates,” doubled with “The Invisible Woman,” was good for $7,500 at the RKO Albee in the second week.

Estimated takeings for the week ending Feb. 26:

- **Back Privates** (Univ.) — Gross: $6,000.
- **The Invisible Woman** (Univ.) — Gross: $6,000.
- **Comes Live With Me** (M-G-M) — Gross: $6,000.
- **Blonde Goes Latin** (M-G-M) — Gross: $11,000.
- **Father’s Son** (W. B.) — Gross: $8,000.
- **Girls Under 21** (Col.) — Gross: $10,500.
- **Honour Schofield** (Univ.) — Gross: $10,000.
- **Metropolitan** (Col.) — Gross: $8,000.
- **Roller Skating Club** (Univ.) — Gross: $8,000.
- **Seeds of Our Night** (U. A.) — Gross: $6,000.
- **Mule Was a Lady** (M-G-M) — Gross: $6,000.

### ‘Wind’ in Detroit Garners $19,000

DETROIT, March 5.—“Gone With the Wind,” at the United Artists in its second week at a normal price of $8,000. The Michigan reported $20,000 with “Virginia” and “You’re the One.”

Estimated takeings for the week ending Feb. 27:

- **Back Street** (Univ.) — Gross: $700.
- **Meet the Chump** (Univ.) — Gross: $15,000.
- **Flight Command** (M-G-M) — Gross: $15,000.
- **The Man Who Played God** (U. A.) — Gross: $10,000.
- **FISH** (Col.) — Gross: $8,000.
- **Western Union** (20th-Fox) — Gross: $8,000.
- **Vigil** (Para.) — Gross: $8,000.
- **You’re the One** (RKO) — Gross: $8,000.
- **Kitty Foyle** (RKO) — Gross: $8,000.
- **Vigilante** (M-G-M) — Gross: $8,000.
- **United Artists** (20th-Fox) — Gross: $15,000.
- **Frisco** (Col.) — Gross: $15,000.

### ‘Virginia’ Scores $13,000 in Buffalo

BUFFALO, March 5.—“Virginia” and “Life With Henry” took $13,000 at the Buffalo. “Back Street” and “Meet the Chump” at the Lafayette, drew $7,100.

Estimated takeings for the week ending March 1:

- **Virginia** (Para.) — Gross: $1,500.
- **Life With Henry** (Para.) — Gross: $3,500.
- **Hudson’s Bay** (20th-Fox) — Gross: $3,000.
- **GREAT LAKES** (20th-Fox) — Gross: $3,000.
- **The Son of Monte Cristo** (U. A.) — Gross: $3,000.
- **Hippodrome** (20th-Fox) — Gross: $3,000.
- **Who Killed Aunt Maggie**? (Rep.) — Gross: $3,000.
- **Ballet Magique** (RKO) — Gross: $3,000.
- **Biography** (RKO) — Gross: $3,000.
- **Ballet of the Nations** (Rep.) — Gross: $3,000.

### ‘Smith’ Draws Good $17,300, Los Angeles

LOS ANGELES, March 5.—“Mr. and Mrs. Smith” drew a total of $17,300 at two theatres in the second week, with $9,000 at the Wiltern and $8,300 at the Pantages. “Gone With the Wind” drew $2,700 at the 4 Star and $16,000 at the United Artists.

Estimated takeings for the week ending Feb. 25:

- **The Trial of Mary Dugan** (M-G-M) — Gross: $2,700.
- **Private Property** (M-G-M) — Gross: $2,000.
- **Let’s Make Music** (RKO) — Gross: $1,700.
- **The Invisible Man** (M-G-M) — Gross: $1,500.

### Strawberry Scores $13,000 in Buffalo

BUFFALO, March 5.—“Virginia” and “Life With Henry” took $13,000 at the Lafayette. “Back Street” and “Meet the Chump” at the Lafayette, drew $7,100.

Estimated takeings for the week ending Feb. 27:

- **Back Street** (Univ.) — Gross: $700.
- **Meet the Chump** (Univ.) — Gross: $15,000.
- **Flight Command** (M-G-M) — Gross: $15,000.
- **The Man Who Played God** (U. A.) — Gross: $10,000.
- **FISH** (Col.) — Gross: $8,000.
- **Western Union** (20th-Fox) — Gross: $8,000.
- **Vigil** (Para.) — Gross: $8,000.
- **You’re the One** (RKO) — Gross: $8,000.
- **Kitty Foyle** (RKO) — Gross: $8,000.
- **Vigilante** (M-G-M) — Gross: $8,000.
- **United Artists** (20th-Fox) — Gross: $15,000.
- **Frisco** (Col.) — Gross: $15,000.

### Sets Weekly Vaudeville

STAMFORD, Conn., March 5.—The Palace here has changed its policy to include vaudeville exclusively one day a week and straight films the other six days.
Several Stations Are Authorized to Increase Power

WASHINGTON, March 5.—The Federal Communications Commission has authorized Stations WFBF, Wisconsin Rapids, Wis., to increase night power from 100 to 250 watts; WJBD, Hammond, Ind., to extend hours of operation from sharing to unlimited; KSD, Des Moines, to increase night power from 400 to 250 watts; WGES, Chicago, to increase power from 500 to 5,000 watts and increase hours of operation; and WKZO, Kalamazoo, Mich., to increase day power to 1,000 to 5,000 watts.

FM Permits Sought

Applications were received for construction of WQRS, a 5,000-watt station and one FM broadcasting station. The FM permit was asked by the Columbus Broadcasting Co., for a 44,900-kilocycle station in Hollywood, to cover 20,500 square miles with a population of 2,249,000. The FM papers were filed by the Southern California Broadcasting Co. for a 1,400-kilocycle, 1,000-watt day station at Passadena, Calif., and a 500-watt 1,490-kilocycle, 250-watt station at Oshkosh, Wis. An application for change of frequency from 1,500 to 1,250 kilocycles was submitted by Station WOFI, Bristol, Tenn.

Hearings Ordered

Hearings were ordered on the applications of the Mid-American Broadcasting Co., for a 3,000-watt, 1,000-kilocycle station at Louisville, Ky., with 1,000 watts night, 5,000 watts day, and Station WIPR, Rockford, Mass., for increase of power from 250 watts to 1,000 watts night, 5,000 watts day, and change of frequency from 1,420 to 880 kilocycles for 1,000 watts at Scranton, Pa., for a synchronous station at Scranton, Pa., with 100 watts, and WWSI, Bethel, N. J., for a boost station in Camden, N. J., with 100 to 250 watts.

Armstrong, 2 Others Get Permits for FM

WASHINGTON, March 5.—Three additional FM permits were issued by the FCC today, making a total of 42 thus far. Edwin H. Armstrong, who developed noiseless FM, received one of the licenses. The station is to be constructed on the site of Armstrong's experimental station at Alpine, N. J. Other construction permits issued were to the Moody Bible Institute at Chicago, and Stromberg-Carlson Telephone Manufacturing Co., Rochester.

Cal. Bill Provides
Schools' Film Use

SACRAMENTO, Calif., March 5.—A bill which would authorize schools to show motion pictures of all sorts for educational purposes, has been introduced by the Legislature by Assemblyman Alfred Robertson of Santa Barbara.

Philco Sets Dividend

PHILADELPHIA, March 5.—The directors of Philco Corp., declared a dividend of 25 cents per share, payable March 26 to stockholders of record March 14.

Off the Antenna

FOR the third year, WOR will broadcast the play-by-play description of the Brooklyn Dodgers' baseball games with Red Barber and Al Helfenstein at the microphone. General Mills and Lever Bros. will sponsor. Pre-season games have already been aired. Daily games will be cut off at 5:30 P.M., if other programs interfere. Weekend games will go until 6:30. Barber will have his spot on Thursdays and Sundays, under the sponsorship of Christian Feigenspan Brewing Co.

Purely Personal: The engagement of Helen Harper, secretary to A. D. Willard, vice president of General Foods, WJSV, to Ralph E. Oloffson, WJZ engineer, was announced yesterday. They will be married March 17. . . . Robert Korkhaker, recently appointed WJIN traffic manager, will be inducted into the army tomorrow. . . . Myeke Williams, Mutual commentator, has written his book, "The Rule of the Irish," published by Prentice-Hall, today.

A news program of purely local interest will start Monday over WMCA and will be heard daily at 11:30-11:45 A.M. The station will use the Associated Press regional wire for the quarter hour.

Program News: Art Metal Works will sponsor "Paul Sullivan Reviews the News" over 23 CBS stations on Fridays, beginning April 11. Sullivan is sponsored Mondays through Thursdays by Brown & Williamson Tobacco Co.; Griffin Shoe Polish Co. has renewed "Who Knows" over four Mutual stations for 52 weeks, effective March 24. . . . Heider Products has renewed "Lincoln Highway" over 61 NBC stations for seven weeks, effective March 5. . . . Marcel Choc, also known at "Ralph Offen," will make his 61st birthday on the air over WOR Saturday. Gambling's program is one of the oldest continuous shows in radio. . . . WOR's Sunday schedule has been rearranged to provide for Frank Chaston's show "The Lunch Hour," 1-2:30 P.M., "Uncle Dan Reads the Comics," 9:30-10 A.M., and "This Wonderful World," 9:30-10 A.M. . . . Ted Malone's "American Pilgrimage" will originate from Jack London's California ranch in a Warner Bros. special. Malone will leave for Washington March 30 to test the possibilities of a wider tour this spring.


Malin Craig Named To CBS Directorate

Gen. Malin Craig, who was Chief of Staff, in the U. S. Army at the time of his resignation about a year and a half ago, was elected yesterday as a member of the CBS board of directors.

Gen. Craig was graduated from the U. S. Military Academy at West Point in 1888. In 1925 he was appointed Chief of Staff and as part of his duties reorganized the mobile troops of the Army and helped set up the Civilian Conservation Corps camps. Upon his resignation in the summer of 1939, his final report recommended the establishment of a peace time defense army of 1,000,000 men.

Milwaukee Ascap Hearing March 13

MILWAUKEE, March 5.—The hearing on the Government's criminal information action against Ascap which was postponed Thursday will be heard Friday. The Federal District court here was postponed at March 13 at the request of Victor O. Waters, special assistant to the U. S. Attorney General.

When the case comes before Federal Judge J. Ryan Dufty on March 13, the Government will be expected to ask for the dismissal of the lawsuit of totaling $24,000 against Ascap officers and publishers who are represented on the music society's board.

Pellegrin Is Head Of NAB Ad Bureau

OMAHA, March 5—Frank Pellegrin, sales manager of Central States Broadcasting System (KOIL, Omaha, KFAB and KFOR, Lincoln) has accepted the position of director of the radio advertising bureau of the National Association of Broadcasters. The appointment was made effective on March 10, 1939, as such his successor here is selected. He has been with Central States since 1938.

Dismiss Decca Suit

N. Y., Supreme Court Justice Samuel I. Rosenman has dismissed the Decca Records, Inc., and subsidiary companies with leave to the plaintiff to amend his complaint.

RCA Plans Largest Radio Laboratory

RCA will build the largest radio research laboratories in the world at Princeton. Harry F. Byrd, Jr., President of the corporation, yesterday said that the New Laboratories will be headquarters for all research and original development of all the RCA divisions and subsidiaries, and will be of service to all public interests, as required to maintain the peaceful character of the Communications Commission.

Wakefield Named Member of F.C.C.

WASHINGTON, March 5.—President Roosevelt today sent to the Senate the nomination of Ray C. Wakefield of Fresno, Calif., to succeed the late Thad H. Brown as a member of the Federal Communications Commission, for the term to expire June 30, 1946.

Wakefield is a member of the California Railroad Commission and has served as a public utility commission on intrastate telephone lines and other public utilities, his term in the latter, ended March 31. He is a Democrat and has been asked to maintain the bi-partisan character of the Communications Commission.

10,352,000 Radio Sets Made in 1939

WASHINGTON, March 5.—More than 10,352,000 radio receiving sets valued at $158,965,000, were produced in this country in 1939, an increase of about 48% from 1938. The reduction of $1,700,000 in value compared with 1937, according to the U. S. Census Bureau.

Preliminary all-time peak in 1939, running more than double that of 1929, when 4,980,000 sets were produced, to $157,940,000, the finished price results in a drop of $49,000,000 in the factory value from the 1929 record of $252,787,000, the report showed.
More Cheers!
FROM MEN
WHO KNOW BOX-OFFICE VALUES!

We've told you what David O. Selznick, Louis B. Mayer and Hunt Stromberg say. Now read what

WALTER WANGER
producer of such outstanding pictures as "Stagecoach", "Foreign Correspondent", and "The Long Voyage Home", says:

"I have seen 'CHEERS FOR MISS BISHOP: It is MARVELOUS!"

Richard A. Rowland
presents
Cheers for Miss Bishop
An Unforgettable Love Story
with MARTHA SCOTT • WILLIAM GARGAN
and featuring EDMUND GWENN • SIDNEY BLACKMER • DOROTHY PETERSON
and introducing MARY ANDERSON • Directed by TAY GARNETT
From the novel "Miss Bishop" by BESS STREETER ALDRICH • Screen adaptation by STEPHEN VINCENT BENET • Screenplay by ADELAIDE HEILBRON and SHERIDAN GIBNEY • Released thru United Artists
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Command in Philadelphia Pulls $15,200

PHILADELPHIA, March 5.—"Flight Command" gave the Stanley $15,500, in a week marked by sluggish box office and a rainy weekend. "Play at the Earle, with Ray Noble's orchestra, was eight. Carlisle on the stage made $19,800.

Estimated take for the week ended Feb. 26:—

"Fantasia" (Disney) ALBEMARLE—(56c-46c-57c-68c) 7 days, Gross: $3,600. (Average, $515) "Cheers for Miss Bishop" (U.A.) BOYD—(2,500) (35c-45c-66c-76c-68c) 2 days, Gross: $1,500. (Average, $750) "Play Girl" (RKO) EARLE—(4,000) (35c-46c-41c-76c-68c) 7 days, run gross: $1,500. (Average, $215) "Behind the News" (Rep.) FAY'S—(2,100) (35c-56c-61c-57c-68c) 7 days with vaudeville including Wineta date (with the L. Londis); Radamani; Greg- ory & Raymond with Cherie; Harry Levan & Lenny Boatman with J. H. McCray. McCoy, Gross: $7,500. (Average, $1,150) "The Starlit Story" (M-G-M) FOX—(3,000) (35c-46c-41c-76c-68c) 7 days, Gross: $2,500. (Average, $355) "The Philadelphia Story" (RKO) KARLTON—(-200) (35c-46c-41c-76c-68c) 7 days, run gross: $750. (Average, $1,000) "You Were the Wind" (M-G-M) KEITH'S—(2,200) (35c-46c-41c-76c-68c) 7 days, run gross: $750. (Average, $1,000) "Flight Command" (E-Jman) STANTON—(1,700) (35c-46c-41c-76c-68c) 7 days, Gross: $1,500. (Average, $415) "The Mad Doctor" (Para) STANTON—(1,700) (35c-46c-41c-76c-68c) 7 days, Gross: $1,200. (Average, $460)

Talent Being Set for Greek Benefit

A number of prominent personalities have already volunteered to entertain at the Greek War Relief benefit show at the Radio City Music Hall at midnight March 28. Marion Schermerhorn is handling the production.

Among those already lined up are Burrell, Allen, Dennis Taylor, Ray- mond, Lutwyche; Jimmy Dorsey and orchestra, Ina Claire, Phillip Meriville, Gene Kelly, Vivienne Segal, Michelle Armitage, James Barton, Johannes Steele, Wythe Williams, George Hamilton Coombs, Andrew Andrews, Music Hall Rock- etties, and the Music Hall ballet and orchestra with Erno Rapee.

Tickets are priced from $1 to $10, obtained at the Music Hall box office. Alph Jakob is head of the sponsoring committee.

Mc Pelland Barclay is contributing his services in the creation of a cover design for the souvenir program.

An international cartoon exhibition is being planned for the Greek War Relief Association by P. S. Harrison, publicity director. The show will be handled by Joe McGraw.

In response to letters to cartoonists, 100 originals already have been received. The show will either late this month or early in April.

Western Is Good in Loop With $43,000

CHICAGO, March 5.—"Western Union," with Jane Froman and Matty Malneck on the stage at the Chicago drew $43,000. The first week's management of the Oriental by Michael Coppola was a reissue of "Hell's Angels," plus a variety show grossed $19,000.

Estimated takeings for the week ending Feb. 26:

"Fantasia" (Disney) APOLO—(1,400) (5c-11c-16c-65c) 7 days, Gross: $18,000. (Average, $2,550) "Western Union" (20th-Fox) CHICAGO—(4,000) (3c-25c-75c) 7 days, Stage: Jane Froman, Matty Malneck Or- chestra, Gross: $33,000. (Average, $4,700) "Virginia" (Para) GARRICK—(3,000) (3c-25c-75c) 7 days, Gross: $17,000. (Average, $1,700) "Hell's Angels" (Eman- uel) ODEON—(2,400) (3c-40c) 7 days, Reissue, Stage: Variety show, Gross: $39,000. (Average, $5,500) "Back Street" (Univ) S. LASSO—by Madame LaZonga (Univ) PALACE—(3,500) (3c-25c-75c) 7 days, Gross: $31,000. (Average, $4,500) ROOSEVELT—(5,000) (5c-25c-75c) 7 days, Gross: $30,000. (Average, $5,100) "Michael Shayne, Detective" (20th-Fox) STATE-LAKE—(3,200) (2c-40c) 7 days, Gross: $9,500. (Average, $1,300) "The Great American Mystery" (Univ) INDIANAPOLIS—(1,700) Basil Grecy, chairman of the theatre union committee.

Janitors in Seattle Get Wage Increase

SEATTLE, March 5.—Effective this week, janitors in all theatres in this city will receive an eight per cent increase, the first such raise in the Seattle Theatre Managers' Association over a two-month period. Fifty-six janitors employed in 40 theatres are affected.

Negotiations will start next week relative to an increase in wages for all usherettes, doormen and cashiers, it was announced by Basil Grecy, chairman of the theatre union committee.

Support Detroit Strike

CHICAGO, March 5.—Full support was voted to Ray Carroll, who is di- recting the strike of theatre janitors in Detroit by the executive board of the Building Service Employees Inter- national Union. It also was decided to ask Detroit projectionists to declare a sympathy strike.

Roach Is Here for 'Topper' Showing

Hal Roach, producer of "Topper Returns," new United Artists release, is here to attend the public preview showing of the picture at the Astor Theatre on March 11 at 11:15 A.M. on the same day, at 1 P.M., a press preview and trade showing of the film will be held at the Fox Boulevard Theatre in Los Angeles.

Associates to Plan Membership Drive

Plans to acquire club rooms and for a membership drive will be dis- cussed at a special meeting and luncheon of the Motion Picture Associates at 1 P.M. Saturday at the Hotel Lincoln. This is the first M. P. A. meet- ing called Joseph J. Lee of 20th Century-Fox, who recently was elec- ted president of the organization.

Conn. Allied Meets, Weights Legislation

NEW HAVEN, March 5.—Allied Theatre Owners of Connecticut, at a meeting here yesterday, discussed the measures before the Connecticut legis- lature calling for a tax of 25 per cent on the gross of copyright societies, which would affect all theatres.

Exhibitors also plan to attend the legislative hearings on the bill to reg- ulate the operation of boiler equipment in theatres.

Will Cut Program Length in France

News dispatches reaching here yes- terday indicated that under a new ruling of the committee controlling the French film industry, effective April 2, the length of programs in French theatres will be limited.

In the unoccupied zone no program can exceed 2,000 meters (14,000 feet) plus newsreels, and no single film can exceed 1,500 meters. After Aug. 27 the programs will be cut still further, with programs confined to 3,800 meters and single films to 1,300 meters. The ruling will amount to a ban on double features.

P. R. C. Closes Deal On Near East Sales

Leon Fromkes, vice president in charge of foreign operations for Pro- ducers Releasing Corp., has closed a deal for the " Caucasus," in the Near East, with Abdul Karim and Co., in Iraq.

Beginning next week, six P.R.C. branches will be in operation in Can- ada, at St. Johns, Montreal, Toronto, Winnipeg, Calgary and Vancouver.

Selznick Buys 'Claudia'

David O. Selznick has acquired the film rights to "Claudia," by play by Rose Franken now on Broadway, and the 30 stories she has written about the character. Miss Franken and her husband, William Brown Meloney, will do the screen play.
THE RADIO CITY MUSIC HALL HAS SELECTED MARCH 27th AS THE EVENTFUL DATE FOR THE NEW YORK OPENING OF "ADAM HAD FOUR SONS"

A Columbia Picture
Justice Dept’ Won’t Govern Decree: TNEC

Left to Trade Members, Industry Report Says

The United States Department of Justice, instead of assuming enforcement of the recently signed consent decree in the motion picture industry, appears to have specifically resigned these powers, it is stated in a report on the industry prepared for Congress by the Temporary National Economic Committee.

Instead of assuming enforcement itself, the report states, the Department of Justice has imposed enforcement of the decree on the members of the industry, "and, to a considerable extent, on the weaker members."

The reference is to the necessity of exhibitors bringing complaints under the arbitration system, which is a part of the decree.

The film industry report, one of (Continued on page 9)

Quigley Winners
On Coast March 17

E. C. Callow of Warners’ Philadelph- ia Theatres, winner of the 1940 Silver Plaque awarded by Managers’ Round Table of Motion Picture Herald, and J. R. Wheeler, manager of Great States’ Granada Theatre, South Bend, Ind., Bronze Plaque winner, are scheduled to arrive in Hollywood March 17 for the presentation ceremony. The presentation will be made next day at the Beverly Wilshire Hotel.

They will be entertained during their week’s stay on the Coast as guests of Quigley Publications by a committee composed of all Hollywood (Continued on page 9)

Harry Warner Due Here on March 15

Harry M. Warner, president of Warner Bros., is expected to arrive here on March 15 for home office conferences and a visit with Jack Warner, vice-president in charge of production, who is now here looking for plays and stories. The latter arrived from California about a week ago.

U. S. and Little 3 Confer Today on Schine Trust Suit

A conference on procedure for trial of the Government anti-trust suit against the Schine Circuit and the "Little Three" in Buffalo is scheduled to be held here today by Government and defense attorneys.

Developments within the next few days are expected to determine whether the Schine suit will be the first of the four Government anti-trust actions still pending against the Little Three to go to trial.

Indications recently were that a consent decree eliminating the circuit from the action might be cleared for trial, in which case one of the other three actions probably would be tried first.

A Government spokesman, however, recently asserted that the decree negotiations had collapsed and indicated that, as a result, the Schine action in (Continued on page 12)

Republic Acquires Midwest Franchise

Republic has acquired from Harry Mandel a distribution deal for the Chicago, Milwaukee and Indianapolis territories, James R. Grainger, president, announced yesterday at the opening of the company’s Eastern regional sales meeting here. Republic now operates directly eight exchanges.

The deal is already effective. Grainger said that Jack Frackman, manager of the Milwaukee office; L. W. Marriott, Indianapolis manager, and Harry Lord, Chicago manager, (Continued on page 12)

"That Night in Rio"

[20th Century-Fox]

WITH five hit songs in its score, a good plot with many lively situations and hilarious climax, a cast headed by Alice Faye, Don Ameche and Carmen Miranda and a lavish production, “That Night in Rio” is one of the sprightliest musical comedies to come to the screen in a long time.

The songs, by Mack Gordon and Harry Warren, there are elaborately staged dances by Hermes Pan and the costuming drew “oh’s” and “ah’s” from the ladies present in the preview room. The songs (which you’re hearing around) include “I’m Gonna Rock and Roll You,” “That Night,” “That Night in Rio” and the title song.

Carmen Miranda is at her vivacious best, which means her songs and dances have a lift and a tingle, Don Ameche is in a dual role as a night club entertainer and a baron and sometimes both, and Alice Faye, as the wife of the baron, provides a skillful interpretation of the role.

As Larry Martin, the night club entertainer, Ameche’s best act is an imitation of Baron Duarte. When the latter gets into business difficul-
Golden Prepare First Production

Hollywood, March 6—Edward A. Golden, former vice-president in charge of distribution for Monogram, who recently formed University Film Productions, Inc., here is making arrangements for his first production, tentatively titled, "The Kiss of Death." It is planned, according to Golden, to distribute the film on a roadshow basis through representatives in key cities of the United States and Canada.

The film, from an original story by M. C. Ranome, deals with a phase of American national defense, according to Golden, and has been prepared with the assistance of health authorities. It is expected to go into work this month, with release set planned for early in June.

Lubitsch on 3-Year 20th-Fox Contract

Hollywood, March 6—Ernst Lubitsch was signed today by 20th Century-Fox to a producer-director contract for three years. The contract will start after he completes one more picture with Sol Lesser for United Artists release.

Gov. Lehman Host At Orphans’ Party

Gov. Herbert H. Lehman will be host tomorrow afternoon at the Brooklyn Strand Theatre at the 11th annual party for children from orphanages in the borough. The program includes a film show and musical entertainment.

Wobber in Denver, Sets ‘Road’ Opening

DENVER, March 6—Herman Wobber, general manager of distribution of Century-Fox, who arrived here last day by plane from New York. During a stopover he disclosed that ‘To- bacco Road’ will open at the Fox Denver on March 18. Poor flying weather caused him to make his visit short, and he boarded a plane for Salt Lake City earlier than he had expected. He is scheduled to visit Portland and San Francisco before proceeding to Los Angeles.

Rudd Vice-President Of Newsreel Circuit

Major A. J. Rudd, general manager of the Newsreel Theatres, Inc., since July, 1937, was elected a vice-president of the company at the annual meeting of the corporation yesterday.

Other officers of the company are: W. French Githens, president; Harold E. Wonsel, vice-president, and Francis Carter Wood, secretary-treasurer. Among other changes, the company operates the Embassy, Broadway newsreel house.

Broodness Promotes Harwell

MANSFIELD, O., March 6—William Harwell, manager of the Warner Theatre here since 1938, has been promoted. He will visit all points in the city, and will have general supervision of the three Warner houses here, Benja- min Schwartz, who managed the Ohio before Harwell assumed that position, and who has been with a Cleveland circuit since that time, will resume as manager of the Ohio.

Sam Katz to Chicago

Hollywood, March 6—Sam Katz, M-G-M studio executive, left tonight for Chicago on a 10-day trip.

Newsreel Parade

In addition to the general news, the newsreels in their weekend issues will offer war news from England and do- mestic defense subjects, with coverage on baseball, boxing and basketball for the sports fans. The contents:


Columbus Club Will Wine Ohio Officials

COLUMBUS, O., March 6—The local Variety Club on March 14 will hold a dinner, which has been invited to Columbus, and his staff, the heads of the various state departments, county and city judges and the heads of the county and city depart-

The affair is being staged to accu- mulate the official friends with the airmen of the Variety Club. The committee in charge are: Alexander B. Gessaman, chairman; Col. Lynn Black and P. J. Wood.
Here's something Showmen can get their teeth into!...
PARAMOUNT presents
The Year's BIG VEX Picture

Barbara Stanwyck
Henry Fonda

in Writer Preston Sturges' riskiest romance...
Directed by Preston Sturges at his friskiest!

BIG LAUGHS!

BIG VEX
...and here's something that audiences can get their teeth into!

VEX!
PARAMOUNT presents The Year's BIG VEX Picture

Barbara STANWYCK \* FONDA

in Writer Preston Sturges' riskiest romance...
Directed by Preston Sturges at his friskiest!

THE LADY

BIG LAUGHS!  BIG VEX!

BIG BOX OFFICE!  BIG PRODUCTION!
When it comes to turning out hits... PARAMOUNT sure knows its apples!

"ROAD TO ZANZIBAR"

"I WANTED WINGS"

"REACHING for the SUN"

"ALOMA of the SOUTH SEAS"

"ONE NIGHT IN LISBON"

"KISS THE BOYS GOOD-BYE"

"CAUGHT IN THE DRAFT"

"REAP THE WILD WIND"

"The SHEPHERD of the HILLS"

"I LOVE PARAMOUNT"

Paramount Pictures
TNEC Completes Report on Film Industry

U.S. Not Governing Decree, Report of TNEC Declares

(Continued from page 1)

The T.N.E.C. film industry report claims the Hollywood star loan-out system minimizes competition among the major companies, and is one of the tools used by the majors to force independent producers to participate. Since 1933, the report says, the number of star loans of varying length has increased in 10 years. Warners, RKO and Warners collected about 20 per cent, while Columbia, United Artists and Universal have remained at the 15 per cent level.

On June 16, 1938, Congress created the Temporary National Economic Committee, with a membership of 12, three each from the Senate and House, and one each from the Departments of Justice, Treasury, Labor, Commerce, the Securities and Exchange Commission and the Federal Trade Commission.


Quigley Winners On Coast March 17

(Continued from page 1)


Loan System Seen Cutting Competition

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Quigley Winners On Coast March 17

(Continued from page 1)


U.S. Not Governing Decree, Report of TNEC Declares

The report on the film industry is one of the first ready for submission because the history of the picture business encompasses a period of only about 40 years and because it is said to present a clear picture of the typical pattern of American business as it is constituted today.

Cites Films' Importance

"The motion picture... has evolved into an important social and cultural force," the report says, "Its importance should be measured in terms other than the conventional one of dollars and cents."

The report traces the history of the film industry from its beginnings. It is pointed out that conclusions in the report, "are not recommendations but summaries of facts that should be of inestimable value to the Congressional committee vested with the duty of reviewing proposed legislation which involves the public interest."

The motion picture in a few years, the report says, "has changed from an activity in the hands of a large number of small and financially weak individuals to an industry controlled by a few large companies which dominate its policies and control its actions."

The history of block booking is traced, and, according to the T.N.E.C., the practice has been opposed almost from its inception by independent exhibitors.

Some concessions were obtained by independent exhibitors under the N.R.A. code, although "control of the industry remained undisturbed under it," the report says.

Trade Disputes Classified

Most of the trade practice controversies of the industry may be divided into two classifications, according to the report. One class includes those practices which maximize the profits at the expense of the exhibitors and the public... The other class comprises those practices which small exhibitors contend have been used by large exhibitor organizations to drive them out of business or place them in subordinate competitive positions.

The report cites the alleged control by the majors of the most important exhibition outlets, and declares that the small exhibitor has no choice but to deal with them. "Blind selling" is described as working to the disadvantage of the small exhibitor and the public. Overbuying by large interests to keep products from smaller exhibitors is "a constant threat to the small exhibitor competing with a powerful opponent," the report says, and "often undertaken with the express purpose of eliminating competition is almost certainly a violation of the Federal antitrust statutes."

The industry report is officially known as "Monograph 43, the Motion Picture Industry—A Pattern of Control."

It was written by Daniel Brand, administrative assistant to the T.N.E.C.; W. Duane Evans, Senior Economist, Bureau of Labor Statistics, U. S. Department of Labor, and E. L. Blanchard, a member of the T.N.E.C. staff.

The report is part of the work of the group investigating the "concentration of economic power" in "big business" in the United States, as recommended by President Roosevelt in April, 1938, in a message to Congress.

"The President acted, he stated, because "among us today is a concentration of private power without equal in history" and "this concentration is seriously impairing the economic effectiveness of private business.""
San Francisco, scene of a hundred premieres with Hollywood stars and all the rest, got a new thrill Wednesday... as ALL OPENING DAY RECORDS FOR YEARS WERE SHATTERED BY RKO RADIO'S SENSATIONAL SURPRISE HIT!...

Crowds that started lining up at 8:30 A.M. jammed the Golden Gate Theatre all day long. They laughed! They howled! They roared... and went out shouting the praises of the big two-ocean naval comedy... agreeing enthusiastically with the Chronicle reviewer, who said: "If this film doesn't tickle every rib in your body, brother, you're ready for the ash heap."

Boys, the fleet's IN!... All the good things you've been hearing about Harold Lloyd's first production are TRUE!... It's ROUGH, ROWDY, ROMANTIC — AND SENSATIONALLY BOX OFFICE!

GEORGE MURPHY ★ LUCILLE BALL ★ EDMOND O'BRIEN

HENRY TRAVERS • FRANKLIN PANGBORN DIRECTED BY RICHARD WALLACE
SCREEN PLAY BY FRANK RYAN AND BERT GRANET PRODUCED BY HAROLD LLOYD
Rowdy and Romantic

As the Golden Gate to Record Business!

A Girl, A Guy, and A Gob
The M-G-M chief asked for hammer.

"In times of industrial and national crises such as all of us are facing now, we should do all we can for unity."

He urged that the consent decree be given a fair trial and dveled also into the troubles of side trade busi-

ness, and the work which is being done by individuals and by groups to help alleviate the suffering of the un-

fortunates in the trade and even of others outside the industry.

"The consent decree deserves a fair trial," Rodgers stated.

"We didn't ask for it. We had no choice about it, we didn't asked for it and it was the best course to 

pursue under the circumstances, and we will stick by it."

This is no time for misunderstanding among people who have the same objective. There is a bond of friendship—
even affection—among us in the various frames of trade, comparable perhaps in no other industry.

"It's fair dealing we want on both sides, and if we have that, what difference does it make how we will pic-

tures— singly, or in blocks of two, five, ten or twenty, I think it is high time to abandon mistrust of one an-

other."

Then he went on to tell how M-G-M was tackling the problem and about the instruction which he had sent to all the sales force, at home and in the field.

"All of M-G-M's sales force has been instructed that the company will not contumaciously any violation of the provisions of the decree. We also have written to all of our customers outlining the company's stand in this regard.

"We will contumaciously no under-
tage in dealing with our customers and we will ask for a price beyond the ability of the individual cus-
tomer to pay, and we will stick by arbitration."

Rodgers decried the fact that the "same body" which was instrumental in sabotaging the old code plan is now attempting through legislation to kill the new method.

"This is no time for misunderstanding among us," Rodgers said. "This is no time for quarreling. Let us go 

forward together toward our common objective."

"It also spoke on the humani-
tarian work done in the trade by indi-
guals and groups, and praised this work."

"It is a pleasure to note," he said, "that we, in our industry, not only take care of our own, through vari-

des of relief by charity, but we also take care of others. Whether it is a patriotic cause sponsored by 

the Government or a civic cause, or that we have to do with charity, our industry is always the first to respond."

As an example he cited the various relief funds supported by the industry, and also that last year, 27,000 

film subjects, from shorts to features had been loaned gratis to various charitable causes.

Dietz on the Lighter Side

Leon Bamberger, Anpa chieftain, presided at the meeting. Harry Gol-

berg of Warner Bros. Theatres intro-
duced Rodgers, Howard Dietz, 
Loew's advertising and publicity di-
rector, also addressed the assem-
bly. On the dais, additionally, were E. K. 
O'Shea, Central Division manager of M-G-M, Leon H. Kinsman, assistant to 
Rodgers, in charge of exhibitor 
relations.

It was announced that Arthur Mayer, managing director of the Apollo Theatre, will speak next week.

Dietz provided the lighter side of the show, in an amusing off-the-cuff speech, in which he said, "For the 
time he feared he would not be able to attend the session and was happy that he did come even though he 

arrived in time to eat luncheon."

Among those in attendance were Jack Bowen, M-G-M district manager; 
Henry H. Temple, National Pictures manager; George Skouras, Max A. 
Cohen, William White, Si Fabian, Fred Harman, Ben Weinberg, and 
Mr. See.

Mandel will be associated with the construction of a new film exchange 
building here on the site of the present Republic exchange. The local RKO 
exchange, it is reported, will occupy space in the new building when com-

pleted.

Republic Acquires 
Midwest Franchise

(Continued from page 1)

will continue in their posts and no changes in personnel are in prospect 
at any of these branches.

Republic previously acquired from franchise holders, its own exchanges in New York, Philadelphia, St. Louis, 
Omaha and Des Moines.

Meeting Ends Today

Grainer is presiding at the sales meeting, which will be continued to-
day. The session is being held at the home office. Others in attendance are 
and Frank Soule of the home office, and, from the field, Sam Seiplowin, 
Detroit; Jake Flux and George Flux, Washington; L. H. Alexander, and 
Sidnich, Theatres, Philadelphia; Arthur Newman, Albany; M. E. Morey, Boston; Jack 

drawn. It is believed to be similar to the other complaint on file in Dallas.

The panel of arbitrators from 

the New York board will select an arbitrator to hear the case, was completed yesterday. The 

selection must be made by March 13, and the arbitrator will select the 

hearing date.

The complaint was filed Feb. 19 by the Regent, Brooklyn, against all five con-
ting companies and involves clear-

ance against the first New York complaint.

While clearance awards are not en-
couragable under the decree until new contracts have been approved, it was ex-
presed in major company quarters that distribution companies, in their expressed desire to live up to the spirit as well as the letter of the de-

crete, would do what they could to make awards effective immediately. It is believed that any 
accomplishment in this direction would depend upon the willingness of exhibitors to go along with 

the decision to voluntarily relinquish the clearance provided for in their existing contracts.

U. S. and Little 3 Will Confer Today

(Continued from page 1)

Federal court at Buffalo would have 

held the hearing.

It is now learned that further talks 

between the Government and counsel for Schine are not unlikely, and that a decision by the court on the 

order of trials of the Government's pending cases.

Today's conference does not involve con-

sent decree discussions, however. It will be confined solely to proce-

dure and particularly to an agreement on answers to interrogatories which will be filed by both sides.

At the conference will be Herbert 
Boyd, special assistant to the U.S. 
Attorney General; Edward C. Baity 
and Benjamin Pepper, counsel for United Artists and Universal, and Louis D. Frohlich, Columbus counsel.

United Artists and Universal are scheduled to file their answers today to the Government's antitrust com-

plaint in the anti-trust suit in U. S. 

District court here. Columbus will file tomorrow or on Monday.

Technicolor Pays 25c.

Directors of Technicolor, Inc., at a meeting yesterday declared a dividend of 

25 cents on the company's stock, payable to all stockholders of record March 17, it was announced by 

Dr. Herbert T. Kalmus, president and general manager. Kalmus arrived from the Coast early this week.
Schenck Overpaid
U.S., Says Counsel

In the second day of the trial of the Government suit against Joseph M. Schenck, board chairman of 20th Century-Fox, and Joseph H. Moskowitz, his assistant, Harold R. Corbin, defense attorney, declared in his opening statement that Schenck had overpaid $105,000 in income taxes, rather than underpaying $412,000, as the Government contends. He termed the prosecution "the most outrageous thing I have ever heard."

Corbin's statement occupied the entire morning. He stated that Schenck had paid $225,000 out of 20th Century-Fox dividends which was declared out of assets, not profits, and therefore was not taxable. Corbin also declared that a stock transaction loss in 1936 entitled Schenck to a credit in excess of the alleged deficiency. The attorney said he would prove that all deductions were legitimate and that character witnesses would depict Schenck as "one of the best-known and most beloved men in the film industry."

William J. O'Brien, deputy tax collector, was the first witness in the afternoon session. He identified income tax returns. Following him, John B. Codd, West Coast controller for 20th Century-Fox, identified records relating to Schenck's income. Codd also testified that he sent weekly reports of Schenck's income to Moskowitz. The trial continues this morning.

‘Night Train’ Tallies $24,500, Cleveland

CLEVELAND, March 6.—With Glenn Miller's band on the Palace stage, “Night Train” was tops here with a smashing $24,500. “Philadelphia Story” earned $5,500 in its third week at the Stillman.

Estimated takings for the week ending Feb. 27:

- “Western Union” (20th-Fox): Allen—$3,000 (33c-39c-47c) 7 days, $5,500. (Average, $1,400).
- “Back Street” (Univ.): Warner's Hippodrome—$2,400 (33c-39c-47c) 7 days. Gross: $4,100. (Average, $1,100).
- “Night Train” (20th-Fox): RKO Palace—$2,000 (33c-39c-47c) 7 days. Gross: $2,400. (Average, $1,350).
- “Virginia” (Par): Loew's State—$1,500 (33c-39c-47c) 7 days. Gross: $1,000. (Average, $1,100).
- “Philadelphia Story” (Par): Loew's Stillman—$1,000 (33c-39c-47c) 7 days. Gross: $1,500. (Average, $225).

‘Virginia’ Omaha's Winner at $8,200

OMAHA, March 6—“Virginia” and “South of Suez” grossed $8,200 at the Omaha for the city's only outstanding business. The weather was clear and warm.

Estimated takings for the week ending Feb. 27:

- “Night Train” (Univ.) : Orpheum—$1,000 (33c-39c-47c) 7 days. Gross: $1,000. (Average, $214).

Quebec to Reconsider Approval of ‘Called Love’

MONTREAL, March 6.—The Quebec Provincial Board of Censors in Montreal will reconsider its decision to permit showing of the film “This Thing Called Love,” following cancellation of a scheduled run at the Granada Theatre in Sherbrooke, Quebec.

When it was announced that the picture was to begin a four-day showing at the theatre yesterday, Mayor Joseph LaBreque expressed objection. The paper of the Catholic Diocese of Sherbrooke, Le Messenger Saint Michel, also carried a criticism of the film in last week's edition.

Although approved by the Quebec Censors several weeks ago, the Messenger contends that it was condemned by the Legion of Decency in the United States and by the Toronto Legion of Decency. Officials of the publication have requested the censors to review the film again, in the light of these protests.

Shortly after 1 P.M. yesterday, an hour before the film was scheduled to be shown for the first time in Sherbrooke, B. H. Lavell, manager of the Granada, was notified by the home office of United Amusements here that the film was not to be screened.

“This Thing Called Love” was shown in Montreal at the Palace. Critics reviewed it as being good entertainment, but for adults only. It played two weeks to good attendance.

“This Thing Called Love,” originally rated as “C” (Condemned) in the Legion of Decency classification in this country, subsequently was given a rating of “B” (Objectible in Part) after revisions were made.

Broadway Grosses Hold Average Level

Business on Broadway continued at an average level during the week although grosses were checked somewhat by the storm last weekend and by Lent.

One exception is “Strawberry Blonde” at the Strand, which finished its second week last night with an estimated $33,000, high for the house, and is being held. Raymond Scott is appearing on the stage with his new orchestra.

“That Night in Rio” has its premiere at the Roxy tomorrow. In its second week which ended Wednesday night, “Tobacco Road” with a stage show drew about $25,500. It plays two extra days.

“Sol性的 Story” is a holdover attraction at the Radio City Music Hall. Business for the first week with that film and a stage show amounted to an estimated $74,000.

“Come Live With Me” bowed out of the Capitol after a week's run which brought the theatre an estimated $21,500. “Andy Hardy's Private Secretary” opened yesterday.

“Night Train” is expected to give the Globe about $7,000 in its 10th week, which ends tonight, and holds over.

Rosso to Pathe Lab

L. T. Rosso, who was service manager of Consolidated Film Industries for 10 years, has joined Pathe Laboratories as general manager of the Bound Brook laboratories, it was announced yesterday.

‘Strawberry Blonde’ $17,000 in Baltimore

BALTIMORE, March 6—Best business went to “Strawberry Blonde” at the Stanley with $17,000. Estimated takings for the week ending Feb. 27:

- “The Philadelphia Story” (M-G-M): CENTURY—$3,600 (33c-39c-47c) 7 days, $2,100. (Average, $300).
- “You're the One” (Para): KELVIN—$3,000 (33c-39c-47c-55c) 7 days, $4,500. (Average, $642).
- “New York Call” (Univ.): Loew's Century—$2,000 (33c-39c-47c-55c) 7 days, $3,000. (Average, $428).
- “Strawberry Blonde” (W. B.): STANLEY—$1,500 (33c-39c-47c-55c) 7 days, $2,100. (Average, $300).
- “Mr. and Mrs. Smith” (RKO) HIPPODROME—$1,000 (33c-39c-47c-55c-66c) 7 days, $1,500. (Average, $214).

“You're the One” (Para[]):

- “SIO LESSER presents Ernst Lubitsch's ‘THAT UNCERTAIN FEELING’”

- “The farther you push me”,

- “Says Merle, "with this mush"

- “The more I can feel"

- "That old Lubitsch touch!"
Swing's MBS Talks
Go to S.A. via NBC
Raymond Gram Swing's news commentary over Mutual four nights will now be translated into Portuguese and Spanish and will be broadcast to both countries by Westinghouse short wave, with the assistance of the Standard Oil of New Jersey as sponsor, for a total of eight periods. MAN is the agency.

Sunday Competition
Faces British Film
LONDON, March 6—Considerable new competition will face English film theatres beginning April 20, when a new Government Sunday entertainment order becomes effective. The text of the order was published today.

While film houses in England are compelled to pay a charity tax for Sunday operation, legitimate and vaudeville houses and music halls are permitted to operate on Sunday without tax. Now, under the new ruling, other types of entertainment are also tax-free. Boxing, wrestling, and dancing halls are excluded from this privilege, however.

The provision permits local municipal councils, on request of either the military authorities or a representative of the Ministry of Labor, to place a request for Sunday operation before the Home Secretary for presentation to and approval by Parliament.

The only concession to film houses in the new order is the right of the local industrial authorities to make a formal request for Sunday entertainment, whereas previously only the military authority could make such a request.

The council of the Cinematograph Retailers' Society (distributors) met today to consider the request of the Cinematograph Exhibitors' Association for suspension of the new order. The council is in the bombarded areas. It is understood from authorities that the exhibitors suggested a sliding scale but that the distributors were not in a position to accept the plan. The K.R.S. council pledged consideration to individual exhibitor cases.

To Test Virginia's
Sunday Blue Laws
NOVAR, Va., March 6—The Virginia Blue Law prohibiting the showing of motion pictures on Sunday again will be subjected to one of the immunity tests. It has undergone changes through the years.

Contesting the legality of the law is The Dominion Theatres, which has been summoned to appear before a trial justice in nearby Warwick County in connection with showing of films at the recently opened Village Theatre at Hilton Village. Until the case is settled, Woler says there will be no Sunday showing.

Retired Exhibitor Dies
STATESVILLE, N.C., March 6—Russ A. Cooper, former owner of the Cooper picture theatre operator, banker and business man, died recently at his home here. He had been in ill health for some time.

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Chances Good For ‘Go Ahead’ On Television

Commercialization of Art Seen as Defense Aid

By EDWARD GREIF

Chances are good that the FCC in the near future will give the “go ahead” signal to television, granting full commercial privileges, according to sentiment expressed among radio officials over the week, and following the FCC members inspection of television developments in New York and Philadelphia late last week.

Army and Navy officers have shown interest in television for military purposes, it was pointed out, and commercialization will probably stimulate increased research in this particular field.

The FCC tour of television plants was completed Friday. Radio officials said they were encouraged by the considerable time and effort which the FCC is devoting to preparation for its March 20 hearing on television.

In New York, the FCC saw a demonstration at Bell Telephone Laboratories of the differences in picture definition possible on frequency (Continued on page 7).

Comedy Dramas to Lead 20th-Fox List

Comedy dramas will predominate on the new season production schedule of 20th Century-Fox, Joseph M. Schenck, chairman of the board, said on Friday.

In addition, the schedule tentatively includes eight musicals. No biographical themes are scheduled for production, nor are any “outdoor” pictures at this time, he said.

Individual budgets will be set for pictures as production plans are decided, Schenck said. No over-all production budget for the studio will be established.

Schenck said that extended runs will be essential to the further improvement of business next season and that producers should concentrate on the type of pictures which will merit such runs. Double features, he said, are a matter for the public and the individual exhibitor to decide.

Roach Reported Set on Four-Reel Featurette Plan

Hal Roach is reported to have reached an accord with United Artists, during his visit to New York last week, whereby the company will release his newly-contrived four-reel featurettes.

Production of these short features has been under consideration by Roach for some time as a solution to the double feature problem in the industry. These four-reel pictures, made with the same care and quality as the bigger features will be intended as program substitutions for second features on dates.

Roach’s plan is described as complementing productions with strong story and cast values. He left for the Coast on Friday.

Vogel to Hollywood For Quigley Awards

A-Mike Vogel, chairman of Managers’ Round Table of Motion Picture Herald, leaves today for Hollywood to attend to final arrangements and the presentation of the Quigley Grand Awards on March 18.

Seattle Finds Blackout Big Show; Crosses Sliced

By WILLIAM A. PRAGER

Seattle, March 9—Downtown theatres and amusement business generally fell from 10 to 20 per cent below normal Friday night as the city was plunged in darkness for 20 minutes during the first test blackout in an American city.

From 10:40 to 11 o’clock the city’s 50 theatres, and all business, industry and homes united in extinguishing all exterior illumination and masking interior lights from outside view. The experiment was conducted by the War and Navy departments.

All traffic stopped, street lights were extinguished and total darkness (Continued on page 6).

PLAY BUYS FOR PICTURES BOOM

Nine Broadway Productions Already Sold To Films for Aggregate $1,535,000, Considered an All-Time Record

By SAM SHAIN

Of about 25 current plays and musicals on Broadway, which are available for pictures, nine have been sold already to films, for an aggregate price of $1,535,000, or an average price of $170,000 each, which in turn, attests something of a record figure. Broadway play managers have never before experienced this kind of a bumper season in this regard.

So eager have the studios been thus far to obtain stage properties that in at least one case, the play producer, composers and certain other members of the production staff have been retained also to work on the film. In another case, in addition to the money paid for the film rights in cash, the studio also has agreed to pay a percentage of the gross film returns above a certain figure.

With the domestic market having become increasingly important, in fact, almost exclusively so, since the European and foreign market generally has declined, these Broadway plays have become the particular aim of the studios. It is comparable to a studio’s eagerness for a best seller among books. The Broadway plays, like books, are of such tremendous public interest around the country, that the studio are described as considering it (Continued on page 6).

Del. Grants Sunday Films Local Option

DOVER, Del., March 9—The Delaware legislature has repealed the state’s 200-year-old Sunday blue law by 6 votes.

In its place the legislature Friday night passed a bill setting up new regulations for observance of the Sabbath. The new act provides local opinion in incorporated cities or towns for establishing ordinances for observance of “business affairs.” Outside incorporated cities and towns the new law prohibits motion pictures.

(Continued on page 6)

Ga. House Group Approves Block Bill

ATLANTA, March 9—A Georgia House of Representatives committee on Friday reported favorably the Senate approved bill providing that distributors may offer their full season’s program to exhibitors with a 20 per cent cancellation, superseding the blocks-of-five selling provision of the Federal consent decree.

MINNEAPOLIS, March 9—Northwest Allied has employed counsel to argue the constitutionality of the anti-block-of-five unit bill before the Minnesota House committee which is considering the measure, as sponsored by the or...
Mexico City Aiding Legitimate Theatre

Mexico City, March 9.—The local Civic Government has acquired $500 and three building lots for the use of theatrical groups, in fulfilling its recent promise to aid legitimate theatre. The groups will be required to use the cash and land to establish three playhouses to present Mexican plays. The money is to be repaid on the basis of 10 per cent of the gross revenue of the plays.

Campbell-MacCulloch Rites in Hollywood

Hollywood, March 9.—Campbell MacCulloch, who resigned as Central Casting head last year, was buried here today following funeral services. He succumbed Friday to a lingering illness.

MacCulloch was a pioneer film man, having been with the old Triangle company as writer, then manager of the New York office. He was brought here 15 years ago by Louis B. Mayer as an efficiency expert, and he was made Universal in the same capacity.

In 1933 MacCulloch was appointed by President Roosevelt to organize the NRA in Los Angeles, and following its dissolution served as regional director of the National Labor Board. He served as Central Casting head from 1934 to 1940.

Richey Speaker at ITO Meeting

Des Moines, March 9.—H. M. Richey, in charge of exhibitor relations for M-G-M, is to be the guest speaker at the noon luncheon that opens the annual convention of the Independent Theatre Owners of Iowa and Nebraska at the Savoy Hotel here tomorrow. Legislation, the consent decree and a new Iowa organization idea are the main subjects for discussion at the two-day session.

Eltinge Services Held

Funeral services for Julian Eltinge, 57, were held yesterday in the Little Church Around the Corner under the auspices of the Actors’ Fund. He died Friday. He was famous for half a century as a female impersonator. The Eltinge Impersonator at 42d St. was named for him.

LYNN FARNOL announces an office for service, assistance and counsel in the various fields of PUBLIC RELATIONS

250 PARK AVENUE NEW YORK, N.Y. TELEPHONE PLA 8-0228

Personal Mention

S. CHARLES EINFELD, Warner’s director of advertising and publicity, arrived yesterday from the coast.

ARTHUR REOZ, vice-president of Warner Bros., is expected from the coast late this week.

R. M. GILLIAM, Paramount advertising and publicity director, is expected from the coast on Wednesday.

MONT SPRING, M-G-M distribution executive, returned over the weekend from California.

RUBE JACRE, Columbia assistant sales manager, left for Florida over the weekend.

GILBERT GOLDEN of Warners’ advertising department is in Florida.

BETTY GOLDENSMITH, sister to James M. Urey, left Saturday on the Kaagahala for a cruise in Southern waters.

LOU BROWN, Loew-Poli publicity head, addressed the New Haven Advertising Club the other day.

CHARLES JUDGE of the Arcadia, Philadelphia, and ELEANOR KERMAN of the Mayfair, and in Philadelphia, were married last week.

JOHN DODER, Paramount News cameraman, will leave this week for Rio de Janeiro.

Brandt Acquires Two New Theatres

Brandt Theatres, headed by Harry Brandt, has acquired the Rioto Theatre, at Poughkeepsie, N. Y., 1,600-seat house, from Elite Amusement Enterprises, Inc.

Also, with David Weinstock, Brandt has purchased the Queen Amusement from the Queen Amusement Enterprises, at Bogota, N. J. It is a 1,399-seat house, and is the 17th Brandt and Weinstock have in partnership.

Stewart Set for Army

Hollywood, March 9.—James Stewart has been placed in class 1-A by the Selective service board and expects to be called for Army service this month.

Loew’s Declares Dividend

Directors of Loew’s, Inc., have declared a dividend of 50 cents a share on the common stock payable March 31 to stockholders of record March 18.

Variety Club Heads Due in Charlotte

Charlotte, March 9.—Three officials of the Variety Clubs of America are expected here today to attend the opening of the Variety Club here tomorrow. Expected are John H. Harris of Baltimore, National Chairman; R. J. O’Donnell of Dallas, National Assistant Chairman; and James G. Balmer of Pittsburgh, National Dough Boy (treasurer).

N. J. Allied Meets in Passaic Tomorrow

New Jersey Allied will meet at Harry Hecht’s Ritz Restaurant in Passaic, N. J., tomorrow afternoon, and the session will be followed by a beefsteak dinner in the evening. Lee Newbury will preside at the business meeting, which will be devoted largely to a discussion of the important matters under the consent decree.

To Honor Veteran

Philadelphia, March 9.—The local industry is planning a testimonial luncheon for Marcus Potom, veteran exhibitor, who celebrated his 75th birthday last week. Lou Krouse, L. A. T., is chairman of the sponsoring committee.

English Theatres Fight Sunday Tax

London, March 9.—The Cinematograph Exhibitions Association will take legal steps to protest about a reduction in the charity tax for Sunday operation of film theatres, following the recent Government order which permitted competitive entertainment to operate on Sunday without being subject to the same tax. It is understood that if it would be had policy to oppose operation of other forms of entertainment on Sundays, but it is justified in asking a reduction of the tax on film houses. It is felt that with the greater part of the weekly business in weekends, the tax is unfair. The Government has indicated that it will not amend or remove the tax clause.

The London and Home Counties Branch of the C.E.A. will meet with the County Council tomorrow to ask a reduction in the Sunday tax from 12½% to 8½% and possibly for an extension of Sunday operating hours.

Warner Zone Heads Will Meet Tomorrow

Joseph Bernhard, general manager of Warner Theatres, will preside at a meeting of zone managers tomorrow at the home office.

Also present will be James Coston, Chicago; Nat Wolf, Cleveland; L. J. Hoffman, New Haven; Don Jacobs, Newark; Moe Silverman, Detroit; Ed Schlegel, Philadelphia; Harry Kalmine, Pittsburgh; John J. Kett, Westbury, Conn., is vacationing in Miami and Havana.

Van Lear Joins Para.

Philadelphia, March 9.—Arnold Van Lear has been added to the local Paramount staff as publicist. He fills the position vacated by Brocker, who was promoted to direct exploitation in the Philadelphia, Pittsburgh and Washington territories.

Van Lear Joins Para.
WHEN 5 HOLLYWOOD PRODUCERS CHEER THE WORK OF ANOTHER—That IS news!

DAVID O. SELZNICK says: “I have seen 'CHEERS FOR MISS BISHOP'. It is a tender and touching piece of Americana!”

HUNT STROMBERG says: “I have seen 'CHEERS FOR MISS BISHOP'. It is a beautiful picture and will be a strong contender for 1941 honors!”

WALTER WANGER says: “I have seen 'CHEERS FOR MISS BISHOP'. It is MARVELOUS!”

MERVYN LE ROY says: “I have seen 'CHEERS FOR MISS BISHOP'. It is a GREAT picture.”

LOUIS B. MAYER says: “I have seen 'CHEERS FOR MISS BISHOP'. Dick Rowland has made a MAGNIFICENT picture that should achieve outstanding business at the box-office!”

Richard A. Rowland presents Cheers for Miss Bishop An Unforgettable Love Story with MARTHA SCOTT • WILLIAM GARGAN and featuring EDMUND GWENN • SIDNEY BLACKMER • DOROTHY PETERSON and introducing MARY ANDERSON • Directed by TAY GARNETT From the novel “Miss Bishop” by BESS STREETER ALDRICH • Screen adaptation by STEPHEN VINCENT BENET • Screenplay by ADELAIDE HEILBRON and SHERIDAN GIBNEY • Released thru United Artists
Mexican Censorship Goes Under Interior Ministry

Compromise Reached On Schine Procedure

A compromise on procedure covering interrogations and inspection of motion picture equipment in the course of the suit against the Schine Circuit and the Little Three was agreed upon over the weekend by attorneys for the producers and United Artists, Columbia and Universal.

A motion scheduled to be argued in the U. S. District Court at Buffa-
to-day will be adjourned and an order for the elimination of some in-
terrogatories and consent to others will be set for March 30, instead of March 15, if possible, next week.

The letter sets forth the company’s views and policies in relation to the decree.

Reiterating that M-G-M will not forego the possibilities of our customers to pay, Rodgers reaffirmed the company’s stand against employ-ment of ‘‘turtles,’’ as well as ‘‘bogus firms’’ in selling short subjects, newsreels or trailers.

Or arbitration, he said: ‘‘We will recognize any claim for arbitration as provided for in the decree, and will vigorously and fairly defend our position where we feel we are right: yet in any instance where the final judgment is rendered against us, it will be accepted graciously and without any hard feelings in any direction.”

Rodgers assured exhibitors that M-G-M ‘‘will deliver not less than our minimum obligation of features and short subjects this year.”

Mexico City, March 9—The new law, sponsored by President Manuel Camacho, giving the Federal Ministry of the Interior exclusive jurisdiction over the supervision and censorship of films, has gone into effect.

The law requires that the ministry at its own discretion inspect each picture within 10 working days after it has been presented for review. Protest in writing to the ministry is permitted on any film and a final inspection of the film must be made promptly.

Review fees are $1.10 for each commercial film and 65 cents for every Mexican film intended for export. No fee is charged for newswells of less than 50 meters in length. Approval by the ministry permits exhibition anywhere in Mexico. State and municipal authorities may not permit exhibition of a film not previously approved by the ministry.

Meanwhile, Mexican producers look forward to a period of harmony in their hitherto troubled relations with the ministry. The new law was approved by a decree of Vicente Lombardo Toledano as head of the Confederation of Mexican Producers, headed by Fidel Velazquez and headed by public secretary. The Confederation is Mexico’s most powerful labor organization.

Francisco L. Macin, high official of the National Cinematographic Workers’ Union, failed to obtain Velazquez’ former post, which went to Matias Platas, indicating that the film union now yields less power in the Confederation than formerly.

First Defense Reel Ready for Theatres

“Power for Defense,” first short film approved by the Motion Picture Corporation Committee for the First Defense, is now available to exhibitors who pledged cooperation to the committee.

The film, produced by the Government, runs 11 minutes, and is being booked without charge. Twelve one-reelers are now available. Shortly, to the date, the committee has received pledges from 8,000 theatres.

Joseph Toledano, general manager of Warner Theatres, is chairman of the committee.

Free Films Sent to 1,273 Institutions

The industry during 1940 supplied 13,357 features and 14,404 short subjects without charge to 1,273 institutions throughout the country for the entertainment of shut-ins; the M.P. F.D.A., conservation department reported yesterday.

Types of institutions receiving the service were homes for crippled children, orphanages, hopsitals, prisons, homes for aged persons, schools supported by charity, war veterans’ convalescent homes and in three days underprivileged children.

Adds Stage Shows

Columbus, O., March 9—The suburban Mall, playing subsequent runs at double features, last Saturday added a stage program at the 9 P.M. show and plans to continue the policy.

Wind’ at $17,000

Is High in Detroit

Detroit, March 9—“‘Gay Wind’ in its third week at normal prices drew $17,000 at the United Artists.

‘Fantasia’ at the Wilson reported $14,000 and the Michigan grossed $17,000 with ‘Virginia’ and ‘You’re the One.’ Estimations taken for the week, indicating that it is a slow one.

Western Union (20th-Fox)

Six Lessons from Madame LaZonga

Adams—(1,000) (25c-39c-44c-55c) 7 days. Gross: $5,080. (Average, $712.)

Santa Fe Trail (W. B.)

Fisher—(2,700) (39c-44c-55c) 7 days. Gross: $5,575. (Average, $796.)

Adam Had Four Sons (Col.)

Finger—(5,000) (25c-44c-55c) 7 days. Gross: $1,500. (Average, $214.)

Virginia (Para)

‘You’re the One’ (Param) by F. M.”

Michigan—(4,000) (19c-39c-55c-65c) 7 days. Gross: $3,100. (Average, $443.)

Kitty Foyle (RKO)

Palm—(3,000) (20c-39c-44c-55c) 7 days. Gross: $5,500. (Average, $786.)

Gamex—(2,000) (20c-39c-44c-55c) 7 days. Gross: $3,100. (Average, $443.)

Fantasia (Disney)

Wilson—(1,400) (75c-1.00-1.60-2.68) Gross: $1,900. (Average, $1,357.)

6,000 Houses Will Help Greek Drive

More than 6,000 theatres throughout the country will participate in the Greek War Relief Drive, Adolf Z. Gross, manager of the Amusement Industries Division, stated over the weekend. The theatre drive will be from March 14 to 22.

Approximately 500 theatres will hold midnight benefit shows, including more than 50 theatres in greater New York. Theatres now are being serviced with prebookson and accessories, and 5,000,000 buttons have been distributed. National Screen Service is distributing 175 footers, produced by M-G-M, with Melynous Douglas as commentator.

Brooklyn Unit Must Use 306 Operators

N. Y. Supreme Court Justice Aaron J. Leffler, on Friday, performed an award directing People’s Cinema Inc., owners of the People’s Cinema in Brooklyn, to reinstate Local 306 projectionists and reinstating the defendants from employing others. The order also affects the I.T.O.A., under the basic contract of that organization with the locals.

People’s Cinema had claimed that it was not bound by the contract since the I.T.O.A. member after the contract was signed.

Kent Drive Final

Standing Issued

Final standings in the S. K. Kent drive at 20th Century-Fox were disclosed over the weekend. The Washington branch of the S. K. Kent, under the management of Thomas Keller, is the leading branch of the S. K. Kent.

The Washington branch also led in the short subjects division. Prizes to winning exchanges and to the per cent of one week’s salary to three weeks’ extra salary for employers.
IN PERFECT AGREEMENT

EASTMAN negative films—each in its special field—work in perfect agreement with director and cameraman to capture completely the beauty of every scene.

Eastman Kodak Company, Rochester, N.Y.

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

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
Play Buys for Pictures; 9 Already Sold

A matter of prestige also to obtain the successful and most talked-of plays. Thus the competition for plays and musicals has grown keen.

Several of the film companies, notably Paramount, M-G-M and Warner Bros., have sought for the present crop of shows, in order to have an inside angle on the production.

The sort of association also provides the companies with closer contact for new talent possibilities.

Besides the plays already sold for films, such as those for "Mr. and Mrs. North," "The Corn Is Green" and "Flight to the West" are also reported under Hollywood consideration. Notable exceptions in this respect are the Ed Wynn show, "Boys and Girls Together," and the recent Al Jolson show, "Hold on to Your Hats," neither of which have been mentioned in studio reports thus far. The Jong show should prove a definite pull because of the star's illness, and is now reported as reopening soon on the road.

Other holders of "Life With Father," are said to have refused all film offers made to date.

The list of shows already sold to film companies has been increased by a new union, Employes of Inde-

tendent Theatres, claiming A. F. L. support. The I. A. T. S. E. several years ago organized a "B" local among the employees owning theaters, and included assistant managers.

Several attempts have been made in the past by the I. A. L. to bring into the independent circuits, but with no success. The "B" local, currently negotiating for a new contract with the Warners, which expired Jan. 1, asked I. A. L. support to secure a minimum of $45 weekly wage for the employees, of the Warners, who, it was claimed, were getting 35 cent per increase for ushers.

Warners to Show Shorts

HOLLYWOOD, March 9.—Warners will hold weekly showings of shorts in key cities for film critics and exhibitors. Under the Federal consent decree, trade showings of shorts and features is compulsory.

Seattle Finds Blackout Big Show; 9 Sliced

(Continued from page 1)

prevailed in all areas. While the theater performances continued as usual, and the public was advised to this effect for several days in advance by the newspapers and by radio, all extinction were entirely dark. Most managers reported that early patronage was normal but fell slightly, perhaps by 20 per cent, indicating that patrons attended only if they could be out of the theater and on the streets during the blackout.

Suburban theatre business also decreased, with the general consensus that the managers didn't want to be on the streets or at home listening to radio broadcasts of the blackout, rather than in theaters.

Residents of the city accorded the authorities complete cooperation in this major test and hundreds of volunteer workers assisted in organizing and patrolling. The general effect of the blackout was that this city of 400,000 was virtually in a state of a weird catastrophe that extinguished all lights, stopped all activity and silenced every noise except hushed whispering in the streets.

Army and Navy authorities pronounced the test exceptionally satisfactory, with the cooperation of the large radio stations especially helpful prior to and during the actual blackout.

Navy,' Pat O'Brien

$11,200, Milwaukee

MILWAUKEE, March 9.—A stage show head by Pat O'Brien and the Merry Mac, together with the film, "Here Comes the Navy," took $11,200 at the Riverside. "Andy Hardy's Pri-

vate Secretary" and "Land of Liberty" were also played at the Fox in Wisconsin.

Estimated takings for the week end-
ing March 4-6:

"The Green Pastures," (Para.) $3,000;

"Life With Father," (Para.) $2,700;

"The Devil Commands," (Col.) $2,400.

Wis. Senate Passes Daylight Saving Bill

MARBON, March 9.—The State Sen-

ate by a 14 to 13 vote has approved reconsideration of the Murray daylight saving measure, which was defeated last year before a 16 to 13 vote. Exempted have strongly opposed the measure.

Dietrich in Col. Film

HOLLYWOOD, March 9.—Marlene Dietrich has been signed by Columbia to star in "Miss Madden Is Willing," which is scheduled to start in June with Richard Leisen as producer-director.

Del. Grants Sunday Films

Local Option

(Continued from page 1)
dancing, racing, auctions and theatricals.

The bill, introduced by Rep. R.'Ro'Hi, Jr., Republican leader, passed the house 18 to 16, and will again go into the hands of Gov. Walter W. Bacon for his signature.

The bill gives incorporated companies the power to regulate their own Sabbath observances between noon and 6 P. M., and from 8 P. M. to 9 A.M.

Under it, it would be unlawful for any person in any incorporated city or town to attend a film show, for instance, between noon and between 6 and 8 o'clock Sunday night.

Attorney General James R. Morrison characterized the bill as "widely more liberal" than the Richard Sunday local option bill it replaced.

Court Rules News

On Sunday 'Necessity'

WILMINGTON, Del., March 9—A court rules news that the Delaware Attorney General, Manager Gorman Walsh and program director Harvey Smith of Wilmington radio stations, WDEL and WILM, will not be allowed to broadcast Sunday shows while broadcasting sermons in Wilmington churches, was dismissed by Judge Henry Isaacs in Municipal Court.

The court held serving of news by either newspaper or radio is a necessity.

Fully 75 per cent of Wilmington residents have radio sets which have become a vital part of their every-day life.

Prosecutor William Poole maintained that when both were arrested the action was operating intermediate and the programs aired at the time were disseminated within state boundaries, but defense counsel Albert V. Ingersoll said the stations operate under a Federal license and any effort of control by local statute would be construed as an interference with interstate commerce.

'Nice Girl? Garners $6,000 in New Haven

NEW HAVEN, March 9.—"Nice Girl?" and "Romance of the Rio Grande" at the Roger Sherman took $6,000. Otherwise the holderweek of "Andy Hardy's Private Secretary" and "Lone Wolf Keeps a Date" was the only over-average bill, taking $3,200 at the College.

Estimated takings for the week end-
ing March 4-6:

"Andy Hardy's Private Secretary," (Col.) $3,000;

"Lone Wolf Keeps a Date," (Col.) $2,800;

"The Son of Monte Cristo," (U.A.) $2,700.

Estimated for the following week:

"Blackout" (U.A.) $3,000;

"Romance of the Rio Grande" (20th-Fox) $3,500.

Reading Ordinance

Reading, Pa., March 9.—A new ordinance regulating air-conditioning in theatres and buildings using water from artesian wells instead of city water is being prepared by local auditors.

An attempt covering the situation, passed in 1939, was never put into effect.

Plan Reading Ordinance

Reading, Pa., March 9.—A new ordnance regulating air-conditioning in theatres and buildings using water from artesian wells instead of city water is being prepared by local auditors. An attempt covering the situation, passed in 1939, was never put into effect.

Ga. House Group Approves Block Bill

(Continued from page 1)

organization, Clarence Holten has been retained.

This action followed the charges of unconstitutionality leveled at the bill by David Shearer, attorney repre-

senting four, four counties, to the New York case consent decree, 20th-Century-Fox, RKO, Loew's and Warner Bros. Shearer made his charges before the committee late last week.

Fred Strom, Northwest Allied secre-

tary, and Holten will appear before the Minnesota Senate committee on the bill at a hearing Wednesday.

The bill seeks to set aside the selling provisions of the consent decree entered into in New York.

First Minneapolis

Complaint Is Filed

First arbitration demand to be filed by film exchanges which has been reported by the local board to the American Arbitration Association in Minneapolis. The complaint is the White Bear Theatre at White Bear Lake, Minn., which asks some "run" of Loew's, Warner Bros. and Century Fox.

The State Theatre in the same town is named as having the sole run on the local district.

The complaint reported late last week as the second to be filed with the Dallas board was identified as dismissing the suit and only complaint on file there. A revised complaint was ordered when errors were discovered in the first form.

The complaint is that of Joseph's Drive-In at Austin, Tex., asking "some run" of Loew's and 20th-Century Fox and naming the Underwood, Interstate and Exzel theatres in Dallas.

Baltimore Gives

'Nice Girl?' $15,000

Baltimore, March 9.—"Nice Girl?" drew $15,000 to Keith's while "The Son of Monte Cristo" barely made the average at the Century.

Estimated takings for the week end-
ing March 6:

CENTURY—(U.A.) 75 cents $1,100; (Para.) $.80, $900

KEITHS—(2,400) (15c-25c-35c-45c-55c) 7 days $4,500; (Average, $700)

"Western Union" (20th-Fox) (2,300) (15c-25c-35c-45c-55c) 7 days $2,400; (Average, $340)

STANLEY—(2,400) (15c-25c-35c-45c-55c) 7 days; 2nd week; Gross $1,500; (Average, $350)

"Life With Father," (Para.) $1,250; (Col.) $2,500

Warners to Show Shorts

HOLLYWOOD, March 9.—Warners will hold weekly showings of shorts in key cities for film critics and exhibitors. Under the Federal consent decree, trade showings of shorts and features is compulsory.
Chances Good for ‘Go on Television’

(Continued from page 1)

lands of varying width ranging from 20 megacycles to 2½. At the Allen B. DuMont laboratories the demonstration consisted of a television film at varying lines and frame frequencies.

Although industry executives antic

ate that there may be some delay use of defense orders in supplying transmitters to news stations if commercialization is granted, the supply of receivers will meet the demand, it was said. No difficulties will arise from the aluminum shortage, it was pointed out, as 95% of aluminum is used in television receivers and there are substitutes available if no aluminum can be obtained.

Seek Permission to Move Transmitters

WASHINGTON, March 9.—Applic

atious have been filed with the Federal Communications Commission by Stations WWRL, Woodside, N. Y., for change of frequency from 1,520 to 1,430; WWJ, Detroit, Mich., for change of frequency from 1,520 to 1,430; WOR, New York, for change of frequency from 1,370 to 1,250; WINS, New York, for change of frequency from 1,250 to 1,240; WQEX, Philadelphia, Pa., for change of frequency from 1,370 to 1,250; WASS, Philadelphia, Pa., for change of frequency from 1,370 to 1,260; WDAE, Tampa, Fla.; WRGB, Albany, N. Y.; WOR, Newark, N. J.; WOR, Boston, Mass.; WOR, Providence, R. I.; WOR, Worcester, Mass.; WOR, Providence, R. I.; WOR, Baltimore, Md.; WOR, Washington, D. C.; WOR, New York, for change of frequency from 1,420 to 1,430; WOR, New York, for change of frequency from 1,420 to 1,430; WOR, New York, for change of frequency from 1,420 to 1,430; WOR, New York, for change of frequency from 1,420 to 1,430; WOR, New York, for change of frequency from 1,420 to 1,430.

Extend Licenses On Games in Ohio

COLUMBUS, O., March 9.—Aside from churches and charitable institutions, which are tax exempt, all Ohio institutions where chance games are played are required to take out amusement license, and, like theatres, must pay the State a three per cent tax based on gross receipts, which is comparable to the three per cent retail sales tax which the public pays in other lines, it was learned from William F. Evatt, State Tax Commission.

‘Dictator’ Set in Toronto

TORONTO, March 9.—Loew's Theatres here will play the long-delayed engagement of “The Great Dictator” at regular prices subsequent to the national release of the Chaplin picture and following the current run of “The Philadelphia Story.” This will be the Toronto first run, Loew's having declined to book the picture during the six months that it was being presented as a special attraction at advanced prices.

Charter 3 Companies


Off the Antenna

FIFTEEN consuls, representing many Latin American countries, will be heard in a broad will broadcast to Latin America over the short wave station of WCAI, Philadelphia, in a trip arranged by 20th Century-Fox. The talks will take place following an advance screening of “That Night in Rio,” 20th Century-Fox film, being arranged in Philadelphia, which the consuls will attend.

Purely Personal: Edward P. Ehrich, manager of syndicated programs for the NBC radio recording division, has been married to Edith E. Barnes, . . . Elinor Rau, former director of special presentations at WMAA, has joined U. S. Magic, Inc.

The William and Betty Agency on the Coast announced over the weekend that Louella O. Parsons, film columnist, has signed for a Lifebuoy Soap contract for a trip around the South Pacific, from 7 to 16 March, 1941. The show will be known as “Louella Parsons Presents,” and players will enact tableau versions of their films before and during release.

WHOM has reshuffled its all-night program, with George McCoy re

placing “Hogan” as Frank Legg's partner.

Program News: Dr. Miles Laboratories has renewed for an additional seven weeks, effective today, its sponsorship of the five-minute news period on WABC, Mondays through Fridays at 5:55 P.M.; and at 11 A.M. Saturdays, . . . Estherbrook Steel Pen has renewed for the remainder of the Metropolitan Opera on NBC’s sponsorship of the Spanish intermission commentary over NBC short wave. Texaco sponsors the operas.

Deems Taylor will be permanent understudy to Clifton Fadiman as quizmaster on “Information, Please,” it has been decided following Tai

lor’s recent appearance on the program when Fadiman was ill. Fadiman has missed only three broadcasts since the quiz show has been on the air.

Warner Club Ball

Attended By 1,500

Jack L. Warner, vice-president in charge of Warner production, headed the list of executives who attended the 12th annual Warner Club dinner and Ball in the grand ballroom of the Waldorf-Astoria Hotel Saturday evening. About 1,500 attended. Music was provided by the orchestra of Jack Teagarden, Raymond Scott and Ramon's Cuban Caballeros. The entertainment committee was headed by A. W. Schwalberg and Harry Mayer.

Ray MacDonald on Contract with M-G-M

M-G-M has signed 19-year-old Ray MacDonald to a contract and has assigned him a role in “Riders of the Broadways,” which will star Mickey Rooney and Judy Garland. He is a son of William MacDonald, publicity manager of Quigley Publications.

