16 Complaints In Arbitration Filed in Sept.

Total Number for Eight Months Is 123

No increase in the average monthly number of arbitration complaints was recorded during September, despite the fact that it was the first full month that all arbitration provisions of the consent decree were in effect.

During the month 16 new complaints were filed, exactly maintaining the average for the previous seven months that the arbitration system has been in operation. The

Ministry to Aid Film Fight for Manpower

LONDON, Sept. 30.—Brendan Bracken, Minister of Information, has agreed to help the film industry in its fight to prevent the call to military service of technicians in numbers which, according to trade protests, would seriously affect the industry. Bracken has asked British and American producers to outline by Thursday of this week production plans for the next year.

The Association of Cine Technicians has charged the Government with the intention of "wrecking" the industry as a result of the latest call of technicians for service. The organization's statement says only 450 technicians are to be left, and the calling of laboratory technicians will interfere also with the processing of American films.

Stress British Need Of Production Plan

The need of a planned schedule of British production is stressed in a survey of the industry's situation in the war, in the report of the Cine-
magograph Films Council for the year ended March 31, last.

The report recom-
mends the Government proceed with plans to preserve an industry nucleus. A record number of 12 distributor defaults on quota and 316 exhibitor defaults were noted for the quota year.

Coast Variety Club Officers Inducted; Skouras Is Head

Los Angeles, Sept. 30.—Charles P. Skouras, Fox West Coast head and Chief Barler of Tent 25 of the Variety Club, pledged the new club to a program of charity and fraternity in consonance with the importance of the production community in the business of show business, at the induction of officers at the Ambassador Hotel last night.

The induction took place in the presence of 200 members and 175 guests, including production talent and the press. John H. Harris, Jr., of Pittsburgh, Variety Club founder, presented the charter.

Mohme Quits Mexico Post with 20th-Fox

Gustav Mohme, manager in Mexico City for 20th Century-Fox for the past eight years, has resigned. Walter J. Hutchinson, foreign head, announced yesterday. No successor has been named as yet. The resignation, due to ill health, will take effect in a few weeks. Mohme formerly was manager for Columbia in Chile, going to the 20th Century-Fox post in 1933.

RKO Cancels Fight Film Distribution

Films of the Louis-Nova championship fight at Polo Grounds Monday night will not be released by RKO as planned, it was announced yesterday. It was said that the coverage "did not contain sufficient pictorial ring action to measure up to the high standard of fight films herefore released."

Demands of Studio Unions Presented; Answers Thursday

Cameramen and sound technicians' locals presented their demands to producers' labor representatives here yesterday, completing the submission of demands by the I.A.T.S.E. studio locals.

No meeting is scheduled today for the purpose of the Jewish holiday but the negotiations will be resumed tomorrow at the office of Pat Casey, producers' labor representative, at which time the producers' response to the demands of some of the locals will be given.

Steve Newman and Carl Cooper, L. A. West Coast representatives, are sitting in on the negotiations in advisory capacities. Their presence, along with that of the business representatives of the locals, does not signify relinquishment of local autonomy by the studio unions nor does it presuppose any way the re-entry of the I. A. to the basic agreement, it was said.

Who Cares About Grosses With 'Dem Bums' in Series

By EDWARD GREIF

"Oh, the outlook wasn't brilliant for the Brooklyn grosses that day... Are the Brooklyn theatre managers downhearted? No! They're looking forward to being able to listen to broadcasts of the World Series in the peace and quiet of their offices today and for the rest of the week. The projectionists will have little portable radios in their booths and the managers and ushers will be gathered in little knots listening to some more of the same. The kids who will pay their way into the theatre will also be carrying their portables and listening to the games while watching the picture just as they have been doing for the past month of the hectic National League race.

Circuit operators have passed the word along to managers to take it easy on celebrants if Brooklyn wins (Voice from the balcony: "Warzahda mean if 'Brooklyn wins?"). Instructions are to quiet the celebrants, if possible, and keep them from ripping up the chairs.

Scores will be announced in almost every Brooklyn house between the features. Of course, if Pete Reiser puts

Allied Units Ratify Joint Industry Plan

Majority Back Proposal Convention Rejected

Washington, Sept. 30.—A majority of Allied regional units have ratified the resolution for a national joint committee designed to promote all-industry relations, national headquarters of Allied States Association announced here today.

The resolution was unexpectedly rejected at the exhibitor organization convention in Philadelphia recently by the delegates present, and the officers resigned as a result. The directorate determined on a referendum of affiliated units, and the offer of signatures were held in abeyance pending the result, which is now announced.

The regional associations which ratified the resolution are listed by the national body as follows: Allied Theatre Owners of New Jersey, MPTO of Maryland, Allied Theatre Owners of Illinois, Allied MPTO of Western (Continued on page 3)

St. Louis Bill Would Tax Theatre Gross

St. Louis, Sept. 30.—A bill providing for a one per cent tax on gross receipts of nearly 90 theatres in St. Louis, expected to yield about $1,100 a week, has been introduced in the Board of Aldermen.

Fred Wehrenberg, head of the MPTOA here, immediately announced a campaign to defeat the measure would be launched, pointing out a similar campaign was successful several years ago when a two per cent tax was proposed. At present all theatres in the city pay a flat $150 fee a year.

Morton Now Heads Television at NBC

In a shakeup at the NBC television setup, Thomas H. Hutchinson, production manager, has left the station and Alfred H. Morton, vice-president in charge of television, has assumed the supervision of production. Morton will be with Warren Wade named executive producer. Arthur H. Hungerford, who has been in charge of purchase of motion picture films, has been promoted to business manager.
Personal Mention

DARRYL ZANUCK, 20th Century-Fox production chief, left here for Washington yesterday and will have there for the Coast by plane today.

HERBERT J. YATES, president of Consolidated Film Industries, left for the Coast by plane yesterday.

ALEXANDER W. WHISSMAN, Buffalo branch manager for M-G-M, has a birthday today.

CHARLES REED JONES, advertising and publicity director for Republic, expects to return to his office Monday after an absence due to injuries sustained in an automobile accident last week.

HERRITT HILLMAN, student assistant at the College Theatre, New Haven, was given a farewell dinner before joining the Army.

JOSEPH BURKE, 20th Century-Fox traveling auditor, is in New Haven for a few weeks.

J. Lester Stallman, managing director of the H. J. Schad Theatres in Reading, Pa., is recuperating from an appendicitis operation.

FRANK DURKEE, circuit operator of Baltimore, plans a Mexican tour. He has been reappointed president of the Baltimore Park Board.

Leon Zeller, managing director of the Rex, Roxo and Times Theatres in Baltimore, is taking his vacation in fishing trips.

Approve Cincinnati Plan for Music Hall

CINCINNATI, Sept. 30—U. S. District Judge John H. Druffel has approved the important plan for the Cincinnati Music Hall Association, debtor in bankruptcy proceedings, and the association will purchase the property at $222,250, which will enable the trustees to pay the bondholders 31.47 cents on the dollar.

Those from Western Canada were H. Friedman, veteran theatre owner of Edmonton, Alberta; George L. Mann, general manager, J. Lieberman, and J. B. Barron, a theatre owner of Calgary. The Maritime Provinces were represented by A. A. Wright, owner of the Capitol and Empress Theatres, Moncton, N. B.

Pioneers Dinner Oct. 29

Marvin Schenck has been named chairman of the entertainment committee in charge of arrangements for the Picture Pioneers Fall dinner Oct. 29. Sherry restaurant, Oct. 29.

Other members of the committee are: Leon Bamberger, G. B. Odlin, Lawrance Davids, Sam Dembow and Leon Netter.

Gone Zukor to Navy

Hollywood, Sept. 30. — Eugene Zukor, Paramount associate producer, was here last week for active duty with the U. S. Navy as a lieutenant commander. He left for the East tonight to visit his parents before going on the naval force.

16 Complaints
In Arbitration
Filed in Sept.

(Continued from page 1)

D. William J. Rodgers, M-G-M vice-president in charge of sales, has arrived on the Coast for his annual fall studio visit.

Fred Lange, of the Paramount Pictures Corporation, is leaving by plane Friday for Guatemala, on a Latin American survey.

Sol M. Wurtzel, executive producer for 20th Century-Fox, and William Goetz, vice-president, are due in from the Coast today.

Guy Collier, manager of the Old Ttall, neighborhood house in Indianapoli, is spending two weeks in Hollywood.

Cecilia Hughes, secretary at the Universal Indianapoli exchange, was given a luncheon before her transfer to the home office.

Angelo Scavo, owner of the Home Theatre, Old Forge, Pa., and Helen Scavo, who were married in Scranton recently.

William Sharp of the Capitol in Wilkes-Barre, Pa., has been reelected second vice-president of the International Alliance of Billposters.

Gene Vogel, M-G-M salesman in Baltimore, won the city finals there of the annual left-handers golf tournament at the Municipal Country Club.

E. S. Seelye, Altex Service engineer, has been granted a leave of absence to do research in a plan of detection for the National Defense Laboratories.

Newsreel

ASSORTED coin defense subjects in the mikado skyline include Britain's shipment of tanks to Russia, launching of several merchant ships for the British, and a giant bomber in Baltimore. The reels and their contents follow:

MOVIE WORLD, NO. 7.—Launching of ships by British with armored units in England. New bomber in Russia, British launching of German ships with Soviet personnel, launch of a British battleship, Russian boats with an armament of 150,000 men, and the Berlin makes in Russia.

THE NEW YORK TIMES, NO. 10.—Baltimore's new giant bomber in Baltimore. New bomber in Russia, the Blue Brazil with tanks to the front, new bomber in Baltimore. The Mikado skyline is included.


Chicago Traders
Two Films on Oct. 14

"Chocolate Soldiers" and "Unholy Partnership" will be shown by M-G-M Oct. 14 around the country with the exception of New York and Philadelphia. In Philadelphia "Unholy Partnership" will be screened Oct. 14 in the morning and again in the afternoon while "Chocolate Soldiers" will be shown the following day. Both will be shown at Woodrow Wilson. New York also in the morning and in the afternoon.

Indiana Meet Nov. 17

INDIANAPOLIS, Sept. 30—The 15th annual convention of the Associated Theatre Owners of Indiana will be held Nov. 17 and 18 in the Hotel Antlers here.

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total number of complaints for the month was 125.

Three arbitration boards still have had no complaints filed. They are Des Moines, Seattle and Indianapolis. New York, previously charged with having no complaints filed, and Philadelphia is second with 13. Other boards have from one to eight complaints each, although eight boards other than the three in which no complaints have been filed, have no cases on their docket due to the fact that those files have been disposed of by awards or settlements. The eight boards with no cases on their docket are the Lake City, Milwaukee, Denver, Cleveland, Albany and Oklahoma City. Of the 16 complaints which have been filed of these 18, there are no three complaints filed in their eight months of operation. The Cleveland board has had but one complaint and that was filed February 1, Oklahoma City and Albany have one complaint each and none filed since March. Salt Lake City has had but one complaint and none filed since May. Omaha has one case of recent activity.

Few Complaints Filed

Milwaukee has had two cases, none since last March, while Atlanta, Charlotte, Memphis and Portland have had but two complaints during eight months. Stations which have had only three complaints in the eight-month period are Cincinnati, with none since May; Denver and Pittsburgh with none since April; New Orleans and Minneapolis, with none since March, and Kansas City.

Of the 16 new complaints filed to date, 74 have been disposed of, by arbitrators' awards and 28 by withdrawal, the later being for most part on settlements which were accepted by the complainants. Of the 46 decisions, 22 were in favor of distributor respondents and 24 in favor of exhibitor complainants. Six awards were "split" decisions.

Clearance Complaint
Is Filed in Philadelphia

PHILADELPHIA, Sept. 30.—A clearance complaint was filed against all five competing companies on the Philadelphia arbitration board today by Columbus Stamper on behalf of his Rivoli Theatre. The complaint, in which six grants were made to the Rivoli, the right to play the show no later than 28 days after first run in the West Philadelphia section and exclusive rights to exhibitors Commodores and/or first run in the Baltimore Ave. zone.

W. B. Dropped from
Clearance Complaint

PHILADELPHIA, Sept. 30.—Walters has been dropped as a respondent in the clearance complaint filed by M. Ellis' Broad Theatre here. Walters' counsel successfully argued that under Section 4 of the Act the exhibitor may sell to its affiliated theatres at its own terms, and that Walters, therefore, were not properly involved in the case.
Kisses and Show $19,000; Chicago Slow

CHICAGO, Sept. 30.—Grosses generally were reported to the "Kiss" circuits went to the State-Lake, where "Kisses for Breakfast," and a stage production, "The Belle Starr" (Fox), were headed by Grace Moore and Lee Morritt, box office $10,900.

Estimated receipts for the weekend ending Sept. 25:

[Table of grosses for various theaters not shown]

Legion Approves 13 of 14 New Films

The National Legion of Decency for the first time in 14 new films, nine for general patronage and four for adults, while one was classified as objectionable in part. The new films and their classification follow:


(Continued from page 1) and jewel to the tent. Remodeling of a portion of the Ambassador Hotel for permanent headquartes is in progress in anticipation of an enrollment expected to be the largest in the annals of the Variety Organization.

3 Companies Formed


Who Cares About Grosses With 'Dem Bums' in Series

(Continued from page 1) one over the fence with three on, no manager is going to let a mere feature keep him from telling the audience about it. There'll be radios in the lobby and scores will be posted lining-by-lining outside many of the houses. The Brooklyn Street will build a little bleacher section with benches in the lobby for the fans.

Judge Potts would like the afternoon business for the past month," said the general manager of one circuit. "We can take it for one week more. Now with Whit Wyatt taking at least two games and Higbee, ..." Just in case there might be some business, the fact that today is Yom Kippur is expected to kill whatever small grosses may be rolling in. Of course, the evening gross on the holiday is generally big but managers think that most of the fans will be celebrating away from films. The scoreboard in front of the Brooklyn Citizen is expected to play to a capacity crowd.

"Grosses? What grosses? We don't expect to do any business here. Now you take Joe Medwick, there's a man who ..." And so on into the night.

Majority of Allied Units Ratify Joint Industry Proposal

(Continued from page 1) Pennsylvania, ITPA of Wisconsin and Upper Michigan, Associated Owners of Indiana, Allied Theaters Owners of District of Columbia, New York State unit of Allied, Allied ITO of Canada, and Allied of Great Britain, it was noted that Jersey Allied ratified the resolution with reservations, and Allied Michigan, Allied and the Eastern Pennsylvania unit ratified with a special vote of confidence in the national Allied officers and board.

The resolution specifically was for the authorization of the formation of a national Allied committee which would participate in a joint move to promote better relations within the industry.

Plan Unionizing of Sox Radio Staffs

MEXICO CITY, Sept. 30.—Moves have been made by the local labor federation, an associate of the Confederation of Mexican Workers, to unionize artists, announcers and technicians in 30 area movie stations here and to form a union of all local radio workers. These organizations, the federation contends, will assure the staffs of the stations of the interests of all radio workers.

Artists, announcers and technicians at present are not covered by the labor contracts of the radio stations. The majority of these stations' staff members are reported to be in favor of this unionization.

To Sign Ascap Pact

Station WHC, Rochester, yesterday offered CBS that it would sign the new Ascap network agreement and the new local Ascap agreement. The station is the first CBS affiliate to respond to the network letter of last Saturday which recommended acceptance of the new Ascap pact.

Promoted by Comford

SCRANTON, Pa., Sept. 30.—Samuel Friedman, manager of the Capitol at Pottsville, Pa., for 14 years, has been appointed district manager for nine theaters in the area from Hazleton to Mauch Chunk, Pa.

Lofts Los Angeles Hit, $45,300

LOS ANGELES, Sept. 30.—"Sergeant York" was the outstanding film here, taking $45,300 at two houses, $22,500 at the Hollywood and $22,800 at the Radio. "Here Comes Mr. Jordan," in the second week on a dual at the Hillstreet and Pantages, also did well.

Estimated receipts for the week ending Sept. 25:

[Table of grosses for various theaters not shown]

Asga Asks Pre-Trial Quiz of Petroillo

The American Guild of Musical Artists filed application yesterday in the N. Y. Supreme Court for an order requiring Pedro Petroillo, president of American Federation of Musicians, to submit himself to a sweeping examination before trial. Testimonies submitted are being sought in connection with Asga's action to restrain Petroillo from barring members of Asga from the screen, radio and concert stages unless they joined the A. F. of M.

Suit was dismissed by the Appellate Division of the Supreme Court, but in July the Court of Appeals reversed the lower court decision and ordered a trial. Petroillo will be asked 45 questions listed in the application, including his powers as president and the alleged threats made by him against Asga members.

"Heaven" Opens in Capital Tomorrow

Walters' "One Foot in Heaven" will have its world premiere at the Earl Theatre in Washington tomorrow evening before the National Advisory Committee of Protestant Clergymen, of which Bishop James Edward Freeman of Washington is chairman. Mrs. Martha Smith, one of Petroillo's stars, will attend, as will Mrs. William Spence, widow of the clergyman whose property is being purchased for the picture. A special train will take a group of newspaper and magazine writers from here and others coming East for the event from the Coast.
Serenade’ Is Seatle’s High, Takes $8,200

Seattle, Sept. 30.—“Sun Valley Serenade” at the Paramount, one of the two new films of the week, took a strong $8,200. Other houses were fair with cooler weather aiding.

Estimated receipts for the week ending Sept. 27:

- “When, Ladies Meet!” (M-G-M) $4,500
- “Ring Side Maisie” (M-G-M) $4,000
- “Billie” (Univ.) $3,500
- “Dr. Jekyll and Mr. Hyde” (M-G-M) $3,000
- “Whirling Winds” (M-G-M) $2,600
- “Alamo of the South Seas” (Para) $2,400
- “Flying Blind” (Univ.) $2,100
- “Gilda” (RKO) $2,000
- “San Valny Serenade” (20th-Fox) $2,000
- Paramount — $1,500

Kane Providence

Winner at $11,500

PROVIDENCE, Sept. 30.—“Citizen Kane” and “San Antonio Rose” at the RKO-Ambassador brought in a strong $11,500 and “Our Wife” and “Two in a Taxi” drew $8,000 in the second week at the Strand.

Estimated receipts for the week ending Sept. 24-25:

- “Citizen Kane” (RKO) $4,400
- “San Antonio Rose” (RKO) $3,800
- “Our Wife” (Col.) $2,500
- “Two in a Taxi” (Col.) $2,500

Desperate Cargo

(Producers Releasing-1940-41 Release)

This blending of good comedy and tense melodrama, neatly balanced, results in an excellent item of entertainment for the smaller theatres. The cast names have no great drawing power and the story is somewhat inconsequential, but it is well done all the way through.

Most of the comedy is in the first part as Byrd, airplane purser, and Madgal, reporter, are awaiting the arrival of a tramp Caribbean airship while Miss Hughes and Miss Conroy are confining to obtain passage back to Broadway. Finally all board the plane which, however, will be taken by Jolley and his gang. Byrd’s heroics lead to the capture of the run. Running time, 90 minutes.

EUGENE ARKELL

“Serenade’ Snare s $13,800 in Toronto

Toronto, Sept. 30.—“Sun Valley Serenade” drew $13,800 at the Imperial. “Life Begins for Andy Hardy” took $9,500 at Loew’s in its second week.

Estimated receipts for the week ending Sept. 27:

- “Man Hunt” (20th-Fox) $3,600
- “Eglington” (20th-Fox) $2,800
- “The Band Wore Tuxedos” (Univ.) $2,700
- “Beggar’s Million” (M-G-M) $2,500
- “Tobacco Road” (20th-Fox) $2,000
- “Woman’s Head” (20th-Fox) $1,500
- “Man Power” (W.B.) $1,000
- “Whistling in the Dark” (M-G-M) $1,000
- “Empire” (M-G-M) $1,000

New Haven in Lull; ‘Our Wife’ $5,200

NEW HAVEN, Sept. 30.—“Our Wife” and “I Was a Prisoner on Devil’s Island” drew $5,200 at the Roger Sherman. The second week of the Lady Print, with the new arrival of a tramp Caribbean airship, placed the college grossed $2,800. The weather was warm and grosses were generally slow.

Estimated receipts for the week ending Sept. 26:

- “When, Ladies Meet!” (M-G-M) $4,000
- “Iron Ware Crucibles” (20th-Fox) $3,000
- “College” (20th-Fox) $2,000
- “Four Sisters” (M-G-M) $2,000
- “Our Wife” (Col.) $2,000
- “I Was a Prisoner on Devil’s Island” (20th-Fox) $2,000

Belle Starr, Scott

Milwaukee Leader

MILWAUKEE, Sept. 30.—“Belle Starr,” Scott Fox’s Wiseacre, coupled with Raymond Scott’s orchestra, tallied $11,300. “My Life With Caroline” and “Jungle Cavalcade” drew a $6,500 take at the Warner.

Estimated receipts for the week ending Sept. 25:

- “Here Comes the Judge” (Col.) $4,000
- “Harmon of Michigan” (Col.) $4,000
- “Man Power” (W.B.) $3,000
- “Tobacco Road” (20th-Fox) $2,000
- “Woman’s Head” (20th-Fox) $1,500
- “My Life With Caroline” (RKO) $1,000
- “Jungle Cavalcade” (RKO) $1,000

Belle Starr’ Truth’ Pulls Neat $20,000, Philadelphia

PHILADELPHIA, Sept. 30.—The Stanley, with the world premiere of “Belle Starr,’ Scott Fox’s Wiseacre,” finished in strong order. Bob Hope, grossed $20,000, “Belle Starr’ Miller’s orchestra at the Eakins, for a near-record $3,400. Bob Hope’s film was “The Pittsburgh Kid.”

Estimated receipts for the week ending Sept. 26:

- “Lady Be Good” (M-G-M) $5,200
- “Three Weeks” (M-G-M) $5,000
- “Our Wife” (Col.) $5,000
- “Belle Starr (20th-Fox) $4,500
- “Keith’s” (20th-Fox) $4,000
- “Our Wife” (Col.) $3,500
- “Belle Starr” (20th-Fox) $3,000
- “Our Wife” (Col.) $2,500
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- “Our Wife” (Col.) $1,500

Belle Starr’ Wins Suit Against 306

Harry A. Harris and nine operating companies of local Harry Cicut won their fight in court to prevent Local 306 from arbitrating the question of an increase in wage and benefits. The United Justice Peter Schumcul upheld Harris’ petition for a restraining order against the union. The court ruled the notice of arbitration served upon Harris and the operating companies to be “improper and illegal.”
MOTION PICTURE DAILY

NEW YORK, U.S.A., THURSDAY, OCTOBER 2, 1941

TEN CENTS

N.Y. Houses Pass Levy to Patrons; Neighborhoods Plan Children’s Cut

The new Federal tax schedule, eliminating the exemption previously in force for admissions under 21 cents, went into operation smoothly here and throughout the country yesterday, representative circuit and independent operators reported last night. All adult admissions are now taxed 10 per cent. Attendance was unaffected by any noticeable degree by the new levy, it was uniformly reported by theatres. Neighboring houses, particularly in Brooklyn, experienced a general decline in matinee attendance but attributed it to the combination of the World Series opening game and the Jewish holiday, rather than to the new admission tax scales.

Substantiating their view was the traditionally substantial increase in attendance reported throughout the city for last night’s performances, following the end of the holy days.

New York houses for the most part are passing the tax along, but many (Continued on page 6)

Conn. Allied Opposes Joint Industry Plan

New Haven, Oct. 1.—Allied Theatre Owners of Connecticut voted to oppose the national Allied States proposal for participation in an all-industry committee which would work for better unity among the various industry branches.

Action was taken before word was received from the national organization that a majority of Allied units throughout the country had voted to approve the joint industry committee. The local organization, however, gave a vote of confidence to Allied’s plans (Continued on page 6)

RKO Sets Deal With Warners’ New Eng.

RKO yesterday announced the closing of a deal for its first new season block-of-five with Warners New England Theatres, covering 46 theatres in 38 situations.

The company also closed a deal for its last season’s product with Gardar Thorsteinson, operator of the only theatre in Reykjavik, Iceland.

First in Film-and-Radio News Brief Accurate and Impartial

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Key Grosses Show Gain With Start of Fall Season

MOTION PICTURE DAILY

Thursday, October 2, 1941

O'Neill Play Opens At Guild Tonight

"Ah, Wilderness!" opens at the Guild Theatre tonight with Harry Carey, Ann Shoemaker, Elisha Cook, Jr., and George O'Hara. W. E. Van Houten, manager, and others at the cast. The Eugene O'Neill play will have the proposed series of revivals to be presented by the Theatre Guild.

M-G-M to Show New Exploitation Aids

M-G-M plans demonstrations of its new advertising, publicity and exploitation aids for exhibitors at several of its big crowds of theatre men in the next few weeks.

A feature of the demonstrations will be the "Hollywood Days" presented to exhibitors and will be held in meetings in this connection.

Events where the demonstrations are are the 11th to 15th in Detroit, Oct. 6 to 8; Pennsylvania for Joseph Reed, New York Allied; and Western Pennsylvania convention, Pittsburgh, Oct. 22, and a special meeting of exhibitors in Cincinnati, Oct. 29, at which M-G-M plans to be on a basis to theatre and newspapermen.

Loew-Levin to Film Story by Maugham

Los ANGELES, Oct. 1 — David L. Loew, in a statement today, announced the purchase of Somerset Maugham's "The Moon and Sixpence," and plans for new by Loew-Levin, which M-G-M plans to be a vehicle for several leading artists.

Club to Honor Hendel

COLUMBUS, Oct. 1 — Barkers of the Columbus Variety Club will give a black-tie dinner in honor of James Hendel, former United Artists salesman in this territory, who was named master of ceremonies for the company. The committee in charge includes Al Redman, Pete Wood, John Murphy and Russ Bovin.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and bank holidays. Price per copy 10 cents, or 50 cents per year. Subscription rates per year $1.00 for the Americas and $1.25 foreign. Single copies 10c.
Warner Bros. have "One Foot in Heaven" in Washington Tonight!
BRITISH NATIONAL FILMS, Ltd.
ROCK STUDIOS, ELSTREE, ENGLAND

LOUIS J.
Chairman and Governing Film Corporation, Ltd.
National Films, Ltd.

GREETS THE AMERICAN INDUSTRY AND HAS 15 OUTSTANDING FILM PRODUCTIONS.

PIERRE HOT
ANGLO AMERICAN FILM CORPORATION, Ltd.
119-125 WARDOUR ST., LONDON, ENGLAND

JACKSON

Director Anglo American
of a Director of British

MOTION PICTURE
HONOR TO PRESENT

NING BRITISH
ACTIONS
, NEW YORK
Six New Films Finished; 44 Now in Work

Hollywood, Oct. 1. — Forty-four pictures were being prepared for release this week, as six finished and eight started. Twenty-five were being prepared, and 65 were being edited.

The tally was:

Columbia

Goldwyn (RKO)
In Work: "Ball of Fire."

Korda (U. A.)
In Work: "Jungle Book."

M-G-M

Monogram
In Work: "Sis Boom Bang."

Producers Releasing
Finished: "The Miracle Kid."
Started: "Swamp Woman," "Billy the Kid's Oklahoma Justice." "Shore Leave."

In Work: "The Shanghai Gesture."

Paramount
In Work: "Tombstone."
"The Lady Has Plans," "The Fleet's In."

RKO
In Work: "Radio Hook," "Joan of Paris," "Call Out the Marines."
Started: "Valley of the Sun."

Republic
In Work: "The Devil Pays Off."

Small (U. A.)
Started: "Twin Beds."

20th Century-Fox
In Work: "Go, Come, Leave the Day!"

United
Finished: "Man or Mouse."
In Work: "Melody Land," "Keep 'Em Flying," "South of Tahiti" (formerly "White Savage").

Warners
Finished: "Steel Against the Sky," (formerly "Dancing Thieves")
Suspended: "The Man Who Came to Dinner."

Conn, Allied Opposes Joint Industry Plan

(Continued from page 1)

The heads of a number of city and county governing boards talked of the need for the plan, which would provide for the joint operation of theatres.

Chances Games Seen Killed in Kentucky

Stated that every chance game operator will be on the same footing as the small regular-paid admissions, if the bill is passed. The plan was approved by the legislature which was to be held in Louisville last week, and will meet the deadline for the adjournment of the legislature.

Pathe Dissolution Plan Is Approved

Pathe Film Corp., shareholders, representing $1,500,000 in outstanding stock, meeting here yesterday, approved the company's plan to dissolve, plus its holdings from their purchase from F. W. Fuchs & Manufacturing Corp., common for shares of E. I. du Pont de Nemours & Co., common and to dissolve Pathe Corp.

The stockholders also approved compensation to T. C. Davis, a director, of 300 shares of E. I. du Pont common.

Under the approved plan, Pathe will transfer its 3,500,000 shares of du Pont Film to E. I. du Pont, receiving an return of $1,150,570 of the latter's common. In the dissolution of Pathe, the 100 per cent of preferred stock will receive from current cash sources payment of $10 a share plus accrued dividends. Holders of Pathe common will receive one share of E. I. du Pont common for approximately each 10.3 shares of Pathe.

Buys PRC Franchise

Chicago, Oct. 1.—George Topper, once manager of the Star & Garden and Haymarket theatres here and a public accountant in recent years, has purchased cameras and theatres of the Producers Releasing Corp. Charles Miller continues as branch manager.

noticeable adverse effect on receipts a result of introduction of the new Federal tax schedule.

San Francisco Awaits Test

SAN FRANCISCO, Oct. 1.—The big test of the new tax schedule is expected here on Saturday, when the levy will add 2.5 cents to admission tickets at matinees. Today, however, there was only slight reaction to the tax because children's prices are affected at most theatres.

Des Moines Matinee Drop

DES MOINES, Oct. 1.—Although suburban houses here reported no drop in attendance on the first day of the new tax, they were said to be preparing for a decline. A few matinee houses reported a noticeable decrease in matinees before 2 P.M., where admissions were advanced from 16 to 20 cents. Patrons houses were noticed an increase in business because of the smaller difference now between their children's prices for the new second-runs, and that of the downtown second-run.
Review

"Two Latins from Manhattan"
(Columbia—1941-'42 Release)

Hollywood, Oct. 1

A POORLY developed plot, containing many implausibilities, hampered this comedy with music. Jinx Falkenburg, model, makes an impressive film debut in the picture, in which she shares top billing with Joan Woodbury and Joan Davis.

In the story Miss Davis, press agent for a New York night club, has her two roommates impersonate Cuban dancers and singers, when the real artists are kidnapped. The pair make a hit, the real artists turn up, and all ends on a rather nasty note.

Supporting the trio are Fortunio Bonanova, Don Beddoc, Marquita Madero, Carmen Morales, Lloyd Bridges, Sig Arno and Boyd Davis.

It is a modest production, supervised by Wallace MacDonald and Hal Roach's second unit. Three songs—"The Kid with a Drum," "How Do You Say It?" and "Daddy"—are featured. Running time, 65 minutes.

VANCE KING

"*" denotes general classification.

Business' $13,000
Gross in Cincinnati

CINCINNATI, Oct. 1—"Unfinished Business" gave the RKO Albee $13,000, and "Navy Blues" took $10,800 at the RKO Palace. "Kisses for Breakfast" plus Earl Carroll Vanities at the Shubert stage pulled $12,000.

Estimated receipts for the week ending Sept. 27:

"Unfinished Business" (Univ.)
ESTIMATED:
RKO ALBEE—(1,000) (30c-40c-50c) 6 days, Gross: $9,500. (Average, $1,583)

"Kisses for Breakfast" (W.B.)
RKO SHUBERT—(1,150) (30c-40c-50c) 6 days, Gross: $6,500. (Average, $1,083)

"Here Comes Mr. Jordan" (Col.)
LYRIC—(1,100) (20c-30c-40c-50c) 5 days, Gross: $10,000. (Average, $2,000)

"Flight In Commissioner" (M-G-M)
SHIRLEY BOOTH'S STATE—1,000 (20c-35c-40c) 3 days, Gross: $2,850. (Average, $950)

"My Life With Caroline" (RKO)
RKO GRAND—(1,500) (30c-45c-50c) 6 days, Gross: $13,500. (Average, $2,250)

"Alas of the South Seas" (Para.)
RKO LYRIC—(1,000) (28c-35c-42c) 6 days, Gross: $6,260. (Average, $1,043)

"A Very Young Lady" (Col.)
"Good Day Game" (M-G-M)
RKO FAMILY—(1,000) (28c-35c-42c) 4 days, Gross: $8,000. (Average, $2,000)

"Two in a Taxi" (Col.)
"RKO" (RKO)
RKO FAMILY—(1,000) (28c-35c-42c) 4 days, Gross: $8,000. (Average, $2,000)

"Kisses the Boys' Get" Good $8,300, Omaha

OMAHA, Oct. 1—"Kiss the Boys Goodbye" pulled $8,300 at the Omaha for the town's best. The weather was clear and cool.

Estimated receipts for the week ending Sept. 23:

"Father Takes a Wife" (RKO)
PARAMOUNT—NEBRASKA—(1,200) (20c-35c-40c-55c-75c) 6 days, Gross: $5,300. (Average, $883)

"Blackout" (U.A.)
"New York State—(1,000) (28c-35c-45c-55c-75c) 6 days, Gross: $5,900. (Average, $983)

"No Greater Sin" (Univ.)
LITTLE THEATER—(200) (28c-35c-40c-55c-75c) 7 days, Gross: $1,700. (Average, $243)

Yorks Finishes Films

Emerson York Studio has completed location production on the first three of five films on essential machine shop practice, designed for visual training use by the U.S. Office of Education for defense workers. The productions are being made under a U.S. Treasury Department contract.

B & K Club Elects

CHICAGO, Oct. 1—Edward F. Doherty, manager of the Gateway Theatre here, was elected president of the Balaban & Katz Employes Club at the annual election. Other new officers are Joseph L. Stout, first vice-president; A. Warren Jones, second vice-president; William Schwartz, third vice-president; Joseph Rehak, treasurer, and Joseph Norbert Miller, secretary.
SEC Reports Large Sale of Para. Bonds, Other Transactions

WASHINGTON, Oct. 1.—Officers, directors and beneficial holders of securities in seven motion picture corporations had deals in the stocks of their companies in July, according to reports today by the Securities and Exchange Commission in its first of two summaries for that month.

Largest transaction reported was the sale by the Manufacturers' Trust Company, New York, of 122,000 Paramount Pictures 1945 convertible debentures, leaving it with 3,502,900 debentures and 5,710 shares of preferred stock at the end of the month.

In the same company, Henry Ginsberg, Hollywood officer, reported the purchase of 200 shares of common stock to make his interest 700 shares.

Monogram Deals Reported

The second heaviest transaction reported was the acquisition by William Hurlbut, Detroit director, of Monogram Pictures, of 3,829 shares of common stock through Monogram Pictures of Detroit, which held a total of 85,141 shares of common and 7,141 options for common at the close of August.

The Monogram report also showed the acquisition of 254 shares of common stock by Trem Carr, Hollywood director, increasing his interest to 22,792 shares and 12,853 options for common; and the sale of 300 shares of common by Samuel Broidy, Hollywood officer, reducing his holdings to 7,000 shares and 1189 options, together with the sale of another 500 shares held through Monogram Pictures of Massachusetts.

Acquisition of another 83 shares of Loew's Boston Theatres common stock increased the interests of Loew's, which owned 10,409 shares. In Loew, Inc., J. Robert Rubin, New York officer, sold 2,800 shares of common stock, reducing his holdings to 7,175 shares.

In Columbia Pictures, Samuel J. Briskin, Hollywood officer, bought 700 shares of common, giving him his first interest in the common.

Atlas Buys RKO

A report on RKO showed that Atlas Corporation, Jersey City, bought 400 shares of common and a similar amount of preferred, and held, at the end of the month, 82,023 shares of common, 327,912 warrants for common and 46,071 shares of preferred, and 208,220 shares of common through the American Company.

Preston Davie, New York director in Universal Pictures, bought 50 shares of common stock, giving him a total of 150 shares of common and 50 shares of preferred.

A report on the holdings of persons becoming active directors of these companies showed that Peyton Gillett, elected an officer of Universal Corporation and Universal Pictures on August 7, held, in the former, 1,400 common voting trust certificates and 26,500 certificates and 111,283 warrants. David M. Bahn, president of the Standard Capital Corporation, and, in the latter, 29,927 shares of common, 220 shares of first preferred and 20,000 shares of second preferred through Universal Corporation.

Allied Ponders Its Minn. Law As Circuits Get Films

(Continued from page 1)

has an interest in the Mort H. Singer Orpheum theatres here and in St. Paul. The Singer theatres also are tied up with Minnesota Amusement in a booking deal.

M-G-M's new season product also is being exhibited here under a three-year franchise with Minnesota Amusement, which is not affected by the decree or the state law.

[That major companies were selling new season product in Minnesota was reported in Motion Picture Daily on Aug. 18.]

The Allied meeting also surveyed the product situation in the small towns throughout the state and decided it was not serious. Some "A" theatres in larger towns might be forced to close for lack of product if the situation is not clarified by November, it was said, but a court decision on the distributors' injunction case is expected before then.

Probers to Attend Premiere of 'Heaven'

(Continued from page 1)

SAVINI SEES DECREE AS BOON TO ASTOR

A business increase of 33% per cent was recorded by Astor Pictures during the nine months ended Sept. 30 over the corresponding period last year. R. M. Savini, president, states.

Savini attributed the increase to the smoothness of many theatres in closing new season deals under the consent decree method which, he said, has left increased playing time open for independent product.
MOTION PICTURE DAILY

NEW YORK, U.S.A., FRIDAY, OCTOBER 3, 1941

TEN CENTS

N.E. Allied Ratifies Joint Industry Plan

Action Was Unexpected; Ohio Group Approves

Allied's New England affiliate, Independent Exhibitors, Inc., meeting in Boston yesterday, unanimously approved Allied States' plan for an industry joint conference committee, rejecting, however, the proposal that the committee study the possibility of making its setup "more elaborate and enduring."

This action, while approving the original proposal with a reservation, was unexpected in industry circles, it had been believed probable that since Nathan Yamin, chief opponent of the plan, is a leader in the New England unit, the meeting possibly would reject the "unity plan."

Independent Theatres Owners of Ohio, a leading Allied affiliate, also

(Continued on page 4)

Ernst Warns FCC on

Link of Press, Radio

WASHINGTON, Oct. 2.—Morris L. Ernst, counsel for the American Civil Liberties Union, today warned the FCC that newspaper-owned radio stations were a threat to freedom of speech, possibly leading to Government ownership.

Appearing before the commission in his own behalf, Ernst was the sole witness as the commission resumed hearings on its inquiry into newspaper ownership of radio stations. Ernst told the committee that while he feared the dangers of newspaper control.

(Continued on page 8)

Chicago Operators

Get 5% Wage Rise

Chicago, Oct. 2.—An over-all increase of 5 per cent was granted Chicago operators today following long negotiations on a union contract with circuits and independents.

The increase is over the former base rate of $2.10 to $3.00 per hour.

It was a counter offer of Allied of Illinois, Balaban & Katz, Warners and the Schoenstadt circuit to the union's original demand for a 15 per cent increase. The new contract will be for one year, retroactive to Sept. 1.

'MPTOA Meet With Wobber Is Delayed

The scheduled meeting yesterday of the MPTOA sales policy committee with Herman Wobber, 20th Century-Fox general manager of distribution, was postponed to an indefinite date when Wobber was called to the Coast unexpectedly. No arrangements for other meetings have been completed by the committee, which is charged with discussing exhibitor complaints. Accordian noted that exceptions in sales policies with distribution executives.

Majors Plan to Stop

Mexico Service This Week If Peace Fails

Film service to Mexican theatres will be halted this weekend by the three major distributors still operating there in the event that a settlement of the Mexican film workers' strike has not been reached by Sunday, was stated here yesterday. The action would shut off all major company product from Mexican theatres.

The three companies still unaf

ied by the strike are Universal, United Artists and 20th Century-Fox. The other five major distributors have been closed by the strike action. All distributors gave their accounts 19

(Continued on page 4)

'Heaven' Opens in Capital

Picture Praised by Clergy

By GERALD GROSS

WASHINGTON, Oct. 2.—The most distinguished gathering for a motion picture this capital has witnessed in years attended the premiere at Warner's Earle Theatre tonight of "One Foot in Heaven."

Thirtieth Street was choked with spectators straining for a peek at the celebrities. In the audience were Supreme Court Justices Murphy and Black, Attorney General Francis Bid-dle, Secretary of Agriculture Wickard, more than 800 spectators of Congress and numerous Congressmen, John D. Hertz, Edwin L. Weis and Mrs. Helen Hertz Levy.

The picture, which described as "an immortal epic," is indirect propaganda, he said, "for life and living with father and mother."

"I hope that at least half a hundred

(Continued on page 4)

Senate Probe

Hearing May Be Postponed

Tobey to Be Absent from Capital Next Week

WASHINGTON, Oct. 2.—Possibilities that hearings of the Senate propaganda probe, scheduled for next Monday, may be postponed were raised today when it became known that Senator Charles W. Tobey of New Hampshire would not be in Washington next week.

Chairman D. Worth Clark of Idaho also is currently out of the city but is expected to return before the beginning of the probe. The meeting is scheduled in Fort Wayne tomorrow night.

It was made known definitely that Charles C. Cupich, scheduled as a witness for next Monday, will not testify at that time and the committee has informed him that his appearance will be deferred. There was some doubt as to when Will Hays will be heard and the question of the examination of William Wilkerson also remains to be settled.

No definite information of plans for Monday could be obtained from the committee, it is probable that hearings will be postponed until Senator Tobey can be present.

Johnston Reelected

Monogram President

HOLLYWOOD, Oct. 2.—The Monogram board of directors at its annual meeting here today reelected W. Ray Johnston president, elected other officers and announced that sales this year to date are $400,000 more than last year for the same period.

Johnston announced that a loan for a substantial amount, which he did not disclose, was arranged with the Guaranty Trust Co. of New York.

Officers named in addition to Johnston are: Tom Carroll, executive director in charge of production; Samuel Brody, vice-president in charge of sales; Herman Rifkin, vice-president; Norton V. Ritchey, vice-president in charge of foreign sales; J. P. Friedhoff, secretary and treasurer; E. M. Mulchrone, and N. Witting, assistant secretaries, and C. Boyle, assistant treasurer.

The new board is made up of Johnston, Carry, Brody, Rifkin, John W. Mangham, Howard Stubbins, William Hurlbut, Charles Trampe and Alton A. Brody.
Coast Flashes

Hollywood, Oct. 2

EXPLOITATION and merchandising plans for forthcoming 20th Century-Fox pictures will be planned in conferences to be held by the company's chief of distribution, and Hal Horne, who arrive tomorrow from New York, with A. M. Bosford, company director of advertising and publicity, and Harry Brandl, studio publicity chief. Richard Condon accompanied Horne. They will convene for the running of "How Green Was My Valley."

Herbert J. Yates is due tomorrow from the East for conferences on Republic's quarterly product lineup and to get production of seven films under way during October.

Norman Moray, Warners' shorts subjects sales manager, is expected here Monday. The studio announced that it is planning a number of shorts "designed for the Latin American market."

Walter Pidgeon was set today by M-G-M to co-star with Greer Garson in "Mystere," William Wyler has been "borrowed" from Samuel Goldwyn to direct.

20th-Fox Showings Slated for Oct. 16, 17

Trade showings of four new season 20th-Fox films, "Moon Over Her Shoulder," "Small Town Deb," and "Swamp Water," have been scheduled for Thursday and Friday, Oct. 16 and 17, in 31 exchange cities, the company announced yesterday.

NEW YORK THEATRES

RADIO CITY MUSIC HALL

DEANNA DURBIN LAUGHTON

IT STARTED WITH EYE ON STARS"—Russell Markert's clever, imaginative revue. Symphony orchestras under the direction of Mr. and Mrs. First Mezzanine Seats Reserved Circle 6-600

CHARLES BOYER

IN PERSON

CHARLES DEANNA

DURBIN

LAUGHTON

OLIVIA

OUK

M-G-M

PARAMOUNT TIMES SQUARE

Tyrone Power

"A YANK in the R.A.F." with Betty Grable

A 20th Century-Fox Picture

IN PERSON

XAVIER

PARKER

ON STREET

CUGAT

THE DAWN

AND BAND

& LORING

SELER

PARAMOUNT TIMES SQUARE

Charles de la R. F.

SUN VALLEY

sonja henie

MILLER

BOMBER

14th Avenue Stage Show 30th Street

ERROL FLYNN"MAC MURRAY

GLEN MILLER AND BAND

IN "DIVE ROXY" "SUN VALLEY" "SUNDAY SERENADE"

MAC MURRAY

NEWSREEL PARADE

OPENING World Series game of the Yankee Stadium gets for billling in all the networks. Parachute stunt men attached to Columbia's "The Reels and their contents follow.


8 RKO HOUSES NOW PLAY STAGE SHOWS

Charles W. Koerner, general manager of RKO Theatres, has announced stage shows added to the programs of the RKO Palace in Columbus, Ohio, bringing the number of circuit houses showing vaudeville and films.

The eight, including the Columbus house, are: Palace, Cleveland; Boston; Boston; Shubert, Cincinnati; Colonial, Dayton; Golden Gate, San Francisco; Empire, Syracuse, and Temple, Rochester.

KANSAS HOUSES to Run Safety Trailer

KANSAS CITY, Oct. 2—The first full meeting of the Kansas City Safety Theatre Association was held this week, with all local theaters represented. The association decided to run a series of trailers on safety in all theaters, in cooperation with the Chamber of Commerce and the local Safety Council.

JOIN TELEVISION STATION

PHILADELPHIA, Oct. 2—Frank Thorpe Vreeland, who has spent the past 11 years in the film industry, has been named television representative of the WPTZ, Philipco television station here. Also added to the production staff was Mary Krass, former city manager of the Barter Theatre, Abington, Va., and Gilbert Gould Brown, formerly an RKO sound engineer.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Sunday, Saturday and Sunday, by Rockefeler Center, Inc., 1270 Sixth Avenue, Rockefeller Center, New York. Second-class postage paid at New York, N. Y., and at additional mailing offices.

Selling exclusively to exhibitors. Subscribers in good standing at request of the party of the office at New York, N. Y., under the act of March 3, 1879, are not mailed to:

Published by the Motion Picture Herald Co., New York, N. Y., Publishers of The Motion Picture Herald, and Motion Picture Daily.

Total circulation of the trade, and daily and Sunday editions of the Motion Picture Daily, as reported by the Audit Bureau of Circulations for the six months ended Dec. 31, 1938, was 31,627 copies. The average for the six months was 27,228 copies. The Sunday edition for the same period was 35,382 copies. The average for the six months was 29,999 copies.

Copyright, 1938, by Motion Picture Herald Co., Inc. Other publication: Motion Picture Herald, published weekly, and Motion Picture Daily, published biweekly. Entered as second class matter, Sept. 23, 1934, at the post office at New York, N. Y., under the act of March 3, 1879.

Newsreel parade.
"Hey, Daddy... Did you see those Paramount figures?... I mean on the first seven engagements of 'Hold Back the Dawn' boy, oh boyer!"

Boston
"Hold Back the Dawn surges ahead of 'Draft' and 'Zanzibar'—3 weeks first run!

Los Angeles
'Dawn' runs neck and neck with 'Draft'—booked for 3 weeks!

Worcester
'Dawn' tops 'Zanzibar and is held over for 2d week.

Providence
'Dawn' puts 'Zanzibar gross in shade and is held over for 2d week.

Wilkes Barre
'Dawn' tops 'Zanzibar.

Scranton
'Dawn' runs ahead of 'Zanzibar.'

Toledo
'Dawn' tops 'Zanzibar.'
N.E. Allied Ratifies Joint Industry Plan

(Continued from page 1) unanimously approved the proposal yesterday, without reservation. Both organizations voted the national officers and board a vote of confidence.

Evelyn regional units have ratified the local conference plan to date, with only one, Allied Theatre Owners of Connecticut, remaining to be asked. Five others still to be heard.

Yamins vigorously attacked the plan at Allied's recent national convention in Philadelphia. He called it "poison," and particularly assailed Section 3 of the proposed resolution, looking toward a permanent committee, on the ground that the independent exhibitors would be ousted by the groups representing other branches of the industry. He named Harry W. Reed, former president of national Allied and now a member of the national board and chairman of New England Allied's executive committee.

Eastern Pennsylvania Allied also has rejected Section 3, while approving the resolution otherwise.

Several Reopening

In Rochester Area

ROCHESTER, Oct. 2—New activity in the theatre business marks the fall season in the Rochester area. The Majestic has been temporarily re-opened. The run features a film, but the house will be redecorated and operated on a double film policy. The Majestic will be used from time to time for special shows.

In nearby Trumansburg, a new theatre has opened, run by Cornell Theatres, Inc. The new house, to be known as the Cayuga, will seat 1,500. The City Springs Theatre in Clifton Springs has been leased and reopened by Schne, according to C. C. Young, Schne's manager. The Emory, formerly of the Riverside in Buffalo, is the new manager. Alterations have been made.

Plan First Runs at

Boston Repertory

BOSTON, Oct. 2—A contract has been signed between the M. & P. Metropolitan Theatre and the Repertory Theatre, by which the Repertory will take over the house as of tomorrow. The Metropolitan will change policy, featuring stage shows as well as first run pictures. Xavier Cugat and his orchestra will inaugurate the new policy on Nov. 14. The Repertory for the past few years has been used as a legitimate house and as a fourth run film theatre. The last play was "Life with Father" which ran about six months.

Start Louisiana Theatre

NEW ORLEANS, Oct. 2—Construction of a new 1,100-seat theatre in the French Quarter has been completed. It has been estimated that $75,000, and to be operated by Beren-son Theatres, Inc., began yesterday. Completion is expected by Feb. 15, 1942.

'Heaven’ Opens in Capital

Picture Praised by Clergy

(Continued from page 1) million persons will see this picture," he declared. "We should do everything possible to bring it here." 

Seated in the audience were two members of the Nye-Clerk subcommittee—Sen. Ernest W. McFarland of Arizona and Sen. C. Wayland Brooks of Illinois.

Dr. Poling reviewed for the audience the manner of the making of the picture, and after production of the Reverend Eldridge, wife of Fredric March; Martha Scott and Elizabeth Fraser, who plays two of the film's cast, and the widow of the Rev. William A. Spence, Methodist minister whose life story is depicted in the film, he brought to the stage a surprise celebrity—none other than Harry M. Warner, president of Warner Bros. after an audience of ministers, Government officials, and society and civic personalities heard Warner say:

"I am proud we made this picture. These are perilous times and Christianity is fighting to survive. I know that Christianity will survive. And that Christianity is faith and faith is good.

"It makes no difference what your faith is because every faith is good."

The New York group of Warner executives and newspapermen who came here for the premiere will return to New York tomorrow.

Short Subject Reviews

"A Letter from Home" (United Artists)

A propaganda subject from England which approaches the war's effect on Britons at home in a calm and wholly impressive fashion, this is distinguished by the expert direction of Carol Reed, who has made the film move slowly, tensely and realistically. Its main concern is with the manner of living to which English women have adjusted themselves, only commenting casually when a sewer runs, a bomb is dropped and a building is shattered. It is to be distributed by United Artists on a non-profit basis.


"Old MacDonald Duck" (Disney Cartoon)

The Walt Disney cartoon makers have taken a simple situation like Farmer Donald Duck milking Clementine Cow and have given it a clever treatment that is certain to have audiences laughing. Running time, 8 mins. Release, Sept. 12, 1941.

"Pampas Paddock" (Sportscope)

This is an assorted horror of horse breeding and racing scenes taken in South America. The film is special interest to devotees of the sport, since both republics are known for their fine stock. Running time, 9 mins. Release, Sept. 5, 1941.

"Half Shot at Sunrise" (All Star Comedies)

Columbia

Roscoe Karns, a prankster in this little comedy, finds much to laugh at in his antics but they and the reaction they get are not considered too funny by the audience in the theatre. The film uses the old situation—pie throwing and the like—in its effort to draw laughs. Running time, 16 mins. Release, Sept. 4, 1941.

"Community Sing, No. 2" (Columbia)

Here the audience is asked to accompany Lew White at the organ and the "Song Spinners," unseen choral group, in a few tunes, such as "Annapo- lisa," which by this time have lost some of their value. Where audiences have reacted favorably to such fare in the past, this should be appropriate. Running time, 10 mins. Release, Sept. 5, 1941.

"Buenos Aires Today" (Columbia Tour)

This is the usual type of travelogue, touring the Argentine capital with stopovers at big buildings, the subway, and such. Also, it takes time out to look at the city's means of solving traffic problems, and the cattle industry. Color would have enhanced the film, but as it stands rates as fair entertainment. Running time, 10 mins. Release, Sept. 26, 1941.

Mexican Industry

Now Employs 12,300

Mexican City, Oct. 2—The importance of the film industry to Mexican economy is indicated by figures released on the business.

The industry directly supports 12,300 workers with an average annual payroll of almost $1,000,000. Receipts of the 1,009 active theatres in the country average $15,300,000 a year. Of the theatre total, 97 are in the Federal District, which includes Mexico City.

Companies to Stop

Service to Mexico

(Continued from page 1)

day notice of cessation of film service last month in compliance with contract provisions. The 30-day period will expire Sunday.

Meanwhile, home office foreign department of the companies, have set up in Mexico City offices that negotiations for a settlement of the strike are progressing satisfactorily, with Mexican government officials participating.

Arthur Prattchet, Central American manager for Paramount, was called to Mexico City from Hana, where he was to attend the settlement negotiations.

New Film Regulations

In Mexico Effective

MEXICO CITY, Oct. 2—New regulations governing supervision of the picture industry have gone into effect. They regulate the commercial exhibition of films throughout Mexico and make possible the approval or disapproval. Grade letters are assigned to pictures—"a," those suitable for children, adolescents and adults; "b," for adolescents and adults; "c," adults only, and "d," adults only under special authorization of the Delegate of the Interior's Supervision and Censoring Department.

Exhibitors must abide strictly by these letter gradings in all screenings and are fined to the tune of from $22.50 to $225 for violations.

FP Canadian
deny

Hanson Affiliation

(Continued from page 1) from other Canadian companies, in which he held executive posts.

It was declared there are no negotiations being conducted with a view to the appointment of Hanson to the Famous Players circuit. Hanson had operated the subsidiary Ontario group of the company until his resignation last spring as president of which had been known as Hanson Theatres Corp.

WB Salesman Resigns

PHILADELPHIA, Oct. 2—Harry F. Bachman, local Warner salesman in the Philadelphia area, resigned today to return to Washington where he will manage the Circle Theatre. The vacancy will be filled by Ben Bachman.

Named PRC Salesman

ALBANY, Oct. 2—Sam Milberg, formerly of the Publicity Department of the various companies, now operating the Ritz, Scotia, has been appointed salesman for Producers Releasing Corp. and will travel out of Albany.

(Continued from page 1)
Review

"Sailors on Leave" (Republic—1941. Release)

This is a story of a sailor who hates women in general and a particularly night club singer who hates sailors in particular. William Lundigan, inspired by his shipmates, Nazarro and Chuck Chandler, sells "shares" in an inheritance he is to get if he marries before a certain date. As the deadline nears, the entire fleet has a financial stake in the marriage. Lundigan pretends to fall in love with Miss Ross, certain that his courtship will be futile. Yet Lundigan succeeds in stalling the marriage beyond the deadline, finally marries Miss Ross and pays off the fleet with money recovered as a reward for a stolen bracelet which manages to insinuate itself into the plot. Albert S. Rogell directed to make the most of a weak story. Albert Cohen produced. Running time, 71 minutes. A."*

Edward Greff.

"*" denotes adult classification.

"Jordan" Is Detroit

Top With 'Harmon'" Detroit, Oct. 2 - The weekend personal appearance of Evelyn Keyes, in "Here Comes Mr. Jordan," and Tom Harmon, star of "Harmony of the Fleet," at the Fox, proved $20,000 with the dual. The Michigan took $14,000 with "Manpower" and "The Reluctant Dragon."-

Estimated receipts for the week ending Sept. 25:

- "Sun Valley Serenade" (20th-Fox)
- "Tairestry Ship" (Col.)
- "Adams" (1,600) (1,379-44c-5c, 7 days) Gross: $5,000. (Average, $750.
- "They Met in Bombay" (M-G-M)
- "Cheers for Miss Bishop" (U. A.)
- "Gross: $3,800. (Average, $950.
- "Bowie Mr. Jordan" (Col.)
- "Harmon of Michigan" (Col.)
- "Gross: $2,500. (Average, $130.
- "The Reluctant Dragon" (RKO)
- "Dive Bomber" (W.B.)
- "Aloma of the South Seas" (20th-Fox)
- "Gross: $2,800. (Average, $140.
- "Lady Be Good" (M-G-M)
- "DIEM" (United Artists—2,000 (2,939-44c-3c-4c) 7 days. Gross: $12,000. (Average, $1,700.

"Aloma" Tallies Near

$15,000 in Baltimore

Baltimore, Oct. 2 — Business showed some improvement. Aloma of the South Seas" took $15,000 at the Stanley. "Our Wife" and a stage show took $16,000 at the Hippodrome. Estimated receipts for the week ending Sept. 25:

- "Lady Be Good" (M-G-M)
- "Century" (1,500) (2,646-44c-4c) 7 days. Gross: $11,500. (Average, $1,643.
- "Unfinished Business" (Univ.)
- "Gross: $9,500. (Average $1,357.
- "The Narrow Margin" (Col.)
- "Gross: $2,000. (Average, $286.
- "Here Comes Mr. Jordan" (Col.)
- "Hollywood" (2,300) (2,939-44c-4c) 7 days. Stage Gross: $2,300. (Average, $328.

"Our Wife" (Col.)

"Hollywood" (2,300) (2,939-44c-4c) 7 days. Stage Gross: $2,300. (Average, $328.

"When Ladies Meet" (M-G-M)

"Gross: $2,300. (Average, $328.

"Father Takes a Wife" (RKO)

"Gross: $2,000. (Average, $286.

"Belle Starr" (20th-Fox)

"Gross: $1,800. (Average, $257.

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"Belle Starr" (20th-Fox)

"Gross: $1,800. (Average, $257.
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<thead>
<tr>
<th>Date</th>
<th>COLUMBIA</th>
<th>M-G-M</th>
<th>MONO.</th>
<th>PARA.</th>
<th>REPUBLIC</th>
<th>RKO RADIO</th>
<th>20TH-FOX</th>
<th>U. A.</th>
<th>UNIVERSAL</th>
<th>WARNERS</th>
<th>MISC.</th>
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<tr>
<td>Sept 5</td>
<td>Mystery Ship (D) Paul Kelly (1941-42)</td>
<td>Gentlemen from Dixie (D) Jack LaRue (1941-42)</td>
<td>Citizen Kane (D) Orson Welles (1941-42)</td>
<td>Charlie Chan in Rio (D) 206 Sidney Tolmer (1941-42)</td>
<td>Badlands of Dakota (O) 308</td>
<td>Badlands (D) 1941-42</td>
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<td>Sept 12</td>
<td>Harmon of Michigan (D) Tommy Harmon (1941-42)</td>
<td>Let's Go Collegiate (D) Frankie Darro (1941-42)</td>
<td>Outlaws of Cherokee Trail (O) 161 3 Messieurs (1941-42)</td>
<td>Belle Starr (D) 207 Gene Tierney R. Scott (1941-42)</td>
<td>Republic (D) 1941-42</td>
<td>Republic (D) 1941-42</td>
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<td>Sept 19</td>
<td>Prairie Stranger (O) 2005 (1941-42)</td>
<td>The Driftin' Kid (O) Tom Keene (1941-42)</td>
<td>Parachute Battalion (D) 202</td>
<td>We Go Fast (D) 208 Lynn Bari (1941-42)</td>
<td>Republic (D) 1941-42</td>
<td>Republic (D) 1941-42</td>
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<td>Sept 26</td>
<td>You'll Never Get Rich (M) Fred Astaire (1940-41)</td>
<td>Gun Man From Bodie (O) Buck Jones (1941-42)</td>
<td>The Apache Kid (O) 171 Don Barry (1941-42)</td>
<td>Last of the Navajos (O) 209 Man at Large (D) 210</td>
<td>Republic (D) 1941-42</td>
<td>Republic (D) 1941-42</td>
<td>Republic (D) 1941-42</td>
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<td>Oct 3</td>
<td>Two Latin from Manhattan (M) Jinx Falkenburg (1940-41)</td>
<td>Hold Back the Dawn (D) 4103 Charles Boyer (1941-42)</td>
<td>Father Takes a Wife (C) 204 Menjou-Swanston (1941-42)</td>
<td>A Yank in the R.A.F. (D) 211 Power-Grable (1941-42)</td>
<td>Republic (D) 1941-42</td>
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<td>Oct 10</td>
<td>Texas (O) Will Holden Claire Trevor (1941-42)</td>
<td>Buy Me That Town (D) 4102 Lloyd Nolan (1941-42)</td>
<td>Sailors on Leave (C) 109 Will, Landigan Shirley Ross (1941-42)</td>
<td>New Wine (M) Ilona Massey Alan Curtis (1941-42)</td>
<td>Republic (D) 1941-42</td>
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<td>Oct 17</td>
<td>Blonde from Singapore (O) Robert Young (1941-42)</td>
<td>Stolen Paradise (D) Leon Janney (1941-42)</td>
<td>Mercy Island (D) 110 Ray Milland Gloria Dixon (1941-42)</td>
<td>Great Guns (C) 212 Riders of the Purple Sage (1941-42)</td>
<td>Republic (D) 1941-42</td>
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<td>Oct 24</td>
<td>3 Girls About Town (C) Joan Blondell Binnie Barnes (1941-42)</td>
<td>Tonto Basin Outlaws (O) Range Busters (1941-42)</td>
<td>Bandit Trail (O) 281 Tim Holt (1941-42)</td>
<td>International Squadron (D) 106 Ronald Reagan (1941-42)</td>
<td>Republic (D) 1941-42</td>
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<td>Oct 31</td>
<td>You Belong to Me (M) B. Stanwyck Henry Fonda (1941-42)</td>
<td>Top Sergeant Mulligan (D) (1941-42)</td>
<td>All That Money Can Buy (D) 205 Arnold-Heuston (1941-42)</td>
<td>Never Give a Sucker an Even Break (C)</td>
<td>Republic (D) 1941-42</td>
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<td>Nov 7</td>
<td>The Stork Pays Off (C) M. Rosenbloom Rochelle Hudson (1941-42)</td>
<td>Nothing But the Truth (C) 4101 Bob Hope (1941-42)</td>
<td>Down Mexico Way (O) 92 Jesse James at Bay (O) (1941-42)</td>
<td>Burma Convoy (D) South of Tahiti (D) (1941-42)</td>
<td>Republic (D) 1941-42</td>
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<td>Nov 14</td>
<td>Secrets of the Lone Wolf (D) Warren William (1941-42)</td>
<td>Spooks Run Wild (D) Bela Lugosi (1941-42)</td>
<td>Gauchos of Eldorado (O) 162</td>
<td>Flying Cadets (D) William Gargan Edmund Leech (1941-42)</td>
<td>Republic (D) 1941-42</td>
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<td>Nov 21</td>
<td>The Man in Her Life (D) Loretta Young Conrad Veidt (1941-42)</td>
<td>Here Comes the Marines (D) Wallace Ford (1941-42)</td>
<td>Public Enemies (D) Philip Terry Wendy Barrie (1941-42)</td>
<td>Appointment for Love (D) Charles Boyer M. Sullivan (1941-42)</td>
<td>Republic (D) 1941-42</td>
<td>Republic (D) 1941-42</td>
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**Notes:**
- The dates in parentheses indicate the release year(s) of the films.
They think it's swell—

“I am writing you in regard to getting fillers for the Product Digest as you know the new film year is coming along very shortly. I would like to get two of the grey booking fillers and one of the yellow availability and playdate record fillers. Please send as soon as possible and bill me whatever the cost may be.

“I swear by this method. I really think it is swell. One of the best systems I have ever seen. I personally know that all the managers in our circuit use them and feel the same about them as I do.”

Edward Walker, Manager,
Havana and Lawford Theatres,
Havana, Illinois.

“If you have a holder for your Product Digest, kindly send me one. Send a bill and I will send a check. I don’t know why I spend money for half a dozen motion picture publications—the HERALD is the only one I ever read.

“I have been an exhibitor since September, 1904. With all the faults in the business, I think it is a great business.”

Edward A. Jeffries,
Jeffries Roxboro Theatre,
Roxborough, Philadelphia

Product Digest—now published every week in

MOTION PICTURE HERALD
**Affiliates Slow in Voting on Ascap; More Dates Seen**

Ascap contracts from NBC and CBS affiliates were reported by the networks yesterday as coming in "slowly." Some doubt was expressed by officials that it would be possible to have all the contracts on file by Oct. 13, the date tentatively set in the CBS letter to station affiliates.

Meanwhile, the Ascap board yesterday again approved the unlicensed use of Ascap music on football broadcasts by the networks this weekend. Saturday acclimit was taken by the board for broadcasts of last week's games.

An Ascap official said that, while this move was pleasing to the Ascap contracts with the major networks being closed, no criticism of the NBC and CBS procedure was voiced at yesterday's board meeting. It was stated that Ascap was satisfied that the delay is unavoidable and that the networks will make renewed efforts early next week to hasten acceptance of the new Ascap contracts by their affiliated stations if the volume of acceptance received by that time does not meet expectations.

Networks, meantime, report no difficulties with Ascap, except for the lack of the Ascap catalogues. It was pointed out that business has been steadily ahead of last year, and that, with that, and with the result of the conflict in sight, there was no reason for holding off, in any event.

BMI announced that Ed Crancy's three Montana stations had taken out BMI licenses. Crancy, long a storm petrel in the music field, operates KGIR, Butte; KBRM, Butte, and KPFA, Helena. These bring the number of stations using BMI music to a total of 166.

**Seven New Stations Sign With Mutual**

Seven new stations have joined the Mutual network, four of the North Central Broadcasting System, bringing to 182 the number of MBS outlets. The four North Central stations are KTRI, Sioux City, and KBIP, Fort Dodge, both Iowa; WJMS, Davenport, Iowa; WATW, Ashland, Wis. The others are WGBF, Evansville, Ind.; WBBB, Lexington, N. C., and WZIM, Fitchburg, Mass., the last an affiliate of the Yankee and Colonial networks.

NBC Blue Gets Two New Stations

Two stations in Manchester, N. H., were added to NBC's roster today, WMUR, which will affiliate with NBC today, and WMQX, a basic commercial outlet for the Blue network, and WWFA the same for the Red.

**Chapman Doing Script**

Tedwell Chapman, now in the East from Hollywood, is doing a screen treatment for Alfred T. Mannion of Columbia, and the story is tentatively titled, "Gargantuam, Ltd.," a jungle story to be filmed in Mexico.

**York Promotes Heckert**

Edgar F. Heckert of the York Ice Machinery Corp., which manufactures air-conditioning equipment for theatres, has been advanced from head of the service department to special assistant to the general works manager.

**Off the Antenna**

FM receivers now in operation around the country total about 70,000, according to a survey made by FM Broadcasters, Inc. Armstrong licensees are turning out about 1,000 units a day, according to report, and manufacturers expect the 100,000 mark in sets in operation to be passed by a considerable margin by Christmas.

**Purley Personal:** Frank Dupont, WMCA production man, will give a course in radio production at Long Island University.

Richard Kroutil has been named associate to Lester Gottlich, Mutual publicity director, succeeding Ed Nickel. . . . Bill Sonnenman, Jr., son of the assistant to Charles Lowman, WOR auditor, will appear on the Mutual Playhouse show Saturday.

WJZ will celebrate its 20th anniversary on the air Sunday.

A new commercial program which will get under way Sunday, 5:15-5:30 P.M., over 78 Mutual stations will feature music from Disney pictures playing in the theatre, the show which will be called "Walt Disney's Song Parade," music from "Dumbo," Disney's newest film, will be included.

**Gene Autry:** Republic Picture western star, and also featured player in "Melody Ranch," will be tendered a party by CBS at Toots Shor's restaurant next Wednesday evening just before the opening of the Rodale at Madison Square Garden, in which he appears.

**Theatre Changes**

Fox Intermountain Plans House HELENA, Mont., Oct. 2. — Fox Intermountain plans a $200,000 theatre here in the residential section of the city. The theatre will start shortly, according to Jack Edwards, circuit manager here.

House Sold at Rodeo, Cal.

Rodeo, Cal., Oct. 2. — The Rio Theatre here has been sold by Conigli Brothers to C. A. J. Church.

To re-Equip House in Conn.

EAST HAVEN, Conn., Oct. 2.— New equipment will be installed at the Capitol, recently acquired by Irving C. Jacocks, Jr., operator of the Branford.

Open California House

LAFAYETTE, Cal., Oct. 2. — The Joseph Blumenfeld Circuit has opened its new 400-seat Park Theatre here, eight miles east of Oakland.

Reopen Connecticut House

THOMSONVILLE, Conn., Oct. 2.— Peter Perakos has reopened the 90-seat Franklin, here, five miles west of the city, for weekend operation only, with 28-cent top admission, and combined first and second run policy. Perakos also operates the full-time 98-seat Strand.

Building San Antonio Theatre

SAN ANTONIO, Oct. 2.— A theatre is being erected here by E. D. Edwards of Oklahoma.

Plays New Orleans Drive-In

New Orleans, Oct. 2.— James Cooper, night club operator here, is planning construction of a combination drive-in and outdoor theatre near the lake front. The theatre will have both drive-in facilities and seats for anyone who cares to use them.

Manages House in Maine

CALAIS, Me., Oct. 2.— A change has been made in the management at the State here, a Lockwood-Gordon house. Edward Haskin has returned as manager. He succeeds Arthur Laplante, resigned.

Manages House in Conn.

NEWINGTON, Conn., Oct. 2.— John Sirica, former manager of the Lido, Watertown Palace, New Britain, and Strand, Thompsonville, has been appointed manager of the Newington Theatre here, operated by Fred Quarato, Robert Schwartz and William Sirica.

Poorman Promoted

ST. CLAIR, Oct. 2—Charles Poorman, manager of the Hollywood, Mark Rubinsky house, here, and formerly manager of the circuit's Lyric, Newmarket, has been promoted to circuit road manager.

More Than 100 to Attend Col. Meet In Chicago Today

CHICAGO, Oct. 2.— More than 100 members of the Columbia agency organization from the home office and 15 Midwestern and Southern exchanges will attend the company's three-day regional sales meeting opening here today.

Those scheduled to attend include officials of the Columbia delegation headed by Abe Montague, general sales manager, announced yesterday, inclusive the following from the field or regional offices:

**Chicago:** Phil Dunas, C. W. Phillips, T. E. Doran, E. L. Horan, E. A. Kahl.

**Minneapolis:** H. S. Giesen, I. H. Bemnan, M. L. Cowan, Max Gross.


**Omaha:** J. H. Jacobs, E. Dumas, J. Zide, R. Adler, M. Shadeford.

**Kalamazoo:** O. J. Riley, T. J. MacEvoy, S. S. Chapman, D. Old.


**Ladies' and 'Jordan Capture Mpls. Lead**

MINNEAPOLIS, Oct. 2.— "Here Comes Mr. Jordan" at the Orpheum, and "Dangerous Over Europe," at the State, were the box office leaders here this week, taking $8,300 and $9,000, respectively.

Estimated receipts for the week, Sept. 26-27:

**Dance Hall** (Fox)

WORLD—(260) (280-290-300) 7 days. Gross $,400. (Average, $3,400) 15c.

**Sailors** (Univ.)

WORLD—(350) (280-290-360) 7 days. Gross $8,500. (Average $8,000) 10c.

**Hold That Ghost** (Univ.)

CENTURY—(1,600) (260-290-340-460) 7 days. Gross $11,000. (Average $5,500) 10c.

**Here Comes Mr. Jordan** (Col.)

ORPHEUM—(2,800) (280-290-340) 7 days. Gross $3,500. (Average $4,000) 15c.

**State** (M-G-M)

CENTURY—(3,000) (290-340-460) 7 days. Gross $2,000. (Average $7,000) 10c.

**Three Sons O' Guns** (2c.

W. B. 3 days. $500. (Average $1,500) 5c.

**Very Young Lady** (Fox) 3 days. $100. (Average $1,000) 10c.

**Dance Party** (Univ) 4 days. $100. (Average $2,000) 10c.

**They Meet Again** (RKO) 4 days. $100. (Average $400) 10c.

**Ernst Warns FCC on Link of Press, Radio**

(Continued from page 7) Ernst warned here today over the air, he had even greater fear of Government ownership of radio.

Ernst said that radio stations generally refused to accept controversial programs on what he described as "the time-worn excuse that they were likely to start a scandal.

Charging that there was a domination of radio by advertising, he urged that some of the FCC would have some power over program material.
Browne, Bioff Trial Begins On Wednesday

ATSE Leaders Indicted Under Racket Law

Trial of George Browne, president of the ATSE, and William Bioff, Hollywood leader of the Screen, in the U. S. District Court here on Federal anti-racketeering charges is scheduled to begin Wed-

nesday, it was reported in trade

news yesterday. Originally sched-uled
to open today, it is now stated that the trial has been put off two

weeks because of the illness of the presiding judge, Browne and Bioff

were charged with extorting about $10,000 from four major film

companies under threats of strike.

Subpoenas were served recently on major company execu-
tives and studio labor leaders, ordering them to appear to test-

ify for the Government in the

(Continued on page 4)

customs Examining All Imported Films

Every foot of film brought to this

city from abroad, regardless of origin, is being examined by U. S.
customs officials at ports of entry, it is

learned over the weekend.

Louis Jackson, president of Anglo-

American Films, Ltd., who is here

on London to set distribution deals

with 15 Rock Studio pictures, dis-

closed that the local Customs office

has released only one of the pictures

first week that prints have been the

possession of the office. The

case approved is "Pimpernell's Night," starring Leslie Howard.

Dick Jackson screened for local dis-

tribution officials over the weekend

then forwarded to Hollywood.

epidemic Brings Ban On Camden Children

CAMDEN, N. J., Oct. 5—Until the

flu epidemic clears in this city

and the surrounding area, school

authorities have closed the Camden

Public Schools. The Board of Educa-

tion will announce later in the week

the opening of the schools.

Selznick Concludes

New United Artists Deal; May Buy Stock

Hollywood, Oct. 5.—David O.

Selznick today rejoined United Artists. The producer signed an agree-

ment which em-

bolides new ar-

rangements un-

der which he will be free to be-

come a stock-

holder in the

company. It is also

stated that under these

new arrange-

ments, Selznick

must receive cer-

tain produc-

tion financing.

The contract, under the terms of which Selznick

will make from two to four pic-

tures for United Artists, is one of the longest on record. Negotiation of the

terms has been going on for several months.

Edward R. Anti of the New York

law firm of O'Brien, Drell and

(Continued on page 4)

Mexico Strike Peace Is Near, N. Y. Hears

Home office foreign department

officials were advised late Saturday by

their Mexico City representatives that

a settlement of the Mexican film

employes' strike is imminent and that

there was an excellent possibility of an

agreement before Sunday midnight when the three distributors still oper-

ating in Mexico were scheduled to

stop film service to theatres.

The stoppage would be in accord with the 30-day notice given the

distributors last month in compliance with exhibition contracts and

(Continued on page 4)

Lehman Corp. Shows Holdings in Films

Three film company stocks are

among the shares held in the port-

folio of the Lehman Corp., one of the

largest investment trusts, a report of

the company as of Sept. 30 shows. Robert Lehman is president of

the corporation. The motion picture stocks are Paramount, 2,200 common; War-

ner Bros., 10,000 common; and RKO, 1,600 preferred.

Chicago Exhibitors Discuss Scale Rise

Chicago, Oct. 5—Independent

 contractors and surrounding territory are discussing the possibility of an increase in exhibitors

in view of the new Federal tax. At an Illinois Allied meeting Friday some exhibitors sug-

gested increasing scales from 15 cents plus two cents tax to 18 cents plus the tax, while

2-cent houses would increase to 25 cents, including two cents tax. The matter is to be

discussed further.

J. E. Flynn, M-G-M district

manager, addressed Friday's meeting on M-G-M's sales

policy.

Minn. Anti-5

Statute Held Constitutional

Appeal by Six Companies Believed Certain

ST. PAUL, Oct. 5—Judge Hugo O. Hanft, in Ramsey County Dist-

ric Court here yesterday, upheld

constitutionality of the Minnesota anti-block-of-five law and denied a

petition by six major film companies for a temporary injunction to halt its enforcement.

It was considered a virtual certainty that the decision would be appealed to the State

Supreme Court. and, if neces-

sary, to the United States Supreme Court. In a 29-page memorandum Judge Hanft said that 10 or 20 years ago the law

might been blocked against

constitutional, but that in the light of economic and social change, it

must be ruled valid.

Allied Theatre Owners of the Northwest hailed the decision as a "signal victory" and called a meeting of its Legislative Committee for to-

night, when it is expected the commit-

tee will demand that the majors

seek relief from the consent decree

(Continued on page 4)

Scout Reports of 'U'-Nathanson Split

TORONTO, Oct. 5—Empire-Universal

Films, Ltd., may lose the Universal

Pictures franchise for Canada, it is

reported here following the resigna-

tion of Oscar R. Hanson as president

of the company. Empire-General is an N. L. Nathanson distributing

company.

F. J. A. McCarthy, Universal's

Canadian sales manager, has been

(Continued on page 4)

'Valley' May Be Sold Singly Or Roadshowed

HOLLYWOOD, Oct. 5—Indications

that 20th Century-Fox may sell "How

Green Was My Valley" as a roadshow attraction or as a block of one at advanced rentals were seen

Friday, in the announcement that an experimental run of the picture would be

started Oct. 23 at the Rivoli in New

York at advanced prices. The Oct. 23

date is ahead of any release date con-

templated for the film, it was said.
Personal Mention

Oscar Morgan, Paramount short subject sales manager, left for Kansas City, Cleveland and Toronto. He was accompanied by Monroe Goodman, his assistant, Mr. Harry L. Kreger, Paramount short subject publicity director, left Saturday for Toronto.

Phil Reisman, RKO foreign distribution manager, has returned from a Latin American trip.

Rosalind Terry has announced her engagement to Bud Getosal of Paramount's exploitation staff.

Norman H. Moray, short subjects sales head for Warners, has gone to the Coast for a week's visit prior to a tour of exchanges. He is scheduled to return here next month.

Music Hall Is Host At Party for Koster

Radio City Music Hall officials were hosts to Henry Koster, director of Universal's "It Started with Eve," at a cocktail party in the Music Hall studio apartment on Friday.


Warner Bros. Drops 8 Scheduled Films

Hollywood, Oct. 5—Warner Bros. over the weekend announced the cancellation of eight pictures which were previously planned for the new season. These are "Kleckoff," "The Night Warning," "Give Me Five," "Across the Pacific," "Augie and the Rattles," "The Miracle of Mamie Q." "Murder with Music," "Three of a Kind," "The Bluebird" and "Man on the Water." It was explained that the eighth picture had been planned as low budget films.

Birdwell in London

Russell Birdwell has arrived in London for an affair of five or six weeks on personal business. He went across on a British bomber.

Para. Partners Hold Impromptu Session

A group of Paramount theatre partners in town primarily to attend the world's series held an impromptu meeting in the Paramount home office at the weekend.

Among those attending the conference held with Barney Balaban, Charles Balaban, Jack C. Terker and Leonard Goldenson, head of theatre operations, were R. J. O'Donnell of Interstate Circuit, Martin Mullan and Sam Piankoff of M & P Theatres, Hunter Perry of Virginia, and A. H. Blank and Ralph Branton of Tri-State Theatres.

1 A Unions Resumes Pact Talks Today

The IATSE studio unions will resume negotiations today with producers' representatives at the offices of Pat Casey following a recess in the negotiations since last Tuesday.

In the interim, the producers' representatives have been studying the various proposals of the studio locals and have prepared counter proposals and specific responses to those demands. These proposals will be submitted to the locals' representatives beginning with today's meeting.

Casanova Opens Office

Charles C. Casanova, formerly vice-president and general manager of National Screen Accessories, has opened offices in the Bank of Manhattan Building, according to an announce- ment. He stated that he has acquired the rights to a new neon effect sign.

Theatre Authority Ends Free Shows By Union Actors at Military Camps

Members of the actors' union affiliated with the Associated Actors and Artists of America are forbidden to perform without pay at any Army or Navy camp, under an order issued by the Theatre Authority of New York and Hollywood.

Alan Corelli, president of the Theatre Authority in the East, stated Saturday that resolutions to that effect have been adopted by both branches. Free shows have been provided at certain camps under the order with Government officials that such a plan would be in effect for an emergency period, but that after a year the Government would provide compensation for the actors. However, he said, nothing has been done.

As a result, free shows at all camps will be on a paying basis. Soldiers at Fort Monmouth, N. J., will pay 10 cents admission beginning tonight.

Sylvaine Comedy to Open Here Tonight

"All Men Are Aliens," a new comedy by Vernon Sylvaine, opens at the Hudson tonight with Bobby Clark and Regi- bbin Denny in the top roles. Lee Einfeld is the producer and Harry Waggstaf Grubbi the director.

No Early Closing Seen in English

London, Oct. 5—Despite plans by joint industry-Government discussion over possible farewell to the cinema, it is understood any sudden move to the Government affecting all theatres in the country is unlikely.

In the postponement of a conference between the Cine- matograph Exhibitors Association and the Ministry of Transport, the CEA now indicates it will go directly to the Prime Minister. However, it is believed the Home Office will not set to be indicated that the Government will warn local authorities which have set early closing hours and have not been pressed by the Government. Officials in the Midlands have ordered theatres to close at 7 P.M. beginning next month.

Associated British Net Equals $770,000

London, Oct. 5—Associated British Pictures has reported for the yearended March 31, last operating pro- of £1,427,157 (approximately $570,000) and an after-tax profit of £25,000 over last year. Net profit for the most recent period was £19,232 (approximately $77,000). No common dividend was declared.

Wisconsin ITPA To Meet on Nov.

Milwaukee, Oct. 5—The ITP of Wisconsin has set Nov. 4 and 5 as the dates for its annual convention to be held at the Wisconsin Hotel in Milwaukee. Mr. W. Trumpe, Milwaukee, is entertainment chairman for the affair.

Bette Davis to Coast

Bette Davis, who has been recuperating at her New Hampshire home for the past four weeks, is leaving for California over the weekend.

Wobber Plans Tour Of All Exchanges

Herman Wobber, general manager of distribution for 20th-Century-Fox, now on the Coast, is expected to leave for New York about the middle of this month on a tour of all exchanges of the company. He plans to spend at least a day in each city. It was said this week that the tour would take about five weeks and will wind up in New York.

Mallard in Own Practice

William Mallard, currently a general counsel for RKO, has opened an office for the general practice of law at 60 Broadway.

Detroit, Oct. 5—Allied Theatres of Michigan will hold its 22nd annual convention beginning tomorrow for three days at the Hotel Book-Cadillac here. There will be taken on national Allied's joint conference proposal. Abram F. Myers, Allied States chairman, and other leaders are scheduled to address the gathering.

The new Federal admissions tax and operations under the industry conference, a major subject for discussion, Ray J. Branch, president, of Hastings, Mich., will have charge of the meeting. Officials expect an attendance of more than 100 exhibitors. The opening event is a dinner meeting of the board tomorrow evening. The first general business session will be Tuesday afternoon. Sessions, including the elections of officers, will be held Wednesday morning and afternoon, with the annual banquet in the evening. Following the banquet, the delegations will be guests at a Variety Club party at the hotel.

RKO Sets Interstate And St. Louis Deals

RKO has closed a deal with St. Louis Amusement Co., for its first two blocks of new season features, and with Interstate Circuit of Texas for the first block, Ned E. Definet, distribution head, has announced.

A total of 20 places included in the St. Louis Amusement deal, negotiated by A. W. Smith, Jr., sales manager, and Cresson E. Smith, Western sales manager, for RKO and Harry Arthur for the circuit. The Interstate deal, involving 150 Texas houses, was negotiated by Sol Sachs, RKO Dallas manager.

MOTION PICTURE DAILY

(Washington, D.C.)

Published daily except Saturday. Sunday by Quigley Publishing Company, Inc., 1101 Fifteenth Street, N.W., Washington, D.C. Subscriptions: $5.00 per year; 25 cents per copy. Entered as second-class matter, Sept. 23, 1918, at the post office at N.Y.C. under the act of March 3, 1879. Subscription rates per year in the Americas and $1 foreign. Single copies 10c.
AND HERE'S ONE FOR THE BOOKS!

'SERGEANT YORK' OPENED IN HARTFORD, NEW HAVEN, BRIDGEPORT, WORCESTER, SPRINGFIELD AND IN EACH CASE BROKE ALL-TIME RECORD INCLUDING THOSE OF 'SINGING FOOL' WHICH SEEMED IMPOSSIBLE TO TOP --- UNTIL TODAY!"

(Thanks for the kind words, I. J. Hoffman! We're happy, too!)
Browne, Bioff Trial Begins On Wednesday

(Continued from page 1)

action. Among those subpoenaed were special assessment against Loew's; Barney Balaban, Paramount; W. C. Michel, 20th Century-Fox; George J. Schaeffer, RKO; and Pat and Frank Pelton, producers' labor contacts.


Several postponements of the trial have occurred already, Mathias Corra, United States Attorney for this district, will prosecute the action. Martin Conboy is attorney for Brown.

Subsequent to the official Federal Censor was purveyed by Corra, Brown was ordered by the court to produce books and records of the IATSE, sought by Corra in the course of the Grand Jury investigation of the union's financial affairs.

The Government is trying to trace an alleged special assessment against union members which is estimated by Corra's office to amount to $6,500,000 annually, based on an average salary of $30 weekly of the union's 125,000 members throughout the country.

AFL May Act On Browne Post Today

WASHINGTON, Oct. 5 — Possibilities that the reported plan of the American Federation of Labor executive council to drop George E. Browne, president of the IATSE, from the vice-presidency of the national body is to be pushed, were seen tonight in the dispatch reports of the council to be submitted to the 61st annual A. F. of L. convention at Seattle tomorrow.

In that report, the council recommends that the number of vice-presidents, increased from eight to 15 in 1934, be reduced to 13. The reason given for the proposal is that it has been found that it is impossible to secure a quorum at sessions of the council, because of the demands on the time of the vice-presidents. No mention is made of any particular official whom it is proposed to drop if the change is approved.

There is no mention of motion pictures, though the motion picture industry is a large factor in the federation, but the council recommends that studies be made to determine how the use of radio pictures may be more widely employed for the dissemination of labor news.

New Selznick Deal With U. A. Is Closed

(Continued from page 1)

Raftery, represented United Artists in the transaction. Attorney Lloyd Wright and Dan O'Shea of the Selznick office acted for the latter.

It is also reported that under the terms conditioned by Selznick, if he should elect to become a stockholder after a given time, a change of the company's name would be considered.

**Reviews**

*Mob Town* (Universal—1941-'42 Release)

Hollywood, Oct. 5

HERE are some of the Dead End Kids and some others in another of those Tenth Avenue melodramas wherein the youngsters fascinated by the monetary display of criminals learn in due time and by experience what is wrong with crime as a vocation. In this number they do somewhat more of the fast-and-tumultuous running than is average for their exercises and they also make their points a bit more convincingly. The film is a mite above par for the series.

Billy Halop, Huntz Hall, Gabriel Dell, Bernard Punsly, Dick Foran, Anne Gwynne, Samuel S. Hinds, Darryl Hickman, Victor Kilian, Truman Sturdivant, John Butler and John Sheehan are in the cast.

Ken Goldsmith, with William Nigh, director, get quite a lot out of their material, slipping most noticeably at midpoint where a continuity gap suggests the leaving out, inadvertently or otherwise, of some melodramatic incidents which might have given the picture more impact.

The tale concerns some kids whose ambitions toward gangsterism are thwarted in time and to the end of reform by a friendly policeman. Running time, 62 minutes. *G*.

**Three Sons O' Guns** (Warner's—1940-'41 Release)

THIS little comedy has a group of "names" to offer which should be chiefly responsible for what results it might bring. The characters of the title and the situations in which they are involved are intentionally preposterous for laugh purposes, but are at times overdone and fall flat short in achieving the desired result.

The cast members, well known in most circles, include Irene Rich, Wayne Morris, Tom Brown, Marjorie Rambeau and William T. Orr. Miss Rich and Miss Rambeau are mother and aunt, respectively, of the three irresponsible and mentally deficient boys, who are well-meaning but unprompted. The spirited plugging helps to make some parts of the story. It is brought to a close with the sons victimized by the draft people, and Miss Rich, a widow, trotting off to the marriage bazaar with a westly businessman, Ben Stoloff directed.

Running time, 65 minutes. *G*.

*G* denotes general classification.

**Scout Reports of 'U'-Nathanson Split**

(Continued from page 1)

twice in the past few weeks, reportedly concerning on the new developments.

No Discussions, Say 'U' Officials

Universal home office officials stated over the weekend that there had been no discussions concerning any possible change in franchise arrangements for Canada.

Responsible home office executives stated that Universal has taken the position that its product may not be used to strengthen any circuit's position in Canada and that it will insist upon continued servicing of all of the company's established theatre accounts of good standing in the Dominion, and to this end will require submission of all contracts to the home office for approval.

"We will not approve contracts which involve the selling away from the company, of long-established and acceptable customers of Universal," a home office executive stated.

**W. B. Buys Para. Story**

Hollywood, Oct. 5 — Warner Bros., has announced the purchase of "Country Lawyer," Bellamy Partridge story, from Paramount, and its sequel, "Big Family."

**Adjourn Clearance Hearing in St. Louis**

ST. LOUIS, Oct. 5 — Hearing of the clearance complaint of Victor Thien, operator of the Palm, North St. Louis, was adjourned to Thursday after former Circuit Judge J. Wesley McAvoy, was called to the stand.

Thien stated that his availability on Paramount and 20th Century-Fox product depended on whether the competing Union and United theatres were operated by Fanchon & Marco's, St. Louis Amusement Co. He testified that in no instance could he obtain pictures from the two companies until after the Auber had played them, despite the fact that the house is farther from the Palm than it is from the Union. Despite this, he testified, he is required to wait 32 days after the second-run Union and seven days after the third-run Auber.

He testified that his admission scale is approximately the same as the Union's, and higher than the Auber's. He is asking for availability ahead of the latter.

**Philadelphia, Clearance Hearing Continued**

PHILADELPHIA, Oct. 5 — The hearing on the clearance complaint of Colombe Sipper, operator of the Great Northern, here, was continued until Oct. 9 after an all-day session Friday.

Charges against Sipper were heard, but his appeal of the case after its adjudication, all parties agreed that any rules made by the arbitrator shall be binding.

**Mexical Strike Peace Is Near, N. Y. Hears**

(Continued from page 1)

would end all major company film service to Mexican theatres.

Five companies, Columbia, Loew's, Warners, RKO and Paramount, have been closed by strike action and Universal, United Artists and 20th Century-Fox would discontinue service in Mexican cities. The exhibitors, effective as of last midnight.

**Bernhard to Chicago Meet**

Joseph Bernhard, general manager of Colombe Sipper, operator of the Great Northern, here, was continued until Oct. 9 after an all-day session Friday.

Charges against Sipper were heard, but his appeal of the case after its adjudication, all parties agreed that any rules made by the arbitrator shall be binding.
The Pegler Method

When Arthur James Pegler, famous reporter, and father of Westbrook Pegler, also a famous reporter, began his metropolitan career many years ago in Chicago, his first and trial assignment was to get a picture of a certain beautiful lady, much in the news—but hard to get because the news was hard.

Every star reporter in Chicago had tried. They had searched the galleries, rifled trunks, bribed servants, stalked relatives. The skill of a dozen men, notable, even notorious, for their gimlet cunning failed.

An hour after Mr. Pegler got the assignment he was in the office with the picture. A half hour later it was in the paper, and his job was set.

As the edition rolled, the managing editor approached the new reporter's desk. "If you do not mind telling," he ventured with a deference extraordinary in that rude office, "I'd be interested to know how you got that picture." The whole city room was listening in a hush.

Certainly, sir," Mr. Pegler responded, with a tinge of something in his voice — "I just asked her for it."

The star picture chaser of them all cried out in pain. "We never thought of that!" The direct method — the Pegler method did it. Many another signal performance is just that simple, just that direct. Easy does it, but it's something hard to see.

For instance, six years ago Republic Pictures Corporation was launched, in the highly competitive, exceedingly complex motion picture industry, with the simple, direct conviction that money could be made making pictures on which theatres could make money.

Republic had nothing else to do but tend to business, and no way to make money except by tending to business. The program worked. It still works. It grows. Each year Republic has gained more accounts, more contracts. Republic has as many as 11,000 customer accounts.

It seemed possible that a great many things were being done at large expense and often much trouble that had nothing at all to do with what reached the screen.

Republic started to work with nothing to do but to tend to business, and no way to make money except by tending to business. Putting all it had on the screen where the customers could get it.

REPUBLIC PICTURES CORPORATION

BUY U. S. DEFENSE BONDS
Short Subject Reviews

“Beauty and the Beach” (Headliner Bands) (Paramount)

Here is something different from the usual run of hand shorts with Jones Beach and Powers models in lariatt suits forming the background instead of the customary handstand. Johnny Long and his orchestra, with Bob Huston, Helen Young and the Sunshine Trio are the featured attractions. Songs sung are “By the Sea,” “Pass the Bounce,” “Sweet Moments,” “Kiss the Boys Goodbye” and “White Star.” The music is light to the ear and eye. Running time, 10 mins. Release, Sept. 26, 1941.

“Popular Science, J1-1” (Paramount)

Mechanical methods mislay uses film elements in the making of a All kinds of rollers and similar contraptions are shown in operation. The short can be exploited for women interested in reducing and should provide the men in the audience with an interesting insight of what the ladies go through for beauty’s sake. Also shown is the organization of a motorized unit of the Army and a number of gadgets. Running time, 11 mins. Release, Sept. 19, 1941.

“Meet the Champs” (Grantland Rice Spotlight) (Paramount)

The four filming Brothers of Yermo, Calif., again display their remarkable talent with bow and arrow. After some brief shots of the men giving instruction first at a boys’ school and later, at a girls’ college, the reel shows the brothers shooting objects off each other’s heads. The objects used grow smaller and smaller and the interest mounts with each one. There are also some interesting demonstrations of shooting with tracer arrows and shooting an arrow through an iron skillet. Running time, 10 mins. Release, Oct. 3, 1941.

‘How To Take a Vacation’ (Benchley Comedy) (Paramount)

Robert Benchley, in another of his satires on the domestic scene, leaves his wife behind to go on a vacation in the woods. Constant rain and a steady diet of beans soon dispels the glamour of the trip and Benchley is back in his wife’s arms to accept her idea on how a vacation should be spent. As usual, Benchley is quite funny, and the situations are well-known to most families. Running time, 10 mins. Release, Oct. 10, 1941.

“Unusual Occupations, J1-7” (Paramount)

Assembled in this reel are a man who conducts a Southern plantation just as it was a century ago; the unusual collection of bulls, bears, and horn of “Dr.” Seuss, the illustrator; the selection of airplane hostesses, and a trick typist in an unusual demonstration of his technique. Running time, 11 mins. Release, Oct. 3, 1941.

Reviews

“A Girl Must Live” (Gainsborough-Universal—1941-42 Release)

PRODUCED in England by Gainsborough, and released here by Universal. “A Girl Must Live” is definitely lightweight screen fare, handicapped by a too-British accent on the part of most of its players, and an unconvincing story.

Margaret Lockwood, one of the best of English actresses, and well known to American audiences, is given here a role far too lacking in backbone for her unquestioned talent. She plays a school girl who runs off to London in search of a theatrical career, becomes involved in the chorus girl scramble of a theatrical boarding house, where she is using the name of the daughter of a once famous actress, and wins up as the wife of an Earl.

V. C. Worthington, who directed, has done probably as well as could be expected in view of the basic story weakness. In support of Miss Lockwood are Hugh Sinclair as the young Earl, Rene Houston and Lilli Palmer as the pair of chorus girls who are after the title, and Naughton Wayne, as the crook friend of one of them, who convinces a blackmailing plot against the Earl into which Miss Lockwood falls. When she takes the blame, the other two girls, conscience-stricken, confess, opening the way to the completion of the Lockwood-Sinclair romance.

Running time, 69 minutes. “G”

Charles A. Aaronson

“The Masked Rider” (Universal—1941-42 Release)

LARGE doses of guitar strumming, dancing and vocalizing South of the Border delay the flow of the story, the plot of which concerns the attempt of the title character and his gang to relieve a Mexican gentleman of his hacienda. There is sufficient lighting and chaser for the action market but some of the sequences are impaired by the overly emphasized musical accompaniment.

Johnny Mack Brown is likeable in the role of the hero. Fuzzy Knight, Grant Withers, Nell O’Day meet requirements in supporting spots. Withers is the “Masked Rider,” whose identity is fairly obvious long before he is unmasked. Ford Beebe directed the film.

Running time, 58 minutes. “G”

Eugene Arbel

Savini to Release For Film Alliance

Film Alliance of America and Astor Pictures have entered into a distribution deal whereby Film Alliance product will be released nationally through Astor. It was announced Friday by Robert M. Savini, president of Astor. Involved in the deal are 16 features which Film Alliance has in circulation at the time which are forthcoming, Savini said.

Film Alliance has been releasing a number of English and French pictures.

L. E. Thompson, Harry Brandt and Percival E. Furber, president of Trans-Lux Corp., will retain their interests in Film Alliance, it was said. Normal Elson, general manager of the company, recently withdrew to devote his full time to buying and booking for Trans-Lux theatres.

‘Barbara’ Scores $8,500, Montreal

MONTREAL, Oct. 5—“Major Barbara” led here with $8,500 at Loew’s. “Our Wife” at the Capitol took $6,300.

Estimated receipts for the week ending Sept. 25:

“New Wine” (U. A.)

“Mr. District Attorney” (Rep.)

“Orphans” (Universal—1,000) (36c-40c) 7 days.

“Flash Gordon” (Col.)

“Loew’s” (2,900) (35c-45c-63c) 7 days.

“Here Comes Mr. Jordan” (Col.)

“Puddin’ Head” (Rep.)

“Jew Escapades” (Rep.)

“Princess” (2,200) (30c-40c) 5 days.

“G”

“Our Wife” (Col.)

“Ethel Queens’ Prisonhouse Mystery” (Col.)

“Capital” (2,800) (35c-45c-62c) 7 days.

“G”

“G” denotes general classification.

French Film Opening

“The Man Who Seeks the Truth,” French film starring Raimu, will open tonight at the World Theatre. The premiere will be a benefit for the French Relief Fund. The program will include “A Gypsy Romance,” also a French film.

La Cava Party Host

Gregory La Cava, who recently produced the “Unfinished Business” for Universal, will be host to the press at a cocktail party tomorrow afternoon at the 21 Club.

Short Subject Reviews

“Westward Ho-Hum” (Edgar Kennedy Comedy) (RKO)

This is best suited for those who enjoy the Edgar Kennedy comedy, which remains much the same through the seasons. The humor is of the same sort, which he and others are with Kennedy, who travels out West to operate his newly acquired business. He later discovers, is in a ghost town. Two outlaws also are involved, but Miss Payne captures them, it seems, and runs through running time, 16 mins. Release, Sept. 5, 1941.

“Man-i-Cured” (Leon Errol Comedy) (RKO)

This is a brisk little comedy of the house-detective and girl-in-room variety. Leon Errol is seen in a series of complications with the detective, his wife and a manicurist and manages to emerge with nothing more than a flower pot over his head. After a thorough beating and a routine, it comes off with the proper effect. Running time, 20 mins. Release, Sept. 26, 1941.

“Picture People” (One-reel Specialty) (RKO-Palie)

Helen Broderick plays hostess in this first of the new season’s series on Hollywood. It has for its theme that the part stars are taking in national defense, paying particular attention to Sigrid Gurie’s party, to which the guests bring pots and pans. Reginald Denny is seen at his model plane factory, Margaret Lindsay and Marion Marsh working with the Red Cross, Victor McLaglen with his cavalry and motor corps, and other such items. It is an interesting sort of routine. Running time, 8 mins. Release, Sept. 12, 1941.

“Screen Snapshots, No. 1” (Columbia)

Ken Murray escorts the Brewster twins to an eccentric Hollywood party, whose host is Milton Berle, and for which the guests don beach costumes which were in style a generation ago. Billy Gilbert, Joan Davis, Buster Keaton and Berle try to be funny, with little effect, for the cameraman. Others in attendance are Ann Miller, Brenda Joyce, Kay Harrell, Ella Logan and Simone Simon. Miss Logan contributes to the entertainment with a swing song. Running time, 9 mins. Release, Sept. 15, 1941.

“From Nuts to Soup” (Cinescope) (Columbia)

Prof. Russell E. Oakes demonstrates for his graduating class an assorted medley of scientific gadgets for preventing the sleeve from touching the butter, and a broadened knitting needle for weaving and the professor’s creations. Topping them all is his doughnut dunking device. But with all it, there is a limited amount of good comedy in the film. Running time, 12 mins. Release, Sept. 5, 1941.
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Plan Program
For NBC Web Coordination

Closer coordination between the Red and Blue networks of NBC and their respective affiliated stations will be sought today in a letter by Niles Trammell, NBC president, to the 239 stations which comprise the two nets. Although the letter will stress the need for cooperation on matters of national defense, the Planning and Advisory Committee which will be set up for each network will also consider program and sales policies, the joint needs of network and station operation, and public service.

This plan for cooperation by the networks with the station affiliates comes while NBC is facing an FCC order to dispose of the Blue network and network monopoly allegations are pending before the commission.

The plan, as it will be outlined by Trammell, calls for the development of a "definite program to be organized on a cooperative basis between the 239 stations and the National Broadcasting Company." Each committee will consist of seven members. Temporary members have been selected by Trammell and they will be asked to come to New York for an organization meeting. The Red network committee will meet Nov. 4 and the Blue, Nov. 5.

Temporary representatives of the Red are: Paul W. Morency, WTIC, Hartford, Conn.; James D. Shouse, WLW, Cincinnati; John J. Gillin, WOW, Omaha; Edwin W. Craig, WSM, Nashville; O. L. Taylor, KGNC, Amarillo, Tex.; Sid S. Fox, KDYL, Salt Lake City, and Harrison Halliway, KFI, Los Angeles.

For the Blue: Harry C. Wilder, WSYR, Syracuse, and WTRY, Troy, N.Y.; Sam Rosenbaum, WFIL, Philadelphia; Elsey Roberts, KXOK, St. Louis; Henry P. Johnston, WSGN, Birmingham, Ala.; Harold Hough, KGKO, Dallas, and KTKO, Oklahoma City; Tracy McCrae, KFBC, Cheyenne, and Howard Lane, KFBK, Sacramento.

Col. to Handle Poll Shorts

Columbia has closed a deal with Film Institute, Inc., to distribute the latter's short subjects series based on Gallup Poll results of topical questions, it announced Saturday.

Sulzberger Joins Firm

Former Municipal Court Justice Myron Sulzberger has joined the law firm of Schecter & Sulzberger, attorneys well known in the industry.
Film Industry to Plan Camp Shows with Army and Navy

Republic Expands Production Setup Under M. J. Siegel

Hollywood, Oct. 6.—M. J. Siegel, president of Republic Productions, today announced an expansion in the studio's executive and physical setup which, he said, was "the most important expansion program in the history of the company." Effective immediately, two new production departments are created, it was announced, with Al Wilson appointed executive producer in charge of all features and Hiram Brown, Jr., appointed executive producer in charge of westerns and serials, the latter two departments being consolidated in the move.

Siegel also announced that a construction program will get under way, including two new sound stage buildings for the art and research departments and new character streets. The work will be under the supervision of C. L. Lootens.

Siegel will join James R. Grainger, president of Republic Pictures, the distributing company, and Herbert J. Yates, chairman of the Republic board, as a "sales triumvirate" which, (Continued on page 14)

UA Partners Here On Selznick Details

United Artists partners will meet tomorrow or Thursday to complete final details of the deal by which David O. Selznick becomes an owner-producer in the company and to confer on the selection of a president for the company.

Mary Pickford and Alexander Kor- da arrived from the Coast by plane yesterday, and Selznick and Edward C. Raftery, secretary and counsel, are expected today or tomorrow. Charles Chaplin is scheduled to arrive Thursday, completing the roster of United Artists owners.

Nye Charges America First Group Finances Campaign Against Him

Washington, Oct. 6.—Speaking on the Senate floor today, Sen. Gerald P. Nye of North Dakota charged that the America First Committee was financing advertisements against him in 19 North Dakota weekly newspapers.

The statement was made in connection with a "reply" to charges that he was injecting racial issues into the political situation. He said the statement he had made before the Senate subcommittee and Edward C. Raftery, secretary and counsel, was acted on technical fault in the original complaint. The appeal board stipulated that if a new and proper complaint is filed at the Albany board within 10 days it will (Continued on page 13)

MPTOA Backs Aim Of Industry Unity

MPTOA gave qualified approval yesterday to the proposal for a joint industry committee to work for improved industry relations in matters of common interest.

The organization's endorsement of the general aims of the proposed committee was contained in a bulletin to MPTOA members issued over the signature of Ed Kuykendall, president.

(Continued on page 6)
**Personal Mention**

**Coast Flashes**

**Hollywood,** Oct. 6

**WALTER WANGER,** retiring president of the Academy of Motion Picture Arts and Sciences today announced the newly elected members of the board of governors. They are: Edward Arnold, Charles Coburn, Rosalind Russell, directors; Frank Capra, Frank Lloyd, Sam Wood; producers, Y. Frank Freeman, David O. Selznick, Darryl Zanuck; writers, Howard Estabrook, James Hilton, Norman Reilly Raine; science, John Aalberg, Farciot Edouart, Ray Wilkinson. The board will meet Oct. 30 to select the officers.

**Dennis Morgan** will be starred in Warners’ “Robinson Crusoe,” the studio announced today.

Industry participation in the local Community Chest campaign was launched today with the formation of a studio publicity committee headed by Archue of the Association of Motion Picture Producers. Members are Gene Simmons, 20th Century-Fox; Eddie Mannix, Warners; John Del Valle, Paramount; Connie Krebs, RKO; Bill Rogers, Republic; Irving Fein, Goldwyn; John Leroy Johnston, Wanger; Dave McGone, Universal; Erle Hampton. Columbia; Barrett Kiesling, M-G-M.

**Dolores Costello Signed**

**Hollywood,** Oct. 6—Dolores Costello has been signed by Orson Welles for the female lead in “The Magnificent Ambersons,” which he is producing for RKO.

**NEW YORK THEATRES**

**RADIO CITY MUSIC HALL**

Rockefeller Center

**DEBBIE DURBIN**

**CHARLES LAUGHTON**

“IT STARTED WITH EYE”

OR STAGE (drum)—Russell Markert’s “Your Eyes,” Charles Drake, producer, at Loew’s Astor, So. (Register in this issue)

[IN PERSON]

[4]**Olive DHAVILLAND GODDARD**

[4]**Paulette CUGAT**

[4]**IN BAND**

[4]**JAY & LOU SELER TIMES SQUARE**

[4]**PARAMOUNT**

**TYRONE POWER**

“A YANK in the R.A.F.”

with **BETTY GRABLE**

A 20th Century-Fox Picture

PLUS A BIG ROXY 7th Avenue STAGE SHOW 99th Street

**ERROL FLYNN**

**FRED MACMURRAY**

**DIEF HENIE**

**GLENN MILLER**

**BOMBER**

**SUN VALLEY**

**MERIDIAN**

**PACIFIST**

**FRANK FREEMAN,** Paramount studio head, leaves for Washington today after a day’s confer-ence with Barry Balaban, Paramount president, at the home office yesterday.

**A. M. BOTSFORD,** 20th Century-Fox advertising and publicity director, is expected from the Coast today.

**JAMES R. GRANGER,** new York branch of the Motion Picture Producers and Distributors of America, Inc., attended an agreement entered in Fayette County court at Lexington. Attorney General Hubert Meredith immediately stopped the practice at once on penalty of “prompt and vigorous action.”

The agreed judgment was filed last week in the case brought May 2 by the Attorney General against Schne Lexington Corp., which operates Schne’s theatres. It is for attorneys for the company agreed to accept without appeal the court judgment that the game is a “lottery, bootlegger, and an outlaw in violation of the Kentucky Constitution.”

In return, the Attorney General agreed to drop his original demand for forfeiture of the Schne circuses and a $100,000 fine.

Lexington theatres already have posted signs saying that the game has been discontinued by court order. Frankfort theatres are making plans to discontinue it. No official statement was made as to what the Attorney General’s office, it was said, but officials expect theatres to follow the spirit of the judgment. The Franklin circuit prizes are to be varied, and other variations based on drawings connection with admissions.

**Cowan May Produce More Miller Play**

Gilbert Miller and Lester Cowan may produce several of the former’s forthcoming Broadway plays if they present unusual production problems, Cow said yesterday.

One of the new plays considered for film production, it was stated, is “Lad in Retirement,” on which 11. Sidney Howard was working at time of his death.

Cowan produced Miller’s “Lad in Retirement” for Columbia.

**Kentucky Outlaws Games as Lottery**

**FRANKFORT,** Ky. Oct. 6—Bank Night has been outlawed in Kentucky theatres in an agreed judgment entered in Fayette County court at Lexington. Attorney General Hubert Meredith immediately stopped the practice at once on penalty of “promont and vigorous action.”

The agreed judgment was filed last week in the case brought May 2 by the Attorney General against Schne Lexington Corp., which operates Schne’s theatres. It is for attorneys for the company agreed to accept without appeal the court judgment that the game is a “lottery, bootlegger, and an outlaw in violation of the Kentucky Constitution.”

In return, the Attorney General agreed to drop his original demand for forfeiture of the Schne circuses and a $100,000 fine.

Lexington theatres already have posted signs saying that the game has been discontinued by court order. Frankfort theatres are making plans to discontinue it. No official statement was made as to what the Attorney General’s office, it was said, but officials expect theatres to follow the spirit of the judgment. The Franklin circuit prizes are to be varied, and other variations based on drawings connection with admissions.

**Cowan May Produce More Miller Play**

Gilbert Miller and Lester Cowan may produce several of the former’s forthcoming Broadway plays if they present unusual production problems, Cow said yesterday.

One of the new plays considered for film production, it was stated, is “Lad in Retirement,” on which 11. Sidney Howard was working at time of his death.

Cowan produced Miller’s “Lad in Retirement” for Columbia.

**Lift Paralysis Ban**

**York,** Pa., Oct. 6.—The ban on children under 15 attending films of the “Lift Paralysis” danger, has been lifted. A similar ban at near Hanover was lifted Friday and that has been well attended the 11. evening.

**Motion Picture Daily**

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday, and legal holidays by Motion Picture Publishing Co., 1770 Sixth Avenue, New York City, Telephone Circle 1-3322. Subscription rates: to United States, $30 yearly; to foreign addresses, $35 yearly. In U.S. and Canada, in addition to regular mailing, copies are distributed through Publishers Printing Co., 5 W. 45th Street, New York City. Established 1908. Entered as 2nd class matter at U.S. Post Office at Cincinnati, Ohio. All contents copyrighted 1941, Motion Picture Publishing Company, Inc. All rights reserved. Copyrighted publications by Better Theatres, International Motion Pictures of America, Inc., and such other as shall be from time to time herein made a part of this publication. Copyright 1941, by the Better Theatres, International Motion Pictures of America, Inc., and such other as shall be from time to time herein made a part of this publication.

**Korda Signs Benny**

**For Lubitsch Film**

Alexander Korda has signed Jack Benny for the starring role in the Korda production, “To Be Or Not To Be,” which will be released by United Artists. In the Lubitsch production, Benny will produce and direct the film. The picture will go into production Nov. 1, with other roles to be cast shortly.

**Screen OEM Short Today**

“Bomber,” short subject produced by the Government of Emergency Management, will be screened this afternoon at the Warner office for the Theaters Division of the Motion Picture Committee Cooperating for National Defense. Carl Sandberg, the commentator for the reel, which depicts America’s airplane bomber industry. Six hundred prints are ready for showing.

**Metro Will Show Two Films Oct. 21**

M-G-M will hold trade showings of two more new season films, “Shadow of the Thin Man” and “Two-Faced Woman” on Oct. 21 in all exchange centers. The films will be shown as a double feature in all cities except Philadelphia, where “Shadow of the Thin Man” will be shown morning and afternoon on Feral and the other film twice on Oct. 22.

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**Reviews**

**“Never Give a Sucker an Even Break”**

_Hollywood, Oct. 6_

This is a W. C. Fields picture by, of, and with W. C. Fields and for the Fields trade. How good or bad it is for a given theatre’s box-office requirements depends, more implicitly and completely than may be said of any feature in ready memory, upon the value of its star to the particular theatre concerned. It is W. C. Fields in pattern, in content, in point and in manner, save only for those stretches of footage in which Gloria Jean is singing or Director Cline is manipulating one of those fabulous Mack Sennett automobile chases, with Fields in the driver’s seat.

Hollywood is the remnant of Grandmother’s patchwork quilt, is by Fields in his Otsi Cribbeblos incogitato. It provides him an opportunity to display his talent for whimsy, for disarray, for clever clumsiness, for slapstick and occasionally for the numbing of amusing nothings off the corner of his lip. It starts nowhere and ends in a chase, with nothing which happens in between having more than remote connection with either end or any other part. The title is either an afterthought or a typographical error, which makes no difference.

Fields and all the others in the cast wear their own names in the dialogue, a convenience not without charm. They are, in addition to Fields and Gloria Jean, Leon Errol, Butch and Buddy, Margaret Dumont, Millicent Patrick, Pinho Pangborn, Charles Lang, Anne Nagel, Nell O’Day, Irving Bacon, Jody Gilbert, Minerva Lrecal, Emmett Vogan, Charlotte Monti and Bill Rolfe.

Like the skits in the Folies of yesteryear which started Fields on the way to the sequences in the picture, each skit in its own right, vary from hits to flops. The Folies made a number of fortunes.

Running time: 70 minutes. **G**

_Roscoe Williams_

**“Mercy Island”**

_(Republic—1941-42 Release)_

Excellent backgrounds and some interesting under-water shots are the principal virtues of this production. The story, adapted from a novel of the same name by Theodore Pratt, is a slow tale of a young lawyer's nad with ambition, who is marooned on one of the Florida Keys with his wife and a friend.

Cot on the key during a fishing trip, they discover a doctor living there as a fugitive from justice. Ray Middleton is the semi-demented lawyer; Gloria Dickson, his wife; Otto Kruger, the doctor, and Don Douglas, the friend. Also in the cast are Forrest Harvey, a fishing companion; Terry Kilburn, his young assistant.

After discovering the doctor, Middleton insists on bringing him back to civilization, hoping to defend the doctor and bring glory upon himself. The others try to dissuade him, but Middleton is adamant. Finally, he is killed by an alligator and the others return to their homes, leaving the doctor by himself. There are some efforts to inject local color by frequent references to the “conks” but this is not very skillfully handled. There is little of melodrama or humor in the film. William Morgan directs.

Running time: 72 minutes. **G**

Edward Greiff

**‘Eve’ Captures Big $14,000 in Baltimore**

_Baltimore, Oct. 6, — “It Started With Eve” scored with $14,000 at Keith’s. “You’ll Never Get Rich,” with a stage show at the Hippodrome, took $7,000.

Estimated receipts for the week ending Oct. 2:

- **“Lyda” (U. A.)**
  - Century (1,600) (28c-4c) 7 days, Gross: $10,500. (Average, $1,500)
- **“Belle Starr” (20th-Fox)**
  - HISP diverse (1,500) (25c-35c-5c) 7 days, 2nd week, Gross: $9,500. (Average, $1,350)
- **“Along the South Seas” (Par.)**
  - STANLEY (1,200) (15c-20c-35c-6c) 7 days, 2nd week, Gross: $8,000. (Average, $1,143)
- **“You’ll Never Get Rich” (Col.)**
  - HIPHOPDROME (2,205) (15c-30c-35c-6c) 7 days, Stage show including Ben Yar’s Minnie Men. Gross: $7,000. (Average, $1,000)

**‘York’ at $13,400 Milwaukee Smash**

_Milwaukee, Oct. 6, — “Sergeant York” at the Warner connected for $13,400 at the Warner, Runner-up “When Ladies Meet” and “Whistling in the Dark” at the Wisconsin with $9,000. Estimated receipts for the week ending Oct. 2:

- **Our Wife” (Col.)**
  - ADVENTURE in Washington (Col.)
  - PALACE (2,205) (28c-4c-6c) 7 days, Gross: $3,000. (Average, $430)

**“Belle Starr” (20th-Fox)**

- **“Sergeant York” (W. B.)**
  - WELLS (2,000) (25c-45c-6c) 7 days, Gross: $4,000. (Average, $579)
  - **“When Ladies Meet” (M-G-M)**
  - WISCONSIN (1,300) (25c-35c-5c) 7 days, Gross: $9,000. (Average, $1,300)

**Schenck Appeal Delayed**

Argument of appeals taken by Joseph Schenck and Joseph Moskowitz was postponed yesterday by the U. S. Circuit Court of Appeals to Nov. 10. Mr. Schenck appeared on the appeal for Mr. Schenck and Mathias F. Corra, who stated that he was engaged in other litigation, which would prevent him from presenting the Government's side of the argument this month.
NEW YORK—BEST THREE DAYS OF A 2ND WEEK THE ROXY EVER HAD! A PHENOMENAL FRIDAY, SATURDAY AND SUNDAY FOLLOWS THE FIRST TREMENDOUS WEEK IN WHICH 171,115 PERSONS JAMMED THE HOUSE FOR AN ALL-TIME RECORD!

LOS ANGELES—THREE GREAT DAY-AND-DATE RUNS: SMASH! SMASH! SMASH!

TORONTO—2ND WEEK ACTUALLY BEATS THE FIRST—AND FIRST BEAT EVERYTHING!

And Watch For More Reports Like These . .
DENVER — SHATTERS THE TERRIFIC RECORD OF "ALEXANDER'S RAGTIME BAND"!

BOSTON — TOPPED "ALEXANDER'S RAGTIME BAND" ON SUNDAY BY $1128!

SAN FRANCISCO — SRO ALL DAY, DAY AFTER DAY, FOR BIGGEST BUSINESS IN 3 YEARS!

DALLAS — BLASTING THE "UNAPPROachable" HIGHS THAT HAVE STOOD SINCE '39!

MILWAUKEE — OUT-GROSSING THE DAY-BY-DAY RECORD OF "SUN VALLEY SERENADE" WHICH WAS BIGGEST IN 3 YEARS!

PHILADELPHIA — THE BIGGEST SUNDAY'S BUSINESS PHILADELPHIA EVER HAD!

CINCINNATI — FIRST THREE DAYS $2600 BIGGER THAN "CHARLEY'S AUNT"!

SALT LAKE CITY — SMASHES THE "ALEXANDER'S RAGTIME BAND" ALL-TIME HIGH!

As The Nation's Boxoffices "Keep 'em Flying!"
Reviews

"Moonlight in Hawaii"  
(Universal—1941—42 Release)

W ITH a few tuneful song numbers and their rendition in the modern popular style by the Merry Macs of radio, this light musical should have some appeal for the younger generation.

Ken Goldsmith was associate producer, and Charles Lamont directed. Gene de Paul composed the music and Don Raye wrote the lyrics. The title song, "Moonlight in Hawaii," will probably be remembered.

Heading the cast is Johnny Downs, while in support are Jane Frazee, and the veterans Errol, Mischa Auer, the late Richard Carle and Marjorie Gateson.

Set in Hawaii, the story concerns the pursuit by the Merry Macs, through the efforts of the four lovely Miss Downs, which is holding down a job as a guide on a cruise sweeping Miss Gateson and several attractive nieses. Downs meets Miss Frazee, daughter of Errol, pineapple juice canner, who is constantly at dagger-ends with the pineapple grower, Carle. The film is concerned with efforts to get the four boys on the air, and the romantic interludes of Downs and Miss Frazee, not to mention that of Miss Gateson with Errol, Carle, and finally Auer, orchestra leader.