Bausch & Lomb Profit

Bausch & Lomb Optical Co. over the weekend reported consolidated net profit for the year ended Dec. 31 last of $1,675,795, leaving a surplus of $3,41 per share for the common stock after preferred dividends. This compares with net of $1,387,356, or $2.97 a share on a smaller amount of com

mon stock the year before.

RCA Votes Dividends

Dividends of 87½ cents a share on the first preferred stock and $1.25 on the “B” preferred were declared by the RCA board of directors on Friday for the quarter ending March 31, to be paid April 1 to stockholders of record March 14.

Miller, ‘LaZonga’ $17,500, Cincinnati

CINCINNATI, March 9.—Glen Miller and a stage show plus “Six Lessons from Madame LaZonga” on the screen, took $17,500 at the RKO Shubert, and “Nice Girl!” was good for $12,000 at the RKO Palace.

Estimated takings for the week ending March 5-8:

“Ends Our Night” (U. A.)

RKO ALBERT — 16.000 (33c-40c-50c) 7 days. Gross: $9,000. (Average, $1,286) “Nice Girl” (Univ.)

RKO PALACE — 1,700 (33c-40c-50c) 7 days. Gross: $12,000. (Average, $1,600) “Six Lessons from Madame La Zonga” (Univ.)

RKO SHUBERT — 2,150 (33c-40c-50c) 7 days. Stage: Glen Miller and acts. Gross: $8,500. (Average, $1,136) "Virginia" (Para.)

RKO CAPITOL — 2,000 (33c-40c-50c) 7 days. 2nd week. Gross: $4,300. (Average, $614) "You're the One" (Para.)

RKO GRAND — 1,675 (33c-40c-50c) 7 days. Gross: $4,000. (Average, $571) "Western Union" (RKO-Fox)

RKO LYRIC — 1,400 (28c-34c-42c) 7 days. 3rd week. Gross: $3,200. (Average, $457) “Rolin' on a Rainbow” (Rep.

Secret Evidence” (F. R. C. Co.)

RKO FAMILY — 1,200 (35c-50c) 4 days. Gross: $1,200. (Average, $300) "The Saint in Palm Springs” (RKO)

"The Face Behind the Mask” (Col.)

RKO FAMILY — 1,100 (35c-50c) 3 days. Gross: $900. (Average, $300) "Strawberry Blonde” (W. B.)

KEITH'S — 1,500 (34c-40c-50c) 7 days. 2nd week. Gross: $5,400. (Average, $581) Hyman on Tour

Louis Hyman, general sales manager for Ernst Lubitsch-Sol Lesser Productions, left here over the week-end for a 10-day tour through the Midwest in connection with the United Artists release, “That Uncertain Feel-

ing.”

A MAP TRAYED

"But now the party's over... and the guest is leaving!"

"Do I remove myself... or will the coroner do it for me? I just want to be up on your etiquette."

JOHN WAYNE—FRANCES DEE

EDWARD ELLIS

WALLACE FORD—WARD BOND—ARLAD HUBER

GRANACH—JOHN H. AIEST—BRODER
HAL ROACH INVITES EVERY EXHIBITOR TO SEE ONE OF THE SMASH COMEDIES OF RECENT YEARS!

in New York...

TOMORROW IS THE DAY! (TUES. MARCH 11th)
ASTOR THEATRE THE PLACE!
11:15 A.M. THE HOUR! COME EARLY!
THE DEMAND FOR SEATS IS TERRIFIC!

RELEASED THRU UNITED ARTISTS
Decency Unit Favors Minn. Legislation—Cancellation Is Desirable, House Committee Told

By ROBERT F. MURPHY

MINNEAPOLIS, March 10.—The Catholic Legion of Decency today entered the fight for Northwest Al- lied’s anti-blocks-of-five bill before the Minnesota Legislature as the House Judiciary Committee set final hearing on the bill for Wednesday. The bill would set aside sales pro- visions of the Federal consent de- cree in favor of block booking with a 20 per cent cancellation.

Helen Lynch of Minneapolis, representing the Legion of De- cency, said the organization favors the bill because of its

(Continued on page 6)

Big 5 Dismissal in Schine Case Monday

BUFFALO, March 10.—The Big 5, parties to the Federal consent decree in the New York anti-trust suit, are scheduled to be dismissed as defend- ants in the Government anti-trust suit against the Schine Circuit in Federal Court here next Monday.

A hearing scheduled for today be- fore Federal Judge John Knight was postponed for one week at the request of U. S. Attorney George L. Grobe, who will offer the motion for dis- missal of the consenting companies at that time.

The dismissal action, authorized by Herbert Borkland, and Seymour Poses, special assistants to the U. S. Attorney General, will leave the Schine Circuit, Columbia, United Artists and Universal as defendants. Those scheduled to be eliminated are

(Continued on page 6)

N. Y. Chain Tax Bill Excludes Theatres

ALBANY, March 10.—Assemblyman Louis Bennett of the Bronx told Montrose Picture Daily today that he would amend his chain store tax bill to exclude the definition of theatres in the measure’s enabling clause.

“My bill has never been intended to apply to theatres, although I have had fluttering support from independent exhibitors, expressed by them in let- ters to me,” Bennett said.

Diamond Jubilee

Scarsdale, March 10

THE Ballishead Theatre, independent in North Scarsdale, has had a long period of contention with labor unions. The other day it observed an unusual anni- versary and its marquee fea- tured the following announce- ment: “Diamond Jubilee . . . 75 Weeks of Picketing.”

Changing of Title

Poses New Problem

Trade experts were busy yesterday trying to figure out the implications of a brand new problem arising out of the exhibition at the Central Thea- tre, Broadway, of the French film currently titled, “The Virgin Bride.”

The production which carries the marquee billing, “The Virgin Bride,” was examined by the Production Code Administration under the title, “Mille. Ma Mere,” and after certain altera- tions were agreed to by the distribu- tor was awarded a code seal. Subse- quently the picture appeared in local exhibition under the new title, a title which was not passed upon and not approved.

Responsibility for the change is dis- claimed by the distributor. J. H.

(Continued on page 6)

Fly Foresees Television Standards in Near Future

WASHINGTON, March 10.—James L. F. Fly, chairman of the FCC, said today that he felt it may be possible to adopt standards and give television the “green light” for commercializa- tion in the near future. Fly refused to elaborate and emphasized that he did not wish to conjure up the attitude which will be taken at the FCC hearing set for March 20.

MOTION PICTURE DAILY reported yesterday that chances were “good” for a go-ahead signal according to sentiment ex- pressed by radio officials in New York.

Fly said that the demonstrations given for FCC officials last week in Philadelphia and New York indicated conclusively that the most important problems are nearing solution. Com- mission officials, he said, were enthusi- astic over the “significant” develop- ments which they saw last week.

Kuykendall, Richey Speak at Iowa Meet

Des Moines, March 10.—Ed Kuy- kendall, president of the M.P.T.O.A, and H. J. Richey, assistant to William F. Rodgers, M-G-M general sales manager, were principal speakers at the annual convention of the I.T.O. of Iowa and Nebraska which opened at the Hotel Savery here today.

The meeting opened with a lunch- club of 152 persons present, including Central States and Tri-States cir- cuit officials. Exchange managers, salesmen and hookers were guests. Leo F. Wolcott, president, was in charge of the session.

Kuykendall deplored public indif- ference to increasing government control of private industry. He urged exhibitors to give thought to building well balanced programs and to help each other, as, he said, they are

(Continued on page 6)

Storm Cuts Grosses

More Than Strike; ‘Eve,’ ‘Rio’ Strong

New York City is in the throes of a bus strike involving the Fifth Ave- nue Bus Co. and its associate, the New York Omnibus Corp., which operate 95 per cent of the bus lines in Manhattan. The strike started at dawn yesterday on the heels of the worst snowstorm the city has experienced in six years and which sliced grievously into Broadway weekend grosses and neighborhood trade.

With the blizzard having subsided yesterday, although many of the city’s thoroughfares were still partly im- passible, the boxoffice brought a normal estimate of 900,000 passen- gers daily, was reported by Broadway managers as having little or no effect on the day’s grosses. The weather caused more harm than the strike.

“The Lady Eve,” with Tony Pas- tore’s band on the stage and Bob Weitman’s cabaret, the Paramount, a good $21,000 over the weekend on its second week, despite the blizzard. The new musical, “That Night in Rio,” at the Roxy which also harbors a stage presentation, is reported as having garnered a similar amount, about $21,000, until yesterday morning. At the Strand, where “Strawberry Blonde,” is on its third week, plus Raymond Scott’s band on the stage, the figure

(Continued on page 6)

Goldwyn-U.A. Deal on Stock Finally Closed

Board Action Due Today

On $300,000 Transaction

By SAM SHAIN

Samuel Goldwyn has at last disposed of his one-fifth share in United Artists to the company, and becomes a wholly free ac- count, with leave to pro- duce for whomsoever he may choose, under terms of a set- tlement finally reached, it was reported in high circles of the trade yester- day, after negotiations had been brok- en off more than once in the past two or three weeks. Goldwyn, so authorities assert, will receive

(Continued on page 6)

Two Arbitration

Hearings This Week

Hearings on arbitration complaints will be held in Boston on Friday and in Chicago, Saturday, American Arbi- tration Association headquarters here was advised yesterday.

The Boston hearing is expected to be the first to go before an arbitrator for a decision under the Federal con- sent decree, and the Chicago case, the second. The only other case set for hearing is at Washington on March 25.

The fifth arbitration demand for the New York local board was filed here yesterday. The complaint was brought by the River Theatre Corp. operator of the Central at Pearl River, N. Y., and names all five consenting companies. It asserts that the Pas-

(Continued on page 6)

In Today’s Issue

U. S. may intervene to start Asbestos-works negotiations on new contract—Page 9.

Reviews of “Mr. Dynamite” and “The Penalty”—Page 5.
Coast Flashes

Hollywood, March 10—David O. Selznick today announced that he had signed W. Somerset Maugham, novelist, to write an original screenplay based on an idea by Selznick.

Mark Helliger, Warner producer, and the studio over the weekend settled his contract, and Helliger will leave the lot at the end of the week.

Edward Gross, formerly an associate producer with David Loew and Sol Lesser, today announced the purchase of screen rights to "The Lone Ranger" radio series and plans four features for Columbia release.

S. Barret McCormick, RKO director of advertising and publicity, arrived here two weeks ago with George J. Schaefer, president, and studio officials.

John Wayne was set today by Cecil B. DeMille to star in "Reap the Wild Wind" for Paramount.

Consolidated Deal Closing This Week

Formal closing of the deal by which Julius Jocelson will take over the 21 Consolidated Amusement companies in Manhattan and the Bronx is scheduled for Wednesday or Thursday of this week. The deal is with Laurence S. Bolognino, head of Consolidated. Jocelson, former New York and Manhattan circuitounder, yesterday confirmed that Julius Klein, head booker for the Cocolis circuit here, will have the same post for Consolidated under the new management. He will succeed Al Suchman. Jocelson, whose New England houses were disposed of to Mollin & Barbaro some time ago, plans to establish his headquarters at the Bryant Theatre, but buying and booking offices for the circuit will remain 1500 Broadway.

British Net $25,000
From Dallas Affair

DALLAS, March 10—Approximately $25,000 was netted for the British Relief Fund here over the weekend, at a press-cocktail entertainment Canady and a banquet attended by several Hollywood stars.

The premiere was held at the Auditorium, with the 3,000 seats filled and many turned away. The gross was estimated at $30,000, with expenses figured at about $5,000. The affair was sponsored by local newspapers and the Interstate Circuit, with R. J. O'Donnell, circuit executive in charge.

Baltimore Considers
Soldiers' Price Cut

Baltimore, March 10.—Local exhibitors are considering a request that lower defended soldiers from nearby army posts. The request was made by the members of the Committee on Social Agencies and Defense which is taking a leading part in the move for increased entertainment facilities for the men.

Warners Improve
Phila. Area Houses

PHILADELPHIA, March 10.—Warner Theatres are modernizing and renovating five houses in this territory. Alterations are being made for the Virginia, Atlantic City, Capitol and Strand, York, Pa., Harrogate, Philadelphia, and Victoria, Reading, Pa., which will be renamed the New Warner Theatre, and will be completed in time for Easter. In addition, a rebuilding program was announced by two independent operators here, Sidney A. and I. Edward Kapner for their Uupal, and R. Hexter for the Breeze Theatre.

New Orleans Tax
Again Is in Effect

NEW ORLEANS, March 10.—The two per cent sales tax in this city is again, at least for a time, as the State Supreme Court has suspended the injunction against collection of the tax until its constitutionality is decided. The tax affects rentals of films.

Personal Mention

Jack L. Warner, vice-president in charge of Warner production, arrives on the Coast today after two weeks at the home office.

Barney Balaban, president of Paramount, is due tomorrow from Florida.

T. C. Connors, Eastern sales agent and Consolidated's five major M-G-M, returned yesterday from Florida.

Ike Isley, RKO theatre manager in Cincinnati, is in Florida.

A. G. Constant head of Interstate Theatres, Inc., Steubenville, O., is spending two months in California with Mrs. Constant.

Archibald Silverman, owner of the Strand in Providence, and Edward L. Reed, manager, sailed last weekend on a two-week cruise to Havana.

Theodore Rosenblatt, manager of Community Theatres, Centerdale, R. I., who was recently named president of Continental Providence, R. I., Chamber of Commerce.

Earl N. Manerick, Jr., Carlisle, Pa., exhibitor, and Betty Roth were married recently.

Nat Harris, Paramount studio salesman in Philadelphia, has returned to the home office.

Lester H. Wurtzle, Columbia office manager in Philadelphia, has left for Florida.


Vincent Hart, formerly associated with the MPFDA, has been named a captain attached to the Adjutant General's Department of the New York Guard.

Screeno Outlawed
By Chicago Police

CHICAGO, March 10.—"Screeno," which a short time ago was reinstated in a number of independent theatres here, ended abruptly Saturday when police officers visited the various theatres and told the exhibitors that the game was a violation of the law and would have to cease at once. The exhibitors immediately complied with the order, and the game is not being played in any Chicago theatre.

Associates Decide
To Open Quarters

Motion Picture Associates soon will open permanent quarters at the Hotel Langham. The deal was decided at a meeting Saturday at the Hotel Langham. The session was the first conducted by the organization's new president, Joseph Schenck, attended by more than 70 members. Lee announced that Jack Eills, former president and now a board member, will be in charge of all entertainment activities.

Obituaries

Canadian Pioneer

OTTAWA, March 10.—B. F. Stapleton, 67, president of the Centre Amusement Co., and a motion picture pioneer in Canada, died yesterday at his home here. Stapleton was one of the organizers of First National Pictures in eastern Canada.

Circuit Head's Kin

CLINTON, La., March 10.—Betty Mae Hester, 17, died yesterday at Joyn House, owner of a circuit of theatres in the South, was burned to death when she stepped too close to a gas heater and her clothes ignited.

William Otterbein

NORTH BERGEN, N. J., March 10.—William Otterbein, 61, head of the American Stage Equipment Co., New York, died of a cerebral hemorrhage yesterday at his home here. For 20 years he was vice-president of the Peter Clark Co., which supplied stage and many other establishments. He formed his own company three years ago.

Projectionist Dies

ATLANTIC CITY, March 10—Funeral services today for Robert L. Wentzell, 41, for many years projectionist at Warners' Virginia here. He died after a six-weeks' illness. His wife, father, sister and two brothers survive.

Smith in Atlanta for
Depinet Drive Meet

ATLANTA, March 10.—A. W. Smith, Jr., sales manager of RKO, will attend a meeting at the local exchange tomorrow with other sales executives, and will visit several other offices in conjunction with the Red Depinet Drive.

Attending the session tomorrow will be Leo Devaney, drive captain; Harry Michelson, short subject sales manager, and David Prince, southeastern district manager. Robert Mochtrie, Eastern States manager, has returned to New York, after accompanying the other executives who left New York Feb. 25.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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"ZIEGFELD GIRL" by Gilbert Bundy, one of the celebrated artists' series in M-G-M's national competition to capture the spirit of the Ziegfeld Girl of 1941. Among other famed artists who have contributed are John La Gatta, McClelland Barclay, Neysa McMein and Albert Varga.
"Daddy, do you remember 'The Ziegfeld Follies?'" said Little Cub, looking up at us with large leonine eyes.

And, reaching back into the haunted wings of the New Amsterdam Theatre, we were launched on the bedtime story of those nights of stars provided by the memorable Flo.

Soon we worked our way to the chapter wherein M-G-M immortalized "The Great Ziegfeld", and we drifted naturally into the glamour story of 1941:

THE ZIEGFELD GIRL

For many moons Robert Z. Leonard, the director, and Pandro Berman, the producer, have been studying the stars in a cluster designed to give the Aurora Borealis second billing.

As Tony Martin softly sings "You Stepped Out of A Dream", which is Public Melody No. 1, you will step into a dream of glorified girls—of Hedy Lamarr and Lana Turner.

Romance, in a beaming web, is spun around the personal problems of a guy played by James Stewart, the last three letters of whose name typify his work. Give up?

And Judy Garland! Words fail us.

Lush, plush and splendiferous, this Eyeful Tower gives us a hall of fame for a cast.

For in addition to Garland, Stewart, Lamarr, Turner and Martin, there are (to name but a few) Jackie Cooper, Ian Hunter, Charlie Winninger, Edward Everett Horton, Philip Dorn, Felix Bressart, Eve Arden, Rose Hobart, Al Shean, Dan Dailey Jr., Paul Kelly, Mae Busch, Fay Holden, Ed McNamara and Girls, Girls, Girls, Girls, Girls, Girls.

Settings by Gibbons, Gowns by Adrian.

Magnificent! Glamorous! Mighty!

THE ZIEGFELD GIRL

Glorifying the American lion.

Pass Chaplin Film in Ecuador, Costa Rica

Despite objections by the German and Italian legal authorities, the Costa Rican government decided to permit the exhibition of "The Great Dictator" in that country. It was learned here yesterday.

Reports from San Jose indicate that the government of Costa Rica was taking a more liberal view, since its predecessor had refused to permit showing of films to which the legalations of the totalitarian countries objected.

Providence Police
Restricting Games

Providence, March 10.—In an effort to end games run for commercial purposes under the guise of charity, the police have put into effect a new set of rules governing the chance games. Hereafter, under the state law passed three years ago, games may be run only by bona fide charitable organizations, and the games must be conducted in the quarters of the organization.

Enforcing stricter supervision of games, the police today denied licenses for the operation of games to four groups, including a post of the Veterans of Foreign Wars, an auxiliary of that organization, the Columbus Club and the Providence Fraternal Association.

Methodists Fight
Legalizing Games

Allentown, Pa., March 10.—The Philadelphia Methodist Conference, meeting here, threw its support behind other church and dry forces throughout the state in the battle against sale of liquor before the legislature that would legalize horse racing, slot machines, theatre chance games and other forms of socalled gambling. The conference also endorsed measures against an "open Sunday," to increase the penalty for the violation of the 1794 Blue Laws and the act prohibiting children under 15 from attending films on Sunday unless accompanied by parents.

Ohio Censor Makes
39 Cuts in February

Columbus, O., March 10.—The Ohio censors reviewed a total of 438 reels in February, and 59 of those were disapproved. The state total is 13% higher than last year's February figures and 5% lower than it was in February, 1938.

In connection with a bill recently introduced in the Ohio legislature to eliminate the board of censors, it was revealed that there have been only three eliminations from newsreels in the past two years. Fee for censorship is $3 per reel.

Buys Theatre in Iowa

Ogden, Ia., March 10.—Victor Mans, operator of the Ogden Theatre, has bought the Grand at Grand Junction, Ia.

Feature Reviews

"Mr. Dynamite"
(Universal)

Hollywood, March 10

This little number starring Lloyd Nolan as a baseball pitcher involved in a murder mystery and Irene Hervey as a Canadian agent on the trail of saboteurs responsible for damage to munitions plants in the United States conforms to all the rules of the school it represents except plausibility. Possibly the writer put too many mea- sure of the sun total of thrills piled up in the series of escapes, pursuits, murder attempts and so on which, coming close together and without a great deal of humor to counterbalance them, are in themselves well done.

Scene of the affair is principally, New York's "Street of Bagdad," a place of privilege, the murder at the start of the picture occurring during a vintilolivagist's pitch. In the same should occur the finale, including another murder, and the capture of the leaders in the plot to destroy American munitions works. Between these incidents many shots are fired, none taking effect, and much deducting is done by the hero and heroine.

In addition to Nolan and Miss Hervey the cast offers Ann Gillis in an effective portrayal of an adolescent, J. Carrol Naish, Robert Armstrong, Frank Gabby, Elizabeth Risdon, Shemp Howard and, in a bit, Cliff Nazarro. Marshall Grand produced, John Rawlins directing.

Running time, 63 minutes. "G."

Roscoe Williams

"The Penalty"
(M-G-M)

This is exciting gangster fare with gun play in every reel. Several bank robberies and manhuntst by the Federal Bureau of Investigation enliven the plot and the addition of such names as Edward Arnold, Lionel Barrymore, Marsha Hunt, Robert Sterling and Gene Reynolds make it a better than average program picture.

Arnold is cast in the role of "Stuff" Nelson, a notorious bank bandit, whose principal interests are his son (Reynolds) and a blonde friend (Veda Ann Borg). After each robbery, the F.B.I. net tightens around the fugitive but Gene is deeply devoted to his father. Finally, young Gene is seized by the police and sent to a farm in an effort to trap the bandit.

Here Barrymore, Sterling and Miss Hunt assume charge of the lad to teach him that his father's way of life is not the best. The boy remains unconvinced until the end, when Arnold returns to help Gene escape from the farm. Seeing his father shot down Barrymore in cold blood turns him against his parent. Arnold, disguised, decides that the boy has "gone straight." As he leaves, he is shot down in a hail of machine gun bullets.

Harold S. Bucquet directed and Jack Chertok produced.

Running time, 81 minutes. "G."

Edward Greif

*G* denotes general classification.

Buys Philadelphia House
Lebanon, Pa., March 10.—The Samler Building, housing the Capitol, was purchased by Joseph Kiley, prominent Philadelphian, for $75,000. The house is operated by the Comerford Circuit on a lease that runs to July 15, 1943.

Form Yiddish Film Firm
SACRAMENTO, Cal., March 10.—Articles of incorporation have been filed here for the Hollywood Yiddish Film Corp. Directors are Nathan Hale, S. N. West, Robert D. Katz and Jean Ruth Katz, all of Los Angeles.

Read Trade Papers to Keep ABJECT
Of Arbitration, MPTO Bulletin Urges

Exhibitors are urged to make full use of the trade papers in keeping abreast of the filing of arbitration complaints under the consent decree, and the subsequent disposition of the cases, in a recent bulletin to members from Ed Kuykendall, president of the MPTO-A.

More responsible trade papers are now starting a very important service in reporting in detail the complaints filed for arbitration and the progress of each complaint," the bulletin says. "They are in a position to supply this information promptly and accurately to any and all exhibitors interested in the arbitration development."

The bulletin continues: "Through these trade paper reports you will know just how it (arbitration) operates ... and what you yourself can expect from the arbitration system."

43 Pictures
In Work as
Eight Finish

Hollywood, March 10.—Forty-three pictures were before the cameras this week, as nine were started and eight finished. Seventeen were being prepared, and 68 were being edited.

The tally by studios:

Columbia


Paramount


Of 7 New Pictures

Of seven new pictures reviewed by the National Legion of Decency this week, four were approved, two for general patronage and two for adults, two others were classed as objectionable in part. The new films and their classifications follow:

Goldwyn-U.A. Deal on Stock Finally Closed

(Continued from page 1)

$300,000 cash for his stock and with this settlement all of his obligations under a releasing arrangement with the company will have been completely liquidated.

An announcement of the settlement was expected to be forthcoming today as there is a meeting of the U. A. board scheduled at the home offices, and the belief in the trade is that the directors will act on the settlement at that time.

One of the obstacles which was overcome in reaching the settlement had to do with claimed revenues from the company's income abroad. On the Goldwyn side, this amounted to approximately $90,000, it is said. Goldwyn is reported waiving these funds in the interest of peace and obtaining an unconditional release from United Artists.

Goldwyn's Plans Not Known

The decision to settle was reached last week in the course of negotiations were concluded here over the weekend, it is said.

The producer's future plans are not revealed. There may become associated with some major company other than U. A. is said to depend upon offers made him by several firms and which he has not yet considered.

Additional to the U. A. possibility, Goldwyn is reported considering alternative associations with at least two other companies.

Goldwyn, who is 56, entered the motion picture business in 1910 when with Jesse Lasky he founded the then Lasky company. In 1917 he was instrumental, according to the Motion Picture Daily, in purchasing about the $25,000,000 Famous Players-Lasky merger. He was chairman of the new company. Later, he formed the Goldwyn Pictures Corp., in 1918, with Archie and Edgar Selwyn, and later sold his interest to Metro, once again returning to independent production. He became associated with United Artists in 1926. On Oct. 13, 1927, he was unanimously elected an owner-member of U. A. by the others who held that position.

Storm Cuts Gorges More Than Strike

(Continued from page 1)

for the weekend, beginning with Friday, is $11,300.

"Cheers for Miss Bishop" opens at the Music Hall Thursday, succeeding "So Ends Our Night." The latter with Mrs. Louis Shores and the eight stock boys, left Thursday through Sunday. "Back Street" finishes its fourth and final week at the Rivoli with tonight with $11,000 expected.

Halt Pittsburgh Paper

PITTSBURGH, March 10.—The Morning Call, Factory Press, Huff,over and Portland publication last night until further notice as the result of a strike called last Thursday by 40 employees of the circulation department.

Sale of Fairbanks Estate Share
In U.A. Also Being Considered

Sale to the company or to individuals approved by the remaining stockholders of United Artists, of the one-fifth share in the company which is owned by the estate of the late Douglas Fairbanks has also been considered lately within company meetings, but so far no deal has been made.

Disposal to the company of the one-fifth share in the firm held by Samuel Goldwyn will reduce the number of owner-members of U.A. to four. These are the Fairbanks estate, Mary Pickford, Alexander Korda, and Charles Chaplin.

Pickford and Chaplin were among the original seven owner-members who elected Goldwyn to owner-membership in United Artists in October of 1923, following Goldwyn's deadlock with the late Douglas Fairbanks, the owner-members comprised, additionally, Norma Talmadge, Gloria Swanson, D. W. Griffith and Joseph M. Schenck.

Two Arbitration Hearings This Week

(Continued from page 1)

cack at Westwood, N. J., has 49 days' clearance over the Central and asks that it be permitted to play day and Charley Hackett, that his clearance be reduced to a maximum of seven days.

The Boston complaint, scheduled for hearing today was filed Feb. 13 by Paulston, Inc., operator of the Park, Nashua, N. H., against Paramount, Loew's-Fayroxy, RKO and the owner, and asks "some run." Arthur L. Brown, Boston University law professor, was selected as arbitrator in the case.

The Chicago complaint scheduled for hearing on Saturday was filed, also on Feb. 13, by E. V. Vanover, operator of the State, Morris, Ill., against Loew's and asks "some run." Charles Zan, exhibitor of the Continental Illinois National Bank & Trust Co., has been selected as arbitrator.

Changing of Title Poses New Problem

(Continued from page 1)

Hoffberg Co., which has the American rights for that film, is facing the responsibility with the Central theatre management. The Central Thea-

Dary is under the direction of the enter-

tprises headed today by the presi-

dent of the Independent Theatre Own-

ers Association (N. Y.)

In keeping with the title change, the French film, double-billed with "School for Husbands," was advertised over the weekend in newspaper copy featuring a color-fed feminine figure and with accompanying text proclaiming as follows: "This Week (and She's Still Naughty and Chic). Also, "2 Naughty and Risque Comedies" and "A Gay Spicy Bedroom Farce." The Production Code Administration, in its regular requirements for a code seal, insists upon title approval by the distributor's agreement that all prints issued conform with the approved version.

12 Firemen Die in Brockton House Fire

BROCKTON, MASS., March 10.—Twelve firemen were killed and 16 injured early today when the five-story to-

laden roof of the 30-year-old Strand Theatre here collapsed during a fire which destroyed the building.

Decency Unit Favors Min.
Legislation

(Continued from page 1)

provision for cancellation of unethical pictures.

Miss Lynch said the organization had been told exhibitors had no opportunity to cancel undesirable features for the good of persons in the legitimate exhibitions. The representatives of Loew's, RKO, Warners and 20th Century-Fox, which previously had attacked the bill did not appear. David Shaver, their attorney, made no appearance.

The committee acted to forestall attacks on constitutionality of the bill by writing in an amendment pointing to the state's police power to safeguard public morals. Clarence O. Hellen, attorney for Northwest Allied, told the committee the Federal consent decree is not a remedy for cancellation difficulties now affecting exhibitors.

Fred Strom, Northwest Allied sec-

tary, pointed out the preview clause of the consent decree would prove impracticable since it would take too much of an exhibitor's time to see all new features.

Big 5 Dismissal in Schine Case

(Continued from page 1)

20th Century-Fox Pictures, Loew's, Inc., Warner Brothers Pictures, Vitagraph, Paramount Pictures and Paramount Film Distributing Corp.

U. A. Universal File New York Suit Answers

Universal Artists and Universal yester-

day filed answers to the Government's amended anti-trust complaint in the New York equity suit in Federal District Court against Columbia. The Government has been given a brief extension of time for the filing of its answer.

Arguments in the Universal answers, filed by Edward C. Raftery and Benjamin Pepper of O'Brien, Driscoll & Raftery, counsel for both companies, consisted of general denial of all of the Government's basic allegations contained in the amended complaint and asked for dismissal of the case.

Kuykendall, Richey Speak at Ia. Meet

(Continued from page 1)

"shock absorbers" of the industry. He suggested the importance of contacting local law makers to forestall new taxes.

Richey told the meeting that the major companies are doing a better "kicking job" for taxes than ever before.

M-G-M expects to spend $2,500,000 on movie-making activity during the year. To realize the full benefit of these efforts and expenditures on the part of major distributors, Richey said, exhibitors should strive to earn more than ever before to show their existing advantages.
NEW YORK, SATURDAY, MARCH 8, 1941.

SNOW HEAVIEST IN 6 YEARS

- and so was business at the Roxy!
Bill in Minn. Bans Slot Films in Bars

Minneapolis, March 10.—Senator B. G. Novak introduced today in the Minnesota Legislature a bill outlawing nickel-in-the-slot films in places of business selling hard liquor. The measure is a companion bill to one in the House.

Marx Bros. on Stand in Schenck Trial

Harpo and Chico Marx were called as witnesses yesterday by the Government during the third day of the trial of Joseph Moszkowicz and Joseph Moszkowicz in U. S. District Court. The Marxes, in answer to questions put to him by U. S. Attorney Matthias F. Correa, stated that although he had been friendly with Schenck for 15 years, the latter had at no time sought to bring him under contract to 20th Century-Fox. Both Marx brothers were questioned as to personal dealings with Schenck. At the close of the testimony, Chico informed the Court that he was taking the train back to the Coast immediately to start work on a new picture Monday. According to testimony, Chico is business manager for the Marx brothers.

Victor J. O. Johnson, captain of Schenck's yacht in 1937, also was questioned yesterday. John E. Codd, West Coast controller of 20th Century-Fox, will continue his testimony today.

4-Hour Shows Match Triples in St. Louis

St. Louis, March 10.—The Wehrenberg-Kaimann circuit of 25 neighborhood houses will introduce four-hour shows in its theatres three nights a week, a week with "nothing repeated," said Fred Wehrenberg, co-partner and St. Louis' M. P. T. 0. president.

The move is in retaliation against the St. Louis Amusement Co. policy of triple features in several of its neighborhood houses. The four-hour shows will be held on Tuesday, Wednesday and Thursday nights of each week, beginning at 7 P.M. Giveaways will not be discontinued.

Iowa Tax Revenue $70,019 for Quarter

Des Moines, March 10.—The Iowa amusement tax, part of the state's two per cent sales tax, for the period from July 1 to Sept. 30, 1940, on the gross takings of amusement amounts to $70,019.04, indicating that establishments did a total business amounting to $1,500,000 in that period.

This was the tax collected on motion pictures and established places of amusement and does not include one night or one-week shows, circuses or carnivals.

Schwartz Promoted

Philadelphia, March 10.—Murray Schwartz, salesman at the Peerless exchange here, has been promoted to branch manager. He fills the post vacated by William J. Heenan, who joined the local Paramount exchange as salesman.

Two Mexican Films Are Sold for Spain

MEXICO CITY, March 10.—Jesus Grobas, former Paramount manager, now a producer, has sold to a Spanish syndicate two films to be produced in Mexico. This is the first sale of Mexican pictures to that country, according to trade circles here.

Pictures with religious themes, which for several years were under a Government ban in Mexico, are now being shown with excellent results. This is seen here as indicating that the Avila Camacho Government is keeping its pledge to tolerance on religion.

Jose Luis Bueno, Mexican producer, who is coming to New York, is completing work on two features. They are designed to appeal to audiences in the United States. Miguel Contreras Torres is producing "The Life of Simon Bolivar."

'Love' With $8,300 Tops Indianapolis

INDIANAPOLIS, March 10.—"This Thing Called Love" and "Escape to Glory" drew $8,300 at Loew's in a week of moderate business. At the Lyric, the Andrews Sisters and Joe Venuti's band on the stage and "Father's Son" on the screen drew $8,600.

Estimated takings for the week ending March 7:

The Mad Doctor" (Par.)
The Million on the Loose" (Para.)
CIRCLE—$8,000 (28c-33c-44c) 7 days
Total: $56,000 (Average: $8,000)

Footsteps in the Dark" (W. B.)
Ride, Kelly, Ride" (20th-Fox)
INDIANA—$8,200 (28c-33c-44c) 7 days
Total: $58,000 (Average: $8,000)

This Thing Called Love" (Col.)
"Escape to Glory" (Col.)
LOEW'S—$8,000 (28c-33c-44c) 7 days
Total: $58,000 (Average: $8,000)

Father's Son" (W. B.)
LYRIC—$8,000 (28c-33c-44c) 7 days
Stage; Andrews Sisters, with Joe Venuti and other acts. Total: $8,600.

Western Union Is $8,600 Omaha Lead

OMAHA, March 10. —"Western Union" and "Lady With Red Hair" grossed $8,600 at the Orpheum in a good week. The weather was warm and clear.

Estimated takings for the week ending March 7:

"Mr. and Mrs. Smith" (RKO)
"The Case of the Black Parrot" (W. B.)
BRANDIS—$1,200 (28c-33c-44c) 7 days
Total: $8,300 (Average: $1,200)

"Vendetta Cristo" (RKO)
"The Keeping Company" (M-G-M)
OMAHA—$2,000 (28c-44c) 7 days
Total: $8,600 (Average: $1,200)

"Western Union" (20th-Fox)
"Lady With Red Hair" (W. B.)
ORPHEUM—$3,000 (28c-44c) 7 days
Total: $8,600 (Average: $1,200)

Wage-Hour Bill Hits Michigan Theatres

DETROIT, March 10.—A new minimum wage and hour bill for Michigan theatres has been introduced in the state legislature. It supplants a former bill which has been pigeonholed pending the action on the new measure. The old bill provided a $16 weekly minimum wage for women employees.

The new bill provides a maximum wage of $3 per week for the first year, $2.40 the second and $2.30 the third. It specifies minimum hourly wages of 45 cents the first year, 45 cents the second and 50 cents thereafter.

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NEW YORK
Motion Picture Daily

Off the Antenna

W. G. H. FINCH, president of Finch Telecommunications, Inc., yesterday day permission to establish an experimental facsimile station at the company's Bendix Airport laboratory in New Jersey. The new station, WBNX-A, is authorized to use frequencies between 30 and 40 m.c. with 1,000 watts power. At the same time, it was announced that Finch Telecommunications had been licensed by Major Edwin H. Armstrong to manufacture FM mobile telephone and miscellaneous apparatus.

Purly Personal: George Faulder, formerly with Eravin, Wacey & Co., has joined WMC, Memphis, as announcer. Anne Marie M. Garrett of Warner's foreign publicity department will be guest speaker on General Electric's short wave station WGEO March 22. Ted Van der Veer is a new commentator for Mutual and will be heard Saturdays, 6 to 6:15 P.M. from WSGN, Birmingham. Lester Vail, of the NBC production department, was engaged by the Theatre Guild to direct "Hope for a Harvest..." Fred Bright, formerly of KYVE and KREC, Santa Ana, Cal., and KGMB and KGU, Honolulu, has been named program director of KYA, San Francisco.

Preparing for an extended radio and newspaper campaign for Esso Oil Burners, Standard Oil of New Jersey yesterday used a new method to emphasize the importance of radio advertising to its salesmen. Since the copy will feature "Life With Father" slogans, the salesmen were gathered in one of the major network studios, shown an act from that Broadway play and instructed on how to integrate radio advertising with sales.

Program News: The largest deal thus far for set by Young & Rubicam with Mutual is the new "Amazing Mr. Smith" which will be heard on 71 stations Mondays at 8 P.M., starting April 7, under the sponsorship of American Can Co. The "Quiz Kids" will be guests on "Behind the Mike" over NBC-Blue Sunday. Starting March 24, General Mills will switch its "Gold Medal Hour" over NBC-Red. The schedule calls for "Light of the World" at 2 P.M.; "Mystery Man" at 2:15, and "Arnold Grimm's Daughter" at 2:45, while "Vilanat Lady" remains at 2:30 P.M.

Gross to Red Cross

Toronto, March 10.--Receipts of the opening performance of the new Victoria Theatre at Niagara-on-the-Lake, Ontario, recently constructed by Jack Allen, proprietor of the Tivoli at Thorold, Ont., were donated to the Canadian Red Cross Society.

Form Radio Companies


AFM Renews Drive

On Radio Industry

A renewed drive by the American Federation of Musicians for the use of more musicians on radio was indicated yesterday when it became known that James C. Petillo, president, had appointed Benjamin Bramhall Fletcher, president of the Associated Music Publishers, as head of a committee to investigate transcription and recording companies with reference to their employment of musicians.

Selvin's appointment was regarded as particularly significant because he is himself head of a transcription and recording firm as well as a member of Local 802, A.F.M.

The nature of the investigation was not disclosed and Selvin is the only appointee thus far, it was said. A detailed statement from Petillo is expected today.

Benny Show Renewed

On One-Year Pact

Jack Benny, star of the Jello series on NBC-Red, and his sponsor, General Foods Corp., have signed a new contract for an additional year, it was disclosed yesterday. Benny's present contract will expire June 1.

Terms of the new pact were not revealed. In line with its previous practice, Benny receives $18,500 weekly, from which he must pay all costs of the program, including talent. His show has the highest rating of any program regularly in the air.

General Foods was victorious in a dispute with Benny on the length of his new contract. Benny was reported seeking a three-year pact, while General Foods was desirous of keeping it at a maximum of one year because of the uncertain international situation. Agency circles pointed out that in the event of a war foods might be rationed, and a national advertiser might be embarrassed with a long-term contract for advertising a product which he could not sell.

To Quiz NBC Official

In Tarkington Case

Warner's filed notice in U. S. District Court here yesterday that it will take testimony on Friday from Louis MacConnachie, secretary of NBC, in connection with Booth Tarkington's suit against Warners. The writer seeks $100,000 damages and an injunction to restrain exhibition of "Penrod and His Twin Brother" on the ground that Warners used his literary property without authorization. The film company has entered a counter-claim. The film was released in 1938.

U. S. May Seek

Start of Nets-

AscAparley

The Department of Justice, which recently negotiated consent decrees with Ascap and BMI, may intervene to bring about negotiations between Ascap and the broadcasters on a new Ascap licensing agreement, in the event the networks do not agree soon to a meeting date, it was indicated yesterday by Ascap spokesmen.

No definite arrangements for a meeting to begin negotiations with broadcasters on a new Ascap licensing agreement have been made yet. An Ascap official said yesterday that the society would accept any opportunity to negotiate with broadcasters that "it is given a chance to." He added that he did not think it "will be necessary" to prepare a provisional contract such as has been requested by the broadcasters.

Meanwhile, a special committee of Ascap officers and directors yesterday began revising Ascap's by-laws to conform with the Federal consent decree approved by the court last week.

A principal phase of the work will be revisions covering the decree requirements for election of directors.

Since the decree will not become effective until June 1 and Ascap's annual meeting ordinarily is held in March, there appears little likelihood of a membership election of the two directors whose terms expire this month.

For Melvyn and Burgess

Merle's spirit is willing
But the two-time effect
Starts that uncertain feeling!

SOL LESSER presents Ernst Lubitsch's "THAT UNCERTAIN FEELING" Released thru UNITED ARTISTS

Tuesday, March 11, 1941
It gives you full measure of profits because your patrons receive full measure of enjoyment from this high quality screen illumination. The snow white light of daylight quality assures clearer reproduction of black and white pictures — color that is really natural — and clear, comfortable vision at all times.

Even the smallest theatre can now offer the comfort and enjoyment which High Intensity projection affords. The modern "One Kilowatt" High Intensity arcs are designed especially for small theatre operation. Fifty to one hundred per cent more screen light than Low Intensity projection at no higher cost.

Give your patrons a High Intensity show with pleasant and safe supplementary lighting and they will respond at the box office. If you are not now using High Intensity projection ask your dealer for a demonstration. It's a profitable investment.

THE MODERN
"ONE KILOWATT" ARCS
USE "NATIONAL" "SUPREX"
AND "OROTIP" CARBONS

1881
LEADERS THEN
The pioneer organization, from which National Carbon Company, Inc. has grown, was founded in 1881. Throughout the intervening 60 years "National" carbons, by constant research and development, have been steadily improved and adapted to the needs of the time.

1941
LEADERS NOW

THE WORDS "NATIONAL", "SUPREX" AND "OROTIP" ARE TRADE-MARKS OF NATIONAL CARBON COMPANY, INC.
Schine Decree
Is Practically
Set, U. S. States

Would Drop Circuit from
Buffalo Anti-Trust Suit

By BERTRAM F. LINZ
WASHINGTON, March 11.—De-
partment of Justice officials stated
today that the Government "is in
practical agreement" with the
line Circuit on the provisions
of a consent decree which would
decimate it as a defendant in the
Federal anti-trust suit pending at
Buffalo.

It was said that the agree-
ment, which was reached sev-
eral weeks ago, leaves little to
be done before final acceptance.
No indications were given of the
provisions of the settlement.

It was stated that, while no further
meetings with representatives of the
(Continued on page 4)

Wolcott Reelected
Head of Iowa ITO

DE S MOINES, March 11.—Leo F.
Wolcott was reelected president of
the I.T.O. of Iowa and Nebraska at
the close of the organization's con-
vention at the Hotel Savery here today.
The convention adopted resolutions
opposing new tax measures affecting
theater owners and endorsing full cooperation
with the Federal trade decree and
the industry's new arbitration
setup.

A committee was appointed and
authorized to investigate suggestions to
reorganize the unit and to report at the
Spring convention.

W. B. Franke was reelected vice-
president and W. A. Dutton secretary.
C. A. Myrick and Harold Hall were
elected directors.

‘John Doe’ Opens
In 3 Cities Tonight

The Capra-Riskin film, ‘Meet John
doe,’ released by Warners, will open
tonight at the Hollywood and Rivoli
here, the Hollywood and Downtown,
Los Angeles, the Paramount and
Mount and Beach Theatres, in
Miami.

Seats for tonight's performance
at the Los Angeles Hollywood will be
reserved for tonight's performance
only, while on Broadway, blocks of
reserved seats will be held for in-
vited guests at the two performances
this evening at both houses. Other-

U. A. Confirms Deal
For Goldwyn Stock

United Artists yesterday
issued a statement confirm-
ing the formal closing of the
agreement which relieves
Samuel Goldwyn of his dis-
tribution contract with the
company whereby United
Artists acquires Goldwyn's
one-thousand-stock interest in the
company.

The agreement was exec-
tuated at a meeting of the
United Artists directors
yesterday.

The confirmation, Motion Pic-
ture Daily's exclusive story
yesterday of the closing of the
deal and forecast of the
board action.

Theatre League
Sues Drama Guild

The League of New York
Theatres served a complaint on the
Authors League of America, parent
body of the Dramatists Guild, in an
anti-trust suit brought in
to the New York Supreme Court.

The complaint
of the Guild is a
combination in
restraint of
trade and seeks an
immediate
injunction against
enforcement
of the new minimum
basic agreement prepared by the
Guild and which was
to go into effect March 1.

The League members are not will-
ing to accept the new contract,
(Continued on page 4)

Orson Welles Demands
Citizen Kane’ Release

Orson Welles, in a statement issued
yesterday, declared that the public is
entitled to see ‘Came Kane,’ the
film he produced for RKO, that he
has sufficient funds to buy the film
from RKO to release it himself, and
that under his contract, he has legal
right to demand immediate release
of the film. His statement follows:

“I believe that the public is entitled
to see ‘Citizen Kane.’ For me to stand
by while this picture was being sup-
pressed would constitute a breach of
faith with the public on my part as a
producer.

“I have at this moment suffi-
cient financial backing to buy
‘Citizen Kane’ from RKO and
to release it myself.

“Under my contract with RKO I
have the right to demand that the
picture be released and to bring legal

LEGION DISAVOWS
MINN. BILL SUPPORT

Hoffberg Makes
A Call About
‘Mme. Ma Mere’

By A. L. FINESTONE

MOTION PICTURE DAILY yesterday
published a report that trade experts
were busy trying to figure out the
implications of the new anti-trust
problem arising from the exhibition at
the Central Theatre in Broadway of
the French film advertised as ‘The
Virgin Bride.’

The story reported that the Production Code
Administration has examined the film under
the title ‘Mme. Ma Mere.’

Later in the day, J. H. Hoffberg,
distributor of the picture, called
MOTION PICTURE DAILY by telephone.

“The story,’ said Hoffberg, ‘was somewhat
embarrassing to me, but more so to other people.

‘Who are those people?

‘I can’t tell you over the phone, but I
will tell you who they are if you’ll
come up and see me.

‘What’ asked Hoffberg, ‘was your
motive in printing the story? Who
are the trade experts who are trying

A.A.A. Reception for
Appeals Board Today

The American Arbitration
Association will give a cocktail recep-
tion to members of the national appeals-board
of the industry arbitration system at
the Rockefeller Center Lounge in
the RCA Building today. Prominent mem-
bers of the industry have been invited to
attend. The following are among those
expected:

Van Vechten Veder, George W.
Alger and Albert Putnam, the appeals
board members; Barney Balaban,
Chief Maitland Scott, George Breslin,
C. V. Whitney, Martin Quigley, T. J.
Connor, Neil F. Agnew, Professor
W. H. Atkins, Leonard Goldenson,
James V. Hayes, Mrs. Rebecca
Brownstein, Joseph Proskauer, Louis
Phillips, Mrs. Roger Williams Straus,
(Continued on page 4)

AGVA Negotiating
Chicago Contracts

The Chicago local of the American
Guild of Variety Artists is negotiating
for contracts with the Mort Singer
circuit, the Riverside Theatre in MIL
waukee, the Warner circuit and the
Oriental in Chicago, it was revealed
yesterday in a letter by AGVA to its
membership. Contracts with the
Balaban & Katz circuit are ready for
signature, it was said.

A plan has been devised to reorga-
ize the AGVA national board to give
each local representation. Letters will
be sent before board meetings to all
locals advising them of the agenda.

In Today’s Issue
Reviews of ‘Men of Boys
Town’ and ‘Topper Returns’
will be found on Page 8. . .
Television agrees on 525-line
standard, Page 9.
Buffalo Chance Game Is Fought by Pastor

Buffalo, March 11.—The Rev. Neil Crawford, pastor of the University Church of Christ here, from the pulpit sharply reprimanded the operators of the Granada Theatre, Schine house, for its Saturday afternoon payday show for children. It is a chance game plan in which children only participate. The clergyman scored the game as "gambling" and promised to lead a fight against it.

N. J. Anti-Ascap Bill Discussed by Allied

Allied of New Jersey members at a meeting at the Ritz restaurant in Passaic yesterday discussed the anti-Ascap bill recently introduced in the New Jersey legislature and other matters, including arbitrating and a tieup between the organization and National Screen Service. A social gathering in the evening followed. Lee Newbury presided.

Buffalo Benefit Sunday

BUFFALO, March 11.—The Buffalo Variety Club will conduct its charity dance at the Statler Hotel Sunday night. Mayor Thomas L. Hollow will receive for the city apparatus donated for the club for infantile paralysis victims.

A - MIKE VOGEL, chairman of Managers' Round Table of Motion Picture Herald, will arrive on Coast yesterday via American Airlines.

NER DEPUE, RKO vice-president and distribution head, left the Coast last night for New York.

JOSEPH COOPER, Denver circuit operator, is in town.

Harry Mersey, head of the 20th Century-Fox print department, is in Miami.

WALTER REARD, Jr., son of the circuit operator, will report in Trenton Friday for a year's army service.

EDGAR MOSS, Philadelphia district manager for 20th Century-Fox, is resting in Hot Springs, Ark., after an illness.

MILTON SILVER, National Screen Service advertising director, and Max Benfield will have the leading parts in a "Bundles for Britain" show in Westport, Conn., Friday evening.

Charles B. Moss, managing director of Loew's Criterion, leaves Friday for three weeks in Florida with Mrs. Moss.

Harry Kalmine, Warner Theatres zone manager in Pittsburgh, plans a trip to Miami shortly.

JOHN H. HARRIS of Pittsburgh, National Chief Barker of the Variety Clubs, is in town.

ROBERT J. O'DONNELL of Interstate Circuit is in New York from Dallas.

MORRIS GREENHALL, OSCAR DOOR, Ben ABER, C. J. SCOLLARD, Ruby MONTGOMERY, F. J. A. McCARTHY, Ed SAUNDERS, E. K. O'KEEFE, George SCOTT, and George KAUFMAN lunching yesterday at Nick's Hunting Room in the Astor.

LOUIS POLLOCK, LOU RYDELL, J. ROGER GALLAGHER and MALCOLM KINGSTON having lunch at Toots Shor's yesterday.

STANLEY GRIPHS, AUSTIN KEOGH, LOUIS PHILLIPS, MARVIN SCHENCK, SIDNEY PHILLIPS, AL ALTMAN, GEORGE DEPUE, BURLINGTON GORDON, LEE SHURFET, JOHN GOLDEN, GUY BOLTON, BORIS KAPLAN and DENNIS KING lunching at Sandy's yesterday.

CHARLES STERN, CLARENCE EHRLERMAN, J. J. MILSTEIN and ARTHUR DOUGHERTY at Linda's (51st St.) yesterday.

EMANUEL SILVERSTONE, WALTER GOULD, MORRIS HELM, AL MARGOLIES, HARRY GOLD and JOHN WRIGHT lunching at Linda's (next to the Rivoli) yesterday.

WILLIAM J. HEHEMANN, J. J. JORDAN, ARMAND SCHNECK, DON HANCOCK, GORDON MITCHELL, AL FREYDAY and JAY SHAPERO having lunch yesterday at the Tavern.

MRS. LOU BROWN, wife of the Loew-Poli publicity chief in New Haven, will leave this week for Orlando, Fla. Brown will join her later.

MORTON FREEDGOOD of United Artists' publicity staff has completed a novel to be published shortly.

8,000 Houses Sign Defense Aid Pledge

A total of 8,000 theatres already have signed pledges to cooperate fully with the Motion Picture Committee Cooperating for National Defense, according to Harry Brandt, chairman of the organizing committee. The rest of the theatres in the country are expected to send in their pledges within the next few weeks.

Film Man's Kin Killed

Matthew McGearry, a brother of Clarence McGearry of the RKO home office playdate department, was one of 12 women killed in the Brockton, Mass., fire early Monday which destroyed the Strand Theatre. Another brother, James, was injured.

Comerford Kin Dies

SCRANTON, Pa., March 11.—Mrs. Joseph E. Comerford died here yesterday. She was the wife of Dr. Joseph E. Comerford, nephew of the late M. E. Comerford, founder of the Comerford circuit.

Pascal Seeks Office For 'Barbara' Here

Gabriel Pascal, it is reported, must obtain separate business representation for his "Barbara" before it can be released by United Artists, due to the inability of the Alexander Korda organization here to undertake supervision of the Pascal film.

Korda's New York organization, headed by Steven Fallos and Emanuel Silverstone, is concentrating on the early release of "That Hamilton Woman," Korda's latest for U.A. Pascal production is scheduled for release at approximately the same time, Korda felt that his organization here would be unable to do justice to both. Pascal, as a result, has been trying to obtain representation through the Selznick-International Company here. It is understood no deal has resulted as yet.

Para. to Release Short for Greece

Paramount will distribute at once a special short subject, "Greece Fights Back," for the benefit of Greek war relief, Neil Agnew, general sales manager, announced yesterday. The one-reel subject was produced by the March of Time, and will be available on a rental basis. All proceeds will go to the relief fund. The Greek War Relief Association will introduce the subject at a party at Toots Shor's Restaurant tomorrow.

To Contribute Weekly

NEW HAVEN, March 11.—Members of the local Warner exchange staff have pledged themselves to contribute weekly to the Greek War Relief Fund until the latest appeal is over. Hannah Ginsberg and Jack Mullen are in charge.

Philad. Club Dinner To Honor Leon Levy

PHILADELPHIA, March 11.—A formal dinner dance in honor of Dr. Leon Levy, new chief banker, will be held by the Philadelphia Variety Club this Saturday at its clubrooms in the Bellvue-Stratford Hotel. The Women's Auxiliary has set April 26 as the date for its donor dinner dance, to be held at the Ritz-Carlton Hotel. Mrs. Samuel Gross and Mrs. Harry Siben are co-chairmen of the affair.

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THE FRANK CAPRA PRODUCTION FOR 1941

GARY BART BARBARA COOPER • BARBARA STANWYCK in

MEET JOHN DOE

with EDWARD ARNOLD • WALTER BRENNAN

Spring Byington • James Gleason and Gene Lockhart

This Screen Play, as were most of the major successes of Frank Capra, is by

ROBERT RISKIN

Directed by Frank Capra
Distributed by Vitagraph, Inc.
Produced at the Studios of

WARNER BROS.
Nat'l Legion Disavows Minn. Bill Support

(Continued from page 1)
on the Minnesota bill, is not likely to, since it regards the measure as an industry matter.

Shearer to Appear Against Five-Block Bill
MINNEAPOLIS, March 11.—David Shearer, attorney for 20th Century-Fox, has announced that he said today he would appear before Senate and House committees on the anti-court decree bill sponsored by Northwest Allied to press his contention that the measure is unconstitutional, a charge he already has made before the House committee.

“Everybody wants to give the decree a fair trial except the relatively small group backing the bill, which is an attempt to make decree out of the window,” he said.

The House judiciary committee has scheduled a meeting for tomorrow, while the Senate general legislation committee at its meeting tomorrow will decide when it will vote on the measure.

A.A.A. Reception for Appeals Board Today

(Continued from page 1)
William Zimmerman, Sam Shain, Howard Levinson, William Bradey, Lawrence Steiss, William Sussman, P. S. Harrison, Maurice Kann, Chauncey Lewis and Chester Bahn. Members of the New York board’s panel of arbitrators and A. A. A. officials also will attend.

Braden Says Decree Aids U. S. Defense

The industry consent decree was pictured as an important contribution to national defense by J. Noble Braden, chairman of the board of the National Association of Retail Druggists. He addressed an address to the Harvard School of Business at the Harvard Club here yesterday.

Pointing to costly litigation between the Government and the industry which preceded the decree, Braden said that it could not be reflected in the attitude of the general public while abroad it was just such situations which gave the impression that this was a country of wide commercial and industrial strife.

A panel of 10 arbitrators for the Alhambra board was made available by the A.A.A. yesterday. Typical of those comprising it are Louis Groch, Alhambra manager, and J. S. Bach & Co., and Eugene Orvis, industrialist.

‘They Walk Alone’ At Golden Tonight

“They Walk Alone,” a new play by Maxwell Catto, which opened Thursday night at the Golden Theatre by Berthold Viertel, will be presented tonight at the Golden Theatre by Ben A. Begley, its manager, and Carol Goodner head the cast.

Orson Welles Demands ‘Citizen Kane’ Release

(Continued from page 1)
action to force its release, RKO must release ‘Citizen Kane.’ If it does not do so immediately, I have instructed my attorney to commence proceedings.

“I have been advised that strong pressure is being brought to bear by certain quarters to cause the withdrawal of my picture, ‘Citizen Kane,’ because of an alleged resemblance between incidents in the picture and incidents in the life of Mr. William Randolph Hearst.

“Any such attempts at suppression would be a serious attack on the right of freedom of speech and with the integrity of the moving picture industry as the foremost medium of artistic expression in the country.

Says Character Is Fictitious

“There is nothing in the facts to warrant the situation that has arisen. ‘Citizen Kane’ was not intended to have more to do about it than it has ever been authorized by Mr. Hearst or to any other living person. No statement to the contrary has ever been authorized by Mr. Hearst in the case of ‘Citizen Kane’. It is a wholly fictitious character.

“The script for ‘Citizen Kane’ was scrutinized and approved by both RKO Radio Pictures and the Hearst office. No one in those organizations or anyone associated with me in the production of the picture believed that it represented anything but a psychological analysis of an imaginary individual. I regret exceedingly that anyone should have interpreted ‘Citizen Kane’ as a story about me.

“When seen by a Hollywood columnist several weeks ago, the production was immediately made the focus of much controversy and discussion.

Hoffberg Phones About ‘Ma More’

(Continued from page 1)
ture is doing well all over the country.

“The only people who don’t like the picture are the rabble, because they do not understand and appreciate its high degree of sophistication. It is a bedroom farce and full of rich situations, but clean. Intelligent people appreciate it. ‘La Malì’ is full of truth. Miss O’Hara’s picture was dropped from the advertising, but both the title and the line ‘Virgin Brides’ remain on the marquee.

“The theatre management is entitled to advertise the picture in any way it will bring business, the same as the radio and other houses on the same line as long as no tooes are stepped. The way they are advertising the film does not violate any ethics. Neither are we.”

Schine Decree Is Practically Set, U. S. States

(Continued from page 1)
theatre company are planned for the immediate future, the Department, nevertheless, is “satisfied with the situation.”

Statement Called ‘Premature’
BUFFALO, March 11.—Government representatives here and Federal court officials in New York have both commented on the decree tonight on the Department of Justice intimation that a “practical” agreement had been reached with the Schine Circuit on a consent decree. Unofficial sources, however, were inclined to discount the report or to regard it as premature.

No Comment by Schine Counsel
Willard S. McKay, attorney for the Schine Circuit, declined to comment on the statement from the Department of Justice until such time, he said, “he has been officially advised by the Department of its views.”

New York trade officials received the statement with surprise, recalling that a Department of Justice representative while here a few weeks ago informed the trade press that the decree negotiations with Schine had been abandoned. The Government was preparing for trial of the case.

‘John Doe’ Opens In 3 Cities Tonight

(Continued from page 1)
wise, the box-figures at both theatres was opened to the general public at 6:30 P.M. one hour before the film opens. The picture will play its engagement in the absence of any announced price reduction.

WMCA will broadcast the opening tonight from both Broadway houses, from 9 to 9:30 P.M.

The New York Subway Advertising Co., which controls the advertising in card cars in New York’s subways and other transportation vehicles, has instituted a plan of using certain of the card cars for editorial material to stimulate public interest interest in the cards. This feature will feature a “picture of the month.” First film selected is “Meet John Doe.” The card has been placed in 17,000 transportation units, and carries photographs of the stars and copy praising the film.

N.Y. Theatre League Sues Drama Guild

(Continued from page 1)
court according to the complaints, and find the closed shop provisions against foreign dramatists particularly objectionable. It is the object to the theatre league to show the fact that they have no established in the licensing sale of film rights and seek an increase from 40 to 50 per cent of the proceeds of such sales.
RKO leads the EASTER PARADE with a show made to order for Holiday Playing Time
FRANK ROSS and NORMAN KRASNA PRESENT

JEAN ARTHUR

The "Devil at

Directed by
SAM WOOD
Director of "KITTY FOYLE"
and "MR. CHIPS"
With the gayest, freshest, brightest comedy romance you could ever hope for! A sprightly, speedy, spicy delight directed by the man who gave you "Kitty Foyle," and written by the author of "Mr. and Mrs. Smith."...BOOKED AS THE GALA EASTER WEEK ATTRACTION BY SCORES OF FIRST RUNS EVERYWHERE!

Miss Jones

with ROBERT CHARLES CUMMINGS COBURN

EDMUND GWENN • SPRING BYINGTON • S. Z. SAKALL
WILLIAM DEMAREST • PRODUCED BY FRANK ROSS
WRITTEN BY NORMAN KRASNA
British Industry Is Alarmed Over Technician Lack

LONDON, March 11.—All sections of the British film industry are seriously concerned that they believe it creates an impending labor crisis, in view of the unofficial but authoritative reports that the Government will remove some film technicians from the list of reserve occupations.

It is reported the Government shortly will outline the labor reserve occupation schedules, which prescribes classes of employees need not go to military service, but may be classed as in reserve occupations.

May Raise Age Limit

It is believed the revision will result in stepping up the minimum age to 35 in some cases and the removal of other types entirely from the reserve list. Producers and labor interests are convinced such a move would result in an industry crisis.

Not only studio technicians but theatre projectionists also would be affected. It is thought likely that an all-industry deputation to protest to the Government against the proposed changes may be organized in the immediate future. The new reservation schedules have not yet been published, but their terms are generally known.

Commission Approval Expected

The Association of Cine Technicians at its forthcoming annual meeting insists that the maintenance of film technicians on the reserved occupation list is essential. The association also is expected to approve the Government plan for a Films Commission on the ground that it will prevent the sort of industry catastrophe which followed the last war.

Currently on the reserved list, with the minimum age set at 30, are cutters, cameramen, carpenters, directors, electricians, makeup men, painters, plastic ground engineers, producers and scene clerks. Among on the reserved list, with an age minimum of 25, are projectionists.

Warner Pittsburgh Managers Shifted

PITTSBURGH, March 11.—Six staff changes have been announced for Warner theaters by Fred A. Labelle, personnel director in this area.

Al Skogen, formerly Manor assistant manager, has been named manager of the New Oakland, Charles Alcon succeeds Edward Solomon, resigned, as assistant manager of the Warner. Milton H. Sobotnik, who has assisted assistant manager, has been transferred to the Enright in a similar post. Victor Godbold, who is in charge of the management at the Ambridge, has been transferred to Cambria, Johnstown, in a similar capacity. John Martini has been promoted from doorman to assistant manager at the Mt. Oliver, and Alex Stratis from Rowland doorman to assistant manager at the State, Wilkinsburg.

Kohlmar Sets Pact

HOLLYWOOD, March 11.—Fred Kohlmar, 20th Century-Fox associate producer for the past 18 months, has settled his contract and will report to Paramount shortly as associate producer.

Feature Reviews

"Men of Boys Town" (M-G-M)

WITH a lavish hand, Producer John W. Considine, Jr., and Norman Taurog, director, have bestowed upon "Men of Boys Town" ample portions of those qualities of sentimentality and heart-touching drama which always can be depended upon to mean much at the box-office.

When those qualities of story have reference to the famous Boys Town of Father Flanagan, the original screen portrayal of which made such a successful screen merchandise, and when the interpretations are in the extremely capable hands of Spencer Tracy and Mickey Rooney, the exhibitor has a picture which can be sold to the hilt, and which should prove a great moneymaker.

Tracy, in the role of Father Flanagan which he created in the first "Boys Town," here again offers a portrayal so richly human and perfectly attuned to the character that in itself it becomes a strong selling point. Rooney, although at times he has a slight tendency to overplay, offers a fine performance as the mayor of Boys Town who seeks the boy's adoption and attempt to aid a runaway from a reformatory brings new problems to Father Flanagan.

Opportunity is afforded in the script, and well handled by Tracy, to plead for more "Boys Towns" in the country, for more intelligent and sympathetic treatment of the wayward boys. The picture is concerned with Father Flanagan's efforts to raise money for new buildings he has begun without the necessary funds at hand, his rejuvenation of the runaway reformatory inmate, and the wiping out of that breed of young criminals.

Woven into the story is the characterization of a girl who is best that Boys Town produces, whose loyalty to Father Flanagan and his ideals locks for the dramatic incident and wide audience appeal.

The film may be considered to have slightly too much emphasis on sentimentality, and perhaps with more judicious cutting of several scenes, it might have been more compact, but this detracts but little from a real box-office picture.

Bobs Watson, Larry Nunn, Darryl Hickman, Henry O'Neill, Lee J. Cobb and Arthur Hohl are most effective in an able supporting cast.

Running time, 106 minutes. "G."

CHARLES S. AARONSON

"Topper Returns" (Hal Roach-United Artists)

COMEDY, suspense and mystery, with comedy predominating, are neatly blended to provide a "Topper" sequel which is always entertaining and compares well with its predecessor, "Topper Takes a Trip."

Employing the characters conceived by the late Thorne Smith, there has been fashioned a story which bends the popular mystery dramas of several seasons ago to the hilarious purposes of Producer Hal Roach and Director Roy Del Ruth. That story is of the murder through mistaken identity of Joan Blondell, as Gail Richards, and of the bizarre happenings which follow upon her supernatural reappearance will thrill. "Topper Returns" is in recovering not only the corpse, which has disappeared, but in identifying the murderer as well.

Roland Young accounts for another excellent characterization of the bewildered and helpless Topper to whom the animated "ghost" of Gail Richards attaches itself. Billie Burke again gives one of her good performances as the not-too-bright wife and Pat the "Rochester." Anderson contributes importantly to the comedy. Good characterizations are provided by H. B. Warner, George Zucco, Donald MacBride, Dennis O'Keefe, Carole Landis and others.

"Topper Returns" may best be sold as comedy, with its cast featured. However, its mystery elements should not be ignored, as the picture has moments of genuine suspense, with concealment of the murderer's identity well contrived, as is the unravelling of the mystery. It should appeal to the many who are partial to either comedy or mystery, or to both.

Running time, 88 minutes. "G."

*"G" denotes general classification.

Loses Case Against W.B.

BUFFALO, March 11.—Supreme Court Judge Piper today denied Joan Havens an injunction to restrain the Warner circuit from remodeling and repairing the Havens at Olean, N. Y., under lease to Warners. Mrs. Havens, one-third owner of the property, charged the project was a "waste."

Anti-Discrimination Bill

ALLENTOWN, March 11.—Another anti-discrimination bill was introduced in the Legislature today by Assemblyman Kaufman. Under the bill it will be unlawful for persons or firms conducting business involving a public interest to discriminate because of race, color or creed.

Pittsburgh Stage Has Good Season

PITTSBURGH, March 11.—Boom-time box-office for four of the past five weeks at the Nixon, the city's only legitimate stages for at least seven more weeks this Spring indicate that the season here, starting with the shows, will wind up as one of the most profitable during the past decade.

During February, "Tobacco Road," drew $19,000 at $1.65 top in nine performances, "The Biggest Little Show," grossed $24,000 in two weeks at $3.30 top, and "The Male Animal" pulled $11,500 at $2.50 top in six performances. "Tobacco Road," which beat last year's gross of $17,500, and the Olsen-Johnson show "Fall Must Fall," last week and the current "Blossom Time," the Nixon will present a return engagement of "The Man Who Came to Dinner," which grossed $80,000 in two weeks here a couple months ago, a return of "The Little Foxes" which were presented two years ago, and "Twelfth Night" with John Hayes and Maurice Evans under American Theatre Society auspices. After a dark interspersed with performances with Ethel Waters, the University of Pittsburgh and Gown Show, and "DuBarry Was a Lady," Built 35 years ago, the Nixon seats 2,216.

Chico Marx Reveals 20th-Fox Parleys

Chico Marx, recalled as a witness in a woodland that the Government's tax suit against Joseph M. Schenck and Joseph H. Moskowitz, testified that he had several conversations in 1936 and 1937 regarding a 20th Century-Fox contract for the Marx Brothers.

The testimony was brought out under questioning of Harold H. Corbin, defense counsel, to prove that Schenck's entertainment expenses were part of his efforts to secure talent for his company.

D. G. M. Nig, head of Loew's tax department, a Government witness, testified he prepared Schenck's tax returns and was committed to him by Joseph Moskowitz.

Other witnesses were Sam Silver, studio barber, and Catherine Sullivan, Joseph Moskowitz's secretary. She identified expense vouchers which she said the company paid for Schenck while he was in New York.

O'Mahoney Urges Federal Charters

WASHINGTON, March 11.—Legislation authorizing Federal charters for national corporations, thorough enforcement of the anti-trust laws and the encouragement of small business by revision of restrictive laws is being discussed today by Sen. Joseph C. O'Mahoney, chairman of the Temporary Economic Committee. The committee held its final meeting today prior to beginning the draft of its report on monopoly in industry.

Basketball Playoff Set

The M-G-M and National Screen Service basketball teams will play for the championship March 29 at the Riverside Plaza Hotel.
Senate Group Votes On Wakefield Today

Washington, March 11.—Senate Interstate Commerce Committee will meet in executive session tomorrow to consider the nomination of Ray C. Wakefield for the vacant FCC post. Unless opposition develops, necessitating hearings, it is likely that the committee will make a report on the nomination to the Senate immediately.

Station Ordered to Halt Ban on Union

WASHINGTON, March 11.—Capital Broadcasting Co., operator of Station WCOV, Montgomery, Ala., today was ordered by the National Labor Relations Board to cease interfering with the union organizational activities of its employees to bargain collectively with the International Brotherhood of Electrical Workers, A.F.L., as representative of its radio engineers. The station was ordered to offer reinstatement with back pay to four employees held unfairly discharged because of their union activities.

Duke Sponsors Opening

The Duke and Duchess of Windsor will sponsor the opening of “Major Barbara” at the Cinema, Nassau and Savoy Theatres in Nassau, B.W.L., on March 20. The proceeds will go to British war relief. The film was produced by Gabriel Pascal and will be released by United Artists.

To LOS ANGELES

Thru Mainliner Sleepers
No Change of Planes

The Continental. Lv. 5:10 pm with morning arrival in Los Angeles.

The Overland Flyer. Lv. 11:10 pm with daylight for the scenic western portion of the trip.

Reservations: travel agents, hotels or

UNITED Air Lines

Airlines Terminal: 80 E. 42nd St.
67 Wall St.
649 Fifth Avenue

- Pennsylvania Hotel
Ph MU-2-7300

OFF THE ANTENNA

Mutual will add two more stations this month to bring its total number of affiliates to 177. The new outlets are WALB, Albany, Ga., a new station which is scheduled to go on the air March 29 under the ownership of the Albany Herald, and KWLM, Willmar, Minn., which will join March 24. WALB will operate on 1,530 k.c., with 1,000 watts full time. KWLM operates on 1,310 k.c. with 100 watts unlimited time. The latter station also will join the Northeastern Broadcasting System, a regional network, on the same day it becomes affiliated with Mutual.

Maxwell Wane yesterday joined WMCA as sales promotion manager. He was formerly promotion manager of Look and was also retail promotion manager of The New York Evening Journal. Lillian Coscorse has joined the station to handle promotion and publicity for women's programs.

Purely Personal: Mary Rennie, director of publicity and sales promotion for WCCO, Minneapolis, is in town for conferences at CBS . . . Bernard Gimbel, Jr., president and Murray Arnold, program director, of WIP, Philadelphia, were in town yesterday for conferences of Mutual . . . Joan Arvesen, Latin American singer, has joined the staff of CBS artists. He will be featured on the new CBS Latin American short wave network to be inaugurated Sept. 1.

Program News: Pepsi-Cola will use a 135-station NBC-Blue hookup for Ray Perkins in “The Nickel Man” for 20 weeks, effective April 28. He will be heard Mondays through Fridays 9:55-10 P.M. . . . Russell Bennett’s new program will be called “The Hello” for Mutual Sunday, March 21, following the close of the Szizetti violin concerto series . . . Kuban & Horrmann Brewing Co., for R & H Beer, will sponsor Charles Ruggles, Benny Rubin and a band in “A Barrell of Fun” over WOR for 52 weeks. The program will be heard Thursday 8:30-9 P.M.

Ask Approval for Cleveland FM Unit

WASHINGTON, March 11.—United Broadcasting Co., Cleveland, has applied to the Federal Communications Commission for a construction permit for a new FM broadcasting station to operate on 48,500 kilocycles, covering 8,420 square miles with a population of 1,114,455. Application for a construction permit for a regular broadcasting station was filed by the Fort Smith Newspaper Publishing Co., planning a 550-kilocycle, 1,000-watt station at Fort Smith, Ark., and a request for change of frequency from 1,420 to 1,560 kilocycles and increase of power from 1,000 to 10,000 w’s was submitted by Station KPAC, Bakersfield, Cal.

N. Y. Measure Would Regulate Loan Ads

ALBANY, March 11.—Senator William P. Brown today sponsored a measure prohibiting radio advertising by banks or trust companies in which relative rates, terms or conditions for lending money were mentioned, unless the conditions for making loans was stated in terms of simple interest on the unpaid principal. The joint banking committee held a public hearing today on bills concerning advertising and broadcasting practices with regard to loans.

W. E. Sets Dividend; Leggett Will Retire

Western Electric directors yesterday declared a dividend of 75 cents a share on the common stock, payable March 31 to stockholders of record March 20. Frederick H. Leggett, treasurer and a director, will retire April 1 after 43 years service. George B. Proud, assistant treasurer, will succeed him. Guy W. Vaughan, president of Curtis Wright Corp., was elected a director.

Agree on 525 Line Standard In Television

The National Television Systems Committee has effected a compromise on the number of lines for the video signal and will recommend 525 lines to the FCC at the March 20 hearing, it was learned yesterday. In its January report to the commission, the NTSC recommended 441 lines, as it did last year.

Synchronization still remains a problem, however, although the NTSC, in accordance with an FCC request, has continued its experiments and meetings on the subject. It appears likely that the NTSC will recommend the RMA and Du Mont synchronizing pulses in the alternative, and also both the amplitude modulation and frequency modulation types.

The new 525-line standard can be transmitted without reducing the number of frames per second from 30 to 15, a reduction which would be necessary if the 625-line standard were adopted. The 525 lines are midway between the 441 lines sought by the Radio Manufacturers Association and subsequently adopted by the NTSC, and the 625 lines favored by Allen B. Du Mont Laboratories.
HERE'S A PRECISE ANSWER TO THE QUESTION

The COLUMBI
“Where's the best place to get the largest network audiences, against all competition on the air, today?”

Current program ratings give the answer impartially for all networks. And every grouping of them tells the same story.

COLUMBIA IS FIRST—by wide margins!

Take the most tensely competitive of all program hours: 8:00 to 10:00 in the evening.

Current program ratings (in both the standard rating services) show that on week-day evenings:

CBS delivers the largest audience to its sponsors, against all direct competition on the air, five times more often than the second network.

Here's the exact score (by quarter hour periods) from the most widely accepted rating service:

30 “firsts” for CBS... 6 “firsts” for Network B... 4 “firsts” for Network C.

For the entire week-day evenings (six o'clock through midnight) the score remains better than three to one in Columbia's favor.

For all seven evenings of the week, the data show:

- CBS — 71 quarter-hour “firsts”
- Network B — 41 quarter-hour “firsts”
- Network C — 15 quarter-hour “firsts”

And CBS maintains its substantial lead in program-firsts through the entire day.

THIS IS NETWORK LEADERSHIP...

Each CBS sponsor directly benefits from the strongest program schedule in radio—passing on great audiences from one program to the next, more often than any other network.

You find its obvious reflection in the advertiser's, as well as the audience's, preference for CBS.

Most sharply, perhaps, in the fact that the country's largest advertisers—those with the biggest jobs to do—chose Columbia more often than they chose any other network.

In 1941, as in 1940, 1939, 1938, 1937, 1936, 1935 and 1934.
It wasn't nominated for an Academy Award, yet "BLACKOUT" flares as an exhibitor's picture that's consistently making money everywhere!

"BLACKOUT" starring CONRAD VEIDT and VALERIE HORSON • Released thru UNITED ARTISTS
Gov’t Station Is Urged to Inform Public

TNEC Cites Need for ‘Adequate Machinery’

WASHINGTON, March 12.—The establishment of a Government-owned and operated radio station for the dissemination of information on public problems, particularly in view of the activity of lobbyists, is recommended in a Temporary National Economic Committee report.

The monograph, prepared by Donald C. Blaisdell, an economist of the Temporary National Economic Committee, urges the Government station in the event that it is not possible to require private radio chains to keep the public informed as a condition of retaining their licenses and as a public service.