Running time, 61 minutes. "G."* 

CHARLES S. AARONSON

"Spooks Run Wild"  
(Monogram—1941—42 Release)

Hollywood, Oct. 6

T HE comedy talents of Monogram's "East Side Kids" and the sombre-asociated cinematically with Bela Lugosi are combined in "Spooks Run Wild." The basic idea was a sound one, but the story runs thin. There is no restraint placed on Director Phil Rosen and producer Sam Katzman on the series of incidents which take the boys to a Summer camp, into a mysterious house with secret passages, and into solving a murder mystery.

The preview audience was in communion most of the time, laughing both at and with the picture. The "kids" contingent of Leo Gorecy, Bobby Jordan, Huntz Hall, "Sunshine Sammy" Morrison, David Gorecy and Donald Haines is all present, and the adult cast is made up, in addition to Lugosi, of David O'Brien, Dorothy Short, Dennis Moore, P. J. Kelley, Angelo Rossitto, and Guy Wilkerson.

Running time, 64 minutes. "G."* 

VANCE KING

"Man from Montana"  
(Universal—1941—42 Release)

A BAND of rustlers who undertake to instigate a battle between homesteaders and ranchers are frustrated herein chiefly because Montana's rugged sheriff Johnny Mack Brown, and his buddy, Fuzzy Knight, step in to adjust matters.

The action sequences are sufficient in number and excitement for the outdoor fan, who, however, might find the story not especially solid in its developments.

The cast also includes Jeanne Kelly and Nell O'Day. Butch and Buddy and "The King's Men" sing a couple of melodies appropriate to the locale. Ray Taylor directed and Will Cowan was associate producer. Running time, 59 minutes. "G."* 

EUGENE ARNELL

*"G" denotes general classification.

Legion Approves Fourteen New Films

The National Legion of Decency has approved all 14 new films reviewed this week, eight for general audiences and six for adults. The new pictures and their classification follow.


Make No Change in Milwaukee Prices

MILWAUKEE, Oct. 6—Milwaukee first runs have made no change in admission prices as a result of the new Federal tax, which has, however, been added to children's admissions.

The Warner is now charging 17 cents for children's admissions, while the Fox first runs have raised their usual 10-cent admissions for children to 13 cents and added the 17-cent tax to make it a 15-cent total.

Independent neighborhood houses, which previously did not come under the Federal tax, are passing it on to the patron. In some cases houses which charged 15 cents are now charging 18 cents and adding the 17-cent tax to make a 20-cent total for adults.

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Three Firms Chartered


New Company Formed

SACRAMENTO, Oct. 6—Articles of incorporation were filed here by Robert C. M. Productions, which proposes to produce and distribute motion picture, radio and television programs. Directors are Roy L. Herdon, D. K. Bobolover and Sam Coslow of Los Angeles.

Majors Weigh Procedure on Minn. Decision

(Continued from page 1)

of the decision with him to New York for study by the home office counsel.

The consenting companies, in the choice of going before Federal Judge Henry W. Goddard here and asking to be relieved of the block-of-five provision of the consent decree as far as their operations in Minnesota are concerned, in order to comply with the State law, or of continuing the battle in the courts by taking an appeal to the Minnesota Supreme Court.

If the latter course is decided upon, it was pointed out, it would not be enought in within Minnesota until the appeal was decided.

However, informal observations of several of the attorneys apposing the procedure indicate that they considered an application to Judge Goddard for release from the decree's selling provisions in Minnesota as the most practicable procedure.

A decision on the procedure will depend to a large extent on the attitude of the consenting companies, it was said, since apprehension was expressed that if this course were to be followed and the release were granted by the court, exhibitors might be encouraged to initiate legislation similar to the Minnesota law in other states.

Hillstreet Releases "Citizen Kane" in L. A.

LOS ANGELES, Oct. 6—The Hawaii Theatre, operated by Albert Galster and Jay Sutton, today obtained RKO's "Citizen Kane," in a release of the film by the Pantages Hillstreet, which had bought the picture in RKO's first block.

The Hawaii will have first run on the film, opening it Oct. 16, by Andrew Lalo, by Andrew Heard has two newspapers here.

Nalmeanizing in East

Dan Mainwaring, who has been connected with the National Board of Review and Hollywood publicity staffs for some time, has rejoined the New York publicity staff under Mont Blumenstock.

Allied Board Plans Meet on Joint Unit

WASHINGTON, Oct. 6—Allied States future procedure in the formation of the National Allied unit industry committee will be mapped by the organization's board of directors at a meeting late this month, Abram H. Shemansky, president and general counsel, said today.

The meeting may be held Oct. 22 in Pittsburgh, in connection with the annual convention of the Allied MPTO of Western Pennsylvania, he said.

The joint industry proposal, which was presented at the national Allied convention at Philadelphia last month, has since been ratified by 12 Allied units which voted in favor of the joint unit plans following the convention. The latest to ratify was Northwest Allied. Only last week, Connecticut Allied, rejected the plan. The Texas unit is conducting its vote by mail and the returns are not expected to be in before the middle of the week.

Myers' statement to the "fine spirit" in which the units have acted on the measure and characteristics of the joint proposal may be called "Allied on the spot" as "attempts to sabotage constructive endeavors."

MPTOA Backs Aim of Industry Unity

(Continued from page 1)

Although the proposal for the all-industry committee was advanced by Allied States, nowhere in the lengthy MPTOA bulletin is Allied mentioned.

The bulletin asserts that MPTOA has "never made no change in admission prices as a result of the new Federal tax, which has, however, been added to children's admissions.

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RKO RADIO IS ON THE BEAM!

LOOK AT THE SECOND FIVE FOR 1941-42
Suspicion

The master director of mystery-romance . . . the beautiful star of “Rebecca” . . . a hitherto unrevealed Cary Grant . . . THESE THREE MAKE MOVIE HISTORY with this amazing drama of a bride’s love and terror, done with a power of suspense thrillingly new to the screen!

CARY GRANT
JOAN FONTAINE
IN
“SUSPICION”

with
Sir Cedric Hardwicke • Nigel Bruce
Dame May Whitty

DIRECTED BY
ALFRED HITCHCOCK

Screen Play by Samson Raphaelson, Joan Harrison, Alma Reville
Liberty Magazine's sensational romantic serial zestfully brought to the screen . . .
The story of a love affair that raised a thousand eyebrows in the nation's most shockproof playground—Palm Beach . . . A shop girl-millionaire romance with enough laughs and dreams-come-true for everybody.

Unexpected Uncle

"UNEXPECTED UNCLE"

WITH

ANNE SHIRLEY • JAMES CRAIG CHARLES COBURN

Produced by Tay Garnett • Directed by Peter Godfrey

Screen Play by Delmer Daves and Noel Langley
Look Who's Laughing

Radio's "four-most" fun stars in a furious fiesta of frenzied folly—forty-four times funnier than they've ever been on the air . . . with Lucille Ball in there for the glamour as she bombards Bashful Bergen and kindles Charlie Cordwood . . . IT'S THE LAUGH LIFT OF THE YEAR!

EDGAR BERGEN AND CHARLIE MCCARTHY
FIBBER McGEE AND MOLLY
LUCILLE BALL

IN

"LOOK WHO'S LAUGHING"

Produced and Directed by ALLAN DWAN

Story and Screen Play by James V. Kern
The Mexican Spitfire's Baby

Lupe's got Leon on the lam again—all because of his interest in a poor, helpless war orphan (that's her in the photo up there, cuddling Leon) . . . Oh, baby, what fun! . . . It's slightly scandalous—but completely screwy—and a riot for the customers.

LUPE VELEZ • LEON ERROL

IN

"THE MEXICAN SPITFIRE'S BABY"

WITH

Charles "Buddy" Rogers • ZaSu Pitts
Elisabeth Risdon • Fritz Feld

PRODUCED BY CLIFF REID
DIRECTED BY LESLIE GOODWINS

Original Screen Play by Jerry Cady and Charles E. Roberts
MICHAEL ARLEN's master crime-buster of fiction, brought to life on the screen by the star who played "The Saint." ... THE FIRST OF A GREAT NEW SERIES presenting the high spots in the career of the most charming adventurer who ever talked his way into a woman's heart.

"THE GAY FALCON"

WITH

GEORGE SANDERS
WENDY BARRIE

Allen Jenkins • Anne Hunter
Gladys Cooper • Edward Brophy

Produced by Howard Benedict • Directed by Irving Reis

Screen Play by Lynn Root and Frank Fenton
Appeal Board In Reversal Of N.Y. Award

(Continued from page 1)

'Anne of England' Will Open Tonight

Gilbert Miller will present an historical play, "Anne of England," at the St. James tonight with Flora Robson and Barbara Everest playing the leading roles. It was written by Mary Cass Cañfield and Ethel Borden and is based upon Norman Ginsbury’s play, "Viceroy Sarah." Supporting players include Jessica Tandy, Frederic Worlock, Leo G. Carroll and Elizabeth Ingless.

then consider the case on its merits.

The technicality on which the board based its ruling was the fact that the company had been brought by A. F. Papayanacos, vice- president and treasurer of St. Lawrence Pictures, and not Papayanacos, as an officer of the company which owned the American Theatre, is not an exhibitor within the meaning of Art. 8 of the consent decree and, therefore, is not eligible to bring a complaint. The board said that if a new complaint and submission are filed at the Albany board within 10 days substituting the owning corporation for Papayanacos it would consider the case on its merits.

Fatal Technicality

The appeals board pointed out that the technicality was fatal because arbitration depends for its effectiveness upon the submission of the parties to the findings of an arbitrator and that in cases of the kind considered only the owner or delegated authority of the property in question is the exhibitor. The board held Papayanacos did not meet that requirement.

The appeal was the first to be taken by the Chicago Board of Theater Appeals, which was appealed by Warners and RKO, whose original motion to dismiss the complaint was the technicality, in the appeals board decision had been denied by the arbitrator. The case also, was the first appeals decision to be reversed by the national appeals board. The decision was given Sept. 18. The case involved all five contracting companies.

Dismisses Columbus Clearance Complaint

CINCINNATI, O. C., Oct. 6.—Anthony B. Dunlap, arbitrator, today gave a decision dismissing the clearance complaint of Fred Rowlands, owner of the Parsons Theatre, Columbus, against the five contracting companies and Netto’s Motion Pictures.

Costs were assessed against the plaintiff. The arbitrator found that the existing clearance between the two theatres was not unreasonable and pointed out that, when similar clearance over another theatre had been offered the plaintiff, he did not refuse it because it was unreasonable but because it was not extended to another theatre under his control.

To Appear Without Counsel In Washington Case Hearing

WASHINGTON, Oct. 6.—Under an informal agreement reached today, Loew’s theatre, New York, which had raised the issue of clearing in a clearance case against the company at the local board, will present the case without benefit of counsel. Reese Harrington, of the intervening theatre, also has agreed to appear without counsel. Joseph M. Cantrel, attorney, has been designated arbitrator. The hearing is scheduled in a week or 10 days.

Warners Eliminated from Complaint in Chicago

CHICAGO, Oct. 6.—Warners has been eliminated from a complaint filed by the clearance complaint of K & S Theatre Corp. of North Chicago at the request of the plaintiff following a voluntary submission by the defendants in the complaint and time for selection of an arbitrator has been extended to Oct. 11.

Postpone Hearing Of Connecticut Case

NEW HAVEN, Oct. 6.—Hearing of the run complaint of the Colonnade Clearing Corp., of New York, has been postponed until Oct. 14.

Name Phila. Arbitrator; Another Case Delayed

PHILADELPHIA, Oct. 6.—A. M. Boyd, General Electric electrician, has been selected as arbitrator in the clearance complaint of Leven Pizor in behalf of his Tioga Theatre, with hearing set for Oct. 15.

Hearing of the clearance complaint filed by M. Ellis in behalf of the Broad Theatre scheduled for Wednesday, has been postponed until Oct. 14.

Mexico Film Strike Advanced to Oct. 9

(Continued from page 9)

by advancing to next Thursday the deadline for the three companies to accept its demands. The companies had been given until Oct. 14 to accept.

The strike against Paramount and RKO today was legalized by the Federal Court in Chicago, which means that the companies will be required to pay wages during the strike, the same as M-G-M and Columbia. Considerable speculation has arisen over the failure of the board to legalize the strike against Warners, which is expected to close.

Meanwhile, film service by the major companies has been halted either through the strike or by notice to accounts.

Republic Expands Production Setup Under M. J. Siegel

(Continued from page 1)

it is planned, will hold four regional meetings next month in Hollywood, New Orleans and Chicago. Oct. 20. The first meeting under the new arrangement will be Oct. 20 in Hollywood.

The announcement stated that production budgets will be substantially increased, on the basis of 1941-42 sales, for Siegel for the last five years has been executive in sole charge of production, studio policy and the like, with reduced assistants reporting to him. Under the expanded setup, each of the two new production department heads will have sole charge of their divisions, it was stated.

Wilson formerly was studio production manager. He was brought here by Siegel four years ago from J. M. Goldwyn for a new production. Brown came to the studio three years ago from the Republic home office. His last activity was as assistant director of serials.

Other promotions announced by Siegel include Max Schoenberd, who becomes production manager, and Herbert Mendelson, appointed his assistant.

‘York’ at $13,700

CINCINNATI, Oct. 6.—"Sergeant York" had a big $13,700 at the RKO Capitol at advanced prices, while Brenda and Colina on the RKO Shubert stage helped "Fifile, the提质", to a $14,000 gross. "Lady Be Good" pulled $1,500 at the RKO Albee.

Estimates received for the week ending Oct. 5:

"Lady Be Good" (M-G-M)

RKO ALBEE—$1,600 (10c-30c-50c) 7 days, Gross: $7,600. (Average, $1,100)

"Belles Starr" (20th-Fox)

TALMAT—$1,500 (30c-40c-60c) 7 days, Gross: $7,500. (Average, $1,000)

"Tobacco Road" (20th-Fox)

RKO SHUBERT—$2,150 (35c-45c-65c) 7 days, Stage: Brenda and Colina and acts, Gross: $8,000. (Average, $1,000)

"Sergeant York" (W.B.)

GRAND—$1,900 (35c-45c-60c) 7 days, Gross: $17,700. (Average, at $2,100, 50-55)

"Unfinished Business" (Univ.)

Tioga—$1,500 (35c-40c-50c) 7 days, 2nd week, Gross: $4,300. (Average, $1,000)

"Sun Valley Serenade" (20th-Fox)

RKO LYRIC—$1,000 (25c-35c-45c) 7 days, 4th week, Gross: $2,200. (Average, $350)

"Rags to Riches" (Rep.)

SHUBERT WEST (W.B.)

RKO FAMILY—$1,000 (15c-25c) 4 days, Gross: $800. (Average, $200)

"Private Lives" (20th-Fox)

RKO FAMILY—$1,000 (15c-25c) 3 days. Gross: $550. (Average, $180)

STERLING—$1,000 (35c-40c-50c) 7 days, 2nd week, Gross: $5,200. (Average, $4,200)

Two Join PRC Staff

George Becker has been transferred from the Detroit exchange of Producers Releasing Corp. to the Cleveland exchange in Detroit by Bert Tighe, formerly of Universal. Herbert Ives, formerly with RKO, has been named Detroit branch manager of the PRC, replacing Carl Zinser, resigned.

Grosses Beat Heat Wave, World Series

(Continued from page 1)

the Dawn" and Xavier Cugat’s orchestra on the stage rolled up a Saturday and Sunday gross estimated at $25,000. The show finishes its first week with an estimated $61,000 expected.

"Yank" Continues Big

"A Yank in the R. A. F." is continuing its terrific pace at the Roxy, taking an estimated $6,000 Friday and $6,500 Saturday after playing a successful first week, with a stage show.

It Started with Eve" with the stage presentation opened big at the Radio City Music Hall, doing an estimated $60,000 Thursday through Sunday, and will hold over. Also entering the picture, "Cavalcade of 1940," which, with Jan Savitt’s orchestra on the stage, grossed an estimated $22,000 Friday through Sunday. It will play a second week.

"York" Ends Run

"Sergeant York" completed an eight-week run at the Hollywood Playhouse, playing to capacity. "The Last of the Mohicans," on the Strand beginning Oct. 17. In its final week at the Hollywood, the film brought an estimated $11,500. The eighth week with Dr. Jekyll and Mr. Hyde" at the Astor was for an estimated $8,500. The picture began a midnight engagement.

"Great Guns," gave the Globe an estimated $4,300 Thursday through Sunday and will be replaced this Thursday by "Lady of the Tropics." "Bowney Blitzkrieg" had an estimated $5,200 at the Rialto and was followed yesterday by "Burnina Convoy."

"Texas," Columbia’s picture, is scheduled to open at Loew’s State on Broadway Oct. 16, the company announced.

Foxes’ Omaha High

With Good $5,300

OMAHA, Oct. 6.—"The Little Foxes," single-seated at the Brandon, was held for a second week after grossing $5,300 for the week. The weather was cold and rainy.

Estimated receipts for the week ending Sept. 30-Oct. 1:

"The Three Faces of Eve" (W.B.)

BRANDEIS—(1,200) (35c-45c-50c) 7 days, Gross: $4,300. (Average, $600)

"Dr. Jekyll and Mr. Hyde" (M-G-M)

"The Great Million" (U.A.)

OMAHA—$(2,000) (35c-45c-50c) 7 days, Gross: $7,400. (Average, $1,000)

"The Great Mr. Nobody" (W.B.)

OREGON—$(3,000) (35c-45c-50c) 7 days, Gross: $7,200. (Average, $1,000)

RKO Closes 3 Deals On New Season Films

RKO has closed two additional circuit deals for the first two blocks of pictures for the 1942-43 season.

The deals have been closed with the R. E. Martin Circuit, covering 69 theatres in Batavia, St. Clair and Madison counties, and the Skibbirk Circuit, involving six Ohio situations. Another deal, for the first block of five, has been closed with the Joe Lawrence Circuit, covering houses in Montana, Idaho and Utah.

Two Join PRC Staff

George Becker has been transferred from the Detroit exchange of Producers Releasing Corp. to the Cleveland exchange in Detroit by Bert Tighe, formerly of Universal. Herbert Ives, formerly with RKO, has been named Detroit branch manager of the PRC, replacing Carl Zinser, resigned.
Off the Antenna

MUTUAL yesterday called a meeting of managers of the 125 stations which will carry the Coca-Cola show, to be held in Atlantic City Thursday and Friday. The program will start on the network Nov. 1. Off the network, the sponsor and the D'Arcy advertising agency will discuss publicity, dealer tieups and promotion. John T. Vorpe, formerly with WHK and WTMN, both in Cleveland, has been named to a newly created post of national service supervisor and will supervise the Coca-Cola show. The station managers will also hold a meeting to consider general network problems.

Purely Personal: Wally Butterworth yesterday went to the Fort Sanders Hospital, Knoxville, with a plasma poisoning. Bill Dixon, WBT, Charlotte, announced, substituted for him on the "Vox Pop" show last night. . . . Alan Courtney, conductor of the "130 Club" over WOY, has been placed temporarily in charge of programming and traffic, as the station has joined WNYC as director of production and acting program director. . . . Dr. Harry J. Skorina has resigned as assistant professor at DePauw University, Greencastle, Ind., and assumed the position of assistant to the president, Chicago, of the station. Richard Eaton, also NBC manager, joins Walter Friday to start a series of five-weekly commentaries over the network.

Bob Trout, CBS special events announcer and commentator, will leave for London by clipper Oct. 16 to act as the network's European news head while Edward R. Murrow takes a vacation. Murrow will remain with Trout until November and then will leave for a visit of several months in this country.

NBC yesterday reported that it had broadcast a total of 62 defense programs over the Red and Blue networks in the nine months ended July 31. NBC itself prepared 180 of these. Of the others 15 were presented with the cooperation of the U. S. Treasury; 10, War Department; 12, Navy Department; 222, Government administrative agencies; 153, special organizations and 1,902 various services.

The Red carried 154 of these shows and 473 were broadcast by the Blue. In addition, WEAF and WJZ carried 60 individual broadcasts and 1,003 spot announcements for defense. Of the 62 programs were concerned with recruiting; 94, Defense Bonds, and 12 for Red Cross Reserve, nurse recruiting and blood bank appeals.

Program News: WENR, Chicago, has obtained exclusive rights to Sunday and Thursday afternoon horse racing of the Chicago Black Hacks. . . . Lesser Bros., will resume "Big Town" with Edward G. Robinson over 53 CBS stations tomorrow 8:30 P.M. . . . NBC Symphony concerts will be shortened to Latin America by NBC. . . . Announcement will be made in Portuguese and Spanish.

FCC Charged With Attempt to Make Law

WASHINGTON, Oct. 6.—Charges that it was attempting to invoke a "law-making power" which Congress never intended to have been leveled against the FCC today in argument as its proposed program of giving every single interest owning more than one station in any area, competitors of NBC and the Buffalo Broadcasting Corp, and others who would be affected by the rule contended that they could not be enforced in the absence of specific authority from Congress and that it was both unnecessary and undesirable. The hearing was concluded late this afternoon, with Chairman James L. Fly announcing that the matter would be taken under consideration.

Para. Sued on Songs

Paramount Pictures, Inc., and Juanna Hall are defendants in a suit for an injunction and $25,000 damages filed in the Pennsylvania Supreme Court by Clarence Williams Music Publishing Co., Inc. Paramount is charged with using two songs in its film, "Sugar Wind," without the plaintiff's permission.

Industry to Plan Army, Navy Shows

(Continued from page 1)

Phillips, executive director, and Eddie Dowling, producer, of the New York Citizens Defense Committee. Discussion at the meeting will center around the series of test shows given by the film industry at a number of camps last summer and will cover the impact of filming on defense activities, the importance of defense activities, the importance of defense activities, and the importance of defense activities.

Jack Cunningham Rites

Hollywood, Oct. 6.—Funeral services for Jack Cunningham, 59, veteran screen writer, were held today. He died Saturday after an illness of three years.

FPC Plans Rationing of Power in N.E. and Southeast Due to Drought

Washington, Oct. 6.—Rationing of electric power in New England and the Southeast appears possible as a result of long-continued drought, officials disclosed here.

Federal Power Commission officials are working on details of rationing plans, which will be put into effect if "rains do not arrive very shortly," it was said. In both sections demand has been below normal, adding to the adverse effects of long droughts last Spring and Summer.

Commission officials said their activities would be limited at this time to allocation of power in such a way as to conserve existing operation of defense facilities, and that the institution of Daylight Saving Time is not under consideration.

Theatre Changes

Plan 2 in Philadelphia Area

PHILADELPHIA, Oct. 6.—Plans for the building of a new house for the University Theatre in the territory with the reopening of another house, long dark, are announced. At York, Pa., Charles Mac Donald opened the new house there, plans a new 500-seat house, to be called the Mayfair, at a cost of $100,000. Atviding new house, already constructed in Trenton, N. J., for the Hildinger-Henry Corp. will also be named as the Mayfair. In addition, Max M. B beauty operator of the Earl, Allenton, Pa., has taken over the long-dark Capitol in Reading. The house will be renovated.

Remodel Fox West Coast Units

SAN FRANCISCO, Oct. 6.—Considerable remodeling work has begun in the Bungalow & Katy circuit. Approximately $50,000 will be spent on the California, downtown subsequent run, which will be renamed the State. A new floor and news seats are being installed at the Bungalow, the first run, with the work being done in sections at night to avoid interruption with regular presentations.

Manages Sacramento House

SACRAMENTO, Oct. 6.—John O. Fenneman has been named manager of the Times, new unit of the Blumenfield circuit, it has been announced by George Ingham, manager of the circuit here.

Switch B & K Assistants

CHICAGO, Oct. 6.—Several assistant managers have been switched in the Balaban & Katz circuit. James Ellis, who was assistant manager of the Crystal before his induction into the Army, has returned as assistant manager of the Northshore. Byron Handy goes from the Riviera to the Bank of America. Alex G. Miller goes from the Covent to the Riviera, and Charles Wahal, chief of service at the Covent, becomes manager of that house.

To Revocate Conn. Theatre

PLAINFIELD, Conn., Oct. 6.—The manager of the Palace in Revocate will close the 600-seat Daly. New seats have been installed, and drapes, marquee and carpet are also to be renewed.

Reopen House in Florida

ORLANDO, Fla., Oct. 6.—The Vogue Theatre, Colonial Centre, has reopened under the management of the Florida State Theatres, successor to Sparks Theatres. R. M. Saunders is manager.

Baltimore Theatre to Open

BALTIMORE, Oct. 6.—The Windsor Theatre, under construction here, owned by Morton Rosen, will be ready soon. A neighborhood house, it will seat approximately 600.

Renovate Theatre in Butte

BUTTE, Mont., Oct. 6.—The Rialto has been closed for renovation, including the erection of a new marquee and the installation of new carpets and seats.

Florida House to Reopen

VENICE, Fla., Oct. 6.—The Gulf Theatre, which has been reconditioned, will open shortly.

W. Circuit Shifts

CHICAGO Zone Men

The Chicago, Oct. 6.—A number of managerial changes has been made by the Warner Circuit in this zone. Al Blasko goes from manager of the Victoria; Harold Emmons, former manager of the Hamilton, is now manager of the Thalia, Milwaukee; Harry Minty, manager of the Paramount, Hammond, has moved to manager of the Paramount, Milwaukee; Tom Bock, assistant manager of the Victoria, has moved to manager of the Orpheum, Hammond; Waldon Ryan, assistant manager of the Venetian, Racine, Wis., to manager of the Hamilton, Chicago.

Also, Richard Fahey moves from assistant manager of the Hamilton, Chicago, to assistant manager of the Parthenon, Hammond; Martin Hart, chief usher at the Algon, Chicago, to assistant manager at the Hamilton, Chicago; George Danek, chief usher at the Stratford, Chicago, to assistant manager at the Chicago; Chris Demos, assistant manager at the Folly, to assistant manager at the Highland, Chicago, and Phil Shire, assistant manager at the Highland to assistant manager at the Venetian, Racine, Wis.

AFM Restriction on RCAF Bands Scored

OTTAWA, Oct. 6.—W. T. Burford, secretary-treasurer of the Canadian Federation of Labor, denounces the action of the Toronto local of the American Federation of Musicians in trying to stop restrictions on broadcasting and recordings by Royal Canadian Air Force bands.

"This is not the first time this union has shown its indifference to patriotic endeavors in this country," Burford asserted. "Calling the union had attempted recently to interfere with the use of a military band at a military funeral."

The Toronto local had banned use of the RCAF and Royal Canadian Mounted Police bands from the CBC network and from making recordings for broadcast use overseas. CBC officials declared that the local had threatened to cut off all exchange features with CBS, NBC and other networks if the bands were used on CBC. A Government source disclosed that the Toronto local had claimed $12,000 in extra wages allowances if radio programs were to be transmitted for shipment to troops overseas.

American Federation of Musicians headquarters in New York refused comment on the Canadian situation, stating that the matter was entirely in the hands of its Canadian representatives.

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Exhibitors in Mexico Face Sharp Decline

Court Rules 3-Year Deal Made in 1939 Valid Under Decree

Elect Arthur Kelly To MPPDA Board

Several Under Consideration For U.A. Head

South Eases Sunday Ban For Soldier's Film Shows

Anti-5 Ruling Prevents Film Sales in Minn.
Personal Mention

LOUIS B. MAYER, M-G-M vice-president in charge of production, is here from the Coast.

JOSEPH M. SCHENCK is expected in town today.

SAM FISANSKI will return to Boston today following a five-day visit here.

HAL HORME has returned from the Coast.

HERMAN WOBBE, 20th Century-Fox director of distribution, is expected at the studio today from San Francisco.

JOHN BOLAND is in town. He is coming to Chicago.

H. C. D. MAIN, Ontario supervisor of Odem Theatres of Canada, is here. He is the father of a daughter, born this week.

C. F. DEAN, former manager of the Rialto, Abbott and Uptown theatres in Huntington, W. Va., will leave shortly for London to confer with the British as a radio operator.

MOSES JACOBSON of the Strand Amusement Co., Bridgeport, Conn., has returned from a brief vacation.

BERNARD B. KENNY, son of C. G. KENNY, manager of the Park Theatre, Reading, Pa., has been accepted for training in the Royal Canadian Air Force.

T. J. CONNORS, Eastern, Canadian and Southern division manager for M-G-M, returned to New York yesterday.

EDWARD C. RAYFORD of O'Brien, Doris and Rafferty returned to New York yesterday after seven weeks on the Coast.

JOHN J. FRIEL, of Minnesota Amusement Co. is here for Paramount home office conferences.

O. R. HANSON is in town.

MARY RANSOME, vice-president of University Films, is in Columbus, Ohio.

GEORGE SOROL, prominent Philadelphia exhibitor, has been elected Junior Vice Commander of the Clair Post, American Legion.

PATRICK S. McMAHON, operator of the State Theatre, New Britain, Conn., was given a bachelor dinner this week at the Quill Inn.

RUTH SCHWERN is now associated with the Tom Fidzela publicity office.

FAY REEDE, Fox West Coast theatre manager in Sacramento, won the low net prize in a recent American Legion golf tournament there.

JOSEPH ENRICH of the 25th Century-Fox home office is in Providence this week.

FRANK LYONS, assistant at the Hippodrome in Bridgeport, Conn., has taken a defense job.

Fay Resumes Stage Show in Providence

PROVIDENCE, Oct. 7.—Edward M. Fay will return to his traditional policy of one-week and stage programs at Fay's Theatre beginning Friday. The stage presentations will be built around an old fashioned Al Jolson. For the remainder of the show, acts will be booked by Fay from week to week.

For the past year or so, Fay has played double-feature action programs at a 15-cent to 35-cent scale. For the new combination shows, the houses are scaled at 20 cents, 33 cents, 44 cents, and 15 cents for children at all times.

‘Dumbo’Opens at Broadway Oct. 23

“Dumbo,” new Walt Disney feature released by RKO, will open at the Broadway Theatre here on the evening of Oct. 23, according to Mr. T. E. Denipet, RKO distribution head, and Roy Disney, vice-president of Disney Productions.

Following the premiere the film will be shown on a continuous run policy at the theatre, replacing “Fantasia.”

Enlarge RKO Exchange

WASHINGTON, Oct. 7.—The RKO exchange building here is being enlarged under the supervision of Robert J. Follard, branch manager.

Newsreel Parade

THE midweek issues of the new RKO Newsreel Series highlights as well as covering important football games, which is now slated to supplant baseball material in forthcoming reels. War news comes chiefly from Near East. The contents:


PARAMOUNT NEWS, No. 12—Windsor at Alberta ranch. Parachutist perched at Wyoming mountain. Conway, N. H., found after eight-day search (chipped seriously). War situation in Cyprus, Iran, Tibet, China.


Philadelphia, Oct. 7.—The Ladi Auxiliary of the Variety Club will install officers for the coming year at a luncheon tomorrow in their club room in the Bellevue-Stratford. The incoming president is Mrs. Elv Wilmer, and Misses Zara Zuma retiring from the office. The latest tivity of the Auxiliary was the purchase of a $5,000 first-ambulance transport crippled children to and from the public schools.

Frank L. McNamee will be general chairman of the Variety Club’s annual banquet on Dec. 11 at the Bellevue-Stratford.

In Chicago Theatre Parade

CHICAGO, Oct. 7.—Ben Newman has succeeded Robert Montgomery as president of the Oriental Theatre.

MOTION PICTURE DAILY


TODD SIGNS POWELL FOR MUSICAL SHOW

Michael Todd has signed Dick Powell for a role in Todd’s new musical show, “And So to Bedlam,” which will go into rehearsal on Oct. 15. Powell joins Ned Sparks, Gypsy Rose Lee and Jed Prouty in the cast.

FORMS THEATRE FIRM

RICHMOND, Oct. 7.—Capitalized at $50,000, the Hull Street Theatre Corp., has been organized here to conduct a general amusement business. M. G. Thalhammer is president.

5 COOL, COMFORTABLE WAYS TO GO TO LOS ANGELES

THE MERCURY

Lv. New York Ar. Dallas-Ft. Worth, Ar. Los Angeles 4:55 pm and 5:10 pm 1:31 am and 1:27 am 7:52 am and 7:37 am

Lv. New York Ar. Dallas-Ft. Worth, Ar. Los Angeles 4:10 pm 1:20 am 7:44 am

Lv. New York Ar. Dallas-Ft. Worth, Ar. Los Angeles 11:15 pm 8:24 am 3:12 pm

Lv. New York Ar. Dallas-Ft. Worth, Ar. Los Angeles 6:45 am 4:41 pm 12:45 pm

Lv. New York Ar. Dallas-Ft. Worth, Ar. Los Angeles 1:30 pm 12:00 am 6:45 pm

Lv. New York Ar. Dallas-Ft. Worth, Ar. Los Angeles 12:45 pm 6:45 pm

THE PLAINSMA

THE SOUTHENER

THE SUN COUNTRY SPECIAL

For reservations, call your Travel Agent or HAveneye 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
"Texas"
(Columbia—1941-42 Release)
WHEREVER director George Marshall or producer Samuel Blishoff set out to prove that the western formula is still one of the best for motion pictures when done with imagination and spirit, or whether they set out simply to make a picture which will be box-office for all kinds of audiences, old and young, sophisticated and naive, the fact is that both objectives have been achieved in "Texas."

The prizefight between William Holden and Lyle Lytell, staged under the rules which existed before the Marquis of Queensbury laid down his own set of boxing laws, deserves to go down in film annals as one of the finest sports melodramas ever screened.

The picture, set in Texas immediately after the Civil War, relies for its appeal on the almost standard plot of westerns—cattle rustling, dishonest leading citizens, gunplay, hard riding and fist fights. It triumphs, however, by the adroit use of these commonplace situations and an excellent cast. Holden and his pal, Glenn Ford, are cast as two adventurers; Claire Trevor is the daughter of a ranch owner killed by the rustler gang; George Bancroft is head of the gang: Edgar Buchanan gives a topnotch performance as a rural detective in league with the thieves, and Andrew Tombes gives another first rate performance as one of the gummers.

When Holden and Ford are forced to separate, the former joins with the outlaw gang while the latter seeks the right side of the law. Both fall in love with Miss Trevor but the ultimate death of Holden resolves the triangle.

Running time, 90 minutes. "G." EDWARD GREFF

"Dangerous Lady"
(Producers Releasing—1941-42 Release)

Confusing murder-mystery story that is itself involved hampers the movement in this picture. It is chiefly an assortment of illogical murders and over-dramatic situations with comedy effects added.

June Storey, Neil Hamilton, Douglas Fowley, John Hollande and Emmett Vogan are principally concerned in the melodrama, whose theme is the private detective and his attorney wife vying with the police in solving a series of crimes. Bernard B. Ray produced and directed, with George R. Batcheller in charge of production.

EUGENE ARNEEL

"The Man Who Seeks the Truth"
(Dome Films, Inc.)

A FRENCH importation, one of the last, obviously, this somewhat philosophical film treatise features the very capable person of Raimu, one of the ablest of French film performers. This interesting satire pictures the effort of an honest man to learn the truth, by the simple but ingenious device of feigning complete deafness, thus learning exactly what those who fool upon him really think of him.

They include the solicitor, his brother-in-law, the girl with whom he is in love, the boy who is like a son to him, and his own butler. Only one, an old friend and employe in the bank of which Raimu is the head, knows his secret, and he keeps silent.

The film is definitely for adult audiences of those metropolitan theatres which cater to the so-called more sophisticated type of audience. Alexander Esway directed with skill. The production was by J. Bercholz for Gise-Films of Paris, and is said to have been completed shortly before the fall of France. English subtitles are amiable and complete.

Running time, 75 minutes. "A." CHARLES S. AARONSON

Grant, Massevinn "Old Lace"
Hollywood, Oct. 7. — Cary Grant and Raymond Massey have been signed for "Arsenic and Old Lace," which Frank Capra will produce for Warners.

"Blues' Opening City Not Yet Determined"

Paramount has not yet determined whether the Oct. 31 world premiere of Paramount's "Birth of the Blues" will be held in Memphis or New Orleans. It was originally scheduled for Memphis, but Gov. Sam H. Jones of Louisiana in a telegram to Y. Frank Freeman, Paramount vice-president in charge of the studio, has asked that the premiere be held in New Orleans.

"Honky Tonk" With $33,500 Leads Boston

Boston, Oct. 7. — "Honky Tonk" coupled with "Harmon of Michigan" gave the Loew's State and Orpheum a total gross of $33,500, "Sun Valley Serenade" and "The Gay Falcon" in second place.

Estimated receipts for the week ending Oct. 3-9:

1. "Harmon of Michigan"—$16,000
2. "Sun Valley Serenade"—$13,500
3. "The Gay Falcon"—$12,000
4. "The Jammin' Jigsaw"—$11,500
5. "Hell Back the Dawn"—$10,500
6. "Honky Tonk"—$9,500
7. "Harmon of Michigan"—$9,000
8. "The Jammin' Jigsaw"—$8,500
9. "The Gay Falcon"—$8,000
10. "Honky Tonk"—$7,000

Boston, Oct. 7. — "Hell Back the Dawn" scored $8,500 at the New-
man, leading on a comparative basis. "You'll Never Get Rich," and "Har-
mon of Michigan" at the Midland took $9,500.

Estimated receipts for the week ending Oct. 3-9:

1. "Belle Starr" (26th-Fox) $5,000
2. "This Woman Is Mine" (Univ.) $4,500
3. "The End of the Road" (Univ.) $4,000
4. "May Laverne" (20th-Fox) $3,500
5. "Dive Bomber" (WB-F.N.) $3,000
6. "Belle Starr" (26th-Fox) $2,500
7. "This Woman Is Mine" (Univ.) $2,000
8. "The End of the Road" (Univ.) $1,500
9. "Dive Bomber" (WB-F.N.) $1,000
10. "Belle Starr" (26th-Fox) $500

Boston, Oct. 7. — "Boston Globe" reports that RKO signed Shirley, Murphy
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TALK ABOUT SALES POLICY!

"Hello, M-G-M! What's your Sales Policy this year?"

"Sales Policy Mr. Exhibitor? It's the M-G-M Policy!"

"That's okay with me, M-G-M!"

"SHAKE!" SEAL OF AN M-G-M DEAL!

The advertisement to the left appeared in the trade press a year ago.
"IT'S BEEN TRUE FOR 17 YEARS! IT'S TRUE TODAY!"

"Honky Tonk" held over everywhere! First 42 engagements doing 229% of normal biz. The fans are delirious about it! Clear the decks for that Clark Gable-Lana Turner "Honky Tonk" kiss—it's cyclonic! Whee! That M-G-M Lion is running wild. Not in all his Metro-golden years Has he equalled This season's flying start! Beginning with "When Ladies Meet" "Dr. Jekyll & Mr. Hyde" "Lady Be Good" M-G-M now delivers the Bonanza "Honky Tonk." Watch for trade shows on "Unholy Partners," "Chocolate Soldier" "Two-Faced Woman" "Shadow of the Thin Man." You'll see HITS! HITS! HITS! All year long from Leo. The Friendly Lion will Never let you down!

The Capitol, N. Y. goes into its 2nd week!

HE SPEAKS FOR 12,000 M-G-M EXHIBITORS
Several Under Consideration For U.A. Head

(Continued from page 1)

ers expect will bring fresh financing into U. A.
Arthur W. Kelly, vice-president in charge of distribution, is the present activity leader.
The establishment of a new administrative system for United Artists depends upon who will be selected for the presidency. Although the stockholders are scheduled to meet tomorrow to discuss this matter, it is held by the company that an announcement that the presidency will be disposed of at that time.

Leopold Selznick is expected to come from Chicago from California tomorrow by train. Whether he is coming for the meeting by plane since that is the only way in which he can arrive on time for the meeting does not seem to be known at the home office. Alexander Korey and Mary Pickford are already here.

Actually, the final papers in the Selznick deal have not been signed but it is understood that the deal will go through as announced on the Coast, as soon as the administrative details are decided upon, if not before that.

Selznick's ultimate interest of stock it is stated, will amount to one-sixth of the authorized share of dividends. U. A. stock is one-fourth of the outstanding stock.

Approval Sought for Fox Claim Settlement

Leopold Porrino and Kenneth P. Steinrich, trustees of Fox Theatres Corp., asked the N. Y. Supreme Court yesterday for approval of a proposed settlement of claims and counterclaims between the company and William Fox. Under the proposed settlement set forth in the application Fox would pay $25,000 to the company and releases would be exchanged as a final settlement of all disputes.

The application pointed out while the company has substantial claims against Fox, he has filed counterclaims in excess of $7,000,000. In addition, the petition said further proceedings would add very little cost in excess of $250,000, with the result of litigation dubious. The trustees stated that approval of the settlement would make available to other creditors the sum of $85,000 now held by the trustees in reserve as Security for Fox.

Porrino and Steinrich were designated by the Federal Court as trustees in a plan which calls for the final liquidation of the assets of Fox Theatres.

Storm Damage Light To Theatres in K.C.

KANSAS CITY, Oct. 7—The tornado which yesterday struck the Eastern part of this city and the interurban district damaged the roof of one theatre in Fairmount, suburban community, where street traffic was halted temporarily by the storm.

One other outlying theatre was closed last night when electric power failed. Downpours of rain over most of the city yesterday caused a record cut in evening theatre attendance.

Average U.S. Family Spent $11 for Films in 1935-1936

Washington, Oct. 7—The average American family spent $11 for motion picture theatre admissions in 1935-36, but by income levels the expenditure ranged from $2 for families with less than $500 a year to $51 for those with $10,000 or more. It was reported to-night by the National Resources Plan-

Reporting on the purchasing power of the country, the board showed that city dwellers spent two to three times as much on motion pictures as farm families in the same income bracket.

This difference ranged between $2 for farm families and $6 for rural non-farm families and urban families with income of $500 to $1,000, and $20 for farm families and $34 for rural non-farm families and $44 for city families with income of $5,800 to $10,000 a year.

Motion pictures were found to be the most important single source of recreation for families in the lower income brackets but less important to families with substantial incomes. Rural families with incomes under $500 a year, one-third of the recreational expenditures were for admissions, but for families with $30,000 or more motion picture accounts for less than 10 per cent. For the country as a whole, it was estimated that film theatre admissions accounted for approximately 25 per cent of all recreation expenditures.

1939 Deal Decided Valid Under Decree

(Continued from page 1)

chise entered into in 1939 and that the three-year deal was a valid one. The ruling exempts the deal from the block-of-five provision of the decree for this season.

Among those attending the hearing were: Thomas D. Thacher and Louis Phillips, Paramount attorneys; E. W. Karen, M-G-M; W. F. Massey, W. M-G-M New England district manager, and Benjamin Trustman, Boston attorney.

Glenda Farrell Cast

Hollywood, Oct. 7—Glenda Farrell has been signed by Edward Small for "Twin Beds," replacing Binnie Barnes, who is ill.

South Eases Sunday Ban for Soldiers' Film Shows

(Continued from page 1)

relaxing the laws for Sunday film shows.

In addition, the USO has sound trucks in operation to accompany the various armies. Frequently, the men find themselves 40 to 50 miles from the nearest town at the end of the day, it was said, and mobile film units are therefore necessary. The trucks play records for about 95 minutes and follow it with shorts and a feature film. There were three trucks in operation in Louisiana and four were planned for the Carolinas. Approximately 3,000 men can watch the film simultaneously, it was said, and efforts are made to conduct more than one a night.

For Maneuvers Only

It was explained at USO offices that the effort to obtain relaxation of Sabbath laws extended only to the locations and the periods of maneuvers. It was said there is no effort contemplated to obtain Sunday film shows in such areas near camps where they are now forbidden. Ordinarily, the USO conducts its activities away from camps but makes an exception during maneuvers, it was said by officials.

Meanwhile, the Citizens Committee for the Army and Navy, which provides free entertainment in camps, reported yesterday that it has under discussion with the War Department a plan for indoor stage shows after cold weather forces discontinuance of outdoor programs. Eddie Dowling has been named director of this phase of the committee's program. Up to yesterday, the committee had given 1,037 shows to an estimated total of 3,200,000 in the audiences.

Unaffected by Pay Rule

An official of the committee stated that it was not affected by the recent Theatre Authority ruling that all performers appearing at Army and Navy camps must be paid. It was pointed out that the committee has always adhered to the principle that for programs at the camps, actors and actresses received only the cost of transportation over, and the pay of their agents, with any profit over and above the cost being divided among the performers. So far, no number of changes in personnel have been made by the affiliate of Famous Players Canadian. Harry Wilde, manager of the new Central Theatre, which was appointed manager of the Geneva in succession to Grant Garrett, transferred to the Toronto office of Odeon.

With the acquisition of the Geneva, Orillia, Ont., a unit of the former Harrison circuit, by 20th Century-Fox, a number of changes in personnel have been made by the affiliate of Famous Players Canadian.

Ohio ITO Scores Senate Film Probe

Vicious and arouse prejudice—racial, religious and political—and to defame and discredit motion pictures and all those engaged in the business.

The board of directors denounced the entire proceedings as unfair, biased and un-American.

Miss Massey on Tour

Ilona Massey and her husband, Alan Curtis, have left Hollywood on a transcontinental tour, beginning to visit a number of cities on their way East.
Six Studios Buy 13 Story Properties for Production

Hollywood, Oct. 7

Six studios have announced acquisition of film rights to 13 properties, Paramount leading the parade by buying four.

In the second new novel, which has been acquired by Paramount, following publication of the author of "Rebecca." The other new properties were "Black Curtain" and "Cecil Touring" with Albertina Fonda and "The Night Before the Divorce," an account of "The Passionate Witch," by the late Thorne Smith, as a vehicle for Veronica Lake, with Rene Clair directing and Preston Sturges as producer.

Republic bought "Golden Portage," novel serialized by the Saturday Evening Post from the pen of Robert Ludlum in case of a tentative pact as star; and "Atlantic Patrol," story of destroyers by Marion Willette.

The novel, "Above Suspicion," by Helen MacInness, and which is set in England, Paris and Germany, and a comedy, "Nothing Ventured," by Ian McLellan Hunter and Aileen Hunter, were acquired by M-G-M.

Angel Face," Jean C. Bukley's story which appeared in the Saturday Evening Post, is against this house, which is functioning under a Civil Government sub-

Mexican producers have stepped up their output. Nearly every week sees picture started: Mario Aurelio Galindo, author, newswoman, who with his brother, Alejandro, the director, has been a writer for some time, is arranging a new kind of production of "Romeo and Juliet" which Cinematográfica Maga, S.A. is to produce for this firm.

Peace was obtained by the Cine Royal, leading theatre in Empalme, a junction in Sonora state of the Pacific Railway of Mexico, with the signing of a contract to end a 15-day strike. The exhibitor granted all demands.

Expect Shutdown in Mexico Tomorrow

A complete shutdown of major company offices in Mexico City is expected by many home office foreign department heads, as a result of the announce-ments to materialize tomorrow, the new strike deadline set by the Mexican film workers union against 20th Century-Fox, Universal and United Artists.

Those three companies are the only firms which remain open, according to reports from Mexico City, they have discontinued film service to theatre accounts with the expiration of a contract on Sunday of a 30-day notice to their accounts.

All distributors are maintaining a 11:30 a.m. strike at the face of the union's demands and unilaterally rejected a compromise settlement offer made by the union late last week, it was re-

Mexican theatres may not face a product shortage for another 60 days if the complete shutdown materials tomorrow, officials of home office foreign departments said yesterday.

Wilkes-Barre Area
Blackout on Friday

Wilkes-Barre, Pa., Oct. 7 — A blackout will be held in this region Friday night, it was announced, after arrangements had been completed with Army officials to check on the area as part of the nationwide test. Theatre fronts and marquees will be darkened during the blackout but the houses will be open.

Name Committees for
Pa. Allied Convention

PITTSBURGH, Oct. 7 — M. A. Rosenberg, general chairman of the annual convention of Western Pennsylvania Allied, to be held Oct. 21 and 22 at the Hotel Roosevelt here, has named the following convention committees:

Egertainment — M. N. Shapiro, chairman; Ed T. Beetle, Sam Fishman, F. E. Hasley, Norman Huhn, Robert Lieber, Carl Poke and Harry Walker. Publicity — Frank Panopoulos, chairman; Harry Rachie, Jake Soltz, Rudolph Navarrini, F. H. Shearer and Archie Fineman.

Rosenberg left for Detroit today to attend the Michigan Allied convention there. Fred Beedle is president of the Western Pennsylvania Allied.

Will Hear Censor Appeal

ALBANY, Oct. 7 — A subcommittee of the State Board of Regents in New York on Thursday will hear the appeal of the Film Service Corp., or "They Must Be Told," which recently was rejected by Irwin Ezard, state censor. The film will be screened at that time.

Lawrence Named
Aide to Selznick

Lowell Y. Cooper is again in charge of Selznick-International Pictures, in liquidation, here, Lawrence returned to New York from Europe about a month ago when the German war had reduced Continental film operations to a negligible volume.
NBC 14-Year Profit Put at $30,041,173

NBC earned a total profit of $30,041,173 during its 14-year affiliation, or organization in 1926 until Dec. 31, 1940, it was revealed yesterday by Manton Davis, RCA vice-president and general manager of NBC. Before Referee Abraham J. Halprin on the fairness of a $1,000,000 settlement offer by the RCA and Westinghouse Electric & Manufacturing Co. in an accounting action brought by RCA stockholders.

Reveals Dividends

NBC, now a wholly-owned RCA subsidiary, turned over to RCA $22,500,000 in dividends during that period and contributed an additional $2,050,000 to research activities in the radio field. Throughout the 14-year period, RCA had only 50 per cent of the stock with G. E. retaining 30 per cent, and NBC stockholders, but in 1935 obtained 100 per cent ownership in 1930.

RCA in its yearly balance sheets did not record a name and earnings of subsidiary companies such as NBC. At present, Davis said, NBC is capitalized at $6,300,000.

Orders Consolidation

Halprin was appointed by the N. Y. Supreme Court to determine the accounting action is pending, to conduct hearings and report on the fairness of the settlement offer. Meanwhile, N. Y. Supreme Court is expected to rule today on whether an application by six RCA stockholders to set aside the hearing and refuse them permission to intervene in the suit. In a separate decision, Justice Schumack ordered six suits pending in courts other than the N. Y. Supreme Court to be consolidated with the Supreme Court action and directed that all RCA stockholders be stayed from prosecuting their suits until Halprin renders his report.

Bottorf Named Head Of NBC Concert Unit

O. O. Bottorf yesterday was named president of the NBC Concert Service, Inc., a wholly-owned NBC subsidiary which conducts concerts in several hundred cities across the country and books concert artists. D. L. Cornet was named vice-president and Marks Levine was appointed managing director.

Network officials refused to state whether these appointments indicated NBC's decision to expand into the concert field or in the field of artist management. CBS has disposed of both and NBC officials had previously indicated a similar intention. The FCC in its monopoly report criticized the continuance of concert and management business by the networks.

‘Parallel’ Opens Today

Loxom, Oct. 7—“The English film, “49th Parallel,” will have its premiere tomorrow with a luncheon planned at Claridge’s to be attended by Vincent Massey and 250 guests representing Canadian and Empire fields for diplomacy, radio, the press and the film industry.

Off the Antenna

By VLADIMIR K. ZWORYKIN, associate director of RCA laboratories, tonight will receive the Rumford Award from the American Academy of Arts and Sciences at its annual meeting in Boston. Zworykin, who invented the iconoscope and kinescope, which make electronic television possible, will receive the award for an outgrowth of television experiments. The Rumford Award, established in 1766 by Count Rumford, is presented biennially for important American discoveries or useful improvements in the fields of light or heat.

Purely Personal: Dennis McEvoy has replaced Erskine Caldwell as Motown’s new executive. William L. Sherr’s “Berlin Diary” will run serially in 62 newspapers, United Feature Syndicate announced yesterday. Estelle Barnes has been appointed program manager of WSB, Chicago, the WGN FM station. A. A. Schechter, NBC news head, yesterday addressed the “Broadcasting” Arbitration case. Robert Swift, Westinghouse Electric & Manufacturing Co., yesterday joined the “Million Dollar Club,” symbolic of salesmen who have sold that amount of time for the station. William Slater Bar- kerfuss has succeeded James A. Chester as Westinghouse Electric & Manufacturing Co. in an accounting action brought by RCA stockholders.

The Yankee-Colonial Networks yesterday claimed a beat in the coverage of the discovery of Pamela Hollingsworth, five-year-old who was lost for eight days. .. Mutual yesterday moved its Chicago offices to larger quarters in the “Chicago Tribune” building. .. Mexican film stars will be featured on the second network this fall originating from XEQ, Mexico City, Oct. 16, and carried by CBS in this country.

Program News: WNYC will start a new series 6-6:30 tonight called “Tomorrow’s Edition.” It will present college students from the five boroughs who show promise of becoming professional entertainers. .. WKCR, Columbia University, will carry the play-by-play descriptions of the games of the Cincinnati Reds next season. .. “Pepper Young’s Family” will broadcast its 500th script Friday over NBC-Red.

Study Mutual Verdict on Muzak Baseball Pickup

Television lawyers yesterday served a court decision rendering invalid a permanent injunction of the Supreme Court of New York against Ernest E. L. Hammer in the Muzak and the Gillette Safety Razor Co. were granted an injunction restraining Muzak from using the records without permission Mutual’s play-by-play description of the World Series over Muzak leased lines to restaur- ant owners, bars and clubs. .. Justice Hammer granted a temporary injunction Saturday and it was lifted Monday. .. Daniel Davis, counsel for Muzak, consented to the decree after obtaining the needed permission. Prior to Saturday, Muzak relayed the descriptions exactly as broadcast, including the commercial announcements and giving Mutual credit for the broadcast but the network contended that the failure to obtain permission was unfair competition.

Cites Competition

In granting the injunction, Justice Hammer pointed out that both Mutual and Muzak were in competition for audiences and that their rates depended on the number of listeners obtained through their respective media. Television lawyers saw in the decision a similarity to a television picking up a telecast without permission. Although this is similar to the situation, it is not as similar as Muzak would, be a closer analogy to the rights of a theatre in telecasts, lawyers pointed out, the decision appears to permit any commercial use of broadcasts without the consent of the broadcaster and the sponsor.

Ritchey Closes Two Deals for Monogram

Norton V. Ritchie, vice-president of Monogram Pictures in charge of foreign distribution, at present on a tour of Latin America, reports from Caracas that he has entered into an agreement with Carcel & Muro where- by this concern becomes Monogram distributor in that territory. Ritchie also reports that on his way to Caracas he stopped in Curacao, where he appointed, Moron and Co. as distributors for that Dutch possession. He plans to return to New York in December.

Murray Back in Canada

OTTAWA, Oct. 7—Major W. E. Gladstone Murray, general manager of the Canadian Broadcasting Corp., has returned here after a seven-week trip to England and the United States.

Miller, Shubert At Camp Show Parley

Washington, Oct. 7—The War Department today announced that in addition to the motion picture representatives who will attend conferences with Army and Navy officers who are planning for camp entertainment, the broadcasting industry will be represented by Henry M. Miller, president of the National Association of Broadcasters, and Lee Shubert, producer, will represent the legitimate stage.

CBC Year Surplus Reaches $183,584

OTTAWA, Oct. 7—The annual report of the Canadian Broadcasting Corporation, for the fiscal year ending March 31, 1941, showed the corporation's operating surplus to be $183,584. Income was $4,052,794, and expenditures were $3,909,209.

The heading of “income” are such items as $3,140,259 in license fees, a sum that was received and remitted to Mechanical Broadcasts and $44,647 in subsidiary bookings. Expenditures included $1,721,755, for programs; $752,969 for commission of foreign productions; $179,120, administration; $97,805 commercial; $60,609, press and in formation.

On the network the CBC broadcast 36,419 individual programs, which took up 12,129 hours of broadcasting time. Three new transmitters were built.

Strike in Pittsburgh Hotel's Hits Grosses

PITTSBURGH, Oct. 7—In its sixth day, the strike of employees of the city’s eight major hotel chains continues to materially affect theatre and night club business.

The strike of the 1,661 hotel employees and 800 more AFL sympathizers who refused to cross picket line to jobs unaffected by the strike, a week ago by 30,000 dollars in business this week, much of it destined for the theater and other amusement places.  The American Lung Association and the Pennsylvania Medical Society, which would have attracted more than 2500 delegates. Other conferences and smaller meetings likewise have been canceled or postponed. Thousands of salesmen and tourists who otherwise would have lingered in the city and spent money in entertainment sites, have re-routed their itineraries, it is estimated.

CEA Meets Today On Opening Hours

LOXOM, Oct. 7—The general council of the Cinematograph Exhibitors Association will meet tomorrow to study the theatre operating hours situ- ation and to authorize the executive board to present its views at a meeting with the Ministry of Transport scheduled for later in the day.

It is understood action will be taken shortly by a majority of the producers and the labor interests, presenting a report opposing the plan of the Min- istry of Labor to call on technical employees for military service.
Gov't Opens Trial Against Browne, Bioff

orrea Details Indictment In Extortion Case

The trial of George E. Browne, AT&SF president, and William Hoff, his personal representative, on extortion charges, started yesterday before Federal Judge John A. Knox with the selection of a jury. Mathis, F. Correa, U. S. attorney, made his opening statement outlining the Government's case and it will be followed this morning by the opening statements of Martin Conboy. Browne's attorney. (Continued on page 4)

Browne-Bioff Trial Jury


The two alternate jurors are: William McKnight Bowman, an architect, and Philip F. Barrington, advertising executive.

J. H. Whitney Is Due From Goodwill Trip; Praised by Reisman

Hollywood, Oct. 8.—John Hay Whitney, head of the film division of the U. S. Committee for Inter-American Relations, will return to this country from South America next Monday. He will arrive in Miami where he will be met by his assistant Frank Atstock, and the two will then proceed by train to New York.

Phil Reisman, vice-president of RKO, in charge of foreign sales, in a press interview yesterday praised the work being done by the Whitney group in improving inter-American relations. Reisman was in South America during much of the time that Whitney was there. Reisman had left this country a day or two prior to Whitney's departure and while in South America discussed plans for the future. (Continued on page 4)

Independent Radio Stations to Organize

Chicago, Oct. 8.—Independent regional broadcasters representative of 35 stations affiliated with the major networks and television agreed at a two-day meeting at the Drake Hotel here on the immediate need of an organization of independent broadcasters to protect their interests.

Cited as problems concerning which protection is needed are the demands of the super-power stations, the de- (Continued on page 4)

Arnold Remains in Post, Says Biddle

Washington, Oct. 8.—Thur- man Arnold will continue as head of the anti-trust division, Attorney General Francis Biddle said today. He said that reports of a divergence of views between himself and Arnold had been overemphasized, that they did not involve major policies on anti-trust law enforcement and that, so far as he knew, Ar- (Continued on page 4)

Ascpan Seeks New Sources For Revenue

Ascpan is surveying possible new fields of music performance rights. Sources of new revenue to help offset the decreased radio network returns to the society under its new contract, and soon may attempt to tap the juke box, television and other fields, it is learned.

No increase of music license rates to theatres is under consideration, however, it was learned. Ascpan officials regard theatre rates as equitable and as offering no promise of further exploitation. Reorganization of the society's man- (Continued on page 4)

Industry to Aid in Setting Up Show Circuit for Camps

NBC Artists Service Sale Negotiations Off

All current negotiations for the sale of NBC's artist management business and concert service have been terminated, Niles Trammell, NBC president, disclosed yesterday. Trammell made the disclosure following many in- (Continued on page 4)

Unity in Industry Is Urged by Richey

DETROIT, Oct. 8.—A strong plea for industry unity featured the address of H. M. Richey, director of exhibitor relations for M-G-M and assistant to William F. Rodgers, general sales manager, before the annual convention of Allied of Michigan at the Book-Cadillac hotel here today.

"I believe that the industry is being driven closer and closer together by the emergency," said Richey. "Attacks from the outside, efforts at unreasonable taxation which would be confiscatory if adopted, the realization (Continued on page 4)

U.A. Partners Meet Is Scheduled Today

United Artists partners are scheduled to meet here today to discuss a new administrative setup for the company, including the designations of a president. David O. Selznick is expected today from Chicago, but if his arrival is delayed the meeting will be postponed until tomorrow; it was stated. Already here for the meeting are Alexander Korda and Mary Pickford. Charles Chaplin is expected tomorrow.
Coast Flashes

Hollywood, Oct. 8

AFTER 10 weeks, Arch Oboler, radio writer-producer, has asked for and received his release from 20th Century-Fox where he had a producer-director-writer contract. It was reported there was a disagreement with studio heads over material was the reason for his withdrawal.

Earl Retig, assistant to Reginald Armour at RKO, today was appointed RKO studio treasurer.

M-G-M today announced the purchase of "The Gentleman from West Indies," story of Alexander Hamilton's life, by Dorothy Thompson and Fritz Kariner, and has set it as a Robert Taylor-Helen Lamarra vehicle. Sam Zimbalist will produce.

Carmel Myers, D. W. Griffith star, who last appeared in films in 1934, was signed today by Republic for "Lady for a Night."

RKO today signed a new contract with Howard Hawks to produce three pictures in addition to John Steinbeck's "Red Pony." One will be directed by Hawks and will star Ronald Colman, William Hawks left tonight for Mexico to prepare material for "Gilded Pleasure," which will be among the three.

Monogram has announced the closing of a new contract with the Pabst-Nace-Richards circuit in Arizona.

Pioneers Preparing For Hallowe'en Fete

Jack Cohn, house manager of Picture Pioneers, social organization of industry veterans, yesterday named Jack Alocato chairman of the "ghost and witch-hunting committee" for the Pioneers Hallowe'en dinner at Shor's restaurant, Oct. 29. Leon Bamberger, G. B. Odlum and Gilbert Josephson are other members of the committee.

Roxy Asks Reduction In Tax Assessment

Roxy Theatre Co. yesterday filed a writ in the N. Y. Supreme Court against the N. Y. Tax Commission in which it seeks a reduction of its 1941-42 assessment from $4,000,000 to $2,750,000. Judge Peter Schmerk ordered a hearing on the application for Nov. 3.

Personal Mention

W. A. SCULLY, Universal general sales manager, and W. J. Heineman, assistant sales manager, returned yesterday from the Coast.

SHERMAN GERMANE, operator of the Fairmount Theatre, New Haven, is recuperating from an operation at New Haven Hospital.

MILTON MARX, Warner home office ad department artist, will have a one-man show at the Marie Stern Art Galleries Oct. 20-Nov. 1.

TED JACOBS, operator of a theatre at Brantford, Conn., is on vacation in Canada.

Jack Finlay, Mystic, Conn., and Westerly, R. I., exhibitor, is vacationing at Woodstock, Vt., recovering from an infected throat.

New Anderson Play Called Propanganda

WASHINGTON, Oct. 8—Just another propaganda play is "Candle in the Wind," the Helen Hayes starring vehicle which opened last night at the Maxine Elliott Theatre, New Hay- son, Times-Herald critic The Max- well Anderson drama played to a capacity house.

Nelson B. Bell, of the Post, ob- served that "Mr. Anderson has written conviction into his play only in so far as he has had the temerity to enveloping a doubtful premise in a cloak of eloquent and lovely words." Both Bell and Harrison paid high tribute to the acting of Miss Hayes and the others in the cast.

Republic RCA Deal Extended 10 years

A 10-year film recording license agreement, negotiated in 1938 between Republic Productions and RCA Photophone has been revised to provide for additional facilities, and has been extended for an additional 10 years, running until 1951. Two additional mobile film recording units and a disc recording channel are included in the new equipment.

The deal was negotiated by M. J. Siegel, Republic Productions presi- dent, H. Goldstein, secretary, and C. J. Loooten, chief engineer, with Barton Kreuzer of RCA.

PRC Closes Deals With Five Circuits

Producers Releasing Corp. has announced deals on the 1941-42 product with five circuits. They include: Warner Bros. and First National, Kinecy Circuit, Charlotte; Ray Allis- son Circuit, Pittsburgh; Frisina Circuit, St. Louis, and Maine and New Hampshire Circuit, Boston.

Runyon Leaving For RKO Studio

Damon Runyon leaves for California today. Leonard Spiegelgass will accompany him. Runyon goes to the Coast to assume his new work as pro- ducer and writer for RKO. Mrs. Runyon will join him in about two weeks.

WB Resume British Production Today

LONDON, Oct. 8—Warner's will resume British production tomorrow at the Warner studio at Teddington, under the direction of Richard Greene starring in "Flying Fortress."

Zala Supervising Art

Rugoff & Becker yesterday announced that Michael Zala, manager of its Eighth St. Playhouse, will also supervise the neighboring Art Theatre, operation of which the circuit recently took over. Both houses are on Eighth St. in Greenwich Village.

'49th Parallel' Is Viewed in London

London, Oct. 8—The film, "49th Parallel," produced by Orts Films and distributed in this country by General Film and in the United States by the RKO-Fox, was reviewed here today under elaborate circumstances.

Filmed with the collaboration of the Ministry of Information and partly financed by Oscar Deutsch, it is a remark- able picture in a Canadian setting, the story concerning the attempted escape across Canadian territory of a Ger- man U-boat. It is an eloquent and convincing portrayal of democracy's case against Nazi- land. It was viewed by a Canadian and Anton Walbrook are splendid in a picture packed with thrill. It is a directorial tri- umph for Michael Powell, and has been brilliantly photo- graphed. It appears destined for box-office success on both sides of the Atlantic.

Flanagan

Gus Kahn, Veteran Song Writer, Dies

Hollywood, Oct. 8—Gus Kahn, world famous songwriter, has been featured in many films during the past 10 years, died at his Beverly Hill home today. His first song was pub- lished in 1897. He was a six children. Di Lorenzo was one of the state's pioneer exhibitors, starting exhibition in the Crown in 22 years ago.

Tony Di Lorenzo Dies

Hartford, Conn., Oct. 8—Tony Di Lorenzo, operator with Michael Daily of the Daily Theatre here, is dead. He is survived by his widow, who is a sister of Michael Daily, and six children. Di Lorenzo was one of the state's pioneer exhibitors, starting exhibition in the Crown in 25 years ago.

Rockefeller Manager Dead

ROCHESTER, Oct. 8—John O. Rockefeller, theatre manager here, died yesterday. He served as manager at the old Aval, later going to the Eastman Theatre as house manager. In recent years he had been in charge at the Auditorium.
"THE MALTESE FALCON' IS ONE OF THE BEST PICTURES EVER MADE!"
—Morning Telegraph

"THE MALTESE FALCON' IS THE BEST MURDER MYSTERY OF THE YEAR!"
—World Telegram

"THE MALTESE FALCON' IS THE BEST MYSTERY THRILLER OF THE YEAR!"
—New York Times

"THE MALTESE FALCON' IS THE BEST GROSSER IN MYSTERY-FILM HISTORY!"
—Warner Bros.

HUMPHREY BOGART
MARY ASTOR

in "THE MALTESE FALCON"
By Dashiell Hammett

with
GLADYS GEORGE • PETER LORRE
Barton MacLane • Lee Patrick • Sydney Greenstreet

Directed by JOHN HUSTON
Screen Play by John Huston
A Warner Bros.-First National Picture
Gov't Opens Trial Against Browne, Bioff

(Continued from page 1)

Vita O'Brien

"Viva O'Brien," which is described as "big aquamural" with "14 scenes and one swimming pool" opens tonight at the Majestic. In the cast are Genevieve Marie Nash, Victoria Cordova, Milton Watson and others. It is a production of the Haskell & Robinson Company. Music is by Maria Grever and lyrics by Raymond Laven.

Army and Navy was designated to handle entertainment in the camps, posts and naval stations, and the motion picture groups which are part of the Navy will work in concert with that organization, it was said.

Some services of the film organizations were placed at the disposal of the Government by Y. Frank Freeman, chairman, and Jock Lawrence, secretary of the Hollywood Motion Picture Committee Cooperating for National Defense, and Lawrence Bendlisen of the Screen Actors Guild, who flew East for the meeting.

Also attending were Alfred Harding of the American Federation of Radio Artists, Lawrence Phillips, executive director, and Eddie Dowling, chairman of the Citizens' Commission of the Citizens' Committee; Lee Shubert, New York producer, and Neville Miller, president of the National Association of Broadcasters, former intimate associate in 1939, Correa claimed.

In writing a jury Utherhart and Cowboy were mainly concerned with the two questions of whether the defendants were involved in specific charges of leaders and, secondly, whether any jurors had been influenced by articles written by the columnist Westbrook Pegler. The three defense attorneys, by because they admitted that Pegler's articles had prejudiced them and severely damaged an expressed distaste for union leaders.

Judge Knox on several occasions refused to excuse jurors upon admission of A. J., they had read George Helle's book. "The defense used 10 peremptory challenges and the Government four. All women were eliminated from jury. Four challenges of one side or the other. Several jurors were excused when they stated that there was employment with the Chase National Bank, which is financially connected with 20th Century-Fox.

Judge Knox read a list of 23 names and asked the jurors whether any of them knew these men personally. Correa stated under being questioned by reporters that he didn't submit this list, but that the probabilities were that they had been handed up to the court by the defense attorneys. He added that the list was very interesting and possibly indicated persons that the defendants intended to call as witnesses.

In Industry to Aid in Setting Up Show Circuit for Camps

(Continued from page 1)

Unity in Industry Is Urged by Richey

(Continued from page 1)

that the industry has lost millions of customers by the competition of outlets, the whole plan is one of protest, and the plan the new code, which they have been asked to do in the hope that they will work in concert with that organization, it was said.

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Leaders Listed

**Review**

**Jungle Man**

(whena Releasing)

HIS is a stereotyped jungle story presented with a number of library shots of wild life. A fairly commendable job of piecing together the story and the film material is apparent. Principal of the cast is Buster Crabbe, seen as a doctor who spends his week, in the jungle working on a serum for the benefit of the natives. Leading lady is Sheila Darcy, one of a group seeking the "City of the Charles Middleton and Vince Barnett also are in support. T. E. Exchmond, produced, Harry Fraser directed, and George R. Batchelor in charge of production. Running time, 63 minutes. "G."

*G. T denotes general classification.

**Sailors on Leave**

A REPUBLIC PICTURE

**William LUNDIGAN • Shirley ROSS**

CHICK CHANDLER • RUTH DONNELLY • MAE CLARKE

CLIFF NAZARRO • TOM KENNEDY • MARY AINSLEE

BILL SHIRLEY • JANE KEAN • DIRECTED BY ALBERT S. ROGELL

Screen play by ART ACRUT and MALCOLM STUART BOYSON • Original story by HERBERT DAUMAS

**Buy U. S. Defense Bonds**
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<th>COLUMBIA</th>
<th>M-G-M</th>
<th>MONO.</th>
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<td>Unfinished Business (C) 161</td>
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The Time of Your Life at the Biggest Industry Banquet and Ball of the 1941 Season!

ALL FOR SIX BUCKS A HEAD!

CINEMA LODGE
No. 1366  B’nai B’rith

2nd ANNUAL BANQUET AND BALL

HOTEL ASTOR
SAT. NITE
OCT. 18, 1941

STARS OF STAGE! SCREEN! RADIO!

VINCENT LOPEZ AND HIS ORCHESTRA
XAVIER CUGAT AND HIS ORCHESTRA
PHIL SPITALNY AND HIS ALL-GIRL SHOW AND MUSIC
RALPH ROTGERS AND HIS RHUMBA BAND

Dance TO THESE GREAT BANDS!

SEND YOUR CHECK IN RIGHT AWAY TO DAVE WEINSTOCK
Chairman, Ticket and Arrangements Committee • 1560 B’way, N. Y. C.
Short Subject Reviews

“Northern Neighbors” (Popular Variety) (Universal)
Interesting views of Canada, in color, including Niagara Falls, the highlights of Toronto, a training base for the Canadian air force, and finally a visit to a hospital for Kentuckians and their famous physician, Dr. Roy Dafoe. Running time, 9 mins. Release, Oct. 13, 1941.

“In the Groove” (Name Band Musical) (Universal)
In the setting of a small-town railroad station, Freddie Slack and his band perform, aided by several others, including a vocalist, a roller-skating trio, and several dancers. With emphasis on the current type of swing music, this probably will find an audience with the younger generation, and not likely beyond that. Running time, 17 mins. Release, Oct. 8, 1941.

“Boogie Woogie Bugle Boy of Co. B” (Gene Rants Cartoon) (Universal)
A cartoon has been made of the popular song number from “Buck Privates.” A Harlem trumpet player extraordinary is drafted, and becomes the target of old shoes and razors from the when the mountains spring water so alive with chemicals that it lathers when rubbed on the hair. Renting towels, he does an excellent business. Other oddities in this number of an entertaining series include the baker who makes weird animals from dough and well, but he ends those directions by giving them bugle calls in swing. Running time, 8 mins. Release, Sept. 1, 1941.

“Shampoo Springs” (Stranger Than Fiction, No. 96) (Universal)
A native of a California town has picked up a habit of the Ascap situation. The group here expressed the belief that the proposed Ascap licenses should be modified before acceptance, notwithstanding approval by the National Association of Broadcasters and the Independent Radio Network Affiliates. An invited has been extended for the independent broadcasters to meet next Tuesday at the Drake Hotel here to get at the problem of confronting them, and to form an organization. The committee in charge includes: William J. Scripps, WWJ; John Floyd, WLAC; Cleveland; Miss Florence Mountains; Eugene Pulliam, WIRE, Indianapolis; Stanley Hubbard, KSTP, St. Paul, and William O’Neill, WJW, Akron.

Postpone W. B. Meeting
Chicago, Oct. 8.—A regional meeting here of Warner Theatre managers, scheduled for today, has been postponed to next Tuesday.

Off the Antenna
THE boxing shows carried by Mutual since June 1 have been carried by an average of over 200 stations, the network reported yesterday. These include the Mutual stations in several spots in Canada and two in Hawaii. Eight fights have been broadcast thus far. The most recent, the Louis-Nova bout, was carried by 205 stations.

W2XQR, the FM affiliate of WQXR, will move to its new frequency at 459 megacycles Monday. The station will continue its present broadcasting schedule, transmitting WQXR programs from 5 to 10 P.M. daily. When the FM station goes commercial it will use W2XNY as its call letters.

WABC on Oct. 18 will dedicate its new transmitter located in Long Island Sound. The network has been taking groups of advertising agency executives and sponsors on tours of Columbia Island where the new transmitter is located.

WOR and the Office of Emergency Management will cooperate in producing a new defense program to be carried Sundays, 10:30-11 P.M. over Mutual, starting Nov. 9. Clifton Fadiman will be master of ceremonies and Morton Gould musical director. The scripts will be by Lillian Hellman, S.S. Van Dine, and other writers, and produced by the Office of Emergency Management.

Farmers across the country, with the help of the Department of Agriculture, are setting their radios to WOR on Sunday nights for a series of programs, called “Farm Life.” The series is being broadcast over 200 stations.

Independent Radio Stations to Organize
(Continued from page 1)
mands of the musicians union and action on the Ascap situation. This group here expressed the belief that the proposed Ascap licenses should be modified before acceptance, notwithstanding approval by the National Association of Broadcasters and the Independent Radio Network Affiliates. An invited has been extended for the independent broadcasters to meet next Tuesday at the Drake Hotel here to get at the problem of confronting them, and to form an organization. The committee in charge includes: William J. Scripps, WWJ; John Floyd, WLAC; Cleveland; Miss Florence Mountains; Eugene Pulliam, WIRE, Indianapolis; Stanley Hubbard, KSTP, St. Paul, and William O’Neill, WJW, Akron.

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29 States to Celebrate Thanksgiving Nov. 20, and 19 the Following Week
This year 29 states will celebrate Thanksgiving Day on Nov. 20 and 19 the following week. Thes

Ascap Seeks New Sources For Revenue
(Continued from page 1)

The society's position in the record industry is one of growth and change. As the demand for recorded music increases, Ascap sees a need for new sources of revenue to meet this growth. This year, Ascap has been looking for new ways to increase its revenue, and it has found a number of promising avenues.

The first of these is the increase in sales of recorded music. As the popularity of recorded music continues to grow, Ascap is looking for ways to increase its revenue from this source. One possibility is the development of new recording technology, which could allow Ascap to charge higher royalties for its music.

Another avenue Ascap is exploring is the development of new markets for its music. The society is looking at ways to increase its revenue from international markets, as well as from new types of media, such as video games and computer software.

Finally, Ascap is also looking at ways to increase its revenue from existing markets. This could include increasing the rate at which it charges for the use of its music, or finding new ways to license its music.

Move Managers of Hamrick-Evergreen
Seattle, Oct. 8.—Al Rosen, head of Washington state theatres for the Hamrick-Evergreen circuit, has been appointed manager of the circuit's offices in Seattle. Rosen succeeds John Elkins, who will become manager of the company's office in Chicago.

The move is part of a plan by the company to increase its sales and marketing efforts in the Pacific Northwest. The company is looking to expand its operations in this area, and Rosen is expected to be instrumental in this effort.

Seek New Station In West Virginia
Washington, Oct. 8.—The All American Broadcasting Company has applied to the FCC for a construction permit for a new 1,240-kilowatt station at Elkins, W. Va.

Billiam in Chicago
Chicago, Oct. 8.—Tom R. Gillingham for many years branch manager of Warner exchange here, and recent manager of Warner Atlanta, has announced that he will be joining the sales staff of Paramount here, handling city sales.
Para. Debits to be Exchanged for One Loan

$3,000,000 in Debentures Will Be Issued

Paramount is further simplifying its financial structure by exchanging its short-term domestic loans for a single 15-year consolidated debt having in the aggregate a maturity of $20,000,000, which will be outstanding on the first day of the new fiscal year.

The present plan will be combined, it is announced, with the general plan of raising capital through a public subscription.

(Continued on page 6)

Broadway Grosses Hold to Good Pace; ‘Honky Tonk’ Is Big

Grosses held to a good pace along Broadway this week, although the big business experienced over the weekend and early in the week, despite the hot spell and World Series competition, dropped off in the last two days.

‘Honky Tonk’ had a big opening week at the Capitol, drawing an estimated $3,500, and began a second week yesterday, retreiving A. Yank to the R. A. F.” is continuing strong at the Roxy with a stage show, grossing an estimated $57,000 for its second week which ended last night and holds over.

(Continued on page 6)

Warners Preview English War Film

Warner yesterday held a home office preview of “Target for Tonight,” produced by British Government Crown Film Unit. The film depicts the planning and execution of a British bombing raid on a German oil depot objective.

The picture was reviewed in Motion Picture Daily on July 24, in a cable dispatch by Aubrey Flanagan, in which the film was described as

(Continued on page 6)

Hudson Institutional Ad Plan Is Making Headway

By SAM SHAIN

Earl Hamilton’s idea to sell the motion picture industry, institutionally, to the public, through the exhibition of the arts, was presented yesterday in Detroit at the convention of Michigan Allied, which is making strong headway in the trade, it was learned yesterday.

First of the major companies to be considering similar plans of the plan is M-G-M.

U.A. Meet Postponed To Early Next Week

The meeting of the United Artists board of directors which had been tentatively scheduled for today was postponed to early next week when Mary Pickford was called to the Coast unexpectedly yesterday because of the serious illness of her intimate friend, David O. Selznick.

David O. Selznick is expected to arrive from the Coast to train this morning, and Miss Pickford is expected to return here this weekend.

It was learned that Charles Chap

(Continued on page 6)

See Hope for Peace in Mexican Strike

Chances of a settlement of the film workers strike in Mexico City were reported to be favorable again following negotiations resumed there yesterday, home office foreign departments were advised.

Extension of the strike to 20th Century-Fox, Universal and United Artists, the companies not already struck, would be of only nominal significance, it was said, since all eight major companies have ended film service to Mexican theatres.

Gov’t Order Halts Building Of Theatres

WASHINGTON, Oct. 9—New theatre construction was brought to an abrupt halt today by order of the Supply Priorities and Allocations Board, which held that no new construction projects using scarce materials may be started during the emergency unless they are necessary for direct national defense or essential to the health and safety of the people.

In the broadest order of its kind ever issued in this country, SPAB advised under Government control all construction from bungalows to factories, and even some projects of the state and national governments.

Projects now under construction, however, will be permitted to continue.

(Continued on page 6)

N.M. Schencen Tells About Bioff Deal

Loew’s Head Says Bioff Asked for $2,000,000

Nicholas M. Schenck, president of Loew’s, Inc., yesterday told Federal Judge John C. Knox and a jury in the trial of William Bioff and George E. Browne a story of the events leading up to the payments of monies to the defendants.

The witness, first to be called by the Government, testified the entire day after attorneys for the defendants waived their right to an opening address. Schenck again will take the stand Tuesday at 2 P.M. when the trial resumes and his cross-examination by Martin Conboy, attorney for Browne, will continue.

David Bernstein, Loew’s treasurer, is scheduled as the next witness with the possibility that Leopold Friedman or J. Robert Rubin will be the following witnesses.

In the course of Schenck’s cross-examination by George Breslin, an attorney for Bioff, the witness dis

(Continued on page 7)

Scully Reports Many Univ. Circuit Deals

The largest number of circuit deals closed by Universal in a comparable period have been made within the past few weeks, W. A. Scully, vice-president and general sales manager, reported yesterday following his return from a sales trip with W. L. Heine, assistant salesman.

Among the deals closed are those with many Paramount partners, the RKO circuit, the Famous Players

(Continued on page 6)

Some Home Offices To Close Monday

Home offices of RKO, Universal, M-G-M and Columbia will close at 1 P.M. Monday in observance of Columbus Day, which falls on Sunday but is being celebrated nationally a day later. Paramount plans to operate the full day while 20th Century-Fox will be closed the entire day. Other companies are as yet undecided.

(Continued on page 6)
Readers' Say-So

Editor, Motion Picture Daily:

I want to take this opportunity to commend you for the splendid coverage in your publication of the recent so-called Senatorial motion picture investigation.

The daily dispatches from Washington were extremely interesting and the calm and objective handling of the story was particularly praiseworthy.

The industry can be proud of its trade handling of a very dangerous subject.

Sincerely,
Harry C. Arthur, Jr.,
Vice-President, Fanchon & Marco, Inc.

Archibald Honored
Before Joining RAF

LONDON, Oct. 9.—Representatives of American companies here today tendered a luncheon at the Dorchester House to George F. Archibald, joint managing director with Edward T. Carr of United Artists in England, on the eve of Archibald's departure to the R. A. F. It is reported he may be offered an important key position in the civil administration.

Para. Group Plans
Meet on 'Purchase'

Neil F. Agnew, Paramount general sales manager; Robert M. Gillham, advertising and publicity director; Al Wilkie and Alec Moss and a number of the company's field exploitation men are expected to leave the studio next week to discuss special sales handling and merchandising of Louisiana Purchase.

Personal Mention

W. F. Rodgers, Loew's vice-president and general sales manager, will arrive from the Coast Monday.

Frank W. Lovejoy, chairman of the board of Eastman Kodak Co., is the new president of the Rochester Civic Music Association.

Sam Oberndorf of the Warner Theatre department, is the father of a daughter, born this week.

Miriam Karansky has announced her engagement to James Davidson, bookkeeper at the Universal New York exchange.

John P. Donohue, Paramount manager for Puerto Rico, is visiting New York.

Ben Lyon and Bebe Daniels will arrive from the Coast tomorrow and after a week here will leave for London by clipper, returning to London.

Mary Benjamin, cashier at the Columbia Des Moines exchange, is spending a two-week vacation at Rock Island, Ill.

Continue to Weigh
Minn. Procedure

Attorneys for the major companies whose operations in Minnesota are affected by the state's anti-block-of-five law are continuing their meetings in an effort to determine upon a course of action as a result of the state court decision at St. Paul upholding the constitutionality of the act.

Attorneys for some of the six companies met again yesterday for the second time this week to consider the court's decision. A subsequent canvass of the companies represented at the meeting revealed that no final decision has been reached. The companies have until Oct. 25 to file appeals if they elect to do so.

'Foot in Heaven' to
Play at Madison

WARNERS has closed a deal with the Radio City Music Hall for "One Foot in Heaven," starring Fredric March and Martha Scott, to play the house within a short time.

Preceding "One Foot in Heaven" on the Madison Hall schedule, and following the current "It Started With Eve," are: "All That Money Can Buy," "You'll Never Get Rich," "Appointment for Love" and "Suspicion."

A. H. Blank and G. Ralph Branton, Tri-State Theatre officials, have returned to Des Moines from New York.

Julius Gordon is here from Beaumont, Tex., for Paramount home office conferences and new season film deals.

J. J. Freed of Minnesota Amusement Co. left for Minneapolis yesterday.

A. G. Stottle, Tri-State district manager for Des Moines area, is spending a two-week vacation in Mexico with Mrs. Stottle.

John Day, Paramount manager for Brazil, will leave for Rio de Janeiro tomorrow after a seven-week visit here.

Samuel Kreisler of the United Artists' home office publicity staff stays here today to join the Army.

Fred Armbrust, supervisor of checkers at the M-G-M Des Moines exchange, is convalescing at home following a month's illness.

Appoint Chairman
For 'Night of Stars'

Mrs. Herbert H. Lehman and Mrs. Robert W. Strauss will be honorary chairmen of the New York American Legion's annual "Night of Stars," the United Jewish Appeal show for war relief, to be held at Madison Square Garden on Nov. 26. Other honorary chairmen are: Mrs. Barney Balaban, Mrs. Irving Berlin, Fanny Brice, Mrs. Eddie Cantor, Mrs. Joseph Strock and Sophie Tucker.

Mrs. Leo Spitz will act as executive chairman and aiding her will be: Mrs. Nate Blumberg, Mrs. Hal Horne, Mrs. Ted Lewis and Mrs. Abraham F. Wechsler. Vice-chairmen include: Mr. Michael Addleman, Mrs. Ben Bernie, Mrs. Sol Bonepart, Mrs. Phillip Brenner, Mrs. Israel Goldstein, Mrs. Irving Levine, Mrs. Louis Nizer and Mrs. Damon Konyn.

Mrs. Albert S. Liebers is director of the women's division.

Col. Votes Dividend

A quarterly dividend of 68 1/4% cents on the $2.25 convertible preferred stock of Columbia was declared by the company's board of directors yesterday. The dividend is payable Nov. 15 to stockholders of record Nov. 1.

Newsreel Parade

MORE war pictures from Motion Picture Daily are presented in the weekend end issues, which also contain interesting subjects in the rescue of a funds-behind-the-scenes-making of "King Kong," and the Cowboy, N. Y., girls, four after an eight-day search. The 7th Annual Parade.

MOVIE NEWS, No. 10—Parachutist rescue in Wyoming was featured in a series of pictures, for which they turned up in the Wyoming mountains. The picture was taken on a trip given by the Wyoming Aeronautics Association.

PARAMOUNT NEWS, No. 13—Hurricane damage in New Orleans was discussed in the United Artists Bulletin. The studio announced that it was sending to New Orleans a 25th Anniversary"Profit" parade in St. Louis. For fashion shows in New York. Pictures released in Buffalo, Rodeo in Texas.

Warners Close Deal
With RKO Circuit

Warner Bros. has closed a new seven-year producer-distributor deal with the RKO circuit nationally, it was learned yesterday.

Ask Review of 'Village'

ALBANY, Oct. 9.—Morris Erts, critic of the "Village Voice" and Joseph Burstein, today filed with the Board of Regents of New York State a petition for review of the film "Village," which was refused an exhibition license recently by the state censor board.

New York City—
TARGET FOR TONIGHT
Warner Bros.
Tuesday, October 14, 1941
10 a.m.
Screening Rm., 321 West 44th St., N. Y. C.

NOTICE OF TRADE SHOWING

New York City—

Daily, October 10, 1941

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily, Sundays and holidays by Qualipub Publishing Company Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone Circle 7-4740, Cable address, "Quipublo, New York." Mrs. John Fulton, Editor-in-Chief and Publisher; Calvin Brown, Vice-President and General Manager; W. B. Cat.ON, Vice-President; James Cron, Advertising Manager; Chicago Bureau 424 South Michigan Avenue, C. B. O'Neil, Manager; Hollywood Bureau, Postal Union, Los Angeles, William Weber, Editor; London Bureau, 4 Golden Square, London W1, Hope Williams, Manager; cable service "Quipublic." Copyright 1941 by Qualipub Publishing Company Inc. Motion Picture Herald, Better Theaters International, Almanac & Magic. Entered as second class matter Sept. 1, 1918, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the United States and $12 in foreign countries.

Anon.

425 West 44th Street, New York City

The National Motion Picture Organization of Labor (N.M.P.O.L.)

432 West 44th Street, New York City

The American Federation of Musicians, Local 802

23 West 40th Street, New York City
REALLY your best friend and severest critic!

The human ear is a critical judge of sound—it won’t put up with poor sound in pictures. Good sound, added to good pictures, has made millions of friends as well as millions of dollars for the motion picture industry.

Through making available many basic contributions that assured finer sound recording and higher quality reproduction, ERPI has been privileged for fifteen years to help you in pleasing the ears of theatre audiences throughout the world.

Electrical Research Products Inc.
195 Broadway, New York, N. Y.
Subsidiary of Western Electric Company

First of a series of advertisements covering basic developments in the art of talking pictures.
20th Century-Fox Success Story!

WHILE "A YANK IN THE R.A.F." CONTINUES ON ITS RECORD-SMASHING WAY THROUGHOUT THE NATION... "WEEK-END IN HAVANA" (Technicolor) BEGINS ITS FIRST ENGAGEMENT AT THE DENVER THEATRE, DENVER, WITH THE BIGGEST OPENING DAY'S BUSINESS IN 10 YEARS!

Topping even "Yank" and "Alexander's Ragtime Band"!
DENVER WILL GIVE SOME GIRL FREE CLIPPER TRIP TO CUBA

Big Contest to Select 'Miss Inter-America' Is Open To Femmes Over 16 Years Old Who Crave Real Vacation.

Spectacular Showmanship
SHOWS THE WAY!
A "Week-End in Havana" For Miss Inter-America!

Bernie Hynes put it over in Denver! Everett Callow of Warner Bros. Theatres started it in Philadelphia! Complete details in the special "Week-End In Havana" press-book supplement... now on its way to your 20th Century-Fox Exchange.
Para. Debts to Be Exchanged For One Loan

(Continued from page 1)

an equal amount of outstanding 3½ per cent debentures and corporate notes.

The exchange offer is effective to Nov. 7 unless extended by the company to a later date.

The two classes of outstanding obligations of the company to which the exchange offer applies are the $12,081,000 principal amount of 3½ per cent convertible debentures, due March 1, 1947, and a total of $7,355,782 of indebtedness to banks represented by the company’s corporate notes, payable from the end of the year to 1951 at intervals.

Total $25,000,000

The new debentures, like the present ones, will be unsecured, but will not be convertible. They will comprise an aggregate principal amount of $25,000,000 but the company states it has no present intention of issuing any of the additional $5,000,000 principal amount of debentures over and above those required for the exchange offer.

None of the present debentures exchanged will be reissued, but will be either cancelled or applied to sinking fund requirements, the company states. Manufacturers Trust Co. is agent for the exchange offer.

Hudson Institutional Ad

Plan Is Making Headway

(Continued from page 1)

itors at cost. It is understood that this offer was made by George Dembow, sales head of National Screen, at the Detroit convention.

Hudson has been working on his project for a long time, and with Claude Lee, public relations chief of Paramount, got it in shape for presentation at the convention. Basically it is a plan for the industry to sell itself through the testimonial utterances of noted local and national figures, which have been made by these eminent persons, from time to time, at events of local and national interest.

“It is time for the motion picture industry to mobilize its manpower to sell itself in the same manner which the industry never fails to utilize to sell local and national public institutions whenever called upon,” one executive said in supporting the Hudson-Lee plan.

The idea is still in the formative stage and yesterday, over the long-distance telephone, Ray Branch, head of Michigan Allied, spoke encouragingly and hopefully that it would be set in motion soon. “Everybody at the Michigan Allied convention,” the exhibitor leader said, “thinks it is a grand idea.”

To Organize Committee

It is expected, one leader said yesterday, that a national committee would soon be organized for finding ways and means of putting this national drive into effect. In Michigan it is stated efforts will be made to start on the plan, locally, at least, with the help of Michigan Allied, the Detroit United (Paramount), Butterfield Circuit and other exhibitor branches. From the original idea of trailer testimonials to be shown in the theatres the plan has now spread to include billboards and lobby blowups and trade paper, newspaper and magazine advertising along similar lines. Such trailers and advertising, it is proposed, will have the tone and form of the personality who is quoted as the background and on the figure the quotable will be superimposed. The idea essentially is an advertising one.

Gov’t Order Halts
Theatre Building

(Continued from page 1)

pleted if it is possible to get the necessary materials.

Determination whether a new building project will be given approval in the future will depend upon whether it involves the use of appreciable portions of critical materials, he said, so whether it is essential that it be carried out at this time.

Warners Preview
English War Film

(Continued from page 1)

"splendidly and thrillingly" recording the work of the RAF. The Command. Warners have not yet set a release date on the film, which runs 48 minutes.

No professional actors are employed, the men involved being members of the RAF, shown in their routine of war. The film is most notable for its simple realism, with much that is strongly dramatic in the celluloid record. The film will be released under a percentage agreement with the British Government, according to company officials.

John J. Keogan and E. Cartford are given screen credit as photographers.

The film will be shown under Tuesday at 10 A.M. at the Warner home office.

Scully Reports Many Univ. Circuit Deals

(Continued from page 1)

Canadian and Odem circuits in Canada and the three-year deals with Fox West Coast and Warners Theatres reported earlier.

Deals with Paramount partners include Balaban & Katz, Great States, Minnesota Amusement, Willy & Kiney, Intermountain Theatres, Interstate and Texas Consolidated circuits and Mullin & Pinanski. A deal has been closed with Butterfield Theatres, Michigan.

Mutual Takes Over
The Maxine Elliott

The Maxine Elliott Theatre, legitimate stage house on West 39th St., has been leased by Mutual and will be used for the filming of network shows. It will open Nov. 3 after alterations. The house seats 963 at present. This is the network’s first acquisition of a theatre.

Broadway Grosses
Hold to Good Pace

"Honky Tonk" Is Big

(Continued from page 1)

starring Charles Boyer and Margaret Sullivan, has been booked into the Music Hall for an early showing. "How Green Was My Valley," at the Century-Brandon, is scheduled for the Rivoli Oct. 29.

"This Woman Is Mine" goes on at the Palace. "High Noon," finished Business," which finished fifth week with an estimated $12,000.

"Law of the Tropics" opened at the Gershwin. "Guns of the Green Berets," which drew an estimated $8,100 for the week.

U.A. Meet Postponed
To Early Next Week

(Continued from page 1)

in, who had planned to come to testify at the Senate subcommittee’s hearings on alleged film propaganda in Washington and to attend the board meeting here, cancelled his plans for the trip when the subcommittee was given an indefinite deadline. As a result, Chaplin probably will be represented by Charlie Schwartz, his New York counsel, if the event the board meeting is held.

Selznick May Start
Before Year End

Curtaco, Oct. 9—David O. Selznick here today said he expected to have his first new production for Allied Artists by the end of the year, with the possibility that the second will be in work by the end of January. He said he was unable to identify the two productions this time.

The producer said that "Gone With the Wind" will be released again by Metro, 1942, to the small theatres which have not yet played the picture. He emphasized that distribution would not be cut or would shown a lower admission scales than before.

He indicated, however, that exhibitors may be given a better percentage in leeway in terms than before in order to compensate the smaller houses for a less frequent turnover due to the length of the picture.

Charges Newspaper
Pressure on Statior

WASHINGTON, Oct. 9—Rogar Jones, owner of KYOS, Bellingham, Wash., charged before the FCC to day that a local newspaper exerted pressure to prevent press associations from serving his station.

His charges were denied by W. J. McCambridge, general manager of Press Association, Inc., who testified that KYOS was denied service because it had allegedly "pirated" AP reports.

Studio Unions Get
Counter Proposal

(Continued from page 1)

to be settled by the unions involved rather than by the producers.

Comment on the counter-proposals could not be obtained yesterday from representatives of the IAMSE local, which study and make their responses to the producers at a meeting scheduled for today. Some of the locals had demanded increases of 14 and 20 per cent.
M. Schenck
Tells About
Bioff Deal

(Continued from page 1)

said, he brought $50,000 in the form of a "bundle" to Browne and Bioff in their hotel room. He was accompanied then by Kent, who brought along a similar sum. The money was counted by the defendants, the testimony continued, "and when they finished, we got out of the room as fast as we could."

The witness said that he had told only David Bernstein, J. Robert Rubin and Kent of what occurred. He obtained the money from Bernstein, treasurer of Loew's.

'Very Distratful'
The matter was "very distasteful" to him, Schenck said. He subsequently arranged for a designee, appointed by Bioff, to pay as a sub-agent for DuPont Film Co, in California, certain "commissions" received by him to Bioff in lieu of cash.

Counsel for the defendants objected to the question of what Schenck believed Browne and Bioff would do if the money was not paid.

Schenck answered, "I thought that our business would be destroyed, since they showed us what they could do by closing theatres in Chicago."

Schenck faced cross-examination for three hours without being shaken. He said that he had not gone to the District Attorney or the U. S. Attorney, and expressed regret that he had not done so.

Settle Clearance
Complaint in Phila.

Philadelphia, Oct. 9.—The clearance complaint of Columbus Stamper, operator of the Great Northern here, against Loew's, Paramount, 20th Century-Fox and Warner Theatres was terminated by a settlement reached in admiralty of today's scheduled hearing.

The settlement provides that the seven-day clearance of Warners' Keystone over the Great Northern is reasonable and the defendants to limit the availability of product for the latter house to a maximum of 21 days after Warners' Strand. A similar agreement was entered by 20th Century-Fox.

New Haven, Oct. 9.—Joseph L. Shulman of the Plaza, Windsor, Conn., has filed a clearance complaint here naming the consenting companies and the Windsor Theatre, Windsor.

Col. Opens Regional
Meeting here Today

(Continued from page 1)


Sailors on Leave
A Republic Picture

CHUCK: Relax, Mike. I get a great gal for you. Her name is Cibina. She'll be over as soon as she gets her hair on—up, I mean.

William LUNDIGAN • Shirley ROSS

CHICK CHANDLER • RUTH DONNELLY • MAE CLARKE
CLIFF NAZARRO • TOM KENNEDY • MARY AINSLEE
BILL SHIRLEY • JANE KEAN • DIRECTED BY ALBERT S. ROGELL

Screen play by ART ARTHUR and MALCOLM STEWART BOYLAN • Original story by HERBERT DUNSMORE

Buy U. S. Defense Bonds

8 SWIFTY: How do you like that guy. A battalion costs fifty-eight million dollars—and he won't loan a dime on it!
CONSTANT VIGILANCE

RIGID laboratory control, with critical tests all along the way, sees to it that every foot of Eastman negative film contributes its full quota of high quality and unvarying uniformity. 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
Mexico Strike Settled; Men Get 15% Raise

unionists Had asked for One-third Increase

LIGO CITY, Oct. 12.—The long film workers strike which launched first against Loew’s Warners more than a month ago, was settled here yesterday, with its acceptable to the eight major distributors who had maintained a united front against the union’s initial demands throughout the controversy.

The union workers were granted wage increases of 15 per cent on the distributors, as contrasted with the $31, more or less originally demanded and, a success, actually secured demands for motion pictures union the exclusion of theatre ministers and office cashiers in the union’s membership.

The latter demand was the principal obstacle to an agreement through.

(Continued on page 4)

Columbia Endorses Hudson Ad Proposal

Columbia Pictures’ endorsement of of Hudson’s industralling advertising for motion picture union the industry, through exhibitors, was given by Abe Montague, Columbia general manager, at the company’s Eastern regional convention in the Hotel Oct. 13 here over the weekend.

Montague also voiced approval of Allied States’ proposals for a joint industry committee to handle problems pertaining to all branches of the industry and to seek increased industry.

Montague attended the Michigan fwd meeting in Detroit last week which Hudson, head of Universal

Union-Studio Talks Facing New Problems

IATSE Encourages Absent From Negotiations

Negotiations with the IATSE studio locals faced new complications over the weekend as the international representatives, Steve Newman and Carl Cooper, absented themselves from the negotiations as the locals weighed the producers’ counter-proposals.

Further complicating the procedure, several business representatives of other studios reached agreements to return to Hollywood within a few days, whereas others were instructed by their locals to remain here until they “knew” their offers and demands.

No meetings are scheduled with the producers’ committee, headed by Pat Casey, today but the sessions are expected to be resumed tomorrow. No agreements were reached at Friday’s sessions, in which the representatives of the locals voiced objections to virtually all the producers’ counter-proposals. These included wage increases for the rank and file workers amounting to 10 per cent and increases as high as 50 per cent for some classifications of technical workers.

Upstate House Wins Clearance Reduction

A consent award was entered Friday at the New York arbitration board in the clearance complaint against the five companies brought by Cornwall Amusements, Inc., operator of the Storm King Theatre, Cornwall-on-Hudson, N. Y.

Under the award, which was entered by Osmond K. Frankiel, arbitrator, the former 50-day clearance of the Ritz and Broadway theatres, Newburgh, over the Storm King was reduced to a maximum of 20 days for

24 Touring Units Planned

For Army and Navy Shows

SPG Will Get Mail Ballot on CIO Vote

Balls will be mailed Friday to members of the Screen Publicists Guild here for a referendum on affiliation with the CIO. The union will be known as Screen Office and Production Employees Union, Local 109, if affiliation is voted.

At its regular meeting last week, the SPG voted support of the Stop Film Censorship Committee and made a financial contribution to the committee. The amount was not disclosed.

The committee includes a number of theatrical unions.

SMPE to Observe 25th Anniversary

The Society of M. P. Engineers will observe its 25th anniversary at its 50th semi-annual convention to be held Oct. 20 to 23 at the Hotel Pennsylvania here. More than 200 delegates are expected to attend.

On the opening day several new of-
Selznick Arrives
To Close UA Deal

David O. Selznick confirmed the fact that his partnership production deal with United Artists has been "completely closed," when he arrived here Friday from the Coast.

The producer stated that the deal is in good order and that several phases of it are already closed, but that some papers remain to be signed. He said no complications have arisen and that final closing of the deal is expected during his two-week stay in New York. Selznick is expected to see a new president for the company also is expected during that time.

Selznick said that no formal board meetings of United Artists owners will be scheduled during his stay here and that his meetings with Mary Pickford, Alexander Korda, Edward C. Rafty and other United Artists officials will be of an "informal" nature. Miss Pickford was scheduled to return here yesterday for a brief visit to the Coast.

With Selznick on his arrival here were Ludwig Lawrence, Selznick's newly appointed special representative, and Val Lewton, his story editor.

Canadian Circuit's Managers Convene

TORONTO, Oct. 12—Twentieth Century Theatres, new affiliate of Fama, have opened the circuit's first annual convention of managers here over the weekend under the direction of N. A. Taylor, general manager, and A. F. Dykstra, executive assistant, and Lloyd M. Mills, general supervisor. The agenda included an outline of the company's plans and policy of the circuit, with a get-together of the managers, many of whom were new to the organization.

Albany Variety Club Holds Meeting Today

ALBANY, Oct. 12—Formation of the new local Variety Club is the order of business at tomorrow's get-together in the Hotel Ten Eyck. The Ten Eyck is slated to be the headquarters of Tent No. 9, which recently got back its old charter from national headquarters in New York.

M. A. Silver, New York state zone manager of the Warner Circuit, will preside at tomorrow's gathering.

Tunberg to 20th-Fox

HOLLYWOOD, Oct. 12—William Tunberg, formerly assistant in the 20th-Century-Fox story department, has been appointed assistant to William Dozier, head of Paramount's story and writing departments.

PERSONAL MENTION

W.B., RKO Ask Cut in N.Y. Tax Assessment

Warner Bros. Pictures and subsidiaries, Stanley-Marsh-Strand Corp., and Intrastate Theatre Corp., have filed five petitions in N. Y. Supreme Court against the New York City Board of Estimate for 1941-42 assessments. The petitioners asked that an assessment of $3,420,000 be paid on the Strand Theatre be scaled down to $2,128,000; $1,125,000 on the Hollywood Theatre to $525,000; $1,210,000 on the theatre at 315 W. 44th Street, to $805,000; $175,000 on the office house building, 309 W. 44th Street, to $150,000; and an assessment on a warehouse at 617 W. 54th St. of $976,000 be cut to $641,000.

RKO Closes 9 New Season Film Deals

RKO has closed nine additional deals on new season product, New E. Depinet, distribution head, has announced. The deals have been made with: Florida State Theatres, 102 theatres; Kiney Theatres, 86 houses; Jefferson Amusement Co., and East Texas Theatres, 76 houses; Lucas A. Jenkins, 53 houses; Everett Enterprises, 24 houses; J. Real Neth Theatres, six houses; Lam Amusement Co., 10 houses; United Amusement Corp., Canada, 25 houses; Confederation Amusement Co., Canada, seven houses.

McGran Leaves Col. Exploitation Post

Frank McGran, Columbia exploitation manager for the past seven years, has resigned to become vice-president of Modern Merchandising Bureau, for which he will handle motion picture traffic. Frank P. Rosenberg, assistant exploitation manager, has been named acting head of the department.

Edington Reported Seeking Settlement

HOLLYWOOD, Oct. 12—It is reported that Harry Edington, former RKO production chief, has offered to relieve of his duties and a settlement of his contract. Edington has been engaged in special RKO production activity under Joseph I. Brown and Sol Lesser.

J. H. JOSEPH, Universal advertising and publicity director, will leave for the Coast tomorrow following a home office visit of several weeks.

F. L. HARLEY, 20th Century-Fox managing director in England, is expected here in December.

FRANK WOODRUFF, RKO director, was expected over the weekend from the Coast.

EDWARD L. KLEIN, executive of NuArt Films, was operating on Friday at Post Graduate Hospital.

M-G-M Launches New War Department Film

HOLLYWOOD, Oct. 12—Darryl F. Zanuck, chairman of the research council of the Academy of M.P. Arts & Sciences, today announced the start of another War Department training picture for Canada as "Operation of a Reconnaissance Patrol at Night." The film, to be made by M-G-M, presents peculiar technical problems in that it must be made with every scene photographed after dark and the faces of all principals must be darkened in accordance with usual military procedure to reduce possibilities of detection by the enemy.

Reed Testimonial Set in New Haven

NEW HAVEN, Oct. 12—Joseph F. Reed, Connecticut exhibitor who was showing film in this city as far back as 1912, is to receive a 30th anniversary testimonial luncheon Tuesday at Ceriani's Restaurant.

D. J. Fishman, Samuel Seletsky and Daniel Pouzarre are in charge of reservations for the event, which is sponsored by Allied Theatre Owners of Connecticut, under which Reed is chairman of the executive board. Harry F. Shaw, Loew-Poli division manager, will be master of ceremonies.

W.B. Plan Premiere Of 'Target' Shortly

Warners plan a world premiere of "Target for Tonight" at a first run house on Broadway within the next two weeks, officials of the company stated on Friday. The film is produced by a Crown film unit of the British government, and is one of the first factual feature pictures of the R.A.F. in action.

OBITUARIES

Reno Exhibitor Killed

RENO, Oct. 12—J. Fred Miller, manager of the Wigman Theatre, was a victim of an automobile-truck collision near Redwood City, Calif., his mother-in-law, Mrs. H. R. Hamer, 67, of Santa Cruz, Calif., also was injured.

Iowa Exhibitor Dies

IOWA CITY, Oct. 12—Charles V. Brown, owner of the Strand Theatre here, died late last week in Mer- Hospital of a cerebral hemorrhage following a career of 23 years in the theatre operation in the state.

Helen Morgan Rites Held

CHICAGO, Oct. 12—Funeral service for Helen Morgan, former screen and stage star and theatrical entertainer, who died here Wednesday, were held yesterday at a Lo Grange, Il., chapel with all following in that town.

Norman V. Norman Dies

Norman V. Norman, 67, one time general manager and former European manager of the Shuberts, died in London on Friday, according to word reaching here.

Second Blackout in Ottawa October 2

OTTAWA, Oct. 12.—Ottawa's second blackout is scheduled for Oct. 28. The first, which took place early in Summer, was only over a part of the capital, while the forthcoming outage, in addition to taking outside offices, will include the entire city.

Fourteen theatres are in the area and managers are instructing staffs in air raid precautions. Tentative time for the start of the blackout is 10:30 P.M. and it is expected that at the time attendance will be affected, owing to the lateness the blackout.

May Resume Stage Show

CHICAGO, Oct. 12.—The Oriental Theatre may return to its former status about Oct. 13, Harold Carbon executive of the company operating the theatre, said here. If the theatre is changed, Charles Hogan of Wcckers may book the house.

MOTION PICTURE DAILY

(Registered U.S. Patent Office)

Published every Friday, Sunday by Quehley Publishing Company, 33 Rockefeller Cen., New York City, Telephone Circle 731 Cal-Fax address, "Quehley, New York." Also by Quehley in Chicago, Editor-in-Chief and Publisher, Leonard C. Quehley; Editor, Roy C. Miller; Managing Editor, James Moore; Advertising Manager, Chas. Kase, 621 South Michigan Ave., Chicago, Ill.; Sales Manager, L. Maurice Schneider, Tel. "Quehley," New York. All contents copyrighted 1941 by Quehley Publishing Company. Published Motion Picture Herald, Better Theatres, Motion Picture News, Theatres Almanac in Name of Fame. Entered as second class matter November 21, 1917, at the post office at N.Y., N. Y., under Act of March 3, 1879, Stale of N.Y. Price $1 a year in American and $12 foreign. Single copies $1.
"Somewhere in Europe"—each night—the R.A.F. raids the enemy. Here—in a full-length feature—is the authentic, thrilling story!

No actors these. From Commander-in-Chief to Ground Crew—they're just men doing a job—a great job!

You'll fly with them over the enemy's lines! Unbelievable? We thought so too 'till we saw it. Thrilling? Man, this is tops!

It's from WARNERS—naturally!
AFL Delegates Lay Basis for Browne Ouster

(Continued from page 1)

council ticket this week on which Browne's name will not appear.

Reduction of the council's membership by two, also eliminates the post
formerly occupied by Thomas A. Rickey of the United Garment
Workers, an A. F. L. second vice-
president, who died last July.

The vote on the amendment was taken at the union's national
committee, headed by Daniel J. Tobin, Teamsters' union
president, recommended it on the ba-
is of a report from the executive
council. The official explanation
of the move was that it was designed to
simplify and expedite council pro-
cedings since it had been found
necessary to obtain quorums of the council for
meetings since its enlargement from
eight to 15 members in 1934.

It was learned that action on the
move had been delayed by the conven-
tion in the hope that Browne would
resign voluntarily, thus sparing the
the convention the embarrassment of oust-
ing him while he is under fire in Fed-
ral court at New York.

Brown-Blod Trial
Resumes Tomorrow

The legal holiday today will prevent
continuance of the trial of George E.
Browne and William Blod. The cross-
examination of Nicholas M. Schenck,
chairman of Loew's, Inc., is expected to
be concluded shortly after the trial is
resumed at 2 P.M. tomorrow.

The Government is expected to con-
tinue with Loew's executives to com-
plete its version of the transactions
with the IATSE union leaders. David
Bernstein, treasurer for Loew's, is
scheduled to follow Schenck and either
Leopold Friedman or J. Robert Rubin
is expected to follow Bernstein.

Officers Nominated
For Writers Guild

(Continued from page 1)

door, Marc Connelly, Myles Con-
nel, C. P. Curwen, Russell Copple, Philip Dunne,
Francis Fairchild, Joseph Fields, Paul
Franklin, Paul Gangler, Oliver H.
F. Garrett, James Gow, Don Hart-
man, Bullet Ingersoll, Charles Kauf-
man, Harry Kurnit, Leonard Lee, 
Robert Leech, Richard Macaulay, Rich-
ard Melville, Brian Marlow, Mary
McCull, Jr., Jane Murfin, George
Oppenheimer, E. E. Paramore, Jr., Frank
Partos, Nat Perrin, Maurice Rap,
Betty Reinhardt, Agnes Reivkyn, Stan-
ley Roberts, Robert Rosen, Stanley
Rubin, Dwight Taylor and Harry Tu-
god.

Ballet Caricatured
In Alex Gard Book

Alex Gard, in a new book, "Ballet
Laughs," published by the Greystone
Press, offers a series of caricatures of
the leading ballet personalities. New
York Herald Tribune, has provided
an entertaining introduction.

Reviews

"International Lady"
(Edward Small-United Artists)

HERE is good, substantial motion picture fare of the kind that helped
to build the screen's great following over the years. Edward Small
has fashioned it from a fast-moving action-filled story, crammed it with
adventure, suspense, excitement, and leavened it with romance and an
occasional dash of humor. It is stirring entertainment of the kind
that gave the name "motion" to pictures. If you have customers who will
buy that type of entertainment, you have a fine box-office attraction in
"International Lady."

It is always on the move, from London in an air raid where govern-
ment agents take shelter with an alluring spy, to Lisbon where plane
foreign agents congregate, to New York by clipper where the spy hunt
reaches its climax. Always in the background are the deliveries of
America's vital planes and supplies to England, while in the foreground
are as clever and resourceful a band of spies as fiction or fact has de-
vised, together with the equally resourceful, but cleverer, men who hunt
them down.

George Brent as the FBI man and Basil Rathbone as his friendly
Scotland Yard rival for the distinction of gathering in the ringleaders
who have sabotaged American planes and tipped off the sailings of sup-
ply ships give smoothly engaging performances. Hana Massey, as
the concert artist and important cog in the spy ring, in other words, as
the traditional lady, provides the romantic interest even when she is in the
throns of being a most effective "menace," and does both with a fine
talent for conviction and allurement.

Lesser roles are faultlessly handled by George Zuco, Francis Pierlot,
Martin Kosleck, Charles D. Brown, Marjorie Gateson and Frederic
Tobin. Tim Whelan takes every opportunity for excite-
ment and suspense from the screenplay.

Running time, 100 minutes. "G."*  

Sherven A. Kane

"Jesse James at Bay"
(Republic)

RAILROAD swindlers again meet their nemesis in the person of
Jesse James, who in this particular incident in his career, encoun-
ters a poker-sharp double, and sings.

The yarn is solidly constructed, capably handled by players and di-
rector, and further embellished by splendid photography and deft cam-
era maneuvering. Western fans, critical or otherwise, should find the pres-
ervation wholly satisfactory.

Roy Rogers apparently worked overtime in this, appearing in almost
every scene as either friend "Jesse" or foe "Clint Burns," the gambler
who exploits his resemblance to Jesse via the frame-up route. George
"Gabby" Hayes, Gale Storm, Sally Payne, and a number of others par-
ticipate. Joseph Kane was associate producer and director.

Running time, 56 minutes. "G."*  

Eugene Arnerel

*G" denotes general classification.

Upstate House Wins
Clearance Reduction
(Continued from page 1)

Loew's, 20th Century-Fox and War-
ners' product. The complaint was
dismissed as to Paramount and RKO
when testimony showed that they did
not sell to the plaintiff.

To Intervene in
Camden Complaint

PHILADELPHIA, Oct. 12.—Hearings
on the clearance complaint of A. M.
Ellis of the Parkside, Camden, N. J.,
were adjourned to Oct. 17 by Robert
J. Callaghan, Jr., arbitrator, on Fri-
day, in order to permit former Judge
Joseph Varhalso to intervene in the
proceedings for his Victoria Theatre,
Camden.

Ellis' second complaint, involving his
Liberty Theatre, Camden, also is
scheduled for hearing Oct. 17.

The arbitrator took under advis-
ance an application by Warren's Lyric,
Camden, to intervene in the Parkside
case. Ellis' complaint asks
a reduction of the Parkside's second
run playing time from 21 to 14 days
after first run in Camden.

Union Payroll
Factor at Hearing

Six, Oct. 12.—Union classifi-
cation of theatres was injected into
the hearing of Victor Thien's clear-
ance complaint against Paramount
and 20th Century-Fox here. Matt Schu-
er of Fanchon & Marco testified that
the circuit's theatres have a larger
payroll than the complainant's. The
hearing was adjourned to Oct. 18.

Homicidal Slasher
In Chicago Postponed

CHICAGO, Oct. 12.—Hearing of the
Orental Theatre clearance complaint
has been postponed to Oct. 20 by
stipulation of the parties concerned.
This is the third date set.

W. B. Buys Laucks Story

Hollywood, Oct. 12.—Warner's
have announced the purchase of "My
Life in Sing Sing," autobiography of
former Warden Lewis E. Lawes.
Parachute' Scores $32,500, Pittsburgh

PITTSBURGH, Oct. 12.—"Parachute Battalion" and Glenn Miller's band on the stage zoomed to a near-record $32,500 at the Stanley. All other grosses were off.

Estimated receipts for the week ending Oct. 2:

- This Woman Is Mine" (Univ.)
  FULTON—(1,300) (36c-5c-7c) 7 days.
  Gross: $4,330. (Average, $590.)

- Lydia" (U. A.)
  LOEW'S-PENNI-1,400 (36c-39c-57c) 7 days.
  Gross: $3,520. (Average, $500.)

- When Ladies Meet" (M-G-M)
  Ruff—(800) (26c-36c-55c) 7 days.
  Gross: $2,600. (Average, $500.)

- Here Comes Mr. Jordan" (Col.)
  AMBASSADOR—(3,018) (26c-39c-45c) 7 days.
  Gross: $7,700. (Average, $1,100.)

- Sergeant York" (W. B.)
  MISSOURI—(5,314) (46c-50c-66c) 7 days.
  Gross: $10,000. (Average, $1,428.)

- Face Behind the Mask" (Col.)
  MAIN STREET—(3,000) (28c-35c-40c) 7 days.
  Gross: $6,000. (Average, $2,000.)

- Hunky Tonk" (M-G-M)
  LOEW'S—(1,623) (26c-39c-45c) 7 days.
  Gross: $2,250. (Average, $375.)

'Scarface' at $7,500; Indianapolis Is Dull

INDIANAPOLIS, Oct. 12.—"Wild Goose Calling" and "My Life With Caroline" drew $7,500 at the Circle, only first run to go over average in a warm and rainy week.

Estimated receipts for the week ending Oct. 2:

- Wild Goose Calling" (20th-Fox)
  CIRCLE—(2,809) (36c-39c-45c) 7 days.
  Gross: $7,500. (Average, $1,600.)

- My Life With Caroline" (20th-Fox)
  CIRCLE—(3,000) (36c-39c-45c) 7 days.
  Gross: $7,000. (Average, $2,333.)

- You'll Never Get Rich" (Col.)
  AMBASSADOR—(1,200) (26c-35c-40c) 7 days.
  Gross: $3,000. (Average, $1,600.)

- My Life With Caroline" (20th-Fox)
  AMBASSADOR—(3,000) (36c-39c-45c) 7 days.
  Gross: $7,000. (Average, $2,333.)

- "Belle Starr" (20th-Fox)
  MAIN STREET—(3,000) (36c-39c-45c) 7 days.
  Gross: $7,000. (Average, $2,333.)

- "Parachute Battalion" (RKO)
  STANLEY—(1,600) (26c-35c-40c) 7 days.
  Gross: $2,400. (Average, $400.)

- "Hunky Tonk" (M-G-M)
  LOEW'S—(1,623) (26c-39c-45c) 7 days.
  Gross: $2,250. (Average, $375.)
Seattle Oct. 12.—“Our Wife” at the New York took a strong $7,900. “Hold Back the Dawn” drew $7,800 at the Fifth Avenue. Competition was afforded by “Heavenly Body” at the Alaskan and “The Met” at the Metropolitan. The weather was cooler and rainy.

Estimated receipts for the week ending Oct. 7

<table>
<thead>
<tr>
<th>Film</th>
<th>Gross (Average)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Our Wife</td>
<td>$7,800</td>
</tr>
<tr>
<td>Heavenly Body</td>
<td>$7,800</td>
</tr>
<tr>
<td>The Met</td>
<td>$7,500</td>
</tr>
<tr>
<td>Alaskan</td>
<td>$7,500</td>
</tr>
<tr>
<td>Metropolitan</td>
<td>$7,500</td>
</tr>
</tbody>
</table>

Seattle Civic Group
Forms Film Council
Seattle Oct. 12.—A group of educational and civic leaders has incorporated the Seattle Civic Group. The Picture Council here with a slogan, “Patronize the best—eliminate the rest.”