Blaisdell recommended the registration of lobbyists as well as thepublicizing of their activities by radio.

Citing the Motion Picture Producers and Distributors of America among (Continued on page 7)

Dispense of Ascap Case in Wis. Today

Disposition of the Government’s criminal information pending against Ascap is scheduled to be made today in Federal District court at Milwaukee.

Ascap officials and attorneys, including Gene Buck, E. C. Mills, John G. Paine, Louis D. Frohlich and Herman Finkelstein left New York last night to attend the Milwaukee hearing. The case is scheduled to be disposed of through the levying of fines totaling $24,000 against Ascap and some of its publisher members. Meanwhile, the National Association of Broadcasters has apparently (Continued on page 7)

‘Doe’ Has Double Opening on B’way

“Meet John Doe,” the new Frank Capra production being released by Warners, was given its two-theatre opening on Broadway last night with the presence of the famous and swarms of sightseers which ordinarily accompany only those premieres which offer a generous assortment of stellar names for their audiences.

The picture begins its continuous runs at both houses today, after the (Continued on page 7)

New Blackout to Cover Entire Puget Sound Area

By WILLIAM A. PRAGER

SEATTLE, March 12.—A second “test blackout” is planned by military authorities here, which would include the entire Puget Sound area. The date for the blackout has not yet been determined. The first successful blackout, in Seattle only, was held last week.

The territory to be included consists of Seattle, Tacoma, Everett, Bellingham, Vancouver and Victoria, B. C. Obviously the experiment is to be a joint defense effort of the military authorities of the United States and Canada.

Local exhibitors are hoping the time will be changed from the 10:30 to 11 P.M. period used for the initial test. Last week’s experiment, hitting (Continued on page 7)

Para. Purchases Japanese Bonds

Paramount has purchased Japanese government bonds totaling 765,000 yen (approximately $179,000 at the present exchange rate) with its blocked currency in that country, according to cabled dispatches from Tokyo which credited the information to Japanese newspapers.

Mr. W. H. Hicks, Paramount vice-president, and foreign manager, could not be reached yesterday for comment.

$243,482,000 1939 Gross at 517 Exchanges

WASHINGTON, March 12.—Receipts of 517 film exchanges operating throughout the country in 1939 were $243,482,000, an increase of 10.4 per cent over the $226,605,000 reported by 533 exchanges for 1929, it was reported tonight by the U. S. Census Bureau.

The Motion Picture Almanac for 1941 lists the total of 436 exchanges in the United States.

Preliminary figures compiled by the bureau showed that 303 producers (Continued on page 3)

MINNESOTA BILL WINS APPROVAL

Distributors Wage Fight Against Georgia Bill; Hearing on Today

By LEE ROGERS

ATLANTA, March 12.—Distributor representatives have gone to work in earnest in an effort to prevent passage of the bill to contravene the selling provisions of the Federal consent decree in the Georgia House, after its passage in the Senate late last week without opposition.

The House judiciary and rules committee will hold a public hearing on the measure at noon tomorrow. Large delegations to argue both sides arrived today to attend the hearing. Independent exhibitor representatives were confident tonight that the bill would pass the House as it did the Senate.

The Georgia bill, similar to the one pending in Minnesota, would permit the distributors to offer their full season’s program in block with a 20 per cent cancellation to the exhibitor.

Since the starting success of the bill in the Senate, where distributor representatives said it was passed under the guise of an administration measure, they have intensified efforts to have the bill killed.

They contend that it is illegal since it is contrary to the consent decree of a Federal court. They also urge that the decree be given a fair (Continued on page 3)

House Unit Recommends Anti-Decree Measure With ‘Moral’ Clause

By ROBERT E. MURPHY

MINNEAPOLIS, March 12.—The House judiciary committee of the Minnesota legislature today recommended for passage the bill intended to set aside the block-of-five provision of the Federal consent decree and to regulate the film industry in Minnesota. The Senate general legislation committee conducted additional hearings on a comparison bill, but deferred action for one week.

At the request of the Minneapolis Legion of Decency, the House committee added an amendment calling for cancellation of films by exhibitors on moral, racial or religious grounds.

The Legion was represented by Miss Helen Lynch, secretary of the Minneapolis Council, who appeared despite statements she was not authorized by the National Legion of Decency.

Donald Rogers, attorney, and Ralph Cramblet, district manager for United (Continued on page 3)

$25,000 Ad Cost on Opening for ‘Wings’

Paramount, under the direction of Robert Gilliam, director of advertising and publicity, will spend at least $25,000, it is reported, in advertising to exploit the opening of the film, “I Wanted Wings,” at the Astor Theatre on March 26. The film is reported set for an eight-week stand, and the ticket arrangement as well as the general theatre operations of the house will be under the direction of Robert Weitman, managing director of the Paramount Theatre, who will work in cooperation with Lee Kamin, manager of the Astor. Weitman will supervise the front decoration and (Continued on page 3)

Reviewed Today

“Meet John Doe” is reviewed on Page 3; “Road to Zanzibar” on Page 7.
Coast Flashes

Hollywood, March 12—President Camacho of Mexico today telegraphed James Roosevelt, a special invitation to open his "Pot o' Gold" in Mexico City for the first Pan-American world premiere, April 12, and Roosevelt accepted. The Paramount message, transmitted through Secretary of State Alemán of Mexico, stressed the cordial relations between the two countries.

The exchange of wires brings to a final phase the plans already made known for flying studios and press groups from Hollywood to the Mexican capital for the premiere.

Don Amicke today signed a long-term contract to appear in the Kraft Music Hall show Thursday evenings on the NBC-Red. He will be an addition to Bing Crosby, Bob Burns and other regulars.

Paramount today announced that "Lousiana Purchase," B. DeSylva's Broadway show, which has been purchased, will be filmed in Technicolor, DeSylva-heads Paramount production.

British Trade Hits New Reserve Lists

London, March 12—Representatives of all branches of the industry will meet with the Minister of Labor tomorrow to ask reconsideration of the new reserve occupation listing, which it is feared will accentuate the industry's already acute shortage of technicians.

The new plan, to take effect April 1, will lower the age for such occupa-
tions as follows: projectionists, 35; painters, plasterers, carpenters and electricians, 35. Non-craft workers have been prevented from entering the reserve listings entirely. It is estimated the new rules will affect 3,000 projectionists and 1,500 studio technicians.

Cleveland Trade to Enter Shut-ins

Cleveland, March 12—Local exchanges, the operators’ union and the Cleveland Variety Club are cooperating to provide a series of film programs for the Cleveland hospitals and institutions.

Mrs. Georgia Moffit of the Variety Club is booking the films, which will be presented at various city hospitals. The union will donate the services of two operators for each show.

NY Budget Passes With Censor Fees

Albany, March 12—Tax imposed on original film and prints when submitted to the New York State censor was continued today under the state budget passed both by the Senate and Assembly.

No new tax levies were made and the one per cent emergency impost on personal income taxes will be reduced.

RKO Signs Garnett

Hollywood, March 12—Tay Garnett has been signed by RKO to direct "Unprecedented," an Erich Pommer production from the Liberty Magazine serial by Eric Hatch.

MOTION PICTURE DAILY

Thursday, March 13, 1941

Personal Mention

BARNEY BALABAN returned from Florida yesterday. He was accompanied from Washington by Arthur Israel, his assistant.

MAURICE BORGMAN, 20th Century-Fox advertising manager, was home with a cold yesterday.

HARVEY HOPPER, vice-president and Eastern representative of Walt Disney Productions, returned from the Coast yesterday.

GEORGE BEAULIEU, recently appointed sales manager of the Paramount Philadelphia exchange, became the father of a son last week.

GEORGE A. NEVIN, manager of the Capitol in Danville, Pa., has been elected chairman of the Danville Chapter of the American Red Cross.

MAXWELL WEINBERG, manager of the Little Theatre in Baltimore, and Maurice Silverstone were married early this week.

GEORGE WEAVER of M-G-M’s New Haven exchange, has gone to Cleveland.

LAWRENCE GINN of the Comer- ford Theatre, Scranton, Pa., has entered the Army.

MAURICE SILVERSTONE, LOU POUECK, HARRY LINZ, MAX SCHNECK, DAVE LIPPS, MORT LAMBERGER, TESS MICHAEL, EDWARD MCEVoy, J. H. HOFFMANN, JEFFREY BECKER, HENRY JAFFE and JACK MILLS lunching at the Tavern yesterday.

Hammons Plans to Re-enter Production

Work is scheduled to start within the next two weeks at the RKO Motion Picture Studio on the first of a short subject series to be known as “Hands of Destiny,” Earl W. Hammons, for over 200 years to the entertainment industry, announced yesterday as part of his plans to return to active production in the East.

At Christie will direct. Hammons also plans to produce a feature on the Coast, he said. No release arrangements have been made yet for the shorts and he is negotiating financing for the feature. The story for the latter has been purchased, he said.

Lustig Is Publicity Head for Goldwyn

Hollywood, March 12—Myron Lustig, for seven years publicity and advertising manager for M-G-M in Australia, has been appointed publicity and advertising manager for Samuel Goldwyn, effective this week.

Acquires British Film

American rights to the two-reevdocumentary film, “Battle of London,” have been acquired by Mack Litman. The film depicts London before, during and after the blitz, and is from the London Daily Express, and commentary is by Frank Philips, B. C. C. commentator. The subject was reviewed from London in Motion Picture Herald of Jan. 11 under the title, “London’s Got Grit.”

A RTHUR M. LOEW, M-G-M vice-president in charge of foreign activities, is scheduled to return to his office today following a Coast visit.

MONROE GREGG, DAVID WASH-
ER, CLARENCE EISENMAN, SAM SHAIN, EMANUEL, SILVERSTONE, HARRY ROSENTHAL, HARRY KREKOL and LOU WEINBERG have lunch at Andy’s (next to the Rivoli) yesterday.

LAUDY LAWRENCE, MORT SPRING, JOSEPH KOSTHAL, WILLIAM MELL, HARRY BLUM, HARRY KESSEL, L. E. LOBERT, Lester Fuller, CHARLES SONIN, SIDNEY PHILLIPS, HARRY THOMAS, GEORGE HALE, DENIS KING, CLAYTON BOYD and FRANK PHILLIPS at Sardi’s yesterday for lunch.

LOWELL CALVERT, RUSSELL HOL-
MAN, MORRIS KINZLER, CHARLES E. McGINN, JOHN EUGENE, GEORGE GEORGOS, WILLIAM MORRIS, JR., STANTON GRIFFIS, E. K. O’NEILL, CAVENDISH, ED SAUNDER, OSCAR DOUGLAS, MAX A. COHEN lunching yesterday at Nickie’s Hunting Room in the Astor.

WILLIAM BRANDT, FREDERICK MARCH and ERNEST VERNSTEIN, KOWITZ and ARTHUR GOTTLIEB having lunch yesterday at Andy’s (51st St.)

ARTHUR HORNSTOW, JR., is due to
day from the Coast.

RUTH GOLDBERG, cashier at the RKO office, Harves exchange, is visiting in Washington.

Wis, Senate Kills Daylight Time Bill

Madison, Wis., March 12—After twice being revived, the Wisconsin Senate has finally killed the Murray Daylight Saving measure.

Variety Club Party

Committees Add

Additional committees on arrangements for the National Variety Clubs Intl. convention in Cleveland, May 15-17, have been appointed by John H. Harris, national club banker.

The appointments include those of George F. Dombrow as chairman of the trailer and short subjects committee; Earle W. Sweigert, chairman of the banquet committee; Harry Kalmey, chairman of the printing supplies committee, and Frank Gravatt, chairman of the pier and theatre committees committee.

Members of the public committee are: Charles E. Lewis, chairman; Maurice Kaan, second vice-president; James C. Campbell, Abel Green, Chester Balin, Sam Shain, Eli Sugarman, Ray Lewis, Herb Miller, Arthur Ungar, William Wilkerson, Lionel Toll, Welford Beaton, P. S. Harrison and James Finn.

Tentative program arrangements call for a meeting of national officers and campaings on opening day, May 15, with a luncheon and fishing and boating trip on opening day and boxing and wrestling matches at night. The main business session will run all day May 16, followed by a lobster dinner and entertainment. The final day a golf tournament and boardwalk pageant is scheduled, with the farewell banquet following.

Washington Club

To Honor Berger

WASHINGTON, March 12—Rudolph Berger, M-G-M exchange manager, will be honored at a Washington Club tea for 50 years of his work in the film industry.

Sam Wheeler, head of the 20th Century-Fox exchange, is chairman for the event, which will be held at the Williams Hotel. Sidney Lust is general chairman.

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Artists, told the committee United Pictures would not operate under the new law because it could not rent Nat Warner's pictures to other distributors and Warner's pictures, various units would produce during a given period.

David Shearer, representing the major company assentors to the decree, except Paramount, also appeared and reiterated his charge that the bill was unconstitutional. The industry as a whole wants to give the decree a trial, he told the committee. Shearer represents M-G-M, RKO, Warners and 20th Century-Fox.

Clarence O. Holt, attorney retained by Northwestern Allied, which sponsored the measure, and Fred S. Slater, House of Representatives, both appeared for the bill, reiterated arguments they presented at previous committee sessions.

The Senate committee heard only opponents of the bill at today's session, with M. A. Levy, district manager for 20th Century-Fox, Rogers and Shearer appearing. They urged that the measure would not only stifle a plan to settle much of the industry's current difficulties, but would add more difficulties and perhaps prevent operations in Minnesota. The Senate committee will hear proponents next week.

Levy said the bill would make the slow-down distribution in Minnesota that films would be played "very late," and possibly that situation would bar the company entirely from operating in the state.

Shearer made the point that the bill makes no provision for disposal of the features cancelled by an exhibitor under the 20th Century-Fox cancellations, since it provides for the sale of an entire season's product, of which the rejected features would be only a portion.

Distributors Wage Fight on Ga. Bill

(Continued from page 1)

trial inasmuch as the proposed Georgia law provides the same selling system as exists now, to which exhibitors have objected.

Leading support for the bill appears to be from the large circuit operators. Senator Howard E. Edgell, who introduced it, is, from the district of Arthur Lucas of Lucas & Jenkins, a Paramount theatre affiliate.

Scheduling and support of the measure at tomorrow's hearing are E. E. Whitaker and Willis Davis of the Lucas & Jenkins system; A. C. Little of Thomasville; Sen. Alpha Fowler, a co-sponsor of the measure, who operates theatres in Atlanta and Douglas; Ga. House of Representatives: R. A. Kinney; Roy Martin of Martin circuit; Oscar Lan of Lam Amusement Co., and others.

Among those expected to attend the hearing are district and branch managers of the major companies who are parties to the consent decree. Probably appearing will be R. L. McCoy, Warners; C. E. Kessich and Roy Avery, M-G-M; Harry Ballance and Paul Wilson, 20th Century-Fox; Herbert Lyons, RKO, and Jack Price, Paramount. Henry Troutman and Sam Gay are the attorneys presenting the film companies in the matter.

20th-Fox Cleared

In Suit Over Name

A ruling that an occasional and only incidental unauthorized use of a personal name in a film does not constitute trademark infringement in a suit by 20th Century-Fox against Paul Gillham, 24, 20th Century-Fox

The decision came after trial, in which the plaintiff claimed the name Hurtig and Seaman, former theatrical partnership, had been used in the film, "The Big Apple," without first securing the consent of the complainant. Conviction for a misdemeanor had been sought.

Hays Visits F. D. R. On Defense Plans

(Continued from page 1)

projects in which the industry is active.

Industry to Seek Action from OPM

M.P.P.D.A. directors have conferred several times recently on threatened shortages of production materials due to priority ratings for war and defense requirements, Motion Pictures Herald will say in its issue out tomorrow.

As a result of the meetings, it is reported that representation will be made to the Office of Production Management in Washington, with expectation of action calculated to rectify the situation and to assist the maintenance of normal production.

Reopens Wisconsin House

SHEBOYGAN, Wis., March 12—Walter E. Hoffman, formerly of South Bend, Ind., has reopened the State distributor exchanges had film rentals valued at $215,000, or 1.3 per cent of the business, with approximately 60 per cent of the offices, as compared to 144 independent exchanges with rentals of $3,544,000.

The average receipts of all exchanges amounted to $70,952 in 1939, compared with $413,830 in 1929, but the major company exchanges in 1939 averaged $906,000 compared with only $132,000 for the independents, and did that volume at a relatively lower cost, total expenses amounting to only 12.8 per cent as compared to 21.2 per cent in 1929.

The total operating expenses of all exchanges were $33,839,000 in 1939 against $43,639,000 in 1929, but the breakdown showed that the operating expenses of the producer-distributor exchanges were $29,914,000 against $6,925,000 for the independents.

Labor costs comprised nearly two-thirds of the total expense of operation in 1939 compared with a little over 50 per cent in 1929, the bureau reporting that 11,332 employees were paid $21,155,000 in 1939 compared with 8,342 employees earning $7,075,000 a decade earlier.

The 1939 figures showed that the producer exchanges employed 9,639 persons who received $17,088,000 while the independent exchanges employed 1,693 persons receiving $4,107,000.

New York State had the greatest number of exchanges in 1939, with 98, of which 67 were independent and 31 producer exchanges. The next highest total was in California, with 44, of which 23 were independent and 21 producer exchanges. New York, sales in 1939 were $49,987,000, and in California, the same year, $26,085,000.
MARCH 21ST STARTS
UNIVERSAL HELPS YOU

Brian AHERNE and Kay FRANCIS
in The MAN WHO
SPRING—Officially!

START IT—Box-Officially!

It's the release date for a comedy-honey... that will rib-rouse the whole country... set ten million wives laughing and thinking about the gal whose husband "doubled" up on her!

LOST HIMSELF

HENRY STEPHENSON • S. Z. SAKALL • NILS ASTHER
SARAH PADDEN • DOROTHY TREE

Screenplay by Eddie Moran
Based on the novel by H. DeVere Stacpool
Directed by EDWARD LUDWIG
Produced by LAWRENCE W. FOX, Jr.
Associate Producer, Ben Hersh

A UNIVERSAL PICTURE • NATIONAL RELEASE MARCH 21
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<th>COLUMBIA</th>
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<th>MONOGRAM</th>
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<td>Blondies Goes Latin (C)</td>
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<td>Penthouse Mystery (D)</td>
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<td>North From the Lone Star (O)</td>
<td>Bill Elliott</td>
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<td>They Dare Not Love (D)</td>
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*Motion Picture Daily's Booking Chart*

*Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.*
Hollywood Review

“Road to Zanzibar” (Paramount)

Hollywood, March 12

Paramount’s “Road to Zanzibar” is one of the funniest pictures ever made. It is a rare combination of farce and slapstick put together with the sole purpose of zany entertainment, of making film patrons here, there and everywhere roar, laugh, chuckle, grin and give every other indication of getting their money’s worth in fun.

By Robert Lewis

Directed by Robert Lewis.

Starring Bob Hope, Dorothy Lamour.

The plot, according to Everett Wills, who directed Robert Lewis.


Denotes general classification.

New Blackout to Cover Puget Sound

(Continued from page 1)

while the evening was still "young," and which darkened the city completely for the half-hour, with plenty of advance publicity and public anticipation, played havoc with theatre attendance at the city’s 50 houses the entire evening.

The communities involved include approximately 122 film houses, divided in the various communities named as follows: Seattle, 33; Tacoma, 20; Everett, four; Bellingham, five; Vancouver, 34; and Victoria, six. In addition it is believed several other smaller communities will be affected by the blackout.

Last week’s test was the first to be undertaken in a city of the United States, and is believed to have been the forerunner of a series of similar experiments in cities on both coasts.

Gov’t Station Urged In Report by TNEC

(Continued from page 1)

several hundred other organizations which he declared devote themselves to more or less extent to lobbying, and for the most part are in the United States, was not entirely certain whether the bill would be passed.

New Judy Canova Pact

Hollywood, March 12—Republic today extended Judy Canova’s contract for three more pictures in addition to the one still due her current contract.

Disposses of Ascap Case In Wis. Today

(Continued from page 1)

reversed its stand and is no longer interested in initiating court proceedings on the basis of the Wisconsin Ascap suit, as was reported yesterday. At a meeting of the N.A.B. board of directors on Monday and Tuesday the method of conducting negotiations will be discussed and a committee will be appointed to study the negotiations at once, it was indicated.

Previously, Nye Miller, N.A.B. president, had said that he would require an agreement that the network would conduct its own negotiations. Nye Miller enclosed a copy of his letter to Buck in a letter to Miller. Yesterday, Miller wrote to McCooker pointing out that N.A.B. repeatedly had stated that it had no authority to negotiate for any broadcaster or network and that the meeting next week had been called expressly for the purpose of deciding whether or not this authority should be granted.

Buck, a member of Ascap, has voluntarily taken a salary cut of $15,000 a year, reducing his compensation to $35,000, due to the loss in Ascap’s income, which was disclosed yesterday. E. C. Mills, administrative committee chairman, accepted a similar reduction. John G. Paine, general manager, agreed to a cut from $27,500 to $24,750.

Enabling Act Passed

Madison, March 12.—The Wisconsin Senate today passed and sent to the lower house the Cashman bill which authorizes the Secretary of the State to enforce provisions of the state law licensing Ascap and assessing 25 cents per ticket receipts in this state.

Col. Sign Hayden

Hollywood, March 12.—Russell Hayden who played the role of "Lucky" in Harry Sherman's "Hop-Along Cassidy" films for Paramount release has been released from a contract by Columbia. His first picture will be "One Way Street" in which he will play the lead. Sherman will announce Hayden’s successor next week.
Second Milwaukee Complaint Is Filed

MILWAUKEE, March 12.—The second complaint for arbitration to be filed with the local board here was brought today by Lee Macklin, operator of the Grand, New London, Wis., against five competing companies.

The complaint charges that the Rio and Appleton in Appleton, Wis., the Grand and Times at Clintonville, and the Waupaca and Palace at Waupaca, receive unreasonable clearance over the Grand, which in some cases amounts to 30 to 30 days, according to the complaint.

Macklin asks an arbitration finding that the three house operators entitled to no clearance over New London.

Reception Held For Appeals Board Here

A reception for the three members of the national appeals board of the industry arbitration system was given in the Rockefeller Center Lounge of the RCA Building by the American Arbitration Association yesterday, marking the formal opening of the appeals board headquarters in Radio City.


Gambling Ban Helps Grosses in Helena

HELENA, Mont., March 12.—As a result of the action of State's Attorney General John W. Bonner in banning all gambling here, grosses at the Marlow, largest theatre in the city, took a sudden upward leap in the 10 day period ending yesterday.

The expected Lenten slump was largely overcome by the edict, with the house more than doubling average. "King Foyle," playing from Feb. 24 through March 4, coincidentally with the Academy Award to Ginger Rogers, the film's star, grossed $1,706.

"Come With the Wind," followed, playing from March 5 through yesterday, with three shows daily, and grossed $25,000. Admission 40 cents plus tax, was charged for both pictures. The average gross for a five-day run is about $1,500 at the Marlow, which seats 1,200. The weather also helped at the box office.

Writer Bankrupt

Voluntary petition in bankruptcy has been filed in U. S. District Court by Geza Herzeg, author and script writer, listing liabilities of $71,129 and no assets. Among creditors listed are Alexander Korda, $2,000; Winfield K. Sheehan, $2,800; Frank Osvatti, $250, and Otto Preminger, $1,000.

Lewis Is Elected President of CEA

London, March 12.—Sydney K. Lewis, vice-president of the Cinematograph Exhibitors Association, has been elected president, succeeding Harry P. E. Mears. Lewis and Mears had engaged in a vigorous contest for the presidency.

Lewis, general manager of the Deeming Circuit, has been a member of the Birmingham branch of the C. E. A. for 15 years and of the general council of the national organization for eight years.

Average ‘A’ Actor Income Is $14,867

HOLLYWOOD, March 12.—Average annual income of 330 Class A members of Screen Actors Guild is $14,867, according to a survey conducted for the Guild by Dr. Leo C. Rosten, who was granted a fellowship by the Rockefeller and Carnegie Foundations for the study. It was pointed out, however, that this high average resulted from inclusion of top salaried performers, and that $4.1 per cent earned more than $2,000 weekly.

Taking the income of performers numerically at the halfway mark in their careers, the survey found that the annual income was $4,700. The survey covered earnings of 330 Class A members during the years 1935 through 1939. Of these it was found that 42 per cent earned $499 weekly or less, $500-$999; and 49 per cent, $1,000-$4,999.

506 Radio Officials

Over $10,000 in 39

WASHINGTON, March 12.—The FCC today listed 506 officials in the communications field who earned salaries of $10,000 or more during 1939. Names were given. Salaries listed for RCA were $10,000 for the president (David Sarnoff); chairman of the board (Maj. Gen. James G. Harbold), $60,000; vice-president and general counsel (Almon Davis), $25,500; a vice-president at $30,000, and another at $25,000.

Documentary Theatre Set

The National Documentary Theatre Co., Inc., has been formed with Harold McCracken as president, to show documentary and commercially sponsored films only, at the Belmont Theatre, under the name Documentary Theatre.

Eastman 1940 Net

Profit $20,076.739

Eastman Kodak Co. yesterday reported net profit of $20,076,739 for 1940, which compares with 1939 profit of $20,418,200.

Total sales for the year amounted to $130,896,780, compared with $123,347,076 for the preceding year. The company transferred $10,900,000 to reserve for contingencies due to the uncertainties of future market conditions, leaving earned surplus at the end of 1940 of $38,697,282 after eliminating $8,429,405 of earned surplus of subsidiaries not included in the consolidated report.

The company's investments in and advances to foreign subsidiaries amounted to $23,450,689. Of foreign operations, the report of F. W. Lovejoy, president, and W. G. Stuber, chairman, says in part: "During the past year and up to the date of this report, no war damage has been sustained by any of the manufacturing plants, nor by other foreign properties of your company with the exception of the loss of a wholesale stock depot, the major portion of which loss was covered by commodity insurance.

They laugh, and love and roar so
You'd think they'd burst a torso!
For Lubitsch with his touch-ka
Has topped his own Ninotchka!

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Senate Expected to Confirm Wakefield

WASHINGTON, March 12.—Confirmation by the Senate without any difficulty of the nomination of Ray C. Wakefield as a member of the FCC is expected here as the result of the Interstate Commerce Committee's action today ordering a favorable report.
Loew's Settles Its First Case In Arbitration

Four Other Firms to Be Heard in Boston Today

Having made a settlement this week with the Park Theatre, Nashua, N. H., on its "some run" arbitration complaint against the five consenting companies, Loew's, Inc., was eliminated yesterday as a respondent in the action, which is scheduled for hearing in Boston today as the first proceeding under the new industry arbitration system.

Paramount, Warners, 20th Century-Fox and RKO will be represented at the hearing by Edward F. McClennen, resident attorney at Boston. J. Noble Braden, executive secretary of the American Arbitration Association, will attend the hearing. Arthur L. Brown, Boston University law professor, is the arbitrator.

The second arbitration hearing is scheduled for tomorrow in Chicago on the complaint of

Rio and 'Doc' Lead In Slow B'way Week

A combination of bad weather, poor traffic conditions as the result of the uncleared snow from the severe snowstorm of last weekend, and the slight but continuing effect of the box strike depressed Broadway grosses generally this week. Lunt also had its effect.

"John Doe" opened strong at the Hollywood and Rivoli, grossing an estimated $4,500 at the two houses Wednesday night.

Another exception was "That Night in Rio," playing at the Roxy with a stage show, which is expected to gross $4,000 in its first week, ending tonight. It will be held. At the

In Today's Issue


Ascap and Officials Are Fined $35,250 Ending Wis. Action

MILWAUKEE, March 13.—The Government's criminal information against Ascap was terminated in U. S. District court here today on the levying of fines totaling $35,250 against officers, directors, 19 corporate members and the music society itself.

The defendants entered pleas of not guilty, and on the application of Government of Judge F. Ryan Duffy levied fines totaling $16,000 against 26 officers and directors, $14,250 against 19 corporate members and $5,000 against Ascap.

NEW HAVEN, March 13.—The judiciary committees of the Legislature today heard arguments for and against three pending anti-Ascap bills. Connecticut exhibitors attended the hearings.

Proponents of the measures urge the state to enact them as valid exercise of its police powers, while opponents pointed out that similar measures have been ruled unconstitutional in three states following enactment.

Admiral Calls Films Vital in Maintaining Morale of Navy

Para. Party Screens Greek Relief Film

Paramount yesterday was host to home office and circuit executives, members of the Greek War Relief organization and the trade press at a cocktail party at Toots Shor's restaurant on the occasion of a screening of "Greece Fights Back.

The subject was prepared by March of Time and will be distributed by Paramount, with all proceeds to be donated to the Greek war relief fund. The company has ordered 740 prints for the widest possible simultaneous distribution throughout the country. The first release is tentatively scheduled for late next week. Eastman Kodak contributed stock for the film.

Among those attending were: Neil Agnew, Oscar Morgan, Charles Real.

It Pays to Kick

WHEN Mutual network executives saw Capra's "Mr. Smith Goes to Washington" they noted that in the scene where H. L. Mencken makes his broadcast only NBC and CBS microphones were visible. A press note was sent to Capra pointing out the oversight. Yesterday, Mutual sent another letter to Capra thanking him for having included an MSR microphone in "Meet John Doe," but also draping a small Mutual boompole 96C microphone and 99C which have not been heard from yet this time.

Universal Quarter

Profit Is $553,795

Universal Pictures Co., Inc., yesterday reported consolidated net profit of $553,795 for the 13 weeks ended last Feb. 1, constituting the first quarter of the company's current fiscal year. This is an improvement of approximately $158,000 over the corresponding quarter last year, similarly computed.

Kate Blumberg, J. Cheever Cowdin, Charles D. Prutzman, Peyton Gibson and other board members will go to Wilmington, Del., tomorrow to attend the annual meeting of the company's stockholders. Among

Anti 5-Block Bill Voted Down, 12 to 7

ATLANTA, March 13.—The House judiciary committee of the Georgia legislature today voted 12 to 7 against the Edenfield bill to set aside the blocks-of-five provision of the Federal consent decree. The measure was passed by the Senate unanimously a week ago.

The House committee returned the bill to the House with the recommendation that "it do not pass." Debate at the committee hearing was heated.

A minority committee report was filed, which places the bill as an amendment to be brought up on the floor of the House. Observers, however, foresee no favorable action on the bill as adjournment is only a few days off.

Circuit theatre operators backing the bill entered into spirited arguments with producers' representatives at the public hearing before the committee.

Among speakers for the bill were William circuit operator of Thomasville, and Senator Alpha Fowler, also a circuit operator. Appearing against the measure were John J. Kelly, former candidate for Governor, among others.

Williams is a former president of the Southern Motion Pictures Association, but is backing the bill as an individual, as are other members of the organization.

The Georgia bill is similar to the one pending in Minnesota. It reportedly "slipped" through the Senate as an administration measure, quietly, without witnesses or the opposition to fight it at that time.

Seven Sue to Gain Admission to Union

Seven candidates for admission to New York Operators' Local 306 filed suit yesterday in N. Y. Supreme Court against the union and its officers, seeking an injunction to compel the union to admit them immediately.

The plaintiffs claim that they are either brothers or sons of members of the local, and that they made a contract in 1937 with the union under which they were to take priority for admission. Local 306 and its officers are charged with conspiring to violate the contract by admitting other applicants before them.
Personal Mention

NED E. DEPINE T, RKO vice-president, is due today from the Coast.

LIE NEWBURY, president of Allied of New Jersey, plans a Florida trip in two weeks.

ROBERT WEITMAN, Nate Blumen- thorn, Fredric March, Florence Eldridge, Irving Berlin and Martin Moskowitz having lunch yesterday at Lindy's. (51st St.).

WILLIAM BRANDT, Anita Louise, Jeff Priest, Morris Gest, Arthur Low, Moss Hart, Russell Crouse, Vincent Trutta, and John Buch- anan lunching at Sardi's yesterday.

JOSEPH SELZMANN, Monroe Green- thorn, Harry Rabbit, Al Mar- golies, Archie Mayer and Irvin Shapiro at Lindy's (next to the Rivoli) yesterday for lunch.

EARE HAMMONS, Maurice Berg- man, Dave Lipton, Jeffrey Bens- er, Charles Paine and Sid Silvers having lunch yesterday at the Tavern.

JOHN and Hilda Connor, who operate the Strand at Glace Bay, N. S., are the parents of a son.

Luncheon for O'Shea

E. K. O'Shea, Central division manager for M-G-M, was honored at a luncheon yesterday in Nick's Hunting Room at the Hotel Astor, prior to his departure with Mrs. O'Shea for Florida. Present were: Martin Quigley, T. J. Connors, Ed Saunders, Clayton Bond, Lowell Calvert, Sam Shain and Max A. Cohen.

Mayer Ampa Guest

Arthur Mayer, operator of the Ri- alto on Broadway, will be the guest of honor at the luncheon meeting of the Ampa, scheduled for next Thurs- day at the Hotel Edison, Victoria Cordova, RKO singer, will entertain at the luncheon.


date

Lindy's

RESTAURANTS

1626 BROADWAY 1655
(Next to the
Kodak Theater)
(31st Street
Center)
For over 20 years
the luncheon and dinner place for Motion Picture People
Sole agents in New York for FAMOUS
BLUM'S ALMONDNETTES
from
San Francisco, California


date

Late News Flashes from the Coast

Hollywood, March 13

GEORGE BROWN, International president of the L.A.T.E.S., today re- ceived a new appeal from Technicians Local 695 for assistance in negoti- ating a studio contract calling for wage increases and partial jurisdiction held by the International Brotherhood of Electrical Workers. The appeal, made by Mr. Brown, lasted for a long time for your assis- tance in negotiating an agreement between the local and the major pro- ducers.

Your immediate assistance is requested as it will have a direct bearing on our attitude toward exemption or non-exemption in our hearing before the Wage-Hour administration on March 25.

Stuart Walker, 53, director and producer, died today of a heart attack at his Beverly Hills home. He was associate producer for Paramount from 1938.

William Lanier, first production at 20th Century-Fox will be "Caribbean Cruise," in Technicolor, starring Carmen Miranda and Betty Grable.

Anm Sheridan, suspended for several months in a salary dispute with War- ner Bros., will return to the studio tomorrow. Warners said she is returning under the terms of her present contract, the dispute having been settled by Jack Warner, vice-president in charge of production, and Myron Selznick, her agent.

Her first assignment will be "Navy Blues." Max Gordon, Broadway producer, reported today at the Columbia studio to begin work as a producer.

Wearers to Show 'Wolf' on Steamer

Warner Bros. yesterday announced it would hold a "world premiere" of "The Sea Wolf," aboard the S. S. America during the steamer's sched- uled run from New York to San Francisco next Friday. The ship is now en route to San Francisco from New York and will arrive in Los An- geles Thursday. Edward G. Robinson, John Garfield and Ida Lupino will be among the ship's guests on the coastal trip.

The regular premiere will fol- low in San Francisco. The ship's screening was by special arrangement with the United States Lines.

Smith on Drive Tour

Cresson E. Smith, Western division sales manager for RKO, will join the Ned Depinet Drive tour at St. Louis on Monday. He will continue with the drive leaders through the West- ern territory to Los Angeles.

Goodman in S. A.

Morris Goodman, Republic vice- president in charge of foreign sales, is in Mexico City, on the first leg of an annual trip to Republic's Latin American branches. He will be gone about four months.

Canadian Exhibitor Dies

Halifax, N. S., March 13—R. J. Macadam, proprietor of the local Ca- sino and its manager until three years ago, is dead here. He began his af- filiation with theatres 30 years ago at Sydney, N. S., as manager of a silent picture house there.

Stapleton Rites Held

OTTAWA, March 13—Funeral serv- ices for Ben Stapleton, founder of the Center Theatre, were held yester- day. Burial was in Beechwood Cemetery.

25 years in Same House

Pittsburgh, March 13

TWENTY-FIVE years ago Joe Miller was born the first film at the opening of the Plaza Theatre in the Bloorfield neighborhood. This week he observed his 25th anniversary in the same house, estimating that he has projected 420,095,700 feet of celluloid on the job. Recalling the days when "projection booths were just a few slabs of asbestos pieced together, all the feet high and six feet wide," Miller also remem- bered that "we never paid much attention to schedules then as we do now. We were mainly interested in finishing the last show on time. At 10:00 we were running behind, we just stopped the machine. Many's the time I've had the characters running and jumping, all a-scramble on the screen so we wouldn't go past quitting time."

"Then again, if the show was going too fast, we'd slow up the film. Then the characters just loafed about." In 1916, Miller quit a shovelf job to become an assistant operator at $1 a day.

Newsreel Parade

WAR defense and sports made up the greater part of the new it- ems distributed giving some credit to Roosevelt's signing of the history- making Lend-Lease bill. The contents:


Grainger Plans No Changes in Midwest

CHICAGO, March 13—No changes in personnel in any of the Midwest exchanges are contemplated at this time, Grainger, Re- public president, announced here to- day.

Grainger is in Chicago conferring on various business matters. This is his first visit since Republic pur- chased the Illinois, Indiana and Wis- consin franchise from Irving H. Man- dul.

Motion Picture Daily

(Registered U. S. Patent Office)

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**British in Plea on Reserve Listings**

**MOTION PICTURE DAILY**

London, March 13—The industry today made an urgent plea to the Ministry of Labor to retain the status quo on the reserved occupations listing, with respect to film technicians, declaring that the changes now proposed to be effective April 1, would mean the virtual extinction of the industry's case for the industry in its attempt to prevent a serious shortage of technical labor, was presented to the Government this morning by the producers at an afternoon meeting by exhibitors and labor.

Meanwhile, the general council of the Cinematograph Exhibitors Association reported that the Cinematograph Rentalists Society (distributors) is unwilling to institute a sliding scale of rentals for the relief of exhibitors in bombed areas, but will ask individual distributors to treat separate cases on the same basis.

The report of the Government's Operation Y Committee, disputes the possibility of arbitrarily de- cimating the film industry. The council recommends the current forecast of Motion Picture Daily on the situation.

**Ask Court Approval For Fox Accounting**

Kenneth P. Steinerich and Leopold Porrino as trustees for Fox Theatres Corp., filed notice of application yesterday in N. Y. Supreme Court for approval of an accounting of Fox Theatres for the year ended Dec. 31, for the purpose of distributing the $87,187 available last Dec. 31 for distribution to certificate holders and for payment of taxes and allowances to trustees and attorneys.

The application, which will be heard by Justice Edward B. McLaughlin on March 31, asks in addition for approval of a plan of operation for 1941 and for authorization to sell certain land located in the Bronx held by the trustees. Fees and allowances are sought for services rendered in 1940.

A sum of $80,000, the report states, is being kept as a reserve for the possible distribution to William Fox on his claim, estimated at $80,000. The claim is subject to litigation, and the trustees have interposed a cross-claim against him.

**Carolina MPTO in Membership Drive**

Charlotte, N. C., March 13.—The Theatre Owners Protective Society of Carolina plan a membership drive, centering chiefly in South Carolina. Charles Arington, president, and Mrs. Pauline Griffith, secretary, have completed a tour of North Carolina, during which they signed a number of theatres to membership.

**Hardy Tax Affirmed**

Washington, March 13.—The Board of Tax Appeals has affirmed decision of the $7,000,000 bonus paid Oliver Hardy for the years 1934 to 1937, inclusive, holding a property settlement between the actor and his wife in 1933 was in full force even though they had become reconciled.

**Feature Reviews**

**"That Uncertain Feeling"**

(Lubitsch-Leaser-United Artists)

BEGINNING with little more in the way of a story idea than a few well-chosen lines of dialogue to the throes of boredom, Ernst Lubitsch ends by delivering a sophisticated comedy drama of married life which sparkles frequently, sometimes merely shimmering, but always is rich in production values.

Since Lubitsch has chosen to diagnose the young wife's boredom as due almost exclusively to an insufficiency of provision for her physical appetite, the resulting production, also, is suited almost exclusively to that province. This perhaps would be less the case if the producer-director had been as subtle in all sequences as he is in the final one where he causes the young husband to open the door of his wife's bedroom and place the photograph of the erstwhile amorous intruder on the floor outside, signaling that all is well again within. But such is not the case. The Lubitsch "touch," on occasion, here becomes a sock in the jaw, as in the blunt insinuations of the doctor's consultation with the young wife, which leave no doubt that he and Lubitsch are in diagnostic agreement.

Merle Oberon, as the young wife, is well prepared for an extramarital adventure by that consultation. In fact, as though he were a man of the world, he encounters the means for that adventure in the doctor's waiting room in the person of Burgess Meredith, as a pianist of the "arty" genre.

From there on, her boredom as the wife of Melvyn Douglas, a successful insurance man too engrossed in his work, progresses to the divorce stage, then retracts its steps to the reconciliation when she comes to realize that an artist, as well as an insurance salesman, can be too wrapped up in his occupation to make of a woman's life an endless courtship.

Miss Oberon's performance is almost flawless. Her transition from the dissatisfied woman bent upon divorce to the reawakened wife again in love with her husband is one of expertise and appeal. Douglas has a fine opportunity to show off while characterizing an indifferent husband, but once launched upon his campaign to win his wife, he is again on solid ground, and ends both the picture and the role as its master. Meredith is an amusing, irresponsible artist-adventurer, not too likeable, as the script directs, but believable.

In the lesser roles, Harry Davenport as the family lawyer; Alan Mowbray as the doctor; Sig Rumann as an insurance client, and Olive Blakney as a friend, stand out. The story runs from the risk to the warily comic.

Full use should be made of the cast and producer's names in selling the picture as sophisticated entertainment for adults. The title's own implication is not likely to be missed.

Running time, 85 minutes. "A"**

Shirwin A. Kane

**"A Man Betrayed"**

(Republic)

Hollywood, March 13

ONE of the better of the consistently improved pictures of Republic, "A Man Betrayed" is a powerful story of graft and corruption in high places of a city's government. The tale deals with the endeavors of a small town attorney, played by John Wayne, in determining the real cause of the death of a friend, with the subsequent exposure of the crooked elections and politics and the eventual overthrow of the town's "boss."


At first called "Gangs of Kansas City" and later "Citadel of Crime," the film is amenable to exploitation and advertising campaigns, keynotes of which play up the exposures of graft.

The film, directed by John H. Auer, while not edited as carefully in its places as Wallace Ford might have, merits special attention, being able to hold its own with others of much higher budgets. Armand Schaefer was the associate producer.

Running time, 80 minutes. "G"**

Vance King

**TNEC Issues Its Report on Screen**

Washington, March 13.—The Temporary National Economic Committee today formally issued its monograph on motion pictures, written entirely by Daniel Bertrand, W. Duane Evans and E. L. Blanchard. Motion Picture Daily published a full report on the monograph in the issue of March 7.

The report was released without comment by the TNEC, other than a foreword that its publication "in no way signifies nor implies assent to, or approval of, any of the facts, opinion or recommendations. The same disclaimer has been made in all of the 29 industrial monographs submitted.

**Jay Paley Witness In Schenck Trial**

Joseph L. Schenck conferred with almost all 20th Century-Fox film officials and members of his personal staff on Saturday afternoon aboard his yacht, Caroline. Jay Paley testified yesterday in the Government suit against Schenck and Joseph H. Bow- lowitz in Federal court here. Paley said Schenck used the yacht for a goodwill tour, and that important film executives, such as Samuel Goldwyn, Darryl F. Zanuck, William Goetz and Louis B. Mayer visited him on the vessel. Paley said Schenck and his associates of the producers also visited Schenk aboard the yacht, Paley said. This testimony was corroborated by Louis Wer- thimer.

Harry C. Wilson, another witness, declared that Schenck had held many business conferences aboard the yacht with producers and film executives. The witness, who had been Schenck's yacht broker, stated that Schenk purchased his first yacht, the Invader, for $96,000 and later sold it for $35,000.

Ruth Nolader, Schenck's former secretary, will be the first witness called today.
Nine New Story Properties
Set for Early Production

Hollywood, March 13

Nine story properties were purchased last week by various studios for early production. Columbia purchased “Take Back Your Dreams” from L. A. Johnson; RKO bought “Navy Nurse,” by Hilary Lynny, to be made under the title of “Women of the Navy”; “Just Another Dame,” by Robert Hyde, and “Who Came to Life,” by Samuel W. Taylor.

Sam Marx’s original “Sidesteps, dealing with a tabloid newspaper editor,” and “The Strange Adventure,” originally with a San Francisco, Honolulu and China background by Clyde F. Davis, have been bought by M-G-M.

Republic acquired “Hurricane Smith,” by Charles Booth, and “Pardon My Stripes,” by Armin Johnson.

Twentieth Century-Fox bought “Pickup Confusion,” by Harold Albritt and Austin Parker, which was produced in England.

George Bruce has been signed by Paramount to write the script for “War Town” with Sidney Biddell. Stephen Longstreet’s “Gay Sisters,” has been signed to a term contract by Warners.

Columbia has signed Richard Wallace, the director, to a term deal.

M-G-M has signed Anita Loos to a term writing contract. Because of his performance in “I Wanted Wings,” William Holden has had his contract extended by Paramount. Martha O’Driscoll gets one of the top roles in Paramount’s “World Premiere.”

Robert Preston was borrowed by RKO from Paramount for “Parachute Battalion,” in which Harry Carey also will be starring. Loreta Young will be seen as “Tillman Belongs to Us,” formerly titled “Ballotina,” which Gregory Ratoff will direct for Columbia. Warners will cast Edgar Flynn and Joan Leslie in “The Constant Nymph,” which Edmund Goulding will direct.

Charles Vidor’s directorial contract at Columbia has been extended. . . . Larry Darmour’s nextrell Queen story will be “The Devil Pays.” . . . March 17 has been set as the start for RKO’s Marx Brothers next picture at M-G-M. Charles Reisner will direct and Louis K. Sidney produce.

George aside, directors, including Peyton Gibson, who was elected to the board recently to serve the unexpired term of William Freyday, resign before were scheduled to be reelected by the stockholders’ meeting to-morrow.

The stockholders will also vote on an amendment to the company’s by-laws to indemnify officers and directors on judgments resulting from legitimate exercise of their official authority.

Para. Party Screens
Greek Relief Film

(Checked from page 1)

anisome vote a measure authorizing the state to license Ascap agents in Wisconsin. A plebiscite is set for March 26. Ascap law was enacted in 1937, it made no provision for the enforce-ment of the agreements. Ascap representatives are required to pay a $25 annual license fee and assessing a 25 cent tax on their collections.

Senator John E. Cashman, author of the enabling bill, said that if the state license law it would yield the state $100,000 annually. It would go to the Assembly where its passage is believed certain.

Admiral Calls Films
Vital to U.S. Navy

(Motion Picture Service, for which approximately $260,000 is contributed from the profits of stockholders’ part of which will be used for keeping the showing of the film below docks when ships are operating under wartime blackout. The House committee hearings closed that with the increase to four islands, it would be possible to keep the equivalent of 247 programs in stock at all stations and in all ships, thus avoiding the cancellation of shows in the event of delay in delivery.
From the HOTTEST TOWN in America...

comes the HOTTEST BAND in America!

TOMMY DORSEY

AND HIS ORCHESTRA
in the HOTTEST PICTURE of the year...

Paramount's "LÁS VEGAS NIGHTS"

TOMMY DORSEY AND HIS ORCHESTRA • BERT WHEELER
Constance Moore • Phil Regan • Betty Brewer • Lillian Cornell • Virginia Dale • Red Donahue and His Mule "Uno"

Directed by Ralph Murphy • Original Screen Play by Ernest Pagano and...
Philadelphia, March 13.—Competition from snowstorms on weekend days and the "Ice Follies of 1941" for capacities at the Arena held in its last two weeks in the RKO Main House, $5,500. Estimated takings for the week ending March 4-5:

- Back Private (2d Fox) $29,500
- RKO-ALICE (1,228) (28c-39c-44c-75c) 7 days, gross: $9,100. (Average, $1,295)
- "Andy Hardy's Private Secretary" $6,200.
- The Wild Man of Borneo (G-M-M) $4,200. (Average, $600)
- Murder Amores Friends (20th-Fox) $5,900. (Average, $843)
- "Virgina" (Parlo-Va) STRAND—(28c-38c-3x) 7 days, gross: $6,300. (Average, $900)
- "Secret Evidence" (P. C. B.) VICTORY—(30c-39c-44c-75c) 7 days, gross: $6,600. (Average, $943)
- "Bring Home the Bacon" (Rep.) Fox—(2,250) (28c-39c-44c-75c) 7 days, gross: $6,900. (Average, $986)
- "Philadelphia Story" (RKO) SHERMAN'S (2,250) (28c-39c-44c-75c) 7 days, gross: $7,100. (Average, $1,015)
- "Flights from Destiny" (W. B.) STANLEY—(28c-39c-44c-75c) 7 days, gross: $7,500. (Average, $1,071)
- "Smile Capital Hit, Garners $14,000"

WASHINGTON, March 13.—"Mr. and Mrs. Smith" turned in $14,000 at RKO Keith's. "Come Live With Me," aided by a stage show headed by Jan Y. Flippin, drew $2,100 at Loew's Capitol.

Estimated takings for the week ending March 5:

- "Western Union" (20th Fox) IMPERIAL—(3,373) (28c-39c-44c-75c) 6 days, gross: $12,000. (Average, $2,000)
- "The Philadelphia Story" (G-M-M) LOEW'S COLUMBIA—(2,472) (28c-39c-44c-75c) 6 days, gross: $12,000. (Average, $2,000)
- "Father's Son" (W. B.) IVOLI—(2,472) (28c-39c-44c-75c) 6 days, gross: $1,500. (Average, $250)
- "So Ends Our Night" (U. A.) LOEW'S PALACE—(2,500) (30c-39c-44c-75c) 7 days, return engagement, gross: $3,200. (Average, $460)
- "The Son of Monte Cristo" (G-M-M) "Mr. and Mrs. Smith" (RKO) RKO-KEITH—(1,834) (28c-39c-44c-75c) 7 days, gross: $14,000. (Average, $2,000)
- "Come Live With Me" (G-M-M) "Son of Monte Cristo" (G-M-M) IVOLI—(2,672) (28c-39c-44c-75c) 7 days, return engagement, gross: $4,200. (Average, $600)

Add to Maine Circuit

St. John, N. B., March 13.—Several holdovers in this area are in the Army. John Perakos, son of Peter Perakos, Connecticut exhibit, has joined the Marines. John was married to Miss Thompson, his brother, Sper, left for service. Edward Canell, Warner exchange assistant, has been called to New York for camp, as well as Sidney Lax, Columbia shipper. William Nuttle, former Paramount shipper, who left several weeks ago, has been replaced by Harold Garceau.

Dugan 'and Show $11,700 for Buffalo

BUFFALO, March 13.—"The Trial of Mary Dugan" with "Streets of Paris," first stage show at the house in years, drew $11,700 to the Hippodrome. Adam Had Four Sons" and "Elsie Queen, Master Detective" took $10,000 at the Lafayette.

Estimated takings for the week ending March 8:

- "Western Union" (20th-Fox) THE GIRL IN THE NEWS—(28c-39c-44c-75c) 7 days, gross: $9,000. (Average, $1,286)
- "Blonde Inspiration" (M-G-M) HIPPODROME—(2,300) (28c-39c-44c-75c) 7 days, gross: $8,500. (Average, $1,214)
- "The Son of Monte Cristo" (G-M-M) GREAT-TEXAS—(1,940) (28c-39c-44c-75c) 7 days, gross: $6,500. (Average, $929)
- "ConvoY" (RKO) THE YANKEE—(2,700) (28c-39c-44c-75c) 7 days, gross: $5,900. (Average, $843)
- "Road Show" (U. A.) THE PLAIN—(2,000) (28c-39c-44c-75c) 7 days, gross: $2,500. (Average, $357)

"Blonde' Leader in Cleveland, $13,900

CLEVELAND, March 13.—"Strawberry Blonde" drew $13,900 at Warner's Hippodrome to lead the city. "Back Private," aided by Ray Noble's orchestra on the Palace stage, earned $14,800.

Estimated takings for the week ending March 6:

- "Back Street" (Univ.) ALLEX—(2,000) (30c-39c-44c-75c) 7 days, 2nd week, gross: $12,500. (Average, $1,786)
- "Blonde Blonde" (W. B.) WARNER LAMBERT—(2,000) (30c-39c-44c-75c) 7 days, gross: $12,000. (Average, $1,714)
- "Blonde Inspiration" (M-G-M) HIPPODROME—(1,800) (28c-39c-44c-75c) 7 days, gross: $11,500. (Average, $1,643)
- "Blonde Private" (Univ.) RKO PALACE—(2,000) (30c-39c-44c-75c) 7 days, gross: $11,000. (Average, $1,571)
- "Lord of the Flies" (W. B.) LOEW'S THEATRE—(2,000) (30c-39c-44c-75c) 7 days, gross: $9,000. (Average, $1,286)
- "Road Show" (U. A.) THE PLAIN—(2,000) (28c-39c-44c-75c) 7 days, gross: $2,500. (Average, $357)
**Feature Reviews**

**“The Round Up”**  
*Paramount*

R. BARD DIX, Patricia Morison and Preston Foster are joined by Don Wilson, the well known announcer on the Jack Benny radio program, in an outdoor action film directed by Lesley Selander.

Dix, a wealthy rancher, marries Miss Morison just as Foster returns. The latter is a ne'er-do-well who was believed to be dead. Foster attempts to resume the romance with Miss Morison and she is perplexed by his devotion to her husband on the one hand and her love for Foster on the other.

Foster gets into a series of scrapes in which he involves Miss Morison. Dix plays the role of the strong, silent man and murders one man who attempts to annoy his wife. Later, a gambler (Jerome Cowan) is shot and Dix is accused, but Foster clears him of the confession. Complications are provided by a gun running gang which smuggles rifles to the Apache Indians. Three songs are woven into the plot, and several laughs result from the romance of Wilson and Ruth Donnelly.

Running time, 90 minutes. **“G”**

EDWARD GREIF

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**“Back in the Saddle”**  
*Republic*

**“Back in the Saddle,”** starring Gene Autry, top western star, and featuring Smiley Burnette and Mary Lee, is a modern story dealing with the fight of cattlemen attempting to stop copper miners from polluting streams. Also included in the cast is J. Carrol Naish, who plays the role of a cattleman. The plot is based on the problems presented by an unscrupulous mining company head, through legal action backed by gunfire.

A musical western, there are eight songs of the outdoor type sung by Autry, Burnette, Mary Lee and Jacqueline Wells. Others in the cast are Edward Norris, Addison Richards, Arthur Loft, Edmund Elton, Joe McGuinn, Edmund Cobb and Robert Bartlett.

Lew Landers directed this Harry Grey production.

Running time, 71 minutes. **“G”**

VANCE KING

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**‘Night Train’ Draws $8,000, Kansas City**

**KANSAS CITY, March 13—**Pinkly Tomlin and his orchestra on the stage and "Night Train" at the Tower drew $8,000. "Victoria" brought $7,500 to the Newmarket next week.

Estimated takings for the week ending March 7:

- **“Mr. and Mrs. Smith”** (RKO): $10,000. (Average, $1,500)
- **“Gone With the Wind”** (20th-Fox): $15,000. (Average, $2,100)
- **“The Outlaw”** (3,600) week. Gross: $1,000. (Average, $1,000)
- **“Bad Bunch”** (Univ.): $1,500. (Average, $1,500)
- **“Gone With the Wind”** (M-G-M): $15,000. (Average, $2,100)
- **“Evergreen’s Last Reel”** (Universal): $12,000. (Average, $1,500)
- **“Buck Privates”** (MGM): $15,000. (Average, $2,100)
- **“Bringing Up Father”** (Paramount): $10,000. (Average, $1,500)
- **“The Outlaw”** (Warner): $15,000. (Average, $2,100)
- **“Selma, You Maniac!”** (M-G-M): $10,000. (Average, $1,500)
- **“Night Train”** (20th-Fox): $15,000. (Average, $2,100)
- **“Stolen Face”** (RKO): $10,000. (Average, $1,500)

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**Dual Intermission Is Tried in Seattle**

Seattle, March 13.—A new "relief period" for audiences at double-feature shows has been inaugurated here at the Paramount. The idea is that once in the afternoon and once in the evening they will be given a five-minute intermission during the showing of the two features.

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**Uses Singles, Duals**

KANSAS CITY, March 13—Fox Zimm at Winfield, Kan., has been under manager Hugh Sivard, and will use a single feature the first half of the week and duals the second half. The Regent theatre doubles features under the new arrangement.

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**Takes Over 1a Theatre**

CRESO, Iowa, March 13—Jack Kuech, operator of the Gem Theatre at Cresco, Iowa, has taken over the operation of the Mode here. J. A. Tuche, who built the Mode last fall, owns the theatre building.

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**AGVA Says Ranks Firms Despite AFM**

Blanche Witherspoon, executive secre tary of the American Federation of Musi cal Artists, in a statement yesterday declared that the union's ranks were not hurt by the expulsion of Albert Spalding, concert violinist, and several others, who have joined the American Federation of Musicians. She said the GMA would continue to fight the order of James C. Petrillo, A.F.M. president, that all concert instrumentalists join the A.F.M. She also pointed out that litigation is pending in the New York Court of Appeals for an injunction.
QUIGLEY PUBLICATIONS afford to this industry the service which is its standard in dependability in swift information and ever reliable in policies, in consistent delivery of high level performance.

MOTION PICTURE HERALD
MOTION PICTURE DAILY
NTSC to Urge
375-Line Color
For Television

An increase in the number of lines from 343 to 375 for color television will be recommended by the National Television Systems Committee to the FCC at the television hearing next Thursday, it was learned yesterday. The committee has decided to increase the lines for black and white from 441 to 525 and bring color to within 66 lines of the existing standard (441) for black and white.

Tests Convincing Experts
Tests conducted since Jan. 27 when the NTSC rendered its first report to the FCC have convinced the engineers of the practicability of increasing the definition of the color picture. In January, FCC Chairman James L. Fly expressed great interest in the color system demonstrated by Dr. Peter C. Goldberg, CBS chief engineer for television, and asked for additional experiments.

A final meeting of the NTSC will be held today for the purpose of editing their recommendations which have been changed since January.

The problem of synchronization has also been solved by a compromise just as in the case of the number of lines. Instead of insisting on the Radio Manufacturers Association standards which were in use, the NTSC will recommend three alternative systems, the RMA, Dumont and Hazeltine-Philco.

By making all three standards and allowing the individual telecaster to decide which one he prefers, all factions will be satisfied.

Present Receivers Adaptable
This compromise was possible because existing television receivers will operate on the NTSC system, where synchronizing pulse is transmitted. However, there is a tacit understanding that all existing receivers will continue to function with the existing system, but some manufacturers will capable of all three pulses until one method is proved superior and adopted as a standard by the NTSC. If the FCC finally decides that the NTSC is the one to be adopted, it was said, that if the FCC adopts standards there will be sufficient experimentation with all three methods to make a final decision possible in from three to six months.

Action Against NBC, Winchell Dismissed
N. Y. Supreme Court Justice Edward B. McLaughlin yesterday dismissed the $1,000,000 libel suit of Joseph Curran, as president of the National Maritime Union of America against Walter Winchell, RCA, NBC, The Daily Mirror, Inc., and the Andrew Jergens Co., with leave to amend the complaint. The plaintiff charges Winchell with broadcasting over WJZ that the union was subversive.

Wakefield Vote Monday
WASHINGTON, March 13.—The Senate Interstate Commerce Committee today sent to the Senate a favorable report on the nomination of Ray C. Wakefield to the Federal Communications Commission and his confirmation was placed on the calendar for action Monday.

Off the Antenna

THREE CBS shows will go over to NBC-Red April 28, General Foods will sponsor "The Secret of the Brave" over 80 Red stations at 5-5:15 P.M. and "Portia Faces Life" over 84 outlets at 5:15-5:30 P.M. Best Foods will sponsor "We, the Abbotts" over 52 stations 5:30-5:45 P.M. All are script shows, and the shows will be repeated on the air.

Purley: Arthur Kurlan has written the radio adaptation of "Petri- Fed Forest" which will be broadcast to England on "Friendship Bridge" program by WRL, Boston short wave station, next Thursday. . . . Charles Stark, free lance announcer, will celebrate his 15th anniversary on the air March 27. . . . Alfred J. McCosker, WOR president and chairman of the Mutual board, and Harry Hershfield, cartoonist and humorist heard over WOR, were awarded B'nai B'rith meritorious service medals yesterday for their work as sponsors of the McCosker-Hershfield Foundation.

Dallas Mutual and NBC-Blue will acquire full time outlets in Oklahoma City April 27. KOCY will join mutual and KTKO, which is now affiliated with both networks, will become a full time Blue outlet. Both stations operate on 250 watts.

Program News: E. I. du Pont de Nemours has renewed "Cavalcade of America" for an additional 26 weeks over 55 NBC-Red stations, effective March 31. On that day it will move from Wednesdays to Mondays at 7:30-8 P.M. Dorothy Thompson will continue her Sunday night commentary series over Mutual after March 30. . . . General Mills has renewed for 52 weeks the 2:15-2:30 P.M. period Mondays through Tuesdays over 26 NBC-Red stations, beginning March 24 will substitute "The Mystery Man," dramatizations of famous mystery stories, for "Betty Crocker." . . . WABY, Albany, again will broadcast Eastern League baseball games in city that season with Atlantic Red Sox this year. Harry Wheaton and Frank Rand will be at the microphones. . . . Art Metal Works will sponsor the Friday night period of "Paul Sullivan Reviews the News" over CBS. WHN again will climax its hockey coverage with broadcasts of the Stanley Cup finals.

Theatre Changes

New Columbia Company
COLUMBUS, O., March 13.—The Palace Amusement Company has been incorporated here by Mrs. Ethel Mills, Warren E. Enslow, advertising manager, to operate the 600-seat Palace, subsequent run in downtown Dayton, O. Arthur A. Miller is president and Mrs. M. Lipschutz, secretary, are associated in the Mid-West Booking Agency operating a circuit here formerly known as the Chestrough Theatres. Thomas R. Young has been named manager of the Palace.

To Renovate Newport House
NEWPORT, R., March 13.—The Strand here has closed for extensive alterations. Front of the house and all public rooms will be rebuilt, and the theatre will be re-opened at the end of the necessary. It is part of the M. & P. circuit, and is managed by David Dugan.

Open Michigan House Soon
DETROIT, March 13.—The Michigan House Theatre at Detroit will be reopened shortly. 1,000 house is operated by United Detroit Theatres. Malcolm Ross will be manager.

Plans Connecticut House
WATERBURY, Conn., March 13.—Fred Quattrano of the Lido here, has received a permit to build a 700-seat theatre in Newington, Conn.

FCC Approves 2
New FM Stations

WASHINGTON, March 13.—The Federal Communications Commission has granted construction permits for two new FM stations.

Jack Armstrong, station manager, of WJZ, New York, has been assigned to manage the station, now to be operated by Gordon Gray, Winston-Salem, N. C., to operate on the 44,110-kilocycle channel to serve as a repeater miles with population of 4,346,000 of the Midland Broadcasting Co., in Winston, N. C., Mo, to operate on 46,550-kilocycle with 1,500 watts power, and applications were approved to increase the power of station KBXK, Muskegon, Okla, from 100 to 250 watts, and authorizing Station KFBC, Cheyenne, Wyo, to change frequency from 1,420 to 1,460, and increase night power from 100 to 250 watts.

Two Hearings Ordered

The commission ordered hearings on the applications of the Triple Cities Broadcasting Co., Inc, for a 1,420-kilocycle, 250-watt station at Binghamton, N. Y., and the Utica Observer Dispatch, Inc., for a 1,420-kilicycle, 250-watt station at Utica, N. Y. CHN, New York, has been granted permission to increase power from 5,000 watts day to 1,000 watts night, to 30,000 watts, with a change of frequency to 1,050 kilocycles.

The FCC also authorized WLBD, Bridgeport, Conn., to increase its power from 500 watts night and 1,000 watts day to 5,000 watts full time, and WSIX, Nashville, to increase from 500 watts day to 1,000 watts night and 5,000 watts day.

Crosley's 1940 Net
Loss at $1,589,288
CINCINNATI, March 13.—The Crosley Corp., operating stations WLW, WLW-FM and short wave station WLCX, and manufacturing radio receiving sets and other electrical appliances, showed a net loss of $1,589,288 for 1940, compared with a net profit of $84,949 in 1939. Sales in 1940 were $16,913,349, compared with $15,015,076 in 1939.

The 1940 loss was partially attributed to reorganization program of personnel, particularly in the manufacturing division, and the expenditure of considerable sums for manufacturing process change, sales promotion plans and new designs of product, Crosley said.

Time, Inc., Net $3,494,590
Time, Inc., publishers of March of Time and current magazines -Time, Fortune and Architectural Forum, yesterday reported net profit of $3,494,590 for 1940, or $18.40 a share on the common stock, compared to $3,206,751, or $13.65 a share, in 1939.

New Pact for Nugent
Hollywood, March 13.—Frank Nu- gent, former New York Times film critic, has been on 1,420, and increase night power from 100 to 250 watts.
Television ‘Go’ Expected Next Week, for Fall

FCC Ruling Anticipated On Flexible Basis

Radio and theatre observers in New York believe that the FCC will approve commercialization of television to start in the fall, after its hearing on the subject on Thursday, but will set standards on a flexible basis. Fearing continued experimentation to develop the field. The hearing is expected to last not more than two or three days.

Meanwhile, the issue of vertical, as opposed to horizontal polarization, one of the big problems in fixing standards last year, has been resolved by a reportedly unanimous agreement on the horizontal method.

Famous Players to Hold Meet in May

TORONTO, March 16.—Famous Players Canadian Corp. is arranging to hold its annual convention of all theatre managers at Toronto in May before the expiration of the five-year contract of N. L. Nathanson, president, in June.

The convention was cancelled last year because of the war. In previous years the annual meeting was held at the end of July.

The early convention is linked by observers with recently disclosed reports that Nathanson will head a new circuit, Odeon Theatres of Canada, Ltd., which already has acquired 12 houses in Western Canada and one in Toronto and is reported to be negotiatory.

10 Firms Spending $5,000,000 on War And Defense Films

The 10 leading production companies are spending more than $5,000,000 on films based on war or defense stories, Joseph M. Schenck, 26th Century-Fox board chairman, told reporters on Friday. Schenck said that the production plans, which include those of Republic and Monogram as well as the eight major companies, are part of the industry’s program for cooperation with the Government for defense. The 10 companies, he said,

FIRST ARBITRATION AWARD TO THEATRE

U. A. Fighting Anti 5 - Block Bill in Georgia

United Artists is opposing enactment of the Georgia bill as well as the Minnesota measure which would set aside the blocks-of-five provision of the Federal consent decree and require distributors to offer their entire product with a 20 per cent cancellation privilege to the exhibitor.

This is said to be because United Artists is obliged to sell the releases of its various producers separately, and the company is described as viewing the exhibitor-sponsored bills to maintain block booking and selling as a threat to its established system, which might force it to withdraw from states adopting such legislation.

Although not a party to the Federal consent decree and actually opposed to blocks-of-five selling itself, United Artists finds itself in the position of defending the decree against the two state measures to in

Delaware Has Shows on Sunday After 200 Years

WILMINGTON, Del., March 16.—Gov. Walter W. Bacon on Friday signed the Richards “liberal Sunday” law repealing Delaware’s ancient blue laws and providing local option, thereby permitting film theatres to operate legally on the Sabbath for the first time in the 200-year history of the state.

Film shows are permitted in incorporated cities and towns between 12 o’clock noon and 6 P. M. and from 8 P. M. to midnight, where no local ordinances or rulings to the contrary exist. Exhibitors, however, for the

Joelson Takes Over Consolidated Circuit

Julius Joelson, former New York and New England exhibitor, on Saturday took possession of the 18 theatres owned by Consolidated Amusement Enterprises.

Neither Joelson nor Louis Nizer, attorney who represented him in the deal, would disclose the purchase price.

Laurence S. Bolognino, who has operated the theatres for the past 20 years, will operate a new theatre under construction at 19th Street and Eighth Avenue and will continue to buy and

Pathe Films Office In London Bombed

London headquarters of Pathé Films, Ltd., were damaged by bombs during last week’s air raids, according to word received in New York by William Gell, managing director of the company, who is here on a business visit.

The extent of the damage was not reported.

Army Flies to See ‘Wings’ in Texas

San Antonio, March 16.—Paramount’s “I Wanted Wings” will be shown to the press and Army men at the post theatre at Randolph aviation field here Saturday. Kelly Field and Randolph Field are scheduled to supply no more than 250 planes for a gigantic show as part of the program.
Harold Wilkes Rites Held; Was with Para.

New Orleans, March 16.—Funeral services for Harold F. Wilkes, former Paramount Southern district manager, were held here yesterday.

Wilkes, who was 48 years old, died of a chronic cardiac condition late last Thursday following a long illness. He had been a Paramount employee since from Paramount since last April. He had been with Paramount since 1913 when he joined the company as employed bookkeeper. He was executive manager for S. A. Lynch Enterprises, then New Orleans branch manager and, in 1939, was made Southern district manager. He is survived by a widow and two children.

Report Col. Deal for English Production

London, March 16.—Reports here indicate that Columbia will announce a British production deal for English films within a few days. Three companies are said to be involved in the deal, one of which is reported to be the new organization established by George Formby for the production of his own films.

Hollywood, March 16.—Joseph Friedman, former managing director for Columbia in England, and now at Columbia’s offices here, has been advised over the weekend that a deal is being negotiated by Columbia for British production, but declined to reveal further details.

Brooklyn Theatre Is Fined as Tax Evader

A fine of $250 was imposed on Monarch Theatre Corp., operator of the Shubert, Harky St. and Broadway, Brooklyn, and another of $500 on Albert J. Mackler, president, by Judge Matthew T. Abruzzo in the Brooklyn Federal Court here today. The imposition of the fines followed a plea of guilty two weeks ago to a charge of failure to turn over the proceeds collected at the theatre. At the time of the guilty plea, the theatre agreed to pay $1,700 in collected taxes to the Government.

Augusta Mayor Will Sue Over ‘Tobacco’

Atlanta, March 16.—Mayor James M. Woodall of Augusta, Ga., has announced intention of filing suit against 20th Century-Fox charging libel in the film “Tobacco Road.” Charging that the film prejudiced the entire nation against Augusta, Woodall said he would ask damages of $500,000 and that the money would be used to build a needed farmers’ market for Augusta.

Personal Mention

WILL H. HAYS returned to his office Friday from the Coast and Washington.

JAMES MULVEY, Eastern representative for Samuel Goldwyn, left on Friday for a Southern cruise on the George Washington.

W. C. Gehrings, 20th Century-Fox Central division manager, returned from the Midwest over the weekend.

WILLIAM K. SAXTON, city manager for Loew’s in Dallas, who returned to his post recently after an operation, is ill with the grippe.

SAM GALANTY, Midwest division manager for Columbia, has returned to his Washington headquarters from a tour of his territory.

JOSEPH MCCONVILLE, foreign sales manager for Columbia, is in Florida.

THOMAS DONALDSON, M-G-M manager in Boston, has left for Florida.

Court Rules ‘Carson’ True, Frees Manager

City Magistrate Joseph Ringel yesterday dismissed a criminal libel case against Howard H. Smith, who was the Loew’s Ziegfeld Theatre, on the complaint of Captain John C. Fremont and Jesse Fremont, grandchildren of General John C. Fremont. The complainants had charged the defendant with exhibiting the United Artists release “Carson,” which they claimed libelled the character of their grandfather by allegedly depicting him as a hickam and as stupid and stubborn. The Magistrate ruled that the film fairly depicted Fremont’s character after seeing it at a special screening.

John Balaban Marks 25th Anniversary

CHICAGO, March 16.—John Balaban, operator of the Balaban & Katz theatres, observed his 25th anniversary in the business here yesterday. Balaban was felicitated by numerous Chicagoans, including Oscar Doob, advertising and publicity director of Loew’s theatres, and former B. & K. worker, who came here from New York for Balaban’s anniversary.

Spyros Skouras Is Due Here from Coast

Spyros Skouras, head of National Theatres, and other executives of the circuit are expected here midweek to attend a meeting, which they will hold as an annual meeting. Returning with Skouras will be William T. Powers, Milton Hssofetz, Irving Barry, Max Frankel, Harry Schenck, John Healy and Edward Zahel.

Walker Rites Tomorrow

CINCINNATI, March 16.—Funeral services will be held here Tuesday afternoon for Stuart Walker, former Paramount producer-director, who died Thursday in Beverly Hills, Calif. Burial will be in the family lot at Spring Grove cemetery.

Club Honors U.A. Men

DETROIT, March 16.—Jack Goldfarb, lists manager, and Alson Artists, and Morris Dudelson, Detroit branch manager, were honored last night at the local Variety Club at a United Artists Night program in the Hotel Book-Cadillac clubrooms.

Injured in Ejecting Patrons, Gets Award

DETROIT, March 16.—The Michigan Supreme Court has ruled that six injured worksmen’s compensation should be paid to Lawrence Appleford, assistant manager of the Royal Theatre, who was injured by persons he ejected from the theatre.

MacGowan Starts

Amity Film Work

WASHINGTON, March 16.—Kenneth MacGowan, 20th Century-Fox producer on leave of absence, will undertake freelance extensive program for the collection, distribution and, if necessary, production of non-theatrical films for exhibition in Latin America, as part of the hemisphere anity program of the United States government. This announcement was made over the weekend by Nelson Rockefeller, coordinator of commercial and cultural relations between the American Republics. MacGowan will be director of production under John Hay Whitney, chairman of the motion picture section.

The filming and editing of the films will be done by the Museum of Modern Art in New York, which has over 13,000,000 feet of educational films.

Rockefeller said that this activity will be carried on simultaneously with the movement of the production of commercial films as a medium for promotion of better relations among the American republics, which is being handled by a committee headed by Y. Frank Freeman, president of the Producers’ Association.

Julian Street Appointed

John Hay Whitney, president of the Museum of Modern Art, announced over the weekend the resignation of Julian Street, director of the agency of the Museum to work with the Nelson Rockefeller group.

James Stewart to Army

Hollywood, March 16.—James Stewart will become a private next Friday. His draft board set the date. He was deferred several months ago because he was under weight.

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THESE ARE THE ADS THAT ARE SELLING
"ADAM HAD FOUR SONS" EVERYWHERE!

...ads that sell that rare thing...
A REAL WOMAN'S PICTURE!

IT TAKES ALL KINDS OF WOMEN...

TO LOVE ALL KINDS OF MEN!

Based upon "LEGACY", the best-selling novel by Charles Bonner
Screen play by the William A. Horning, Stern, and Fred F. Sears

IT TAKES ALL KINDS OF WOMEN...
Lovely! Loyal!
Fascinating Faithfulness!

They're pulling 'em into...

- the Lafayette, BUFFALO
- the Fox, DETROIT
- the Earle and Ambassador
  (day and date) WASHINGTON
- the Pantages and HILL St.
  (day and date) LOS ANGELES
- the Lincoln, MIAMI BEACH
- the Bijou, SPRINGFIELD, Mass.
- the Malco, MEMPHIS
- the Palace, YOUNGSTOWN
- the Palace, CANTON
First Award
In Arbitration
To Exhibitor

(Continued from page 1)

filed on Feb. 14. Benjamin Gold is general manager of the company. The Park seats 750. Arthur Brown, professor of law at Boston University, was the arbitrator. The hearing took place at the local American Arbitration Association office in Columbus, Ind., and was also named in the complaint.

The speed with which the case was arbitrated was considered impressive by observers in the trade here.

Following a statement of the case by George S. Ryan, attorney for the complainant, Edward F. McLennon of the law firm of Nutter, McLennon & Fish, representing Paramount, Warners and RKO, declared that he had no argument to present and his clients would abide by the arbitrator's award.

Charles Young of the New York law firm of Dwight, Harris, Koegel & Caskey, made a similar statement for 20th Century-Fox. No other evidence was presented by the distributors.

 Arbitrator's Statement

The arbitrator's statement of award reads:

"In accordance with the consents filed with the arbitrator, I direct the distributors to offer their pictures for license to Allied Pictures, Inc., for exhibition at the Park Theatre to the extent of pictures released for exhibition up to July 1, 1942, inclusive, on a run to be designated by said distributors, which are not calculated to defeat the purpose of Section 6 of the consent decree."