Heading the group is Mrs. Charles G. Miller, prominent civic leader and chubwoman, Assisting are Mrs. Theodore Johnson, Mrs. Willard Zamel, Miss Leona Tolbert, and Mrs. D. M. Deutch.

Motion Picture Daily
Monday, October 13, 1940

‘Wife’ Tallies Good $7,900 Seattle Gross

H A L ROACH’s third Streamlined Feature stacks up as superior to his second, “Niagara Falls,” by quite a margin, and a mint less successful than his first, “Tanks a Million,” which had the advantage of the vote for the vogue of costume comedies.

This is the stronger of the three in point of marquee values. It offers Frank McLaughlin, Harry Langdon, Johnny Downs, Marjorie Woodworth and Noah Beery, Jr., as exploitation names, plus Esther Dale, Alan Hale, Jr., Kent Rogers, Joe Brown, Jr., Irving Mitchell, Lilian Randolph and Carlyle Blackwell, Jr., in support. (Presence of the Juniors Beery, Hale, Brown and Blackwell suggests special publicity ideas.)

In point of subject matter, the film has timeliness on its side in that colleges are but now getting going and this is all about collegians, and the production utilizes all the essentials of the “Charley’s Aunt” idea plus modernization. The college boy who does the feminine attire enrolls in a girls’ school this term, precipitating plenty of complications, most of them funnier than the original.

Four song numbers and some dance routines are worked into the proceedings with telling effect by producer-director Leroy Prinz, whose handling of the whole is up to his best previous endeavors.

Running time, 50 minutes.

RISCO WILLIAMS

‘Billy the Kid in Santa Fe” (UA-Roach), Oct. 12

WITH a story of minor interest and limited excitement, this is generally unexceptional for the most part are adequate but fail to lift the western above the routine.

The yarn adheres to the familiar formula with the hero of the title, Bob Steele, assigned to give the outlaws a dose of their own medicine. Dennis Moore is the obscure clerk, whose brother is framed and who does most of the work for the “Kid,” administering revenge through the barrel of a six-shooter.

David O’Brien, Al St John, Rex Lease, Martin Sals and others also take part in the proceedings. Sigmund Neufeld produced the film, which was directed by Sherman Scott.

Running time, 60 minutes.

EUGENE ARNELL

Foxes’ Is Capital Smash at $18,000

WASHINGTON, Oct. 12.—A slight decline at the box-office was noted, due in large part to the fourth release of “The Little Foxes” at RKO Keith’s did a resounding $18,000.

Estimated receipts for the week ending Oct. 1:

<table>
<thead>
<tr>
<th>Film</th>
<th>Gross (Average)</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Little Foxes (RKO)</td>
<td>$18,000</td>
</tr>
<tr>
<td>Law of the Tropics (W.B.)</td>
<td>$13,000</td>
</tr>
<tr>
<td>Shell of a Man (20th-Fox)</td>
<td>$10,000</td>
</tr>
<tr>
<td>Man’s Bravery (M-G-M)</td>
<td>$7,500</td>
</tr>
</tbody>
</table>

‘Store’ with Show $22,500 Chicago Lead

CHICAGO, Oct. 12.—The State-Lake with “Big Store” and Lions Hampton’s offering, “The Hurry”, Revue on the stage drew $22,500. Sun Valley Senatorale at the Chief Theatre grossed $18,000. For “Comes Mr. Jordan” at the Unite, Artists took $15,000.

Estimated receipts for the week ending Oct. 2:

<table>
<thead>
<tr>
<th>Film</th>
<th>Gross (Average)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sun Valley Senatorale (20th-Fox)</td>
<td>$6,000</td>
</tr>
<tr>
<td>Comes Mr. Jordan (Sun Valley)</td>
<td>$5,000</td>
</tr>
<tr>
<td>The Big Store (State-Lake)</td>
<td>$4,000</td>
</tr>
</tbody>
</table>

‘Honky Tonk’ Gets $14,000 In Frisco

SAN FRANCISCO, Oct. 12.—“Honk Tonk” hit $14,000 at the Warf. Also good despite the hot weather was Paramount’s “Hold Back the Dawn” and “Buy 3 That Town.”

Estimated receipts for the week ending Sept. 30- Oct. 2:

<table>
<thead>
<tr>
<th>Film</th>
<th>Gross (Average)</th>
</tr>
</thead>
<tbody>
<tr>
<td>My Life With Caroline (RKO)</td>
<td>$6,000</td>
</tr>
<tr>
<td>New Woman (Ex)</td>
<td>$5,000</td>
</tr>
</tbody>
</table>

Sponsor ‘Dumbo’ Opening

The opening of the Walt Disney RKO feature cartoon, “Dumbo”, at the Broadway Theatre on the evening of Oct. 23 will be sponsored by the Vocational Service for Juniors.

Set for ‘Tulip Time’

HOLLYWOOD, Oct. 12—M-G-M plans to feature seven young players in “Tulip Time in Michigan,” which will have as a background the annual Michigan flower fête.

Theatre-Radio Tieup

LEVIER Joey NS

Herbert Levering, advertising and publicity director, has been named special service representative for National Screen Service in Chicago, replacing Phil Renzi, resigned.

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FAME

The Audit of Personalities

Eighth annual edition
of the industry's international reference authority on talent values is now in preparation by the world-wide staff of Quigley publications.

Edited by Terry Ramsaye

Quigley Publications
Rockefeller Center, New York
**Off the Antenna**

**RC A** has developed more than 40 replacement materials for supplies on the priorities lists, it was announced over the weekend. Of these, about 20 are being used for radio production and a dozen more are scheduled to be introduced soon. A plan to expand that program has been developed to replace metals but even plastics are feeling the pinch because of a shortage of formaldehyde needed in their manufacture. The search for an alternative to plastics has been successful in many cases, it was reported.

**Purely Personal:** Frank Danziger, WMCA production man, will join the CBS production staff today and will be succeeded at WMCA by William Royal, formerly with W betract Advertising World-Telegram radio editor, will act as guest quizmaster of "Kid Wizards" over WIN tomorrow night... Joseph Malone and Rich Hall, CBS writers, have been signed by Warner... Thomas Monroe, jr., formerly with J. Walter Thompson and earlier with Ted Thomas, has been appointed program manager at WOR... Samuel H. Gallard has been named assistant general manager and sales manager at WBVN, and Norman H. Warenborn has been appointed program manager... NBC has renewed Ed East's contract for an additional two years.

An annual series of awards is planned by Harper & Bros. for 'outstanding' radio plays. The first award, "Radio Theatre, 1940-1941," by Norman Weiser, which will be published Wednesday, is distributed among CBC, NBC and Mutual, with five, three and two, respectively.

**Program News:** Walter Wanger Productions will sponsor a broadcast over 15 Mutual stations Thursday at 11:30 P.M. in connection with the Los Angeles premiere of Showdown, a picture based on the total of 72 to the CBS hookup carrying Edward G. Robinson's "Big Town."... Ed Dooley, heard on Mutual, has been signed by WNEW to broadcast Tuesdays, Thursdays and Saturdays at 7:45, alternating with Bob Considine. The new program is "Andy Blue," of Andy Blue's sponsorship, at the package price of $300,000... Scruton Co. will sponsor Drew Pearson and Robert Allen over NBC-Blue Sundays, 6:30-4:45 P.M.

**To Revise British Manpower Report**

**London,** Oct. 12—It is believed in certain trade circles here that the report on the manpower needs of the British radio industry will be drastically amended.

Industry representatives on the committee which conducted an examination of demands placed on the small employers and employees have indicated their refusal to sign the initial draft, recommending calling up for military service virtually all eligible men. A milder version of the report may be prepared. The committee will meet again on Thursday when a final report is expected to be completed.

**British Curfew Rule Is Seen As Unlikely**

**London, Oct. 12—**Following conferences between representatives of the Cinematograph Exhibitors Association and officials of the Ministry of Transport and Home Security, a threatened curfew imposition was indicated that no arbitrary curfew order may be expected from the Government.

It was emphasized that the Government desires to offer no interference with the regular habits of the people unless required to do so for public safety. It was believed a solution can only be worked out between exhibitors and local authorities, using staggered closing hours and other voluntary arrangements.

It is understood that exhibitors have been advised that no alteration of operating hours of Central London houses need be expected.

**Plains House in Norfolk**

**Norfolk, Va., Oct. 12—**E. L. Coleman, operator of the Park, neighborhood house here, plans to erect an addition to his house at a cost of $50,000. The new theatre will seat 700.
HOLIDAY GOOD FOR B'WAY BONUS AFTER STRONG WEEKEND

With the weather crisp and clear, Broadway yesterday appeared to be the chief objective of the thousands of students and others observing the Columbus Day holiday. Theatre box-offices were unusually active. Lines formed early and were in evidence throughout the day. The Paramount and Roxy each had an extra show in the morning.

This was the follow-up to a good weekend, moreover. The Paramount, with "Hold Back the Dawn" and Xavier Cugat's orchestra had a Saturday-Sunday gross estimated at $24,000 and the show is expected to finish its second week tonight with an estimated $50,000. It will continue. At the Radio City Music Hall, "It Started With Eve" and a stage show grossed an estimated $55,000.

(Continued on page 6)

PICKFORD AND KORDA TALK WITH SELZNICK

Mary Pickford and Alexander Korda conferred here yesterday with David O. Selznick on final phases of the latter's producer-owner deal with United Artists, closing of which may take place in a day or two.

Miss Pickford returned over the weekend from a brief Coast visit. The three are scheduled to confer during the week on the selection of a new United Artists president.

(Continued on page 8)

THEATRE ADVERTISING HIT BY STRIKE OF NEWSDEALERS

Theatrical advertising in metropolitan newspapers lost considerable circulation, it was estimated yesterday, when Newsdealers Federal Labor Union, Local 2237, AFL, started a strike on the newspapers against eight morning and afternoon dailies. The strike got under way unofficially on Friday but did not reach full momentum until yesterday, following a strike vote on Sunday.

The Brooklyn Eagle and PM were unaffected as the newspapers had worked out a satisfactory agreement with those papers. The newspapers which were not carried on the stands were World-Telegram, Sun, Post, Daily News, Times, Daily Mirror, Journal-American and Herald Tribune.

The union is demanding full credit to sell unsold papers, greater profit, elimination of allegedly coercive methods and other concessions.

(Continued on page 8)

MARK VARIETY CLUB REVIVAL IN ALBANY

ALBANY, Oct. 13—More than 100 members and guests greeted the return of Tent No. 9 of the Variety Club at its reorganization in the Hotel Ten Eyck this night as James Balmer, national officer from Pittsburgh and one of the Tent's 11 charter members, hailed it as a force for charity.

Balmer traced the Variety Club's inception and progress to date. Other speakers were Si Fabian, J. Myer Schine and Moe Silver, Warner circuit zone manager and chairman of the temporary reorganization committee.

Headquarters will be in the Hotel Ten Eyck, with a formal opening scheduled for Nov. 12. Officers will be elected shortly and will be installed Nov. 20 at a public meeting.

NEW YORK, U.S.A., TUESDAY, OCTOBER 14, 1941

EXCLUSIVE RUN IS RULED OUT UNDER DECREES

Appellate Board Denies Loew Plea in Del. Case

The selling of exclusive runs by a distributor to its affiliated theaters is not authorized by the consent decree, the arbitration appeals board held yesterday in a decision denying an appeal by Loew's from a decision directing it to offer some run to the Earle Theatre, New Castle, Del. That theatre is in the same competitive area as Loew's Parkway, Wilmington, to which the distributor has been selling its product for years on an exclusive run basis.

"To enable independent exhibitors to obtain pictures is a basic object of the decree," the appeals board held in affirming the original award of Prof. Ruppert C. Schaefier, Jr., who heard the complaint brought by David Silver, former owner of the Earle, at the Philadelphia arbitration board last spring. Loew's relied upon Section 17 of the decree in its appeal. That section specifies that "nothing contained in this decree shall be construed to limit, impair or restrict in any way whatsoever the right of each distributor defendant to sell its product to its affiliated theatres in such manner, upon such terms and subject to such conditions as may be satisfactory to it."

The complaint was brought under

(Continued on page 8)

NAME CLARK PROBE SESSIONS THIS WEEK

Washington, Oct. 13—A meeting of the Nye-Clark propaganda subcommittee is unlikely this week but the members might be called together next week to discuss the future of the investigation, it was stated at the office of Sen. D. Worth Gravey, chairman, today.

Sen. Burton K. Wheeler, chairman of the Interstate Commerce Committee, who appointed the subcommittee, said today on his return to Washington from a speaking tour that he had taken no part in the inquiry and did not expect to.
Personal Mention

Mr. and Mrs. John Moroney have returned to Dallas from New York.

Frank N. Phillips, in charge of labor relations for Warner Theatres, has returned from New England and Ohio.

Carlos Rocha, director of the film publication, Cinemakers of Havana, is visiting here.

Harry Lee of the Warner home office publicity department has written an appreciation of Theoreau, "More Day to Dawn," published by Duell, Sloane & Pearce.

Howard Shoup of the Warner studio is in town.

Legion Approves Twelve New Films

The National Legion of Decency for the current week has approved all 12 of the new films reviewed and listed below, for six general patronage and six for adults. The new pictures and their classification follow:

Story of a modern Lorelei of the South Seas...
A White Savage temptress...captivating hardy seafarers!

SOUTH OF TAHITI

starring BRIAN DONLEVY

BROD CRAWFORD • ANDY DEVINE
HENRY WILCOXON • H.B.WARNER • ARMIDA

MARIKA MONTEZ The Screen's New Blaze of Excitement!

Directed by GEORGE WAGGNER
Associate producer GEORGE WAGGNER
Screenplay by Gerald Geraghty - Original Story by Ainsworth Morgan

A UNIVERSAL PICTURE
NATIONAL RELEASE OCT. 17
Great A YANK IN THE RAF Box Office
3rd WEEK AT NEW YORK'S ROXY!
3rd WEEK IN LOS ANGELES!
3rd WEEK IN TORONTO!
2nd WEEK IN PHILADELPHIA!
2nd WEEK IN BALTIMORE!
2nd WEEK IN CINCINNATI!
2nd WEEK IN KANSAS CITY!
2nd WEEK IN DALLAS!
2nd WEEK IN SAN FRANCISCO!
2nd WEEK IN SALT LAKE CITY!
2nd WEEK IN MEMPHIS!
2nd WEEK IN MILWAUKEE!
2nd WEEK IN BOSTON!
2nd WEEK IN BUFFALO!

And while "A Yank in the R.A.F." makes holdover history in every key city... Week-end in Havana" begins its first engagement at the Denver Theatre, enver, by breaking every opening day record of a decade! Another pectacular showmanship smash from the great smash-makers of 20th!
**Holiday Good for B'way Bonus After Strong Weekend**

(Continued from page 1) day through Sunday and ends next week. Both Mobiloil and the American Museum of Natural History will open next week, with the opening of the latter delayed to Thursday.

"The Maltese Falcon" and Jan Savitt's orchestra, now in a second week at the Strand, brought an estimated $20,000 Friday through Sunday and bows out Thursday night to make way for "Sergeant York." "Yank" Continues Strong

"A Yank in the R. A. F." with a stage show is maintaining a strong pace at the Roxy. Now in its fourth week, the show grossed an estimated $35,000 Friday through Sunday. "Dr. Jekyll and Mr. Hyde" in its ninth week at the Astor drew an estimated $10,000. Warner's "Target for Tonight" goes into the Globe Friday, replacing the current "Law of the Tropics." "California," which grossed an estimated $1,000 Saturday and Sunday, "Burma Convoy" finished a week at the Rialto Sunday night with an estimated $5,200 and was succeeded yesterday by "Flying Cadets." **Sergeant York' Is Good in Milwaukee**

MIAMI, Oct. 13—"Sergeant York" in its second week at the Warner was good for $8,800. Winner-up was "A Yank in the R. A. F." and "We Go Fast" with $4,400 at Fox's Wisconsin.

Estimated receipts for the week ending Oct. 9:

"You'll Never Get Rich" (Col.)

"They Dare Not Love" (Col.)

FAL-MC—(1,490) (35c-60c) 7 days. Gross: $5,500. (Average, $400)

"Goodbye" (Col.)

WHEN LADIES MEET (M-G-M)

STRAND—(1,495) (46c-66c) 7 days. Gross: $5,200. (Average, $743)

"Sergeant York" (R. B.)

W-28—(1,500) (46c-66c) 6 days. 1st week. Gross: $8,900. (Average, $4,450)

"A Few Good Men" (Fox-M-G)

WE GO FAST" (20th-Fox)

W-LA—(1,050) (46c-66c) 7 days. Gross: $4,900. (Average, $500)

**Critics' Quotes . . .**

**"HOLD BACK THE DAWN" (Paramount)**

Paramount is almost certain to turn a pretty profit with "Hold Back the Dawn." While the film has been a production must be classified as a "woman's picture," it is a superior variety of that lucrative screen species.—*Newsweek.*

A drama so vital, so poignant that it must take place as one of the great pictures of all time. . . . There is little doubt that when voting time comes around for Academy Awards "Hold Back the Dawn" will be high in the list of Oscar possibilities.—Loelba O. Parsons, Los Angeles Examiner.

An extraordinary fusion of black-and-white photo realism, with incisive characterization and brilliant character bits, of valid drama and romance. Such a host of virtues seems to demand more than a single inspection.—Virginia Wright, Los Angeles Herald.

Sentimentally powerful, it is made more arresting by overtones of mockery and cynicism—echoes of that decadent Europe from which these men and women have fled, yet which hover around them like a bad dream.—Philip K. Scheuer, Los Angeles Times.

**"ICE-CAPADES" (Republic)**

As in other films of its kind, the clever performances of the skaters is the thing. The story is negligible and the comedy lines and gags are pretty feeble. The Ice-Capades Company, however, with its internationally known stars, is a brilliant organization of fancy skaters and their work in the picture is well worth seeing and applauding.—Kate Cameron, New York Daily News.

A gay, light, tuneful and frivolous little movie without too much pretention, and thus a swell hour-killer.—Lee Mortimer, New York Mirror.

Skating enthusiasts and those who fancy Jerry Colonna's antics are certain to enjoy this film. I must put down "Ice-Capades" as a thoroughly enjoyable and monotonous entertainment.—Howard Barnes, New York Herald Tribune.

**OUR WIFE" (Columbia)**

The film as a whole fulfills its object admirably, its object being to provide a light and sprightly bit of entertainment.—Donald Kirkley, Baltimore Sun.

A pretty film with the punches, and romance in the clinches with a few cliches thrown in to make the customers think they have been here before. But it is amusing, and the premiere audience yesterday found it excused for ample giggling.—Robert B. Cochrane, Baltimore Evening Sun.

**"LADY BE GOOD" (MG-M)**

Runs just nine minutes over two hours, and naturally finds it a little difficult to keep up its pace over that much territory. . . . Scenes are lavish and a couple of production numbers are over long and badly staged. . . . They've used some good tunes for the score.—Robert B. Cochrane, Baltimore Evening Sun.

A passably entertaining offering, with some grand performers in it.—Norman Clark, Baltimore News-Post.

In the excellent songs, a bright performance by Ann Sothern, and other assets of some value, but the film's story drags on interminably long after it has ceased to interest the spectator.—Donald Kirkley, Baltimore Sun.

**"BELLE STARR" (20th Century-Fox)**

Splendidly produced and convincingly acted, it is an engaging addition to Hollywood's Americanists.—Howard L. Cox, Chicago Tribune.


Technicolor western with chases in their proper sequence and Gene Tierney offering a rather diluted version of Scarlett O'Hara.—Henry T. Murdock, Philadelphia Ledger.

Technicolor picture enhances the fictional quality and Gene Tierney is a story-book heroine if ever there was one.—Elise Finn, Philadelphia Record.

Sensibly enough, on the score of entertainment, 20th Century-Fox has chosen to treat Belle in the legendary manner.—Mildred Marti, Philadelphia Inquirer.

The film's color, rich and gay. Gene Tierney's sweet as a bouquet, and maids will come from near and far to see Randolph Scott play Sam Starr . . . a movie fulfills its producer's promise for satisfaction.—Chicago Tribune.

Belle Starr of the film would not disgrace the Southern belle Lillian Gish played in "The Birth of a Nation." This is no exaggeration—Gene is as sweet, as wholesome, as charming, as cute.—C. J. Bulliet, Chicago Daily News.

Fanciful as it is, "Belle Starr" does manage a surprisingly fresh variation of the usual horse-opera melodramatics. The blood-and-thunder content is normal, the Technicolor photography excellent, and the cast capable enough.—*Newsweek.*

**"MAJOR BARBARA" (Pascal-United Artists)**

There are some brilliant passages in the new Shaw film. It was staged with a lavish hand, it has the benefit of an all-star company. . . . But the story involves and confusing, and the spectator must struggle through a labyrinth of theological and metaphysical arguments.—Donald Kirkley, Baltimore Sun.

Has neither the appeal nor the winning humor of "Pygmalion." The new film is a wordy debate attacking the problem of organized charity. . . . There is much that is witty, that is ingenious, in the mass of words that pours from the screen.—Mildred Martin, Philadelphia Inquirer.

**Showmanship Flashes . . .**

Free 'Shooting Gallery' 'Billy the Kid' Stunt

McArdo, Pa., Oct. 13.—At little cost William Elliott, manager of the Palace, here, got up a free shooting gallery in front of the house with young and old alike invited to try their aim on "Billy the Kid." "Targets," Sharpshooters, who scored bullseyes received passes to the show.

Contest on Welles Used In Promotion for 'Kane'

Denver, Oct. 13.—The Orpheum here tied in with the Denver Monitor in a contest on "What Do You Think of Citizen Kane," as promotion for "Citizen Kane." The house also distributed 15,000 numbered cards, with those holding corresponding numbers posted in the lobby awarded guest tickets.

School Aviation Annex Cooperates on 'Parachute'

Teachers at the Haroon High School in Baltimore get in on promotion by arranging an elaborate display at the school. A parachute jumper addressed an assembly of students during the engagement.

Elaborate Campaign Used To Plug 'Honky Tonk'

ST. LOUIS, Oct. 13.—An extensive exploitation campaign was arranged by Rex Williams, manager, and Walter Heim of Loew's here for "Honky Tonk." The feature race at nearby Fairmont Race Track was named the "Honky Tonk," and with premiers presented a blanked of roses for the winning horse. Night clubs and drug stores also cooperated in extended use of throwaways of various kinds.

Nurse and Bed Used For Horror Dual Bill

McArdo, Pa., Oct. 13.—A bed and nurse were planted in front of the house by Manager William Elliott of the Palace Theatre in connection with his twin horror show featuring two mystery pictures. The nurse handed out "faint checks" permitting patrons to return to the theatre should they faint during the show. The nurse's lights were out at night with the entire front flooded by lights covered with red gelatine.

Sports Girl Contest Is Employed on 'Serenade'

Baltimore, Oct. 13.—A "Typical Sports Girl" contest, tied-in with a daily newspaper campaign which Morris Mechanic owner of the New Theatre, used on its screen, was open to anyone even the elderly. The morning carried stories and pictures and the New Theatre, in reciprocation carried the newspaper's promotion on its screen, along with announcement of the contest.
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

Mail coupon now

$2.00 Postpaid

QUIGLEY BOOKSHOP, ROCKEFELLER CENTER, NEW YORK

Here is my check for $2.00. Send me "THEATRE MANAGEMENT RECORD".

Name ................................ Address ................................

City and State ....................... Theatre ............................
Exclusive Run
Is Ruled Out
Under Decree

(Continued from page 1)
Section 6 of the decree which prohibits consenting distributors from refusing to license a theatre for some run of its pictures on terms not calculated to the purpose of the section, "unless the granting of a run on any terms to such exhibitor will have the effect of reducing the distributor's total film revenue in the competitive area" involved.

Construes Decree
"The only question involved in this appeal is whether Section 17 permits the defendant to maintain an exclusive run policy in its own theatre in the competitive area which includes Wilmington and New Castle," the appeals board held. "A plain reading of Section 17 does not permit the exclusive run policy claimed by the defendant. The right of each distributor to contract with its own theatre for the exhibition of its own pictures is not limited, indeed, it is encouraged; but there Section 17 stops. There is nothing in that section limiting the right of independent exhibitors to obtain pictures pursuant to the provisions of Section 4 of the decree. "If the contention of the defendant should be upheld," the appeals board decision observed, "it might nullify the whole purpose of the main purposes of the decree. To enable independent exhibitors to obtain pictures for exhibition in their theatres is a basic object of the decree." If each of the five consenting distributors had the right to grant its theatre an exclusive license in every competitive district, the board held, "the result might well be disastrous to many independent exhibitors who would be able to obtain few if any pictures. In such event many independent exhibitors might well be put out of business. The decree does not contemplate any such result.

Distributor Protected
"Section 6 gives each distributor ample protection. If a distributor can show that the granting of a run on any terms to an exhibitor will have the effect of reducing the distributor's total film revenue in the competitive area in which the exhibitor's theatre is located then the distributor may refuse a license. If the contrary is true and the distributor's total film revenue is not reduced by granting an independent exhibitor a run, then the distributor cannot possibly be injured," the board held.

Exhibitor Appeals
St. Louis Decision
By motion, Oct. 13.—Louis M. Sosa, Mexico, Mo., exhibitor, has appealed the decision of Fred Armstrong, arbitrator, in the exhibitor's suit against Loew's. It is the first local case on which an appeal has been taken.

John J. Nangle, attorney, has been named arbitrator in the same run complaint of Mrs. Mildred Karch, exhibitor of Rolla, Mo., again all five consenting companies.

Theatre Changes

Lease Mainstreet, K. C.
Kansas City, Oct. 13.—The Mainstreet Theatre property here, has been leased for 15 years by the Mainstreet Theatre, Inc. The house is to be remodeled and reopened shortly.

Re-Equip Sacramento House
Sacramento, Cal., Oct. 13.—New equipment installed in the Blumenfield Circuit's Thorne Theatre, a street door controlled by an electric eye, opening automatically as patrons leave the ticket window and move toward it.

Shift Chicago Assistants
Chicago, Oct. 13.—Theodore Dariot, former assistant manager of the Roosevelt Theatre, is now assistant manager of the State-Lake, succeeding Earl Treutlic, resigned. Lawrence Whitaker, chief of service at the Roosevelt, has replaced Dariot at that house.

See Priority Ruling
Hitting New Stations
Washington, Oct. 13.—Although pointing out that the effect of orders issued last week by the Supply Priorities and Allocations Board was to prevent non-defense construction had not yet been evaluated in terms of radio by the ICC, General Manager of the flag said he "would not advise anyone to attempt to go into the broadcasting industry at this time."

The ICC's public service agency has reached regarding the treatment of new station applications hereafter submitted, Fly said, but it is very unlikely that any new stations will be authorized except in localities now without primary service. Even in such instances, it is yet to be seen how many new stations can be offered.

"The FCC is giving the matter constant attention, in cooperation with the CAB and the Post Office Production Management, Fly disclosed. Regardless of the method found, he said, it is "broad enough to provide a standard material developed, it was pointed out.

Standardize Terms
In Sound Equipment

Hollywood, Oct. 13.—Members of the Research Council committee on sound equipment nomenclature met today to consider the standard nomenclature for sound equipment now in preparation. The committee is preparing a dictionary of terms describing sound equipment in order to standardize discussion among studios. Thomas T. Moulton, Goldwyn sound director, is committee chairman.

Buy Pennsylvania House
Berwick, Pa., Oct. 13.—William E. Schmidt, owner of two theatres here, has purchased the People's Theatre in nearby Shickshinny. His brother, Robert Schmidt, will manage the house after it has been remodeled and renamed the Center Theatre.

Start Charleston House
Charleston, S. C., Oct. 13.—Construction of a new theatre here, one of two planned by the Theatres Realty Co., owners of the Pastime Amusement Co. Theatres, has begun.

Plan Columbus Drive-In
Columbus, O., Oct. 13.—A new 1,000-car drive-in theatre will be erected on a 20-acre suburban tract here at an estimated cost of $50,000 by the National Drive-In Theatre Co., of Cleveland, which operates a number of regular and drive-in theatres. This will be their third in this Ohio.

Locals Submit Pact
Terms to Members
(Continued from page 1)
A committee as soon as membership views on the counter proposals have been obtained.

Meanwhile, negotiations continued yesterday at the office of Pat Casey, who represents the independent producers' organization as well as the studio projectors, electricians, cameramen, sound men, and other theatrical workers. These locals, it is reported, have instructed their delegates to continue with the negotiations until agreement is reached.

Up to yesterday, no agreements had been set with any of the nine IATSE studio locals. These locals are continuing their negotiations without the aid of the International.

Shirley Temple to
Star in Air Series

Shirley Temple yesterday was signed to appear in a series of four weekly programs of the "Shirley Temple's Heroines," Dec. 5 through Dec. 26, 10-10:30 P. M., over CBS. Although Miss Temple has appeared on the radio before, this contract will be the first time she will appear in a series.

Richard Marvin, radio director of William Esty Co., obtained her services for the National Watch Co., the sponsor. She will sing and act in a number of Christmas plays. The four programs will fill the gap caused by the four-week layoff of Luella Parsons' "Hollywood Premiere" for Lifebuoy.

Loew, Para. Decide
On Minnesota Soon

(Continued from page 1)
to withdraw from the state, servicing Minnesota accounts from elsewhere. The former company had had under consideration for some time a plan for withdrawal from several states with changes, a phase of which contemplated the closing of the Minneapolis "Four Minnesotas," which has been approved of the outcome of the Minnesota anti-block-of-five law. Officials of RKO and 20th Century-Fox said they have reached no decision.

Call Reaction
Favorable to New FCC Rule
(Continued from page 1)
several times and under the latest going into effect Nov. 15. N. Trammell, NBC president, in that NBC planned to take the issue of whether, we rely upon Clayton's Fly's statement that he will carry out the regulations possibly in defiance of court injunctions be.

Assails 'Political Pressure'
"If anybody wants to litigate rules there never has been any objection to that," Fly continued. "I certainly is, and always will be, ject to the main form which action of the PTA has never involved in terms of political pressures; it is one thing we are going to stand out for the country.

Fly also expressed the opinion nothing further will be done with White resolution under which limitation the White correspondence service would continue to mitten held extensive hearings on network situation last Spring.

Four Principal Points
The modifications issued by FCC covered four main points:
1. The order requiring NBC to divest itself of the Blue network indefinitely suspended and will not be reinstated except with six months notice to NBC to dispose of property.
2. Networks may sign two-year affiliation contracts with stations, stead of one-year.
3. Stations will receive two-year licenses from the FCC instead of one-year.
4. Network options on station tie may not be exclusive, and a stat may give options on or sell the same perhaps, to any network and of amount of time which a station is to grant to a network under option.

Commissioners Norman S. C. and T. A. M. Craven dissented, they did last May when the orignal rules were promulgated.

C. J. Durr Nominate
To FCC Members
Washington, Oct. 13.—Clifford Durr of Alabama, since August general counsel of the Defense PI Corp., today was nominated by Presi
dent Roosevelt to be a member of FCC, succeeding Frederick I. Thos. Dorr's term expired June 30.

Dorr, native of Montgom
era, is 42, a graduate of Alabama University and a Rhodes scholar who joined the construction Finance Corp., where he was made assistant general counsel in 1937.

UA Appoints Krieger
Cincinnati, Oct. 13.—Paul Krieger, formerly Universal bureau chief, has been appointed special United Artists salesman in Columbus succeeding James Hendel, recently promoted to branch manager in Chi

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Erpi To Be Division Of Western Electric; Stevenson in Charge

Electrical Research Products, Inc., will be merged with the parent Western Electric Co. about Nov. 1 and its domestic activities will be carried on as the Electrical Research Products division of Western Electric, the latter company announced yesterday.

T. Kennedy Stevenson, heretofore Erpi president, will become vice-president of Western Electric. He will be in charge of the Erpi division and will have direction of the general accounting, treasurer's and secretary's departments of the parent company. Stevenson was elected a director of Western Electric yesterday and will be president of Western Electric Export Corp., a new company to which ownership of Erpi's foreign subsidiaries will be transferred about Oct. 31.

The company's statement asserted that no change will result in the character or method of conducting Erpi's business and that the changes in corporate setup merely are a continuation of the policy of bringing Erpi operations under the parent supervision.

UA Will Serve Minn. Houses from Outside

MINNEAPOLIS, Oct. 14.—United Artists will service Minnesota accounts from either its Milwaukee, Omaha or Denver branches after the closing of the company's local exchange on Oct. 25, it was stated here today.

Two weeks notice of the closing has been given to all exchange employees, about 20 in all including Ralph S. Cramblet, manager. Cramblet said he needed time to make other arrangements.

See Selection of U. A.
President Again Delayed

United Artists Corp. is still minus a president. Up to last night, none had been selected and the likelihood now appears to be that an immediate choice cannot be made, as Alexander Korda is about to return to Hollywood where production duties are demanding his time and attention. And Charlie Chaplin is on the Coast right now.

It also has been reported that Laddie Lawrence, newly named representative of David O. Selznick Productions, Inc., will soon set out on a study of the company's operations, including the foreign end, and that it is

6 More IA Locals To Get Pact Terms For 10% Increase

Business representatives of the final six IATSE studio locals engaged in negotiations with producers' representatives here concluded their discussions last night and left for the Coast to submit the producers' counter proposals to the locals' membership.

Pat Casey, producers' labor representative, stated following yesterday's session that no agreements have been closed with any of the nine IA studio locals. He pointed out that failure of the membership of any of the locals to accept the counter proposals would

Raw Stock Duty Cut In Argentine Treaty

Washington, Oct. 14.—The State Department tonight made public the new reciprocal trade agreement with Argentina, under which that country agrees to bind the present duty on motion picture positives, to reduce the duty on raw stock by one-third immediately, and to reduce the duty on negatives by one-third whenever receipts from imports exceed 270,000,000 pesos in any calendar year.

The agreement provides also that U. S. products shall not be discriminated against in the way of duties, fees or other imports or regulations not applied to the products of all countries.

Report Britain To Ease Funds Due U.S. Firms

Trade Scouts Wall Street Rumors on Currency

Wall Street reports heard in the trade yesterday point to the possibility that Great Britain may release certain of the blocked funds of the motion picture companies, thus permitting these firms a greater percentage of currency withdrawals for the coming year than has hitherto been allowed.

These reports place the amount likely to be authorized for remittance at a figure equivalent to 30 per cent of the aggregate annual British revenues of the eight major companies.

This does not mean, however, that a flat 30 per cent of next year's rentals will be authorized. Instead, that a lesser percentage of next year's revenue may be designated for withdrawal and, additionally, distributors

High Court to Hear Argument on Ascap

WASHINGTON, Oct. 14.—The U. S. Supreme Court yesterday agreed to hear arguments in Ascap's appeal from a Federal statutory court decision in the music society's action attacking the constitutionality of the State of Washington's anti-Ascap law.

The high court noted probable jurisdiction in the case but postponed further consideration of the question until after a hearing on the merits. The case probably will not be reached by the court for several months, at which time Ascap will have to show that the Washington case differs materially from the Florida anti-Ascap case. The high court last Spring ruled that the Florida law is constitutional.

H. T. Long Manager Of Odeon in Canada

TORONTO, Oct. 14.—H. T. Long, general manager of Associated Theatres Ltd., has been named general manager of Odeon Theatres of Canada Ltd., following the resignation of O. R. Hanson. The latter is understood to hold a block of stock in Empire Universal, Associated Theatres, Sterling Films and Sovereign Films,
**Coast Flashes**

Hollywood, Oct. 14

**Personal Mention**

LOU JACKSON, head of Anglo-American Pictures, London, will leave for Toronto tomorrow, returning here early next week.

LEON NETTER, on a trip to Miami, Atlanta and Charlotte, is expected back in New York early next week.

A. H. KAUFMAN, manager of the Fountain Theatre in Terre Haute, Ind., is at Mayo Clinic, Rochester, Minn.

HARRY FRIEZEN, chief booker for Warner Theatres, Pittsburgh, and SYLVIA FRIEZEN are engaged.

AL ROSEAN, owner of the Princess Theatre, St. Louis, is recovering from an appendicitis operation.

JOHN G. PAINE and E. C. MILLS of Ascap will return from Chicago today.

**Defence Boom Aids Grosses in Seattle**

Seattle, Oct. 14.—Theatres here are experiencing a big box-office increase on weekends, as a direct result of the major boom in defense industries in this area. The Hammer- Evergreen Music Hall Theatre, which has been dark for several seasons, has been reopened for weekend programs only.

**U. S. Prosecutor in Schine Case Hears**

WASHINGTON, Oct. 14.—Herbert Borkland, a special assistant to the U. S. prosecutor, assigned to investigate the motion picture anti-trust litigation, suffered a broken collar bone in an automobile accident here yesterday, which will keep him out of the car in which he was riding, and injured another.

Borkland had been ordered to try the Government's pending anti-trust suit against the Schine Circuit and Columbia, United Artists and United Artists at Radio City here shortly after the first of the year. Indications are that he will be replaced, since his injuries will prevent him from participating in preparations for the trial during the next month or two.

**Para. Sets Program For Coast Ad Men**

Paramount announced yesterday that a three-day meeting of advertising, publicity and execution men will start Thursday morning at the Ambassador Hotel, Hollywood, with discussions of campaigns for "Birth the Blues" and "Skylark." It will follow that evening with screening of "The Adventures of Don Juan," "The Big Parade," "Armies of the Sky," "Sullivan's Travels." Neil Agnew, sales head, will speak Friday and Y. Frank Fremet, vice-president in charge of studio operations, will preside at an afternoo meeting. On Saturday, the convention will consider a campaign for "Louis Berthold" and "Chest's Film" following a screening of the film.

**First Coast Club Meetin**

Hollywood, Oct. 14.—The Southern California branch of the Variety Club held its first luncheon here yesterday with more than 100 present.

**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, 1000 California Avenue, New York City. Telephone Circle 7-1900 Cable address, "Quigpub, New York." M. J. Quigley, Editor-in-Chief and Publisher; Bernard J. Quigley, President and General Manager; Walterston W. Rotherkraft, Vice-President; W. N. Shain, Treasurer; Harry D. E. Thompson, Managing Editor; James A. Cronin, Advertising Manager; Chicago Bureau (24 S. Wacker Drive, C. D. O'Nel, Manager); Hollywood Bureau, Postal Union Life Building, William R. Weaver, Editor; London Bureau, 4 Golden Square, London W. 1, Hope Williams, Manager, cable address, "Quigpub, London." All contents copyrighted 1941 by Quigley Publishing Company, Inc. Other Quigley publications include Motion Picture Magazine, Pictures Magazine, Theatre News- World's Greatest Theatre World, Picture Finance, Theatre Finance, International Motion Picture Almanac and Facts. Entered as second class matter Sept. 29, 1938, at the post office at New York, N. Y., under the act of March 2, 1879. Subscriptions $6 per year in the United States and $12 foreign. Single copies 10c.
HOLD OVER

M-G-M Hit with Frank Morgan, Claire Trevor, Marjorie Main, Albert Dekker, Henry O'Neill, Chill Wills

Third week at Capitol as we go to press! Held over everywhere!
It's doing over 200% of normal business nationwide.

(Get every dime with extended time!)
Schenck Says Money Paid to Keep IA Peace

(Continued from page 1)

alleged demands for payments made at the IATSE convention.

David Bernstein, treasurer of Loew's, followed Schenck on the stand and strongly stressed the theatre's testimony about the alleged extortion payments.

The court denied a motion to have Conboy testify after Schenck testified on redirect examination that he had made other payments to Loew's and RKO for services rendered. Schenck's testimony was stricken out after he stated that these additional payments had not been made by him personally.

Judge John C. Knox asked the jury to disregard the testimony.

As to Cash

Bernstein said that Schenck requested him in 1936 to obtain $50,000 in cash from Schenck to pay the Biograph, as the alleged price for IATSE peace in the industry. The witness related that he got this money from his personal account in the Union Trust Bank and turned it over to Schenck. The incident was repeated in 1937, he added.

In response to questioning by Erich Kostelanetz, Correa's assistant, Bernstein testified that he obtained repayment of $150,000 from Schenck for his services as an intermediary to Loew's to add sums to their expense vouchers. A number of the vouchers were introduced in evidence.

On redirect examination Schenck repeated the story of how he paid Browne $100,000 in 1935 to settle a dispute between RKO and Loew's on one hand and operators Local 306 in New York. The final arrangement with Browne was that Loew's would pay $150,000 and RKO $50,000 for the IATSE president's intercession.

Loew's share was finally boosted over $150,000 in order that Mot. Singer, Chicago theatre man and alleged inter-

mediary in the deal, could offset added income taxes, he testified. Schenck said Singer received a check for the full amount and turned over $100,000 to Browne.

Scale Not Involved

Schenck denied that Browne and Biograph's demands had anything to do with the union demand for increased scale and said that neither Browne nor Biograph at any time referred to an existing dispute between the IATSE and the Biograph. The council for the defendants in their cross-examination of Schenck sought to create an inter-


cence, that he volunteered information to Correa only after his brother, Joseph M. Schenck, had been convicted of tax evasion. The witness denied the charges and stated that the story was one of the reasons he had not paid $100,000 to the Biograph at the time.

Bernstein will continue on the stand today for direct examination. The testimony, it is said, will call either Bernstein or Correa to the stand and will provide further testimony regarding the possible involvement of Bernstein.

NAVAJ, Oct. 14—Local 304, IATSE, here today was ordered by Vice-Chancellor John O. Bigelow, to show cause Nov. 4 why a receiver for the union should not be appointed. The order also required the union to show cause why Louis Kaufman, business agent under Federal indictment to exceed more than $1,000,000 from motion picture companies, and other officers should not be enjoined from the union. The union has not been served with a copy of the indictment.

Schenck disputed all such references, contending that he had attended every meeting held. He also reiterated a line of cross-examination which attempted to show that he had been friendly with Browne subsequent to the extortion payments.

An Erpt to Be Division of Western Electric

(Continued from page 1)

sion into the closest possible relationship with the development of the company, a policy inaugurated in 1937.

D. C. Collins will continue in the new division of Western Electric as Eastern manager, working both as Western manager, T. E. Shea as chief engineer, F. B. Foster, Jr., as controller, and F. L. Palmerston as sales manager. Both will be vice-presidents and general foreign manager of the new export company.

Report Britain To Ease Fund Due U.S. Firms

(Continued from page 1)

currency already blocked in London was a substantial payment for the privilege of being allowed sufficient to bring the total remittances for the year to 50 per cent of their imports.

Comment from company officials, regarding to Wall Street report was that they knew of no definite statement of any kind having been reached.

It is said that negotiations are now going on by intermediary between British firms and American firms with the idea of getting back all or part of the companies' blocked currency in London, bank, the United States in that there has been no definite agreement yet. The U. S. State Department, it is said, is in full charge of the negotiations for the companies.

WASHINGTON, Oct. 14—State De-

partment officials said today that the negotiations are still continuing with the British Government on the terms of the release of blocked foreign currency in England, including those from film distribution in that country, but that no agreement has yet reached a point where it could be made public. The negotiations are said to have been going on for months, but no definite agreement had practically been reached which would increase the percentage of the companies' blocked currency which could be released at the present time.

They said that the negotiations were designed to ease the restrictions now in force, and that the agreement was supposed to be a phase of the important phases of the con-

versations which are being carried on in both Washington and London.

UA Will Serve Minn. Houses from Outsid

(Continued from page 1)

was to receive further instructions this week.

Although the move was made ostensibly because of the company's desire to make its film distribution more efficient, it can be seen that the move is a step in the direction of changing the over-all operation of the company. The company's salesmen, operating from a base outside the state, can concentrate on selling to other important branches. However, the company's salesmen, operating from a base outside the state, can concentrate on selling to other important branches. However, the company's salesmen, operating from a base outside the state, can concentrate on selling to other important branches.
Every single item in the Standard and Specialty Accessory lines put out by the Prize Baby has a place in your theatre campaign. Every single item will help sell seats.

- You can't use them all on every picture . . . but you can select from the complete list those items which fit your locality and your problem best.
- Dress your theatre and your advertising campaign so that every possible seat will be sold.
- That's the way to make money. Cover every angle and play for the percentages.
- It's simple as that when you use National Screen Standard Accessories . . . Specialty Accessories and Trailers.
See Choice of UA President Again Delayed

(Continued from page 1)
the intention of the stockholders that Lawrence shall play a larger role in the affairs of United Artists management, for the personal qualities of Lawrence as a public figure have been considered a great asset to the company. Lawrence is former European representative of M-G-M and considered among the topnotchers in the trade.

There have been two candidates mostly under consideration, but since a unanimous vote of stockholders is necessary, it is said, to elect a president, a choice has not been made. It is reported that under the terms of the company's agreement with David O. Selznick a unanimous agreement upon the choice of president is absolutely conditioned.

One of the two candidates who was considered was vetoed by one of the stockholders and the other candidate's terms were considered by the stockholders as too rigid to grant.

Senate Film Probe Attacked by Editor

S A N F R A N C I S C O , O c t . 1 4 — T h e S e n a t e S u b - c o m m i t t e e probe of the film industry was reaped as "Nazi in manner, and in the approved Fascist pattern" by Grovey Patterson, editor of the Toledo Blade and former president of American Newspaper Editors Association, addressing the Commonwealth Club here. Patterson said it was a case of the party in power persecuting a specific group.

THE CONTINENTAL
Lv. 5:10 pm. Thru Mainliner sleeper to Los Angeles.

No change of planes. Fly the cool, scenic Main Line Airway.

Arrive Los Angeles
8:30 am. Four additional day-light and sleepier flights.

* Call travel agents, hotels or

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Airlines Terminal: 80 E. 42nd St. 649 Fifth Ave. 69 Wall St. Pennsylvania Hotel Phone MU-2-7300

Reviews

"The Chocolate Soldier" (M-G-M)

DRA WING upon Ferenc Molnár's great comedy, "The Guardsman," for its plot, upon Oscar Strauss' immortal operetta, "The Chocolate Soldier," and upon the lyrics and music, upon the Metropolitan Opera Company for its brilliant young stars, Ria Stevens, and upon M-G-M's own roster of marquee talent for Nelson Eddy, this production of Victor Saville inevitably holds a great deal of entertainment for almost any kind of audience.

Ernst Marisch has created and staged charming ballads. Music and lyrics are by Gersi and Braunholtz Kaper. Nigel Bruce, Florence Bates, Dorothy Gilmore, Nydia Westman, Max Barrwyn and Charles Judel round out the cast.

In this tuneful vehicle, Miss Stevens has many opportunities to sing. Here is a rich, colorful voice and one which should have audiences on their feet appreciating the precision of the team making the team of Eddy and Stevens rich in box-office potentials.

The plot of "The Guardsman" makes the introduction of musical item easy. Eddy and Miss Stevens are stars of a musical comedy. Married to her, he became suspicious of her affections for other men and undertakes the greatest acting role of his career— that of a Russian guardman who attempts to woo Miss Stevens. Unlike the first treatment of that story for the screen in 1931, the plot here is altered to have Miss Stevens penetrate the disguise as soon as Eddy starts his deception. Thereby, much of the suspense is lost and slow movements result, but the occasional tedious interludes are forgotten when the pair starts singing again. Bruce, as the critic-friend of the couple, turns in a superb performance.

The plot, however treated, is one which has an intrinsic humor and many boisterously funny scenes result. Although there is nothing objectionable in its treatment for adult audiences, the story, obviously, is not for children.

There are several lavish productions of dances and songs but most of the singing takes place in off-stage scenes. Roy Del Ruth directed.

Running time, 102 minutes. A.**

EDWARD GREIF

"Unholy Partners" (M-G-M)

E D W A R D G. ROBINSON, playing a crusading editor, and Edward Arnold, a gambler and racketeer, are the "Unholy Partners" in a New York tabloid newspaper. A fast-moving and interesting motion picture is built around the conflicts resulting from their opposed motives.

The quality of the acting, plus competent direction by Mervyn LeRoy and adequate story material make this film much better than many others which have used a newspaper background. Samuel Marx was the producer.

Returning from World War I Robinson seeks backing for a tabloid newspaper but has no success until he wins $150,000 from Arnold and the two become partners. The gambler does not attempt to interfere with the newspaper until its crusading activities affect his interests. Finally the editor is given the editorship when the publisher, leaving the paper in control of his secretary, Laraine Day, whom he was about to marry, and the favorite reporter.

In addition to the fine acting by Robinson and Arnold, Miss Day does very well as the faithful secretary. Marsha Hunt plays the other girl whom the reporter loves. She sings one song, "After You're Gone," The cast also includes Don Beddoe, Walter Kingsford, Charles Dingle and others.

Running time, 94 minutes. G.**

H. T. Long Manager Of Odeon in Canada

(Continued from page 1)
other companies from which he returns.

Although reported to be forming a new film exchange in Canada, Hanon, in partnership with Gordon Fairley of Toronto, has opened the Palace at St. Catherines, Ont.

Odeon has named James Kadurka manager of the new Odeon in Sarnia, Ont. The last of the Odeon houses is expected to be that now under construction at Kingston, Ont.

New Television Film

A series of 14 animated cartoon films, running one minute each, will be used by Botany Worsted Mills for weather forecasts on WBNIT, NBC, television station. Each film is by itself a different kind of weather. Douglas Leigh produced.

New Bob Hope Film Title


6 More IA Locals To Get Pact Term

(Continued from page 1)
involve reopening of the negotiations.

The final IA units to wind up the negotiations here were the studio journalists, electricians, cameramen, sound men, gaffers and wardrobe workers. Makeup artists, property men and grips ended their negotiations earlier and left for the Coast.

The incumbents of the produce counter proposals was a 10 per cent increase for the nine locals and various adjustments of working conditions. The producers offered demands the locals involving jurisdiction claims over workers in other unions, the grounds that such claims should be settled by the unions themselves.

Studio labor representatives also for the Coast yesterday, among the Charles Boren, Paramount; Sid Roth, RKO; Fred Myers, 20th Century-Fox; Carroll Saxe, Warner Dave Garber, Universal, and Fred Prton, assistant to Case. The last is remaining here.

Dismiss Memphis Ru Action Against Loew

(Continued from page 1)
party. The complaint charged the runs offered by the four distributors were to defeat the purpose of the some run section the decree.

This case to go to the arbitration appeal board was filed yesterday by Andora Amusement Co., Plaintiff N. J. The appellant won a nine-year reduction in clearance of Paramount's RKO, 20th Century-Fox and Warner product for its Liberty Theatre in the Strand, Paramount at Oxford, Plainfield, in an award made Sept. 23 by James A. O'Gorman, jr. arbitrator. However, Andora is asked that the prevailing 30-day clearance of the three theatres over the Liberty be reduced to 14 days after single feature bookings on seven days as the double features.

St. Louis, Oct. 14—Hearing of the some complaint of Mrs. M. Jacobson, Robert against five competing companies, has been set for Oct. 21 here.

New Process Aids Television Image

Research for greater contrast in television images has resulted in a new chemical process to reduce extraneous reflections from glass, RCA reported yesterday. Exposure of hydrochloric acid vapor to glass reduces the reflection and, in the case of lenses, increase their light transmitting speed.
SAILORS ON LEAVE

WILLIAM LUNDIGAN
SHIRLEY ROSS

CHICK CHANDLER • RUTH DONNELLY
MAE CLARKE • CLIFF NAZARRO
TOM KENNEDY • MARY AINSLEE
BILL SHIRLEY • JANE KEAN

DIRECTED BY ALBERT S. ROGELL
SCREEN PLAY BY
ART ARTHUR &
MALCOLM STUART BOYLAN

ORIGINAL STORY BY HERBERT DALMAS

Buy U. S. Defense Bonds

A Republic PICTURE
MORE PRINTS THAN WE HAVE EVER USED BEFORE have been ordered on "Sundown" so that you can positively be one of the hundreds of showmen to play it Day and Date on October 31st at the peak of its great $100,000. national ad campaign!

COAST-TO-COAST BROADCAST!

Producers, famous stars, scores of celebrities will pay tribute to a great picture, SUNDOWN, from the lobby of the Four Star Theatre, Los Angeles, Thursday evening, October 16th, from 8:30 to 9 o'clock, Pacific Time. Over WOR, New York, 11:30 to 12 midnight, Eastern Standard Time. Listen in to your Mutual Broadcasting System station!

The Action Picture that has Everything.

WALTER WANGER'S
Great Adventuromance of Today!

SUN Downs

starring GENE TIERNEY
BRUCE CABOT - GEORGE SANDERS - HARRY CAREY - JOSEPH CALLEIA
Reginald Gardiner - Carl Esmond - Marc Lawrence - SIR CEDRIC HARDWICKE
A HENRY HATHAWAY Production

From the Saturday Evening Post story "Sundown" and screenplay by Barre Lyndon
Directed by HENRY HATHAWAY

RELEASED THRU UNITED ARTISTS
MOTION PICTURE DAILY

NEW YORK, U.S.A., THURSDAY, OCTOBER 16, 1941

TEN CENTS

RKO Will Not Sell Minn. While Bound By Consent Decree

RKO will not sell in Minnesota as long as the state's anti-block-of-five law is on the statute and the company is bound by the selling provisions of the Federal consent decree, company officials revealed yesterday. Whether the company will take an appeal from the state court decision at St. Paul denying the consenting distributors a temporary injunction restraining enforcement of the Minnesota law has not been decided yet and is still under consideration by company counsel before said.

Asked whether RKO would petition Federal Judge Henry W. Goddard for an exemption from the consent decree to permit it to sell in Minnesota, Ned E. Depinet, vice-president in charge of distribution, answered with an unequivocal "No."

Paramount, Loew's and 20th Century-Fox, the remaining companies affected by the Minnesota law, are scheduled to reach decisions this week.

(Continued on page 8)

Musicians Strike on CBS; Expect NBC Walkout Today

The American Federation of Musicians yesterday called a strike against all non-sponsored programs on CBS and was poised to call a similar strike against NBC this morning. The strike affects all sustaining programs whether originating from remote points or in the studios.

Mayor Addresses Ampa Lunch Today

The function of the film industry in the national defense effort will be outlined today by Mayor F. H. LaGuardia of New York, in his capacity as Director of the Office of Civilian Defense, in an address before the Ampa at the Hotel Edison. The Mayor will be introduced by Louis

(Continued on page 8)
Motion Picture Daily

Hollywood, Oct. 15
MONOGRAM has paid off in full its $10,000 obligation to Pathé Laboratories, W. Ray Johnston, president, disclosed tonight. Although the due date was in December, the notes were liquidated last week, he said. It was also disclosed to the company has signed Tom Keene for a group of four outdoor action pictures for 1941-42 release. The first will be "Lone Star Law," with Robert Tansey producing and directing.

Harry Cohen, Columbia president, left by American Airlines tonight for New York home office conferences. He plans to be East about a week.

"Treasure of the Sierra Madre," novel by B. Traven, has been bought by Warners. Spring production will be planned for the story, which concerns a search for the lost mines of Mexico.

Willkie Elected to Lehman Corp. Board
Wendell L. Willkie was elected a member of the board of directors of the Lehman Corp. by the stockholders at a meeting in Wilmington, Del., yesterday. Among those elected to the board were John Hertz, Paramount director, and Paul M. Mazur, formerly on the board of RKO, both of whom are partners of the firm of Lehman Brothers.

Charlotte Party Nov. 8
CHARLOTTE, N. C., Oct. 15.—The local Variety Club will hold its first annual charity banquet at the Hotel Charlotte on Nov. 8. Scott Lee is general chairman and Philip Loundon vice-chairman.

Astor to Handle Two
Astor Pictures has taken for distribution two Edward Small productions, "Trans-Atlantic Merry-Go-Round" and "The Melody Lingers On."

LEONARD GOLDENSON has left on an extended trip to the South and California.

H. M. RICHIE will go to Pittsburgh next week.

LOU SCHAEPER, Paramount Theatre manager, New Haven, has been appointed chairman of the community committee for the Coast.

ROBERT J. LISHON, manager of the Times Theatre, Cincinnati, and of ISAAC LISHON, RKO Midwest general manager, has been drafted.

W. STUART MCDONALD of Warner is visiting in the Midwest.

Comerford Manager Driver Starting Nov. 1
WILKES-BARRE, Pa., Oct. 15.—Plans for the annual Comerford Theatres managers' drive, starting Nov. 1, will be discussed tomorrow at the Fort Duane Hotel here. Other sectional meetings have been or will be held in Binghamton, N. Y., Scranton, Pa., and Sunbury, Pa., during the week. District Manager John Comerford, Tom Killen and Samuel Friedman will be in charge of the local meeting, while Tom Carey and Tom Walsh head the Binghamton session; Byron Lynn and Gerard Adams the Scranton talks and Ed Simons the session at Sunbury.

New Haven Warner Club Elects Officers
NEW HAVEN, Oct. 15.—The local Warner Club has elected C. G. Barrett president for the coming year. Other officers are Russel Clark, vice-president in charge of entertainment; P. Zimmerman, vice-president in charge of welfare and loans; Jeanette Shiel, secretary; James A. Bracken, treasurer. Angelo Lombardi and Victoria Cusaneli were elected to the board of governors.

MINNEAPOLIS CLUB EXPANDS CHARITIES
MINNEAPOLIS, Oct. 15.—The Twin City Variety Club has added the establishment of a blood bank to its philanthropic projects. The bank will be established at General Hospital and will be used primarily in the treatment of children's diseases. The club also sponsors the Minneapolis Milk Fund, which has provided radios for General Hospital wards, and a battery of sun lamps for Lymahurst Children's Hospital here.

Albany Club Holds Election on Oct. 27
ALBANY, Oct. 15.—The local Variety Club, recently reorganized, will elect permanent officers at a meeting at the Ten Eyck Hotel here on Oct. 27. The new officers will be installed at an inaugural ball for the new tent sometime next month.

Republic Closes Deal
COOPERATIVE Theatres, Detroit, has closed for Republic's 1941-42 program, it was announced yesterday. Judge G. Grainger, president of Republic, and Samuel Seplovin, Detroit representative for the company, worked with C. E. Burmeile and other executives of the circuit on the deal, which covers 49 houses.

Montana House to Open
GREAT FALLS, Mont., Oct. 15.—E. E. Harris will open his new 2,000-seat theatre, the Civic Centre, here Saturday. Clarence Golden will be manager. The theatre will also be used as a civic auditorium. Harris owns the Park and Montana in Butte.

Dee Lowrance on WOR
Dee Lowrance of NEA was interviewed yesterday afternoon by Marlan Yang on the Martha Deane program on WOR.

CORRECTION
Notice of
20TH CENTURY-FOX TRADE SHOWING
for the benefit of exhibitors generally

NEW YORK, N. Y.
Monday, Oct. 27 at 2:30 P.M.
(instead of date originally announced)

"HOW GREEN WAS MY VALLEY" at 20th Century-Fox Exchange
345 W. 44th St., New York, N. Y.

High Finance
Wilkes-Barre, Pa., Oct. 1.—The recent addition of federal tax on apparel has brought a number of questions regarding the classification of garments. The Board of Review in New York has issued the following classification of garments:

1. Clothing, including coats, suits, overcoats, dresses, skirts, trousers, shirts, ties, handkerchiefs, socks, hosiery, and underwear.
2. Footwear, including shoes, boots, and sandals.
3. Accessories, including handbags, umbrellas, and gloves.

These categories are based on the classification used by the Internal Revenue Service.

May Settles British Manpower Probe
LONDON, Oct. 15.—The problem of determining military service manpower in production is expected to be settled by the meeting of the industry-Government tribunal.

Following earlier disagreements and protests, it is now expected that a compromise report will be submitted to the tribunal and that it will be accepted. This report is expected to include the results of surveys performed in the industry by government officials engaged in documentary and new-production work for the Ministry of Information, and will also consider the recommendations of the tribunal whose findings will be presented at the next meeting of the Manpower Group.

W. B. Employes Voic on Own Guild Oct.
Warner home office employees, who have organized a guild to be independent in a vote to be held Oct. 23 by the National Labor Relations Board, have expressed interest in organizing a guild of their own. The results of the vote, which is expected to be decided by a majority, will be announced at the meeting.

Thomas Turkington of the executive department, president, is the leader of the group, which is known as the Warner Brothers Associated Office Employes Guild. Other officers are E. G. Arnold, vice-president; Lawrence Roberts, secretary; and J. H. Newman, treasurer.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)
Published daily except Sunday by Quigley Publishing Co., Inc., 7370 Sixth Ave., Rockefeller Center, New York City.
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TO THE EXHIBITORS OF AMERICA!

The Most Important Message Of The Motion Picture Year Will Be Found On Page 19 Of Tomorrow's Motion Picture Herald Don't Miss It!
41 New Films Are Shooting On the Coast

Hollywood, Oct. 15.—Twelve pictures were started and 11 finished this week to make the total before the cameras 41. Twenty-eight are being produced, and 70 are being edited. M-G-M is the busiest studio, with eight in production.

The tally by studios:

**Columbia**
- Finished: "Honolulu Lu." "Bed-time Story."
- In Work: "Blondie Goes to College."
- The Lady Is Willing."

**Goldwyn (RKO)**
- Started: "Cadets on Parade,"
- "West of Tombstone."

**Paramount**
- Finished: "Tombstone."

**Republic**
- In Work: "The Lady Has Plans."
- "The Fleet's In."
- Started: "Torpedo Boat."

**Universal**
- Started: "Call Out the Marines."
- In Work: "Valley of the Sun."
- "Joan of Paris,"
- "Sing Your Worries Away."

**M-G-M**
- Finished: "Bullets and Bullion."
- In Work: "Double Trouble."
- "I Killed That Man."

**Monogram**
- Finished: "The Shanghai Gesture."

**Small (U.A.)**
- In Work: "Twin Beds."
- Started: "Heliotrope Harry."

**20th Century-Fox**
- Finished: "Rise and Shine."
- In Work: "The Perfect Snob,"
- "Castle in the Desert,"
- "Remember the Day,"
- "Son of Fury."

**Warner**
- Finished: "Melody Lane."
- In Work: "North to the Klondike."
- "Keep 'Em Flying."
- Started: "Dr. R. X."
- "Fifty Million Nickels."

**Warners**
- Finished: "All Through the Night."
- "Kings Row."
- In Work: "The Man Who Came to Dinner,"
- "Wild Bill Hickok Rides,"
- "You're in the Army Now."
- "The Mask."
- Started: "Juke Girl."

**To Open RKO Exchange**

PHILADELPHIA, Oct. 15.—The new RKO exchange building opened last month will be officially dedicated on Oct. 20. Ceremonies were held up acknowledging full completion of the building.

Reviews

**"Down Mexico Way"**

(Telugu)

**T HIS** is an achievement by Republic primarily because the Western is worthy of phoning in theaters outside the Western category. The results should be quite gratifying both to patron and exhibitor.

The picture stars Gene Autry, a potent name for many exhibitors, and is enriched with lavishly lavish settings and colorful dance and song ensembles with an array of talented performers. The story is modern having to do with swindlers posing as Hollywood producers and attempting to have toms townpeople invest in their productions. Autry and his friends are first "taken" in Sago City. He, Smiley Burnette and Harold Huber, a former Mexican bandit of the Pancho Villa type, follow the crooks to Mexico, where they finally are exposed and brought to book in a genuinely exciting chase and battle.

Intervenous are a number of songs by Autry and other musical sequences, which add to the entertainment. Others in the cast are Fay Miller, Sidney Blackburn, Joe Sawyer, Duncan Renaldo and Pinky Fix. Photography is very good. Joseph Santley directed. Harry Grey was associate producer.

Running time, 78 minutes. — **EUGENE ARNEEL**

**"Flying Cadets"**

(Universal)

**T HIS** is a neat and trim little drama of the skies with attractive cast names and timeliness that should aid in the selling. The players all are capable in their respective roles and under what appears to be good direction, do much to make the film engaging fare both in its up-in-the-clouds melodrama and basic story content.

William Gargan, Edmund Lowe and Frank Albertson are brothers in the film, Lowe as the adventurous World War ace; Gargan, chief mechanic usually on the sidelines, and Albertson, plane designer, all concerned with teaching flying cadets. Peggy Moran, Frankie Thomas, Roy Harris, Charles Williams also are in the cast. Erle C. Kenton directed and Paul Malvern was associate producer.

**Running time, 60 minutes. — **EUGENE ARNEEL**

**"Gunman from Bodie"**

(Monogram)

**Hollywood, Oct. 15**

**P RO DUCER Scott Dunlap's second presentation of the Rough Riders—Back Jones, Tim McCoy and Raymond Hatton—contains a story superior to most of those used for Westerns and wins up, after a slow start, on the plus side of average for its bracket.

There's more riding and less shooting in this than in most plums pictures, and there's a baby in it for the feminine side of theatre patronage. Some singing is also done, by David O'Brien, in better than average manner. Others in the cast are Robert Frazier, Charles King, Lynnton Brent, Max Wazman, Christian MacIntyre, Gene Alcase, John Merton, Frank Larue, Jerry Sheldon and many more.

The plot of this number, directed by Spencer Bennett in high key after a dulling first half, has to do with rustling, water rights, ranch loans, mortgages and some free-handed murthering.

Running time, 62 minutes. — **G.**

**ROSEO WILLIAMS**

**"Stolen Paradise"**

(Monogram)

**Chicago, Oct. 15**

**H E AVY handed direction by Louis Gasnier, a trite story and bad acting throughout makes this dull and uninteresting screen fare. It formerly was titled "Adolescence."

Levon Janney, Eleanor Hunt, Esther Muir and others struggle through the story of an 18-year-old youth raised in a Catholic mission who falls in love with his 28-year-old stepsister, runs away to join the R.A.F., is wounded and returns to the mission to join the church and leave the outside world behind.

George A. Hirliman produced with photography by Jack Greenhalgh and musical score and direction by Nathaniel Shilkret.

Running time, 62 minutes. — **A.**

**F. LANGDON MORGAN**

**York' Good; L. A. Grossel Generally O**

**Los Angeles, Oct. 15**—"Serge York" was the best bet here in third week at the Warner Holly and Warner Downtown, taking $16,200 and $16,200 all latter, for a total of $30,400. O grosses were off.

Estimated receipts for the week ending Oct. 11:

- "Lady Be Good!" (M-G-M)
  - "We Go Fast" (20th-Fox)
- "Niagara Falls" (RKO)
- "Parachute Battalion" (RKO)
- "Somebody Loves Me..." (20th-Fox)
- "We Go Fast" (M-G-M)

**W A R N E R BROS. (HOLLYWOOD) (36c-46c-55c-75c) 7 days, $13,000. Average, $1,857.**

**W A R N E R BROS. (DOWNTOWN) (3c-46c-55c-75c) 7 days, 3rd w $15,200. Average, ($12,000)**

**'Yank' Is Buffalo Smash at $16,0**


Estimated receipts for the week ending Oct. 11:

- "Hold Back the Dawn" (Para.)
- "World Premiere" (Para.)
- "The Smiling Ghost" (W.B.)
- "Wild Geese Calling" (M-G-M)
- "We Go Fast" (20th-Fox)

**W A R N E R BROS. (HOLLYWOOD) (36c-46c-55c-75c) 7 days, 2nd w, $14,000. Average, $2,000.**

**W A R N E R BROS. (DOWNTOWN) (3c-46c-55c-75c) 7 days, 3rd w, $15,200. Average, ($12,000)**

**'Geese' and 'Heidi' Get $15,400, Omal**

**OMAHA, Oct. 15**—The stage-sec combination of "Wild Geese Flyin" and Horace Heidi pulled $15,400 the Orpheum at higher prices. I was reported as cool. Estimated receipts for the week ending Oct. 7-8:

- "The Little Fawns" (RKO)
  - "Dawn Bell" (35c-50c-75c) 7 days, $7,100. Average, $1,014.

**W A R N E R BROS. (HOLLYWOOD) (36c-46c-55c-75c) 7 days, 2nd w, $14,000. Average, $2,000.**

**W A R N E R BROS. (DOWNTOWN) (3c-46c-55c-75c) 7 days, 3rd w, $15,200. Average, ($12,000)**

**J o i n s R e p u b l i c S t a f f**

**INDIANAPOLIS, Oct. 15**—Dan Peuck

**With Metro Exchange**

**NEW HAVEN, Oct. 15**—Henry Woods is the new M-G-M checking here, assigned to northern Indiana sales.
Dakota' Show
Boston's Lead
With $19,000

Boston, Oct. 15.—"Badlands of
motion" with a stage show featuring
Andrews Sisters, Joe Venuti and
Presta and Gloria Gilbert led the
way with $19,000.

Estimated receipts for the week end-
ing Oct. 7:

broad of Dakota" (Univ.)
BEETHOVEN-TOWNSEND (20th-Fox)
3 (4c-4e-5a) 7 days, $19,000.
(Average, $3,500)

his Woman Is Mine" (Para.)
nard of Michigan" (Col.)

ais of Michigan" (Col.)

ep Week (W.)

n Ladies in Love" (M-G-M)

is Get Away" (M-G-M)

artists—2,000, (20c-28c) 7 days,
($10,200. ($1,700)

Dawn' in Detroit
Guts Big $17,500

Detroit, Oct. 15.—"Hold Back the
men" and "Henry Aldrich for Presi-
dent" grossed $17,500 at the Michi-
gan, while other theatres reported av-
verage business.

Estimated receipts for the week end-
ing Oct. 7:

in Valley Serenade" (20th-Fox)
lying Cadets" (Univ.)
GRAND-PAUL (20th-Fox)
3 (3c-5c-6a) 7 days, $16,000.
(Average, $2,600)

his Wife" (Cal.)

is Woman Is Mine" (Univ.)

held Back the Dawn" (RKO)

ry Aldrich for President" (Para.)

ichigan—(M-G-M)

is in the Argentia" (RKO)

in Tyrolean" (W. B.)

get Away" (M-G-M)

rated artists—2,000, (20c-28c) 7 days,
($10,000. (Average, $1,700)

Charter Calif. Company
San Francisco, Oct. 15.—Sunny-
mount Theatres, Inc., has been incor-
porated here with a capital stock of
$50,000, announced by Joseph F. Can-
non, L. S. Hamm, B. E. Kragen and
J. Jacobs.

Wins Softball Title
Wilkes-Barre, Pa., Oct. 15.—The
steel Mill Softball Team knocked out the
Capital All-Stars, 21 to 20, on the
Kirby Park.

Reviews

"Sundown"
(Wanger-United Artists)

Hollywood, Oct. 15

TAKEN from Barre Lyndon's Saturday Evening Post serial of some months ago, "Sundown" comes to the screen as a romantic melodrama-adventure story laid in Africa. The story is of Axis plans to furnish the natives for an uprising against the British colonial outposts; the time, 1941. A well-acted cast, impressive scenery and effects, and production sheen of high caliber feature the Walter Wanger production, produced and directed by Henry Hathaway.

Gene Tierney as the supposed half-breed trader; Bruce Cabot, George Sages and Reginald Gardiner as the British colony administrators. Joseph Calleia as the Italian principal of one, Sir Cedric Hardwicke and Hardy Carey head the cast of the picture.

The Lyndon story is changed somewhat in the film version of the piece; it suffers by not being played as straight melodramatic adventure stuff as originally written. It winds up with one of the characters expressing confidence in a complete British victory in the war.

Action ranges from murder, arms smuggling and hand-to-hand fighting to machine gun and tear gas conflict. Technically, the picture is most impressive, its photography of the highest order, its background painstakingly done.

Running time, 90 minutes. "G."* VANCE KING

"Death at a Broadcast"
(Film Alliance—Astor)

HANDICAPPED by faulty sound and photography, this has little to re-
commence it. It was made in England by Hugh Percival, acquired by Film Alliance, and under a recent distribution arrangement will be released by Astor Pictures.

The picture, when originally released in England as "Death at Broad-
casting House," apparently had entertainment value, for it has a cleverly developed mystery plot for films of its type. In its present worn condi-
tion, though, as seen at a showing at the New York Theatre on Broad-
cast, is not stimulating very highly.

Ian Hunter and a number of unknown British players are in the cast. Reginald Denham directed.

Running time, 75 minutes. "G."+ EUGENE ARNELL

"G" denotes general classification.

York' New Haven Winner at $10,200

New Haven, Oct. 15.—"Sergeant
York" drew $10,200 at the Roger
Sherman at higher prices. "Honky
Tong," dawling at the Loew-Poli-
with "Harmon of Michigan," grossed a
$7,500.

Estimated receipts for the week end-
ing Oct. 7:

"Lady Be Good" (M-G-M)
"Dressed to Kill" (20th-Fox)
"College" (MG-M)
"Honky Tong" (M-G-M)
"The Bridge" (R.K.O.)
"San Antonio Rose" (Univ.)
"New York Town" (F.K.O.)
"Serengeti Yeik" (W. B.)
"Roger Sherman" (20th-Fox)

Branch Personnel Is Shifted in Seattle
Seattle, Oct. 15.—A number of
changes in personnel of Seattle film
exchanges were announced this week,
announcing the following:

Morton Endert has resigned as
ad salesman for Warners, to work at
the Todd Shipyards. Margaret Baam,
secretary to Neal Walton of Columbia,
has resigned and will be succeeded by
Genevieve Daly. Rex Rathburn, ship-
perintendent, has resigned to work
for Boeing Aircraft, and is being suc-
cceeded by William Voss. Muriel Keel
has been added to the billing depart-
ment staff at Paramount.

"Honky Tong" Takes
$14,000, Providence

Providence, Oct. 15. — "Honky-
Tong" and "Niagara Falls" in a sev-
entha week at Loew's State took $14,-
000. Excellent weather over the week-
end sent large crowds to the beaches,
bathing business.

Estimated receipts for the week end-
ing Oct. 8-9:

"My Life With Caroline" (RKO)
"The Gay Falcon" (RKO)
"RKO-ALBEE—2,000" (26c-39c-50c)
"Loew's State—4,250" (28c-39c-50c)
"Belle Starr" (20th-Fox)
"The Bride Wore Crotch" (20th-Fox)
"Majestic—2,250" (28c-39c-50c)
"I'd Sell My Life" (Mirrel-Anderson)
"Congo" (Univ.)

TOP-RANKING stars, is
ALREADY being hailed as
ONE of the outstanding
film dramas
OF the year!
for it is a
STORY that
LITERALLY
TEEMS with
ACTION and
ITS romantic
CONFLICT is one
OF the most
EXCITING ever
TO be recorded
UPON film! So
WATCH for
"MERCY ISLAND!" It's
COMING to your local theatre
SOON . . . it's

A REPUBLIC PICTURE

THRILLS AHEAD
with a
BIG PICTURE

IMAGINE this dramatic
SITUATION — a bewitching
BLONDE beauty shipwrecked
UPON a primitive
TROPICAL isle—
WITH two men . . .
BOTH torm with
LONGING for
HER love! Then
IMAGINE these
FAVORITE stars on the
SHIPWRECKED three—
HANDSOME RAY MIDDLETON,
GLAMOROUS GLORIA
DICKSON, and fascinating
OTTO KRUGER. No wonder that
"MERCY ISLAND," the
FORTHCOMING
REPUBLIC picture
WHICH brings you
THIS thrilling story
WITH these three

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A REPUBLIC PICTURE
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<td>(1941-42)</td>
<td>Hold Back the Dawn (D) 4103 Charles Boyer</td>
<td>(1941-42)</td>
<td>Last of the Duanes (O) 209 Man at Large (D) 210</td>
<td>Lydia (D) Merle Oberon Alan Marshal</td>
<td>It Started With Eve (M) Deanna Durbin (1941-42)</td>
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<td>Oct. 3</td>
<td>Two Latins from Manhattan (M) Jinx Falkenberg</td>
<td>(1941-42)</td>
<td>Buy Me That Town (D) 4102 Lloyd Nolan</td>
<td>(1941-42)</td>
<td>Sailors on Leave (C) 109 Wm. Lundigan Shirley Ross</td>
<td>(1941-42)</td>
<td>Father Takes a Wife (C) 204 Menjou-Evans</td>
<td>New Wine (M) Iona Massey Alan Curtis</td>
<td>Mob Town (D) Dead End Kids Tough Guys (1941-42)</td>
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<td>Oct. 10</td>
<td>Texas (O) Wm. Holden Clare Trevor</td>
<td>(1941-42)</td>
<td>Stolen Paradise (D) Tonto Basin Outlaws (O)</td>
<td>(1941-42)</td>
<td>Nothing But the Truth (C) 4101 Bob Hope</td>
<td>(1941-42)</td>
<td>Bandit Trail (O) 281 Tim Holt</td>
<td>Great Guns (C) 212 Riders of the Purple Sage</td>
<td>Never Give a Sucker an Even Break (C) W. C. Fields (1941-42)</td>
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<td>Oct. 17</td>
<td>Blonde from Singapore (D) Roaring from Rocky Mountain (O)</td>
<td>(1941-42)</td>
<td>Married Bachelor (C) 205 Robert Young Ruth Hussey</td>
<td>(1941-42)</td>
<td>Top Sergeant Mulligan (D) Nat Pendleton</td>
<td>(1941-42)</td>
<td>All That Money Can Buy (O) 415 Argirl-Huston</td>
<td>Weekend in Havana (M) 126 Faye-Remenda</td>
<td>International Squadron (D) 106 Ronald Reagan (1941-42)</td>
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<td>Oct. 24</td>
<td>3 Girls About Town (C) Joan Blondell Binnie Barnes</td>
<td>(1941-42)</td>
<td>Smilin' Through (M) 206 J. MacDonald Gene Raymond</td>
<td>(1941-42)</td>
<td>Spooks Run Wild (D) Bela Lugosi</td>
<td>(1941-42)</td>
<td>Gay Falcon (D) George Sanders</td>
<td>Niagara Falls (D) (Streamliner) Tom Brown</td>
<td>The Maltese Falcon (D) 107 H. Bogart Mary Astor (1941-42)</td>
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<td>Oct. 31</td>
<td>You Belong to Me (C) B. Stanwyck Paul Henreid</td>
<td>(1941-42)</td>
<td>Feminine Touch (C) 207 R. Russell Don Ameche</td>
<td>(1941-42)</td>
<td>Riding the Sunset Trail (O) Tom Keene</td>
<td>(1941-42)</td>
<td>Dumbo (Disney Feature) 293</td>
<td>Sundown (D) All American Co-Ed (C) (Streamliner)</td>
<td>Hard Guy 205 (PRC) Jack LaRue (1941-42)</td>
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<td>Nov. 7</td>
<td>The Stork Pays Off (C) M. Rosenbloom Rochelle Hudson</td>
<td>(1941-42)</td>
<td>Zis Boom Bah (C) Grace Hayes</td>
<td>(1941-42)</td>
<td>Sky Lark (C) C. Colbert Ray Milland</td>
<td>(1941-42)</td>
<td>Hot Spot (D) 216 Grable-Lansdowne Vic Mature</td>
<td>Appointment for Love (D) Charles B. M. Sullivan (1941-42)</td>
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<td>Nov. 14</td>
<td>Secrets of the Lone Wolf (D) Warren Williams</td>
<td>(1941-42)</td>
<td>I Killed That Man (D) Ricardo Cortez</td>
<td>(1941-42)</td>
<td>The Devil Pays Off (D) J. E. Bromberg</td>
<td>(1941-42)</td>
<td>Small Town Deb (C) 217 Jane Withers Jane Darwell</td>
<td>Swing It Soldier (C) Ken Murray Frank Langford (1941-42)</td>
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<td>Nov. 21</td>
<td>The Man in Her Life (D) Loretta Young Conrad Veidt</td>
<td>(1941-42)</td>
<td>Double Trouble (C) Harry Langdon</td>
<td>(1941-42)</td>
<td>Sierra Sue (O) 143 Gene Autry Smiley Burnette</td>
<td>(1941-42)</td>
<td>Swap Water (D) 218 Huston-Brown Donna Andrews</td>
<td>Corsican Brothers (D) (Streamliner)</td>
<td>Lone Rider Fights Back 168 (PRC) George Houston (1941-42)</td>
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<td>Nov. 28</td>
<td>Go West Young Lady (C) P. Singleton</td>
<td>(1941-42)</td>
<td>Tuxedo Junction (C) The Weavers</td>
<td>(1941-42)</td>
<td>Mexican Spitfire's Baby (C) Errol Flynn</td>
<td>(1941-42)</td>
<td>Keep 'Em Flying (C) Abbott-Lucia Marsha Raye</td>
<td>Miracle Kid 213 (PRC) Vicki Lester (1941-42)</td>
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<td>Dec. 5</td>
<td>Sing for Your Supper (C) J. Falkenberg Buddy Rogers</td>
<td>(1941-42)</td>
<td>Tuxedo Junction (C) The Weavers</td>
<td>(1941-42)</td>
<td>Twin Beds (C) Fiesta (M)</td>
<td>(1941-42)</td>
<td>Don't Get Personal (C) Hugh Herbert</td>
<td>Swamp Woman 201 (PRC) Anne Corso (1941-42)</td>
<td>Swamp Woman 201 (PRC) Anne Corso (1941-42)</td>
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Heavy Casting Marks Big Studio Production Effort

Hollywood, Oct. 15

ROBERT YOUNG and MARSHA HUNT will be featured in M-G-M's "Joe Smith, American," which Richard Thorpe will direct. . . .

JACK MOFFITT has been given a term writing contract at Warners. . . .

Wanger Leaves U.A. to Form His Own Unit

(Continued from page 1)

motion pictures, and with so much of the pro- lific Golden Age being taken over by television, there was a natural tendency towards production by film names in radio. This is the angle that Wanger is trying to hit, with his new company called Wanger Productions, Inc., in which U. A. owns a 50 per cent interest. With his departure U. A. comes into 100 per cent ownership of this production unit, the first in which that company has ever been directly associated in production to the extent that U. A. was with Wanger. Wanger's original investment in the unit is said to have been $250,000. U. A. has a similar investment, it was said.

Facilities Not Involved

No studio equity or production equipment is involved in the dissolution deal, although Wortham was named in the unit, a company announcement stated, for "full value." It was not indicated when payment is to be made. At the same time, the company announced that it would continue operation of the unit on its own and that it was the firm's intention to change the name of the unit to United Artists Productions, Inc.

"The Eagle Squadron," which Wanger is about to produce, will be an independent effort of Wanger. He leaves for Washington today and then returns to New York, after which he will fly to London, which may be on Saturday, in connection with the production of this film.

No Release Set

Wanger has no new releasing deal set. His affairs are completely his own, it is said.

Since the matter was only brought to a head yesterday, according to report, U. A. has not yet selected a successor to head the new production unit.

Wanger's New York offices will continue for the time being as is, it is said, but the likelihood exists that they may be closed on or before Nov. 15, depending upon conditions. Harry Kosiner is in charge of Wanger's offices here.

The cancellation of Wanger's releasing and financing contracts with United Artists was effected as part of the deal.

RKO RADIO PICTURES, Inc.,
TRADE SHOWING
NEW YORK, N. Y.

Thursday, Oct. 23, at 11:00 A.M. and 2:30 P.M.
"WEEK-END FOR THREE"
RKO PROJECTION ROOM
630 NINTH AVE., NEW YORK, N. Y.
U.S. Asks for Wide Relief in Crescent Case

(Continued from page 1)

during the seventh 'milk' trial which closed early in September.

The Crescent company was expected to file its findings tomorrow, and all defendants will file briefs by Nov. 13. Hearings in the Crescent trial are set to begin here Dec. 1 before Federal Judge Elmer Davies.

Ask Injunction

Practically the only mention of distributors in the summary of the Government brief and the prayer for relief was that the distributor defendants be enjoined from licensing pictures for exhibition in any theatre in any town where a defendant exhibitor operates a theatre, except on a local competitive basis.

Universal's 43-page document maintained that exclusivity of run and clearance are arrived at by separate negotiations with each exhibitor and "are as much a part of each particular license agreement as any of the other terms and conditions thereof."

"It is clear from the testimony," the brief said, "that Universal committed no offenses under the Sherman Anti-trust law and did not contract, combine, or conspire with defendant exhibitor to suppress the competition of any independent exhibitor, with the possible exception of the one related instance relating to the theatre of J. D. Henry in Union City, Tenn.

Universal Explains

Universal's filing declared its witnesses' testimony controverted Government testimony as to this instance and "clearly demonstrates the documentary evidence." A long explanation of the Henry incident followed.

The court was asked to conclude by law that a distributor dealing separately and independently, has the right to select its own customers, and to determine whether or not it will license the exhibition of its pictures in the various theatres which may apply, and upon what terms.

United Artists' declaration stated that the distributor's contracts and collection agreements with Crescent were "in no respect different from the prior United Artists contracts except in an increased number of affiliated corporations and towns covered."

Compulsion Charged

An index heading in the Government brief was entitled, "The Defendant Exhibitors Compelled the Major Distributors To Discriminate Against Competing Independent Theatres by Circuit Buying Power." This section covered 74 pages.

Government submitted that on the record here, and the following specific relief, in addition "to such dissolution and general injunction as the court shall grant, should the distributor defendants against further violation of the act, is necessary to make individual theatre competition possible against the theatres in the Southern circuit" outside of Nashville, Tenn.

Musicians Strike on CBS; Expect NBC Walkout Today

(Continued from page 3)
in some doubt at a late hour last night because of conflicting stories that the union and the networks were about to agree.

Union officials stated that musicians were ordered off sustaining programs which originated either in New York or Pittsburgh on both CBS and NBC networks. NBC, however, continued with its sustaining programs, except remote pickups, although the network was preparing for a strike call this morning.

Strike Effective 4 P.M.

The CBS strike became effective at 4 P.M. when the "Columbia Concerts" program had to be cancelled. The network made a brief announcement at that time and before all other scheduled sustaining shows pointing out that there was a dispute between CBS and the AFM but that the local Pittsburgh situation had caused the strike call. The network substituted sustaining programs composed by organists from out-of-town stations, and similar programs for the cancelled musicals. NBC was making similar plans.

Both networks were under the impression that only sustaining originating in New York or Chicago were to be affected and that they would be free to make arrangements for pick- up's from other cities but this issue was not cleared up by last night's news.

A strike was called against NBC-Red about four weeks ago because of station difficulties in New Or-leans. After this strike was settled, the network declined to restore the remote pickups and continued with sustaining programs. An attempt was made to present some of these studio programs, however, were based primarily around the studio bands.

'Good Neighbor' Affected

One of the major programs on NBC which will be affected is the last of the "Good Neighbor" series which was scheduled on the Red at 10:30 tonight. The orchestra left for Washington yesterday to give the concert which will be attended by a large group of U. S. officials. NBC plans to go ahead with the concert even if it is presented by substitute groups.

Nine programs were affected by the CBS order yesterday and there will be a total of 65 for the week. On the Red, if the strike is called, 19 programs will be halted, and 37 will be halted on the Blue.

Refiles Clearance Complaint in Albany

The American Theatre, Albany, refilled its clearance complaint against Warners and RKO yesterday in an amended form complying with directions given by the national appeals board.

On Oct. 4, the appeals board refused to consider the case on its merits and, reversing Morton J. Hall, arbitrator, who had granted the American Theatre a clearance reduction, dismissed RKO's appeal from that award on the grounds that the original complaint had not been filed within the 60-day rule. The amended complaint filed yesterday sustains St. Lawrence Investors, Inc., owner of the American, for A. P. Papayananos, an officer of the company who filed the original complaint. The same substitution also is made in the submission papers. As a result, the appeals board which was excluded in the pleadings:

What U. S. Asks

1. Invalidity of the existing franchises.
2. Invalidation of the existing agreements not to compete in the future.
3. Injunction against granting to each of the exhibitor defendants from conditioning the licensing of films in any theatre situation outside of Nash-ville where independent films now exist or later occurs upon the licensing of films in any other theatre situation.

4. An injunction which will prevent each of the exhibitor defendants from acquiring a financial interest in additional theatres outside of Nashville, except after an affirmative showing by them that the effect of such acquisition will not be to restrain competition unreasonably.

now will consider the case on its merits.

Maryland House Files Complaint on Clearance

WASHINGTON, Oct. 15.—The Charles Theatre, LaPlata, Md., filed a clearance complaint at the local arbitration board here today (Oct. 15) against Loew's, seeking the elimination of the clearance granted the Maribo Theatre, Marlboro, Md., over the Charles.

The complaint also seeks a clarification of past and present sales policies on which Loew's sold the Warner Theatre to the Charles, and the process of the decree does not provide for arbitration of such a demand.

A hearing is scheduled in three hours at the local board today on the clearance complaint of Sam Mellitus, owner of the Dentonia, Denton, Md., asking to make the decision in a few days.

Mayors Are Sued

By N. J. Exhibitor

(Continued from page 1)

press Theatre from getting product. It is contended that Ventnor Realty, which formerly operated the Empress Theatre in Ventnor, N. J., opened the Embassy nearby and that the new theatre is receiving the run which plaintiffs claim belongs to the Empress. It is also charged that the Embassy, where the Empress previously played third run in Atlantic City, it now is offered ninth run.

‘Yank’ Frisco

High Grossest

With $20,500

SAN FRANCISCO, Oct. 15.—"A Yank in the R. F. A.,” zoomed to $20,500, the Fox. “Lydia” at the United Artists drew $8,400. The weather turned good.

Estimated receipts for the ending Oct. 7-9:

"Parachute Battalion" (RKO) 90,000-


"Lydia" (U. A.) 40,000-7,000. Stage: vaude-

ville. Gross: $3,100.

"Mob Town" (Univ.) 2,000-3,000. Stage:


"Buy Me That Town" (Paramount) 2-

6,000-7,000. Stage: vaudeville. Gross:

$1,150.

"A Walk in the R. F. A." (20th-Fox) 15,000-

2,000-3,000. Stage: vaudeville. Gross:

$1,800.

"Highly Priced for President" (Para.) 15,000-

2,000-3,000. Stage: vaudeville. Gross:

$1,150.

"Highway West" (W. B.) 15,000-

2,000-3,000. Stage: vaudeville. Gross:

$1,150.

"Kokan" (State Rights) 15,000-

2,000-3,000. Stage: vaudeville. Gross:

$1,150.

"Honky Tonk" (M-G-M) 15,000-

2,000-3,000. Stage: vaudeville. Gross:

$1,150.

Independent Radio Stations Organize

CHICAGO, Oct. 15.—Representatives of 68 independent stations, meeting at the Drake Hotel here yesterday, organized the National Independent Broad- casters, Inc., for an organization as from the National Association of Broadcasters, the National Independent Broadcasters.

Committees were named on organi-

zation, membership, super-power plans. The organization is to be associated with Ascap officials on a $1 program license basis. An election the organization will be held early next year with officers and directors to be elected.

RKO Will Not Sell

Minn. Under Decr

(Continued from page 1)

If appeals are to be taken they will be handled in Minnesota within the next week.

Graddwell L. Sears, Warners' press manager, has revealed that his company would not sell in Min-

nesota while it was bound by the company's selling method and until higher standards in the co-

tentuation of the Minnesota 1 United Artists has announced its terms of withdrawal from the state on Oct. 25.

Mayor Addresses

Ampa Lunch Today

(Continued from page 1)

Nizer, film attorney, who will act as master of ceremonies during the lun-

cheon.

Among those who have indicated their intention of attending are G. Van Schrappa, Cliff Griggs, A. Krouhge, Jack Cohn, John Gof, Francis Harmon and Louis De Ron-

ront.
ara. May Ask 
eree Escape 
in Minn. Sales

ew's Will Not Sell in State Under Decree

circles heard yesterday was likely that one major
pany, possibly Paramount, was 
sidering the advisability of go-
before Federal Judge Hen-
Goldhard, here, and the attractions
nt to them special dispensation
 or the New York case consent
 to sell their product in Min-
 otherwise than is condi-
ed by the decree term.

Loew's will not sell in Minne-
 it was learned officially
erday, while the decree is in

Paramount's procedure has not been
\*ed. One of the ques-
 which must be answered is
ether the intent of the move is to
 the way for selling only to its

rosses on B'way

ave Bright Week

usiness at Broadway first runs
ip well this week in the wake of
ery healthy Columbus Day hold-
-weekend. Most of the attractions
olders, and two pictures are 
ning, "A Yank in the R. A. F.
starts a fourth week today, "Roxy, and "Hokey Tonk," which
 an a third week yesterday at the

in its third week, "A Yank in the
. A. F." with a stage show feature-
Nicholas Brothers, continued with an estimated gross of $32,600.

.B. Release Dates

et on New Films

owdewell L. Sears, general sales
ager of Warners, has announced
ates on several new pictures,
 Died With Their Boots On
et for release Nov. 27; "The Man
Come to Dinner," Dec. 25; "To-
's Room," Jan. 1, 1942; "Captains
 the Clouds," Feb. 12, and "The
imal," Feb. 22.

er new films on which release
tes have not yet been set include:
ridge Built at Night," "All
ough the Night," "Wild Bill
ock Rides," "Remember Tomorrow,"
 and "You're in the Army Now."

FP Canadian Gives 
Wage Increases 
Ranging Up to 10%

TORONTO, Oct. 16.—Increases in wages up to a maximum of 10 per
cent went into effect this week for all theatre and home office employees of
Famous Players Canadian Corp., across the Dominion, to meet the
higher cost of living.

The increase amounts to 10 per
cent for all employees earning up to $25 per week, with progressive smaller
percentages of increase in the higher
salaries brackets.

Managers of theatres only are ex-
empted from the wage increase order,
because they are able to participate in
the distribution of business quota
bonuses, based on the annual compa-
rative receipts showing of each theatre.

Ex-Gov. Brucker
Arbiter in Detroit

William M. Brucker, former Gove-
ror of Michigan, has been designated
arbitrator for the specific run com-
plaint file at the Detroit arbitration
board against the five consenting com-
pagnies by Irving A. Moss, owner of
the Parkside Theatre, Detroit.

The complaint names the Co-Opera-
Theatres of Michigan and the
Paramount-owned United Detroit
Theatres as interested parties. A hear-
ing date has not been set. Special
interest attaches to the case due to the
fact that it was among the first
specific run complaints to be filed after
Sept. 1, when the provisions of the

No Foundation to UA 
Bid Report: Bernhard

Joseph Bernhard, president and
general manager of Warner Bros.
Circuit Management Corp., when asked yes-
terday regarding reports that
linked him with the presidency of United
Artists, stated that they were
"without foundation."

"At first," he said, "these rumors were amusing but now they have become an-
noying. They are, of course, without foundation."

Michel Tells 
Bioff Jury of 
$90,000 Fund

W. C. Michel, executive vice-presi-
dent of 20th Century-Fox, yesterday
told Federal Court Judge John C.
Knox and a jury in the trial of George
E. Browne and William Bioff, that
Sidney K. Kent, 20th-Fox president,
"called him on either April 23 or
May 24, 1939, the period of the basic pact con-
ferences, and told him of the necessity
of raising $90,000 in cash. The trial
"yesterday was recessed to Monday.

The trial was interrupted during the
afternoon to permit Dr. Harry Gold,
heart specialist to testify that it would
be impossible for Kent to testify either

9,200 Block Deals
For Metro: Rodgers

Loew's has closed approximately
5,700 deals with independent exhibitors
for its first block of new season's product and
3,500 deals for the second
block, William F. Rodgers, vice-presi-
dent and general sales manager, rep-
ported yesterday.

Rodgers cited the figures as illustra-
tive of the smoothness with which sell-
ing under the deferred system is pro-
gressing insofar as his company
is concerned.

"Never in the history of the company
have we sold so rapidly," Rodgers
said.

(Continued on page 6)

Technician Report Blow to 
English Production Plans

LONDON, Oct. 16.—The production
plans of British and American pro-
ducers here are seen as suffering a
severe blow in the final recommenda-
tion of the joint industry-Government
committee on technical manpower.

The report, which will go to the
Ministry of Labor, approved the im-
mediate call for military service of
younger men and the subsequent call-
ing of older men within the military
age range, with the exception of 400
technicians whose call has been
indefinitely deferred.

It is hoped to train women to re-
place men in the meantime. The rep-
port pays lip-service to the need for
continuity of production in British

Theatre Ads Not Cut
In Newsdealer Strike

No curtailment of theatre advertis-
ing in the eight New York newspapers
at odds with the newsdealers is
planned, it was learned yesterday.

Some circuit advertising heads
pressed the opinion that despite the
newsdealers' boycott or strike the
circulation of the dailies had not fallen
off to an extent that would warrant such
action.

Late yesterday the State Medi-
ion Board reported that peace negotia-
tions are under way and it was hopeful of
an early settlement. Meanwhile, pub-
lisheers are making the papers avail-
able through crews of newsboys.

(Continued on page 7)

Film Probe Hit 
As Censorship

By LaGuardia

Praises Film Defense Aid 
In Amra Address

By SHERWIN A. KANE

Attacking the motives and
method of procedure which brought
about the Senate subcommittee's
investigation of alleged motion picture
propaganda, Mayor P. H.
LaGuardia yesterday congratulated
the industry "for standing up to
toe and fighting" those responsible
for the "investigation."

Speaking at the Amra lunch-
emon meeting at the Hotel Edi-
son yesterday, Mayor LaGuardia
indicated that he saw in the
subcommittee's procedure an at-
tempt to regulate the screen by
extra-legal procedure.

"If facts depicted on the screen," he
said, "are to be subjected to censor-
ship through intimidation, then the
public might as well know it. All the
liberty that is granted to the press
should and must be granted with

William Fox to Be
Sentenced Today

PHILADELPHIA, Oct. 16.—William
Fox, bankrupt former film executive,
will be sentenced tomorrow morning
by Judge Guy K. Bard in U. S. Dis-
trict Court here on his plea of guilty
of conspiracy to obstruct justice and
deprad the United States. He was
the Government's star witness in its
two unsuccessful trials of Circuit
Judge J. Warren Davis on similar
charges.
Personal Mention

Barney Balaban left for the Coast last night.

Mr. and Mrs. Harry Coix arrived from the Coast yesterday on the American Airlines’ Mercury.

Milton Schwarzwald, producer, arrived yesterday from the Coast by plane.

Oliver Unger is on a trip through New York State.

John Grierson, film commissioner of Canada, is in town.

Cinema Lodge Holds Ball Tomorrow Night

The second annual banquet and ball of the Cinema Lodge, B’nai B’rith, will be held tomorrow night at the Hotel Astor. Several hundred persons, including members and guests, are expected, according to officials. The entertainment committee headed by Bob Weirton has planned a program which is expected to include Dinah Shore, Larry Adler, Eddy Duchin, Xavier Cugat and his show, Linn Romay and Phil Spitalny and his choir, among others. Vincent Lopez and Ralph Rogers and their bands will play for dancing.

Pep Club Dance Tonight

The Paramount Pep Club will hold its annual dance this evening in the Belvedere Room of the Hotel Astor.

Radio City Music Hall

Radio City Music Hall

“All That Money Can Buy”

Edward Arnold — Walter Huston

Personnel: William Dietelser

On the Great Stage: "Six Satins-Callos-

Groundhog " — Joseph Santley, Composer-Conductor, New York Symphony Orchestra, direction of Erna Rayer.

Music: Mezzie Smith, Sextet, Band: 9-6000

Charles Boyer

De Havilland Goddard

HOLD BACK AND BAND THE DAWN

A Paramount Picture

PARAMOUNT TIMES SQUARE

Tyrone Power

“A Yank in the R.A.F.”

with Betty Grable

Plays a Big Box Office Picture

Plus a Big BOX ROXY

7th Avenue Stage Show

8th Street

Bette Davis

"The Little Foxes"

"Moonlight in Hawaii" with Leon Errol.

Motion Picture Daily

Friday, October 17, 1938

Late News Flashes from the Coast

Hollywood, Oct. 16

THE staff of Walter Wanger Productions, Inc., is to be reduced, effective Nov. 15, following the deal closed yesterday in New York whereby United Artists acquired Wanger’s share of the company. Eleven persons are affected, including John LeRoy Johnston, publicity and advertising director; Percy B. Guth, comptroller; Walter Reynolds, cutter, and secretaries, clerks and auditors.

Lester Ziffren, for the last three years a writer at 20th Century-Fox, today was appointed assistant to Sol M. Wurtzel, executive producer.

Twentieth Century-Fox will seek permission from Washington, it was announced, to send a camera crew to Iceland for background shots for use in the picture “Iceland,” which will star Sonja Henie. The story will develop has a locale of contemporary Iceland with United States and British soldiers present.

Republic today “borrowed” Marjorie Weaver from 20th Century-Fox and signed James Ellison to play the leads in “Mr. District Attorney” and “The Carter Case,” an announcement stated.

The Hollywood industry will give a luncheon Oct. 22 for the National Association of Commercial Organizations. Secretaries at its 27th annual convention in Los Angeles. The event will be held at the M-G-M studio with Louis B. Mayer and Y. Frank Freeman, Producers’ Association president, as hosts.

Theatre Heads Meet On Hudson Campaign

Detroit, Oct. 16.—Arrangements for a statewide campaign launching the plan of Earl Hudson, president of United Detroit Theatres, to “sell” the industry to the public were made today at a meeting of heads of various theatre groups in this area.

The campaign will be instituted shortly in Michigan theatres, it is planned. Ray Blanch, head of Michigan Allied, who called the meeting, is expected to reveal details of the plan tomorrow. After he has contacted members of the organization’s board.

To Honor IA Head, Fire Chief in Phila.

Philadelphia, Oct. 16.—The local industry will sponsor a testimonial dinner in honor of Louis Kohn, in Philadelphia today at a dinner to be held at the Hotel Statler. Chief Kohn is a leading man of the IA.T.S.E.

Mass for M.A. Shea To Be Held Tuesday

Employes of the New York office of Shea Chain, Inc., have arranged to hold a memorial mass next Tuesday at Holy Cross Church, 22nd Street, for the late Maurice A. Shea, circuit head, who died Oct. 19, 1940. The memorial mass will be held at 9-30 A.M.

Mayer, Strickling, Korda Fly to Coast

Los Angeles, Oct. 16.—Louis B. Mayer, M-G-M production chief; Howard Strickling, publicity director; and Alexander Korda, producer, left for the Coast last night on the American Airlines’ Mercury.

Exhibitor Is Rescued

Columbus, O., Oct. 16.—Fred W. Rowland, owner of the Parsons Theatre, and co-owner of the Columbus. Bain and Hollywood, was rescued, with three other men when a speed-boat overturned during a Lion’s Club outing on Buckeye Lake yesterday. Two other men were drowned.

M. P. Associates Meet

Motion Picture Associates at a luncheon at the Hotel Lincoln made plans for their annual dinner and dance Nov. 19 at the Hotel Astor. Jack Ellis is handling the affair.

Newsreel Parade

The weekend reels have an interesting and significant subject captured Nazi spy ship escorted by a Nazi war picture from Africa also are shown. T contents:


Disney Due Mond & From South Ameri

Walt Disney will arrive here on Santa Clara on Monday from a two month stay in South America. It is expected that he will remain over New York to attend the opening of his new RKO film, “Dumbo,” at the Strand Theatre Tuesday evening.

In Disney’s party are: Mrs. Dick John Rose, Mr. and Mrs. Will Comstock, Marie Underwood, Stars, Webb Smith, Joseph Bodin, Janet Martin and Franklin Thomas.

Motion Picture Daily

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday, Columbus Day, Thanksgiving Day, Christmas, New Year’s Day.

Headquarters, 1276 Sixth Avenue, Rochester, N. Y., Building, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City.

Weekly Motion Picture Daily

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Headquarters, 1276 Sixth Avenue, Rochester, N. Y., Building, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City.
FOR THE FIRST TIME IN HISTORY

FIRST RUNS ON B'WAY!
6 weeks at the Astor, 8 weeks at the Hollywood and now an indefinite run at the Strand!

FOR THE FIRST TIME IN HISTORY

AT TWO THEATERS IN LOS ANGELES! The Downtown and Hollywood hold over again — and, simultaneously, the Beverly Hills opens the same hit!

FOR THE FIRST TIME IN HISTORY

A PICTURE GOES FOR A THIRD WEEK IN HARTFORD! Two weeks, occasionally! Never three! Until now!

FOR THE FIRST TIME IN HISTORY

A PICTURE PLAYS AT 6 FIRST RUN HOUSES SIMULTANEOUSLY IN ROCHESTER! Yes, we said six!

THE PICTURE — OF COURSE — IS THE GREATEST MONEymAKER IN HISTORY

'SERGEANT YORK'
The company — of course — is WARNERS!

GARY COOPER
"SERGEANT YORK"
WALTER BRENNAN • JOAN LESLIE
GEORGE TOBIAS • STANLEY RIDGES
A HOWARD HAWKS PRODUCTION
Original Screen Play by Aden Finkel & Harry Tamblyn
Based Upon the Diary of Sergeant York
Produced by JESSE L. LASKY and HAL B. WALLIS
Music by Max Steiner
A WARNER Bros. First National Picture
MOTION PICTURE DAILY

Friday, October 17, 19...

"Yank" Draws Good $21,000 Philadelphia

Philadelphia, Oct. 16. — Unseasonal heat and competition from ballroom dancing cut down large name bands who were featured, held down picture grosses to low levels. However, big hits were registered by "A Yank in the R. A. F." at the Fox, drawing $21,000.

Estimated receipts for the week ending Oct. 16:

"Ludya" (U. A.)
ALDINE—(1,400) (35c-4c-5c-6c-7c) 7 days, Gross: $19,000. (Average, $2,714)

"The Star Look Down" (M-G-M)
AMERICAN—(600) (35c-4c-7c) 7 days, run, Gross: $3,000. (Average, $428)

"When Ladies Meet" (M-G-M)
BOYD—(4,200) (35c-4c-5c-6c-7c) 2nd week, Gross: $3,000. (Average, $1,300)

"Navy Battalion" (M-G-M)
EARLE—(4,000) (35c-4c-5c-6c-7c) 7 days, run, NA. (Average, $1,280)

"A Yank in the R.A.F." (Western Fox)
FLINT—(1,500) (35c-4c-5c-6c-7c) 7 days, run, Gross: $21,000. (Average, $3,000)

"Private Nurse" (20th-Fox)
JOHN—(1,500) (35c-4c-5c-6c-7c) 7 days, run, Gross: $2,000. (Average, $286)

"Moon Over Her Shoulder" (20th-Century-Fox)
KARLTON—(1,000) (35c-4c-5c-6c-7c) 2nd week, Gross: $1,300. (Average, $40)

"Knight's Gambit" (W. B.)
KEITH'S—(2,200) (35c-4c-5c-6c-7c) 2nd run, Gross: $3,500. (Average, $1,450)

"You'll Never Get Rich" (Col.)
STATE—(2,700) (35c-4c-5c-6c-7c) 7 days, run, Gross: $3,000. (Average, $429)

"Private Nurse" (20th-Fox)
STANTON—(1,700) (35c-4c-5c-6c-7c) 3rd run, Gross: $3,500. (Average, $500)

"Heaven" Grosses $21,200 in Capital

Washington, Oct. 16. — In its world premiere week at Warner's Earle Theatre, the Billie Burke poison picture "A Yank in the R. A. F." took a strong $21,200. "The Little Foxes" drew $11,000 in the second week at the Keith, $10,000.

Estimated receipts for the week ended Oct. 8-9:

"Sun Valley Serenade" (20th-Fox)
LONGFELLOW—(1,400) (35c-4c-5c-6c-7c) 7 days, Gross: $3,000. (Average, $435)

"The Little Foxes" (M-G-M)
RKO KEITH'S—(1,840) (35c-5c-6c-7c) 3rd run, Gross: $3,000. (Average, $300)

"One Foot in Heaven" (W. B.)
QUEEN—(2,200) E—(2,200) (35c-2c-4c-5c-6c-7c) 7 days, Gross: $1,725. (Average, $246)

"Navy Blues" (W. B.)
W. B.—(5,050) (35c-4c-5c-6c-7c) 7 days, run, Gross: $3,000. (Average, $550)

"Swillin' Through" (M-G-M)
W. B.—(2,000) (35c-4c-5c-6c-7c) 7 days, run, Gross: $1,000. (Average, $143)

"Lady Be Good" (M-G-M)
RKO CORTINA—(1,250) (35c-4c-5c-6c-7c) (2c-3c-4c-5c-6c) 7 days, run, Gross: $1,250. (Average, $171)

Form Theatre Firm

Sacramento, Oct. 16. — Irvin S. Baltimore, George Baltimore and Leila J. Argue, all of Los Angeles, have incorporated Beverly Amusement Corp. to engage in the operation of theatres in California. Principal offices will be in Los Angeles.

Bad Weather Hits Chicago Film Grosses

Chicago, Oct. 16. — As rainy weather most of the week cut deep into grosses, only two houses scored their "September Special." "Run Wild," aided by the stage play, drew $18,500 at the State-Lake, while "Lady Be Good" just passed average with $16,000 at the Chicago.

Estimated receipts for the week ending Oct. 9:

"Sun Valley Serenade" (20th-Fox)
First place of John W. Scott, Jr., a reserve officer, who was called up for active duty.

"York" Cincinnati Tally Hits $9,300


Estimated receipts for the week ending Oct. 11:

"A Yank in the R.A.F." (3rd-Fox)
RKO ALBEE—(3,300) (35c-40c-50c) 7 days, Gross: $13,300. (Average, $1,900)

"It Started With Eve" (Univ.)
RKO PALACE—(2,500) (35c-40c-50c) 7 days, Gross: $8,700. (Average, $1,240)

"Swing Time" (W. B.)
RKO SHUBERT—(1,000) (35c-40c-60c) 7 days, Stage: George White's Scandals, Gross: $12,500. (Average, $1,786)

"Blind" (W. B.)
RKO CAPITOL—(2,500) (35c-40c-60c) 7 days, Stage: George White's Scandals, Gross: $12,500. (Average, $1,786)

"Unfurnished Business" (Univ.)
RKO PANTHEON—(3,000) (35c-40c-50c) 3 days, 3rd week, Gross: $1,300. (Average, $433)

"Lady Scarecrow" (RKO)
RKO FAIRFIELD—(1,500) (35c-40c-80c) 4 days, Gross: $1,500. (Average, $375)

"Furry, Charlie, Hurry" (RKO)
RKO PANTHEON—(1,500) (35c-40c-60c) 3 days, Gross: $500. (Average, $166)

"Kane Is Montreal Winner at $10,500

Montreal, Oct. 16.—"Citizen Kane" topped the week's receipts, ringing up $10,500 at the Loew's. When "Meet Me" at the Palace drew $7,500.

Estimated receipts for the week ending Oct. 9:

"The Smiling Ghost" (W. B.)
QUEEN—(1,400) (35c-4c-5c-6c) 7 days, Gross: $2,000. (Average, $286)

"Lady Be Good" (M-G-M)
RKO PANTHEON—(2,000) (35c-4c-5c-6c) 7 days, Gross: $1,500. (Average, $250)

"Parachute Battalion" (RKO)
RKO PANTHEON—(2,000) (35c-4c-5c-6c) 7 days, Gross: $1,500. (Average, $250)

"Honesty Tonk' Good Indianapolis Gross

Indianapolis, Oct. 16. — "Honesty Tonk" and "Tank's a Million" did $14,500, one of the year's biggest grosses here, at Loew's, and were held. The weather was mild and rainy.

Estimated receipts for the week ending Oct. 9:

"Hold Back the Dawn" (Para.)
"Flying Blind" (Para.)
"Slam the Door" (M-G-M)
"The Smiling Ghost" (W. B.)
"Lady Be Good" (M-G-M)
"Lady Be Good" (M-G-M)
"Lady Be Good" (M-G-M)
"Sun Valley Serenade" (20th-Fox)
"TEXAS" IS BIG!

TOPS "PENNY SERENADE"
"HE STAYED FOR BREAKFAST"
..."HIS GIRL FRIDAY" AND
"THE DOCTOR TAKES A WIFE"
IN SENSATIONAL OPENING
AT HOLLYWOOD THEATRE,
FORT WORTH!

"TEXAS"

WILLIAM CLAIRE GLENN
HOLDEN * TREVOR * FORD

GEORGE BANCROFT • EDGAR BUCHANAN

Story by Michael Blankfort and Lewis Meltzer • Screen play by Horace McCoy,
Lewis Meltzer, Michael Blankfort • Directed by GEORGE MARSHALL • Produced by SAMUEL BISHOFF

A COLUMBIA PICTURE
Para. May Ask Decree Escape On Minn. Sales

(Continued from page 1)
subsidies from the Motion Picture Amusement Co. or for selling to all Minnesota theatres. There is the possibility that Judge Goddard will be asked only to interpret Section 17 of the decree, for the purpose of determining whether under it Paramount has the right to sell its films to a Minnesota exhibitor in accordance with the Minnesota state law.

Para. Selling Circuit

Under that section a consenting distributor has the right, presumably, to sell its affiliated theatres "in such manner" as may be "satisfactory to it." Acting on this section, Paramount already is selling its new season product to Minnesota Amusement Co. That circuit, in turn, has an M-G-M franchise and has closed with Universal and Columbia. With extended nationwide bookings it is obvious that it is the only Minnesota circuit having that much product available, it might well be able to weather the court-operative situation comfortably.

Warkos, RKO and United Artists already have made known their intention of not selling to Minnesota, leaving 20th-Century-Fox as the only company whose position has not yet been disclosed.

W. F. Rodgers, Loew's vice-president and general sales manager, is known to feel that his company is bound by the court-decree and the Minnesota anti-block law can't change that.

Repeal a Solution

It is Loew's attitude, according to report, that if, as recently represented, a majority of the exhibitors in Minnesota are opposed to the state law, the apparent remedy is to seek a special session of the Minnesota legislature and work for repeal of the law.

That a special session is not an impossibility has been indicated in reports from St. Paul to the effect that one may be called this Fall or Winter to reconsider the state's taxation and finance situation which, reportedly, requires special and early consideration.

The legislature is not scheduled to meet in regular session until next year.

9,200 Block Deals For Metro: Rodgers

(Continued from page 1)

Rodgers stated. The company now is engaged in selling its third block of pictures.

Rodgers viewed completed and nearly completed product during a recent visit to the studio from which he returned early this week. Among the latest news to come from which block will be selected are some of the company's outstanding pictures of the year. Rodgers effects include "Chromatic Soldier," scheduled to open at the Astor on Broadway next week; "Two-Faced Woman," Gaithers; "Babes in Arms," N. Hal- lum, Esq., the "new Thin Man" picture; "Woman of the Year," starring Katharine Hepburn; "Panama Hattie" and "Miss Achille's Heel."
**Ascap-Web Pact Up With Independents**

Officials of NBC, CBS, Ascap and the newly organized Independent Broadcasters, Inc., will confer here today on the new Ascap-network contract.

An agreement with the independents on their share of network grosses from the sales of the new Ascap contract would clear the way for the continuation of the works of the new pact. However, failure to reach an agreement could delay the return of Ascap music to the major networks indefinitely. The conferences will arrive here today from Chicago where the new independent organization was formed this week, with a network and Ascap officials as observers.

**Grosses on B’way Have Bright Week**

(Continued from page 1)

"Honky Tonk" brought an estimated $28,000 in its second week.

**Ex-Gov. Brucker Arbitrator in Detroit**

(Continued from page 1)

Consent decree relating to that type of complaint went into effect. Indica-
tions are that it will be the first case to be decided and may establish precedents for similar complaints.

**Order Petrillo Quiz In Action by AGMA**

James C. Petrillo, president of the American Federation of Musicians, was ordered yesterday to testify before a trial on Oct. 24 in reference to the suit of AGMA to restrain Petrillo from barring its members from working in films, on the stage or radio. AGMA has said that Justice was in jurisdictional powers and alleged threats by him to prevent AFM men from working with AGMA instrumentalists.

**Radio-Music Parleys For Peace Under Way**

Conferences in Pittsburgh between the management officials of WJAS and WQV there, and the local of the American Federation of Musicians were being watched yesterday by network officials. The talks brought some hope for a settlement of the AFM strike which started Wednesday might be extended.

Yesterday the strike was extended to sustaining stations originating from NBC stations in Chicago, Hollywood and San Francisco, although New York was unaffected. The CBS strike which started Wednesday against the network’s New York station was spread to Hollywood.

With only sustaining programs and remote pickups of bands during late evening being affected, the periods at which listening is at its height remained relatively unchanged, as they are almost solely sponsored. With New York musicians still working for NBC, that network did not find the question of sustaining programs difficult.

CBS was compelled to fill in with dramatic sketches, accompanied singers and similar programs.

**Again Sponsors Opera**

Texaco again will sponsor Metro-Poly this season, starting Saturday, Nov. 29 for 16 weeks. The programs will be heard from 2 to 4 P.M. over 142 NBC-Blue stations.
It's nothing but the truth that "Nothing but the truth" tops "Caught in the Draft" in Seattle... and by 157.

Watch for more box-office communiqués from the man of the hour, George Washington Hope!
Tara to Seek Decree Outlet for Minnesota

**Allegheny Plans No Sales in State at Present**

Paramount is drafting a petition or application to Federal Judge W. Goddard requesting an exemption from the consent decree's selling provisions to permit the company to operate in Minnesota under the state's anti-block-law. The petition is expected to be filed this week.

**Twentieth Century-Fox Has No Plans for Selling in Minnesota at This Time, W. C. Gehring, Central division manager, States.** The company is the fifth of the six major distributors affected by the (Continued on page 6)

**SMPE Opens Fall Convention Today**

More than 200 delegates, representing the technical branches of the film industry, will gather at the Hotel Pennsylvania here this morning for the opening of the four-day semi-annual convention of the Society of Motion Picture Engineers.

The 25th anniversary of the founding of the organization will be observed during the Fall convention. (Continued on page 6)

**Whitney to Shift Office to Capital**

Washington, Oct. 19—John H. Whitney, director of the Motion Picture Division of the Committee on Inter-American Relations, will shift his headquarters from New York to Washington, Nov. 1, it was disclosed today.

The purpose of the move, it was stated, will be to enable Whitney to keep in closer touch with committee headquarters and obtain quicker action (Continued on page 6)

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**Allied to Complete Plans for Unity at Pittsburgh Meeting**

Allied States is expected to complete plans for its all-industry committee during the session of the national board of directors in conjunction with the Western Pennsylvania Allied convention which opens at the Hotel Roosevelt in Pittsburgh tomorrow.

All Allied unions with the exception of the Screen Actors Guild, have approved the industry unity plan by membership vote. Connecticut Allied is expected to give its indorsement when it meets at an early session in New Haven tomorrow to reconsider its vote. The action of the meeting, together with appropriate instructions, will be sent immediately to Joseph F. Reel, chairman of the executive board of the Connecticut unit, who will be at the Pittsburgh meeting.

H. A. Cole, Allied national president, reported over the weekend that the Texas Allied vote was unanimous and that only one vote was cast against (Continued on page 6)

**'Pimpernel Smith' Acquired by U. A.**

**Spring Convention Slated by Republic**

Hollywood, Oct. 19—Republic will hold an international convention next April or May at the studio, Herbert J. Yates, board chairman, announced at the second quarterly regional sales meeting which has been concluded here. Delegates from the foreign offices will attend with the domestic sales forces to discuss the 1942-'43 program.

Yates also announced that "King of the Forest Rangers" and "Son of Robin Hood" have been set as two of the serials for 1942-'43.

**Raftery Temporary United Artists Head**

Administrative reins of United Artists will be turned over temporarily to Edward C. Raftery, secretary and counsel, today due to the departure of Alexander Korda for the Coast over the weekend and Mary Pickford's scheduled departure today.

David O. Selznick will remain here another week and will share with Raftery the selection of a new president for the company. Selznick's deal for becoming a United Artists owner-producer has not been completely closed yet but no complications are foreseen and indications are that it will be formally closed as soon as a board meeting can be arranged. A directors' meeting is necessary to ratify the deal and a stockholders' meeting is called to elect Selznick to the board. The United Artists stockholders are also the directors.

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**Eleanor Roosevelt Scores Senate Probe of Films on Radio Broadcast**

Mrs. Eleanor Roosevelt, wife of the President, took up the cudgels on behalf of the motion picture industry yesterday evening in her radio broadcast over NBC-Blue stations from 6:45 to 7 o'clock, which was repeated over 11 NBC-Blue stations from 12:15 to 12:30 A.M. on behalf of Pan American Coffee, sponsor. Buchanan & Co. handles the account.

This is what Mrs. Roosevelt said in part:

"The motion picture industry has been under investigation by a Congressional committee. The question seems to be whether the producers have a right to present their views through the plays they produce."