Myers Sees Boston
Outcome Encouraging

WASHINGTON, March 16—Abraham F. Myers, chairman of the board of Allied States Association, made the following comment today on the first case to be arbitrated under the industry's new system:

"The satisfactory outcome of the first arbitration in Boston and the speed with which it was accomplished should encourage exhibitors having just claims to file such proceedings. I am gratified that the system got off to such a good start and congratulated all who participated for their fair attitude."

Chicago Hearing
Decision Due Soon

CHICAGO, March 16.—A ruling on the "Southside" arbitration complaint of the State, Morris, Ill., against Loew's, first case to be heard by the local board here, will be handed down within the next few days by Charles Zane Hinkle, arbitrator, who presided at the hearing yesterday.

Loew's, it was learned at the hearing, argued that the settlement of the complaint prior to the hearing by offering "a run" for the State. However, the offer was rejected by E. F. Vandeveer, owner of the theater.

Ed Lee of Loew's home office legal staff represented the company at the hearing.

Lee was permitted to put John Kemptgen and Sam Shirley of M-G-M's Chicago office on the stand in an attempt to show that third run had been offered Loew's underveer, but the offer was refused. Both testified that it was against M-G-M's policy to sell second run in a town of about $500 but the consent decree terms were forced to do so. Vandeveer had sought second run, but a contract had been signed with the Anderson circuit.

Maryland Clearance
Complaint Settled

WASHINGTON, March 16.—The Charles Theatre of LaPlata, Md., yesterday withdrew its petition for arbitration of a clearance dispute with the five consenting companies following a settlement resulting from informal conferences among the parties involved.

Terms of the settlement were not made known, but it is understood that an adjustment of clearance in favor of the Charles was agreed upon by the five companies and the Marboro, Upper Marboro, Md., operated by Sidney Lust, which was named in the complaint as having "unreasonable" clearance.

"Father' of Arbitration
On First N. Y. Case

Julius Henry Cohen, known as the "father" of arbitration, was selected on Friday as the arbitrator for the first complaint filed with the New York State board. No date has been set for a hearing, but it is expected to be the first case heard here. It involves clearance.

The complaint is of that of the Hilary Theatre, Brooklyn, against the five consenting companies and the Apollo, Brooklyn. Cohen, a prominent New York attorney, the sponsor in 1920 of the New York State arbitration act.

"Sleepers West"
(20th Century-Fox)

Hollywood, March 16

THE second in the series of melodramas based on the character of Michael Shayne, detective, moves briskly for most of its length, accelerated in a measure by the device of staging most of the action aboard a westbound train making up time, slowing occasionally as characters sit down and talk. Having to do with the attempt of the detective to smugle an important witness across country to Trisco, and with the attempts of the opposition to prevent him from doing so, the film rates as average for its kind and class.

Lloyd Nolan plays the detective, Lynn Bari the newspaper reporter opposed to him by the plot but not by the romantic equation, Mary Beth Hughes the secret witness whose addiction to liquor upsets the detective's plans, Louis Jean Heydt an outsider caught up in the plot, Edward Brophy and Don Costello a pair of detectives whose paths cross Nolan's. At the end the purposes of justice have been served and the detective has made a date with the reporter to get some marrying done.

The story contains no murders, but refers to one committed some time before it opens. There is a crash of the train into a truck, injuring the engineer, and a winging of one detective by another, no fatalities. Humor is handled by several Fullman porters.

Eugene Forde directed for executive producer Sol Wurtzel.

Running time, 74 minutes. "G."* ROSCOE WILLIAMS

"Free and Easy"
(M-G-M)

A 10-YEAR-OLD stage play by Ivor Novello, known on the Broadway stage as "The Truth Game," this wholly inauspicious effort might well have been left on the Broadway stage—or anywhere else for that matter.

It is in fact an inept screen concoction, which compels the doughty Metro lion to emit an entirely unaccompanied squeak instead of the usual roar. At the same time it takes the services of at least a half-dozen extremely able performers, and causes them to appear to much less than their truest material, although they do their best with the material at hand.

George Sidney's direction failed to provide the piece with sufficient movement, action or general excitement to overcome the handicap of a story which is essentially weak, basically and in execution.

It concerns Robert Cummings, son of Nigel Bruce, both without funds and living by their social wits in English silk hat circles. Cummings is all set to marry the extremely wealthy and unattractive (in this film) June Eastwood, whom,20

The company sent Benjamin Proper of O'Brien, Driussell & Rey desde March 9 to New Orleans to attend the local hearing to confirm the findings of the committee, and has been instructed to close the monthly report of the state sheriff's office before the hearing to give the state and federal committee the opportunity to inspect it. The committee will then report the findings at the next review of the case.

Ralph Cranbillet, United Artists district manager, and Donald Rogers, Minneapolis attorney, appeared for United Artists in opposition to the Minnesota anti-consent decree bill at a hearing last week.

Egyptian and Universal, who are also not parties to the decree, are supporting the state measures. They will continue to sell under the existing method.

Loew's, 20th Century-Fox, Warners and RKO are opposing the state measures, contending that they may be forced to withdraw from the states in which the laws are enacted in order to avoid violations of the state laws or the Federal Code.

Paramount, also an assessor to the decree, is not actively opposing the bills, taking the view that the obligation to defend the decree is the Government's, not that of the decree signatories.

Major's Fight Minn.
Measure on Wednesday

MINNEAPOLIS, March 16—The chief hope of major companies to defeat this anti-consent decree in the Minnesota legislature now lies in the Senate general legislation committee, which is expected to take final action Wednesday. The measure has been approved by the House judiciary committee.

Meanwhile, Northwest Allied has mustered its forces for Wednesday's hearing in an effort to bring about a favorable report on the bill.

Omaha Meeting to
Discuss Problems

(Continued from page 9)

hall, Omaha Variety Club chief barber, Robert Livingston of Lincoln, and Sam Epstein and Walter Creal of Omaha, includes a general meeting in the afternoon followed by a banquet and dance in the evening. The morning will be devoted to a closed meeting, the afternoon open to the M. P. T. O. of Nebraska and western Iowa, at which officers will be elected, including a successor to the late Charles E. Cornell, who was president of the organization.

The meeting is expected to launch the Nebraska unit as an active organization. It has been inactive since Williams' recent death.

U.A. Fighting
Anti 5-Block
Bill in Georgia

(Continued from page 1)
Mexican Union to Drop Censorship

Mexico City, March 16.—It is understood that the Confederación de Mexican Workers, under its new management, will abandon its former policy of dictating which pictures may be shown in Mexico.

Two American films banned for their allegedly anti-Catholic—"Hollywood hospitality" for breakfast and "Ninotchka.""

Joelson Takes Over Consolidated Circuit

(Continued from page 1)

book for the Chelsea, Squire and Morningside, which are not included in the deal.

Joelson has renamed the circuit the J. Theatre. They are the Bryant, Times, Arena and the Tivoli in Manhattan, and the Earl, Kent, Luxor, Surrey, Mount Eden, Oxford, Jericho, Ascot, Kingsbridge, Fleetwood, Ogden, Forum, Casino and Avalon in the Bronx. Headquarters will be maintained by Joseph Joelson, and Harold Klein, former head booker and buyer for the Cocalis Circuit, has been given the same post with J. Theatres. He succeeds A. Siegelman, who is reported to be joining National Screen Service.

All film contracts of the Consolidated houses are being assumed by the new company. Joelson said there will be no radical changes in policy but that he believes a "new day for exhibitors has arrived with the consent decree, and that there is room for new methods of operation to fit the times."

He formerly operated a circuit of 12 theatres here which he sold to Fox Metropolitan Playhouses in 1929. Thereafter, he formed a 17-theatre circuit in New England, which he sold to M. & P. Theatres of Boston. Strauss & Thanhausers were brokers in the deal, which was exclusively reported in MOTION PICTURE DAILY on Feb. 27.

Delaware Has First Shows on Sabbath

(Continued from page 1)

most had no plans for immediate Sunday opening this weekend.

Mayor J. Wallace Woodford of Dover, meanwhile, announced that he will call a special session of the city council next week to consider plans for a referendum on enforcement of the new law.

The liberal statute was passed by the legislature March 7 after much controversy over whether to enforce the old laws, characterized as a move to force their repeal. It gives town councils the power to regulate or prohibit any form of "worldly amusement," Sunday, other than those mentioned in the law.

In unincorporated districts, the statute specifically bans Sunday horse racing, public auctions, public dances, theatrical performances and film shows. They are permitted in incorporated areas within the specified hours unless prohibited by action of their councils or commissioners.

10 Firms Making Films on Defense

(Continued from page 1)

have each agreed to produce at least one feature and one short subject having a military theme or content.

The plans will be contained in entertainment value to "messages," Schenck said, and many of them will be musical. Productions either completed, in work or planned which are a part of the industry's cooperative program follow:


British to Consider Reserves Protest

London, March 16.—It is understood that the British Ministry of Labor officials have agreed that the protest of the film industry against the proposed change in the reserve occupations lists, as it affects the industry, merits consideration.

It is understood that the Ministry that suitable machinery exists for taking care of any exemptions which may be deemed warranted. The industry, on the other hand, claims that such machinery is too cumbersome in the present emergency, with 4,500 technical film employees involved. Union leaders ask that the status quo be maintained on reserve lists, pending investigation and a final decision.

Under the changes proposed to take effect April 1, projectionists' minimum reserve ages will be increased for projectionists, and various types of studio technical employees, and it is expected that at some future date, probably in June or July, those groups also will be excluded entirely from the lists of reserve occupations.

Republic Sharing Canova with Para

Hollywood, March 16.—Judge Canova, at one time under contract to Paramount, and more recently a Republic player, has been signed by Paramount to star in one film annually for the next five years. Miss Canova is under contract to Republic for three pictures a year. She made two pictures for Paramount in 1937.

Spanish Film Council Elected

Madrid, March 16.—At a meeting of the Association of Producers and Distributors of Motion Pictures, the following were elected to fill the vacancies created by the resignation of Francisco Palacios:

Chairman, Pedro Castano; vice-chairman, Luis Perez; secretary, Pedro Cascales; treasurer, Rafael Lozano; members, Francisco de los Rios and Fernando Saavedra.

Col. Wins Time for Gov't Suit Answer

The time for Columbia to file its answer to the Government's amended anti-trust complaint in U. S. District court here was extended to March 31 by a stipulation filed Friday. The original date was March 10. The extension was granted because Schwartz of the circuit court have been occupied with the settlement of the Government's litigation against Ascap, which the firm represents.

Take New Orleans House

New Orleans, March 16.—United Theatres, Inc., has taken over the Famous Theatre here.

Stipulations End Goldwyn U-A Suit

Stipulations terminating the litigation between Samuel Goldwyn and United Artists, who have filed lists, were filed in U. S. District court here Friday, following upon the recent purchase by the company of Goldwyn's United Artists stock and the release of the producer from his distribution contract with the company.

The stipulation terminated the Goldwyn suit for a declaratory judgment invalidating his distribution contract, and the other ended an action which alleged that United Artists had not paid Goldwyn the full amount due him in 1929 under the company's producer bonus plan.

Famous Players to Hold Meet in May

(Continued from page 1)

rating for others in various sections of the Dominion.

Parack has resumed on the house he being built by the Odeon circuit in Kingston, Ont., after an apparent attempt to build the Bimore, under construction by independent interests, Work had been halted on both houses during the negotiations.

Plans Documentaries

Edmund L. Dorfman, head of the American Institute of Motion Pictures, plans a series of documentary shorts on American public opinion.

LADY FROM NEW ORLEANS

A REPUBLIC picture

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Critics’ Quotes . . .

“MEET JOHN DOE” (Capra-Warners)
A great picture. The story is vitally arresting, as it has to do with the problems of the great masses of poor people; its presentation, under the masterful direction of Frank Capra, is full of surprise, not the least of which is its spiritual significance, and its acting is fine.—Kate Cameron, New York Daily News.

A film which is eloquent with affection for gentle people, for the plain, unimpressive type who want reassurance and faith. . . . We must surely suggest you make his (John Doe’s) acquaintance at once.—Bosley Osburne, New York Times.

This film is, by far, his (Capra’s) most impressive piece of work. . . . It has terrific box-office appeal.—Lee Mortimer, New York Daily Mirror.

The full power of the screen is unleashed in Frank Capra’s “Meet John Doe.”. . . A vastly entertaining and moving film.—Howard Barnes, New York Herald Tribune.

Granting its faults, “Meet John Doe” is nevertheless one of the big and important pictures of 1941.—Archer Winsten, New York Post.

The finest film Frank Capra has ever made, bar none.—William Boehnel, New York World Telegram.

Like all recent Capra films, it is made according to formula. The formula is good, the performances splendid, the direction sleek. The formula, however, is beginning to show too clearly.—Eileen Creelman, New York Sun.

The production is impressive, the performances are likeable and the dialogue is natural and, at times, deeply affecting. See “Meet John Doe.”—Rosa Peltzwick, New York Journal American.

For an all-out glorious time at the movies, as well as a sugar-coated warning against a technique of Fascism, “Meet John Doe.”—Creola Ager, P.H. (New York).

A patently symbolic story. . . . If they (Capra and Riskin) come out in the black, as they seem likely to, they may film for Paramount Ernest Hemingway’s novel, “For Whom the Bell Tolls.”—Life.

“CHEERS FOR MISS BISHOP” (Rowland-United Artists)
In truth, I’m still sniffing and wiping my eyes. It’s the result of one of the most intense vicarious emotional experiences of my life. . . . “Cheers for Miss Bishop,” yes; but three times three thousand cheers for Miss Scott in one of the great performances of all times.—Lee Mortimer, New York Daily Mirror.

“Cheers for Miss Bishop” is bound to attract wide attention through Marsha Scott’s superb characterization of the Midwestern school teacher. It is one of the best star performances we have seen on the screen this year.—Kate Cameron, New York Daily News.

An American feminine Mr. Chips is tenderly eulogized in “Cheers for Miss Bishop.” It is a human and gentle document, filled with honest atmosphere and sentiment . . . A notable addition to the screen’s more serious contemplation of our roots, customs and ideals.—Howard Barnes, New York Herald Tribune.

What “Goodbye, Mr. Chips” was to the English school for boys, “Cheers for Miss Bishop” tries to be to a small American university in the Midwest. Mr. Chips came off rather better in the competition.—Archer Winsten, New York Post.

Secures a firm hold on the spectator’s affections. “Cheers for Miss Bishop” is a picture with a heart, with warmth and that rare thing in motion pictures, with the strength of sincerity.—Eileen Creelman, New York Sun.

I think “Cheers for Miss Bishop” is one of the most compelling films of the season. . . . Marsha Scott distinguishes herself with her sincere and delicate performance.—William Boehnel, New York World Telegram.

“THAT NIGHT IN RIO” (20th Century-Fox)
The perfect picture, not only for the tired business man but for the rest of the world who need entertainment in these depressing days. . . . I think Darryl Zanuck can well be satisfied with this musical for it will bring the shekel into the box-office.—Lovello O. Parsons, Los Angeles Examiner.

Gay and amusing, tuneful and very pleasing to the eye . . . belongs in the class of nice, light spring entertainment.—Virginia Wright, Los Angeles News.

The whole thing lacks sparkle, zest and invention. However, there are several good songs and some of the dancing strikes a fresh note.—William Boehnel, New York World Telegram.

Preteniously dull entertainment . . . a big, boring spectacle that owes next to nothing to Rio and little enough to beguiling showmanship.—Howard Barnes, New York Herald Tribune.

Has none of the gayest, silliest plots of the season . . . embraces several grand, lilting tunes . . . . The pace of the film is satisfactory after recovering from a halting, faltering start.—Lee Mortimer, New York Daily Mirror.

“THE LADY EVE” (Paramount)
One of the most delightful farces to liven the screen in a long time—Newswark.

Writer-Director Preston Sturges’ third straight comedy hit. It displays a complete set of highly original box-office wiles from the opening moment—Time.
2600 years ago Democracy was born in Greece. For 2600 years the Greeks have kept its flame alive. Today they are fighting to preserve it. Democracy must not die. They want it to live and grow—as much as we do.

That's why we must not let them down. We must give them the allies they so desperately need; the pennies, dimes and dollars which are as important as soldiers.

Adolph Zukor has called upon us in the Amusement Industry to rally to the support of the women and children of Greece—to help—as best we can—the husbands and fathers who are so gallantly struggling.

We are therefore asking for every exhibitor's cooperation in staging special midnight shows, and in making theatre and lobby collections. The campaign is on at this moment and will reach its peak with Greek War Relief Week, March 25th-30th.

As National Chairman of the Distributors' Committee, I earnestly request the aid of our entire Industry. Today—right now—get in touch with any branch manager or film salesman. He'll tell you what you can do to help.

Remember, the Greeks' fight is our fight!

Chairman, Distributors' Committee,
Greek War Relief Association.
Television 'Go' Expected Next Week, for Fall

(Continued from page 1)

System Committee reported over the weekend.

The N.T.S.C. at the FCC hearing will recommend definite standards, except in the case of the synchronizing pulse, while the Allen B. DuMont Laboratories will submit a majority demand for permission to All-Audience stations to select their own standards and permit the public to decide which method is superior.

Television interests are expected to oppose two major points in the FCC rules. One is a proposal to have a requirement for minimum operation of five hours daily, except Sunday, and the limitation of three stations which may be operated by any one company or individual. The five-hour requirement is expected to freeze operation on the ground that telecasters, by judiciously dividing the time, can provide all the television entertainment which the public can be expected to absorb. For the three-station maximum, it probably will be opposed on the ground that it will interfere with economical network operation. The huge cost of television programming is regarded by television officials as making network operation a virtual necessity.

The agreement on polarization represents the third troublesome point eliminated in recent weeks. The others were disposed of by agreement on 525 lines for black and white and 375 for color, and the decision to standardize all three opposing synchronization methods.

Vertical polarization was favored by the N.T.S.C. because a vertical aerial is easier and cheaper to install. However, the introduction of FM this year has altered the situation. FM operates on a horizontal basis and a television to operate with vertical polarization two aerials would be needed instead of one. The agreement eliminates this duplication.

Bill on Television Theatres in Ohio

COLUMBUS, O., March 16.—Theatre owners may soon be able to get under the jurisdiction of the Department of Public Works and Factories, under terms of a bill introduced by Representative Ford at the request of P. J. Wood, secretary of the I.T.O. of Ohio. The bill has been approved by the House and awaits Senate action.

Theresa Wright Signed

Theresa Wright of the New York stage, who was cast as "Little Foxes" in "The Little Foxes," which he will produce. Miss Wright will leave for the Coast about the middle of April.

FCC Warns of Private Deals On Frequency

WASHINGTON, March 16.—Broadcasters were warned by the FCC Friday that they must not attempt to deal directly with the owners of stations in neighboring countries or with officials of those countries on matters having to do with the allocation of frequencies.

The warning was the result of production released by the broadcasters discussing proposals for changes of frequencies with broadcasters in Canada, Cuba or Mexico to eliminate interference.

The FCC pointed out that private negotiations and embargos, according to the U. S. Government are subject to these negotiations are in progress. All negotiations therefore are to be conducted through official sources and the matter should be presented to the FCC which would make appropriate representations through diplomatic channels, if required.

It was explained that the caution relates only to frequencies and has no effect on negotiations concerning the exchange of programs among the various countries.

Connecticut Station Approved by F. C. C.

WASHINGTON, March 16.—A construction permit for a new 1,375-watt, 200-meter radio station will be granted by the Federal Communications Commission.

The commission also ordered a hearing on the application of the Flemington Publishing Co., Winston-Salem, N. C., for construction permit for an FM station on 46,700 kilocycles, to cover 4,600 square miles.

Ruppel in Hollywood On Publicity Plans

Hollywood, March 16.—Louis Ruppel, director of publicity for CBS, is scheduled to arrive here tomorrow for the new conferences on West Coast publicity plans for the network. He will meet with Hal Rorkie, head of the publicity department here, and other CBS executives. Ruppel will be rendered a press luncheon Wednesday.

New Madison Transmitter

MADISON, Wis., March 16.—Construction of a new transmitter for Madison radio station was to start within the next few weeks on a 20-acre site, according to station officials said over the weekend. WIBA recently received permission to install its power from 1,000 to 5,000 watts.

Roland Young Here

Roland Young, who has the title role in "Topper Returns," Hal Roach's latest success, is in town for a brief vacation before returning to the Coast for another picture assignment. He is expected to leave here next Saturday.

Motion Picture Daily

Monday, March 17, 1945

Television 'Go' Expected Next Week, for Fall

GENERAL Electric has developed a practical type of television floodlight which produces daylight illumination without the extreme heat created by the large number of incandescent lamps previously required, A. F. Dickerson, lighting division manager, announced over the weekend. The heat from the new lights is only one-fifth of that from incandescent, it was said, and the reduced heat is carried away by water cooling. The lamps can be moved by remote control to follow the movements of performers.

Purely Personal: Louis A. Mudding has joined Columbia Artists as assistant to Herbert I. Rosenthal, executive vice-president, . . . Mary Margaret McBride, heard over CBS, is doing a background series on radio programs during her 3 P.M. period. On Wednesday she will tell about "The Battle of the Ark," a quiz show her Thursday, . . . Theodore Grund and Maurice C. Dreier, who individually have arranged many radio forums, have organized the Forum Service.

Radio executives and performers have received an appeal from the American Committee for the Defense of British Homes asking for contributions of stop watches for blitzkrieg roof spotters. The watches are used to measure the speed of oncoming Nazi aircraft.

Program News: Ams 'n Andy will celebrate their 13th anniversary on the air Wednesday. They are now heard on CBS for Campbell's Soup. . . . Glenn Miller's CBS "Moonlight Serenade" will originate from Hollywood beginning March 31, and Tommy Dorsey will go to the air April 17 on NBC Pacific red network. He will be heard Fridays at 9:30 P.M., EST, sponsored by F. Lorillard Co. . . . Major Bones will note his 300th week on NBC. . . . "The Adventures of Olga Williams" program over 99 Mutual stations has been renewed for 13 weeks by America Safety Razor Co. . . . Femmamint has renewed "Double or Nothing" on 117 Mutual stations.

Dick Hogue, WHN announcer, was given a farewell party by the station Thursday night on the eve of his induction in the Army. The following day he returned to work—rejected by Army physicians.

I.A. to Represent Locals at Hearing

HOLLYWOOD, March 16.—The I.A.-T.S.E. will represent studio locals at the wages and hours hearing scheduled for March 25 for Los Angeles, according to a statement sent the producers' labor relations committee on Friday by George E. Brown, I.A.T.S.E. president.

Brown said the decision was due to the repeated requests of the Hollywood locals. Joseph Padoway, counsel, will represent the Alliance.

Meanwhile, the producers' committee announced that employer classifications of all I.A.T.S.E. classifications which varied on Friday as a result of tentative exemptions by the wages and hours administrator will revert to their former status tomorrow pending final determination.

Oregon Kills Bill to Make Games Legal

SALEM, Ore., March 16.—A Senate measure redefining the status of games law to legalize chance games in theatres and other places was killed by the Senate and postponed indefinitely when the House adopted a "do not pass" report of its judiciary committee. The measure would have liberalized drawings and contests generally when no extra consideration was charged.

Canada Film Reorganized

TORONTO, March 16.—Colonial Pictures, Ltd. of Toronto has been reorganized for Canadian distribution in Alliance films. Mrs. Joshua Smith, owner of the Avenir and Pylon theatres, is secretary and treasurer, and her son, Jay L. Smith, general manager.

Metro Buys 'Pulham'

Hollywood, March 16.—M-G-M has purchased screen rights to "H.M. Pulham, Esquire," new novel by J. P. Marquand. It originally was published as a serial in McCull's Magazine.

N.Y. Measure Would Tax Gross Incomes

ALBANY, March 16.—A bill giving cities permission to impose one-tenth of one per cent gross tax on income for March 22nd anniversary has been introduced in the Legislature by Assemblyman Abbott Low Moffat and Senator Walter J. Mahoney. The measure is similar to the authority New York City possesses, but of a turnover rather than a sales tax nature.

An impending machine tax bill introduced late last week by Senator Edward Coughlin provides specific exemptions for admission turnstiles, which would not be subject to tax. Assemblyman Harold B. Oerting on Friday introduced a bill amending the labor law and repealing part of the general business law in intended changes in the licensing and regulation of fee-chargeing employment agencies.

Georgia House Passes Bill to Change Time

ATLANTA, March 16.—The lower house of the Georgia legislature has passed a reconsidered bill which will place the state on Eastern standard time.

Atlanta is now on Central standard time with daylight saving time in the Summer months. Two-thirds of the states are in Eastern times. Some opposition to the bill in past years has been made by theatre operators. The bill now goes to the Senate where favorable action is expected. The House killed the bill earlier in the session.

Metro Buys 'Pulham'
British Gov't Asks Industry Realignment

Requests Trade Study to Revamp Methods
By AUBREY FLANAGAN
London, March 17.—The British Board of Trade, official government agency, has requested the Cine-
matograph Exhibitors Association and the Kinematograph Renters Society (distributors) to consider overhauling jointly the whole physical process of the distribution and exhibition of British films.

The effect of such a revision of the method of handling distribution and exhibition of films here as is apparently proposed, on American companies, is not immediately evident, according to observers.

It appears that if the Govern-ment aims to increase the availability of product to English independent houses, there should be increased movement to American companies to produce in this country, or to provide product. This may be especially true, it is said, if the revision by the English Government should involve changes in

Hold Quigley Awards Presentation Today

Hollywood, March 17.—E. C. Callow of Warners' Philadelphia The-aters and J. R. Wheeler, manager of Great States' Granada Theatre, both Bend, Ind., winners of the 1940 silver and bronze plaques, respectively, awarded by Manager's Round Table of Motion Picture Herald, will receive their awards in a presentation ceremony here tomorrow.

The awards will be made formally at a luncheon at the Beverly-Wilshire Hotel, with Walter Wang, president.

Ask Censor Unit For San Antonio

San Antonio, March 17.—A petition presented to the City Council asks enactment of an ordinance to set up a first motion picture censor board for all amuse-ments. The petition urges a board of nine members, with not more than three nor less than one to be paid.

B'way Box-Office Impresses; $48,500
For 'Doe' in 5 Days

The wake of the surprise storm, which took a heavy toll of life in the West and Northwest on Sunday blew into New York yesterday, accompanied by a sharp drop in temperature which did not help business. The cold is ex-pected to continue.

Good weather helped improve grosses at Broadway film theatres over the weekend. Practically all of the houses showed to larger Saturday and Sunday business than the previous weekend, when the local area was rigged by a blizzard.

Some of the theatres also claimed to have benefited yesterday by the St. Patrick's Day parade on Fifth Avenue. Marchers and watch-ers alike are described as filling the theatres yesterday at the conclusion of the exercises, in which about 25,000 par-ade, the participants estimated it at more than 100,000.

"Meet John Doe," being shown at the Rivoli, at 600 Hollywood theatres, grossed about $48,500 on its first five (Continued on page 6)

Herron Is Called For Duty with Army

Frederick L. Herron, treasurer and head of the M.P.P.D.A., foreign department, will report for duty today at the Adjutant General's office in Washington. He is a lieutenant colonel in the regular Army reserve.

No successor to Herron has been named and it is believed likely that action in this regard will await the annual convention of the M.P.P.D.A., board on March 31.

U.S. Drops 'Big 5' from Schine Anti-Trust Suit

BUFFALO, March 17.—Federal Judge John Knight today granted the Government's motion to dismiss the "Big 5" consenti ng companies from the Federal anti-trust suit against the Schine Circuit and distributors pend-ing in U. S. District court here.

Thomas Penney, Jr., local attorney for the Schine interests, said following the hearing that no word has been re-ceived as to whether or not the Gov-ernment intends to proceed against the circuit or has come to an agreement with it on a consent decree.

Department of Justice officials in Washington last week said that it (Continued on page 5)

Theatres Shelter Blizzard Victims

Minneapolis, March 17.—Many theatres throughout North Dakota and Minnesota remained open all night to ac- commodate stranded patrons when a sudden blizzard whipped through the area over the weekend. Some of the houses served coffee and doughnuts.

Among them were: the Grand, Crookston, Minn.; Forks, Paramount and Dakota, Grand For-ds, N. D.; Far- Zo, State and Grand, Fargo, N. D.; and Gem, Hillsboro, N. D.

Five New Cases
In Arbitration;
Two in Albany

Five new arbitration complaints were filed yesterday. Two were brought in Albany on clearance, naming the Schine Circuit; two in Minneapolis, over inability to obtain "some run," and one in St. Louis on clearance.

David Gillman, operator of the Gaity, Minneapolis, filed both com- plaints with the local board there. In the first he asked some run from 20th Century-Fox and in the second some run from Paramount.

Papayanakos Files Two Complaints in Albany

Albany, March 17—Two arbitra-tion complaints, the first for the local board here, were filed today by Alex (Continued on page 5)

Mrs. Hal Roach Dies; Services Tomorrow

Hollywood, March 17.—Funeral services will be held Wednesday morning for Mrs. Hal Roach, wife of Hal Roach, who died early this morning at Good Samaritan Hospital of pneumonia. The service will be held at a church of Good Shepherd in Beverly Hills.

Mrs. Roach was taken ill about a week ago, on her return from vacation in Hawaii. The couple had two children, Margarete, 19, and Hal, Jr., 22.

In Today's Issue


RKO Releasing 'Citizen Kane' Trade Hears

Announcement Expected Within Few Days

RKO will release "Citizen Kane," it was reported in high trade circles yesterday. The distribution term un-der which the picture will be offered to exhibitors, how-ever, have not been revealed. It is reported that the company will make its first official ex-pression public-ly in regard to the film within the next few days.

There have been many re-poorts published that RKO might release the film, but the company officially has not stated its in-tention, so far, one way or the other.

George Schaefler, president of the company, with others of the firm's (Continued on page 4)

Universal Officers Are All Reelected

All officers of Universal Pictures Co., Inc., were re-elected at an organization meeting of the board of di-rectors held at the home office yesterday.

Officers are: J. Cheever Cowdin, chairman; Nate J. Blumberg, presi-dent; Charles D. Frutman, attorney; A. Scully, J. H. Setdian, chief Work and Matthew J. Fox, vice-presidents; Samuel Machovitch, treasurer and assistant secretary, Peyton Gibson, secretary; Eugene F. Walsh and Harold Brewer, assistant treasurers, and Edward Muhl, assistant secretary.
More than 800 theaters will hold midnight benefit performances during Greek War Relief Week, from March 15 to 21. Lyman H. Sears, chairman of the distributors committee, and John H. Harris, chairman of the exhibitors committee, have announced that more than 6,000 theaters throughout the country will participate in the drive.

The drive is expected to raise the money that will be spent to benefit the Greek Relief through the Film Board of Chicago, an organization that will distribute the money collected to the Greek relief fund.

Theaters participating in the drive will donate all of their profits from midnight performances to support the Greek Relief. The money raised will be used to purchase supplies and equipment to support the Greek people during the war.

The drive is part of a larger effort to raise funds for Greek relief through the sale of war bonds and stamps. The Greek relief fund is supported by the American Red Cross and other organizations.

People are encouraged to attend midnight performances in their local theaters to support the Greek Relief. The drive is expected to be a successful fundraiser for the Greek people during this difficult time.

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**Montana ITO Names Moore as President**

Butte, Mont., March 17.—Joseph H. Moore, from the office of the Attorney General, has been re-elected president of the I. O. T. O. of Montana. Other officers are: Jack Sauckstorf, vice-president; Herbert Rondal, secretary-treasurer. Director is Lloyd Sisell, Jens Hansen, B. F. Souther, Frank Faust, Rex Evans and Gladys Severson. The organization will meet at Billings, Mont. on May 15.

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**Helpin Returns to Position with Korda**

Morris Helpin, who has been on a six-month leave of absence from his duties with Alexander Korda, has returned to his post with the Korda organization today. Helpin has been engaged in legitimate production during his leave of absence.

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**Indiana Exhibitor Dies**

Mitchell, Ind., March 17.—Lowell T. Moore, 46, owner and operator of the Northgate Theatre, was killed in his home Sunday night of heart disease. He was chairman of a local drive to raise money for Ohio River flood refugees in 1937.

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**Motion Picture Daily**

(Registered U. S. Patent Office)

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**Para. Here Session On Selling of 'Wings'**

Paramount district managers will meet with home office executives at the Waldorf-Astoria hotel here March 27 to discuss promotion and exploitation of "Their Bobber of W Wings," Neil F. Agnew, general sales manager, announced yesterday. The men will attend the opening of the film at the Astor Theatre the night before.

District managers who will attend are: William E. Erb, Boston; Harry H. Goldstein, Cleveland; E. W. Sveig, New York; Allen Shier, Philadelphia; Allen Shier, Chicago; R. C. LiBeau, Kansas City; Hugh Bray, Hugh Owen, Dallas; J. F. Kirby, Atlanta, and Dell Goodman, Canada. The New Denver district manager, whose name will be announced shortly, and J. C. Kusel, New York district manager, will also take part in the meeting.

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**'Chins Up' Rowland's Next Film for U. A.**

Chicago, March 17.—"'Chins Up," will be the title of one of Richard Rowland's newly contemplated productions for United Artists release, the producer stated on his arrival here enroute to New York to confer with Maurice Silverstone, U. A. chief. The picture will have a British background.

Boris Morros, Paramount producer, was on the same train. Morros expects to return to the coast about May 19 to start on a new musical film, "Tales of Manhattan." While in Chicago, Morros visited John Balaban, B. & K. chieftain, and Maurice Leonard.

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**Leaves Canada Circuit**

St. John, N. B., March 17.—Arthur A. Fielding, for 16 years general manager, Los Angeles Spence Co., operating 21 Canadian theaters, leaves that circuit next month. Fred G. Spencer, president, has named his son, Gordon G. Spencer, St. John, as general manager.

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**Seltzer Joins AMPP**

Hollywood, March 17.—Frank Seltzer, has resigned as publicity director for Hal Roach to join the Association of Motion Picture Producers as assistant to Jock Lawrence, who is assistant to Y. Frank Freeman, associate president.

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**Personal Mention**

SIDNEY R. KENT, president of 20th Century-Fox, leaves for the South today.

A. W. SMITH, jr., RKO sales manager, returned yesterday from a tour of several Eastern branches.

WILLIAM WOBBER, brother of Herman Wobbler, 20th Century-Fox distribution chief, has been elected president of the San Francisco Board of Police Commissioners.

CHARLES KESSYNS, district manager for M-G-M in Atlanta, has returned from Florida.

HENRY NASSER, manager of the Royal, San Francisco, has been elected president of the Polk-Van Ness-Larkin District Merchants Association there.

Terry ROSS, manager of Schine’s Elmwood in Penn Yan, N. Y. has been cited by the local American Legion for community service.

DON HANCOCK, Douglas Rother, Ackerman, Hostenk Schorr, Maurice Freeman, Charles Cohn, Walter Fuller and Milton Silver have lunched yesterday at the Tavern.

KEN-FARO, of the 20th Century-Fox publicity department and Max McNally have announced their engagement.

RUTH CABLEMAN, daughter of Barney Cableman of the Howard Theatre, New Haven, has been engaged to Lueyd. Cyril Stephenson of New Haven.

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**Later News Flashes from the Coast**

Herman Wobber, 20th Century-Fox director of distribution, arriving today from the East, said that the company is enjoying its biggest three-months’ business in years for the present quarter. Wobber said he found general theater attendance increasing. Strongly during his tour of exchanges, he said he has returned route to the Coast. "The public wants music and comedy in its film entertainment, and the producers are hitting the keys of public taste," he declared.

Six international labor unions in the studio basic agreement today filed through Francis Carothers, secretary of Motion Picture International’s Committee, written notices of protest before the wages and hours division over reclassifications affecting workers in key positions and other changes. Involved in the protest are teamsters, electrical workers, carpenters, musicians, laborers and plasters. Other subjects of discussion will be distant location rates and conditions long since established by contractual agreement dating back as far as 1928.

Having accumulated $800,000 in its building fund, the Motion Picture Relief Fund today announced completion of negotiations for the purchase of property for erection of a new rest home. It will be located near the town of Calabassas, immediately east of Warner Brothers’ ranch on the south side of Calabasas, and its services have been held open to the Screen Set Designers Guild. The fund has been acquired through proceeds of the Gulf Oil Co.’s Screen Guild radio show.

Frank Lloyd, producing for Universal release, today purchased "River Lady," unproduced novel by Houston Bradley. He reports he has paid $50,000 for the story.

Another acquisition was by Republic, which announced it paid $17,500 for "Merry Island," a novel by Theodore Pratt. John Wayne will star in it. A camera crew will leave shortly for Florida to make background shots.

M-G-M today signed Roy Del Ruth to a term contract as director. He formerly was with the company in the same capacity.
RKO Releasing 'Citizen Kane' Trade Hears

Excitement has been building over the "Citizen Kane" situation lately on the Coast. Believers observe that the public response which has attracted and the controversy which has been going on in some sections of the daily press and the magazines of the country has helped to focus unusual public attention on the film.

There is no indication from any official source that RKO is about to reach the screen with any defenses. Only last week, Orson Welles, chief figure both in the screen version and in the newspaper controversy on the film, issued a statement that he would sue RKO to bring about a release of the picture, to which serious objections were reported to have been registered by William Randolph Hearst, noted publisher.

Warner Executives Off to Studio Today

Warner home office executives will leave today for Los Angeles to attend conferences at which the 1941-42 program will be discussed. In the group will be J. M. Warner, general sales manager; Carl Leserman, assistant general sales manager; Mort Blumenstock, in charge of advertising and publicity in the East; Ben Kalmsen, Southern and Western sales manager, and Sam Schneider.

Conferences will be held with H. M. Warner, president; Jack L. Warner, vice-president in charge of production; Hal B. Wallis, associate executive in charge of production, and S. Charles Einfield, director of advertising and publicity. The New York executive hopes to return in about two weeks.

Hopkins' Opening In St. Louis April 4

St. Louis, March 17—Campaign in connection with the world premiere of Republic's "Si Hopkins," starring Judy Canova, at the $5,000-seat Fox theater here April 4 has been developed by William Saal, Republic studio representative, and Les Kaulman, Fan- chon & Marco local advertising director.

Sail was in town last week and is scheduled to return this week for further conferences, Jack Van Pel, St. Louis publicity man, has been engaged for special exploitation on the campaign.

London Reviews

"The Ghost Train" (Gainsborough-G. F. D.)

PROBABLY radio favorite number one in wartime Britain is pint-sized "Big Hearted" Askey. Not the least popular mystery play is Arnold Ridley's "The Ghost Train," already filmed more than once before, and an excellent entertainment has resulted in a film likely to break blitz records in Britain. It would be a good film with anyone. With the irresistible comedic leprechaun Askey it is what is known in darts-playing circles as a "double top."

The story concerns a ghost train which the villagers in a remote corner of Cornwall believe runs through the junction. A modern twist is given the drama by the discovery that there is such a train, used by Fifth Column gun runners. The whole set is in the deserted railroad station of Fal Vale and revolves around the reactions of some stranded passengers—and ultimately the train, and its origins. It is a mystery yarn of course, and Walter Forde, director, has put plenty of suspense and eerie atmosphere into it. But it is an Askey film, and the treatment is 85 per cent comedy with the mercurial gnome gagging, caving, leg-pulling and occupying the spotlight practically the whole time.

Askey's teammate, Richard Murdoch, does an excellent job as a suave and polished foil. Kathleen Harrison's portrayal of a spinner who eventually figures in the film is another distinct asset.

Running time, 83 minutes. "A."**

AUBREY FLANAGAN

**"A" denotes adult classification.

"Inspector Horneigh Goes to It" (Gainsborough-G. F. D.)

PREVIOUS adventures of Inspector Horneigh, whose fame was born on the radio, have been immensely popular with the bread and butter audience, certainly because of the excellent team work of Cockney Gordon Harker as the Inspector and Scots Alistair Sim as his blundering Sergeant Bingham. A like popularity is assured for this new adventure which upholds the production and comedy standards set by its predecessors.

When the sleuths sent to cover a robbery in the 1941 Army, tumbled on a Fifth Column network, and discovered in a dental surgeon a dangerous spy, and in his "patients" a chain of sinister associates. The business of lining up the clues is well done, and the climax aboard a mail train has plenty of crisp and cracking action. The treatment, however, is for the most part comedy, with the conflict between the acidulous Cockney and the dour Scot exploited to the full. Harker's pose as a history master in an evacuated school and Sim's compulsion to act as dentist to a determined client are the best episodes in the picture. It is not necessarily Harker who gets all the laughs.

Photography and cutting are competent and the script work leaves no room for criticism. Walter Forde's direction is as sound with the drama as it is with the fun.

Running time, 87 minutes. "G."**

AUBREY FLANAGAN

**"G" denotes general classification.

Neidhart Testifies In Schenck Trial

Enrique Neidhart, manager of the Agua Caliente Hotel, testified in Federal Circuit Court yesterday during the trial of Joseph M. Schenck that the hotel became practically worthless in 1935 when the Mexican Government demanded gambling.

After the sale of Schenck's interest in the hotel to Roland West, the developer made no effort to control the policy of the hotel, the witness said. The Government is claiming that the transaction was a "wash sale," made for the purpose of taking a loss so that Schenck could claim a deduction on his tax return. Schenck purchased the hotel for $409,000, sold it to West for $50,000, and claimed a loss of $170,000.

Mathias E. Correa, U. S. Attorney, brought out that in 1937 the assets of the hotel were listed at $4,189,023 and liabilities at $3,358,000, but on cross-examination Neidhart said that this value was merely a book value.

Hold Quigley Awards Presentation Today

(Continued from page 1)

of the Academy of Motion Picture Arts and Sciences, acting as toastmaster. Other studio executives will address the luncheon, as will A. Mike Vogel, chairman of the Managers' Round Table.

The two winners will be entertained here for a week as guests of Quigley Publications by a committee of studio publicity heads.

Seek Met Exemption

Albany, March 17—Senator Fred Eric R. Coudert and Assemblyman Abbot Low Moffat introduced legislation Monday to exempt from taxation the Metropolitan Opera House, New York City, excepting for those parts of the building which are used commercially.

British Gov't Asks Industry Realignment

(Continued from page 1)

the present restrictions on monetary withdrawals as an added inducement to the flow of badly needed American products.

The Government request came as a consequence of the C.E.A., plea for a reduction of the exhibitors' quota per screen. It is understood to be the Board of Trade belief that greater playing time is possible for quota films in independent theatres if restrictions are lifted in single features and weekly program changes could be brought about.

This latter is in sequel to the protest of independent exhibitors that the circuits control the market.

The K.R.S. will meet tomorrow and the C.E.A. in the near future, whether it be held by a joint meeting or to prepare the memorandum to the Government on the proposal. The problem is complicated with the fact that the K.R.S. holds the key to the situation, and it will necessitate a comprehensive study and long discussions, trade observers believe.

"Blitz" is seen in trade circles as in line with the Government's intention of taking a closer interest in industry affairs, with the Ministry of Information playing a dominant part.

Papayanos, head of American Thea-

The first complaint was against RKO and the second against Warners. Papayanos charges in both that the distributors grant unreasonable clear-

The complaint charges that RKO is giving the Broadway and Orpheum, Cape Girardeau houses operated by Fox Midwest, unreasonable clearance over the Kralo and asks the arbitra-

The complaint is the second on file here.

Briefs to Delay Chicago Decision

Chicaco, March 17—Attorneys for Loew's and E. F. Vanderveer, operators of the State, Morris, Ill., were directed last week by the Circuit Court concerning the theatre's arbitration complaint for "some run" against Loew's, a hearing which was held last Saturday before Charles Zane Hinkle, arbitrator. As a result, a decision in the case may be delayed for several weeks.

St. Louis, March 17.—The Shirley Theatre Corp. of Cape Girardeau filed a clearance complaint against RKO with the local board here today. The company operates the Rialto in that city.

The complaint charges that RKO is giving the Broadway and Orpheum, Cape Girardeau houses operated by Fox Midwest, unreasonable clearance over the Kralo and asks the arbitra-

The complaint is the second on file here.

French lawyer Jules Buczynski, who has already negotiated several important arbitration cases in the United States, was appointed arbitrator by the Illinois theatre association in Chicago yesterday.

The糸
Interest High in Educational Films

St. Louis, March 17.—Children are more interested in educational films than in Hollywood glamor pictures, W. N. Sellman, principal of Harris Teachers' College of St. Louis, said in a radio interview last week. Schools, he added, select films that fit their individual interests, "and I don't think we need to worry about competition with Hollywood." Amelia Messner, curator of the school's Educational Museum, reported an increase in the quality of educational films.

"Hamilton" Opening On Coast Tomorrow

Hollywood, March 17.—The world premiere of "That Hamilton Woman," produced by Alexander Korda for United Artists release, will be held at the Four Star Theatre here Wednesday evening, as a benefit for the British Royal Air Force Development Fund.

Tickets for the opening are priced at $3, and the theatre is reported to be sold out. Vivien Leigh and Laurence Olivier, the stars, are in England. Among the Hollywood personalities who already have purchased tickets to the opening are: Basil Rathbone, Ronald Colman, Alexander Korda and Merle Oberon, Douglas Fairbanks, Jr., Herbert Marshall, Charles Chaplin, Harry Warner, Bing Crosby, Charlotte Greenwood, Gary Cooper, Greer Garson, Sir Charles and Lady Mendy, Mary Pickford and Buddy Rogers, Alan Curtis and Ita Malsey, Alan Moway, Halliwell Hobbes, Herbert Wilcox and Anna Neagle, Olivia de Havilland, Claudette Colbert, Ian Hunter, Vincent Korda, William Wyler, Victor Saville, Samuel Goldwyn, David O. Selznick, Edward Small, Jack Benny and Mary Livingstone, Julien Duvivier, Ernst Lubitsch, Burgess Meredith, May Robson, Cedric Hardwicke, Dame May Whitty, Nigel Bruce, Norma Duno, Harry Cohn, Ronald Colman, Walter Wanger, Rothacker, Richard A. Rowland, Sara Allgood, Hal Roach, Gladys Cooper, Walter Wanger and Joan Bennett.

Drafted Employees To Get Col. Bonus

Columbia will give employees called for military service two to four weeks pay, depending on length of service with the company, and will reimburse them on application at the end of a one-year leave of absence, the company stated yesterday.

Premiums on group life insurance for trainees will be paid by the company for the one-year period if the United States does not enter the war. Two weeks salary will be paid to employees who have been with the company one year; three weeks salary to those with the company at least two years, and four weeks salary to those with the company three years or more, with a maximum of $400 to any individual.

Feature Reviews

"The Mad Emperor"

(Farkas-Wold)

HARRY BAUR has been cast in another impressive role, this time as Paul I, who followed Catherine on the throne of Russia. This French film was produced by Nicolas Farkas in Paris just before the war, according to World Pictures, which is releasing the film here. English titles are adequate.

Although no modern parallel is drawn, the film points out the consequences when a madman becomes a despot. Paul I came into power as a result of intrigue against his mother, Catherine the Great. Upon his ascension, he launches a reign of terror among the people. His private life is evil. Finally, his ministers conspire to remove him, and his son (Lord Landry) joins the conspiracy, which ends in the emperor's assassination.

In supporting roles are Paul Renoir who, as the emperor's most trusted minister, leads the conspiracy, and Suzy Prim, who undertakes to spy on the Czar but ultimately comes to love him. Colette Darfeul, as Paul's inamorata, also provides a convincing performance. A highlight of Bauer's performance is his interpretation of a despot whose constant fears of assassination drive him to the verge of insanity. Maurice Tourneur directed.

Running time, 89 minutes. "A"* EDWARD GREIF

"Double Date"

(Universal)

Hollywood, March 17

THE story of Universal's "Double Date" deals with the efforts of a boy and a girl conspiring to stop the romance of the former's father with the latter's aunt. Utilizing a patent formula for producing laughs, which includes reports of stolen cars, holdups, and eloquences, in which the so-called "chase" element becomes highly involved in the plot, the story sees the boy and the girl combine forces and the older generation getting married.

Edmund Lowe and Una Merkel play the father and the aunt, respectively, with Peggie Moran and Rand Brooks assuming the roles of the younger pair. Others in the cast are Tommy Kelly, Hattie Noel, Eddy Waller, William Ruhl, Sam Flint, Pat O'Malley, Joey Ray and Charlie Smith.

Glen Tryon directed this Joseph G. Sanford production.

Running time, 60 minutes. "G"* VANCE KING

"Chamber of Horrors"

(Monogram)

THIS is an eerie murder mystery, produced simply by John Argyle in England, with an all-British cast working under the direction of Norman Lee. The story is of the will of a Briton of note and a conspiracy to deprive the rightful beneficiary of the estate, a familiar theme often handled with greater effect.

Leslie Banks has the lead as one of the conspirators, and although he and Romilly Lunge, as a detective, handle their roles ably, the other supporting players are not too convincing. This particularly so in the highly melodramatic sequences. As a result a mid-afternoon audience at the New York Theatre on Broadway refused to take seriously the entire film and found many of the tense circumstances on the screen amusing rather than, as intended, suspenseful or exciting.

Running time, 80 minutes. "G"* WRIGLEY

Plans Butte Benefit For Men in Service

BUTTE, MONT., March 17—William Woolliff, manager of the Montana Theatre here, plans a special program from April 5 to 9 as the chief feature of the campaign of the Silver Bow Club, No. 88, of the Navy Mothers of America, to raise $1,000 for comforts for local men in the service. The money will be pooled in a national fund. A feature and several shorts will comprise the program.

Pre-Suit Quiz for Warner, Bernhard

H. M. Warner is scheduled to be examined before trial here on March 21 and Joseph H. Bernhard today in the anti-trust suit against the company pending in Federal court at Philadelphia which was brought last year by Landstown Amusement Co., two other corporate and seven other individual plaintiffs. Notices of examination were filed in U. S. District court here yesterday.

Of 42 Pictures In Work, Ten Are at Metro

Hollywood, March 17.—Forty-two pictures were before the cameras this week in Metro-G-M, the busiest studio, having 10 in work. A total of eight pictures were finished, with seven starting. Twenty-one are being prepared, and three edited.

The tally by studio:

Columbia

Finished: "Naval Academy."

In Work: "Senate Page Boys."

"Time Onry for Rhythm."

Return of Daniel Boone."

M-G-M

In Work: "Billy the Kid."

"A Woman's Face."

"Blossoms in the Dust."

"Love Doesn't Grow on Trees."

"Dr. Jekyll and Mr. Hyde."

"The Uniform."

"Lady Be Good."

"Washington Melodrama."

"Untold Dr. Kildare."

Started: "Man from the City."

Monogram

Finished: "Tumbledown Ranch in Arizona."

In Work: "Widows of the Press."

Producers Releasing

Started: "South of Panama."

"Billy the Kid's Trigger Pals."

Paramount

Finished: "Little Miss Muffet."

"Her Highness and the Bellboy."

"Pioneer Woman."

"Hold Back the Dawn."

"Night of January 16th."

Republic

Finished: "Pals of the Pecos."

In Work: "Rookie on Parade."

"Lady from New Orleans."

"Singing Hills."

20th Century-Fox

In Work: "Blood and Sand."

"The Great American Boulevard."

"Miami."

Started: "Man Hunt."

Universal

Finished: "The Black Cat."

In Work: "Unfinished Business."

"Cracked Nuts."

"Horror Island."

"Sandy Steps Out."

"Mutiny in the Arctic."

"Singing Another Chorus."

Warner

Finished: "The Bride Came C. O. D."

"Highway West."

"Three Sons."

"O'Guns."

In Work: "Sergeant York."

"The Gentle People."

"Underground."

Dictator's Chaplin's Biggest, Says Kelly

According to Arthur W. Kelly, vice president in charge of domestic distribution of United Artists, "The Great Dictator," starring Charlie Chaplin, is the biggest grosser in the actor's career. Kelly stated that his opinion is based on the box-office returns of the film since it started on its popular run in principal key cities.

(EDITOR'S NOTE: For grosses on this picture as well as all others, watch Motion Picture Daily's weekly-to-week box-office reports from principal cities.)
B'way Box-Office Improves; $48,500 For 'Doe in 5 Days

(Continued from page 1)

days. The Rivoli, with a capacity of more than 2,000 seats, achieved 955% of its capacity, grossing over $31,000. The twin theatre showing, officials assert, will be continued for at least two weeks, while the Rivoli run is for a long and indefinite stay.

"Andy Hardy's Private Secretary," makes way for "Rage in Heaven," at the Capitol on Thursday, after a two-week run with an estimated gross of about $30,000 which garnered the first week.

"Cheers for Miss Bishop" at the Radio City Music Hall, with a stage presentation, is doing a nice business, grossing about $53,000 on the first four days. It will be followed on Thursday by "Adams Four," and Columbia feature. "That Night in Rio" at the Roxy, with a stage show, holds the box-office for an estimated $22,000 over the weekend. At Strand, "Footsteps in the Dark," Warner Bros. film starring Errol Flynn, which opened a week's run to make way for "The Sea Hawk." The Flynn film with the help of the stage show grossed about $18,000 over the weekend.

At the Paramount, "Lady Eve" has finally elected to depart after a three-week run and will make way on Wednesday for "Las Vegas Nights," with Allan Jones and Ina Ray Hutton on the stage. "Lady Eve," is having an uncommonly good third week, grossing an estimated $28,000 for the weekend, and on the week is estimated for a minimum of $32,000.

**Ground Broken for Theatre in Trenton**

An announcement made yesterday states that ground has been broken in Trenton on Monday, on a new 1,000-seat theatre. According to RKO officials, this theatre is being built by the Trenton New Picture Show Co., in which RKO Theatres owns a 50 per cent interest. Walter Reade and the Frank Storrs estate own the other 50 per cent. William I. Hohauer is the architect. H. D. Best McCaffery Co., it is stated, will build the house.

**Churchill Attends 'Uncle Sam' Showing**

Prime Minister Winston Churchill found time Sunday evening to attend a film showing at the London home of Lord Beaverbrook, minister of aircraft production and London newspaper publisher. The programme included March of Time's "Uncle Sam — The Non-Belligerent," Lord Beaverbrook yesterday so advised March of Time officials here by cable.

**Fire Damages Theatre**

HARRISBURG, Pa., March 17—Fire which swept through the business sections of downtown Harrisburg, today did damage estimated at several thousand dollars to the Millerstown Theatre, owned by Peter Shenk.

**Short Subject Reviews**

"Stranger Than Fiction, No. 87" (Universal)

The usual array of six subjects, some moderately amusing and interesting, are presented in the same style as those in this subject's 86 predecessors. On view are miniatures—famous shrines and churches, a unique device for protection against a cow's wagging tail, a well that spouts flames, a feminine railroad worker, the making of muzzle-loading rifles and a pet bird which does somersaults. Running time, 9 mins.

"Going Places, No. 88" (Universal)

A tour of various deserts in the United States makes for an interesting travelogue. The colored sands in a Maine desert, dune-skooter riding in Michigan, the white sands in New Mexico and California oases are depicted. Running time, 9 mins.

**Legion Approves 8 Of 10 New Pictures**

The National Legion of Decency for the current week has approved eight of 10 new films, two for general patronage and six for adults, while one was called objectionable in part and one was condemned. The films and their classification follow:


**Raise Weekend Prices**

ALLENTOWN, Pa., March 17—Ex-
periment of the Colonial of raising weekend prices proved successful, according to manager Charles Bierhauer, with the result that it has been adopted as a permanent feature with the Colonial and Rialto with other theatres in town expected to follow.

**Cassills Lose Suit Against 8 Majors**

St. Joseph, Mo., March 17—The $452,775 damage suit of Eugenia and Frank Cassill, operators of two theatres here, against Dubinsky Brothers, circuit operators, and the eight major companies, was dismissed, without prejudice, by Federal Judge Merrill E. Otis in U. S. District court here Saturday.

The dismissal came midway of the presentation of defense testimony, and at plaintiff's own request.

The Cassills alleged conspiracy among the distributors and Dubinsky Brothers against the plaintiffs' Rialto and Strand theatres, and managers of the eight defendant companies testified that they knew of no conspiracy against Cassill and that they had sold first to Dubinsky only because his operations here could return them the money for their property.

The case was filed last early last year, Cassill is president of the Kansas-Missouri Theatre Association, an affiliate of the M.P.T.O.A.

**Seeking Action on N. J. Anti-Asacc Bill**

TRENTON, March 17—An attempt to force the Asacc bill from committee will be made in the near future by Assemblyman H. Stanley Herbert, Monmouth, sponsor of the measure, he stated today.

The bill would impose a five per cent tax on receipts from the licensing of motion pictures in the state and would prohibit licensing by organizations such as Asacc except on a "per piece" basis. A similar bill failed to pass last year.

**U. S. Drops 'Big 5' From Schine Action**

(Continued from page 1)

was "practically agreed" on a decree which will be issued.

The companies dismissed from the action were: Loew's, RKO Radio Pictures, 20th Century-Fox, Warners, Vitagraph. The Picture Production-Paramount Film Distributing Corp. Remaining as defendants in addition to Schine Theatres and its affiliates are: Universal, United Artists and Columbia.

**Grainger on Visit to New Orleans Office**

James R. Grainger, president of Republic, has arrived in New Orleans after visiting Dallas, where a cockfight was considered him at the Variety Club late last week. R. J. O'Donnell, vice-president and general manager, said today that the theatre was overhauled under the supervision of the Government department.

**DeMille Grandson Dead**

Hollywood, March 17—Plans are being completed today for the funeral of 2-year-old grandson of Cecil B. DeMille. The child was drowned on Saturday, when he fell into a pond. He was the son of Mr. and Mrs. Anthony Quinn, the latter the adopted daughter of the producer.
Off the Antenna

NBC will devote a special 15-minute program at 7:15 P.M. Friday, March 28, to explain the frequency changes made necessary under the Havana Treaty. Both Red and Blue networks will be combined for the broadcast. A total of 122 of the 224 NBC units are required to change frequencies.

**Purely Personal:** Hudson Hareley, NBC short wave news editor, will be principal speaker before the Honors College of Western College March 26. Kenneth Anderson, NBC short wave announcer, will give today on the "Ellen Randolph" program over NBC Red. Sam Bronn, WCMA, announcer, left yesterday for observation at Johns Hopkins Hospital. Krenan Wynn, son of Ed Wynn, will have the leading role in "The Amazing Smith." Bill Goodwin and Sam Greaves, both with the WABC program department left yesterday for a vacation in Savannah, Ga. Mutual yesterday started a weekly printed clip sheet service similar in content to that of NBC. Eight items are included and two mats are offered in the first edition. The clip sheet is attached to the printed program folio of the network.

M-G-M has obtained a half-hour over NBC-Blue on Wednesday, April 2, 4:15-4:45 P.M., for a broadcast of a luncheon to Bishop Ryan of Omaha and Father Edward J. Flanagan, founder of Boys Town. The luncheon will take place at the M-G-M Culver City studio. Spencer Tracy, Mickey Rooney and Judy Garland, who appear in "Men of Boys Town," will also be on the broadcast.

Program News: Louis Wellse yesterday started a midnight news resume on WNEW. The program will be heard Mondays through Saturdays at 12:15-12:45 A.M., 3:00-3:30 A.M. and 7:00-7:30 A.M. on WNEW, WOR, WRNY, WCBS and WABC.

Ask FCC to Approve Two New FM Stations

WASHINGTON, March 17.—Applications for construction permits for two new FM stations have been received by the Federal Communications Commission from WEJE, Inc., Rochester, N. Y., planning a station on 47.700, which will cover 2,318 square miles with a population of 551,374, and the King-Trendle Broadcasting Corp., Detroit, for a station on 47.300 kilocycles to cover 6,900 square miles with a population of 2,564,008. The commission also received an application for a station at SAN ANTONIO, Texas, for increase of power from 100 to 250 watts.

Start Work Soon on NBC Frisco Building

SAN FRANCISCO, March 17.—Construction of the new $1,000,000 NBC Frisco Building in the downtown area, postponed repeatedly since early last fall when news of a new franchise plan of "ground-breaking" which never occurred, is now slated to commence in 10 days, according to local NBC officials.

Hellingler to 20th-Fox

Hollywood, March 17.—Mark Hellingler, who left Warners last week, has signed a contract as a producer with 20th Century-Fox.

Wakefield Selection Confirmed by Senate

WASHINGTON, March 17.—The Senate today confirmed the appointment of Ray C. Wakefield as a member of the Federal Communications Commission and President Roosevelt will be advised of its action before he leaves for his vacation later this week. It is probable that the new commissioner will be sworn in to participate in the television hearings Thursday. Unanimously approved by the Interstate Commerce Committee, the nomination was confirmed by the Senate without opposition.

Baukhage Elected by Air Correspondents

WASHINGTON, March 17.—H. R. Baukhage, NBC commentator, has been elected President of the Radio Correspondents Association. He succeeds Albert Warner of CBS. Other new officers are Fred Morrison, Vice-President; John J. Tully, Jr., Secretary, and Al M. Roach, Treasurer.

Joan Blondell Due

Joan Blondell and Dick Powell are due here today from the Coast. She was working in "Topper Returns," Hal Roach film being released by United Artists.

10 Companies Set on Hearing For Television

WASHINGTON, March 17.—Ten commercial companies and the National Television System Committee have filed notices of intention to appear at the FCC television hearings opening here Thursday, it was disclosed today.


There are comparatively few matters in dispute, Fly said, and it is not expected that representatives of the major companies will require any more than an hour or two of the FCC's time, and that those who testify will be asked to be as brief as possible in order to conserve time.

The FCC is now engaged in consideration of the monopoly report and is anxious to hold a session devoted to the report on Saturday.

New York Changes In Frequency Cited

ALBANY, March 17.—Walter T. Brown, secretary to the Governor, over the weekend issued a statement calling attention to the fact that most New York stations will move to new frequencies March 29 under the Havana Treaty.

The stations of New York State listed by Brown and their new frequencies are: WOR, 1,440 k.c.; WOKO, 1,460; Auburn, WMBO, 1,340; Batavia, WBT, 1,300; White Plains, WNYC, 1,300; Brooklyn, WARD, 1,430; WABC, 1,430; WBRR, 1,350; WCNW, 1,380; Buffalo, WBEN, 1,380; WBNY, 1,400; WEVD, 1,340; WGR, 550; WKBW, 1,530; WSUV, 1,450.

Also, Canton WCAD, 1,250; Elkins, WENY, 1,250; Freeport, WGBB, 1,240; Ithaca, WHCU, 870; Jamestown, WJXT, 1,240; Kingston, WJNY, 1,180; Newburgh, WGNY, 1,250; New York, WABC, 1,480; WBEN, 1,380; WEAF, 600; WEVD, 1,300; WKNX, 1,050; WINS, 1,000; WJO, 770; WJTL, 1,450; WMCA, 570; WNEW, 1,280; WCNY, 830; WOV, 1,130; WQXR, 1,500.

Also, Niagara Falls, WVLH, 1,290; Olean, WOBK, 1,260; Oneonta, WHDL, 1,450; Plattsburgh, WMFF, 1,340; Poughkeepsie, WPKP, 1,450; Port Jervis, WJVT, 1,450; Utica, WUTZ, 1,160; Watertown, WATL, 1,140; WBNY, 1,300; White Plains, WTSF, 1,290; and Woodside, WWR, 1,600.
★ Don't let a good thing die... crowd on the steam while the goings good. Remember... one ringer never won a championship yet. It takes constant ringing of the pin... continued plugging for the "ace."

★ Capitalize on the big pictures... press your advertising luck with continuous advertising.

★ Settle on a standard minimum but keep the glamour shining.

★ And we've got everything you need to give your house that "good-show-here-tonight" look... Trailers... Lobby Displays... General Accessories for any picture...

★ Press your advertising luck with the 3 Best Seat Sellers in the industry.
Coast Chiefs at Quigley Award Presentations

Wanger, Freeman, Crisp Participate; 119 Attend

Hollywood, March 18—Chiming

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NEW $6,000,000

FINANCING FOR ‘U’

Chicago’s Second

Arbitration Case

Hearing Tomorrow

The Chicago arbitration board will “try” its second industry

improvement case when the clearance demand of Ben Banovitz, operator of the Ken

against 20th Century-Fox, RKO and Paramount, involving the Schoenstadt

headquarters yesterday also reported that arbitrators have been chosen for two cases in Delaware and one in New Orleans. Jerome G. Thomas, head of the business administration department of University, and L. J. Carey, attorney, will hear the first and second cases filed in Delaware. Julian D. London, independent exhibitor, is complainant in both cases, involving clearance and naming Warner and Paramount.

Phillip E. James, attorney, was named arbitrator in the New Orleans case, which involves Charles J. Woolner’s demand for “some run” from Paramount for his Drive-In Theatre.

Hearings for the Detroit and New Orleans cases have not been set.

Winter’s Goodbye Blast

Stuns Theatre Grosses

Theatre receipts in some situations fell off as much as 60 per cent

from normal in the Midwest under the impact of a sudden and furious blizzard

which struck North Dakota and Minnesota over the weekend and

the icy winds of nor’easter proportions which swept New York State

the entire Eastern seaboard Monday and yesterday.

Winter’s parting shot—it is officially

scheduled to depart tomorrow

causing the closing of schools in many communities in upper New York State, and affected theatre business

seriously. Temperatures plummeted

downward 15 degrees or more in New York City overnight, and dropped to

levels of two above zero in Albany and

(Continued on page 4)

British Production

Vital, Commons Told

LONDON, March 18—The importance of maintaining British film production was brought before the House of Commons today by several members.

Oliver Lyttleton, president of the Board of Trade, responded that he was aware of the importance of maintaining British production consistent with the national interest, and that he has been in communication with Ernest Bevin, Minister of Labor, on the question of manpower. Lyttleton promised the House that he would make a strong plea to the Labor Min-

(Continued on page 4)
Coast Flashes

Hollywood, March 18

T. J. CONNORS, Eastern Southern, and Canadian sales manager for M-G-M, left yesterday by plane for a business trip to Miami. He is expected to return on Monday.

Leon NETTER, Paramount theatre executive, returns today from Greensboro, N. C.

B. F. HOFFMAN, Warner Theatres executive in New Haven, is vacationing at White Sulphur Springs.


Harry KOGEL, cashier at the M-G-M branch here, who is to be married Saturday to Ruth FERING, will be given a luncheon by associates today at the Hickory House.

Elmer HOLLANDER, manager of Wartens' Stanton, Philadelphia, has returned to his post after an illness.

ROCCO LONGO, operator of the Community Theatre, Oakville, Conn., has returned from a visit to Philadelphia.

Michael TOMASINO, operator of the Victory and White Way, New Haven, left this week for Florida with Tony CASSELLA, projectionist.

THE arbitration panel of the Los Angeles local board will meet tomorrow with J. Noble Braden, executive secretary of the American Arbitration Association, for a discussion of procedure. Noble, whose headquarters are in New York, is here to set up A. A. A. headquarters. No complaints have been filed with the Los Angeles board.

A "tentative" settlement has been reached in the Colosta Corp. damage action against Fox West Coast Theatres and major companies over alleged inability to obtain "satisfactory" product for Bard's Colorado Theatre in Pasadena. It was disclosed today by attorneys in court when the case was called. As a result, the trial was postponed.

Joseph Skirball, business manager for Frank Lloyd Productions, releasing through Universal, tonight for Dallas to start a series of preview of "Lady from Cheyenne," scheduled for 10 key cities.

Second Week for 'Bishop'

Business at the Radio City Music Hall being above expectation, "Cheers for Miss Bishop," will be held for a second week beginning tomorrow, it was stated yesterday.

Personal Mention

MR. and MRS. ABE L. VOGEL leave Chicago today for the Coast.

FRANCES WEB, secretary to WILLIAM GÖTZ, has arrived here from the Coast.

OSCAR DOOB, William ORR, JOHN W. HICKS, MAURICE BERGMAN, SIDNEY NEVILLE, PHILIP, ARTHUR MILLER, MAX A. COHEN, STANTON GIFFINS, BARNET, RICHARD RODGERS, RUSSELL HOLMAN and EDWARD SAUNDERS having lunch yesterday at Nick's Hunting Room in the Astor.

DAVID LIPTON, SAM SHAHIN, MONROE GREENTHAL, MORRIS KINZLER, IVING JESSER, JACK PARTINGTON, MORRIS HELPERN, MEYER BECK, SEYMOUR POF, DAVE "Skippy" WESNER and JAMES CROX, lunching at Linda's (next to the Rivoli) yesterday.

B. S. MOSS, Harry GOLD, Charles STEVENS, MAURICE SILKSTEIN, RICHARD MARSH, NATE BLUMBERG, MARTIN MOSKOWITZ and LOU BRANZ at Linda's (53rd St.) yesterday for lunch.

RALPH POURIER, HAROLD TAYLOR, LOU POLLOCK, HANK LINET, JEFFREY BERNER, BUDD ROGERS, ARTHUR GREENBALT, W. RAY JOHNSTON and VINCENT TROTTA, lunching yesterday at the Tavern.

Newsreel Parade

PRESIDENT ROOSEVELT'S address at the annual dinner of the White House correspondents is outstanding among the varied defense subjects in the new issues. Contents follow:


Urge Admission Tax

In Maryland Town

SALISBURY, Md., March 18—A bill urging one-cent tax on all film admissions, to finance recreation activities in the city of Salisbury, has been presented to the Maryland state legislature by Delegate J. Howard Johnson. Indorsement of the Mayor and City Council has been obtained. Johnson estimates an annual revenue under the tax of from $12,000 to $15,000 annually.

CALIFORNIA

AMERICAN'S SOUTHERN SUNSHINE ROUTE

★ Five American Flagships daily take you along the Southern route across Virginia, Tennessee, and through the sunshine of Texas and Arizona to Los Angeles and the Pacific Coast. Save days of time, enjoy every minute of your trip. For reservations, call your Travel Agent or HAVemeyer 6-5000, Ticket Offices: 18 W. 49th St., at Rockefeller Center and Airlines Terminal, 42nd Street at Park Avenue.

AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS
ADVERTISING "MEN OF BOYS TOWN"!

Full Pages in the following National Weeklies and Monthlies:

Saturday Evening Post • Collier’s • Liberty • Look Magazine • Life • Time • Newsweek • American Boy • Boy’s Life
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Screen Romances • Modern Screen • Your Charm • Motion Picture • Photoplay-Movie Mirror • Movie Story
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Plus THE LION’S ROAR, the most successful magazine ad in America

M-G-M...NO HALFWAY MEASURES!
New Financing

Of $6,000,000
For Universal

(Continued from page 1)

were recently awarded new employ-
ment contracts by the company's stock-
holders at the company's annual meeting
in Delaware last Saturday, as a re-
ward for their interest in bringing the
company from the red into the black.
These men are William A. Scully, in
charge of domestic distribution;
Cliff Work, vice-president in
charge of production; J. H. Seidel-
man, vice-president in charge of for-
eign distribution; Charles Prutzman,
vice-president and general counsel, and
Matthew Fox, vice-president and as-
sistant to the president.

Under Blumenberg's direction, the
company's annual gross has increased
from $18,150,876 to $21,677,612, and
in the last three years, according to a
statement recently made by Cow-
din, this management "converted a
net loss of $1,084,999 into a net profit
of $2,990,722."

Minn. Measure Hits All Booking Agencies

MINNEAPOLIS, March 18.—A bill
before the state Senate Labor Com-
mittee would regulate theatrical book-
ing agencies, compelling them to
register as employment agencies. Only
a few agencies have applied thus far
for registration.

The bill would prevent an agency
or bureau collecting a fee if an em-
ployee is called back to work a sec-
day by the employer.

LOS ANGELES
FLY THE
CENTRAL YEAR 'ROUND
MAIN LINE AIRWAY
Three flights daily offering
shortest daylight serpentine
and two thru sleepers coast-to-
coast without change of
planes. Enjoy Mainliner serv-
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Winter's Goodbye Blasts
Stuns Theatre Grosses

481 Out of 539 Films
Approved in Year
By Decency Legion

(Continued from page 1)

Syracuse and three above in Roches-
ter and Buffalo.

Even the South felt the sting of
the unexpected cold wave, with most
of the southern states reporting
freezing and below.

While temperatures moderated
somewhat in the Midwest yesterday,
the snow field persisted in Wisconsin
and Minnesota and press dispatches
set at 79 the death toll in the storms
which whipped through the Northern
states.

Theater attendance was most
severely hit in Minnesota and the Da-
kotas. Although the blizzard was not
as severe in South Dakota as else-
where, it cut theatre grosses up to
50 per cent in the area about Sioux
Falls, S. D. "Got With the Wind"

suffered most severely in Sioux Falls,
during only 40 per cent of normal
weekend business at the State The-
atre there, with business off es-
pecially in the evening. Northeastern
South Dakota was affected by a 12-
hour hailstorm.

High winds and snow in the
Minneapolis area cut grosses as much
as 30 per cent under normal week-
end figures even before the blizzard
and dropped to 30 per cent below
afterwards.

West of Minneapolis the situation
was worse, with grosses dropping 20
per cent or more in such spots as
Fargo and Grand Forks, N. D., and
Moorehead and Crookston, Minn. Bus-
iness returned to more nearly normal
figures yesterday as roads were opened
in the affected areas.

The blizzard did not strike Chicago,
but zero weather had a depressing ef-
fact on business. Grosses fell off to
some extent at the Loop houses, but
affected the neighborhood houses less.

Northwick, Milliken
Take Herron Duties

(Continued from page 1)

former European manager for the
M.P.P.D.A., who is now at the home
office. As a result of this appoint-
ment, F. W. Allport, M.P.P.D.A.
London representative, has been named
European manager.

His lieutenental colonel in the
Army reserve corps, retains his titles
of treasurer and foreign department
manager, in which capacity he is on
leave of absence for military serv-
ice. He reported for duty yester-
day at the Adjutant General's office
in Washington.

House in Ohio Kills
Newsread Measure

COLUMBUS, Ohio, March 18.—Despit-
pressure by the industry, the bill in-
introduced by Representative Ford
at the instance of P. J. Wood, secretary
of state, T. O., to eliminate newsread-
news from censorship, was killed in com-
mittee.

State Ohio censorship law was en-
acted as a police measure, but has be-
come a revenue measure, Wood said,
in substantiation of which he pointed
out that the censor board received
$1,072,341 in fees during the past six
years while the operating cost of the
board was $18,302 during that period.

Coast Chiefs at Quigley Award
Presentations

(Continued from page 1)

of Great States' Granada Theatre,
South Bend, Ind. Y. Frank Freeman, presi-
ident of the Association of Motion Picture
Exhibitors, was present when the plaque
was presented to Wheeler, Donald Crisp,
representing Warner Bros., presented the
dividend for 1940 to James Warne,
Wagner paid tribute to the
winners as "the men whose efforts
produce the revenues which we in Holly-
wood use to make more pictures." Wagner
stressed the importance of pro-
viding to the men in the field
a consistent supply of screen
entertainment keeping abreast of the
market.

Col. Sets Deal on
English Pictures

LONDON, March 18.—Columbia Pic-
tures today announced completion of
a deal with the recently organized
company called the Family, leading
English comedy star, who say Columbia
would handle world-wide distribu-
tion of two Formby pictures annually.
This deal was forecast in Motion
Picture Daily last week. It is un-
derstood Columbia would undertake
financing, wholly or in part, of the Pictures.

Max Thorpe, managing director for
Columbia in England, who negotiated the
deal, declared that he believes
Formby to be an international per-
sontality and that the films will be
designed for the world market, in-
cluding the United States.

Sign Ice Show for Film

KANSAS CITY, March 18.—The enti-
tire company of the "Icecapades" show now appearing at the Pilgrim
has been engaged by Columbia for a picture. The contract was nego-
tiated by John Harris, Pittsburgh cir-
cuit head and president of the ice
show corporation, and M. J. Siegel,
President of Republic Productions, Inc.
Griffis Buys 1,000 Paramount Shares

WASHINGTON, March 18.—Acquisition of 1,000 shares of Paramount Pictures common stock by Stanton Griffis, New York director, giving him a total of 7,500 shares, was the largest single addition to the fast growing Griffis Film Industries, which is acquiring the securities of their companies reported today by the Securities and Exchange Commission in its 10-K report.

The only other personal acquisition reported was 400 shares of Consolidated Film Industries preferred stock by Walter P. Stevens, Scranton, Pa., director, who held 400 shares at the close of the month. Stevens also filed reports for himself and his wife for acquiring the additional 400 shares in Consolidated Film Industries preferred stock and the sale of 500 shares of common stock.

Consolidated Film Dealings

Also in Consolidated, E. H. Sei- fert, Fort Lee, N. J., director, reported the disposition of 100 shares of Consolidated Theatres Equipment, R. B. Laurie reported the disposition of 100 shares of capital stock, leaving him with 500 shares, and an additional Universal Corp. Daniel M. Sheaffer reported that in December he acquired 100 common voting trust certificates and in January sold a similar number.