"I think it is permissible for Senator Nye, Senator Wheeler and Mr. Lindbergh to present their views to the world, but I think it is equally permissible for all. Why is one propaganda any different from any other? Freedom of speech should be accorded to all."

"The real test is whether a citizen has a right to say 'no,' that right we have had for 150 years and is still ours today."
Another Exhibitor Decrees Catering to Column Writers

Editor, Motion Picture Daily: I think Ed Harris, of the Glennade Theatre, Glendale, Cal., in his recent letter to you, has hit the nail on the head. It's high time we do something in this industry about unscrupulous critics who make their living directly from us and yet would sap our very life blood.

Mr. Harris' letter is quite timely, and I thought it was a good idea. I am currently playing Metro's "Honky Tonk" and in our daily today the local critic in our area writes: "a corny 6/NO 1 in the world was its a water Golden Distributors, been and associations."


Kansas City Variety Club Ball on Nov. 21

Kansas City, Oct. 19.—The 11th annual charity ball of the local Variety Club will be held at the Plaza Nov. 21, according to Jerry Zangond, chief banker. Committees have been appointed, with Earl Jamerson as general chairman. Sam Abend is in charge of tickets, and Arthur Cohen and James Lewis will handle reservations.

Other committee chairmen are Finton Jones, program; Barney Joffe, entertainment; Ward Scott, decorations, and Gale McKinney, publicity.

O. R. Hanson Opens Office in Toronto

Toronto, Oct. 19.—Oscar R. Hanson, former associate of N. L. Nahhanson, will open an office here tomorrow, under the name of Hanson Film Distributors, Ltd., with George Oulahan as manager. Oulahan formerly was associated with Hanson in Sovereign Film Distributors and Empire Universal Films, both Nahhanson companies.

BROADWAY PLAYS

"BRILLIANT!...MIRACULOUS!"—Danton Walker, News

GERTIE LAWRENCE in the Musical

"LADY IN THE DARK"

ALVIN, 52 St., W. of B'way—Mats. Wed. & Sat. Only. Tickets are already in circulation. Call Spitz, 624 W. 57th St., Mid-Atlantic office.

A GREAT SHOW!—Herald Tribune 50c, $1 & $1.50 PLUS TAX 2ND YEAR—2ND EDITION of the NATIONAL MUSICAL ENTERTAINMENT 

IT HAPPENS ON ICE

At America's Only Theatre

Center Theatre, Rockefeller Center—E. 50th St.


PREVIEW THEATRE

Invites You to inspect its NEW—MODERN Preveiw Theatre No. 2 on the 9th Floor at 1600 BROADWAY, N. Y. C. Each Theatre equipped for 35 mm and 16 mm showings day or night. Designed for comfort and BEST RESULTS.

PERSONAL MENTION

BARNEY BALABAN is expected back from California tomorrow.

Harry Gertz left for the Coast yesterday.

H. A. Ross is ill at his apartment on Park Ave.

Doris Allen, manager of the Tri-State Capitol at Davenport, Ia., and Mrs. Allen are vacationing.

Lester Jeffries has returned to his post as assistant manager of Fox's, Philadelphia, after an illness.

Gregory Ratoff leaves today for the Coast from Chicago.

WANGER OFFICE HERE TO CLOSE ON NOV. 15

Walter Wanger's New York office, headed by his wife, Harry Korman, will be closed Nov. 15 because of the producer's withdrawal from United Artists.

Wanger left for London by clipper yesterday. He was accompanied by Norman Reilly Raine, writer, who will assist Wanger in preparing "Eagle Squadron," his next production. It was indicated prior to Wanger's departure that the producer might seek no overtures for a new releasing arrangement until that production, and possibly another, are completed. Such a film package could be offered to any of the competing distributors for immediate trade showing, thus facilitating a distribution deal. It was pointed out that Kosiner, who has been in charge of Wanger's Eastern office for many years, expects to announce a new association soon.

SENTENCING OF FOX OFF UNTIL TOMORROW

PHILADELPHIA, Oct. 19.—The sentencing of William Fox, scheduled for Friday in Federal Court here, has been postponed until Tuesday by Judge Guy K. Bard at the request of Martin Littleton, Jr., Fox's attorney. It is reported that he will seek to have the case nol prossed.

Disney Party Today

Walt Disney, who returns today from South America, will be guest of honor at a party at the Waldorf-Astoria this afternoon given by RKO and the Disney office. Representatives of the Latin American subsidiaries are expected to be present.

SAYS CIO READY TO ORGANIZE INDUSTRY

The CIO is prepared to organize all of the major Western parties. Lewis Merrill, president of the United Office and Professional Workers of America, told several hundred persons at the Fraternal Association of New York last night that he would publish an offer to the Screen Office and Professional Employees Guild in 10 days. Golden, temporary chairman, accepted the charter on behalf of the local.

Saul Miller, secretary of the Greater New York District of the CIO, is expected to appear before the support of all CIO unions here.

DELAY REFERENDUM ON SPG AFFILIATION

The referendum of the Screen Publicists Guild on the question of affiliation with the Professional Employees Guild, Local 191, CIO, scheduled to be mailed Friday, has been postponed by the SPG executive council.

No reason for the postponement was given although it was stated that this was by the unanimous vote of the executive council.
EVERYTHING A SHOWMAN COULD WANT!

COLUMBIA PICTURES CORP.
NEW YORK CITY

BETWEEN LAUGHS AND GASPS AUDIENCE REACTION TO "LADIES IN RETIREMENT"
IS EVERYTHING A SHOWMAN COULD WANT. CRITICS WENT OVERBOARD IN PRAISE.
NORMAN CLARK WROTE IN NEWS POST: "LADIES IN RETIREMENT" IS ONE OF THOSE
DRAMAS THAT GRAB YOU BY THE NECK AND GIVE YOU A GOOD SHAKING. YOU
MIGHT THINK THERE ARE NO LAUGHS IN IT BUT THERE ARE. HOWEVER THE FILM
IS MOSTLY RED MEAT AND STRONG DRINK WITH BRILLIANT PERFORMANCES BY IDA
LUPINO AND LOUIS HAYWARD AND GRAND SUPPORTING CAST." GILBERT KANOUR
EVENING SUN WROTE: "FORCEFUL SCREEN DRAMA. SURPASSES PLAY BOTH AS ART
AND ENTERTAINMENT. WILL CHILL THE SPINE. PULL YOU TO THE EDGE OF YOUR
SEAT AND TITILLATE YOU WITH MACABRE HUMOR. MERITS MY HIGHEST AWARD BLUE
RIBBON WITH PALMS." AND DONALD KIRKLEY MORNING SUN WROTE: "LADIES IN
RETIREMENT" IS THAT RARE BIRD AN ARTISTIC FILM WITH BOX OFFICE
APPEAL. IT LIFTS IDA LUPINO INTO THE FIRST DIVISION OF ONE OF
THE SCREEN'S MOST VERSATILE AND GIFTED ACTRESSES. DOES CREDIT
TO ALL CONCERNED IN ITS MAKING INCLUDING COLUMBIA STUDIOS."

I M RAPPAPORT MANAGING DIRECTOR
HIPPODROME THEATRE
BALTIMORE
FOR 15,000,000 LISTENERS

A mile from shore, in the middle of Long Island Sound, stands a man-made island—sea-born foothold for a giant tower with a giant’s voice. This is WABC’s new 50,000-watt transmitter—the perfect voice of radio, serving 15,000,000 listeners as they have never been served in the past. Serving 10,000,000 of them with a signal two to ten times stronger than before!

The secret?

The secret is that mile—the most important mile in radio—the mile of salt water which surrounds this engineering miracle on all four sides.

That “salt-water-start” for a radio program, that first perfect mile, is like the first perfect skip of a stone—which sends it true and far.

WABC is the only 50,000-watt station on the eastern seaboard with this over-water start in all directions—east to both shores of the Sound—south through Queens and Brooklyn—north through New York and Connecticut—west through the heart of Manhattan and the homes of New Jersey.

Key station of the Columbia network, feeding CBS programs to 124 network stations and 120,000,000 listeners from coast to coast—the new WABC delivers those programs to the 15,000,000 nearest listeners with new strength, new clarity, new brilliance!

The New WABC, New York

KEY STATION OF THE COLUMBIA BROADCASTING SYSTEM
Hudson Plan
Launched by
Mich. Houses

(Continued from page 1)
general sales manager; Arthur Kelly, vice-president of United Artists; Chalmers McElroy, director of public relations for Paramount, and representatives of M-G-M.

Branch said he has received invitations from John Henry to attend their meetings and explain the plan. The campaign will include the use of testimonials by prominent personalities outside the industry and is designed to build goodwill for the industry as a whole.

The testimonials will stress the value of films as entertainment and an educational force and the health, comfort, convenience and inspirational values of theatres, Branch explained. This material will be used in advertising in various forms, including full-page spots.

Theatres so far enrolled include 135 houses affiliated with Michigan Allied; 165 Cooperative Theatres and 115 and 18 of United Detroit.

Plans were perfected at a meeting here Thursday of a committee headed by Branch and including E. J. Hudson, president, United Detroit Theatres; E. C. Beatty, president, Butterfield Theatres; C. L. Buermele, general manager of Cooperative Theatres and John McPherson, manager of the Detroit branch of National Screen Service.

Albert Warner to
Be Witness Today

(Continued from page 1)
charged of production, are also scheduled to be Government witnesses. Joseph Bernhard, producer and general manager of the Warner Circuit; Samuel Carlisle, Warner comptroller and assistant treasurer, and Thomas J. Martin, Warner auditor, are also due to be called by the Government, it was reported.

The SMPE witnesses, Frank C. Olsen, secretary of the Chicago Theatrical Protective Union, Local 2, and Florence Rose, LATSE main office bookkeeper, testified at the request of the Government Thursday and it is understood that Louis Krouse, general secretary-treasurer, will also be called by the prosecution.

UA May Buy Into
Theatre in Detroit

United Artists has taken an option to acquire an interest in the former RKO Downtown, Detroit, from Lester Briggs, owner, it was reported over the weekend. The house had been closed about 15 years ago as the Oriental. It has been operated intermittently in recent years and has been closed about a year. It seats 2000 and is located just off Grand Circus Park.

Since announcing plans for acquisition of a national circuit last July, United Artists has acquired a half interest in a San Fran Franchise theatre.

Para. to Seek
Decree Outlet
For Minnesota

(Continued from page 1)
Minn. law to disallow any taking of action to seek an early resumption of selling in state.

It is the statement that 20th Century Fox does not contemplate resumption of selling in Minnesota "at this time, but will discuss the possibility of legal procedure of resuming distribution of pictures to distributors according to observers. This could be either an appeal from the decision of the state courts or a suit for an injunction or a trial of the case to test the constitutionality of the Minnesota law.

Officers of IATSE and Loew's recalled earlier that they had no intention of selling in Minnesota under the state law. United Artists, which is not parties to the consent decree but is prohibited from complying with the state law because of its individual productions, has declared that it will withdraw from Minnesota at the end of the week.

SMPE Opens Fall
Convention Today

(Continued from page 1)
Wednesday evening, and will be followed by an award dinner of the SMPE Progress Medal and the Society Journal Award for the leadingstj year. The first is for an important contribution during the year and the latter for the outstanding paper published in the society's Journal.

Officers will be elected today, followed by an informal luncheon, at which Newbold Morris, president of the New York City Council, Sol, a Rosenblatt, attorney, and Francis Harmon of the Hays office are expected to speak.

Chairmen of the technical committees at the first technical session today in Herbert Griffin, vice-president of International Projector Corp., and executive vice-president of the SMPE.

Allied to Complete
Program for Unity

(Continued from page 1)
the first paragraph of the resolution. Distribution executives here who have endorsed Allied's unity plan expressed the opinion that once Allied's own committee has been authorized to function, it would be well for it to seek the cooperation of other exhibitor organizations in order to make the Allied plan representative of national exhibitor opinion.

The Republican House of
Omaha, Oct. 19.—Tri-States' Paramount, 5,000-seat de luxe house opened last five years, will be opened next Friday, according to A. H. Blank, president of Tri-States. Showings and pictures will be the policy.

Hudson Plan
Launched by
Mich. Houses

(Continued from page 1)
IT THIS is a strangely moving melodrama, set in the pictorially beautiful but dangerous Okefenokee Swamp country of Georgia and peopled with the strange but homespun families of the Georgia backwoods. Well directed by Walter Brennan and Walter Huston, and directed with grace and skill by Jean Renoir, this production by Irving Pichel has promise of being a critics' pet and a box-office favorite.

Vernon Bell's story was serialized in the Saturday Evening Post and published in book form. Added to the fine performances of Brennan and Huston are those of Dana Andrews, Anne Baxter, Virginia Gilmore, Donald Crisp, Howard St. John, Mary Howard, Eugene Pallette, Ward Bond, Guill Williams, Russell Simpson and a number of others. Andrews, searching for his dog, enters the swamps against the orders of his father (Huston), and encounters there an escaped murderer (Brennan). After numerous complications, Brennan is cleared of the murder charge.

It is what might be termed a "critic's picture."

Running time, 89 minutes. *G.*

"Small Town Deb"

(Continued from page 1)

LIGHTWEIGHT entertainment, with no emphasis on drama or development, but dependent largely upon jittersbug dialogue, this is bright, pleasant program fare which should appeal to all members of the family, and particularly those in their teens.

In the lead is June Witters, who, as her screen mother comments, is in the "peculiar stage of life," and is handicapped further by the fact that her mother, sister and brother are in the social whirl and neglect her. Moreover, she has a brace on her teeth and must look at life through heavy-rimmed glasses. As is to be expected, a complete transition sets in, and with the latest in hair-do and glasses and brace set aside, Miss Witters makes the town take notice. A high spot is her amusing imitation of Carmen Miranda singing a South American number.

In featured spots are Cobina Wright, Jr., Jackie Searle, Jane Darwell, Bruce Edwards and Ceci Killaway, who play their parts well. Harold Schuster directed.

Running time, 72 minutes. *G.*

EUGENE ARNELL

"As You Like It" to
Open Here Tonight

Shakespeare's "As You Like It" will be revived at the Maeland Theatre tonight with Helen Craig in the lead. Ben A. Boyar and Eugene S. Bryden are the producers of the play, Bryden also is the director.

Monroe, N.Y., House
Wins Clearance Cut

(Continued from page 1)
the Colonial to seven days. The complaint named Paramount, RKO, 20th Century-Fox and Warners. Paramount, however, was dismissed as a defendant because it has interests in both the Ritz and Broadway and, under the decree, has the right to sell them in any manner. Charles Balloon was the arbitrator.

Uphold Ban on Film

ALBANY, Oct. 19.—The State Board of Regents has upheld a decision barring "They Must Be Told," on the ground that it is "indecent and immoral." The appeal was taken by Cinema Service Corp., which owns the film.

"Swamp Water"

(20th Century-Fox)

James Cagney and Jean Arthur star in this modern melodrama. Maurice Connery, who is not at the moment a leading man, gives a fine performance.

"Swamp Water" is a story to appeal to all sections of the family audience. It is an exciting, fast-paced story of the Louisiana swamps and the family who lives there. The story centers around the family of four, mother, father, son and daughter.

The father is a hatter who is shot and killed by a band of outlaws. The mother is left alone to raise her children, who are very young at the time. She is helped by a friend, who is a sheriff. The friend helps her to raise the children, and they become very close friends.

The mother is a very strong woman, and she is determined to keep her children happy. She is a very good mother, and she is very good at what she does. She is a very strong woman, and she is very good at what she does.

The story is a very exciting one, and it is a very good story. It is a very good story, and it is a very good story.
What's Your Temperature

The motion picture is a business. It seems well to say this, because so much that we may read, hear, and see tends to an impression that it is a fever.

The United States has been built by business, ever improving business—conducted with sane diligence, working for profits and ultimately successful in just the degree with which it has rendered service with a level-eyed policy of producing and selling on terms that have delivered margins of satisfaction at each step from plant to customer—consistently, continuously.

Republic Pictures Corporation is a business.

This corporation was founded for the sole purpose of making reasonable profits for a long time. To make profits for a long time requires a consistent delivery of satisfaction to the customers. That calls for product that can be counted on, so made that it can be sold at prices consistent with the market, delivered on a policy which recognizes the mutual interests of buyer and seller, on the long pull.

Republic intends always to make money out of its customers, and expects to do that always because the customers have taken profits out of Republic product. Six years of Republic experience show that a great many showmen like to buy profits, that more every year recognize sound, staple product made on performance, even if the field does glitter with gilded promises.

Business is the American way of constructive service of the whole people. It is the American way to pay and get what it pays for.

Republic is a business because it serves, enables the theatre to be a business. There is no substitute for profits

REPUBLIC PICTURES CORPORATION

BUY U. S. DEFENSE BONDS
Off the Antenna

T HE first survey reports of radio listening in the first half of October reveal "sets in use" in a sharp uprising, C. E. Hooper reported over the weekend. Return to standard time and the start of the "name" programs appeared to have helped the ratings, as publicly directed and private stations are now heaviest. Charlie McCarthy is with 28.3 percent. Other ratings are Fibber McGee, 27.7; "Adrich Family," 25.6; Bob Hope, 25.4; Maxwell House "Coffee Theater," 25.4; "Lucy," 25; Jack Benny, 20.5; Eddie Cantor, 17; "One Man's Family," 16.8; "Mr. District Attorney," 16.2; Major Bowes, 15.8; Burns & Allen, 15.3; Rudy Vallee, 13.1, and Kay Kyser, 14.9.

P ersonal: Hugh Kendall Goode, WQXR vice-president in charge of sales, has been named chairman for the Committee on Information of the N.Y. Defense Bond Committee. Claude Morris has returned to the KDKA, Pittsburgh, production staff. Mort Fleisch has joined the WJZ sales force. Wally Cooper will start writing the script for "Best Johnson" today.

Five Wisconsin stations and one in Michigan joined mutual last week to bring the total to 200 affiliates. The latest addition are WHDP, Calumet, Mich., 250 watts; WSAU, Wausau, 250; KFIZ, Fond du Lac, 100; WFHR, Wisconsin Rapids, 250 day, and 100 night; WHBY, Appleton, 250, and WHBL, Sheboygan, 1,000 day, and 250 night.

Program News: North American Accident Insurance Co. will sponsor news reports Monday, Wednesday and Friday, 6:57-7 A.M., starting today. Adrienne Ames will be film commentator for WHN at 7 P.M. Tuesday, Thursday and Saturday, starting tomorrow. Baumont Laboratories will sponsor "Don Goddard and the News," Monday, Wednesday and Friday, 12-12:15 P.M., for 20 weeks over WEAF. Plantes Nut & Chocolate Co. has renewed "What's On Your Mind" over 14 CBS stations.

Wrestling Bouts teletcast by NBC from Madison Square Garden Tuesdays, 9-11 P.M., will be sponsored, beginning Oct. 28, by Adam Hats. The sponsors originally had bought the Ebbets Field boxing bouts but fights have been discontinued there.

AFRA Names New Executive Board

Election of a new executive board of the New York local of the American Federation of Radio Artists was disclosed Friday following the tabulation of ballots cast at the annual meeting at the Hotel Astor the previous evening.

William Adams, Ted de Corsia, Eric Dresler, Betty Garde, Mark Smith and Ned Wever were reelected to the officers' group and Clayton Collyer, House Jameson and Anne Seymour were the new members. The defeated opposition's group, Ben Graner, Ken Roberts, Sid Walton and Foster Williams were reelected, with Alan Williams the new member. Among the singers are Everet Clark, Gordon Ross, Phil Devey, Felix Knight, Evelyn MacGregor, Alex McKee and Walter Preston were all reelected.

Order Transradio Quiz

N. Y. Supreme Court Justice Louis J. Valente on Friday ordered Herbert Moore, president, and Dixon Stewart and Wallace O. group, and Clayton Collyer, House Jameson and Anne Seymour were the new members. The defeated opposition's group, Ben Graner, Ken Roberts, Sid Walton and Foster Williams were reelected, with Alan Williams the new member. Among the singers are Everet Clark, Gordon Ross, Phil Devey, Felix Knight, Evelyn MacGregor, Alex McKee and Walter Preston were all reelected.

Radio Independents Indorse Ascap Pact

The closing of the Ascap-network contract, in negotiation for weeks, was advanced materially late last week when terms were approved by the copyright committee of the independent Broadcasters, Inc.

The newly formed IBI group, who offered the last organized resistance to the Ascap contract, reached an agreement on payments at the source by affiliated stations during conferences Friday, Thursday, 741, on the parts of ABC, CBS and Ascap representatives. The IBI over the weekend sent letters inquiring the pact and copies of the new contract to all stations in the country.

Acceptance of the contract by the "holdout" stations are expected to be received this week in sufficient volume to permit closing by the networks with Ascap, it was stated.

Personnel Changes Are Made at WFIL

Philadelphia, Oct. 19.—Roger W. Basset, vice-president and general manager of WFIL, has announced important changes in the personnel of the station. Edward C. Ohlert comes in as vice-president and general manager of WFIL.

Allan takes over the expanded press department and will handle special events and public service features, in addition to public relations. Robert B. Caskey, now director of sales promotion, will step into the newly-created position of business manager. He will continue to supervise sales promotion.

Gala Program Starts WABC Transmitter

Completed at a cost of about $600,000, located in the center of the Metropolitan, Westchester and Long Island population area, completed throughout the salt water of Long Island Sound and designed for stronger, steadier signals in this area and along the Southern New England coast, the new WABC 50,000-watt transmitter took to the air at 10:15 P.M., Monday night.

The project represents an unusual engineering feat, as the transmitter could not be erected until an island was first constructed on which it could stand.

A gala program initiated the new transmitter, with London, New York, Hollywood and a number of intermediate cities originating points for the hour-long, star-studded broadcast. The program, which began at 10 P.M. on the old transmitter, and with the switch for the new one was thrown during the first quarter hour. Announced on the program were Mayor Fiorello H. La Guardia, Alexander Woollcott, Bob Burns, Kate Smith, Orson Welles, Ed Gardner, Bob Ripley, David Ross and Ted Husing.

McKay Manager of NBC Press Division

John McKay, public relations and special events director for WFIL, Philadelphia, on Friday was named manager of the NBC press division to succeed William Koslka, who resigned a month ago, it was announced by Frank E. Mullen, executive vice-president, and William L. Hauser, assistant manager, will continue in the same capacity.

McKay has spent the last eight years in the WABC stations, four years, four of which were as political editor and feature writer. McKay is a law school graduate.

CBS Latin America

Web Bows in 1942

With construction of two new 50,000-watt short wave transmitter, more than 85 percent completed, the proposed CBS Latin-American network work will be in full swing at "the out set of 1942," Edmund A. Chester, CBS director of short wave broadcasting, declared over the weekend.

Chester said that 72 Latin American stations have signed full affiliation contracts with CBS and negotiations for others are under way. The home office staff has been increased from 10 to 50, he said.

The new stations are scheduled to start operations last month but prior to prevented completion of the transmitters on time.

Plan Two Stations In California; FCC Studies New Plan

Washington, Oct. 19.—The FCC has adopted a rule that permits for a new 1,570-kilocycle, 1,000-watt station at Palo Alto, Calif.

The commission has granted a construction permit for a new 1,340-kilocycle, 250-watt station to J. E. Reaves of Poston, Ariz. New contract authorizes WFCN, Fayetteville, N. C. to change frequency from 1,370 to 1,450 cycles, and increase time from day unlimited, and Sunday station KVOO, Tulsa, Okla., to increase day power from 25,000 to 50,000 watts.

Construction Permits Sought

Construction permits for new daily broadcasting services of Ted Kimzoy, planning a 1,400-kilocycle, 250-watt station at Greenville, Tex., and the Alpha Broadcasting Co., Inc. planning a 1,340-kilocycle, 250-watt station at Honolulu, Hawaii.

Applications also were received from WCOA, Pensacola, Fla., for change of frequency from 1,370 to 1,400 cycles, and increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 2,000 watts day.

East Coast Will Beam to Far East

Washington, Oct. 19.—Associated Broadcasters, Inc., San Francisco, has been granted a construction permit for a new international broadcasting station to serve the Far East. The device. The Federal Communications Board urges its construction and the Coordinating Board of Industry has arranged for delivery of a 100-kilowatt transmitter from the General Electric Co. to speed the program. The station will be on the air from 16 to 20 hours a day.

AFM Strike Against NBC and CBS End

The American Federation of Musicians strike against sustaining musical programs of NBC and CBS ended Friday night, when an agreement was reached in Pittsburgh in the last-minute conferences between the union and the networks affili

ates, KJAS and KVOY. Normal program schedules were resumed Saturday evening. Report shows were affected by the walkout, since most programs on both networks are sponsored.

CBS Latin America
two Awards
On Clearance
Are Reversed

appeal Board Decides in Boston, L.A. Cases

The arbitration appeal board yesterday cleared those of the 
unions and wages and at rates effect during the four-week period 
led Oct. 17, plus a cost-of-living 
was fixed by the Government for all 
orkers in relation to the living cost 
exes. Negotiations will remain at fixed 
levels under Government control starting 
Nov. 17 but nothing will be done 
fix theatre admissions.
The ruling provides that strikes will 
be 

Critic Quits, Charges Probe Copied

Don Herold, motion picture critic 
for Sydney's Listener, noted that a 
report on the alleged film propaganda, which 
appeared in the magazine's November is- 
issue, was tampered with. According 
(Continued on page 8)

Disney Will Delay 
Andersen Stories

The Hans Christian Andersen stories which he planned to 
do in conjunction with Samuel Goldwyn may be delayed 
indefinitely, Walt Disney indicated yesterday. He said he believes the pictures 
require a "world market" to be 
financially successful, and pointed out that today "we 
are really working for a 
world market that has been cut in half."

Warner Paid Bioff
$100,000 in Cash.

Trial Jury Is Told

Warner Bros. paid $100,000 in cash to 
William Bioff during the years 
1936 and 1937, according to the testimony 
of Harry M. Warner, president, and 
Albert Warner, vice-president and treasurer, 
given in Federal 
Court yesterday during the trial of 
Bioff and George E. Browne. 
David Bernstein, attorney, 
yesterday served 
summonses in 
stockholder's suit against 
20th Century-Fox and the board of directors 
for "wasting" the company funds in making payments to 
Bioff and 
Browne. The complaint stated that the 
"exact amount is unknown" and 
asks for an accounting. 
Universal Film Exchanges, Inc., the Government claimed, also "knowingly aided" defendants to 
eliminate 
(Continued on page 10)

Argentine Steaks Mean
More Than Films—Disney

Allied Will Decide on Unity Plan Tomorrow

PITTSBURGH, Oct. 20—Adoption 
by national Allied of the proposed 
all-industry unity plan will be considered 
by the board of directors of the 
national body at a meeting here Wed- 
nesday morning, in connection with 
the convention of Allied of Western 
Pennsylvania. The regional unit's two-
day meeting opened at the 
Hotel Roosevelt 
here tomorrow. 
Registration will take place 
Wednesday morning, followed by luncheon 
in the hotel's Blue Room At the close of the 
day, 
(Continued on page 10)

MINN. SUES MAJORS 
ON ‘ANTI-5’ BREACH

Paramount, RKO and 20th-Fox Are Named 
In Test Cases Filed by County Attorney; 
May Take Months to Determine

By ROBERT E. MURPHY

MINNEAPOLIS, Oct. 20—Test cases designed to 
make 
the earliest possible 
meaningful in the 
cases probably 
would provide several months 
for a conclusion. 
It was said that the 
actions, on 
criminal grounds, should 
provide more definitive and clear 
rulings on the constitutionality of 
the state law than would 
the injunctive method. 

(Continued on page 10)

Odeon Link Seen 
In Deal for G. B.

LOUGHBOROUGH, Oct. 20.—A closer link be-
tween Gaumont British and the Odeon 
exchange of Oscar Deutsch, two of 
the largest circuits in Great Britain, is 
expected as a result of the negotiations 
now in progress for the acquisition by 
the various groups of General Film 
Distributors of control of Gaumont 
British. 

General Film, financed by Arthur 
Rank and headed by C. M. Woolf, is 
(Continued on page 8)

Doubt Probe Group Inquiry on Radio

WASHINGTON, Oct. 20—Observers 
believe that the 
will continue the
Coast Flashes

Hollywood, Oct. 20

BARNEY BALABAN, Paramount president, arriving over the week- end, today addressed a meeting of field exploitation representatives and the studio staff on campaigns for "Louisiana Purchase" and other pictures. Neil Agnew, Y. Frank Freeman, Robert Gilliam and B. G. De Sylvia participated in the five-day meeting which ended today.

Richard McFarland, 73, veteran theatrical figure and former London exploitation chief for United Artists, died here last night. He was taken to Hollywood Presbyterian Hospital about 10 days ago by Mary Pickford, an old friend. The funeral will be tomorrow.

The Screen Office Employees' Guild, which recently was granted a collective bargaining contract at five studios, has become affiliated with Painters International Brotherhood, AFL, becoming Local 1391. The affiliation was decided by a three-to-one membership vote.

Virginia Gilmore today replaced Marjorie Weaver in Republic's "Mr. District Attorney" and "The Carter Case," because of the latter's ill health.

Montague, Jacker

To Coast Meeting

A. Montague, Columbia general sales manager, en route to San Francisco to attend the company's third regional sales meeting to be held in that city Friday and Saturday, Rube Jacker, assistant sales manager, left yesterday for the meeting.

NEW YORK THEATRES

RADIO CITY MUSIC HALL

"ALL THAT THEY CAN BUY"

EDWARD ARNOLD GARDEN, NEW YORK:
"HAIDA"; "THE LADY'S MAN" measured.
"LONDON"; "ADAMS RIVER"


CHARLES BOYER

IN PERSON: XAVIER NOLAND, DAVID GODDARD, GUG AT CAG "HOLD BACK THE DAWN" JAY & LOU SELLS

PALACE PARAMOUNT

IN PERSON: A. "A YANK IN THE R.A.F." WITH BETTY CRABLE

TIYRONE POWER

A 20th Century-Fox Picture

PLUS A BIG ROXY 7th AVENUE 50TH STREET

PALLACE B'WAY & 47th St.

BETE DAVIS "THE LITTLE FOXES"

"MOONLIGHT IN HAWAII" WITH LEON ERROL

Personal Mention

ROBERT J. O'DONNELL, general manager of Inter-State Theatres, left yesterday for Dallas.

PHIL LAUER, in charge of publicity for the Criterion on Broadway and Etta Isabel Shore will be married Nov. 9 at Temple Auditorium, Brooklyn.

LESTER POLLOCK, Lowy's manager in Rochester, is confined to his home by illness.

JOE GOLTS, United Artists manager in China, is in town.

NATALE D'ARIA, owner of the Cheshire Theatre, Cheshire, Conn., is recuperating from an illness of several weeks.

HERMAN S. WITHE of Paramount left last night for Chicago.

Mr. and Mrs. Jack Shafland have returned from a vacation in Atlantic City.

NATHANSON FIRM TO HANDLE ROCK FILMS

An Anglo-Canadian firm distributing company will be formed in Canada under N. L. Nathanson auspices to handle Canadian distribution of product from the Rock Studio, London, it was learned yesterday.

The new company will be a Canadian affiliate of Anglo-American Film Corp., London. Lou Jackson, head of the latter company, conferred with Thompson, Toronto last week on the formation of such an affiliate. Jackson returned to New York yesterday and is scheduled to leave for England by clipper next Tuesday.

COLUMBUS CLUB TO HOLD PARTY NOV. 11

COLUMBUS, O., Oct. 20.—The local Variety Club will sponsor the RCA- Victor Dance Caravan at Columbus on Nov. 11 and 12, at which the orchestras of Tommy Dorsey and Shep Fields will participate. Proceeds will go to the benefit of the club's "Columbus Salvation Army." Jack Jackson, chief barker, is general chairman of the affair.

REPUBLIC WILL HOLD 3 REGIONAL MEETS

HOLLYWOOD, Oct. 20.—Regional sales meetings of Republic will be held in New Orleans, 2-23, Chicago 7-8, and New York 12-13, according to James R. Grainger, president, who is now visiting the studio.

MISTAKEN IDENTITY

Jack H. Levin of the Copyright Protection Bureau declares that he has no knowledge of, or relation to, the Jack H. Levin who is the author of the play "Good Neighbor," which opens on Broadway tonight. The two names are identical.

COLUMBIAN CLUB TO DINE

The annual dinner and dance of the Columbian Club of Columbus will be held Friday evening at Ben Marden's Riviera, Ft. Lee, N. J., it was announced yesterday.

THOMAS J. CONNORS left last night for New Orleans.

E. K. O'Shea has returned from a field trip.

CLAUEE LEE of Paramount arrives today in Pittsburgh.

NATHAN LAMPERT, former New England theatre operator, now of Miami, is visiting in New Haven.

JEAN FISHMAN, daughter of Harry Fishman, operator of the Community Theatre, Fairfield, Conn., was married Sunday to Dr. A. Roffman of Fairfield.

GLADYS MCGOWAN, chief of service at Loew's, Rochester, N. Y., has left to take a position with the Army Ordnance Office.

IRVING RAPPY, Warner director, has returned to the Coast from New York.

STUDENTS' SHOWS FOR 'ARSENIC AND EILEEN'

The Central Control Board of the New York City School Theatre Program at a meeting at Actors Equity headquarters yesterday scheduled two additional productions for presentation to school children at a nominal admission. Alfred Harding, chairman, announced yesterday.

The plays are "Arsenic and Old Lace," which will be shown at the Fulton on a special matinee Nov. 6; and "My Sister Eileen," at the Bilberries, Dec. 1, at 15 cents a ticket.

The first show of the season was "Life With Father," another such special matinees are planned this season, Harding said.

CAROLINA EXHIBITORS WILL MEET ON DEC. 7

CHARLOTTE, N. C., Oct. 20.—The theatre owners of North and South Carolina will hold their annual convention here Dec. 7 and 8, according to Mrs. Pauline Griffith, secretary. The Hotel Charlotte will be headquarters.

WARNERS TO SCREEN SHORTS NEXT WEEK

Warners will hold the second short subject trade screening next week at the company's exchanges throughout the country. The time and place of the screenings will be announced shortly. The new subject will be set by each branch manager.

FORMER EXHIBITOR DIES

MONROE, Ala., Oct. 20.—Walter Davis, formerly with the Randford Theatre, in Randolph, N. Y., and before that with Famous Players Canadian Corp., died at his home here.

CHARLES GARDFIELD DEAD

Charles Gardfield, former manager of the Gen Theatre, Far Rockaway, and former office of Herman Gard- field, died last Wednesday. It was learned yesterday.

'Good Neighbor' Is Tonight's New Play

A new play by Jack Levin, "Good Neighbor," will open tonight at the Windsor Theatre. It was produced by Sam Byrnes and directed by Sinclair Lewis.

Chicago Sales Club

Admits 9 Memb.

CHICAGO, Oct. 20.—The Reel- lows Club, organization composed of nine wholesalers, with offices in Los Angeles, exchanged, accepted nine applicants their last meeting at the Congress Hotel, making the membership 62.

Date of the club's second annual dinner dance has been set for Jan. 3, 1943, in the Gold Room of the Congress. Frank Flaherty of Columbia is chairman of the dance committee, assisted by Irving Joseph, Bob H. Ciampone, skeletons, RKO assistant entertainment chairman; Harold Leo, 20th Century-Fox, ticket sales; Van Dyke, 20th Century-Fox, dance director; and E. L. Goldberg, Paramount, publicity. Proceeds of the affair will go into the club's bank fund.

UA Closes Circuit Deals on New Film

A number of circuit deals have been closed for the entire United Artists release schedule for the new season. One of the key men is Eastern general sales manager, announced yesterday.


UA closes on the 20th-Fox Falls Sheer

Joe Shean has been transferred from the 20th-Fox exploitation department of 20th Century-Fox to the home office publicity department, as a member of the advertising and publicity director. Ralph Stitt has taken Shean's place in New England.

Motion Picture Daily

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1107 Sunlight Building, Rockefeller Center, New York City. Telephone Circle 7-3100.

Subscription rates: $6 per year in the United States; $6 per year by airmail to Canada, Mexico, and all foreign countries.

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MAN, Ah've seen Everything!!
Ah've seen
DIVE-BOMBING STORKS
BRING BABIES!

Ah've seen
BLACK CROWS
CUT A RUG AND 'SING!

Ah've seen
A CIRCUS-TRAIN
TALK AND BALK!

Ah've seen
A MOUSE THAT
BULLIES PACHYDERMS!

Ah've seen
PINK ELEPHANTS
PARADE AND DANCE!

Ah've seen
A BABY ELEPHANT
FLY WITH HIS EARS!

THE SCREEN’S GREATEST ADVENTURE IN ENCHANTMENT... More story, more thrills, novelties, heart-throbs, hilarity, suspense—more EVERYTHING to make the happy movie millions shout “THE BEST DISNEY WE’VE EVER SEEN!”

OPENING EXTENDED RUN ENGAGEMENT
TOP TUNES
including the country-sweeping
"BABY MINE"
"WHEN I SEE AN ELEPHANT FLY"
"CASEY, JUNIOR"
"LOOK OUT FOR MR. STORK"
and
"SONG OF THE ROUSTABOUTS"

WALT DISNEY'S
3-RING FEATURE IN TECHNICOLOR

UMBO

ROADWAY THEATRE, NEW YORK, OCTOBER 23.
IS FOR DUMBO, THE BABY ELEPHANT WHOSE OVER-SIZE EARS ALWAYS GET HIM IN TROUBLE!

IS FOR THE UNIQUE CIRCUS-TRAIN ENGINE, CASEY JUNIOR—THAT TALKS LIKE A HUMAN, BALKS LIKE A MULE!

IS FOR TIMOTHY Q. MOUSE, DUMBO’S TINY BUDDY, BRAVER THAN ANY BEAST ALIVE!

IS FOR THE 5 BLACK CROWS—SQUAWKING, RAUCOUS COMICS WHO TEACH DUMBO TO FLY BY FLAPPING HIS EARS!

IS FOR ORIGINALITY—AS THE ONE AND ONLY DISNEY THANKS IT IN SONGS, SURPRISE AND LAUGHTER!

IN TECHNICOLOR

Distributed by RKO RADIO Pictures Inc.
** Truth Takes $8,400, Best Seatle Gross**

**Seattle, Oct. 20.— "Nothing but the Truth" took a strong $8,400 at the Paramount. "Navy Blues" at the Orpheum was good for $7,500. The closing of the fall concert and opera season offered competition.**

**Foxes' Providence High in Good Week**

** Providence, Oct. 20.—With the three-day holiday weekend helping, business was up generally. "The Little Foxes" and "Mexican Spitfire's Baby" did $12,000 at the RKO-Albee and "A Yank in the R. A. F." and "Cracked Nuts" were the same at the Majestic.**

**Reviews**

**"South of Tahiti"**

**Unival**

**Hollywood, Oct. 20**

The names of Brian Douley, Broderick Crawford and Andy Devine, plus the adventurecome of the ring theme, are the principal assets made available to showmen in this venture. Although the characters portrayed above provide some characteristic entertainment as three sailors who find themselves on an idyllic island where pearls are as common as peanuts and tigers behave like house pets. It is for laughs and laughs of an indelent variety that the picture is played. On the feminine side are seen Marie Montez and Armida as well as a fine supporting cast of supporting men.**

Henry Wilcoxen, H. B. Warner, Ahmer Biberner, Ignacio Saez and Frank Lacktezen are also present, and there is a lot of atmosphere players to fill out the crevices in a story that contains some gag situations which momentarily amuse and some dialogue cracks that spark an interest.

George Waggener is down as associate producer and director, and also as having written the lyrics for the song number, a multiplicity of credits which may account for his having been kept perhaps too busy but not concentrating his effort.

Running time, 75 minutes. "G"*  
**Roscoe Williams**

**"Gauchos of Eldorado"**

**Republic**

This is a well-made film that has plenty of riding and shooting plus more plot than usual for the series western. The Three Mesquites, Bob Steele, Tom Tyler and Roy Acuff, try to help Duncan Renoold, who is on the way to see his long-lost mother to give her $5,000 needed to pay the mortgage. But he is killed by his former comrades, members of a hamlet gang which is trying also to get the money because of his mother's plot. When Fuzzy Acuff and the Mesquites reach the ranch, the mother believes that Steele is her son. The banker refuses to take the $5,000 as payment for the mortgage after discovering that the money had been stolen. The banker and the gang leader form a plan to rob the dead man, a railroad robbery, is held for $10,000 ransom, the reward which the Mesquites received. All the gang is finally captured, the boy restored to his grandmother, and the mortgage paid. Les Olebebe's direction holds interest and keeps the action moving even though the plot is involved at times. Louis Gray was the associate producer. The cast also includes Louis Collie, Rosina Goll, Normand Willis, William Ruhl and Tony Roux.

Running time, 56 minutes. "G"**  
**M. Q. Jr.**

**"Foxes' a Big Los Angeles Hit, $29,000**

**Los Angeles, Oct. 20.— "The Little Foxes" and "Sing Another Chorus" scored $9,200 at two houses, and $14,500 at the Hillstreet and the same "The Little Foxes" and "Sing Another Chorus" and "All-American Co-Ed" also was strong at the Chinese and Loew's.**

Estimates for the week ending Oct. 15:

"Hanky T (M-G-M) (L. A.)

CHINESE—(2,500) (36c-48c-75c-50c) 7 days $6,000. (Average, $850.)

F walker (Disney)

CARTHY CIRCLE—(1,118) (5c-115) 7 days, $2,100. (Average, $300.)

Yank in the R.A.F. (20th-Fox)

LOEY'S STATE—(2,790) (36c-36c-65c) 7 days $14,000. (Average, $2,000.)

All American Co-Ed (U. A.)

PANTAGES—(2,400) (36c-44c-55c-75c) 7 days, $9,000. (Average, $1,250.)

Hurry Back the Dawn (Para.)

PARAMOUNT—(2,959) (36c-44c-55c-75c) 7 days, $13,500. (Average, $1,925.)

Sergeant Yank (W. B.)

BARNES BROS. (Hollywood) (4,000) (36c-36c-36c) 7 days, $11,000. (Average, $1,570.)

Barnes Bros. (Hollywood) (4,000) (36c-36c-36c) 7 days, $11,000. (Average, $1,570.)

**'Yank' With $9,000 Leads Minneapolis**

**Minneapolis, Oct. 21.— "Hold Back the Dawn" attracted a strong $9,000 at the State, while "You'll Never Get Rich" drew $8,000 at the Orpheum.**

Estimated receipts for the week ending Oct. 8-9:

State—(2,200) (36c-36c-36c) 7 days, $9,000. (Average, $6,000.)

World Premiere—(3,150) (36c-44c-55c) 7 days, $11,500. (Average, $1,635.)

Dr. Jekyll and Mr. Hyde (M-G-M) CENTURY—(1,600) (36c-36c-44c) 7 days, $7,000. (Average, $1,000.)

Gopher—(989) (28c) 7 days, $5,000. (Average, $700.)

You'll Never Get Rich (RKO) (4,600) (10c-36c-44c) 7 days, $9,000. (Average, $1,280.)

New R.O.P. (W. B.) 2 days, $5,000. (Average, $2,500.)

Shenandoah (Col.) 3 days, $1,000. (Average, $333.)

**York's Gets Record $31,200, Pittsburgh**

**Pittsburgh, Oct. 20.—Despite unseasonally warm weather and a city-wide hotel strike that caused cancellation of conventions and the like, "Sergeant York" set a new record for Loew's Penn on pictures only, with $1,200. "Belle Starr" pulled $5,100 for the Fulton.**

Estimated receipts for the week ending Oct. 8-9:

Belle Starr (20th-Fox) 

FULTON—(2,790) (36c-36c) 7 days, $13,500. (Average, $1,925.)

Sergeant York (W. B.) 

NEW LEGE—(1,100) (36c-36c) 7 days, $2,500. (Average, $375.)

World Premiere (Para.) 

ORPHEUM—(1,500) (36c-36c) 7 days, $4,000. (Average, $575.)

Great Guns (20th-Fox) 

PTOWN—(2,000) (38c) 7 days, $10,000. (Average, $500.)

Lydia (U. A.) 

RITZ—(900) (36c-36c) 7 days, $2,500. (Average, $357.)

Here Comes Mr. Jordan (Col.) 

SEVANTOR—(1,800) (36c-36c) 7 days, $3,000. (Average, $550.)

Tight Shoes (W. B.) 

STANLEY—(1,000) (36c-36c) 7 days, $1,000. (Average, $100.)

**Comforts of Home**

**Charlotte, N. C., Oct. 20**

**SERVICE men engaged in maneuvers in the Carolinas and Tennessee found themselves off guard last weekend, found more than a welcome at the Carolina Theatre. After the late show, the officers and men rolled over in the aisles and slept for the night, part of the city's effort to take care of the weekend soldier overflow.**

*"G" denotes general classification."
Film Probe Scored
By Newbold Morris
At SMEE Meeting
Declaring that freedom of speech and freedom of the press are closely interrelated, Newbold Morris, president of the City Council of New York, scored the Senate investigation of the 16mm processing labs yesterday, at the opening luncheon of the convention of the Society of Motion Picture Engineers at the Hotel Pennsylvania yesterday.

Morris praised the industry for portraying conditions abroad as they are lived today, and characterized the probe of alleged film propaganda as 'ill-considered.' He saw in the probe grounds for fear of the survival of American institutions, and expressed the feeling that such investigations could lead to the destruction of democratic processes.

Rosenblatt Demands Inquiry
Sol A. Rosenblatt, administrator of the film industry NRA code and film industry attorney, another luncheon speaker, likewise attacked the Senate probe, calling it "the first Munich put on a scale that is going to be in the United States." He demanded an investigation of the investigation, so that the forces behind the attack might be exposed.

Other speakers at the luncheon were Francis S. Harmon of the MPJDA, who described the manner in which the film industry is cooperating with the War Department in the production of training films for the Army, and Morris, director of public relations for Paramount.

Officers Re-elected
At the elections which featured the opening day's business of the four-day convention, four officers were re-elected for three years: D. E. Hyndman, engineering vice-president; A. S. Dickinson, financial vice-president; P. J. McNulty, secretary; and Grover Friedl, Jr., treasurer. Their terms expire at the end of this year.

The terms of other officers do not expire until the end of next year.

The board of governors elected Frank E. Carlson, E. M. Honan and J. A. Maurer, Dr. Alfred N. Goldsmith was elected chairman of the Atlantic Coast Section.

The first of the convention's technical sessions opened yesterday, with a general session in the morning, a general and luncheon session in the afternoon and another general session in the evening. The meeting was opened with a welcoming address by Emery Huse, president.

Talks on Army Films
The use of films in Army training sessions opened yesterday, with a general session in the morning, a general and luncheon session in the afternoon and another general session in the evening. The meeting was opened with a welcoming address by Emery Huse, president.

Critic Quits, Charges
Probe Copy Changed
(Continued from page 1)
to those accounts, Herold charges his copy was changed.

His original copy as written read: "Wendell Willkie is counsel for the motion picture industry in the sessions.

Nothing will come of the investiga-
tion." The copy, after being changed, according to Herold's charges, as reported, read: "Wendell Willkie, the biggest bud in modern political his-
tory, is properly cast as counsel for the motion picture industry in the sessions.

There is a lot of interven-
tionist stuff in the movies, especially in the new wave, and something should be done about it." He added that it was not his duty to correct all, and when those changes were made, they could not be undone.

Herold, it is reported, does not believe the cut all, and when those changes were made, he said, "I am considered a close personal friend by him."

Crosby Returns from S.A.
Bing Crosby arrived yesterday on the S.S. America from a seven-week visit to South America. He plans to leave for the Coast on Friday, with a stopover in Chicago.

Argentina Steaks Mean
More Than Films - Disneyr
(Continued from page 1)

Disney Foresees
Hard Times Ahead
"Film companies will be
ready to break even during the next four or five years, perhaps," Walt Disney declared in an opinion on world film conditions in an interview here yesterday. "But," he said, "they must be for a while, and they must stay on top."

Odeon Link Seen
In Deal for G. B.
(Continued from page 1)
expected to purchase the shares of the Ostrow-Woolf group in the British owners of the Gaumont British. The acquisition would give the General Film Co. a controlling interest in the Gaumont circuit and a larger share in the Gaumont Studios, which currently are controlled through the Trust.

It is believed that Mark Ostrow and Woolf would be joint managing direc-
tors, while Maurice Ostrow is expected to remain in charge of the Gaumont Shepherd's Bush studio. The remaining 49 per cent of the shares of the British companies are held by 20th Century-Fox. Isidore Ostrow, chairman of Gaumont British, is expected to retire.

It is understood General Film plans no further share interest in the company than is necessary to insure control.

The Tatter Theatre, Gaumont house in the West End of London, which was damaged by bombing during the Nazi attacks of last Spring, will re-open next Monday, with a season of Russian films.

Doubt Probe Group
Inquiry on Radio
(Continued from page 1)
subcommittee, includes its inquiry.

It is also asserted in authoritative quarters that it is the intention of sub-committee leaders not to extend its future sessions over more than a week's duration, following which a re-
port is expected to be made to the full Congress on Interstate Commerce by Sen. Burton K. Wheeler.

Sessions will begin on Oct. 27, should Sen. D. Worth Clark of Idaho be successful in obtaining a quorum of members. Otherwise another post-
ponement will be taken.

Eight New Pictures
Approved by Legion
The National Legion of Decency for the current week has awarded four general paramount all eight of the new films reviewed. The new films follow, with their Legion numbers:


Target' Opens Big
On B'way, 'Yank' to Get 5th Roxy Week
"Target for Tonight is estimated at the Guild Theatre on Broadway, Friday through Sunday, the opening engagement of the feature on the R. A. F. action."

"A Yank in the R. A. F." play a fifth week at the Roxy, it is reported, to play at least five hours during the week, since "fourth figure on the R. A. F. action."

Business Holds Pace
Broadway grosses held up well over the weekend, with excellent fall weather. The weekend business at the Roxy led to the decision to hold the film, which will show a stage show below an estimated $30,000 Friday through Sunday of the fourth week. The theatre reported it played to 42,091 ad-
missions in 24 days. "Belle Starr" is now scheduled to go in on Oct. 31.

At the Radio City Music Hall, "All That Money Can Buy" and a stage show drew an average of $59,000 for "What a Fellow It Is," and a stage show before Thursday of the first week, and will be replaced Thursday of the second week. It will be followed by "Nothing But the Truth" and a stage show featuring Johnny Long and Larry Adler and their orches-
tra with the Tony Centers.

'Soldier' Opens Oct. 31
"Sergeant York," playing at the Strand with Phil Spitalny and his or-
chestra featuring the stage show, took an estimated $26,000 Friday through its third week tomorrow. It will be followed by "Nothing But the Truth" and a stage show featuring Johnny Long and Larry Adler and their orchestra with the Tony Centers.

Closing Ascap-Nets
Pacts Due Thursday
Closing of the new Ascap license agreements with NBC and CBS ended the nearly 10 months old radio-music war is tentatively scheduled for Thursday, radio officials indicated.

Foreign closing is contingent upon the receipt of a sufficient number of acceptances of the pact from inde-
pendent operators, but no difficulty in obtaining the required number is anticipated by officials in view of the many radio stations supporting the new contract by the copyright committee of Independent Broadcasters, Inc., last Friday.

Cut Chicago Prices
CHICAGO, Oct. 20—Warner's have reduced the Saturday and Sunday matinees admissions at the Stratford Theatre. Saturday prices, previously 30 cents plus tax until 6 P.M., are now 25 cents plus tax. The Sunday admission was 25 cents plus tax all day and were decreased 30 cents plus tax is now in effect from 12 noon until 2:30 P. M.
PHILADELPHIA,
on Friday, Saturday,
Sunday, does a full
weeks business
of "Charley's
Aunt"!

SAN FRANCISCO
BEATS "A
YANK IN THE
R.A.F."!

Week-End
in Havana
--and what a Week-End!

CINCINNATI
Business 137%
Which is right up
there with "Charley's
Aunt" and "Sun
Valley Serenade"
and "Yank"!

ST. LOUIS
Tops the
Top-Money
of "Sun
Valley
Serenade"!

CHICAGO
BIGGEST FRIDAY!!
BIGGEST SATURDAY!!
BIGGEST SUNDAY!!!
(C & B & K's Roosevelt)

It's in Technicolor! It's From 20th! IT'S TERRIFIC!
Two Awards On Clearance Are Reversed

(Continued from page 1)

State Operating Co., a subsidiary of the Shea Theatres which operates five houses in Manchester and which intervened in the case. The five competing companies named in the complaint granted clearances to the State company's houses varying from 81 to 102 days over complainant's houses. Reductions in these clearances were made by the arbitrator.

In reversing the arbitrator's award and assessing costs against complainant, the appeals board stated: "We are constrained to find that the proof offered by the complainant is inadequate to show that the existing clearance applicable to his theatre is unreasonable. It is essential that such unreasonableness should appear by sufficient proof before any award can properly be made revising clearance.

The appeals board also points out in its decision that the arbitrator reduced the clearance "although he has not specifically found that any one of the particular existing clearances, or the aggregate of all clearances between the intervener's first run and the complainant's fourth run, is unreasonable."

The Shea interests were represented on appeal by the New York law firm of O'Brien, Dricoll & Rafferty. Descoteaux was represented by George S. Ryan, Boston attorney. It is believed conceivable that costs in the case will run as high as $700.

In the Mission Playhouse case, the appeals board held that the arbitrator was without authority under the consent decree to change the theatre's clearance with respect to the Rosemead and Garvey theatres inasmuch as the award had the effect of extending the clearance to which the latter houses already were subject.

The board ruled that under the decree an arbitrator may do no more than determine whether clearance is reasonable or unreasonable and, if the latter, to fix the "maximum" clearance which may be granted. This means, the board held, that clearance may be reduced but not strengthened, because Section 8 of the decree guarantees exhibitors the right to any clearance they are able to negotiate, and distributors are willing to grant.

This right was abridged by the award insofar as the Rosemead and Garvey were concerned, the board ruled.

"Since the three theatres are competitive," the appeals board held, "the award plaintiff restricts the right of distributors to grant and an exhibitor to negotiate for a run. The arbitrator lacked jurisdiction to make such an award under Section 8."

The two reversals are the first to be made on the merits by the appeals board in the eight cases it has ruled on to date.

Promoted by Circuit

SAN FRANCISCO, Oct. 20.—William Mason, former district manager in Eureka for the statewide Mann Circuit, has been named assistant general manager, under owner George Mann. He replaces D. P. Isabella, who resigned to operate the Vacaville Theatre in Vacaville.

Unfair Practices Charged

"Such evidence," the Crescent filing declared, "cannot be regarded by the court for any purpose in the absence of prima facie proof of a conspiracy or conspiracies by competent evidence, and there is a total dearth of such evidence in the record."

United Artists' licensing agreements with defendants, the Government finding, presumably referring to 73 and 61-situation deals, "fix a mark-up for all of the situations operated by all of said defendants and show their face that no consideration whatsoever was given to the rentals which competing independent theatres could pay for these films."

Crescent asked the court to conclude that after films arrive at the point of delivery, "the showing of the pictures and operation of the theatre is purely a local matter," and in no way is an interference in interstate commerce, or a monopolization of the distribution of films.

Claim Lack of Evidence

The Government charged that Crescent and four other exhibitors have engaged in predatory practices such as price cutting, opening "fighting theatres" and interfering with attempts of other exhibitors to open theatres in order to eliminate and prevent independent competition and to acquire additional theatres.

The defendant exhibitors, the Government findings state, "secured such complete control over the business of operating theatres in the area they now occupy that no genuine competition may reasonably be expected in this area in the future unless that control is eliminated."

Halloween Curfew

NEW RICHMOND, O., Oct. 20—ACTING on the request of the City Council, Mayor William H. Frye has ordered the ringing of a curfew bell at 7:30 each evening from Oct. 15 until Nov. 15, by which hour all children under 16 years of age must remain off the streets unless accompanied by their parents or bearing notes from parents granting them permission to perform errands.

Enforcement of the 1933 curfew law is to "avoid undesirable Halloween activities."

Gov't Charges U.A. and Univ. Aided Crescent

(Continued from page 1)

independent competition in Union O. and Crescent.

The Crescent Co., in its proposed finding of fact and conclusions of law, today the Federal court has maintained that testimony of independent exhibitors regarding oral or written communications with distributors was incompetent "against the defendant exhibitor's either on the issues of conspiracies between them and the distributors or on the issue of a conspiracy or combination among themselves."

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Three Majors Sued on Minn. Anti-5 Breach

(Continued from page 1)

Goldhammer, RKO district manager, and J. M. Podoloff, 20th Century-Fox district manager. They are scheduled to go to Wednesday morning in St. Paul Municipal court for preliminary arraignment.

Lynch said RKO and Paramount are now making deals with a theatre in White Bear Lake, a St. Paul suburb, while 20th Century-Fox's alleged theft is at Gem and St. Paul. RKO is accused of offering 10 pictures, and Paramount and 20th Century-Fox five pictures each in deals in which no provision was made for 20 per cent cancellation. He said agreements were signed in each case and sent to New York for approval.

It was not stated whether the deal actually had been approved and accepted by New York.

The investigation leading up to the issuance of the complaint was conducted by Lynch's office and that of Thomas J. Gibbons, Ramsey County sheriff, after the companies were notified of the suit.

Although distribution branch offices here indicated that they knew the complaints were in preparation, news of their issuance apparently was a complete surprise to local exhibitors, including Northwest Allied officials who sponsored the state law. Fred Strom, secretary of Northwest Allied, said the organization had no knowledge of Lynch's plans. He said a meeting of the executive and legislative committees would be called within a day or two to discuss the situation.

Allied Will Decide on Unity Plan Tomorrow

(Continued from page 1)

meeting in the afternoon will be addressed by H. M. Richey of M-G-M.

A party will be held tomorrow night in the Marine Room. A closed session and the election of officers is scheduled for Wednesday afternoon, followed by an open meeting which will conclude the convention.

Freeze Salaries of Employees in Canada

(Continued from page 1)

no longer be effective because wages will continue on a standard basis. Overtime pay and wage increases for promoted employees will be allowed and a wage earner will not be prevented from changing his employment to improve his position.

Premiere for Navy

Proceeds of the opening of "How Green Was My Valley" at the Broadway Rivoli on Oct. 28 will go to the Navy Relief Society. High ranking naval officers are expected to attend.
Mutual Defends FCC Regulations

Defending the recent FCC network monopoly regulations, Fred Weber, Mutual general manager, yesterday declared that "Mutual expressions concerning the value of its stations and the revised regulations will not only have the harmful effects ascribed to them, but will benefit the radio industry, the public and the advertisers."

Weber warned network affiliated stations to refrain from any attempt by station owners to bind them against a course of action inconsistent with the regulations after Nov. 15 (the effective date) including the exercise by the stations of existing 28-day options. He said that since less than 28 days will elapse by Nov. 15, "stations may rightly abide by this principle effectively immediately."

This statement was contained in a 20-page brochure titled, "Mutual's Second White Paper," and was signed by Weber and approved by W. E. Macfarlane, president, and Alfred J. McColer, chairman of the board.

Weber hailed the new regulations as inaugurating "an area of fair and equal competition so that in the future the success of a network will depend not on artificial restraints and unreasonable control over station independence but on its ability to furnish superior service to its affiliated stations, to the public and to the advertiser."

Two, I was afraid of bodily harm.

Cross-examination by Breslin centered about social relationships between the witness and Bioff. Warner said he had never met Bioff before the demand (the money and denied any social relationships. He admitted that the former of his ranch had purchased alfalfa from Bioff, but said this was purely a routine matter as was another favor extended by the former. Bioff and Mrs. Bioff were guests at the ranch one evening to see a film Warner thought he should see, according to the testimony, but there were no other social visits.

New Toledo House Opens

Toledo, O., Oct. 20—The Coloney, new local house, has opened. Costing an estimated $350,000 the theatre seats 1,800.

Free Admission for Service Men in S. D.

Sioux Falls, S. D., Oct. 20.—Theatre managers here, as well as managers at Aberdeen, Mitchell and Madison, are cooperating in a new plan to give courtesy passes for service men.

Soldiers and sailors are admitted free to theatres, football games, bowling alleys and ballrooms upon showing the passes, which are issued by the Junior Chamber of Commerce. The free admission includes two persons.

FCC Power Will Be Defined in New Law

Washington, Oct. 20.—Legislation revising the Communications Act to define more clearly the powers and the limitations on the authority of the FCC will be taken up in Congress for consideration almost immediately following the opening of the new session in January.

Decision to defer the legislation until next year was reached at a meeting of the House Interstate Commerce Committee, which agreed to call hearings on the subject sometime after Jan. 15.

Legislation modernizing the Communications Act is pending in both House and Senate, with interest received by the new network regulations issued some days ago by the commission and the announced intention of CBS and NBC to contest them.

Commercial's Show NBC-Blue Increase

An increase of 27.8 per cent in the number of stations hours sponsored over NBC-Blue this year over the same period in 1940 was reported yesterday by Edgar H. Kobak, vice-president in charge of NBC-Blue. Kobak stated that this year's total was 1,443 as against 1,131 in 1940 and that the average stations used per program is 57 this year, compared with 38 last year.

New accounts on the network total 22, as compared with 16 in 1940, Kobak said.
ASK YOURSELF THIS QUESTION:

- Theatre managers who have adopted High Intensity projection know that the increased screen light means
  
  IMPROVED PICTURE QUALITY
  BETTER AUDIENCE RESPONSE
  INCREASED ATTENDANCE
  MORE PROFIT

The new "One Kilowatt" High Intensity arcs supply 50 to 100 per cent more screen light than low intensity lamps at practically the same operating cost. Initial cost is also low.

Ask your dealer to give you the figures and a demonstration of this modern projection light.

THE NEW "ONE KILOWATT" ARCS USE "NATIONAL," "SUPREX" AND "OROTIP" CARBONS

1881-1941
The sixty year record of "National" carbons is one of steady progress and improvement. Further progress and continued leadership in the Motion Picture Industry are assured by constant research and an intensive development program.

The words "National," "Suprex" and "Orotip" are trade-marks of National Carbon Company, Inc.

NATIONAL CARBON COMPANY, INC.
Unit of Union Carbide and Carbon Corporation

Carbon Sales Division, Cleveland, Ohio
GENERAL OFFICES
30 East 42nd Street, New York, N. Y.
BRANCH SALES OFFICES
New York, Pittsburgh, Chicago, St. Louis, San Francisco
Newark Award on Clearance

Warner and the Stanley Co. yesterday filed a notice of appeal to the United States Circuit Court of Appeals in Washington, in the case of the United States vs. Warners, United Artists Corp. and the Stanley Co., for an appeal of the clearance order in the case of the Pennsylvania exhibitors.

Kosiner Named Aide To Haskell Masters

Harry Kosiner, Eastern representative for Walter Wanger for many years, has been appointed executive assistant to Haskell M. Masters, United Artists Western sales manager.

Kosiner will assume his new position on Nov. 15 when Warners' New York office will be closed.

15 Pa. Towns to Vote On Sunday Pictures

Philadelphia, Oct. 21.—The Sunday film question will be decided in only 15 communities in Pennsylvania at the Nov. 4 election. Rules for the referendum were changed at the last session of legislature with the result that 20 per cent of the electorate vote is required to file a petition, which accounts for the small number of towns bringing the matter to the voters this year. Previously, only five per cent of the registered voters were required to file a petition.

Arthur Not to Drop Triples in St. Louis

St. Louis, Oct. 21—Harry C. Arthur, Jr., vice-president of Fox & Maceo, has said here that he has no intention of discontinuing triple features, used in several of the neighborhood houses F & M operates for the St. Louis Amusement Co.

Arthur likened triple bills to large Sunday newspapers and said patrons may see as much of the program as they like. He declared tripels have been popular here.

Critics on Coast Upset Press Previewing Rules

By Roscoe Williams

Hollywood, Oct. 21.—Uncertain whether to be angered or amused, but deciding by nightfall in favor of the latter, Hollywood's 300 resident correspondents awoke this morning to discover that Edwin Schallert and Virginia Wright, motion picture editors of the Los Angeles Times and Los Angeles News, respectively, had reviewed "How Green Was My Valley," 20th Century-Fox picture, in today's edition, although the film is not scheduled for trade showing until Oct. 28.

Disbelieving their eyes they read and re-read the Schallert explanation of how the 250-word rhyme of praise and prediction for the picture was "in no sense a preview of the picture." Ditto Miss Wright's concluding remark, ending a 230-word paraphrase describing the film as "undisputed contestant for the Academy award this year."

United Front, Taxes Are Major Issues, Myers Tells AMPTO

By Mort Frank

Pittsburgh, Oct. 21—Three major issues face exhibitors between now and next June, the deadline for continuing the industry consent decree. Abram Myers, chairman and general counsel of Allied States, told the Allied M. P. T. O. of Western Pennsylvania in convention here today.

These issues, he said, are: 1. Shall we unite all trade organizations on a common front for solving problems arising from the consent decree? 2. Should the influence of organizations such as Allied be exerted toward conforming with the distributors on new leasing methods? 3. Taxation.

Myers also held that "this seems to be the pattern for the future conduct of exhibitor organizations: they can justify their existence if they can save exhibitors from excessive taxation, if (Continued on page 13)

Skouras, Century Extend Pooling Deal

A 17-year extension of the existing pooling arrangement involving approximately 20 Century Circuit houses, mostly on Long Island, with a comparable number of Skouras Theatres houses has been close. It was learned yesterday that the current agreement has nearly three years to run. The renewal agreement extends the arrangement for another 20 years.

Delay Decision on UA President Until Meetings on Coast

Selection of a president for United Artists will not be made by the company's owners for some time, it was learned yesterday from official sources.

The selection will be made in the course of meetings to be held on the Coast following the return to Hollywood of Mary Pickford and David O. Selznick in about a week.

The meetings, originally scheduled to be held here, have been called off due to the inability of Charles Chaplin to come East for the sessions and owing to Alexander Korda's produc-

To Ask Arnold Appearance in Senate Probe

Committee Will Decide on Hearings Next Week

BY BERTRAM F. LINZ

Washington, Oct. 21.—Assistant Attorney General Thurman Arnold will be invited to appear before the special propaganda investigation subcommittee hearings are resumed early next month, it was disclosed today by Chairman D. Worth Clark of Idaho. Clark said he intended to call his group together as soon as Senator Tobey of New Hampshire (Continued on page 14)

Fox Sentenced to One Year in Prison

Philadelphia, Oct. 21.—William Fox, motion picture pioneer and star witness for the Government in the conspiracy trials of Federal Judges Warren Davis, was sentenced today to serve a year and a day in Federal prison and was fined $3,000 for conspiracy to obstruct justice and defraud the Government during his bankruptcy. Martin Littleton, attorney for Fox, (Continued on page 14)

Donovan Reports on Propaganda Abroad

Washington, Oct. 21.—Col. William J. Donovan, Coordinator of Information, today made a first-hand report to President Roosevelt on the European propaganda situation. As Coordinator of Information, he has for some weeks been engaged in an exhaustive study of Nazi-Fascist propaganda directed at the United States by radio, press reports, motion pictures and other media.
Coast Flashes

Hollywood, Oct. 21

GEORGE J. SCHAFFER, president of RKO, is expected to fly back to New York today in order to be on hand for home office conferences tomorrow.

Merchandising plans for "Sullivan's Travels," "The Remarkable Andew" and "The Great Man's Lady" were discussed today by Paramount executives at the final session of a field exploitation men's meeting at the Hotel Ambassador. The field men left for their posts tonight.

Darryl F. Zanuck plans to leave Sunday by American Airlines for New York to attend the opening of "How Green Was My Valley." It is expected also that Zanuck will testify in the Browne-Bloch trial.

Cary Grant will be starred with Ginger Rogers in RKO's "Arms and the Man" to be produced by Gabriel Pascal, it was announced today. Oscar Strauss has been signed to compose the music. The Grant-Rogers team will be apart from the former's commitment for one picture and the latter's for two at RKO.

Bette Davis flew today to Minneapolis, where her husband, Arthur Farnsworth is reported critically ill of pneumonia.

5 COOL, COMFORTABLE WAYS TO GO TO LOS ANGELES

THE MERCURY

(Low Fares)

Lv. New York
Ar. Dallas-Ft. Worth
Ar. Los Angeles
4:55 pm.
1:51 am.
7:52 am.

Lv. New York
Ar. Dallas-Ft. Worth
Ar. Los Angeles
4:00 pm.
1:20 am.
7:44 am.

Lv. New York
Ar. Dallas-Ft. Worth
Ar. Los Angeles
11:15 pm.
8:24 am.
3:12 pm.

Lv. New York
Ar. Dallas-Ft. Worth
Ar. Los Angeles
6:45 am.
4:41 am.

Lv. New York
Ar. Dallas-Ft. Worth
Ar. Los Angeles
12:45 am.

AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHEIPS

Personal Mention

WATTSFORD ROTHACKER, Hollywood vice-president of Quigley Publications, is from town.

JULES LAPRUS, Universal district manager, left yesterday for Boston, and is due back on Thursday.

NORMAN LEWIS, Philadelphia exhibitor, is recuperating at his home after a recent illness.

CHANCEY B. NELSON, personnel director of Fanchon & Marco in St. Louis, has taken leave of absence from direct Berkeley Hall, prep school at Beverly Hills, Cal. He will return to his post next July 1.

HELMER SCHUSTER, former operator of the Grant, Philadelphia, will move to Miami.

WALTER WANGER has postponed his planned trip to England and is remaining in New York.

DAVID WINESTHAL, manager of the Cedar, and ROBERT ZIMMERMAN, manager of the 50th St., Philadelphia, have been named sector wardens in conjunction with civic defense.

WILLIAM COHEN, Paramount home office attorney, left for Detroit yesterday.

STANLEY J. MAVER, 20th Century-Fox exchange manager in Des Moines, has returned to his office after a brief illness.

SAMUEL GROSS, 20th Century-Fox Philadelphia branch manager, will lead the Red Cross drive this year.

HAROLD WEISENTHAL, Universal booker in Philadelphia, recently became the father of a daughter.

MoneyHung Is Named Botsford's Assistant

Frank Moneyhung yesterday was appointed executive assistant to A. M. Botsford, director of advertising and publicity of 20th Century-Fox. Moneyhung has joined the advertising department of the company in January, 1939, and has been handling pressbook, cooperative and national magazine advertising. He has been in theatre work since 1922, when he was assistant advertising manager of the Orpheum Circuit.

"Love on the Dole" Acquired by U. A.

"Love on the Dole" has been sold to United Artists for U.S. and Latin American distribution by Louis Jackson, head of Anglo-American Pictures, London.

The deal is the second to be closed by the two, the U.S. and Latin American rights to "Pillow Talk" having been sold to United Artists earlier. Canadian distribution rights to the pictures are not included. These rights will be turned over to the new Canadian company which is forming in association with N. L. Nathan.

1,000 Attend Annual Boston Film Frolic

BOSTON, Oct. 21—Close to 1,000 persons were in attendance at the annual Motion Picture Frolic held at the Hotel Bradford last night.

The Frolic featured entertainers from the various night clubs and Vaughn Munroe and his orchestra who played in dancing. Jack Martin was general chairman of the committee in charge which included Clara Deone, Loretta Duff, Alvin Villaco, Bertha Harris, Elmer Foster, Matthew Moriarty, Michael Hoeburg, Samuel Eisenberg and Joe Barrilla.

St. Louis Bill to Tax Grosses Is Killed

St. Louis, Oct. 21—A bill providing for a one per cent tax on gross receipts of theatres in St. Louis was killed by the Legislative Committee of the Board of Aldermen by a unanimous vote.

In Canada Circuit Post

TORONTO, Oct. 21—Heiner Axel, secretary of the Independent Theatres Association of Ontario and official of the Exhibitors Booking Association, has been appointed director of the maintenance and purchasing department of 20th Century Theatres, a subsidiary of Famous Players Canadian Corp.
**Review**

“Two-Faced Woman”  
(M-J-M)  

THE millions of Garbo fans, remembering “Ninotchka” and her earlier triumphs, will make a ready-made audience for “The Two-Faced Woman,” and shownmen may assure their customers that they will not be disappointed.

The vehicle for Miss Garbo’s splendid performance is another of those which appear to get by through the expedient of having the man and woman married in the first reel. However, this film has its own particular variations of that basic idea and perhaps may also be criticized because the husband knowingly makes passionate love to the person he thinks is his own sister. Of course this means that this is no picture for the children.

The story opens with Melvyn Douglas vacationing at a mountain resort where he takes a lesson in skiing from Garbo. They fall in love and are married immediately. But then the husband is called back to his work in New York by Roland Young, his partner, and Ruth Gordon, his secretary. He soon forgets the natural, simple life which he had planned to live with the ski instructor. Garbo makes a special trip to New York to surprise her husband but finds him making love to Constance Bennett, a writer. The ski instructor decides to pose as her own twin sister, but a sister of an entirely different character.

The twin sister is an international vamp and sets out to make her husband’s friends and himself fall in love with her. She puts over her “act” at a night club during a scene in which she dances. Her husband falls wildly and passionately in love with her, despite the fact that he thinks she is his wife’s sister. Finally he goes back to the mountain resort where his wife has preceded him to ask for a divorce. There he learns that both wife and sister are the same person and he is content.

The film was directed by George Cukor and produced by Gottfried Reinhardt with skill in each department. S. N. Behrman, Salka Viertel and George Oppenheimer wrote the original story. The cast also includes Robert Sterling and Frances Carson.

Running time, 94 minutes. “A.”

“J” denotes adult classification.

**Critics on Coast Upset**

**Press Previewing Rules**

**RKO and Warners Set Trade Showings**

RKO and Warners yesterday announced trade showings of new films. Warners will show “Target for Tonight” and “Blues in the Night” in all exchanges on Oct. 29. “Target for Tonight” already has been shown in New York.

RKO will show its third block of five pictures, “Weekend for Three,” “Obliging Young Lady,” “A Date With a Falcon,” “Four Jaques and a Jill” and “Playmates.” The first two will be shown in all exchanges Nov. 3, with the exception of New York, where “Weekend for Three” will be shown tomorrow. The third and fourth will be shown Nov. 5 and the last named on Nov. 6.

**Open ‘Blues’ in 2 Cities**

The premiere of Paramount’s “Birth of the Blues,” starring Bing Crosby and the Nat King Cole Trio, will be held in both Memphis and New Orleans on Oct. 31. The openings are set for the Malco in Memphis and the Saenger in New Orleans.

**New Anderson Play**

**Is Opening Tonight**

The new Maxwell Anderson play, “Candle in the Wind,” staged by Alfred Lunt, and starring Miss Garbo and Henry Hayes, will open tonight at the Shubert Theatre. It is a presentation of the Theatre Guild and the Playwrights’ Company.

**Ticket Tax Total Is $6,444,950 in Sept.**

WASHINGTON, Oct. 21.—Federal ad-

**mission tax collections in September

stated $6,444,950, a drop of ap-

approximately $890,000 from the August re-

venue of $7,330,284, but practically all of the loss was experienced in the third New York (Broadway) Dis-

trict, where receipts fell from $1,590,-

$7,395,831, it was reported to-

oged by the Internal Revenue Bureau.

Despite the decline, bureau figures disclosed, the August collections were only $890,000 below the $2,9-

$7,267,459 in 1940, and for the first quarter

of the fiscal year which began July

31, 1940, was $15,609,095 against $11,908,915 a year ago.

Collections in the Broadway di-

trict fell off in all categories, the bureau reported. Receipts from box-

office sales dropped from $1,529,055 to

$938,580; tickets sold by brokers from

$1,138,854 to $3,941; tickets sold by pro-

ducers in excess of the established

price and permanent use or lease of

boxes and seats at $10 and $150, re-

spectively, to nothing, owing to admis-

sions to roof gardens and cabarets from

$5,984 to $428.

10 Million in Para.

**Debentures Issued**

Approximately $10,000,000 of Para-

mount’s new 4 percent debentures due

in 1956 were issued up to last night in exchange for the company’s old 3 1/2

percent debentures and corporate notes, Stanton Griffis, chair-

man of the executive committee an-

nounced.

The exchange offer expires Nov. 10

unless extended by the company. Para-

mount has offered to exchange up to

$10,000,000 of the new debentures for

the old issue and the corporate notes in a move to replace all of its short term obligations with the new issue due in 1956.

**Rochester Using**

**Defense Matinees**

ROCHESTER, Oct. 21.—Four local

Schine houses will launch “defense matinees” for children next Saturday, Oct. 22, said Silverman, city manager, who has an-

nounced.

First will be a “coat hanger mat-

ine,” at which children bringing 25

coat hangers receive free admis-

sion. The stunt is scheduled for the

Riveria, Madison, Monroe and State.

**Don Winslow’s Premières**

“Don Winslow of the Navy,” Universal serial, will be given premières in six cities next Monday, “Navy Day,” Bernard Kreisler, short sub-

jects manager, announced yesterday.

**Studios Have 37 New Films**

**Now Shooting**

HOLLYWOOD, Oct. 21.—Thirty-seven pictures were before the cameras this week as 14 finished and nine started. Twenty-picture budgets prepared and 85 are in the cutting rooms.

The tally by studio:

Columbia

Finished: “Final Day Goes to Col-

lege.” “West of Tumblestone.”

In Work: “The Lady is Willing,”

“Caddets on Parade.”

Goldwyn (RKO)

Finished: “Ball of Fire.”

In Work: “The Captain of Koep-

nick.”

M-G-M

Finished: “Miss Achilles’ Heel.”

In Work: “Mr. and Mrs. Smith,”

“I Married An Angel,” “We Were

Dancing,” “The Vanishing Virginian,”

untitled D. Kildare, “Steel Cavalry,”

Johnny eager,” “Woman of the

Year.”

Started: Young America sequel.

Monogram

Finished: “I Killed That Man,”

“Double Trouble.”

Started: “Borrowed Hero.”

Producers Releasing

Started: “Law of the Timber.”

Pressburger (U. A.)

Finished: “Honeymoon at the

Shangral Gesture.”

Paramount

In Work: “Torpedo Boat,” “The

Lady Has Plans,” “The Fleet’s In.”

RKO

In Work: “Sinners, Your Show

Away,” “Joan of Paris,” “Valley of

the Sun.”

Started: “Syncope,” “Mexican

Spyfire at Sea.”

Republic

Finished: “Missouri Outlaw.”

In Work: “The Lady for a Night,”

“Tuxedo Junction.”

Small (U. A.)

In Work: “Hellotrope Harry,”

‘Twin Babies.”

20th Century-Pox

Finished: “The Perfect Snob,”

“Castle in the Desert.”

In Work: “Remember the Day,”

“Son of Fury.”

Started: “Blue, White and Perfect,”

“In the Sunny Side.”

Universal

Finished: “Dr. Ev.” “North to the

Klondike.”

In Work: “Fifty Million Nickels,”

“Keep ’Em Flying.”

Started: “Road Agent.”

Warners

Finished: “The Man Who Came to

Dinner.” “You’re in the Army Now.”

In Work: “Juke Girl,” “Wild Bill

Hicksle Rides,” “The Male Animal.”

Started: “Always in My Heart.”

**Training Films Screened**

Films for training workers in de-

fense industries, produced under the

direction of Dr. John W. Studebaker, Commissioneer of Education, were shown here yesterday. The

showing was under the auspices of the

educational committee of the National

Foreign Trade Council. James Car-

son, chairman, presided.
September 26, 1941

Mr. W. F. Rodgers  
Loew’s Incorporated  
1540 Broadway  
New York, N. Y.

Dear Mr. Rodgers:

You no doubt have noted some trade paper reports criticizing your company for adopting the policy of selling your top brackets of pictures on a sliding scale of percentage.

I am sure you will be interested in our reaction to this plan of selling. We have been buying your product, as you know, under this plan for two years prior to your decision to use it generally in selling the 1941-42 product.

We think it is a fair way to buy pictures. In our opinion the sliding scale is not a proposition which gives the Distributor an opportunity to get more than his film is worth; neither is it a proposition whereby an Exhibitor may contract for pictures for less than they are worth, but rather it is a method where the Exhibitor pays the distributor the proper film rental. As we view the matter from experience, the result is a film rental that is neither too high nor too low.

It avoids requesting adjustments on pictures that do not gross as anticipated at the box-office and it allows the Distributor to get at all times the terms they are entitled to on pictures that are outstanding.

It has worked out very equitably and we feel that theatre owners at large will benefit by what has already proven to be a good plan for us.

Yours very truly,

AFFILIATED THEATRES, INC.

T. C. Baker,  
General Manager

"Thanks, Mr. Baker, for permission to reproduce this letter."
—Leo of M-G-M
May we reply with pictures, dear Mr. Baker!

Our third group just trade-shown is literally the talk of the industry!

Continuing our fast early-season pace we offer 4 more Big Ones:

NELSON EDDY and (introducing) RISE STEVENS in “THE CHOCOLATE SOLDIER.”

EDWARD G. ROBINSON in “UNHOLY PARTNERS” with Edward Arnold, Laraine Day.

GRETA GARBO, MELVYN DOUGLAS in “TWO-FACED WOMAN.”

WILLIAM POWELL, MYRNA LOY in “SHADOW OF THE THIN MAN.”

A Star Parade indeed! A wealth of varied entertainment for theatre patrons who are currently helping “Honky Tonk” to play to more than 200% of normal business (with hold-overs everywhere. 4th week at Capitol, N.Y. for instance.)

Those patrons have learned that this year again, as in the past 17 years, the M-G-M signature is a symbol of good faith in buying entertainment. That’s our policy to the public. That’s our policy to exhibitors.

Sincerely yours,

—Leo of M-G-M
ALL FEMININE AMERICA WILL
And they'll GO for Boyer till they'

UNIVERSAL PICTURES presents

Charles Boyer and Margaret Sullavan in

APPOINTMENT FOR LOVE

with
Rita Johnson • Eugene Pallette • Ruth Terry • Reginald Denny
J. M. Kerrigan • Cecil Kellaway • Roman Bohnen

Directed by
WILLIAM A. SEITER
A BRUCE MANNING Production
Associate Producer, Frank Shaw

A UNIVERSAL Picture
RY—"LET'S GLOW, GIRLS!"

icked to the foyer!

It's a thrill-sweeping romance!

SHE wanted the marriage to last!

HE wanted it to begin!

Nationally Released
OCTOBER 31
Motion Picture daily

8

Wednesday, October

Takes

'Truth'

High $40,000
Chicago Lead

Good $21,000

Hollywood, Oct. 21

WARNERS,

planning a remake of "Humoresque," the Fanny
Hurst story, has purchased it from Cosmopolitan Production. Jack
Chicago, Oct. 21. The Chicago Saper and Jerry Wald will be co-producers.
Monogram has purTheatre, with "Nothing But The chased "Mr. Drum Takes a Beating,"
The Palace, original story by Edmund Kelso who McLaglen and Edmond O'Brien
Truth" drew $40,000.
with "The Little Foxes" on a dual is adapting it for the screen.
will
have the principal leads.

—

bill

week

the

"Sun. Valley Serenade" (ZOth-Fox)

APOLLO — (1,400)
Gross:

2nd week.

(30c-40c-59c)

7

days,

7

days.

$5,000.

.

Stage—Variety

bill.

(35c-55c-75c)

Gross:

.

"Whistling in the Dark" (M-G-M) 2 days,
2nd week
"Here Comes Mr. Jordan" (Col.) 5 days

GARRICK— (1,000)
Gross:

of

(35c-55c-75c)

Michigan"

ORIENTAL— (3,200)

(25c-40c)

days.

7

(Average, $9,000)

Gross: $8,800.

Little Foxes"
Spitfire's

"Mexican

(RKO)
Baby" (RKO)

PALACE— (2,500)

(30c-40c-60c)

(Average,
$21,000.
(Col.)

Gross:

days.

7

(Col.)

Andy Hardy" (M-G-M)

"Life Begins for

"The

.

(Average, $5,000)

5,000.

.

chief

days.

7

ROOSEVELT — (1,500)

(30c-40c-59c)

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M-G-M,

at

the

celebrating

is

of

his

.

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7

$11,000)

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GOLD EX GATE— (2,850)

Stage: vaudeville.
(Average, $15,000)
"Lydia" (U. A.)
days, 2nd

7

age,

week.

Gross:

7\

$21,000

(35c-40c-50c)

(Aver-

$6,200.

$8,000)

"You'll Never Get Rich" (Col.)

"Harmon

Michigan"

of

(Col.)

ORPHEUM— (2,440)

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

7

days.
Gross: $8,600.
(Average, $8,000)
"Smilin' Through" (M-G-M)
"World Premiere" (Para.)

PARAMOUXT— (2,740)

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

Gross: $12,700.
(Average, $11,500)
in the RAF" (20th-Fox)
"Henry A'arich for President" (Para.)

7

days.

"A Yank

.

FOX —

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

(5,000)

2nd week.

Gross: $13,000.

days,

7

(Average,

$16,-

000)

"Hold Back the Dawn" (Para.)
"Buy Me That Town" (Para.)

Monogram.

ST.

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Gross:

UXITED ARTISTS— (1,200)

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(39c-44c-55c)

days.

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Little

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Benny in Alexander
Korda-Ernst Lubitsch's "To Be
Universal has
or Not to Be"
loaned Broderick Crawford to
Warners for "A Night Before
Christmas"
M-G-M has purchased "White House Girl,"
original by Ruth Finney, for a
Joseph Pasternak production. It
deals with a White House teleAlan Baxter
phone operator
and Florence Rice head the cast
of "Borrowed Hero," Collier's
Magazine story, which is being
directed by Lewis D. Collins at

MacDonald Carey,

(20th-Fox)
6 days
'Week End in Havana" (20th-Fox)
1 day
"The Smiling Ghost" (W. B.)

"Dressed to Kill"

Gross: $12,000. (Average,
"Flying Blind" (Para.)

.

posite Jack

25th year in films.
stage star, gets
star billings in "Dr. Broadway," at
Paramount, in which he makes his
film debut in the title rode.
•
•
start

$13,000)

"Our Wife"

days.

"The Im-

purchased

has

mortal Idler," original screenplay by
Bruno Frank dealing with Rossini,
Marfamed Italian composer.
jorie Reynolds, J. Farrell MacDonald and Monte Blue have been
P.R.C's "Law of the
signed for
Timber," based on a story by James
B. B. Ray proOliver Curwood.
Nat W. Finston, music
duces.

age, $32,000)

"Harmon

.

Carole Lombard will play op-

M-G-M

(Aver-

$40,000.

.

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"Nothing But the Truth" (Para.)

CHICAGO— (4,000)

—

San Francisco,

Oct. 21.
"Thef
Foxes" zoomed to $21,000 at
the Golden Gate.
"Smilin' Through"
and "World Premiere" drew %\2,7m
Dudley Nichols has started work Bryan Foy has taken over produc- at the Paramount. The weather \\J1
Century-Fox' crisp.
on the polishing of the script of "For tion reins on 20th
Estimated receipts for the week,
Whom the Bell Tolls," which was "Highway to Hell," which Robert
ending Oct. 14-16:
Louis Bromfield from Kane was to have produced.
done by
"The Little Foxes" (RKO)
Ernest Hemingway's novel.
•
•
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for

Frisco Gross

in

.

took $21,000.
Estimated receipts
ending Oct. 16

Draws

'Foxes'

Notes from Hollywood

22, 1941

days,

FRAXCIS— (1,400)
3rd

mount).

STATE LAKE
—— (3,700)

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

7

week (moved over from ParaGross:

(Average,

$4,500.

i

$5,500)

Victor Schertzinger will direct "Kukan" (State Rights)
George Bancroft, Frank Jenks,
Stage
days.
Mona Barrie and Jessie Grayson "Road to Morocco," Bing Crosby- CLAY— (400) (15c-35c-45c) 7 days. 11th
Gross: $20,000.
week.
Gross: $700.
(Average, $1,000)
are added members of the cast of Bob Hope picture at Paramount.
"Here Comes
'Honky Tonk" (M-G-M)
RKO's "Syncopation," William Die- That studio has purchased "Lady
3rd week
WARFIELD—
7
(2,680)
"Dr. Jekyll and Mr. Hyde" (M-G-M) 5 terle
RKO has ac- Bodyguard," original by Edward days, 3rd week. Gross: (15c-35c-40c-50c)
production.
(Average,
$10,500.
days
$12,000)
Mary
Haldeman.
.Laraine
Day
will
Glory,"
be
Hour
of
quired
"One
UNITED ARTISTS— (1,700) (30c-40c-59c)
(Average, $14,000) Roberts Rinehart story, as a vehi- starred in M-G-M's "China Caravan,"
Gross: $13,000.
7 days.
It was to be produced by Sam Marx and
cle for Thomas Mitchell.
Barry Nelson, a
published in Good Housekeeping last George B. Seitz.
4
Robert Ellis and Helen newcomer, will be teamed with her.
year.
Robert
Buckner's
original,
Logan are writing the script of
"Iceland," Sonja Henie's first pic- "Miss Willis Goes to War" will have
St.
ture for 20th Century-Fox under her Ann Sheridan, Olivia de HavtlCincinnati, Oct. 21.
"Honky
Rowland V. Lee land, Brenda Marshall and pos- Tonk," with a smash $16,800 gross
new contract.
St. Louis, Oct. 21.— "A Yank in
Kay Francis as leads at at the RKO Palace, paced the field,
has been signed by RKO to direct sibly
the RAF" gave the Fox its best busi"Powder Town," in which Victor Warners.
while "The Little Foxes" gave the
months, grossing $16,500.
ness in
RKO Albee $12,500.
"Married
"Sergeant York" did $5,300 in its third
Bachelors"
plus
"The Hollywood
week at the Missouri.
Sweater Girl Revue" on the RKO
in
'Kid'
Estimated receipts for the week end- 'Jekyll'
(25c -35c -40c -50c) 7
1941"
Revue.
of
"Spices
(Average. $14,000)
Mr. Jordan" (Col.) 2 days,

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and Heidt Are
Hits in Kansas City

Brings

16

$7,200, Milwaukee
—"Dr. Jekyll
Milwaukee, Oct.

"Lady Be Gocd" (M-G M)
Michigan"

(Col.)
(3,162) (28c -39c -44c -56c)
Gross: $14,800. (Average, $13,000)
"You'll Never Get Rich" (Col.)

LOEWS—

7

days.

21.

Lady," grossed $7,200 at Fox's Palace,
"Lydia" and "Ice-Capades" at the

AMBASSADOR —
Gross:

(30c-40c-50c)
6
(3,018)
(Average, 7 days,
$6,000.

Warner drew

$11,500)

$6,500.
Estimated receipts for the
ing Oct. 16

"A Yank in the R.A.F." (20th-Fox)
"We Go Fast" (20th-Fox)

FOX— (5,039)

Gross:

(30c-4Oc-50c) 7 clays.

(Average, $11,000)
"Sergeant York" (W.B.)

$16,500.

MISSOURI— (3,514)

(40c-50c-60c)

3rd week. Gross: $5,300.
"Belle Starr" (20th-Fox)

7

and

"Flying

Blind"

was

2nd week.

of

$4,600.

—

7

B.)
Blind" (Para.)
(2,000) (30c-44c) 7 days.

days.

OMAHA—

Gross:

(Average, $6,000)
"Married Bachelor" (M-G-M)
(40c-55c)

Gross:

7

XEWMAX — (1,900)

$5,700.

week.

Gross:

$6,500.

TOWER—(2,200)

dav

davs.
$15,200.
I

7

days, 2nd

(28c-44c)
$7,000)

7

days.

(Average, $5,500^

7

Don Juans.

(40c-55c)

7

days. 2nd

(Average. $5,000)

(33c-40c-50c) 7
(2,700)
(Average, $10,000)
$16,800.

RKO SHUBERT— (2.150)

days.

Revue."

Gross:

(33c-44c-60c) 7
Girl

Stage:
"Hollywood Sweater
(Average,
Gross: $11,000.

$10,-

000)

(44c-50c-60c)

7

(Average,
days. 3rd week.
Gross: $6,200.
at 33c -40c -50c, $5,500)
"A Yank in the R.A.F." (20th-Fox)

GRAXD— (1,500)

RKO

Gross:

(33c-40c-50c)
$4,500.

7

(Average,

$15,500.

"Lady Be Good" (M-G-M)

Stage:

(Average.

Three Firms Formed

—Three new firms

have been incorporated here.
They
ing department of Columbia, will have are: Upstate Films, Inc., Buffalo, by
Pfeifer, Leo Stein and
a "one-man" exhibition at the Bone- Sidney B.
Mildred Ruth Microfilm Corp., New
stell Gallery, on 57th Street, from Oct.
by Irwin Zlowe, Rosalind
27 to Nov. 8. Lipskin helped to edit York,
"They Taught Themselves," book on Babow and Helen Joseph, and Al O.
primitive Bondy, Inc., New York, by Joseph
American
contemporary
Jacob Grohman and
painters, by Sidney Janis, which the Schwartzman,
Estelle Corsover.
Dial Press is publishing Nov. 1.

LYRIC—

RKO
days.

(30c-50c) 7 days.

Oct. 21.

Gross:

"Married Bachelor" (M-G-M)

days, 2nd week.

$6,000)

Albany,

RKO PALACE —

days.

$5,000)

Horace Heidt in person, with the Musical
Knights;
Larry Cotton, F'rankie Carle.
Mimi Cabanne, Ronnie Kemper, Donna and

;

s8.1C0.

ORPHEUM— (3,000)

(33c-44c-55c) 7

(33c-40c-50c)

(Average, $12,000)

Gross:

RKO CAPITAL— (2.0C0)

(28c-44c)

"The Pittsburgh Kid" (Rep.)

Edna Bartos, painter and wife of
Lawrence H. Lipskin, of the advertis-

(Col.)
(1.200)
(30c-44c)
(Average, $4,000)

Stage:
Johnny Davis.
(Average. $14,500)

days.

Painting Exhibition

week end-

"Navy Blues" (W.
"Flyine

7

RKO -ALBEE— (3,300)

days.

week

"Sergeant York" (W. B.)

(Average, $8,500)

(Average.
$7,500.
"Sergeant York" (W.B.)

ORPHEUM— (1.900)

(30c-40c-55c)

Edna Bartos Plans

clear

Michigan"

BRAXDETS
Gross:

Gross:

$2,200)

Col.)

Gross: $9,500.

Gross:

her

"You'll Never Get Rich" (Col.)

"Harmon

2nd

days,

$6,500.

WISCOXSIN— (3,200)

$8,100 at
of generally

Omaha

7

(Average, $1,500)

(Average. $4,500)
"A Yank in the R. A. F." (2»th-Fox)
"We Go Fast" (20th-Fox)

took

in a week
good grosses. The weather
and cool.
Estimated receipts for the
ing Oct. 14-15

the

WARXER— (2,400)

Blues"

"Mystery Ship"

MIDLAXD— (3,600)

"Ice-Capades" (Rep.)
Gross:

Gross:

2nd

days,

(30c-40c) 7
(800)
(Average,
$3,000.

"Navy Blues" (W.B.)
(44c-65c)

Gross: $2,000.
"Lydia" (U. A.)

21.— "Navy

at the Midland.
Estimated receipts for the week
ending Oct. 14-16:
"A Yank in the R.A.F." (20th-Fox)

week.

(Col.)

week.

'Navy Blues' Omaha
Leader with $8,100
Oct.

days.

(Average, $4,000)
Ladies Meet" (M-G-M)

$7,200.

STRAXD— (1,400)

days.

drew $9,500

"Honky Tonk" (M-G-M)

Gross:

Shubert stage, pulled $11,000.
Estimated receipts for the
ending Oct. 15-18
"The Little Foxes" (RKO)

"Honky Tonk" and "Mystery Ship" "Honky Tonk"$12,500.
(M-G-M)

ESOUIRE —

(2flth-Fox)
(33c-44c-55c) 7

Tower.

the stage, scored $15,500 at the

week.

"Our Wife"
7

City, Oct.

"A Very Young Lady"

"When

—

week end-

21.—"The Pittsburgh Kid" with Horace Heidt on

Kansas

"Dr. Jekyll and Mr. Hyde" (M-G-M)

PALACE — (2,400)

days.

(Average, $4,000)

"Smiling Ghost" (W.B.)
ST. LOUIS
(25c-35c)
(4,000)
Gross: $2,800. (Average, $2,600)

Omaha,

"A Very Young

and Mr. Hyde" and

"Father Takes a Wife" (RKO)
days.

$16,800, Cincinnati

.

Louis

$16,500,

of

.

.

.

"Harmon

.

'Honky Tonk' Gets

Yank' Captures

ing Oct.

.

3rd

week.

(1,400)

Gross:

(28c-33c-42c)
$2,400.

7

(Average,

S4.50O)

"Under* Fiesta Stars" (Rep.)
"Doctors Don't Tell' (Rep.)

RKO GRAXD— (1,000)

Gross:

1,200.

(15c-28c)

4

days.

3

days.

(Average. $1,200)

"The Mystery Ship" (Col.)
"The Vcice in the Night" (Col.)
RKO' FAMILY— (1,000) (15c-28c)
(Average. $800)
Gross: $800.
"It Started with Eve" (Univ.)

KEITH'S— (1,500)

2nd week.

7

days.

(Average.

$5,000)

(33c-40c-50c)

Gross: $3,000.

Seeks Drive-In Permit

—

The
Board of Selectmen has reserved decision after a public hearing on the
petition of William Purcell of Fall
River to build a drive-in theatre here.


"PARDON ME FOR POINTING!"

FOLLOW THIS LINE FOR THE YEAR'S OUTSTANDING ROMANTIC COMEDY!
Meet the bride who wouldn't stay for breakfast!
Pre-Sold to Millions

A joyous reunion of the stars of "THE LADY EVE"

BARBARA STANWYCK
HENRY FONDA

in Wesley Ruggles' You belong

to Me

with EDGAR BUCHANAN
ROGER CLARK • RUTH DONELLY • MELVILLE COOPER

Screen play by Claude Binyon • Directed by WESLEY RUGGLES

A COLUMBIA PICTURE

RELEASED
OCT. 30th
LORETTA YOUNG
THE MEN IN HER LIFE
Conrad VEIDT • Dean JAGGER • SHEPPERD • KRUGER • LEONTOV
Based on a novel by Lady Eleanor Smith
Screen play by Frederick Kohner, Michael Wilson, Paul Trivers
Directed by GREGORY RATOFF
A GREGORY RATOFF PRODUCTION
Released Nov. 20

Marlene DIETRICH • Fred MacMURRAY
MITCHELL LEISEN'S
THE LADY IS WILLING
Aline MacMahon • Roger Clark • Stanley Ridges • Ruth Ford
Directed by MITCHELL LEISEN
A February Release

FREDRIC MARCH • LORETTA YOUNG
BEDTIME STORY
ROBERT BENCHLEY
Helen WESTLEY • Allyn JOSLYN • Joyce COMPTON • Stanley BROWN
Screen play by Richard Flournoy
Story by Horace Jackson and Grant Garrett
Directed by ALEXANDER HALL
Released Dec. 20

GO WEST, YOUNG LADY
ENN SY SINGLETION • GLENN FORD • ANN MILLER
CHARLIE RUGGLES • ALLEN JENKINS and BOB WILLS AND HIS TEXAS PLAYBOYS
Produced by ROBERT SPARKS • Directed by FRANK R. STRAYER
Screen play by Richard Flournoy and Karen DeWolf
Released Nov. 27

THREE GIRLS ABOUT TOWN
JOAN BLONDELL • Binnie BARNES • JANET BLAIR
ROBERT BENCHLEY • JOHN HOWARD
Original Screen play by Richard Carroll
Directed by LEIGH JASON • Produced by SAMUEL RISCHRE
Released Oct. 23

...and five more big ones from Columbia on the way
Forced to Be Friendly with Bioff: Warner

(Continued from page 1)

the strike at the Columbia studio in November, 1947. Warner testified that the called in the studio police who turned two into 20,000 in a car for a period of two weeks. Nothing happened during that period, the men were withdrawn, Warner testified.

Aubin C. Keough, Paramount secretary and general counsel, is expected to be the last man to testify. Here is a possibility that the Government may complete its case today, although it was pointed out that lengthy cross-examination of Keough may prevent this.

W. B. Executives Testify

Besides Warner, Thomas J. Martin, company attorney, and Samuel Carlisle, controller and assistant treasurer, were the day’s witnesses. Carlisle’s cross-examination is expected to end early this morning and the Government is expected to round out its show of evidence from four major companies with a recital of alleged occurrences at Paramount.

Carlisle described his first meeting with Bioff in May, 1936, when he was introducing Albert Warner, vice-president and treasurer of Warner Bros. Warner disclosed that Bioff was seeking $5,000, Carlisle said, and carbide was a check. This offer was rejected by Bioff who insisted on cash, the witness continued, and he made a deal of $15,000 as he was going to a labor convention and “had to dish it out to district leaders.” Carlisle testified Bioff continued to狐 he there and began years of hard work. Finally she makes her debut and is a success. She marries her teacher out of gratitude, although she loves John Shepper, young Englishman. When her husband dies she marries Dean Jagger, an American, and tries to quit dancing. But she leaves her husband to return to her career. A child is born and the mother allows the husband to take the child to America. Finally some years later she is reunited with her family after her best days as a ballet dancer are over.

This content may be expected to shed a few tears at several points in the human story of a woman trying unsuccessfully to give up her career to have a happy married life. The fine cast also includes Eugene Leonovitch, the maid; Otto Kruger, the manager; Paul Baratoff, Ann Todd, Billy Rayes, Ludvilia Torszaka and Tom Ladd.

Running time, 89 minutes. G.* 

M. Q., Jr.

“G” denotes general classification.

Reviews

“Shadow of the Thin Man” (M-G-M)

The popular series of “Thin Man” films, featuring William Powell as Nick Charles, the notochord private detective, and Myrna Loy, as his charming and slightly erratic wife, has herein another highly entertaining chapter, which should do very well at almost any time.

Full of well-filled situations, the picture moves smoothly and swiftly, with a full share of suspense and occasional bits of excitement to keep audience attention held to the screen. W. S. Van Dyke II directed with skill, keeping the loose ends of his mystery well in until the final sequence.

In support of the two stars are Barry Nelson, as a young crusading newshound, took the matter of the racetrack gambling ring; Donna Reed, as Nelson’s sweetheart; Sam Lenecke, as the police detective who gets the credit for Powell’s success; Alan Baxter, as another reporter involved with the ring; Lou Lubin, an excellent character bit as a member of the gang; Dickie Hall, as Powell’s small son, and, of course, Asta, the family dog.

Powell is persuaded to undertake to help smash the gambling ring when Nelson, a friend, is arrested for one of the two murders the police are working on. The trail leads into various entertaining byways until, logically and cleverly, Powell uncovers the killer.

Running time, 97 minutes. G.*

Charles S. Aaronson

“The Men in Her Life” (Columbia)

LORETTA YOUNG stars in this picture, which shows the joys and sorrows in the life of a ballerina, and she gives a sympathetic and moving performance. But many audiences not familiar with the ballet will find that the story develops slowly and that the action tends to drag in places. Music and ballet lovers will find a number of finely staged numbers in the hour and a half of running time.

Gregory Ratoff was the producer and director and there are ample indications that careful attention was given to many of the details of the film. The story opens with Miss Young, a circus performer who has ambitions to be a dancer, being caught by the ballet teacher who was once a great dancer and is now conducted by Conrad Veidt. The girl promises that she will become a dancer and Veidt and other show herself and other shows begin. Finally she makes her debut and is a success. She marries her teacher out of gratitude, although she loves John Shepper, young Englishman. When her husband dies she marries Dean Jagger, an American, and tries to quit dancing. But she leaves her husband to return to her career. A child is born and the mother allows the husband to take the child to America. Finally some years later she is reunited with her family after her best days as a ballet dancer are over.

Great emphasis by exhibitors on the selling of their product and the selling of the theatre institutionally to the public was foreseen by H. M. Richey, director of exhibitor relations for M-G-M, in an address before the convention.

Richey believed the time is rapidly passing when the theatre owner will occupy the majority of his time buying and his time selling, Richey said.

Constructive exhibitor organization is vital to the security of the business, Richey said, and the ticket that tended to drive all elements of the industry closer together. He stressed the importance of industry unity under present conditions, and added that M-G-M’s policy of attempting to bring about better industry relations, and the company’s intention to live up to the consent decree. The arbitration system is proving to be a “constructive force,” he declared.

More intensive selling is necessary today, Richey pointed out, with the competition for the working man’s amusement dollar keener than ever.

Reviews Legislation

Fred Harrington, executive secretary, reviewed AMPTO activity in state legislative matters which resulted in the defeat of a two-year in-and-out bill, a bill to prohibit Sunday advertis-
Will Ask Arnold
To Appear Before
Senate Committee

(Continued from page 1)

Hampshire returns to Washington, probably next Monday, to decide whether hearings shall be resumed the following week.

Also, he said, if the committee meets next week it is possible that some of the alleged propaganda pictures finally will be viewed. However, be admitted, conditions now are very confused and there is no certainty when hearings will be resumed.

The chairman said that in addition to Arnold the committee hoped to have near Norman Chandler, publisher of the Los Angeles Times; Will Hays, president of the MPFDA, and possibly Louis de Rochemont of March of Time.

Meanwhile, there were indications that the propaganda may figure in the debate in the Senate next week on repeal of the ship arms ban of the neutrality law. Clark admitted that some consideration had been given to bringing in this phase of the neutrality situation, but said no decision had been reached.

Order Disney Suit Trial

The Appellate Division of the N. Y. Supreme Court yesterday reversed a dismissal of the $200,000 damage suit brought by Adriana Caselotti against Walt Disney Productions, Ltd., and RCA Manufacturing Co., and ordered a trial. The plaintiff, who provided the sound track for "Snow White and the Seven Dwarfs," claimed records were made without her permission.

Off the Antenna

KVOO, Tulsa, Okla., NRC-Red affiliate, will increase its daytime power to 50,000 watts day and 25,000 night within the next 10 days, and expects to go 50,000 watts full time shortly, it was announced yesterday.

New arrangements are scheduled to join NRC-Blue within the next two months, it was revealed. They are KTCY, Visalia, Cal., on Nov. 15, and WFTC, Kinston, N. C., on Dec. 1. KTKC, with 1,000 watts on 920 k.c., will be an optional outlet on the Pacific Coast group, at the basic rate of $12 per hour. The new outlet will move to the full 920 k.c. and will increase its power to 5,000 watts. WFTC with 250 watts on 1,250 k.c. will be a bonus outlet for the Southeastern group.

Another Blue station, KGKO, Fort Worth, Tex., has notified NRC officers here that it will increase its power to 5,000 watts full time by Dec. 1.

Purdy Personal

Lloyd W. Dennis, program director at WJSV, Washington, has been named executive officer of the Eastern Radio Association. He has just returned from a trip through the East. Robert R. King, of KTSA, San Antonio, Texas, has been appointed to a similar post for the Southwest. Bing Crosby will be guest on Bob Considine's "Lights Out." Frank B. Rea has written a song, "Would It Make Any Difference to You?" which will be played for the first time on his show, "Three Ring Time" over Mutual Friday.

RCA Communications yesterday disclosed that a new radio circuit had been opened between New York and Brazzaville, French Equatorial Africa. Brazzaville is the "Free French" area.

Program News: Irving Caesar will bring his "Songs of Safety" back to Sundays, 12:30-12:45 A.M. . . . Calif ornia Fruit Growers has renewed sponsorship of their Wednesday and Friday program. Ward Batakis Co. will sponsor AP news over WJZ 8:45-8:50 A.M. Mondays through Fridays for 13 days . . . Drezma, Inc., taken over the WBC Tuxedo program Sunday and Tuesday, 11-11-15 A.M. . . . Permission of "Here's Looking at You" and Thursday, 2:45-3 P.M. . . . Chesapeake has renewed "Dr. Christian" over 64 CBS stations.

W.B. Appeals New York
Award on Clearance

(Continued from page 1)

Newark, the case involves the five consenting distributors.

The Buffalo arbitration board's sixth complaint was filed yesterday by Irving Cohen, owner of the Alliedene, Buffalo, against Loew's Paramount, 20th Century-Fox and Warners. The complaint charges that the Alliedene's present availability is unreasonable and requests an award permitting it to play "ahead of the Marlowe" in Buffalo.

Deny Product Refusal At St. Louis Hearing

Sr. Louis, Oct. 21.—Representatives of the five consenting companies deposed and refused to appear at the Ritz Theatre, Rolla, Mo., at a hearing at the local arbitration board today on the same run complaint of Mrs. Mildred Karch, owner of the Ritz.

The complainant charged that she had been offered only old films and had been unable to make any specific contract. First and second runs in the area have been sold to the Rolla-Mo and Uptown theatres, owned by the Greater Circuit.

The same run complaint of Floyd Lowe of Lebanon, Mo., against the five consenting companies and with Gasconade Circuit as an interested party, is scheduled for hearing here next Tuesday.

Oriental Hearing Today in Chicago

CHICAGO, Oct. 21.—The clearance case of the Oriental Theatre, involving all the Class A Loop and neighborhood houses in the city, is scheduled for hearing at the local board tomorrow.

An intervention in the case was filed today by the Esquire Theatre, adjacent to the Loop.

MOTION PICTURE DAILY

Wednesday, October 22, 1929

Canada Cuts Radio
Set Output by 25%

Toronto, Oct. 21.—Manufacturers of radio instru-
m ents have been informed by the Canadian Government to reduce the production of receivers to 25 per cent of the 1940 output. Trade statistics show that this represents a cut in manufacture of 14,000 sets in the next 12 months.

Seating Problem In
Studion by C.M.P.E.

A study is being made of the public preference for seats in theatres in order to improve the comfort and entertainment value of the house. The Society of Motion Picture Engineers were told yesterday at the Hotel Pennsylvania in a report by the theatre engineers' societal report, to read by Dr. Alfred N. Goldsmith, an associate. Additional surveys are to be made by the committee.

Ramsaye a Speaker

Terry Ramsaye, editor of Motion Picture Herald and the deli- gates, his subject being listed as "Lot of How, and Little What." Ramsaye spoke on the extent and complexity of the machinery of communications compared with what was to be communicated. He suggested that "the customer, in the strict sense, of the machinery of civilization" and that perhaps we would be well for the engineers to go through into social and political affairs to help make the whole thing work.

Two sessions were held yesterday second day of the four-day meeting. The morning was occupied with a projection session, and the afternoon with a general session.

Discuss New Developments

The delegates heard reports on safety devices and a color lamp. Various new technical developments and devices in projection were described, color pictures on second screen was discussed, and reports of the studio lighting and standards committee concluded the day's sessions.

A semiannual banquet will be held, with the Journal Award and Progress Medal to be presented.

Nick Weston Seek
High Court Review

Sr. Louis, Oct. 21.—John P. Nick, owner of the Nick, is appealing his case here, and Clyde A. Weston, former business agent of the union, are represented on appeal on application for a writ of certiorari with the U. S. Supreme Court this week in an attempt to obtain a review of their convictions on charges of violating the federal anti-racketeer-
ing statute.

CBC Employees Will
Organize in Canada

OTTAWA, Oct. 21.—Regional representatives of employees councils of the Canadian Broadcasting Corp. are meeting here for three days to lay the foundation for the organizational Employees council represent- ing all CBC employees in Canada.
EVERYBODY
PLEASE COPY!

W. G. Van Schmus,
Radio City Music Hall,
50th Street and 6th Ave.,
New York City.

Dear Mr. Van Schmus:

I want to join the amusement world at the
“Stars’ Party for Mayor La Guardia” next Monday,
Oct. 27th in the Grand Ballroom of the Hotel
Astor ($1.75 per ticket). I’ll be at the Luncheon
at 12:30 noon.

I understand there will be a triple-dais of
show-world personalities who are coming to
greet the Mayor. Count me in. This is the time
when all of us should put into action what’s in
our hearts. We must make sure in these troubled
times that an experienced man and a man
friendly to our business remains in City Hall.
Let’s keep the Little Flower blooming on the
sidewalks of New York.

Sincerely yours—

Everybody

[For phone reservations
call: CIrce-64600]
CONSTANT VIGILANCE

RIGID laboratory control, with critical tests all along the way, sees to it that every foot of Eastman negative film contributes its full quota of high quality and unvarying uniformity. 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
Company Gave Boff $100,000 Keough States

You're Rests and Defense To Move for Dismissal

Austin C. Keough, vice-president and general counsel of Paramount, yesterday in the Brownenoff extortion trial in Federal court that he gave William Boff $100,000 in cash at the Warwick hotel in New York and that an additional $70,000 was given to Boff by order of the director of personnel during the period from May, 1936, to January, 1938.

The Government rested its ease conditionally, after three days, on the basis of additional witnesses. Argument on defense motions to dismiss will take place before Judge John C. Knox at 2 P.M. today with the jury absent.

Mathias F. Correa, C. S. Attorney, served the right to call additional witnesses.

(Continued on page 2)

Dimick Is Winner Of S.M.P.E. Medal

Glenn L. Dimick, sound engineer RCA Laboratories, received the annual Progress Medal of the Society of Motion Picture Engineers, and J. Frayne and Vincent Pagliuolo of the three-midget camera at the semi-annual banquet of the society at the Hotel Pennsylvania last night.

The presentation was made by Henry Hussey, president of the society, holding its convention at the Pennsylvania. The four-day convention will end today. Otto S. Schairer, (Continued on page 2)

Col. Western Meet In Frisco Tomorrow

SAN FRANCISCO, Oct. 22.—Columbia will open a regional sales meeting at the Sir Francis Drake Hotel here Friday for two days. Abe Montague, general sales manager, will reside in San Francisco.

Hans Jacker, assistant sales manager, will attend and Jerome Safron, Western division manager, will head the following branch managers and assistants:

Los Angeles: Wayne C. Ball, branch manager; L. Kennedy, S. G. (Continued on page 8)

Managers' Union Designated by RKO

Vote, First of Kind

The first managers' union to win recognition, the Exhibition, Exposition, Employment Employees National Union, an affiliated group, yesterday won a collective bargaining agency election among managers, assistant managers and treasurers employed at RKO theatres in Greater New York and Westchester County. The vote was 51 to 39. The election was conducted by the New York State Labor Relations Board.

As there were no challenges to any persons, voting, the result entitles the union to act as sole bargaining agency, Gustave A. Gerber, union attorney, declared. Ninety of the 91 eligible to vote participated. The election will be certified by the board within five days.

Gerber declared that petitions would be filed shortly for designation in the Low and Scouras houses in the New York area, where the union claims a majority. The 4-E group has no connection with the M.P. Division of the Theatrical Managers, Agents & Treasurers Union, AFL, which was abandoned more than a year ago, although Gerber was attorney for that TMAT branch.

(Continued on page 7)

Fish Would Extend Cut-Rate Tickets

Washington, Oct. 22.—Representative Hamilton Fish today introduced legislation giving members of the American Merchant Marine, and of the merchant marine and armed forces of lend-lease nations, when in uniform, reduced admission privileges granted American armed forces under the new tax law. The bill has been referred to the House Ways and Means Committee.

Allied Starts Machinery on Industry Unity

By MORT FRANK

PITTSBURGH, Oct. 22.—Allied States Association today set in motion its plan for industry unity when the board of directors, meeting here, directed a committee to communicate with other groups in the industry "with a view to setting up a national joint conference committee."

This was disclosed in a statement by Abram F. Myers, chairman of the board, which revealed that the proposal had been ratified by the membership of the regional units, with only three affiliates voting against the proposal to explore the possibilities for "a more elaborate and enduring form of industry organization."

Fifteen affiliated organizations held referenda.

Appointment of the committee, which took place at the national convention, was announced at the close of the meeting.

(Continued on page 7)

Distributors Face Chinese Money Withdrawal Problem

Canada Music Union Dispute is Settled

OTTAWA, Oct. 22.—Major Gladstone Murray, CBC general manager, has told James C. Petrello, president of the American Federation of Musicians, that "Canadian music affairs are to be negotiated and settled on a strictly Canadian basis without interference or pressure from the United

American distributors will be unable to withdraw revenue from occupied China unless the MPPDA, working through the State Department, is successful in efforts to have films placed on the preferential list not subject to the Government's "freezing" order. Joseph Goltz, United Artists manager for China, who is here for a home office visit, said yesterday.

Goltz said that nothing can be done about the removal of films from a luxury classification by company representatives in China, despite the fact

Majors Plead Not Guilty to Minn. Charge

Will Arraign Companies In St. Paul Today

By ROBERT E. MURPHY

MINNEAPOLIS, Oct. 22.—Asserting they believed the Minnesota anti-block-of-five law to be unconstitutional, RKO, Paramount and 20th Century-Fox entered pleas of not guilty to violating the statute in St. Paul municipal court today.

The companies were represented by Joseph Findley, St. Paul attorney, and David Shearer, Minneapolis attorney. No other company representatives appeared in court. Preliminary examination was waived by the attorneys and the cases were bound over to Ramsey County district court, where representatives of the companies will be arraigned tomorrow.

Findley, appearing for Paramount, declared that the company intended to

(Continued on page 8)

Ed Schnitzer Seen Successor to Sears

Because of reports that Gradwell L. Sears was discussing a deal with United Artists owners for the presidency of that company, interest in the trade yesterday in a possible successor to Sears as Warners general sales manager. Home office officials would make no comment, however. It is the opinion of showmen that Edward Schnitzer, Eastern district manager, might be selected, were a man to be appointed from the ranks, since Carl Leserman, Sears' chief aide, is reported likely to go to U.A. with him.

Sears' attorney, Leo Spitz, retained by him Tuesday in a telephone call to Chicago, is not expected here until Monday. U.A. owners meanwhile reiterated that a deal with Sears is not imminent. Warner company heads also are reported most reluctant to let Sears go. His contract runs until the end of March, it is said.

In the meantime, David O. Selznick has finally signed his deal with U.A. It was also learned yesterday.

(Continued on page 7)
Personal Mention

MAJOR EDWARD BOWES was host at a luncheon in the Empire State Bldg. yesterday for Dr. A. H. GIANNINI and a group of his personal friends. Dr. GIANNINI will leave for the Coast today.

BARNIE BALaban returned from the Coast yesterday.

ROBERT M. GILLHAM is due from the Paramount studio today.

HARRY Goldember is due today from Cleveland and Philadelphia.

SAM HACKER is in Philadelphia.

Lewis Play Gets One Performance

Establishing what is considered to be a new low-run record for a Broadway show this season, "Good Neighbor," a play financed and directed by Sinclair Lewis, closed after only one performance, the one on opening night, Tuesday. Last night the show failed to open.

It is understood that the venture cost Lewis about $26,000. Sam Byrd was the producer. Jack Levin is the advertising manager.

The play was unanimously criticized adversely by the reviewers. Previously "The Distant City" held the low-run record for this season with two performances.

Large Turnout for Mayor Is Expected

Acceptances to date indicate a large attendance for the luncheon honoring Mayor F. H. LaGuardia at the Hotel Astor next Monday, John Golden, chairman of the Theatrical, Motion Picture and Radio Committee, which is sponsoring the event, announced yesterday. The Mayor will be the only speaker. It was announced. His address is scheduled to be broadcast over WHN, 1:35 to 2:15 P. M.

Aurto Host at Rodeo

Gene Aurto will give a luncheon at the Hotel Lincoln Saturday and Sunday to 300 youngsters selected in New York theaters, in cooperation with Republic, to which Aurto is under contract. After the luncheon on each day the youngsters will be Aurto's guest at the Rodeo at Madison Square Garden.

City Manager Shifted

CHARLOTTE, N. C., Oct. 22—Jack E. Austin, city manager at Burlington, has resigned to accept a North Carolina Theatres, Inc., will be city manager here, effective Nov. 1. Norris Hadaway, chief of the National Theatre in Greensboro, will also go with Mr. Austin, and Clyde Wooten succeeds Hadaway.

George Jessel Is Father

Hollywood, Oct. 22—Lois Andrews Jessel, wife of George Jessel, gave birth to a seven-pound daughter at Cedars of Lebanon Hospital here today.

John Hay Whitney leaves for California Sunday.

Darryl Zanuck is expected here Monday.

MRS. Y. FRANK FREEMAN will arrive at the Waldorf-Astoria today from Atlanta for a two-weeks stay before returning to the Coast.

CHRISTY WILBERT of 20th Century-Fox has left for St. Louis.

MORRIS HELPHIN leaves for the Coast today.

RKO Gets $1,500,000 2% Short Term Loan

RKO has closed arrangements with Bankers Trust Co. for a short term loan of $500,000 at 2% per cent.

The interim financing is said by company officials to have been made necessary by the company's large production inventory resulting from the slower liquidation of pictures at the outset of the new decree selling method.

Lehman's to Attend Opening of 'Dumbo'

Gov. Herbert H. Lehman and Mrs. Lehman head the list of invited guests who are scheduled to attend the opening of the Walt Disney-RKO feature cartoon, "Dumbo," at the Broadway Theatre tonight, according to an announcement by RKO.

The opening is being presented as a benefit for the Vocational Service for juveniles. Starting tomorrow morning, the film will be shown on a continuous-run policy.

Goldwyn Signs Wood

Hollywood, Oct. 22—Samuel Goldwyn today announced the signing of Sam Wood for his new company, "Treasure Chest," starring Bob Hope. Wood will report after completing "For Whom the Bell Tolls" for Paramount.

Hartford, Conn., Oct. 22—Certificate of incorporation has been filed for the Eastwood Theatre Co., Inc., of East Hartford, naming Adelyn Hitchcock, Florence Parker and Gerald B. Steinberg, all of Norwalk as incorporators.

Carroll Rites Tomorrow

Funeral services will be held in Hollywood tomorrow for major James Henderson Carroll, 50, brother of Earl Carroll, who died in Washington, D.C., Tuesday of a heart ailment. General manager for Earl Carroll for many years, Carroll returned to active Army duty a year ago. He served as a captain in the first World War.

Dimmick Is Winne Of S.M.P.E. Medal

(Continued from page 1)
RCA Laboratories vice-president, read the citation for Dimmick, given to his outstanding contributions to the motion picture. The Journal Award was given for the best paper published during the year in the SMPJE Journal on "The Effects of a Circuitry Filter on Variable-Density Recording Printing."

At the banquet, William G. Kingman, managing editor for seven years of the president of the SMPE, was given a testimonial certificate.

The convention yesterday included a special session yesterday morning featuring papers of a new electrostatic air cleaner for film; a precision densitometer; a development of densitometers and solutions for films. No technical session was held yesterday afternoon.

Grierson Takes Over Canada Film Bureau

Toronto, Oct. 22—John Grierson head of the Canadian National Film Board, also will direct the Canadian Government Motion Picture Bureau, following the transfer of Captain Frank Badgley, former Bureau head, to other work. Badgley has been appointed chairman of the Ontario Department of Pensions and National Health.

The bureau for many years has been responsible for the production and distribution of official Government films.

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**Short Subject Reviews**

**Triumphant Without Runs** (Cary Grant)

The plant experiments in the Pure Food and Drug Act might suggest something dull in the way of film entertainment, this unauthorized depiction of life at the plant behind the wall is anything but enlightening but holds a good deal of interest. It begins with a wolf story due to a wrongful conviction and its hero through on Harvard Woods' campaign to have Con-

cess and the President take action on the matter. The film then moves its hero to Theodore Roosevelt and the plan
comes into being. Running time, mins.
Release, Oct. 18, 1941.

**Flicker Memories** (Peter Smith Specialty)

(A-G-M)

Ancient flickers often seem ca-

pable in these times of drawing laugh

es. Pete Smith's treatment of them

may make them appear even siller

and funnier. The over-dramatic play-

ing is made more humorous by the

narration. Smith adds to the amuse-

ment with humorous remarks.

Running time, 9 mins.
Release, Sept. 19, 1941.

**Highway of Friendship**

(Adventure of a Stream)

(20th Century-Fox)

The Inter-American highway which

runs from New York to Lima and east to Buenos Aires is the subject of this

Adventure of the Newsreel Cameraman subject. The film offers good scenic material,

bought by taking cameramen on the

journey from the Mexican border north to Lima and east to Buenos Aires.

The commentary is a good adjunct to an interesting and pictures-

que subject. Running time, 10 mins.
Release, Oct. 24, 1941.

**Inside Passage**

(Fitzpatrick Travellak)

(20th Century-Fox)

Robert A. Fitzpatrick found what is
to be seen clearly the most interesting part of the journey. He

found in the regulation Fitzpatrick style, included informative, interesting

and entertaining. The result is one

of the better travelogues. The film:

is by inland waterway from Seattle and in penetrating stopovers are made at the salmon fisheries, an Indian village and important ports. The beauty of the country is enhanced

by the background, and, for that reason, all that is on view, is emphasized by
der color photography. Running time, 9 mins.
Release, Oct. 4, 1941.

**Foxes' Pulls Big $26,100 to Lead Boston**

Boston, Oct. 22.—In a week of high grosses, "The Little Foxes" coupled with "The General Died at the Keevil Memorial. Lady Be Good" and "The Lone Wolf Takes a Chance" grossed $15,700 at Loew's State, $12,200 at Loew's Orpheum for a total high of $34,900.

Estimated receipts for the week ending Oct. 16:

**Put-Back Rebate**

KEITH BOSTON—(2,600) (3c-35c-5c-6c)

Gross: $12,500. (Average, $4,900.

**The Little Foxes** (RKO)

KEITH MEMORIAL—(2,900) (3c-35c-5c-6c-5c-6c-5c-6c)

Gross: $12,200. (Average, $4,300.

**The Lone Wolf Takes a Chance**

(M-G-M)

UNIVERSAL—(1,500) (3c-35c-5c-6c-5c-6c)

Gross: $10,900. (Average, $7,200.

**The General Died at the Keevil Memorial**

(PARAMOUNT)

CENTURY—(2,400) (3c-35c-5c-6c-5c-6c-5c-6c-6c-6c-6c)

Gross: $10,700. (Average, $4,400.

**Lady Be Good** (M-G-M)

HELEN'S THEATRE—(2,000) (3c-35c-5c-6c-5c-6c-5c-6c-6c-6c-6c)

Gross: $10,300. (Average, $5,150.

**Rich Is Montreal**

Winner with $7,500

Montreal, Oct. 22.—"You'll Never Get Rich" at the Capitol drew $7,500.

"Hold Back the Dawn" took $6,800 at the Palace.

Estimated receipts for the week ending Oct. 16:

**Lydian U.A.**

ORPHEUM—(1,000) (3c-6c-6c-6c)

Gross: $5,000. (Average, $5,000

**Citizen Kane** (RKO)

LOEWS—(2,500) (2c-35c-5c-6c-6c-6c-6c)

Gross: $2,900. (Average, $1,160.

**Monogram** (M-G-M)

HELEN'S THEATRE—(2,000) (3c-35c-6c-6c-6c-6c-6c)

Gross: $2,900. (Average, $4,400.

**The Smiling Ghost** (W.B.)

(Para.)

PRINCES—(2,000) (3c-5c-5c-5c-6c-6c-6c)

Gross: $2,000. (Average, $1,000.

**See Stagger Plan**

Ottawa Gross Aid

Ottawa, Oct. 22.—Theatre attend-

ance increased last week here, a fact

from the plan of staggering working hours to relieve the strain on transit faciliti-

es, and a large number of war workers here.

The plan will be given a trial here early next month, and managers look forward to the present attendance peak at 8 p.m. With more work-

ers leaving their jobs early, it is felt that additional persons will attend earlier shows.
"IT'S A DIP"

More thrilling and suspenseful than any air epic out of Hollywood.

John Chapman

Thrilling, absorbing, exciting. These adjectives hardly seem sufficient.

Daily Mirror

What a show! Don't miss it.

Quentin Reynolds in Collier's

Tensely dramatic and suspenseful. Most decidedly worth seeing.

Journal American

One of the "must see" films of 1941!

Variety

Leaves you limp with excitement. Terrific!

World-Telegram

Produced under the direction of Harry Watt
A WARNER BROS. PRESENTATION
Thanks for the headline, Mr. Winchell!

No film yet made has surpassed, or can even equal this.

Highest rating. Most thrilling picture.

A "must" that comes just under drawing your next breath!

Packs a terrific punch. Highly exploitable. Should score heavily.

One of the most absorbing dramas to ever reach the screen!

And what an opening weekend at Broadway's Globe Theater! As terrific as the picture!
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<th>MONO.</th>
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*Dates Are Based on National Release Schedules and Production Dates.*
Company Gave Bioff $100,000

Keough States

(Continued from page 1)

Firms Face China
Currency Problems

U.A. Manager Says

(Continued from page 1)

that it is widely recognized that these films are essential to civilian morale. The solution, he said, is entirely up to Washington.

Goltz reported that all distributors are doing "sensational" business in China. The war, he said, has affected only a small proportion of the total film market and that business in Free China has more than doubled to compensate for losses in the United States. The increase in business was due to the flow of population from occupied and captured areas into Free China.

There are no restrictions on the withdrawal of currency from Free China, Goltz said, but the exchange results in a cost of almost 25 per cent. The transportation of prints from Shanghai, the shipping center, to Free China, is difficult and expensive, however, Goltz said. He pointed out that shipments must be routed by boat to Shanghai and shipped overland by the Burmese Road from there to Free China. Films are frequently three to four months in transit from Shanghai to Free China as a result, he said.

Bombs Force Move

Goltz said that bombed theatres in China frequently are known to reopen within 14 days in a neighboring city, due to the annual practice of operators to remove essential equipment to places of safety during air raids. Business is difficult and dangerous, he said, and two new first run theatres, the Majestic and Queens, have just been opened there. New subsequent runs have been under construction in the International Settlement, he said. Chinese studios in Shanghai and Hong Kong are turning out an increasing number of pictures in both Mandarin and Cantonese dialogue. These films are improving in quality and are making steady progress in the market there, he reported. After the Japanese censorship throughout occupied China has made it impossible to exhibit any films of an international controversial nature, Goltz said.

Two Grand Rapids

Complaints Filed

(Continued from page 1)

Century-Fox and Paramount are named in the first complaint, and RKO, Loew’s, Vitagraph and 20th Century-Fox in the second. Both complainants charge that the two Grand Rapids theatres are forced to wait a minimum of 80 days for pictures.

Keough said that the Butterfield first run has 60 days clearance over the same circuit’s second run, that second run has seven days clearance over the third run which has seven days clearance over the fourth run which has seven days clearance over the Gaylord. He claimed that Butterfield’s first run Sayonara causes delay in availability to the complainants exceeding the minimum schedule and San Francisco the aggregate 95 to 150 days after first run theatres insofar as complainants’ theatres are concerned.

The complaints ask an arbitration award fixing the maximum clearance for their houses at 60 days after first run and a shortening of the clearance schedules between the intermediate runs.

Hearing of the clearance complaint of the Gales Theatre, Galesburg, Mich., was begun at the local board today before Edmund M. Brady, arbitrator. The house is seeking to have some 70 days of the present 97-day clearance over it of Kalamazoos first run. The Butterfield Circuit and Kalamazoo Theatres, Inc., have intervened in the case.

Arbitrator Defers Action

In Oriental Clearance Case

CHICAGO, Oct. 22—Efforts today by counsel for Balaban & Katz, Paramount, 20th Century-Fox and the McVickers Theatre, to have dismissed the clearance case of the Oriental Theatre, were deferred by Hayes McKinney, arbitrator. McKinney questioned the value of Section 8 of the consent decree, which relates to clearance, in this situation.
Majors Plead Not Guilty to Minn. Charge

(Continued from page 1)

fight the state law through "the
finish." He said that, since the company cannot sell under the Minnesota law, Paramount decided to contest the state's authority.

In New York, Austin C. Keough, Paramount secretary and general counsel, said that the state's consent decree, if it is enforced on a national basis, would be unconstitutional and that Paramount would contest the decree in the courts.

Conn. Unit Votes to Follow Allied Course on Unity Plan

New Haven, Oct. 22—Allied Theatre Owners of Connecticut voted at a special meeting to follow whatever course national Allied National agrees upon with respect to the unity proposal, but again affirmed its disapproval of the proposal.

Allied Elected

Officers of the regional unit were elected as follows: president, M. A. Rogers; vice-president, Harry Walker; treasurer, Joseph A. Delaney; secretary, Fred Herrington. Directors elected include Bennett Amblur, Charles E. Blatt, George Corcoran, C. E. Herman, Guy Ide, Frank Panoplis, Carl Pope and William R. Wilson.

Exhibitors must sell the film industry to the American public, as well as

Canada Music Union

Dispute Is Settled

(Continued from page 1)

States or any other organization outside the Dominion.

Murray's statement was revealed following disclosure of the settlement of the differences between the Canadian musicians' union and the R. C. A. F. over public appearances of the Air Force central band.

Major Murray disclosed that he recently conferred with Peck in New York, giving the A. F. M. head to understand that interference in Canadian radio affairs would not be tolerated.

The settlement of the R. C. A. F. difficulties followed conferences between Air Minister E. W. Peck and Walter Murdoch, Canadian board member of the musicians' union. The union has been required to make payments to C. A. F. boards and Canadian Showmen's Instal ling Corp., not only to bring to the attention of the members of the union.

In the course of the negotiations, the union agreed to pay a reasonable proportion of the cost of the band's appearance at the Dominion历代会.

While the country's defense forces are forming their first lines of defense with the vital metals needed for projection room equipment and its parts, what is the exhibitor's first line of defense against premature wear, premature wear-out of projection room machinery? The first line of defense is Altec Service: it prolongs the life of parts, makes them perform at high efficiency throughout their entire service life. Today, more than ever before, it's good business judgment to do business with Altec.
MOTION PICTURE DAILY
NEW YORK, U.S.A., FRIDAY, OCTOBER 24, 1941
TEN CENTS

Report W.B. Put Bernhard Over Sales

TEN Ira, the head of Warners Bros. in New York, has been awarded the title of "Manager of the Year" for outstanding sales performance.

Joseph Bernhard, general manager of Warners Bros., has been awarded the title of "Manager of the Year" for outstanding sales performance.

Denies Dismissal of Browne, Bioff Case

Federal Judge John C. Knox, yesterday denied all defense motions for the trial of a case involving the dismissal of Browne, director of the company's labor union. The defense will start its case today.

Inquiry Subcommittee Members Doubt Early Meeting to Decide Its Future

Washington, Oct. 23.—Members of the Senate propaganda investigating committee today expressed doubts whether they would be able to get together next week to decide upon the future of their investigation of motion pictures.

While Senator Charles W. Tobey of New Hampshire, who heads the committee, is due to return to Washington on Monday, Chairman D. Worth Clark said there was some question whether the group could meet because of the schedule of the Neutrality Act revision.

Majors to Get $20,000,000 From England

LONDON, Oct. 23.—The agreement between the major American distribution companies and the Ministry of Information, under the new monetary agreement for the year beginning next Monday, was reliably reported today.

The withdrawal amount, representing 50 per cent of the companies' annual British business during the past two years, is said to have been tentatively agreed upon by Board of Trade, United States Embassy and company representatives, it was reported, with the formal approval of the Treasury.

Para. Petitions Decree Escape On Minn. Sales

 Paramount yesterday obtained an order from Federal Judge Henry W. Goddard in U. S. District court here to show cause why the company should not be exempted from the sale provisions of the consent decree in effect for the constitutionality of the state's anti-block-of-five law is being tested in the courts.

The order is returnable Oct. 31 before Judge Goddard, at which time Thomas D. Thacher, counsel for the company, will argue the merits of the petition.

Companies Save U.S. Money on S.A. Trips

Washington, Oct. 23.—Traveling expenses of motion picture personalities who have made recent tours of South America, in cooperation with Nelson Rockefeller, have been borne by their companies, it was disclosed today by officials in the office of the Coordinator of Inter-American Affairs.

As a result, it was pointed out, the

(Continued on page 7)

(Continued on page 7)

(Continued on page 6)
**Personal Mention**

**William K. Saxon**, city manager for Loew’s in Baltimore, is visiting New York this week. 

**Sterling Way**, manager of the Boulder Theatre, Boulder, Colo., and Mrs. Way are in town. 

**Fred Schanerger**, Jr., publicist at Keith’s Theatre, Baltimore, has returned from New York. 

**Irving Martin**, publicist at Warner’s Stanley, Baltimore, will spend the weekend in Norfolk, Va. 

**Arthur Greenblatt** has returned from the South.

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**Blake in Charge of Talent for Selznick**

Carter Blake, general stage director last summer at the Selznick theatre in Santa Barbara, and for several years director of the American Academy of Dramatic Arts here, has been placed in charge of talent by David O. Selznick. Blake will maintain offices here and on the Coast.

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**NEW YORK THEATRES**

**Radio City Music Hall**

Fred Astaire & Rita Hayworth *"You'll Never Get Rich"* 

*A Columbia Picture*

**On Great Stage: "Up Our Alleys"—a gay, ventriloquist review, produced by Leonfield, Symphony Orchestra, directed by Erni Roger, Ist Mezzanine Seats Reserved Circle 5-600

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**TYRONE POWER**

*"A Yank in the R.A.F."* by Betty Grable 

A 20th Century-Fox Picture

PLUS A BIG ROXY 7TH AVENUE STAGE SHOW 360 STREET

---

**WALL STREET**

Henry Fonda & Joan Bennett *Wild Geese Calling* 

First Sunday Following Easter

---

**Theatre Owners Attention**

Available After Oct. 25 Showman of Exceptional Quality and Ability 

Societie in Circuit or Single Theatre Operation—Anywhere English Is Spoken Buying—Booking—Publicity 

**BROADWAY BOX 302. MOTION PICTURE DAILY**

---

**Late News Flashes from the Coast**

**Hollywood, Oct. 23**

SCREEN ACTORS GUILD Class A members were given details of the new Army and Navy camp entertainments. Professional actors are to appear at 72 theatres at various encampments. Stars and featured players will receive traveling expenses, all others being paid full salaries. The program will be financed by the President’s Citizen Committee of the Army and Navy, and will obtain foods from the USO, and an admission charge of 25 cents will be made.

Norman Moray, Warner’s short subject sales manager, announced today that two short subject films, including a Ballet Russe de Monte Carlo, would be sold separately to exhibitors. The films are “Gay Paree” and “Saun- ish Fiesta,” both two reels in Technicolor. The Ballet is expected to make two more in January, “Prince Igor” and “Blue Danube,” and there is a possibility it may run through its entire repertoire in succeeding subjects.

John Rogers, son of Charles R. Rogers, and Monty Schaff have formed Rogers-Schaff Productions with plans to make three musicals in Technicolor, “Powers Girl!” is the first scheduled. They announced that a releasing deal is being discussed.

Sam Coslow, producer of shorts for Sen. Burton K. Wheeler and members of the Senate subcommittee investigating alleged film propaganda, protesting Sen. Wheeler’s recent assertion that such films are improper, Coslow said these pictures are subject to censorship and offered to screen them for the Senators.

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**Power Cut May Hit House South East**

WASHINGTON, Oct. 23.—Theatres in the Southeastern states may be affected by the rationing of electric power in that area, which was soon probable tonight under a tentative program prepared by the OPM to deal with the power shortage in that section.

Details of the OPM plan have not been revealed, and no action can be taken to make the program effective until an executive order has been issued giving the OPM and SPAB the authority to fix power priorities.

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**Metro Will Preview Show Builder Today**

M-G-M today at 1 P.M. in the Rose Room of the Hotel Astor will hold a preview exhibition of the traveling automotive unit No. 1 of the “show builder,” for the trade press and automotive executives. The exhibition device, designed to visit smaller situations throughout the country, is a specially constructed truck, according to Howard Dietz, director of advertising and publicity. W. R. Ferguson, exploitation manager, is supervising the units.

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**Navy Calls Fairbanks**

WASHINGTON, Oct. 23.—The Navy Department today ordered Douglas F4D-1 Phantom fighter pilots to Fairbanks, Alas., to active duty with the fleet, but did not disclose the ship to which he has been assigned.

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**Para., F & M Buy Hollywood House**

LOS ANGELES, Oct. 23.—Paramount and Fanchon & Marco today announced the acquisition of the El Capitan Theatre, Hollywood, which will be completely remodeled and refurnished under the direction of W. L. Pereira, Paramount studio architect, and Hal Pereira, his brother, a Chicago architect. It is scheduled to be reopened at Christmas as the Paramount Hollywood Theatre.

It is understood that the company will retain the Paramount Theatre in Los Angeles.

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**Deny Review of Ohio Picketing Decision**

SPRINGFIELD, O., Oct. 23.—Declaring “that it does not appear from the proceeding that the Federal question presented by the petition was necessarily decided by the lower court,” U. S. Supreme Court denied a request of the Ohio Supreme Court to restrain the A. F. of L. from picketing the Liberty Theatre here, according to advice from Washington.

In appealing the case, Local 352 of the IATSE said the picketing, which resulted from the theatre refusal to employ union opera- tors, it charged violation of the constitutional right of freedom of speech.

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**Yank’ in Montreal Shown to RCAF Unit**

MONTREAL, Oct. 23.—The opening of “A Yank in the R. A. F.” at the Palace here tomorrow will be featured by a guest showing for 400 officers and men of the RCAF wireless training school. The trains will parade to the theatre. Lobby and press displays will feature the RCAF theme.

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**Newsreel Parade**

TBH Winders’ visit to New York pictures of American troops overseas. The reconstructions of the implement of war in various U. S. plants, and the outstanding building of featured newscast issues the content.


Three Circuit Deals Are Closed by RKO

Deals on new season RKO product have been closed with three addi- tional circuits. Malco Circuit, including 10 circuits, has been closed for a second group of five; Robb & Rolls, 85 houses, for the first and second blocks, and Associated Circuit, under the act of California, for the first and second blocks.

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**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

Published daily except Sunday and holidays by Quigley Publishing Company Inc. 120 West 49th Street, New York City. Telephone Circle 7-3100. New York, N. Y. Ot- hin Quigley, Editor-in-Chief and Publisher. P. T. Voelz, Business Manager, and Genet Manager; Walter Ross, Ruthacker, Vice-President; E. V. New- man, Sales Manager; Alfred Finestone, Managing Editor; James Cron, Advertising Manager; Chicago Bureau, 24 South Michigan Avenue, E. R. O’Neill Manager; Hollywood Bureau, Postal Unit, 1325 La Brea, William Weaver, Edna Lou Friedman, Manager; London Bureau, 47 Park Street, Hope Will-iams, Manager, cable address “Quigpubl.” All contents copyrighted 1941 by Quigley Publishing Company, Inc. Offered without apology to the Herald, Better Theatres, International Motion Picture Almanac and Frame. Emailed at second class matter. Filed Sept. 23, 1925. Subscriptions rates per year $6 in the Americas $12 foreign. Single copies 60c.
Browne, Bioff Plea for Dismissal Denied by Court

(Continued from page 1)

pleading international presidents of a labor of unions.

A further trial for labor leaders will be held as character witnesses to the issue of some of the alleged transactions, according to a government's press release.

The main participants include: the president of the International Association of Machinists, the president of the American Federation of Labor, and the president of the Baseball Players Association.

Long Argument

Arguments on the motions for new trials lasted almost two weeks, with Martin Conboy, Browne's attorney, and Bernard R. S. Attorney, the main participants in the case. The arguments stressed the three-year statute of limitations. He argued that the $100,000 annual payments were tendered by the company after the trial, and therefore the claim should be rejected.

The company argued that the payments were made as part of the settlement of the lawsuit, and therefore should not be considered a new trial.

The court agreed with the company's arguments and denied the motion.

B'way Patrons Like War Pictures; Three Draw Big Grosses

Three pictures with a war theme—"A Yank in the R. A. F.," "Sergeant York," and "Target for Tonight," the latter a British film—were drawing good grosses on Broadway.

"Target for Tonight" gave the Globe a "blend of human interest and action" that it had not seen before. "A Yank in the R. A. F." was still going strong at the Roxy, grossing an estimated $40,000 for its fourth week, ending last night, and continuing.

At the Capitol, "Honky Tonk" is still the attraction, having a "sellout" crowd for its opening day. The third week's business amounted to an estimated $21,500.

"All That Money Can Buy" at the Radio City Music Hall is still the sensation of the moment, with the biggest gross of the week ending Oct. 16: "Little Fawny" (RKO) $6,000, "Walt Disney's Donald Duck" (Buena Vista) $5,000, "Lone Star" (Loew's) $4,000, "Our Wife" (Col.) $3,000, "RKO Palace" $2,000, "Warner's Honeymoon" $1,500, "Our Wife" (Blu.) $1,000, "Our Wife" (Avon) $750, "Honky Tonk" (M-G-M) $650, "Lone Star's State Fair" $350, "Our Wife" (Reg.) $100, "Honky Tonk" (RKO) $100.

"Honky Tonk" Pulls $13,000 in Toronto

Toronto, Oct. 23—"Honky Tonk" earned $13,500 at Loew's, "Major Barbara" grossed $12,000 at the Imperial.

Estimated receipts for the week ending Oct. 18:

"Quiet Wedding" (Bvr.) $5,000, (Av. 18c-26c-50c) 6 days, Gross: $3,000, Average: $500

"Honky Tonk" (M-G-M) $6,000, (Av. 18c-26c-50c) 6 days, Gross: $4,500, Average: $750

"Imperial" (Bvr.) $5,000, (Av. 18c-26c-50c) 6 days, Gross: $3,000, Average: $500

"Honky Tonk" (M-G-M) $6,000, (Av. 18c-26c-50c) 6 days, Gross: $4,500, Average: $750

"Marquess" (W.B.) $4,000, (Av. 18c-26c-50c) 6 days, Gross: $2,400, Average: $400

"Fiddler on the Roof" (W.B.) $1,000, (Av. 18c-26c-50c) 6 days, Gross: $600, Average: $100

"Unfaithful Business" (Univ.) $750, (Av. 18c-26c-50c) 6 days, Gross: $450, Average: $75

"Uptown" (M-G-M) $750, (Av. 18c-26c-50c) 6 days, Gross: $450, Average: $75

Philadelphia, Oct. 23—After several postponements, Oct. 29 had been set as the official opening of the new RKO exchange building here.

31 Critics Expected For 'Valley' Opening

Thirty-one newspaper critics are scheduled to attend the premiere of "How Green Was My Valley" at the RKO Theater next Tuesday, it was announced yesterday by 20th Century-Fox. The announcement listed them all.

There will be a dinner limousine session today as Judge Knox has other engagements for the afternoon.

Booth Fire Is Fatal

Dr. Graf, O., Oct. 23—Explosion of a film in the booth of the Roxy created minor injuries to Neal Ireland, the operator, and fatally burned Eleanor Ireland, 11 years old, who had gone to the theater with a message for her brother and remained in the booth to see the picture.

Motion Picture Daily
8 out of 8 En

LOEW'S, ROCHESTER—WARNER'S AVON, UTICA—LOEW'S STATE, PROVIDENCE—UNITED ARTISTS, SAN FRANCISCO—LOEW'S MAJESTIC, BRIDGEPORT—WARNER'S CAPITOL, SPRINGFIELD, MASS.—WARNER'S, WORCESTER—LOEW'S STATE, SYRACUSE!
prove it’s the year’s top AUDIENCE-APPROVAL HIT!

* 8 out of 8 cities flash the identical box-office story! “Second day bigger than first . . . third day bigger than second . . . fourth day biggest of all!”

If it had happened in one spot, it might be just a happy accident! But it happened the same week in 8 out of 8 . . . and the only answer to that is a GREAT AUDIENCE-APPROVAL PICTURE!

“A tense and engrossing show. It’s as fresh as newspaper headlines. Terrific suspense and action!” — Liberty Magazine

“Has tremendous appeal for the masses. Timely, interesting drama with a fascinating background!” — Showmen’s Trade Review

“Exciting screen fare, lavishly produced!” — Harrison’s Reports

“A fine box-office attraction . . . fast-moving, action filled story, crammed with adventure, suspense and excitement.” — Motion Picture Daily

“Exciting and entertaining melodrama. Should be a business getter in every type of theatre.” — Variety

“Filled with action and suspense. A spy story of no small proportions, as contemporary as this very minute.” — Motion Picture Herald

Edward Small presents

George Brent • Ilona Massey • Basil Rathbone

in

INTERNATIONAL LADY

with Gene Lockhart • Marjorie Gateson • George Zucco • Martin Kosleck

Directed by Tim Whelan • Screenplay by Howard Estabrook
From an original story by E. Lloyd Sheldon & Jack DeWitt

RELEASED THRU UNITED ARTISTS

watch her in more than a hundred cities from coast to coast!
All who love to see a great picture... all who love to play one, will hail it!

Report W.B. Put Bernhard Over Sales

(Continued from page 1)

company owners return to the Coast next week for meetings of the full board. Mary Pickford expects to leave Tuesday and David O. Selznick may leave about the same time.

The stumbling block in the discussions for Sears to take over the United Artists' presidency was said to be terms asked by the Warner executives, which were viewed by the United Artists' officials as excessive.

Bernhard, according to International Motion Picture Almanac, has been with Warner Bros. since 1929 and formerly was identified with the Stanley Co. of America. He is president and general manager of Warner Bros. Circuit Management Corp., operating about 430 theatres.

Ascap Delays Setting Nets' Pact Deadline

With indications now that the new Ascap-networks licensing agreement may be formally closed early next week, the Ascap board of directors directed action on setting a deadline for the signing of the pact at its meeting yesterday. It was intimated, however, that the regular monthly meeting of the board next Thursday may take action on a deadline for signing if the agreements with NBC and CBS are not closed by then.

Reviews

“Weekend for Three” (RKO)

Currently there appears to be a wave of pictures concerned with the marital problems of young married couples, with jealousy from one source or another rearing its head to provide plot material. This RKO film is of that type and affords a measure of light and amþertentious entertainment.

Dennis O'Keefe plays the young husband, with theories on feminine psychology which are not particularly practiced; Jane Wyatt is the wife, who gives the husband a few moments' uneasiness, and Philip Reed is the former friend of the wife, who drops in for a weekend, and appears about to stay forever, while monopolizing the wife and keeping the husband up in night clubs until all hours. Such veterans as Edward Everett Horton, Zasu Pitts and Franklin Pangborn offer excellent support.

Irving Reis directed and Tay Garnett produced. Repetitions in plot development, the film nevertheless moves well. Their attempts to get Reed to leave proving useless, O'Keefe and Miss Wyatt resort to trickery. The difficulty with that method, however, is that it sows the seeds of jealousy in the mind of the husband, and later, for similar reasons, in the mind of the wife. The problem resolves itself when the husband and wife leave the house— together.

Running time, 65 minutes. "G."

Charles S. Aronson

"G" denotes general classification.

“Hard Guy” (Producers Releasing)

This is a minor melodrama concerning a night club proprietor who guides his feminine personnel into marrying playboys and then collects from the victims' social register parents.

Jack La Rue, Mary Healy, Kane Richmond, Iris Adrian, Gayle, Mollot, Jack Mulhall and Ben Taggart are the principals in the film, which was directed by Elmer Clifton with George R. Batcheller in charge of production.

Running time, 68 minutes. "A-1."

Eugene Arnzel

"A-1" denotes adult classification.

Papers—Radio Split Seen Up to Congress

Washigton, Oct. 23—Separation of broadcasting and newspapers is desirable but involves problems which probably only Congress can solve, the FCC was told today by Irving Brant, St. Louis Star-Telegram commentator.

Testifying at the hearings on newspaper ownership of stations to which the commission is devoting one or two days a week, Brant said diversity in the ownership of communications media is of general benefit but suggested it might not be possible now entirely to divorce newspapers and stations.

The primary motive of a newspaper in acquiring a radio station, he said, is to "exert more power and influence." In many instances, he pointed out, radio advertising revenues have increased while those of the newspapers owning the stations have declined, so that many publishers have come to depend on their radio interests for revenue.

Guild Sues Studios On Extras’ Overtime

(Continued from page 1)

atmosphere players, following the final classification of extras as non-exempt from provisions of the Act by the Department of Labor. Apparently those negotiations failed, and the suit is the answer. However, Guild Attorney L. W. Bullock, specified in the action that if the suit is compromised without proceeding to trial, the Guild will forgo the law's double penalty provision.

Para. Petition Decree Escape On Minn. Sale

(Continued from page 1)

tion might be entered on the ground that the courts cannot make an exception of the Minnesota situation. A similar state legislation might be acted on elsewhere throughout the country, and that to permit Paramount alone would not materially relieve product situation in Minnesota.

A number of consenting companies has indicated thus far that it intends to follow Paramount's course by making a similar application to Judge Goddard.

The Paramount petition was filed by Louis Phillips, home office at New York, and A. C. Pickford of the St. Paul, Thacher & Bartlett law firm.

Brought Under Decree

The action is brought under Section 23 of the decree which provides an application by consenting companies to the court for relief from injunctions or prohibitions imposed upon them by the laws of any state which may conflict with the decree. Paramount petition asks specific relief for the release of the company from co-ownership of and 4 out of 5 of the RKO-Oscar decree, the trade showing and block of five sales provisions, pending determination of the action to test constitutionality of the Minnesota law.

Meanwhile, United Artists, who had planned to close its Minneapolis branch temporarily, has decided to keep the exchange open pending the outcome of the three test cases in St. Paul and county court started this week against Paramount, RKO and 20th Century-Fox. Those cases are expected to provide the first determination of the constitutionality of the Minnesota anti-block-of-five law, under which United Artists has stated it can operate even though it is not bound by the consent decree.

Companies Save U. S. Money on S. A. Trip

(Continued from page 1)

travel cost of the Motion Picture Division has been very light.

Recognizing that the limited sources of the division would not permit of unlimited travel expense, companies have been very cooperative and have shouldered the cost of many trips, it was said. In this way, expenses of Walt Disney's recent Latin American trip, said to be about $40,000, were paid by RKO.

The most extensive traveling by officials of the office has been by Joe Hay Whitney and his associate, Francis Altstock. Whitney, as an official of Pan-American Airlines, enjoys the possession of a pass, which he has made use of to save the Government money. Altstock's travel expenses are said to have amounted to $11,500, between New York and California.

Mexican Producer Dies

Mexico City, Oct. 22—Armando Vargas de la Mora, producer and member of an old and prominent Mexican family, died last week of a heart ailment. He had been producing for 10 years.
SMPE Concludes Fall Meeting Here

The improvement in the technical quality of films today because of the use of new fine-grain film was outlined yesterday by V. C. Shaler of the Eastman Kodak Co., at the concluding day’s sessions of the semi-annual convention of the Society of Motion Picture Engineers at the Hotel Pennsylvania.

The four-day meeting ended with two technical sessions, one in the morning, a fine-grain film symposium, and the last in the afternoon, a session on sound.

Using finer grains of silver produces better pictures and clearer sound, Shaler told the delegates. Other papers on fine-grain film were read by C. R. Daily, J. R. Wilkinson, F. L. Rich, and L. L. Ryder, all of the Paramount studios.

The session on sound was featured by papers on recent improvements in control tracks for theatre reproduction, the design and use of film noise reduction systems, light-valves, and the elimination of reproduction noises as the result of splicing film.

The society’s next convention will be held in Hollywood in the spring.

Evidence Submitted In Oriental Hearing

Cin. Oct. 23.—Exhibits offered in support of and against motions for dismissal of the Oriental Theatre’s clearance complaint were admitted as evidence in the case at the hearing by the local arbitration board today.

Distributor respondents and Balaban & Katz, an intervener, contended today that the clearance relief sought by the Oriental would necessitate a change in the entire clearance schedule of the city. The case was adjourned to Saturday.

End Hearing on St. Louis Complaint

St. Louis, Oct. 23.—Hearing of the clearance complaint of Victor Thien, owner of the neighborhood Palm Theatre, against Paramount and 20th Century-Fox, was ended here today. Thien is seeking a reduction of the clearance held by the Albert and Union, St. Louis Amusement Co. houses, over the Palm. Former Circuit Judge J. Wesley MeXtee is arbitrator.

Para. Shorts Heads Hold Chicago Meet

Chicago, Oct. 23.—Fifty-eight independent wholesale newsdealers of Illinois, Indiana, Southern Michigan, Wisconsin, and Minnesota today met with Paramount short subject executives at the Stevens Hotel here to plan a campaign for Paramount shorts. The local theme is with the Chicago Times in conjunction with first-run showings in Balaban & Katz houses. Attending from the Paramount office were Oscar Morgan, Monroe Goodman and Manny Reiner.

Sell Minneapolis House

Minneapolis, Oct. 23.—The Berger Amusement Co. has sold the 300-seat Esquire Theatre here to the American Theatre Co., effective Dec. 1. Berger operates 11 other houses in this area.

Ray

Gloria

MIDDLETON • DICKSON

OTTO KRUGER

DON DOUGLAS • FORREST HARVEY

TERRY KILBURN • WILLIAM MORGAN—Director

Screen play by Malcolm Stuart Boylan

From the novel “Mercy Island” by Theodore Pratt

A REPUBLIC PICTURE

Buy U.S. Defense Bonds
IT'S NOTHING BUT THE TRUTH THAT "NOTHING BUT THE TRUTH" IS AHEAD OF "CAUGHT IN THE DRAFT" IN ST. PAUL!*

"...AND "DRAFT" PLAYED OVER THE JULY 4TH WEEK-END!"

Watch for more box-office communiqués from the man of the hour, George Washington Hope!
Connors Closes Deal With Para.-Richards
New Orleans, Oct. 26—Thomas J. Connors, Eastern, Southern and Canadian division sales manager of M-G-M, left for three days with E. V. Richards and closed a deal for Metro product for the Allied unit, which is the last Paramount partner "holdout" against M-G-M. After making this deal, Connors is reported to have gone back to New York.

Kalmenson Is WB Sales Head; Sears Resigns

Bernhard Slated as Gen. Mgr.; Leserman Leaves
Benjamin Kalmenson was appointed general sales manager of Warner Bros., on Friday by Major Albert War-

nover, following the resigna-

tion the same day of Gradw-

ell L. Sears. The appoint-

ment and resigna-

tion were effective im-

mediately. Carl Leser-

man also re-

signed from the company. He was assis-

tant general sales manager. Together, the two men made their farewell to their

NW Allied Asks Majors Follow Para. On Minn.

by ROBERT MURPHY
MINNEAPOLIS, Oct. 26.—Allied Thea-

tre Owners of the Northwest has called on consenting distribution compa-

nies to follow Paramount's lead in seeking Federal court exemption from the consent decree in New York to permit them to resume selling in Min-

nesota in line with the state's anti-

block-of-five law.

Observers here profess to see in the Allied statement evidence of the increasing gravity of the product sit-

uation throughout Minnesota.

(The four consenting compa-

nies, other than Paramount, indicated over the weekend that they have no plans at this time for following Paramount's example with regard to Minnesota.)

In a statement issued here over the weekend, the Allied unit, which spon-

sors

The statement of Gradwell L. Sears following his resignation will be found on Page 4.

Kalmenson

Kalmenson is WB sales head; Sears resigns

Ben Kalenson

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Personal Mention

Fred Quimby, in charge of short subjects at the M-G-M studio, arrived here over the weekend with Mrs. Quimby, via American Airlines in a hurry.

Arthur Lee is scheduled to arrive from a vacation on the Coast today.

H. A. Starge of the Universal studio on the Coast and Mrs. Stark are visiting in New York.

Garshe Pacque flew here over the weekend from the Coast on a TWA Stratoliner.

L. M. Blakey, Maurice Metzger, S. Anderson and R. Vandette have returned to Montreal after attending the SMPME convention here.

Herbert Sheppron, formerly of M-G-M, is now in the Army at Ft. Lewis, Va.

Para. Meeting on "Purchase" Nov. 14

Paramount will hold a meeting of district managers at the Drake Hotel, Chicago, Nov. 14-15. Neil Agnew, general sales manager, has announced. The meeting will be devoted to discussion of plans for "Lusitana Purchase." In addition to Agnew, home office executives to attend will include Charles M. Reppan, assistant sales manager; J. J. Unger and G. W. Smith, division managers; Oscar A. Morgen, short subject sales manager; G. R. J. Fralley, Robert M. Gillham, director of advertising and publicity, and Alec Moss, exploitation.

Roosevelt Permits Portrayal in Film

Hollywood, Oct. 26—President Roosevelt has granted permission to Warner Bros. to portray him as a character in "Yankee Doodle Dandy." To be based on the life of George M. Cohan, James Cagney will play the lead. The actor playing the part of the President will be seen in opening and closing sequences.

George M. Cohan was reported as being comfortably at Flower-Fifth Ave. Hospital over the weekend.

Set Stork Club Preview

Twentieth-Century-Fox will hold a special preview of the new film "Hot Spot" at the Stork Club on Wednesday at 4:30 P.M.

MOTION PICTURE DAILY Monday, October 27,
A MESSAGE TO THE CRITICS WHO HAVE COME FROM ALL OVER THE NATION TO COVER

The World Premiere of

HOW GREEN WAS MY VALLEY

at the Rivoli Theatre, New York, Tomorrow Night (Tuesday, Oct. 28)

JAY CARMODY
of the Washington (D. C.) Star

... You will always remember “How Green Was My Valley” for that great moment when young Huw learns to walk again!

NORMAN CLARK
of the Baltimore News-Post

... Your heart will thrill when Beth Morgan faces the angry strikers and warns them not to harm Gwilym, the father of her sons.

PEGGY DOYLE
of the Boston American

... You will get your greatest lift when the letter arrives from the Queen inviting the Welsh chorus to sing at the palace!

FRANK P. GILL
of the Detroit Free Press

... You will always remember the moment when Dai Bando, the prize-fighter, avenges Huw in the school-house.

CHARLES HOWARD
of the Boston Globe

... You will sit on the edge of your chair when the siren shrills “mine disaster!” and a shadow falls on every living soul in the Valley.

LUCIA ABBOTT PERRIGO
of the Chicago Herald-American

... You will be deeply moved by that moment when Gruffydd and Angharad surrender their unspoken love with but a single kiss!

more tomorrow!
Kalmenson Is WB Sales Head; Sears Resigns

(Continued from page 1)

short time to fill the post he left. He added that another one to be named will be from within the Warner ranks.

On the day before, Warner Bros. announced that Sears was continuing with the company, following the ending of Sears’ discussions with U.A. representatives relative to the presi- dency of the latter.

It was stated that Bernhard would be general man- ager and it was known that Kalmenson was slated as his assistant in charge of sales, in effect sales manager. How- ever, three hours hardly had elapsed when that situation shifted—because Sears was to stay.

On Friday, even before the home office offices opened, the trade was aware that Sears would leave, this time defini- tively, and that Leserman was leaving with him.

Sears Has No Plans

Sears in his statement said he had no immediate plans except for a two- months’ vacation. In announcing Sears’ resignation, Harry M. Warner, presi- dent of Warner Bros., said:

“I sincerely regret Mr. Sears’ decision to leave Warner Bros. In his association with the company during the past 21 years, Mr. Sears has been a force in the growth of this company and to its present position of prom- inence in the entertainment field. He at all times has com- manded the utmost respect and admiration of his associates in Warner Bros., and in the industry as a whole.”

“I know,” Warner continued, “that there is a yearning of the company with which he is associated, and will continue to further the growth and pre- cipitation of the world’s rank- ing industries.”

Kalmenson, the International Move- tion Picture Almanac records, was with the Crucible Steel Co. of America, as a first lieutenant. Later he joined the National in Pittsburgh in 1927. He was promoted to manager of the company’s branch in Albany, transferred to the company’s branch in New York City as manager and returned to Pittsburgh in January, 1932. Two years later he resigned as Warner’s first National manager in Pittsburgh to become chief booker for Warner Theatres in that city. Later he left the theater department, became Central District manager for Warners with headquarters in Pittsburgh and in December, 1937, was promoted to Southern and Western sales manager.

Started Under Schaefer

(Continued from page 1)

which Arthur Mayer is managing director, and of the N.Y. Supreme Court to confirm an arbitra- tion award of $1,891 against Scopophony, Ltd.

Paul Ralbourn, in charge of television for Paramount, was arbitrator. He ruled that Scophony had breached a contract made during the war with the Ralbourn Corp. In 1942 for a large screen television system to be used in the Rialto. The award provided that Scophony provides a television receiver to the theatre within the year, payments of damages should cease.

A large screen receiver had been in- stalled in the Rialto and several tests were made but the FCC ordered several changes in television standards, including an increase in lines from 411 to 530, frame to 25, and the set was not adapted to those standards, Mayer said.

Mayer’s announcement that he would have large screen television in his house followed by one week a demonstration by RCA of a major television set made for use over leased telephone wires. Although RCA planned to have the large screen units made available to theatres only, Mayer said he planned to pick the regular telecasts of NBC and CBS off the air.

A considerable flurry among radio listeners was caused by this announce- ment as there is some question as to whether it would be use by broadcast or tele- casts for commercial purposes.

Theatre Television Attempt Brings Suit

(Continued from page 1)

English Fund $37,500,000 At Maximum

(Continued from page 1)

Yank at $10,700

Indianapolis High

Indianapolis, Oct. 26—“A Yank in the R.A.F.” turned in a strong 27,000 at the Indiana “Hofy Tonk” did $9,500 at Loew’s. The weather was warm.

Estimated receipts for the week ending Oct. 19:

“Civic Service Corp.” (Univ.) 

“Johnny Belinda” (Para.) 

“Kiss, Me Deadly” (20th-Fox) 

“Rose Marie” (M-G-M) 

“Tanks a Million” (M-G-M) 

“Strong Heart” ( bow at the Loew’s downtown and at the Indiana “Hofy Tonk.”

“Yank at $10,700”

Détroit, Oct. 26—Edward L. King, president of the Detroit Steel employees Local 38, IATSE, is suspended to have committed suicide. Officials previously had decided to drop charges of pardin- g a foul on the Yank, which was pending against him.

Union Head Found Dead

Detroit, Oct. 26—Edward L. King, local president of the Detroit Steel employees Local 38, IATSE, is suspended to have committed suicide. Officials previously had decided to drop charges of padding a foul on the Yank, which was pending against him.
**Motion Picture Daily**

**Short Subject Reviews**

**All Democracy Survive?” (International Forum) (Columbia)**

Mother in the series of William Land’s International Forum which follows in theme and stageto screen setting the earlier proffsmgs. The discussion principles are Senator Claude Pepper of Fla., Eugene Hurst, Rear Admiral Well and Johannes Steed, who ex*age views on the resources of the air and the chances for Allied victorv with Allied victory depends on this democracy will survive, running time, 20 mins. Release, Oct. 1941.

**Aristocrats the Kennel” (Sports Review) (9th Century Fox)**

The camera covers a dog show and its numerous Eastern kennels to reveal the painstaking care and training lavished on the potential canine specimen by their owners. The subject, an Ed Thorgersen sports review, is a good expository commentary which heightens its interest for the uninformed and makes it a welcome screen morsel for the initiated. Running time, 10 mins. Release, Sept. 1941.

**Welcome Little Fraser” (Terry-Toon Cartoon) (9th Century Fox)**

The ugly duckling shows up in the design family again in this Terry-Toon color. Lacking in originality the result is no more than mildly amusing. Running time, 7 mins. Release, Oct. 3, 1941.

**The Gallup Poll” (Columbia Panorama) (Columbia)**

The method of conducting a Gallup Poll is presented in this subject. Gallup opinion is quoted, and the type of people whose opinions are solicited, together with explanatory commentary on the results obtained. The subject lacks cohesion. Running time, 10 mins. Release, Oct. 17, 1941.

**Dog Obedience” (Sportscor) (9K0 Pathe)**

The training of dogs to respond to commands is the subject matter of this object, and although it will be of questioned fascination for dog-fans and dog lovers, others may find rather below the standard of these usually active story reels. Running time, 9 mins. Release, Oct. 3, 1941.

**The World of Sound” (Cinescope Series) (Columbia)**

The development of aids for the hearing of the hearing is presented with pictorial samples of their manufacture and application, with particular emphasis on the latest audio devices. The subject is of a technical nature and of interested interest. Running time, 10 mins. Release, Oct. 3, 1941.

**Reviews**

**“Top Sergeant Mulligan” (Monogram) Hollywood, Oct. 26**

On the basis of its pre-release exhibition at the Los Angeles Orpheum, a downtown house which specializes in pictures and vaudeville (in this case with Gene Krupa’s band on the stage), this canteen comedy possesses what it takes to keep an audience happy. It had this one steadily amused, frequently in stitches.

In common with other comedies of this type, one finds a hard-boiled top sergeant, two rookies who are victims of his whim, some gag situations that click, some that don’t quite, some routines in which other characters participate and, finally, a slapstick finish in which one jeep pursues another at breakneck speed over mountain roads. It also contains a song number by Felix Bernard and Ray Klages which could become a hit, “$21 a Day—Once a Month.”

Top ships in the cast is Nat Pendleton, but Frank Faylen and Charles Hall, as the rookies, dominate the action and the interest, with Sterling Holloway, as a camp loan shark in uniform, cutting himself in for plenty of laughs. Marjorie Reynolds, Carol Hughes and Betty Blythe carry the feminine assignment, with Dick Elliott, Tom Neal, Maynard Holmes and Wonderful Smith the male roster.

A separate paragraph is due Wonderful Smith, the Negro who sparks-plugs the Red Skelton radio program, seen here in a long and virtually solo sequence which rates among the funniest routines ever filmed.

Lindsay Parsons, producer, Jean Yarbrough, director, and J. Alman, composer, have a right to be proud of in this contrivance of the season, a trim and pointed picture affording a wealth of entertainment.

Running time, 70 minutes. “G.”

**Billy the Kid Wanted” (Producers Releasing)**

**“Sucker List” (Crime Does Not Pay)” (M-G-M)**

This is a good addition to the series, whipping up excitement and interest as it presents the case of an organized racetrack tipster service which victimizes those found to be in need of money. One of the victims threatens to expose the gang and is beaten and later dies. A witness to the crime informs the police, who promptly close in on the crooks. Running time, 21 mins. Release, Sept. 27, 1941.

**“Donald’s Camera” (Disney Cartoon) (RKO)**

Donald Duck decides to be humane and “shoot” a camera instead of a gun. He goes into the woods and a watermelon, but when he attempts to take pictures of a stubborn and uncooperative woodpecker, sends him racing back to town for all the arms and ammunition he can carry. An amusing subject in the Disney style. Running time, 7 mins. Release, Oct. 12, 1941.

**“Uncle Joe Comes to Town” (Terry-Toon Cartoon) (20th Century Fox)**

Another variation of that ever-popular cartoon theme, “when the cat’s away the mice will play,” this Terry-Toon subject offers its share of amusement to any not overly sensitive to the theme. It is merely a new backdrop for the cartoonists’ familiar rodent antics. Running time, 7 mins. Release, Sept. 19, 1941.

**“In the Sweet Pie and Pie” (All Star Comedies) (Columbia)**

A reversal to the pie-throwing type of comedy, this avoids the sentimentality of sweet dessert days, this two-reel subject with the Three Stooges overdoes the pastry-tossing slapskitt to a degree which must be seen to be believed. There are only rare flashes of what might be called comedy. The remainder defies classification. Running time, 17 min. Release, Oct. 16, 1941.

**Short Subject Reviews**

**“Don Winslow of the Navy” (Universal)**

Here is a serial with a ready-made potential audience which conceivably can run into almost astronomical figures, because it is based on a highly popular comic strip of the same title, handled by Bell Syndicate, and an equally popular motion picture. Also, the subject matter is concerned with the United States Navy, which cooperated in producing. Henry King plays the lead as the destroyer commander, and John Litel is the leader of the enemy agents. In support are Claire Dodd, Nathaniel Low, Willard Mack, and Rafe Martin. Literature is based on the Navy’s own history, and the adventures are sound as regards the Navy in action.

**“Sailors With Wings” (The March of Time) (RKO)**

A history of the development of the U.S. Naval Aviation and revealing phases of its current state comprise the latest March of Time release. All types of planes operated by the Navy are pictured in training and practice flights, and the enormous organization behind naval operations is indicated in sequences of ships at sea and the command at Washington, training centers throughout the country and by means of maps depicting the projected vast expansion of this particular service. The subject is interesting and informative and is impressive from the suggestion it leaves of a great American air power already in existence. Running time, 21 mins. Release date, Oct. 24, 1941.

**“Glacier Trails” (Magic Carpet Series) (20th Century Fox)**

An excited tourists’ trip over Glacier Park’s scenic trails is the eye-satisfying experience provided by this Lowell Thomas Magic Carpet series, and the camera work is excellent, the commentary good and the Montana scenery is well worth the film attention given it here. Running time, 10 mins. Release, Sept. 26, 1941.

**“Army Champions” (Pete Smith Specialties)**

Here is a subject that should stir a good deal of interest. The film depicts various army guns in operation, including trench mortars and trench artillery. Shattered targets attest to their accuracy. Running time, 10 mins. Release, Oct. 10, 1941.
50 Arbitration Cases Decided Of 129 Filed

(Continued from page 1)

resulted in a reduction of clearance. Where the exhibitor attempted to secure a change in placement against competing theatres, under the guise of arbitrating clearance, his efforts were generally unavailing.

Two arbitrations were brought purportedly under Section 9, which relates to the withholding of prints. Both were dismissed.

Many of the arbitrations filed under Section 8 also have been filed under Section 10, which concerns sale of a run to a circuit. In most of the instances the decision was that the rights of the exhibitor under that section did not accrue until after three months' refusal to license 1941-42 product.

Dismissal Philadelphia Case; 2 Others Are Filed

Two arbitration complaints were filed in New York and New Orleans and a decision dismissing a Philadelphia clearance complaint was handed down over the weekend.

The New York case was filed by Luxor-Beekler Amusement Corp., operator of the Waverly Theatre, 323 Sixth Ave., Manhattan, against RKO Vitagraph and 20th Century-Fox. The complaint seeks relief under Sections 6, 8 and 10 of the decree involving some run, clearance and a designated run. The Art Theatre on East Eighth St. is named as an interested party.

Claim Clearence Changed

The complaint charges that the Waverly formerly had a run ahead of the Art and seven days' clearance over it, but that the distributors now refuse to license the Waverly unless it foregoes the run and clearance over the Art. The latter is a member of a buying combine, the complaint states. It is understood to be operated by Ruth Beekler for Herman Wein- garten.

The New York case was filed by W. A. Fonseca & Sons, operating the Ashton Theatre, New Orleans, and seeks an adjustment of clearance and a designated run from all five consenting companies. The Poplar Theatre in New Orleans is named as an interested party.

The complaint charges that the district court has released run over the Ashton earlier than 60 days after the Poplar. Contending that the two theatres are too far apart to be competitive and that the 60-day clearance is unreasonable, the complaint asks that the theatres be declared in separate zones and that the Ashton be granted a run immediately after Canal St. first runs.

Costs were assessed equally among the parties.

Also in Philadelphia, Rupert C. Schaefer, Jr., was designated arbitrator for the clearance complaint of Col.logical Art. Waverly St. was named as an interested party.

The Philadelphia case is the second to be brought and heard as the Art was continued to Nov. 7 after a second day of testimony on Friday.

Del. House Wins Clearance Relief

WASHINGTON, Oct. 26.—The Delaware Theatre, Dentonia, Md., was granted modified relief in its clearance complaint against the Herring, Harrington, Del., just over the state line, in a case brought by Judge Joseph A. Gou- trell, arbitrator. Loew's was ordered to permit the Dentonia to exhibit its pictures immediately after the Herring. The latter has had seven days' clearance. Costs were assessed against Loew's and the theatre, which is operated by Reese B. Harrington. Samuel Mellitis operates the Dentonia.

Milton W. King, treasurer of the District of Columbia Bar Ass'n, has been appointed arbitrator in the Lin- den Theatre, Baltimore, clearance complaint against Paramount, Vita- graph and RKO by the American arbitration Ass'n. This marked the first time parties to a local arbitration proceeding had failed to agree on an arbitrator. The complaint names Metro Theatres and Grand Amusement Co. Hearing has been tentatively set for Nov. 5.

Detroit Board to Hear Three Cases

DETROIT, Oct. 26.—Hearings on two clearance cases and one specific clearance complaint will be held on three successive days here, Nov. 5, 6 and 7. The hearing on the clearance complaint of the Gale Theatre, Galesburg, Mich., which started last Wednesday, was adjourned to Nov. 5 by Edmund M. Bead, arbitrator.

The clearance proceeding of the Booth Theatre here will be heard Nov. 6 and the specific run complaint of the Parkside Theatre here on Nov. 7.

Arbitration Office Here to Mingle

American Arbitration Association headquarters will be transferred from the U. S. Rubber Bldg, to the 11th floor of the Time & Life Bldg, Rockefeller Center, next Friday.

**'Honky Tonk' Is Minneapolis Best**

MINNEAPOLIS, Oct. 26 — "Honky Tonk" drew $13,000 at the State. "Citizen Kane" attracted $8,500 to the Orpheum.

Estimated receipts for the week ending Oct. 17-18:

**"Honky Tonk" (M-G-M)**

STAYED (1,600) (28c-40c) 7 days: Gross: $13,000. (Average, $1,857.50)

**"Citizen Kane" (RKO)**

ORPHEUM (2,000) (28c-39c-44c) 4 days: Gross: $8,500. (Average, $2,125)

**"Barnacle Bill" (M-G-M)**

GOLDEN (999) (28c-39c-44c) 8 days: Gross: $3,000. (Average, $375)

**"Wax Back the Dawn" (Param.**

CENTRAL (1,600) (26c-36c-44c) 7 days 2nd week. Gross: $1,650. (Average, $235.71)

**"You'll Never Get Rich" (Col.**

WORLD (1500) (26c-36c-44c-55c) 7 days: Gross: $1,400. (Average, $200)

**"Flying Blind" (Par.) 4 days**

"Blind Justice" (Col.) (4 days) Gross: $825

**"Moe Town" (Univ.) 3 days**

"Keep The Toffee" (Col.) (3 days) Gross: $1,300

**"Aster" (999) (28c-36c) 7 days: Gross: $1,800. (Average, $257.14)**

**'U' Signs Shaindlin**

Jack Shaindlin has been signed to compose the musical score and conduct a symphonic orchestra for "Cav- alcade of Aviation," a Universal short subject to be made at the Eastern Service Studios.

NW Allied Ask Majors Follow Para. On Min

(Continued from page 1)

sored the Minnesota law declaring: "There is no legal reason why a theatre in one state should be forced to close for lack of the motion pictures or why the other consenting distributors cannot for the same course of action to meet the requirements of the state law as has now been taken by Paramount."

The statement said that Par- mount's action in an effort to get exclusion from the sales provisions of the decree in the New York Federal court sustains the position consistently held by Allied that Section 23 of the decree, pertaining to re- measures from state legislation, is binding as Sections 3 and 4, which provide for the trade showing as selling of new season product blocks of five or less, contrary to Minnesota law.

The statement also pointed out, however, that the Supreme Court has indicated Allied's position is what would constitute contempt proceeding in New York to abide by the Min- nesota law.

Allied also pointed out that the court stated: "There exists the strong presumption that the act is constitutional in the action that stands unchallenged and until it is declared uncon- stitutional by the proper court."

Meanwhile, local exchange official report theatres in many localities are ready operating on curtailed schedules, for lack of good product and other circumstances demanding doing so. The situation is being observed by the local legal actions against Paramount, RKO and 20th Century-Fox for all legal violations of the state law, which was never drafted as the one now being used to start in the case until Nov. 2 and, regardless of the outcome, all involved are likely to be taken care of.

Hearing on Paramount's application for an exemption from the decree's sales provisions to permit the company to sell in Minnesota is scheduled for Friday in New York and prompt decision is expected.

Protest Billboard Ban in Milwaukee

MILWAUKEE, Wis., Oct. 26.—A group of sign dealers is organizing to protest a proposed ordinance drafted by City Building Inspector Leon M. Gurdia, to keep billboards and similar signs out of Milwaukee's wide traffic arteries. It was said that the ordinance would outlaw every sign and an important right of way including electric signs on theatres.

Thelma Strabel Married

WEST REDDING, Conn., Oct. 26.—Thelma Strabel, author of "The Reap the Wild Wind," was married here yesterday to David Godwin of the U.S. Forestry Service.
The bands of Kay Kysor, Guy Lombardo, Sammy Kaye, Tommy Dorsey, and Eddie Duchin will be the first heard on "Spotlight Bands," the six-week Saturday night program which starts over Mutual Nov. 3. The sixth band, in the Saturday night spot, will be selected by a nationwide survey to determine which has made the best-seller phonograph record of the week.

Program News: George Jessel will return to radio Friday, 6:45-7 P.M., on WEAF in a one-man show called "Here's Looking at New York." Greater New York Bureaucrats, Inc., is the sponsor. . . Tickle's Chemical Co. has renewed "News for Women" over CBS and has expanded the schedule to five days a week. . . 3-21:30 P.M. Monday through Friday, beginning today. . . Illinois Meat Co. will use participations in Arthur Godfrey's program over WABC beginning next Monday.

The four NBC Symphony concerts to be directed by Leopold Stokowski, Tuesday evenings, Nov. 3, will be played in the Cosmopolitan Opera House (formerly Mecca Temple) instead of the network studio due to the large demand for tickets, it was announced. Instead of the usual free admissions, tickets will be sold at prices ranging from $5.50 to $1.65.

Edwin P. Curtin, formerly an advertising agency publicity director, and now an army captain at Camp Wheeler, Ga., is producing a series of transcriptions which will be aired over WINS here and WDRC, Hartford, Conn. Trainees arriving from the New York or Hartford areas will be sent home. Pvt. Bill Stynes, former WINS announcer, will conduct the interviews. The program will be conducted by Pvt. Harrison Cooper, former announcer for the headliner Herbie Kay, and Pvt. Thomas Haulton, formerly with WBXY, Danbury, Conn., will handle engineering details.

The unusual case of a network devoting a program to the meteoric rise of the star of a rival network will be presented Sunday when Norman Corwin will produce "The Rise and Fall of Henry Morgan" as the last of the "20 by Corwin" series over CBS. Morgan, now a Mutual headliner, previously has appeared on the Corwin series and will take the title role.

WBYN will be ready to increase its power to 1,000 watts day and 500 night in about three weeks. The station recently obtained permission for the power increase from the FCC. WBYN now operates on 500 watts day and night.

majors Face ax Liens onloff Payment

(Continued from page 11) The Supreme Court ruling has put the IATSE in a principal position as the defense in its case Friday was Pat Casey, actors' labor contract. Under direct questioning and cross-examination by Bioff, he testified that Nicholas M. Schenck, president of Loew's, was not present at the Saturday morning meeting. The case was a class action suit, he testified, and had submitted their petition of $80,000 from the equal companies and $25,000 from others, to Schenck and Sidney R. Belkin, president of 20th Century-Fox.

Dates Closed Up The discrepancy in dates, however, quickly cleared on cross-examination when Casey explained that he had given the dates, 2:30 and 4:30, and had told the jury that Schenck had attended all meetings.

Casey declared that nobody had ever told him that Browne or Bioff were paid money, or that they had named any, or any of the three, as the man if the money was not paid.

He testified that since Browne became IATSE president the producers had paid a total of $5,000,000 in wage increases to members of that union. He described Browne's attitude as "rather pugnacious" at the meetings and his representation of the IATSE continued just as vigorous and "just as pugnacious" after the date of the alleged payments. He said that he had never noticed any change in attitude on the part of Browne.

"Under cross-examination, Casey declared that he represented the producers in their studio labor problems and had nothing to do with the union labor, He said the closing of the theaters in 1933-1936 would have "put some producers out of business" and that this condition obtained up to the present year but was no longer true.

Tells of Disputes Casey began with the situation in 1933 when the International Brotherhood of Electrical Workers and the TSE were contending for jurisdiction over soundmen. The IATSE withdrew from the basic pact that year of its membership in the studios dropped from five or six thousand to about 150, with the IBEW, and the former dividing the membership between them. In 1935, after the Chico theatre strike, Browne demanded at IATSE men be restored to the studio. Casey continued, and Schenck said that he wanted the IATSE restored to the basic pact. There would save Loew's a great deal of money in the theatre.

Leaders of the other unions in the city objected to the restoration of the IATSE but after insistence by Browne at his men "were not going to be closed out," and a weekend conference which lasted from 10 A.M. to 8 P.M., the other unions agreed to the restoration and the producers accepted their decision.

Casey also testified to disputes over jurisdiction with the American Society of Cinematographers, the IATSE demands for a closed shop and 10 per cent increase granted the IATSE in 1936 and 1937.

The first witness for the defense was a typist employed by the Federal Telephone Co., who testified that she had transcribed a telegram signed by Mr. and Mrs. W. J. McHenry, president of Mutual, William Bioff in February, 1938, wishing the latter "bon voyage" as they were about to embark on a vacation cruise. After objecting to admission of this testimony, Mathias F. Correia, U. S. Attorney, brought out on cross-examination that the stenographer did not know who signed the telegram or who sent it, except that it came over the Warner Bros. district.

Defense counsel were unable Friday to state who the next witnesses would be. They said that they would present their next witnesses later and not comment on the procedure.

NBC Accepts Beer and Ale Sponsorship NBC has decided to accept beer and ale advertising on its network, thus abandoning its policy of restricting network listlessness from sponsors who advertise alcoholic beverages, it was learned over the weekend, and has taken the Baltimore Ale and Beer account away from Mutual for broadcast on about 80 stations of the Blue network.

The program, "Three Ring Time," which features Milton Berle, Charles Laughton, Bob Crosby's band, Shirley Ross and Bill Godwin, started on Mutual in September.

Although the 13-week contract on Mutual will not have expired by Tuesday, Nov. 7, it will start over NBC on that date. Mutual refused to comment on the situation but it was reported that the sponsor is preparing to pay for the time over Mutual, if necessary, in order to start over NBC's Blue on the scheduled date.

Although NBC has accepted beer and ale accounts over its wholly owned single stations in the past, such sponsors have been consistently rejected for the network. The code adopted by the National Association of Broadcasters bans only "hard orspiritsuous liquors," making no mention of beer. On the other hand, the "Working Men's Bait" issued by NBC for the guidance of its staff, advertising agencies and sponsors on the network's program policies, declares: "Alcoholic beverages may not be advertised on any network program."

Off the Antenna

THE bands of Kay Kysor, Guy Lombardo, Sammy Kaye, Tommy Dorsey, and Eddie Duchin will be the first heard on "Spotlight Bands," the six-week Saturday night program which starts over Mutual Nov. 3. The sixth band, in the Saturday night spot, will be selected by a nationwide survey to determine which has made the best-seller phonograph record of the week.

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TODAY-12:30 Festive Luncheon—Astor Hotel

"STARS' PARTY FOR MAYOR LAGUARDIA"

"Don't change the Little Flower for Poison Ivy"

Jackson Miss., Oct. 26.—Representatives of 12 stations formed the Mississippi Broadcasters Association at a meeting here. Officers elected were: J. C. Wright, WFOR, Hattiesburg, president; H. M. Smith, WAML, Jackson, vice-president; E. E. LaFrance, Laurel, vice-president; L. M. Seaph, WSLL, Jackson, secretary-treasurer.
Take Off That Blindfold!

You've Got A Show To Sell!

* Use your eyes...use your ears...use your head. If pictures sold themselves, life would be one sweet song. You'd book your pictures and let the money pour in. * But friend, what a price you'd pay for your product. * Pictures must be sold and you're the fellows who must do the selling. You've got the quick contact with the people who buy. * SELL THEM...Don't wait until they come to you. Don't rely on the grapevine. Spread the news so that everybody, everywhere, old enough to be interested in entertainment will know. * That means ADVERTISE...put on a show to sell your show...and let the PRIZE BABY help you.

NATIONAL Screen SERVICE

Standard Accessories...Specialty Accessories...Trailers
Senate Film Inquiry Resumption Monday Indicated by Clark

WASHINGTON, Oct. 27.—Hearings on motion picture propaganda may be resumed next Monday, it was disclosed today by Senator D. Worth Clark of Idaho, chairman of the propaganda inquiry sub-committee.

Clark said he planned to confer at the earliest opportunity with Senator Charles W. Tobey of New Hampshire, who has just returned to Washington after a long absence.

Later he will meet with other members of the sub-committee to attempt definitely whether it will be satisfactory to them to resume hearings next week.

The sub-committee has not yet seen any of the pictures charged with propaganda, and the chairman said it was uncertain when members would find time to view them.

Phil. Clearance Is Affirmed on Appeal

The arbitration appeals board yesterday affirmed a decision handed down at the Philadelphia appeal board denying a change of clearance to the Hill Theatre, suburban house, on Paramount, RKO and Warner product.

The appeals board handed down no opinion in connection with its decision, but cited the findings of the arbitrator who heard the case and stated that the appeals board concurs.

Bioff Seeks to Shift Blame on Film Officials

Taking the stand in his own behalf, Willie Bioff yesterday in Federal Court, before Judge John C. Knox and a jury, quickly indicated the line which the defense testimony would take in his trial for extortion, when he attempted to shift the accusing finger from him and his associate, George E. Browne, to persons in the industry. Questioned by his lawyer, Michael Luddy, Bioff testified broadly about his money dealings but in

Second Jap Payment Due in Frisco Today

A second installment of $215,000 to the eight major distribution companies under their monetary agreement with Japan is payable today at the Yokohama Specie Bank in San Francisco.

The companies were paid a first installment of a like amount last month after obtaining Federal Reserve licenses in compliance with the Executive order freezing Japanese assets in this country. A third payment of a similar amount is due the eight companies early in December, with a final payment in January. The payments are out of the companies' 1937 Japanese revenue.

W. B. Branch Heads to Meet Here Friday

Called by Kalmenson; Leserman Resigns

All Warner branch managers will meet at the home office Friday and Saturday, the first session called by Ben Kalmenson in his new capacity as general sales manager for the company.

Warner yesterday announced the resignation of Carl Leserman, assistant sales manager, and vice-president of Vitagraph, Inc. The Leserman resignation was reported exclusively in Motion Picture Daily yesterday.

Commenting on Leserman's resignation, Major Albert Warner, vice-president of Warners, issued the following statement: "It is with sincere regret that Warner Bros. accepts the resignation of Carl Leserman. His association with us has been most pleas-

1,500 Attend Rally To Boom LaGuardia

New York show business turned out in massive numbers yesterday for the luncheon for Mayor Fiorello La Guardia at the Astor, given under the auspices of the Theatrical, Motion Picture and Radio Committee for the Reception of Mayor La Guardia.

John Godden was honorary chairman. Louis Nizer, chairman, introduced the Mayor to the estimated 1,500 persons present.

Among the film companies and org-

Allied Unity Group To Confer in N. Y.

NATIONAL, Oct. 27.—Jack Kirsch, president of Allied Theatre Owners of Illinois, and a member of the national Allied committee for industry unity, will leave for New York tomorrow to confer with distribution officials on Allied's unit plan. Kirsch will be joined by New York's Sidney E. Samuelson, also a member of the Allied unity committee.

A meeting of Illinois Allied at the Congress Hotel here today discussed new season's sales policies. About 50 exhibitors representing 105 theatres were present.

Majors Discuss Division Of Money from England

Major company heads met at MPDA offices again yesterday to discuss methods of apportioning the new British remittance amounts among the eight major companies. No final agreement was reached, so far as could be learned late yesterday.

The $20,000,000 authorized for withdrawal from Britain out of the coming year's distribution revenue is expected to be apportioned among the companies on the basis of their percentage of total British billings.

However, several different methods of dividing the 50 per cent of blocked

Myers Will Address Wis. ITPA Convention

MILWAUKEE, Oct. 27.—Among those scheduled to address the convention of the ITPA of Wisconsin and Upper Michigan four and five at the Schroeder Hotel here are: Abram F. Myers, general counsel of national Allied; Sidney E. Samuelson, business manager, Allied of Eastern Pennsylvania, Inc.; J. E. Flynn, Chicago, district manager for M-G-M; Charles M. Reagan, assistant gen-

In Today's Issue


Motion Picture Daily

NEW YORK, U.S.A. TUESDAY, OCTOBER 28, 1941

TEN CENTS
New Kaufman-Ferber Play Opens Tonight

"The Land Is Bright," a new play by George S. Kaufman and Edna Ferber, bows in tomorrow night's musical revue, "Big Time," at the Ashley Music Hall in the Copley Plaza. Max Gordon is the producer.

Cantor Show Opens At Hollywood Dec. 5
Eddie Cantor will open his stage version of "Dano Eley" at the Hollywood Theatre on Dec. 5. It is announced by Warners. It will start out-of-town bookings Nov. 19 in New Haven, then will go to Boston and Washington before the opening here. At the conclusion of the stage play run, Cantor will appear in a film version for Warners, according to plans.

Rosenfeld Is Named To 20th-Fox Ad Post
Jona Rosenfeld, Jr., formerly with Donahue & Co., an advertising agency, has been named advertising chief for 20th Century-Fox by A. M. Bosford, director of advertising and publicity. Rosenfeld replaces Frank Moneyhun, last week promoted to Bosford's executive assistant.

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Personal Mention

James Mulvey, vice-president of Samuel Goldwyn, Inc., is recuperating at Doctors Hospital after an emergency appendectomy operation performed on Saturday.

F. J. A. McCarthy, Southern and Canadian sales manager for Universal, left last night for Dallas, Oklahoma City and New Orleans. He is due back next week.

David Milgram, head of Affiliated Theatres, independent Philadelphia producer, left for a vacation at Hot Springs, Ark.

Haskell Masters, United Artists western sales manager, is expected back from a Middle Western trip at the end of the week.

Fred Kent and Frank Rogers are in town from Jacksonville, Fla., for Paramount home office conferences.

Leonard Goldenson and Sam Demrow have returned from Hollywood.

G. J. Schaeffer is expected in New York Thursday from Hollywood.

N. L. Nathanson is in town.

Sindy Kramer of RKO became a father Friday evening when a son was born to Mrs. Kramer at Beth Israel Hospital.

L. W. Conrow, Alcoe Service president, is back in town from a field trip.

Jesse L. Lasky is due today from the Coast.

Mitchell Leisen has arrived from the Coast.

'Ecstasy' Banned In Pa.
Philadelphia, Oct. 27—The Pennsylvania censors board has again reemphasized its attitude of approval with "Ecstasy." It marked the eighth time that the picture was submitted for review and was turned down.

Rosalind Russell to Col.
Hollywood, Oct. 27—Columbia has signed Rosalind Russell to a five-year contract beginning next February, to make two films a year.

Victor Schertzinger Rites on Wednesday
Hollywood, Oct. 27—Funeral service for Victor Schertzinger, by film director and composer, who died yesterday, will be held Wednesday morning at the Little Church of Flowers at Forest Lawn, Hollywood Park.

At the time of his death he was directing "The Fleet's In" for Paramount, Frank Jules and Walter Trey and apparently died in his sleep.

He was a pioneer in the development of film music composition.

Schertzinger won early recognition as a violinist, appearing with the Victor Herbert Symphony Orchestra in Philadelphia, and later with Sousa and others. He prepared the musical score for a Thomas Ince film, "Civilization," and this led to direction. He also is well known as a song writer.

He leaves his widow and two daughters, Patricia and Paula.

Plan AFRA in Rocheter
Rochester, Oct. 27—Organization of a Rochester local of the American Federation of Radio Artists is the goal of Hyman Faine, field representative, who has arrived here.

Hold Jacob Seltzer Rites
Hollywood, Oct. 27—Services were held today for Jacob Seltzer, 70, father of the late Jacob Seltzer, Jr., publicist men, who died Saturday. The widow also survives.

Readers’ Say-So

Editor, Motion Picture Daily:

In your issue of Oct. 20, I notice a letter discussing the merits of my original comment on gossip writers who take advantage of a few liberties. However, his remarks were not agreed with by the popular magazine's local critics. Therefore, the matter should be clarified.

I thought I would pass along to fellow-exhibitors writer who takes the wrong attitude towards local critics who are discussing the personal opinions, pro or con. The final judge will always be our box-office, so let's have opinions from the people who know the situation most sincerely, and do not touch on personal matters and slanderous accusations.

Ed Harris, Glendale Theatre, Glendale, Cal.

RKO Executives to New Phila. Branch

Neil E. Depinet, distribution head, will lead a delegation from the RKO home office who will attend the opening of the company's new Philadelphia exchange building tomorrow. The party will leave here by train tomorrow morning.

It will be led by A. W. Smith, Jr., Cresson E. Smith, Robert M. McMillan, Harry Michalson, S. Barret McCormick, A. A. Schubart, William S. G. Poller, Harry Gittelson and W. J. McShea.

Pool Toilet Houses

Toledo, O., Oct. 27—Skirball Brothers of Cleveland, and Smith, Beidler & Kamler, local operators, have pooled the Toledo Pantheon and Palace. The two will show first and second run films, at 20 and 30 cent admission, including tax.
NO GUESSWORK!

Here's what's coming from The Friendly Company.
What’s coming from M-G-M? Can M-G-M keep up the sizzling pace? What is to follow "Jekyll & Hyde," "Honky Tonk" and the other big early season M-G-M entertainments? No guess-work. Here they are: Many are completed, others are in production. The best is yet to come, among them the Greatest attractions in M-G-M history. That means the Greatest in Film history. For instance, see what follows!
The crowds will soon be heading for
MICKEY ROONEY
JUDY GARLAND

“Come out of the kitchen, housewife. It’s better than ‘Babes in Arms’.”

“Put it off till tomorrow, Mr. Business Man. Take the wife to see Mickey and Judy’s new triumph.”

“Declare a school holiday, Mr. Mayor. It’s more fun than ‘Strike Up the Band’.”

“Even this can wait, sweetheart. Let’s get going to ‘Babes on Broadway’.”

Completed! Previewed! M-G-M’s “Babes on Broadway” is the biggest package of entertainment that ever flooded your screen with talent, song, heart-throbs; and your box-office with gold.

(Plenty more—Keep going)
"DON'T GET CAUGHT WITHOUT 'PANAMA HATTIE!'"

LISTEN TO YOUR PATRONS:

"'Panama Hattie' has been previewed in California!"
- "The reports say it's a sensation!"
- "That's the big Broadway musical hit!"
- "Filmed in the M-G-M manner. Oh boy!"
- "Ann Sothern, Red Skelton — what a combination!"
- "With a top-notch comedy cast and Cole Porter tunes!"
- "Bring on 'Panama Hattie,' Mr. Theatre Manager!"
- "We'll be there!"
THE WOMAN OF THE YEAR will be THE PICTURE OF THE YEAR!

PENCER TRACY, KATHARINE HEPBURN in "WOMAN OF THE YEAR" • A GEORGE TEVENS' Production with Fay Wainter, Reginald Owen. Original Screen Play by Ring Lardner, Jr. and Michael Kanin • Directed by GEORGE TEVENS • Produced by OSEPH L. MANKIEWICZ.

TRACY AND HEPBURN
—that's why Leo is weighing the idea of the Academy Award!

Completed! Previewed! It's positively Terrific! It's got that “Philadelphia Story” Box-office stamina! Long life at Your show-shop!

(Continue on next page, please)
PUT YOURSELF IN THIS PICTURE! Ride with the Winner!

(continuing M-G-M coming attractions!)

Completed! Previewed! Another big M-G-M Show on the way to you!

ROBERT TAYLOR
LANA TURNER in "JOHNNY EAGER"

A MERVYN LEROY PRODUCTION with EDWARD ARNOLD, Van Heflin, Patricia Dane, Henry O'Neill, Diana Lewis • Screen Play by John Lee Mahin and James Edward Grant • Directed by MERVYN LEROY • Produced by JOHN W. CONSIDINE, Jr.
Completed! Previewed! Add it to the sure-fire box-office shows from Leo!

**ROSALIND RUSSELL**  
**WALTER PIDGEON** in  
**“MISS ACHILLES’ HEEL”**  
*(title to be changed)*

with EDWARD ARNOLD, Lee Bowman, Mary Beth Hughes, Barbara Jo Allen, Guy Kibbee • Original Screen Play by Lionel Houser • Directed by NORMAN TAUROG • Produced by JOHN W. CONSIDINE, Jr.

Completed! Previewed! The best-selling novel to the life! Another Big One!

**“H. M. PULHAM, Esquire”**

**starring**

**HEDY LAMARR**  
**ROBERT YOUNG**  
**RUTH HUSSEY**

with CHARLES COBURN, Van Heflin, Fay Holden, Bonita Granville • Screen Play by King Vidor and Elizabeth Hill • From the novel by John P. Marquand • Directed by KING VIDOR

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**Wish I had more space to tell you about—**

In production NORMA SHEarer, MELVYN DOUGLAS in “We Were Dancing,” based in part on Noel Coward’s “Tonight at 8:30”... Just finishing at press-time, SHIRLEY TEMPLE (she’s twelve and terrific now) co-starred with HERBERT MARSHALL, LARaine DAY in “The Girl On The Hill”... Coming JEANETTE MacDONALD, NELSON EDDY in the Broadway stage smash musical “I Married An Angel”... And the new KILDARE picture is shaping up swell... And “Tarzan’s Secret Treasure,” the first one in two years, is awaited by the fans... In production “Mr. and Mrs. North” the New York stage delight (GRACIE ALLEN’s in it)... WALLACE BEERY’s “Steel Cavalry” (of course, Marjorie Main, too)... GREER GARSON’s next is “Mrs. Miniver,” the best-seller. She’s co-starred with WALTER PIDGEON... “The Vanishing Virginian” has a swell Frank Morgan role... And wait ’til the folks hear about RED SKELTON in “How To Win Friends and Influence People” based on the Dale Carnegie book sensation... And more happy hits in preparation from the Studio that never fails you!

*(Turn please)*
THIS PHOTO TELLS ITS OWN STORY

The men who pass through these portals may not be the world's most beautiful males but they're FRIENDLY. This is the door of the M-G-M Home Office Sales Department. Note that it is open. Note also the Welcome on the mat. The mat was placed there when this picture was made so that the photo would express truly the spirit that lives there always. And this symbol is duplicated in spirit in every M-G-M Branch Office throughout the land, as well as in those far places of the world where the Lion still bravely carries on. The Open Door policy at M-G-M was not born yesterday. It has existed all the years we have been in business and out of its operation M-G-M came to be known as THE FRIENDLY COMPANY. To say it simply: "Your M-G-M representative wants to know your problems. He cannot know them until you tell him. The door is always open." Welcome Mr. Exhibitor!
Truth’ Takes Big $24,000, Los Angeles

LOUIS, Oct. 27—“Nothing but the Truth” and a stage show drew a strong $24,000 at the Paramount, while “The Little Foxes,” on Bill in the third week, averted well $2,000 with the Hill Street and Pantages. Estimated receipts for the week ending Oct. 22:

International Lady (U.A.)

Moore Over Her Shoulder (20th-Fox)

Chinese (20th-Fox)

Toccata (20th-Fox)

Hummingbird (20th-Fox)

Sundown (U.A.)

* Swing It Soldier (Universal)

Hollywood, Oct. 27

**Reviews

“She’s Boom Bah” (Monograph)

Hollywood, Oct. 27

INTRODUCING Grace Hayes, Lindy Lee and Mary Healy as principal characters in a tale about a run-down college revitalized by music and football, this Sam Katzman production directed by William Nigh, is one of the best of the week. The principals are exercising their talents as entertainers and it’s been shown by way of supplying connective between these highlights.

Grace Hayes, portraying the mother of a college spendthrift, displays a personality that rates her a future in films. Peter Lindy Lee gets registered in impersonations and vaudeville routines but doesn’t attempt much in the way of acting. Mary Healy sings well and exhibits some acting ability. Benny Rubin brightens the proceedings whenever the camera is turned his way. Skeets Gallagher amuses as a college president and Roland Dupree, a 16-year-old tap dancer, steals the picture from everybody else when he cuts loose. His is a gift for talent scouts to write home about.

In the course of the proceedings a band of youngsters portraying college students dance repeatedly, part of the time as participants in a sort of night club college show, and the background tale relates their musical accomplishments in some fashion to the winning of gridiron victories which result in rehabilitation of the college, a process which the script fails to make clear but which doesn’t much matter.

Running time, 62 minutes. “G.”

ROSCOE WILLIAMS

“Public Enemies” (Republic)

THIS tells the story of the reporter who blunders, is given a permanent leave of absence, retrieves his job by scoring the beat of the year, and marries the girl. Starting off fast and gaining momentum as it goes along, the film scores through its brisk, melodramatic, and at times jocular, presentation. It rates as good material for theatres whose patrons favor action and care little about minor inconsistencies so long as a happy ending is attained.

Philip Terry and Wendy Barrie are chiefly concerned, with assistance in the comedy department by Edgar Kennedy and William Frawley, all of whom work energetically throughout. Also taking part are Marc Lawrence, Nana Bryant, Willie Fung, Paul Fix, Russell Hix and Tim Ryan. Speed is the essence of Albert S. Rogell’s direction. Robert North was the associate producer.

Running time, 66 minutes. “G.”

EUGENE ARNELL

12 Films Start, 10 Finished, 39 Shooting

Hollywood, Oct. 27.—Thirty-nine pictures were before the cameras this week, as 12 started and 10 finished, making the total number in production two more than last week’s. Thirty-two are being prepared, and 85 are being edited.

M-G-M is the busiest lot, with eight in work, 25th Century-Fox following closely.

The tally by studios:

Columbia

Finished: “Calendons on Parade.”

In Work: “The Lady Is Willing.”

John Hall

Finished: “The Captain of Kopeckick.”

M-G-M

Finished: Untitled Dr. Kilikare, “The Vanishing Virginian,” “Dean of the U.S.A.” (formerly “Steel Cavalier.”)

In Work: “Born to Sing,” “Mr. and Mrs. North,” “I Married an Angel,” “We Were Dancing,” “Woman of the Year,” “Johnny Eager.”

Started: “Joe Smith, American,” “China Caravan.”

Paramount

Finished: “Torpedo Boat.”

In Work: “The Lady Has Plans,” “The Saint.”

Started: “Dr. Broadway.”

RKO

In Work: “Syncopation,” “Mexican Spitfire at Sea,” “Sing Your Worries Away,” “Joan of Paris,” “Valley of the Sun.”

Republic

Finished: “Tuxedo Junction.”

In Work: “Lady for a Night.”

Started: “Mr. District Attorney” and “Carter Case.”

Roach (U.A.)

Started: “Dudes Are Pretty People.”

Small (U.A.)

In Work: “Helletope Harry.”

Twin Beds.

20th Century-Fox

In Work: “Blue White and Perfect,” “On the Sunny Side,” “Remember the Day,” “Son of Fury.”

Started: “Song of the Islands,” “Tales of Manhattan,” “Roxie Hart.”

Universal

Finished: “Fifty Million Nickels.”

In Work: “Road Agent,” “Keep Em Flying.”

Started: “The Panama Kid.”

Warner

Finished: “The Male Animal.”

In Work: “Always in My Heart.”

Juke Girl,” “Wild Bill Hickock Rides.”

Started: “Arsenic and Old Lace.”

Finish Historical Short


RCA Closes Service Deal With Comford

RCA Photophone has closed an equipment service deal with the Comford circuit, covering 79 theatres.

Negotiations were handled by Dan Halpin, W. L. Jones and John Bethel for RCA, and Charles A. Ryan for the circuit. Theaters are located in eastern Pennsylvania and southern New York State.
W. B. Branch Heads to Meet Here Friday

(Continued from page 1)

(Continued from page 1)

1,000 at Testimonial
For James P. Clark

(Continued from page 1)

(Continued from page 1)

Phil. Clearance Is Affirmed on Appeal

(Continued from page 1)

Grosses Boom on Broadway Over Weekend

(Continued from page 1)
Short Subject Reviews

‘Lend a Paw’ (Disney Cartoon) (RKO)

Pup, Mickey’s dog, is engaged in a fierce battle within himself between conscience and the devil, as a small dog appears to be usurping his place in Mickey’s affections. Finally, after ally unning inner conflict, the brutal nature triumphs. Most entertaining.

Running time, 6 mins. Release, Oct. 1, 1941.

Hollywood Sports

‘Acture People, No. 2’ (Desikoff Comedy) (RKO)

Most of this subject is devoted to stories of Gail Patrick and her Hollywood baseball team, while Gay Biddle teaches his young son to fish, and several other star play tennis at a Hollywood gallery. Each film is probably will enjoy seeing the stars set the off. Running time, 9 mins. Release, Oct. 10, 1941.

‘I’ll Fix It’ (Edgar Kennedy Comedies) (M-G-M)

Edgar Kennedy, the husband to whom everything happens, this time decides to save the plunger’s charge by installing a new hot-water heater, and goes about doing it himself, amply aided by brother-in-law and wife. A film that fills him is more than anyone should have to stand, and it is good for a few laughs. Running time, 17 mins. Release, Oct. 17, 1941.

‘Helping Hands’ (Our Gang) (M-G-M)

Our Gang goes in for national defense in a new way here, forming an “army,” providing mother with more pantry space by removing the aluminum ware, and the like. Thus, the short, about standard in entertainment for the series, abounds in exploitation possibilities. Running time, 11 mins. Release, Sept. 27, 1941.

‘The Frozen North’ (Terry-Toon Cartoon) (20th-Century-Fox)

A cartoon journey through the Arctic furnishes this Terry-Toon with many absurdities which give it above-average entertainment value. Its treatment, with commentary, in the nature of a baroque on travelogues. Running time, 7 mins. Release, Oct. 7, 1941.

‘Yank’ Captures Big $8,600 Omaha Gross

OMAHA, Oct. 27—“A Yank in the R. A. F.” and “Dressed to Kill” were good for $8,600 at the Orpheum. The weather was rainy and cold.

Estimated receipts for the week ending Oct. 21-22:

‘Texas’ (Col.)

BRANDES—(1,200) (28c-48c) 7 days. Gross: $350. (Average, $50).

Smiling Through’ (M-G-M)

WHISTLING IN THE DARK” (M-G-M)

OMAHA—(1,200) (30c-48c) 7 days. Gross: (Average, $600).

‘A Yank in the R.A.F.” (20th-Fox)

Dressed to Kill” (20th-Fox)

ORPHIN—(1,000) (30c-48c) 7 days. Gross: $600. (Average, $85).

‘Truth’ Scores Neat $10,000, Providence

PROVIDENCE, Oct. 27—With night business good but matinee trade off, it was just a fair week, with “Nothing But the Truth” and “Ice-Capades” at the Strand leading with $10,000.

Estimated receipts for the week ending Oct. 22-24:

‘The Little Fosses” (RKO)

"Mexican Spitfire’s Baby” (RKO)


‘International Lady’ (U.A.)

Married Bachelor” (M-G-M)

LOWS—STATE—(1,200) (28c-39c-38c) 7 days. Gross: $1,100. (Average, $150).

‘Nothing But the Truth” (Para)

‘Ice-Capades” (Rep.)

STRAND—(2,300) (28c-39c-38c) 7 days. Gross: $1,900. (Average, $269).

‘Riders of the Purple Sage” (20th-Fox)

FAY'S—(1,800) (28c-39c-48c) 7 days. Stage show with Tula; Billy Wells and the Four Foxes: Jack Le Vic and Co.: John Son and Mystic; and Ray and Arthur: L. Paul. Gross: $2,000. (Average, $286).

‘Federal Fugitives” (P-R-C)

METROPOLITAN—(1,200) (30c-39c-38c) 7 days. Stage show with Tommy Tucker’s Orchestra; Amy Arnell and Kerwin Scouer; Henry Youngman: Samuel Brothers and Hayes; Trione. Gross: $6,100. (Average, $871).

‘Fifty Thousand Horses” (Krellberg)

‘Dangerous Lady’ (P-R-C)

PLAYHOUSE—(1,200) (30c-48c) 3 days. 7th. Gross: $200. (Average, $25).

‘Smiling Through” (M-G-M)

DOWNS IN SAN DIEGO” (M-G-M)

CARLTON—(1,350) (28c-39c-38c) 7 days. 2nd. Gross: $6,000. (Average, $857).

‘Tom, Dick and Harry” (RKO)

Forced Landing” (Para) 3 days.

Dive Bomber” (W.B.) (4 days)

‘The Reluctant Dragon’ (RKO) (4 days)

EMPIRE—(1,200) (30c-48c) 2nd. Gross: $1,500. (Average, $125).

‘Yank’ in New Haven Scores Good $4,000

NEW HAVEN, Oct. 27—The second week of “A Yank in the R. A. F.” dined at the College with “Private Nurse” brought $4,000. “Unfinished Business” and “Black Cat” at the Roger Sherman grossed $6,100.

Estimated receipts for the week ending Oct. 13:

‘A Yank in the R.A.F.” (9th-Fox)

Private Nurse” (20th-Fox)

COLLEGE—(1,400) (30c-39c) 7 days. 2nd. Gross: $4,000. (Average, $572).

‘Belle Star” (20th-Fox)

Ringside Maisie” (20th-Fox)

LORON-POL—(1,400) (28c-39c) 7 days. Gross: $9,000. (Average, $636).

‘Hold Back the Dawn” (Para)

‘World Premiere” (Para)

PARAMOUNT—(2,200) (28c-48c) 7 days. Gross: $5,000. (Average, $227).

‘Unfinished Business” (Uni.)

‘Black Cat” (Uni.)

ROGER SHERMAN—(2,200) (40c-48c) 7 days. Gross: $6,100. (Average, $500).

‘Honky Tonk’ Sets Pace in Milwaukee

WISCONSIN, Oct. 27—“Honky Tonk” and “The Feminine Touch,” playing Fox’s Wisconsin and Palace simultaneously, collected $8,000 at the former house and $5,500 at the latter. Estimated receipts for the week ending Oct. 23:

‘Honky Tonk” (M-G-M)

The Feminine Touch” (M-G-M)

SAGE—(1,700) (30c-48c) 7 days. Gross: $1,500. (Average, $88).

‘Dr. Jekyll and Mr. Hyde” (M-G-M)

‘International Squadron” (W. B.)

GARLIE—(1,300) (28c-48c) 7 days. Gross: $3,200. (Average, $457).

‘Honky Tonk” (M-G-M)

‘The Feminine Touch” (M-G-M)

EMPIRE—(3,300) (30c-48c) 7 days. Gross: $2,600. (Average, $550).
Havana

CHICAGO, Oct. 27.—The Roosevelt, with "Week End in Havana" and "The Smiling Ghost," led with $16,000, and "The Little Foxes" and "Mexican Spitfire's Baby" drew $15,000 at the Palace. Estimated receipts for the week ending Oct. 23.

"Nothing But the Truth" (Para.)

CHICAGO—(4,000) (3c-5c-5c) 7 days, 2nd week, Gross: $30,000. (Average, $12,000.)

"The Smiling Ghost" (W.B.)

GARRICK—(4,000) (3c-5c-5c) 7 days, Gross: $1,000. (Average, $143.)

"The Little Foxes" (RKO)

PACIFIC—(2,000) (5c-5c-5c) 7 days, Gross: $4,000. (Average, $571.)

"The Mexican Spitfire's Baby" (RKO)

PACIFIC—(2,000) (5c-5c-5c) 7 days, 2nd week, Gross: $15,000. (Average, $13,000.)

"Week End in Havana" (20th-Fox)

"The Smiling Ghost" (W.B.)

ROOSEVELT—(1,000) (3c-5c-5c) 7 days, Gross: $3,000. (Average, $428.)

"Broadway Limited" (U.A.)

SUNSET—(300) (3c-4c-5c) 7 days, Stage—"Hawaiian Nights," Gross: $1,500. (Average, $214.)

"Do, Jimmy, Do World United Artists—(4,000) (3c-5c-5c) 7 days, 2nd week, Gross: $13,000. (Average, $1,100.)

Group Will Discuss Children's Pictures

Representatives of the New York Public Library, the Schools Motion Picture Committee and the National Board of Review will meet Thursday at the 28th Street Branch Library for a discussion of motion pictures for children, Margaret Scoggins, librarian of the 28th Street Branch, presiding.

Speakers will include: Julian Bryam, director; Bosley Crowther, New York Times critic; Frederick M. Thrasher, New York American; Mabel Williams, in charge of work with schools of the Library; Mrs. Alonzo Klaw, chairman of the Schools Motion Pic-

Legion Approves Nine New Pictures

The National Legion of Decey for the past week approved all of the nine new pictures which have been classified, five for general patronage and four for adults. The new films are as follows:

NBC Survey Shows Television Audience

A survey by NBC revealed the following average listeners per set in the New York metropolitan area during May. A total of 28,880 sets were tuned to Alfred Morton, vice-president in charge of television, in Radio Age, new RCA publication:

<table>
<thead>
<tr>
<th>Day</th>
<th>Public</th>
<th>Home</th>
<th>Children Total</th>
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</thead>
<tbody>
<tr>
<td>Day</td>
<td>1.8</td>
<td>1.1</td>
<td>2.9</td>
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<tr>
<td>Evening</td>
<td>4.5</td>
<td>1.3</td>
<td>5.8</td>
</tr>
</tbody>
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The survey showed an average of 35.6 per cent of sets tuned on during the day and 80.1 in the evening. Applying these percentages, Morton concluded that the television audience totaled 11,000 daytime and 30,000 in the evening.

Kentucky Will Halt Tax Ticket Printing

FRANKFORT, Ky., Oct. 27.—Discontinuance of state printing of tax tickets for small theatres and amusement houses is now in force, after the new Federal regulations have been made known by Revenue Commissioner H. Clyde Reeves.

The new regulations, Reeves said, require the name of each theatre to be printed on its tickets. Since 1936, the State Revenue Department has supervised the printing of tickets for between 800 and 900 small amusement places and charged the cost to the operations in addition to the state tax levied on them.

Protest Breakdown Of Clear Channels

ROCHESTER, Oct. 27.—Strong objection to a further breakdown by the Federal Clear Channel Broad- casting stations was voiced in a resolu- tion adopted by the Central West- ern Theatre Owners Association here. More than 7,000 teachers attended the sessions.

The House of Delegates took the stand on the ground "that such a break will deprive the rural areas and small towns of the United States of the high standards of broadcasting service.

Increase KQW Power

SAN FRANCISCO, Oct. 27.—Work has begun on increasing KQW's power from 5,000 to 50,000 watts, preparatory to the station replacing KSFO at CBS northern California outlet, on Jan. 1, according to owner-manager Ralph R. Bruntom, former NAB director.

Bausch & Lomb Net

ROCHESTER, Oct. 27.—Bausch & Lomb Optical Co. has reported net profit for the nine months ended Sept. 30 of $1,302,043, equal to dividends paid on five per cent preferred stock $2.60 a share. This compares with $1,183,757 or $2.84 a share in the like 1940 period.

Stage Shows in Detroit

DETROIT, Oct. 27.—The Michigan Theatre here has booked Clifford G. Fisher's "Follies Bergere" for the week of Nov. 26, and a variety show for the week of Dec. 5.

Senate Will Weigh Nomination of Durr

Washington, Oct. 27.—The Senate Interstate Commerce Committee will meet tomorrow, as expected, to consider the nomination of Charles J. Durr to be a mem- ber of the Federal Communications Commission. Durr's nomination was sent to the Senate by President Roose- velt. Durr, who fills the vacancy created by the expiration of Frederick I. Thompson's term last June 30.

America First Not Barred: Trammell

Niles Trammell, NBC president, yesterday answered charges of the America First Committee that its spokesmen have been barred from the air by the major networks by point- ing out that "self-styled anti-war speakers had broadcast 70 times the NBC, compared with the broadcast by speakers 'whom you are pleased to designate pro-war advocates.'

Trammell said that 30 minutes had been offered to over 62 stations to who will address a meeting this week at Garden Theater. He thought but that the time had re- fused.

CBC in Agreement With Employe Units

OTTAWA, Oct. 27.—An agreement has been reached between the man- agement of the Canadian Broadcasting Corp. and representatives of CBC em- ployes. It was announced following a three-day meeting of regional repre- sentatives of employees councils of the company.

The agreement provides for organ- ization of staff councils at CBC oper- ating points, which will include all staff members except department heads and executive officers of the company. It also provides machinery for functioning of the councils, and for an annual meeting of council representatives to consider CBC employee problems.

New Station Brings Mexico Total to 109

MEXICO CITY, Oct. 27.—Operating commercial radio stations in this country have increased to 109 with the opening in Queretaro, capital of Queretaro state, of XEFJ, of 5,000 watts, owned and operated by Ramon Rodriguez Familiar, former Quere- taro state delegate.

Station XELZ here is now operat- ing at 1,000 watts and has a new fre- quency of 1440 keys.

Station XEBF at Torreon, Coahuila state, averted a strike by making a contract which allows increased wages to all other stations.

The Federal Government interceded to avert this strike.

Crosley Sets Dividend

CINCINNATI, Oct. 27.—The Crosley Corp., operating WLW, WSAI and WLWH, international short wave sta- tion, and manufacturing various electric appliances, including radio rece- iving sets, has declared a 30-cent common stock dividend, payable Nov. 21 to stockholders of record Nov. 3.

Only Network Plea to Delay F. C. C. Rules

WASHINGTON, Oct. 27.—Further deferral of the application of the next Federal Communications regulations, scheduled to go into effect Nov. 15, will be ordered only on formal application from the networks, it was declared today by FCC Chairman James L. Fly.

The commission itself, Fly said, has no present intention of ordering any postponement of the effective date. So far, no application has been received for such deferrals.

Both CBS and NBC have declared that they would take the issue to the courts. CBS stated that it would seek a court injunction to prevent the new regulations from going into effect. NBC said it was relying on Fly's previous statement that there would be no effort to enforce the rules if the networks took the matter to the courts.

Services Are Held For Louis Fischer

Funeral services were held last night at the Masonic Temple for Louis Fischer, restaurant operator, who died at the age of 61 on Saturday at his home in West Philadelphia. He was managing director of Reisenweber's Restaurant at Eighth Ave. and Union St., once the city's most noted cabaret.

With Percy E. Ekke, he is cred- ited with introducing shows in restau- rants. After Reisenweber's closed, Fischer became a Labor Department agent, and later was named executive secretary of the Pennsylvania Al- cohol Beverage Control Board. Surviving are a brother and three sisters.

Theatres Unaffected By Ottawa Blackout

OTTAWA, Oct. 27.—The first complete test blackout in the 60 square miles of this city last night had little effect on theatre business.

The Cartier and Laurier theatres in Hull, although their marquee lights were extinguished, carried on during the half-hour blackout and managers reported average audiences. As it was a Sunday, no theatres were open in Ot- tawa, and managers made sure that all visible lights were put out Saturday night.

Location Problem

SACRAMENTO, Oct. 27.—The problem of using the Sacramento River and its freight boats for Mis- sissippi River sequences, will have to be looked into.

The United States Govern- ment has conspired the old story of the paddle wheelers as Navy training boats, and the river traffic is now being hauled by truck.
A MESSAGE TO THE CRITICS
WHO HAVE COME FROM ALL
OVER THE NATION TO COVER

The World Premiere of
HOW GREEN
WAS MY VALLEY
at New York's Rivoli Theatre tonight
(Tuesday, Oct. 28)

HELEN EAGER
of the Boston Herald-Traveler
...You will share in the
gaiety and revelry of the
song and celebration when
Ivor Morgan weds the lovely
Bronwen.

PRUNELLA HALL
of the Boston Post
...Your favorite scene will be
that one in which Angharad
cries: "What do you know
about what could happen to
a poor girl when—when she
loves a man so much that
even to lose sight of him for
a moment is torture!"

HENRY T. MURDOCK
of the Phila. Eve. Public Ledger
...You will never forget the
scene of power and fire when
Gruffydd denounces the gos-
sipers and hypocrites in his
congregation.

RICHARD PETERS
of the Cleveland Press
...Through the years, you
will remember the voice that
tells the story of a town that
might be your town...of
people you might have known
and loved...of the greenness
that once shone in the Valley!

BUCK HERZOG
of the Milwaukee Sentinel
...Your laughter will w
and eyes mist as young H
goes to his lonely and wi
owed sister-in-law and off
be head of her house!

ARTHUR F. SPAETH
of the Cleveland News
...You will thrill to the sel
less courage that sends
handful of men and a lo
boy into the black peril of
mine cave-in.
John Paid $145,600, SEC Report Shows

Harry Cohn, president of Columbia Pictures Corp., was paid $145,600, including expense allowance, during the period June 30, 1941, according to a report of the Securities and Exchange Commission. George Stevens, Jr., received $174,339, and Irene Pead was paid $133,500.

The report stated that as of Oct., 1941, the company had borrowed

“Valley” Is Given

Broadway Opening

In an atmosphere dominated by the United States Navy, both in theatre location and in the person of many in attendance, 20th Century-Fox last night opened “How Green Was My Valley” at the Rivoli Theatre on Broadway. The premiere, attended by a galaxy of invited Naval officers, film executives and representatives of New York society and notables, was for the benefit of Navy Relief Society.

With service pennants strung across the play and searchlights playing on

Further Film Probe
Delay Seen Likely

Washington, Oct. 28—Further postponement of hearings on alleged motion picture propaganda is believed likely here with the Senate isolationists group, members of which are sponsoring the films hearings, now occupied with the neutrality revision bill under debate in the Senate.

Chairman D. Worth Clark of the investigating sub-committee said after holding his long-awaited conference with Senator Charles W. Tobey today, regarding future hearings, that he would issue no statement disclosing what had been agreed upon until tomorrow.

Chairman Clark previously had stated that he planned to resume the hearings next Monday.

Bernhard Is
Warner Bros. Vice-President

Kalmenson Will Appoint Three District Heads

Joseph Bernhard was elected vice-president of Warner Bros. Pictures, Inc., at a meeting of the company’s board of directors yesterday. He will retain the presidency of Warner Bros. Circuit Management Group and, in addition to handle greater executive duties in his new post, the company stated.

Bernhard will appoint an assistant in the theatre department within the next few days. The appointment will be made from within the Warner ranks, he stated.

Bernhard’s election to the new post was forecast exclusively in Motion Picture Daily on Monday. The new post is said to carry with it executive

Iowa Group to Give
16mm. Data to I.T.O.

Des Moines, Oct. 28—The committee of representative members of the film industry in Iowa, appointed to investigate the propaganda in the state, has decided to turn over all material and evidence to Leo F. Wolcott, president of the Allied I.T.O. of Iowa and Nebraska, completing the work of the committee.

It was recommended that Wolcott present the situation to the next general exhibitor meeting, and that if additional data were required a new committee be named, to consist of exhibitors only.

Metro to Show Four Films Nov. 10 and 12

M-G-M yesterday announced trade showings of four new series pictures.

“Kathleen” and “Design for Scandal” will be shown in all exchanges on Nov. 10, and “H. M. Pulham, Esq.” and “Tarzan’s Secret Treasure” will be shown on Nov. 12.

(Continued on page 6)

(Continued on page 3)

(Continued on page 6)

(Continued on page 6)

(Continued on page 6)

(Continued on page 3)
Personal Mention

HERMAN WOBBER returned last night from California.

IRVING C. JACOBS, Jr., Connecticut MPTO head, is back at the Branford Theatre, New Haven, after several days' sick leave.

JULES LABUER, Universal district manager, left yesterday for Philadelphia. He is expected back early next week.

ERNST MORRELL, head of Loew's transportation department, is recuperating at Jamaica Hospital following an operation.

MAXWELL WEINBERG, manager of the Little Theatre in Baltimore, has returned from a visit in Atlantic City.

MORIS COHN of Columbia in Albany will return there as a salesman in November, having been released from the Army.

ROY SULLEBER, assistant manager of Warner's Stanton, Philadelphia, became the father of a son last week.

Grainger Reports Deals

James R. Grainger, Republic president, has returned here from a three-week tour of the company. While in St. Louis he closed a new season product deal with Fanchon & Marco and the St. Louis Amusement Co., covering first-run and neighborhood houses.

Mary Pickford left for the Coast last night with stopovers at Cincinnati and Kansas City.

James P. Clare, head of Highway Express Lines, Philadelphia, was named association chairman of the local United Charities Campaign's industry and finance department.

Harry A. Ross, president of Ross Federal Service, has returned to his office after being ill with pneumonia.

Leo Trinajnov, manager of the Rialto, Allentown, Pa., has been named head of the industry committee for the annual Community Chest charity drive.

Sylvia Kalickman, secretary to David Milgrom, head of Affiliated Theatres, Philadelphia, has announced her engagement to Michael Cohen, of Pittsburgh.

Katharine Spencer of Warner Theatres is confined to New Haven Hospital with pneumonia.

New Musical Will Make Bow Tonight

The book is by Herbert and Dorothy Fields. Songs are by Cole Porter. Vincent Freedley is the producer.

Pittsburgh Club to Hold New Election

PITTSBURGH, Oct. 28.—The local Varsity Club will not introduce its new officers at its annual banquet, Nov. 2 in the William Penn Hotel. The coming year's executive board will not have been elected despite the club's having held an election Oct. 13. The reason is that the recent election of directors has been declared invalid because of insufficient notification about a change of place for the election. Another election will be held Nov. 10 in the club's quarters.

Lasky Sets Budget On Mark Twain Film

A tentative production budget of more than $1,000,000 has been set for "The Adventures of Mark Twain," which will be Jesse L. Lasky's next production for Warner. The producer said on his arrival here from Coast yesterday, Lasky said the pictures would go before the camera shortly after the first of the year.

Lasky plans to remain in New York about two weeks.

Horlacher Name Changed

PHILADELPHIA, Oct. 28.—Horlacher's Delivery Service, film delivery service, headed by James P. Clark, has officially changed its name to Highway Express Lines, Inc.

Newsreel Parade

PRESIDENT ROOSEVELT takes the lead in the midwest race in delivering his Navy Day address. Football is given the usual attention. The reels and their content.


Several Speakers For Ampa Meeting

Jesse L. Lasky and Douglas C. Cole, Canadian Government Trade Commissioner, will be guests at the Ampa luncheon at the Hotel Edison today, when J. J. Pickens, president of Famous Players Canadian Corp., will be principal speaker. The luncheon will start at 12:45 P.M.

Austin Keough, Paramount general counsel, will introduce Fitzgerald, Mort Blumenstock, Eastern advertising and publicity head for Warners, will introduce Lasky.

Kilgore Denver Partner

MEMPHIS, Oct. 28.—Robert Kilgore has resigned as manager of Loew's Palace here to accept a partnership in the Victory Amusements Co., which operates two theatres in Denver. Boyd Fry has been transferred from Loew's United Artists in Louisville to take over management of Loew's Palace.

AMERICAN AIRLINES Inc.

ROUTE OF THE FLAGSHIPS

Hollywood, Oct. 28

MONOGRAM Pictures Corp. today announced that its unaudited report for the first quarter ended Sept. 27 shows a net profit of $39,459 after provision for all taxes.

Signal Corps Reserve officers, including Lieut. Col. Darryl Zanuck, Col. Nathan Levinson, Major John Aalberg and Capt. Gordon S. Mitchell are expected back late in the week from Washington where they are to confer on production of training films.

Ralph Murphy will succeed the late Victor Schertzinger as director of "The Fleet's In" for Paramount, it was announced today. Schertzinger had virtually completed the picture when he died last weekend.

The Pacific Coast Section, Society of M. P. Engineers, will be guest of the department of cinema of the University of Southern California Thursday evening. Dr. Albert S. Ransbach will preside.

Hal Forbes, executive vice-president of Sunbeam Productions, left for New York today for conferences in connection with a series of westerns planned by the company.

Paramount today announced the purchase of "The Stars Shine On," story of a mail order house employee, by Marion Parsonnet and William Thiele.

5 COOL, COMFORTABLE WAYS TO GO TO LOS ANGELES

AMERICAN AIRLINES Inc.

ROUTE OF THE FLAGSHIPS

THE MERCURY

(Two Sections)

THE PLAINSMAN

THE SOUTHERNER

THE SUN

COUNTRY SPECIAL

For reservations, call your Travel Agent or AMERICAN 65000.

Ticket Offices: 18 W. 49th St. at Rockefeller Center and Airlines Terminal, 14th Street at Park Avenue.

PUBLISHED DAILY

(Motion Picture News)

Rd. 75, Chicago, Illinois.

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1279 Alwyn Circle, New York, New York, Telephone Circle 7-3100.

Quigley, Editor-in-Chief and Publisher; Sam Brown, Vice-President and General Manager; Waltersen R. Ratheben, Vice-President; Sam Sloan, Editor; Alfred L. Emery, Managing Editor; James A. Cross, Advertising Manager; Chicago Bureau, 54 South Michigan Ave., O. R. O'Neill, Manager; Hollywood Bureau, Postal Union Life Insurance Building, Ed. Manager, Long Friedman, Manager; London Bureau, 6; Golden Square, Manager, John W. B. Hope Willians, Manager, cable address "Quiglobo, London." All material copyrighted 1941 by Quigley Publishing Company, Inc. Other publications: Motion Picture Herald, Better Television International Motion Picture Almanac and Plane. Entered as second class matter at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.
Motion Picture Daily

idnesdav. October 29, 1941

Given
(Broadway Opening

Valley' Is

(Continued from page 1)

theatre front, which was designed
accordance with the theme of the
the premiere was impressive.
in,
opening also was a tribute to
(ie
llin Ford, the film's director, who is
lehrating his 25th anniversary in

'[.

i

now on

^ industry, and is
with the Navy.

active

,[ty

Admiral Adolphus Andrews,
fcnraandant of the Third Xaval Dis»Roar
jct,

headed the

Navy

contingent at-

liding.

iDarryl F. Zanuck, vice-president in
large of 20th Century-Fox produc-

attended from Hollywood.
|Others in attendance included Herpn,

:

3

"HowGreen WasMyValley"
(.Continued

from pane

1)

and appearance; the Welsh Singers; Patric Knowles, the ex-boxer,
and all the rest.
It is a sharply etched picture of this town and its people, done with
consummate skill in art direction, photography and settings to provide
a depth of realism rarely matched.
It is true that the film at times moves slowly, but that is quite in
keeping with the lives and manner of the people concerned. There is
little of preachment, other than an occasional sharply drawn contrast

ful,

hard-working, making much of

ricy

little

things, saddened by the hypocfeast upon the love of the

who

scandal-loving gossips,

of the

preacher and Miss O'Hara.
Highlighting the picture are the denunciation by Miss Allgood of
the men who would ostracize her husband because he protests their
union activities; the boy's first days in the national school, when he
is bullied by older, wealthy boys and a tyrannical and brutal schoolmaster, and the delightful bit in which the ex-boxer and Fitzgerald
administer a sound thrashing to that schoolmaster the fire and explosion

complish.

Eve' Hits $13,000;

"Riders of Black Mountain"

28.— "It Started
Toronto,
Oct.
Kith Eve" took $13,000 at the Up)\vn,

Dawn"

and "Hold Back the

at
in a

Imperial registered $12,800
rong week.
Estimated receipts for the week
iding Oct. 25
Quiet Wedding" (British)
ie

.

:

lEGLINTON— (1,086)
tHys,

2nd week.

(18c-30c-48c-60c)

Gross:

$2,800.

6

(Average,

fy,500)

Hold Back the

Dawn"

IMPERIAL— (3,373)
bys.

Running

time. 118 minutes.

Charles Aaronson

"G."*

nrHIS

is

Flaws

lacking in effectiveness.

hp>

s,

2nd week.

What appears to be the western's sole
Coy, who has the lead, that of a marshal

sound and photography

Stewart.
Rex Lease, Edward Peil,
Hadden are in supporting roles.
Running time, 59 minutes. "G."*

asset

Sr.,

SHEA'S—
.ays.

(18c-30c-42c-60c-78c)
$9,500.

*"G" denotes general

6

(Average,

(Para.)
(18c-30c-42c-60c-90c)

(2.480)

Gross: $12,000.

—

TIVOLI
(1,434)
(12c-30c-48c)
-ross: $3,700.
(Average. S3.900)
It Started with Eve" (Univ.)

UPTOWN— (2.761)

>>s.

6

is

Frank La Rue and Pauline

Eugene Arneel

6

(Average, $9,000)

Indianapolis, Oct. 28.— "Sergeant
"ork" took a smash SI 6,000 at the
"ircle. "Smilin' Through" and "Dr.

Wedding Day"

CIRCLE— (2.800)

,.ross:

did $9,200.
the week

nine days.

.Henry Aldrich
I

fcr

IN'DIANA— (3.200)
.ross:

$5,600.

(28c-33c-44c)

dav S

.

President"

(Para.)
(28c-33c-44c)
7
davs.

I-OEW'S— (2.800)

(M-G-M)

(28c-33c-44c)

7

days

(Average. $8,000)
in the R.A.F." (20th-Fox)
in Rio" (20th-Fox)
(2.000) (28c-33c-44c) 7 days, 2nd
Gross: $5,500.
(Average, $4,500)
$9,200.

A Yank
'Charlie

Chan

LYRIC—
/eek.

Resume Standard Time

$21,000.

ing Oct. 23:

"Smilin' Through" (M-G-M)
"Dr. Kildare's Wedding Day"

week.

MIDLAND —

Gross:

$8,800.

(M-G-M)

(28c-44c)
(Average, $8,500)

(30c-33c$19,000.

METROPOLITAN—

(28c -30c -40c(4,367)
55c) 7 days.
(Average,
Gross: $14,300.
$15,500)
Yank in the R.A.F." (20th-Fox)

"A

Chan

in Rio" (20th-Fox)
(28c-30c-40c-44c55c) 7 days, 2nd run.
Gross: $9,200. (Average, $7,500)

"Charlie

PARAMOUNT— (1,797)

"A Yank
"Charlie

in the
in

Chan

R.A.F." (20th-Fox)
Rio" (20th -Fox)

FENWAY— (1,320)

(28c -30c -40c -44c -55c) 7
$6,100.
(Average,

Gross:

SCO'LLAY— (2,500)
3rd run.

days,

(28c-30c-40c-55c)

Gross:

7

(Average,

$4,700.

Through" (M-G-M)
"Tanks a Million" (U.A.)

"Smilin'

STATE— (3,000)

LOEW'S

Gross:

55c) 7 days.
$12,000)

(30c-40c-44c-

(Average,

$16,300.

"Smilin' Through" (M-G-M)
"Tanks a Million" (U. A.)

ORPHEUM — (2,900)

LOEW'S
age:

'

days.

7

Gross:

(3Oc-40c-

(Aver-

$19,200.

$17,500)

"Navy

for

(28c-44c)

Blues."

2nd

7 days.

Gross:

$7,000.

(Average. $7,000)
"Sergeant York" (W.B.)
week.

Gross:

"Down Mexico Way"

(Rep.)

Stage:

(30c-50c) 7 days.

Smiley Burnette 2 days, Hoosier Hot Shots
days, plus other acts.
5
Gross: $8,700.
(Average, $6,000)
"Unfinished Business" (Univ.)

UPTOWN —

Gross:

$6,000.

St.

(2,000)

(30c-44c)

(Average, 9 days,

9

28.—The

Va-

Gross:

Nov.

Arrangements

are being
made for at least one affair a month at
the club.
New officers are scheduled
to be elected Nov. 7.
15.

—

(3,280)
$32,000.

7

days,

(Average, $7,000)

(40c-44c-55c-66c)

Gross:

7

(Average, $12,000)
(Col.)

(15c-28c-39c-44c-

7 days.

Profit of $393,304
General Theatres Equipment Corp.
and subsidiaries, excluding Cinema
Building Corp., yesterday reported for
the three months ended Sept. 30 consolidated net profit of $393,304 after

mated
profits

for

Federal

7 days.

Fog" (W.B.)

of the

FISHER— (2,700)
Gross:

(15c-39c-44c-55c) 7 days.

(Average, $7,000)
R.A.F." (20th-Fox)

$6,400.

"A Yank

in the

"Moonlight In Hawaii" (Univ.)

FOX— (5,000)

week.

(20c-44c-55c-65c) 7 days, 2nd

Gross: $20,000.

(Average, $15,000)

"Nothing But the Truth" (Para.)
"Buy Me That Town" (Para.)

MICHIGAN— (4,000)

days, 2nd week.

(15c-39c-44c-55c-65c) 7

Gross: $14,000.

(Average,

$12,000)

"Underground" (W.B.)
"Devil Dogs of the Air" (W.B.)

PALMS— (2,000)

Gross:

GTE Shows Quarter

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

(Average, $5,500)
(20th-Fox)

$5,000.

"Moon Over Miami"
"Out

Stage show featuring the
Four Ink Spots and Louis Prima with his
orchestra. Gross: $21,000. (Average, $14,000)
55c-66c)

^ South Bend, Ind., Oct. 28.— South riety Club is planning a party at its
3end, Mishawaka and several other new quarters in the Coronado Hotel provision
'orthwestern
Indiana
communities
eturned to Standard Time Sunday,
ibout a month later than the rest of
he state.