Another 60 shares of Loew's Bos- ton Theatres common stock was acquired by L. C. Davis, giving it a total of 117,847 shares.

Disposition of 600 shares of Class A common stock of Columbia Broadcasting System, by gift to his family, was reported by Isaac D. Levy, who held 60,146 shares at the close of the month.

Official Asks Probe Of Game in Buffalo

BUFFALO, March 18.—An investigation of the Granada Theatre's chance game for children has been asked by District Attorney Leo J. Hagerty in a letter to Austin J. Rochie, Buffalo's new Police Commissioner. Hagerty suggested that such an action be taken as facts warrant.

Hagerty said he contacted the Rev. Niel Crawford, clergyman who had produced the game, and that facts indicate the game is a possible violation of the state lottery law. Louis Lea, manager of the theatre, a Schine house, said: "If people feel that the game is wrong I certainly will cooperate by discontinuing it immediately."


WASHINGTON, March 18.—The Department of Justice has no quarrel with the report of the Temporary National Economic Committee with regard to the picture of the growth of the film industry and its practices, but it is understood not willing to accept the monograph's view of the consent decree.

Assistant Attorney General Thurl- man Arnold is out of the city and could not be reached today for comment. The matter is being held in abeyance pending his return.

Four Stories Purchased In Week for Production

Hollywood, March 18

Four stories were purchased last week by various studios: M-G-M bought "Jackpot," by C. Gardner Sullivan to star Wallace Beery; Columbia acquired Sam Marx's original, "Side Street," story of a tabloid newspaper editor, purchased "Washington Correspondent," by Charles E. Blake, local newspaper editor in charge of the Washington Post; and Marx will produce it. Republic has bought "Sun Valley," at 20th Century-Fox. David O. Selznick has signed Rosse Franken and William Brown Meloney to adapt "Claudia," from the New York stage play written by Miss Frank; Frank Jellicoe, Ward Bond, Joyce Compton and Barbara Pepper will support Mar- lene Dietrich and George Raft in Warners'imanpower," directed by Raoul Walsh. Paramount has signed William Cabanne, son of Christy Cabanne, veteran director, to a term acting contract.

Michael Curtiz's directorial con- tract has been extended by Warners. Regis Toomey, because of preview reaction to his work in "Meet John Doe," has been given an important part in "Dave Bermuda," starring Errol Flynn and Fred MacMurra at Warners. Jinx Falkenburg, photographers' model, has been set for top role in Columbia's "Girl from Panama." Joseph Childs and Tom have been produced by Sam Katzman, begins this week with Joseph Lewis directing.

Producer Lindsay Parsons will place "King of the Zombies" in work by Kenneth H. Warner and will direct. "Redhead," story by Dorothy Reid, Betty Burbridge and Conrad Seiler, will be produced by L. E. Chinnick starting March 27, Edward Finney's special, "The Pioneers," based on a story by James Fenimore Cooper, will start at the end of the month. It will star Tex Ritter and "Arkansas Slim" Andrews, with Al Herman scheduled to direct.

"Robert E. Lee" will be the first of the 1941-42 season's historical pa- triot stories at Warners. George Blackmer gets the name role in the script being written by Owen Crump. John Bennett will appear opposite Walter Pidgeon in "All Quiet," new title for "Rogue Male," novel by Geoffrey House. Fritz Lang directs, Lucile Ball and Desi Arnaz get the romantic leads in RKO's picture which will star Edgar Bergen, Claude McCarthy, Forrest Tucker and Molly. Allan Dwan will produce and direct from a script by James V. Kern. Nancy Carroll and Donald Crisp star in the story, which will be directed by Robert Preson as the romantic leads of RKO's "Parachute Battalion."

Twentieth-Century-Fox has signed Jules Furthman, Joan Harrison and Anne Morrison Chapman, writers, for a contract.

Jane Murfin will do the script for "Strange Victory," Sol Lesser produc- tion to star Martha Scott, Howard C. Banks and various other actors. Mamie Van Doren, written by Melville Shavelson, will star in the picture. She will also go into "Harry, Charlie, Hurty," Leon Errol vehicle at RKO. Paramount has promoted Film Editor Hugh Buffet to direct. His first assignment will be "Harry for President," next in the series of Marx Family pictures. Ted Tetzlaff, Paramount cinematog- rapher, also has been given a chance at direction, drawing the guidance of "World Premiere," as his first.

Cobina Wright, Jr., has switched roles with Lynn Bari. The former goes into "Miami and the Ladder," and the latter.

May Seek Texas Tax on Receipts

AUSTIN, Tex.—A 1/2 per cent gross receipts tax is being suggested by Representative J. N. Reed, member of the state legislature, that will apply to theatre tickets, sales, and athletic events. By levying such a tax, $500,000 a year would be collected. Religious, charitable organizations and educational associations would be exempt.

LEWIS, and third will be "The Mon- key's Paw," from a story by W. W. Jacobs. "Nils Asther has been given a role in "Forced Landing." William Pink-Wall C. Thomas directed for Paramount release.

Cliff Nazarro, now working in Re- public's "Rookie on Parade," goes into Warners' "Navy Blues." Ex- empt Lynx has been cast for "Para- chute Battalion," RKO.

Rochelle Hudson, Bruce Bennett and Roger Pryor head the cast of Columbia's "The Officer and the Lady," with Sidney Blackmer, Oscar O'Shea and Tom Kennedy in supporting roles, Sam White directs under supervision of Leo Barsha. "The Deserter," with Jule Darwell and Simon St. John have been added to the cast of "A Certain Mr. Scratch," first of the William Dieterle productions for RKO release. Thomas Mitchell, Walter Huston, Anne Shirley, James Craig, Gene Lockhart and John Qualen are in the other roles.
Technicolor 1940

Net Profit $882,125

Technicolor, Inc., yesterday reported consolidated net profit for 1940 of $882,125 after all charges and Federal taxes. The result compares with net profit of $912,614 for the preceding year.

The report states that its English subsidiary, Technicolor, Ltd., had a loss of approximately $42,000 during 1940, but that operations in the plant near London will be continued. The company’s consolidated balance sheet, shows an assets of $4,327,543, of which $3,705,566 is cash, and current liabilities of $897,943.

Technicolor’s net sales for the year amounted to $5,103,404, and approximated $8,62,000 feet, with 7,012,156 feet of positive prints in 1939.

The report of Herbert T. Kalmus, president, states that the results from last October to January, print footage amounts to approximately $2,000,000 feet.

He reports progress on the development of a monopack negative to replace Technicolor’s present three-strip process but makes no definite prediction for its commercial introduction for release prints. Kalmus indicates, however, that monopack will be ready for use as originals.

Bela Lugosi Signed

Hollywood, March 18—Bela Lugosi has been signed by Sam Katzman to star in three horror films for Monogram release. The first will be "The Phantom Monster."

Feature Review

“Man-Made Monster”
(Universal)

ALTHOUGH the theme of this film is somewhat preposterous, dev-elying into the weird results of the experiments of a crack-brained scientist, the picture has its moments of excitement and suspense for the run-of-the-mine film fans, who do not ask too many questions of their screen diet, as long as it is filling.

Lionel Atwill, Lon Chaney, Jr., Anne Nagel, Frank Albertson and Samuel S. Hinds are most prominently cast in this adaptation to the screen of a story, “The Electric Man,” which, incidentally, might have been an even better title than that selected. George Wagner, who directed, contrived to keep the film moving with reasonable skill. Jack Bernhard was associate producer.

As the story has it, Atwill, scientist associate of Hinds, finds a ready subject for his experiments when Chaney is discovered to have electricity when a bus in which he was a passenger clashed into power lines. Atwill’s theory is that he can make individuals completely dependent upon supplied electricity, making them virtually robots. He succeeds with Chaney, who kills Hinds. The film reaches a far-fetched but novel climax when Chaney, charged but unpurt by the power application in the electric chair, stands out of the prison as a walking electric chair himself, and settles accounts with Atwill before he dies when his electrical power leaves him.

Running time, 60 minutes. **Charles S. Aarons**

**"G" denotes general classification.

3 Producers Leave N. Y. Theatre League

George Abbott, Howard Lindsay and Russell Crowe were reported last night as having resigned from the League of New York Theatres because of the organization’s suit against the Dramatists Guild.

Reels, Networks to Tour Army Centers

Newsreels and radio networks have been invited by the Army to make a two-week tour of inspection of the 11 points at which Army activities are concentrated. The tour, which will start tomorrow from Bolling Field, Washington, came as the result of a shakeup in Army publicity stunts. It was pointed out that key newspaper men were taken on such a trip last Fall but motion picture and radio interests were omitted. Photo service representatives will also be included this time.

The tour will be made by air in Army bombing planes and will end in Hollywood where defense films will be inspected.

Newspaper representatives will be: William Montague, Paramount News; George Dorsey, RK0, Pathe; Earl Aylwin, Movietone News; James Lyons, from Universal Newsreel’s Washington office, and Charles Matthews (tentative), News of the Day. Representing the networks will be Arthur Feldman, NBC; William Slocum, CBS, and Madeleine Ensign, of WOL, Washington, representing Mutual.

Seek Mexico Ruling On German Picture

Mexico City, March 18—The Mexican Federal Attorney General has been asked to determine whether a picture imported duty free as an educational film must pay duty, since it was subsequently was shown publicly for profit.

The film at issue is the German documentary picture on the Olympic Games held in Germany, which was imported by Angel Truche Robles. The ruling of the Government is awaited with interest by the industry, since it is expected to set a precedent.

Philadelphia Hit at $14,500

Philadelphia, March 18—In spite of snow and shush opening day, “The Great Dictator” gave the Stanton an unusual week with $14,500. The house, normally 57 cents, was charged to 68 cents to conform with the downtown first run houses. Grosses at the other theaters continued at about average levels.

Estimated receipts for the week ended March 12-14:

ALDINE—(660) (86c-$1.14-$1.71) 4 days, week, gross: $5,850. (Average, $990)

ARCADIA—(660) (35c-$4.60-$5.30) 7 days, week, gross: $14,000. (Average, $2,000)

Mrs. & Mrs. Smith (RKO) ROYAL—(2,400) (5c-$4.60-$5.65) 7 days, gross: $11,500.

The Trial of Mary Dugan (M-G-M) EARLY—(2,000) (50c-$4.60-$5.65) 7 days, gross: $11,500. (Average, $1,650)

The Wild Man of Borneo (M-G-M) FAY—(2,000) (85c-$4.60-$5.65) 7 days, gross: $9,000. (Average, $1,300)

Se. Ends Our Night (U. A.) FOX—(1,000) (35c-$4.60-$5.60) 7 days, gross: $6,000. (Average, $1,000)

Lard of Liberty (M-G-M) KARLTON—(1,700) (5c-$4.60-$5.65) 7 days, gross: $9,000. (Average, $1,200)

This Thing Called Love (20th-Fox) CLEVELAND—(350) (35c-$3.60-$4.65) 7 days, 2nd run, gross: $1,500. (Average, $215)

Tahiti Road (20th-Fox) STANLEY—(350) (35c-$4.60-$5.65) 6 days, week, gross: $1,500; 10 day average, gross: $270. (Average, $45)

The Great Dictator (U. A.) STANITON—(1,750) (5c-$4.60-$5.65) 7 days, gross: $14,500. (Average, $2,000)

M-G-M Files Counter Claim in Roach Suit

Loew’s, Inc., and M-G-M Distributing Corp. yesterday filed an answer in the U. S. District Court here to the $1,26,000 damage suit of Hal Roach Studios, Inc., in which a counter-claim is made against Roach for an estimated $50,000.

The answer charges Roach with violating five distributing contracts by charging higher production costs for films than actually incurred and by allegedly including cost items prohibited in the contracts. The defendants say the exact amount of damages, unknown to them, would be disclosed by an examination of the company books.

The answer denies all substantial charges made in Roach’s complaint and raises two affirmative defenses affecting part of the complaint. One defense claims that four of the six causes of action are barred by the statute of limitations. The other defense refers to three contracts made prior to 1934.

The suit, filed in January, charged M-G-M violated provisions of five releasing contracts with Roach, including alleged failure to pay sales of Roach, failure to pay tax returns, and improper charges of positive print costs.
Motion Picture Daily

**Short Subject Reviews**

**“Picture People, No. 7”** (RKO-Fate)
Many film and radio stars appear in this issue of “Picture People.” Jack Benny, in an amusing sequence with his gag writers, and Gracie Allen and George Burns on posing and posing, respectively, provide the highlights of this vaudeville show. Miss Margaret Lindsay learns to rhumba, Lumm and Abner in character and in real life, and Joe E. Brown is collected in a collection of sport souvenirs. Running time, 10 mins.

**“Information, Please, No. 7”** (RKO-Fate)
Anna Neagle, in a return appearance as guest expert among the wizards of “Information, Please,” succeeds in stealing at least part of the show. The group follows its familiar but altogether pleasing pattern of questions, answers and quizzes. A阀门 set with Gable & Sullivan duet by Franklin P. Adams and Miss Neagle add to the gayety. Running time, 10 mins.

**“Bob Chester and His Orchestra”** (Paramount)
The up and coming Bob Chester, his bandmates and Betty Bradley and Billie the saxophonists, all perform adequately, but there is little to distinguish the short from the usual musical. There are renditions of “On the Banks of the Street,” “Deep River,” and “Chesterwoogie,” the latter being a spirited five number. Running time, 10 mins.

**“Screen Snapshots, No. 6”** (Columbia)
With Larry Simms, the youngest in the “Blondie” series, acting as guide-in-chief, the audience is taken to the Navy training station at San Diego and to an army post. George Raft, and Grace Allen, both entertain the middle with their tales and chatter while at the soldiers’ camp, Abbott and Costello become involved in an amusing conversation. Running time, 10 mins.

**“Western Wonderland”** (Columbia)
Producer Andre de la Varre here offers an interesting study of the Grand Canyon and the Sequoia forests. The enormous rocks and huge trees have been photographed effectively at various angles while off-screen comment is made on the geographical immensity of the canyon is recorded with startling effect. It is a splendid subject. Running time, 10 mins.

**“Movie Magic”** (Columbia)
Something different in the way of short subject entertainment, this “Cine-Photo” series follows the manufacture of lipstick from raw material to finished product in the final kiss, and in the latter part depicts the production of magicians’ devices and their use in creating illusion. These include the headless-woman and sawed-in-half acts. This is highly enjoyable. Running time, 10 mins.

**“Popular Science”** (Paramount)
Here are seen the use of motion picture film in a Broadway advertising campaign. In a modern kitchen, a microbe farm in North Carolina, a sneeze catcher and an aerial service for remote towns. The subject matter is amusing and entertaining and forms a splendid addition to an interesting series. Running time, 11 mins.

**“Sun Fun”** (Paramount)
This Grantland Rice “Spotlight” pictures the sporting activities at Sun Valley, Idaho, where swimming is a Winter pastime and ice skating is on the Summer program. The snow-covered mountains, over which the ski experts glide, are particularly picturesque. Running time, 10 mins.

**Para. to Release New Short Series**
Paramount will release a series of six one-reel short subjects as part of its 1941 program of “Hedda Hopper’s Hollywood,” It was announced yesterday by Russell Holman, eastern production manager.
The series will feature potables of the film world, at work and play, with commentary by Miss Hopper. First in the series is to be before the cameras at the Hal Roach Studios, with Herbert Moulton producing.

**“Hardy” at $22,500; Snow-Hurrs Capital**
WASHINGTON, March 18.—The worst snowstorm of the Winter turned downtown streets into seas of slush and cut heavily into business. Box-office holders turned to Private Secretary,” combined with a stage bill at Loew’s Capitol, which opened Thursday.
Estimated takings for the week ending March 12-13:

**“Western Union”** (20th-Fox)...

**“Young Love”** (M-G-M)...

**“Tobacco” Garners $12,000, Baltimore**
BALTIMORE, March 18.—Stormy weather over the weekend sent business off to a poor start. “Tobacco Road” drew $12,000 at the New and “The Saint in Palm Springs” with a stage show at the Hippodrome drew $20,000.
Estimated takings for the week ending March 14:

**“So Ends Our Night”** (U.A.)...

**“The Philadelphia Story”** (M-G-M)...

**Iona Massey Signed**
Hollywood, March 18.—Iona Massey has been signed to a long term starring contract by Edward Small. Her first assignment will be a leading role in G-Man vs. Scotland Yard,” which Small will produce for United Artists release.

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**Hudson’s, Show Minneapolis Top**

MINNEAPOLIS, March 19.—“Hudson’s Bay,” coupled with a stage show, drew a big $8,800 at the Orpheum. “Western Union” did a healthy $8,500 at the State.
Estimated takings for the week ending March 14:

**“Western Union”** (20th-Fox)...

**“Hollywood”** (Para)...

**Snowstorm Wrecks New Haven Grosses**

NEW HAVEN, March 18.—The snowstorm took a heavy toll of local business. “Western Union” and “Blondie Goes Latin” at the Loew-Poli grossed $7,500. The Roger Sherman, with Footsteps in the Dark’s” and “Remedy for Riches” take the second place.

Estimated takings for the week ending March 14:

**“The Son of Monte Cristo”** (U.A.)...

**“Blondie Goes Latin”** (Columbia)...

**Ga. House Passes Projectionist Bill**

ATLANTA, March 18.—The Georgia House of Representatives has passed a measure requiring all film theatre projectionists in the state to obtain licenses and pass examinations conducted by the State Fire Inspector.
The bill, sponsored by circuit operators, gives equal rights to licensed exhibitors to operate anywhere in the state.

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**Note Pa. Gain in Non-Theatricals**

Wilkes-Barre, Pa., March 18.—A $2,677 gain in non-theatrical showings of motion pictures has been noticed here with churches, civic organizations and schools booking educational, religious or commercial shows. Many of the programs are announced in local papers.

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**Wednesday, March 19, 1941**
NAB Appoints Committee for Ascap Parleys

(Continued from page 1)

ready to discuss the matter as soon as the broadcasters are.

The announcement is by Neville Miller, president of the N.A.B., and
BM. Others are Edwin W. Craig, WSM, Nashville; Waldo Hough, WTVI, Wedge; John Elmer, WCNB, Baltimore; Mark Ehrhardt, WHAS, Louisville; John J. Gillin, J. N. Sanders, WSMV, Nashville; WAPB, Fort Worth; Herbert Hol-
listler, KANS, Wichita; Edward Klauber, CBS; Paul W. Morency, WMTV, Hartford; Samuel R. Rosenbaum, WFIL, Philadelphia; John Shepard III, Yankee network; Theodore C. Shepard, WINS, New York; NBC, and William West, WTMV, East St. Louis.

Will Suggest Armistice

Ascap has no definite proposals pre-
pared in advance for presentation at the initial meeting. It will, how-
ever, make the suggestion that an armistice be declared pending the confer-
ences with the N.A.B. committee, and the subsequent negotiations with the
networks and stations which will have to follow. Under such armistice, Ascap music would be returned to the
stations immediately and the subsequent agreement would be made re-
tractive to the first day of the armistice.

Many broadcasters, however, are
firmly opposed to this method because of
the belief that it would be difficult to remove the conflict once and for all in this stage of negotiations.

Individual Consent Needed

The joint meetings will be in the
nature of conferences rather than nego-
tiations. If a licensing formula can be
reached, it will still be necessary to obtain the consent of the individual
stations and networks, and if no agree-
ment is reached with the N.A.B. com-
mittee, Ascap will be free to ap-
proach such stations and networks
for individual contracts.

Ascap officials anticipate that one of
the greatest problems involved in
the meetings with the N.A.B. will be
the future status of BMI. Ascap
believes that the broadcasters will
make some effort either to dispose of
BMI entirely by sale, or drop it and
ask Ascap to assume some of the cost.
However, some broadcasters believe
that the only way radio can have
the option of new hubs is to have a
free market in music to be
continues BMI. Ascap officials said they had no suggestions to offer in this matter.

Illinois Bill Would Regulate Ascap Fees

SPRINGFIELD, Ill., March 18.—A
measure which would prohibit Ascap from operating in Illinois as an illegal monopoly was passed by the As-
sembly here today. The measure would void all existing contracts for public performance of music con-
trolled by organizations such as As-
cap, except in instances where the
licensee has paid a "reasonable" charge. The bill carries penalties up to $5,000.

Motion Picture Daily

Wednesday, March 19, 1941

Off the Antenna

SENATOR PHELPS PHELPS, WINS commentator, yesterday sponsor-
ored a resolution in the New York State legislature praising radio as
serving a great public function, in bringing cultural enlightenment and rel-
rationship to millions in this country. The Phelps resolution asks the Senate to
felicitation of the U. S. Secretary of State "on completion of an important step
in the public interest" in conjunction with the frequency changes effective
March 20.

Purley Personal: William Spier, formerly producer-director with Button, Dorstim & Oshorn, has been named CBS's director of scripts, suc-
ceeding Max Wyile, resigned. . . . Raymond F. Gay, NBC engineer, will
address "R. E. Electrical Society on TV tower. . . . William Rousseau
Young & Rubicam director, became the father of a 7½-pounded boy Mon-
day. . . . N. B. McClancy, NBC traffic chief, is in Hollywood on business.
. . . Buoke Carter, Mutual commentator, will be guest on Walter Compton's

WHN, second oldest station in New York City, celebrates its 19th birthday today.

General Electric's two short wave stations in Schenectady, WGEA and
WGEO, have made arrangements to have 40 Latin American long wave sta-
tions rebroadcast a new Spanish show, "The Old Fashioned Revival Hour",
which will be launched Sunday. The program, which is a non-sectarian
religious period in Spanish, will be carried by WGEA Sundays from 4 to 4:30
P.M. for the rebroadcasts and will be aired again at 9 P.M. by WGEA for
Latin American listeners.

Program News: General Mills will sponsor "Hymns of All Churches"
9:45-10 A.M. Mondays, Tuesdays and Thursdays over 33 CBS stations be-
coming March 24. On Wednesdays and Fridays "Betty Crocker" will be heard
under the same management. Soup has renewed "Betty & Bob" for an addi-
tional 13 weeks, effective April 7, over W.E.A.F . . . S. B. Thomas, Inc., has renewed Don Goddard's 7:30-7:45 A.M. newscast Tuesdays, Thurs-
days and Saturdays over W.E.A.F effective April 15.

Film Players on the air: Dick Powell will co-star with Wendy Barrie on
CBS's "Christmas Parade" on December 25th will be guest of
Edgar Bergen over NBC-Red Sunday . . . Robert Taylor, Walter
Pidgeon and Ruth Hussey will be heard on the CBS "Lux Radio Theatre" Monday . . . Luise Rainer will appear on "What's Your Idea" over NBC
Red Sunday. . . . Paul Muni will portray Edwin Booth in a new "Caval-
cade of America" series over NBC-Red, Monday, March 31.

Canada in the Fight Against CBC

TORONTO, March 18.—The Can-
adian broadcasters and the emerg-
ion of the daily newspapers in the
Dominion, has struck back at the
Canadian Broadcasting Corp., follow-
ing the cancellation of its new ser-
vice for radio broadcasts over the
Government network, by the decision
that the Canadian Press breakfast serv-
ice "may be sold for commercial
sponsorship on the air under terms
and conditions to be determined by
the board of directors."

This is the opening gun in a battle
between the cooperative news service,
backed by the daily press of the Do-
iminion, and the broadcasting chain of
the Canadian government. Never in
recent history has there been a
reassertion of the monopoly power of
commercial news on the airwaves and
also the setting up of its own news organization with a staff of edi-
tors, writers, and technicians, thus
terminating an agreement with the Canadian
Press.

Form Theatre Firm

SPRINGFIELD, Ill., March 18.—A
state charter has been granted to R.
Amusement Corp., of Chicago.

Television Eager for Ascap Peace

So Films Can Be Put on the Air

Television interests are looking forward eagerly to the settle-
ment of the broadcasters' dispute with Ascap because of its effect
on the use of films on the air. As a curious side issue in the
major music battle, telecasters found that most motion pictures, how-
though those made for education or advertising films, used Ascap
compositions for background music.

As a result, few films have been seen on television sets since the first of
the year when the Ascap contracts with broadcasters ex-
pired. To television, film programs are of the utmost importance
because they are relatively inexpensive as compared with studio
presentations.

With a settlement of the music fight imminent, television officials
are wondering what terms Ascap will seek for the continued use
of the society's music on the new medium.

Fly and Roosevelt Talk on FCC Policy

Washington, March 18.—FCC Chairman L. Fly today visited the White House
where, he said, he discussed "matters of policy" with President Roosevelt.
Fly would not amplify his statement. However, he believed it would
be
he acknowledged the President with
the latest developments in television, the monopoly responsibilities.
He indicated to President Roose-
velt the nature of the situa-
tion, but did not name any
new member, who will face when he
takes office this week.

WMCA Adds Nine Talent Programs

In the first major program realign-
ment since the new management took over WMCA, the station disclosed yesterday that starting next week it will have another program presenting 20 broadcasts weekly for a total of seven hours a week.

The major addition will be a number of programs introduced by
Joseph Kines, recently appointed mu-
sic director who assumes his duties with the station Saturday. Riles will
fill a void in the schedule for special units for popular, serious and
novelty programs.

These new programs are "Open
show with Lucille Johnson, soloist, Mondays, Wednesdays and Fridays, 6:45-7:5 P.M.; Stuart Allen, formerly soloist with Richard Himber's band, and an orchestra, Mondays, Wednesdays and Fridays, 7:30-7:45 P.M.; "The Studio Orchestra," Mondays and Fridays, 8:30-9:
P.M.; "Congress Hall," recorded in popular classics, Mondays through Fridays, 9-10 P.M.; "The Negro Ensemble," Thursdays, 8:30-9 P.M.; Mondays, Wednesdays and Fridays, 7:30-7:45 P.M.; "The Studio Or-
chestra," Mondays and Fridays, 8:30-
9 P.M.; "Old Ireland," and Thursdays, 7:30-7:45 P.M.; "Tintypes," with Walter Scamih, soloist, and the studio orchestra, Tues-
days, 8:30-8:45 P.M., and "Familiar Wal
tte" with the studio orchestra Thursdays, 8:30-9 P.M.

26 by Corwin' New CBS Workshop Show

Norman Corwin, CBS director-produ-
der, on April 27 will take over the
Columbia Workshop program on Sun-
day evenings for a 26-week series of dramatic presentations. The
series will be known as "26 by Corwin." It will be presented in weekly episodes of 20 minutes, the weekly title being "Appointment," in which he plans to do the narration. The program is broadcast 10:30 to 11 P.M., with a repeat for the West Coast.
Committees on Film Defense Effort Named

Schaefer Heads National Coordinating Group

Heads of 30 industry organizations were named yesterday as members of the Motion Picture Council Co-operating for National Defense in an enlargement of the group designed to include in its membership representation of all industry elements.

George J. Schaefer, RKO president, is chairman of the National Coordinating Committee and Francis M. P. P. D. A. harmon of the M. P. D. A., is coordinator. The National coordinating committee also has been designated to function for the sponsoring committee of 30.

More than 9,000 theatres have filed certificates of cooperation with the committee, and an additional 3,000 theatres are expected to participate, according to Harry Brandt, who has been active in the field organization work among exhibitors.

The 30 members of the national co-

High Court to Hear Anti-Ascap Appeals

Washington, March 19.—The U. S. Supreme Court has directed that arguments on appeals to determine the constitutionality of anti-Ascap legislation enacted by Florida and Nebraska be presented to it concurrently. The hearings are tentatively scheduled for the end of April, and will be the first Supreme Court hearing on the constitutionality of such legislation.

As a result of the procedure prescribed by the high court, the Nebraska hearing will be set back about four weeks. It was originally scheduled for argument April 7.

New York Demands License for Every Coin Film Machine

New York City License Commissioner Paul Moss yesterday announced that he was starting a campaign to compel all coin-in-the-slot film machines to obtain licenses. At the same time he issued an invitation to all manufacturers and distributors to meet with him for the purpose of formulating rules and regulations concerning these machines.

Moss declared that the matter of fees and the character of the place where such machines would be permitted are matters that will be settled in conferences with manufacturers and distributors. He added that the law, which requires the licensing of such machines, Chapter 32, Article 2, Sec. (Continued on page 4)

Columbia Six-Month Net Profit $307,006

Columbia Pictures Corp., yesterday reported net profit of $307,006 after all charges and provision for Federal taxes for the six months ended Dec. 28. The result compares with net profit of $215,582 for the corresponding six months of the preceding year. The company's working capital continues in a strong position, (Continued on page 7)

F. C. C. Orders Probe on Papers' FM Ownership

WASHINGTON, March 19.—Public hearings and an investigation to determine the policy to be adopted with respect to the ownership of FM stations by newspapers are ordered by the FCC today.

Start Television

Hearings Today

WASHINGTON, March 19.—With most of the major issues settled by agreement or compromise, the FCC tomorrow will open what are expected to be the final hearings on the question of standards and commercialization of television. Many believe that the industry will be given the word to go ahead with the date probably fixed for the Fall.

FCC officials indicated tonight that there are few questions on which there will be no controversy. One of the questions which may not be decided immediately is that of color, the probability being that the FCC will leave the matter of color standards open for (Continued on page 9)

MINN. ANTI-5 BILL SET FOR PASSAGE

U. S. May Contest State Legislation

Trade observers regard the possibility of legislation against the block-of-five provisions of the New York case consent decree, such as the Minnesota proposal, as likely to force the U. S. Department of Justice to try two possible means of overcoming it:

1. By challenging the constitutionality of such legislation in the Federal Courts.

2. By sponsoring enabling legislation through Congress in support of the consent decree provisions. There is a reference in the consent decree terms to this possibility.

Should the second method be utilized, such Congressional legislation might be sponsored, it is observed, on the basis of superseding the consent decree provisions, thus in effect bringing about a law that which is now only a voluntary agreement. Such legislation would also supersede state legislation in contradiction with it.

State Senate Committee Approves Measure; Enactment Seen

By ROBERT E. MURPHY

MINNEAPOLIS, March 19.—The Minnesota Senate committee on general legislation today favorably reported the anti-consent decree bill without the film sales provision. The measure previously was recommended for passage by the House judiciary committee. Enactment of the measure into law is anticipated by observers.

The bill provides for state regulation of the sale and distribution of films, permitting exhibitors to buy a company's full season's output in advance, with the privilege of cancelling 20 per cent on their own judgment, on moral, religious or racial grounds, or for other reasons.

M. A. Levy, Minneapolis branch manager for 20th Century-Fox, told a Senate committee hearing today that exhibitors' statements that distributors had refused to cancel films on religious or moral grounds were untrue. "As a matter of fact," he said, "we have been willing to refuse to cancel on occasions when exhibitors bought and showed films only for their box-office returns."

Eileen DeLong of St. Paul, representing the local Legion of Decency, disagreed with Levy's testimony and named two St. Paul exhibitors who, she said, cancelled bookings of "Strange Cargo" at financial loss to themselves because the Legion had objected to the film.

David Shearer, counsel for 20th Century-Fox, Warning, RKO and (Continued on page 4)

Ga. Block Selling Bill Is Seen Dead

Atlanta, March 19.—Georgia's bill to require full line selling within the state is regarded by observers here as "dead" for this session of the legislature.

Although passed by the Senate, there is virtually no prospect of House action on the measure before adjournment, it is said.
Coast Flashes


The RKO series based on "The Saint" will be made in England, it was announced today, and will be supplanting on the domestic schedule with a series of detective mysteries built from Michael Arlen's novel, "The Gay Falcon," starring George Sanders and Wendy Barrie.

Samuel Brody, Monogram sales manager, arrived here today from New York to confer on 1941-42 program. He will remain for the Coast convention late in April.

J. R. Wheeler and E. V. Callow, winners of the 1940 Quigley Awards for showmanship, will be among those making the trip on the S. S. America to San Francisco as guests of Warners Friday and Saturday, during which "The Sea Wolf" will be screened.

Patricia Knowles, sergeant-pilot in the Canadian air force, now on four weeks' furlough, was signed today by RKO for a featured role in "Parachute Battalion.

More Committees for Variety Club Meeting

Several additional committees have been appointed for the National Variety Club Convention May 15-17 in Atlantic City by John H. Harris, national president. The committees and their chairmen are: registration, George F. Weiland, Philadelphia; boardwalk decoration, Henry J. Waxman, Atlantic City; ticket and coupon book, Jay Emanuel, Philadelphia, and meeting rooms, Henry Friedman, Armdon, Pa.

Schnitzer's Son to Marry on Sunday

Gerald Schnitzer, son of Edward Schnitzer, Eastern district manager of Warner Bros., and Mrs. Schnitzer, and Janet Feller, daughter of Mr. and Mrs. Herbert Feller of New York, will be married in Hollywood on Sunday. Mr. and Mrs. Schnitzer left Tuesday by train to attend the wedd- ing. Gerald Schnitzer is a writer at the Universal studio.

Detroit Clearance Decision Reserved

Detroit, March 19.—With hearings completed today in Circuit Court here on the RKO Uptown injunction suit against United Detroit Theatres, decision was reserved and is expected to be handed down in a few days. Briefs were submitted at the conclusion of the hearing. The case, which involves clearance, includes as defendants Paramount and United Artists.

Personal Mention

Colvin Brown, vice-president and general manager of Quigley Publications, arrived on the Coast yesterday.

W. A. Scully, Universal vice president and general sales manager, left Florida yesterday on a business trip through the South. He is expected here early next week.

St. Szelller, M-G-M advertising manager, is expected Monday from a visit to the Coast, which included a vacation.

Hank Kaufman, Columbia's manager of exchange operations, has returned from a tour of company branches.

Richard A. Rowland is in town from the Coast.

Gilbert Golden of the Warner home office advertising department, has returned from Florida.

Lou Weinberg, Max Weissfeld, Ben Benite and Sot. Edwards having lunch yesterday at Lindy's (next to the Rival).


Nate J. Blumberg, Universal president, and Joseph H. Sieber, vice-president and foreign manager, will leave for Panama by boat Friday, to be gone about two weeks.

Ned E. Deinert, RKO vice-president and distribution head, has returned from the Coast.

Joe Sanderson, office manager at the 20th-Fox exchange here, left yesterday for Florida.

Harry Brandt is due Monday from Miami.

Alec Armstrong, booker at the M-G-M exchange here, is on jury duty.


Jack Goetz, Lou Brandt and Fred Allen at Lindy's (51st St) yesterday for lunch.

Howard Dietz, William Brandt, Max A. Croyle, Charles E. McCar- thy and Milton Kussel at Nick's Hunting Room in the Astor for lunch yesterday.

Ga. Senate Passes Sunday Local Option Films Bill

Atlanta, March 19.—The Georgia Senate has passed a bill permitting Sunday films on a local option basis in communities where 25 per cent of the voters sign a petition requesting them.

Passage of the measure followed bitter political wrangling in which efforts were made five times to defeat it by parliamentary means. Roll calls were demanded by opponents on each parliamentary move. But it passed. The bill, as it was sent to the House, permits a petition of 25 per cent of the voters in any community to apply for Sunday films or prohibit them. Only one referendum a year of this type may be taken.

At present film theatres may operate on Sunday only where the proceeds are donated to charity.

Film Machines Face Levy in Minnesota

Minneapolis, March 19.—Coin machines, coin phonographs and other mechanical entertainers, unless otherwise provided for by law, shall be taxed at a rate of one per cent on the gross revenue therefrom, to be collected by the county auditor and deposited in the state treasury for the support of the public library in the city of Minneapolis.

Sol Wurtzel Returns

Hollywood, March 19.—Sol M. Wurtzel, executive producer for 20th-Fox, has returned to the studio after a three-months business and pleasure trip through Central and South America. He was accompanied by Mrs. Wurtzel, Esther Ziffren, 20th-Fox-Fox writer, and Mr. Ziffren.

'Topper' Set for Capitol

'Topper Returns,' Hal Roach production released today by United Pictures, goes into the Capitol on Broadway following "Rage in Heaven," which opens at the theatre today.

Impressed

Helena, Mont., March 19—Frank Pratt, manager of the Helena RKO, will take his horse operas sitting down from now on—if possible.

With Jack Edwards, manager of Pauline's Theatre, he went on an 15-mile cross-country eques- trian excursion last week.

"I mean, being a cowboy is better than being in the West," Pratt groaned, "I experience impressed deeply."

Child Performer Bill Is Killed in Albany

Albany, March 19.—The Ehrlich-Hampton bill prohibiting the employ- ment of children under 16 in theatrical performances, was killed today in a committee of the New York Assembly, following passage earlier in the week by the State Senate.

Harold B. Ehrlich director of the National Assn. of Theatre Owners, introduced a new measure, authorizing local boards of edu- cation to issue written permits in ad- vance of such performances, if they believe when employment is not harmful to the morals or education of the child. The bill is said to clear up existing difficulties under the present law in many communities.

Among other bills killed were the Bennett chair store measure, which included circuits and several anti-dis- crimination measures. The proposed business turnover tax of one-tenth of one per cent on the advertising in- sumes, was amended to apply only to New York City. The bill making it unlawful to refuse admission to any person over 21 was reported out in amended form.

RKO Building New Forest Hills House

The RKO Circuit will construct a new 2,000-seat theatre at Queens Boulevard and 71st Road, Forest Hills, which, it is expected, will be opened about Christmas. Ground breaking is scheduled to start May 1. Charles Lee of Los Angeles and Frank Lamb of this city are the architects.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)
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“Sometimes there’s a terrible penalty for telling the truth...”

may now be booked for EASTER WEEK engagements in her stunning new triumph

The Great Lie

GEO. BRENT • MARY ASTOR

WARNERS, of course!
Committees Named for Film Defense Aid

British Trade Faces Reform By Legislation

London, March 19—The British Government will impose by legislation reforms it has requested in film distribution and exhibition methods if the present studies, being given the opinion by the trade fail to result in measures meeting the Government's requirements, according to general industry belief.

Officials of the Kinetograph Renters Society (distributors) have expressed the belief, however, that joint- ly with the Kinetograph Exhibitors Association a formula can be achieved which will be satisfactory to the Board of Trade, Government agency which seeks the changes.

Trade circles believe that the circuits are the key to the situation, and that their cooperation will be needed. Although most of the problems are felt to be chiefly in exhibition, the KRS today announced its intention to give all possible assistance in reaching a solution.

Meanwhile, all factors in the trade are giving serious consideration to the Government's request. The KRS today resumed its session adjourned from yesterday. The first phase of the exhaustive study of the Board of Trade's request was undertaken. The distribu- tor group is expected to meet in joint session with CEA representatives in the near future.

Minn. Anti-5 Bill Set for Passage

(Continued from page 1)

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Fred Strom, secretary of North- west Allied, which sponsored the measure, outlined the bill and the con- sent decree before the committee, and cited figures from a poll of theatre owners which showed that 92 per- cent, both independent and affiliated, were opposed to the decree.

The committee's action ended long and frequently heated debate on the measure in legislative hearings. United Artists, not a party to the decree, appeared at one stage of the hearings in opposition to the measure on the ground that its producers' films were sold separately and it therefore could not operate on a re- quired block selling method.

Resumes First Runs

Montreal, March 19—The Strand here formerly a first run theatre, and formerly also the last run of several showing in the city, is now back in the hands of N. L. Nathan's United Amuse- ments Ltd., playing second runs, will experiment again with first runs. The house seats 750.

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It's a great EVENT!
from coast to coast!

Paramount's
"THE LADY EVE"

Eventually
you'll cut yourself
in for a slice of those
"LADY EVE" profits...

Why not NOW!
look at these
BOX-OFFICE apples!

BARBARA HENRY
STANWYCK • FONDA
"The LADY EVE"

A Paramount Picture with
CHARLES COBURN • EUGENE PALLETTE
Martha O’Driscoll • William Demarest • Eric Blore
Written and Directed by PRESTON STURGES
Screen Play Based on a Story by Monckton Hoffe

BUFFALO THEA., BUFFALO
55% better than "Rhythm on the River," which played with stage show!

PARAMOUNT, LOS ANGELES
Neck and neck with "Virginia" and "Arise, My Love!"

PALACE, ROCHESTER
20% better than "Rhythm on the River" and "Arise, My Love." Neck and neck with "Virginia!"

FOX, ATLANTA
33% better than "Virginia," which had holiday playing time!

METROPOLITAN, BOSTON
37% better than "Rhythm on the River." Even with "Virginia" which had holiday run!

KEITH'S, BALTIMORE
60% better than "Rhythm on the River," which had a holiday engagement!

STAND, PROVIDENCE
77% better than "Rhythm on the River." HELD OVER FOR 2nd WEEK!

PARAMOUNT, NEWARK
Neck and neck with "Virginia," which had holiday playing time!
Feature Review

"Las Vegas Nights" (Paramount)

W HERE there are jitterbugs in abundance the exhibitor has an item of salable merchandise in "Las Vegas Nights." Chief reason is the presence in the cast of Tommy Dorsey, one of the idols of the jitterbugs, and his orchestra.

Dorsey is seen at length in the film, leading his orchestra and playing his famous solo. Three numbers are given in the script, and which probably are scheduled for considerable attention are: "Dolores," "Mary, Mary, Quite Contrary" and "I Gotta Ride." The material with which Dorsey is surrounded cannot be considered a contribution of note to the art of the screen. It appears to be a sort of pseudo-musical comedy, with Bert Wheeler, Phil Regan, Constance Moore, Virginia Dale, Lillian Cromwell and others.

The setting is Las Vegas, Nev., where Wheeler and the three girls come to collect the inheritance of one and to perform their vaudeville act. They run into Ladd, a shady lawyer, who wants the property they are to inherit; Regan, wealthy young ranch owner, and Dorsey, who conducts the chief night club in which is represented as a very wide-open town.

Wheeler is engaging with his comedy antics, Regan and Miss Moore provide the romance and Dorsey the music, with vocal assistance from others of the cast. Ralph Murphy directed.

Running time, 89 minutes. **G**

"G" denotes general classification.

'Blonde' and O'Brien Show Hit in Chicago

CHICAGO, March 19—Headlining a stage show, Pat O'Brien, plus "Strawberry Blonde" grossed $40,000 at the Chicago theater. Associated with the "Dancing Dime" with the Pan American Follies on the stage grossed $17,500.

Estimated receipts for the week ending March 14:

- **"Fantasia"** (Disney) 
  - APOLLO—(2,680) (30c-35c-40c-75c) 7 days, Gross: $12,000, (Average, $1,600)
- **"Strawberry Blonde"** (B. W.) 
  - (28c-35c-40c-50c) 7 days, Stage: Pat O'Brien and stage show. Gross: $40,000, (Average, $5,714)
- **"Victory"** (Para.) 
  - GABRIEL—(1,000) (35c-55c-75c) 7 days, Gross: $5,000, (Average, $714)
- **"Dancing on a Dime"** (Para.) 
  - ORIENTAL—(3,900) (35c-40c) 7 days, Stage: Pan American Follies, Gross: $17,500, (Average, $2,493)

British Film Leads Toronto Grosses

TORONTO, March 19—"I See Ice," British film, with George Formby, sold with $12,400 at the Uptown. The Imperial Theatre received $1,300 with "Strawberry Blonde." Estimated receipts for the week ending March 15:

- **"Strawberry Blonde"** (W. B.) 
  - IMPERIAL—(6,873) (15c-25c-35c-50c-75c) 6 days, Gross: $4,300, (Average, $700)
- **"The Philadelphia Story"** (RKO) 
  - LOEWS— (244) (15c-35c-50c-65c) 6 days, 3rd week, Gross: $3,100, (Average, $517)
- **"Come Live With Me"** (M-G-M) 
  - UNITED—(472) (35c-55c-75c) 2nd week, Gross: $10,000, (Average $14,000)

'Road' at $11,000

In Indianapolis

INDIANAPOLIS, March 19—"Tobacco Road" brought a smash $11,000 to the Indiana and was held. Jan Savitt's band "Flight from Destiny" did $9,000 at the Lyric. Estimated takings for the week ending March 13:

- **"Western Union"** (Paramount) 
  - "Where Did You Get That Girl?" (Univ.) 
    - CIRCLE—(2,800) (30c-35c-40c-75c) 6 days, Gross: $5,000, (Average, $833)
- **"Tobacco Road"** (20th-Fox) 
  - PLAY GIRL—(2,100) (35c-40c-50c) 7 days, Gross: $1,200, (Average, $171)
- **"The Son of Monte Cristo"** (U. A.) 
  - LOEWS— (2,900) (35c-40c-50c) 7 days, Gross: $1,900, (Average, $264)
- **"Keeping Up Appearances"** (20th-Fox) 
  - WHEELER—(2,900) (35c-40c-50c) 7 days, Gross: $2,700, (Average, $386)
- **"Flight from Destiny"** (W. B.) 
  - LYTHAM—(2,100) (35c-40c-50c) 7 days, Stage: Jan Savitt and his Top Hatsters, with Allan DeWitt, Four Toppers, Jack Palmer, Al Lopez. Gross: $500, (Average, $83)

Columbia Six Month Net Profit $307,006

(Continued from page 1)

To Harry Cohen president, current assets on Dec. 28 were approximately $12,072,000, and current liabilities $2,000,000, leaving net working capital of $10,072,000. Cohen stated that foreign revenues which have not been converted into dollars are not included in the income statement, and assets of foreign subsidiaries located where dollar conversions are impossible, as in Japan, Spain and Mexico, have been completely charged off.

Milwaukee's Best Is 'Wind,' $11,400

MILWAUKEE, March 19—Grosses were generally up for the week with "Gone with the Wind" at Fox's Palace the leader with $11,400. Blackout and Roy Herbeck's orchestra at the Riverside took $9,300.

Estimated takings for the week ending March 13:

- **"Gone With the Wind"** (M-G-M) 
  - RIVERSE— (2,700) (35c-40c) 7 days, Gross: $5,900, (Average, $2,222)
- **"Blackout"** (U. A.) 
  - STRAND— (2,400) (35c-40c-50c) 7 days, Gross: $4,200, (Average, $1,750)
- **"Honeymoon for Three"** (W. B.) 
  - ROMANCE— (1,400) (35c-40c-50c) 7 days, 3rd week, Gross: $1,000, (Average, $143)
- **"Michael Shayne, Private Detective"** (20th-Fox) 
  - WISCONSIN— (3,200) (35c-40c-50c) 7 days, Gross: $3,800, (Average, $550)

'Tobacco' Takes $26,800 at 2

L. A. Houses

LOS ANGELES, March 19—"Tobacco Road" and "Murder Among Friends" drew a total of $26,800 at two theaters, the Chinese and $16,500 at Loew's State. Estimated receipts for the week ending March 12:

- **"Tobacco Road"** (20th-Fox) 
  - **"Murder Among Friends"** (20th-Fox) 
  - ChINESE— (2,000) (30c-45c-55c-75c) 7 days, Gross: $13,500, (Average, $1,929)
- **"Fantasia"** (RKO) 
  - CARThAY CIRCLE— (2,400) (30c-45c-65c) 7 days, Gross: $5,500, (Average, $757)

'Tobacco Road' (20th-Fox) 

"Murder Among Friends" (20th-Fox) 

7 days. Gross: $12,400, (Average, $1,843)

"Fantasia" (RKO) 

7 days. Gross: $6,700, (Average, $957)

"Black Out" (Univ.) 

"Double Date" (Univ.) 

7 days. Gross: $13,500, (Average, $1,929)

"Murder Among Friends" (20th-Fox) 

7 days. Gross: $12,400, (Average, $1,843)

The Hard-Boiled Canary" (Para.)

"Buck Private" (Univ.) 

"Stone Row" (Univ.) 

7 days. Gross: $6,300, (Average, $900)

"Here Comes Happiness" (W. B.)

"Three Daughters" (W. B.) 

7 days. Gross: $5,800, (Average, $833)

"Here Comes Happiness" (W. B.)

7 days. Gross: $12,000, (Average, $1,714)
# Motion Picture Daily's Booking Chart

Rates are based on National Release Schedules and are subject to change. This chart is revised weekly. Letters in parentheses after titles denote the following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production numbers follow titles.

<table>
<thead>
<tr>
<th>Feb. 21</th>
<th>COLUMBIA</th>
<th>M-G-M</th>
<th>MONOGRAM</th>
<th>PARAGON</th>
<th>REPUBLIC</th>
<th>RKO RADIO</th>
<th>20TH-FOX</th>
<th>U. A.</th>
<th>UNIVERSAL</th>
<th>WARNERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adam Had Four Sons (D)</td>
<td>Andy Hardy's Private Secretary (C)</td>
<td>Virginia (O) F. MacHugh, M. Carroll</td>
<td>Prairie Pioneers (O) 065</td>
<td>Scassgreatest Baines (D) 123</td>
<td>Goy Kibber, Dick Trout</td>
<td>Western Union (D) 126</td>
<td>Scott-Jagger, Robert Young</td>
<td>Cheers for Miss Bishop (D) Martha Scott, William Gargan</td>
<td></td>
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<tr>
<td>Meet Boston Blackie (D)</td>
<td>126</td>
<td>3 Mesquites</td>
<td>2000</td>
<td>118</td>
<td>Orson Welles</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Feb. 28</td>
<td>Blondie Goes Latin (C)</td>
<td>Outlaw of the Panhandle (O)</td>
<td>Free and Easy (C) 127</td>
<td>Ruth Haysie, Robt. Cummings</td>
<td>The Hard-Boiled Canary (M) 4020</td>
<td>Allen Jones</td>
<td>Tobacco Road (D) 133</td>
<td>C. Grapevine, Gene Tierney</td>
<td>The Great Dictator (D) Chas. Chaplin, Goddard-Oabie</td>
<td></td>
</tr>
<tr>
<td>The Penalty (D) 129</td>
<td>L. Barrymore, Edward Arnold</td>
<td>Flying Wild (D) Lea Gorcey, Bobby Jordan</td>
<td>In Old Colorado (O) 4032</td>
<td>Boyd-Hayden</td>
<td>In Old Cheyenne (O)</td>
<td>Roy Rogers, Gabby Hayes</td>
<td>The Outlaw (O) 135</td>
<td>Walter Huston, June Russell</td>
<td>Topper Returns (C) Joan Blondell, Roland Young</td>
<td></td>
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<tr>
<td>Mar. 7</td>
<td>Lone Wolf Takes a Chance (D)</td>
<td>Warren William, June Storey</td>
<td>Rage in Heaven (D) 128</td>
<td>R. Montgomery, I. Bergman</td>
<td>The Lady Eve (D) B. Stanwyck, Henry Fonda</td>
<td>Back in the Saddle (O) Gene autry, Smiley Burnette</td>
<td>Footlight Fever (D) 119</td>
<td>Alan Mowbray, Donald McBride</td>
<td>Man Who Lost Himself (D) Bury Me Not On the Lone Prairie (D)</td>
<td></td>
</tr>
<tr>
<td>Mar. 14</td>
<td>Penthouse Mystery (D) R. Bellomy, M. Lindsay</td>
<td>The Bad Man (O) 124</td>
<td>Wallace Beery, L. Barrymore</td>
<td>William Keighley, Tommy Dorsey</td>
<td>Roundup (O) Richard Dix, Pat. Morison</td>
<td>Mr. District Attorney (D) Florence Rice, Dennis O'Keefe</td>
<td>Dead Men Tell (D) 136</td>
<td>Sidney Tolmer, K. Aldridge</td>
<td>Horror Island (D) Man-Made Monster (D)</td>
<td></td>
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<tr>
<td>Mar. 21</td>
<td>North From the Lone Star (O)</td>
<td>Bill Elliott, Dorothy Fay</td>
<td>Washington Melodrama (D)</td>
<td>Frank Morgan</td>
<td>In Old Cheyenne (O) Roy Rogers, Gabby Hayes</td>
<td>Devil and Miss Jones (C) Jean Arthur, Charles Coburn</td>
<td>That Night in Rio (M) 137</td>
<td>Alice Faye, Don Ameche</td>
<td>Mutiny in the Arctic (D) Richard Arlen, Andy Devine</td>
<td></td>
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<tr>
<td>Mar. 28</td>
<td>Men of Boys Town (D)</td>
<td>Mickey Rooney, Spencer Tracy</td>
<td>Ziegfeld Girl (D)</td>
<td>Stewart-Lamarr, Turner-Garland</td>
<td>Road to Zanzibar (C) Bing Crosby, Lumsden-Hope</td>
<td>Sis Hopkins (C) 2-Gun Sheriff (O)</td>
<td>Singapore (D) 131</td>
<td>William Boyd, Russell Hayden</td>
<td>A Shot in the Dark (D) Wm. Lundigan, Nan Wynn</td>
<td></td>
</tr>
<tr>
<td>Apr. 4</td>
<td>Penny Serenade (D)</td>
<td>Cary Grant, Irene Dunne</td>
<td>Ziegfeld Girl (D)</td>
<td>Stewart-Lamarr, Turner-Garland</td>
<td>Borderland (D)</td>
<td>Richared Mcclay, Russell Hayden</td>
<td>Riders of the Range (O) Tim Holt, Virginia Vale</td>
<td>Nevada Smith (O)</td>
<td>Loretta Young, Robert Preston</td>
<td>A Shot in the Dark (D) Wm. Lundigan, Nan Wynn</td>
</tr>
<tr>
<td>Apr. 11</td>
<td>Under Age (D)</td>
<td>Nan Grey, Alan Baxter</td>
<td>Tumbledown Ranch in Arizona (O)</td>
<td>Phantom Monster (D)</td>
<td>Power Dive (D) Richard Arlen, Jean Parker</td>
<td>upholstery</td>
<td>Pennsylvania (D)</td>
<td>William Boyd, Russell Hayden</td>
<td>The Great Lie (D) Bette Davis, George Brent</td>
<td></td>
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<tr>
<td>Apr. 18</td>
<td>Chain Gang (D)</td>
<td>They Dare Not Love (D)</td>
<td>Widows of the Press (D)</td>
<td>Joan Parker, Wallace Ford</td>
<td>Reaching for the Sun (D)</td>
<td>Joel McCrea, Ellen Drew</td>
<td>Lady from New Orleans (D)</td>
<td>John Wayne, Ona Munson</td>
<td>Strange Alibi (D) Art. Kennedy, Joey Pauly, Musicale</td>
<td></td>
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<tr>
<td>May 2</td>
<td>Her First Beau (D)</td>
<td>Jane Withers, Jackie Cooper</td>
<td>Widow's of the Press (D)</td>
<td>Joan Parker, Wallace Ford</td>
<td>Reaching for the Sun (D)</td>
<td>Joel McCrea, Ellen Drew</td>
<td>Lady from New Orleans (D)</td>
<td>John Wayne, Ona Munson</td>
<td>Strange Alibi (D) Art. Kennedy, Joey Pauly, Musicale</td>
<td></td>
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<tr>
<td>May 9</td>
<td>Her First Beau (D)</td>
<td>Jane Withers, Jackie Cooper</td>
<td>Ziegfeld Girl (D)</td>
<td>Stewart-Lamarr, Turner-Garland</td>
<td>Tumbledown Ranch in Arizona (O)</td>
<td>Phantom Monster (D)</td>
<td>Power Dive (D) Richard Arlen, Jean Parker</td>
<td>upholstery</td>
<td>Pennsylvania (D)</td>
<td>William Boyd, Russell Hayden</td>
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### Box Office Tested

100%
**Off the Antenna**

**MERLE PITI**, WNEW music director, has had his studio orchestra seriously disrupted by the drafting of Phil Krauss who played the vibra-harp for about 20,000 members of Local 802, only eight vibra-harpists are listed, all of them stealtly employed. Only two classifications have fewer men listed than the vibra-harp category, according to Pitt. They are Swiss handbell players and players of the viola da gamba of which there are only one each.

Some interesting statistics are appended by Pitt. There are 3,080 who play the violin; 2,835 saxophone; 1,195 drums; 1,954 cornet and trumpet; 3,362 viola; 873 bass violin; 534 clarinet; 245 flute and piccolo; 210 French horn; 170 oboe; 86 bassoon; 175 viola; 455 cello; 780 guitar; 455 accordion; 234 banjo, and 105 tuba.

**Purely Personal**

Bert Lee, WHN announcer, left for Detroit yesterday to cover the hockey games...Pete Cassel has been added to the continuing cast of “The Romance of Tea,” which is broadcast every night. The show is sponsored by Scotch.

**WOR** has installed a facsimile receiver at Fort Dix and each Tuesday between 2 and 4 A.M. transmits an edition for the soldiers at the camp. Most of the material is culled from the “Reception Center Gazette,” published by the trainees. Pvt. Charles Davidson, formerly a WOR engineer, made the arrangements.

**Louella Parsons** will start her “Hollywood Premieres” series March 28 with a tabloid dramatization of “Flame of New Orleans,” a Universal film, with the stars of the picture, Marlene Dietrich and Bruce Cabot, scheduled to be heard in their roles. Lever Bros., on behalf of Lifebuoy Soap, is sponsoring the series, 10-10:30 P.M. Fridays over 71 CBS stations.

**F.C.C. authorizes Power Increase**

WASHINGTON, March 19 — The Federal Communications Commission has authorized Station KFOR, Lincoln, Neb., to increase its night power from 100 to 250 watts. Hearings were ordered held at dates to be set later on the applications of Stations WYK, Philadelphia, for change of frequency from 1,370 to 1,250 kilocycles, and increase of power from 250 watts to 1,000 watts, and KDKO, Sedalia, Mo., for change of frequency from 1,500 to 2,000 kilocycles, change of time from unlimited to day and increase of power from 250 to 1,000 watts.

**F.C.C. Orders Probe on Newspapers’ FM**

WASHINGTON, March 22 — The Federal Communications Commission has ordered a probe on the use of newspapers’ FM radio stations.

Smart showmen know they can rely on regular Altice service—sound and booth parts service—to keep the show hitting the sheet top-quality-wise—which is box-office-wise in any showman’s language. But that isn’t all: Altice’s high-standard service protects the exhibitor’s money—investment in his present equipment, and when the need for future modernization comes, exhibitors know they can rely on Altice’s technical advice in buying new equipment. Change to Altice today!
200 GREATEST NEW YORK THEATRES TO PLAY "THIS IS ENGLAND" WEEK OF MARCH 27!

BIGGEST DAY-AND-DATE BOOKING IN SHORT-SUBJECT HISTORY!

Radio City Music Hall • Paramount
Roxy • Strand • Criterion • Globe
Rialto • Palace • Bryant • New York
Trans-Lux • Embassy • Grand Central
Airlines and all leading neighborhood houses in Manhattan...Bronx...Brooklyn...
...Long Island...northern New Jersey

THIS IS ENGLAND (one reel)

Special International Broadcast!
By arrangement with CBS! Murrow will describe "THIS IS ENGLAND" 6:45 p.m., E.S.T., Wed., March 26th... Direct from London...Coast to Coast!

TO BE RELEASED NATIONALLY IN KEY CITIES APRIL 3! REST OF THE COUNTRY...APRIL 10!

Proceeds of distribution are being turned over by Columbia to the "Spitfire Fund" of the R.A.F.!

with "on the spot" narration by ED MURROW
European director of the Columbia Broadcasting System...
The amazingly dramatic story of Britain girding for battle!

RESERVE YOUR PRINT NOW!
DuMont Urges Television Be Kept Flexible

FCC Standards Hearing Opens in Capital

WASHINGTON, March 20.—Allen B. DuMont, testifying before the FCC today at the opening of hearings on commercialization and standards for television, urged that standards be left flexible so that development work may be continued unhampered. DuMont advocated commercial operation at an early date.

Possible shortages of trained technicians and necessary materials needed for the defense program might today be CBS representatives as a factor to

(Continued on page 10)

Skouras Weighs Decentralization

Decentralization of film buying for National Theatres, of which Spyros Skouras is operating head, is being given consideration by top executives of the circuit. If the plan is decided upon, the New York home office would continue to supervise buying and retain the authority to approve contracts.

Most of the buying for the National Theatres divisions is done by the New York office. Under consideration is

(Continued on page 4)

K-A-O Nets $780,004; B. F. Keith $543,614

Keith-Albo-Orpheum Corp. and subsidiary yesterday reported net profit of $780,004 for 1940 after all charges and provision for taxes. For 1939 the corresponding figure was $976,627.

K-A-O's 1940 income amounted to $14,966,601, of which $13,293,852 was theatre admissions. Expenses amounted to $12,900,493, of which $3,980,240 was film cost. Operating expenses and theatre overhead were $4,888,818 and salaries and wages $3,551,073.

Current assets are reported at $2,698,335, of which $2,923,433 is cash. Current liabilities amounted to $1,295,320.

B. F. Keith Corp. and subsidiary companies yesterday reported net profit of $543,614 for 1940, after all charges. Net profit for 1939 was $873,571.

Loew's Settles Third Exhibitor Complaint

Loew's yesterday effected its settlement of the arbitration complaint prior to being granted a run to Joseph's Drive-In Theatre, Austin, Tex.

Loew's, therefore, has been eliminated from the Drive-In's arbitration complaint for some run which was first before the Dallas local board. Warners and 20th Century-Fox, also named in the complaint, remain as respondents.

Loew's previously had settled complaints by Paulson, Inc., Nashua, N. H., and with the Charles Theatre, La Plata, Md., both for "some run."

Every Picture Can Be Sold, Ampa Is Advised by Mayer

By SHERWIN A. KANE

No picture is so bad that it can't be sold, even though the exhibitor may be obliged to forsake dignity and the use of white space" in his advertising so.

That was the message which Arthur Mayer, operator of the Rialto on Broadway, where the kind of pictures to which he had reference always find a haven, delivered to members and guests of Ampa at a luncheon meeting at the Hotel Edison yesterday.

"If the Rialto waited until it got good pictures to advertise, it would never advertise at all," Mayer said. "I claim to be America's leading expert in selling bad pictures. It's so...

(Continued on page 4)

CHICAGO FIRST RUN CASE IS DISMISSED

Arbitrator Rules Ken Theatre Complaint For Clearance and Run Cannot Be Arbitrated Before September 1

By IRVING YERGIN

CHICAGO, March 20.—In the first arbitration case of its kind of record to be so decided, Charles F. Megan, arbitrator, in the case of the Ken Theatre, on Chicago's South Side, against RKO, Paramount and 20th Century-Fox, dismissed the complaint for lack of jurisdiction, on grounds that the questions of clearance and run involved cannot be arbitrated prior to next Sept. 1.

The Schoenstadts Theatres was an intervenor in the case.

The motion to dismiss was made by Eli Fink, of the law firm of Spitz & Adcock, representing Paramount and RKO; Aaron Stein, counsel for the Schoenstadts, and Felix Jenkins, of New York, general counsel of 20th Century-Fox. The dismissal was granted following a brief recess during which Megan examined the decree sections cited on behalf of the motion.

Megan held that since the complaint involved a request for first run, it failed to come within the provisions of either

(Continued on page 4)

Army, Navy Heads Will Attend 'Wings'

Industry executives and trade paper representatives will attend the opening of Paramount's "I Wanted Wings" at the Astor Theatre on Wednesday evening, in addition to many ranking Army and Navy officers, stage and screen stars, members of society and a Hollywood delegation.

Paramount officials at the premiere will include Barney Balaban, Stanton Griffin, Adolph Zukor, John Hertz, Harvey Gibson, Neil Agnew, John Hicks, R. M. Gillham, Charles Rea- gan, Joseph J. Unger, George Smith, Paul Raft, Houn, Arthur Israel, Jr., Oscar Morgan, Duncan Harris, George Wurtz, M. S. Russell, Fred Mohrhardt, Louis Phillips, W. B. Cokell, and

(Continued on page 4)

Business, Professional Families Are Best Film Customers in New England

Washington, March 20.—Families of independent business and professional men are the exhibitors' best customers in New England, it was reported tonight by the Bureau of Labor Statistics in an analysis of family expenditures in that area.

The survey showed that there is little difference in the motion picture expenditures of families in large, medium-sized and small cities, although there is less money spent on all recreation in the small communities, due probably to the fact that there are fewer other amenities available.

In general, it was found, average expenditures for motion picture attendance of families in the large cities run from $3 a year in the $500-$700 income group to $29 for the $2,000-$3,000 group; in the medium-sized cities from $3 to $30, and in the small cities from $3 to $29. In the same income groups, the expenditures of the professional and business classes were found to be slightly higher than those of the clerical and wage-earning classes.

In Today's Issue

Broadway and key city grosses of current pictures will be found on Pages 8 and 9. Late news flashes from the Coast, on Page 2.
A -MIKE VOGEL, editor and chairman of Managers of Radio's Round Table, of Motion Picture Herald, will celebrate a birthday on Sunday.

Robert Wolfe, Monroe Green, Thel, A. Margolies, Edward Peskay, Emanuel Silverstone, Morris Halpern, Morris Kinzel, Dan Feinpfiff, Seymour Fos and Harry Konsiner at Lindy's (next to the Rivoli) for lunch yesterday.

Harry Fishman of the Community Theatre, Fairfield, Conn., has returned from five weeks in Miami Beach with his family.

Mrs. Louis Pratt, Deep River, Conn., exhibitor, has returned home from the hospital.

Charles E. McCarthy, M. A. Schlesinger, George Weltsner, William Brandt, Milton Kusell and Owen Davis having lunch yesterday at Nick's Hunting Room in the Astor.

Laury Lawrence, Robert Milton, Sidney Phillips, John D. Hertz, Jr., Donald Gibbs and Dave Blum lunching yesterday at Sardi's.

Harold Ekin, exhibitor in Stamford, Conn., has gone to Florida.

Conn. Taxation Bill Died This Session

NEW HAVEN, March 20.—The "taxation of motion picture industry," bill, filed in blank as H.B. 2353, was not sponsored nor any full bill substituted at its scheduled hearing before the Judiciary Committee, and therefore will merit no further consideration for this session of the legislature.

Two games bills, one to create a commission to regulate playing of the games throughout the state, and the other to substitute a maximum rate for the present rate on cash prizes, were heard by the Judiciary Committee today.

Suchman to Take New Post Shortly

Al Suchman, former head film buyer for Consolidated Amusement Enterprises, which has been sold to Julius Joelson, has not joined National Screen Service, as was reported recently. He is remaining in his post at Consolidated, now J. J. Theatres, for a short while to clear pending matters, and is expected to announce a new association shortly.

Abbot, Costello Party

Universal will give a cocktail party at 21 Club on Monday for Bud Abbott and Lou Costello, who will leave for the Coast that night to work on their second picture for the company, "We're in the Navy, Now!"

Plan New Orleans House

NEW ORLEANS, March 20—United Theatres, Inc., plans to construct a $45,000 theatre at St. Claude and Bartholomew Streets here.

Newsreel Parade

T HE big news in the new issue is an account of the surprise British raid on the Loften Islands, Norway, where both trailer and volunteer airmen and naval forces took prisoners and captured ships, taken back to England. The films were shipped here on the Atlantic Clipper for release.

ROBERT WOLFE, MONROE GREEN, THAL, A. MARGOLIES, EDWARD PESKAY, EMANUEL SILVERSTONE, MORRIS HALPERN, MORRIS KINZEL, DAN FEINPFIFF, SEYMOUR FOS AND HARRY KONSINER AT LINSY'S (NEXT TO THE RIVOLI) FOR LUNCH YESTERDAY.


BUILDING BILL IN N. Y. FAVORABLY REPORTED

ALBANY, March 20—Assemblyman James J. Wadsworth's bill which provides that plans for construction of a new home for the state penitentiary will be drawn up by architects, excepting for New York City, where state dollars and funds are to be used, was passed by the Assembly. The bill then went to the Senate, and will be passed to Rules Committee for consideration. Almost every other bill of interest to the state so far as labor conditions and statutes are concerned was defeated in the Labor and Industries Committees, of which the group completed its work for the session.
Paramount gives you the industry's greatest Easter combination!
Chicago First Run Complaint Gets Dismissal

(Continued from page 1)

Section 8 or Section 10 of the consent decree and, therefore, cannot be arbitrated before next Sept. 1.

The Ken theatre is owned by Banovsky & Landsis, Alvin Landsis, plaintiff's counsel, in his argument alleged that the defendant distributors had granted unreasonable clearance to Schoenstadt's Shakespeare Theatre over the Ken, and then had not given the Ken "reasonable clearance" over Schoenstadt's Pic. He asserted that the Ken paid the same film rental as the Shakespeare, which enjoyed clearance over the former only because it was a part of the sizable Schoenstadt circuit, he said.

In reply, Stein stated that clearance is not run and, therefore, the arbitration clause permitting arbitration of clearance. He pointed out, also, that the Ken Pic has been around 16 years, covering arbitration of runs, does not become effective until after next Aug. 31.

British May Revise Reserved Listings

LONDON, March 20.—The British Government is expected shortly to take steps to accede to the film industry's request that the plan to revise the arbitration list of film technicians be modified.

The industry had feared an acute shortage of technicians in studios and on the theatre side of the Government plan, which would further have restricted the number of film employs listed as in reserve occupations, were put into effect April 1, as scheduled.

The Government's conciliatory attitude has been indicated in word circulation two days before the depart ment of Ernest Bevin, Minister of Labor, in the House of Commons today. It is believed in the trade that the recent Ministry of Labor statement that the industry situation merited investigation will result in the formation of a committee representing the Ministry and the industry.

Bevin, questioned in Commons today, promised that before a final decision is reached, the situation will be thoroughly investigated. The question particularly concerned the effect of the new regulations on the output of propaganda films. He declared that even though the age limit might be raised on April 1, it did not necessarily mean every man would be called up immediately to serve with the armed forces.

$204,320 Paid to Paley During 1940

CBS paid William S. Paley, president, $204,320 in salary during 1940 according to the proxy statement for the annual meeting filed at the N. Y. Stock Exchange yesterday.

Army, Navy Heads Will Attend Wings

(Continued from page 1)

Claude Lee, Russell Holman, E. A. Brown and G. B. J. Frawley, Demina Whipple, Harry H. Goldstein, E. W. Sweigert, Alke Usher, R. C. LiBeau, Hugh Braby, Hugh Owen, J. F. Kirby and Del B. Christensen, have been placed on the air force for 40 years.

Army, Navy Heads Will Attend Wings

(Continued from page 1)

Clarence Chamberlain, trans-Atlantic flyer; Major General Leland H. Arnold, Chief of the United States Army Air Corps; Colonel John B. Brooks, Commander of Randolph Field, Texas; and Edgart Pat terny of War; James V. Forrestal, Under Secretary of the Navy; Orson Welles and Dolores Del Rio.

LaGuardia Proclaims Week

Guthrie McClintic, Gilbert Miller, Ilka Chase, Brigadier General Irving Young, Vice-President of the 11th Corps Area, Brigadier General Francis W. Wilby, chief of staff of the First Army, Harvey Dow Gilbert, Vice-President of the United Nations, Gene Tunney and Colonel William J. Donovan.

LaGuardia has proclaimed the week of March 23 to March 29 as "Flying Cadet Week," in connection with the opening of the film at the Astor. The Army is co-operating with the exhibition of one of the newest fighting planes, a Cur- skous Weighs Decentralization

(Continued from page 1)

have local or regional buying, and the plan was discussed at the recent annual meeting of National Theatres Co.

If decided upon, the new buying set up would be similar to that used for the last several years by Warner and Paramount theatres.

There has been no indication that Loew's or RKO theatres plan to transfer all film buying from the home office to the field.

De-centralization of film buying by the major companies is not required by the industry consent decree, which stipulates that only the buying, wherever done, must be done for the territories in which the theatres are located. The move is being studied by National, it is said, only in the light of the advantages in efficiency and economy.

Press to See "Wings" In Texas Tomorrow

S AN ANTONIO, March 20.—Approximately 30 newspaper and news service representatives will attend the showing of Paramount's "I Wanted Wings" at the post the atm at Randolph Field near here on Saturday. Paramount representatives and Army officers will also attend.

Cliff Lewis, Paramount studio public relations, and Jack Dalley, district advertising manager, are in charge of arrangements here. An air show, tea dance and a dinner for visitors will also be featured here.

Mayer Advised to Sell Ampa

Every Picture Can Be Sold, Ampa Is Advised by Mayer

(Continued from page 1)

long since I played a good one that I don't know anything about them. It was my impression they did not have to be sold. They sell themselves. It's the bad ones we have to sell, and Hollywood gives us plenty of grace doing it."

Mayer related that the Rialto has never played a picture, regardless of what it is, that did not meet with favor from some segment of its patronage, and, conversely, never been a picture which all of its patrons liked.

Urges Vivid Copy

"Therefore," he said, "I believe that we must sell our product, whether we personally consider it good or bad, with warmth and color, with vivid phrases and glowing adjectives. Our pictures have been conditioned to expect such advertising and will respond to nothing less."

Mayer cautioned the adver tising department to avoid rigidly the current criticisms of industry advertising, and to stay away from emulating the advertising of other industries, pointing out that more and more of them are borrowing lessons in showmanship from film and the advertising.

He said he would match the advertising chief of this industry with any of the other industry and urged Ampa to establish annual awards for film and advertising, comparable with the production awards of the Academy of Motion Picture Arts & Sciences.

Mayer was introduced by Lou Pollock, Eastern advertising and publicity manager for Universal. Pollock and Mayer agreed that the People's cast, which paid an habitual patron of the Rialto, established the proper atmosphere for Mayer's "message."

Reports on Women's Poll

Agnes Mangel of the Paramount purchasing department reported to the meeting that a recent poll of women's film preferences. The poll was conducted for Paramount and reported, among other things, that a large majority of women theatre patrons prefer films to the radio and entertainment films to those of social significance.


Neil DePietro, RKO vice-president, was the guest speaker at the April 3 Ampa luncheon.
THAT NIGHT IN RIO" AT THE LINCOLN, MIAMI

—beats "Alexander’s Ragtime Band"!
—beats "Jesse James"!
—beats "The Grapes of Wrath"!
—beats "Tobacco Road"!

BEATS EVERYTHING FOR THE BIGGEST WEEK’S BUSINESS IN HISTORY OF THE HOUSE!

and held over a 3rd week at New York’s Roxy!
THE HOTTEST WORDS IN SHOW BUSINESS ARE

Chaplin now at

THE GREAT CHAPLIN . . GREATEST OF ALL BOXOFFICE NAMES FOR 20 YEARS . . GREATER TODAY THAN EVER BEFORE AS "THE GREAT DICTATOR" AT POPULAR PRICES SMASHES ALL KEY CITY RECORDS!

PHILADELPHIA, Stanton
384% of average. Second week bigger than first. Looks like 6 weeks minimum run!

ALBANY, Warner's Strand
All records surpassed. All-time weekday opening house record topped!

UTICA, Stanley
Every record smashed!

PATERSON, Fabian
Every record smashed!

BUFFALO, Great Lakes
Every record smashed! Held over, of course!

DETROIT, Michigan
Hits $40,000 first week — held over!

SCHENECTADY, Proctor's
Every record smashed!

EDMONTON, Rialto
Every record smashed!

RACINE, Rialto
Every record smashed!

KENOSHA, Kenosha
Every record smashed!

WILLIAMSPORT, Rialto
Every record smashed!

LOEW CIRCUIT
Held over in Akron, Harrisburg, London, Norfolk, Richmond, Washington, Wilmington, Providence and Reading! Watch other Loew openings for more hold-overs!

HAZELTON, Capitol
Every record smashed!

GLENS FALLS, Paramount
Every record smashed! Held Over!

BINGHAMTON, Strand
Every record smashed!

PASSAIC, Montauk
Every record smashed!

POPULAR PRICES MAKE CHARLIE CHAPLIN MORE POPULAR THAN EVER
Popular Prices!

Charlie Chaplin

in his new comedy

The Great DICTATOR

Produced, written and directed by CHARLES CHAPLIN

with PAULETTE GODDARD
JACK OAKIE • HENRY DANIELL • REGINALD GARDINER
BILLY GILBERT • MAURICE MOSCOVICH

Released thru UNITED ARTISTS

HOWMEN!
Friday, March 21, 1941

**MOTION PICTURE DAILY**

`'Doe' in Strong Wind' Cast Off on B'way With $55,000

Despite the baffling of frigid winds which swept New York this week, grosses on Broadway held to fairly strong levels, the box-office receipts indicated.


**SMPE Convention Program Complete**

New technical advances in the industry and an all-day session with the Acoustical Society of America, will feature the annual Spring Convention of the Society of Motion Picture Engineers, scheduled for the Sagamore Hotel in Rochester, May 5-8, inclusive. Emery Huse, recently elected president, presided.

An informal luncheon will feature the first day's session, on Monday, May 5. Technical sessions will be held in the hotel's Glass House each day of the session. The 48th semi-annual banquet and dance will be held on Wednesday night. W. C. Kunzmann is convention vice-president. Mrs. C. M. Tuttle, convention hostess, has arranged a program for the wives of members.