(15c-28c-35c-55c)

HIPPODROME — (2,205)

$5,000)

local

(Average, $10,000)

"Father Takes a Wife"

days.

Louis Club Plans

St. Louis, Oct.

days, 2nd

Gross: $14,000. (Average, $9,000)
in the R.A.F." (20th-Fox)

STANLEY

days.

7 days, 3rd
•
(Average, $5,000)

(40c-55c)

$5,500.

7

(15c-28c-33c-44c) 7 days,

2nd week. Gross: $8,000.
"Sergeant York" (W.B.)

(Univ.)

ADAMS— (1,600)

(28c-44c)

$10,400.

KEITH'S— (2,406)

NEW— (1,581)

(W.B.)

NEWMAN— (1,900)

Gross:

"A Yank

"Navy Blues" (W.B.)
"Smiling Ghost"

CENTURY— (3,000)

2nd week.

grossed $14,000 at the United Artists,
"A Yank in the R.A.F." and "Moonlight In Hawaii" had a second good
week for $20,000 at the Fox.
Estimated receipts for the week ending Oct. 23:
"Badlands of Dakota" (Univ.)

"Mob Town"

"Honky Tonk" (M-G-M)
"Nothing But the Truth" (Para.)

days.

7

(3,600)

TOWER— (2,200)

(Average. $7,000)

here with $32,000 at a slight increase
"Father Takes a Wife" plus
a stage show at the Hippodrome drew
in prices.

"Unfinished Business" (Univ.)
ESQUIRE— (800) (30c-44c) 9 days. Gross:
(Average for 9 days, $3,000)
$4,100.

ORPHEUM— (1,900)

(Para.)

Smilin' Through" (M-G-M)
fDr. Kildare's Wedding Dav"
:
,".rc»ss:

7

York" broke all records for the first
week of its engagement at the Stanley

Estimated receipts for the week end-

nig Oct. 21-24:

week

(Average. $6,500)

$16,000.

New York Town"

MEMORIAL— (2,907)

KEITH

Gross:
7 days, 2nd week.
(Average, $16,000)
"Unfinished Business" (Univ.)
"The Smiling Ghost" (W. B.)
40c-55c)

28.

Mexico Way" and a stage show featuring Smiley Burnette, drew $8,700
at the Tower. "Unfinished Business"
drew well at the Esquire and Uptown
in

Estimated receipts for
;nding Oct. 24:
Sergeant York" (W.B.)
:

Little Foxes" (RKO)
"Unexpected Uncle" (RKO)

'Honky Tonk' Best

28.

ndianapolis Gives
'York' Big $16,000
lildare's

$12,000.

"The

44c-55c)

classification.

Estimated receipts for the week end-

'

"The

Gross:

'York' in Baltimore
and Show
In Detroit, $14,000
At Record $32,000 Detroit, Oct. 28.—"Honky Tonk"
Lead Kansas City
— "Down Baltimore, Oct.
— "Sergeant and "Dr. Kildare's Wedding Day"
Kansas City, Oct.

6

days,

(18c-30c-42c-60c-90c)

Gross: $13,000.

(30c-44c-55c-

including

Bergere of 1942."
(Average, $8,000)

'Mexico'

(Average. $9,000)

Here Comes Mr. Jordan" (Col.)
The Richest Man in Town" (Col.)

j

show

stage

days,

(Para.)

(Average, $9,000)

Gross:

(Univ.)

BOSTON— (2,697)

KEITH
65c) 7
Follies

$4,000)

chiefly responsible.

the name of Tim Mcposing as a gambler while investigating a series of stagecoach holdups. The yarn is strictly routine.
Sigmund Neufeld produced the picture, which was directed bv Peter

But the Truth"

Nothing

—"Smilin' Through"

"Sun Valley Serenade" (2ttth-Fox)
"This Woman Is Mine" (Univ.)

in

1 combined with generally poor staging are

"Burma Convoy"

days, 2nd run.

Honkv Tonk" (M-G-M)

LOEW'S— (2,074)

28.

$4,500)

(Producers Releasing)

(18c-30c-42c-60c-90c) 6

Gross: $12,800.

Boston, Oct.

plus "Unexpected Uncle" held up well
for the second week at the Keith
Memorial with a gross of $19,000.
Estimated receipts for the week ending Oct. 22-25:

Sigrid Cndset, Sonja
ene Dunne, Herman Shumlin, Mrs.
jshing Roosevelt and others.

Week Big

Boston Spots

izing for the benefit of the miners.
The story is told from the first person viewpoint of the small son,
recounting his early years in the valley, which form the basis of the
story. Pictured is the flow of life of the Morgan family, dutiful, respect-

.owitz,

Toronto

at 2

between mine owners and workers, and a cry for the necessity of union-

;

'

$35,500

coupled with "Tanks a Million" gave
Loew's State and Orpheum a total
gross of $35,500. "The Little Foxes"

Wobber, Will H. Hays, Ned E.
Brulatour, Mr. and
epinet, Jules
r-. Martin Quigley, Mr. and Mrs.
Uvin Brown, Jack Cohn, Joseph
•;rnhard, Sam Shain, William Geran, George and Spyros Skouras.
•seph Vogel, Leon Netter, Charles
oerner, A. M. Botsford, William in the colliery, which kill Morgan, in the unending scheme of life in
ichel, Morris Kinzler, Mrs. Edwin
the mining town.
Weisl, W. C. Gehring, W. J. KupThe film is fully worthy of every effort exhibitors can put into its sellWilliam Sussman, Joseph Mos;r,
ing, as a fine and distinguished example of what the screen can acHenie,
jui

'Smilin' Draws

(25c-39c-44c-55c)

7

days.

(Average, $7,000)

$7,000.

"Honky Tonk" (M-G-M)
"Dr. Kildare's Wedding Day" (M-G-M)

UNITED ARTISTS— (2,800)

55c.)

7
$10,000)

days.

Gross:

$14,000.

Mexico Bans
Mexico

(20c-39c-44c-

(Average,

'Billy*

Oct. 28.— On the
ground that it contains material objectionable to Mexico and her people,
the Federal Film Supervising and

City,

and estiincome and excess
This compares with Censoring Department has forbidden

depreciation

taxes.
net profit of $173,797 reported for the
corresponding quarter last year.

exhibition
the Kid,"

in

this

M-G-M

country of "Billy
film.


Here are the highlights of what happened on Broadway!

Crowds such as New York sees only on Election Night or New Year's Eve jammed Broadway for blocks around the Rivoli! Special police arrangements to control throngs and traffic! Tremendous street banner and spectacular front lit by gigantic searchlights! A battery of newsreels covered arrival of innumerable celebrities! All major networks participated in special broadcasts of proceedings! World-famous Welsh Women's chorus of 75 in costume sang from specially constructed stage in front of Rivoli! Bands played! Two-way trans-Atlantic broadcast between Capt. Richard Llewellyn and Kate Smith! And a sell-out audience that paid $2.50 for their premiere seats thrilled, wept, laughed, cheered and applauded a masterpiece of entertainment!
HOW GREEN WAS MY VALLEY

These are the critics (pictured against premiere activity) who covered the event and flashed word to their great out-of-town newspapers:

Norman Clark, Baltimore News-Post
Charles Howard and Marjory Adams, Boston Globe
Helen Eager, Boston Traveler
Prunella Hall, Boston Post
Peggy Doyle, Boston Record-American
Joyce Dana, Boston Sunday Advertiser
Anne McIlhenney, Buffalo Courier-Express
E. B. Radcliffe, Cincinnati Enquirer
E. V. Dinerman, Cincinnati Post
Arthur Spaeth, Cleveland News
Richard Peters, Cleveland Express
Frank Gill, Detroit Free Press
Charles Gentry, Detroit Times
Robert E. Murphy, Minneapolis Star-Journal
Keith Wilson, Omaha World-Herald
H. T. Murdock, Philadelphia Public Ledger
Bernie Harrison, Washington Times-Herald
Lucia Perrigo, Chicago Herald American
Phil Koury, Kansas City Star
Harold Cohen, Pittsburgh Post Gazette
Kaspar Monahan, Pittsburgh Press
Mitch Woodbury, Toledo Blade
Buck Herzog, Milwaukee Sentinel
Bruce Palmer, Oklahoma City
Daily Oklahoman
Llewellyn Jones, Scranton Tribune

*Entire proceeds of this performance went to Navy Relief Society
Bioff Admits Giving False Testimony, Grilled by U.S.

(Continued from page 1)

pointed to testimony given by the defendant before a California legislative committee in which he had testified that he had been a stagehand and a member of the local of the IATSE and that he had not answered flatly that he was never a stagehand or a member of the union.

"Why did you tell the committee that you were?" Correa demanded.

"I said it for the benefit of a bunch of Communists," was Bioff's reply. "You mean the California legisla-
tive committee was a bunch of Communists?" Correa demanded.

"I never was stagehand," answered Bioff.

Admits Falsehoods

Correa persisted in his questioning along those lines until Judge Knox insisted that the defendants give the true and correct answer. Bioff thereupon ad-
dmitted that he had not told the truth to the committee.

Correa questioned Bioff with reference to his testimony that his first employment in the labor movement was as driver of a closed car in Chicago. Producing testimony given in habeas corpus proceedings in Chicago on March 6, 1940, in con-
nection with his arrest and conviction, Correa pointed out that Bioff there testified under oath that he had never employed either Miller Galvin and had not mentioned Leavitt.

Bioff admitted that he had not told the truth in that case. Asked why he had given false testimony, he said that Miller Galvin had been a prominent Democratic leader in Chicago and he had wished to convey the impression that he was a friend.

"Were you trying to impress the judge?" Judge Knox demanded. Bioff hastily answered that he was trying to impress friends of his who were sitting in court and who might not remember him because he had put on weight since he had left Chicago.

Defense Objections

Correa followed this by asking why Bioff had dropped Galvin's name in his direct testimony in the present case because Galvin had been killed in a Chicago gang war but this was ruled out after defense objection.

Following this, Correa introduced an application for a life insurance policy certified as true by Bioff in 1926 in which he stated that he had been employed as superintendent of a brick yard in St. Joseph, Mich., for 10 years. Bioff explained that he had never employed a life insurance policy and had falsified the application for that reason. He said he had been em-
ployed in that capacity for about six years and he was unaware of it. Mr. Philip D'Andrea was owner of the yard.

Following Judge Knox's question as to whether he had been bound by the sanctity of an oath, the court recessed until this morning when Bioff's cross-examination will continue.

(Continued from page 1)

Biograph admits giving false testimony, grilled by U.S. district court.

Earlier, on direct examination, Bioff had given flat denials of any threats or demands for money from industry executives and had stated that his code-

fendant, George E. Browne, president of the IATSE, had never made any demands for money by industry executives for delivery to Joseph M. Schenck, previously testified, nor had Browne ever been present on such occasions. Browne knew nothing of the Smith & Allis stock commissions, Bioff also said.

Toward the close of his direct testi-
mony, Bioff told how he had been arrested on pander charges in 1922 under a warrant for which he was arrested.

Bioff also admitted that he had been indicted for delivering money to Schenck for his release. Bioff denied that he had ever delivered money for Schenck after his release from jail.

Relates Stock Deals

Most of the day was taken up with Bioff's testimony of how he had been aided in stock deals by Joseph M. Schenck and of his friendly relations with Harry M. Warner, president of Warner Bros.

Bioff said he closed stock accounts in response to a request of Schenck when the latter complained that tax agents were bothering him about $100,000 loan. In addition to this account he was shown accounts under $1,500,000, $3,000,000 and $3,500,000.

Schenck, according to Bioff, had run a "testimony, given by the defendant before a California legislative committee in which he had testified that he had been a stagehand and a member of the local of the IATSE and that he had not answered flatly that he was never a stagehand or a member of the union.

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(Continued from page 1)

and one-quarter miles distant.

Warner Bros. discount the complaint three weeks ago after restoring the run requested by the Sheridan.

At 5 U.S. A. Ribet, the arbitration, ruled that the existing clear-
ance for the New Newtoning Theatre, Newington, Conn., operated by Pro-Quamut, was too low and es-
blished a maximum clearance for the house of 21 days after New Brit.

n was released. Warner Bros. warned all for-

sembling distributors. Since Warn-

ers' Strand and Embassy in New-

Britain were interested parties, the

arbitrator's award does not apply to the clearance which that company ac-
lows those houses on its own product.

Corre were divided equally among the parties.

In its complaint the New Newtoning had set forth that some distrib-
utors have cleared their Warner Bros. films even though the award is likely to give the New Newtoning a clearance prior to the New Brit.

Chamber of Commerce, second run, that fact "will not be detri-
fential to the latter theatre's revenue nor to the revenue of the distrib-
utors."

Expect 175 at Dinner

Of Pioneers Tonight

(Continued from page 1)


Cohn Paid $145,600

SEC Report Shows

(Continued from page 1)

$2,650,000 from banks under a loan agreement dated March 26, 1941, cov-
ering a total of $3,000,000 of loans from the bank. The loans are to mature Feb. 28, 1946.

Abbe Montague, general sales man-
ger, has an option to purchase 7,800 shares of stock at $7.025 cents a share at any time before Aug. 10, 1946, according to the report.

Empire Union Signs

Bronx House Pact

(Continued from page 1)

the previous operation of the theatre by George Stamatis, who sold the house recently.

Pact provides for two men in the booth, 33-hour work week, two weeks vacations with pay and salary of $40 per week.

Heads Warner Club

Chicago, Oct. 28.—Steve Fitzgerald, manager of the Stratford Theatre and head of the local of the Warner Club of Chicago, has suc-
ceeded Al Blasco, who resigned when he was transferred to Milwaukee, which is out of the club district.
Notes from Hollywood

Hollywood, Oct. 28

TO KATHRYN GRAYSON and John Carroll have gone the biggest roles of their careers in the latest edition of the radio serial "Ria Rita," Abbott and Costello vehicle at M-G-M. The picture, rights to which were acquired by S. SYLVAN SIMON who, likewise, draws the most important assignment he has had. Paul S. BERMAN is producing the de luxe musical.

Valentine Davies, playwright, has reported to 20th Century-Fox to work on "Greenwich Village"; Eugene Thackery has been given a term contract there, and Ben Hecht checked in to work on "Ten Gentlemen from West Point."

Clarence Brown is not going to England to direct "Random Harvest" for M-G-M.

RICHARD CROWEWELL, JOHN MILJAN, JACK C. SMITH from the stage, and MARY RUTIG head the cast of Monogram's "Riot Squad," being produced and directed by EDWARD FINNEY. ROY ROBIN and RALPH RAINEER have assigned to the U.S.O. the rights to their patriotic song, "Uncle Sam Gets Around." For its high budget picture "Ladvy for a Night," RKO is now using 1,200 extras on record for the lot. RKO has made a Marine Corps recruiting trailer with VICTOR MELLOR playing their Marine parts from the picture, "Call Out the Marines." The trailer will be distributed by the Marine Corps and given free to exhibitors.

Production has started on "Des-tiny," high budget horror-melodrama at Universal. Cast are CLAUDE RAINS, WARREN WILLIAM, RALPH BELLAMY, EVELYN ANKERS, PATRICK KNOWLES, BELA LUSSO, Dick FORAN, Lon CHANEY, Jr., MARIA Ouspenskaya. GEORGE WAGNER will produce and direct.

Warners has purchased the "Ethian Fray and Mother Courage" rights as a vehicle for BETTE DAVIS. RAY-LEWISTOWN HOUSES RAISE PRICE SCALES

Lewistown, Pa., Oct. 28—Local theatres all have raised admission prices. Taxes included, the Embassy and Rialto increased adult admissions to 39 cents a seating, and 28 cents a matinee with children prices correspondingly 17 and 11 cents. In addition, both houses scaled the box-office at half price for all service men in uniform. New Pastime prices were raised to 22 cents evenings and 17 cents matinees for adults, children 11 and infants, respectively.

Screen Milk Subject

"Penny a Day," documentary film on the milk program of the New York City schools, will be released tomorrow for showing in theaters in the five boroughs. The one-reel subject is presented in the industrial district of the metropolitan milk marketing area. It was produced by Frank Donovan and is narrated by Lovell Thomas.

U' Plans Exhibitor Contest on Shorts

Universal will conduct an "Exhibitors' Goodwill Short Subjects Contest," from Nov. 1 to Jan. 31, with prizes to go to the exhibitors for outstanding production in shorts and serials. The contest was announced by B. B. Kreiser, short subject sales manager.

Trade paper editors and exhibitors will act as judges. The exhibitors include: EDWARD ALPERS, SAM DENVOR, GUS EYSSL, SI FABIAN, EDMUND GRAINGER, JOHN HARRIS, JOHN HATTEN, IRVING LEISSER, ARTHUR MAYER, JOHN NOYES. The judging will be done by RINDLE, HERMAN ROSEN, HERBERT SCHEFTEL, GEORGE SL OURAS and JOHN WRIGHT. The trade paper representatives in residence will be: ROGER VOGEL, Motion Picture Herald; SAM SHAHN, Motion Picture Daily; CHESTER BROWN, Film Daily; M. KAM, BOXOFFICE; JOHN E. FLINT, Variety; JAY EMANUEL, The Exhibitor; CHARLES E. LEWIS, Showmen's Trade Review; and LIONEL TOLL, The Independent.

'York' Leads Philadelphia Gets $18,500


Estimated receipts for the week ending Oct. 21:

"Sergeant York" (W.B.) ANACONDA—(20th—55c-75c) 7 days, Gross: $15,100. (Average, $3,300)
"Honky Tonk" (M-G-M) KARLTON—(1,700) (4c-6c-75c-90c) 7 days, Gross: $17,500. (Average, $2,500)
"Hollywood Road" (Para) CAROL—(3,400) (35c-46c-57c) 7 days, Gross: $15,000. (Average, $2,100)
"The Kzik" (Col.) JAYNE—(3,400) (35c-46c-57c) 7 days, Gross: $15,500. (Average, $2,200)
"Allan Scott" (Col.) LAFAYETTE—(3,400) (35c-66c-75c) 7 days, Gross: $11,500. (Average, $1,600)
"Hollywood" (M-G-M) E. (Col.) CAROL—(3,500) (6c-6c-75c-75c) 7 days, Gross: $18,000. (Average, $2,500)
"Thousands Smiling" (GAF) BERNARDINE—(3,500) (1,100) (35c-50c-57c-75c) 7 days, Gross: $10,000. (Average, $1,400)
"Rio Bravo" (Col.) LAFAYETTE—(1,600) (1,700) (3,400) (3,400) (4c-6c-75c-75c) 7 days, Gross: $17,000. (Average, $2,400)
"Hankey Tuck" (M-G-M) STANLEY—(1,400) (1,400) (1,400) (1,400) (1,400) 10 days, Gross: $19,500. (Average, $1,900)
"Western Union" (M-G-M) KARLTON—(3,500) (35c-66c-75c-75c) 7 days, Gross: $15,000. (Average, $2,100)
"Rio Grande" (Col.) LAFAYETTE—(3,500) (35c-66c-75c) 7 days, Gross: $15,000. (Average, $2,100)

'York' Totals Puts 19,200 in Buffalo


Estimated receipts for the week ending Oct. 25:

"Nothing But the Truth" (Para) BARKER—(3,000) (35c-75c-75c) 7 days, Gross: $12,000. (Average, $1,700)
"Yank in the R. A. F." (Col.) LAFAYETTE—(1,600) (1,600) (1,600) (1,600) 10 days, Gross: $15,000. (Average, $1,500)
"Rio Grande" (Col.) LAFAYETTE—(3,500) (35c-50c-57c-75c) 7 days, Gross: $16,000. (Average, $2,300)

Menken Flew 35,000 Miles in Six Months

Arthur Menken, Paramount cameraman, traveled 35,000 miles during a six-month tour of the Orient and Antipodes, from which he returned shot more than 50,000 feet of film during the trip. He reports having been bombed 34 times and downed twice in Chungking. All but 5,000 miles of the total he covered was air. He left San Francisco last March and visited all of the United States, Far Eastern and Australian centers.
Alexander Korda announces a Comedy

Starring

Jack Benny
and
Carole Lombard

"To Be or Not To"
Directed and produced by Ernst Lubitsch

"Be" released thru United Artists
RESULTS OF 11,143 TH
Exhibitors' Undeniable First Choice, P

Republic Pictures Presents Another Great Idea in ACTION!

IT'S NOT FINE TALK
IT'S A POSITIVE FACT
11,143 THEATRES
PLAY THE GREAT GENE AUTRY PICTURES

THAT'S WHY EXHIBITORS CHOSE HIM AS BOX-OFFICE CHAMPION
THAT'S WHY EXHIBITORS CHOSE HIM AS PUBLIC COWBOY NO. 1.

DOWN ME
with SMILEY BURNETTE • FAY MCKENZIE
TRES MADE THIS AD!

L/C COWBOY NO. 1, Delivers Again.

IT'S THE ENTERTAINMENT TIME OF YOUR LIFE!
BLENDING GREATER THRILLS WITH VIRILE ROMANCE!

IT'S THE INCOMPARABLE
BOX-OFFICE TOPPER!

KICOWAY

ROLD HUBER
FAY MCKENZIE, the C. A. Girl

DANCED BY JOSEPH SANTLEY
Screenplay by OLIVE COOPER - ALBERT DUFFY
Based on a Story by DORRELL and STUART McGOWAN

Introducing
FAY MCKENZIE, the C. A. Girl
Music Peace Is Due Today; Webs to Sign

NBC and CBS were reported late yesterday to be prepared to sign the new Ascap licensing agreements today.

It was indicated that in the event the often delayed signing takes place as expected, NBC will be prepared to resume the use of Ascap music on its stations beginning tomorrow morning.

CBS, however, is reported considering a wait of one week after signing to permit its sponsors to plan their programs with the knowledge that the new music will be available then.

It was reported that both networks have received notice of acceptances of the new Ascap contract from considerably more than 90 percent of their independent affiliated stations, but neither network has received 100 percent acceptances yet.

In addition, numerous minor points involving the new pact are said to be still in dispute. However, to facilitate the signing of the agreement by the networks today, it has been agreed that covenants covering the subjects in dispute will be placed in escrow, permitting their settlement after the formal signing of the contract.

Ascap music has been off the two major networks since Jan. 1 of this year. It was returned to the Mutual network under a separate agreement last May.

**Off the Antenna**

PRESIDENT ROOSEVELT'S "the shooting has started" speech Monday night drew an audience of about 45,000,000 in this country, it was estimated yesterday by CBS after a survey report by C. E. Hooper. The survey showed 51.9 of all sets were tuned to his voice during the speech. The "unlimited emergency" speech of May 27 drew a rating of 76, according to Hooper surveys; the "shoot first" talk, Sept. 11, drew 67.4, and the fireside chat of Dec. 29 on national security drew 59. Monday night's speech was heard around the world.

Purely Personal: Samuel Chotzinoff, NBC music director, has been appointed by President Roosevelt, as a member of the advisory committee on music to assist the State Department in its program of cultural relations among American republics. Jim Moran, former Fred Waring press agent and more recently with Paramount Pictures, is now broadcasting a regular set of programs over WJSY, Washington, similar in content to those he once broadcast over WHOM. Vincent Lopez, Tommy Tucker, Al Kecklin and Erskine Hawkins have awarded Pvt. Hugh Ward, Jr., a song writer, first prize in Broadcast Song Hits magazine contest, for his song, "Sentimental Serenade."

The second of Mutual's semi-annual program directors' meetings will be held at hotel Stevens, Chicago, Nov. 11 and 12, it was announced yesterday. Adolph Opfinger, the network's program director, will preside.

Program News: Coca Cola has renewed "Pause That Refreshes on the Air" over 115 CBS stations. It was announced this is the latest hookup of CBS stations for any program, past or present. "The Goldberg's" will meet its 12th anniversary Nov. 20. Proctor & Gamble, the sponsor, will add 17 stations to the CBS hookup carrying the show on that day. "Myrt & Marge" will celebrate its 10th anniversary Monday over CBS. Sherwin Williams Co. will sponsor "Metropolitan Auditions of the Air" over NBC short wave for 22 weeks, starting Sunday.

XEO, Mexico City, will hold a large stage and radio festa in Mexico City on Friday to celebrate the third anniversary of the establishment of the station.

**AFM Edict Brings Show Cancellation**

PITTSBURGH, Oct. 28.—Stage shows at the Stanley Theatre have been cancelled after Oct. 30 as result of the ban by James Petrillo, AFM president, on name bands in theatres until the Social Security issue is settled, according to Joseph Feldman, Warner Theatres publicity head here.

The Stanley shows feature Max Adkins' house band and several vaudeville acts, even when a name band is the attraction. However, Feldman believed the no-stage-show edict would stand unless the AFM permits travelling bands to play. Xavier Cugat had been booked for the week starting Oct. 31.

**Decide Radio Band Cost in Pittsburgh**

PITTSBURGH, Oct. 28.—Radio stations WJAS and KGV, principal parties in the recent controversy with the American Federation of Musicians that resulted in temporary bans on band remotes over CBS and NBC, have agreed with President Claire Meeder of Local 60, AFM, on $9,500 as the amount of money to be spent aggregated by the two stations for staging performances during the year.

Details will be worked out by Meeder and officials of the stations. Both are owned by H. J. Bremen.

**Garfield to Tour Camps**

John Garfield is due from the Coast today by plane preparatory to taking off on Friday in a U. S. Army bomber on a two-week trip to Army and Navy bases. With other actors he will put on shows at camps and posts in Florida, Trinidad and the Caribbean.

**You'll be proud to belong to the industry that made—**

**Ships with Wings**

You'll be proud to belong to the industry that made—

**You'll be proud to belong to the industry that made—**

**You'll be proud to belong to the industry that made—**

**You'll be proud to belong to the industry that made—**

**You'll be proud to belong to the industry that made—**

**You'll be proud to belong to the industry that made—**

**You'll be proud to belong to the industry that made—**
Ascip Music Back
On Air as Networks
Sign New Contract

The music war between the major networks and Ascip which has kept the society's music off the leading radio stations since Jan. 1 ended yesterday with the signing of new Ascip licensing agreements by NBC and CBS.

NBC authorized its stations to resume Ascip music immediately. CBS wired its stations that Ascip could be returned to the air beginning today.

The contracts are for an 18-year period and provide for payment by networks to Ascip of 2 1/2 per cent of their annual net billings. Clearance at the source is provided, and under it, individual stations pay 2 1/2 per cent. The Marva network, which signed with Ascip last May on a three per cent royalty, will be entitled to the lower rate.

It has been estimated that the new radio contracts will yield Ascip approximately $6,000,000 annually, as compared with an estimated $5,000,000 which the society received from radio last year.

Pidgeon Is M.C. at Capital Relief Show

WASHINGTON, Oct. 29—Carter Barton, Loew's zone manager here, and chairman of the local Variety Club's British war relief benefit show to be held Saturday night, has announced Walter Pidgeon, Hollywood star, will act as master of ceremonies. Gracie Fields, English musical comedy star, will head the show.

Fitzgibbons Describes War Role of Canadian Theatres

By SHERWIN A. KANE

Describing the wartime role of the theatre industry in Canada, J. J. Fitzgibbons, president of Famous Players Canadian Corp., told the Amca luncheon meeting at the Hotel Edison yesterday that all industry must be prepared to justify its right to existence in a nation at war.

Fitzgibbons, Douglas C. Cole, Canadian trade commissioner, and Jesse L. Lasky were guests of honor at the meeting. Lasky related the "inside story" of how Alvin C. York was persuaded to authorize the use of his life story for the picture "Sergeant York." Fitzgibbons asserted that admission...
Personal Mention

H. J. YATES is expected next week from the Coast.

GABRIEL PASCAL, RUGGERS NELSON, ARCHER WINTON, RAY BOLGER, ALBERT DELAROCHE, JACO BEY and Irving Shirer were among the guests at the Circus Saints and Sinners luncheon at the Hotel Astor yesterday, William Shiner was tall Guy.

THOMAS HAGARVE, Eastman Kodak president and a farm owner, has been named a director of the 1942 Western New York Apple Blossom Festival and Patriotic Pageant.

VIVIAN MOSES of RKO was discharged from the Roosevelt Hospital yesterday after an operation.

NORMAN ELSON has left for Atlanta. He is due back on Monday.

Grace Quaumusitse, secretary to William Bishop, M-G-M exploitation representative in Chicago, has been married to Walter Irving.

Phila. RKO Exchange Is Officially Opened

PHILADELPHIA, Oct. 29 — Acting Mayor Bernard Samuel officially opened the new RKO exchange building today and more than 300 exhibitors visited the new quarters. Nat Levy, district manager, and Charles Zagrans, branch manager, were hosts.

A buffet luncheon was served.


Pallos Leaves on U.A. Exchange Trip

Steven Pallos, Alexander Korda's Eastern representative, left yesterday for a tour of the Eastern exchange. The first leg of the tour will include Cleveland, Chicago and Detroit.

Pallos will return to New York next week, and after a brief stay will visit other U. A. branches.

BROADWAY PLAYS

"BRILLIANT!...MIRACLE!" —Dorothy Walker, News

GERTRUDE LAWRENCE in The Musical Play

"LADY IN THE DARK"

Mail Orders Prepaid by

A GREAT SHOW!—Herzldey Tribune

50c a Copy, 50c a Month, No Higher
2ND YEAR — END OF SEASON

THE SENSATIONAL MUSICAL JIMMY ALEX

IT HAPPENS ON ICE

Center Theatre, Rockefeller Center. C0. 1-4541
501 Seats for Every Per. EVC. AT 8:49

Review

“Blues in the Night”

(Warner)

A CURIOUS mixture of tune and tragedy has been woven into this picture, which recounts the adventures of a group of young instrumentalists imbued with a desire to interpret the voice of America as found in the “blues” jazz music. That desire and attempt to “get somewhere” leads them through a series of adventures which add up to satisfactory entertainment. The jazz renditions should appeal to the younger generation especially.

The weakness in the film is its inconclusive ending, which finds the group back in a freight train box-car, presumably happy with one another, but without purpose. In featured roles are Priscilla Lane and Richard Whorf, she one of them, and he as the leader, Whorf, a newcomer, offers a performance indicating considerable ability. In good support are Betty Field, Lloyd Nolan, as the gangster and his girl, with whom the band becomes seriously entangled; Jack Carson, Elia Kazan, Peter Whitney and Billy Halop, members of the band, and Wally Ford, in a fine bit as the copping hanger-on at Nolan’s cafe.

Pace, speed and action have been imparted in the direction of Anatole Litvak, while Henry Blanke was associate producer. An outstanding technical bit is provided in the picturization of the disturbed mental state of Whorf while delirious during a severe illness.

Running time, 88 minutes. "G."**

CHARLES S. ARONSON

Charlotte Club Will Hold Banquet Nov. 8

CHARLOTTE, N. C., Oct. 29—Senator Albert Chandler of Kentucky, Governor Len G. Broughton of North Carolina and General A. H. Drum of the First Army, now engaged in Southern maneuvers, are scheduled to attend the annual charity banquet of the Charlotte Variety Club Nov. 8, at the Hotel Charlotte.

Robert J. O'Donnell, first assistant national chairman, and Paul Short, first chairman of the Dallas club, also will attend. Pat O'Brien is scheduled to appear at the after-dinner entertainment, and General William Mcgraw of Dallas will make the chief dinner speaker. Barney Rappe and his orchestra will head the floor show.

Ontario Lifts Ban on Russian Films

TORONTO, Oct. 29—The ban on Russian films has been lifted by the Ontario censor board after a three-year prohibition, with the approval of the film, "Volga Volga," Soviet musical comedy feature, with minor deletions.

The film has Russian dialogue with English subtitles and is scheduled to open at the Hollywood Theatre here on Monday. The house is a unit of the Allen Circuit, affiliated with Famous Players Canadian Corp. The film is distributed here by John Cohen, who has the Canadian rights.

Rodgers to Address ITOA Meeting Today

William F. Rodgers, vice-president of Loew's in Chicago, will be the principal speaker at a luncheon meeting of the Independent Theatres Owners Ass'n at the Hotel Astor today.

Joins RKO Exchange

INDIANAPOLIS, Oct. 29—Paul Leetlaher, manager of the Variety Club, is the new booker for RKO here. He succeeds Donald Cox, who was honored at a farewell party by fellow employees in the Variety Club.

Board of Review to Meet Here Nov. 13-15

The National Board of Review of Motion Pictures will hold its 18th annual conference Nov. 13-15 at the Hotel Pennsylvania, with "Movies of the Year" as the theme of the meeting. James Shelley Hamilton, executive director, will preside.

A special session will be held at the Museum of Modern Art Film Library, with Lt. Col. M. E. Gillette of the Signal Corps as the speaker, in a discussion of military training films. Approximately 300 delegates are expected. The annual luncheon will be held Saturday, Nov. 15.

Exchange Union to Talk Chicago Pact

CHICAGO, Oct. 29—Authority has been given by the IATSE to the Chicago Film Exchange Employees' Union, Local 845, to negotiate its contract with the影业ward.

Local exchange managers have been notified that their two-year contract with the union expires on Nov. 30, opening the way to negotiate a renewal or the signing of a new pact. Annual election of the union will take place at the Steuben Club on Nov. 6.

Col. Office Employes To Vote on CIO Tieup

A consent election by Columbia Pictures' office employees on whether the Screen Office & Professional Employees Guild, CIO, shall act as bar- gainer, was held yesterday with a small Guild office. A yes vote yesterday after meeting with representatives of the company. Theodore Rosen is president of the Columbia chapter of the SOPEG.

Club Plans Milk Fund

INDIANAPOLIS, Oct. 29—The local Variety Club will meet Monday night to discuss the possibility of setting up a fund to underprivileged children in Indianapolis schools. The Board of School Commissioners are conducting a survey to determine the extent of the need.

Jersey Allied Unit To Meet in Camden

The South Jersey unit of New Jersey Allied will hold a "round table" meeting at the Criterion Hotel, Camden, at which time members will decide whether to hold such meetings weekly, it was announced yesterday.

The New Jersey allied state organization recently started such meetings, the second being held on Oct. 29. In all, a total of seven meetings were held in New Jersey, including the one of yesterday at Camden. Two conferences are scheduled for the near future.

Gene Buck, president of Ascap, a vice-president of the Catholic Guild, will take the place of George M. Cohan, who is ill, as the post of the guild's annual dance Sunday night at the Hotel Ford.

Buck for Cohan at Catholic Guild Fe

Para.Plans $100,000 Purchase Campaign

Paramount Pictures, under the direction of Robert M. Gillmor, director of advertising and publicity, intends to spend an estimated $100,000 on an agitation and advertising of "Louis Purchase." In trade papers, magazines and newspapers, it is learned yesterday. This campaign is said to be one of the most important ever launched by the company and is for Paramount.

There will be full-page, four-color advertisements, some of the per- tales and two-color color advertisements in others, emphasizing Technicolor aspects of the picture, distributed. It is Gillmor's intention to utilize the radio. Much of the radio advertising, it is reported, will be done with Bob Hope's sponsored program. The cast of the film includes Victor Moore and Vera Zor among others.
There are 'blues' that make you happy!

blues in the night

The big story about the boys who swing the blues ... and the gals who live 'em!

Climb on the bandwagon with WARNERS!

with

RISCELLA LANE

GETTY FIELD

RICHARD WHORFE

LOYD NOLAN

JACK CARSON

Directed by ANATOLE LITVAK

Screen Play by Robert Rossen

from a Play by Edwin Gilbert

A Warner Bros.-First Nat'l Picture

5 NEW SONGS played by

2 GREAT BANDS

JIMMY LUNCEFORD'S and WILL OSBORNE'S
"Magnificent production rich in box office potentialities which will be included in the album of outstanding films of all time... ‘How Green Was My Valley’ glows with greatness!" — The Film Daily

"Richard Llewellyn’s moving and eloquent novel, ‘How Green Was My Valley,’ has been translated to the screen with consummate artistry! It is a distinguished and enormously absorbing narrative. Once again, the director of ‘The Informer’ and other notable productions has enriched the screen." — Rose Pelswick, N.Y. Journal-American

"‘How Green Was My Valley’ is one of the year’s better films, a surefire critic’s picture and, unlike most features that draw kudos from crix, this one will also do business. It’s a film that holds much to remember and it is this reminiscent quality that should create a very valuable word-of-mouth. Walter Pidgeon is excellent; Maureen O’Hara splendid; Donald Crisp and Sara Allgood inspired; Anna Lee equally expert; and above all, there is a potential new boy star in Roddy McDowall. An ultra-production.” — Variety

"‘How Green Was My Valley’ is a film conceived and executed with dignity, honesty, thoroughness and superlative competence." — Cecelia Ager, PM

"‘How Green Was My Valley’ is superior motion picture entertainment!" — Phil Koury, Kansas City Star

"Under John Ford’s intuitive direction, 20th Century-Fox has brought Richard Llewellyn’s fine, dramatic novel, ‘How Green Was My Valley,’ to the screen in one of the outstanding film productions of the year. An extraordinarily interesting picture, one that warms the cockles of the heart...it is 20th Century-Fox’s finest production of the year and one of the director’s best.” — Kate Cameron, N.Y. Daily News

"This is one of the big important pictures of the year as well as one of the most deeply enjoyable." — Archer Winsten, New York Post

Now Thrilling
New York’s
Millions at
the RIVOLI

‘How Green W
RE THE RAVES!

PERFECT PRODUCTION!"
—Lee Mortimer, N. Y. Daily Mirror

"How Green Was My Valley' is a stunning masterpiece. You can never expect to see a film more handsomely played. Darryl Zanuck, John Ford and their associates at 20th Century-Fox have fashioned a motion picture which may truly be regarded as an outstanding film of the year!"
—Bosley Crowther, The New York Times

"HOW GREEN WAS MY VALLEY' IS A GREAT PICTURE!"
—Keith Wilson, Omaha World-Herald

"You will be denying yourself a thrilling experience if you miss 'How Green Was My Valley'!"
—Buck Herzog, Milwaukee Sentinel

"I know all the fans of this country are going to be thrilled!"
—Lucia Perrigo, Chicago Herald-American

"A REAL THRILL! A FINE FILM!"
—Mitch Woodbury, Toledo Blade

"JOHN FORD'S MASTERPIECE. WITH SUCH A STIRRING FILM IN TOWN THE THING TO DO IS DROP EVERYTHING AND RUSH TO SEE IT, BECAUSE YOU WON'T SEE ANOTHER ONE LIKE IT FOR A LONG TIME!"
—William Boehnel, N. Y. World-Telegram

"A WONDERFUL PICTURE!"
—Anne McIlhenney, Buffalo Courier-Express

"EXCELLENT! FINE! GREAT!"—Bruce Palmer, Daily Oklahoman

"Scenes as fine and moving as anything the screen has produced. Certainly, 'How Green Was My Valley' is one of the few films of which it can be said you will be denying yourself a rich experience by missing it."
—Howard Barnes, N. Y. Herald Tribune

"'HOW GREEN WAS MY VALLEY' IS ONE OF HOLLYWOOD'S TRULY GREAT ACHIEVEMENTS! ANOTHER MILESTONE IN MOVIE-MAKING!"
—Joyce Dana, Boston Sunday Advertiser

"'How Green Was My Valley' was a book for everyone to read. Its screen translation is a beautiful and genuinely emotional film."
—Eileen Creelman, N. Y. Sun

AS MY VALLEY'}
WALT DISNEYS
FULL-LENGTH FEATURE PRODUCTION IN TECHNICOLOR

DUMBO

BROADWAY

KATE CAMERON,
N.Y. Daily News:
"Enchanting . . . 'DUMBO' is Walt Disney's most endearing character creation . . . Every minute of the picture is sheer delight."

LEE MORTIMER,
N.Y. Daily Mirror:
"Walt has come through with probably the greatest piece of juvenile ever made ... audience will get a bang from it. . . . In many respects, 'DUMBO' is Disney's best."

ROSE PELSWICK,
N.Y. Journal-American:
"A DELIGHTFUL TREAT here once more is the blend of imagination, color, music and technical excellence that has come to expect from Disney lot."
**Biggest Hit!**

**Critics Gave the Tip!**

**William Boehnel,**
N. Y. World Telegram:
"Dumbo" has more dynamic brilliance than most of its predecessors. It fairly bursts with fun. Its color is lovely...you'll love every minute of it...I shouldn't be the least bit surprised if "Dumbo" becomes Dopey's successor. And that's something!"

**Bosley Crowther,**
N. Y. Times:
"The most genial, the most endearing, the most completely precious feature film ever to emerge from the magical brushes of Walt Disney's wonder-working artists...A film you will never forget."

**Howard Barnes,**
N. Y. Herald-Tribune:
"Walt Disney has gone back to the magical language of 'Snow White' in "Dumbo"...The result is a show which is so completely captivating that you will be making the mistake of your raving life if you miss it."

**Archer Winsten,**
N. Y. Post:
""Dumbo" is Disney technique brought to its ultimate perfection."

**Leo Mishkin,**
N. Y. Morning Telegraph:
"You'll go crazy over it...It's Disney at his best...Call it wonderful, Call it delightful, enchanting, a dream and a joy. These are the words to be applied to "Dumbo."

**Eileen Creelman,**
N. Y. Sun:
"All the Disney delights are present in 'Dumbo'. Most of it is sheer fun...there is also pathos...it has more real poignancy than most serious pictures..."Dumbo" should soon be established as part of the Broadway scene."

**Cecelia Ager, PM:**
"A treat that's coming to you, whoever you are..."Dumbo" is the nicest, kindest Disney yet. It has the most heart, taste, beauty, compassion, skill, restraint..."Dumbo" is the most enchanting and endearing of the Disney output."
Blumenstock
New National
W.B. Ad Chief

(Continued from page 1)
duties in the company's advertising and merchandising operations, will be announced by C. F. Henry, the firm's director of advertising and publicity, at the home office meeting here tomorrow of Warner branch managers and sales executives with Blumenstock, new general sales manager.
Joseph Bernhard, vice-president and general manager, meanwhile, has called a meeting of Warner theatre zone managers, which will be held here today.

Sales Changes Expected
At the sales meeting, Kalmenson is scheduled to announce a number of realignments in the zone's sales staff. "We expect to be given wider and more important duties, it is reported, are the following managers: F. M. Jack, Denver; M. L. Lohrene, New York; J. T. Herbel, Los Angeles; Robert Smeltzer, Washington, and R. L. McCoy, Atlanta.
Kalmenson's new post will include control of advertising budgets and full charge of the national field exploitation force. The appointment, the company said, relates to broader plans for special picture campaigns, closer cooperation with exhibitors on picture merchandising, and increased advertising expenditures.

Will Name Publicity Head
Blumenstock's elevation will necessitate a reassignment of a national publicity manager, who will be named within the next week, it was stated. Mitchell Rawson, Eastern publicity manager, will continue in his present capacity, the company announcement said.

Blumenstock joined First National Pictures in 1926 as a writer. Subsequently he directed several pictures for the company, and in 1932 joined the Warner-Fox National advertising department. He has held the post of Eastern advertising and publicity head since 1937.

Illinois, Va. Cases Filed on Clearance
(Continued from page 1)
Roland Corp., operator of the Bayne Theatre, Virginia Beach, Va., against Warner.

The complaint seeks the elimination of 21 days clearance over the Bayne granted to "the local folk, by the distributor. Asserting that the Bayne is a first-run house, the complaint describes the clearance as unreasonable and burdensome.

The clearance complaint of the Linden Theatre, Baltimore, has been set for trial in the court, board, with Milton King as arbitrator. Warners, RKO, Paramount and Metco Theatres, Inc., of Baltimore, are parties.

Standard Reopens House
KENOSHA, Wis., Oct. 29—Standard Theatres Co. has reopened the Chief Theatre here after being dark for a number of weeks.

Fitzgibbons Describes War Role of Canadian Theatres

(Continued from page 1)
prices in Canada may be regulated under the Dominon's new price control law. Referring to the existing 20 per cent admission tax in Canada, he said that while no theatre operator believes or has requested that his business should be exempt from such a tax, most feel that it is higher than necessary and hopes for its relief.

The FPC president related that the theatre industry, employing its own showmanship methods, did a national job for the Government in the Savings Stamps. Slogans and national advertising were used, theatre marquees were soon made into advertising use for as much as $1,500 per day in savings stamps; theatres throughout Canada donated an evening's receipts to the purchase of stamps by patrons; employees used the night's wages for stamp purchases, and the operators gave in a spree of relief.


Senate Film Inquiry
Is Again Postponed
(Continued from page 1)
close of the neutrality debate now going on in the Senate.

He reached his decision after consultation with Senator Charles W. Tobey of New Hampshire, who turned yesterday after a long absence from Washington, and after talks with other members of the committee.

Fight Back, Willie Urges Film Industry
"No industry which has been investigated by a Congressional committee in the last 10 years has come out better with the new humility spirit as the motion picture industry," Wendell L. Willkie told the Picture Pioneers at the organization's Haloween dinner at the Hotel Shore restaurant last night. Willkie is concerned to the industry in the Senate sub-committee investigation.

"The motion picture industry has gained stature as a result of the inquiry," Willkie said. "This should demonstrate to it the lesson not to take any lying down or to adopt a more aggressive attitude and fight back."

James J. Walker, former Mayor of New York, who is a candidate for the Senate seat of Al Smith, was chairman. About 160 members attended.

Sauer Gets Civilian Defense Press Post
Col. Franklin D'Olier, regional director of the second defense region of the Office of Civilian Defense, has named James E. Sauer, public relations counsel, as regional information officer, serving as a volunteer. He will be in charge of press relations, radio and newsreel activities for the area, effective immediately.

Bioff Tells Sales Heads, Allied Meet on Unity Plan
(Continued from page 1)
hibition, would work jointly on matters of industry-wide importance.

Although no statement was made following yesterday's meeting, it is believed that the Allied committee will be ready to act as a result of the talks.

In the meantime, Kirsch and Samuelson will meet with other sales executives and executives of the committees, and look into possibilities of cooperation in advancing its objectives. The idea of an all-industry committee already has been approved by Abe Montague, Columbia; Arthur W. Kelly, United Artists; W. A. Scully, Universal, and by Rodgers and Paramount.

Camp Shows Circuit Starts in Caribbean
(Continued from page 1)
movies; Oliver Hardy and Stan Laurel, Chico Marx, Mitzi Mayfair, Jane Pickens and Betsy Venuta.

Active cooperation of the camp shows will be handled by Camp Shows, Inc., which filed incorporation papers in New York today, with Eddie Dowling as president. The directorate will include Bert Lytell, president of Actors Equity Association, and Y. Frank Fine, president of Associated Motion of Motion Picture Producers.

A talent pool composed of leading film personalities, including Hollywood and a pool of legitimate stage and variety talent is being formed in New York, to be drawn upon for a steady flow of shows to be sent out at the rate of one every two weeks on a grand circuit of 186 Army and Navy camps.

Bioff Tells Being Assignee
Message Rol
(Continued from page 1)
months and consisted of only “three to four” meetings.

Bioff said he spent about a hour on the first occasion and a few hours on subsequent meetings. He said he was certain that whether were three or four meetings before the matter was first discussed. During these preliminary meetings, Bioff said, many matters were discussed, among the affairs of New York theatre projectionists.

Weakness for Flying

Asked by Correa whether he is averse to the courtroom—probably because he liked flying to and from the coast, Bioff responded in the affirmative. Bioff was unable to state why which legislators were allegedly tended to be bribed, although he testified on direct examination to legislature who was the purpose the shipments of money and was as to name only one law, a tax on flying.

Responding to questions by Judi Knox, Bioff said he saw no inconsistency between acting as labor representative on the one hand and a “mediator” for the producers on the other. He likened his position to that of attorneys in the case who were offering to go “anywhere” and have “any job to do” inside. Pressed by Judi Knox to explain why he did not wish the union members to know of the arrangement if he thought it all right, Bioff said, “People like to think it wrong.”

Again Admits Perjury

Bioff again admitted, as he did o Tuesday, that he had perjured himself and several other perjury admissions were shown. He also stated that he had been known under several different names, although he had given his full name to several who he was known only as William Bioff.

The defendant contended that he was named Morris William Bioff birth but dropped the name Morris when he was 13 and that his name now is William M. Bioff. Correa at tempted to show that the defendant’s true name was William but that he had adopted the name Morris, the name of a half-brother, in 1938 in order to obtain a passport but Bioff denied this.

Firms Leave Eighth Of Fund in England
(Continued from page 1)
additional authorized for withdrawal out of earnings during the ensuing 12 months, among the companies on a percentage of their British billings for last year, as hereafter to be determined.

Under the new agreement, the companies will withdraw a total of $12,000,000 from Britain immediately. Of this sum, $7,000,000 will be from blocked funds and $5,000,000 represent the first quarterly payment on future earnings.
Paramount to Allay from National Units

NEW Declares Skouras Terms ‘Inadequate’

amount will sell away from West Coast, Fox Midwest, intermountain, Fox Wisconsin and Evergreen State Theatres, all circuits affiliated with National Theatres, it was announced yesterday by Neil F. Agnew, general sales manager of Paramount. Agnew declared that the decision was made as a result of “what Paramount considers quite terms and playing time off.

(Continued on page 9)

Judgers Explains Policy to I.T.O.A.

strict and branch managers of 'M have virtually unlimited away to deal with this or problems as they arise, and to terms that are equitable in each territory, William F. Judgers, general sales manager, emphasized yesterday.

(Continued on page 9)

Para. Decree Plea To Be Heard Today

Paramount's application for a reformation of the sales provisions of the consent decree to permit it to operate in Minnesota under the state anti-block-of-five law will be heard by Federal Judge Henry V. Goddard in U. S. District Court here today.

Indications are that other companies will not oppose the application, although there have been reports to that effect. It is reported that the other consenting companies will not file such actions, preferring to await the outcome of the Minnesota test cases.

$200,000 Paid U.S. Agent, Bioff Tells Court at His Trial

Declaration by William Bioff, during his testimony at his trial with George E. Browne on extortion charges, that Joseph M. Schenck had told him that he needed $200,000 in currency to give to Murray Garson, an investigator at that time for a Congressional committee, and efforts by U. S. Attorney Mathias F. Correa to link the start of Bioff's collections to the murder of Tom Maboy, former head of the Chicago projectionists' union, Local 110, IATSE, were highlighted by Bioff's cross-examination yesterday.

As Bioff mounted the stand yesterday morning a told Judge John C. Knox that he was ready to name an investigator for a Congressional

(Continued on page 8)

Ostrer Resigns as Chairman of G.B.

LONDON, Oct. 30.—The resignation of Isidore Ostrer as chairman of Gaumont British Pictures Corp., Ltd., was formally announced today following the completion of the deal whereby J. Arthur Rank and General Film Distributors took over control of Gaumont British. The resignation substantiates earlier reports.

Rank has been appointed chairman of the Gaumont company, as also was indicated by Rank, C. M. Woolf, General Film Distributors managing director.

(Continued on page 8)

HALF OF FIVE CENTS

809 W. 85th St., New York, N. Y.

#1,300,000 Approximately

The new budget for the operation of the industry's arbitration system for the year beginning Nov. 20 is expected to be set at approximately $450,000 within the next few days by the budget committee of the American Arbitration Association.

Under the new budget no reductions in the number of local arbitration boards will be made, it has been decided. The existing 31 boards will be continued despite the fact that at the end of their ninth month of operation three boards have not had any complaints and many others have had but two or three.

However, economical operation of the boards since their opening last

(Continued on page 9)

Junior ‘Hays’ Group Formed By Producers

James Allen, U.S. Official, Will Head Association

HOLLYWOOD, Oct. 30.—Samuel Goldwyn, David O. Selznick, Alexander Korda and Walter Wanger are reported to be the principal figures behind a “junior Hays Office.” They are said to have completed plans for a new independent producers’ organization and have even selected a leader to guide them.

The chosen is reported to be James Allen of the Department of Justice. He is now in Washington, and according to authoritative sources has been named to head the planned association.

Korda has been in New York, it is said, paving the way with Selznick and the others toward organizing the group.

39-Week Para. Net Put at $4,750,000

Paramount yesterday estimated its earnings for the 39 weeks ended Oct. 1 at $4,750,000, after interest and all charges including provision for all Federal income taxes.

The result compares with net of $4,181,000 for the corresponding 38 weeks last year.

The company’s estimated third quarter earnings were $2,671,000, compared with net of $1,725,000 for the corresponding quarter last year.

Included in the 39 weeks earnings is $1,300,000 representing the company’s share of undistributed earnings of partially owned and non-consolidated subsidiaries, while included in

(Continued on page 9)

Order Current Saving At Southeast Houses

WASHINGTON, Oct. 30.—Exhibitors and other commercial users of electricity in the Southeastern States were asked by the Office of Production Management tonight immediately to discontinue sign and window lighting, as the Government moved in on a severe power shortage due in part to long continued drought.

Orders were issued by the OPM calling for a 30 per cent cut in current use by large industrial and com-

(Continued on page 9)
Personal Mention

WILLIAM J. HEINEMAN, Universal assistant general sales manager, leaves today by plane for a two-week hunting trip in Montana. He will tour exchange cities in the Northwest before returning here.

Matthew Fox is expected from the Coast next week.

NEIL AGNEW, LEONARD GODDENSON, CHARLES REAGAN and SAM DEMDOW, Jr., of Paramount attended the Comerford Circuit managers meeting at Buck Hills Falls, Pa., yesterday.

MORRIS MECHANIC, owner of the New Theatre, Baltimore, is in town.

LOU JACKSON, head of Anglo-American Pictures, left for London by clipper yesterday after a six-weeks visit here.

NERD E. DEPNET, C. E. KOERNER and R. BARRET MCCIMMICK are expected to leave for the Coast today to see the new Samuel Goldwyn production, "Ball of Fire." 

HARRY DAVID of Paramount's Southio theatre is visiting here.

NATE GOLDSTEIN of Western Massachusetts Theatres is in town.


Bway Enjoys Week Of Good Grosses Rich Gets $91,500

Broadway generally enjoyed a sub-

stantial business at some spots was reported to have been adversely affected by the cold weather during the week and on Monday night by President Roosevelt's radio address. The week reports varied, however, as some the-

aters found the inclement temperatures encouraging to theatre-going.

The week's grosses were boosted consider-

ably by the big weekend turn-

over.

"Never Get Rich," $91,500

The Music Hall had a strong week with "You'll Never Get Rich" and a stage show which drew an estimated $91,500 and started its second week yesterday. The week ending tomor-

row night at the Broadhurst, playing as Disney's "Dumbo," is expected to bring an estimated $24,000.

The week's gross of "A Yank in the R. A. F.," with a stage show at the Roxy was good for an estimated $40,000. "Belle Starr" opens at the theatre. "The Big

Tonk" completed its fourth week at the Capitol Wednesday night with an estimated $8,500 and is now on its fifth week. "Target for Tonight" grossed an estimated $10,000 in its second week at the Globe and begins a third tonight. "T-Men" by Phil Splianty's orchestra in its second week at the Strand grossed an estimated $36,000 and the show continues.

Rosenberg Appoint Col. Exploitation Hot

Frank Rosenberg, acting head the Columbia exploitation department for the past month, has been permanently appointed to that post, the com-

pany announced yesterday. Rosenberg has been with the company for about 12 years. He succeeds Irwin Griffin, who resigned recently.

Newsprel Parade

WINDSORS with Peter Rosevelt in Washington siege of Odessa, the U. S. des-

ignation of the "Grapefruit" and "Dum-

bo" the coal strike and football games among the subjects covered in the newsreel. The reals and contents follow:

MOVIE NEWS, No. 18—In

port, troops in Canada, the New York Times reports City Hall to study aviation. O'Dwyer says the show in San Fran-

cisco, Columbia-Army football.

Paramount, No. 19—In


UNIVERSAL NEWSREEL, No.


RKO PATHE NEWS, No. 18—In


Metro Screening Today, M-G-M today at 4 P.M. at the Mu-

seum of Modern Art will hold a party in connection with a preview of the short film, "The Tell-

Tale Heart," based on an Edgar Allan Poe story.
WHAT THESE PICTURES HAVE IS THE BEST OF THE BOXO EXHIBITORS IN CENTURY-FOX
EAT 20th CENTURY-FOX

DONE AND ARE DOING

POSSIBLE EXEMPLAR

ICE AND SHOWMANSHIP

I EXPECT FROM 20th

DURING 1941-42!
Richard Llewellyn's
"HOW GREEN WAS MY VALLEY"
Produced by DARRYL F. ZANUCK • Directed by JOHN FORD

CLAUDETTE COLBERT in
"REMEMBER THE DAY"
with JOHN PAYNE • Directed by HENRY KING

DON AMECHE • JOAN BENNETT in
"CONFIRM OR DENY"
Directed by ARCHIE MAYO

BETTY VICTOR CAROLE GRABLE • MATURE • LANDIS in "HOT SPOT"
Directed by H. BRUCE HUMBERSTONE

TYRONE POWER in "SON OF FURY"
The Story of Benjamin Blake
with Gene Tierney, George Sanders and Frances Farmer
Produced by DARRYL F. ZANUCK • Directed by JOHN CROMWELL

GINGER ROGERS in "ROXIE HART"
with GEORGE MONTGOMERY • ADOLPHE MENJOU
Directed by WILLIAM WELLMAN

BETTY VICTOR JACK GRABLE • MATURE • OAKIE in "SONG OF THE ISLANDS"
IN TECHNICOLOR • Directed by WALTER LANG

Forthcoming from TWENTIETH CENTURY-FOX

And take note of the entertainment quality and extra showmanship values of these...!

"MOON OVER HER SHOULDER"
with Lynn BARI • John SUTTON
Dan DAILEY, Jr.
Carole Landis • George Montgomery
in "CADET GIRL"
Jane Withers in "YOUNG AMERICA"
**Critics’ Quotes . . .**

**“HONKY TONK” (M-G-M)**

An epic that provides plenty of amberous overtones for those who expected them but is otherwise a pretty baflfing proposition. —Neurovick.

A good picture, not because of any story brilliancy, but because its cast is smart and excellently directed and because the dialogue is durable and funny. —Herald, New York Tribune.

A crowd-catching midway exhibit in which Miss Turner gives a competent, if limited, performance and Mr. Gale again shows off his muscles. —Monitor.

The double-barrel “oomph” of Clark Gable and Lana Turner is not magnetic enough to draw “Honky Tonk” from the mediocre level of its banal writing and ordinary story. —Handa Hake, New York News.

We couldn’t defend “Honky Tonk” on rustic grounds, but it shapes up as a rousing entertainment. —Henry T. Murdock, Philadelphia Ledger.

**“YOU’LL NEVER GET RICH” (Columbia)**

It is bound to have a tody effect on box-office returns as well as soldier and civilian morale; and it is one of the big films of 1941. —Donald Kehrle, Baltimore Sun.

A completely gay and spontaneous entertainment. —Marl in Motion.

It is so frankly, unabashedly, unapologetically itself that “Honky Tonk” earns your admiration, makes you forget that it is another lusty, lavish Western. —Jay Caspav, Washington Star.

We couldn’t defend “Honky Tonk” on rustic grounds, but it shapes up as a rousing entertainment. —Henry T. Murdock, Philadelphia Ledger.

**“HOLD BACK THE DAWN” (Paramount)**

A tender and moving romance, full of understandable heartaches and laughter, done with extreme delicacy and sympathetic understanding. —Herald, New York World-Telegram.


No landmark in picture making but it handles a conventional theme so strongly that it becomes a stunning show. —Howard Barnes, New York Herald Tribune.

When at the fade-out the voiceover acruallyThundered, they could have no other verdict but “Hit.” . . . This is sure-fire box-office for both sexes. —Lee Mortimer, New York Mirror.

**“IT STARTED WITH EYE” (Universal)**

A captivating comedy . . . a triumph for Durbin and Laughton, artfully conceived, bravely put together, by script proctress and a knowing director. —Howard Barnes, New York Herald Tribune.

Has what it takes to make a fresh and pleasing film . . . it skims to a cheery tune and should please—as they say—both young and old. It’s the perfect “8-0-8” picture. —Bosley Crowther, New York Times.

May not be one of Deanna Durbin’s best pictures but it has enough of that same charming quality to make this one a winner at the box-office. —Kate Cameron, New York News.

A rib-ticker that will have customers rolling in the aisles, the cinema is also splendidly sensitive and as light and gay and bubbling as pre-war pink champagne. —Lee Mortimer, New York Mirror.

**“A YANK IN THE R. A. F.” (20th Century-Fox)**

From the isolationist point of view, this . . . is supercharged with propaganda . . . The public at large, however, will accept it as a showmanlike and timely variation on the old war epic. —Neurovick.

It is long, have varied enough interest apart from the usual warfare views to please, and that’s in spite of a very much regulation plot. —Edwin Schallet, Los Angeles Times.

Few motion pictures based on the war have so much to offer. —Louella O. Parsons, Los Angeles Times.

**“LADIES IN RETIREMENT” (Columbia)**

A good cinematicsgraph of a recent Broadway success of the same name . . . long on dialogue and plot, short on action... —Time.

Moviegoers who liked “Night Must Fall” will appreciate the expert collaboration that makes this psychological horror story an unusual and engrossing film. —Neurovick.

---

**‘York’ Frisco Leader with $19,500 Gross**

**San Francisco, Oct. 30. —** “Ser- geant York” was far ahead with $19,500 in the first week at the Warnfield, $16,000 in the second week at the Golden Gate. The weather was cool. Estimated receipts for the week ending Oct. 24-30: $16,000.

**“The Little Faxes” (RKO)**

GOLDEN GATE—(2,850) (39c-46c-5c) 7 days, $16,000. Average ($16,000).

**“International Lady” (U.A.)**

UNITED—(2,500) (35c-45c-5c) 7 days, Gross: $1,250. (Average, $175).

**“You Never Can Tell” (M-G-M)**

HARMON OF MICHIGAN (Col.)

ORPHEUM—(2,450) (35c-45c-5c) 7 days, Gross: $1,500. (Average, $214).

**“Smiling Through” (M-G-M)**

WORLD PREMIERE (Para.)

ST. FRANCIS—(2,425) (35c-45c-5c) 7 days, Gross: $1,500. (Average, $214).

**“Sergeant York” (W.B.)**

WARFIELD—(2,000) (25c-35c-5c) 7 days, Gross: $1,500. (Average, $214).

---

**Minneapolis Gives Kane $6,500 Tally**

**Minneapolis, Oct. 30. —** “Citizen Kane” took in $6,500 at the Century, “Honky Tonk,” in its second week, attracted $9,000 at the State. Estimated receipts for the week ending Oct. 24-25: $8,000.

**“Honky Tonk” (M-G-M)**

ST. FRANCIS—(2,500) (39c-45c) 7 days, $1,650. (Average, $236).

**“Devil Dogs of the Air” (W. B.)**

WORLD PREMIERE—(2,000) (35c-50c) 7 days, $1,500. (Average, $214).

**“Blonde from Singapore” (Col.)**

GOVERNOR—(200) (35c-50c-5c) 7 days, Gross: $750. (Average, $50).

**“Rich Is Montreal Winner at $5,000**

**Montreal, Oct. 30. —** “You’ll Never Get Rich” at the Capitol drew $5,000; “Sergeant York” at the Princes to kill scored $3,000 at the Princes. Estimated receipts for the week ending Oct. 23: $8,000.

**“The Little Faxes” (RKO)**

PRINCES—(2,000) (35c-40c-5c) 7 days, Gross: $1,800. (Average, $257).

**“Dressed to Kill” (M-G-M)**

PALLACE—(2,000) (35c-40c-5c) 7 days, Gross: $1,800. (Average, $257).

**“Ladies in Retirement” (M-G-M)**

CAPITOL—(1,800) (35c-45c-6c) 7 days, Gross: $1,500. (Average, $46).
Motion Picture Daily
Friday, October 31, 1940

Harry Kalmine
W.B. Assistant Theatre Head

Para. Stockholders Sue on Bioff Fund

A stockholders' suit against Paramount Pictures, Inc., its officers and directors was filed in the U. S. District Court yesterday by Lillian Raber and G. Arthur Peck, seeking an accounting of $100,000 allegedly paid by Paramount to William Bioff and George E. Brown, directors.

The complaint claims that the payments were wrongfully concealed from stockholders by the use of "sur- retitious paid vouchers," and that the acts of Paramount's officers were illegal and invalid. Two suits have been filed recently by stockholders of the Bioff-Browne case against 20th Century-Fox Film Corp. and one against Loew's.

Ross Leaves on Tour

Harry A. Ross, president of Ross Federal Service, Inc., has left for a tour of South and Central America. Clifford B. Ross, vice-president, is accompanying him.

$200,000 Paid to Federal Agent, Bioff Tells Court

(Continued from page 1)
committee who had received $200,000 from S. Charley, but Correa refused to say who the witness was. The defense investigator was "from the inner circle of Bioff's credibility who has thought this up over night." When pressed about an offer of $200,000, Correa said that Schenck had told him that Bioff had offered money to give to Garrison, at that time working for the Sabath Committee investigating the film industry and receiverships.

Correa brought out that Maloy had died shortly before Bioff began his admitted collections from Chicago theatre operators.

And Sudden Death

"Maloy died in February, 1935?" Correa asked.

"Yes, sir," replied Bioff.

"Suddenly?"" pursued the U. S. Attorney.

"Very suddenly," was the answer.

"And you started collecting from the Chicago theatre operators a few months after Maloy's death?" Correa continued. After several objections and further questions, Bioff admitted that this was so. Bioff defined that he knew of no connections from theatre owners by Maloy.

Charles T. Russell, income tax consultant and former Deputy Commissioner of Internal Revenue, called as a defense witness, testified that Schenck had suggested in 1938 that the late Sen. Mitchell G. McConnel be asked to intercede for Bioff in Washington.

Russel produced a cablegram received from Schenck on July 31, 1939, while the latter was in Europe. The cablegram read:

"B. is to testify to Sacramento. He intends withholding what he supposes at request of M. If he does at least he should get promise from M to intercede Washington to stop persecution."

'B for Bioff'

Russell identified "B" as Bioff and "M" as Senator Mitchell. Sacramento testimony referred to a grand jury investigation and the Washington interrogation requested was with the income tax authorities. Russell said. He added, however, that he did not see Senator McCarron and the latter made no intercession.

At one point in the cross-examination, as Correa attempted to show another in a series of perjuries, Judge Knox sustained a defense objection. "There have been a number of contradictory statements made," said the court.

"I understand, your honor," Henry A. Ureland, one of Bioff's lawyers, rose to say, "that you are referring to witnesses for both the prosecution and defense."

"I am referring to the contradictory statements by the witness here," retorted Judge Knox.

Correa ended the cross examination by challenging Bioff: "Can you name any single proceeding within the past ten years in which you have testified, where you told the truth, the whole truth and nothing but the truth?"

Strenuous objections by the defense counsel were sustained by the court and Bioff did not answer.

On redirect examination, Lucky Bioff testified that his real name was Morris William Bioff and that he had not assumed that name to any extent as intimates by Correa. Lucky stated that Bioff's brothers and sister were in New York and that they would take the stand and tell for him.

Tells of That $100,000

Ruth Nolander, Schenck's former secretary, another defense witness, testified yesterday that Schenck had coughed out $10,000 in currency to the presence of herself and Bioff in June, 1937, and that the money was placed in Schenck's personal box in Schenck's office. Correa, on cross examination, brought out that Miss Nolander did not know whether this money had been given to Bioff by Schenck. Bioff had previously testified that he had returned the $100,000 lent to him by Schenck about this time.

Russell testified that he had first heard of Bioff in April, 1938, when Schenck told him that he had a young man, William Bioff, who had income tax difficulties and suggested that Russell get in touch with him. Russell testified to having conferences with Bioff and Joseph M. Schenck at the latter's home and office about the $100,000 loan. Several other cablegrams were introduced to show Schenck's interest in Bioff's case.

Bioff was admonished repeatedly by Judge Knox to give direct answer to the question and avoid replying to it.

"Told to Hold Cash"

"Don't it amaze you extremely odd that they asked you to hold this money?" Correa asked.

"I can't help what they think or what they had in mind but the fact remains that's what they did," Bioff responded, adding later: "The whole setup struck me as odd."

He testified that he had never been asked what facilities he had for holding the large amount of money, and that he took out no insurance against its loss by fire or theft. Correa questioned him about Samuel Brenner, a former lawyer, who, as a general attorney, had made some of the payments on behalf of the producers. After getting from Bioff an admission of a statement that he knew Brenner for about two years before the incident, Correa produced a sworn passport application submitted at the time of the trial and stated that he knew Bioff for 30 years. Bioff denied that these payments constituted a "local shakedown" in Chicago, and he denied that he was "a man of the street" in New York.

Ostrer Resigns as Chairman of G.B. Succeeding by Ran

The Theatre opens Tonigh

The Park Theatre on Columbus Circle will inaugurate its new film policy with a special program tonight. The program will include the opening of the new establishment's first show, "The King of Kings," in which all collections were made but a matted that Browne was presented whi Norman Thor Nelson showed his pictures that commissions received from Smith & Alter were deposited.

Ostrer will be no trial session this day. The hearing will resume this day with Russell continuing his direct testimony.

Plan S. A. Branches For Mexican Film

Mexico City, Oct. 30.—Arrangement for the establishment of changes for Mexican pictures in Latin American cities are being being by Studio Workers' Local 2 of the Cinematographic Union, it was announced by its secretary, Enrico Solis, during a recent meeting that commemorated seventh anniversary of the local's organization.

Clergy in Pa. Town Hits Visiting Shunt

NANTICK, Pa., Oct. 30.—The church has united against all eases, deals and road shunters as what between town limits and manhandled Republican and Democratic nominees and offices commit the selves on the issue.

In the petition it was said: "A vast amount of money carried away by such carnivals and road shunters brings upon our business men irreparable loss."

Noel Coward Fined $80

LONDON, Oct. 30.—Noel Coward was fined $80 and $80 costs for violation of Britain's wartime regulations, based upon failure to report United States assets to Government.
Rodgers Explains Metro Sales Policy... (Continued from page 1)

...At ITOA Meeting

The United States Army Motion Picture Service, responsible for the operation of 555 film theatres at 277 posts throughout the country, in a program of wide expansion resulting from the nation’s present emergency, is an Army function apart from USO activity, is making 2,120 feature film showings weekly for 3,376 film showings.

The number of theatres in operation is increasing rapidly, it is said. Tent plans and temporary units are being replaced by more permanent housing, and the remaining out-of-doors showings shortly will be discontinued until next Spring.

Control of the extensive Army film service is centered in national headquarters at Des Moines, Wash. Murray and Fred Bund, Jr., are general manager and assistant manager, respectively. Mr. Martell is chief booker. Six district offices are located in St. Louis, Dallas, Atlanta, New York, Washington and Seattle. The Army’s sales service at present is arranging for 9,211 bookings monthly. The Southeastern and Southwestern districts contain the greatest number of Army posts, each with 53; the Eastern has 48, the Southern, 36; Central, 36; Western, 45, and independent post numbers six.

Greenblatt Holding Eastern PRC Meet

Arthur Greenblatt, Producers Releasing general sales manager, is holding an Eastern sales conference here preparatory to leaving tonight on a tour of 15 exchanges and a visit to the studio.

Order Current Saving At Southeast Houses (Continued from page 1)

merical users in Alabama, Georgia, Tennessee, Eastern Mississippi, Northwestern Florida and Southeastern South Carolina, including Charleston, effective Nov. 10.

Conservision in North Carolina, where there is adequate production but a drain caused by efforts to supply the West, is to price at present, as they have agreed to disband the Alliance of Motion Picture Operators.

Greenblatt Holding Eastern PRC Meet... (Continued from page 1)

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Operator Pact Signed

The Howard Theatre, Brooklyn, operated by Leavo Theatre Corp., has signed a pact to sign United Theatrical & Motion Picture Service Employees Union operators, following State Labor Relations Board hearings, which were agreed to disband the Alliance of Motion Picture Operators.

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<td>The Stork Pays Off (C) M. Rosenblum</td>
<td>The Stork Pays Off (C) M. Rosenblum</td>
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<td>Sing for Your Supper (C) J. Falkenberg Buddy Rogers</td>
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<td>Honolulu Lu (D) Lupe Velez Leo Carrillo</td>
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<td>Dec. 19</td>
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<td>Bedtime Story (C) Fredric March Loretta Young</td>
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**Notes:**
- Dates in parentheses indicate the release year for each film.
- Film titles are in all capital letters.
- Directors are in parentheses after the film title.
- The chart includes information about different film genres and producers.
Permits Sought for Three New Stations; Grant FM Approval

WASHINGTON, Oct. 30.—Construction permits for three new standard broadcasting stations have been asked for by the Federal Radio Commission. The applications were filed by J. W. Dyer, for a 1,000-kilowatt station at Jackson, Mich., on 930; W. A. Hedges, for a 500-kilowatt station at Portland, Ore., on 820; and W. H. Godfrey, for a 1,000-kilowatt station at Cleveland, Ohio, on 1,160.

Applications Received

The commission also received applications at stations WBRK, Buffalo, N. Y., for 1,000 kilowatts; KXAL, Dallas, Tex., for 25,000 watts; KXAR, Laurel, Miss., for 10,000 watts; WJPA, Washington, Pa., for 25,000 watts; WJGO, Ft. Lauderdale, Fla., for 50,000 watts; WPTF, Greensboro, N. C., for 50,000 watts; and WJAM, Jacksonville, Fla., for 50,000 watts.

Dakota' and Show $19,000, Cleveland

CLEVELAND, Oct. 30.—“Bad Lands of Dakota” drew $19,000 at the RKO Palace, with Bill Robinson heading the “Harlem Revue” on the stage. “Sergeant York” drew $10,000 in its second week at Warner’s Hippodrome.

Estimated receipts for the week ending Oct. 23-24:


“Sergeant York” (W. B.) $12,000 (13c-30c-41c) 7 days, week. Gross: $4,200. Average: $600.


“Smilin’ Through” (M-G-M) LOEW’S STATE (13c-13c-30c) 2 days. Gross: $1,000. Average: $500.

“Nothing But the Truth” (Para) LOEW’S STILLSMAN (12c-20c-47c) 7 days, week. Gross: $7,000. Average: $1,000.

Drop Seattle Policy

Seattle, Oct. 30—Hamrick-Evergreen’s policy of operating their Music Hall theatre every Friday, Saturday and Sunday as a first-run return engagement house has failed to produce satisfactory, and the theatre is again closed except for special rental occasions.

Gene Autry
Smiley Burnett
Fay McKenzie • Harold Huber

Sidney Blackmer

Joseph Sholley • Director

Screen Play by Olive Cooper • Albeit DuBois

Based on a story by Darrell & Stuart McGowen

Buy U. S. Defense Bonds

DOW MEXICO WAY

NBC, CBS Sue For Injunction On FCC Rules

Attacking the new FCC network regulations due to go into effect Nov. 15 as “arbitrary, capricious and contrary to public policy” and beyond the powers of the commission, CBS and NBC filed suit in U. S. District Court here yesterday to enjoin enforcement of the rules. A hearing will be held next Friday at which the networks will request a temporary injunction pending final disposition of the action. Also sought will be the convening of a statutory court of three judges to review the ruling of the FCC.

Although the suit was brought by NBC, networks were joined by Woodmen of the World Life Insurance Society, owner and operator of WOW, Omaha, Neb., and Stromberg Carlson Telephone Manufacturing Co., owner and operator of WHAM, Rochester, N. Y., as co-plaintiffs.

Both networks had previously announced on Oct. 11 that the rules were promulgated, that they intended to bring the suit. Last minute conferences this week with Assistant Attorney General Thurman Arnold failed to produce a satisfactory settlement, it was reported.

Affidavits of William S. Paley, CBS president; Niles Trammell, NBC president, and Herbert V. Alberge, CBS vice-president in charge of station relations, accompanied the filing of the suits.

Review

“The King” (Trio Films)

This French film is not for the family. The King of a mythical country, seeking escape from the humdrum affairs of state, visits France, which he knows from past experience, it is explained, offers attractive diversions. The story thereafter is strictly a boudoir farce.

Product of the pre-Vichy France, but unmarrred by its age, the satire is thoroughly flavored with the so-called Continental spice. Thus past reaction should serve as criterion in determining where the film would be appropriate. The risque element is much in evidence.

Two of France’s foremost stars share the lead, Victor Francone, as the king, and Rauna, as the French democrat, whose wife is naive and easy victim to all the charming approach of the regal visitor.

Running time, 93 minutes. "G" rating.

EUGENE ARNELL

"A" denotes adult classification.
TOMORROW NITE!
9 TO 9:30 E.S.T.
THESE STAR SALESemen

BING CROSBY

ROCHESTER

JOHN SCOTT TROTTE
AND HIS ORCHESTRA

B. G. De SYLVA

BETTY JANE RHODES

RUBY ELZY

JOHNNY MERCER

WILL SELL

"BIRTH OF THE BLUES"

PARAMOUNT’S BOX OFFICE BLESSED EVEN
TO 52,500,000 LISTENERS OVER 70 STATIONS OF THE
MUTUAL BROADCASTING SYSTEM AND ITS AFFILIATES!

Don’t forget to tune in Saturday, Nov. 1st, 9:00 to 9:30 P. M., E. S. T.
Para. Gets Decree ‘Escape’ for Minn.

London Sees G.B.-Odeon Merger Move

IATSE Deposes Browne, Report

George E. Browne has been relieved of the IATSE presidency and Thomas Murtha, until recently an international representative of the IA on the West Coast, has been named to replace him, the Daily Mirror stated in a copyrighted story over the weekend.

The action was taken secretly by IA officials late last week due to disclosures in the federal court trial of Browne and William Bioff on racketeering charges, the report stated. Union officials declined to confirm or deny the story.

Allied to Complete New York Meetings On Unity This Week

Sidney Samelson and Jack Kirsch, constituting a sub-committee of the Allied States industry unit committee, conferred Friday with United Artists, the ninth company with which the two have met to discuss methods of advancing Allied States’ plan for an all-industry committee.

Samelson is expected to return from Philadelphia this week to confer with Warners and RKO, with

10 Months’ Arbitration Cost Is $190,000 Under Estimate

The American Arbitration Association will end the first 10 months operating period of the 31 industry arbitration boards at approximately $190,000 under the maximum budget of $490,000 allowed by the consent decree for their operations, the budget committee reported over the weekend.

The committee consists of Van Vechten Underwood, member of the national appeals board for the industry arbitration system; Joseph H. Hazen of Warners, and Paul F. Warburg of the A.A.A.

Motion Picture Daily reported Friday that the A.A.A. would end the first period of the boards’ operations ‘comfortably’

Russell Continues As Bioff Witness

Charles T. Russell, income tax consultant and former Deputy Commissioner of Internal Revenue, will continue on the stand this morning as a defense witness when the retrial of George E. Browne and William Bioff is resumed in Federal Court. Members of Bioff’s family are also due to give evidence that Bioff’s real name is Morris W. Bioff.

Because of the holiday tomorrow, little likelihood of the trial ending this week was seen by attorneys. Browne has not indicated whether or not he will take the stand. If he does, the trial is almost certain to extend into next week.
**Personal Mention**

**RUBE JACKTER**, Columbia assistant sales manager, was present at the Variety Club luncheon in Pittsburgh last night after returning from the company’s regional sales meeting at San Francisco.

**WALTER WANGER** plans to remain in New York another week.

**HENDERSON M. RICHIE** left yesterday for Milwaukee and will visit Chicago, Dallas and New Orleans.

**A-MIKE VOELZ** has returned from Pittsburgh.

**WESLEY KENT**, Altec Service engineer in the New York district, is the father of a boy, Wesley Kent III.

**Mr. and Mrs. Abe Lastfogel** are in town from the Coast.

**Louise Piresay**, secretary to Al Margolies at United Artists, has announced her engagement to Frank Finn.

**Shirley Lax**, formerly with Columbia in New Haven, has been discharged from the Army, as has William Nuttle, formerly with Paramount in New Haven.

**Mary Worstell** of the M-G-M exchange, New Haven, is on sick leave.

**William Sirica**, operator of the Lido, Waterbury, Conn., is back at his theater after a siege of the grippe.

**Set Plans for Drive Of Comerford Circuit**

**Scranton**, Pa., Nov. 2.—Four district managers and six house managers of the Comerford Circuit will receive all-expense trips to Hollywood in the annual Comerford Theaters Managers drive which began yesterday. The trip, which includes representatives of all districts, was held at the Inn, Back Hill Falls, Pa.

Among the guests at the meeting were Postmaster General Frank C. Walker, Neil Agnew, Leonard Goldenson, Sam Dembow and Charles Keagan of Paramount; John J. O’Leary, general manager, John Nolan and Charles Ryan of the Comerford circuit.

Although previously divided into four divisions, the circuit’s houses are aligned in six for the 1941-42 drive, thus giving two more managers a chance to win an award.

**Mayer Sees Record Coast Charity Drive**

**Hollywood**, Nov. 2.—Louis B. Mayer, chairman of the motion picture division of the Los Angeles Community Chest, addressed stars from the Comerford circuit representing all guilds and unions, at a luncheon at the Assistance League.

Mayer expressed the belief that the 1941 drive, which opens tomorrow, will bring total contributions exceeding last year’s record of $467,061, established under Mayer as chairman.

**BROADWAY PLAYS**

**GRAND-SCALE SMASH HIT!**

**CERUTTE LAWRENCE**

"In the Musical Play"

**ALVIN, 52 St. W. of B-way—Matl. Wed. & Sat. Mail Orders Promptly Filled**

**GREAT SHOW!—Herald Tribune 50¢, $1 & $1.50 PLUS TAX**

**2ND YEAR—2ND EDITION OF THE**

IT HAPPENS ON ICE

At America’s Only Ice Theatre

Center Theatre, Rockefeller Center. C. 5-5474


391 Seats for Every Perf. Stk. EX. 904, AT 8-803

**Pressburger Due Today**

Arnold Pressburger, producing for United Artists, is due here from the Coast today.

He has signed Joseph von Sternberg, director, to a three-picture deal. The first, to be shot in Chicago, is under Piermont, Loew’s, staging; Arthur Korn, Roxy, and Lester B. Isaccs, Loew’s, amplification and lighting; Don Albert, Station WNYN, head of the 100-piece orchestra.

**Name Technical Staff For ‘Night of Stars’**

Marvin Schenck, chairman of the production committee of the “Night of Stars” benefit show at Madison Square Garden Nov. 26, has named the technical staff for the show.

They include Herb Pint, Wood, Roscoe, Chapman, Piermont, Loew’s, staging; Arthur Korn, Roxy, and Lester B. Isaccs, Loew’s, amplification and lighting; Don Albert, Station WNYN, head of the 100-piece orchestra.

**‘Swamp Water’ to Globe**

“Swamp Water,” 20th Century-Fox picture, will go into the Globe on Broadway, following the current run of “Target for Tonight.”

**Short-Story Film Is Screened by M-G-M**


“The Great Train Robbery,” vintage 1903, was shown as a curtain raiser for contrast.

**Allied to Complete Meetings on Unity**

which the sub-committee was unable to report last week.

Kirsch, who returned to Chicago over the weekend, will prepare a report for the New York conferences for the Allied committee to forward to them and said they were encouraged by the reception given them by the distributors. They were optimistic for prospects of an all-industry conference in the near future to discuss the formation of a permanent committee to handle problems of the industry as a whole.

**Blues’ Given Dual Opening in South**

**NEW ORLEANS**, Nov. 2.—“Birth of the Blues,” Paramount feature starring Bing Crosby and Mary Martin, was given a premiere at the Saenger Theatre here Friday night with a Hollywood studio group participating. A parade led by Gov. and Mrs. Sam Jones of Louisiana and a broadcast over WNOE were among the day’s events.

**Leaves Warner Branch**

Al Barabas has resigned as assistant booker at the Warner exchange here to join his brother in Washington.

**Armstrong Award to Radio to H. W. How**

The fourth award of the Armstrong Medal for "outstanding contribution to the radio art" was made Friday night to Harry William Houch, N. Y. engineer and radio pioneer, the afternoon dinner of the Roy Club of American Broadcasters. J. L. Callahan, president, presented the award. Rear Admiral S. Hooper, director of the radio liaison division, Office of the Chief of Naval Operations, was guest speaker.
The Face on the Cutting Room Floor

When David Wark Griffith and Billy Bitzer at Biograph were teaching the camera to tell stories they used many close-ups.

They found that a twitching lip, distraught hands twisting a kerchief, the furtive finger in the discard, the like of that, sometimes could tell more than a stage full of actors.

Competitors, jealously unhappy, were sarcastic.

"Griffith chops his actors up into pieces," they said scornfully. "He hires the whole actor and he ought to use him," they argued.

The ridiculousness of the notion serves, however, to stress a certain logic which it overstates. This comes to point here in that policy of Republic Pictures Corporation which insists that what it buys must be delivered on the screen.

Republic has the unique policy of buying a story only when it is to be used, employing players when they are to be cast, hiring directors when they are to direct.

A set is built after it is in the script, and the script is what the picture is about. Changes of mind and shifts in construction are made on paper, not on the stage. This makes it unnecessary for the editing department to leave costly sequences, and faces, on the cutting room floor. Republic production is not exploratory, not experimental. Shooting begins when it has been decided what is to be shot at.

A consequence of that shows up in the bookkeeping. There is no "dead horse" to be buried in the cost sheets, no inventory to be charged off there and passed on to the trade in sales quotas. The cost is the cost of the picture and the pictures are for the picture, on the screen, not on the cutting room floor.

This is becoming widely known. Ernest Heyn, editor of Photoplay-Movie Mirror, recently wrote concerning "the intriguing example of Herbert Yates, who . . . can make a picture for $100,000 that will cost a major $250,000 because of overhead so cleverly avoided by Yates."

No marquee ever sold overhead with success. The customers can't see it.

REPUBLIC PICTURES CORPORATION

BUY U. S. DEFENSE BONDS
10 Months’ Arbitration Cost Is $190,000 Under Estimate

(Continued from page 1)

Attorneys indicated over the weekend that the order should be ready for Judge Goddard’s signature today. Some of the other four consenting companies gave any indication in court or alter the hearing that they intended to do so. The companies indicated that they would not do so and the remaining two merely stated that “no decision has been reached.”

Say Paramount ‘Unique’

One pointed out that Paramount was in a unique position. Joss felt that Minnesota operations are concerned in that the decree permits it to sell to its own theatres there in the manner presented by the suit. The company would be in a difficult and conspicuous position, it was stated, if it continued selling to its own Minnesota theatres without making an effort whatever to sell to other theatres in the State. The other four consenting distributors have no such affiliations in Minnesota and are not confronted with the same problem.

Paramount’s application was made by Thomas D. Thacker, who told the court that the criminal actions already started in Minnesota for violation of the state laws by Paramount, RKO, and 20th Century-Fox are regarded as test cases which will determine the constitutionality of anti-block-of-five law in the speediest and most definitive form. He indicated that the equity case originally started by the major distributors to attack the state law’s constitutionality will not be pressed.

Judge Goddard expressed the belief that it would be advisable for the Government to intervene in the test cases and lend its help to the distributors in contesting the state law. However, Robert L. Wright, special assistant to the U. S. Attorney General, said the Department of Justice has no plans for intervening at this time.

Government Opposition

In opposing the Paramount measure, Wright contended that Section 23 of the decree, on which Paramount’s application for a release was based, constituted an exemption from the decree only when “valid” state laws conflicted with the decree provisions. He argued that the Minnesota law is not valid until the courts have so held, and until that time the court should not grant Paramount a release from the decree.

He said that the Government contends that block booking as proposed under the Mineral Law is a violation of the Sherman Act and that the state law, therefore, is invalid if the Government is right.

Thacker remarked that he saw no merit in the Government’s contention because theatre operations are intrastate and therefore subject to the state legislation of that kind.

Judge Goddard ruled that Section 23 of the decree applied to a situation where a state law imposed an obligation on a consenting distribu-

The Arc Royal, valiant queen of the Atlantic, is one of its stars!

Released thru United Artists

W.B. Appoint District Head

Branch Chief

(Continued from page 1)

Atlanta, Charlotte and Memphis; R. Lohrenz, Midwestern district manager, supervising Chicago, Milwaukee, Minneapolis, St. Louis, Indiana, Kansas City, Omaha and Des Moines; and Henry Herbel, West Coast district manager supervising Los Angeles, San Francisco, Portland, Seattle, Denver and Salt Lake City.

Doak Roberts replaces Jack Dallas as branch manager; Sid R. replaces Lohrenz as Chicago district manager; Fred Beiersdorf replaces Smeltzer as Washington district manager, and W. E. Callaway replaces Herbel as Los Angeles district manager. Roy Haines, Eastern Canadian division manager has had recent supervision of the Boston, N. Haven, Buffalo and Albany branches added to his duties.

Charles Einfeld, director of advertising and publicity, announced promotion of Robert S. Taplin from studio publicity manager to international manager of publicity, and Alex Eveleth of the studio publicist staff to studio publicity manager.

‘Harvest’ Set for Coast

Hollywood, Nov. 2.—M-G-M makes “Random Harvest” here instead of in England, as originally planned. Greer Garson and Ronald Colman have the leads.

 Verfügung, Kunde oder Anschlag
A President has been Named in Few Days

Selznick Due to Leave for Coast Thursday

David O. Selznick expects to conclude negotiations for a new Artists president within the next few days, it was announced yesterday. Selznick has asserted he would remain in New York until a new company head has been chosen. He now plans to leave for the Coast on Thursday. If the new negotiations for a president are fruitful, it is understood that company administration will be placed in the hands of a management board to be designated on Selznick's return to Coast.

Arthur W. Kelly, acting head of Artists, arrived on the Coast yesterday for a week's stay. While he is scheduled to confer with Jules Chaplin and view new products, he will also check an inventory of the assets of Walter Wander Prod., lately acquired by the company and intended to become a new United Artists reducing organization.

Isokowitz, Costen Refute Willie Bioff

With George E. Brownie declining to take the stand or call any witnesses, William Bioff concluding his defense effort by offering depositions made by witnesses in California, the trial moved into its last stages yesterday as the Government started with rebuttal testimony.

Charles C. Moskowitz, executive in charge of Loew's metropolitan New (Continued on page 4)

Felder Is Reported Mono, Branch Head

Joseph Felder, former assistant to David A. Levy, manager of the New York exchange for Universal, it is reported will be named exchange manager for Monogram in New York.

Expect Broadway Gross Boom Today After Big Weekend

Broadway business is expected to boom today, Election Day, after a great box-office weekend. The legitimate theatres, as well as the film houses, divided houses Saturday and on Sunday, too, as hundreds of thousands poured into the city from early Friday, for the big football spectacles, including Army-Notre Dame, Columbia-Cornell and Fordham-Purdue, and stayed through until Monday. It is estimated that more than $50,000 out-town visitors were in town during that period. Hotels were taxed to capacity.

At the Central Theatre, a 3,500-seat house, where "It Happens on Ice" is holding forth, there were more than 200 standees reported on Saturday night, and at the Alvin, where "Lady in the Dark" is doing capacity business right along, the business on a comparative basis was equally as heavy.

On the film side, Broadway's interest is focused particularly this week (Continued on page 4)

Majors Get 7 Million Of British Currency

The eight major distributors have received slightly less than $7,000,000 from London during the past few days, as their share of the first release of their blocked British funds under the new monetary agreement.

And 120,000,000, aggregating more than $1,000,000, and representing one-eighth of the released sum, has been set aside as a revolving fund from which payments will be made as required in the event later audits show that any one of the eight companies (Continued on page 5)

Ceiling Is Fixed on Picture Theatre Admissions in Canada for Duration

Ottawa, Nov. 3.—The Canadian War Time Price and Trade Board today set the "ceiling" admission to be charged by motion picture theatres as the maximum admission applied during the period between Sept. 15 and Oct. 11, for the war's duration.

A few theatres across Canada recently raised their prices one or two cents to get away from "the odd copper" change nuisance, and as this was done after the basic period, during which the ceiling was set, they will have to drop their prices back to the original admission charge. The new order goes into effect Nov. 17.

Opinion is that Federal and provincial authorities will not increase or impose new gross taxes for the duration. Theaters were not expected to come under the scope of the price board. Other than film theatres, other types of entertainment are not included in the order, as was the case with the Federal admission tax last Spring.

English Tax Total Put at $35,983,600

London, Nov. 3.—The entertainment tax in England last year brought to the British Exchequer £3,923,605 (approximately $35,983,600.) The budget estimates were for a revenue of £2,900,000.

Court Signs Escape Order On Minnesota

An order relieving Paramount of compliance with the sale provisions of the consent decree in Minnesota was signed yesterday by Federal Judge Henry W. Goddard, clearing the way for the company to resume selling in Minnesota immediately.

The Department of Justice, which had opposed the granting of the order at a hearing before Judge Goddard last Friday, included in it a provision that the court's action does not prejudice the Government's right to challenge the validity of the Minnesota law on the grounds that it violates the Sherman Anti-Trust Act, if it sees fit to do so later.

Robert L. Wright, special assistant to the U. S. Attorney General, in opposing the order last week, asserted that the Government regards compulsory block booking as a violation of the Sherman Act, and stated that, if the Government is right, the Minnesota law is invalid for that reason.

Judge Goddard indicated that he thought the Government should inter (Continued on page 4)

Rockefeller, Odlum See No RKO Changes

Scotch Report Schafer to Be Replaced

WASHINGTON, Nov. 3.—Reports that George J. Schafer may be succeeded by someone else as president of RKO have been discounted today by Floyd B. Odlum and Nelson A. Rockefeller, two of the company's biggest stockholders.

Odlum, a dollar-a-year man in the Government's defense program, said that while the shake-up has been "gossiped about for months, I know nothing of an impending change."

Atlas Corp., of which Odlum is president, is reputedly the largest (Continued on page 4)

Silver Heads WB Pittsburgh Zone

M. A. Silver, formerly in charge of the Allegheny theatre zone for Warners, yesterday was named zone manager for the Pittsburgh area by Harry Kalmine, assistant general manager of the Warner circuit, whom Silver succeeds in the Pittsburgh post.

C. J. Latta, who was assistant to Kalmine at Pittsburgh, was named assistant to Silver in charge of theatre operations (Continued on page 5)

20th-Fox Sets Trade Shows on Next Block

Twentieth-Century-Fox has set trade showings for Nov. 13 and 14 on the company's next block of five features, according to Herman Weber, general distribution manager. The five films and showing dates are: "Happy the Boss' Daughter," "Conf or or Deny" and "Cadet Girl," Nov. 13; and "Rise and Shine" and "The Perfect Snob" on Nov. 14.
New Mortgage on 16 Warner Houses

PHILADELPHIA, Nov. 3—Sixteen theaters owned by the Stanley Company of America, and operated by the Warner circuit, are covered by a $46,000,000 first mortgage secured by the company from the Equitable Life Assurance Society. Bearing interest at 4{1/2} per cent, the mortgage, which expires in 1956, is applicable to the following theaters here: Earle, Stanley, Stanton, Victoria, Alabahma, Broadway, Colonial, Cross Keys, Har-rogate, Imperial, Logan, Place, Savoy, 333 Market, Riviera and New Palace.

The mortgage replaces an original one of $10,000,000, reduced to approximately $6,000,000, known as the C. Benton Cooper Stanley real estate bonds. The issue, dated 1925, had a maturity date in 1945. It is being called for payment Dec. 1.

May Show Features

The Little Carnegie management is considering a feature policy instead of the present newsreels.

NEW YORK THEATRES

RADIO CITY MUSIC HALL

FRED ASTAIRE • RITA HAYWORTH "YOU'LL NEVER GET RICH" A Columbia Picture

ON GREAT STAGE: THE ALLEYS—A day, song, adventure, produced by Loew's. Film last night, direction of Eros Bauer. 1st Mezzanine Seats Reserved Circle 6-800

IN PERSON

BOB HOPE—THE ANDREW SISTERS JOHNNY AND BAND THEDORE

PARAMOUNT

RANDOLPH SCOTT • GENE TIERNEY "BELLE STARR" PLUS A BIG STAGE SHOW 7th Ave. & 36th St.

AMERICAN AIRLINES INC.

ROUTE OF THE FLAGSHIPS

5 SERVICES DAILY VIA SOUTHERN SUNSHINE ROUTE TO LOS ANGELES

THE MERCURY

LV. New York Ar. Dallas-Ft. Worth Ar. Los Angeles

4:30 pm and 4:50 pm 1:28 am and 2:18 am 7:47 am and 8:47 am

THE PLAINSMAN

LV. New York Ar. Dallas-Ft. Worth Ar. Los Angeles

5:25 pm 5:55 am 9:47 am

THE SOUTHERNER

LV. New York Ar. Dallas-Ft. Worth Ar. Los Angeles

11:20 pm 8:52 am 4:02 pm

THE SUN

LV. New York Ar. Dallas-Ft. Worth Ar. Los Angeles

6:30 am 4:45 pm 1:26 am

COUNTRY SPECIAL

For reservations, call your Travel Agent or HAveneys 6-5000.

AMERICAN AIRLINES INC.

ROUTE OF THE FLAGSHIPS

"Little Tomatoes" A Symbol of Bosto Variety Club Wor

BOSTON, Nov. 3—He's a little of a kid, with wide, trusting eyes, a couple of years ago he walked into the heart of big Jimmy O'Donnell, district manager for United Artists in the Boston district, and, because the two are friends in the business call him "Little Tomatoes." O'Donnell, they call him "Little Tomatoes."

Because he is what he is, he's accepted a half a hundred fathers, all of them at the Variety Club. It's a strange sight to see a father shopping for him in summer time that he can go properly to a camp vacation.

So, over the months and years "Little Tomatoes" has become a symbol of the type of class work the Variety Club does, caring for the underprivileged young. Such a fund foundation was launched recently by Mayor Tobin's Milk Fund.

Tonight the club opened new quarters at the Hotel Statler. For Tomatoes there were Alan Dinehart, Lyle Talb every actress and every actor, every agent, every manager. The Variety Club is made up of kind of people—agents, theatre managers, distributors and the like. And "Little Tomatoes" was there too, as the sal

Lytell Calls Senate Probe Unity Thr

The existence of the Senate committee investigating alleged propaganda is denounced as a "tied threat to our national unity" in a letter to be today to all members of the Senate Bert Lytell, chairman of the Film Censorship Committee, who is also president, Actors Equity Association, urged Senators to dissolve the subcommittee as a rebuke to its Senate sponsors view of an overwhelming express of public opinion against their acts.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

VOTE THE STRAIGHT WARNER TICKET!

Vote every $-It's Warners!
Courts Signs Escape Order On Minnesota

(Continued from page 1)

In the pending criminal information against Browne, the sheriff of St. Paul for alleged violations of the Minnesota anti-block-of-five law and argue its constitutionality. The fact that this reservation was included by the Governor in the order signed by Judge Goddard yesterday would indicate that the Department of Justice may intervene in the St. Paul cases.

Minn. Allied Leader Files Some Run Complaint

Bennie Berger, Northwest Allied leader, has filed a complaint against Paramount at the Minneapolis arbitration board, charging inability to obtain a run of the company’s pictures under Section six of the decree for his Lyceum Theatre at Duluth, Minn., the American Arbitration Association headquarters here was advised yesterday.

Northwest Allied was the sponsor of the Minnesota anti-block-of-five law, under which the consenting companies were unable to sell in Minnesota without violating the decree. The arbitration action was filed prior to Paramount’s application to the court to extend the existing run until they were released from the sales provisions of the decree to permit it to sell in Minnesota.

Filing of the arbitration action is regulated, as has been the test run to determine whether either arbitration or Section six of the decree, which directs distributors to offer some run to exhibitors, offer any relief in the face of the state law. In the meantime, however, Paramount retains exclusive of the decree and now is free to sell in Minnesota under the state law.

Rockefeller, Odlum, See No RKO Change

(Continued from page 1)

RKO stockholder. In his Government post, Odlum is chief of OPM contract distribution.

Rockefeller’s position was learned from an unimpeachable source. The Coordinator of Cultural Relations between American republics, he is cognizant of the persistent rumors involving Schaefer, and looked them into when he visited the West Coast recently. Rockefeller Center, Inc., which Rockefeller heads, is one of the biggest stockholders in RKO.

Rockefeller forswears absolutely no change in the RKO presidency and he is extremely cautious in any report. However, the reports may be “hamstringing” Schaefer.

Open Theatre in Rio

Loew’s new Cine Metropalacana Theatre in Rio de Janeiro will be opened today. It was announced here yesterday. Seating 1,800, the house is similar to the circuit’s recently erected Metro Trijca in Rio.

C. C. Moskowitz and Costen Refute Bioff’s Testimony

(York theatres, and James E. Costen, Warner theatre zone manager in Chicago, were the first rebuttal witnesses and both told of new terms by Bioff in 1935 and closely linked Browne to the alleged activities of his co-de-

Moskowitz told of having an appointment with Browne late in the Summer of 1935 but finding Bioff and A. Dean in the Brown’s office. “He told me he was responsible for Browne’s election,” Moskowitz said. “He said he had been told that there was a couple of men in the office for him. I started to laugh but he pushed me back to my chair. He told me he expected this money and was going to get it.”

Demands $150,000

About a week or 10 days later, Moskowitz continued, he met with Browne and Major Leslie E. Thompson, RKO theatre department head, and asked Browne’s aid in avoiding a Local 306 strike. “Browne said we would have to pay him $150,000 before he would agree to any settlement,” Moskowitz related.

After several meetings, a method was suggested by Loew whereby Loew’s agreed to pay the money to Mort Singer, circuit operator, and the latter would pay it over to Browne if that’s what he wanted. Moskowitz testified. Loew’s paid $105,000 as its share, plus income taxes for Singer and for 1,000 road fares, making $165,000 in all, Moskowitz said.

In 1937, Browne made another further demand, and after Loew’s lost, Browne threatened to sue Loew’s $100,000 to stop “sabotage” by operators, Moskowitz said. He described the “sabotage” as showing pictures without sound, sound without pictures, playing reels out of order and showing the picture upside down. Moskowitz estimated the loss at $25,000 in currency to Brown at Dinky Moore’s restaurant in October, 1937, and $15,000 in 1936. Moskowitz denied asking Bioff to act as messenger, and declared that all payments were made because of threats to close the Loew theatres. Cross-examination by Martin Conboy, Brown’s attorney, was brief. “Did you ask Mr. Browne for assurance?” was the question. “Yes,” responded Moskowitz.

Costen Meets Berger

Costen told of meeting Bioff for the first time in 1928 when he was intro-
duced by Browne as “Willie Berger.” The next meeting was in February, 1935. Costen said, when Bioff told Costen that money had been paid for the elimination of extra operators in Chicago, and that if these men were to be reinstated Warners would be com-
pelled to pay a good deal more money. Later on, Costen said, he called him again and declared that the Chicago Exhibitors’ Association would have to pay $100,000 of which War-
ners would pay one-third. Costen said Browne was present at both occasions, Costen testified. When Costen de-
clared that his superior told him to get into such a deal, it was arranged for Browne and Bioff to accompany Cos-
ten to New York, Costen said.

Upon their return to Chicago, Costen continued, he called on Bioff and told him that the money would be sent to Chaplin & Cutler, Warner Chicago attorneys, and a $30,000 check was subsequently sent to the firm. Costen then told of a subsequent demand in 1936 to meet Browne in Chicago, regarding Bioff $8,500. In September, 1936, Bioff was paid approximately $14,000, Costen said, and after Bioff left for California, Costen paid $9,600 in the Fall of 1938 and another payment was made in December, 1940.

“Too Big”

When Bioff was recalled to Chicago on the 1922 tenderer charges, Costen continued, the defendant boasted that he was “too big a figure” to go to jail and added that “Joe Schenck will be right next to me” if he, Bioff were jailed. Later, Costen added, Bioff threatened that other exhibitors would not sell him the merchandise, the maritime trade, but altogether.

“You’ll Never Get Rich” in its week, grossed about $50,000 Thursday through Sunday, which is thought to be its last period. It is to follow Thursday by Universal’s “App for Kegs.”

Sgt. York Good

“Sergeant York” and Phil Spivik orchestra had a good Friday-Sun-
weekend estimated at $20,000. Show is now in its third week at Loew’s and it is expected that the Roxy on the same stage will gross an estimated $20,000 Ti-
Tosch’s and is expected to keep the same- Friday night and will be replaced “Ladies in Retirement.”

“Target for Tonight” brought Costen $3,000 per week and Sunday. The picture is a third week. “Honky Tonk” en-
ters Capitol to Thursday at 9:30 and the music house at 11. Two rows of seats are being added, and the show is expected to keep going.

$8,000,000 Para. Bonds Exchange

Approximately $8,000,000 of Mexico’s convertible debentures, or about three-fourths of entire issue outstanding, have been exchanged for 16% United States government’s company’s new four per cent for 1956, Stanton Griffin, chairman of the executive committee, announced yesterday.

The company expects that subs-
stantially all of the bonds will be exchanged during the next came Monday evening, the expiration of the offer.
**Get Up New Studio Union Organization**

Hollywood, Nov. 3.—The Council of Studio Unions, to which the 8 of L. locals having complete autonomy and including the 10 IATSE locals will be eligible to become members was formed here today.

The purpose of the conference, according to its constitution, is "to unite for maximum purposes the advantages of the autonomy and democracy method" and "to advance through joint action and action the economic and cultural status of motion picture unions and its members."

The constitution also provides that all unions belonging to the reference must respect the pickets established by other member locals in the event of a strike under the jurisdiction. Each local will have three representatives on the conference board. Moving Picture Painters, above other bodies, is the only organization approved by the council and constitution of the reference.

This is the third attempt since 1932 for an inter-union organization by Hollywood locals.

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**Chicago Exhibitor Files Trust Action**

CHICAGO, Nov. 3.—Thomas A. Murray, former owner of the Thalia here, has filed an antitrust suit against distribution and theatre companies for $1,000,000 damages in the U. S. District court here.

The action charges that the defendants conspired over a period of years to prevent the booking of first-run films from the Thalia in New York to suit that the house eventually was forced to close. The action alleges that the competing Milo Theatre was given all the advantages formerly enjoyed by the Thalia.


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**Londoners Attend Films on Sundays**

London, Nov. 3.—More people in London go to the films on Sunday than did before the war, according to the findings of the London County Council, which used the figure to answer exhibitor requests that the Sunday film tax be lowered.

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**5-Blocks Topic at Texas Allied Meet**

DALLAS, Nov. 3.—The block-of-five selling procedure under the consent decree will be the chief subject of discussion at the annual convention of Allied Theatres of Texas, which will be held at the Adolphus Hotel here tomorrow and Wednesday.

Col. H. A. Cole, president of the unit and also president of national Allied, will preside at the meeting. Cole declared here today that he believes the five-block sales method is unpopular with exhibitors, but prefers to give it a six-months' trial before expressing an opinion.

The convention also is expected to hold a discussion of the theatre operating overhead in relation to film costs to the exhibitor. The consent decree and arbitration also are expected to come up for discussion.

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**MacEwan Now Producer**

Hollywood, Nov. 3.—Walter MacEwan, assistant to Hal R. Wallis, executive producer at Warners, has been named associate producer, with Paul Nathan, formerly MacEwan's assistant, becoming aide to Wallis.**
Ten New Films Finished; 39 Now in Work

Hollywood, Nov. 3.—Thirty-nine pictures were before the cameras this week, as 10 were finished and 29 started. Thirty are being prepared, and 79 are being edited.

The tally by studio:
Columbia
Finished: "The Lady is Willing."
Started: "The Redhead's Trail," "Ellery Queen No. 5."
M-G-M
Finished: "Johnny Eager," "Woman of the Year."
In Work: "Joe Smith, American," "China Caravan," "Born to Sing," "Mr. and Mrs. North," "I Married an Angel," "We Were Dancing."
Monogram
Finished: "Borrowed Hero."
Paramount
In Work: "Dr. Jekyll and Mr. Hyde," "The Fleet's In," "The Girl Has Plans" (formerly "The Lady Has Plans.").
"This Gun for Hire,"
"True Confessions.
RKO
Started: "The Magnificent Ambersons."
Republic
In Work: "Red River Valley," "Kid for a Night," "Mr. District Attorney," "In the Carter Case."
Started: "West of Cimarron."

Small
Finished: "Ten Beds."
In Work: "Hellotrope Harry."

20th Century-Fox
Finished: "Remember the Day."

Universal
Finished: "Keep 'Em Flying."
Road Agent.
In Work: "The Panama Kid."
Started: "Destiny," "Frisco Lil."

Warner
Finished: "Wild Bill Hickok Rides."
In Work: "Casablanca" and "Old Lace," "Juke Girl," "Always in My Heart."

Vacate Flynn Suit Writ
X. Y. Supreme Court Justice Julius Miller has vacated a lease of attachment obtained against Constance de la Mora in connection with the $1,000,000 libel suit brought against her, Harcourt Brace & Co., Inc., and Quinn & Boden Co., Inc., by Errol Flynn, actor. Flynn is seeking $1,000,000 damages, claiming that de la Mora's book, "In Place of Splendor," stated that Flynn had gone to Spain during the civil war as a publicity stunt.

Riskin Joins M-G-M
Hollywood, Nov. 3.—Everett Riskin, who resigned recently as an associate producer at Columbia, has joined M-G-M as producer. His first assignment will be "Merrily We Roll Along."

Reviews

"Obliging Young Lady"

(RKO)

Hollywood, Nov. 3.

TINY Joan Carroll, as a poor little rich girl fond of putting tactics on chairs for people to sit on, pushing flower pots off window sills and complicating the lives of her adult associates generally, supplies a majority of the numerous laughs generated by this comedy of manners, with the picture fitting in no single category on contemporary product but has a kinship with those early and highly profitable coarse-vein stories in which Shirley Temple rose to an all-time peak of box-office magnetism.

Adults who surround Miss Carroll in the picture, not explicitly as support but also as entertainers involved in various complications of their own, such as the young Mr. and Mrs. Smith, contain Robert Smith, Frankfin Pangborn, Marjorie Gateson, John Miljan, George Cleveland, Louis Allbini, Jcl Prouty and many more.

The script casts Miss Carroll as a child of rich parents in process of divorce who compete for her custody. Miss Warrick is seen as a lawyer's secretary who spirits the child away to a mountain resort and is followed by an amorous reporter who poses as the child's father until the reconciliation of the parents is achieved. The others in the cast play a variety of comedy character roles which piece out the humor.

Production by Howard Benedict and direction by Richard Wallace is for laughs throughout and, on the basis of a preview, they appeared fairly successful.

Running time, 78 minutes. "G."*

Roscoe Williams

"Miss Polly"

(Roach-U.A.)

Hollywood, Nov. 3.

FOURTH in the Hal Roach series of short length features made expressly for supporting programs on double bills, "Miss Polly" is 44 minutes of riotous fun, primarily by such veterans as Zasu Pitts, Slim Summerville, and Kathryn Beaumont. Miss Pitts, by Brenda Forbes, Elsey Knox, Dick Clayton, Dink Trout and others.

The standouts are Miss Pitts, as the small town spinster who gets ideas of emanagéting the youngsters of the town from the prudish reign of the Civic League, and Summerville, as her gardener who specializes in creating devices that work, and Fred Guiol's direction makes the most of the opportunities afforded by the script, which leads to a clambering climax. There is no smooth finish, which may be the subject of patrons' comments. The content, otherwise, is adeptly handled.

The story has the spinster, striving to aid the elopement of the daughter of the town's civic leader, finding inspiration for the deed in a bottle of old wine.

Running time, 44 minutes. "G."*

Vance King

District Heads of Para. Meet Nov. 21

Barney Balaban, Paramount president, will head the organization of district office executives who will attend the meeting of the company's district managers at the Drake Hotel, Chicago, Nov. 21 and 22. Neil Agueglos, vice-president and general sales manager, will preside.

The company will hold the first trade screening of "Louisiana Purchase" at the Esquire Theatre, Chicago, Nov. 21, in conjunction with the meeting. It will be traded shrewdly in all other exchange cities a week later.

Pressburger Here To Prepare New Film

Arnold Pressburger's next production for United Artists release will be "Vitamin for Love," he said on his arrival from the Coast yesterday. The picture will be directed by Frederick Kohner and Joe May, will be directed by Joseph von Sternberg and is expected to start in February. He is here to work on preparations for the new film.

Short Subject Reviews

"The Tell-Tale Heart" (M-G-M)

REMINISCENT of the films in its pace of speech in Letterman's action largely speaking, "The Tell-Tale Heart" is a fluent kind of short. In point of color, direction and acting, the new one is likely to be more impressive than the original.


"The Candy Kid" (Stranger Than Fiction. Universal)

M-G-M's "The Candy Kid" exceeds the average of series in interest. The lead sub is an Evanston, Ill., girl who is off tender for a candy company. One character, after hiring a bit of candy, an attractive girl and an ex-mob man, are intricate rather than rewarding. Running time, 20 mins. Release, Oct. 27, 1941.

"Man's Best Friend" (Walter Lantz Carture. Universal)

This is a highly humorous cartoon lacking sparkle. It concerns Snoo, a hunting dog, his master, and a hound, whom are almost exhausted after day's expedition, but only the man is so deep in sleep as to be left undisturbed throughout the night. Running time, 7 mins. Release, Oct. 41.

"Water Sports" (Sports Parade. Warners)

This has a spot of burlesque provided by comic dumb bell Lew Lewis. The picture is an assortment of aquatic demonstrations by more graceful performers. We see and suri board riding, but also are a part of the subtlety. Running time, 10 mins. Release, Nov. 1, 1941.

"Carioca Serenades" (Melody Master. Warners)

This is one of the more enjoyable musicals dealing in La Conga, D. Rego, accompanied by Humble Herrera and hand, handles some to Latin numbers in a wholly gaging manner and sometimes give it an authentic atmosphere. Choice short. Running time, mins. Release, Oct. 25, 1941.
FAME

SCREEN
CONCERT
RADIO

EIGHTH ANNUAL EDITION
NOW IN PREPARATION BY
THE WORLDWIDE STAFF OF
QUIGLEY PUBLICATIONS
EDITED BY TERRY RAMSAYE

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER, NEW YORK
**FCC Not to Delay Chain Regulations**

Washington, Nov. 3. — The Federal Communications Commission is not expected to announce the effective date of its recently issued rules and regulations affecting chain broadcasting, Chairman James L. Fly said today.

The new rules, which become effective on Nov. 15, he said will go into effect as ordered without court action taken by any of the chains.

At the same time Fly revealed that the communication intended to complete all phases of its television studies so that the industry could "go full speed ahead," after the present experimental period is over. The television industry, he said, should be in an excellent position to step in and take up the unemployable slack which will set in during the post war period.

"We want television on the basis of best possible," he said, "when the time comes for it to be properly marketed."

The chairman said that he had been encouraged by the prospects shown from his Board in meeting its various problems, and indicated that the industry had been more than helpful in cooperating with Government officials.

2 Venezuela Units Join CBS Network Two stations in Maracaibo, Venezuela, have joined the CBS Latin American Network, it was announced yesterday. The total of such affiliates is now 74. The stations are YV1RG, on 1,350 k.c. with 250 watts, and YVIRA, on 4,750 k.c. with 250 watts. Both stations plan to start operations on 1,000 watts as soon as construction and engineering work now under way are completed.

**Pa. Trust Suit Set For Hearing Nov. 17**

Philadelphia, Nov. 3. — The anti-trust suit of Henry Sork and Harry Block, operators of the Rio Theatres under the name of Sorkhaven, has been listed for hearing in U. S. District Court here on Nov. 17. The suit, originally filed on the theory of conspiracy, was dismissed by the trial court and now is directed against the major distributors and the Warner and Comerford theatre circuits.

**Typesetters Strike At Filmmack Trailer**

Chicago, Nov. 3. — Attempts to unionize typesetters at the Filmmack trailer offices here resulted in a strike of nine employees today. Picketing is in progress.

The workers are members of Chicago Typographical Union, No. 16, and independent union which is asking wage increases from $32 to $57 weekly on a sliding scale over two years.

**Appeal Patent Verdict**

Cincinnati, Nov. 3. — The Hazelton Corp., Jersey City, has filed an appeal in the Sixth U. S. Circuit Court of Appeals here from the decree of U. S. District Judge John H. Druffel, who on Aug. 8 last held that the Crossley Corp., had not infringed either of two patents of the plaintiff company.

**Stock Participate Extended by Mutu**

Stock ownership in Mutual, which has been extended, it was announced by W. E. Macfarlane, president, to add service to the small companies, bringing their participation equal of the three original stockholders.

Six whose stock holdings increased includes: Baltimore Radio Show, Inc., WFBF, Baltimore; cincinnati Times Star Co., WKRC, Cincinnati; along with work of Pennsylvania; New York Broadcasting Co., Inc., WIP, Philadelphia; UHF Radio Ass'n, WHK-WCFF, Cleveland, and WHKK, Column O., and WCAE, Inc., WCAE, Pittsburgh. The three original stockholders are Bankers Savings Trust Corp., Inc., WOR; Don Lee Broadcasting System of California, and WOR.

The latest move further extend stock participation move initiated Mutual in September, 1940.

**Dale Named NBC Information Head**

Albert E. Dale, former poll writer and opinion editor, has been named director of the NBC department of information yesterday. Dale is replaced by Kenneth Trammell, president, and it was planned that Frank E. Mason will come as vice-president on leave charge to deal more actively in U. S. Navy radio publicity.

After serving various New papers as legislative correspondent and political reporter, Dale joined Hearst organization in 1929 and served as editor of Detroit Times, Wdgo, American Broadcasting Telecasting Chicago Evening American. In 1931 Dale was Sunday- editor and managing editor of the Milwaukee Times and was in 1940 became director of public relations for the Greater N York Fund.

**Torres Begins New Infringement Suit**

Hollywood, Nov. 3. — Miguel Torres, lawyer-producer, is another $1,000,000 Federal Copyright infringement suit now before Judge Charles W. Koerner, Jerry Turner and S. Barret McCormick is scheduled to arrive here tomorrow by train.

**Crosley 9-Month Profit Is $980,368**

Cincinnati, Nov. 3. — The Crosley Corp., operating WLS, WSAI and independent short wave station WILW, and manufacturing radar receiving sets and other electrical appliances, reported a net profit of $980,368 for the first nine months of this year, ending Sept. 30, after a charge of $300,000 in normal Federal income tax, which was added with a net loss of $500,910 for the like period of 1940.

Net profit for three months of this year, ending Sept. 30, was $811,733.

**Krasna Play Opens At Belasco Tonight**

"The Man With Blond Hair," a melodrama by Norman Krasna, opens tonight at the Belasco with Eleanor Lynne, Rex Williams, Kenneth T. Conway, Alfred Ryder, Cole Rustin, Robert Williams and others in the cast. Frank Ross is producer of the play, which Krasna staged.

**Legion Approves 15 of 18 New Films**

The National Legion of Decency has approved 15 of 18 new films, classifying seven as unobjectionable for general audience, the night is unobjectionable for adults. The remaining three were found objectionable in part. The pictures and their classification follow:


**Carolina Meet Is Delayed to Jan. 18**

Charlottesville, N. C., Nov. 3.— The Theatre Owners of North and South Carolina requested a delay of the convention from Dec. 7 and 8 to Jan. 18-19, according to Mrs. Walter Graham, property secretary. Mrs. Griffith said the dates were changed because of conflict with other meetings in December.

**Thomson Resigns Film Society Post**

Hollywood, Nov. 3. — Kenneth Thomson has resigned as executive secretary of the Motion Picture Society for the Americas, to be effective as soon as a successor is selected. Thomson declared he is withdrawing in order to devote all his time to his present position as executive secretary of the Screen Actors Guild.

**RKO Group Delayed; Due on Coast Today**

Hollywood, Nov. 3. — Its plane grounded by inclement weather at Cheyenne, Wyo., the RKO executive group has been delayed. According to reports, Charles W. Koerner, Jerry Turner and S. Barret McCormick is scheduled to arrive here tomorrow by train.

**Increases FM Power**

Milwaukee, Nov. 3. — The FCC has authorized W55M, the Milwaukee ABC-FM station, to increase its power from 1,000 to 3,000 watts. The station will remain on three kilowatts until its new 50,000-watt transmitter at Richfield, Wis., is completed.
British K.R.S. Vote Against Flat Rent Ban

The Motion Picture Daily

NEW YORK, U.S.A., WEDNESDAY, NOVEMBER 5, 1941

TEN CENTS

First in Film and Radio News Brief

Accurate and Impartial

Complaint Filed by N.J. Theatre Local Board's 27th Case

The New York arbitration board's 27th complaint was filed yesterday by Strand Theatre Operating Co., Plainfield, N. J., against all five consenting companies. The complaint names the Paramount, Loew's, and Pantages and Proctor's Palace, all in Newark, as interested parties and asserts that the 14 days' clearance which they are given over the Strand, in Plainfield, is unreasonable. The complainant asks an award either eliminating the existing clearance or reducing it to one day after the Newark first run.

Sets New Clearance In Award at Dallas

Dallas, Nov. 4 - S. J. Hay, arbitrator, ruled in a decision handed down at the local arbitration board, that a new clearance of one week will be granted to the clearances not already approved.

Examine Coston as Bioff Trial Resumes

James E. Coston, Warner zone manager in Chicago, who testified that William Bioff demanded payments from Chicago theatre operators after the death of Tom Malby in 1935, will face cross-examination by defense counsel when the trial of Bioff and George E. Brownie is resumed in Federal Court this week.

The time consumed by the Government in rebuttal evidence will depend, in large measure, on the length of the cross-examination. In courtroom circles, it was said that there is a possibility of the evidence being completed this week.

U' Sales Meet in Chicago Saturday

New York, Nov. 14

William A. Scully, vice-president and general sales manager of Universal, has called a special sales meeting of the company's Western district and branch managers for the Blackstone Hotel, Chicago, Saturday and Sunday.

A similar meeting for the Eastern forces will be held here Nov. 14-16. Scully said the meetings are to acquaint the sales force with the results of the motion picture and properties acquired since the program was originally announced earlier in the year.

Metro's Exhibitor Forum In Columbus on Nov. 25

M-G-M will hold its first exhibitor forum at the Decker-Wallick Hotel, Columbus, O., Nov. 25, immediately preceding the annual convention of the ITO of Ohio, which opens the following day at the same hotel.

The invitations are going out to all exhibitors in the Indianapolis, Cleveland and Cincinnati territories. The purpose of the meeting is to discuss ways of increasing theatre patronage.

The meeting will feature William A. Green, Postmaster General of the United States, speaking on the subject of "Theatre Management." Also speaking will be John W. Bricker of Ohio, and other members of the Publicity Committee of the ITO of Ohio, who will discuss various phases of theatre management.

Metro exploitation manager, Will F. Tarr, will talk on "Exhibition Ideas That Work," while members of his staff will display the company's exhibition aids.

Exhibitor speakers scheduled to lead the planned round-table discussion will be Edward R. DeGrazia, of the Universal News Bureau; R. H. P. Wolfberg, district manager of the William Fox Theatres; and S. H. Schenker, district manager of the William Fox Theatres.

The Government anticipates the setting of a trial date for the Schine suit for early January in U. S. District court at Buffalo.

Paramount Names Third Block of Five

Neil Agnew, Paramount sales head, yesterday announced the company's third block of five films for the new season. Screenings will take place at the exchanges on Dec. 4 and 5.

The films include: "Bahama Passages," "Mr. Bug Goes to Town," "Pleisfer cartoon feature: "Sullivan's Travels," "No Hands on the Clock" and "Midnight Angel."
New Coward Play
Will Open Tonight

Noel Coward's latest play, "Blithe Spirit," opens tonight at the Morosco. The "improbable farce," as it is described, has Clifton Webb, Peggy Wood, Leonora and Mildred Natwick in the created roles. John C. Wilson produced and staged the show.

Copyright Suit Is Filed in Milwaukee

MILWAUKEE, Nov. 4.—Loew's, Inc., has filed suit in Federal District Court here, charging the Pol-Shil Theatre Corp., with copyright violation in showing "Art Gallery" at the Ogden Theatre without authorization. The plaintiff seeks an order restraining the theatre from further alleged copyright violations and an award of not less than $250 damages.

Form Theatre Firm

SACRAMENTO, Nov. 4.—James E. Bednar of Los Angeles and Louise Hightower, James E. Ludlam, Clayton Strand and Harold H. Straight, all of Santa Barbara, have incorporated the State Theatre of Santa Barbara.

Plays Ottawa Stage Unit

OTTAWA, Nov. 4.—Judson Bernhard, representative here of Paramount News, is putting under contract Boyd Hills' 18-piece orchestra, a choir of girls, a trio and a feminine vocalist, which he plans for a stage unit to play theatres in the Ottawa district.

The Continental
Lv. 5:05 pm. Thru Mainliner sleeper to Los Angeles.

No change of planes.
Fly the cool, scenic Main Line Airway.

Waxman Appeals

PHILADELPHIA, Nov. 4.—Harry I. Waxman, Atlantic City exhibitor, today filed an appeal in the U. S. Circuit Court in the suit to enjoin his unlicensed trust suit against Columbia, Warner Theatres and Weilland Lewis Circuit. The appeal is on the motion for an injunction denied by Federal Judge Guy K. Bard in the U. S. District Court last September. The action involves relocation and police control of movie product in Atlantic City. Waxman's theatres are the Hollywood and Astor there.

Seeks 306 Nomination

Herman Gelber, recording secretary of Local 306 for more than six years, is a candidate for the nomination as president of the operators' union, opposing Joseph D. Bason.

Personal Mention

JAMES MULVEY, vice-president and Eastern representative of Samuel Goldwyn, Inc., is expected to leave Doctors Hospital at the end of the week after an appendicitis operation.

LIEUT. JOHN SIDNEY MEAKIN, son of Harrie Meakin, manager of the RKO Keith in Washington, has been transferred to Arlington Command as assistant provost marshal of the Washington Provisional Brigade.

HOWARD DIETZ left the Coast last night for the M-G-M home office.

ARTHUR A. LEE will leave for Toronto today.

Wisconsin Meeting

Hears Plea for Unity

MILWAUKEE, Nov. 4.—Discussions from floor on industry's priorities, the consent decree and the Federal defense tax occupied the major portion of the opening session of the annual meeting of Wisconsin motion picture owners at the Michigan convention today at the Hotel Schroeder.

A call for unity was sounded by J. E. Flynn, Chicago, district manager of M-G-M, who declared: "One of the fascinating things about our business is that it changes so rapidly and it is certainly apparent many changes are taking place in the business today—changes I cannot help but believe are for the better of industry overall. Certainly the attacks from the outside, as witness the smear campaign recently in Washington, have had a tendency to drive all elements of the industry closer together."

"Thus there is much talk these days of unifying the industry. Strong personal feelings are driving toward a common objective."

Discussion leaders included F. J. McWilliams, A. C. Berkelholz, President William L. Aimworth, and Secretary Harry Perlevert.

The convention will conclude tomorrow with the election of officers. S. S. Brody, general sales manager of Monogram, also addressed today's session.

Newsreel Parade

APRIL'S disaster, President Roosevelt urged counter-circulation defense effort, and the Army's seizure of the Bendix, N. J., aircraft plant prompts major new initiatives. The Army-Navy Dame game stands out among the football games covered. The midweek reels and their coming fashions are also covered.


Joins Trans-Lux Board

Herbert Schettel, president of Tele-news Theatres Inc., newsreel theatre circuit in the Midwest and on the Coast, has been elected to the board of directors of Trans-Lux Corp. Schettel is a member of the N. Y. Stock Exchange.

Associates Meet Today

The Motion Picture Associates will hold a luncheon meeting at the Hotel Lincoln today, to complete plans for the annual dance on Nov. 19. Joseph J. Lee, president, will preside.

Canada Circuit Pays Dividend of 40 Cents

MONTREAL, Nov. 4.—United Amusement Corp., Ltd., which owns or has an interest in five theatres in Canada and Quebec Province, has declared a dividend of 40 cents per share, payable Nov. 29 to stockholders of record Nov. 15. The last dividend was in May, 1939, when 30 cents per share was paid. Outstanding shares number 67,708.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)
Published daily except Saturday, Sunday and holidays by Motion Picture Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Circulation 7,1050. Cable address, "Ogilvino, New York." Martin Ogilvy, Executive Publisher; Calvin Brown, Vice-President and General Manager; John F. Proctor, Vice-President; Sam Shain, Editor; Alfred L. Finninger, Managing Editor; James A. Cross, Advertising Manager; Charles Burela, South, South Michigan Avenue, C. B. O'Neill, Hollywood President; Union. Life Building, William R. Weaver, Editor; William H. Meakin, Western Office. 14 Golden Square, London W, Ho. William Ogilvy, London." All content copyrighted 1941 by Ogilvino, Inc. Published in New York, Other Ogilvy publications: Motion Picture Daily, Motion Picture News, Motion Picture Exhibitor, Motion Picture Almanac and Fact. Exhibit砂ia, Motion Picture News is published at the post office at New York, N. Y., under the act of March 3, 1879. Subscription price, $3.00 a year. Single copies 10c.

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William POWELL • Myrna LOY
"SHADOW OF THE THIN MAN"

a picnic for your public—
a banquet for your box-office!
Estimate ‘U’ Net for Year
At $4,000,000

(Continued from page 1)
the 12-month period just ended indicates earnings of $1,250,000 before Federal taxes. For the four quarters, Universal reported a net of $2,751,000 for the first three quarters of the last fiscal year.

The company has included in its earnings statements its blocked sterling in Great Britain at prevailing rates of exchange as well as the recent receipt of 25 per cent of Universal’s blocked sterling under the trade’s new monetary agreement with the British Treasury, applicable to the report for the last fiscal year, will not affect the annual statement in any way.

Foy Joins Hanson
Canadian Company

TORONTO, Nov. 4.—James C. Foy has resigned as general manager of Sovereign Film Distributors, Ltd., to join the new film company of Oscar R. Hanson, who was previously the head of Sovereign, Empire-Universal Films, Sterling Films and other companies controlled by N. L. Nathanson. A previous resignation from Sovereign was that of George Oulahan, Ontario branch manager, who has joined Hanson. Dewey McCourt and Keith Wilson, theatre managers of Famous Players Canadian Corp., have resigned as well, to team with Hanson’s Pioneer Films, Ltd., and Foto-Nite Film Distributors, Ltd.

KRS Opposed to Flat Rentals Ban

(Continued from page 3)
general of the council Film Section. The KRS objected to Kimberly’s appointment, on which they were not consulted, and pointed out that the theatre representatives are already active on an existing committee, and that while they are willing to cooperate in upholding standards, they need the Council to take the lead in further action. The Cinematograph Exhibitors Association has accepted the invitation to appoint members to serve on Kimberly’s committee.

Profit Drive Started
By Famous Players

TORONTO, Nov. 4.—Famous Players Canadian Corp. has launched a business drive, running from Nov. 3 to the end of the year, for theatre staff unit managers and home office workers, with Canadian Government bonds as prizes. The drive will help, J. J. Fitzgibbon, president of the circuit. Based on profits, the competition will be among the five divisions into which the theatres have been divided.

Shifts Weekend Prices

CHICAGO, Nov. 4.—The Studio The- atre in the downtown district has ad- justed weekend admission prices. Sunday will now be 35 cents, until 2 P.M.; 40 cents until 6:30 P.M.; and 50 cents thereafter, are now 40 cents until 2 P.M. and 50 cents thereafter, all plus tax.

Complaint Filed by
N.J. Theatre Local
Board’s 27th Case

(Continued from page 1)
that the clearing of the Boulevard, to 120 days in favor of the Glenn and Strand, Overton, Texas, over the Overton Theatre is unreasonable and that the maximum clearance is 14 days.

The theatre had asked an award providing it to pay day and date with the Glenn and Strand. A complaint named Loew’s, RKO, Century-Fox and Vitagraph.

Boston Arbitrator
Reduces Clearance

BOSTON, Nov. 4.—The 28-day clear- ance of the Strand and Ahlambra, Quincy, Mass., over the Weymouth Theatre, Weymouth, was reduced to 21 days in an arbitration award handed down at the local board. In- volved in the complaint were Loew’s, Paramount, 20th Century-Fox and RKO.

Complaint Dismissed
By Board in Atlanta

ATLANTA, Nov. 4.—The clearance complaint of the Parkway Theatre, Miami, operated by Aaron H. Cour- ter, was dismissed by the local board. The complaint was handled by Harold T. Patterson, arbitrator, at the local arbitration board.

Patterson ruled that the existing clearance of the Lyceum-Paramount, which the Parkway is not unreasonable and assessed costs of the case against the complainant. Para- mount, Loew’s and Vitagraph were named in the complaint. Courson’s Parkway has a second complaint pend- ing here against 14 Wometco theatres in Miami and 20th Century-Fox, also on clearance.

Hearing Starts Today
On Baltimore Complaint

WASHINGTON, Nov. 4.—An arbitra- tion hearing will open here tomorrow on the complaint of the Linden The- atre Co., Baltimore, against Metro- Theatres, Inc., and Grand Co., Balti- more, and Paramount, RKO and Vита- graph. The complaint is on clearance and is being handled by Harold T. Hayes and Robert R. Sher, formerly associated with the Department of Justice in the drafting of the consent decree.

Consolidated Film
Profit Is $280,758

Consolidated Film Industries, Inc., has reported net profit of $280,758 after taxes for the quarter ended Sept. 30, last, equal to 52 cents per share on $2 preferred stock. For the nine months ended Sept. 30, the profit was $587,876, equal to 1.47 per share. In the first quarter of 1940 the net income was $163,497, or 41 cents per preferred share, and in the nine- month period last year the profit was $290,335, or 71 cents preferred share.

Building Indiana Theatre

HUNTINGTN, Ind., Nov. 4.—A new theatre is being built here for T. R. Murphy, railroad man.

There’s Gold —
Sutter Creek, Calif., Nov. 4.
INCREASED activity in the gold mines of this vicinity brought an appeal from Tam Pierson that he will re-open the Sutter The- atre. Performances opened on Sunday, Tuesday and Fri- day. Pierson also operates the Amador Theatre in Sutter Creek.

‘U’ Sales meet in
Chicago Saturday

(Continued from page 1)
McCarthy, B. B. Kreisler, J. J. Jor- don and F. T. Murray. The group left for Chicago Friday night by train.

In attendance also will be:
District Manager J. E. Garrison and branch managers Lou Levy, Des Moines, and Jack Lang, Chicago; W. H. Sherman, Omaha, and Harry Hynes, St. Louis.

District Manager A. J. O’Keefe and branch managers Karl Milliken, Denver; C. J. Feldman, Los Angeles; R. O. Wilson, Portland; Lon Hoss, San Francisco; and George Smillie, Los Angeles.

District Manager P. J. Rosian and branch managers Harry Young, Cin- cinnati; E. R. Osinski, Dallas; L. J. McInerney, Indianapolis; J. H. Hobbs, Oklahoma City, and Jack Baman, spe- cial representative out of Cincinnati.

Disband Manager M. L. Gottlieb and branch managers George Boren, Chicago; Frank Manitzke, Milwaukee; Edward Heber, Detroit, and L. J. Miller, Minneapolis.

Name Three Officers
Of Ruthrauff & Ryan

Frederick C. Brunns, Herschel V. Williams and S. Heagan Bayles have been named vice-presidents of Ruth- rauff & Ryan, Inc., advertising agency, by Frederick B. Ryan, president. Brunns, coming from the Federal Advertising Agency, joined the company as account executive in 1938. Bayles supervises the agency’s radio, television and Canadian radio work, joining the company in 1937, and Bayles is a assistant director of the radio depart- ment, and has been with the agency since 1931.

3 Join Red Cross
Film Service Staff

Lou Guimond, formerly with United Artists; Homer Ellison, formerly with RKO Photophone, and Fred Kent- bury, formerly with Paramount, have joined the staff of the American Red Cross to handle its hospital film serv- ice under the direction of Hampton W. Howard. The service provides film entertainment in all Army hos- pitals throughout the country, and will be in charge in the East, the Midwest and the Coast, including Alaska.

Reopen Berkeley Theatre

BERKELEY, Calif., Nov. 4.—Under the direction of Arch Bowles, north- ern California manager of Fox-West Coast, the 1,250-seat Campus has been reopened as the Four Star Campus.

Sale of Loew’s
By Rubin Reported
In SEC Summary

WASHINGTON, Nov. 4.—Disposi- tion of 3,300 shares of Loew’s, Inc., common stock by A. S. Rubin, vice- president, was reported today by the Securities and Exchange Commis- sion in its weekly report of the September transactions of corporate officers and directors in the stocks of their companies. At the close of the year, Rubin still held 14,415 shares of stock.

The SEC summary also carried a belated report on Monogram Picture, showing that in June the Federal National Corp., disposed of its Mon-ogram interest of 65,867 shares of com mon and 6,017 options for common the latter being canceled.

Atlas Gets RKO Shares

A report on Paramount Picture showed the sale of 10,000 345 per cent convertible debentures by the Manu facturers Trust Co., New York, re- ducing its holdings to 3,192,800.

In Radio Keith Orpheum, the At- lantic, Jersey City, acquired 1,400 shares of Loew’s, Inc., bringing its por- tfolio to 823,423 shares held direct and 268,330 shares held through American, reducing its holdings to 1,205,675 shares.

A report on Columbia Broadcasting System showed that H. Bayard Soper disposed of his 500 Class A common stock held through the Ke- waydin Corporation, and Leon Levy Philadelphia, disposed of 516 and 518 of Class B common stock by gift, re- ducing his holdings to 40,844 shares.

Grierson to Speak
At Review Meeting

John Grierson, Film Commissions of Canada, will speak at the National Board of Review conference, scheduled for the Hotel Pennsylvania here Nov. 13-15. His topic will be “The Cooperation of the Film Industry with the Government Under War Conditions.”

Takes Radio Time

SAN FRANCISCO, Nov. 4.—Herbert Rosener, owner of the Clay and Law- ruka, showing foreign films exclu- sively, has taken a 26-week contract with KFYA for a Sunday night musi- cal and variety program to advertise his theatre programs.

Form Reel Theatre Firm

SACRAMENTO, Nov. 4.—Southern California Newsreel Theatres, Inc., has been formed by Sacramento, by five San Famianos—Fred Her- rington, Martin Dinkelspiel, F. R. Rogers, Jean Church and Margarete Gaffney.
Business is great, thank you. The Friendly Company set out to make the new season a memorable one. The results speak for themselves. We’re particularly proud of ‘Smilin’ Through.’ America adores this love story. How exquisitely it has been told now with Technicolor. And Music! Jeanette MacDonald sings as never before! It is a production that registers with your patrons. And with your box-office. M-G-M is currently topping its all-time high with one glorious entertainment after another. And future releases completed and previewed, in California, assure you that the best is yet to come. When you wear the mantle of Leo, you’re covered with glory and
Notes from Hollywood

Hollywood, Nov. 4

WILLIAM HAWKS has gone to Mexico to supervise work on a location unit shooting a 400-year-old religious epic. There he will produce for RKO...go into 20th Century-Fox’s "You Can’t Always Tell." ...JUDY CAN-DAH’s next picture at Republic will be "Miss Jesse James," in which young Bill Shirley will get a featured role. J. CARROL NAISH and ROSE HUBER are set for 20th-Cen-
tury-Fox’s "A Gentleman at Heart." ...FRANK CRAYSON has one of the leads in Warner’s "In This Our Life," starring Bette Davis, Olivia de HAVILLAND, GEORGE BRENT and DENIS MORGAN. ...MARTHA O’DRIS-
OLL has the feminine lead in "Out of the Frying Pan," ROBERT BENCHLEY vehicle at Paramount.

Jane Wyman and Jack Carson will play romantic leads in Warn-
ers’ "The Night Before Christ-
mas," starring Edward G. Rob-
inson. ...CHARLIE CHAPLIN is
calling members of the "Saint"
clubs in this country and En-
gland to help promote the act-
to play "The Saint" role in the pic-
tures the author will produce.
...With Robert Kent and Vir-
ginia Mayo in the romantic leads, P. R. C.’s production of "Blonde Comet" got under way this week.

S. P. EAGLE, former European producer, has been made associate producer for Bobe MORELSEN in 20th Cen-
tury-Fox on "Tales of Manhattan," ...DOE AMICHE will be in 20th Cen-
tury-Fox’s "A Gun for Sale," oss. WILLES has started shooting on "The Magnificent Ambersons," at RKO-
Pathe. Not playing a role himself, WILLES is directing the cast of JOE COTTON, DOLORES COSTELO, TIM HOLT, ANNE BAXTER, AXEES MOREL-
SEN, RAY COLLINS, ERIEEN SAN-
FORD and RICHARD BENNETT.
...Paramount will shortly produce "The Glass Key, DASHIELL HAMMETT's big novel, written by MILTON MILLER. KEYES will play the lead. BILLY WILDER has discussed work on the script of "The Polonaise," which ARTHUR HORNBLOW, jr., will produce for Paramount.

‘Truth’ at $11,000
Kansas City Best

KANSAS CITY, Nov. 4—"Nothing But the Truth" is the biggest 
release of the week, with a strong $11,000 at the Newman.
"Weekend in Hawaii" took $3,500 at the Esquire and $5,000 at the Uptown. Estimated receipts for the week ending Oct. 28-30:

"Weekend in Hawaii" (20th-Fox) 
ORPHEUM—(1,000) (35c-44c) 7 days, Gross: $2,550. (Average, $371.43)

"New World" (L. A.) 
A YANK in the RAF" (20th-Fox) 
PARAMOUNT—(200) (35c-44c) 2 days, Gross: $1,500. (Average, $750)

"Last of the Mohicans" (Coll.) 
RIVERSIDE—(2,000) (40c-50c) 7 days, Stage: Gross: $5,000. (Average, $714.29)

"You’ll Never Get Rich" (Col.) 
BETHLEHEM—(200) (40c-50c) 6 days, Stage: Gross: $6,000. (Average, $1,000)

K.C. Theatre to Reopen

KANSAS CITY, Nov. 4.—The 2,500-
seat Mainstreet Theatre here will re-
open Thursday evening, with a stage show and a continuing run. It has been over taken by Main-
street Theatre, Inc., headed by Albert Schenberg, and WILL J. HARRIS will direct the stage show.

‘Truth’ Tallys Neat $6,500, New Haven

NEW HAVEN, Nov. 4.—Business is good in spite of the arrival of Kay Kyser and his band at the Arena, and a vaudeville show, at the Shubert on Sunday, “Nothing But the Truth” and "Flying Blind" at Paramount took $6,500. "You’ll Never Get Rich" and "Charlie Chan in Rio" grossed $8,900 at the Low-Poli. Estimated receipts for the week ending Oct. 30:

"A Yank in the R. A. F." (20th-Fox) 
COLLEGE—(1,499) (40c-50c) 7 days, Stage: Gross: $6,000. (Average, $857)

"You’ll Never Get Rich" (Col.) 
LOWE-POLI—(1,000) (40c-50c) 7 days, Stage: Gross: $800. (Average, $114)

"Flying Blind" (Para.) 
PARIS—(1,200) (40c-50c) 7 days, Stage: Gross: $800. (Average, $114)

"International Squadron" (W. B.) 
ROGER SHERRY—(2,000) (40c-50c) 7 days, Gross: $2,500. (Average, $357)

Orders SAG to Court

LOS ANGELES, Nov. 4.—Federal Judge Leon Yankwich has ordered the Screen Actors Guild to show cause why it cannot be restrained from disciplining in any way Leo Morrison, talent agent. Morrison has filed suit for Court suit against Charles K. Feldman, also an agent for allegedly influencing John Wayne to leave Morrison for representation by Feldman.
Showmanship Flashes

**Three CBC Governors Receive New Terms**

Ontario, Nov. 4.--J. T. M. Thornton, minister of National War Services, has announced the reappointment for three-year terms of the three members of the Ontario Government. Reappointed are J. Wilfred Godfrey and the Rev. Canon W. E. Fuller, Bothwells, and Adrien Poutet of Quebec City. A vacancy on the board remains unfilled.

**Urge Television Aid by U.S. for Defense**

(Continued from page 1)

act as a central clearing house to help the industry perform the maximum accomplishment as a defense communication agency.

One of the aims of the committee would be to determine the recommendations on priorities for the industry, the allocation of its defense uses, it was declared.

Attending the meeting at Waters' hotel were: F. A. McDowell, Andrea Co.; Mortimer Loevi, DuMont Co.; Norman Kersta, NBC; Leonard Hole, CBS; D. W. May, General Electric Co.; and representatives of Paramount and WOR.

**Suspending in San Antonio**

San Antonio, Nov. 4.--The San Antonio theatre has reopened, with Richard Cornelson as manager.

**Showman's Flashes**

**Motion Picture Daily, Wednesday, November 5, 1930**

**Two Ask Approval for New Stations**

Washington, Nov. 4.--Applications for construction permits have been filed with the FCC by the Meadville Tribune Broadcasting Co., planning a 1,500-watt station at Meadville, Pa., and the Jacksville Broadcasting Corp., seeking a 2,500-watt station at Jacksonville, Fla.

Requests also were received from Stations WERC, Eric, Pa., for increase of night power from 100 to 250 watts; WMVA, Martinsville, Va., for increase of night power from 100 to 250 watts, and KOB, Albuquerque, N. M., for increase of night power of 25,000 to 50,000 watts.

The commission made public its cable calls for hearings on the following applications:

Nov. 10: Application of Station KGK, St. Louis, Mo., for change of frequency from 1,650 to 1,660 kilocycles and increase of power of 5,000 to 50,000 watts.

Nov. 12: Application of Station WTEL, Philadelphia, for change of frequency from 1,340 to 1,490 kilocycles and increase of power of 100 to 250 watts.

Nov. 13: Contesting applications for a 1,700-kilocycle, 100-watt station of WTRF, High Point, N. C., and Ralph L. Lewis, Greensboro, N. C.

**‘York’ Scores With $27,500, Baltimore**

Baltimore, Nov. 4.--Business maintained a substantial pace, following a strong weekend. “Sergeant York” tallied $27,500 at the Stanley. “All That Money Can Buy” plus a stage show cost $15,000 at the Regency. Estimated receipts for the week ending Oct. 30:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Receipts</th>
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<tr>
<td>Stanley</td>
<td>$27,500</td>
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<tr>
<td>Regency</td>
<td>$15,000</td>
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</tbody>
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**Raise Rates for NBC Blue Station**

Network rates for eight NBC Blue stations will be increased beginning Dec., it was announced yesterday by Edgar Kobak, vice-president in charge of Blue network sales, stations and changes in rates for the network during the balanced year (rates for other periods are increased in proportion).

Rates are as follows: WSYR, Syracuse, from 22 to 40; WGN, Chicago, from 38 to 40; WOR, Rochester, from 38 to 40; WTCN, Minneapolis and St. Paul from 18 to 22; WSGN, Birmingham, from 12c to 14c; WDIV, Detroit, from 35c to 40c; WCBS, New York, from $600 to $60; KEC, Kansas City, from 24 to 40; WENR-WLS, Chicago, from 270 to 750.

Five daytime power increases at 10 stations have been granted by network outlets since last April when its current rate card was issued. The increases authorize a 24 additional power increases, one frequency change and 20 equipment improvements for Red Network stations. Five stations have been added to Red since April. They are: KDKB, Pittsburgh; WBBL, Baltimore; WHAM, Rochester; S. C. WHB, Bluefield, W. Va.

**Truth Draws Big $137,000, Cincinnati**

Cincinnati, Nov. 4. — "Nothing But the Truth" will have a smash $137,000 week at the RKO Palace, and "Hit Parade" will gross $64,000. "Sergeant York" pulled $67,000 in its fifth week at the RKO Capitol, and "The Man of Property" grossed $103,000.

Estimated receipts for the week ending Oct. 29, 1930:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Receipts</th>
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<tr>
<td>RKO Palace</td>
<td>$64,000</td>
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<td>RKO Capitol</td>
<td>$103,000</td>
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<td>RKO Capitol</td>
<td>$67,000</td>
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<tr>
<td>The Man of Property</td>
<td>$103,000</td>
</tr>
</tbody>
</table>

**Suspending in San Antonio**

San Antonio, Nov. 4.--The San Antonio theatre has reopened, with Richard Cornelson as manager.

**Suspend Grombach**

Jean V. Grombach, independent radio program producer, yesterday announced the suspension of Grombach Productions, Inc., for the duration of the suspend. Grombach explained that he was called into service but that his connection with the service has now been permitted.
"HOW GREEN WAS MY VALLEY"

IT'S THAT LONG GREEN AT NEW YORK'S RIVOLI WORLD PREMIERE RUN!

FIRST WEEK-END'S BUSINESS IS BIGGEST OF A RECORD-BREAKING RIVOLI YEAR!
Ellery Queen and The Murder Ring is "TOPS FOR THE SERIES!"

"Series attains its peak! Rates with the best in its field!"
- M. P. DAILY

"Tops predecessors in series. Should please all classes of patronage!"
- SHOWMEN'S TRADE REVIEW

"Swell mystery-meller is best of series! Okay for any play date!"
- FILM DAILY

RAJLPH BELLAM as Ellery Queen with MARGARET LINDSAY as Nikki Porter in ELLERY QUEEN AND THE MURDER RING

RELEASED Nov. 18th
Cole Scores
Rental Terms
As Excessive
leads Texas Allied for His 19th Term

DALLAS, Nov. 5.—The high film feuds demanded on a percentage basis have made profitable operation of the small-town and subsequent run theater virtually impossible, Col. H. A. Cole, president of Allied of Texas and national Allied, told members of the organization yesterday at the concluding day's session of the annual convention at the Adolphus Hotel.

The new system of selling in blocks—five as required under the terms of a consent decree has brought the industry a very serious problem in the operation of his house, Col. Cole declared.

Allied is interested in any plan that

(Continued on page 4)

Assoeiates Charity
Fund Total4 $1,000

Industry executives and members of the Motion Picture Associates have made personal donations totaling $1,000 to the MPA charity fund, it was announced yesterday by Joseph J. Sudee, president of the organization, at luncheon-meeting at the Hotel Lindbergh. Lee urged greater effort on the part of the membership in obtaining advertising contracts for the MPA newspaper, one of its chief sources of revenue, issued in conjunction with the annual dinner and dance Nov. 19.

Settlement Reached
In Detroit Compliant

DETROIT, Nov. 5.—The clearance complaint of the Gale Theatre, Galesburg, Mich., was dismissed today without prejudice as the partice to the complaint reached a settlement. Residents were Paramount, 20th Century-Fox, Loew's and Warners and Butterfield Kalamazoo theaters. The Booth Theatre case, scheduled before the local board tomorrow, has been adjourned to Dec. 2.

Wis. Court Affirms Bank Night Lottery
Milwaukee, Nov. 5.—The Wisconsin State Supreme Court has reaffirmed its decision holding Bank Night to be a lottery, in dismissing a suit for $1,007.50 brought by Allied Enterprises, Inc., Denver, against the Miners Amusement Corp., Rice Lake, Wis., for alleged failure to pay fees on the chance game.

Wis. ITPA Would Aid Minn. Allied
MILWAUKEE, Nov. 5.—The I. T. P. A. of Wisconsin and Upper Michigan convention today authorized the organization's board of directors to ascertain from officers and directors of Northwest Allied at Minneapolis whether the latter would like the Wisconsin organization to take in aiding them in their anti-consent decree activities.

The action is believed to have been the result of widespread reports in Wisconsin that some Minnesota theaters may be forced to close for lack of profit if the consent decree is not forthcoming soon. Only four major companies are selling in Minnesota because of the state's anti-block-of-five law, sponsored by Northwest Allied. The board was authorized to act in accordance with the response from Northwest Allied.

The convention reelected W. L. Ainsworth president; A. C. Gutenberg, vice-president; A. C. Berkholz, treasurer, and Harry Perlewitz, business manager. Marr Morgan was elected secretary succeeding Max Krota. The following directors were

(Continued on page 2)

Minn. Exhibitors Warned to Spread Cancellation Use
MINNEAPOLIS, Nov. 5—Minnesota exhibitors were warned today by Northwest Allied, sponsor of the Minnesota anti-block-of-five law, that this new season film deals which restrict the 20 per cent cancellation right to the lowest price bracket is "illegal" under the state law.

The organization said that such a restriction "obviously tended to defeat the legislative intent of the law," in that the statute was designed to protect the exhibitor from being forced to exhibit pictures injurious or disgusting to his business, and to the public from pictures "offensive on racial, religious or moral grounds."

The cancellations, it was pointed out, should be made proportionately among the several price brackets when the exhibitor has received notice of

(Continued on page 4)

KAO 39-Week Net Equall to $368,418

Keith Albee Orpheum Corp. and subsidiaries for the 39 weeks ended Oct. 31, last, has reported net profit after all charges of $368,418, which compares with net profit for the similar period of last year of $489,259.

Profit for the 1941 period before provision for depreciation and income taxes amounted to $1,021,245, compared with $1,487,760 in the 1940 period. Depreciation was given as $490,962 this year, and $510,597 last year, while income tax provision was set at $161,865 for the 1941 period and $148,910 last year. Federal income tax is based on a rate of 31 per cent this year compared to 24 per cent last year.

15 Pa. Towns Vote Down, 6 Approve Sunday Films
HARRISBURG, Nov. 5.—Partial returns from election districts throughout Pennsylvania available late today showed that proposals to legalize Sunday showings were: Ramsey, Clearfield, Green, Milford and Pike counties and Morgan Township.

The comparatively small number of communities voting on the issue at this election was attributed by Rev. William D. Forney, general secretary of the Lord's Day Alliance of Pennsylvania, to the fact that the number of petitions required to place the question on the ballot in any community was increased by the last legislature from five to 20 per cent of the highest number of votes cast in any candidate in the preceding election.

Browne-Bioff Case to Go to Jury Today

Summations Are Begun By Defense Attorneys

The Bioff-Browne extortion case in Federal Court is expected to go to the jury some time today. Attorney George Breslin, counsel for Bioff, summated the case yesterday for his client. Speaking for four hours, and today, Martin Conboy, counsel for George Browne, is expected to make his summation on behalf of the IATSE president.

"The truth has not been told," Breslin told the court as he scored Government witnesses for not "telling the whole truth."

After Conboy makes his appeal to the jury, U. S. Attorney Mathias Corrigan will make the prosecution's plea, to be followed by Judge John C. Knox's charge.

Breslin declared that there was a "deal" indicated by the evidence but contended that the jury had not received enough of the story to form an opinion beyond "the shadow of a doubt."

"We can't deny that Bioff got some money. That's before you," he said.

(Continued on page 2)

Ia.-Neb. Allied Will Convene Nov. 24-25
DES MOINES, Nov. 5.—The Allied-Independent Theatre Owners of Iowa and Nebraska will hold their annual meeting here Nov. 24-25. Subjects to be considered and acted upon are film rental terms, portable circuits, 16 mm. and free shows, possible increase of membership, elections of officers and directors and adoption of a legislative program. Leo F. Wollcott of Eldora, Iowa, is president of the association.

Wobber Leaving On Exchange Trip

Continuing his tour of 20th Century-Fox branches, Herman Wobber, general representative, leave here tomorrow for Pittsburgh, Indianapolis, Chicago and Milwaukee.

William C. Gehring, Central division manager, will join Wobber in Indianapolis on Sunday and will accompany him on the trip thereafter. Both are scheduled to return here Wednesday.
Browne-Bioff Case to Go to Jury Today

(Continued from page 1)

During his address to the jury Breslin stressed the fact that none of the witnesses for the plaintiff was com-
promised to the proper authorities, or
told the stockholders or directors about
the payments. He pointed out that Corring himself had started the prosecution.

"Who was it who brought the evi-
dence to the police? Who was it who asked, "Who was the informer?" None of the Government's witnesses brought the matter to the U.S. At-

torney.

Breslin, however, ignored Bioff's testimony except to state that his re-
lationship with Joseph M. Schenck indicated that the money was given voluntarily.

Breslin declared it "incredible" that Nicholas M. Schenck had never dis-
cussed it with his brother, Joseph M. Schenck, or with executives other than
Sidney P. Kent. Breslin accused the

Government witnesses of being "coached" by attorneys before taking the stand and said that they were too "dumb," to be subject to the type of

extortion charged. He declared that there would have been many oppor-
tunities to "coach" Breslin in the five years.

"I can't believe that Bioff, if he was in on an extortion deal, would be run-
ing in and out of offices like that,

making telephone calls which could be

listened to. I can't believe he was that
dumb," he said. The testimony ended unexpectedly

when court opened with the de-

fense waving waiving cross-examination of
James E. Coston, Warner zone man-
ger in Chicago. Joseph H. Mosko-

witz took the stand for a few minutes to state that Joseph M. Schenck had made a $20,000 loan to Murray Gar-

son, the plaintiff himself. On Nov. 4, 1937, Garson purchased $100,000 worth of 20th Century-Fox stock and Mosko-

witz, the balance, he testified. Sub-

sequently, Moskowitz said, Garson's stock was sold for $100,000 and Schenck received the proceeds.

Named "U" Club Head

PITTSBURGH, Nov. 5.—Francis J.

Guehl has been elected president of the

University Club here. Other offi-
cers are P. C. Quittner, secretary, and

Angelo Marino, treasurer.

BROADWAY PLAYS

"GRAND-SCALE SMASH HIT!"

Life Magazine

GERTRUDE LAWRENCE

In the Musical Play

"LADY IN THE PINK"

ALVIN, 52 St., W. of 8th—

Mail Orders Promptly Filled

"A GREAT SHOW!"—

Herald Tribune

50c, $1 & $1.50 PLUS TAX

2ND YEAR-2ND EDITION OF the

IT HAPPENS ON ICE

at America's Only Ice Theater

Center Theatre, Rockefeller Center, CQ 2-1424


50c Seats for Every Port. $1.00 at $1.10
ONE FOOT IN HEAVEN" IS TOO GOOD TO MISS!

THREE

HOLDOVERS (Earle, WASHINGTON Strand, HARTFORD Boyd, PHILADELPHIA) OUT OF THREE PROVES IT!

NOW! WARNERS!

GET YOUR DATE SET!
**Reviews**

**A Date with the Falcon**  
*(RKO)*  

George Sanders plays the title role in this second "Falcon" picture produced by Howard Benedict and directed by Irving Reis. Formerly he was seen in a number of the "Saint" films, in addition to roles in other pictures.

The "Falcon" is a detective who is as effective charming the ladies as he is in solving crimes. The chief suspence in this story is whether or not he actually will marry his fiancé, played by Wendy Barrie, and leave his detective work long enough for a honeymoon. There are a number of delays and she pursues him while he is solving a rather obvious murder. The appearance of a chemist who has just perfected a formula for manufacturing imitation diamonds cannot be distinguished from the genuine.

James Gleason is the chief police detective who blunders in the usual fashion, even arresting twice the "Falcon" and finally is present with a completely solved crime. Allen Jenkins aids the "Falcon" in keeping pace with his fiancé and in catching the criminals. Mona Maris is the woman member of the gang. Others in the cast are Victor Kilian, Frank Moran and Alec Craig, who plays the chemist among whom the mystery revolves. Actually, the "Falcon" determines that the murderer was really a twin brother of the chemist. During the course of his adventures the woman is captured by the gang and pretends not to be on the side of the police.

The cast did very well with the material presented, but the story was not suitable for more than an average detective picture. What humor there is, is mostly that of situations rather than the type resulting from smart dialogue.

*Running time, 63 minutes. "G."*

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**Four Jacks and a Jill**  
*(RKO)*  

Many musicals have too little plot; this one has a bit too much, which might be explained by the fact that this is the first picture, as a producer, for John Twist, a screen writer for RKO for nine years. Jack Hively was the director.

Ray Bolger and Anne Shirley have the leading roles. He is very effective when dancing—once routine of a mock-prize fight is particularly unusual—and less satisfactory as the romantic hero. She is very attractive in this film and shows considerable development. The several songs she sings are by Mort Greene and Harry Revel and are about average for this type of musical. Chief support is given by Desi Arnaz, who, rather surprisingly, does not sing or dance in this picture; June Havoc who appeared in the play "Pal Joey," performs one number and Jack Durant, also from that play, as her gangster friend.

The "Four Jacks," a small orchestra led by Bolger, fear that they will lose their job in a small tavern because Durant wants to marry their dancer, Miss Havoc. Bolger meets Miss Shirley, who finds a job for the boys after pretending that she is the favorite singer of an exiled king; Arnaz poses as the king, and after a number of complications, leaves with Miss Havoc before the king himself shows up. And by that time Bolger and Miss Shirley have patched up their quarrel.

*Running time, 68 minutes. "G."*

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**Freedom Committee Hits Refusal of Time**

As an outgrowth of last Thursday's broadcast by Mutual of the America First Committee meeting, the Fight for Freedom Committee has protested to the FCC that the network has refused to answer America First speeches.

In response to a request for information by FCC Chairman James L. Fly, Mutual explained yesterday that the network does not originate programs but picks them up from member stations. WOR, in this instance, has denied the fight for Freedom Committee time to answer, it was explained.

**Fight Jurisdiction In FCC-Web Action**

The FCC filed a special notice of appearance in Federal Court here yesterday against the Federal Communications Commission, which, on notice, specified that the commission declared previously that it is within the jurisdiction of the New York court.

Mutual yesterday also moved to intervene in the suit as "a friend of the court." Mutual favors the new regulation.

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**CBS Net for Third Period $1,397,348**

CBS yesterday reported a net profit of $1,397,348 after all deductions for the third period, as compared with $983,867 for the same quarter last year. The profit is only $983,867, as compared with $3,815,434, as compared with $3,815,434, as compared with $3,815,434, as compared with $3,815,434, proportional to the 1940 stockholders' report. The board yesterday declared a 10c dividend per share to class A and B stock holders Dec. 5 to stockholders of record on Nov. 21.

**Minn. Allied Warns on Cancellation**

(Continued from page 1)  

available, and by that knows something about the picture. Exhibitors were advised not to agree to cancellations until they knew about the producer's and its suitability.

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**Delay Conn. Allied Meet**

New Haven, Nov. 5—Allied Theatre Owners of Connecticut has postponed its regular luncheon-meeting from yesterday to next Tuesday, at the Hofbrau Haus, Plans for the state-wide poll on the consent decree will be completed at that time.

**Get Exchange Posts**

New Haven, Nov. 5—Shirley Gerrell, formerly with the RKO exchange here as secretary, has been appointed to the M-G-M staff, while Shirley Gordon has the post at the RKO office.

**Lloyd Plans 'Spoilers'**

Frank Lloyd and Jack Skirball have purchased Rex Beach's "The Spillers" from Charles Feldman, for production about Dec. 15. Universal will release it. Lee Marcus will be associate producer.

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**Cole Scores Rental Terms As Excessive**

(Continued from page 1)  

will bring about an increase of about 50 per cent. Mr. Bode, the exhibitor-leader said, "but so far nothing specific and immediate relief has been presented to us. Unless and until such a showing is made the only recourse for our theatres is to bring film rentals within the possibility of our present income."

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**Loew, 20th-Fox and RKO Plan No 'Escape' Plea**

Loew's, 20th Century-Fox and RKO have no plans at this time to petition the Federal Court for release from the sales provisions of the consent decree to permit them to resume selling in Minnesota as was done by Paramount, company representatives said yesterday.

WARNERS has made no decision as to its procedure, a company official said.

United Artists, which, although not bound by the consent decree, oppose the Minnesota anti-block-of-five law and have in the state to petition the court and planned to withdraw from Minnesota several weeks ago, is selling its product there in the customer under a broadcasting contract for each producer's output, rather than a single contract for all of the companies' new release seasons. It was the latter method that the companies feared at first it might have to adopt in order to comply with the state law.
DREADED... A brilliant criminal lawyer... maddened by the love of a beautiful woman for another... seeks his quarry 'mid the insect infested swamps of the Florida Keys...!

MERCY ISLAND

RAY MIDDLETON • GLORIA DICKSON
OTTO KRUGER • DON DOUGLAS • FORRESTER HARVEY
TERRY KILBURN • WILLIAM MORGAN — DIRECTOR • Screen play by Malcolm Stuart Boylan • From the novel "Mercy Island" by Theodore Pratt

A REPUBLIC PICTURE

Buy U.S. Defense Bonds
The Story of Two Novembers...

This is November—and our Birthday Month: The Fifteenth Birthday of Network Broadcasting—But this isn’t just a story about us. This story is about some things that grew up with us Between two Novembers, 15 years apart... a story that’s bigger than we are, And we know it.

It isn’t only something on a calendar.

And it isn’t the sort of thing that you can analyze By counting the colored counties on a map.

Though a map’s one way to look at it...

A map can show you how, for instance, In nearly every county of America, We can bring our people together, as into one room—Out in Montana, down in Rhode Island, across the plains of Texas—

When the President speaks to the people... when the destiny of the nation rests with the people... or when the people want to be told The facts that a people should hear.

Yes—and a map can make you feel, perhaps, How rich and poor, strong, weak, young, old (But Listeners all!) Are gathered today into a transcendent unity Beyond achieving in that other November 15 years ago. We have removed forever Cracker-barrel sectionalism... misunderstandings between City and City, State and State. And something has been born that was not here before.

Other generations may have dreamed What these last 15 years have made come true: The pioneer, rolling westward through days of dust And days of snow, May have dreamed how some day we should end
The isolation of geography,
Binding New York to Cheyenne with the speed of
light; hurtling darkness and storm; and through
wind and lightning speaking
From the Atlantic to the Pacific, with

One voice
To one nation
Indivisible!

But the story isn't only in the maps . . .
It's in the people, after fifteen years.
It's a pattern in the people.

One-fourth of our people have lived with Network
Broadcasting
Since the day they were born . . .
And more than a third of us have lived with it
Since we were five years old.

Count that, when you measure
The strength, the power, the influence
Of Network Radio today
On the minds of Americans!
It's a pattern in the people . . . Look around you.

It's a pattern in their living: their waking, their work-
ing: their leisure and laughter: their dancing and
buying. They get up to network radio, and they go
to bed to network radio.

It's a habit . . . and you can't erase it.

* * *

During these 15 years, the National Broadcasting
Company has become a part of America.

It belongs.

Let's say it simply:—

For 15 years, the National Broadcasting Company
has been proud of its job. It's been a big job, and
we've tried to give our best to it. We must have.
For today, as every day since November 15, 1926,
more American families listen to NBC programs
than to those of any other broadcasting system!

NATIONAL BROADCASTING
COMPANY
A Radio Corporation of America Service
These are the simple facts. In the first eight popular priced engagements in Los Angeles, Richmond, Norfolk, Milwaukee, Toledo, Dayton, Harrisburg and Reading, SUNDOWN grossed 127% of the previous highs established by Walter Wanger's hit attraction, "Foreign Correspondent"!

WALTER WANGER'S Great Adventure

starring GENE TIERNEY
BRUCE CABOT • GEORGE SANDERS • HARRY CAREY • JOSEPH CALLEIA
Reginald Gardiner, Carl Esmond, Marc Lawrence and SIR CEDRIC HARDWICKE
Directed by Henry Hathaway • From the Saturday Evening Post story "Sundown" and screenplay by Barre Lyndon

A HENRY HATHAWAY PRODUCTION

RELEASED THRU UNITED ARTISTS
Browne, Bioff Guilty as Charged; Face 30 Years

Six New Plays Will Open on Broadway Within Next Week

Six play openings are slated for the legitimate side of Broadway beginning tomorrow night and running through next Saturday. It appears that the producers are anxious to get under the tape before Thanksgiving. This will bring to 26 the total number of stage dates on Broadway provided that in the meantime none of the present crop discontinues.

Tomorrow night's entry will be a comedy by A. Y. Langley titled "The Walrus and the Carpenter" at the Cort. Tuesday will bring "Spring Leaves" at Miller's Theatre. This is a Guthrie McClintock production, written by Isabel Leighton and Bertram Bloch, and co-starring Grace George and C. Aubrey Smith. McClintock also is the director.

On Tuesday comes Shakespeare's "Macbeth," under the sponsorship of Maurice Evans, at the National. Evans and Judith Anderson will have the top roles in the play, directed by Margaret Webster.

"Theatre," by Somerset Maugham and Guy Bolton, will be presented by John Goddard at the Empire Wednesday. The play stars Cornelia Otis Skinner.

Thursday opening will be "Little" (Continued on page 5)

Kalmenson Elected Vitagraph President

Benjamin Kalmenson, Warner general sales manager, has been elected president and a director of Vitagraph, Inc., the Warner distribution company, it was announced yesterday by Harry M. Warner, president of Warners.

It was stated that in his new capacity Kalmenson will be in full charge of Warner distribution in the United States and Canada.

Joseph Benjamin, vice-president of Warners, will act in an advisory capacity in setting up matters of distribution policy, and Kalmenson will consult with him whenever it is deemed necessary, it was stated.

7,841 Theatres Collected $943,684 in U.S.O. Drive

A check for $943,684, representing collections to date from 7,841 theatres for the U.S.O. Drive, was presented to Thomas E. Dewey, chairman of the national U.S.O. Campaign, by Joseph Benjamin, chairman of the theatre drive.

It is anticipated that the theatre collections will aggregate more than $1,000,000 when complete returns are in, since 10,605 theatres were enrolled in the campaign. Collections from 35 theatres amounting to $2,712 are in transit and it is estimated that an additional $60,000 will be received from the remaining 2,712 theatres which have still to report.

A breakdown of the contributions received to date shows that independent theatres, as a group, contributed the largest amount, $492,639 having been remitted by 5,676 independent houses; Paramount was second, remitting $173,133 for 1,151 theatres; Warners, with 470 theatres, was third with $172,141, for the highest average return per theatre.

Fourth place went to 20th Century-Fox's National Theatres, with 451 houses, remitting $61,130. RKO remitted $47,099 for 50 theatres outside the New York Metropolitan area, and Loew's remitted $41,450 for 43 houses outside New York. The RKO and Loew's houses in Greater New York

Defers Action on Tax On Salary at Source

WASHINGTON, Nov. 6.—The House Ways and Means Committee today temporarily deferred action on the Treasury's request for immediate consideration of revenue legislation which would make a taxpayer out of every film and radio and other industry.

Treasury officials are not discussing their new tax plans, but committee members disclosed that they include a tax, possibly as high as 15 per cent, for film and radio and other industries.
See No Increase in Quota for Some Time

London, Nov. 6.—It is authoritatively understood here that there will be no increase in the existing quota percentages for some years. No official statement on the matter is expected. The information is believed to indicate the probable attitude of the Government toward any demand of exhibitors for amendment to the existing quota figures.

Selznick Remaining On U.A. Head Talks

With current conferences looking to the naming of a new United Artists president reported to be making satisfactory progress, David O. Selznick has abandoned earlier plans for returning to the Coast this weekend and will remain here another week or 10 days to continue the conversations, it was learned yesterday.

The current conferences, it was said, despite their present promising nature, show no indication of reaching a decisive stage immediately.

NEW YORK THEATRES

RADIO CITY MUSIC HALL 67th St. & 5th Ave.
CHARLES BOYER, MARGARET SULLIVAN "APPOINTMENT FOR LOVE" On The Great Stage: "AUTUMN" Joan Crawford, Symphony Orchestra, direction of Eun Blume, 1st Movement. Seats Reserved Circle 4-3560

Paramount Presents: Bob Hope 
"NOTHING BUT THE TRUTH" IN PERSON THE ANDREWS SISTERS JOHNNY AND BAND SQUARE PARAMOUNT

CARMEN CESAR ALICE JOHN MIRANDA-ROMERO-FAYE-PAYNE "WEEK-END IN HAVANA" ROXY 7th Ave. & 53rd St.

PALACE DWAY & 47th St.
Ann Sheridan - Jack Oakie 
"MOON OVER HER SHOULDER" Lynn Bari

20th Century-Fox presents
"HOW GREEN WAS MY VALLEY" RIVOLI 46th St. & Broadway

BROADWAY 54th St. & Broadway
Continuous Sat. 9:30 A.M. 
Continuous Musical: "SALOME"

MOTION PICTURE DAILY

Personal Mention

JOSEPH I. BREEN, RKO studio head, is expected to arrive in London today for a home office visit.

HOWARD DIETZ, Loew's advertising and publicity director, is due back from the Coast today.

ARTHUR W. KELLY will arrive from the Coast this weekend.

NORMAN MORAY, short subjects sales head for Warners, returns Monday after a business tour.

DAVID ROSE, Paramount manager of travel office, and John Ojerholm, head of the company's British laboratory, are expected to arrive from London toward the end of the month.

LEO F. SAMUELS, foreign manager for Walt Disney Productions, is re-establishing in the Park East Hotel following an operation.

LEAH KLAB, formerly Roxy's secretary for many years, has resigned her position with RKO.

Name Committee on Canada Price Rule

TORONTO, Nov. 6.—A committee, headed by J. J. Fitzgibbon, president of Famous Players Canadian Corp., was appointed at a meeting of all branches of the industry here to deal with the orders of the Dominion Government regarding admission prices and wages for the duration of the war.

No resolution of protest was drawn up covering either subject, but the committee is expected to cooperate with the War Time Prices and Trade Board and the Labor Control Board on the developments.

The Canadian government has not yet been received, but the industry has not yet had specific orders for the application of the control, when the theatres would be in a position to present their case.

It is understood the maximum admission order, effective Nov. 17, will include film rentals. The committee comprises the officers of the Motion Pictures Section of the Toronto Board of Trade, of which N. A. Taylor is president, Louis Rosenfeld of Columbus is vice-president, Harry Alexander represents exhibitors and J. P. O'Loghin, distributors, in addition to Ben Goldfinger of Famous Players, and F. T. Tolchard, Board of Trade secretary.

Complaint Is Filed With Phila. Board

Philadelphia's fourteenth complaint was filed at the arbitration board there yesterday by Lewie Fizer and Herman Cohen, producers, in its complaint of the Colonial Theatre, Phoenixville, Pa.

The complaint names all five concerns and company's representatives are subject to this complaint for the first time.

The first complaint filed was by Palitz, exhibitor head and an officer of MPTOA. The first, on behalf of his company, was filed at the beginning last week following a settlement.

Services for Einfeld

Kin Held Here Today

Funeral services will be held at 11 A.M. today at Universal Chapel, 52d St. and Lexington Ave., for Samuel Einfeld, 71, father-in-law of S. Charles Einfeld, advertising and publicity director for Warners. Band died Wednesday in New York Hospital after an illness of two months.

He was one of the founders of the steam laundry business in New York. He is survived, in addition to Mrs. Einfeld, by his widow, Annie; two sons, Philip and Emanuel, and two daughters, Mrs. Sylvia Rosner of Washington, and Mrs. Ruth Silverstein of Flushing.

Indiana ATO Will Meet on Nov. 17-18

INDIANAPOLIS, Nov. 6.—The Associated Theatre Owners of Indiana will hold its 15th annual convention at the Hotel Anler here Nov. 17 and 18. Industry leaders are expected to discuss current exhibition problems.

On Monday evening, Nov. 17, the Variety Club of Indianapolis has arranged a cabaret and supper party. Business sessions will be held on both Monday and Tuesday, and the convention will close with a luncheon banquet Tuesday evening in the ball room of the hotel.

Cincinnati Club Will Elect Officers Nov. 17

CINCINNATI, Nov. 6.—The local Variety Club will hold its annual election Nov. 17, with installation of officers on Dec. 1.

As a means of stimulating activity in the club, the board of trustees has decided to extend an invitation to members of casts of legitimate shows appearing here to attend a midnight lunch in the club's quarters on Friday nights. Club members will participate in the affairs.

Ostrow Leaves 20th-Fox

Hollywood, Nov. 6.—Lou Ostrow, associate general manager of 20th-Fox, will leave the studio this week. Ostrow produced four films for the company.

Cancel 'Chan' Series

Hollywood, Nov. 6.—A decision to cancel the "Charlie Chan" series with a finale in "The Desert in the Desert," was announced by 20th Century-Fox today.

Newsreel Parade

THE weekend issues have a stump subject in a naval air patrol with a North Atlantic convoy. Among the sports items in the contest in Tokyo, Ill. The rest of their contents:


PATHE NEWS, No. 22.—Same as news item sent in. delegation to the "North Atlantic convoy." N.Y. Times at the Roxy's in New York. Corn huskar in Illinois. Steeplechase at Belmont.


Carmer President Of Authors' Guild

Carl Carmer has been elected president of the Authors' Guild for a two-year term. Manuel Kompar was elected vice-president, and Helen Hull, secretary.

Named to the guild council are: Bernard DeVoto, Walter D. Edgerton, Carl Sandburg, Oscar Schisgall, Emma Sterne, Arthur Train, Jr., Mark Van Doren, Margaret Wildden, Thyrza S. Worthington, Robert B. Grant. Congress representatives elected to the Authors' League council are: Louis Adamic, Simon Dubnow, Benjamin David, Jose Haynes Irwin, Will Irwin, Dennis T. Lynch, Albert Maltz, William Brown Melony, Nathaniel Pfeffer, Oscar Own.- ly, Beecher Stowe, John Vandercook.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1538 Honore St., New York City Telephone 7-3100. "Quigley is the name, and Quigley is the York." Martin Quigley, Editor-in-Chief and Publisher; Calvin Brown, Vice-President and General Manager; Wattersson, R. Scholker, Vice-President; J. B. Spalding, Managing Editor; James A. Fordham, Advertising Manager; A. A. Smiley, Cashier; L. H. A. Ellis, Auditor; Jackson, C. O. D.; Charles W. Fiester, Managing Editor; Thomas A. Quigley, Treasurer; M. A. Quigley, Secretary.


Entries postmarked in New York are considered as entries postmarked at second class matter. Sept. 23, 1930. Authorized on 2d day of April, 1927, under the act of March 3, 1879. Subscription rates per year in the United States and 21 foreign countries. Single copy 10c.
Celebrate your greatest New Year in history with the greatest entertainment in history!
Paramount's

Louisiana Purchase

In Technicolor

Starring

Bob Hope
Vera Zorina
Victor Moore

with

Irene Bordoni · Dona Drake

featuring 100 Louisiana Belles · Directed by Irving Cummings · Screen Play by Jerome Chodorov & Joseph Fields · Based on the Musical Comedy by Morrie Ryskind · From a story by B. G. DeSylva

Music and Lyrics by Irving Berlin
Theatres Collected $943,684 for U.S.O.  

(Continued from page 1) 
 participated in the original campaign at the time of the formation of U.S.O. and, thereafter, appeared in the later U.S.O. theatre drive.

RKO Pathé News photographed the presentation of the check to Dewey so that theatre patrons will have an opportunity to learn in the theatre of the drive's results and their conditions.

Bernhard credited the success of the campaign to the support of the trade unions and the cooperation and enthusiasm of the chairman. Each team was made up of an outstanding exhibitor and branch manager in each of the key cities who also directed the T.U.O. committees in the field. The campaign was also cited as the most successful industry-wide ever. An estimated $40,000,000 record, both in theatre enrollments and in net money raised.

Kuykendall, Martin G. Smith and Nathan Yanmiss were co-chairmen of the drive. Other officials were: Abe Montague, chairman, distributive committee; Umberto Longo, president; chairman, trade paper committee; Herman Robbins, chairman, trailer committee, and Leonard S. Woolf, secretary and treasurer. A. P. Waxman was chairman of the ways and means committee and Harry Goldberg was vice-chairman.

Valley’, ‘Soldier’ Top Big B’way Mark  

(Continued from page 1) 
 estimated $10,000. The film starts its second week today. “How Green Was My Valley” for its first week ending Tuesday night rolled up an estimated $40,000.

At the Music Hall, “You'll Never Get Rich” with a stage show ended its first week with a gross of estimated $1,000 and was replaced yesterday by Universal’s “Appointment for Love.” “Belle Starr” with a stage show at the Roxy Thursday and Friday night grossed $4,000 and boded out last night. “Week-End in Havana” opens today.

Ladies in Retirement opened the Capitol yesterday following the five-week run of Honky Tonk,” which in its last week drew an estimated $10,000. The third week of “Target for Tonight” at the Globe brought an estimated $4,200. The film plays an extra day today and will be replaced tomorrow by “Frightened Lady.” “Never Give a Sucker an Even Break” completes its second week at the Rita tonight with an estimated $3,500 expected. “South of Tahiti” goes in tomorrow.

Discontinue Spaghetti Suit  

Discontinuance of a $500,000 loss was attributed to Sigmund Spaghet against Warners by the United States District Court. No reason for the discontinuance was disclosed. Spaghetti shooting in the film "Naughty But Nice" was a take-off which ridiculed him.

Browne, Bioff Guilty on All Counts, Face Years  

(Continued from page 1) 
 heard Mathias F. Correa, U.S. At- torney, denounce the defense argu- ment that neither the attorney for Browne in summation had adverted to Bioff's testimony that he had acted as "messenger." Correa characterized Bioff as a "raving egomaniac" and said the defendant had taken a "leaf out of Hitler's book in deciding to tell the world how big some people might believe him."

Correa charged that Bioff himself had urged the company to use its employees to cover up the extorted payments. "Bioff was writing a little insurance for himself for the day when Brownie's power failed. Then it would be blackmail instead of extortion. Care- fully tracing the course of the transactions, he decided that it is my claim that the whole story was concocted after they heard the Government's case."

He said he did not justify the failure of industry executives in not reporting the extortion to the proper authorities but said he could understand it because they knew they were dealing with the boys from Chicago. As for the social relations, Correa said Bioff "played the part of a little man" and placed of these men. "They had to do with a racketeer—a Chicago hoodlum. What could you do if a Chicago hoodlum came to the house for a cup of tea?"

Correa said that he thought the payment by Joseph M. Schenck of Bioff's transportation to Rio de Jan- iero and Europe was part of a "petty shakedown," a not a gift, and that the $27,000,000 transaction was not part, but part of the general extorti- tion pattern. Correa said that he did not think that the $27,000,000 as Murray W. Garrison was but said it might have been a tax dodge.

The prosecutor did not spare Browne. He pointed out that Browne brought Bioff into the IATSE and said the union president supplied Harry Beatty as the man to whom Browne could make payments. Correa noted that the testimony concerning Browne was uncontradicted and that Browne had extorted money from C. C. Moskowitz.

Judge Knox charged the jury in instructing them. He made little refer- ence to the testimony in the case and concerned himself mainly with the rights of defendants in criminal cases. He charged the jury that if they thought industry executives had bribed the defendants, instead of having their money extorted under threat, then the verdict must be an acquittal.

There was a brief flurry about half an hour after the jury filed out to deliberate but it was found that the jurymen wished to inspect a copy of the indictment. Each count calls for a minimum of one year and a maxi- mum of 10, plus the fines. The sentences may be ordered to run con- secutively or concurrently, within the discretion of the judge.

Stockholder Sues W. B. Officials on Bioff Money  

LOS ANGELES, Nov. 6.—A suit to recover from William Bioff $29,500 allegedly paid him by Warner of- ficials was filed in Los Angeles Supe- rior Court by Lester Rankin, a War- ner stockholder.

The action seeks an accounting from Warner officials preparatory to a recovery of the money, which, Rankin's suit charges, was paid the IATSE representative to “pre- vent a strike” to H.W. Warner. Named in the suit in addi- tion to H. M. Albert and Jack L. Warner, were Joseph Bernhard, Rob- ert C. Stewart, Morris Wolf, Sam E. Morris, Sam-uel Carlisle, C. S. Guggenheim, di- rector and "John" Rankin. Rankin charges that the Warner board of directors authorized the payments and was under the domination of Warner Bros.

Stars at Premiere Of ‘Lady’ Monday  

A number of industry personalities attended the opening of the Edward Small-United Artists production, “International Lady,” at the Criterion Monday night. Among the guests were restaurateur, Bruce Cabot, Adrienne Ames, Lorry Ross, Hildegarde, Linton Buccholz, Reginald Pat- wood and Desi Arnaz. Ilona Massey, will make a personal appearance.

Schenck Appeal Dec. 15  

Argument of the appeal from a ver- dict that found Joseph M. Schenck and Joseph H. Moskowitz of charges of tax evasion was postponed yester- day in the U. S. Circuit Court of Appeals to Dec. 15.

Metro Buys Story  

HOLLYWOOD, Nov. 6.—M-G-M has acquired film rights to "Bawd of a Lady," unpublished story by the Hung-arian writer, Laidlausz Fodor.

Quebec Blackout Set for Tuesday  

Montreal, Nov. 6.—The Quebec blackout of Quebec has been scheduled for next Tuesday, Remembrance Day in Canada, from 6 P.M. to 9 P.M. Penalties will be levied for failure to cooperate with the Canada Emergency Committee. An important test, it is expected to have an effect on theatre grosses.

Defer Action on Tax On Salary at Source  

(Continued from page 1) 
 on all salary, wages, to be collected at the source through employ- ers in the same way as Social Security taxes now are collected.

To the proposed new system would replace the present one of having tax- payers account for all income after the close of the year. Provision would be made for the deduction of par- tial exemptions in the computation by employers of the amount of tax to be derived from pay checks, but details have not yet been made pub- lic.

The Treasury is seeking immediate consideration of the proposal so that the new tax could go into effect next Jan. 1. The program also provides for an increase in the Social Security taxes of one per cent each on em- ployer and employee for old-age insur- ance and the imposition of one per cent on employers for unemployment compensation.

Scope of the program is variously estimated at from $4,500,000,000 to $6,000,000,000 and would run the tax burden of the country up to 18 billion or better. So far as can be ascer- tained, no consideration is being given to the proposed system of the admission of other nuisance taxes.

Six Plays to Open On B’way in Week  

(Continued from page 1) 
 Dark Horse,” an adaptation by Ther- esa Helburn of Arthur Conan Doyle's The Hound of the Baskervilles, directed by Hen- ry Hull and Horace MacMahon.

UA Closes Deals With Circuits  

A number of circuit deals have been closed in the Chicago territory on United Artists productions, according to Charles Stern, district manager there, reporting to Haskell M. Masters, Western general sales man- ager. Ben Eisenberg is Chicago branch manager.

The circuits signed include: F. W. Anderson, Reinheimer; Jack Rose, Jacob Lasker, Joseph Stern, Van Nomikas, Essanes, Great States and Warners. A deal also was completed with the Balaban & Katz first run houses in Chicago.
`Business' at $10,900 Gets Denver Lead

DENVER, Nov. 6.—"Unfinished Business" on a dual bill at the Fox Denver drew $10,900, while "Nothing But the Truth" at the Denham in its third week took $8,000.

Estimated receipts for the week ending Oct. 31:
- "Sergeant York" (W.B.)
- "Lady Be Good" (M-G-M)
- "The Gay Falcon" (RKO)
- "Nothing But the Truth" (Para.)
- "Flying Blind" (Paramount)
- "The Great Dictator" (United)
- "Tender is the Million" (L.A.)
- "Dennah" (m-G-M)
- "Weekend in Havana" (20th-Fox)
- "A Band from Singapore" (Col)
- "Rialto" (999) (3c-40) 7 days, 2nd week, Gross: $2,300, (Average, $328.57)

Charter Ford Company
SACRAMENTO, Nov. 6.—Articles of incorporation have been filed by Charles E. Ford Productions to produce motion pictures. Directors are Stanley N. Gleis, Mark E. O'Leary and Helen Wells, all of Los Angeles.

Review

"Playmates" (RKO)

HERE both Kay Kyser and John Barrymore continue with the roles they have been playing in their recent pictures. Kyser is the combination ban leader and comedian and Barrymore has a grand time playing Barrymore and making a fool of himself. Although he despises Kyser, Barrymore finds it necessary to attempt to teach him how to play Shakespeare.

David L. Butler, the producer and director, stretched out the situation for over an hour and a half of running time. Some of the early scenes are dull but many audiences will enjoy the comedy, and the five musical sequences, which are worked into the plot with more than usual dexterity, will satisfy all. The two highpoints of the film are a dream sequence in which Kyser is a matador and a bull having the head of Barrymore and the finale in which a modern play of Shakespeare is presented.

The cast includes Patsy Kelly, Barrymore's press agent; Lupe Velez, who does one number; May Robson, playing Kyser's grandmother; Peter Lind Hayes, George Gaynes, featured members of the band—Harry Babbitt, Ish Kabibble, Sully Mason and Ginny Simms, the singer, who does very well, singing in a pleasing manner several songs, "Humpy Dumpty Heart," "How Long Did I Dream," "Thank Your Lucky Stars and Stripes," "Romeo Smith and Juliet Jones" and "Que Chica" are the featured songs.

Running time, 96 minutes. "G."* 4

*"G" denotes general classification.

To Try Stage Shows

NEW HAVEN, Nov. 6.—The 2,348-seat Paramount will have a stage show on Dec. 5, starring Jimmy Lunceford and Bill Robinson. The show is an experiment which may result in occasional vaudeville shows at this house.

"Business,' Blues' Set Pace in Detroit

DETROIT, Nov. 6.—"Unfinished Business" and "Great Guns" at the Fox grossed $17,500 during the past week while the Michigan grossed $14,500 with "Navy Blues" and "My Life With Caroline.

Estimated receipts for the week ending Oct. 31:
- "A Yank in the R.A.F." (20th-Fox)
- "The Great Gums" (M-G-M)
- "Nothing But the Truth" (Para.)
- "Flying Blind" (Para.)
- "The Gay Falcon" (RKO)
- "My Life With Caroline" (RKO)
- "Sergeant York" (W.B.)
- "Lady Be Good" (M-G-M)
- "Nothing But the Truth" (Para.)
- "Tender is the Million" (L.A.)
- "A Band from Singapore" (Col)
- "Rialto" (999) (3c-40) 7 days, 2nd week, Gross: $2,300, (Average, $328.57)

United Artists

"Truth' and 'York' Big in Indianapolis

INDIANAPOLIS, Nov. 6.—"Nothing But the Truth" and "Don't Mess Me That Town" did $9,500 at the Indiana. "Sergeant York" in its second week at the Denham took the same amount.

The weather was distressing.

Estimated receipts for the week ending Oct. 31:
- "Sergeant York" (W.B.)
- "Lady Be Good" (M-G-M)
- "Nothing But the Truth" (Para.)
- "My Life With Caroline" (RKO)
- "Sergeant York" (W.B.)
- "Lady in Retirement" (Col)
- "Charlie Chan in Rio" (20th-Fox)

"Falcon' Gets Good $17,000 Philadelphia

PHILADELPHIA, Nov. 6.—With holdovers and second runs dominating the downtown activity, grosses were down. "The Falcon" led the field giving the Fox $17,000. "Sergeant York" was strong and "Honky Tonk" at the Boyd drew $15,000 in its third week.

Estimated receipts for the week ending Oct. 28:
- "Sergeant York" (Para.)
- "Great Guns" (W.B.)
- "Dark Horse" (W.B.)
- "Yanks in the R.A.F." (20th-Fox)
- "Honky Tonk" (M-G-M)
- "Texas" (Col)
- "Honky Tonk" (M-G-M)

"Honky Tonk' Gets $11,500 in Buffalo

BUFFALO, Nov. 6.—A good week found "Honky Tonk" still on top with $11,500 in a second week at the Hippodrome. "The Gay Falcon," aided by vaudeville, took $14,700 at the Twentieth Century.

Estimated receipts for the week ending Nov. 1:
- "Belle Starr" (20th-Fox)
- "Great Gums" (20th-Fox)
- "Honky Tonk" (M-G-M)
- "Hippos" (RKO)
- "The Gay Falcon" (RKO)
- "Honky Tonk" (M-G-M)

"W.B. Two-Keeler Plays LAFAYETTE—3,000) (3c-50) 7 days, Gross: $9,000, (Average, $1,285.71)
TEAMWORK

ALL three Eastman negative films contribute to the over-all excellence of today's productions. Although they specialize in different fields, they join forces readily because of one important attribute enjoyed in common—unvarying high quality. 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
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<th>Oct. 10</th>
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<th>REPUBLIC</th>
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<td>Texas (O) Wm. Holden Claire Trevor (1941-42)</td>
<td>Honky Tonk (D) 204 Clark Gable Lana Turner</td>
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<td>3 Girls About Town (C) Joan Blondell Binnie Barnes (1941-42)</td>
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<tr>
<td>You Belong to Me (C) B. Stanyanek Henry Fonda (1941-42)</td>
<td>The Chocolate Soldier (M) 208 Nelson Eddy Rise Stevens</td>
<td>Riding the Sunset Trail (O) Tom Keene</td>
<td>Mr. Celebrity 114 (D) Buzzy Henry James Seay</td>
<td>Public Enemies (D) Philip Terry Wendy Barrie</td>
<td>Moon Over Her Shoulder (D) 215 Lynn Bari</td>
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<td>Nov. 7</td>
<td>Secrets of the Lone Wolf (D) Warren William (1941-42)</td>
<td>The Stork Pays Off (C) M. Rosenblum Rochelle Hudson (1941-42)</td>
<td>The Shadow of the Thin Man (O) Konge Butlers</td>
<td>The Devil Pays Off (D) J. E. Bronberg</td>
<td>Unexpected Uncle (C) Chas. Coburn Anne Shirley</td>
<td>Lonely Town 107 (D) Ken Murray F. Langford</td>
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<td>Nov. 14</td>
<td>Go West Young Lady (C) P. Singleton (1941-42)</td>
<td>The Men in Her Life (D) Loretta Young Conrad Veidt (1941-42)</td>
<td>Shadow of the Thin Man (O) Konge Butlers</td>
<td>The Devil Pays Off (D) J. E. Bronberg</td>
<td>Unexpected Uncle (C) Chas. Coburn Anne Shirley</td>
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<td>Nov. 21</td>
<td>Sing for Your Supper (C) J. Falkenberg Buddy Rogers (1942)</td>
<td>The Men in Her Life (D) Loretta Young Conrad Veidt (1941-42)</td>
<td>Shadow of the Thin Man (O) Konge Butlers</td>
<td>The Devil Pays Off (D) J. E. Bronberg</td>
<td>Unexpected Uncle (C) Chas. Coburn Anne Shirley</td>
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<td>Nov. 28</td>
<td>Honolulu Lu (D) Lupe Velez Leo Carrillo (1941-42)</td>
<td>Go West Young Lady (C) P. Singleton (1941-42)</td>
<td>Shadow of the Thin Man (O) Konge Butlers</td>
<td>The Devil Pays Off (D) J. E. Bronberg</td>
<td>Unexpected Uncle (C) Chas. Coburn Anne Shirley</td>
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<td>Dec. 5</td>
<td>Bedtime Story (C) Fredric March Loretta Young (1942)</td>
<td>Sing for Your Supper (C) J. Falkenberg Buddy Rogers (1942)</td>
<td>Shadow of the Thin Man (O) Konge Butlers</td>
<td>The Devil Pays Off (D) J. E. Bronberg</td>
<td>Unexpected Uncle (C) Chas. Coburn Anne Shirley</td>
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<td>Dec. 12</td>
<td>Harvard, Here I Come (C) M. Rosenblum (1941-42)</td>
<td>Honolulu Lu (D) Lupe Velez Leo Carrillo (1941-42)</td>
<td>Shadow of the Thin Man (O) Konge Butlers</td>
<td>The Devil Pays Off (D) J. E. Bronberg</td>
<td>Unexpected Uncle (C) Chas. Coburn Anne Shirley</td>
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<td>Dec. 19</td>
<td>Law of the Timber (O) 215 Monte Blue (1941-42)</td>
<td>Bedtime Story (C) Fredric March Loretta Young (1942)</td>
<td>Shadow of the Thin Man (O) Konge Butlers</td>
<td>The Devil Pays Off (D) J. E. Bronberg</td>
<td>Unexpected Uncle (C) Chas. Coburn Anne Shirley</td>
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<td>Dec. 25</td>
<td>Blonde Comet (O) Virginia Vale Robert Kent (1941-42)</td>
<td>Harvard, Here I Come (C) M. Rosenblum (1941-42)</td>
<td>Shadow of the Thin Man (O) Konge Butlers</td>
<td>The Devil Pays Off (D) J. E. Bronberg</td>
<td>Unexpected Uncle (C) Chas. Coburn Anne Shirley</td>
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THESE THREE have made RKO RADIO's great Thanksgiving Week attraction for first runs everywhere!
The most exciting and suspenseful love story ever to thrill the nation's millions!

CARY Grant

JOAN Fontaine

Suspicion

From the Novel, "Before The Fact"

DIRECTED BY

Alfred HITCHCOCK

With SIR CEDRIC HARDWICKE
NIGEL BRUCE • DAME MAY WHITTY

Screen Play by Samson Raphaelson, Joan Harrison, Alma Reville

A love story as deep as the human heart—as exciting as your favorite mystery story!

BACKED BY SENSATIONAL NATIONAL CAMPAIGN OF FULL-PAGE ADS REACHING 70,000,000 READERS OF 14 MAGAZINES INCLUDING LIFE, LOOK, RED BOOK, COLLIER'S AND FAN PUBLICATIONS.
See 3rd Dimensions Likely on New Film

CAMBRIDGE, Mass., Nov. 6.—A new film material capable of producing the presentation of third dimensional motion pictures with the present standard theater equipment has been developed here recently, according to Edwin H. Land of the Polaroid Corp., Cambridge, in an article in the Journal of the Optical Society of America.

Land states that the new film, being kept secret by the Government for military purposes, remains intact when viewed through glasses, which he believes can be made at very little cost. In the process of developing the third dimension, he states, two different photographs are placed on the new film, one on top of the other. One is developed on the front side of the film, which is transparent, and the other on the back. Using the special glasses, one can see the third dimension, and the other eye can see the second picture. Unless the glasses are used only a blur is visible.

‘Touch’ St. Louis!

Best with $15,000

St. Louis, Nov. 6.—Considerable rain on a Sunday didn’t deter a good showing at the box-office. “The Feminine Touch” and “Unholy Partners” scored $15,000 at Low’s.

Estimated receipts for the week ending Oct. 30:

- "It Started With Eve” (Univ.)-
- "Unsought Uncle” (RKO)-
- AMBASSADOR-(3,900) (30c-40c-5c) 7 days; Gross; $6,150; Average, $878.50
- "Unfinished Business” (Univ.)-
- "Yank in the Foliage” (FOX)-(30c-40c-5c) 6 days, 3rd week; for "Yank,” Gross: $7,000; (Average, $1,166.67)
- "Weekend in Havana” (20th-Fox)-
- "Tarnished Ornaments” (MGM)-
- Missouri-(5,314) (30c-40c-5c) 7 days; Gross: $5,000; Average; $714.29
- "Red Lands of Dakota” (Univ.)-
- "Burning Gates” (MGM)-
- St. Louis-(4,000) (30c-40c-5c) 7 days. Gross: $3,000; Average, $428.57
- "The Feminine Touch” (M-G-M)-
- Unholy Partners” (RKO)-
- LOEW’S-(4,000) (30c-40c-5c) 6 days; Gross: $4,000; Average, $666.67

Denied Voting Machines

NEWARK, N. J., Nov. 6.—Vice-Chancellor John O. Bigelow here declared the application of six members of the local operators union for voting machines in their election, and named William J. Brennan, Jr., to supervise nominations and elections Dec. 9.

Tech Problems Slow B&K Television

CHICAGO, Nov. 6.—William C. Edly, chief engineer for the Balaban & Katz television station here, has returned from Washington where he discussed with officials the problem of priorities in television receiving. Technical problems have slowed the completion of the station more than shortage of materials, Edly said. It is now on the air, with the experimental basis 45 minutes daily, five days a week.

Don Lee Television Using Film Footage

HOLLYWOOD, Nov. 6.—The Don Lee television station, W6XAO, broadcast its first film transmission from the transmitter station Monday night near here. A large library of film, mostly shorts obtained from commercial sources, is being incorporated into the Canadian war film footage, has been obtained.

The station uses 16mm footage and occasionally makes its own newsreels for the network. The station next month will celebrate its 10th anniversary of telecasting.

Ask Approval for Southern Stations

WASHINGTON, Nov. 6.—Applications for licenses have been filed with the Federal Communications Commission by John D. Ewing, for a 1,100-kilocycle station at Miami, and the Florida National Building Corp., for an 1,170-kilocycle, 5,000-watt station at Miami.

Ohio ITO Meeting To Be Held Nov. 25

COLUMBUS, Nov. 6.—The ITO of Ohio will hold its ninth annual convention at the Deshler Wallick Hotel here, Nov. 25 and 26, according to an announcement by P. Wood, secretary of the organization.

‘Honky Tonk’ Seattle Lead With $8,800

SEATTLE, Nov. 6.—“Honky Tonk” at the Paramount took a strong $8,800 to top the town and earn a holdover. The second week of "Sergeant York" at the Rivoli has run-off, the picture going into a third week, setting a new season's record at this house. Weather was clear and cool.

Estimated receipts for the week ending Oct. 31:

- "Nothing But the Truth” (Para.)-
- "The Virgin for Presidents” (Para.)-
- BLUE MOUSE-(950) (30c-40c-5c) 7 days; Gross: $5,000; (Average, $714.29)
- "Tasks a Million” (U. A.)-
- FIITH AVENUE-(2,350) (30c-40c-5c) 7 days; Gross: $7,800; (Average, $1,114.29)
- "International Lady” (U. A.)-
- "Tillie the Toiler” (Col.)-
- "LIFE”-(1,900) (30c-40c-5c) 7 days; Gross: $4,800; (Average, $685.71)
- "A Yank in the R. A. F.” (20th-Fox)-
- "MUSIC BOX”-(950) (30c-40c-5c) 6 days; Gross: $3,500; Average, $583.33
- ORPHEOUS-(2,450) (40c-50c-6c) 7 days; Gross: $7,800; (Average, $1,092.86)
- "Cleopatra” (M-G-M)-
- PARAMOUNT-(3,500) (30c-40c-5c) 7 days; Gross: $8,000; (Average, $1,142.86)
- "Gentleman from Dixie” (M-G-M)-
- PARLOR-(1,750) (30c-40c-5c) 7 days; Gross: $6,600; (Average, $942.86)
- "Lydia” (M-G-M)-
- PARAMOUNT—(3,500) (30c-40c-5c) 7 days; Gross: $8,000; (Average, $1,142.86)

‘Business’ Show $21,000, Cleveland

CLEVELAND, Nov. 6.—A personal appearance by Simone Simon on the stage of the RKO Palace aided “Un- wanted Bride” in rolling up a smash $21,000, while “Great Guns” reached $7,500 at the Allen.

Estimated receipts for the week ending Oct. 31:

- "Great Guns” (20th-Fox)-
- "LEisure”-(3,500) (30c-40c-5c) 7 days; Gross: $7,500; (Average, $1,071.43)
- "Sergeant York” (M-G-M)-
- WARNERS—HIPPODROME—-(3,000) (30c-30c-60c) 7 days, 3rd week; Gross: $8,900; Average, $1,271.43
- "Unfinished Business” (Univ.)-
- "RUTHLESS”-(3,450) (30c-40c-5c) 7 days, 3rd week; Gross: $7,000; Average, $1,000
- "Unfinished Business” (Univ.)-
- "RUTHLESS”-(3,450) (30c-40c-5c) 7 days, 3rd week; Gross: $7,000; Average, $1,000
- "Feminine Touch” (M-G-M)-
- LOEW’S STATE—(3,000) (30c-40c-5c) 6 days; Gross: $10,000; Average, 7 days; $1,428.57
- "Smiling Through” (M-G-M)-
- "RUTHLESS”-(2,000) (30c-40c-5c) 6 days; Gross: $3,500; Average, 7 days; $500
- "Gentleman from Dixie” (M-G-M)-
- "RUTHLESS”-(2,000) (30c-40c-5c) 6 days; Gross: $3,500; Average, 7 days; $500

Van Dyke IRE Head

Arthur F. Van Dyke, manager of the industry service section of the RCA Victor photo-album, was elected President of the Institute of Radio Engineers, it was announced yesterday. The IRE has 7,000 members in 47 countries, it was said.

It’s Autry, Okla.

Bergen, Okla., Nov. 6. — GOLFING WARRIOR. Gene Autry is the Western star of the screen, has a new distinction—a town named after him. The Carter County Commissioners at a special session, approved the change of name of this town to Gene Autry, Okla.
Never has any company had so many attractions playing on Broadway at one time as 20th Century-Fox has right now!

AT THE RIVOLI...“HOW GREEN WAS MY VALLEY”
AT THE ROXY...“WEEK-END IN HAVANA” In Technicolor
AT THE PALACE...“MOON OVER HER SHOULDER”
AT THE NEW YORK...“Riders of the Purple Sage”
AT THE MAYFAIR...“Wild Geese Calling” and “GREAT GUNS”
AND COMING TO THE GLOBE...“SWAMP WATER”

“How GREAT Was My Valley!” says Walter Winchell
Watch that Week-end... and the week!
“A welcome surprise!” —N.Y. Herald Tribune
“You can’t do better!” —N.Y. Daily Mirror
Zane Grey for boxoffice action!
And “Wild Geese” is going Great Guns!
The sensation of St. Louis soon will sock New York!

ONE-WAY TO PROFITS
Minneapolis, Nov. 9.—Universal, Columbia and United Artists reopen unreported retail business in Minnesota as the product situation throughout the state becomes increasingly acute, despite the resumption of selling last week by Paramount and United Artists.

Paramount reportedly was off to a slow start on its selling in the state, but United Artists did a heavy opening business. Universal and Columbia, unaffected by the state law, have been selling without interruption and are said to have tripled their business in the state as exhibitors clamored for product to keep their theatres open.

Columbia is usually serviced with four to eight prints for this territory.

Amusement
Division
Pledges Support to
Federation's Drive

The Motion Picture, Theatrical and Amusement Division of the New York and Brooklyn Federations of Jewish Charities pledged full support to the federation's 1941 campaign for funds, at a luncheon meeting at the Hotel Astor on Friday.

Major Albert Warner and David Bernstein, co-chairmen of the division, conducted the meeting, which was the first in the campaign for this year. At another meeting on Nov. 25, five chairman will name the committees within the division which will carry on the work of the campaign.

George Z. Meldrum, president of the New York Federation, and Paul Felix Warburg, chairman of the Business Men's Council of the federation, briefly the federation functions on behalf of 116 institutions in Greater New York. Major Warner and Bernstein pledged full support of the amusement industry here.

"We have always done the job, and..."

16 Theatre Firms
Dissolved in N. Y.

ALBANY, Nov. 9.—Papers of dissolution have been filed for 16 theatre companies in New York State. They are:


Hold British Quota
At Level 3 Years

London, Nov. 9.—The British Board of Trade is expected shortly to announce that the existing quota percentages for exhibitors and distributors will remain in effect for the next three years without change. The expectation confirms Motion Picture Daily's story of Friday that no changes are anticipated for the next three years.

The present percentage on quota is 17½ per cent for exhibitors and 22½ per cent for distributors. The figures, it is understood, are to remain in effect.

Marquee, Shop Window
Power Cut Aids Theatres

Charlotte, N. C., Nov. 9.—Conservation of power in the Southeastern states which calls for a blackout of electric signs, lobby and window displays, is not hurting the motion picture business in the Carolinas, according to reports from the office of Mrs. Pauline Griffith, secretary of the Theatre Owners of North and South Carolina, and from theatre managers.

The Office of Production Management has postponed for one week the 30 per cent power consumption cut scheduled to become effective Nov. 10 in six Southeastern states. Heavy rains permitted the delay. The five per cent cut in North Carolina has been postposed.

On the contrary, business goes on as usual and in some instances theatre men express appreciation of the fact that the "blackout" cuts down their lighting bill. In Charlotte theatre-goers and window shoppers miss the brilliant signs and marvels at the step back to kerogen lamps, lanterns and candles. The curiosity thus aroused tends to increase rather than diminish theatre attendance.

There was something mysterious about it and those who went out to windows and among displays lighted with candles and lanterns decided to go to the films.

Demand Seen
For Browne's Replacement

AFL Not Interfering in IATSE Situation

An AFL official on Friday said he "would be very much surprised" if Browne resigned before his appeal is decided. The IA constitution provides two methods for selection of a new president in the event of resignation or disqualification.

If the first is the election of a successor by the executive council and

Odeon, GFD Plan
No Theatres Deal

London, Nov. 9.—Both the Odeon Circuit and General Film Distributors deny reports of a theatre merger involving Odeon and Gaumont British, following the assumption of control of Gaumont British by the General Film interests headed by J. Arthur Rank. It is also denied that any discussions have been held.

However, following the Gaumont British deal, a new organization,

Report Reisman to
S. A. Relations Unit

It is reported that Phil Reisman, RKO foreign department head, will supervise the distribution of 16mm. films to be made by the Film Division of the Committee for Cultural Relations Between the Americas. John Hay Whitney is chairman of the Film Division.

It is reported that Reisman is leaving his executive post with RKO in order to undertake the new work. The reports did not indicate when Reisman would leave to assume his new duties. He has been with RKO in various executive positions since 1932.
Para, and National
Renew Deal Talks
Paramount has renewed new season product negotiations with National Theatre units, as indicated by Motion Picture Daily on Wednesday. Neil F. Agnew, Paramount director of advertising and publicity, will visit Chicago this week, where he conferred with Sporos Panarama representatives, to head, and H. J. Fitzgerald, Fox Wisconsin chief. It was indicated negotiations are progressing, but have not reached a definite stage.

Charles M. Reagan, Para-"mum's current executive man-ager, is accompanying Skouras to the Coast from Milwaukee to continue the talks.

Bonuses Unaffected
Under Canadian Edict
TORONTO, Nov. 9.—A company which has regularly given Christmas bonuses to employees may continue to do so under the new regulations of the Wartime Labor Control Board stabilizing wages and salaries for workers receiving less than $3,000 per year. It has been revealed to the Ca-nadian Department of Labor. New bonuses are prohibited as an evasion of the control of personal expenses, to which are added cost of living allowances to be fixed periodically by the Government.

Baltimore Club Sets
3 Weekly Features
BALTIMORE, Nov. 9.—The local Variety Club has inaugurated a new policy of installing theatrical night each Tuesday evening. Artists appearing at local theatres and night clubs will be invited as guests.

Stage Night, also, has become a weekly feature with a different member of the Variety Club sponsoring each Monday. The club is now holding dances each Saturday evening, with a local orchestra in attendance.

Operators Ball Today
MILWAUKEE, Nov. 9.—The Motion Picture Ball, an annual affair until its discontinuance a number of years back, is being revived at the Eagles Club Ballroom tomorrow, by the protect-ions’ union, Local 164. Roy J. Bernier heads the arrangements committee.

BROADWAY PLAYS

GRAND-SCALE SMASH HIT!

CECIL W. KENRICK

CERDINE LAWRENCE

in the Musical Play

"LADY IN THE DARK"

ALVIN, 52 St. W., of B’way—Mat. Wed. & Sat. All Orders Promptly Filled

A GREAT SHOW!”—Herald Tribune
50¢, $1 & $5.00
2ND YEAR—2ND EDITION of the
Motion Picture Industry
IT HAPPENS ON ICE
at America’s Only Ice Theatre
Center Theatre, Buckneller Center, Co., 3-5454
Even. except Monday. Mat. Tues., Sat. & Sun. 501 Seats for Every Port., $.60. 6/60

Personal Mention

ROBERT M. GILLHAM, director of advertising and publicity for Paramount, returns to the home office today after a visit in Washington.

LEWIS J. MACDOUGALL, for-merly with Associated Screen News, Ltd., Toronto, has been named officer in charge of the mobi-lization picture unit with the Canadian forces in England.

PHIL SHEERAN, formerly with Monogram in New Haven, now War-ner Montreal manager, was a New Haven visitor over the weekend.

F. E. DESCHENES, owner of the Park Theatre, Presto-On, since 1921, has retired and gone to Florida.

ALEX MOSS returned to the home office at Paramount Friday after a brief Southern trip.

FRANK DURKER, circuit operator in Baltimore, has returned from a Mexican trip.

Rice Elected As
Drama Guild Head
Elmer Rice was re-elected president of the Dramatists Guild for a term of two years at the annual meeting held Friday at the Lyceum Theatre. George Kaufman, retiring vice-president and Richard Rodgers, secretary.

An amendment to the minimum basic agreement with legitimate stage producers was approved which extended the period during which a pro-ducer shares in motion picture rights to a play from 10 to 18 years, but with diminishing percentages during the last eight years. Another amendment was approved an exemption from the requirement for membership in the Guild to foreign playwrights writing in a foreign language and living abroad.

Elected to the Guild council were Philip Barry, Edward Childs Car-penter, Marc Connolly, Rose Franken, Lorenz Hart, Howard Lindsay, John Monks, Jr., Arthur Schwartz, George Sklar and Victor Wolfson.

Representatives of the Guild who were elected to membership on the council of the Authors League of America, the parent body, were Irving Berlin, Connelly, Russel Crouse, Frances Goodrich, Moss Hart, Sidney Kingsley, John Howard Lawson, Kenyon Nicholson, Arthur Richman, A. E. Thomas, Rita Reiman and Stanley Young.

Detroit Complaint Is
Adjoined to Nov. 17
DETROIT, Nov. 9.—The hearing of the amendment to the complaint of Irving A. Moss, operator of the Parkside Thea-atre here, against the five consenting Cinemas, started Friday and was adjourned to a hearing on Tuesday. The argument Friday centered on whether Wilber M. Brucker, arbitrator and former Mich-igan governor, had jurisdiction.

Moss claims four houses of Co- operative and United Detroit Thea-tres, which made an offer of preference on the amusement companies would license to him, and asks for those pictures seven days after the key houses. Brucker will rule on the qestion of jurisdiction on Nov. 17.

Warren Pittsburgh
Zone Meeting Today
A meeting of Warren Pittsburgh zone theatre managers and depart-ment executives will be held in Pitts-burgh with Harry Goldberg, assis-tant manager of the Warner Cir-cuit, and M. A. Silver, Pittsburgh zone manager, conducting.

Harry Goldberg, Warner Theatres advertising and publicity manager, also will attend the one-day meeting. There will be a screening of “One Foot in Heaven” and merchandising plans for the film will be discussed.

Lunt Play Sellout for
Date in Chattanooga
CHATTANOOGA, Tenn., Nov. 9.— “There Shall Be No Night” was sold out at the Bijou three days before seats actually went on sale. Reserva-tions began coming in for the Alfred Lunt and Lynn Fontanne show the day their play was announced. They will present one performance each Tuesday evening.

Orchestrations at All Shows
BOGOTA, Colombia, Nov. 9.— The Motion Picture Daily council has approved a resolution of Councillman Rafael Miranda that requires motion picture theatre managers to employ orchestras for all shows.

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Published daily except Sunday and holidays by Daily Features Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City; Telephone Circle 7-1050.

Music Hall Dates
RKO’s “Suspicion” or Warners’ “Oxford in Heaven” is scheduled to be sold at “Follow Your Love,” Universal feature, currently playing at the Radio City Music Hall.

Albany Variety Club
Will Honor Silver
ALBANY, Nov. 9.—Despite the transfer of M. A. Silver from Albany zone manager to New York high zone manager for Warners, the newly formed local Variety Club plans to elect a new speaker, in recognition of his work in organizing the club here.

Reade Completes 3 Real Estate Deals
Walter Reade, circuit head, completed three real estate deals, it is said, one of which will result in the construction of a $130,000 theatre in the vicinity of Scranton, which he will operate for the owner, Mary Nona Oat. The theatre will seat 1,200 and will be ready for operation in September, 1942, it is expected.

In another of the deals, Reade pur-chased a square block in Asbury Park, N. J., which has a large swimming pool which will feature aquatic performances similar to the “Aquacade” at the World’s Fair. Purchase price for the property is said to have been $400,000. The third was a personal investment in other property in Asbury Park.

PJC Sets Several
Circuit Contracts
Producers Releasing Corp. has closed a number of circuit deals for the new season product since Nov. 1, according to Arthur Greenblatt, gen-eral sales manager. Circuit deals in-clude:

Charles Morse, Boston; Mutual Theatres, Detroit; John Servaes, Mammy Marcus and Rex circuit, Dudley Willamson, J. A. Smith, Indiana-apolis; Lewis Theatres, Houston; Clearfield Amusement Co., and Al-pine Theatres, Pittsburgh; Theatres Service Corp., New Orleans; Commu-nity Theatres, Cooperative The-atres, Sheela Theatre, Cleveland; and Bijou and Avalon Theatres, Toledo, O.

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Samuel Goldwyn’s
THE LITTLE FOXES
CITIZEN KANE
LOOK WHO’S LAUGHING
ALL THAT MONEY CAN BUY
SUSPICION
Walt Disney’s DUMBO

and now...
MORE MONEY SHOWS FROM RKO RADIO

THE THIRD FIVE FOR 1941-42
KAY KYSER in
"PLAYMATES"

with

JOHN BARRYMORE
LUPE VELEZ
GINNY SIMMS
MAY ROBSON • PATSY KELLY
PETER LIND HAYES
and
KAY KYSER'S BAND
featuring Harry Babbitt • Ish Kabibble • Sully Mason
Produced and Directed by DAVID BUTLER
Screen Play by James V. Kern

Do your Christmas booking NOW
for the greatest holiday attraction
on record!
Broadway's child sensation brings to the screen what she had to wow New York in the stage smash, "Panama Hattie."
"WEEK-END FOR THREE"

with

Dennis O'Keefe
Jane Wyatt
Philip Reed
Edward Everett Horton
ZaSu Pitts
Franklin Pangborn

Produced by Tay Garnett
Directed by Irving Reis
Screen Play by Dorothy Parker and Alan Campbell
from Story by Budd Schulberg

A showman's booking worries fly out the window when a sure-fire comedy, like this comes along!
heat wave of entertainment ... singing, dancing, comedy, drama, romance . . . A top racket show all the way . . .

"FOUR JACKS AND A JILL"

with

RAY BOLGER
ANNE SHIRLEY

JUNE HAVOC · DESI ARNAZ · JACK DURANT
EDDIE FOY, JR. · FRITZ FELD · HENRY DANIELL
Produced by JOHN TWIST
Directed by JACK HIVELY

Screen Play by John Twist
"A DATE WITH THE FALCON"

with

GEORGE SANDERS
WENDY BARRIE
JAMES GLEASON
ALLEN JENKINS
MONA MARIS

Produced by Howard Benedict
Directed by Irving Reis
Screen Play by Lynn Root and Frank Fenton
Based Upon the Character Created by Michael Arlen

... Second in the thriller series starring the man who played "The Saint:"
... An ace for action mystery, melodrama ...
Motion Picture Daily

Monday, November 10, 1941

Minn. Product Situation Seen As Acute Now

(Continued from page 1)

but this season the company is keeping to 16 to 20 prints constantly employed. Universal reported that it is having difficulty obtaining an adequate supply of contract forms.

Northwest Allied officials admitted the situation is growing more serious as the contract talks drag on. The Theatre Parade at Fairbault, an "A" house, is definitely scheduled to close Nov. 21. Other houses which were operating on part-time schedules and several closings have been reported.

Northwest Allied officials, in an attempt to avoid a denial from Governor Harold E. Stassen that the calling of a special session of the legislature to repeal the anti-block-of-five law is contemplated. The next regular session of the legislature will be in January, 1943.

Warners Asks Exemption From Minnesota Law

Warners has applied for an exemption from the court here from the sales provisions of the consent decree to permit to resume selling in Minnesota and hearing the constitutionality has been set for Friday by Federal Judge Henry W. Goddard.

Motion Picture Daily disclosed on Friday that the company had the decree under consideration.

Grants of the order by Judge Goddard is regarded as a certainty, since the court evidenced no disposition to question the right of Paramount to an exemption for Minnesota operations when that company came before the court 10 days ago with an identical request. Judge Goddard, in fact, stated that under section 23 of the decree, which offers relief to the consenting companies when decrees provisions come into conflict with state or other laws, Paramount was clearly entitled to a relief.

The expiration of Warners would leave only three companies, Loew's, RKO and 20th Century-Fox, not selling in Minnesota because of the state's anti-block-of-five law.

Warners stated its intention of pressing a test of the constitutionality of the Minnesota law and expressed the hope that the next session of the state legislature will repeal the law.

16 Theatre Firms Dissolved in N. Y.

(Continued from page 1)


Sign Miss Rogers, Fonda

Hollywood, Nov. 9— Ginger Rogers and Henry Fonda have been signed to star in two of the episodes of "Tales of Manhattan" at 20th Century-Fox.

Bette Davis First Woman To Head Coast Academy

Hollywood, Nov. 9—Bette Davis, five times nominee and twice winner of the outstanding actress award, has been elected president of the Academy of Motion Picture Arts and Sciences, the first woman to hold that post.

The new Academy board of governors at its first meeting named Miss Davis and the following officers: Walter Wanger, retiring president, as first vice-president; Edward Arnold, second vice-president; Rosalind Russell, third vice-president; James Hilton, fourth vice-president; Jane Murfin, secretary; Nat Finston, assistant secretary; John Vailberg, treasurer; Pete Smith, assistant treasurer.

The new board also reaffirmed Donald Gledhill as executive secretary. The board served plans for a new Academy building, a project which had been planned for some time. Sam Wood, committee head, reported priorities prevented the obtaining of the necessary materials.

Odeon, General Film Say No Theatre Deal

(Continued from page 1)

called British Film Makers, has been formed, representing Oscar Deutsch, Odeon head, and Rank of General Film. It is believed the new organization will sponsor large-scale productions, of which the first is "The Day Will Dawn," now being produced at the Dernon studios by Paul Stein.

It is indicated that Rank is financing the production. General Film will handle distribution, and Odeon will guarantee the theatre outlet for the picture.

Hold British Quota To Level 3 Years

(Continued from page 1)

at the end of three years. Under the Films Act, the exhibitor quota should ultimately reach a maximum of 27½ per cent, and the distributor quota a high of 27½ per cent.

The plan is expected to be presented to the next meeting of the Films Council, the date for whose meeting has not yet been set. The council generally advises the Board of Trade on such matters, and the former is expected to approve the quota plan.

Production Plans Topic at "U" Meet

(Continued from page 1)

representative, and Bernard Kreisler, short subjects manager.

Also present from the home office were J. J. O'Connor, assistant to Blumberg; W. J. Heineman, assistant sales manager; E. T. Gomersall, Fred Meyers, F. J. A. McCarthy, J. J. Jordan, F. T. Murray and Lou Follick.

Settle William Fox, Fox Theatres Suits

(Continued from page 1)

be exchanged, Fox drops a claim for $7,000,000 which he filed against Fox Theatres, and the latter abandons its suit for many millions of dollars against Fox.

The trustees of the company pointed out in their application that the wiping out of Fox's claim will release $85,000 now held as a reserve for general distribution to creditors of Fox Theatres Corp. The agreement with Fox is part of a settlement with all of Fox's creditors under which payment is to be made of $858,000 by Fox, 20th Century-Fox Film Corp., one of the creditors, will receive $39,500 in the general settlement.

Hitchcock to Direct Lloyd-Universal Film

Frank Lloyd and Jack Skirball will produce and Alfred Hitchcock will direct a story by Hitchcock titled "The Saboteur," under arrangements completed on Friday Universal will release the film. The cast will be headed by Priscilla Lane and Robert Cummings.

Cut Matinee Prices

Cincinnati, Nov. 9.—The Times, its subsequent run, operated by the Isaac Libson interests, has reduced the matinee price to 20 cents including taxes.

New Comedy Will Make Bow Tonight

"Spring Again," a new comedy by Isabel Leighton and Bertram Bloch, opens tonight at Henry Miller's Theatre with Grace George and C. Aubrey Smith handling the top assignments. Guthrie McClintic is producer.

AmusementDivision Pledges Support to Federation's Drive

(Continued from page 1)

try to do it better than ever this year," said Major Warner, while Bernstein stressed the particularly vital need now of strengthening the home front by the support of such charities. Preliminary plans were discussed at the meeting.

In attendance at the meeting were: Jack Alcicort, Barney Balaban, Joseph Bernhard, Max B. Blackman, Harry Brandt, William Brandt, Leo Brecker, Irenon Caesar, Max Cohen, Oscar Doo, M. J. Fessler, Leopold Friedman, Louis Frisch, Leon Goldberg, Milton Green, Monroe W. Greenthal, Toby Grinsen, Marcus Herman, Arthur Israel, Jr., Henry Jaffe, Joseph Kaufman.

Also Malcolm Kingsberg, Bertram Lebar, Sam E. Morris, Paul Moss, Louis Phillips, Sam Rinzer, Herman Robbins, Harold Rodmer, Samuel Rosen, Sam Schneider, Max Seilman, Charles Sonin and A. P. Waxman.
Demand Seen For Browne’s Replacement

(Continued from page 1)
the other is by special convention. Only the council can call the special convention but there is a union circles that the council could not, in the present circumstances, resist strong pressure by the local unions in these cases. The regular convention, held biennially, is not due until June, 1942.

The only outstanding candidates was Louis Krouse, general secretary-treasurer. Normally, of course, the first vice-president would serve until the next regular convention. However, it was pointed out, Harland Holmeden is the incumbent first vice-president and little likelihood was seen in union circles of Holmeden accepting or being offered the post.

Holmeden May Refuse

In the first place, it was said, Holmeden was reluctant to run for president on the ground that its duties are too strenuous for a man his age, and there may be opposition because of his close association with the administration.

William Covert, the second vice-president, also is not regarded as eligible to run for the presidency. This leaves Richard F. Walsh, of the stagehands local in Brooklyn, as the next in line, but there is some doubt whether he will desire the nomination of it. Also, who is now a third vice-president, will be as routine as it would be in the case of Holmeden, an eligible first vice-president to the presidency.

AFL Keeps Hands Off Browne-Bloff Situation

WASHINGTON, Nov. 9.—The fate of George E. Browne and William Bloff as labor leaders rests with the organization which their actions are directly connected and not with the national labor body, according to officials of the American Federation of Labor.

Expulsion as a result of their conviction rests with the ILATSE, it was said, under the laws and rules of the international, but it was pointed out that the question of expulsion was dealt with at length by the AFL executive council in its report to the annual convention at Seattle last month, in which the individual unions were called upon to rid themselves of officials who for selfish purposes seek to utilize the labor movement for the sole purpose of promoting their members welfare. However, it was stressed, neither the AFL president nor members of the executive council have any authority to remove officials of any international unions.

Coast Unions Leave Matter to IA Board

HOLLYWOOD, Nov. 9.—Still involved in straightening out contracts with producers, the 10 IATSE locals here looked to the IA executive board for any action to replace George Browne as IA president.

The general attitude was that the majority of locals, all of which have autonomy, have embarked on a program of conducting their own negotiations with the exception board, and better working conditions are their major concern. No officials would hazard a guess as to the action of the IA executive board.

Reviews

“Sierra Sue” (Replicy)

THIS stars Gene Autry in a Western whose story is modern and which has a minimum of plot and an abundance of song. In one scene, Smiley Burnette, the human cannonball, is ejected from a piece of cannon artillery and soars through the air. Although the action is rather limited until the final sequences, it appears sufficient. The picture is on the whole is entertaining and doubtless will score a solid hit with Autry fans, particularly.

Snow-capped mountain peaks and tall timbers form a colorful back- ground to the story, and Autry does have an asset in his horse, Mike. Instead Autry of the Agricultural Commission finds his opposition in the stubbornness of a rancher who refuses to have his devil weed-infested property chemically treated.

The numerous vocals by Autry are pleasant and neatly spotted. Fay McAlister in the feminine lead has more to do than is usually the case and it does it well. Frank Thomas, Robert Homans, Earle Hodgkins and Dorothy Christy are in the cast. William Morgan directed and Harry Grey was assistant producer.

Running time, 64 minutes. ”G”

“I Killed That Man”

(Produced—K-B Productions)

Hollywood, Nov. 9.

GIVING the picture a maximum of production quality, Maurice and Franklin King (formerly Kozmaksy) made of “I Killed That Man” a crime melodrama aptly suited for its designed supporting program duties. However, there are several story lapses which are not connected properly with the development of the plot.

Ricardo Cortez, as an assistant district attorney, and Joan Woodbury, as a newspaper reporter, have the principal roles. Others in the cast are Pat Gleason, George Pembrooke, George Breakstone, Iris Adrian, Herbert Rawlinson, Ralph Harbide, John Hamilton, Harry Holman, Jack Mulhall, Gavin Gordon and Vince Barnett.

A condemned man is murdered minutes before his scheduled execution when he is about to address the witnesses and reveal the name of his superior in crime. The district attorney’s office trails down the suspects one by one, through another murder, to the climax.

Outlaw Bob Olsen plays the players and the mounting and but for the inconsistencies, did an admirable job.

Running time, 71 minutes. ”G”

“Foxes’ Captures $9,800, Montreal

TORONTO, Nov. 9.—“The Little Foxes” grossed $9,800 for the big screen at the Imperial Theatre, directing a holdover of weeks at other big theatres, with “Hanky Tonk” taking $9,000 at Lord’s for its third week, “Runnin’ Home” at the Uptown Theatre netting $9,500 for a second week at the Uptown Theatre.

Estimated receipts for the week ending Nov. 1.

“The Maltese Falcon” (W. B.)

GALLANT—(11,060) (18c-30c-60c-90c) 9 days, Gross: $5,300, (Average, $450)

“The Little Foxes” (RKO)

IMPERIAL—(8,370) 18c-30c-42c-60c-90c 6 days, Gross: $5,000, (Average, $833)

“Hanky Tonk” (M-G-M)

LOEW’S—(8,230) 18c-30c-42c-60c-90c-120c 6 days, 3rd week, Gross: $9,000. (Average, $900)

“Cashing But the Truth” (Param)

SHEETS—(3,000) (18c-30c-42c-60c-90c) 6 days, 2nd week, Gross: $8,000, (Average, $900)

“The Story of a Jockey” (20th-Fox)

“Dressed to Kill” (Sth-Fox)

UPPERolla—(15,070) 18c-30c-42c-60c-90c-120c) 6 days, Gross: $4,300. (Average, $720)

“It Started With Eve” (Univ.)

UPPERoal—(18,670) (18c-30c-42c-60c-90c) 6 days, Gross: $8,000, (Average, $900)

Weber Leaves NBC

Tommy Weber, NBC chief photographer, has resigned effective next Saturday to start a commercial photographic agency. He operated a photo news service before joining NBC and, prior to that time, was a photographer with the New York Journal-American.

Fly Hits Alleged Pressure on FCC

WASHINGTON, Nov. 9.—Efforts on the part of Arthur Lucas, Atlanta circuit operator, alleged to pressure network managers for liberal pressure on the FCC brought from Chairman James L. Fly Saturday that “decisions are to be made on their merits.” The commission made public a correspondence concern- ing the FCC, WGST, Atlanta, for license renewal. Lucas has an interest in the matter, the question was for disposition in connection with the application hearing, and was denied.

To Delay FCC Web Rules to December 1

Attorneys for the FCC and CF and NBC negotiated over the weekend for a stipulation postponing enforcement of the network monopoly rules until a statutory Federal Court of three judges can pass on the validity of the rules after a hearing December 15. The attorneys are under the guidance of Federal Judge Henry W. Goddard, who will decide whether an agreement has been reached. If the stipulations are not agreed upon, Judge Goddard will set the statutory court immediate to decide whether a stay shall be granted until the Dec. 15 hearing.

The rules were scheduled to go into effect next Saturday. The motions for a temporary injunction were postponed Friday by Judge Goddard, who announced that a statutory court would be composed of Presiding Judge Learned Hand of the U.S. Circuit Court of Appeals, Federal District Judge John Bright himself.

Moves to Dismiss Net Complain

Assistant U. S. Attorney Samul Eszter was asked to view the case for the FCC, disclosed that he filed a cross-motion to dismiss the networks’ complaint and for summary judgment without trial in favor of the FCC. Eszter expressed the opinion that the ultimate decision would be rendered without a trial because the facts are on record, and the question remaining is the legality of the FCC rules.

Justice Goddard stated from bench that he would be inclined grant a stay pending the Dec. 15 hearing, but the attorneys did not agree on a stipulation but added that he could not speak for the other two judges.

Metropolitan Asks Television Permit

WASHINGTON, Nov. 9.—A construction permit for the commercial operation of its television station W2XM was asked Friday by Metropolitan Television, Inc., of New York. The application asks for Chas nel No. 8, with a station to be aural at 1,000 watts visual power.
MOTION PICTURE DAILY
NEW YORK, U.S.A., TUESDAY, NOVEMBER 11, 1941
TEN CENTS

150 Canadian Theatres in Test Blackout

Montreal Gross Reported Normal for Evening

By PAT DONOVAN

Montreal, Nov. 10.—The Dominion’s most extensive test blackout passed tonight with exhibitors in Montreal reporting attendance and receipts about normal. Officers stated that the exhibitors’ cooperation in making the half-hour blackout a success was 100 per cent. Approximately 150 film theatres in the Province of Quebec were affected by the blackout, which was the largest ever attempted in North America.

(Continued on page 4)

Lawyers Lectured
By Appeals Board

In granting a reduction of clearance to the American Theatre, Canton, N. Y., the national arbitration appeal board in a decision handed down yesterday, diverged sufficiently to lecture attorneys in arbitration cases for continuing to unnecessarily lengthy records and failure to help arbitrators who are uninitiated in the ways of the business. The appeals board reversed in part the award of Morton J. Hall, arbitrator at the Albany board, who eliminated the 14 days’ clearance of the Strand, Ogdenburger, over the American last July. The board’s decision (Continued on page 4)

Schine Circuit Files Sealed Answers to U.S. in Trust Case

BUFFALO, Nov. 10.—Sealed answers to the Government’s interrogatories in the anti-trust suit against the Schine Circuit and the Little Three were filed for the theatre company in U. S. District court here today by William S. McKay, Schine counsel.

The unusual request that the answers be sealed and accepted personally by Judge John H. Walter was granted by the latter on McKay’s explanation that he did not wish the information to become public at this time for fear that competing theatre interests would obtain access to them.

Seymour Simon, special assistant to the U. S. Attorney General, applied for permission to examine correspondence of the Schine company relating to its theatre operations and film contracts.

“If we can obtain this data I believe (Continued on page 3)

Daugherty Head of Capital Variety Club

WASHINGTON, Nov. 10.—Vincent Daugherty, head of the Paramount sales staff, was elected Chief Barker of the local Variety Club today, succeeding Harold Meikin, manager of RKO Keith’s.

Sam Wheeler and John Allen were chosen assistant barker heads, Eddie Bontemps secretary, and Sam Galanty was re-elected treasurer. Carter Bar- (Continued on page 3)

Coast Exhibitors Urge Films To Army Ahead of Theatres

HOLLYWOOD, Nov. 10.—The Pacific Coast Conference of Independent Theatre Owners today recommended that prints of all pictures be made available to Army posts prior to their national release date in the interests of morale, provided that Army theatres admit only service men.

The resolution adopted by the organization instructed member exhibitors “who may be hurt because of the particular clearance that an Army post may have” to send a report of the matter to Robert H. Poole, executive assistant, for forwarding to Francis Harmon of the MPPDA, coordinator of the industry’s National Defense committee. It was also recommended that the latter committee appoint a subcommittee on clearance to handle such complaints.

Richard Walsh Chosen as New Head of IATSE

Executive Board Selects Him to Succeed Browne

Richard F. Walsh, third vice-president of the IATSE, has been elected president to succeed George E. Browne, its was announced yesterday. The action was taken at a meeting of the general executive board in Atlantic City late Sunday night.

It was revealed that Browne resigned as president after his conviction in U. S. District Court here last Thursday with William D. Justice charges. Browne offered his resignation effective as of last Saturday.

Walsh will hold office until next June, when the regular IATSE convention will be held. Bloff’s past as West Coast International representative will be taken by Carl Cooper.

Walsh has been president of Local 94, Brooklyn stagehands’ union, for a number of years. He joined that (Continued on page 4)

Albany Variety Club Names First Officers

ALBANY, Nov. 10.—The local Variety Club has named M. A. Silver its first Chief Barker. Silver, who was Warner zone manager here until his promotion to the Pittsburgh zone manager, will resign as the Variety Club here is functioning on a permanent basis.

The membership unanimously decided to honor Silver, who labored unintermittingly all summer to form the new unit, despite his transfer from this territory. Silver accepted on the basis that he could relinquish the post.

Seven Home Offices Closing at 1 P.M.

Warners, Paramount, M-G-M, 20th Century-Fox, Universal, Columbia and RKO will close at 1 P.M. today. Armistice Day, United Artists and Republic will be open all day.

National Screen Service will be closed the entire day.

(Continued on page 3)
Personal Mention

JAMES MULVEY, vice-president and Eastern representative for Samuel Goldwyn, Inc., and Miss Mulvey will celebrate their 17th wedding anniversary today.

E. K. O'Shea, Central division manager for M-G-M, will leave today for Oklahoma City.

GERTRUDE MERRIAM, manager of the Managers Round Table Department of Motion Picture Herald, is recuperating at home after an appendicitis operation.

ERNEST KOEING, formerly European manager for Universal with headquarters in Paris, who has been in a sanitarium near Barcelona, Spain, was due to sail from Bilbao for New York today.

TONY MASELLA, former assistant at the Globe, New Haven, was given a dinner on the occasion of his promotion to assistant at the Poll, New Haven.

To Certify Union as WB Employe Agency

Formal certification of the Warner Bros. Associated Office Employees Union as collective bargaining agency for clerical employees in the home office will be made by the NLRB in Washington in two or three weeks, Charles Kramer, trial examiner, said yesterday. The union won an election by a vote of 431 to 112.

BUFFALO MANAGER HURT

BUFFALO, Nov. 18.—George H. MacKenna, manager of the Lafayette Theatre, was severely hurt yesterday when he was struck by an automobile in Niagara Falls.

APPROVE SUNDAY FILMS

ROCHELLE, GA., Nov. 18.—Sunday films have been approved by a unanimous vote of the Town Council. The proceeds will go to charity.

5 SERVICES DAILY VIA SOUTHERN SUNSHINE ROUTE TO LOS ANGELES

AMERICAN AIRLINES INC.

ROUTE OF THE FLAGS

THE MERCURY

(Two Sections)

Lyv. New York 4:30 pm and 4:45 pm
Ar. Dallas-Ft Worth 1:28 am and 2:18 am
Ar. Los Angeles 7:47 am and 8:47 am

Lyv. New York 5:22 pm
Ar. Dallas-Ft Worth 3:55 am
Ar. Los Angeles 9:47 am

THE PLAINSMAN

Lyv. New York 11:20 pm
Ar. Dallas-Ft Worth 8:52 am
Ar. Los Angeles 4:02 pm

THE SOUTHERNER

Lyv. New York 6:30 am
Ar. Dallas-Ft Worth 4:58 pm
Ar. Los Angeles 1:56 pm

THE SUN

Lyv. New York 10:40 pm
Ar. Dallas-Ft Worth 8:30 am
Ar. Los Angeles 4:30 pm

THE COUNTRY SPECIAL

Lyv. New York 8:00 pm
Ar. Dallas-Ft Worth 5:00 pm
Ar. Los Angeles 1:00 pm

For reservations, call your Travel Agent or Havemeyer 6-5000.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company Inc., 1270 Sixth Avenue, New York City. Telephone address, "Quigpubco," New York. Published by William G. Quigley, Editor-in-Chief and Publisher, and by Peter J. Quigley, Vice-President and General Manager; William R. Weaver, Editor; Alfred F. Finestone, Managing Editor; James O. Hall, Associate Editor; Chicago office, 224 South Michigan Avenue, C. B. O. Y. Manager; Hollywood Bureau, Postal On Post Office Mail, William W. Weaver, Editor; Leona Friedman, Manager; London Bureau, Golden Square, London W1, Home W. Williams, Manager, cable address "QuigpubLondon." All contents copyrighted 1941 by Quigley Publishing Company Inc. Ott Publishing publication, Meridian Press Herald, Better Theatres, International Motion Picture Almanac and Pams, issued as second class matter, Sept. 21, 1917, at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $5 in the Americas $12 foreign. Single copies 10c.
Dumbo’ Is Good Draw in Strong Broadway Weekend

(Continued from page 1)

as My Valley” at the Rivoli, now its second week. The film has grossed an estimated $26,800 Friday through Sunday, and is expected to do $71,000 during the next three days beginning Friday. The film, with a stage show, will be held at the Paramount.

The new 20th Century-Fox musical “Week-End in Havana,” featuring a big opening at the Roxy, long and at $17, has grossed $82,000 during its first three days beginning Friday. The show, with a stage show, will be held at the Paramount.

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Albany Variety Club Names First Officers

(Continued from page 3)

in honor of the first assistant Barker, Louis H. Golting of Fabian Theatres, was elected first assistant Barker.

Daughtery Head of Capital Variety Club

(Continued from page 1)

run and Abe Lieberman were elected delegates to the June 12 convention in Los Angeles, with Galante and Rudolph Berger as alternates.

Eugene F. Meanca, former manager of the Capitol Theatre, which has been completed within the next two weeks with the installation of officers to be celebrated at a banquet late this month.