The convention will conclude following morning and afternoon technical sessions on Thursday. A highlight will be a demonstration of stereophonic sound by Bell Telephone Laboratories which will be given Thursday evening. Committee chairmen are: reception, G. A. Blair; registration, W. C. Kunzmann; hotel, F. E. Altman; banquet, L. L. Nixon; projection, H. F. Heidegger; ladies' reception, Mrs. C. M. Tuttle; publicity, Julius Haber.

Cleveland Is Slow; ‘Blonde’ at $5,100

Cleveland, March 20.—“Strawberry Blonde” was the leader here in Wednesday's slow week, drawing $15,100 at the Allen in Wednesday's and Thursday's play. "Tobacco Road” hit $11,600 at the Hippodrome, the only other film to go above average.

Estimated receipts for the week ending March 13:

- **Strawberry Blonde** ($8,100)
- **Tobacco Road** ($8,700)
- **Blonde Inspiration** ($3,000)
- **High Sierra** ($2,700)
- **Play Girl** ($2,000)

**8-Month Revenue On Admission Tax Up $453,394.103**

WASHINGTON, March 20.—Eight months of application of the lower admission tax exemption and improved business have netted the Treasury an additional $453,394.103 in admission tax collections since the new law was disclosed today by the Internal Revenue Bureau.

Collections from the admission tax in February totaled $495,384, bringing the total for the first eight months of the fiscal year to $4,359,017. Revenue in February, 1940, were $1,852,764 and for the eight months then ended, $1,459,833.

The February collections were the lowest since last September, representing the effects of three months of declining revenue from the 1940 high of $7,124,225 in November, and were almost exactly $880,000 under the January total of $5,203,017.

The difference between the two totals is chiefly due to the trend nationally, collections in the Third New York (Broadway) District increased $303,000 between January and February, from $1,287,553 to $1,591,157, it was reported. Collections in the same period in the Midwest increased from $150,001 to $165,031.

Most of the increase was in collections at box- offi ces, which jumped from $206,988 to $217,634. Collections from tickets sold by brokers showed a slight loss, from $15,888 to $15,593, and from tickets sold by proxy were increased by $487 from $151 to nothing. Receipts from the permanent use or lease of boxes and seats increased from $16,000 to $17,654.

Exemption will be granted by written request of the parent and mayor or head of the city or village with notice to prevention of cruelty to children.

The Assembly advanced the Wagner outdoor advertising regulation bill and two anti-discrimination measures affect ing public business to a third reading for consideration next week.

Assemblyman Wagner indicated he may again amend his outdoor advertising bill. The measure is the mildest and least restrictive of many similar proposals.

The pending Burrows anti-discrimination bill sets up proceedings for complainants to file petitions with the court and be heard before any proceedings. If the offending place is found guilty of the charge, the license under the bill could be suspended for "not less than one month."

**Para. Extends Pacts**

Hollywood, March 20.—Paramount has extended the contracts of Fred MacMurray, Paulette Goddard, Betty Field, Virginia Dale and Martha O'Driscoll.
Motion Picture Daily

Monday, March 20 — The Keith Boxing at $13,900 in Hub

Buffalo, March 20 — "Tobacco Road" and "Sleepers West" made $1,250 each in a generally good week. "Virginia" and "Life With Henry" continued strong in a second week at the Hippodrome with $3,800.

Estimated takings for the week ending Monday, March 15:

"Come Live With Me" (M-G-M)
"Land of the Happy" (M-G-M)
"Tobacco Road" (20th-Fox)
"Sleepers West" (M-G-M)
"Great Lakes" (30c-39c-45c) 7 days. Gross: $8,900. (Average: $1,271.43)
"Virginia" (Para)
"Life With Henry" (M-G-M) (Para) $900. (Average: $125)
"Strawberry Blonde" (W.B.)
"The Case of the Black Parrot" (W.B.)
"Twenetheth Century" (30c-35c-40c) 7 days. Gross: $4,700. (Average: $671.43)
"Adam Had Four Sons" (Col)
"Ellery Queen, Master Detective" (Col)
"Lay About" (M-G-M) 7 days. Gross: $6,800. (Average: $971.43)

Providence Gives

'Smith' Big $8,000

Providence, March 20. — Mr. and Mrs. Smith and "Little Men," paired at the RKO-Abiec, took a fine $8,000. "Little Men" and a stage show drew $7,100 at the Metropolitan, but business elsewhere was not only fair, the general complaint being that the big productions were cut out by business by 50 per cent.

Estimated takings for the week ending March 12:

"Mr. and Mrs. Smith" (RKO)
"Along the Ways" (M-G-M)
"Rage in Heaven" (M-G-M)
"The Great Mr. Nobody" (W)
"The Hard-Boiled Canary" (Para)
"Western Union" (20th-Fox)
"The Wild Man of Borneo" (M-G-M)
"This Thing Called Love" (Col) 3 days.
"The Honeymooners" (20th-Fox)
"The Narrow Margin" (RKO)
"You're the One" (Para) 4 days.

MEXICAN WOMAN

Woman Sound Engineer

Mexico City, March 20. — Claiming to be the only woman film sound engineer in Mexico, a Mexican woman who works in the cinema is Consuelo Rodriguez. She is the youngest member of the Mexican family that is represented in the film industry. She was taught by her two brothers, who are picture sound experts.

'Tobacco Road' Is

St. Louis Winner

St. Louis, March 20. — "Tobacco Road" led the city last week, grossing $11,800 at the Fox.

Estimated takings for the week ending March 13:

"Come Live With Me" (M-G-M)
"Land of Liberty" (M-G-M)
"The Honeymooners" (20th-Fox)
"The Narrow Margin" (RKO)
"The Narrow Margin" (RKO)
"You're the One" (Para) 4 days.

"Ness Girl" (U.K.)
"Missouri (M-G-M)
"Cass County" (RKO)
"Let's Make Music" (M-G-M)
"St. Louis" (20th-Fox)

'Gob' Earns

Good $20,500, Leads Frisco

San Francisco, March 20. — Aided by world premieres and many stars, plus Carl Brisson on the stage, "A Girl, a Guy and a Gob" soared to $20,500 in the first week at the Golden Gate. "Fantasia" had $15,800 in the second week at the Geary. The weather was excellent.

Estimated receipts for the week ending March 11:

"A Girl, a Guy, and a Gob" (RKO)
"Golden Gate" (M-G-M)
"Tobacco Road" (20th-Fox)
"Sleepers West" (M-G-M)
"Orpheum" (28c-39c-50c) 6 days, week. Gross: $6,600. (Average: $1,100)

"Strawberry Blonde" (M-G-M)
"Here's Romance" (W.B.)
"The Honeymooners" (20th-Fox)
"A Night in Chicago" (M-G-M)
"United Artists" (28c-39c-50c) 7 days. Gross: $9,500. (Average: $1,357)

"The Narrow Margin" (RKO)
"The Narrow Margin" (RKO)
"Fantasia" (Deeco)

John Wayne • Ona Munson

Ray Middleton • Henry Stephenson

Helen Westley • Bernard Vanhoose — Director
DuMont Urges Television Be Kept Flexible

(Continued from page 1)

be given serious consideration before launching wide-scale television operation on station.

In the event of a further stiffening of defense requirements, broadcasters might find themselves embroiled on television programs for an audience limited by inability to secure receivers, Paul Porter, CBS counsel, told the FCC.

The National Television System Committee submitted its final recommendations through W. R. G. Baker, chairman, who told the commission that they will "make possible the creation of a nationally coordinated television service and at the same time will provide continued development of the art."

Adrian Murphy, CBS executive director of television, urged that the proposal "standardize" the provisions for the unhampered development of color, but denied any desire to hold up commercial operation until it is perfected.

However, he expressed the view that few stations will have the funds necessary for five-hour service, as contemplated in the regulations which are to be issued for commercial operation, and recommended that the broadcasters for a time be permitted to operate as they see fit so as to take advantage of such funds as they had to give the best possible programs.

Exchange Tangles

Hockey Broadcast

Today, March 20—Foreign exchange and passport difficulties have complicated the broadcasting of the National Hockey League playoffs between Toronto and Boston, starting Saturday night. Toronto's games are broadcast over the Canadian Broadcasting Corp., under a license from Imperial Oil, affiliate of Standard Oil.

Usually, a Toronto crew handles the broadcasts, both home and away. This year, however, Boston announcers and engineers will feed the CBS hookup when games are played in Boston. However, the pay will be in Canadian dollars and Manager Art Ross of Boston has agreed that all money so received shall be spent in Canada during the subsequent play-off series games there.

Film Players to Be On Catholic Program

Irene Dumne, Spencer Tracy, Pat O'Brien, Dennis Day, Geraldine Fitzgerald, Andra Wyatt, Una Merkel, Jack Haley and Pedro de Cordoba will be guests on "Charity for the Wandering Christ" to be heard 10:10-10:30 P.M. Sunday over WOR. The program is one of a series arranged by the Bishops' Relief Committee. William Gargan will be heard as master of ceremonies, and Bob Trout, John J. Cantwell of Los Angeles will speak.

Other programs are Monday 5:30-5:45 P.M. on CBS, and Saturday, March 29, 11:30-midnight on NGC-Blue.

WOR, having received a 60-day commercial license for its FM station W2XOR from the FCC Wednesday, plans to start commercial operation April 1. The call letters at that time will be W77NY, and a high powered transmitter will be ready within the 60-day period, it was said.

Program News: Miles Laboratories will start sponsorship next week of John W. Vandercook's "newscasts," 7:15-7:30 P.M. Mondays through Fridays, over NBC-Red. On Monday 17 stations will carry the show, and the hookup will be increased to 26 on April 1. Two CBS news commentators, Edwin C. Hill and Bob Trout, will shift program time Monday. Hill will be heard 6-6:15 P.M. Mondays through Fridays, and Trout will go on the air 6:10-6:15 P.M. Mondays, Wednesdays and Fridays. Trout's sponsor, Commercial Credit Co., has renewed the program for 52 weeks over 70 stations. The "Prof. Quiz" show over CBS, after several conflicting announcements, will definitely shift to Thursday beginning April 3. Wilbert Neveugd's "Garden Journal of the Air," heard over WQXR Mondays, Wednesdays and Fridays 10:45-10:50 A.M. will be sponsored by Simepp & Walter Co., beginning March 31.

WMC-A, long identified with the cue line, "at the top of your dial," which was changed last year to "First on your dial," this week adopted a third change: "This is America's leading independent station—WMC-A, New York." Many stations and networks have prepared programs in connection with the change of frequencies March 29 but CBS has one which sounds more ambitious than most. The network will produce a half-hour drama called "Radio Moving Day" on Thursday 10:15-10:45 P.M. to explain the complicated situation to the public.

Purely Personal: Lansford P. Vandell, recently transferred from commercial sales for NBC short wave to the Blue network sales staff, is expected to concentrate on sales for the Pacific Coast Blue. Benny Fields will be guest of Col. Stoopnagle on CBS Sunday.

Hubert V. Chain, continuity head of the NBC recording division, yesterday was awarded the Memorial Medal by the Czechoslovakian Government in Exile in recognition of his services in connection with the Lincoln's Birthday broadcast for the American Friends of Czechoslovakia.

Talent Notes: With the signing of Jack Guilford of "Meet the People" by the William Morris Agency, the latter becomes representative for five members of that show which M-G-M has bought for films. Others under the Morris contract are Nanette Fabray, Peggy Ryan, Jack Williams and Jack Albertson.

Film Players on the Air: Roland Young will be guest expert on "Information, Please" at 8:30 this evening over NBC-Red. Una Merkel will be guest of Bob Hope on NBC Radio Tuesday at 8 P.M. She will be heard on MBS "Theatre Guild" Sunday at 6 P.M. and "John Real" will be interwoven by Stanley Richards over WEDV Sunday at 10:30 P.M.

Theatre Changes

Takes Wisconsin House

AuBURN, Wis., March 20—W. L. Ainsworth, operator of the Shavano Theatre at Shawano, and the Labelle at Oconomowoc, will take over the Gall here on March 30.

Reopens Iowa Theatre

MUSCATINE, Ia., March 20—C. J. Jamison, who closed his Crystal Theatre here some time ago for remodeling, has reopened it under the name of the Iowa Theatre.

To Remodel in Bridgeport

Bridgeport, March 20—Phil Schwartz is planning to remodel and reopen the 400-410 P.M. into a 600-seat modern house this Spring.

Named Assistant Manager

MINNEAPOLIS, Minn., March 20—Sidney Free Martin, assistant manager of Loew's State here, until he was drafted recently, will be succeeded by Joseph Margolis, formerly student assistant at the Capitol, Washington.

Altec Signs Circuit

Intermountain Theatres, Inc., has signed with Altec Service Corp., for sound equipment servicing at the Granada, Boise and Ada, all in Boise, Idaho.

Buys Davenport, Ia., House

Davenport, Ia., March 20—Jack Meyer has bought the Washington Theatre here from Lumin Havelik and will open it as the Theatre shortly.

Manager in Wisconsin

CHICAGO, March 19—Herbert Grac, formerly with Warners in Shalloway, Wis., has been named manager of the Chilton Theatre here, succeeding Elemen Nitze.

Remodel Greenville House

GREENVILLE, S. C., March 20—The Lewis here plans a program of remodeling and redecorating to cost about $7,500.

FCC Grants Permit

For Station in Miss.

WASHINGTON, March 20.—The Federal Communications Commission has granted the NBC Broadcasting Co. a construction permit for a new 1,400-kilocycle, 250 watt broadcasting station at Natchez, Miss., and announced receipt of applications for two other stations, from the San Jose Broadcasting Co. for a 1,490-kilocycle, 250-watt transmitter at San Jose, Cal., and the Lexington Broadcasting Co. for a 1,370-kilocycle, 250-watt transmitter at Lexington, Cal.

Applications also were received from Stations WTEL, Philadelphia, for change of frequency from 1,310 to 1,340 kilocycles, and increase in power from 100 to 250 watts; WHAT, Philadelphia, for change of frequency from 1,310 to 1,330 kilocycles, and an increase in power from 100 to 5,000 watts, and KWFT, Wichita Falls, Tex., for increase of night time power from 1,000 to 5,000 watts.


NAB, Ascap Meet

On Peace Terms

Committees of Ascap and the National Association of Broadcasters met at the hotel Roosevelt yesterday for the first session of a weekend break of the music "war." The meeting was described as a "very helpful discussion in which they exchanged ideas," by a spokesman for the N.A.B., but persons present privately described the meeting as "highly acrimonious."

The session, which lasted about two hours and 20 minutes, adjourned with the understanding that Ascap would prepare definite proposals both on a bilateral agreement basis and that another meeting would be held on March 29 or April 1.

Immediately after the meeting the Ascap board held a session to prepare the proposals. The board of B.M.I. also held a brief session after the joint meeting, but the business transacted was described as "routine."

Executives of Mutual stations will meet today to determine the network's stand.

NAPA Loses Suit

Over Record Use

N. Y. Supreme Court Justice Aaron Steiner yesterday dismissed the suit of James J. Walker, president of the National Association of Performing Artists, for $50,000 damages and an injunction against the famed Palladium Ball Room in Harlem. The court gave no opinion, but chose to follow a ruling recently made by the U. S. District Court of Appeals that performing artists could not restrict the use of records to non-commercial purposes and held that the ball room in renting it also rented dance records. Walker had contended unsuccessfully that the ball room did not follow the Federal court ruling.
As ever, "Motion Picture Herald" stands dominant in the service of the field of exhibition, where films are bought, and retailed, where equipment is bought and operated in presentation of the product to box office patrons.

The ratio of circulation in this field of exhibition is:

"The Herald"* ................. 80.2%
Paper "B" ....................... 75.5%

* Every subscriber receives Motion Picture Herald complete, identical with this issue you have in hand—carrying to each and every reader the whole story of the week in this industry, and all service departments. Subscriptions are on the basic price of $5 a year, for which every subscriber gets the whole book, each week, and every fourth week Better Theatres, authoritative journal of the physical theatre.
FLASH! FLASH! FLASH!

“ADAM HAD FOUR SONS”

HELD OVER SECOND WEEK LAFAYETTE, BUFFALO;

BIJOU, SPRINGFIELD, MASS; E. M. LOEW’S, HARTFORD

RIALTO, ATLANTA! TOP GROSSES AT FOX,

DETROIT; PALACE, CANTON; MALCO, MEMPHIS;

PALACE, YOUNGSTOWN; ORPHEUM, NEW ORLEANS;

EARLE & AMBASSADOR, WASHINGTON; LINCOLN,

MIAMI BEACH; HILL ST.

& PANTAGES, LOS ANGELES!

Ingrid Bergman * Baxter

Adam Had Four Sons

Susan Hayward · Ray · Helen Richard · Johnny Robert

Hayward · Wray · Westley · Denning · Downs · Shaw

Based upon “Legacy,” the best-selling novel by Charles Bonner

Screenplay by William Hurlbut, Michael Blankfort

Directed by Gregory Ratoff
**MOTION PICTURE DAILY**

**BOOKING BILL IS DEFEATED IN GA. HOUSE**

*Independent Exhibitors Lead Opposition*

**ATLANTA, March 28.—Georgia's anti-blocks-of-five bill which would have invalidated the selling provisions of the industry consent decree in this state, was defeated in the House on Friday by a vote of 90 to 74.**

The bill had passed the Senate unanimously and was defeated in the House Judiciary Committee. It was brought to the floor of the House by motion after a minority committee report had been filed making that action possible.

While the committee voted on the anti-decree measure, it was filed by representatives of major film companies, on the floor of the House it was defeated by independent exhibitors headed by W. T. Murray, operator of the

(Continued on page 4)

**215 UNDER CONTRACT AT 20TH-FOX STUDIO**

**Hollywood, March 28.—The production and talent roster under contract to 20th Century-Fox totals 215,** which was disclosed by the studio over the weekend.

This includes executives, department heads, producers, directors, players, technicians, cameramen, and others. There are 14 producers and associate producers serving under Darryl F. Zanuck, vice-president in charge of production.

In the past three weeks the list of full producers was increased by the signing of William LeBaron, Ernst Lubitsch and Mark Hellinger. Previously

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**P.R.C. HOLDS FIRST ANNUAL CONVENTION**

**CHICAGO, March 28.—The first annual convention of Producers Releasing Corp. franchise holders will end tomorrow at the Congress Hotel. The sessions started here yesterday.**

O. Henry Briggs, president, told the franchise holders that the company plans 42 films next season, of which 18 will be Westerns. Briggs stressed action as the keynote of the planned P.R.C. product.

The meeting was addressed by Leon Fromkess, vice-president in charge of

(Continued on page 5)

**FIRST COMPLAINT IN OKLAHOMA CITY; NEW CASE IN N.O.**

The first arbitration complaint filed with the Oklahoma City board and the third for New Orleans were entered on Friday in those cities.

Arbitrators were selected and hearings set for April 1 for the first cases filed with the Milwaukee and New Orleans boards.

The New Orleans complaint was filed by Charles J. Woolner, operator of the Drive-In Theatre in that city, against Warners and asks for "some run." Woolner is complainant under identical circumstances in the other two cases on file in New Orleans, the first naming Paramount and the second, Loew's.

The first Oklahoma City complaint was made by J. D. Guest, operator of the Rita, Duncan, Okla., on "some run" and named Warners.

Philip E. James was named arbitrator of Woolner's first complaint, that against Paramount, and hearing was set for April 1.

Marquette Professor Milwaukee Arbitrator

**MILWAUKEE, March 23.—Thomas P. Whelan, Marquette University professor, has been named arbitrator for the first Milwaukee case, that of the Evangeline Theatre Co. against Paramount and the Jefferson Theatre Co.**

**ASCAP SEeks NEW TRIAL TO TEST WASHINGTON LAW**

**TACOMA, March 28.—A motion for a new trial to test the constitutionality of Washington's anti-Ascap law was filed in Federal court here yesterday by the music society. No date has been set for a hearing.**

A three-judge Federal statutory court last year upheld the law by dismissing Ascap's action to declare it unconstitutional. The court's action was based largely on its contention that Ascap did not come into court "with clean hands," since the society at that time was under investigation by the Department of Justice.

The Ascap motion for a new trial sets forth, in effect, that its hands have been cleansed since by its having accepted a Federal consent decree. In addition to its motion for a new trial the society has until April 19 to take an appeal to the U. S. Supreme Court from the statutory court's dismissal of its case.

Schwartz & Frohlich, New York counsel for Ascap, filed the motion for a new trial.

**ONTARIO GROSSES HURT BY BLIZZARD**

**TORONTO, March 23.—A comparatively large area of Western Ontario spent several days last week battling a sudden blizzard which blocked all roads and tied up public services. Theatres in Shelburne, Orangeville, Owen Sound, Goderich and other towns had to forego program changes because of the non-delivery of films and business activities were greatly reduced while attention was turned to digging-out.**

**ARMY ACCEPTS FIRST TWO TRAINING FILMS**

**WASHINGTON, March 23.—Acceptance of the first two training films produced by the Research Council of the Academy of Motion Picture Arts and Sciences was announced Friday by the War Department.**

The pictures are on the general subject of personal hygiene, and are to be shown to all army officers and enlisted men with a view to promoting the health of the Army. They were produced at 20th Century-Fox studios by the Council under the direction of Darryl Zanuck, chairman, who holds the

(Continued on page 4)

**RCA WANTS TELEVISION TO BE POSTPONED**

**REVERSAL CONFUSES FCC HEARING IN CAPITAL**

By BERTRAM F. LINZ

**WASHINGTON, March 23.—Television hearings before the FCC were thrown into confusion Friday with a sudden reversal of the RCA stand when C. B. Jolliffe of RCA told the commission that commercialization should be postponed.**

Jolliffe said that commercialization should be delayed until manufacturers of transmitting and receiving equipment were shown to be prepared to go ahead on a broad scale. He failed to explain why RCA had changed its position.

RCA's totally unexpected reversal of its stand of a year ago, when it went "all out" for television on the basis of a better-developed order concept, was clearly an example of the FCC's compounding commercial operation in September, 1940, caught television executives and the commission off guard and, after the commissioners had recessed to consider this new development, an almost immediate adjournment

(Continued on page 4)

**MONO. CONVENTION ON COAST NEXT WEEK**

Monogram's annual sales convention will be held at the Roosevelt Hotel in Hollywood, April 4 to 6, W. Ray Johnston, president, announced here over the weekend. About 125 are expected to attend, including franchise owners, branch managers, production heads and home office representatives.

The most important topic for the franchise holders will be plans to meet the new selling situation brought about by the Federal consent decree, it was announced.

Johnson will preside, and among the speakers will be Terrin Carr, in charge

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**IN TODAY'S ISSUE**


... NBC-Blue and Mutual of rights on boxing bouts, on Page 6.
Motion Picture Daily

Monday, March 24, 1942

WB Zone Drive to Honor Bernhard
Joseph Bernhard, general manager of Warner Theatres, will attend an Albany zone meeting tomorrow to launch the 15-week drive initiated by Moe Silver, zone manager, honoring Bernhard on his 10th anniversary with the company. The drive will be known as the Joe Bernhard Tenth Anniversary Drive. Bernhard will be accompanied by Harry Goldberg, Warner Theatres advertising manager.

Daylight Bill Again Is Up in Wisconsin
MADISON, Wts., March 23.—For the fourth time since the 1941 legislature started its session in January, daylight saving again has been revived and placed on the form of a bill which would limit optional daylight saving to Milwaukee and other cities.

Another measure introduced and expected to meet exhibitor opposition is the Federal Racing Bill, which limits the annual horse racing in Wisconsin. Similar measures in past sessions have been defeated. Comic film machines and automatic phonographs would be subject to a $10 annual license fee under the provisions of the Powell bill. Another measure, the Assemblyman Orville Feehler would back such machines an annual fee of $25.

Great Lie Premiere For Littleton, N. H.
"World premiere" of Warners' "The Great Lie," starring Bette Davis, will be held in Miss Davis' home town, Littleton, N. H., at the Premier Theatre, on the evening of April 5. Civic leaders in the town of 4,500 population are planning a birthday celebration for Miss Davis on the day of the opening, and Warners will be host to press representatives and others from New York. Gaw, Robert O. Blood of New Hampshire is expected to be present. Proceeds of the opening will be devoted to Littleton charities.

Golden Compiles Survey
WASHINGTON, March 23.—Theatrical Publicity Corporation, the Department of Commerce, has compiled a survey of film equipment in colleges and high schools in the United States and its possessions. The book is published by the educational department of RCA Manufacturing Co., Camden, N. J.

New Pact for Leonard
Hollywood, March 23.—M-G-M has signed Robert Z. Leonard to a new long term contract as producer and director.

Personal Mention

George J. Schaeffer, RKO president, is expected in New York from the Coast on Thursday.

Y. Frank Freeman, Paramount studio head, will arrive from the Coast this morning.

L. Nathanson returned to Toronto from New York over the weekend.

Edwin H. Collins, assistant to William J. Kupper, Western division manager, for 20th Century-Fox, has returned from a tour of Southern branches.

St. Searker, M-G-M advertising manager, returns today from the Coast.

Stanley Goven, of Paramount's Philadelphia booking department, has entered the Army. His place has been taken by George Kelly.

Ronny Bush, publicity manager for 20th Century-Fox, is in Miami.

Delay Submission Of Canadian Budget
TORONTO, March 23.—The next Canadian Federal budget, one provision of which is expected to be a 75-cents-a-ticket theatre tax, has been postponed until some time in April although it had been scheduled for tabling in Parliament on March 27, according to reliable information. This means a brief delay in the enactment of new wartime levies, the postponement being made to study the result of the war savings campaign in which the public was given the opportunity of voluntary loans to the Government. The theatres cooperated extensively in boosting the pledges for war savings certificates.

Col. English Deal Running 3 Years
The deal by which Columbia will release two English pictures a year annually by the new company formed by George Formby, leading English comedian, is for three years, it has been learned here. Each of the six films is said to be planned to count for triple quota credit under the distributors' quota. Columbia will supply part of the financing in return for world distribution. The first film is expected to go into work within 60 days.

840 Charity Shows Set for Greek Fund
The total of midnight shows which have been arranged by theatre men around the country on behalf of the Greek War Relief Drive, under auspices of a joint committee headed by Adolph Zukor, now numbers 840. They will be held from March 25 to March 30.

Postpone Phila. Tourney
PHILADELPHIA, March 23.—The local Variety Club has changed the date for its annual golf tournament to Sept. 19 at Philmont Country Club. It was originally planned for June 18.

Blank Due in N. Y. En Route to Meeting
A. H. Blank, head of Tri-State Theatres, Des Moines, is due today in New York with Myron and Raymond Blum. They will leave with the Paramount theatres home office group to attend the Paramount theatre executives' meeting in Hot Springs, Va., starting Thursday for three days. Blank stopped off in Washington en route to New York to confer with the industry's finance people, in which he is a representative of Paramount theatres. G. Ralph Branton, general manager of Tri-States, is motoring to Virginia for the meeting.

Malco Opening Three Theatres Saturday
LITTLE ROCK, March 23.—Malco Theatres, of which M. A. Lightman is president, will open three general managers' Saturday will open three theatres. These are the new Park in Park Hill, Little Rock suburb, seating 600 and operating at an estimated cost of $79,000, and the drive-in theatres in Little Rock and Memphis, purchased from Levy and Associates, M. S. Mead, secretary and treasurer of the circuit, also disclosed that the Variety in Columbia, Miss., will be remodeled.

Famous Players to Improve 2 Houses
TORONTO, March 23.—Famous Players Canadian Corp. will spend $110,000 on improvement of its Imperial Theatre at Sarnia, Ont., and the conversion of a clubhouse into a new 650-seat theatre. The company also operates the third theatre in Sarnia, the 1,100-seat Capitol.

Is Circuit Supervisor
OTTAWA, March 23.—Lloyd C. Mills, Manager of the Elgin Theatre here, has been promoted as a supervisor of Twentieth Century Theatres, Ltd., with offices in Toronto.

Third Skouras Drive Starts on April 13
National Theatres' third annual Spyrkos Skouras showmanship campaign will start April 13 and will continue to July 4. The circuit's 45 theatres competing in the drive will be divided in various regions according to their seating capacity and run. A similar campaign was held by the circuit late winter.

Affirm Added Tax Against Goldwyn
WASHINGTON, March 23.—The Board of Tax Appeals on Friday affirmed a deficiency of $4,055 determined by the Commissioner of Internal Revenue against Samuel Goldwyn, Inc., a personal holding company of the motion picture executive, and imposed a penalty of $1,014 against failure to file a return in time.

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The Commissioner denied the deduction and the board upheld him on the ground that the indebtedness had not been incurred by the personal holding company but by Goldwyn and Twentieth Century.

Court Denies Motion To Set Aside Lease
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MOTION PICTURE DAILY
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Third Skouras Drive Starts on April 13
National Theatres' third annual Spyrkos Skouras showmanship campaign will start April 13 and will continue to July 4. The circuit's 45 theatres competing in the drive will be divided in various regions according to their seating capacity and run. A similar campaign was held by the circuit late winter.

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IN PERFECT AGREEMENT

EASTMAN negative films—each in its special field—work in perfect agreement with director and cameraman to capture completely the beauty of every scene.

Eastman Kodak Company, Rochester, N.Y.

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

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
RCA Wants Television to Be Postponed  
(Continued from page 1)

ment over the weekend was ordered. The hearings will continue tomorrow.

The RCA engineer's statement that Balaban & Katz "get a leg up" as the only company which had given whole-hearted support to important commission, it was suggested, was not to the party's plans as to hours of service or type of program. William C. Eddy, B. & K. television director, had previously testified that it was necessary to go ahead commercially in Chicago under such direction and hour-of-service requirement as the commission would promulgate.

Dr. Jolliffe's opposition to early commercialization came after he testified that standards should be adopted as soon as practicable so that designers should have something to go by.

However, he said, standards must come before commercialization, and the commission should dispose of them and then survey the various branches of the industry to determine whether the time was ripe for commercial operation. This stand was considered significant in view of the fact that RCA is both a manufacturer and a broadcaster.

The commission, which has only four more witnesses to hear, will probably devote itself to a consideration of this new element beginning tomorrow, the discussion of the standards having been practically cleaned up.

Eddy's testimony indicated that Balaban & Katz have long been laying plans for regular operation, but he told the commission B. & K. are interested in television "only as a broadcaster" and not as theatre operators, although he pointed out that a goodly number of the theatre audience were being drawn up to the new venture.

Witnesses who followed Eddy—Harold Jolliffe, Don Lee Broadcasting System and Albert F. Murray of Hughes Productions, both on the Coast—urged prompt commercialization but with much less than 30 hours a week service.

First RCA witness was Alfred H. Morton, NBC vice-president in charge of television, who said that the cost of equipping a very moderate sized television station to handle the hardships of studio productions, current events pick-ups and motion pictures would be in the neighborhood of $225,000, and that the cost of programs, based on RCA experience, would be approximately $1,000,000 per year.

Morton revealed that NBC pays $150 for a 20-minute March of Time subject, and that the only feature films available were old and in poor quality. Morton pointed out to get current Hollywood films. This elicited from Chairman James L. Fly, mindful of possible producer panic, a query from the floor by Mrs. of CBS, regarding the impossibility of getting pictures, the comment that, "I think there's a lot about the movie business you people are not telling."

Army Accepts First Two Training Films  
(Continued from page 1)

"That Hamilton Woman"  
(United Artists-Korda)  
Hollywood, March 23

THERE are about as many approaches to the exploitation of this picture as there are varieties of audiences to which to make bids for attendance.

One way to sell it is as a splendid motion picture presenting Vivien Leigh and Laurence Olivier in fine performances, supported by many other excellent players who perform equally well.

Another way to sell it is as a deep and moving presentation of the story of Lord Nelson and Lady Hamilton, in which heroism and bravery stand out above all the infidelities which history records as qualifications of the time.

Still another way to sell it is as a powerful portrayal of a period in history when England and her Navy thwarted the attempt of an individual intent upon world subjugation, Napoleon Bonaparte, when odds were considered to be against him.

It is, no matter how it is exploited, a magnificent job of production by Alexander Korda, who also directed. It is an adult telling of an adult story for adult audiences and it contains many a delusion of narrowing, opening and closing on a low note with many a high one played between. The Battle of Trafalgar is a sequence seldom if ever matched in kind.


Although a period picture, and played in the costumes of 1800, there is sufficient parallel between the circumstances of then and now to offset whatever objections may prevail, on the part of some audiences, to this circumstance. It refers to Napoleon as "dictator" and conquering leader which are, of course, pertinent to the present world situation. If this be propaganda, then it is to that extent a propaganda picture.

Running time, 125 minutes. "A."  
ROScoe WIL LiAMS  
* "A" denotes adult classification.

"The Sea Wolf"  
(Warner)

JACK LONDON'S famous sea yarn of the brutal egomaniac whose diseased mind makes him a ruthless master of those upon his ship, and the fight of some among them to escape his vicious hand, once again comes to the screen, with Edward G. Robinson in the role of Wolf Larsen, the "sea wolf."

The picture's treatment differs from the handling in earlier film, but it remains a compelling, sharply etched drama, in which interest never lags and which carries an emotional impact which should turn it into box-office dollars.

The name of Robinson is strong marquee material in itself, and exploitation stressing the origin of the film and a promise by the exhibitor of dramatic entertainment with a punch, should ring the bell on the cash register with happy consistency.

In most able support of Robinson's splendid performance are John Garfield, as the escaping prisoner who ships on Larsen's "hellsip" and leads the fight against him, and Ida Lupino, in another excellent performance as the girl escaped from a reformatory, whose lot is cast with those on the ship when the ferry boat on which she was a passenger is wrecked in San Francisco Bay. And there is a newcomer, Alexander Knox, a writer, picked up from the same ferry wreck, weak in body but with the strength of mind to match Larsen's brain—if not his brawn. Knox's performance is of the finest, and it stamps him as an asset to play as John.

Gene Lockhart is good as the drink-sodden doc, who prefers death to Larsen's brutality, and Barry Fitzgerald is equally effective as the treacherous ship's cook.

The film was directed by Michael Curtiz, with Hal B. Wallis as executive producer and Henry Blanke as associate producer. Photography is excellent, and does much to enhance the film's effectiveness. Enacted almost in its entirety aboard ship, the film is laden with highlight dramatic incident, which keeps the pace at high level.

Running time, 100 minutes. "G."  
C h a r l e s S. A A R O N S O N

* "G" denotes general classification.

Feature Reviews

215 Under Contract At 20th-Fox Studio  
(Continued from page 1)

Sol Wurtzel was the sole full-fledged producer on the lot.

The list of players under contract includes 74, 26 actors and 29 actresses. There are also 13 stock players.

The studio announced over the weekend that it had received cable approval from Lord Beaverbrook, British minister of aircraft production, of the script of "A Yank in the R. A. F.," this assures the studio official British footage of the air force in action. The picture will star Tyrone Power.

Robert Donat has been signed by 20th Century-Fox in England for "Pitfall," the Younger, one of the films planned for production at Shepherd's Bush studio. The other will be "Shipfire," for which Government cooperation has been obtained, it is reported.

To Film Background For 'Yank' in Canada  
OTTAWA, March 23—Henry Fonda will come to Canada to make background films for the new British film "A Yank in the R. A. F.," it was learned over the weekend. It is understood the scenes will be filmed at the Royal Canadian Air Force training center at Edmonton.

Booking Bill Loses Georgia House Vote  
(Continued from page 1)

Rialto, Atlanta. Parent-Teacher's organizations and women's clubs joined the exhibitors in opposition to it.

The opponents charged that circuit theatres were interested in perpetuating a film buying system which made it impossible for them to gain a monopoly of product, and that small theatres could not get good pictures only by joining the chain. Moreover, the Lucas & Jenkins circuit, a Paramount affiliate, was one of the principal sponsors of the anti-decree measure.

"Fantasia in Minneapolis"  
MINNEAPOLIS, March 23—"Fantasia" has been booked to play at the Minneapolis Theatre, 4,000-seat house, starting April 12. The work of installing special sound equipment has begun.
Feature Review

“Dead Men Tell”

(20th Century-Fox)

Hollywood, March 23

A novel, written as a sequel to "Tobacco Road," is the setting for this story, which has been produced by a new company, "Tobacco Road," pulled at the Orpheum. The second feature, "Buck Private," was held over from a previous week.

The weather was clear and very warm. Estimated takings for the week ending March 18-$9,000.

Welles' Play Set

To Open Tonight

Orson Welles' newest venture on Broadway, "Native Son," a dramatization of the Richard Wright novel, is scheduled to open tonight, after having been once postponed, at the James with the producer in the leading role. The supporting cast includes Ray Collins, Canada Geese, Everett Sloane, Erskine Sanford, and Paul Stewart. The adaptation is by Wright and Paul Green.

P.R.C. Holds First Annual Convention

(Continued from page 1)

domestic and foreign operations; William Gelb, president of Palme Pictures Ltd., distributors in England of P.R.C. product; George Batcheller, in charge of feature production; Sigmund Neu- field, supervisor of Westerns, and Joseph O'Sullivan, director of publicity and advertising.

Franchise Owners Present

Franchise holders in attendance include: Isaac Katz, Atlanta; Harry A. Ache, Buffalo; Francis E. H. strawberry, Charlotte; Abe Fisher, Chicago; Nat B. Kaplan, Cincinnati; C. F. Goldenberg, Cleveland; Jack Adams, Dallas; Bernard Newman, Denver; William Flemion, Detroit; Sam H. Abrams, Indianapolis; John Muchmore, Kansas City; S. A. Arnold, Little Rock, Ark.; Louis Rustein, Los Angeles; Charles Wiener, Minneapolis; F. F. Goodrow, New Orleans; Bert Kulick, New York; Sid Kulick, Buffalo; E. B. Walker, Oklahome City; Herbert Green, Philadelphia; M. and L. Lefton, Pittsburgh; A. R. Dietz, San Francisco; John W. Morgan, Seattle; George Gill, Washington; Joseph Bonn, Indianapolis; Donald Geiman, Cincinnati; Bernard Rubin, Cleveland. Milton Saulzburg of Academic Films also is at the meeting.

Omaha Gives $9,100

To "Tobacco Road"

OMAHA, March 23—"Tobacco Road" pulled $9,100 at the Orpheum. The second feature, "Buck Private," was held over from a previous week.

The weather was clear and very warm. Estimated takings for the week ending March 18-$9,000.

"High Sierra" (W. B.)

"Tugboat Annie Sails Again" (W. B.)

",

BRANDIS-(1,200) (21c-25c) 7 days.

Gross: $3,500. (Average, $4,000)

"Petey's in the Dark" (W. B.)

"Golden Hoofs" (5th-Fest)

OMAHA-(2,200) (25c-30c) 7 days.

Gross: $8,200. (Average, $1,200)

"Tobacco Road" (5th-Fest)

"Buck Private" (5th-Fest)

ORPHEUM-(3,000) (25c-30c) 7 days.

Gross: $9,000. (Average, $1,200)

Resumes Split Weeks

RICHMOND, March 23.—After a four-week run of full week vaudeville bills, the National will return to its former split week policy on March 27. Theatres will play vaudeville and a first run film Thursday through Sunday, followed by a second run picture the next three days of the week.

Rockefeller Fund's

Film Gifts $130,160

Three appropriations totaling $130,160 were made by the Rockefeller Foundation in the coming picture field during 1940, it is disclosed in the annual report of the Foundation, issued Saturday.

An appropriation of $60,000 over a three-year period was given to the Museum of Modern Art for the support of its Film Library, which has a collection of 1,661 films dating back to the earliest beginnings of the industry. The sum of $50,000 was given to the American Film Institute, payable over two years. The latter organization is concerned with the production and distribution of films of educational and cultural value.

The Foundation also appropriated $20,160 to the New School for Social Research for experimental demonstrations of the use of music in film production under the direction of Hans Eisele, Austrian composer.

$77,220 for Radio

The Foundation made three grants for work in various aspects of radio broadcasting. The Library of Congress received $23,320 to enable it to broadcast programs based on its cultural and historical material. The Rocky Mountain Radio Council received $18,500 to explore practical aspects of radio service to a sparsely populated area having strong regional interests. Columbia University received $35,400 for a study of the effect of radio on listeners.

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"Lady from New Orleans"

A REPUBLIC PICTURE

"LADY FROM NEW ORLEANS"

RAY MIDDLETON • HENRY STEPHENSON

Helen Westley • Bernard Vorhaus—Director

Monday, March 24, 1941

Motion Picture Daily
Two New NBC Transmitters On Short Wave

NBC will put in service today two new short wave transmitters each with 50,000 watts power. The transmitters will operate at 9,070, 17,780 and 11,880 k.c. Three other frequencies, 6,100, 21,630 and 15,150 k.c., have also been assigned to NBC.

John F. Royal, vice-president in charge of international relations, pointed out that today also marks the 10th anniversary of the broadcasting by NBC which Latin American stations have picked up and rebroadcast as a network. He said that 130 South American stations have rebroadcast programs NBC originated in the United States. Of these, 78 are standard band broadcasters, he said.

This entire week will be devoted to the anniversary celebration. Exchange broadcasts will be heard simultaneously on both continents. Tomorrow from 6-6:20 P.M. a program from Cuba will be broadcast here by NBC—Red while another program will be beamed toward Cuba. On Sunday at 12:30 P.M. a similar exchange will be effected between the Red and South American nations. Prominent Latin American residents here and officials of those countries will be heard during the week.

Theatre Book-keeping System
Expressly Devised for the Exhibitor.
No Accounting Experience Necessary

THEATER MANAGEMENT RECORD
AND ANNUAL TAX REGISTER

Individual sections for all operating data. Full $2.00
Postpaid.

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER, NEW YORK

Off the Antenna

NILES TRAMMELL, NBC president, announced over the weekend that transcription companies would be permitted to pick up NBC programs and rehearsals direct from the network studios by payment of small fees and telephone charges, beginning April 1. At present, companies which make recordings to be shipped to individual stations are required to have the performers enact their programs at their transcription studios. Sponsors thus are forced to pay enormous talent costs. Charges for permission to transcribe from NBC studios will be $2.50 for 15 minutes; $3.50, 30 minutes; $4.50, 45 minutes and $5.50 for a full hour. Fees for rehearsal pickups will be $1 extra per period. For a flat fee of $5 per origination period a transcription company may pick up an unlimited number of programs.

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Theatre Changes

Two Theatres for Dayton

DAYTON, O., March 23.—Paul Banker, veteran local exhibitor, is building a new 1,000-seat theatre, to be known as the North, which will be a part of the North Amusement Center. The five-floor, 1,000-seat house also is being built in North Dayton by the Kewoe Development Co., at a reported cost of $100,000. It has been leased by Virgil Jackson and John Murphy, who operate the Central States Circuit.

Open in Missouri April 13

WAYNESVILLE, Mo., March 23.—The Fort Wood Theatre here, a unit of the Commonwealth Amusement Corp., will open on April 13.

Remodel Portland House

PORTLAND, Ore., March 25.—The Mayfair Theatre here is undergoing remodeling.

Installs Theatre Floor

PLAINVILLE, Conn., March 23.—George LeWitt, who recently bought the theatre building in which he operated the 700-seat Strand under lease, has installed a new floor in the theatre, which he is also planning all-conditioning and other lobby and interior remodeling.

Named Ottawa Assistant

OTTAWA, March 23.—Stewart Gillespie, who has been appointed assistant manager of the Elgin Theatre, Lloyd Mills is manager.

Texas House Improved

CENTER POIN, Tex., March 23.—Mrs. C. P. Smith is renovating the Shelby here, installing new seats and equipment.

FCC Chairman James L. Fly will speak over the combined NBC networks Friday at 7:15 P.M. to explain the frequency shifts. Fly will be introduced by Niles Trammell, NBC president.

NBC-Blue and Mutual Tiff on Fight Rights

A legal battle appeared in prospect over the weekend between NBC and Mutual over radio rights to the boxing bouts staged by Mike Jacobs and his 20th Century Sporting Club at Madison Square Garden and other arenas.

Vince Lombardi, Mutual's president, Friday that effective June 1 it had obtained the exclusive rights which have been held by NBC since 1934. Gillette Safety Razor Co. will sponsor the Mutual series, it was said.

Edgar Kobal, vice-president in charge of sales for the Blue, asserted that legal steps would be taken to enforce NBC’s rights for the 1941-1942 season. He declared that Jacobs had been unable to get Mutual and NBC would have its contract renewed.

In February, Kobal said, Jacobs had sold the contract and a check which represented "a substantial advance" was delivered to the promoter.

Mutual did not reveal what price had been paid for the rights and NBC also refused to disclose the amount paid either for past seasons or for the agreement. Jacobs was absent from the city.

Mutual officials stated that Gillette was considering the number of stations to be used and that it was likely to be in the neighborhood of 100. The contract is a "package deal," it was said, giving the rights to the fights at a flat price, regardless of the length of the fight.

Kobal said claiming that the Blue would have the fights next season, added that his network would have another program for Adams Hats, which sponsored the fights exclusively since Nov. 26, 1937, in the event the rights went to Mutual.

68 Canada Stations Change Frequency

TORONTO, March 23.—Changes in frequency March 29 under the Ottawa Treaty will be made by 68 of Canada’s 84 commercial stations. Power increases in connection with the changeover have been granted to: CEPL, London Ont., operated by the London Free Press, from 100 to 1,000; CFY, Toronto, and CHML, Hamilton, Ont., from 100 to 1,000; CHAB, Moose Jaw, Sask., 250 to 1,000; CKX, Prince Albert, Sask., 250 to 1,000; CFGP, Grand Prairie, 100 to 250; CFRN, Edmonton, 100 to 1,000. No power increase was authorized for British Columbia on the Pacific Coast or the Maritime Provinces in the East.

KAY KYSER TO ‘PLUG’ PORTLAND FESTIVAL

PORTLAND, Ore., March 23.—Kay Kyser, whose orchestra has been made Knights of the Rose here, which commissions them to spread the news of Portland’s 1941 Rose Festival. Kyser and his troupe, who are on tour, played to 5,000 people at the public auditorium here Friday.

Monday, March 24, 1941
GOOD FUN FOR A GOOD CAUSE!
All America will cheer this thrilling one-reel short!

Paramount Presents

Greece Fights Back

Produced by the March of Time

A Drama of Courage and Bravery that will Never be Equalled!

Prints available now at Paramount Exchanges

Proceeds derived from the sale of this short will be contributed by Paramount to the Greek War Relief Association.
Levey Considering Offer of U.A. Post

Hollywood, March 24.—Jules Levey, head of Mayfair Productions, releasing through Universal, disclosed today that he had offered a top sales post at United Artists. He said he would decide on the offer when he returns to New York in a week or two days. Preliminary discussions began on his recent visit in New York. Levey said. Prior to starting his production company Levey was general sales manager for RKO.

Greek Relief Drive Under Way Today

The amusement industry's contribution to the Greek War Relief Fund will get under way officially today with a nationwide drive in which 10,597 theatres will participate. The drive will run through next Sunday. The goal of the Amusement Industry Division, of which Adolph Zukor is general chairman, is $5,000,000. Highlight of the campaign will be the midnight benefit show at the Radio City Music Hall on Friday, which appears to be a complete sellout. Tickets were scaled from $1 to $10, and it is reported few are still available. Stars of screen, stage and radio have volunteered.

Studio Labor Status Up at U. S. Hearing

Hollywood, March 24.—Important changes in studio labor bargaining contracts appeared possible tonight when the eve of hearings opening tomorrow on reclassification of workers before Merle Vincent, chief examiner of the Federal wages and hours division. The hearings, to be held in the Los Angeles Federal building, are expected to continue at least one week. The unions are fighting to hold the

25-Cent Student Matinees To Build Stage Patronage

A plan to build audiences for the legitimate theatre by arranging special matinees for high school students at 25 cents a ticket has been proposed by Alfred Harding, editor of Equity, official organ of Actors Equity, and has met with enthusiastic response from the unions, school authorities and producers involved.

Yesterday, Harding presented his plan to the League of New York Theatres, which immediately adopted a resolution favoring it and sent the plan to the member producers for individual approval.

The method of operation calls for a central control board composed of representatives from the various unions, the producers and the New York City school system. If the school authorities request a performance of a particular play, the board

Herman A. DeVry Dies at Age of 65

CHICAGO, March 24.—Herman A. DeVry, founder and president of the DeVry Corp., manufacturers of film sound equipment, died suddenly yesterday of a heart attack at the age of 65. He was stricken while bowling.

He was a pioneer in the use of films for educational purposes.

DeVry came to this country from Germany when a boy and began his career by building equipment for Howard Thurston and other magicians. Then he became a camera man. In 1913 he began manufacturing the portable projector he had invented himself.

The De Vry Corporation, which he founded in 1914, was purchased by Q.R.S. Player Piano Roll Co., in 1929. He was Herman A. DeVry.

Grainger and Baker Hosts in Chicago

CHICAGO, March 24.—James R. Grainger, Republic president, and William Baker, former United Artists salesman who today became manager of Republic's Chicago exchange, today were hosts to exhibitors at a luncheon in temporary quarters of the company in the Warner Building.

Baker succeeds Harry Lorch, who resigned to manage two theatres.

Four Reviews Today


Par. Officials to Virginia Tomorrow

Paramount home office officials will leave for Hot Springs, Va., tomorrow to attend the meeting of the company's theatre operating associates which opens on Thursday.

Among those leaving from here will be: Barnes Bailey, Stanton Griffis, Y. Frank Freeman, Leonard Goldensohn, Sam Dembow and Leon Netter, Paramount theatre associates from all over the country will attend the meeting, which will continue through Saturday. The meeting is designed to provide the theatre associates an opportunity to discuss current and future operations and problems and to exchange ideas.

Trade Papers' Cost Deductible Expense

Subscriptions to trade papers are deductible expenses, Lawrence W. Gibney, U. S. Treasury Department agent, testified yesterday at the trial of Joseph M. Schenck. Gibney testified that Schenck received $38,885 in dividends for the year 1936 and $469-06 in 1937. The Government expects to close its case today or tomorrow.
**Personal Mention**

**A. LYNCH** is here from Florida for conferences with Paramount home office officials.

**Joseph BERNHARD** general manager of Warner Theatres and Harry H. Goldsmith with nearly 20 years experience in the industry, leave this morning to attend a zone managers' meeting in Albany.

**Archibald Silverman**, owner, and **Edward L. Reed**, of Rochester Radio News, are on an extended trip in Providence, where they have returned from a Southern cruise.


**J. P. Rogers**, **Sam Seberg**, **Douglas Rothacker** and **Sam Churin** are having lunch yesterday at the Tavern.

**Abe Schenneider**, **Harry Coshan**, **Seymour Poe** and **Lou Weinberg** are scheduled to appear at Lindy's (next to the Rivoli).**

**William and Lou Brandt**, **Martin Moskowitz** and **Jack Goetz** are scheduled to appear at Lindy's (51st St.) yesterday for lunch.

**William P. Montague** of Paramount News has arrived on the Coast.

**Universal Host to Abbott and Costello**

Universal yesterday was host to Bud Abbott, Lou Costello, film and radio comedians, at a cocktail party at 21 Club. The two left for the Coast by plane last night to start on their second picture for the company.

Their contract with Universal calls for the making of four pictures each year for the next two years. In addition, they announced the signing through the J. Walter Thompson Agency of a four-year contract to appear on the Edgar Bergen-Charlie McCarthy radio program for Chase & Ecton. The new assignment is to begin with the April 6 program.

**Hold U.A. Luncheon**

A United Artists' luncheon yesterday at the Louis XIV Restaurant was attended by William John Jay, Hasbele Masters, Harry Gold, Emanuel Silverstone, Morris Helprin, Al Marogel, Charles Sturz, Clarence Eise- man, Monroe Greenhalch, Steve Pallos and Paul Lazarus. The executives were in party of the celebration of the company's $2,000,000 sales this season.

**Report Kennedy to Coast**

**Hollywood, March 24—**Jack Kennedy, formerly with the Motion Pictures Department, is returning here soon with orders to start the new assignment. The next day the Coast department, after a long illness, has returned to the studio with nearly 20 years of experience in the industry. He is now in the United States.

**Schaefer to N. Y. Friday**

**Hollywood, March 24—**George J. Schaefer, president of RKO, will leave for New York on Friday.

**Roland Young to Coast**

Roland Young left for the Coast yesterday after a New York visit.
John Doe in Los Angeles

Los Angeles, March 24.—“Meet John Doe” was a hit here, taking a total $44,400 at two houses, $20,200 at Warner’s Hollywood and $23,200 at Warner’s Vine Street at the Warner Hollywood. “Adam Had Four Sons” and “Play Girl” took $9,000 at the Hill Street and $9,000 at the Pantages. Estimated receipts for the week ending March 19:

- “The Sam the Crime Grist” (U. A.)
- “A Chump at Oxford” (U. A.)
- “Chinese Eyes” (Gibson)
- “Goin’ Down South” (Col.)
- “Fandango” (Disney)
- “Carmelita Cay” (RKO)
- “Play Girl” (RKO)
- “Hillstreet” (2,700)
- “Adam Had Four Sons” (Col.)
- “The Lady from Paramour” (M-G-M)
- “Girl” (RKO)
- “Pantages” (RKO)
- “The Lady” (Warner Bros.)

St. Louis Club Plans Charity Show

St. Louis, March 24.—The first in a series of special events planned by the local Variety Club will be held Saturday night at the 5,036-seat Fox Theatre. The program, a vaudeville show, boasting 15 acts and two bands, will be presented under the direction of the Midwest Polio Association. It is the hope of the club to raise $250,000 within the next five years for the erection of a building.

Tri-States Houses To Handle Own Ads

Des Moines, March 24.—Under revised operating procedure to make effective April 1 by the Tri-States Theatre Corp., every manager in the eight A-l classification of the townsfolk and their own advertising and publicity men. The advertising and publicity department at the home office here will be enlarged.

Tri-States House

Bridgeton, Del., March 24.—Fire which started in the projection booth of the Keller Theatre here Saturday night destroyed the building with an estimated total $10,000 in damages. Albert Plough, Warner district manager, estimated the damage at $25,000.

Feature Reviews

“The Man Who Lost Himself” (Universal)

Richard Blum, March 24.

STARRING Brian Aherne and Kay Francis, the former in two roles, this light comedy of lost identity and complications pertaining thereto affords a pleasant 70 minutes of frothy entertainment. Tower of strength in the comedy department is S. Z. Sakall, playing the hero’s valet, while Henry Stephenson, Nils Asther, Sig Ruman, Dorothy Tree and Henry Kolker have other principal roles.

The story is a new treatment of the twin plot, presenting two men who look so much alike that no one can tell the difference, then killing one of them and placing the other in such circumstances that he must contend for the role of the hero. The screen fad of the contemporary man’s associates, and wife to believe he is the man he is not.

Aherne puts high spirit into the portrayal, Miss Francis being both effective and fascinating as the wife who, indignant and seductive in turn, is glad to find out at picture’s end that the husband she did not love is dead and this man she does love is free to replace him in that relationship. Apart from a sequence in which the impostor flees his boudoir to escape intimacies not rightfully his to enjoy, there is nothing bordering upon the risque in the picture.

Edward Ludwig directed with a light touch. Ben Hersh acted as associate producer to Lawrence W. Fox, Jr. The film is staged in the high gloss which Art Director Jack Otterson unfailingly coats this type of comedy.

Running time, 70 minutes. G+.

Roscro Williams

Beyond the Sacramento” (Columbia)

A NOTHER adventure with “Wild Bill Hickock,” see Bill Elliott. This time Columbia offering more than minimum requirements in the story department. It is a rousing Western yarn and with the aid of capable handling by players and director, it manages to hold interest between the bang-up action scenes, which are especially well done. The story follows the theme of law-guardian versus outlaws, and in this case the latter are swindlers who attempt to gain the confidence of the townspeople and then relieve them of their life savings. There is a minimum of riding and chasing, and gun battles are in abundance as the tale develops. The support is supplied by Bradley Page, Dub Taylor, Evelyn Keyes and others. Photography is at all times commendable.

Running time, 60 minutes. G+.

*G* denotes general classification.

Fourteen New Films

The National Legion of Decency for the current week has approved all of 14 new pictures reviewed and classified, eight for general patronage and six for children. Following is a list of the films and their classification follow.


Bill Killed in Iowa

Des Moines, March 24.—A heated discussion in the Iowa House of Representatives ended with the killing of the bill proposed by Representative Joseph Allen of Ottumwa by a vote of 50 to 43.

If the bill had passed it would have forced theatre operators in Iowa to award a prize on every game, prohibited more than three theatres from combining in any games plan and other regulations. Exhibitors throughout the state opposed the bill.
Delivers Its Entire 1940-41 Program

Despite many rumors and present trade conditions, Republic has delivered its entire 1940-41 film program.

August 16, 1940 — The Tulsa Kid
   Don "Red" Barry, Noah Beery, Luana Walters

August 29, 1940 — Oklahoma Renegades
   The Three Mesquiteers: Robert Livingston, Raymond Hatton, Duncan Renaldo

September 6, 1940 — Ride, Tenderfoot, Ride
   Gene Autry, Smiley Burnette, Jane Froman

September 11, 1940 — Girl from Hayna
   Dennis O'Keefe, Claire Carlin, Victor Jory, Stella Duna

September 15, 1940 — Colorado
   Roy Rogers, George "Gabby" Hayes, Pauline Moore

September 30, 1940 — Under Texas Skies
   The Three Mesquiteers: Robert Livingston, Bob Steele, Rufe Davis, Lois Moran

October 10, 1940 — Frontier Vengeance
   Don "Red" Barry, Betty Moran

October 11, 1940 — Melody and Moonlight
   Johnny Downs, Barbara Allen (Vera Vague), Jerry Colonna, Jane Froman, Mary Lee

October 15, 1940 — Hit Parade of 1941
   Kenny Baker, Frances Langford, Hugh Herbert, Mary Boland, Ann Miller, Patsy Kelly, Phil Silvers, Sterling Holloway, Barnett Parker, Barraclough, and his Harmonica Rascals

October 21, 1940 — Young Bill Hickok
   Roy Rogers, George "Gabby" Hayes, Jocqueline Wallis

November 1, 1940 — Who Killed Aunt Maggie?
   John Hubbard, Wenda Barrie, Edgar Kennedy, Elizabeth Patterson, Onslow Stevens, Joyce Compton, Walter Abel

November 7, 1940 — Friendly Neighbors
   Weaver Bros. and Elviry, Lois Moran, Spencer Charters, Cliff Edwards, John Hartley

November 11, 1940 — The Trail Blazers
   The Three Mesquiteers: Robert Livingston, Bob Steele, Rufe Davis, Pauline Moore

November 15, 1940 — Melody Ranch
   Gene Autry, Jimmy Durante, Ann Miller, Barton MacLane, Vera Vague, George "Gabby" Hayes, Jerome Cowan, Mary Lee

November 22, 1940 — Texas Terrors
   Don "Red" Barry, Julie Duncan, Arthur Loft

November 29, 1940 — Meet the Missus
   The Higgins Family: Roscoe Karns, Ruth Donnelly, Spencer Charters, Lois Moran, George Ernest, Polly Moran

December 5, 1940 — The Border Legion
   Roy Rogers, George "Gabby" Hayes, Carol Hughes

December 6, 1940 — Barnyard Follies
   Mary Lee, Rufe Davis, June Storey, Jed Prouty, Victor Kilian, Patsy Cheshire

December 20, 1940 — Behind the News
   Lloyd Nolan, Darla Davenport, Frank Albertson, Robert Armstrong

December 22, 1940 — Lone Star Raiders
   The Three Mesquiteers: Robert Livingston, Bob Steele, Rufe Davis, June Johnson

December 27, 1940 — Bowery Boy
   Dennis O'Keefe, Louise Campbell, Jimmy Lydon, Helen Vinson, Roger Pryor

January 6, 1941 — Wyoming Wildcat
   Don "Red" Barry, Julie Duncan

January 14, 1941 — Robin Hood of the Pecos
   Roy Rogers, George "Gabby" Hayes, Marjorie Reynolds

January 24, 1941 — Ridin' on a Rainbow
   Gene Autry, Smiley Burnette, Mary Lee, Carol Adams

January 28, 1941 — Arkansas Judge
   Weaver Bros. and Elviry, Roy Rogers, Spring Byington

January 31, 1941 — Petticoat Politics
   The Higgins Family: Roscoe Karns, Ruth Donnelly, Spencer Charters, Lois Moran, George Ernest, Polly Moran

February 14, 1941 — The Phantom Cowboy
   Don "Red" Barry, Virginia Carroll

February 16, 1941 — Prairie Pioneers
   The Three Mesquiteers: Robert Livingston, Bob Steele, Rufe Davis, Esther Estrella

February 27, 1941 — A Man Betrayed
   John Wayne, Frances Dee, Edward Ellis, Wallace Ford, Ward Bond, Harold Huber

February 28, 1941 — The Great Train Robbery
   Bob Steele, Claire Carleton, Milburn Stone, Helen MacKellar

March 14, 1941 — Back in the Saddle
   Gene Autry, Smiley Burnette, Mary Lee, Jacqueline Wells
**1940-1941 PROGRAM!**

**REPUBLIC WILL DELIVER**

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<td>Mar. 28, 1941—</td>
<td>June 3, 1941—</td>
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<td>Mar. 29, 1941—</td>
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<td>SIS HOPKINS</td>
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<td>ROOKIES ON PARADE</td>
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<td>Bob Crosby, Ruth Terry, Eddie Foy, Jr., Marie Wilson, Gertrude Niesen</td>
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<td>An All-Star Cast</td>
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<td>April 22, 1941—</td>
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<tr>
<td>LADY FROM NEW ORLEANS</td>
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<td>John Wayne, Ona Munson, Ray Middleton, Henry Stephenson, Helen Westley</td>
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<td>An All-Star Cast</td>
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<td>April 26, 1941—</td>
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<tr>
<td>SINGING HILLS</td>
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<td>An All-Star Cast</td>
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<tr>
<td>Gene Autry, Smiley Burnette, Mary Lee, Virginia Dale, Spencer Charters</td>
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<td>An All-Star Cast</td>
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<td>May 1, 1941—</td>
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<tr>
<td>A GAY VAGABOND</td>
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<td>May 5, 1941—</td>
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<tr>
<td>COUNTRY FAIR</td>
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<tr>
<td>Eddie Foy, Jr., June Clyde, &quot;Big Boy&quot; Guinn Williams, Lulubelle and Scotty, and a host of radio stars</td>
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<td>An All-Star Cast</td>
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<td>May 7, 1941—</td>
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<tr>
<td>SHERIFF OF TOMSTONE</td>
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<td>An All-Star Cast</td>
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<tr>
<td>Roy Rogers, George “Gabby” Hayes, Sally Payne</td>
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<td>An All-Star Cast</td>
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<tr>
<td>May 12, 1941—</td>
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<tr>
<td>DESERT BANDIT</td>
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<td>Don “Red” Barry</td>
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<td>An All-Star Cast</td>
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<td>May 15, 1941—</td>
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<td>An All-Star Cast</td>
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<tr>
<td>ANGELS WITH BROKEN WINGS</td>
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<td>An All-Star Cast</td>
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<tr>
<td>Mary Lee, Marilyn Hare, Jane Frazee, Leni Lynn</td>
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<td>An All-Star Cast</td>
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**REATER PROGRAM OF 32 FEATURES, "MEET THE STARS" SHORTS FOR 1941-1942**
Feature Reviews

"Footlight Fever"
(RKO)

THE exaggerated difficulties of two Broadway play producers in obtaining backing for a new production provide a story for "Footlight Fever" which is frequently amusing and some times too implausible even for comedy.

Alan Mowbray and Donald MacBride, as the producers, suffer almost every known form of embarrassment, abuse and frustration in their efforts to obtain financing for their play before they finally ensnare Elizabeth Risdon, a wealthy recluse. Then, on opening night, MacBride becomes enamoured of the leading male role and is insistent upon playing it himself. Mowbray's attempts to stop him and save the part for Lee Bonnell, their male "discovery," end with both producers in the hospital.

Regaining consciousness there, they rush to the theatre believing it is still opening night, only to discover that the play is a hit and in its second month. Intervened in a minor key is the romance between Elisey Knox, as the wealthy spinster's niece, and Bonnell.

Howard Benedict produced and Irving Reis directed.

Running time, 69 minutes. "G."*

Sherwin A. Kane

"The New Adventures of Tarzan" (T. H. Haagberg)

THE filming of this novel by Edgar Rice Burroughs is said to have taken place about three years ago in Guatemala. The distributor, in listing the credits, identifies it as an Ashrum Deehart "expedition picture."

It is fairly obvious that the original Burroughs' piece had its screen potentialities. However, with the apparently inexperienced players on hand and inadequate technical values, the film is far short of the exciting jungle melodrama it might have been. Jumbled direction has the story in some instances almost incoherent while the sound and photography are no more than just adequate. Playing the role of "Tarzan" is Herman Brix, while the various other assignments are handled by comparatively unknown players.

Running time, 82 minutes. "G."*

*(C) denotes general classification.

25-Cent Student Matinees to Build Stage Patronage

(Continued from page 1)

will meet and set a date for a matinee. The 25-cent tickets for the entire house will be turned over to the education committee who will have the job of supervising distribution and make the cash return.

The board will then deduct the expenses for operating its office, printing the tickets and the salaries of certain low-paid theatre employees such as porters, ushers, etc. The remainder of the fund will be divided equally among all others employed in the production on a per capita basis. Producers will not share in these funds and the unions will waive the usual salary requirements.

The Stagehands Union and the Theatrical Managers and Agents Union already have granted formal approval. Equity will vote approval today. The Dramatic Guild, Musicians Union, Local 802, have not met to consider the matter but officials of the various groups have stated their approval that is almost certain.

Under present plans only one performance of each play will be held for the high school students. Whether it is desirable to expand the service will be decided after the response to the plan is studied. It is expected that about 12 to 15 plays will be performed for the benefit of the students under this plan.

Herman A. DeVry
Dies at Age of 65
(Continued from page 1)

Inc., which became the DeVry Corporation, when he bought the Q.R.S. company in 1932. He was a close friend of many years of Dr. Lee DeForest. He founded DeForest Training, Inc., which trains students with the aid of home films as text books.

DeVry is survived by his widow, two sons and a daughter.

Studio Labor Status Up at U.S. Hearing

(Continued from page 1)

cessations over and above the wage-hour conditions they already have obtained and to obtain possible benefits accruing under the law.

At stake are possible elimination of distant location rates, shifts in overtime and work week limitations, and the protection and non-exemption of certain groups from the act's provisions.

Joseph Padway, A.F.L. general counsel, who will represent the I.A.T.S.E. at the hearing, arrived yesterday and today conferred with business representatives of the locals preparing a protest. The I.A.T.S.E., it was reported, would seek to push negotiations for new contracts with the producers before final decisions on the wage-hour clauses are reached.

International unions signatory to the studio basic labor agreement also will appear to protest, chiefly against parts of the report of E. M. Cocking, chief analyst of the bureau. The bureau, which the unions say, threaten to interfere with concessions obtained from the producers thus far.

There are 554 classifications of workers whose status as to professional and non-professional have been agreed upon by employers and employees, according to the Cocking report. Thirty-one classifications are in doubt.

Providence Rules Cut Total of Games

PROVIDENCE, March 24—More rigid restrictions governing games here regulate enforcement of the Bureau of Police and Fire have reduced the number of such games weekly from 30 to 19.

The new regulation requires that religious and charitable organizations conduct games only in their permanent quarters. The bureau is awaiting the decision of City Solicitor William A. Needham on the new regulation.

Extend Museum Series

The film series, "Forty Years of American Film Comedy, Part II," consisting of 24 films arranged in 11 programs, will be extended from March 25 through May 19, by the Museum of Modern Art Film Library. The films are shown daily at the Museum, without an admission charge.

Auction Rug for British

A Royal Arabian rug, duplicate of that used in the Alexander Korda-United Artists film, "The Thief of Bagdad," will be auctioned for the benefit of the American Ambulance Corps at a supper at Jack Dempsey's Restaurant tonight.

Titles French Picture

Herman G. Weinberg has completed French titles for "L'homme Qui Cherche La Verte" ("The Man Who Seeks the Truth"). French film scheduled for release here this week by Joseph Gottesman.
Directors Assigned for Three Top Metro Features

Hollywood, March 24

M-G-M assigned directors to three of its biggest productions and plans. Roy Del Ruth, whose last film, "Abar-ann," was released last year, will produce "The Outcasts of Poker Flat," the story of a man who is forced to leave his home. Columbia has purchased Stephen Vass's original, "Dangerous Curves," for production as a musical.

Republic will transfer Bret Harte's "The Outcasts of Poker Flat" to the screen with Roy Rogers and George "Gabby" Hayes in the leads. James Stephenson will direct, and will be "Strike the Band," both films will be seen at the same time, as "Shirley's first film." "The Outcasts of Poker Flat" will be produced first in M-G-M.

Warners brought out "King Rubber," original story by Barry Trivers of the South American rubber industry, and assigned William K. Howard to guide it, with Ray Enright taking over Howard's previously announced task on "Bad Men of Missouri," with Wayne Morris, Cary Grant, and Ross Fortney in the leads. There is some question of Humphrey Bogart playing a featured role in the picture. No casting has been announced for "King Rubber.

Direction of "Betty Co-Ed," musical to feature Ruby Keeler, Harriet Hilliard and Ozzie Nelson and his band at Columbia, has been assigned to Edward Dmytryk, as his first under a recent four-picture deal. Howard Bretherton will direct "The Sheik of Buffalo Rats." Hopalong Cassidy picture to be produced by Harry Sherman.

Harry Sherman has signed Brad King, guitar playing rodeo champion, to enact the role of "Johnny Nelson," character created by Clayton E. Mulford for the Hopalong Cassidy western starring Bill Boyd... Two new acquisitions to Columbia's "name" roster are Lois Fuller and George Jssel, who will appear in "Girls from Panama," and "Lone Star." John Ireland, who featured in "Olivia Lou." Miss Veliz is under contract at RKO to appear with Leon Errol in three "Lord Epping" pictures... Donna Dubbin will star with Charles Laughton in Universal's "Almost An Angel," to be produced by Joe Pasternak and directed by Harry Koster.

A Republic Picture

Bob Crosby and His Band with the Bobcats

A Republic Picture

Sis Hopkins

On the Half-Shell

SUITING the subject matter to the tastes of the reviewers, Paramount today at 12:30 will screen the one-reel short, "Wild Oysters," and follow it with a repast of all the oysters present may be held, washed down with wine. At the same time, a professional "opener" will show the folks how oysters should be opened.

Paramount castings are Barbara Jo Allen (Vera Vague) in "Buy Me That Town," Porter Hall in "Passion of Panama" (Sherman); and Katherine de Mille in "Alona of the South Seas." Tony Martin and Virginia Grey get the romantic leads in the Marx Brothers picture at M-G-M... Paul Kelly will support Robert Sterling, Martha Hunt, Virginia Weidler and Fay Holden in M-G-M's "Man From The City.

Opens Kansas Theatre

Kansas City, March 24—Don Phillips has opened the Lyric at Colby, Kan., and has closed the Colby, which he operated in that town.

Expect Dual Ban Bill Up This Week in Mo.

Jefferson City, Mo., March 24—Designed to eliminate double and triple features, a bill will be introduced in the Missouri legislature this week to restrict motion picture performances to two and a half hours. The measure will be sponsored by the Better Films Council of Greater St. Louis.

The bill provides a 15-minute intermission if the performance runs more than two and a half hours. Violations would be punishable by fine ranging from $100 to $500 or six months in jail or both.

Representative William Turner has introduced another measure prohibiting standing room, the measure providing that no tickets may be sold to a place of public entertainment when the seating capacity of the house is filled. Similar bills have been defeated in previous sessions. Exhibitors are expected to fight the measure.

Reserve Dietrich Ruling

City Court Justice James C. Medigan yesterday reserved decision in the $50,000 hear-say suit of Jack Forrester, French producer, against Marlene Dietrich. Forrester charges that Miss Dietrich failed to make a picture in France in 1929 for which she had contracted.

Plan 'Hopkins' Premiere

Hollywood, March 24—Sam Abarbanel and Al Ardmore of Republic's publicity department left today for St. Louis on preparations for the premiere of "Sis Hopkins." April 4, Herbert J. Yates and William Saal of the studio will leave for St. Louis tomorrow.
Prompt F.C.C. Approval Seen For Television

(Continued from page 1)

upon the requirements of the defense program for the skilled technicians and materials, a point which was raised in CBS officials last week.

At the same time, Jolliffe disclosed that RCA had broken down the organization which it formed a year ago to manufacture and market receivers, and would have to start from scratch. Representatives of other television interests denied that any difficulty would be encountered in meeting public demand for receivers. Farnsworth Television representatives disclosed that their company could act within four months after issuance of a commission order.

In a brief filed at the close of the hearing the Allen B. DuMont Laboratories, charged that the reluctance of RCA and CBS for immediate commercialization was due to an unwillingness to subject their radio networks to the new competition.

Members of the FCC made it clear that they were not in sympathy with RCA's position. F. Royce point out that further delays would mean that the industry would "be put to the expense and inconvenience of ever-recurring hearings," while Commissioner Thompson told Jolliffe flatly that he could not subscribe to the latter's philosophy.

Representatives of Zenith Radio Corp. and other companies suggested minor changes in the standards, particularly with respect to hours of service, there being general agreement that a requirement of five hours a day at the start is too great a burden.

Club Affirms Mutual Contract on Fights

Contracts giving Mutual exclusive rights to boxing bouts beginning June 1 are in good order and will go into effect on that date, a spokesman for the 20th Century Sporting Club said yesterday.

He asserted that a check given by NBC-Blue which has held the rights since 1937 was a loan and has since been repaid.

Edgar Kohak, vice-president in charge, said for the Blue, has asserted that the check was an advance for the 1941-42 rights, and that a suit would be started. Mike Jacobs is head of the sporting club.

Play by Bercovici Will Open Tonight

A new play, "Gabrielle," by Louis Bercovici, has been produced by the Blue, has opened the Tione Ann at the Maxwell Elliott Theatre. Robert Rockwell is producer and Randolph Coker directed. The cast includes Eleanor Irwin, J. Cromwell and Harold Vermilyea.

Off the Antenna

CRAWFORD CLOTHES has made two large purchases of time over WMCA and WHN, it was disclosed yesterday, contracting for 16½ hours for 52 weeks. The contracts went into effect Sunday.

WMCA total is 12 hours, and includes news, music and sports. In the schedule are "Rise and Whine," Monday through Saturday, 7:30-7:45 A.M.; news, Monday, Wednesday, Friday and Saturday, 12:15-1:15 P.M.; Monday through Friday, 8:15-9:15 A.M.; Art, Green and recorded music, Wednesday, 4:15-5:30 P.M.; Monday through Friday, except Tuesday, 5:30-5:45 P.M., Sunday, 12:30-1:30 P.M., Monday, 11-11:15 P.M. and Wednesday, 9:9-1:15 P.M.; "Sportscope" with Lester Brown, Monday and Friday, 8:8-8:15 P.M.; "The Old Refrain," Saturday 5:30-6 P.M.

There are also nine recorded programs on Saturday.

On WHN, Crawford will sponsor U.P. news Tuesday, Thursday and Saturday 7:15-7:30 A.M. and 8:20-8:45 A.M. Green and recorded music will be sponsored Monday, Wednesday, Friday, 12:0-1:35 P.M. and 6:5-15 P.M. Major Paul C. Raborg, military analyst, will be sponsored Monday through Saturday 7:45-8 P.M.

Purely Personal: Richard Crooks will be guest on the "Ford Sunday Evening Hour" over CBS Sunday.... Robert C. Sherwood, Columbia Pictures producer, will be guest on "So You Think You Know Music" over WEAF tonight at 7:30. William Hillman, NBC London correspondent now on a visit here, will be guest on "The Columbia Cozy Comedy Hour" April 15. Nat Berlin, at WNEW continuity department, and Dick Pack, of WOR publicity, have had two sketches accepted for "Anthology of Non-Royalty Plays" soon to be published by Greenbery & Son.

Joe Pasternak will be guest on the first Loewa Parsons program on CBS Friday evening on his new universal film, "Flame of New Orleans," will be dramatized with Marlene Dietrich and Cabot. Edward G. Robinson will depart from the usual format of his CBS "Big Town" show in an adaptation of Warners' "The Sea Wolf." The date is tentatively set for April 23.

Prominent Negro entertainers will be heard Sunday at 5 P.M. over CBS as part of the campaign of the National Urban League to aid Negroes in finding employment. Those who will be heard include Marian Anderson, Ethel Waters, Louis Armstrong, John Kirby, Bill Robinson, Kenneth Spencer, the Golden Gate Quartet and Anne Wiggins Brown.

Program News: Benny Goodman's WJZ program for Old Gold will be staged at Manhattan Center beginning Monday. Goodman will start playing for dancing at 6:30 P.M. The program will go on the air at 7:30. WHN has restored "Music to Read By" to its original midnight to 1 A.M. slot.... Quaker Oats Co. has extended the contract for "Girl About town" to April 19 over NBC-Red. Bessie Beatty's program over WOR celebrates its sixth month on the station this week with 12 sponsors listed. The program is now conducted by a woman.... WOR will stage a series of ghost stories over WHOM beginning tonight. He will be heard Monday through Friday 11:15-11:25 P.M. Beginning Monday, "The Munsters" will be heard at 10:15 Am instead of 11:00 over NBC-Blue.... Zeke Manners and his Gang will return to WNEW this week in a new series Monday through Friday 9-9:30 A.M.

Theatre Changes

Plan RKO Trenton House

TRENTON, N. J., March 24.—A permit for the construction of a new theatre, to seat 800 persons, has been granted to James M. Brennan, RKO divisional manager. The structure, to cost $30,000 exclusive of equipment, will be built in suburban township. Work is expected to start next Fall upon completion of the new RKO neighborhood house in the city program.

Reopen Missouri Theatre

CLARICE, Mo., March 24—Thill Entertainment, which has been taking over the historic Clarence here.

Takes Over Kansas House

KANSAS CITY, March 24—Sol Banks has taken over the Avon, Hillsboro, Kan. Herschell Arnold, former owner of the Avon, will continue operating the Chapman at Chapman, Kan.

Manages Texas Houses

Lubbock, Texas, March 24—Boyd F. Scott has been named manager of the Buckaway and Lyric here, succeeding Howard Jakey, who is managing the Thompson, Hobart, Odla.

Takes Uvalde, Texas, Houses

UVALDE, Texas, March 24—Jack Papanikolas has taken over the Strand and Ritz Theatres here.

Shifted in Rochester

ROCHESTER, March 24—Frank Raborg, assistant to Francis Anderson at the Palace, has been shifted to assistant at the Temple, to succeed Edward Dunn, drafted.

Re-Carpet Wilkes-Barre House

WILKES-BARRE, Pa., March 24—New carpeting has been installed in the theatre, foyer and lobby of the Irving Theatre.

Mexico Approves Frequency Change

Washington, March 21.—The final barrier to the application on Saturday of the North American Regional Broadcasting Agreement was removed today when the FCC was advised through the State Department that the Mexican Government has approved the frequency allocations to Mexican stations.

The Mexican ratification of the allocations worked out at meetings here in January was the last one to be received, Canada was last to transmit and earlier they expressed their acceptance of the frequencies set up for them.

Ascap Is Continuing Work on Radio Pact

Ascap's radio negotiating committee and board of directors held meetings yesterday to further the prumation of formulae for both blanket and per program contracts for radio networks. The work is expected to be completed within the next 10 days or two weeks.

The formulae will be presented to both the National Association of Broadcasters and to Mutual Broadcasting System. The latter network is conducting its negotiations direct with Ascap and held its first meeting with the music society's radio committee last week. The meeting was described by Ascap officials as "amicable."

It was reported that the question of broadcast Inc.'s, which was raised at the meeting but brought forth no suggestions from the Ascap delegation.

Philco Net Income Up to $2,288,568

PHILADELPHIA, March 24.—Net income of Philco Corp. for 1940 after all taxes and charges was $2,288,568 as compared with $1,897,515 for 1939. It was announced today by James T. Buckley, president. During 1940 Philco became the first manufacturer to produce 2,000,000 sets in one year. Buckley said. Earnings amounted to $1.65 per share on the common as compared with $1.38 in 1939.

Second Phila. Station Will Move to Jersey

PHILADELPHIA, March 24.—WCAU will be the second local station to move across the state line to New Jersey if it moves its 30,000-watt transmitter to Moorestown Township about July 1. WIP was the first station to move its transmitter to New Jersey. WCAU has stated that an estimated $250,000 will be spent for the new equipment.

Kay Francis in 'Aunt'

Hollywood, March 24.—Kay Francis has been signed by 20th Century-Fox for "Charley's Aunt," which will star Jack Benny.
Speed Urged As Essential In Arbitration

A. A. A. Counsels Boards To Oppose Delays

Speed and economy are essential in arbitration proceedings, members of the film industry arbitration machinery are counseled by the American Arbitration Association in a manual issued yesterday to more than 700 persons comprising the board panels.

The arbitrators are urged to avoid delays by “opposing dilatory practices by parties or counsel and by refusing unnecessary adjournments,” and to make low costs by “stopping when they are set or regulating rigorously the expense when the parties have neglected to safeguard themselves.”

The manual details the powers, duties and responsibilities of the arbitrators.

20th-Fox Quarter
Profit, Year Loss

With a fourth quarter gross of $585,275, Twentieth Century-Fox yesterday reported a consolidated net loss for the year ended Dec. 28 of $517,336. This figure is after providing a reserve for foreign assets of $2,800,000 during the year. During the fourth quarter, $600,000 was set aside as a reserve. Had no reserve for foreign assets been set aside, the company would have shown a net profit of $2,032,664 for 1940 after provision for Federal income taxes.

“While operating results for the

N.L.R.B. Hearing Set
April 3 on SPG Plea

The National Labor Relations Board has set April 3 as the date on which it will hear argument in Washington on the petition of the Screen Publicists Guild for certification as collective bargaining agency for publicity and advertising employees in the home offices of the eight major companies.

Hearings were concluded in New York several weeks ago before Trial Examiner Daniel Baker. In accordance with the regular procedure, the testimony taken at these hearings was forwarded to Washington for a decision by the board.

Study Cartoons Use
In Defense Training

Washington, March 25—Walt Disney’s animated cartoons may be used to demonstrate how certain mechanical tasks involved in the defense program are performed, under negotiations under way by the Office of Production Management, it was revealed today.

The pictures would be used in the OPM’s “in-plant” training courses, through which thousands of skilled workers are to be trained for defense jobs.

It was disclosed that the Disney studio has made a number of drawings for military training purposes, but defense officials will seek a contract under which the cartoons will be paid, believing that the projects they have in mind are too expensive to be made without charge.

Abandon Plan for
Programs to S. A.

Proposals for broadcasting motion picture programs in South America were virtually abandoned yesterday when a committee of foreign publicity managers of major companies voted to take no action on the plan and to leave the entire matter in abeyance indefinitely.

No further meetings on the subject are scheduled.

Difficulties in clearing songs for broadcasting in South America as parts of recorded programs were cited as the principal obstacle to the proposals. This newest difficulty added to the opposition to the broadcast plan from a majority of the companies, which already regarded them as too costly for practical purposes.

Court Authorizes
Study of ‘U’ Data
In Schine Action


The documents which the companies must open to the Government are primarily any which relate to business dealings Universal may have had with Schine theatres and with the seven other major companies named as defendants in the original complaint here.

Papers to be inspected include those containing names of corporations or persons and the Ministry has been ordered to license films or with whom

(Continued on page 7)

Early Report Due
On Studio Labor

LOS ANGELES, March 25—Promising an early report of his findings, Chief Examiner Merle Vincent of the Federal wages and hours division today opened hearings on protests on recalssification of studio workers and other problems pertaining to labor relations in film production.

An agreement between the unions and the producers to classify nurses as professional workers was the only point settled today. On the request of Joseph Padway, A.F.L. counsel and I.A.T.S.E. spokesman, the hearing on protest of I.A.T.S.E. locals was postponed until tomorrow.

Vincent said at the conclusion of the hearing that he would return his findings to Gen. Phillip B. Fleming, national wage-hour administrator, for his delivery.

(Continued on page 7)

English Exhibitors Refuse to Book
Propaganda Film Duplicating Reels

London, March 25—English exhibitors are rebelling against the weekly propaganda short subject issued yesterday by the Ministry of Information, depicting a German air raid.

It is claimed that the Ministry is unfairly competing with the newsreels, and is expecting the theatres to show material adequately and almost exactly covered in a recent newsreel.

The major English circuits and other theatres totaling 1,500 houses have refused to show the subject, which Ministry officials have sent to them and have been sent to the London County Council to be shown on television.

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In Today’s Issue


U.A. to Have
11 Producers
Next Season

Cooper, Pressburger and Czekely Added

HOLLYWOOD, March 25—United Artists will start the 1941-42 season with at least 11 producers, exclusive of David O. Selznick, Charles Chaplin and James Roosevelt, it was learned here tonight.

Among the new producers whose names will appear on the U.A. roster are Merian Cooper, scheduled to make one picture for Walter Wanger; Arnold Pressburger, continental producer and director, and William Czekely.

Pressburger, authorities assert, will make at least one picture for U.A. for the coming season. Others whose productions will be released by U.A., in 1941-42 are Alexander Korda, Walter Wanger, Edward Small, Gabriel Pascal, Sol Lesser, Ernst Lubitsch, David Loew, Albert Lewin, and Richard Rowland.

James Roosevelt has completed “Top of the Gold,” which is expected to be recently released. This picture will have an international premiere in Mexico City, early in April. Diplomats and newspapermen from Washington and around the country as well as Mexico will attend the ceremonies.

In regards to William Pressburger, the International Motion Picture Al.

(Continued on page 6)

‘Wings’ to Open on
Broadway Tonight

Industry executives, Army and Navy officials and New York society will gather tonight at the Astor Theatre on Broadway for the opening of "I Wanted Wings," Paramount picture.

Tomorrow it will begin an indefinite run on a two-a-day, reserved seat basis.

Last night a press preview was held at the theatre. Tonight’s guest list also will include Air Marshal William A. Bishop, chief of the Canadian Air Force, and former Postmaster General James A. Farley.
Coast Flashes

Hollywood, March 25—KENNETH MACGOWAN, 20th Century-Fox producer, today was given a farewell party by studio personnel headed by Darryl F. Zanuck on the occasion of his leaving late this week to become production head of the motion picture division of Nelson Rockefeller's office of commercial and cultural relations between the American republics. MacGowan, who has been given a year's leave of absence, will make his headquarters in New York.

Paramount today set Frances Farmer and Ricardo Cortez to costar with John Barrymore in "World Premiere.

Henry Fonda, Randolph Scott and Dana Andrews were cast today in the top spots of "Believe Star," 20th Century-Fox film. The title role is not yet filled.

Tracy Barham, Head Of Northio, Married

CINCINNATI, March 25—Tracy Barham, general manager of Paramount's Northio Theatres, was married at Martin's Ferry, O., today to Margaret Rohrkeper of Hamilton, O. The wedding took place at the home of Mr. and Mrs. Warren Copp, parents of Carolynn Lee, Paramount baby starlet who was "discovered" by Barham. The couple left for Hot Springs, Va., following the ceremony.

Personal Mention

GEORGE J. SCHAFFER, RKO president, is due here from the Coast tomorrow.

W. A. SCULLY, Universal general sales manager, will return to New York today from the South.

HERMAN WORBER, 20th Century-Fox general sales manager, arrived from the Coast by plane last night.

GABRIEL PASCAL will leave Miami today and will arrive on the Coast tomorrow.

TERRY TURNER, head of the RKO field staff, has returned from a trip to the Coast.

AL FELDMANN of Warner Theatres is the father of a daughter, born Monday on Island Road Hospital, Brooklyn.

MAXWELL WEINBERG, manager of the Little Theatre in Baltimore, has returned from a honeymoon trip with Mrs. Weinberg.

G. B. OBUMB of Paramount will leave for Florida today with Mrs. Obumb.

D. C. KENNEDY, manager of the Des Moines M-G-M exchange, is on a two week trip to California with Mrs. Kennedy.

William F. Rodger, M-G-M general sales manager, is expected to return tomorrow from a Florida vacation.

FRANK DONOVAN, vice-president of RKO Pathé News, is on the Coast. He will return in about three weeks.

MONROE GREENHALTH, Ben BERNIE, AL MARGOLIES and LOUIS WIEBEN at Lindy's (next to the Rivoli) yesterday for lunch.

ROBERT WEITMAN, GEORGE DEMOW, JOSEPH VOLGO, CHARLES REEVE, ALEC MOSS, ARMANDO, ALAN JONES and LAURENCE LUNCH YESTERDAY at Sardi's.

WILLIAM F. BURGESS, MAURICE BERGEMAN, WILLIAM BORHENCE, FLOYD WINTER, FRED SAYLE, MARVIN SCHNEIDER, WALTER FUTTER and HARRY THOMAS at the Tavern yesterday for lunch.

HARRY GOLD, JOSEPH SEIDEB, MAX COHEN, GEORGE SKORUS, GEORGE BENAS and RALPH AUSTRAL, at Nick's Hunting Room for lunch yesterday.

HARRY BRANDT, NORMAN ELSON, MARTIN MOSKOWITZ, GEORGE GIVOR and JOSEF WENTZEL, having lunch yesterday at Lindy's (51 St.)

HARRY BESSEY, Altec Service Corp. secretary-treasurer, has returned from Boston.

DANIEL CLANCY, assistant manager of the Riado, Butte, Mont., and ANNETTE PARBOJE, were married recently.

U. A. Will Have 4 on B'way at Same Time

United Artists will have four pictures playing Broadway simultaneously within the next few weeks.

That Hamilton Woman is scheduled to open at the Music Hall early in April. "Topper Returns" opens tomorrow at the Capitol. "Pot o' Gold" at the Roxie and "The Great Dictator" at Loew's State will also open early in April.

Universal's "Lady from Cheyenne," with Loretta Young, is slated to follow "Pot o' Gold" at the Roxie.

Shaftsbury Brint Dies

OTTAWA, March 25—Shaftsbury Brint, 48, sales manager for Empire Universal Film Co., died suddenly at the Chateau Laurier here, Brint, who had been connected with the company for the past 20 years, was in Ottawa on business.

William Gehring III

William C. Gehring, Central division manager for 20th Century-Fox, is at home with his stomach ailment, which is expected to keep him from the office for at least a month.

Alice Faye Selling East

Hollywood, March 25—Alice Faye will leave Thursday on the S.S. America for New York, where she is due to arrive April 8.

Newsreel Parade

THE gigantic Grand Coulee Dam, in operation, Jimmy Stewart inducted in the Army, various sports and defense subjects and a few comparatively unimportant general news features constitute the coverage matter in the new issues. The content:


Set Convention Meeting

PITTSBURGH, March 25—Members of all Variety Club convention committees will meet Sunday in Philadelphia to complete arrangements for the Atlantic City Convention next month. It will be the only general committee meeting prior to the convention, John H. Harris, national president, announced.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Orson Welles Returns to B'way with 'Native Son'

Orson Welles, who caused considerable public disturbance with a broadcast of H. G. Wells' "War of the Worlds," and created great consternation in the film industry with a stage production of "The Iliad," is now presenting, for the first time, after extensive rehearsals, at the St. James Theatre on Monday night. "The play has the same surname," John Anderson, of the Journal-American (Hearts) writes that it is an "uneven play, in 10 scenes with no continuity, and the result seems more like a film by John D. Big S."

"The fact that he is an admitted criminal and as such is treated the same way the law treats members of the red, yellow, and even the white race, is glossed over blithely for the purpose of raising a racial issue and providing material that seems more like a Negro show than a Negro play.

"Burns Mantle, in the Daily News, says, "It is a poor play, not pulsating material of a Negro's boy's rebellion against a white man's world was vividly subjective in expression. It lacks the stirring enlightenment of the last third of Mr. Wright's novel."

Richard Watts, Jr., in the Herald Tribune, says, "If you do not read the book, you think you will find 'Native Son' is not completely comparable to the theatre. It all goes to indicate that when a story was intended for one medium of expression and was entirely successful in employing that medium, it is dangerous to use some other narrative form for which it was not essentially planned."

Says Play Missed Point

Richard Lockridge, in the Sun, writes: "All not of the qualities which made Richard Wright's "Native Son" so grimly impressive a novel have been retained in the stage version, which makes it appear as though the assistance of Paul Green and Orson Welles presents at the St. James with effective theatricalism. Now and then last evening it seemed indeed, as if the collaborators had missed their own point and lost their way by emphasizing their play."

"In spite of several direct explanations which the authors have interlarded, the play comes close to degenerating into episodes of merely physical violence."

Sydney B. Whipple, in the World-Telegram, writes: "'Native Son' is decidedly not a pleasant play nor is it escapist. It is stark melodrama, touched by the hand of genius... It is a triumph for Mr. Welles."

John Mason Brown, in the Post, says: "No matter how conscientiously Paul Green and Mr. Wright have faced the problem of dramatizing Mr. Wright's novel, or how much you may admire aspects of their adaptation work, the result is a melodramatization which has been given at the St. James, it is impossible to not to realize that you are not at its best, that it is as nothing compared to 'Native Son' at its crudest in book form."

Like Daily Worker

Robert Coleman, in the Daily Mirror (Hearts), writes: "Native Son," the big propaganda play by Professor Paul Green and left-winger Richard Wright... Those who like the book are likely not to like the play... It has three or four melodramatically effective episodes. The others are pedestrian, middling in logic, often tiresome."

The dominating chief character of the play, Coleman continues: "Bigger's defense, conducted by a Communist mouthpiece, sounds remarkably like a Daily Worker or New Masses,"

Louis Kronenberger, in P.M. writes: "It is a bitter play... "Native Son" is a thoroughly effective piece of theatre. All the same the play lacks the richness and subterranean power of the book as well as the essential meaning."

S.S.

U. S. Bases Seen
British W. I. Boon

Establishment of American defense bases in the British West Indies which, it is estimated, will result in 20,000 to 30,000 British soldiers being billeted here permanently, is expected to prove a boon to theatre and film business there, Major Charles H. Tebay, United Artists manager for Trinidad, said yes terday.

For Tebay is making his first visit to the British colonies since assuming his post at Trinidad three and one-half years ago. He will be in New York about a month.

Business in the territory, which includes all of the British West Indies and British and Dutch Guiana, has continued at the same high level since the outbreak of the war, he reported.

No military regulations which affect theatre operations adversely have been invoked, although fines now are subject to censorship and remittances of Trinidad dollars to New York are limited to 60% of the amount of the revenue in the territory.

American pictures command the major share of playing time in the approximate 25 theatres in the territory and musicals and action pictures are preferred, Major Tebay related. Admissions average 15 cents in the small towns to a top of $1 in the cities.

W.B. Albany Meeting
On Bernhard Drive

ALBANY, March 25—M. A. Silver, Warner theatres New York manager, today addressed a meeting of 35 theatre managers and zone departmental heads here today. Joseph Bernhard, manager of the Metropolitan circuit, and Harry Goldberg, director of advertising and publicity, attended from the home office.

Plans were made for the three months "Bernhard 10th Anniversary Drive" which will start Easter Saturday.

Among those attending were C. A. Smakwitz and Ralph Crabill, district managers; Max Friedman, zone booker; James Faughn and Joseph Weinsten of the Albany office.

Paramount Is Host
At an Oyster Party

Paramount played host yesterday at the home office projection room when, in conjunction with a screening of the short subject, "Pop and Mom in Wild Oysters," Paramount executives and trade paper representatives had a meal of oysters washed down with wine.

Among those present were: Oscar Morgan, Robie Miller, D. Hertz, J. G. B. Frawley, Paul Radin, Rudolph Montgelas, David Hopkins, Richard Murray, Alec Moss, Ed Siddons, Tommy Whipple, Sam Shain and Gertrude Merriam.

Funeral for De Vry
Will Be Held Today

CHICAGO, March 25—Funeral services for Herman A. De Vry, president of De Vry Corp., manufacturer of film sound equipment, who died Sunday of a heart attack, will be held tomorrow at the Lain Chapel. Burial will be at the Rose Hill Cemetery.

Dinah Shore-Cantor Dispute Arbitrated

A breach of contract complaint by Eddie Cantor against Dinah Shore was heard in arbitration proceedings yesterday at American Arbitration Association.

Miss Shore, who was under contract to Cantor for his radio program, contended at the hearing that the consortium had had an option to continue her services, there by terminating the contract and leaving him free to hire another. At present, it was developed, she is negotiating with Chase & Sanborn.

Cantor contended that the option had expired and that the contract is still in force.

A. Edward Moskowitz, attorney; John Moses, artist's agent, and Henry Monroe Campbell, a member of the A.A.A. panel, were the arbitrators. Decision was reserved.

Boren Asks Support For Industry Probe

WASHINGTON, March 25.—Denouncing trade practices of the film industry, Representative Lyle Boren of Oklahoma today asked the House Rules Committee to approve his resolution for a Congressional investigation.

Congressman Boren told the committee that it was time before the investigation, which he said are such that an investigation is justified and would develop the need for the law the Repertory Theatres. At present, it was developed, she is negotiating with Chase & Sanborn.

Cantor contended that the option had expired and that the contract is still in force.

A. Edward Moskowitz, attorney; John Moses, artist's agent, and Henry Monroe Campbell, a member of the A.A.A. panel, were the arbitrators. Decision was reserved.

UA Post for Levey
Is Not Considered

United Artists officials stated yesterday that any conversations held with Jules Levey, son of producer Harry L. Levey, regarding a possible UA contract, were held some weeks ago, and that the conversations were in regard to a division contract which Levey said the talks never materialized into any formal offer or design.

The matter of Levey's possible association with United Artists, therefore, is not now under consideration.

Technicians Favor
English Commission

LONDON, March 25.—The Association of Cine Technicians at its annual meeting on April 6 will approve an amendment to its constitution calling for a Films Commission and a Film Credit Bank, contingent upon certain safety regulations.

The labor organization is expected to seek representation of trades unions and technical management on the commission, and may negotiate with employers and employees, constant contact between the commission and the Films Advisory Council and regular reports on the activity of the commission.

It also will ask that the basic capital of the bank be increased beyond the originally indicated figure, that advances be made only to English producers, and that the technical work on all subsidized productions be checked.

Meanwhile, the Cinematograph Exhibitors Association and the Kinetograph Renter's Society will meet in joint session tomorrow to study the possibility of an agreement on trade policy aimed at an available screen time for British product. It is understood the primary purpose of the Board of Trade Plan is to increase the number of films produced in the UK, to increase the exhibition chances of quota footage.

It is believed distributors and one major circuit favor the plan. The difficulty pointed out is that the CEA has no authority to dictate the trading policy of its members. It can only pass a resolution in support or advise members, without any assurance of general acceptance.

W.B. Reported Buying
Edna Ferber Novel

Walter Bros. have bought "Saratoga Trunk" from author Edna Ferber, for $175,000, according to reports yesterday. This was said to be a record price for a novel, the previous high being for Ernest Hemingway's "For Whom the Bell Tolls." Paramount last October paid $110,000 for "Cranford," and the percentage arrangement based on sales of the book which brought the total payment to about $150,000, it is said.

Ferber provides for a cash payment in full with a stipulation that the rights will revert to the author after five or six years. Warners are said to be interested in adapting the story as a musical for Broadway production as well.
SPECTACULAR OPENINGS AND ENGAGEMENTS FROM CALIFORNIA TO VIRGINIA! . . . Twin premiere at SAN DIEGO breaks all records in the history of the city! . . . Same story for the dual opening at PORTSMOUTH and NORFOLK, VA. . . . This on top of the sensational hold-over at SAN FRANCISCO, the amazing performances at PORTSMOUTH, N. H. and NEW LONDON, CONN., and the glowing reports from BUFFALO, SEATTLE, DULUTH, PHOENIX, LITTLE ROCK and a dozen other cities—all telling you that the big two-ocean laugh show is in action for the money—NOW!
HAROLD LLOYD'S
ROUGH ROWDY and ROMANTIC
A GIRL A GUY and A GOB
WITH
GEORGE MURPHY • BALL • O’BRIEN
HENRY TRAVERS • FRANKLIN PANGBORN
Produced by HAROLD LLOYD
Directed by RICHARD WALLACE
Screen play by FRANK RYAN • BERT GRANET
Feature Reviews

“Chinese Den” (Film Alliance of the U. S.)

A DAPTED from a stage play, this film, produced in England by British Lion, offers sheer melodramatics in a plot structured of emotional potentialities which until untenable are not realized.

Paul Lukas, in a not wholly convincing attempt to portray a wealthy Chinese of culture and breeding in the rubber-producing country about Singapore, does his best with a role which has little to offer his talents. The others of the cast are unknown in this country, and not more than adequate.

The story concerns the marriage of a dance hall singer to the wealthy Chinese, her inability to find happiness in his sumptuous jungle retreat and the affair of his neighboring English planter. Her sister comes for a visit, and complications are resolved with the rescue of the two girls by the brother of the planter, a naval officer.

George King, in direction, attempted to instill as much as possible of the weird into his production. Harold Richman acted as production supervisor. In support of Lukas are Jane Baxter, Kay Walsh, Robert Douglas and Wallace Douglas.

Running time, 73 minutes. “G.”

Charles S. Aaronson

“Outlaws of the Panhandle” (Columbia)

TYPICAL in story, cast and production, this yields entertainment exclusively for those who delight when the screen depicts rugged Western heroes, staged without too much regard for plausibility, especially when fights and chases are on view. It has all the action which could be inserted, and then some.

Charles Starrett is the hero, who is intent upon constructing a tunnel for the shipment of cattle. The opposition leader, who smirks continuously, is Norman Willis. Frances Robinson has the female lead.

“The Sons of the Pioneers,” a singing group, render a few prairie melodies with some effect.

Running time, 59 minutes. “G.”

*G* denotes general classification.

20th-Fox Quarter Profit, Year Loss

(Continued from page 1)

year 1940 were particularly burdened by the disturbing effects of the war, Sidney R. Kent, president, declared, “the corporation has, nevertheless, maintained a strong financial position.”

The fourth quarter profit compares with a loss of $1,912,824 during the third quarter when $1,400,000 was set aside as reserve. Consolidated net profit for 1939 was $4,146,000 with a profit of $994,218 during the fourth quarter of that year. The profit figures included all wholly owned subsidiaries except Roxy Theatre, Inc.

The report stated that the purpose of the additions to the reserve for foreign assets was to exclude from net income that portion earned during the year in foreign currencies, currently realizable in U. S. dollars because of restrictions imposed by foreign governments. This unrealized income is represented for profit and loss as current assets, principally cash, and it will be included in the income account at some future time when it may be translated into U. S. dollars or some equivalent, the report stated.

Gross income from sales and rentals of films and acrations by was $17,734,943; dividends amounted to $715,515; proportion of profit of controlled companies was $767,474; and miscellaneous income $942,306, for a total gross income of $47,319,512. Current assets totaled $53,913,451 on Dec. 28. Production inventories included those released at cost, less amortization, $6,906,825; unreleased, at cost, $4,754,800; and in process, at cost, $2,218,036. Cash on hand amounted to $7,498,004.

During 1940 net assets in foreign countries increased from $7,988,197 to $10,358,707 because of restrictions. On the $3,290,510 increase, approximately $450,000 comprised assets which were in the process of conversion to U. S. currency and the balance of $2,850,000 was therefore added to the reserve. With $450,000 previously in the reserve, the company at the end of 1940 had $3,250,000 as a general reserve against net foreign assets of $10,358,707.

Dividends from National Theatres Corp. were $693,000 compared with $756,000 for 1939. National Theatres and subsidiaries had a consolidated net income of $2,037,177 as compared with $2,311,108 for 1939. Twentieth Century-Fox’s 42 per cent interest in National Theatres indicates an interest in 1940 earning of $855,614, the report pointed out.

During 1940 the company paid $1,381,155 in dividends on the basis of $1.50 per share on preferred. No dividend was paid on the common outstanding capital on Dec. 28 comprised 917,420 shares of preferred and 1,741,741 of common.

For the year ended Aug. 29, the Roxy Theatre grossed $1,780,280 from admissions and showed a net profit of $200,579 before interest and depreciation. The latter items totaled $276,335 to make a net operating loss of $57,756 but the discount between the $47,556 of the sinking fund brought the net loss for the year down to $42,559.

Speed Urged As Essential in Arbitration

(Continued from page 1)

tors. In the matter of costs, it directs them to “incur no new, unusual expense, other than expenses reasonable to the parties, by having the fewest, least necessary hearings and refusing frequent settlements.”

Maintenance of the strictest impartiality is urged upon the arbitrators, the manual going so far as to caution them, to avoid contact with members of the industry and to refuse to accept theatre passes from exhibitors or distributors. Infringement of these regulations, no matter how slight, will result in removal from the panel, the manual warns.

Advised to Refuse Offers

In the same connection, arbitrators are advised that “a scrupulous arbitrator will refuse to benefit from offers made by the successful party to improve his social position or to purchase personal belongings,” and that these are acceptance of these even subsequently to making the award may be construed as a reward for a favorable decision. Members of the tribunals must observe these standards not only while they are serving on cases but at all times, lest it be inferred that they are being influenced in advance of their service.”

Arbitrators are instructed to observe a strict impartiality in all official contacts with parties to hearings, to maintain an atmosphere of informality and friendliness at hearings and not to lose their temper, even to lawyers.

Cautioned on Cautioned

Members of the tribunals are cautioned not to initiate conciliation, but are authorized to give what aid they can if parties to a complaint voluntarily submit their differences to the tribunal to reach a settlement.

The manual also counsels the arbitrators against the temptation of making their awards explicit, so as to avoid future hearings, and not to divulge their decisions before a hearing has been held.

The A.A.A. will mail copies of the manual to any member of the industry requesting them.

Arbitrator Hears Washington Case

WASHINGTON, March 25.—The first day of the first arbitration hearing in this area ended late today with a maze of clearance decisions at the behest of Arbitrator E. Barrett Prettyman. The hearing will be resumed tomorrow.

For more than 24 hours, representative and distributor representatives attended today’s session, which involved the complaints of A. W. Lincroft Amusement Co., Baltimore, against Twentieth-Fox and Vitagraph. The principal witnesses today were Thomas D. Goldberg and R. L. Morgan, and Rudolph Berger, M-G-M manager here.

Goldberg emphasized that his talks were conducted in complete confidence, that he was answerable only to himself, that his decisions were within the law, and that he was bound to the integrity of the law.

The A.A.A. is expected to have his report ready in an effort to ease lagging conditions in the industry.

U.A. to Have 11 Producers Next Season

(Continued from page 1)

many reveals that he was director of Cie Internationale de Productions Artistiques, France; managing director, British Cine-Alliance, Ltd., England; founder of Asaas Films A.G. and Sascha Studios, Vienna; was associated with Cine-Alliance Film Co., Berlin; produced the first large scale British sound film, “City of Song,” starring Jan Kiepura, in 1930, and later for Gaumont British produced English versions of "Tell Me Tonight," "Unfinished Symphony," and "My Heart Is Calling"; founder of British Cine-Alliance in 1934; founded C.I.P.R.A., Paris, 1937, and produced there "Prison sans Barreaux," titled "Prison Without Bars," also starring Corinne Luchaire, which was released by United Artists here.

James Roosevelt to Mexico City April 8

HOLLYWOOD, March 25.—James Roosevelt, producer of “Pot o’ Gold,” for United Artists release, has advised Mexican officials that he will arrive in Mexico City, April 8. The opening of his film will be held there April 12, in connection with the planned Motion Picture Festival. Also expected to attend are James Stewart and Pauline Goddard, co-stars of the film, and other Hollywood personalities.

Thru Mainliner Sleepers No Change of Planes

The Continental, L. 8:10 pm with morning arrival in Los Angeles.

The Overland Flyer, L. 11:10 pm with daylight for the scenic western portion of the trip.

Reservations: travel agents, hotels or

UNITED Air Lines

Airline Terminal: 80 E. 42nd St. 67 Wall St. 649 Fifth Avenue

Pennsylvania Hotel

Ph NU-2-7300
Early Report Due on Studio Labor

(Coasted from page 1) approval. Oral briefs supporting testimony will be permitted, he said.

About 30 union representatives, studies and rehearsals, who were attending today's session. Testimony tended to show that set designers did routine work and were not creative artists as was thought. The motion is to be heard by Ed. M. Gilbert, president of the Designers Guild. Fred Pelton, producers' labor representative, put on the stand David O. Selznick, Universal operations manager, who contended that these workers should go into the profession.

Differ on Classification J. P. McGowan, executive secretary of the Screen Directors Guild, sought the classification of second assistant directors as non-professionals. Fred Meyer of 20th Century-Fox said that they, as well as script clerks, were administrative aides and therefore exempt from the wage-hour provisions.

An ex-production manager, asked for exemption from the law of assistant animators, stating they are creative artists. This was supported by Littlejohn of the Screen Cartoonists' union.

Correa Gave Data on Schenck Report

All computations and tables of figures compiled by Lawrence W. Gibney, U. S. Treasury agent, were from figures supplied to the S. At-Risk production manager, as Gibney admitted yesterday under cross-examination in the trial of Joseph M. Schenck. Gibney, last of the Government witnesses, stated that he had not independently computed the report which he previously read to the jury in which the Government's claims proof of the evasion of tax laws.

Schenck contributed $30,500 to organized charities during 1937, according to Gibney. On several items in his report the defendant had over-paid, the witness conceded. Gibney also said that Schenck had kept books on all expenditures and receipts, and that these books were turned over to the Government on its request for scrutiny.

Urge New Jersey Games Regulation

HACKENSACK, N. J., March 25—A Grand Jury here yesterday in dismissing lottery charges against the Ridgewood Lodge of Elks, which operated chance games, recommended that the state legislature investigate and prohibit rules regulating games in all counties in the state. Recently the game was barred in some counties.

Wis. Senate Kills Daylight Time Bill

MADISON, Wis., March 25—The Murray bill to provide Daylight Saving Time in Wisconsin, was killed by the state Senate today by a vote of 18 to 13, marking the fourth time this proposal has been defeated in the legislature. Exhibitors again had opposed the bill.

Critics' Quotes...

"NICE GIRL!" (Universal)

The plot is slight and feathery, and it is altogether devoid of originality; but it has been attractively staged, and when it threatens to bog down, as it does about every quarter hour, there is enough of a song and everything is all right.—Gilbert Kanour, Baltimore Evening Sun.

Miss Dorbin has added another box-office success to her long and unbroken list, for she is a much better actress than her predecessors, and there is enough of a song and everything is all right.—Norman Clark, Baltimore News Post.

Summed up, the plot is nothing to get excited about, but since it is well cast and directed it is sure to please.—Davenport News.

"MEET JOHN DOE" (Capra-Warners)

More is just a box-office hit, of course. It represents some of Hollywood's most showmanship movie-making.—James FrancisCraig, Hollywood Citizen News.

Capra has made a sentimental film, if you will, but also a wonderfully inspiring one. Many a human touch sharpens a scene or a characterization.—Harrison Carroll, Los Angeles Herald Express.

It is entertaining, and its clinical aspects become purely secondary to the inextricable dramatic situation that requires the last-minute rescue of an innocent man from the gallows.—Norman B. Bell, Washington Post.

It lacks the subtlety and the needed sustained quality of "Night Must Fall."—Don Craig, Washington News.

"FLIGHT FROM DESTINY" (Warners)

A cozy, touching drama... It will probably have more appeal for the older fry but The most pleasant entertainment at any age.—Louise Pearson, Washington Times-Herald.

Not too grim or tragic, but it does deal with family problems that are a bit more serious in their implications and tense in the manner of their solution.—Norman B. Bell, Washington Post.

A successful and frequently touching study of family life.—Virginia Wright, Los Angeles News.

'Tobacco' in Chicago Gets Big $42,000

CHICAGO, March 25—"Tobacco Road," now banned in Chicago as a stage play, plus Lawork Welk and Orchestra on the stage grossed $42,000. George Jessel headed the stage show at the State-Lake and "Dr. Kildare's Crisis" on the screen brought in $19,000.

Estimated receipts for the week ending March 21:

1. "Fantasia." (Disne) A.P.U.S. 34,405. $15,602.15,715. 7 days.
2. Tobacco Road." (20th-Fox) Chicago 4,640. 16,955. 7 days.

United Amusement's 1940 Profit $98,788

MONTEREY, March 25—United Amusement Corp. Ltd., reports 1940 net profit, after all charges and taxes, of $98,788, equivalent to $1.16 per share on 80,829 outstanding no-par-value shares.

This is a decrease of only $82 as compared with the net profit for 1939, which amounted to $99,640 or $1.17 per share. But it also shows that other income showed an increase in 1940, amounting to $673,093 against $167,719 in 1939.

Court Authorizes Study of O' Data

(Continued from page 1) it allegedly refused to negotiate, including locations and film rentals, and other income involved. Also sought are all inter-office memoranda, correspondence and other communications between Universal and other distributors, and with the Schine companies. Documents pertaining to the granting of clearance in the Schine files also is involved.

Delivered of the records, according to the court order, is to be agreed upon between Universal and the Government.

Ascot Opens Tomorrow

The Ascot Theatre, at Grand Concourse and 138th St., Bronx, will re-open tomorrow afternoon, Leonard F. Sampson, formerly of the Fifth Avenue Playhouse, will manage the house. "Hotel Du Nord" will be the opening attraction.
Motion Picture Daily

Wednesday, March 26, 1941

F.C.C. Renews Most Domestic Air Licenses

Washington, March 25—The F.C.C. today renewed the great majority of domestic broadcasting licenses, which are due to expire March 20. It granted only temporary authority to some 50 stations which failed to submit required performance data.

The Commission also announced a set up under which the licenses of stations will be staggered, so that expirations and renewals will be uniform for all stations on a given frequency. The various frequencies were grouped and each group will have a different expiration date, ranging from March 1 to March 1, 1942.

The purpose of the grouping and staggered license expiration dates is to reset the system which was in effect before the Havana Treaty complicated matters by requiring simultaneous changes of frequency at 3 A.M. each March 21.

In order to maintain complete control and to compel uniform observance of the moving date, the F.C.C. when it renewed licenses stipulated that they should expire on March 29.

Off the Antenna

“A MOS ‘N’ ANDY,” who completed their 13th year of broadcasting last Wednesday got another year’s renewal yesterday from their current licensees, Campbell Soup Company, for their CBS series. At the same time, Campbell renewed three other Monday through Friday shows over CBS. They are Lanny Ross, 7:15-7:30 P.M. over 58 stations; Martha Webster, 12:15-11:30 A.M. over 8 stations; and Fletcher Wiley, 2:30-2:45 P.M. over 36 stations.

Purely Personal:

Bert Slen, manager of KZRH and KZRC, Manila, P. I., has been named Philippine correspondent for NBC. Francisia White, soprano on the “Telephone Hour” has had her contract renewed for a second year. Walter Hampton, conductor of “Double or Nothing” is the father of a son, John William. Waite Hoyt, former big league pitcher, will return to WOR this season. Hoyt speaks from the time the Brooklyn Dodgers play-play-broadcast ends until the beginning of the next quarter hour. The time therefore varies from two minutes one day to 14 the next on occasion.

Program News: Seeman Bros. has signed for five weeks of temperature reports, 21 times weekly, over WORX. Johannes Steel, commentator, will get a third spot on WOR beginning April 12 when Blackstone Products will sponsor him in a Saturday program from 10:15 P.M.

Filmm Players on the Air: Wallace Beery, Mickey Rooney, Noah Beery and Fay Wray will be heard on “Lux Radio Theatre” over CBS Monday. Joe E. Brown will be guest of Rudy Vallee and John Barrymore on NBC-Red Thursday. April 3. Orson Welles will be heard on “Silent Theatre” over CBS Sunday. The “Screen Guild Theatre” over CBS Sunday will feature Rosalind Russell and Cary Grant in “His Girl Friday.”

Composer May Sell Copyright Renewal

A composer may sell the copyright renewal rights to his musical compositions for a sum of $75 per year. In the recently signed 27-year period, Federal Judge Edward A. Conger ruled yesterday in issuing a temporary injunction against Fred Fisher Music Co. and George Graff, restraining them from selling copies of “When Irish Eyes Are Smiling” or other songs.

The suit was brought by M. W. Markson & Sons, on the ground that Graff had assigned the renewal rights to the firm, thereunder, and that their company already had received an assignment from the widow of Chauncey Olcott, composer of the lyrics.

Fisher Music Co. had received its rights from Graff in 1939 and contended that the Federal copyright laws prohibited Graff from making a valid assignment until the 28th year after the first issuance of a copyright.

The court, in pointing out that the question had never been squarely decided previously, stated that Graff’s assignment would not have been valid if he had died before expiration of the original copyright. In that event, the judge said, the rights to a new would have vested in Graff’s widow or children.

Child Player Bill in New York Amended

Albany, March 25.—Assemblyman Harold Ehrlich will amend his child performance bill to take out the one requirement that amateur programs radio exhibition now granted. The change will put radio on the same terms as theatres in the measure, giving educators the right to grant permission for radio appearances.

Senator Perry’s radio recording bill to curb unauthorized use of broad-cast permission of artist’s will be recommitted by the sponsor with the enacting clause taken out. How- ever, the recording bill is due this week. The Burrows anti-discrimination bill has been delayed again for one day. It is expected to be voted on tomorrow.

Fight Reports Office As Censor Source

Washington, March 25.—Republicans of the House today opposed the proposed $1,500,000 appropriation for support of the Office of Government Reports, charging it was a pet project for propaganda and censorship. The office issues many reports, including those on the film business.

They charged that the office can be used to ordain what may be published regarding Government affairs, and, in the international situation, and contended that it supplies valuable information. The Government Reports Office with material for various campaigns designed to mold public opinion.

Canadian Circuit Net Off

Toronto, March 25.—Hamilton United Theatres, Ltd., has reported 1940 operating profit of $76,435, compared with $71,921 in 1939, but net profit declined to $35,637 from $48,196.

Theatre Changes

Baltimore Staff Changes

Baltimore, March 25.—Baltimore theatre staff changes include the following: Walter Cohen, former manager of the Rialto, transferred to the Rialto; Thomas Luby, former assistant at the Broadway, now manager of the Leader; Irving Martin, former publicist at the Stanley, named assistant manager, replacing Norris Telson, resigned; Wilbert Brzindela, former Rialto manager, now manager of the Linden.

Manages Canadian House

Toronto, March 25.—Fuguese LeBlanc has been named manager of the Carier Theatre, Timmins, Ont., which has been acquired by Hanson Theatres Corp., Toronto, from Ross- ton-Trudeau Cinemas, Ltd. The carier is under the supervision of Frank Colombo, who will run the operation at Edmonton, five of them by Famous Players Canadian Corp.

Open Pittsburgh Theatre

Pittsburgh, March 25.—Operated by Warner in partnership with independent exhibitors Morris Finkel and Alex Moore as the Hilltop Amuse- ment, the Pittsburgh Theatre has opened, with Jack Blatnick as manager.

To Take Drive-In Theatre

Columbus, Ohio, March 25.—Articles of incorporation have been filed for the Riverside Auto Drive-In Theatre, Columbus, which will take over operation of the drive-in theatre at suburban Dublin, opened early last year. Incorporators are Tavaresoff, H. W. Beck, James F. Hardgrove and Joseph L. Eisenberg.

Goldberg Plans New House

Omaha, March 25.—Ralph D. Goldberg plans a new theatre here. It will seat 950 and will be the central unit for an amusement center, he said. Work will start early next fall.

Takes Missouri House

Kansas City, Mo., March 25.—A Simmons Theatre will take over the Plaza at Lamar, Mo., from George Hart- man, effective next month.

Opens New Iowa House

Newton, Ia., March 25.—Robert M. Johnson, operator of the Iowa Theatre, has opened a new 300-seat house here, named the State.

Williams Rites Today

Funeral services will be held today at the Cooke Funeral Home, the Bronx, for John D. Williams, former stage director and producer, who died of a heart attack Saturday night at the home of his sister, Miss Hattie Williams. An only brother also sur- vives, Williams was associated with Charles Frohman and A. L. Erlanger in stage production.
Electricity Shortage
Is Faced in Mexico
March 26—The shortage of electric current here which has prompted the Government to take drastic measures for power conservation, has at last affected the theatres. The new Cine Estrella cannot be opened as the light and power company is unable to give it service.

Brilliant Audience
At ‘Wings’ Opening

"I Wanted Wings" is reviewed on Page 4.

With floodlightings up Times Square, an Army band playing at Father Duffy’s memorial and amid a military atmosphere, Para-mount’s "I Wanted Wings," was given its Broadway premiere last night at the Astor Theatre. It was one of the most brilliant audiences of the season comprising important U. S. Army and Navy officials, dignitaries from Washington, society and industry personalities. The picture star's roles are in regular two-a-day

First Arbitration
Hearings in N.Y.
Set for April 3, 8

The first hearings of New York arbitration complaints will be held at the American Arbitration Association headquarters here on April 3 and April 8.

The first local case will be that of the Esquire Theatre, Great Neck, L. I., involving a clearance complaint against all five consenting companies. On April 8 a hearing will be held on the clearance complaint of the Hilary Theatre Corp., Brooklyn, against all five consenting companies.

The sixth arbitration demand in the New York area was filed with the local board here yesterday by Joseph Sacred, operator of the Liberty, Plainfield, N. J., against Warners. 20th Century-Fox, RKO and Paramount on clearance. The complaint names Walter Reade’s Paramount, Strand and Oxford at Plainfield. and asks that their 30-day clearance over the Liberty be reduced to seven days

(Continued on page 5)

Secretary Perkins
At Coast Hearing

Los Angeles, March 26—Secretary of Labor Frances Perkins today visited the hearing on motion picture classifications under the Wage-Hour Act and congratulated both union and producer representatives on the progress made.

In California on an inspection of other industries, Secretary Perkins was introduced by Examiner Merle Vincent. The entire hearing today was devoted to IA'TSE protests on

(Continued on page 5)

Hersholt Attacks Parsons
Show as Relief Fund Blow

Hollywood, March 26—The Motion Picture Relief Fund today unleashed an attack on Louella O. Parsons, the columnist, for her radio program on behalf of Lifebuoy Soap which starts Friday on CBS. Jean Hersholt, Fund president, declared that the Fund is in danger of losing the $10,000 weekly income which it derives from the "Screen Guild Theatre" program over the same network on behalf of Gulf Oil. Miss Parsons’ show will contain a dramatization of a film about to be released, with the picture’s stars playing their roles in the air, and the talent offering its services free or at the minimum rates of the American Federation of Radio Artists.

In a letter to Edward Arnold, president of Screen Actors Guild, a copy of which was sent to Y. Frank Freeman, president of the Association of Motion Picture Producers, Hersholt declared that "we believe that every actor who consents to appear on any free talent show, that every producer who consents to having contract actors appear on such shows is crippling the M.P.R.F. Does SAG intend to enforce its rule against free talent shows?"

Hersholt continued: "A show of the

(Continued on page 5)

Para. to Offer
38 to 40 Films
Next Season

Also 85 One-Reel Films
In Shorts Lineup

By SHERWIN A. KANE
Paramount will produce 38 to 40 features next season, and possibly the same number scheduled for production this season. Y. Frank Freeman, vice-president and studio head, stated yesterday.

Neil Agnew, vice-president and general manager of sales, disclosed yesterday that Paramount has scheduled a new season short subjects lineup of 85 single reel films, a two-reel color cartoon and 104

issues of the newsreel.

Six Harry Sherman productions will supplement the feature schedule again next year. Freeman said the studio would endeavor to complete 15 new season productions between now and Sept. 15. If the first block of five features to be ready by July 15 and the second and third blocks on Aug. 15 and Sept. 15, respectively. Three productions for the first block of five are nearing completion now, he said.

This production pace would be slowed down somewhat after Sept. 15, with subsequent blocks being offered six weeks instead of one month apart.

Freeman said that the studio organizes

(Continued on page 4)

Suit Developments

Developments in the
Government’s anti-trust suits against the Schine Circuit and the Little Three at Buffalo and against Crescent Amusement Co. and the Little Three at Nashville, on page 5.
Coast Flashes

Hollywood, March 26

J. ROBERT RUBIN, vice-president and general counsel of Loew's, Inc., today started a week of conferences with Louis B. Mayer, production chief, and E. J. Mannix on the Spring production program.

Sam Wood has formed his own production company and today signed a deal with George J. Schaefer, president of RKO, to release through that company one or more films a year for the next three years. This will not, however, prevent Wood from working for other studios.

Orson Welles arrived today from New York. He is expected to confer with George J. Schaefer, RKO head, on the fate of "Citizen Kane" as well as that of a Mexican picture planned by Welles.

Clark Gable and Lana Turner were set to play the leads in "Honky Tonk," story of the Yukon, which Pandro S. Berman will produce and Jack Conway direct.

T. Keith Glennan, Paramount studio manager for the last two years, rejoined today. He was with the studio six years.

Mr. and Mrs. Darryl F. Zanuck left tonight to spend a week at Sun Valley.

George Batcheller and Sig Neufeld, Producers Releasing Corp. executives, return tomorrow from the company's Chicago sales convention.

Beattie Is Honored
At Scranton Dinner

Scranton, Pa., March 26.—More than 200 exhibitors, salesmen and exchange officials honored George Beattie, new Paramount Philadelphia sales manager, at a dinner at the Hotel Jermyn here last night. Beattie was presented a desk set in honor of his promotion. The affair was sponsored by the Motion Picture Associates of Philadelphia.

John Nolan, Comerford film buyer, was chairman of the affair and J. J. O'Leary, Comerford general manager, honorary chairman. Toastmaster was Jay Emanuel of Philadelphia. Michael Eagen, district attorney of Lackawanna County, was principal speaker. Other speakers included Mayor Fred J. Huester of Scranton; Con McCole, Wilkes-Barre, Pa., humorist; William Karrer, president of the M.P.A. of Philadelphia and Bobonon, Boston branch manager. Universal Eagen speech was broadcast on Station WGBI.

Marshall Joins RCAF

OTTAWA, March 26.—Robert Marshall, film producer, has arrived here to enlist in the Royal Canadian Air Force. He is 29 years old.

EXECUTIVE SECRETARY

Ten years with famous producer, capable relieving busy executive of details.

Box 290, Motion Picture Daily

Personal Mention

D. R. A. H. GIANNINI left the Coast last night for New York and is due here Saturday.

T. J. Connors, Eastern, Southern and Canadian sales manager for M-G-M, has returned from a business trip to Florida.

HARLEY HULL, Universal branch manager in Indianapolis, is back from Florida.

STANLEY HAND, Altec staff representative, has returned from a trip.

JAMES GAVIN of the Comerford Theatres home office in Scranton has been drafted.

FLORENCE WIGTON, operator of the Wigton, Lagrange, Ind., is recovering from an operation.

LOU LEVY left yesterday for Hollywood.

PAUL BENJAMIN, JAMES SMITH, DOUGLAS ROTHACKER, LOU POLLOCK, DWIGHT WOMAN, WILLIAM PETERSON and JACK MILLS having lunch at the Tavern yesterday.

Times Square Show
To Aid Greek Drive

Under the sponsorship of the American Institute of the Greek War Relief, Harry Brandt, ITOA president and co-chairman of the drive, will stage an open-air show in Times Square at 1 P. M. today, tomorrow and Saturday.

A stage will be erected at 46th Street, on which stage, screen and radio players will appear. Girls will solicit contributions. Susan Hayward has been added to the large group of stars who will take part. The Festival for Freedom to be held at the Radio City Music Hall tomorrow at midnight.

Blumberg, Seidelman
Off to Panama Today

Nate J. Blumberg, Universal president, and J. H. Seidelman, vice-president and foreign manager, will sail for Panama on the Cristobal today to attend the meeting there of the company's Latin American sales representatives. The ship leaves April 6.

C. C. Margon, Latin American supervisor for Universal, and Fortunato Banonat, foreign publicity manager, will leave for Panama by plane later to attend the meeting.

Exclude 16 mm. Film
In Conn. Measure

HARTFORD, Conn., March 26.—The Judiciary Committee of the Connecticut House has favorably reported an amendment to the General Statutes regarding operation of projection machines, which would exclude from certain restrictions machines using only cellulose acetate film not more than 16mm. wide, except when used in places of entertainment where an admission is charged regularly.

EDWARD M. SANDERS, M-G-M Western division manager, is confined to his home by illness.

W. F. RODERS, M-G-M general sales manager, returned to New York yesterday from a Southern vacation. Eddie Aaron, assistant to Rodgers, left yesterday for a vacation.

MAX A. COHEN, WALTER GOLDB and AL MARGOLIES at Linda's (next to the Rivoli) yesterday for lunch.

SAM RIEZLER, HARRY GOLD, ARTHUR HOPKINS, WILLIAM COLLIER, JR., TOM CONNORS and OWEN DAVIS lunching at Nick's Hunting Room in the Astor yesterday.

PICTOR A. MAGUZZO, operator of a circuit in eastern Pennsylvania, and LAURA MAE SHULTZ were married recently in Miami.

BERNARD BRANDT, HAL HORN, PORTLAND HOFFA, MARTIN MOSKOVITZ and KENNY BAKER having lunch yesterday at Linda's (51st St.).

LOUIS CIMINO of the Rialto, Scranton, Pa., is the father of a son.

If "Kipps" Is Called
Brilliant Picture

London, Eng., March 26.—"Kipps," 20th Century-Fox film produced here, previewed today, has been an eminently successful, brilliantly directed period piece which should enjoy box-office success in both sides of the Atlantic.

A notable characterization by Michael Redgrave and the work of Vivien Leigh, cast highlight the film, which is faithfully set in the atmosphere of Edwardian England. The absence of any discord and war material and the graphic British flair are notable.

Flanagan

Durdland PCA Aide
On Latin America

Addison Durdland, chief of the Spanish section of the NBC short wave division, has been named a member of the Latin American Code Administration staff in Hollywood as adviser on Latin-American affairs, it was announced yesterday. Durdland will return to London.

Will H. Hays, M.P.P.D.A. president, said the appointment is "another step in the motion picture industry's cooperation in the current efforts to promote hemispheric solidarity." Durdland, who is 38, has had experience in both movie-making and radio fields. He was formerly director of the New York office of the Cuban Tourist Commission, associate editor of the Latin American Wireless Service for the New York Herald Tribune and was editor of a literary magazine in Cuba before joining NBC in 1937.

GN 16mm. Shorts To Be Sold on May 5

Sale of all 16mm, and sub-standard, non-theatrical rights on all shorts in the possession of National Pictures, Inc., and Educational Films Corp. of America yesterday was ordered for May 5 by Referee Peter B. Olivia. The film is part of a proceeding to liquidate the companies' assets as ordered in bankruptcy proceedings in U. S. District Court.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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OR

EASTER

The Great
BETTE DAVIS
in
"The Great LIE"

and

GEO. BRENT
MARY ASTOR
LUCILE WATSON • HATTIE McDaniel

Screen Play by Lenore Coffee • From a Novel by Polon Banks
Music by Max Steiner

EDMUND GOULDING is Director

WARNER
Para. to Offer 38 to 40 Films Next Season

(Continued from page 1)

zation is in shape now for its operations under the industry consent decree, and that no further changes of importance are in store. It is described the financial problem involved in the tie-up of large investments in production inventories of uncorrected pictures between November and September, as the most vital one remaining in the

Deuce Among Topics At Para. Meet in Va.

The consent decree and operations under it, the functioning of the industry arbitration system and problems concerning clearance in various territories are among the subjects to be discussed by Paramount home office and theatre executives from all parts of the country at their three-day meeting which opens today at Hot Springs, Va.

Current and new season's product and general operating plans and ideas also are scheduled for discussion.

change-over to decree operations, but gave no indication that Paramount is not prepared to end it.

The Paramount studio head will leave today for Hot Springs, Va., to attend the meeting there of the company's theatre associates. He will be accompanied by Barney Balaban, Paramount president, and Stanton Griffis, chairman of the executive committee, scheduled to go to New York on Monday and plans to leave for the Coast that night. Griffis may accompany him to the studio.

Three New Series

In Shorts Lineup

The short subjects lineup, which will be sold to district managers at a luncheon at the Waldorf-Astoria here today. The managers are: W. H. Erb, Boston; M. S. Kessel, New York; H. H.

Feature Review

“I Wanted Wings” (Paramount)

N “I Wanted Wings” Paramount offers a showmanship natural of the highest order, so keenly attuned in theme to the public pulse of the moment as to give full scope to the production skills and the active cooperation of the U. S. Army Air Corps, the picture reaches its greatest heights of audience interest and compelling action in the scenes. They are handled with photographic skill and technical perfection, providing the film with a tremendous audience pulling power.

If the leading players are not now top ranking stars for marquee purposes, they will be when this film is generally released. The work of Ray Milland, William Holden and Wayne Morris, the three flying cadets who are in a cross-section of cadet manpower in their backgrounds; Brian Donlevy, their instructor; Constance Moore, the romantic lead, and Veronica Lake, who supplies the vampire motivation for the leading dramatic complications, is of the finest.

Directed by Mitchell Leisen, with Arthur Hornblow, Jr., as producer, from the book “I Wanted Wings,” by Beirne Lay, Jr., the film's unrelenting pace and cracking air episodes, despite unusual length, are a tribute to a fine job of direction and a strong script.

Milland, Holden and Morris, respectively, are the son of wealth, the mechanic with an urge to fly and the not too bright football star who is a cadet. Milland's character, in his attempt to join the Army Air Corps, carries the romance with Milland and Miss Lake, former fiancée of Holden, and after Milland's money, serves to mar Milland's romance, and provide dramatic interludes of high value to the effectiveness of the story.

The story opens with dynamic impact, as Los Angeles is blacked out and a night man in charge of a group of flying fortress approaches the city for an “attack,” and is met by hummimg pursuit squadrons. A report comes in of a returning bomber crashed, and as a court martial opens to set the responsibility, the story is told in flashback, returning later to the exonation of Milland and the completion of his romance, following the death in the bomber crash of Miss Lake, a fugitive and a wayward.

Highlights in the air are the “attack” on Los Angeles; the training and instruction of the cadets at Randolph and Kelly Fields; the “hedgehopping” stunts of the three fliers which result in the death of Morris in a crash and the consequent elimination of Holden, in charge of the flight; the landing of a plane by Holden with a dead motor in a small field, and the hanging of a small dirigible on the field, with fire and a rescue, and the thrilling crash of the gigantic bomber, preceded by a breath-taking air rescue by parachute of Donlevy, dangling from the plane, by Holden.

Running time, 134 minutes. “G”

CHARLES S. AARONSON

*“G” denotes general classification.

Goldstein, Cleveland; E. S. Sweigert, Philadelphia; Allan Usher, Chicago; R. C. LiBeau, Kansas City; M. A. Brown, Denver; H. W. Brady, Los Angeles; H. Owen, Dallas; J. P. Kirby, Atlanta, and Del Goodman, Toronto.

Officials to Attend


N. Y. Discrimination Measure Amended

ALBANY, March 26—Assemblyman Burrows today amended his anti-discrimination bill when the measure came up for a vote in the New York State Assembly. The bill will receive final vote next Monday night.

The amendment makes the measure acceptable to exhibitors, since it limits chances of discrimination charges by the inclusion of the phrase, “on account of race, color or creed.” Thus charges of discrimination by undesirables as those whose conduct constitutes a breach of the peace are eliminated.

Cumming Returns West

HELENA, Mont., March 26.—Hugh Cumming, formerly of Butte, Mont., and now a dialogue director for Warner's, and his wife, Mona Ray, have returned to the Coast after a visit to his home state.

Brilliant Audience Greets ‘Wings’ at Broadway Opening

(Continued from page 1)

reserved seat engagement today.

Representing Paramount were Barney Balaban, president; Stanley Griffis, executive committee; Adolph Zukor, Neil Agnew, Y. Frank Freeman, in Keough, C. J. Scollard, Robert Gose, Oscar Maxwell, M. A. Reagan, J. U. Unger, Sam Dembow, Jr., Louis Phillips, Fred Mohrman, Robert Weitman and others.

Opening night evening. After the showing of the film, Stanton Griffis entertained more than 100 of the important guests at a reception at his home. Among the guests, besides Mr. and Mrs. Barney Balaban and Mr. and Mrs. Martin Quigley were:

List of Guests

Adolph Zukor, Austin Keough, R. J. O'Donnell, Grace Moore, Mr. and Mrs. S. A. Lynch, Mr. and Mrs. S. H. Rice, Mrs. Col. William Greve, Mr. and Mrs. Y. Frank Freeman, Mr. and Mrs. Neil Agnew, Col. D. S. Fleischer, Lieut. Col. and Mrs. Cadmus J. Baker.


J. Cheever Cowdin, Margalo Gilmore, Robert Ross, Mr. and Mrs. Richard S. McCorison, Major F. H. Smith, Major Donald Hudson, Conde Nast.

Major F. H. Griswold, Mr. and Mrs. Roy Howard, Deems Taylor, Col. and Mrs. Robert C. Candel, Brigadier General and Mrs. John McAllister, Major General James E. Chassey, Winston Thomas, Col. Douglas Johnson, Col. L. B. Magruder, Major and Mrs. Ray Perkins, Col. and Mrs. Frank R. Scheel, Major and Mrs. Payne Williams, Earl I. McClintock.

Others Present

Col. John Reed Kilpatrick, Bernard Gimbel, Mrs. William Rhinelander Stewart, Mr. and Mrs. Maurice Fitch, Lieut. Col. Charles E. Maxwell, Don Mersereau, Valentina and George Schle, Cecelia Ager, Mr. and Mrs. S. F. Newborn, Col. Sidney Hamilton, Tom M. Girdler, Mr. and Mrs. John Latouche, Irene Kennedy, Mr. and Mrs. Sidney Weinberg, Eileen Creekman, Mr. and Mrs. Harold Talbot, Sam Shain.

Mr. and Mrs. Morton Schwartz, Frank Farrell, Quentin Reynolds, Merrill Meigs, Lyn Farrell, Mrs. Julia Crosby Hornby, the Duchess of Leinster, Joe Cloman, Mrs. Jane Cushing, Robert W. Gilman, Mr. and Mrs. Paul Robbourn, Al Wilkie, Robert Gilmour, Mrs. Dee Bredin, Beth Leary, Hillel Ingers, Frank S. Greaves.

The Governors of New York, New Jersey, Connecticut, Massachusetts, Rhode Island and Pennsylvania have screened the film, and it is having special screenings of “I Wanted Wings” at the Astor on Saturday at 5 P.M. The invitation was made by the members of the Aircraft Owners and Pilots Association, which is sponsoring the showing.
First Arbitration Hearings in N.Y.  
Set for April 3, 8  

(Continued from page 1)  
on double features and to 14 days on single features.

Warren Leslie, Jr., attorney, was named arbitrator today for another clearance complaint which names the Radio Reade houses at Plainfield. The hearing will be held by the Forum Theatre, Metuchen, N. J., and names Loew's, Paramount, Warners and 20th-Fox. A hearing date has not been set.

Companies' Counsel To Detroit Hearing  
DETROIT, March 26.—Major companies will be represented by home office counsel at the first arbitration hearing of the local board here on Saturday. The case involves a clearance complaint by the Midtown Theatre against RKO, 20th Century-Fox and Warners.

L. J. Carey, general counsel for Michigan and Illinois Co., is arbitrator. Irving Cohen of Paramount, William Zimmerman of RKO and Felix Jenkins of 20th Century-Fox, are expected for the hearing.

Jerome G. Thomas, Wayne University professor, is arbitrator for the other case on file here that of the Booth Theatre against the same four companies. A hearing date has not been set.

Realty Values Figure In Walbrook Hearing  
WASHINGTON, March 26.—The Walbrook Theatre in Baltimore has the lowest really value of four film houses involved in its arbitration complaint, it was testified today before B. Barret Przybylowicz, arbitrator.

William E. Ferguson, Baltimore real estate operator, made the statement, based on a survey conducted by him for the circuit's operator, Ira D.据了解, the CGA has deferred action on the refusal of exhibitors to book a Ministry of Information propaganda subject which duplicated newscasts, pending a reply by the Ministry.

Hearst Sues Friday, Inc.  
William Randolph Hearst and International News Service have pending a libel suit against Friday, Inc., publishers of Unbelievable. Officials of Friday, Inc., assert that the action has no reference to the RKO film, "Citizen Kane," which has been reviewed in Friday Magazine, as recently mentioned in Motion Picture Daily. The case concerns a fishing license, and linking Hearst and Minister of Propa-

ganda Goebbels in the current issue of Unbelievable.

To Operate 24 Hours  
PHILADELPHIA, March 26.—The News Theatre, William Goldman house, will be the second downtown theatre to go on a 24-hour continu-

ual operation next week, it was announced today by the managers of the Forum Theatre, which went on an all-night policy six years ago. The News features an hourly program of newsreel subjects and feature picture revivals.
## MOTION PICTURE DAILY’S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Title.

<table>
<thead>
<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>
</tr>
</thead>
<tbody>
<tr>
<td>Feb. 28</td>
<td>Blondie Goes Latin (C)</td>
<td>Free and Easy (D)</td>
<td>Ridin’ the Cherokee Trail (O)</td>
<td>Monster and the Girl (D)</td>
<td>Great Train Robbery (O)</td>
<td>Tobacco Road (D)</td>
<td>The Great Dictator (C)</td>
<td>Dark Streets of Cairo (D)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mar. 7</td>
<td>Lone Wolf Takes a Chance (D)</td>
<td>Rage in Heaven (D)</td>
<td>Flying Wild (D)</td>
<td>In Old Colorado (O)</td>
<td>Back in the Saddle (O)</td>
<td>A Girl, A Gob and A Guy (C)</td>
<td>The Great Dictator (C)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mar. 14</td>
<td>Penthouse Mystery (D)</td>
<td>The Penalty (D)</td>
<td>The Lady Eve (C)</td>
<td>The Lady Eve (C)</td>
<td>Footlight Fever (D)</td>
<td>The Great Dictator (C)</td>
<td></td>
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</tr>
<tr>
<td>Mar. 21</td>
<td>North from the Lone Star (O)</td>
<td>The Bad Man (O)</td>
<td>Sign of the Wolf (D)</td>
<td>Nevada Nights (M)</td>
<td>Roundup (O)</td>
<td>The Outlaw (O)</td>
<td>Topper Returns (C)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mar. 28</td>
<td>Penny Serenade (C)</td>
<td>Washington Melodrama (D)</td>
<td>Border Border (D)</td>
<td>In Old Cheyenne (O)</td>
<td>Repent at Leisure (C)</td>
<td>Scotland Yard (D)</td>
<td>Man Who Lost Himself (D)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Apr. 4</td>
<td>Under Age (D)</td>
<td>People vs. Dr. Kildare (D)</td>
<td>Tumbledown Ranch in Arizona (O)</td>
<td>Pals of the Pecos (O)</td>
<td>The Outlaw (O)</td>
<td>Scotland Yard (D)</td>
<td>Horror Island (D)</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Apr. 11</td>
<td>Her First Beau (C)</td>
<td>Chain Gang (D)</td>
<td>Widows of the Press (D)</td>
<td>Reaching for the Sun (D)</td>
<td>Lady from New Orleans (D)</td>
<td>That Night in Rio (M)</td>
<td>Lady from Cheyenne (O)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Apr. 18</td>
<td>She Knew All the Answers (C)</td>
<td>Free and Easy (D)</td>
<td>Human Ghost (D)</td>
<td>One Night in Lisbon (D)</td>
<td>Country Fair (D)</td>
<td>Great American Broadcast (M)</td>
<td>The Great Lie (D)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>May 2</td>
<td>The Penalty (O)</td>
<td>The Penalty (D)</td>
<td>Hoosier Schoolboy (D)</td>
<td>Border Villagers (O)</td>
<td>Hunter of the Range (C)</td>
<td>Ride On Vaquero (O)</td>
<td>Flame of New Orleans (D)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>May 9</td>
<td>Chain Gang (D)</td>
<td>Tumbledown Ranch in Arizona (O)</td>
<td>Tumbledown Ranch in Arizona (O)</td>
<td>Power Dive (D)</td>
<td>The Outlaw (O)</td>
<td>The Outlaw (O)</td>
<td>Model Wife (D)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>May 16</td>
<td>She Knew All the Answers (C)</td>
<td>Tumbledown Ranch in Arizona (O)</td>
<td>Tumbledown Ranch in Arizona (O)</td>
<td>Power Dive (D)</td>
<td>The Outlaw (O)</td>
<td>The Outlaw (O)</td>
<td>The Wagons Roll at Night (D)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
‘Lady Eve’ Is
Boston Lead
With $19,100

Boston, March 26.—"The Lady Eve" coupled with "Murder Among Friends" was a hit at the Metropolit-
ian with $19,100. "Back Street" and "Lady Eve" took $18,210 at the 31st Memorial.

Estimated receipts for the week end-
ing March 16:

<table>
<thead>
<tr>
<th>Title</th>
<th>Receipts</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;Murder Among Friends&quot; (RKO)</td>
<td>$19,100</td>
</tr>
<tr>
<td>&quot;The Lady Eve&quot; (Para....</td>
<td>$18,210</td>
</tr>
<tr>
<td>&quot;Back Street&quot; (Univ.)</td>
<td>$12,400</td>
</tr>
<tr>
<td>&quot;Lady Eve&quot; (MGM)</td>
<td>$15,500</td>
</tr>
</tbody>
</table>

‘Back Street’ Gets
$12,400 in Toronto

Toronto, March 26.—"Back Street" drew $12,400 at the Imperial, as busi-
ness was good during Lent. With Toronto athletes appearing as hockey play-
ers in the British picture, "I See Ice," Uptown registered $9,300 for the second week.

Estimated receipts for the week ending March 20:

<table>
<thead>
<tr>
<th>Title</th>
<th>Receipts</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;The Devil Commands&quot; (Col.)</td>
<td>$12,900</td>
</tr>
<tr>
<td>&quot;The Man in the Scarf&quot; (Col.)</td>
<td>$12,900</td>
</tr>
<tr>
<td>&quot;Maidie Was a Lady&quot; (M-G-M)</td>
<td>$8,000</td>
</tr>
<tr>
<td>&quot;The Three Grey Mice&quot; (Col.)</td>
<td>$8,000</td>
</tr>
<tr>
<td>&quot;Six Lessons from Madame LaZanga&quot; (Samuel Goldwyn)</td>
<td>$8,000</td>
</tr>
<tr>
<td>&quot;Behind the News&quot; (Univ.)</td>
<td>$7,300</td>
</tr>
<tr>
<td>&quot;Strawberry Blonde&quot; (RKO)</td>
<td>$7,300</td>
</tr>
<tr>
<td>&quot;The Monster and the Girl&quot; (Para.)</td>
<td>$7,000</td>
</tr>
<tr>
<td>&quot;Great Dictator&quot; (M-G-M)</td>
<td>$6,900</td>
</tr>
<tr>
<td>&quot;Champ and Miller&quot;</td>
<td>$6,500</td>
</tr>
</tbody>
</table>

‘Chump and Miller’
Make $16,500 in St. Louis

St. Louis, March 26.—"The Champ," with the Glenn Miller and his band on the stage at the Fox, drew $15,600 this week. The "Great Dictator" scored $13,500 at Loew's State, dubbed "Meet Black Bottom." The weather was excellent.

Estimated receipts for the week ending March 20:

<table>
<thead>
<tr>
<th>Title</th>
<th>Receipts</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;Meet the Lady&quot; (W. B.)</td>
<td>$7,500</td>
</tr>
<tr>
<td>&quot;Scattered Bones&quot; (RKO)</td>
<td>$6,000</td>
</tr>
<tr>
<td>&quot;Meet the Champ&quot; (Univ.)</td>
<td>$5,000</td>
</tr>
<tr>
<td>&quot;The Great Dictator&quot; (U. A.)</td>
<td>$4,500</td>
</tr>
<tr>
<td>&quot;Meet Black Bottom&quot; (Loew's State)</td>
<td>$4,000</td>
</tr>
<tr>
<td>&quot;The Great Dictator&quot; (M-G-M)</td>
<td>$4,000</td>
</tr>
<tr>
<td>&quot;Sweaters of America&quot; (U. A.)</td>
<td>$3,500</td>
</tr>
<tr>
<td>&quot;Petticoat Politics&quot; (Rep.)</td>
<td>$2,000</td>
</tr>
</tbody>
</table>

‘Nobody’ and Show
$15,000, Cincinnati

CINCINNATI, March 26.—Sammy Kaye's orchestra and stage show of "The Great Dictator" was a $15,000 gross at the RKO Shibboleth. Andy Hardy's Private Secretary drew $5,000 on a mover week at the RKO Capitol. "Black Bottom" gave Keith's $4,300 in its fourth week downtown.

Estimated receipts for the week ending March 19:

<table>
<thead>
<tr>
<th>Title</th>
<th>Receipts</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;Footsteps in the Dark&quot; (W. B.)</td>
<td>$15,000</td>
</tr>
<tr>
<td>&quot;Sweaters of America&quot; (U. A.)</td>
<td>$8,000</td>
</tr>
<tr>
<td>&quot;Meet Black Bottom&quot; (Loew's State)</td>
<td>$4,300</td>
</tr>
<tr>
<td>&quot;The Great Mr. Nobody&quot; (W. B.)</td>
<td>$2,000</td>
</tr>
<tr>
<td>&quot;Andy Hardy's Private Secretary&quot; (M-G-M)</td>
<td>$1,500</td>
</tr>
<tr>
<td>&quot;The Lady Eve&quot; (Para.)</td>
<td>$1,500</td>
</tr>
<tr>
<td>&quot;The Three Grey Mice&quot; (Col.)</td>
<td>$1,000</td>
</tr>
<tr>
<td>&quot;Philo &amp; Company&quot; (Rep.)</td>
<td>$800</td>
</tr>
</tbody>
</table>

‘Dictator’ Scores
$36,000 in Detroit

Detroit, March 26. — "The Great Dictator" in its first local showing, grossed $36,000 at the Michigan, "Fantasia" drew $13,500 in four days at the Wurlitzer.

Estimated receipts for the week March 20:

<table>
<thead>
<tr>
<th>Title</th>
<th>Receipts</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;The Devil Commands&quot; (Col.)</td>
<td>$10,500</td>
</tr>
<tr>
<td>&quot;The Man in the Scarf&quot; (Col.)</td>
<td>$7,300</td>
</tr>
<tr>
<td>&quot;Maidie Was a Lady&quot; (M-G-M)</td>
<td>$5,000</td>
</tr>
<tr>
<td>&quot;Kitty Foley&quot; (RKO)</td>
<td>$4,500</td>
</tr>
<tr>
<td>&quot;Meet Black Bottom&quot; (M-G-M)</td>
<td>$4,000</td>
</tr>
<tr>
<td>&quot;Making Waves&quot; (Fox)</td>
<td>$3,900</td>
</tr>
<tr>
<td>&quot;Philo &amp; Company&quot; (Rep.)</td>
<td>$3,500</td>
</tr>
<tr>
<td>&quot;Meet the Lady&quot; (W. B.)</td>
<td>$3,000</td>
</tr>
<tr>
<td>&quot;Strawberry Blonde&quot; (RKO)</td>
<td>$2,500</td>
</tr>
<tr>
<td>&quot;Great Dictator&quot; (M-G-M)</td>
<td>$2,000</td>
</tr>
<tr>
<td>&quot;Benson&quot; (Para.)</td>
<td>$1,500</td>
</tr>
</tbody>
</table>

‘Honeymoon’, Show
$18,800 in Capital

WASHINGTON, March 26.—The box-office for "Honeymoon for Three" was the early combination of "Honeymoon for Three" on the screen and the tabloid version of "Streets of Paris" on the stage.

Estimated receipts for the week ending March 20:

<table>
<thead>
<tr>
<th>Title</th>
<th>Receipts</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;Race in Heaven&quot; (M-G-M)</td>
<td>$13,200</td>
</tr>
<tr>
<td>&quot;The Kid&quot; (M-G-M)</td>
<td>$12,900</td>
</tr>
<tr>
<td>&quot;The Great Dictator&quot; (W. B.)</td>
<td>$12,000</td>
</tr>
<tr>
<td>&quot;Earned the Hard Way&quot; (W. B.)</td>
<td>$9,500</td>
</tr>
<tr>
<td>&quot;Here Comes Happiness&quot; (W. B.)</td>
<td>$8,000</td>
</tr>
<tr>
<td>&quot;Let's Dance Again&quot; (M-G-M)</td>
<td>$5,000</td>
</tr>
</tbody>
</table>

‘Strawberry Philadelphia
Best, $22,400

PHILADELPHIA, March 26. — With better weather, the downtown attractions reported greater activity. At the Fox, "Strawberry Blonde" accounted for $22,400, "The Great Dictator," which is still strong at the Stanton with $11,000 in its second week.

Estimated receipts for the week March 19:

<table>
<thead>
<tr>
<th>Title</th>
<th>Receipts</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;Fantasia&quot; (Disney)</td>
<td>$14,200</td>
</tr>
<tr>
<td>&quot;Gone With the Wind&quot; (M-G-M)</td>
<td>$12,500</td>
</tr>
<tr>
<td>&quot;Benson&quot; (Para.)</td>
<td>$9,500</td>
</tr>
<tr>
<td>&quot;Here Comes Happiness&quot; (W. B.)</td>
<td>$8,000</td>
</tr>
</tbody>
</table>

‘Wind’ Is Montreal Smash,
Hits $14,000

MONTREAL, March 26.—"Gone With the Wind" topped Montreal receipts in its return showing, netting prices at Loew's, ringing up $14,000.

Estimated receipts for the week ending March 20:

<table>
<thead>
<tr>
<th>Title</th>
<th>Receipts</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;Metro Goldwyn&quot; (M-G-M)</td>
<td>$14,000</td>
</tr>
<tr>
<td>&quot;Romance of a Lady&quot; (M-G-M)</td>
<td>$11,500</td>
</tr>
<tr>
<td>&quot;Great Dictator&quot; (M-G-M)</td>
<td>$11,000</td>
</tr>
</tbody>
</table>

Takes Frisco Orpheum

SAN FRANCISCO, March 26.—The Blumenfeld Theatre Circuit, operated by the Blumenfeld Theatre Corporation, which is currently operating the Orpheum in San Francisco, has acquired the Orpheum theatre in this area. The company, under the direction of F. C. Dickey, is negotiating for a place.
Pittsburgh Games

Drive Is Delayed

PITTSBURGH, March 26.—The Pittsburgh Pirates had to change their 3:30 p.m. game against the Chicago Cubs to 4:05 p.m. after prolonged rain delayed the game by an hour and a half. The game was played in a downpour and the umpires and players had to wear rain gear. The Pirates won the game 5-3.

Off the Antenna

A stipulation settling the $25,000 suit by Bobby Byrne, head band leader for the Mutual Broadcasting System, and George Denison, former manager of the WMA (West Palm Beach) was filed yesterday in the New York State Supreme Court. Byrne had claimed that the defendants had induced Marietta Wright, vocalist, to break a contract with him in order to broadcast on Millers' radio program. The amount of the settlement was not revealed.

Purely Personal: Dinah Shore was compelled to cancel her broadcast and personnel appearance at the Grand Canyon because of a throat situation. She is not expected to be able to return until the end of the week. Jean Elliot has been signed as vocalist on "Open House" over WMCA effective Tuesday. Thursday, Louise Lewis, story editor on the Helen Hayes CBS show, was fired. She was replaced by Mitzi Horowitz. Formerly with the WOR, Norman Sickle, formerly head of the continuity department for Radio Workshop, has joined WNEW's continuity department.

CBS will salute WSPA, Spartanburg, S. C., with a special program Saturday, 10:30-10:45 P.M., on the occasion of the station's affiliation with the network.

Program News: The "Quiz Kids" will be guests on Jack Benny's show over NBC-red Sunday, April 6 and Benny will be their guest April 16. Another exchange guest appearance will be Barry Wood on "Information, Please" and Oscar Levant on "Your Hit Parade." Donald Heatter, Mutual commentator, will take over the vacant spot made vacant by Dorothy Thompson, who will be heard on behalf of Barbasol Sundays, 8:45-9 P.M., beginning April 6. Sydney Mosley, WMCA commentator, formerlly heard daily at 1 P.M., will start weekly series on April 13 at 8:45 P.M. Mutual as well as WKN will carry the Greek War Relief show from Radio City Music Hall tomorrow night.

B & K Television

License Granted

WASHINGTON, March 26.—Balaban & Katz has been authorized by the Federal Communications Commission to construct a new experimental television station in Chicago, to operate on 384,000-396,000 kilocycle band with 10 watts power. The commission also ordered a hearing in the case of the Station WGRB, New Albany, Ind., for change of frequency from 1,370 to 1,040 kilocycles (1,080 kilocycles under the North American agreement), increase of power to 5,000 watts, and removal of its studio to Louisville, Ky., and its transmitter from its present location at Louisville. The hearing is to be consolidated with that on the application of the Mid-America Broadcasting Co., Inc., to increase power from 1,000 to 5,000 watts.

Dinah Shore-Cantor Pact Ruled in Force

Eddie Cantor's contract with Dinah Shore for the singer's services on the "Cantor" radio program is held to be in force until next June by a two to one decision of an arbitration board here today. A. Edward Moskowitz, the arbitrator, selected by Miss Shore, dissented. The hearing was held at American Arbitration Association headquarters Tuesday and Wednesday. Miss Shore, who was negotiating with Chase & Co., Inc., admitted she had instructed Cantor to exercise the last option on her services, thereby terminating the pact. Cantor testified that nothing of the option-lifting had been said since Shore.

Short Subject Reviews

"Freddie Martin & Orchestra" (Warner

Five songs, played by Freddie Martin and his orchestra, are included in this issue of "Melody Master Books. They are: "If It's Hot I'm Game," "Get a Kick Out of You," "Tales of the Vienna Woods," "Say SI" and "Jazzy." The orchestra consists of two dozen plus men. Although neither Martin nor members of his band have much screen personality, interesting and varied musical effects are achieved by the camera work. Running time, 10 mins.

"So Long Mr. Chumps" (Columbia)

The Three Stooges, the rugged slapstick trio who repeatedly become involved in the most weird perplexities, take advantage of every opportunity to gesticulate strangely and to look as ridiculous as possible. This short should spell rousing comedy for pandemonium. They land in jail while employed to search for an honest man and ultimately learn that their employer is a crook. Running time, 17 minutes.

"Publicity Sports" (RKO-Pathè)

This "Sportscote" is dedicated to the publicity men of Florida who concoct weird news sports just for a chance to get the picture of a pretty girl in a bathing suit into the newsprint and to record the advantages of Miami. The point of the reel is that much of press agents' dreams have introduced popular new sports including skiing on the sand, tub racing, bicycling on land and water and similar amalgams. Highly interesting. Running time, 9 mins.

"When Wife's Away" (RKO)

Fourth in the new Leon Errol series, "When Wife's Away" finds Vivian Blaine as a capable acrobatic dancer, who wants him for a dancing partner. Errol agrees to a rehearsal at home while his wife is away on a trip, but her sudden return complicates things. The comedy is weak. Running time, 20 mins.

"Quiet, Pleze" (Paramount)

The team of Popeye and his Pappy in this cartoon perform strictly for the juvenile trade. The weak plot has Popeye overwhelming all noise around town such as the thrum of a factory whistle and riving so that Pappy cannot hear. It is not particularly amusing. Running time, 7 mins.

"The Little Whirlwind" (Disney-RKO)

Mickey Mouse agrees to rake the leaves in Minnie's yard in return for some of the cake which she is baking. However, the job is delayed. Mickey, however, does the job anyway. The leaf raking is accompanied by music which sets up a dance for Mickey's doings. Mickey, however, does not seem to be having fun. Mickey mouse rakes the leaves in his yard, and the latter appears in the form of a big brother, the torch. Mickey runs off, and the effect is not particularly amusing. Running time, 8 mins.

All to Affiliates in

Pittsburgh But One

PITTSBURGH, March 26.—After Oct. 1 Pittsburgh's only independent station will be WJW. WQV will join NBC-blue when KDKA, Pittsburgh, goes over to NBC-red. WCAE, now the red outlet, will become affiliated with Mutual. WJMD and WJMP will continue as independents. The WJSW will remain with CBS. Mutual network programs are divided at present between WQV and WJSW.

WISH Takes Quarters

INDIANAPOLIS, March 26.—WISH, new NBC-blue outlet here which is due to go on the air in May, has signed a long term lease for 5,000 square feet of space in the Board of Trade Building. The transmitter, located about two miles east of Indianapolis, was said to be almost completed.
SAG Forbids Free Talent On Air Shows

Heeds Hershal Plea on Parsons' Program

Hollywood, March 27.—The Screen Actors Guild today notified its Class A members that any performance featuring a recognized star would be considered an acting-performance and that any violation of the rule by an exhibitor would be reported to the Motion Picture Relief Fund, against Louise Parsons’ air show for Lifebuoy which starts on CBS tomorrow. Hershaft was advised by letter from Edward Arnold, Guild president, that the organization will enforce its rule to the limit.

Richard Marvin, radio manager for the William Esty Agency, which handles the Lifebuoy account, said there is no possibility of the program being

(Continued on page 6)

Atlas Increases Its Holdings in RKO

Washington, March 27.—Additional purchases of RKO securities by Atlas Corp., during January brought the investment company’s holdings to approximately 40 per cent of the outstanding RKO common stock and 30 per cent of the preferred, the Atlas report to the Securities and Exchange Commission today revealed.

Atlas added 11,600 shares of RKO common and 1,200 shares of preferred to its holdings during January, bringing its total holdings, inclusive of shares held by its subsidiary, the American Co., to 1,012,720 shares of common and 43,000 shares of preferred.

N.Y. Assembly Votes City Tax Option Bill

Albany, March 27.—The Assembly today passed a measure allowing New York City to impose a business tax of 1/20th of one cent on turnover, including theatre admissions. This measure is purely permissive and not mandatory upon the city. The utility tax for New York City, unemployment relief and other emergency measures were passed but the business turnover is a new item. Senate approval is expected.

Para. Contracts at New High of 10,000

Paramount’s contracts for the current season have set a new all-time high for the company, representing an increase of 11,850 over the 1939-40 season. The new contracts include the following:

- Para. of entire west coast
- Para. of entire east coast
- Para. of entire midwest
- Para. of entire southeast

This is the largest number of contracts ever set by a major company.

First Arbitration Appeal in Chicago; 7th Case in N.Y.

Consolidated Film Officers Reelicted

All officers of Consolidated Film Industries, Inc., were reelected by the board of directors yesterday following the annual meeting of stockholders held at the company offices.

Consolidated stockholders, reelected directors whose terms had expired, were D. H. Seifert, M. J. Siegel, E. J. MacPherson and J. J. Coffman.


The first appeal of an arbitration decision under the industry consent decree was filed with the Chicago arbitration board yesterday for transmission to the national appeals board in New York.

Four additional complaints were set for hearing yesterday, and the seventh New York case was filed with the local board.

The first case to go to the national appeals board is the clearance and run complaint of Banowitz & Landis, operators of the Ken, Chicago, against Paramount, KKO and 20th Century-Fox, which named certain theatres in the Schoenstatt Circuit in that city. The complaint was dismissed last Saturday by Charles P. Megan, arbitrator, on the grounds that it involved questions which may not be arbitrable under the decree until after

(Continued on page 7)

U.A. Proposes New Plan of Selling

U. A. to Have Five District Sales Meetings

United Artists has scheduled five new district sales meetings, starting April 14 with a session in New York, it was announced yesterday by Arthur W. Kelly, vice-president, at the same time, Edward Small, one of the company’s producers, disclosed the titles of five of his new pictures.

Small will pro-duce eight films in 1941-42, the company an-nounced.

The titles are: "G-Man versus Scotland Yard," starring Ilona Massey; "Twin Beds," "Heliotrope," "The

(Continued on page 4)

Goldwyn to Make Film With Disney

Samuel Goldwyn will make a picture in association with Walt Disney, it was announced yesterday. This picture will be "The Life and Adventures of Hans Christian Andersen." Production will not begin until at least three months from now. The film will be a combination of live action and animation.

Attorney Leo Spitz of the Chicago law firm of Spitz & Adcock represented both principals in the transaction. The deal was made in Hollywood.

Disnei at present releases his short

(Continued on page 4)

In Today's Issue

Coast Flashes

Hollywood, March 27—CLASSIFICATION of sound technicians and property men as exempt or non-exempt from the provisions of the Federal wage-hour act was the subject of a debate at today’s hearing before Merle Vincent, chief examiner of the wage-hour division, in Los Angeles. Douglas Shearer and John Aalberg, sound department heads of M-G-M and RKO, respectively, testified that these workers are in the professional category, while Joseph Padway, A.F.L. counsel and I.A.T.S.E. spokesman, disputed their view. The examiner indicated that the hearing may be concluded tomorrow.

GARY Grant was signed today by Warners to play the lead in “The Man Who Came to Dinner.” He will contribute his salary from the production to British war relief. Edmond Goulding will direct the film from a script by Julius and Philip Epstein.

Charles Boren, assistant Paramount studio manager, today became studio manager, succeeding T. Keith Glennan. Boren had been in charge of employee relations under Glennan.

Columbia today borrowed Robert Montgomery from M-G-M to star in “Heaven Can Wait,” to be produced by Everett Riskin and directed by Alexander Hall.

Paramount today extended the contract of George Pal, producing “Puppets,” shorts, for the new season, when he will make another series of six. He has completed two of the present series.

Rita Hayworth will co-star with Fred Astaire in Columbia’s “He’s My Uncle,” a musical with Army camp background.

Iowa House Votes Coin Machine Tax

Des Moines, March 27—The Iowa House yesterday approved a bill providing a tax of $10 a year on each automatic coin-operated motion picture machine. The bill now goes to the Senate.


date

Thursday, March 28, 1941

Personal Mention

WILLIAM GOETZ, assistant to DARRELL F. ZANUCK, will return to the Coast the middle of next week.

Mr. and Mrs. BENJAMIN RICH- VIK, parents of SYNGE RICHEN- NIK of the Warner publicity department, will be in town for their 30th wedding anniversary today.

GEORGE L. CARRINGTON, vice-president and general manager of Allied Service Corp., has returned from a two-month stay on the Coast.

AL YOUNG, MARTIN MOSKOWITZ and JOSEPH PINCUS lunching at Lindy’s (51st St.) yesterday.

A. L. PINKAD, Republican state representative, sails today on the Santa Clara for four weeks at the company’s Panama office.

JOHN HARKINS has returned to his post at Warners’ publicity department after a leave of absence of six months.

LESTER FULLER, BORIS KARLOFF, MORT SPRING and JOHN GOLDEN lunching yesterday at Sardi’s.

Army Entertainment To Cost $5,000,000

Washington, March 27—Plans of the War Department for entertainment, picture and other entertainment for Army camps will necessitate the expenditure of more than $5,000,000 in additional film theatre and recreational centers.

Funds are provided in appropriations already approved by Congress for camp construction and facilities for defense workers. The War Department is expected to receive about $1,500,000 to pay for construction of additional Army camps.

The emergency housing program calls for about $7,000,000 in additional film theatres and recreational centers.

Wanger to Denver For Club’s Dinner

DENVER, March 27—WALTER WANGER, Phil Ragan, Alan Hale and MARGARET LIU, Wanger are scheduled to arrive here tomorrow to attend the Rocky Mountain Screen Club’s 26th anniversary dinner. Wanger will appear at the Denver Theatre and Hall at the Denver.

Report RKO Story Buy

Harry Sobol and Ted Hartman, representatives of Luther Davis and Max Margolis, of Cleveland, reported that the latter’s Collier’s Magazine article, “The Mayor of Forty-fourth Street,” has been purchased for production by RKO for $20,000.

Newreel Parade

T HE labor crisis seriously affecting the defense industries as strikes spread and the new National Defense Rechet scheme is covered fully in the new issues. Also, given wide attention is the hearty welcome to Wendell Willkie in Canada, and a review of the defense situation. The contents:

MOVIETONE NEWS, No. 54—Strikes in defense industries in Pennsylvania and Chicago, the labor situation in Washington. Wendell Willkie welcomed in Canada. Film on bombers turned out on Coast. Bathing beauties featured on Long Island. University wins basketball championship. Story of affection between Romans.


PARAMOUNT NEWS, No. 40—Women’s conference held in New Orleans. Seven-billion-dollar lend-lease appropriation wins Willkie’s applause. Motion picture industry conference held in Washington, Harvest of censure shows California sources from Sardi’s. A few handle outsideeons. Mailed mill at Fort Mottom, N. J. First of six pageants is presented. Willkie holds Ohio university in national basketball turnout in New York.


SPG Sets Art Exhibit

The Screen Publicists Guild will hold an art exhibition at the Barbier-Plaza Gallery from April 20 to 30.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Lindy’s

1626 BROADWAY 1655
(Next to the
Ninth Theatre)

(1st Street
Corner)

For over 20 years
the luncheon and dinner place for Motion Picture People

Sole agents in New York for FAMOUS

BLUM’S ALMONDNETTES
from San Francisco, California

Empire Films Opens Toronto Meet Today

TORONTO, March 27—Officials of Empire Films, Ltd., will open a four-day meeting here today at the Royal York Hotel here to discuss the 1941-42 product announcements and sales plans of Universal and Republic, for whom the company distributes in the Dominion.

James R. Grainger, Republic president, arrives from New York tomorrow to attend the Republic sessions, which will continue through Saturday.

The Universal meeting will take place Monday and Tuesday with J. Cheever Cowdin, chairman of the board; W. A. Scully, vice-president and general sales manager; and MARGARET LIU, Eastern sales manager, coming from New York for those sessions.

‘Miss Jones’ Opens in Miami on April 4

‘The Devil and Miss Jones,’ RKO film, will have a three-theatre world premiere at the Paramount, Beach and Sherry Theatres here on April 4. The film stars Jean Arthur.

San Antonio, March 27—The annual Interservice Golf Tournament will be held April 6 and 7 at Brackenridge Park. Theatre men from Austin will participate in the competition this year, vying to win the trophy, which the Majestic and a director of the Boys Club, stated that the money raised will be used to permit 35 underprivileged boys to attend Summer camp.

My Life in Hollywood

(The Life of a British Director)

by ALFRED L. LOCKWOOD

Published by Robert P. Lippincott, Philadelphia, and J. B. Lippincott, London. The book will be available April 1st.
Louella Parsons says “The picture of the week, perhaps of the month or year. I don’t see how it can miss being box-office!” John Chapman, New York Daily News columnist writes: Leigh has done the nearly im-possible—in ‘Gone With The Wind’. “Tops in all departments. Greatment for all audiences. Ranks among the outstanding pictures year.” Hedda Hopper broad-

Opens Thursday, April 3rd, Radio City Music Hall
U. A. Proposes Selling Product On Single Pact

(Continued from page 1)

approval by Maurice Silverstein, chief of worldwide operations, is un-
understood to contain a provision eliminating the producer's right of approval of
planned agencies. All U. A. proposals are described as being similar in many
respects to the sliding scale plan of M-G-M.

Arthur Kelly's imprimatur is upon the plan, according to reports, and it has
been approved by the independent producers' committee of United Artist,
comprising Walter Wanger, Edward Small and Sol Lesser. Clarence Erickson, represen-
tative of this committee, has returned to the Coast after conferring with Kelly, who is vice-
president in charge of distribution, and with Silverstein, regarding the new setup.

Under the plan, the distribution department will have complete sway over
selling, whereas heretofore considerable power over sales vested with the individual producers and their repre-
sentatives.

All of the product will be sold on established formula which have been
set up in advance.

United Artists will have at least 11 producers on its roster for the coming season as
the following plans: Walter Wanger, Edward Small and others.

U. A. to Have Five

District Meetings

(Continued from page 1)

Corsican Brothers" and "My Official Wife."

The company's regional sales meet-

ings will run two days each.

The Southern district meeting for
exchanges in Atlanta, Charlotte, Dal-
las and New Orleans will be held in
the last named city, beginning April 17. Cincinnati, Cleveland, Indianapolis
and Pittsburgh exchanges will meet in
Cincinnati, beginning April 18. Canadian
and Midwest exchanges will con-
vene in Chicago, beginning April 24.

In this group are the Detroit, Kansas City, St. Louis, Chicago, Mil-
waukee, Minneapolis, Denver, Omaha, Calgary, Montreal, St. John, Vancou-
ver and Winnipeg offices.

Personnel from San Francisco, Los
Angeles, Seattle and Salt Lake City
will meet on April 28 in San Fran-

The New York session will be for
Boston, New Haven, New York, Phila-
delphia and Washington.

Club Establishes
Toy-Loan Center

Baltimore, March 27—The local
Variety Club has established a
toy-lending center in a machine-
turned building. The plan includes a "library" of toys. It allows children to take out a toy for a week to return it
and exchange it for another.

Feature Reviews

"The Bad Man"

Hollywood, March 27

Of top significance to today's public would seem to be the fact
that this is the first picture in which Wallace Beery has come to his
admirers since they voted him, in terms of dollars for tickets paid to show-
men, to rank among the Ten Money-Making Stars of 1940 in the Motion
Picture Herald-Proclamation.

Of some significance to yesterday's public is the fact that the film is
in a play of the same title which was a hit on Broadway many years ago.

It is as a play for footlights that the subject matter has been handled
by producer J. Walter Rubens and director Richard Thorpe, with the
result that it lacks the incisive thrill and suspense with which Beery's admirers associate his performances, running instead to dialogue,
discussion, threat and counter-threat, nearly all of which occurs inside
and outside a ranch house near the Mexican border. Others who partici-
-pate in the plot are Lionel Barrymore, Laureline Day, Ronald Reagan,
Henry Travers, Chris-Pin Martin, Tom Conway, Chill Wills, Nyla Westman and Charles Stevens.

Crux of the story is the conflict among owner, mortgager and would-
-be buyer of the ranch. Money and love have created a state of tension
on the place when the bad man, a Mexican bandit, raids the ranch, takes
control of all and dispenses a code which produces an approx-
imation of justice.

Running time, 70 minutes. "G.**

Roscoe Williams

"Mr. District Attorney"

(Republic)

BASED on the radio program of the same name, "Mr. District Atto-
torney" should lend itself readily to exploitation, particularly in the
cities where the program is heard regularly each Wednesday.

Although its title might imply a series of courtroom scenes, the plot
concerns itself mainly with a melodramatic search for crooked politicians.
Involved, too, are a hardboiled newspaper woman and a young lawyer
who tries to bring it to justice.

It is an easy story to tell and the acting
is above average throughout. It is a
story of the law and the justice of
the law. "Mr. District Attorney" is a
worthwhile and entertaining picture.

Running time, 70 minutes. "G."

Edward Greif

ANPA Seeks Closer Ties with Industry

The American Newspaper Pub-
lishers Association, through its Bu-
reau of Advertising, representing 620
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proach to the film industry to

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Hollywood Review

"Border Vigilantes" (Paramount-Harry Sherman)

Hollywood, March 27

THIS is the 34th Hopalong Cassidy Western produced by Harry Sherman, who has his next two completed and ready for preview release date early. This may or may not be the best of the series but is close enough to that rank to make arguing of the point worthwhile. This one has speed, coherence, shooting, plotting, battling, riding, pursuit and combat in ample measure and in consummate alignment, making the hour of its exhibition seem short.

Accompanying William Boyd as Hopalong are Russell Hayden and Andy Clyde, the latter given more prominence than usual, and their associates in this outing include Victor Jory as the plotter who, posing as leading citizen, is unmasked and brought into custody by the persevering Cassidy; Frances Ford, Ethel Wales, Morris Ankrum, Tom Tyler, Hal Taliaferro, Jack Rockwell and Britt Wood. They turn in a nicely rounded set of performances.

Setting is a western town in the silver country, shipment of the metal by wagon and pack-horse supplying the strife between honest citizens and raiders.

Making his bow as director, Derwin Abraham's long a member of the Harry Sherman organization, a firm hold on his subject matter and dice up a solid piece of entertainment.

Running time, 60 minutes. "G."**

*Roscoe Williams*

'Wind' Minneapolis

Smash with $13,000

Minneapolis, March 27. - "Gone With the Wind" did a fine $13,000 at the Century despite the blizzard, which hurt business at other houses. "Strawberry Blonde" drew $7,500 at the Orpheum.

"Strawberry Blonde" (W. B.)

ORPHEUM—(2,800) 28c-44c-55c 7 days.
Gross: $7,500. (Average: $1,071.)

"Back Street" (Univ.)

CENTURY—(1,600) 26c-36c-41c 7 days.
Gross: $13,500. (Average: $2,375.)

"Western Union" (20th-Fox)

WORLD—(400) 28c-36c-41c 7 days.
Gross: $2,000. (Average: $285.)

"Meet the Champ" (Univ.)

Lstar—(400) 20c-25c-30c-35c 8 days.
Gross: $1,200. (Average: $150.)

"Lone Wolf Takes a Chance" (Col.)

WORLD—(1,500) 25c-30c-35c 7 days.
Gross: $1,500. (Average: $214.)

'Barnyard,' Show

$7,000, Kansas City

Kansas City, March 27.—"Barnyard Follies," aided by a Major Bowes stage unit at the Tower, took $7,000 in a week of generally slow grosses. Estimated receipts for the week ending March 18-24:

--Nice Girl?" (Univ.)

ESQUIRE—(800) 36c-41c 7 days.
Gross: $1,800. (Average: $257.)

--Come Live With Me" (M-G-M)

PARK—(1,000) 28c-44c 7 days.
Gross: $1,000. (Average: $143.)

--Land of Liberty" (M-G-M)

MIDLAND—(4,000) 28c-44c 7 days.
Gross: $7,000. (Average: $1,429.)

--Footsteps in the Dark" (W. B.)

NEWMAN—(1,900) 25c-44c 7 days.
Gross: $6,000. (Average: $1,053.)

"Strawberry Blonde" (W. B.)

LOEW’S—(1,500) 25c-30c-35c 7 days.
Gross: $4,500. (Average: $643.)

"Barnyard Follies" (Rep.)

FOUR—(900) 35c 7 days.
Gross: $1,500. (Average: $214.)

"Nice Girl?" (Univ.)

UPRIGHT—(2,000) 28c-41c 7 days.
Gross: $3,000. (Average: $300.)

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SAG Forbids Free Talent On Air Shows

(Continued from page 1)
called off, despite of the players’ fight against free performances.

"We have made arrangements with the studios to preview their new pic-
tures," he said. The appearances of the players in the Thursday session in the
nature of entertainment for the pictures.
The producers have pictures to sell, and they think radio is an excellent
medium for exploitation.
Hersholt had protested that the free appearances of the stars on the
Libebe programs would endanger the
$10,000 weekly program which the Relic Fund presents on the
same network for Gulf Oil.

GUILD READY TO ACT
An old letter to Hersholt said in part: "The Guild board of directors is prepared to bring charges against
any member who gives free radio performance unless that member has an
individual contract requiring such performances to exploit pictures. In
the cases of contracts of this type, the Guild will take action to prevent
without written instructions from their producers. The Guild hopes to
convince producers that there is a distinction between exploiting pictures
and exploiting soap. In this fight for protection of actors, the Guild has the
continued support of the American
Federation of Radio Actors. AFTRA will enforce its rule against
free performances.

Martha Dinchs and Bruce Cabot are to appear tomorrow night on the
first Parsons-Libbey program in a dramatization of Universal’s "Flame of New York." Paulette Goddard is
set for the April 4 program with a version of "Pot O’ Gold," and on April
7, Barbara Stanwyck will be previewed with Judy Canova tentatively set for the lead.

SAG’S WARNING
The Guild’s warning to its star and feature player members reads in part: "Looula Parsons has entered into a
contract to provide ‘guest talent’ on a radio program advertising Libebe soap.
Fees are paid in advance. Actors will not be paid their usual rates of compensation. Unless you have
a contract specifically requiring free radio performances, this letter is your notice that you must not give
such performances. If you do it will be necessary for the Guild to prefer charges against you which may lead
to your suspension from the Guild or other disciplinary action. The Guild will
continue this fight as long as may be necessary to stop the evil of ‘free talent’ shows."

Woodell Heads NBC Short Wave Selling
John F. Royal, NBC vice-president in charge of short wave yesterday named Shirley F. Woodell as
sales manager for that division. Woodell, who has been transferred to
Blue sales on special assignments. Woodell joined NBC as salesman in the
international division last January after 12 years as advertising manager for
Packard Motor Export Corp.

NEW RESTRICTIONS
Expected in India

Although new restrictions are expected on the American film trade in India in the near future, there has
been no official indication yet whether the regulation will be in the form of regulations on
film imports or the partial blocking of remittances, according to Harold
dudoff, Universal manager in India.
Due to restrictions on radio today and will leave New York tomorrow for the Coast, en route to his big capital.

Last year the Indian Government ordered a 25 per cent curtailment of the average annual American motion
picture imports in order to ease its foreign exchange difficulties. Recent Government overtures indicate
that the restriction on film imports has not been approved by the Government with a full
solution of its problem, and that new restrictive measures are to be expected.

whoff said that while the Government will not impose any
whether they will be in the form of a further reduction in the number of
films which the distributors may bring into the country, or in the form of a restriction
on currency remittances to New York. No monetary restrictions are imposed on the distributors there at present.

Dudoff reported that the theatre business in his territory has been very good in the past months. Indian troop
movements to and through coastal Indian cities are considerable and have
influenced business, he said.

Government Rests In Schenck Trial
Mathias F. Correa, U. S. District Attorney, stated yesterday at the close
of the day’s trial of Joseph M. Schenck that the Government's case has
concluded unless the case is upheld in some detail should occur by Monday, next sched-
duled day of the trial. The statement
was made after cross-examination of the Lawrence W. Gibney, U. S. Treas-
urer agent, was completed. A motion to
dismiss the indictment is expected to follow the announcement that the
Government rests its case.

Gibney stated that he had not investigated the books of 20th Century
Fox Film Corp. in 1937 to determine whether a payment of $469,640 made
to Schenck that year by the company represented a dividend or a payment
out of capital. Schenck has consis-
tently contended that this payment was out of capital and was not taxable.
The defendant contends that the Government
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First Arbitration Appeal in Chicago; 7th Case in N. Y.

(Continued from page 1)

next Sept. 1, leaving him without a job.

New York's seventh case was filed yesterday by Charles Meyerson, operator of the Lyric, Coney Island, and Mrs. Robert leaving days. The appeal is against against Cleveland Institute, the arbitration board, and the Glenn Shaw and Huntington theaters, which the same name has 60 days to hear the case.

The following hearing dates were set:

March 1—Buffalo, Geneseo Theatre, Mt. Morris, N. Y., against 20th-Century-Fox and Warners, on clearance; Weldon D. Smith, attorney, arbitrator.

April 1—Milwaukee, Rex Theatre, Evansville, Wis., against Paramount, clearance; Thomas P. Whelan, attorney, arbitrator.


April 7—Boston, Garbo Bros', Athol Theatre, Athol, Mass., against 20th-Century-Fox, RKO, Loew's, Paramount and Warners, on clearance; John Daly, attorney, arbitrator. The Eitel Amusement Co.'s clearance appeal against the five consenting companies is scheduled for hearing in Cleveland today and the Midtown Theatre's clearance appeal against the five companies will be heard tomorrow in Detroit.

Walbrook Hearing Entering Fourth Day

WASHINGTON, March 27.—Final testimony in the Walbrook arbitration case on clearance is expected to be presented tomorrow. The hearing ended its third day today. The new evidence was concerned principally with the equipment and improvements of the Walbrook and its three Baltimore competitors, Durkev's Ambas- sador, Gwynn and Forrest, insofar as their physical appearance bear on the merits of the case.

Among the witnesses were Thomas D. Goldberg, operator of the Walbrook, and Baltimore architects, air conditioning suppliers and realty men.

Decision Due in Warner Complaint

CHICAGO, March 27.—A decision in the "some run" arbitration case of E. F. Van Dernmer of Morris, Ill., against Loew's is expected within a few days, following the filing of final briefs today by attorneys for both sides.

New Michigan Bill

To Aim at Decree

DEtroit, March 27.—Representative Raymond J. Snow of Flint, whose recent bill to revise film booking methods in the state has been referred to committee, will introduce a complete bill to amend the near future which is expected to more closely resemble anti-concussion decree legislation than its first, was learned here today.

Details of the new measure were not released.

Snow's first bill would give exhibitors an option on all features and would permit each to arrange his own program. It would go beyond the prevailing custom of simultaneous exhibition of the same feature or features in adjacent theaters, thus upsetting the entire clearance structure in the state.

It will be several weeks before the bill is acted upon in committee, according to word received here from Lansing.
QUIGLEY PUBLICATIONS are the execution of an ideal of motion picture trade journalism which commands, inside and out—the screen industry, an unapproached readership and reader acceptance.

MOTION PICTURE HERALD
MOTION PICTURE DAILY
Balaban Sets Goldenson As Theatre Head

Appointment Made At Va. Meeting of Partners

By SAM SHAIN
Barney Balaban, president of Paramount, has appointed Leonard Goldenson as head of the company's theatre department. Word which reached New York over the weekend disclosed that this appointment climaxied the important three-day meeting of Paramount's theatre associates and partners from around the country, held at Hot Springs, Va. The meeting's chairman, Goldenson has been with Paramount about seven or eight years. He has served as assistant to F. Frank Free-Dam, formerly in charge of Paramount theatre and now vice-president in charge of production. More recently Goldenson has been Balaban's assistant on theatre activities, being chief home office liaison official with the firm's theatre associates and partners.

The meeting concluded with a banquet Saturday night. Those attending were given a toast featuring an address by the president, Balaban. (Continued on page 8)

$25,300 Gross at Greek War Benefit

The “Greek Festival for Freedom” at the Radio City Music Hall Friday night grossed $25,300 from the sale of tickets, by the theatre management disclosed over the weekend. The 6,000-seat house was completely sold out. Ticket prices ranged from $2 to $10. In addition, $1,200 was derived from the sale of souvenirs programs and several thousand dollars from program advertising. The entertainment, starting at midnight, was under the auspices of the (Continued on page 8)

MPPDA Officers to Be Reelected Today

Will H. Hays and all other officers of the MPPDA are scheduled to be reelected today at the annual meeting of the association's board of directors. Hays will submit his annual report to the board, calling attention to the industry's part in national defense cooperation and touching upon developments in the industry's foreign operating problems.

Hays' new five-year contract, which was signed by him two months ago, (Continued on page 8)

Schaefer Considers Roadshow for 'Kane'

George J. Schaefer, president of RKO, returned from Hollywood on Saturday to complete plans for the release of “Citizen Kane,” an announcement on which he will in all probability make this week. The film is likely to be roadshowed and in New York will go in on a two-a-day basis at the RKO Palace on Broadway.

William Fox Pleads Guilty In Fraud Case

PHILADELPHIA, March 30.—William Fox on Friday pleaded guilty to an indictment for conspiracy to obstruct justice and defraud the United States before Federal Judge Guy K. Bard here.

Sentence was deferred until April 14 by Judge Bard, saying he wanted time to study the indictment which grew out of charges involved in the bankruptcy proceedings of Fox's All-Continents Corp. and film enterprises. Former United States Judge J. Warren Davis also was indicted. Fox was released on $5,000 bail.

William Fox, according to the International Motion Picture Almanac, (Continued on page 8)

Block Booking and Divorce Bills

In Congress Again

WASHINGTON, March 30.—Con- troversies over block booking and theatre divortive are promised another airing in Congress by a Senate judiciary subcommittee headed by Senator Harley M. Kilgore of West Virginia, successor on the committee to former Senator Mark Hatfield, Oregon.

The West Virginia Senator will take up where his colleague left off upon becoming Governor of his state, and shortly call his subcommittee together to consider the two bills which were reintroduced before he left Washington.

There was some difference of opinion in the committee as to just how (Continued on page 8)

Illinois Exhibitor

Wins Arbitration

CHICAGO, March 30—A decision ordering Loew's to offer its 1940-'41 product on "some run" was given on Friday by Charles Z. Henkel, arbitrator, in the case of E. F. Van Derwerker, head of the State, Morris, Ill., who filed a complaint charging the company with granting Fred Anderson clearance there.

Loew's was directed to make a run (Continued on page 8)

Parsons Promises No More Free Talent Shows on Air

House Sold Out for 'Great Lie' Opening

LITTLETON, N. H., March 30—Tickets have been sold out for the world premiere next Saturday evening at the Premier Theatre in this small New Hampshire town of the Warner film, "The Great Lie," starring Bette Davis.

The opening will be part of a birthday celebration for Miss Davis, who has a home at Franconia, N. H. near here.

A torchlight parade, premiere ball and an address by Gov. Robert O. Blood of New Hampshire are on the weekend program. The governors of the other New England states also have been invited to attend. Proceeds of the evening night performance will go to the Littleton Hospital and Golden Rule farm for boys here.

HOLLYWOOD, March 30—Donella Parsons informed the Screen Actors Guild over the weekend that she will not conduct or participate in “free talent” shows after the 13-week period of her new program, which she inaugurated for a soap sponsor on CBS Friday night.

Her assurance thus ended a week of controversy over the work of J. J. Hersholt, president of the Motion Picture Relief Fund, who charged that Miss Parsons’ “free talent” shows endangered the $10,000 weekly revenue received by the Guild for a series on the same network.

Following a conference with representatives of advertising agencies and the Screen Actors Guild, Miss Parsons sent the following letter to the Guild: "Public statements that my radio (Continued on page 8)

Metro Plans 45 to 50 Films Next Season

To Hold Sales Meeting in July, Says Rodgers

By SHERWIN A. KANE
M-G-M will have 45 to 50 features on its new season production schedule and will hold a sales meeting in July immediately in advance of offering its first block-of-five under the new decree selling system, William F. Rodgers, general sales manager, said on Friday following his return from a vacation in the South.

Rodgers said he believes it will be necessary for the company to add a minimum of 30 men to the field sales (Continued on page 8)

Films, Screen to Aid Defense Bond Sales

WASHINGTON, March 30—A nation-wide program using motion pictures and radio facilities to promote the sale of defense savings bonds and stamps has been completed by the Treasury Department with the cooperation of the two industries. The campaign will start officially May 1. The motion picture work will be headed by Howard Dietz, director of advertising and publicity for Loew's, who will join the Treasury Department tomorrow on a part-time basis. (Continued on page 8)

Piazza Named RKO Coast Casting Head

Ben Piazza has been appointed head of the casting and talent department of the RKO studios in Hollywood. By George J. Schaefer, president, it was learned over the weekend, Piazza will assume his new duties on the Coast today. Piazza formerly was studio talent executive for M-G-M.

According to the International Motion Picture Almanac, Piazza was (Continued on page 8)
Columbia Weighs ‘Penny’ Roadshow

Columbia executives, home office reports state, were called back from vacations over the weekend by Harry Cohn, president, to make new plans for “Penny Serenade,” starring Irene Dunne and Cary Grant. It is claimed that the studio is weighing the possibility of roadshowing the picture.

Consequently, Nate Spingold left yesterday by plane for California; Jack Cohn, vice-president; Harry Masters, today; and Abe Montague, general sales manager, also is on his way back here for a general meeting in regard to the film.

7 U.A. Executives to Attend Sales Meets

Seven United Artists home office executives will participate in all of the company’s five regional sales conventions to be held between April 14 and 29.

The group consists of Arthur W. Kelly, vice-president and distribution head, who will preside at the sessions; Harry Gold, vice-president and Eastern general sales manager; Haskell M. Masters, Western general sales manager; Paul Lazarus, manager of the contract department; Monroe Greenhalgh, advertising and publicity director; David E. Wesher, exploitation director; and Al Margolies, publicity director.

George Archibald, joint managing director with Ted Carr for United Artists in Great Britain, is scheduled to arrive from London within the next two weeks, coming from Lisbon via clipper, and is expected to attend the first meeting, which will open in New York April 14. Following his return to England, Carr will come to New York for a home office visit.

Commons to Debate Sunday Show Move

London, March 30.—Open debate is expected in the House of Commons within the next few days on the motion for the liberalization of the laws governing the operation of entertainment places on Sunday. The matter will be open to the Commons.

An opposition motion which was tabled, and which has the backing of 72 members of Commons, indicates to observers that a fight on the motion may be expected.

Briggs Returning Today

O. Henry Briggs, president of Producers Distributing Corp., will return to New York today from Chicago, Leon Frenkess, Bert Kulick and Sid Kulick, company officials, arrived here over the weekend.

Penny

DEL GOODMAN, Canadian division manager for Paramount, left for Toronto over the weekend.

W. RAY JOHNSTON, Monogram president, left for the coast by train Saturday.

ROBERT LYNCH, M-G-M branch manager in Philadelphia, marked his 25th year with the company last week.

DAVE MILLER, Universal manager in Cleveland, is on route to Florida for a two-week vacation with Mrs. Miller.

STEVEN BARUK, Warner district manager in Philadelphia, has returned from Florida.

WILBUR M. PETERSON, operator of the Orpheum in Somerville, Mass., is the father of a boy, born last week.

SAMUEL ROSEN, Monogram Philadelphia, and Mrs. Rosen, have returned from Florida.

WILLIAM HIRSCH, manager of the Century and Spruce Theatres in Philadelphia, is the father of a daughter, born last week.

Para. Sets Campaign For Benchley Short

A national advertising-merchandising campaign has been arranged by Paramount with the Saturday Evening Post on “The Forgotten Man,” one-reel comedy starring Robert Benchley, which has been released in June.

Benchley has been selected by the National Father’s Day Council as the “typical father of 1941,” for which he will receive a trophy in connection with a screening of the subject at a Hotel Pennsylvania luncheon on Wednesday.

The Saturday Evening Post, in the issue of June 7, will carry a full-page ad on the short and Father’s Day. Retailers will receive a special merchandise kit. Postal Telegraph is participating with bleaks featuring a Father’s Day greeting by Benchley.

Fantasia’ Price Cut For Uniformed Men

The Broadway Theatre, where Walt Disney’s “Fantasia” is continuing its indefinite engagement, today inaugurates a policy of half-price admission to all service men in uniform. The low rate will be in effect from Monday through Friday, inclusive.

The Disney studio on the Coast is turning out insignia for the U.S. armed forces for use on planes, torpedoes, boots and tanks, as well as similar sketches for the RAF in England.

Empire Universal Meeting Under Way

TORONTO, March 30.—James G. O’Connor, president of the Empire Universal Films, Ltd., was guest of honor Friday night at a banquet of Empire Universal Films, Ltd., at the Royal York Hotel here. N. E. National Board of the same company, Canadian, and many other film executives attended.

The banquet marked the company’s annual meeting. Saturday’s session was devoted to British product, with A. J. Laurie, president of Esquire Films, Ltd., giving a special message. The meeting, under the direction of Oscar Hanson, president, will continue through Tuesday.

Booker Awards Set In Col. Sales Drive

Bookers and accessory managers will share in a group of awards in Columbia’s “Exhibitor Good Will” sales drive now in progress. Booker awards will be based on short subjects and serials bills, while those for accessory managers will be for increases in billings in their departments.

Bookers in the six leading branches will receive in cash, together with special gifts, while special awards will go to the 12 accessory managers showing the greatest improvement over quotas in their billings.

Griffiths Resigns From British Para.

LONDON, March 30.—D. E. Griffiths, general sales manager for Paramount in Great Britain, resigned yesterday. It was reported that differences over sales policy arose. Griffiths has been in distribution here since 1926, when he started with First National.

W. B. Offers to Show Nazis ‘Underground’

March 30.—Warners over the weekend made an offer to Captain Fritz Wiesler, a German consul at San Francisco, to show “Underground,” new film made from Nazi activities in Germany, to 300 sailors of the liner Columbia, now in New York, and made the same offer to the Ameripress. The studio made no further contracts to charge that American newspapers are telling only one side of the war.

Set Club Fund Drive Deals in Milwaukee

MILWAUKEE, March 30.—To eliminate duplication of effort in raising milk funds for undernourished children, the Variety Club of Milwaukee and the Milwaukee Chamber of Commerce Milk Fund, Inc., have signed an agreement whereby the former will organize a corporation immediately and launch a drive for funds.

On Sept. 1, the net contributions available will be about $450,000, the Milwaukee Junior Chamber of Commerce Milk Fund, Inc., will surrender its interest in the drive. If they are less than $5,000, the Variety Club will pass over to the treasurer of the other corporation all the funds it has collected.

Douglas Yates With Army Signal Corps

Hollywood, March 30.—Douglas Yates, son of H. J. Yates, president of Consolidated Film Industries, over the weekend resigned as assistant to Albert J. Cohen, Republic producer, to report for a year’s duty with the film unit of the Army Signal Corps at Wright Field, Dayton, Ohio.

Wins ‘Voyage’ Award

PHILADELPHIA, March 30.—Sam Teitelbaum, manager the Warner Commodore here, has been awarded a watch, the prize in an exploitation and gross contest held here on the Warner release of “The Labrador—Voyage Home.” Walter Wanger offered the prize.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)
PUBLISHED DAILY EXCEPT SATURDAY SUNDAY AND HOLIDAYS
PUBLISHED AT 814 FIFTH AVENUE, NEW YORK CITY. SUBSCRIPTION PRICE $5.00 A YEAR. POSTAL SUBSCRIPTIONS TO THE UNITED STATES 75 CENTS A YEAR.
CABLE ADDRESS, "QUIGBOB, NEW YORK." MARQUIS QUIDGEY, EDITOR-IN-CHIEF AND PUBLISHER.
CIRCULATION MANAGER, WASSERTON R. ROTHEBERGER; ADVERTISING MANAGER, ALFRED M. FINSTONE; MANAGING EDITOR, JAMES A. COHN; ASSOCIATE MANAGER, CHICAGO BUREAU, 524 SOUTH MICHIGAN AVENUE, C. B. O’NEILL; HOLLYWOOD BUREAU, 1215 POST, UNION LIFE BUILDING, WILLIAM F. WEAVER, EDITOR; TREASURER, JOHN J. BURBEAL; 46 GOLDEN SQUARE, LONDON W1; HOP FISH, MANAGER, CABLE ADDRESS, "QUIGBOB." ALL CONTENTS COPYRIGHTED 1941 BY QUIGBOB PUBLISHING COMPANY, INC. OTHER QUOTATIONS: MOTION PICTURE HERALD, BETTER THEATRES, INTERNATIONAL MOTION PICTURE ALMANAC AND FANE. ENTERED AS SECOND-CLASS MAIL, SEPTEMBER 23, 1918, AT THE POST OFFICE AT NEW YORK, N.Y., UNDER THE ACT OF MARCH 3, 1879. SUBSCRIPTION RATES PER YEAR $1.20 IN THE AMERICAS AND $1.40 FOREIGN. SINGLE COPIES 15c.
Equity Asks Survey Into Employment

The quarterly membership meeting of Actors Equity held Friday at the Hotel Astor adopted a resolution asking the Equity council to make an investigation into employment statistics of actors and their relation to the number of members admitted to the union. About 300 members at-

members voted a resolution of thanks to Alfred H. vellum, chairman of the development plan whereby high school students will be admitted to special matinees at 25 cents per ticket for the purpose of building a future audience for the legitimate theatre.

In addition, the meeting once again called on the council to eliminate the exclusive service clause from the standard contract and place the burden on the producer to demand the inclusion of such clause. A similar resolution was adopted at the last quarterly meeting but the council refused to enact it.

Robert T. Haines, a member of the council, presided during the early part of the meeting and Bert Lytell, presi-
dent, told the members that four new members were elected to the nominating committee and, together with the three members selected by the council, will draw a slate for the elections at the annual meeting in June.

**Drama Guild Seeks Trust Suit Dismissal**

The Dramatists' Guild on Friday filed application in N. Y. Supreme Court to dismiss the New York anti-

trust suit. The suit was filed against the League of New York Theatres, the application, based on the ground that the complaints fail to state a cause of action, will be heard on April 7.

The League's suit, brought under the New York anti-trust laws, charges the guild, with imposing arbitrary terms in its new basic pact governing the production of plays, which went into effect March 1. The suit claims the members of the League have been acting illegally, and are threatening to drive the stage managers out of business.

**20th Century Circuit Takes Ottawa House**

OTTAWA, March 30.—The lease on the Avalon here, now held by Famous Players Canadian Corp., and which expires tomorrow, will be taken over by Twentieth Century Theatres, Ltd. The house is owned by the Nolan interests.

Gilbert F. Sunderland, assistant manager of the Capitol here, will leave Famous Players to become manager of the Avalon for Twentieth Century. Robert Gellatly, supervisor of the Avalon, is taking over the management of the Niola and Rex Theatre here for the Nolan interests.

**Liberalize Operator License in Wis. City**

FOND DU LAC, Wis., March 30.—The City Council has approved a recommendation from the Wisconsin State Board of Electrical Examiners for an amendment to the city electrical ordinance which would exempt motion picture projectionists from the provision of the ordinance requiring them to have an electrical license.

**Key Grosses Hold Levels; $1,614,400 for 154 Houses**

**THEATRE** receipts in recent weeks reflected the effect of bad Winter weather, which prevented grosses in major cities from moving upward to any great extent, as compared with earlier weeks. However, grosses generally held their own.

A total of 154 theatres in about 20 cities reported an aggregate gross of $1,614,400 for the most recent week, ending March 21-22, according to Morton Picture Daily's compilation of weekly box-office reports from city theatres. The total is a total of $1,681,700 from 151 houses, highest since the week ending Jan. 3-4, indicating the New Year holiday.

The following tabulation indicates the total gross each week and the number of theatres reporting since the beginning of the current season, last September:

<table>
<thead>
<tr>
<th>Week Ending</th>
<th>No. of Theatres</th>
<th>Total Gross</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sept. 6-7, 1940</td>
<td>131</td>
<td>$1,545,000</td>
</tr>
<tr>
<td>Sept. 13-14</td>
<td>132</td>
<td>$1,482,800</td>
</tr>
<tr>
<td>Sept. 20-21</td>
<td>136</td>
<td>$1,343,800</td>
</tr>
<tr>
<td>Sept. 27-28</td>
<td>130</td>
<td>$1,255,400</td>
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<tr>
<td>Oct. 4-5</td>
<td>127</td>
<td>$1,264,300</td>
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<tr>
<td>Oct. 11-12</td>
<td>131</td>
<td>$1,300,900</td>
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<td>Oct. 18-19</td>
<td>134</td>
<td>$1,360,900</td>
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<tr>
<td>Oct. 25-26</td>
<td>132</td>
<td>$1,321,800</td>
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<td>Nov. 1-2</td>
<td>134</td>
<td>$1,333,000</td>
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<td>Nov. 8-9</td>
<td>132</td>
<td>$1,385,600</td>
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<tr>
<td>Nov. 15-16</td>
<td>132</td>
<td>$1,350,800</td>
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<tr>
<td>Nov. 22-23</td>
<td>137</td>
<td>$1,446,000</td>
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<td>Nov. 29-30</td>
<td>137</td>
<td>$1,386,900</td>
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<tr>
<td>Dec. 6-7</td>
<td>138</td>
<td>$1,273,700</td>
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<tr>
<td>Dec. 13-14</td>
<td>141</td>
<td>$1,109,500</td>
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<tr>
<td>Dec. 20-21</td>
<td>125</td>
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<tr>
<td>Dec. 27-28</td>
<td>126</td>
<td>$1,044,000</td>
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<td>Jan. 3-4, 1941</td>
<td>140</td>
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<td>Jan. 10-11</td>
<td>140</td>
<td>$1,109,500</td>
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<td>Jan. 17-18</td>
<td>139</td>
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<td>Jan. 24-25</td>
<td>134</td>
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<tr>
<td>Feb. 7-8</td>
<td>146</td>
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<tr>
<td>Feb. 14-15</td>
<td>144</td>
<td>$1,158,700</td>
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<tr>
<td>Feb. 21-22</td>
<td>147</td>
<td>$1,447,400</td>
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<tr>
<td>Feb. 28-March 1</td>
<td>151</td>
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<tr>
<td>March 7-8</td>
<td>153</td>
<td>$1,488,500</td>
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<tr>
<td>March 14-15</td>
<td>162</td>
<td>$1,532,000</td>
</tr>
<tr>
<td>March 21-22</td>
<td>154</td>
<td>$1,614,400</td>
</tr>
</tbody>
</table>

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**180 of 256 Turkish Films from America**

WASHINGTON, March 30.—Of the 256 films exhibited in Turkey during 1940, 180 were from the United States, according to a report by the U. S. Department of Commerce. Of these, 86 were English, 25 Italian, five German, four Egyptian, four Turkish, three English, two Russian and one Spanish.

By 1940, the Turks were still very fond of the motion picture, but instead of local features, they preferred American films. Hollywood pictures did not reach Turkey until after World War I, and then only to a limited extent. Now, films from America are shown throughout the country.

**N. Y. Bill Sets Fees For 16mm. Licenses**

**New Wis. Film Tax Bill Is Introduced**

MADISON, Wis., March 30.—A second bill to tax motion picture films has been introduced in the Wisconsin legislature by Senator Taylor G. Pearson of Racine. The bill would provide a 50-cent assessment for each 1,000 feet of film or fraction thereof. An Assembly measure introduced earlier in the session by Assemblyman Leland S. McKinlay calls for a 10 per cent tax on film rentals in excess of $500.

**‘Free’ Stage Show Hit at $1,120,000**

LOS ANGELES, March 30.—"That Hamilton Woman," starring Ann Sheridan and $1,200, including the charity opening, "A Girl, a Guy and a Gob" and "Ellery Queen's Penthouse Mystery" in the Los Angeles area, took in $9,200 at the Hillstreet and $8,900 at the Pantages.

Estimated receipts for the week ending March 26:

**1941.**
"A Hurricane of Happiness"

Finest, Bar None...

North, South, East, West—Engagements Extended Everywhere!

LOS ANGELES
   Hollywood • Downtown
MIAMI BEACH . . . . Beach
   Sheridan • Paramount
NEW YORK CITY
   Hollywood • Rivoli
SAN FRANCISCO
   Warfield • Fox
OKLAHOMA CITY . . Criterion
RICHMOND
   Colonial
DAYTON
   Victory
LOUISVILLE
   Mary Anderson
NASHVILLE
   Knickerbocker
TAMPA . . . . State
SEATTLE
   Orpheum • 5th Ave.
ST. PETERSBURG
   Playhouse
SPRINGFIELD, ILL . . Roxy
HARRISBURG . . . . State
LINCOLN . . . . Lincoln
NORFOLK . . . . Norva
PROVIDENCE . . Majestic
INDIANAPOLIS . . Circle
ORLANDO . . . . . Vogue

FRANK CAPRA'S
PRODUCTION FOR 19-

GARY COOPER • BARBARA STANWYCK

in

Meet John Doe

with

EDWARD ARNOLD • WALTER BRENNA

Spring Byington • James Gleason and Gene Lockhart

This Screen Play, as were most of the major successes of Frank Capra, is by

ROBERT RISKIN

Directed by Frank Capra

Distributed by Vitagraph, Inc.
GO-LUCKY FUN! CAPRA'S NOT EVEN 'MR. DEEDS'!"

N.Y. World-Telegram

"Irresistible entertainment! You can't ask more from any picture!" — N.Y. Herald-Tribune

"One of the most important pictures of 1941! The best and most human Capra vein."
— N.Y. Eve. Post

"A great picture. Gary Cooper has never given a finer performance on the screen!"
— N.Y. Daily News

"Heartily suggest you make John Doe's acquaintance at once! The hardest-hitting picture Capra has yet made."
— N.Y. Times

"Has you gripping the arms of your chair. Hits the sublime heights. A film milestone!"
— N.Y. Daily Mirror

"A sure shot for the year's best 10 list and a nominee for the Academy Award."
— The Daily Oklahoman, Oklahoma City

"Meet John Doe—meet him by all means!" — Miami Daily News

PLAY IT NOW!
PLAY IT UP!
YOU'LL PLAY IT LONG!

Produced at the Studios of
WARNER BROS.
Metro Plans
45 to 50 Films
Next Season

(Continued from page 1)

force, or an average of one salesman for each exchange, in order to sell and service accounts effectively under the decree. He emphasized that these appointments had to be made within the confines of the organization. In most cases, he believes, bookers will merit the promotions, with other exchange personnel aiding to retain them within the organization.

M-G-M will release substantially the same number of features next season as it has for the past several years. Rodgers pointed out that there is no apparent advantage in offering an increased number of pictures under the decree, and it was his belief that radio is geared to produce the estimated number conveniently, the company sees no reason for reducing the average annual schedule.

Rodgers said it had not been decided whether the company would hold more than one meeting in July or whether salesmen would be available. Final policies and instructions on the new selling practice and the early tour to habits for the first block-of-five will be discussed at the meeting.

The M-G-M sales force has improved its record of last season, a number of accounts sold, and with the present total nearing 11,000 accounts a new all-time high for the company has already been set, Rodgers said.

The M-G-M sales head has decided not to set up a separate selling organization for the company's short subjects, and does not intend to begin selling the shorter shorts earlier because of the decree, as some companies are doing.

Rodgers reported that reaction to his letter to exhibitors setting forth the company's policies under the consent decree has been highly gratifying, and won an immediate appreciative response from representatives of exhibitors in all sections of the country.

He expects to leave for the Coast in a few weeks for final conferences on current season's product and to complete plans for the first of the new season's feature blocks.

MPPDA Officers to
Be Reellected Today

(Continued from page 1)

has already been ratified by the board. Nat B. Blumberg, president, and Harry M. Warner are the only company presidents not expected at today's meeting, both having left town. Barney Balaban, Paramount, Jesse Schaefer, RKO, and Sidney R. Kent, 20th Century-Fox, are expected to return to New York today in time to attend the meeting.

Ice Show in Rochester

ROCHESTER, March 30—The National Ice Revue will play the Sports Arena here for nine days beginning April 12. The Shrine is sponsoring the show.

Parsons Promises No More
Free Talent Shows on Air

Illinois Exhibitor
Wins Arbitration

(Continued from page 1)

available to the State and to pay the costs of the arbitration hearing, held March 15. This was the first complaint filed and arbitrated here under the Federal consent decree.

The arbitrator decided that Loew's has violated Section 6 of the decree in refusing to license its pictures to the State. He ordered that the return shall be designated by Loew's upon its terms and conditions.

Loew's Offered Run

Prior to the hearing, according to company officials, Loew's had offered Van Derveer a run for the State subject in circulation from 60 to 21 days, but Van Derveer rejected the offer and insisted on bringing the complaint to a hearing.

Sam Shirley, acting M-G-M branch manager here, and John Kempen, salesman for the company, testified at the hearing that the estab- lished policy not to license second runs in towns the size of Morris, which has a population of 5,500, as it tended to reduce the first run rev- enue. Van Derveer had been offered third run, it was testified.

Evansville, Wis.
2-Month Delay

MILWAUKEE, March 30—Hearing of an arbitration complaint on clearance brought by the Evansville Theatre, Evansville, Wis., against Para- mond, which was scheduled for Tues- day, has been postponed to April 22 because of the unavailability of needed witnesses.

Piazza Named RKO
Coast Casting Head

(Continued from page 1)

the stage at 17, and in 1909 toured with repertory shows. He served 10 years with the late Martin Beck and Orpheum Theatres Circuit, managing Orpheum houses in New Orleans, Minneapolis, and Los Angeles. In 1928-29, he was general manager of B. F. Keith Enterprises and was general manager of the RKO vaudeville department in 1929. He is a former vice-president of Major Pictur- es Corp.

Block Booking and
‘Divorce’ on Again

(Continued from page 1)

far the subcommittee would go. Sena- tor Frederick Van Nuys, chairman of the full committee, declared it would consider only the divorce bill, while Senator Lloyd G. Thurston, who heads the block booking and divorce would be studied.

There has been no meeting of the subcommittee as yet, but it is expected its members will be called together shortly to fix a date for hearings.

William Fox
pleads guilty
in Fraud Case

(Continued from page 1)

was born Jan. 1, 1879, in Tulcena, Hungary, and attended public school in New York. He entered the motion picture business in 1904 and the following year leased two theatres in New York City. He became a distributor 27 years ago when he organized the Greater New York Film Rental Co., which specialized in two-reel subjects. Fox formed the Box Office At- tractions company for the purpose of pro- ducing his own films and continue to distribute the product of other pro- ducers. Later he organized Fox Film Corp, which absorbed Box Office At- tractions.

Fox expanded the new company in- to a leading distributing and exhibiting organization. In 1929 he purchased a controlling interest in Loew's, Inc., which carried with it the M-G-M stock. In that year he purchased a 45 per cent interest in Gaumont British.

In 1930, following the collapse of the stock market, Fox sold control of Fox Films and Fox Theatres to Warner, Balaban, and Talmadge. In 1932 he purchased a 30 per cent interest in Warner Bros.

Since then Fox has been inactive personally in the industry, although he has carried on various investments.

$25,300 Gross at
Greek War Benefit

(Continued from page 1)

Greek War Relief Association. The box-office total was given by W. C. Van Schmus, managing director of the Music Hall. The show was pro- duced by Marvin H. Schenck, and Leon Leonidoff was stage di- rector.

$1,500 Raised at
Providence Benefit

PROVIDENCE, March 30.—Theatres in the Providence metropolitan area and members of the legion held a benefit relief at a benefit given Friday night at Loew's State. Edward M. Fay headed the exhibitors' committee, with William Proggi as secretary-treasurer.

The program consisted of 12 vaude- ville acts contributed by Fay's and Metropolitan theatres and the Providence Billmore, a preview of "The Trial of Mary Dugan," and a March of Time subject dealing with the war in Greece. Arthur Koichi, manager of the Leroy, Pawtucket, was master of ceremonies.

Goldenson Appointed
Para. Theatre Head

(Continued from page 1)

left yesterday. Among company officials in attendance were Barney Balaban, Harry M. Warner, Nat B. Blumberg, Robert Goldenson, Leon Netter, Robert Gil- liam, Y. Frank Freeman, Sam Dem- bow and Robert Weitman.

The motion picture industry problems were discussed at the meet- ing.
Feature Review

"City of Missing Girls" (Select Attractions)

A SUBJECT definitely unsuitable for the family, this minor production presents a story of the disappearance of young girls, with vice clearly implied. The poor presentation fails to sustain interest.

The principal players are B. B. Warner and Astrid Allwyn, who have some measure of value. However, the youthful Archer is miscast as an assistant district attorney while Warner, too, is insidious in a detective role, far from the sedate character he has portrayed in his many previous assignments. Neither is very convincing.

The tale is extremely melodramatic, telling of Archer's investigation of the disappearances and the help of Warner and Miss Allwyn, a reporter, the apprehension of those responsible. The theme is emphasized in the lobby displays at the New York Theatre.

Running time, 72 minutes. "A."*  

* "A" denotes adult classification.

New Haven Gives "Sea Wolf" $6,700

NEW HAVEN, March 30—"The Sea Wolf" and "Here Comes Happiness" at the Roger Sherman took $6,700. The Lady Eve and "Murder Among Friends" at the Paramount took $5,600, and the show holds over for a second week.

Estimated receipts for the week ending March 27:

"Mr. and Mrs. Smith" (RKO) $3,200.
"College Girl" (M-G-M) $3,100.
"The Great Dictator" (U. A.) $2,700.
"Merrily We Roll Along" (20th-Fox) $2,800.
"The Lady Eve" (Paras) $2,400.
"Mystery of the Million" (20th-Fox) $2,300.
"Here Comes Happiness" (W. B.) $2,000.
"Dodge City" (20th-Fox) $2,000.
"The Great Dictator" (U. A.) $2,000.
"Here Comes Happiness" (W. B.) $2,000.
"Dodge City" (20th-Fox) $2,000.
"The Lady Eve" (Paras) $2,000.
"Mystery of the Million" (20th-Fox) $2,000.
"The Great Dictator" (U. A.) $2,000.
"Here Comes Happiness" (W. B.) $2,000.

"Dictator" Strong

BALTIMORE, March 30—Warner weather tended to offset a pre-Easter slump. "The Great Dictator" drew a strong $15,000 at the Century. "The Sea Wolf" took the same amount at the Stanley.

Estimated receipts for the week ending March 27:

"The Great Dictator" (U. A.) (Century, 3100) 35c-45c, 7 days. Gross: $15,000. (Average, $2,143.)
"The Lady Eve" (Paras) (Keigh—2,406) 35c-38c-44c, 7 days. Gross: $10,000. (Average, $1,420.)
"The Trial of Mary Dugan" (M-G-M) (New—1,518) 15c-36c-5c, 7 days. Gross: $9,900. (Average, $1,399.)
"The Sea Wolf" (W. B.) (Stanley—1,230) 15c-36c-46c-5c, 7 days. Gross: $15,000. (Average, $12,286.)
"A Girl, a Guy and a Gob" (RKO) (Lippodrome—1,320) 15c-36c-46c-5c, 7 days. Gross: $15,000. (Average, $11,429.)

Film Houses Exempt From Iowa Tax Bill

DES MOINES, March 30—The Iowa House has passed a measure to impose a general admission tax on all amusements on a graduated scale, but at the last moment an amendment was adopted exempting film theatres from the tax.

The House also has passed a measure levying a license fee of $25 a year on coin music machines, in addition to earlier passage of bills providing $10 license fees for coin film machines, and $50 license fees for pinball machines. All the measures now go to the Senate.

Open 24 Hours Daily

PHILADELPHIA, March 30—Following the gutting by fire of the Warner Family Theatre, which operated 24 hours a day, the circuit has turned the Savoy into a round-the-clock house. William Goldman's New Theatre here recently inaugurated the same policy.

Sues W. B. Over Film

IRVING GAUMONT has filed a $50,000 lawsuit charging infringement of New York Supreme Court against Warner. The plaintiff claims the plagiarism of his story, "You've Got to Swim" in the film, "My Love Came Back."

Tracy, Loy Eastbound

Loew's reports that Spencer Tracy, Myrna Loy and Arthur Horneol will visit New York during April after completing work on their respective picture assignments.

U. S. Majors Aiding English Raid Relief

London, March 30—Seven major American companies here have contributed £1,250 to the mayors of each of three British cities—Plymouth, Glasgow, and Liverpool, for the relief of air raid victims.

Showmanship Flashes...

Sets Up Canteen to Plug Buck Privates

KEENEY, Pa., March 30—C. G. Keene, manager of the Park, set up a "canteen" in the lobby for "Buck Privates," a show, gang's a town with a local bakery, an "Army Hostess" distributed 12,000 doughnuts to patrons. In addition, Keene arranged a parade through the center city streets by the Veterans of the Foreign Wars for opening night, the band serenading in front of the theatre.

Barber Shop Quartette Contest for 'Blonde'

DETROIT, March 30—Detroit Barber Shop Quartettes competed for a silver cup in a lobby contest at the Michigan Theatre for four nights as an exploitation stunt for "Strawberry Blonde," Robert P. Corbin, manager of the theatre, arranged the stunt.

'Invisible' Cop Used On 'Invisible Woman'

PHILADELPHIA, March 30—Invisible cop was used by Jack Singer, assistant manager of Warner's Sedge-wick, for "The Invisible Woman." Special blue cards, purchased at a novelty store, were issued to the audience. When the card was dipped in water, picture message and playdates appeared.

School Cheer Contest For 'Andy Hardy' Film

COLUMBIA, Mo., March 30—Russell Boykin, manager of Loew's, Omaha, staged a High School Night on the day the film opened. High school students throughout the city were invited, and a cheering-lead contest was held. The five who returned elimination were presented on the stage by Dick Overmyer, Ohio State University varsity cheer-leader. The winner, determined by audience applause, was presented with an engraved loving cup.

Col. in Victor Tieup On Penny Senenadel

COLUMBIA has arranged a tieup with RCA-Victor Co. on behalf of "Penny Senenadel." The tieup covers national magazine space, newspaper, radio and other media, with the picture based on the recordings of the musical numbers from the picture.

Cowboy Stunt Used On Autry Picture

WAY WEX, O., March 30—Carl Monroe, of the Ohio Theatre here, in selling the Gene Autry film, "Back in the Saddle," used a "mysterious cowboy" stunt, advertising cooperatively in local papers. Tickets were given to persons correctly identifying a man walking the streets, as "the mysterious cowboy."

No Farewell

Atlantic City, March 30

ALTHOUGH tendered a farewell party upon his resignation as Warner district manager here to go to Florida, where he is to operate an independent circuit, H. C. Copeland still is in town. The dinner was held early in the month, but Cope- land faced a reckoning with the local draft board. He was given a rating of I-A. The draft board turned his request for a six-month deferment so that he can arrange his affairs in Florida, telling him to stay put and stand by.

Stars Will Attend 'Hopkins' Opening

ST. LOUIS, March 30—Judy Canova and Jerry Colonna of the cast of Republic's "Six Hopskins," as well as John Wayne, Ona Munson, Donald Barry and Lois Ranson, will attend the world premiere of the film at the Fox Theatre here on Friday, March 30. Mayor Bernard F. Dinkmann has proclaimed "Six Hopkins Day" and is cooperating on the opening.

Proceeds of the opening will go to the Greek War Relief. Local radio stations will broadcast the events. William Saal, Republic special representative, is in charge of the opening.

Padua to Direct Play

Ethridge Will Study Papers' Fil Ownership

Mark Ethridge, general manager of the Louisville Courier-Journal and Times, which operates WHAS, Louisville, on Friday was named chairman of a committee to study conditions relating to newspaper ownership and the recent FCC order for an investigation and hearing on whether newspapers should be permitted to own FM stations.

The appointment was made at a meeting of about 85 publishers and their representatives of newspapers which either operate standard broadcast stations or contemplate operating FM stations. The meeting itself was independently organized, although the Associated Press Managing Editors Association assisted in the call for the meeting.

Ethridge will appoint additional members of his committee and when a report is ready a further meeting of the group will be called. There was some discussion at the meeting of organizing a permanent body, but this was not advanced.

No date was set for a further meeting but it was regarded as likely that it will be held during the regular A. N. P. A. convention in April.

The FCC in its order of March 19 pointed out that it was taking no position on joint control of newspapers and radio stations but that hearings should be held on whether or not such joint control impaired broadcasting services. The commission has not fixed a date for the hearing.

Although the FCC investigation is limited to FM stations, radio circles believe that it may pave the way for an inquiry on standard band stations. Approximately one-fourth of all applications for FM construction permits were filed by newspaper interests, and almost one-third of all standard stations are affiliated directly or indirectly with newspapers.

Games, Racing Bills Voted Down in Conn.

Hartford, Conn., March 30.—Horse racing and chance games bills have been defeated in the Connecticut legislature. Exhibitors were especially interested in the games measure, which would have provided that cash prizes be substituted for merchandise in games. Another bill which would have permitted chance games, especially cash prize inducements, but containing "no gambling element," is still to be heard.

Ring May Leave FCC

Washington, March 30.—Andrew D. Ring, a member of the FCC staff since 1932 and now assistant engineer in charge of broadcasting, was reported today to be preparing to resign to enter private business.

Off the Antenna

CHARLES GODWIN, WOR production manager, will manage the station's new FM outlet, W71XV, when the latter starts commercial operation tomorrow. This will be the first FM station in this area to go on the air commercially. Two announcers will be assigned to Godwin to handle FM programs exclusively. The station has had a full engineering crew for the operation, which will be 8:30 A.M. to 11:30 P.M. daily. Program policy has not been set. The station will operate under a 60-day FCC permit, but expects to have its new high power transmitter ready for operation before the two months expire. The transmitter is at 444 Madison Avenue.

Purely Personal: H. V. Akerberg, CBS vice-president in charge of station relations, left yesterday for a 10-day trip to Hollywood and San Francisco to discuss network affairs with officials there. Bette Davis will be heard on "Your Happy Birthday" over NBC-Blue Friday. Toni Poston, secretary to Arch McDonald, WJSV, Washington, sports commentator, will be married Saturday to Ernest McVey, Jr., a newspaperman. Virginia Latiner left over the weekend for a Florida vacation.

Allen J. de Castro will join the CBS sales staff tomorrow to take charge of time sales for the Latin American network which CBS plans to start Sept. 1. De Castro has been active in Latin American advertising and sales since 1917.

Program News: Gillette Safety Razor Co. will sponsor the Kentucky Derby over 96 CBS stations Saturday, May 3. Barney Clothes, Inc., has renewed its contract for 12 quarter hours weekly in addition to spot announcements over WHN and WLW. Colgate-Palmolive-Peet will replace "Hilltop House" with the "Story of Bess Johnson" today on the 4:30-4:45 P. M. Monday through Friday spot over CBS. Marcus & Co., jewelers, will sponsor the Wednesday "Column of the Week" by Lisa Sergio over WQXR beginning April 4. Jacob Rappper Brewer & Sons and Dick Fishel's "Sports Resume" over WHN Monday through Saturday 6:45-7 P. M. beginning April 14. Kathryn Turney Garten today starts a series of transcribed dramatic readings to be heard 1-15 P.M. Mondays, Wednesdays and Fridays for Sayson Soap. Dorothy Kilgallen, columnist, will be substituted by Johnson & Johnson on CBS 11:30-11:45 A. M. Saturdays, starting this week.

Theatre Changes

Interstate Plans House

Dallas, March 30.—Continuing its suburban development Interstate Circuit has closed a deal for a site near and will immediately begin construction on a 700-seat house.

Reopen House in Racing

Racine, Wis., March 30.—Walters have reopened the State House, here, as the Badger, with Andrew J. Kenny, formerly assistant to L. S. Stein in the advertising department of the circuit in Chicago, as manager. Ervin Janot, assistant at Walters' Rialto here, has gone to the circuit's Venetian, succeeding Edward Friedwald, in turn transferred to the Warner in Milwaukee. Janot is succeeded at the Rialto by William Bidel, Jr.

Gates Hamrick Ad-Post

Seattle, March 30.—Edward Kel- lory has been appointed assistant to Victor Gauntlett in the publicity and advertising department of Hamrick- Evergreen Theatres. He succeeds Edward Rivers, who resigned last week to join RKO.

To Open in Indiana Soon

Richmond, Ind., March 30.—Robert Hudson plans to open his new Hudson-State here in mid-April.

Acquires Theatre in Texas

Hendy, Tex., March 30.—W. O. Irwin, Jr., has acquired the Hendey Theatre from C. C. Walker.

Wills Appoints Morgan

Hollywood, March 30.—Irving Mills, president of Mills Music Co., after the weekend appointed Ken Morgan, newspaperman, as manager of the Hollywood office.

CBS Adding Four; Outlets Total 127

Four stations are scheduled to be added to the CBS list of affiliates within the next few weeks. The list is now known over the weekend, including one in the Philippine Islands. There will be an increase of three of the number of CBS affiliates to 127.

The Manila station is KZRM which operates with $0,000 watts on 618. No station rate has been set for this station, which is the first CBS affiliate east of Hawaii, although NBC recently announced two affiliates in the Philippines. KZRM probably will operate by using transcriptions of programs broadcast over CBS.

Other stations are WMBS, Uniontown, Pa., 1,000 watts on 390 k.c. with $125 per evening hour as basic rate; WERC, Erie, Pa., which will go on the air first; and WVWK, Wheeling, W. Va., which goes on the air about May 2 with 100 watts on 1,400 k.c., basic rate $125 per evening hour; and WWVX, the last named station replaces WWVA as the Wheeling outlet for CBS.

WSWBT, operated by the South Bend, Ind., Tribune, CBS outlet in that city, went to full time operation Saturday after a frequency change to 900 k.c. It is now operating with 50 watts day and 250 watts night but has a construction permit for full time operation at 500 watts.

Ascip Radio Group Finishing Contracts

The Ascip radio committee is scheduled to complete this week work on preparation of contract forms for networks, which will be submitted to the National Association of Broadcasters and the Mutual Broadcasting System as soon as they are completed. If the forms are ready on schedule, there is possibility that negotiations with the networks will begin late this week. It is believed, however, that the negotiations are more likely to start some time next week, since the Ascip board may suggest changes in the forms after the committee completes its work.

Seek New Stations in Scranton and Houston

Washington, March 30.—Construction permits for two stations were asked Friday of the FCC by George M. Brookes, Jr., for a 1,370-k.w. station at Scranton, Pa., and by the Greater Houston Broadcasting Co., Inc., for a 1,230-k.w., 250-watt outlet at Houston, Texas. WOSU, Columbus, is applying for a change of frequency from 750 to 880 k.c. and increase of power from 1,000 watts to 3,000, WJSS, Duluth, Minn., from 1,500 to 610 k.c. and from 250 to 1,000 watts. Other power increase requests filed were WPFB, Bradford, Pa., which wants 5,000 watts; WOR, New York; WRAL, Raleigh, N. C., from 1,000 to 2,500; WACO, Waco, Tex., from 11,000 to 250; and KGVO, Missoula, Mont., from 1,000 to 5,000.
QUIGLEY PUBLICATIONS are agencies of service and information to the business of the motion picture, from studio to box office—and in its public relations—ever impartially constructive.
Your theatre is your show window. Don't waste it. Keep it fresh... clean... colorful. Change frequently. Plan carefully. Keep it alive with advertising and it will draw people in... people who might otherwise not come in. And that's where those extra profits come from. Don't let the picture die. You have great powers to swell your box-office receipts. But they are mostly unused. There are dozens of selling ideas in producers press-books. Dozens of suggestions. Use them. Don't let your lobby die. Don't let your marquee die. Don't let the picture die. Use advertising... use it gracefully... consistently... according to plan. It will pay out in the long run... for the long run. Don't let the picture die. Use

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