‘M. P. Daily’ Albany Writer A Councilman

Albany, Nov. 10.—Richard J. Conners, correspondent here for Motion Picture Daily, has been elected to a four-year term as Alderman on the Common Council, by a vote of 2,177 to 175.

Schine Films Answer in U.S. Trust Action

(Continued from page 1)

it will indicate how Schine licensed its films in closed and open towns,” he said. He expressed a desire to learn whether the circuit opened what he termed “fighting theatres, to discourage or hinder competition.”

Judge Knight reserved decision on the request as he did on several others advanced by Simon.

To the latter’s request for information pertaining to admission prices charged by Schine theatres since Aug. 7, 1931, McKay said he would supply the scales for any specific date but that to comply fully would require “someone spending a lot of time on the job.” Simon also asked for the cost of each theatre acquired by Schine, to which McKay replied: “Let them tell us what particular theatre they want to know about.”

Simon also sought information concerning the gross film rentals paid by Schine each year over a period of six years, but McKay said that would be much easier to obtain such information from the distributors.

The Government was given 10 days to reply and briefs were ordered filed. In the interim the sealed answers by Schine will be opened by the Government. Trial of the case is scheduled to open early next year.

‘International Lady’ Opens at Criterion

“International Lady,” Edward Small production released by United Artists, had its premiere amid crowds and lights last night at the Criterion Theatre on Broadway.

The list of personalities in attendance was headed by Homa Massey, feminine lead of the film, which also stars George Brent and Basil Rathbone. Among those present were Walter Wanger, Arthur Caesar, Ray Flynn, Hildegard, Liza Tuncher, Bruce Cabot, Linton Wells, Louis de Garde, License Commissioner Paul Mose, Sheila Barrett and Desi Arnaz.

Adrienne Ames interviewed Miss Massey and other guests from the lobby of the theatre over WHN.

‘Gestation Roadshow’ Planned in 10 Cities

United Artists plans to open the special four-week roadshow of Arnold Pressburger production, on a roadshow basis in 10 key cities, starting in January, Arthur W. Kelly, vice-president, said yesterday on his return from the Coast.

Reviews

“Kathleen” (M-G-M)

Hollywood, Nov. 10

GET ready to rub your eyes, Ladies and Gentlemen of Show Business, and your palms, when you meet “Kathleen.” For “Kathleen” is your old friend and favorite box-office attraction, Shirley Temple—which wouldn’t be the case if the preceding story about a child and her problems kept you and your customers happy during the four years in which you voted her Number One Money-Making Star.

Yes, folks, this is a simple little story about a little girl. Her mother is dead. Her father is preoccupied with other matters, delegating servants to look after her. Her gouverness alizes her confidence. Her only friend is an old man who runs a second-hand store. A slick lady is about to marry her father for his money. Then a woman doctor, who happens to be young and pretty, is brought into the household, adjusts the child’s emotions, finds herself a bit affected by the child’s father, and, of course, winds up by marrying the parent and making everybody happy.

Simple, direct, modernized to the extent of some references to child psychology and the introduction of some literal materializations of juvenile fancy, the story is in the groove of the dozens of stories in which Miss Temple entertained her millions. The story keeps the narrative plain enough for mass consumption.

Herbert Marshall as the father, Laraine Day as the personable lady doctor and Gail Patrick as the woman with designs on the paternal monies play up to and never around or over the child star, and support is provided by Felix Bressart, Nella Walker, Lloyd Corrigan, Guy Bellis and half dozen others. No mobs of soldiers, angels or goblins are permitted to clutter up the proceedings and no earthquakes, tornadoes, fires or volcanic eruptions occur.

George Haight, who produced the film, must have remembered that it was in homespun that Miss Temple made her fame. Director Harold S. Bucquet may have turned memory back, too, to some of the young lady’s top-crossing beginnings, for he kept his cast within the bounds of her early triumphs letting the distortions occur where they’d do the most good, and attempted no subletty, nothing too fancy for the multitude.

Doubleness there will be some temptation to showmen to bill “Kathleen” as a Shirley Temple comeback.” That would be an inaccuracy, an offense against fact and, by the records pertaining to that type of billing, self-defeating. "Kathleen" is not a "Shirley Temple comeback." It is a coming back to the screen of the Shirley Temple type of motion picture, with Shirley Temple in it. Probably the best way to bill it is: "Shirley Temple in ‘Kathleen’.

Running time, 85 minutes. "G."* Roscoe Williams

“Design for Scandal” (M-G-M)

Hollywood, Nov. 10

TO use a colloquialism, M-G-M’s “Design for Scandal” is a humdinger. The picture has everything that makes for entertainment for all types of patrons—exciting portrayals, side-splitting comedy, a keenly developed story, and the usual fine lines associated with M-G-M productions.

For marquee embellishments are the names of Rosalind Russell, Walter Pidgeon and Edward Arnold, who do splendidly in their respective roles of judge, news photographer and news service head beset with ally troubles. The support includes Lee Bowman, Jean Rogers, Mary Beth Kirby, Guy Kibbee, Barbara Jo Allen, and Leon Belasco, each of whom delivers more than adequately.

Sophisticated and clean and studded with sharp dialogue and delightful situations, the picture deals with the efforts of a photographer to involve a woman judge in scandal in order to influence her to free his boss of huge alimony payments. The matters become complicated when the judge and the photographer really fall in love with each other.

Turning in one of his best directorial jobs, Norman Taurog skillfully guided the characters, gleaming the maximum for each situation and line of dialogue. Shrewdly, he uses Edward Arnold, his scenes with John W. Considine, Jr., gets another feather in his cap. The picture at its preview won unrestrained applause and kept its viewers in a constant state of merriment.

Running time, 82 minutes. "G."* Vance King

*"G" denotes general classification.

On Nov. 10, '31, 1941, the Motion Picture Daily reported on the success of Dumbo in its second week, with a stage show, and the performance of “Kathleen,” a film starring Shirley Temple, and “Design for Scandal,” a film starring Rosalind Russell, Walter Pidgeon, and Edward Arnold.
150 Canadian Theatres in Test Blackout

(Continued from page 1)

The total number of theatres in the province is placed at 180, but some of the rural establishments, were unaffected.

According to rules prescribed by the civilian defense officials, the 80,000 theatres in the Montréal metropolitan district were directed to give pass-out checks to patrons wishing to leave the theatres when the alert was declared for the city when the "alert" sounded at 9:45 P.M. The test took place from 10 to 10:30 P.M.

After marquee, lobby, lounge and running lights had been extinguished at 10 P.M., ushers with flashlights were stationed at exits and no one was permitted to leave. This ruling was for the safety of patrons. Emergency battery lighting plants were kept in readiness in case of necessity but were not needed.

Police had cautioned the public against picnicking and holding men and theatres provided protection for patrons against prowlers.

Theatre outer lobbies were crowded with pedestrians who were urged by the police to seek shelter in doorways. Despite the excitement, evening theatre managers, as reported by managers, was unaffected.

The combined seating capacity of all Quebec houses affected by the blackout is reported to be 120,000. Contributing to this total are 73 houses in Montréal, 11 in Quebec City, four in Thetford Mines, and a total of 90 in other Quebec cities and towns.

The blackout affected practically one-sixth of Canadian territory. Civil Protection Committee officers and local police supervised the blackout. All traffic came to a standstill, with lights extinguished in the city.

During a blackout in Montreal earlier in the year, exhibitors reported no noticeable effect on box-office receipts.

Ted Weber Joins
New Chicago Daily

Ted Weber, CBS assistant director of publicity, resigned yesterday to become amusement advertisement manager for the new Chicago morning newspaper to be started shortly by Marshall Field and Silliman Evans. Weber will fly to Chicago today to assume his new duties.

Weber, originally from Chicago, has been assistant to Louis Ruppel, CBS director of publicity, for the past two years. Previously, when Ruppel was managing editor of the Chicago Daily News, Weber was in charge of the amusement advertising department.

Chicago, Nov. 10.—Wolfe Kaufman, Chicago City Hall, which has been named film critic of the new Chicago morning daily controlled by Marshall Field.

Crews to See 'Target'

Philadelphia, Nov. 10.—Warner's "Target for Tonight" will be screened tomorrow morning at 8:30 at the famous Eighteenth Street Theatre on the hangar deck of the H. M. S. Furious in the Navy Yard here.

The crews of the aircraft carrier and H. M. S. Manchester will attend.

Nile Trammell

As part of the celebration of the 15th anniversary of NBC, Roy C. Witmer, vice-president in charge of NBC Red Sale, will be host to representa"tives of national trade papers at a luncheon at the Hotel St. Regis tomorrow afternoon.

Highlight of the celebration will be a live broadcast Saturday night from 11:15 to 1 A.M. in which 2,000 performers will participate and all will be carried by all 243 stations of the combined Red and Blue networks. This program will be broadcast, with little or no short wave and to about 100 stations of NBC's Pan-American Network.

Will Dedicate Studios

Simultaneously with the broadcast, NBC will dedicate several new studios in Radio City. Niles Trammell, president, will make the welcoming address and Secretary of the Navy Frank Knox will participate.

Among the host of artists will be Jack Benny, Bob Hope, Rudy Vallee, Benny Goodman, Kay Kyser, Burns & Allen, Edmond Lowe, Victor Legden, Fibber McGee & Molly, Frank Munn, Bing Crosby, Lowell Thomas, Milton Cross, Graham McNamee, Horace Heidt, Fanny Brice, Conrad Thalhaut, Vivien della Chiesa, Xavier Cugat, the "Quiz Kids," "Johnny" of the Philip Morris show, Ralph Edwards, Ted de Corsia, Bing Crosby, USO Shows and others.

The luncheon tomorrow will be offered to all NBC programs and placing the show on NBC is a part of their 15th year celebration.

No Priorities Effect
On Policies of FCC

Washington, Nov. 10.—Recent order of the SPAB halting new construction not essential to defense or public welfare has not brought about any change in the policy of the FCC with respect to applications for construction permits for new stations, it was said today by Chairman James L. Fly.

Fly explained that the Commission has not yet adopted any policy reflecting the SPAB order, but pointed out that it would be a "little gesture" to grant a construction permit to an applicant who had no chance of getting materials.

Very few permits have been granted since the SPAB order, however, and in those cases it is probable the applicants had assurance that the necessary materials would be delivered, it was stated.

Richard Walsh New President of IATSE

(Continued from page 1)

Richard Walsh New President of IATSE

union in 1917 and was elected its business agent in 1926. He was elected an international vice-president in 1943. Walsh for years has been a working stagehand, his last job, as a stage electrician, being at Loew's Metropole in Brooklyn.

Brownie and Rioff are to be sentenced tomorrow by Judge John C. Know.

First Indianapolis

Complaint Is Filed

The first complaint to be filed at the Indianapolis arbitration board was enacted yesterday by Charles Bowles, owner of the Grand Theatre under construction at Elizabethtown, Ky.

The complaint charged that the five competing companies have refused to grant the theatre, scheduled to open Dec. 1, the right of their product, a violation of Section 6 of the consent decree. The complaint charged that the only theatre in the town hereafter operating other independents is the Crescent Amusement Co., and that company now has a second theatre here.

A complaint was filed at the Chicago arbitration board by Ben Coone and Harold McFarland, operators of the Ogden Theatre in that city, naming the five competing companies, the complaint charged that the clearances granted the Marshall Square Theatre is unreasonable. It seeks an order permitting the Ogden to play in second week of Chicago release instead of seventh week.

Greater Authority
To 'U' Branch Heads

Chicago, Nov. 10.—Universal's branch managers are to be accorded greater latitude by the home office in settling local sales questions, William A. Scully, vice-president and general sales manager, told the company's executive sales meeting here over the weekend.

A substantial increase in the company's budget to provide in particular for three new Frank Lloyd productions, was announced at the meeting.

Commissioner Matthew J. Fox, vice-president, told the district and branch managers that the "U" Show program is 70 per cent completed.

The home office officials left today for New York where a second sales meeting will be held next weekend.

Lawyers Lectured

By Appeals Board

In Deciding Case

Tuesday, November 11, 19
We'll Clear Matters Up,' Walsh Says

Give Us a Break; New IA Head Pleads

By EDWARD GREIF

"There will be no general changes in the IATSE. No changes are needed. We've been in existence for years and this is the first re-election on our record. Give us a chance and we'll clear this up with our actions." Thus spoke the new president of the IATSE, Richard F. Walsh, receiving visitors for the first time since assuming his new post last Sunday, as successor to George E. Brown, Jr.

Ascap Election to Be Test of Strength

The Ascap board of directors may meet within the next few weeks to elect officers for the ensuing year. The election is expected to provide a test of the strength of Ascap directors and membership elements which reportedly favor one or more changes in the roster of Ascap officers as a result of the war in the major networks over new Ascap contracts.

No definite date for an election meeting of the board has been set, but there is a likelihood that the meeting may be held before the end of the year.

Equity to Require Dues from Agents

Equity, beginning Dec. 1, will require employment agents and personal representatives to pay an initiation fee of $100 and dues of $25 a year, the Equity council ruled yesterday. Thirty-two agents now licensed by Equity will not have to pay the initiation fee. The new ruling will apply to applications for agents' permits, 28 of which are pending.

Broadway Enjoysm Smash

Armistice Day Business

Taking advantage of the observance of Armistice Day, with many business houses closed, in addition to a school holiday, New Yorkers yesterday brought a box-office boom to Broadway theatres. Other key cities reported similarly strong business for the day.

Yesterday's matinee business was counted little short of tremendous by film houses as well as the legitimate theatres on Broadway. Standees and the SRO sign were the cheerful order of the day for managers up and down the street.

The throngs in the downtown sector, many of whom found their way into theatres, however, were almost entirely the domestic product, since air lines and railroads reported no unusual influx of tourists.

While business tended to slacken off a little at the film houses in the evening, as is usual on the night of a holiday when a working day follows, the legitimate theatres enjoyed a highly successful evening as well as matinee trade. Only eight legitimate shows played matinees yesterday, most of them not deviating from their usual weekly matinee days, and the eight uniformly reported prodigious busi-

(Continued on page 6)

Stockholders Of RKO Will Meet Jan. 15

The first meeting of RKO stockholders, since the company's emergence from reorganization almost two years ago is scheduled to be held about Jan. 15, it was learned yesterday.

The meeting will elect a new board of directors, since the terms of all 11 members of the present board will expire Jan. 26. The present board was designated for a two-year term by the Federal court at the conclusion of the RKO reorganization.

Under the company's by-laws, holders of RKO preferred stock will be entitled to elect one-third of the members of the new board, or either four or five of the new total. The by-laws provide that whenever accumulated unpaid dividends on the preferred amount to $7.50 or more a share, that class of stock shall be entitled to elect one-third of the board.

(Continued on page 6)

Roosevelt's Armistice Day Address Estimated Heard by 30,000,000 in U. S.

One of the largest audiences ever to listen to a speech delivered in the daytime heard President Roosevelt's Armistice Day address from Arlington Cemetery, approximately 30,000,000 in the United States alone, CBS declared yesterday following a survey made by C. E. Hooper, Inc. The survey, which was conducted while the speech was still on the air, showed that 30 per cent of all receivers were tuned to the President. The address began at 11 A.M.

Radio executives said the listening audience was increased by the fact that the talk took place on a national holiday, but stated that it was remarkable because it occurred before noon and lasted only about 10 minutes.

A number of calls came into NBC offices as a result of a mishap to the network's microphone. As the announcer was introducing the President, someone struck the microphone, thus causing the last syllable of the word "Washington," to be repeated four or five times. The listeners demanded to know what the saboteurs were attempting to keep the President off the air. NBC calmly reported that it was only somebody kicking the microphone at the wrong time.

(Continued on page 6)

Trial in Minn. 5-Block Case Starts Dec. 15

Preparation Is Cause of Delay from Nov. 24

Trial of the criminal actions between Paramount, RKO and 20th Century-Fox for alleged violations of the Minnesota anti-block-of-five law in county court at St. Paul is scheduled to start Dec. 15 under an agreement made by company counsel with state and county authorities, home office legal departments were advised yesterday.

At the time of the arraignment of defendants, trial was tentatively set for Nov. 24, but preparation of the cases will require additional time, necessitating a delay back of the trial date, it was stated.

The original equity actions began by the consenting distributors in an unsuccessful effort to obtain an injunction to halt enforcement of the state law pending a test of its constitutionality which will be left in abeyance pending the outcome of the criminal actions. The latter are expected to provide a quicker and more definitive test of the Minnesota anti-union laws.

(Continued on page 6)

Skouras on Coast For WFC Parleys

Hollywood, Nov. 11.—Spyros Skouras, head of National Theatres, arrived here last night with his brother, Charles, from Denver, where the latter, Fox West Coast president, presented awards in the Spyros Skouras showmanship campaign.

Both brothers will address a meeting of the executive personnel of Fox West Coast tomorrow morning and present awards to local winners. Later tomorrow they will go on to San Francisco to distribute drive awards there.

Benchley to Be M.C. At Ampa Tomorrow

Robert Benchley will act as master of ceremonies at the Ampa short subjects luncheon at the Hotel Edison to-morrow. Mrs. Bess Short, head of the short subjects department of Interstate Theatres, Denver, will be the guest of honor and chief speaker.

Among the personalities who are scheduled to appear are: John Kieran.

(Continued on page 6)
Personal Mention

OSCAR A. DOOB, advertising and publicity director for Loew’s Theatres, is in Cleveland.

WALTER GOULD, United Artists foreign manager, was confined to his home by illness yesterday.

JACK SEGAL, Columbia assistant foreign manager, arrived from Buenos Aires by plane yesterday. J. A. Covelle, foreign manager, will remain in South America for some time.

LEON NERTER will leave for Atlanta today.

Conn. MPTO Plans Trade Dinner Dec. 9

NEW HAVEN, Nov. 11.—The Connecticut MPTO will sponsor a first annual formal dinner-dance for representatives of all branches of the film industry on Dec. 9, at the Hotel Taft, Dormont. Entertainment will be followed by dancing and club activities.

George H. Wilkinson, Jr., is general chairman of the Stale; Henry S. Kolari, treasurer; Herman M. Levy, secretary; Harry F. Shaw, chairman of decorations, music and lighting; Louis Brown, publicity; Jerry Heim, entertainment; Maxwell Hoffman, tickets and seating; assisted by Edwin S. Raffo, Samuel Rosen, Irving C. Peczek, Mrs. Ivan Polakos, Adolph G. Johnson, Lawrence C. Caplan and Joseph F. Reed.

Dougherty to Resign One Club for Other

WASHINGTON, Nov. 11.—Vincent Dougherty announced today he will give up the presidency of the District of Columbia Motion Picture Salesmen’s Club in order to give maximum time to his forthcoming duties as Chief Barber of the Variety Club, to which he was elected yesterday.

He will be presented to club members at a grand banquet at the Hotel Willard at 12th and F Sts. He will be installed early next year.

Carter Barron, chairman of the banquet program, announced that the stage shows of Washington’s Savoy and Loew’s Capitol theatres have been added to the entertainment bill. The headliners will be Abbott & Costello, Ernie Kovacs and Eddie Cantor.

Boston House Plans Stage Show Series

BOSTON, Nov. 11.—Xavier Cugat and his orchestra will give a week-long engagement on the stage of the Metropolitan Theatre on Friday. His appearance will mark the first in a series of in-person presentations to be featured at the Metropolitan when ever-constant names are available. Featured with Cugat’s engagement will be Carmen Cavall, in songs of Latin America; Lina Ronay, Miguelito Valdes, and Larry Adler, harmonica virtuosa.

Republic in Trinidad

ALBANY, Nov. 11.—Republic Pictures (Trinidad), Inc., has been chartered here, for the operation of the company’s own exchange in Trinidad.

20th-Fox Union Joins CIO

The 20th Century-Fox Employees Guild has become the sixth independent union in home offices to join the Screen Guild and its professional players Guild, Local 109, CIO, it was announced yesterday by CIO officials.

The vote, taken at a meeting Monday, Nov. 9, was “almost unanimous.” It was reported.

Capital Leads ‘U’ Drive

WASHINGTON, Nov. 11.—The local Universal film exchange has been notified that it has won first place in the 1954-56 current contract campaign. Nationally, the Washington branch’s salesmen ran one-two. First was Joseph Young, of the sales staff, followed by Sam Talbot.

Newsreel Parade

T HE launching of the new girl, Nancy plane, the Mars, in the December variety show, will be featured in no other newsreel this month, and only its film industry USO collection will be featured. As the football season reached its peak, outstanding weekend games are pictured.

MOVIE NEWS, NO. 19. (Registered U. S. Patent Office)

Nancy plane is launched. Launching of planes at Norfolk, Va., Newport News and San Francisco was featured.

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PARAMOUNT NEWS, NO. 11. (Registered U. S. Patent Office)

U. S. Navy planes are launched. Twelve dead in Ohio train wreck are featured.

ASSOCIATED PRESS

UNIVERSAL NEWSREEL, NO. 11. (Registered U. S. Patent Office)

Nancy plane is launched. Twelve dead in Ohio train wreck are featured.
Fibber McGee and Molly

as Cupids to two stupids!

Edgar Bergen and Charlie McCarthy

a pair of double dummies in love!

Lucille Ball

The luscious lovely whose wits and winning ways work wonders with women—shy Edgar.
THEY'LL MOW-W-W-W YOU DOWN!.. They’re forty times as funny on the screen... that droopy drip from Wistful Vista, and that willowy fugitive from a termite!... Four of the biggest names you ever had—in THE LAUGH LIFT OF THE YEAR!

Fibber McGee & Molly
Edgar Bergen
Charlie McCarthy
and
Lucille Ball in

Look Who's Laughing

PRODUCED and DIRECTED BY ALLAN DWAN

STORY AND SCREEN PLAY BY JAMES V. KERN
York’ Holds Frisco Pace
With $17,000
SAN FRANCISCO, Nov. 11.—“Sergeant York” held its fifth week pace at the Warfield. The picture’s 13th week at the Grand, with 50.5c admission, grossed $4,800. The fifth week at the St. Francis, estimated receipts for the week ending Oct. 23, was $4,600.

[Unfinished Business] (Univ.)
MIDNIGHT IN HAWAII (Univ.)
[Universe]—$2,400. (2,400) 5 days. Gross, $9,000. (Average, $3,000)

“Double Trouble” (Monogram)
HOLLYWOOD, Nov. 11. (Para.)—Directed. FRANCIS—Hearts.”

“The Devil Pays Off” (Republic)
THE story here is of the traitorous operator of an American steamship company whose mercenary inclinations brings him under the influence of “foreign powers,” and of a U. S. Navy investigator seeking to solve the mystery of diverted cargoes.

Snowstorm Damamps Business in Omaha
OMAHA, Nov. 11.—Adverse weather topped by a weekend snowstorm cooled business here. “Honky Tonk” received only $9,800 at the Omaha for the best of a mediocre week.

[Finished receipts for the week ending Nov. 9.]

Three Firms Formed
ALBANY, Nov. 11.—Three new companies have been incorporated here. They are: Fama Pictures Corp., New York, by Nat Wachsmacher, Mary Crystal, and Hannah Gurson; Guta Theatrical Productions, Inc., Brooklyn, by Guta and Samuel Goldblatt; and Arnold Plimpton, and Polski Tzar Narodowy, Inc., New York, by Ruth Handler, Gertrude Fried, and Beatrice Loeb.

Reviews
“THe Stork Pays Off” (Columbia)
This is a frothy yarn about racketeers and a children’s nursery. An ex-heen boner inadvertently comes into possession of the “Stork’s Club” and assigns a comic trio of henchmen to watch over the youngsters. The developments thereafter are amusingly preposterous and are good for many laughs.

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Trial in Minn. 5-Block Case Starts Dec. 15

(Continued from page \ref{page})

decree law, it is believed by company attorneys.

In setting the date for start of trial in the third week of December, provi-
sion was made for a recess over the Christmas and New Year’s holidays, indicating that the first round of the trial will be completed before the end of the year.

Meanwhile, Warners is scheduled to go to the Kuhl in Minneapolis to discuss Goddard on Friday to argue its applica-
tion for a release from the sales provisions of the decree insofar as its has approved.

That the application will be approved is taken for granted by industry at-
tomors, including W. H. Sned, Washington University professor. Lowe originally had named all five consented companies as well as the company’s present and potential rivals.

Now, however, the case is being heard, Sned before hearing on his complaint started.

Sned said Lowe’s contention that he had not been able to buy any of the companies’ pictures was not borne out by evidence submitted. The at-

tomors are now prepared to make an application for their product before the arbitration started. Stead assessed charges against Lowe.

Baltimore Clearance

Hearing to Resume

WASHINGTON, Nov. 11.—The Lin-

den Theatre, Baltimore’s clearance

hearing will be resumed Thursday by Milton W. King, arbitrator. Session consuming a total of 13 hours was

held last week. The complaint against Vitagraph, Paramount, RKO, Metco Theatres, Inc., and the Grand

Coal. November 26 has been set for hear-
ing of the clearance complaint by the Char
ty Theatre, La Plata, Md., against Lowe’s. John H. Taylor, or-

ator of the Charles, cited the Mar-

boro Theatre, operated by Sisto

ut, as receiving undue clearance.

FPC Reneus Operation

Toronto, Nov. 11.—Famous Play-
ers Canadian Corp. has renewed an agreement with the Franklin Hershey Theatres, Ltd., for the operation of seven houses in the Maritime Provi-

dences.

“We’ll Clear Matters Up, Give Us a Break,” Asks IA Chief

There are over 60,000 men look-
ing to IA LA for protection. Give us a break,” he pleaded. “We’ll go along and clear things up.

Asked about the two per cent as-
sessment fund which had been under discussion recently, he declared that “we’re looking that over.” He explained that it had been formed more than a year ago, but that he knew little about it since Browne had controlled it himself.

Will Help if Asked

Waltch said that, with all IA locals having complete autonomy, there is no occasion for the IA to negotiate any contracts or step in on local situations. “We’ll give them all the help they need if they ask for it,” he promised.

The first specific job Waltch will undertake is to help the IA locals on the Coast to obtain

their contracts from the studios.

Waltch says that he will try to nego-
tiating themselves and have

an offer of a 10 per cent in-
crease, which Browne, he ex-

plained, and the IA will offer

them as much help as they need.

Jurisdictional disputes among IA locals will be adjusted by the IA be-

fore any contracts are signed. But where an IA local has a dispute with a local of another national union, it will be a matter for the AFI, to determine or left to the local to iron out, except where aid from the IA is specifically asked for.

Financially, he said, the IA is in the best position it has ever been. No change is planned in the manner of rendering financial statements, he said, as each local receives quarterly re-

ports. It is not planned to publish these reports generally, he said.

Executive Board to Meet

Waltch cleared up reports that he will hold his post only until the next reception. He explained that the IA constitution had been amended and that Browne had issued in

1940 the first four-year term had gone into effect. However, the executive board will meet in January to make plans for the regular biennial conven-

tion to be held in 1942, he said.

Asked whether he would take any steps about the dual union situation, existing between Local 300 and the Empire State Operators Union in New York City, Waltch repeated that the IA would not interfere with local matters unless aid was asked for. Re-

ferred to the repeated pleas for aid from the operators, Waltch said he would look into the matter.

In addition, Waltch maintained that all Eastern laboratories, Waltch declared that all Eastern laboratories would be in the IA fold in the near future. All exchanges were to be granted the right to negotiate their contracts individually at the Oct. 31 meeting of the Eastern board, Waltch said, and nothing would be done to interfere unless a local asked for aid.

Waltch said there is no need for taking measures to restore

membership confidence in the IA leadership. “We have that confi-

dence right now. Not a single

communication has been re-
communicated by grievance hearings,” he said, pointing to a pile of letters and telegrams stacked on his desk.

Waltch is a stocky, clean-shaven man. He is 63, and has lived in Brooklyn. The Waltches have no chil-

dren.

He joined Local 4, the stage-
bands’ union in Brooklyn, in 1921, as a member of a team that was elected president of the local and became its business agent in 1928, a position he held until he moved to IA headquarters.

He was elected an IA vice-president in 1934 and was its third vice-president up to last Sunday. In 1939, his local again named him president, an unpaid post.

Stockholders of RKO Will Meet Jan. 15

(Continued from page \ref{page})

On Nov. 1, the accumulated unpaid dividends on the preferred amounted to $10.50 per share.

However, transfer of that vote previ-
ous stock is expected to result in any change which would not have occurred in elections of directors carried entirely by com-

mon shareholders, since the Atl.

Corp.-RCA interests, which togeth-

er hold a majority of the preferred, were not the common.

The new board will probably meet in January to elect officers.

Officers Reelected By Chicago Union

CHICAGO, Nov. 11.—All executive

officers of the Chicago Film Execu-
ers’ Employes’ Union, local B45, have been reelected. Members were cast by vote of the 215 members. Reelec-
ts were Jack Manco, president; Re-

Rodman, vice-president; Kenneth M. Craig, secretary, and George W. Busch, business manager; James

in.

The new executive board is com-

posed of Arf, Eugene Busch, Joseph Baron and Mary Sitton. New trustees are James Tobin, Dorothy

Crawford and Olivia Kennedy.

Cartoonists to Join Studio Union Grow

HOLLYWOOD, Nov. 11.—The Screen Cartoonists Guild, affiliated with the Painters Brotherhood, last night voted to join the Conference of Studio Unions, the intra-industry organization being formed of A. F. of L. local having complete autonomy.

Benchley to Be M.C. At Anna Tomoro

(Continued from page \ref{page})

Juanita Juarez, Don Terry, Granat Rice, Sterling Holloway, Fanny

Hurst, Craig Wood, Billy Vine, Ed East and Polly, and Paul Doug.

The Quiz Kids will be heard in

spacedly recorded broadcast polka fun at the film industry.

Plan Bomb Sight Film

HOLLYWOOD, Nov. 11.—RKO plans to make "Bombardier," a story of the Army Air Service bomb sight opera-
ings, with the cooperation of Lt. E. S. Reeves, who will produce, has gone to Barfields Field near Shreveport, La., to confer with

Major Ralph Jester of the Army General Staff on plans.

World Acquires Produc

World Pictures Corp. has closed a five-year deal with Esquire Films the United States, Inc., for their di-

tribution of Esquire films in the U. S. and possessions. The first group are 14 films, including "This En-

land," "The Great Horizon," "Co-

mon Touch" and others.
GENE'S GREATEST MUSICAL-ACTION EXTRAVAGANZA!

DOWN MEXICO WAY

GENE AUTRY • SMILEY BURNETTE

FAY MCKENZIE • HAROLD HUBER • SIDNEY BLACKMER

Director—JOSEPH SANTLEY • Screen play by Olive Cooper and Albert Duffy

Based on a story by Dorrell and Stuart McGowan

A REPUBLIC PICTURE

Buy U. S. Defense Bonds
Mutual Shows 59.1 Increase For 10 Months

Mutual yesterday resumed the practice of releasing its gross billing figures after having discontinued them last January by agreement among the networks. The figures announced that Mutual has increased its normal business, excluding political billings, by 59.1 per cent for the first 10 months of this year over the same period in 1940.

No explanation was given by Mutual for the resumption of the disclosure of business figures. For the first 10 months of 1941, Mutual gross billings were $5,993,522, an increase of 51.4 per cent over the total of $3,252,000 for same period last year. However, the increase amounts to 59.1 per cent when the political billings are disregarded.

October Comparison

The gross for October, 1941, was $839,829, a rise of 57.3 per cent over the total of $641,794 for October, 1940, not including political business, and seven per cent over the $784,670 total including political billings.

Because of the holiday, it could not be learned yesterday whether the other networks also planned to release figures. At the time it was decided to discontinue the figures, the principal reason given was that good business which do not reflect discounts are not an accurate indication of business. In some circles it was said that the radio industry feared a taxation move if the constantly mounting revenues were published frequently.

At the time, the National Association of Broadcasters undertook to develop a plan for units of sponsored time to be reported but the method was never formulated. Subsequently, in May, during the course of the AAF conflict, Mutual and many of its affiliated stations, withdrew from NAB.

Notes from Hollywood

Hollywood, Nov. 11—JANET BLAIR has been given the feminine lead in Columbia's "Trinity," opposite Pat O'Brien and Brian Donlevy, to replace Frances Dee, lost to the picture as a result of her family's recent move to southern California. Miss Blair's only other role of prominence was in "Three Girls About Town."

Twentieth Century-Fox has purchased Buddy Ebsen for the role of "Yip, Yip, Yip!" in "The Big Lebowski." Ebsen, who has appeared in a number of films, will play the title role of Yip in the film. "The Big Lebowski" is a musical comedy film produced by Metro-Goldwyn-Mayer, directed by Harry Cohn, and starring Yip and Betty Grable.

"The Old Man" has been given a contract extension by Metro-Goldwyn-Mayer, according to Joe Schenck. The extension will keep the actor under contract with the studio through 1944. "The Old Man" is scheduled to star in "The Old Man and the Sea," which is currently in production.

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FCC Network Rules Await Writ Decision

A stipulation between NBC and the FCC has been filed in the Federal Court postponing the effective date of the new network monopoly regulations, according to a filing made by the FCC. The regulations are set to take effect Nov. 15, but NBC has appealed the decision to the U.S. Court of Appeals.

The court will hold a hearing on the motion Dec. 15 at which time the FCC will counter by asking for dismissal of the suit. At the hearing, NBC will argue that the regulations are unconstitutional.

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Four Stations Ask Power Increases

Washington, Nov. 11—Increases in power have been asked by four broadcasting stations in applications filed with the FCC.

Station WAAT, Jersey City, N. J., asked an increase from 1,000 to 5,000 watts; WKRC, Cincinnati, asked an increase from 250 to 1,000 watts; and WOAY, Huntington, W. Va., asked an increase from 500 to 1,000 watts.

FCC Delays Hearing

Washington, Nov. 11—The FCC has ordered postponement until Nov. 27 of the hearing scheduled Nov. 13 on newspaper ownership of broadcasting stations.

Ascap Election Is Expected Shortly As Test of Strength

(Continued from page 1)

The election is expected to be held shortly as a test of the strength of the Ascap board and membership. The results will be closely watched by those who believe that the Ascap board has not been effective in representing the membership's interests.

$57,277 Judgment Is Set Against Erpi

Federal Judge John C. Knox has ordered a judgment totaling $57,277 against Erpi and in favor of John G. Paine as agent and trustee for more than 100 radio stations. The judgment is based on the sale of the stations to the network without the consent of the owners.

Judge Knox in 1939 ruled in favor of the plaintiff, ordering the defendant to return the stations to the owners. The case was heard by the 2nd Circuit Court of Appeals, which upheld the lower court's decision.

Roke Named Aide To Ruppel at CBS

Hal B. Roke has been named as assistant director of publicity at CBS, replacing Leon Ruppel, who resigned recently. Roke will assume his new duties about Dec. 1, succeeding Ted Weber who resigned to become managing editor of the Los Angeles Illustrated Daily News and the M-G-M publicity department.

Trade Press Men in 'Battle of the Sexes'

Representatives of the trade press tried vainly to uphold the honor of their sex last night against four competitors in the "Battle of the Sexes" program in the interests of Mollie shaving cream, over the NBC Red Network.

The trade press men were: Herman Pincus, radio advertising manager of Motion Picture Daily; Edward Aborn, publisher of Billboard; Sidney Weiss, Radio Daily. Their opponents were: Ann Thomas, Ferret, Betty Garber and Mirna Foss.
**Broadway Enjoys Smash Armistice Day Business**

(Continued from page 1)

ness, ranging in verbal report all the way from "very big" and "tremendous," to "complete sellout — SRQO," and "one of our biggest matinees."

At the Broadway film houses, business was unusually strong all the way. Several of the houses reported long lines of standees from the morning hours extending well into the afternoon. The Roxy, Klivo, Astor, Paramount, Strand and Rivoli all reported substantial business throughout the day, with several having standees.

**Chicago Loop Houses Report Capacity Crowds**

Chicago, Nov. 11.—With thousands of people thronging the Loop, since most business houses shut down for all or part of the day, and with the Loop the center of all activities, business houses in the Loop reported capacity business.

The Chicago and State-Lake Theatres reported houses packed, however, other theatres filled rapidly. Balaban & Katz charged holiday prices in the Loop houses on the fourth business day that has been done on Armistice Day. Prices were 55 cents to 1 P.M., 65 cents and 75 cents thereafter.

**Rochester Stage Show**

ROCHESTER, Nov. 11.—Ted Lewis and his band will play a four-day stand-run at the RKO Temple here beginning Dec. 2, according to Manager Lou Mayer.

**Business at Big $20,000, Los Angeles**

LOS ANGELES, Nov. 11.—"Unfinished Business" and "Moonlight in Hawaii" scored $10,000 at the Hill-street and the same at the Pantages, for a total of $20,000. Other grosses were down. Estimated receipts for the week ending Nov. 5:

**Brody Back on Coast**

Hollywood, Nov. 11.—Samuel S. Brody, general sales manager for Monogram, returned here today, after a trip to key cities, during which he reported 175 theatres have been added to the company's list of accounts.

**Normanly Leaving 'U'**

Hollywood, Nov. 11.—James Normanly, for the last five years general business manager of the Universal Studio, will leave his post next Sunday. He plans a vacation until the former was with the Bank of America.

**Lift Laurel-Hardy Option**

Hollywood, Nov. 11.—Twentieth Century-Fox has exercised an option on Stan Laurel and Oliver Hardy, following the film "Great Guns." The contract calls for 10 pictures in the next five years, the next to be "Pitfalls of the Big City."
Successful football teams mix ‘em up ... dazzle ‘em with variety ... play them off their feet.

A line buck ... a lateral pass ... a play around the ends. Kicks, forward passes, off-tackle plays ...

In show-business, too, you’ve got to mix ‘em up ...

Keep pounding away with Trailers, Posters, Heralds, Lobby Displays, 24-Sheets ... everything in the advertising bag and you’re bound to come out on top.

A good team plays for the final score ... a good showman plays for the year’s receipts.

Let advertising pave the way for you just as the interference clears the field in football.

Carry that ball with those three great ball carriers ... Standard Accessories ... Special Accessories ... Trailers ...
Majors Named In Nebraska Anti-Trust Suit

Climaxes Trust Actions Involving Theatres

A cross-fire of anti-trust actions involving almost every Omaha theatre was climaxed this week with the filing in state court at Lincoln of an anti-trust suit against the R. D. Goldberg Theatres and the major distributors by the State Attorney General.

Indications were that the distributors had been caught in the middle of an Omaha exhibitors' controversy, involving the A. H. Blank and Sam Epstein Omaha theatres as well as the Goldberg circuit, leaving the distributors, or defendants in two resulting anti-trust suits.

Details of the action charging the Goldberg Omaha theatres and the distributors with violations of the Nebraska anti-trust laws had not been

(Continued on page 10)

Open Film Tribunals For Other Disputes

BUFFALO, Nov. 12—The 31 industry arbitration boards in the key cities throughout the country will be opened to all forms of industrial complaints and will no longer be exclusively motion picture tribunals, under an agreement recently reached by Mr. Noble Braden, executive secretary of the American Arbitration Association, disclosed in an address before the Erie County Bar Association here today.

Braden indicated the reason for the opening of the boards to all types of industrial disputes was the comparatively few arbitration cases filed under the film industry secret decrees since the boards were launched.

(Continued on page 10)

Mrs. Sydne Silverman Dies at 37, Long Ill

HARRISON, N. Y., Nov. 12—Mrs. Sydne Silverman, wife of the publisher of "The New York Post" and former actress, died here today at their home on Pleasant Ridge Road, after a long illness. She was the former Marie Saxon, featured dancer in Broadway musical shows. She was 37. Beside her husband and a son, Sydne, Jr., aged 10, she is survived by her mother, Mrs. Pauline Saxon, and a brother, Robert Landry.

Interest of Exhibitors in Shorts Seen Increasing

RKO, 20th-Fox Ask Exemption On Minn. Sales

The Ampas luncheon meeting at the Hotel Edison yesterday, devoted to short subjects, will hear an address by Mrs. Besa Short of Interstate Circuit. Robert Benchley will be master of ceremonies, and guests will include John Kieran, Grantland Rice, Sterling Holloway, Abbott and Costello and others.

in release. Shorts with themes and exploitable elements are the most desired, they say. Norman Morey, Warner Bros. chief, states that in instances the are begun to drop the second feature in favor of a single feature program with shorts. He also reports that his company's business in short subjects has risen by about 25 per cent. Bernard Krieger, who handles the short subject field at Universal, re

(Continued on page 5)

'Quit Picking on Films,' Says Detroit 'Free Press'

DETROIT, Nov. 12. — "The movies are more respectable than a good many newspapers and magazines," an editor of the more far more decent than most of our best-selling books. And as for culture and art, they are the keystone in intelligence above most of the popular Broadway shows."

These words are from Malcolm W. Bingay's column titled "Good Morning," in today's Detroit Free Press. Bingay is a noted magazine writer and editor. His column is syndicated by Associated Press.

"Certainly there is something wrong with the movies," Bingay writes, in part. "It would be a remarkable thing if there were nothing wrong with the movies. There is something wrong with everything else in the world."

"Right now there is a rash of newspaper and magazine column about the decline of the movies," Bingay continues. "It's true there are some good movies but there are also some bad ones."

"Yes, I'm saying something wrong with the movies," Bingay concludes.

(Continued on page 10)

Sentence Biff in Ten Years, Browne Gets 8

$20,000 Fines For Each; Will Appeal at Once

Federal Judge John C. Knox yesterday sentenced William C. Biff, former IATSE representative, to 10 years in jail and $20,000 in fines, and George E. Browne, former IATSE president, to eight years and $12,000 in fines. In addition, the court ruled that both will be placed on probation for five years after completion of their jail terms.

Both men were immediately returned to the Federal House of Detention after Judge Knox refused bail and a stay of sentence. Notices of appeal were filed and application will be

(Continued on page 8)

M.P.T.O.A. Doubts 100% Unity Assent

DOUBT as to whether distributors are prepared to cooperate in formulating a trade practice program as part of an all-industry unity movement is hinted in an MPTOA bulletin sent to members yesterday over the signature of E. L. Kuykendall, president.

The bulletin makes a distinction between the "defensive" and "offensive"

(Continued on page 8)

U.S. Probing Local IATSE Situations

U. S. Attorney Mathias F. Correa, in addressing the court yesterday on sentences to be imposed on William Biff and George E. Browne, revealed that an investigation is under way of local IATSE associations. He declined to name the cities but it is understood to be concentrating on New York, Chicago, Los Angeles, and Detroit, Ill., all named by Biff.

Correa also disclosed that he is seeking certain associates of Biff and Browne and said that both men had been under questioning in the Federal House of Detention since their conviction last Thursday. Both have refused to reveal the identity of these associates, Correa said.

(Continued on page 10)
Coast Flashes

Hollywood, Nov. 12

R. L. PUBLICATIONS expects "Down Mexico Way," Gene Autry special, to exceed the Autry accounts record of 11,143 set by "South of the Border." The studio announced today that the new picture will be released in its first five weeks of release, played 1,000 houses and thus far has been set for $5,000 additional bookings in the next four months.

Federal Judge Leon Yawnick today took up a hearing against the plea of Leo Morrison, agent, that the Screen Actors Guild be restrained from subjecting him to discipline under the Guild’s agreement of the day of.

The court indicated that it would consult authorities on such matters. The application is based on Morrison’s suit against Charles K. Feldman, another agent, and Marlene Dietrich for allegedly influencing John Wayne to leave his client list for Feldman.

Charles Starrett, Columbia cowboy star, suffered several facial injuries today when thrown from a horse when making scenes for "Lawless Plainsmen" on location.

Bergman Agent for Pierre van Paassen

Maurice Bergman has been named sole representative on films for Pierre van Paassen, journalist, author and lecturer, who is now engaged in preparing a screen story on the life of Clemecone, World War premier of France, with whom he was well acquainted. There is also under consideration a series of radio stories based on chapters of "That Day Alone," his latest book. He is the author of "Days of Our Country," among other books.

Bergman is a former advertising and publicity director of Columbia Pictures, and more recently was advertising and publicity manager of 20th Century-Fox Film Corp.

Promotion Heads of UA Flying to Coast

Monroe W. Greenhal, United Artists advertising and publicity director; David E. Westh, publicist; Albert Margolies, publicity director, and Morris Helprin, head of advertising and publicity for Alexander Korda, plan to leave for the Coast by plane on Sunday to see new product and confer with producers on campaigns.

BROADWAY PLAYS

"GRAND-SCALE SMASH HIT!"—Life Magazine

GERTRUDE LAWRENCE

In the Musical Play

"LADY IN THE DARK"

ALVIN, 57 W. 57th St., W. and Satur. Night Orders Promptly Filled

"A GREAT SHOW"—Herald Tribune

50c, 2ND YEAR—2ND EDITION OF THE

Sensational Musical Extravaganza

IT HAPPENS ON ICE

Center Theatre, Rockefeller Center, C. 5-4274 Evening, 57 W. 57th St., N. 1-8100

50c for Four, 10c each for Extra

PERSONAL MENTION

HERMAN WOBBER has returned from a tour of 20th Century-Fox exchanges in the Middle West.

LEONARD GOLDENSON left for Atlanta yesterday.

JOHN D. Hertz, Jr., has left for California.

BEN KALMENSON is on a trip through the South, from which he is expected to return late next week.

JESSE L. LASKY is en route to the Coast from New York.

WILLIAM S. HART arrives here today from the Coast.

JACK GOLDSMITH, Warners Southern field publicity representative, has returned to Atlanta after a New York visit.

IRVING SALZBURG will be inducted into the Army today.

MELVIN EVIDON, Columbia manager in Des Moines, and Mrs. Evidon are the parents of a girl born last month.

HASKELL MASTERS, United Artists Western sales manager, is in St. Louis.

F. J. A. MCCARTHY, Universal Southern and Canadian sales manager, is expected to arrive tomorrow.

CLAIR HAGUE, head of Empire-Universal Films.

WALTER WANGER is scheduled to leave for the Coast by plane tomorrow.

WILLIAM A. SCULLY is due from the Midwest today or tomorrow. He was in Des Moines early this week.

EVA JACOBS, 20th Century-Fox head bookkeeper in Des Moines, and Mrs. Jacobs are the parents of a girl.

EASTMAN VOTES STOCK

ROCHESTER, Nov. 12.—An extra stock dividend of $1 a share and a record-breaking stock dividend for 104,000,000 based common stock dividends, was announced today by Eastman Kodak Co.

The extra stock dividend is in addition to the $1.50 which was paid last month.

The wage dividend is $645,000 higher than the previous largest amount paid out to employees, $3,555,000 in 1937, and is $1,575,000 more than last year’s wage dividend of $2,625,000. It will be distributed in March.

The $1 extra dividend on the common stock brought declarations for the year to $7, an increase of $1 over last year.

The wage dividend voted today is the 30th since the plan was inaugurated in 1912 and will bring the total Kodak dividend up to $16,320,000, making that to a sum in excess of $51,000,000.

"APPOINTMENT" GAVE MUSIC HALL $93,000

"Appointment for Love," Universal’s Boy-Sullivan picture, moved from Radio City Music Hall today, owing to that theatre’s booking schedule, Warner Bros. "One Foot in Heaven," starring Fredric March and Martha Scott, opens today, to be followed next Thursday by RKO’s "Sunday," starring Cary Grant and Joan Fontaine.

"Appointment for Love" grossed an estimated $93,000 on the week ending last night.

CANADIAN VETERAN DIES

TORONTO, Nov. 12.—Isidore Axler, pioneer owner of the Victory Theatre here, and former president of McCaul Street Synagogue, died suddenly in his office at the theatre from heart failure. The theatre, formerly known as the Strand, has now reopened after being remodelled. The Victory was closed one day for the funeral of Myer Axler, maintenance manager of 20th Century Theatres, in a son.

SPG Vote Rejects Affiliation with CIO

A referendum vote in the Screen Publicists Guild has rejected affiliation with the CIO, it was announced yesterday. The affiliation, which was backed by 58 of SPG’s 200 officials, was disapproved because "many members believed such a move not necessary to the securing of a speedy and acceptable contract," an executive board statement said.

The board refused to disclose the tabulation of the ballots. A large number of members did not vote, but they cannot affect anything except the closeness of the result, it was said. The statement added that cooperation with the Screen Office & Professional Employees Guild, Local 109, CIO, would continue and that the CIO is prepared to take whatever steps are necessary to secure its contract.

John J. Stanley, secretary-treasurer of the United Office & Professional Workers of America, parent union of Local 109, said the refusal to affiliate was in line with the recommendations of its referendum will be delayed but not prevent the establishment of maximum unity among all white collar workers in the motion picture industry," he said.

P. R. C. Conducting Regional Sessions

Arthur Greenblatt, general sales manager of Producers Releasing Company, is on a trip to meet with his regional sales managers in meeting in Dallas this week, followed by another at Oklahoma City next week. He will visit Kansas City, Omaha, Denver and Hollywood, before returning to the home office. Sales conferences will be held in all of the cities.

Musical Comedy to Open Here Tonight

"Little Dark Horse," Theresa Helburn’s adaptation of a French comedy by Andre Bizet, will be presented tonight at the Golden with Cecilia Lofts, Walter Sliezak and Lily Cahill in featured roles. Donald Blackwell and Raymond Curtis are the producers.

MRS. J. J. MURRAY RITES

SCRANTON, PA., Nov. 12.—The funeral of Mrs. John J. Murray was held here with burial in the Cathedral Cemetery here. The deceased, wife of the veteran Commerford manager of the Manhattan Theatre here, died in the Scranton Hospital after a week’s illness.

Music Hall Kept a Record

A reception in honor of Dr. Daniel B. Rubinstein and Mr. and Mrs. Norman Williams, Pen, advised on Warner’s "One Foot in Heaven," and Casey Robin-
TODAY THE GREAT CURTAINS OF RADIO CITY WILL OPEN ON WARNERS' NEWEST SUCCESS...

"ONE FOOT IN HEAVEN"

FREDRIC MARCH • MARTHA SCOTT

Screen Play by Casey Robinson
Music by Max Steiner
Directed by IRVING RAPPER
IN THE SPOTLIGHT!

LAUGHS INTERSTATE'S BESA SHORT:

“Bugs Bunny, you kill me!”

SHORTLES THE N. Y. TIMES:

“Bugs Bunny...delightful nonsense...laugh provoking tricks...so comical...look sharp for him!”...

ASSOITS BUGS BUNNY:

“You said it, Doc!”

Produced by LEON SCHLESINGER
Timely, Exploitable Shorts Lead Demand

Short Subject Department

Heads • • •

Norman Moray
WARNERS

Fred Quimby
M-G-M

Bernard Kreisler
UNIVERSAL

Harry Michelson
RKO

M. J. Weisfeldt
COLUMBIA

Interest of Exhibitors in Shorts Seen Increasing

“Cavalcade of Aviation,” available for Christmas, according to inquiry. The short will have its “premiere” in Dayton. Thirteen “Color Cartoons” are scheduled with three already released. Also on the books are 15 “Stranger Things, Variety Views,” and 13 two-reel musicals.

The RKO program numbers 86, including 12 issues of “March of Time,” which have not yet been distributed, it is indicated. Walt Disney is scheduled to provide 18 cartoons. The schedule also calls for 13 one-reeler and 16 two-reeler comics, two of which are in release; 13 “Sportscope,” two of which have been released; 13 “Picture People” shorts, two of which are in release; and 16 one-reel comedies, of which seven are in release.

Columbia Has 110

Columbia, it is asserted, has 140 shorts on its schedule. Of these, 30 are two-reel comedies and six are “International Forum” subjects. The comedies are divided into three separate classifications. These are “Glove Slingers,” one of which, “Mitt Me Tonight,” is in release; eight “Three Stooges,” of which three have been released, “Ache in Every Stake,” “Some More of Samoa” and “In the Sweet Pie and Pie”; and 18 “All Stars,” of which these are in release: “Love in Gloom,” “Half Shot at Sunrise,” “General Nuisance,” “Bite Kiss,” “Loveable Trouble” and “She’s Oil Mine.”

Columbia’s single reels include 32 cartoons, eight “Cinescopes,” 12 “Panoramics,” six historical cartoons with Raymond Gram Swing, 12 “Word of Sports,” 10 “Community Sings,” eight “Cinescopes,” and six “Quiz Reels.”

Club Helps Children

PHILADELPHIA, Nov. 12.—The local Variety Club and Sam Stiefel, operator of Fay’s, played host to the city’s infantile paralysis children from hospitals, schools and homes in the special show at the theatre. The club provided the buses to transport the children.

Party for Carol Bruce

Bud Abbott and Lou Costello will be host at a birthday party for Carol Bruce at the Hotel Astor tomorrow.
MR. OSTRICH, WAKE UP TO THE PROFIT IN M-G-M SHORTS!

Listen to the Experts (Bob O'Donnell and Besa Short of Interstate Theatres, Texas):

"In our annual survey of Shorts Most Valuable at the Box-Office, we list M-G-M FIRST with 5 distinguished Shorts and for an ace-in-the-hole, the dependable, never-failing Pete Smith."

(And now see next page →)
"THE TELL-TALE HEART" A NEW M-G-M TRIUMPH!

"It is one of those rare shorts which will live . . . like a swell and luscious bon-bon coming suddenly out of a candy slot machine . . . exhibitors and their audiences who appreciate solid shorts of enduring worth will give this three rousing cheers."

—FILM DAILY

"Surely 'The Tell-Tale Heart' will merit a Special Academy Award for elevating the quality of the short subject beyond that of most features, for setting a new standard in short subject production, direction and acting . . . indeed a miniature masterpiece . . . if proof is needed that the short subject is becoming a powerful and persuasive force in screen entertainment, 'The Tell-Tale Heart' can readily supply it; a few more subjects of this calibre and so-called 'second features' will be doomed."

—SHOWMEN'S TRADE REVIEW

"A different kind of short . . . the novelty of the film and the names of the author and leading actors are merchandising assets."

—M. P. DAILY

"'The Tell-Tale Heart' is superb . . . another unusual short from M-G-M."

—VARIETY

"Consider this subject when a dubious double bill looms . . . the audience that is not satisfied will be quite the rarity."

—BOXOFFICE

"This is aces for class houses . . . all in all the type of short which should be encouraged . . . excellent."

—THE EXHIBITOR

QUALITY PRODUCT!

It is an acknowledged fact that M-G-M spends more production money on Shorts than any other company. We pledge anew our willingness to create quality entertainments for your box-office. Play them all: CRIME DOESN'T PAY; PETE SMITH; JOHN NESBITT'S brilliant PASSING PARADE human-interest subjects; M-G-M MINIATURES (including CAREY WILSON'S "Nostradamus" and others); M-G-M CARTOONS IN TECHNICOLOR (watch for our Christmas gem, "The Night Before Christmas"); OUR GANG COMEDIES; FITZPATRICK TRAVELTALKS IN TECHNICOLOR. Take the advice of Bob O'Donnell and Besa Short. M-G-M Shorts are FIRST!
Sentence Bioff To Ten Years, Browne Gets 8

(Continued from page 1)

made at 4 P.M. today to the U. S. Circuit Court of Appeals for a stay of sentencing, pending determination of the appeals.

The sentence for Bioff, as pronounced today, was $50,000 and $10,000 fine on the first count; 10 years on the second to run concurrently with the first; and 10 years and $10,000 fine on the third. At start after the first two are completed but be suspended, if the fines are paid, and the defendants are to be placed, instead, on probation for the maximum period of five years.

Charge 18 Errors

The appeals filed listed 18 alleged errors, including one that the sentences imposed were excessive and beyond the maximum permitted by law. Principal basis of the appeals, however, is expected to be that the anti-racketeering statute under which both men were convicted is unconstitutional and that the crimes were not proved beyond a reasonable doubt as required by the statute of limitations.

Meanwhile, from Los Angeles came word that U. S. Attorney William L. Palmer said yesterday that he would present to the Federal Grand Jury there, at the earliest possible moment, evidence adduced at the New York trial and ask for a new indictment on income tax evasion against Bioff. Bioff is presently under indictment for tax evasion on approximately $85,000 but Palmer said the new indictment would include the amounts revealed at the trial here.

World Press Tax Trial

Palmer said he would insist that Bioff go on trial in Los Angeles on the income tax charges before his commitment on the New York sentence.

In New York court circles it was considered possible that the U. S. Attorney in Chicago might also file income tax charges against Browne.

Both men are entitled to three days off per month for good behavior during the early years of the sentence and five days during the later years. They also will be eligible for parole at the completion of one-third their sentences. In Bioff's case this would be at the end of three years and four months and, in the case of Browne, at the expiration of two years and ten months. Probation is rarely granted at the end of the minimum period and considerable doubt was expressed in legal circles that Bioff would be granted any at all. Browne, on the other hand, was described by Mathias F. Correa, U. S. Attorney, in his summation of the evidence to Judge Knox, as a man who might be rehabilitated. In any event, the terms imposed on him are required to report on parole until the end of the maximum term and then will face the probationary period.

Judge Knox, in pronouncing sentence, declared that Browne could have given both men equal sentences but was influenced by Correa's remarks that Browne's sentence should be less. Judge Knox, however, did not accept Correa's recommendation that separate sentences be imposed on each count, pointing out that the acts constituted only one crime. Correa asked for 15 years for Bioff and 10 years for Browne with an additional five years on probation for the latter, plus $30,000 each in fines.

There was considerable speculation yesterday whether the defendants would be sent to Alcatraz or the East Louisburg, Pa., penitentiary, as neither of them is entitled to parole. Both men were convicted of racketeering there is a possibility that they may be sent to Alcatraz. The plea of the defendants to the Circuit Court today is expected to hinge on the weight given to their points on appeal that the State of New York, through the use of limitation defense as important, may grant the stay. More favorable for the defense, however, is the fact that the U. S. Supreme Court has recently agreed to consider the constitutionality of the anti-racketeering statute. There have been only about six such prosecutions since the law was enacted and several phases of the law are under question.

The men will remain at the Federal Hospital of Detention until their appeals are decided, if the stays are not granted, Martin Conboy, attorney for Browne, said yesterday. They will not receive credit on their sentences while there but apparently decided they would prefer to remain pending appeal.

Judge Knox denounced the acts of the defendants as "heinous" and said "they have signalily betrayed the trusts that were committed to their care."

He called them "recreant to their trust, dishonest in heart, mind and action."

Plia for Leniency

Henry A. Uechert, attorney for Bioff, termed the latter "a victim of circumstances and environment rather than of his own evil nature." Conboy asked for leniency because of the family and said the men were made "scapegoats" by newspaper commentary opposed to the Wagner Act.

Correa said that Bioff's "was the greater crime, although Bioff is the greater criminal." Correa justified holding a Bioff a "Chicago hoodlum" and linked Bioff to the gangster killings of Jack Zaccoc and Tom Maloy, whom Correa described as Chicago racketeers.

He also pointed out that in 1925, Bioff had said he was employed in the St. Joseph Val- ley Brickyard, and that his business was "a front" for the Al Capone gang.

He said the chances of Bioff being rehabilitated are "practically negligible for a man who was known of his background except that he was formerly a respected labor leader but that he sold out," probably in 1925. In that year, Bioff was taken to a Chicago hospital with a bullet wound but refused to name his assailants, Correa said. Correa also pointed to the two per cent assessment under which he estimated he over $1,000,000 but added that Browne "is a weaker character and undoubtedly under the domination or influence of Bioff's associates whom neither of the men have been disposed to name."

MPTOA Hints Lack of 100% Unity Support

(Continued from page 1)

ice phases of an all-industry program, pointing out that while their participation may contribute to the overall integrity of any investigation, taxation and public condemnation of the industry, there still remain grounds for doubting whether distributor- laboratory, retailer associations in the making of a trade practice program for strictly internal application.

The bulletin of the National Trade Association is an outstanding example of anti-trust prosecution if they (the distributors) cooperate with each other to end industry abuses and improve the business is really not available for those who want to avoid responsibility," the bulletin states.

Backs Allied Move

Although critical of several phases of the proposed all-industry committee's makeup, the bulletin cautions that the MPTOA is willing to participate in the Allied States-spon- sored legislation in the same manner as that the objectives of the program are the same as those which MPTOA has championed in the past, without suc- cess, and at the same time that the new industry is not available for those who want to avoid responsibility, the bulletin states.

WB to Trade Show Five on Dec. 1 and 2

Warners will trade show five features in exchanges throughout the country on Dec. 1 and 2. The films are "The Body Disappears," and "They Died With Their Boots On," Dec. 1, and "All Through the Night," "Steel Against the Sky" and "You're in the Army Now," on Dec. 2.

Brazillian Dancer Due

Eros Vulsonia, Brazilian dancer, is due on the Arizona on Monday for a part in M-G-M's "Rio Rita."
More and more individual theatres, as well as great circuits, realize the necessity of a continuous flow of fine short product, and the desirability of assuring its continued quality. Worthy short product, like all worthy film, must earn its own way. Far-seeing exhibitors try to make it pay profits for themselves and producers by advertising it.

RKO RADIO has the honor of distributing some of the finest short product in the history of the industry:

THE MARCH OF TIME • WALT DISNEY PRODUCTIONS INFORMATION PLEASE*
RKO PATHE NEWS* • PICTURE PEOPLE*
SPORTSCOPES*
LEON ERROL COMEDIES • EDGAR KENNEDY COMEDIES
RAY WHITLEY COMEDIES

*RKO PATHE subjects
Majors Named In Nebraska Anti-Trust Suit

(Continued from page 1)

received by home office legal departments up to late yesterday. An absurdity enters the situation that the distributors, charged with conspiring with the Goldberg circuit against the Epstein theaters in Nebraska attorney general's action, are also charged by Goldberg with conspiring with the Blank theaters against him.

The litigation apparently began several weeks ago when the Blank Omaha company brought an action against Goldberg, who operates six Omaha theaters, for infractions of a lease. Goldberg responded with an anti-trust suit charging Blank and the major distributors with conspiring to put him out of business.

On Monday of this week, the Nebraska attorney general's action was filed charging Goldberg and the major distributors with conspiring to put Sam and Louis Epstein, who also operate six Omaha theaters, out of business. While information reaching Blank's office legal circles was that the state's action is unrelated to the other two cases, some sales officials professed to see in all actions a boiling over of the spirited exhibition competition in Omaha.

Blank operates the three largest Omaha first runs and several subsequent runs. In all, a total of more than 20 of the city's 32 theaters are involved in the actions.

National Board to Open Meet Today

The National Board of Review of Motion Pictures will open its 18th annual conference at the Hotel Pennsylvania here today. The theme of the three-day meeting is "Movies in a Democracy." John Grierson, Film Commissioner of Canada, will address the delegates this afternoon on 'The Cooperation of the Film Industry with the Government Under War Conditions.' Delegates will attend Dr. Frederic M. Thrasher's film course at New York University this evening.

W.O.W., WNEW Get Call Letter Shift

WASHINGTON, Nov. 12—The FCC today granted the application of W.O.W. and WNEW, New York, to exchange call letters.

Harold A. LaFont, general manager of Arde Bulova radio interests, said yesterday that Pathe-Broadcasting Corp., now owner of W.O.W., would broadcast under the WNEW call letters with WNEW programs, while WOom, owner of the present WNEW, would broadcast under the WOw call letters with the WNEW programs. When the switch, the new WNEW will broadcast with 10,000 watts on 1,130 k.c. and the old WOw will have to apply for a 50,000 watt transmitter, while the new WOw will broadcast with only 5,000 watts on 1,280 k.c. LaFont said Bulova was the owner of the stock in Greater N. Y. Broadcasting Corp., and that Bulova was also majority owner in WODAM, and Richard E. O'Dea as minority owner.

Officials of the present WNEW said a statement would be forthcoming shortly but would not comment otherwise. It was indicated, however, that the corporate setups of the two stations had not been finally settled and that there was also some question whether the present WNEW would move to the present WOw studios.

Settle Lansdowne Anti-Trust Action

PHILADELPHIA, Nov. 12.—The Harrison brothers, former operators of the suburban Lansdowne Theatre, settled their anti-trust suit against Warner Theatres and the major distributors out of court today when the hearing was continued this afternoon before Judge J. Cullen Ganey in U. S. District Court here. Morris Wolf, attorney for the defendants, advised the court that all parties have agreed to go through with a settlement and formal motions to dismiss the actions will be filed in a few days when the mechanics of the settlement are completed.

"Quit Picking on Films," Says Detroit Free Press

(Continued from page 1)

dumb stupid outfit they are, not producing better pictures, better stories, better actors and better photography. Every boy fresh out of college thinks it is not only his inalienable right but his God-ordained duty to raise hell with the movie industry. Well, I've watched the thing grow from its nickelodeon days down to the present, and it is my belief that the movie business has improved as steadily as any institution in our civilization. And in many respects it has far surpassed the publishing itself—books, magazines and newspaper—in its social and cultural responsibilities. They have done an heroic job in creating a new art form and providing entertainment for countless millions of people in every cross-roads of the world. Give them credit and quit picking on them. War has taken them their European markets, and, in the present economic maladjustment, they have no business as all other trades. Call Will Hays to the stand.

They would like to have a fellow like Will D. Pfieffer, who has done such magnificent work for the motion picture industry think of American movie critics and the attitude they take to the product in general toward the flicker trade.

"Once...I was on the program committee for the American Society of Newspaper Editors...I suggested that the editors who spend 12 weeks of the year telling everybody else their faults set aside one of these weeks to have the other folks come to our meeting and tell us to our faces what they thought about us."

Will Use Film Tribunals for Other Disputes

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Most Popular Action Star of All Time...

Jack Holt

In His First Adventure-Thundering Serial!

Holt of the Secret Service

with Evelyn Brent

(Original Screenplay by Basil Dickey, George Plympton, Wyndham Gillette) Directed by James W. Horne

A COLUMBIA CHAPTER PLAY

MOST POPULAR ACTION STAR OF ALL TIME.

JACK HOLT

IN HIS FIRST ADVENTURE-BLUERING SERIAL

HOLT OF THE SECRET SERVICE

with EVELYN BRENT

Original Screenplay by Basil Dickey, George Plympton, Wyndham Gillette. Directed by James W. Horne

A COLUMBIA CHAPTER PLAY

Pathé-DuPont Deal Approved by SEC

Approval of the proposed exchange of Pathé Film Corp. holdings in DuPont Film Manufacturing Corp. for E. I. du Pont de Nemours & Co. common, given today by the Securities & Exchange Commission and the Commissioner of Internal Revenue for the Treasury Department, it was announced by Phillips, Nizer, Benjamin & Krim, counsel for Pathé. The Treasury's ruling held that the proposed exchange of securities under the plan constitutes a taxable reorganization, which was one of the conditions on which consummation of the agreement was made. As a result of the rulings the plan will be placed in operation immediately, following which Pathé Film Corp. will be dissolved.

Using Usherettes

Hartford, Nov. 12.—The Allyn is the latest house in the territory to take on usherettes because of the shortage of young men.
Special Featurette

"CAVALCADE of AVIATION" (2-reels of Air Thrills)

packing the power of a feature production . . . The story of the pioneers and heroes of aviation!

NATIONALLY RELEASED
DECEMBER 17
WORLD PREMIERE IN DAYTON, OHIO

Better Shorts for Better Entertainment from Universal

WALT LANTZ CARTUNES
STARRING
ANDY PANDA — WOODY WOODPECKER
* AND THEIR PALS * (IN TECHNICOLOR)

FEATURING TOP-HIT TUNES AND NEW COMEDY TREATMENT OF "MOTHER GOOSE" RHYMES

New STANGER than FICTION
(IN SEPIA TONES)
Greater exploitation value than ever before . . . Individual titles for each subject!

New VARIETY VIEWS
(5 IN FULL COLOR)
Shorts with definite marquee power . . . Boxoffice titles that invite public interest!

New PERSONALITY & NAME-BAND MUSICALS

Rel. NOV. 5
"SKYLINE SERENADE"
STARRING
TED FIO RITO & ORCHESTRA
& KINGS MEN
Featuring
CONCERTO in B♭ MINOR

Rel. NOV. 26
"DOIN' THE TOWN"
STARRING
OZZIE NELSON & ORCHESTRA
HELEN PARRISH
BUTCH & BUDDY

Rel. DEC. 24
"JINGLE BELLES"
STARRING
GLORIA JEAN
MILT HERTH SWING TRIO
A Special Xmas Release

4 "SUPERIOR" CHAPTER-PLAYS
Adult as Well as Juvenile Appeal—
1. "RIDERS OF DEATH VALLEY"
2. "SEA RAIDERS"
3. "DON WINSLOW OF THE NAVY"
4. "GANG BUSTERS"

UNIVERSAL "SCOOP" NEWSREEL
(ISSUED TWICE WEEKLY)
GRAHAM McNAMEE, ACE VOICE OF SCREEN AND RADIO, COMMENTATOR

ENTER Exhibitors' Good Will "Better" Short Subjects Dating & Exploitation Contest & WIN $2400

(See your exchange manager for details of contest)
MEET THE TOUGHEST "TOP KICK" IN THE U.S.A.

...IN THE WACKIEST SERVICE COMEDY of the YEAR

TOP SERGEANT MULLIGAN

"Here's another army camp comedy that should please any audience looking for a laugh. Well produced and directed."
—SHOWMEN'S TRADE REVIEW

"Picture was greeted delightfully . . . Sterling Holloway and Nat Pendleton are right in their comic element."
—L.A. TIMES

"Army camp life film is hilarious and rough house fun maker. Has good gags, dialogue, action and romance."
—HOLLYWOOD M.P. REVIEW

"Faylen and Hall get a great break here and make the most of it . . . outstanding performance by Wonderful Smith."
—VARIETY

"Very creditable effort in the draft-comedy line . . . should register satisfactorily in revenue."
—BOXOFFICE

"Here's a song hit that's sweeping the nation: "$21 a day once a month."

with

NAT PENDLETON

CAROL HUGHES • STERLING HOLLOWAY
MARJORIE REYNOLDS
FRANK • CHARLES
FAYLEN • HALL

Produced by LINDSLEY PARSONS
Directed by JEAN YARBROUGH • Screenplay by EDMOND KELSO
A MONOGRAM PICTURE
Republic Plans 16
3rd Quarter Films,
Meeting Informed

Republic has nine features, seven westerns and four serials on its schedule for the third quarter of the new season, which begins about the first of the year, it was announced yesterday at the close of a two-day Eastern regional meeting at the New York Athletic Club. Titles of the films will be disclosed soon, it was said.

Following a luncheon James R. Grainger, president, declared that Republic is enjoying the most successful year in its history.

Grainger said that Republic began selling new season product in April.

RKO 39-Week Net
Is Up to $664,774

RKO yesterday reported consolidated net profit of $664,744 after all charges for the 39 weeks ended Oct. 4. This compares with net profit of $318,385 for the corresponding period last year.

Operating profit before the usual deductions for the first three quarters of 1941 amounted to $1,971,201, compared with $1,827,091 last year.

Short Subjects Have Their Day at Big Ampa Meeting

Unity Meeting Seen
For Early December

A meeting of representatives of all branches of the industry to discuss the formation of the unity committee proposed by Allied States is in 9 weeks except for the first week in December. Representative industry figures are being invited to attend for the place and date. Either New York or Chicago are said to be favored as the meeting place.

Kauffman Slate Is
Renamed in Newark

The entire administration slate of Newark's operator union, Local 24, was renamed at a meeting attended by 140 of the local's 160 members early yesterday by George Gillingan, who has brought a receivership suit to oust the incumbents and Louis Kaufman, indicted business agent, was named to head an opposition slate. Elections will be held Dec. 9.

Applause greeted the statement of administration supporters who declined to recognize the elections.

$319,000 Year
Budget Is Set
On Arbitration

Credits to Majors Under Expansion Plan

A budget of $319,000, of which $250,000 is a contingent fund, has been set for the operation of the 31 arbitration boards for the ensuing 12 months under the new plan by which the boards are being opened to the arbitration of general industrial disputes as branch offices of the American Arbitration Association, rather than as exclusively motion picture tribunals.

Under the new plan, the five consenting distributors, responsible for the maintenance of the boards under the consent decree, will receive 50 per cent of the fees paid into the local boards by parties to arbitration cases. Their share of the fees will be credited to their budget obligation.

The consent decree allowed a maximum budget of $490,000 for the first year.
Browne-Bioff Bail Hearing Up Today

The application for bail pending appeal by William Browne and George E. Browne was postponed by U. S. Circuit Court of Appeals Judge Thomas W. Swan yesterday afternoon until this morning. Judge Swan explained that the full bench of three judges, instead of the single judge, would hear the case. Only Martin Conboy, attorney for Browne, appeared in court on behalf of the defendants.

NEW YORK THEATRES

W. G. VAN SCHMUS, managing director of the Radio City Music Hall, is convalescing after a short illness.

GEORGE L. CARRINGTON, Altec Service general manager, and E. Z. WALTERS, comptroller, have returned from the Coast.

LESTER KRIGER, assistant to Ted Selznick, Warner Theatre's chief in Philadelphia, is recovering from an illness.

CLAYTON CASBERG with Warners in New Orleans and Warner DESorges with 20th Century-Fox in the same city have been called to the Army.

JACK FROST, with National Theatre Supply in Des Moines, and Mrs. Frost have named their new son STANLEY ALLAN.

THEODORE ROSENBERG, of Affiliated Theatres, Philadelphia, is ill at his home.

Will Speed Making Of Training Films

WASHINGTON, Nov. 13.—Producers of training films for the Army will be speeded as a result of conferences just concluded here, it was announced today by the War Department.

Present at the meetings were Col. Nathan Levinson, Lt. Col. Darryl Zanuck, and Major John Aalberg, whose officers were members of the Motion Picture Section of the Chief Signal Officer's advisory council.

Details of the discussions were not made public, but it was said they will result in accelerating the flow of pictures used for the training of soldiers.

About one-third of the films being produced commercially in Hollywood, but the greatest volume comes from the training film production laboratories at Fort Monmouth, N. J., and Wright Field, Ohio.

Buchman Elected President of SWG

Hollywood, Nov. 13. — Sidney Buchman has been elected president of the Screen Writers Guild, succeeding Leonard Gillié. The vice-presidents are Ralph Block, vice-president; Robert Rossen, secretary, and Lionel Lescault, recording treasurer.

The executive board includes: Claude Binyon, Block; Morley P. Connelly, Joseph Fields, Richard Malbaurn, Gilfrey, Harry McCall, Jr., Allen Scott, Rossen, Stanley Rubin, Dwight Taylor, Harry Tupen. The bargains committee will meet again Monday night with producers on the contract agreed upon in principle some time ago.

Mrs. Sydne Silverman

Funeral services for Mrs. Sydne Silverman, wife of the publisher of Variety, who died at her home Wednesday following a long illness, will be held this afternoon. The services will be private.

M. P. Associates to Meet

Motion Picture Associates will meet tomorrow at the management club rooms in the Hotel Lincoln. Joseph J. Loc will preside.

MOTION PICTURE DAILY

Opening of Play Is Delayed to Sunday

LITTLE DARK HORSE,” adaptation of a French comedy by Theodore Heilburn, which was scheduled to open at the Golden Theatre last night, has been postponed until Sunday night. Director Frank Blackwell and Raymond Curtis are the producers.

Ascap Will Conform To Washington Law

SEATTLE, Nov. 13.—Ascap official rejected the State Attorney General Smith Troy here today under which the society will comply with the so-called state anti-Ascap law. The agreement will pave the way for Ascap to resume listing in Washington theatres, radio stations and other music users and to collect fees accrued to Ascap in the last four years.

Under the agreement, Ascap will list all of its compositions with the secretary of state as required by the statute and will abandon its attempt to the U. S. Supreme Court of the Federal statutory court’s decision upholding the validity of the state law.

The appeal had been scheduled to heard in the high court on Dec. 3.

Washington theatres and radio stations have paid no Ascap fees since enactment of the state anti-Ascap law in 1935. As required by the agreement, they have now reached they will not only be required to again obtain licenses but presumably, will have to effect their accounts properly on payments for any Ascap music used by them during the four-year period. It is believed here, however, that any compromise on the latter will be effected.

Wobber and Gehring To Visit 3 Branches

Herman Wobber, general manager of distribution for 20th Century-Fox, and William Gehring, central division manager, will leave by plane tomorrow on a visit to the D. Moines, Omaha and Minneapolis offices. They expect to return before Thanksgiving.

MOTION PICTURE DAILY

Published daily except Saturday, Sunday at 8:30 A.M. by the Motion Picture Herald Co., Inc., 1270 Sixth Avenue, Rockefeller Center, New York, N. Y. Entered as second-class matter at the post office at New York, N. Y. Copyright, 1941, by Motion Picture Herald Co., Inc. All rights reserved.

WASHINGTON, Nov. 13.—J. Frank Reilly was appointed manager of the Strand Theatre, by J. W. McCall, manager of the Strand, who is going to Hollywood for a week.

Richard Pitman Dies

Richard Pitman, an actors’ agent and a former actor and Broadway stage manager, died yesterday at the Memorial Hospital for Fascial Jaeha, 1,1.1 Pitman had been ill since May. He had appeared in a number of stage hits.

Several Comerford Managers Shifted


Pittsburg, Pa., Nov. 13.—Sammy Davis Jr. attended the funeral service for his father, Canada Jr., last night at the Temple Beth Israel Synagogue.
Republic Plans 16 3rd Quarter Films, Meeting Informed

(Continued from page 1)

when other companies were fac

ing uncertainty in consent decree o

perations. At present, he said, Rep

ublic has contracts with every in

dependent and affiliate station in the

country with two exceptions and

all those two are expected to be

closed within two weeks. The

announced salary this year last y

er, he said, is 40 per cent.

Foreign Business Doubled

Discussing the foreign market, Her

bert J. Yates said that business in

England, France, and other coun

tries in Europe, as well as those in

New Zealand, is about double last y

ear. Morris J. Siegel, head of Rep

ublic Productions, told of an "expensive

effort and campaign" which Republic

will get under way immediately to

build up its stars. He said all Gene

Kirby vehicles will have "special

treatment" in the "U.S. Mexico Way.

Siegel will remain until the end of the next week.

Those in Attendance

Branch managers and franchise holders attending included: Arthur Newman, Albany; M. E.

Morey, Boston; Jack Bellman, Buffalo; Sam Setlesky, New Haven; Merle Eisner, New York; Nat

D. Lepton, Cleveland, Ohio; Sam P. Gorrel, Cleveland; George H. Link, Chicago; Edgar Kirby, New

York; Charles B. Lawlor, Philadelphia; J. A. Alexander, and Sam A. Fineberg, Pittsburgh; Jake

Flax, Washington, D.C.; and Sam September, Detroit. Those who were here but could not

attend were Grover C. Schaefer, Walter Thim, J. J. O'Connell, Seymour Morris, Harry Jacob, Jack

Findlay, and Charles Reed Jones. Grainger

left last night for Boston. He will return on Monday.

Ask Canada Film Royalty Increase

OTTAWA, Nov. 13.—An increase of

fees to be collected from radio has

been proposed by Canadian Perform

ing Rights Society Ltd. (Async)

and BMI Canada, Ltd., for 1942, it

was revealed today when the pro

posed schedule was published in the

Canada Gazette.

PRS was permitted to collect $107

-02 for 1941 and the proposed 1942

schedule calls for $203,660. Persons

having objections to the new fees

must file particulars with the Secre

tary of State before Nov. 30. Obje

tions will be studied by the Copy

right Appeal Board and hear

ings are expected to be held early

in December.

PRS suggests that in 1942 a semi-

annual fee of $20 be paid for each

portable sound producing and motion

picture projector, and an annual fee of

$10 for coin phonographs.

BMI proposed for 1942 a levy of

$387.92 from theatres producing $13,451 for 1941, but makes no pro-

posals for fees other than from broad

casters and radio stations.

The new rate is equivalent to one-third of $.37, this amount being computed on the

basis of eight cents for each of the

345,712 sets licensed in Canada on Mar

13.

Republic Plans 16 3rd Quarter Films, Meeting Informed

Reviews

“Confirm or Deny” (20th Century-Fox)

THERE are timeliness, punch, and plenty of thrill in this newspaper

story about the raid on London in the summer of the Nazi air

blitz early in the Capitol in September of 1940. With Don Ameche

and John Bennett heading the cast, and with set-

ting depicting bomb-razed London giving a strong stamp of authen-

ticity, the exhibitor should have a really exploitable picture here.

Ameche, who scored so heavily in

“How Green Was My Valley,” again proves that he is a young actor

of exceptional talent and wide appeal. The support otherwise includes

Raymond Walburn, Eric Blore, Arthur Shields and John Loder.

Archie Mayo, who directed, imparted to the film pace and a well-

known F.G.C. blend, while Leo Hammond, responsible for the produc-

tion, saw to it that the picture had technical values of the best.

Ameche is the go-getting lead in London of an American news

syndicate, who by sheer drive forces his staff to continue despite con-

stant air raids. He meets Miss Bennett, teletypist for the Ministry of

Information, during a blackout, and the two are attracted to each other.

When the syndicate offices are bombed out, he usurps the wine cellar

of a hotel, wrangles help—and Miss Bennett—from the Information

Ministry, and continues his work. McDowell, remaining on the roof

of the syndicate offices to watch for a pigeon message from the Con

tinent, gets it but is killed in the raid. Miss Bennett and Ameche are

married, with a live time bomb. Ameche cancels his intention story

in order not to give information to the enemy, and the couple

finally are rescued, with a romantic conclusion apparent.

Running time, 73 minutes. “G.”

CHARLES S. AARONSON

Exhibitor Interest On ‘Swamp Water’;

B’way Grosses Big

“Swamp Water,” 20th Century-Fox picture opening at the Globe tomor-
row, begins a truck drive today.

The picture comes here after an exceptional campaign and record

business in St. Louis. Similarly in San Francisco the picture brought

in a gross of reportedly record propor-

tions.

This gives 20th Century-Fox three

films on Broadway, with “Week-End in

Havana” at the Roxy and “How

Green Was My Valley” at the Rivoli, thus dominating the Main

Stem.

Broadway Week Strong

Broadway had a week of generally

big grosses. Strong business over the

weekend and on Armitage Day ac-

counted for much of the income.

Grosses slackened somewhat at most

houses after the holiday.

A fourth week was regis-

tered at the Roxy, playing “Week-

End in Havana,” and the Radio City

Music Hall with Universal’s “Ap-

pointment with Love,” which opened

in Havana” with a stage show rolled

up an estimated $9,000 in its first

week, also formally announced for

today. There is no immediate

cause of a crowded booking schedule “Appointment for Love,” with

the stage presentation, checked out of the Music Hall after an esti-

mated $93,000 week, a gross that ordinarly

would warrant extended playing time.

Writers, “One Foot in Heaven” opened last week.

“The Valley” $38,700, Second Week

At the Rivoli, “How Green Was

My Valley” continues to draw heavy

ly. It finished its second week Tues-

day night with an estimated $38,700

and is now in its third week.

“Cherobolide Soldier” had a second week at the Astor estimated at $14,000 and

begins a third week today.

“International Squadron” started at the Strand yesterday with Terry

Powell and orchestra on the stage after the picture. The film finished

the list. The latter with Phil Spitalny’s or-

chestra grossed an estimated $21,800

in its final six days. The film played one day short of four weeks.

“Frightened Lady” bows out of the

Globe tonight with a gross for the

week expected to reach an estimated

$4,000. “South of Tahiti” finishes its

first week at the Rialto with an esti-

mated $7,200 expected and holds over.

N.Y. Collects Fee on Public Television

Following the recent installations of coin-in-the-slot film machines in

New York City and in the New York

area, Paul Moss has started a drive to
collect $2 monthly fees not only from these machines but from television

exhibitors, too. He has explained that the network regulations had

been postponed in accordance with stipulations filed in the

CBS and NBC suits for injunctions.

Station-Break Rule

Is Revised by FCC

WASHINGTON, Nov. 13.—The FCC

today revised its regulations to per-

mit station identification announcemen-

tes to be made at the quarter-hour

before or after the hour instead of

only on the hour or half-hour. It was

explained that this will place all

half-hour programs on a parity so

far as station breaks are concerned.

Moss has stated that the network

regulations had been postponed in

accordance with stipulations filed in

the CBS and NBC suits for injunc-

tions.

Kestenbaum in PRC Post

Samuel S. Kestenbaum, formerly

in charge of prints for Producers Re-

leasing Corp., has been named assis-

tant to Joseph O'Sullivan, director of

advertising and publicity.

Friday, November 14, 1941

MOTION PICTURE DAILY

Fowler With News Service

Paul J. Davis, president of Theatre

Communications, Inc., named R. Giff

Fowler as sales manager for the

company plans to serve spot news to

theatres through Altey Service Corp.

through theatres, to producers and

to theatres, with national advertisers.

Fowler formerly was a radio

producer.

Union Election Monday

NEW HAVEN, Nov. 13.—Local 273

of the projectionists union will hold

its annual election on Monday, with

Anthony Basilicato presiding.

Final ratification of operators’ new

contracts with circuits in this terri-

tory is on the agenda.
BUD ABBOTT and LOU COSTELLO in
"KEEP 'EM FLYING"
with MARTHA RAYE • CAROL BRUCE
WILLIAM GARGAN • DICK FORAN
CHARLES LANG • SIX HITS

Screenplay by True Boardman, Nat Perrin, John Grant
Original Story by Edmund L. Hartmann
Directed by ARTHUR LUBIN
Associate Producer GLENN TRYON
UNLIMITED!

• ALL OVER THE COUNTRY EXHIBITORS ARE MAKING ROOM TO LET THOSE ABBOTT AND COSTELLO GROSSES ZOOM!

WORLD PREMIERE
FOX THEATRE IN DETROIT, NOV. 19!

Abbott & Costello, Carol Bruce, Dick Foran, Martha Raye, Maria Montez — IN PERSON!

NETWORK BROADCAST OF PREMIERE COAST-TO-COAST!
MAYOR DEDICATES DATE AS "KEEP 'EM FLYING" DAY!
15,000 POSTERS DISTRIBUTED THROUGHOUT DETROIT!

BIG RECEPTION AT FORD PLANT!

"KEEP 'EM FLYING" SECTIONS IN CITY'S NEWSPAPERS!

A UNIVERSAL PICTURE

NATIONAL RELEASE NOV. 28th
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<tr>
<td>Oct. 31</td>
<td>You Belong to Me (C)</td>
<td>Robert Young Ruth Hussey</td>
<td>New York Town (D)</td>
<td>Mr. Celebrity 114 (D)</td>
<td>Public Enemies (D)</td>
<td>Dumbo (Disney Feature)</td>
<td>Sundown (D)</td>
<td>Appointment for Love (D)</td>
<td>One Foot in Heaven (D)</td>
<td>Binnie Fairfield Betty Field (1941-42)</td>
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<td>Nov. 7</td>
<td>The Stork Pays Off (C)</td>
<td>Maurice Chevalier Rockelle Hudson</td>
<td>The Chocolate Soldier (M)</td>
<td>Lone Rider Fights Back 106 (O)</td>
<td>Missouri Outlaw (O)</td>
<td>Unexpected Uncle (D)</td>
<td>Miss Polly (C)</td>
<td>Moonlight in Hawaii (C)</td>
<td>Blues in the Night (D)</td>
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<td>Nov. 14</td>
<td>Secrets of the Lone Wolf (D)</td>
<td>Warner William Arnold</td>
<td>Siren of the South Seas (Re-issue)</td>
<td>Miracle Kid 213 (D)</td>
<td>Sierra Sue (O)</td>
<td>Look Who's Laughing (C)</td>
<td>Cadet Girl 220 (M)</td>
<td>Paris Calling (D)</td>
<td>Quiet Wedding Bells (1941-42)</td>
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<td>Nov. 21</td>
<td>The Men in Her Life (D)</td>
<td>Loretta Young Conrad Veidt</td>
<td>Shadow of the Thin Man (D)</td>
<td>I Killed That Man (D)</td>
<td>Skylark (C)</td>
<td>Suspicion (D)</td>
<td>Carry Girl (C)</td>
<td>Keep 'Em Flying (C)</td>
<td>Moonlight in Hawaii (C)</td>
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<tr>
<td>Nov. 28</td>
<td>Go West Young Lady (C)</td>
<td>P. Sloan</td>
<td>Two-Faced Woman (C)</td>
<td>Night of January 16 (D)</td>
<td>Underground Rustlers (O)</td>
<td>Missouri Outlaw (O)</td>
<td>Look Who's Laughing (C)</td>
<td>Concanen Brothers (D)</td>
<td>Quiet Wedding Bells (1941-42)</td>
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<tr>
<td>Dec. 5</td>
<td>Sing for Your Supper (C)</td>
<td>Buddy Rogers</td>
<td>Borrowed Hero (O)</td>
<td>Swamp Woman 220 (D)</td>
<td>Glamour Boy 4110 (C)</td>
<td>Mexican Spitfire's Baby (D)</td>
<td>Swamp Water (D)</td>
<td>Dudes are Pretty People (C)</td>
<td>Keep 'Em Flying (C)</td>
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<tr>
<td>Dec. 12</td>
<td>Honolulu Lu (D)</td>
<td>Lupe Velez</td>
<td>Riot Squad (D)</td>
<td>Among the Living (D)</td>
<td>Riot Squad 230 (D)</td>
<td>Behind Broadway Lights (D)</td>
<td>Cowboy (O)</td>
<td>Hayfoot (C)</td>
<td>Destiny (D)</td>
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<tr>
<td>Dec. 19</td>
<td>Bedtime Story</td>
<td>Fredric March Loretta Young</td>
<td>Boy of Mine (D)</td>
<td>Law of the Timber (O)</td>
<td>Law of the Law (D)</td>
<td>Behind Broadway Lights (D)</td>
<td>Cowboy (O)</td>
<td>Hayfoot (C)</td>
<td>Destiny (D)</td>
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<tr>
<td>Dec. 25</td>
<td>Harvard, Here I Come (C)</td>
<td>Herbert Marshall</td>
<td>Forbidden Trails (O)</td>
<td>Texas Man Hunt (O)</td>
<td>Blonde Comet (D)</td>
<td>West of CIMARRON (O)</td>
<td>Cowboy (O)</td>
<td>Hayfoot (C)</td>
<td>Destiny (D)</td>
<td></td>
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<tr>
<td>Jan. 2</td>
<td>Freckles Comes Home (D)</td>
<td>Johnny Downs</td>
<td>Johnny Downs Gale Storm</td>
<td>Texas Man Hunt (O)</td>
<td>Texas Man Hunt (O)</td>
<td>Texas Man Hunt (O)</td>
<td>Cowboy (O)</td>
<td>Hayfoot (C)</td>
<td>Destiny (D)</td>
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$319,000 Year Budget Is Set On Arbitration

(Continued from page 1)

year of the board's operation, 10 months of which was completed at a cost of $300,000, including furnishing and equipping the new offices. The decree allows a maximum budget of $465,000 a year for subsequent years.

The AAA will call clerks of the 31 local boards to New York during the next few weeks to instruct them for the industry, Panhandle Bar for the AAA, and Van Vechten Veedler of the national appeals board.

New Cicer, Ill.

Clearance Complaint

CHICAGO, Nov. 13.—Benjamin and Albert Bartelstein, operating the Ametta, Cicer, Ill., today filed a clearance complaint against the consenting companies. Lasker & Son's Villas Theatre and Schoenen's Pabst, it is being having unreasonable clearance.

The complaint of the R & G Theater Corp., operating the Olympic, Cicer, against the consenting companies was dismissed today at the complainant's request. The Villas and Palacio are not named.

Hearing of the Portage Theatre clearance complaint has been postponed to Dec. 8 by stipulation of parties.

NBC, Mutual Act to Drop Berlin Talks

(Continued from page 1)

Adolph Oefinger, MBS program director, suggested that his reports be discontinued as "censorship has made them useless." Oefinger canceled all pickups from Berlin. Dickson complained that radio correspondents were not given the same treatment accorded newspapermen, that broadcasters were frequently instructed to report material from official propaganda agencies, and similar matters.

At CBS, it was said that broadcasts from Berlin are continuing as usual.

Will Discuss Arbitration

Dr. Wesley A. Sturges, Yale law professor and a director and member of the executive committee of the AAA, will discuss ongoing commercial arbitration at Northwestern University, Chicago, on Monday.
WOW! EIGHT MORE!

In SAN ANTONIO
"Birth" beats "Zanzibar" by 25%!

In SALT LAKE CITY
Smashed house record in Utah Theatre

In NEW LONDON
Smashed house record at Capitol Theatre

In WORCESTER
"Birth" beats "Zanzibar" by 50%!

In NEW ORLEANS
"Birth" beats "Zanzibar" by 20%!

In MEMPHIS
"Birth" beats "Zanzibar" by 70%!

RECORD AFTER RECORD BROKEN ON PARAMOUNT'S BLESSED EVENT!

Paramount's

"BIRTH OF THE BLUES"

BING CROSBY • MARTIN • DONLEVY • LEE • ROCHESTER

MARY • BRIAN • CAROLYN

L., Carroll Naish • Jack Teagarden and His Orchestra • Directed by Victor Schertzinger

Play by Harry Tugend and Walter DeLeon • Story by Harry Tugend

PARAMOUNT PICTURES
MOTION PICTURE DAILY

NEW YORK, U.S.A., MONDAY, NOVEMBER 17, 1941

TEN CENTS

Loew’s Decides
Today on Minn.
Decree Escape

Warriors, RKO, 20th-Fox
Granted Exemption

Loew’s is considering an application to the U. S. District Court for exemption from provisions of the industry consent decree to permit it to sell in Minnesota under terms of the State anti-block-of-five law, company officials stated. A decision on the matter is expected to be made today.

Federal Judge Henry W. Goddard on Friday authorized Warriors, RKO Minneapolis, Nov. 16.—Northwest Alliance has the “wonderful news” the court permission for three more majors to resume selling here, called a directors’ meeting for tomorrow to study the product situation. Officials said the new exemptions would prevent the closing of many houses, and some already closed could now reopen.

Bail Denied, U. S. to Quiz Browne, Bioff

Denied bail Friday by the U. S. Circuit Court of Appeals, William Bioff and George E. Browne will be required to appear in the U. S. District Court this morning for examination concerning their property and ability to pay the $20,000 fines levied on each.

Federal Judge Henry W. Goddard on Friday signed an order requiring

MOTION PICTURE DAILY

NEW YORK, U.S.A., MONDAY, NOVEMBER 17, 1941

TEN CENTS

State to Air Trust Charge
In Neb. Soon

Quigley Discusses
Film Contribution to
Democratic Ideal

PHILADELPHIA, Nov. 16.—The contribution of wholesome public entertainment to the ideal of democracy was discussed here yesterday by Martin Quigley in an address to a session of the Seventh National Catechetical Congress devoted to the subject of motion pictures.

The presiding officer of the session was Most Rev. John T. McNichols, Archbishop of Cincinnati and head of the Legion of Decency.

"The ideal of democracy based on the concept of the dignity of man and the subordination of the state to man’s natural and supernatural purposes demands strict and unswerving maintenance of right moral standards in public entertainment," said Mr. Quigley.

"Wholesome entertainment enables (Continued on page 6)

Republic Will Have
Own S.A. Exchanges

HOLLYWOOD, Nov. 16.—Republic plans to set up its own exchanges in Latin America instead of as present doing business through independent agents, the company announced here. The exchanges will be under the supervision of Morris Goodman, foreign sales manager.

Offices have already been opened in Santiago, Chile, and Panama City, and in the next two months headquarters will be opened in Rio de Janeiro, Buenos Aires, Lima, Havana, and Mexico City, it was announced.

It's a Rumor,' Says
 Masters of Report
 He’ll Be Odeon Chief

TORONTO, Nov. 16.—Haswell Masters dismissed reports that he was considering an offer to become general manager of Odeon Circuit as "rumor." Local film circles, however, persist in the belief that such an offer has been made to the United Artists Western and Canadian general sales manager.

Masters left for New York by plane on Friday after a brief visit here on what he described as United Artists affairs.

Meanwhile, H. T. Long of this city, acting general manager of Odeon, is in Vancouver supervising the expansion

(Continued on page 3)

Miami Sees Record Season;
Theatres Reopening Early

MIAMI, Nov. 16.—Anticipating a record-making Winter resort season, theatres in Miami and Miami Beach that have been closed for the Summer are reopening earlier than ever before, in the wake of extensive remodeling programs undertaken to provide additional and more attractive accommodations.

The Mayfair, of the Wometco circuit, has reopened after being closed all Summer.

The Gables, in suburban Coral Gables, has been completely remodeled at a cost of several thousand dollars and will open the last of this month. Dan Boone has been named manager.

A new marquee has been added to the exclusive Lincoln Theatre that ca-

(Continued on page 6)

U.S. to Quiz Browne, Bioff

Denied bail Friday by the U. S. Circuit Court of Appeals, William Bioff and George E. Browne will be required to appear in the U. S. District Court this morning for examination concerning their property and ability to pay the $20,000 fines levied on each.

Federal Judge Henry W. Goddard on Friday signed an order requiring

Theatre Damaged
In Coast Quake

Los Angeles, Nov. 16.—The Torrance Theatre at Torrance was closed by authorities for inspection following partial collapse of the wall during the earthquake Thursday midnight. No other theatre damage was reported.

(Continued on page 3)

Karin Urges Films
Be Contemporary

Declaring that films are "doomed if they insist on producing only entertainment," Garson Kanin, director, with the Office of Emergency Management, told the annual conference of the National Board of Review on Friday that the "production must be aware of the crisis and continue to release the same type of film they were making five years ago." An informed public is the best as-

(Continued on page 3)
Jane Cowl Play to Open Here Tonight

Five Quebec Theatres Fined on Child Law
Montreal, Nov. 16—Five suburban exhibitors here were fined $10 and costs yesterday by Judge Archambault after pleading guilty to admitting children under 16 years. The Attorney General of Quebec recently ordered a stop to violation of the children's laws.

Those fined were Albert Duclos of Longueuil; Louis Rosenblom, Lachine; W. H. Wright, Rialto, Montreal; and Louis Hebert, Ancienne Lorette, and the Astor, St. Lambert.

Three others pleaded not guilty and their trial was set for Nov. 22.

Arthur Is Renamed
St. Louis Club Head
St. Louis, Nov. 16—Harry C. Arthur, Jr., has been reelected chief banker of the local Variety Club. Louis K. Ansell was named first assistant chief banker; George Wiegand, second assistant; Edward L. Murphy, dough guy, and Ray Nolan, property master.

Canvasmen are: Fred Wehrenberg, Herbert Washburn, Alvin Wolf, Sam Sturcart, Clarence M. Turley and Lawrence D. Hill. Ansell is national canvasman.

Zabin Is Trustee Of Ethical Culture
James B. Zabin of Buchanan & Co., advertising agency, has been elected to the board of trustees of the New York Society for Ethical Culture.

PERSONAL MENTION

L. W. WEINBERG, Columbia sales executive, and Mrs. Weinberg, attended a surprise birthday party for their son, Arthur, Yale senior, at the Hotel Taft, New Haven, Saturday night. Harry Shaw, Loew-Poli division manager, and Mrs. Shaw attended.

JULES BRULATOUR and his wife, Hope Hampton, attended the wedding in Rochester of Jean Hargrave, daughter of Thomas J. Hargrave, Eastman Kodak president, and Mrs. Hargrave.

WILLIAM K. SAXTON, Loew's city manager in Baltimore, is confined to his home with a minor illness.

LARRY SCHANBERGER, owner of Keith's, Baltimore, will spend the Thanksgiving holiday in Atlantic City.

CHARLES STEPHENSON, veteran exhibitor, has retired as manager of the Century at Kitchener, Ont.

ROBERT GOTTLIEB, son of Dorothy Gottlieb of Tri-States Theatres, Des Moines, and Harry Gottlieb, 20th Century-Fox salesman there, is home on furlough from the Army.

LASKY ASSIGNED TO SCOUT FILM FOR W.B.
Hal B. Wallis, associate executive in charge of Warner Bros. production, has assigned Jesse L. Lasky to produce a film based on the history and work of the Boy Scouts of America, it was announced yesterday by Jack L. Warner.

PARA. PARTNERS IN MEETING ON COAST
Hollywood, Nov. 16.—Sam Dembo, Jr., is expected here tomorrow to confer with E. V. Richards, A. H. Blank and Bob O'Connell on the "Sub- lute to Y. Frank Freeman," national theatre drive, and to discuss plans for a dinner to the drive winners to be held in Los Angeles late in January. Dembo will also inspect remodeling work on the former El Capitan Theatre which is scheduled to be opened soon as the Paramount Hollywood Theatre.

Valley' Showing to Be Held on Friday
Trade showings of "How Green Was My Valley" have been set for next Friday, in all 20th Century-Fox exchanges except New York, where the picture has already been shown. The showings will take place at 10 A.M. and 2 P.M.

MOTION PICTURE DAILY

Monday, November 17, 1941

BROADCAST PLAYS

GRAND-SCALE SMASH HIT!!
GERTRUDE LAWRENCE In the Musical Play
"LADY IN THE DARK" A.E., T8 W., St. W. of 8th Ave.—Mat. Wed. & Sat. Special Matinee Thanksgiving Day.

50¢, $1 & $1.50 2ND YEAR—2ND EDITION OF THE Sensational Musical Icetravaganza IT HAPPENS ON ICE at America's Only Ice Theatre Center Theatre, 58-59 8th Ave. 11:45 Mat. Thurs., Fri., Sat. & Sun. $1.50 seats for Every Pair, 60¢. E.V.O.B. AT 10:00

MOTION PICTURE DAILY (Registered U. S. Patent Office) Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1706 Seventh Avenue, Rockefeller Center, New York City. Telephone 7-1000. Cable address, "Quigpib, New York," Marlin Oates, Editor-in-Chief; Albert L. Quigley, Jr., Vice-President; Robert F. Quigley, Vice-President; Sam Hyman, Assistant Editor; George Weigand, Associate Editor; William Seidelman, Sports Editor; Jules Berg, Associate Editor; Dorothy Giannetti, Advertising Manager; Charles P. Boll, Art Director; George B. Schnee, Associate Art Director; James L. King, Advertising Manager; Arthur F. Bird, Business Manager; O. R. Nellis, Circulating Manager; Hollywood Bureau, Postal Union Life Building, Manager, William D. O'Connell, Payroll, Walter E. Worden, Payroll, Editor; Leon Friedman, Manager; London Bureau, Golden Square, London W1, Hope Whelan, Manager; Mexican Bureau, Mexico City, Mexico. All contents copyrighted 1941 by Quigley Publishing Company, Inc. Other publications: Motion Picture Herald, Hollywood Directory, Hollywood Motion Picture Almanac and Name, Re- corded as second class matter, Nov. 21, 1911, at the post office at New York, N. Y. under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.
**York’s Holds Chicago Pace With $30,000**

**CHICAGO, Nov. 16.—**“Sergeant York” continued to lead the State-Lake Theatre with $14,000 in its second week. The Oriental did $16,500 playing “Mob Town” and a stage show. The Palace took $13,500 with “It Started with a Kiss” and the Fox, $12,500.

Estimated receipts for the week ending Nov 6:

- **Rolled Back the Dawn** (Para.)-
  - CHICAGO—(4,000) (35c-35c-75c) 7 days, Gross: $7,500, (Average, $1,062.86)
- **Blows of Glory** (M-G-M)–
  - CHICAGO—(4,000) (35c-35c-75c) 7 days, Gross: $7,500, (Average, $1,062.86)
- **Nothing but the Truth** (Para.)–
  - CHICAGO—(4,000) (35c-35c-75c) 7 days, Gross: $7,500, (Average, $1,062.86)
- **Carrick**—(4,000) (35c-35c-75c) 7 days, Gross: $7,500, (Average, $1,062.86)
- **Mobs Town** (Univ.)–
  - ORIENTAL—1,500) (25c-30c-50c) 7 days, Gross: $1,590, (Average, $227.14)
- **The Little Foxes** (RKO)–
  - MEXICO’S SPITFIRE’S BABY (RKO) 1 day, Gross: $1,400
- **It Started With Eve** (Univ.)–
  - NEUMA CENTRE—(2,000) (35c-35c-60c) 7 days, Gross: $3,500, (Average, $500)
- **The Feminine Touch** (M-G-M)–
  - PALACE—(2,500) (50c-50c-60c) 7 days, Gross: $3,500, (Average, $500)
- **Buy Me That New Stage** (M-G-M)–
  - THE MARRIED BACHELOR—(5,000) 1 day, Gross: $1,500, (Average, $300)
- **Down in San Diego** (M-G-M)–
  - ROOSEVELT—1,500) (50c-60c-75c) 7 days, Gross: $1,250, (Average, $178.57)
- **Donald Young**—(2,500) (35c-35c-50c) 7 days, Gross: $1,500, (Average, $214.29)
- **State-Lake**—(1,700) (40c-45c-55c) 7 days, 2nd week, Gross: $1,350, (Average, $193.57)
- **Mildred and Mr. Hyde** (M-G-M) 1 day, 4th week, Gross: $250
- **Love Hunt** (U.S.)—
  - UNITED ARTISTS—1,700) (30c-40c-55c) 7 days, Gross: $3,150, (Average, $450)

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**Kildare,’ Tucker $12,000, Milwaukee**

MILWAUKEE, Nov. 16.—The week’s biggest grosser was Ornac Tucker’s band in the film, “Dr. Kildare’s Wedding Day” with $12,200 at Fox’s Wisconsin. The Jumbo Circus Revue and Tanks a Million collected $10,400 at the Riveria.

Estimated receipts for the week ending Nov 6:

- **Kansas City** (M-G-M)–
  - THE FEMALE TOUCH—(5,000) 7 days, Gross: $7,500, (Average, $1,500)
 - **Warner’s**—(4,500) 7 days, Gross: $6,750, (Average, $1,500)
 - **Sundown**—(U. A.)—
  - WARNER’S—(3,500) 7 days, Gross: $5,250, (Average, $1,500)
 - **Tanks a Million**—(U. A.)—
  - WARNER’S—(4,500) 7 days, Stage, Jumbo Circus Revue, Gross: $19,400, (Average, $4,300)
 - **Dr. Kildare’s Wedding Day**—(M-G-M)–
  - WISCONSIN—(35c-45c-55c) 7 days, Stage, Tucker, Gross: $12,000, (Average, $1,500)

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**Kanin Urges Films Be Contemporary**

(Continued from page 1)

**PHILADELPHIA, Nov. 16.—**The Downtown theatres suffered a slump with the $12,500 drop in the vaudeville houses. "Farachute Battla" on the Earle, with a variety show, showed the same picture house house $25,500.

Estimated receipts for the week ending Nov, 6:

- **Sargent York**—(W.B.)—
  - JUBILEE—(3,250) (35c-45c-55c) 7 days, 3rd week, Gross: $11,000, (Average, $1,571.43)
 - **ARCADIA—(600) (35c-45c-55c) 7 days, 2nd week, Gross: $8,000 (Average, $1,142.86)
 - **Foot in Heaven**—(W.B.)—
  - ONE EARLE—(4,000) (35c-45c-55c) 7 days, Stage, Vaudeville including Dally Dougs’s orchestra, The Three Stooges, Nicholas Brothers, Four Mill Brothers, Frank Ross, Baby Bliss, Gross: $16,500, (Average, $2,357.14)
 - **Parachute Battler**—(RKO)—
  - FOX—(850) (35c-45c-55c) 7 days, Gross: $8,500, (Average, $1,161.29)
 - **Mexican’s Surfboard Baby**—(RKO) 1 day, Gross: $1,600

**Rich’s Draws Big $22,000, Detroit**

DETROIT, Nov. 16.—"You’ll Never Get Rich" and "Ladies in Retirement" grossed $22,000 at the Fox.

Estimated receipts for the week ending Nov 6:

- **Ladies in Retirement**—(Col.)—
  - FOXX—(3,500) (35c-45c-55c) 7 days, Gross: $15,000, (Average, $2,142.86)
 - **New York Town**—(Para.)—
  - MICHIGAN—(4,000) (35c-45c-55c) 7 days, Gross: $12,000, (Average, $1,629.63)
 - **My Life With Caroline**—(RKO)—
  - HAMILTON—(4,000) (35c-45c-55c) 7 days, Gross: $1,600, (Average, $228.57)

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**Masters on Odeon Report: It’s Rumor**

(Continued from page 1)

sion of the circuit on the Pacific Coast, and may remain there permanently.

Paul Nastewon, head of Odeon, who was in New York over the week end, declined to comment on the report concerning Masters, "Ask Masters," he said.
THE LIFE AND LOVES OF AN

Loretta

THE MEN IN HER

WITH

CONRAD VEIDT
JOHN SHEPPARD
OTTO KRUG

A GREGORY RATOFF PRODUCTION
A COLUMBIA PICTURE

USE THIS STRIKING
The story of the irresistible Lina... who loved dangerously and paid the price! Her story may shock most men... but every woman will understand it... and every showman will hail it!
Loew’s Decides Today on Minn. Decree Escape

(Continued from page 1)

show provisions of the decree, after hearings on those companies’ applications.

Loew’s is the only company of the six affected by the Minnesota law not to seek exemption to date. Paramount and United Artists resumed selling in Minnesota Wednesday when Judge Goddard also upheld the validity of a three-year franchise made by 20th Century-Fox and the Studebaker Circuit of Nashville. The deal involves 100 Crescent Amusement Co. theatres and, although it was not formally signed, according to the Government’s contention, until after June 6, 1940, the decree deadline for such deals, the distributor produced deal sheets to show that preliminary agreements had been reached prior to that date.

S. Simon, special assistant to the U. S. Attorney General, opposed the validity of the franchise under the decree. A stipulation therefore was entered permitting the Government to appeal from Judge Goddard’s decision at any time within the next six months. The case was held over several weeks ago when Judge Goddard approved a similar franchise deal between Loew’s and the Mullin-Flanigan Circuit of California.

Government Consents

Simon consented for the Government to the release of Warners, RKO and 20th Century-Fox from the decrees, which are in conflict with the Minnesota law, but opposed a further release sought by 20th Century-Fox from Section 7, which permits exhibitors to cancel films on religious or moral grounds. The distributor contended that the section should not apply in view of the 20 per cent cancellation given exhibitors under the Minnesota law.

The court concurred with the Government in opposing the release of the 20th Century-Fox application and denied the request without prejudice to its renewal in the event it appears necessary later.

Kalmenson ‘Happy’

Benjamin Kalmenson, general sales manager of Warners Bros., in a statement issued on Friday said he was happy over the order of the court and that the company will again be able to sell in Minnesota.

Settle Arkansas Theatre Complaint

The same run complaint filed by the Cotton Boll Theatre, Lepanto, Ark., has been withdrawn at the Memphis arbitration board after a settlement, American Arbitration Association headquarters here reported Saturday.

The complaint was named Paramount, RKO, 20th Century-Fox and Warners, and the Strand at Lepanto.

New Hartford Critic

Hartford, Nov. 16.—Charles Niles is new dramatic and film editor of the Hartford Times, succeeding Julian Tutill.

Review

“Rise and Shine”

(20th Century-Fox)

A SPRIGHTLY, lively and tuneful comedy with music is “Rise and Shine,” a burlesque on the big and powerful, but extremely stupid football hero with the impossible name.

Based on the book by James Thurber, “My Life and Hard Times,” the film was produced by Mark Hellinger and directed by Allan Dwan, with songs by lyric and music by George Robin and Ralph Rainger. It has been given an elaborate and well-mounted production, technically all that is desired, and features a handful of names, with which its timely football theme, should supply the exhibitor with considerable material for exploitation.

Jack Oakie plays the big, extremely sleepy, and amusingly stupid clayton football hero, with the support including George Murphy, Linda Darnell, Donald Meek, Ruth Donnelly, Raymond Walburn and Sheldon Leonard. The feature is based on the strong-time gambler who sends Murphy, orchestra leader and ex-football star, down to Clayton to keep his eye on Oakie, who is responsible for Clayton’s victories, and hence responsible for Leonard’s winnings.

Clayton cheer-leader, and daughter of Meek, professor in whose home Oakie stays so that he may have both rest and an opportunity for study. Murphy falls in love with her, when Grandpa Brennan of the eccentric household makes a “play” for Miss Donnelly, part of Murphy’s entourage under Leonard’s orders. When Leonard tries to get Oakie out of the way, to cross his bets, Murphy gets him back in time to win the game in an amusing finish. Running time, 92 minutes. “G”

Quigley Discusses Film Contribution to Democratic Ideal

(Continued from page 1)

and strengthens a people. Vicious entertainments corrupt and weaken People who give themselves to diversions which violate decency, honor and morality are in danger of losing even their national power. Entertainment based on right moral standards constitutes a bulwark of democracy.

“The organized motion picture industry in the United States has recognized the existence of the moral influence of the films and has taken the attendant responsibility. There is to be found in that record an attitude and an accomplishment that is unique in the history of business.

“When in 1930 the industry entered upon a systematic program of maintaining high moral standards in its entertainment, it was the first time in the age-old history of theatrical entertainment that any such responsibility was so recognized and so provided for.

“The goal of good motion pictures—good in moral character and good in entertainment value—is not easily obtainable. It can be reached by no simple fiat despite much that has been said to the contrary. Good pictures must be supported, because if good pictures are not supported they will not be made. Also, aside from the political axiom that a people get the kind of government they deserve, it may also be stated that a people get the kind of life they expect and demand.

Columbia Film at Roxy

“You Belong to Me,” Columbia picture containing Barbara Stanwyck and Henry Fonda, has been booked by the Roxy Theatre on Broadway to follow “Week-End in Havana,” now playing.

Training Films Are Shown in England

London, Nov. 16.—The directors of the Army Kinematograph Committee have privately previewed three Army instructional films, made by trade units but sponsored by the Army Council. Observers declared all were of high quality.

The Army film unit, it was stated, already has produced 45 films and another 60 are in production by industry units. The Cinematograph Exhibitors Association has agreed to provide theatres for the showing of instructional films for the Army as well as civil defense groups.

It was announced the Cinematograph Exhibitors Association has accepted the invitation of the Army Council to select members to serve on the new film committee, and has suggested the delegates already appointed to the existing Army films committee, which has run.

The Kinematograph Renters Society decided last week not to appoint delegates, continuing the existing committee and other collaboration by distributors is desirable.

Kennedy Manager Of Sovereign Films

Toronto, Nov. 16.—Walter J. Kennedy, veteran official of Empire-Universe Films, Ltd., has been appointed general manager of Sovereign Film Distributors, Ltd., succeeding James H. Fishers who resigned. He becomes associated with Oscar Hanson, formerly with the company here. Empire-Universal and Sovereign are Nathanson companies.

Fisher Gets Ad Post

Cleveland, Nov. 16.—Ed Fisher, press representative for United Artists, has been named publicity and sales manager of the Cleveland office of Edelstein and Goldstein,Inc., which firm handles such stars as George Murphy, Jules Dassin, and the original “Kiss Me, Deadly.”

Miami Sees Record, Houses Open Early

(Continued from page 1)

theater to patronage along Miami Beach’s famous Lincoln Road, at a cost of $10,000.

Opening soon for the Sheridan theatre in Miami Beach, will be Thanksgiving day, with Irwin Waite as manager.

The late S. Stillman’s, of the Wometco enterprises, located downtown, north of Miami Beach, will open early in December.

State to Air Trust Charge

In Neb. Soon

(Continued from page 1)

Blank-Green Admiralty Theatre, a new house scheduled to open shortly.

The state’s bill of complaint charge that the distributors have agreed in essential terms, from Goldberg, in return for which the Epstein houses, which formerly played day and night, will be re-led to a playing position at the Goldberg houses, as will the Admiral. The latter is a neighborhood house operated by the Blank Omaha interests, and the first new theatre to be built here in 15 years.

The equity action seeks an injunction against the contemplated deals and clearance revisions. It charges that the Goldberg houses are raising their admissions from 25 to 35 cents as a part of the alleged conspiracy.

The state’s action is in direct conflict with an anti-trust suit filed by Goldberg charging the theatre distributors with a similar conspiracy with the Blank theatres against Goldberg. The Blank theatre here have fought against the Paramount, which is one of the distributors charged by the state with acceptance of Goldberg against Blank’s new Admiral.”
CONFIRM OR DENY! HEAR TRADE PRESS HAILS IT AS SUREFIRE BOXOFFICE SMASH -- CONFIRM

"CONFIRM OR DENY" SHOULD DO SMASHING BUSINESS AT BOXOFFICE. IT IS TOPFLIGHT ENTERTAINMENT WITH A STIRRING SUSPENSEFUL SCREEN PLAY, EXPERT PRODUCTION AND DIRECTION AND OUTSTANDING PERFORMANCES BY AMÉCHE, BENNETT AND ROBBY MACDONALD, LEN HAMMOND AND ARCHIE MAYO ARE ENTITLED TO THE RAVE NOTICES THAT THEY WILL RECEIVE FROM NEWSPAPER CRITICS EVERYWHERE AS WILL JO SWERLING FOR UNUSUAL SCREENPLAY.

-- Daily Variety

"CONFIRM OR DENY" EMERGES AS ONE OF THE MOST TENSE AND EXCITING TOPICAL MELODRAMAS OF THE SEASON. WORD OF MOUTH ADVERTISING WILL PUT THIS ATTRACTION IN THE TOP MONEY BRACKET AND RETURNS WILL BE FAR ABOVE AVERAGE.

-- Hollywood Reporter

"CONFIRM OR DENY" HAS TIMELINESS, PUNCH AND PLENTY OF THRILL! A REALLY EXPLOITABLE PICTURE!

-- Motion Picture Daily
‘Truth’ Pulls $18,500, Best Frisco Gross

SAN FRANCISCO, Nov. 16.—“Nothing But the Truth” at the Fox drew a big $18,500. “Sergeant York” took $13,800 in the third week at the Warner, where its showing was satisfactory.

Estimated receipts for the week ending Nov. 6:
1. "Nothing But the Truth" (Para.)
2. "Sergeant York" (W.B.)
3. "Bitter Blues" (Para.)

‘Swamp Water’ Hits $17,500 in St. Louis

St. Louis, Nov. 16.—Overcoming inclement weather that included several days of continual rain, the Fox chalked up most impressive business in week with "Swamp Water," and "Great Guns," taking $17,500. Estimated receipts for week ending Nov. 6:
1. "Lydia" (U. A.)
2. "Swing at the Wall" (Universals)
3. "Swamp Water" (W.B.)
4. "Great Guns" (W.B.)

‘Heaven’s’ Garners $6,200, New Haven

NEW HAVEN, Nov. 16.—"One Foot in Heaven," dually starring Witherspoon and O’Gan's in the Roger Sherman, took $6,200. Estimated receipts for the week ending Nov. 6:
1. "Ladies in Retirement" (Col.)
2. "Smokey and the Bandit" (W.B.)
3. "One Foot in Heaven" (W.B.)

‘Foxes’ Gets $7,800

INDIANAPOLIS, Nov. 16.—"The Little Foxes" and "Parachute Battalion" took $7,800 at the Indiana. "Sergeant York" in the third week at the Circle was good for $7,700. The weather was chilly.

Estimated receipts for the week ending Nov. 7:
1. "Sergeant York" (W.B.)
2. "Parachute Battalion" (RKO)
3. "Texas" (Col.)
4. "Nothing But the Truth" (Para.)

‘York’ Providence Leader, $18,000

PROVIDENCE, Nov. 16.—"Sergeant York," playing the Majestic at advanced prices, pulled in $18,000. Business elsewhere was satisfactory.

Estimated receipts for the week ending Nov. 6:
1. "Unfinished Business" (Univ.)
2. "Smokey and the Bandit" (W.B.)
3. "Bitter Blues" (Para.)

‘Rich’ Scores $8,900, Best Seattle Gross

SEATTLE, Nov. 16.—"You’ll Never Get Rich" was a hit at the Liberty. "Burne Convoy" at Palomar, aided by a strong stage show, drew $5,800. The weather was fair.

Estimated receipts for the week ending Nov. 7:
1. "Nothing But the Truth" (Para.)
2. "Henry Aldrich for President" (Para.)
3. "A Yank in the R. A. F." (20th-Fox)

‘Truth’ Cincinnati Winner at $5,800

CINCINNATI, Nov. 16.—"Nothing But the Truth," which collected $5,800 in its second weekend at the RKO Grand, and "Mexican Spitfire’s Baby" Grid, which set a high for "Follies Bergere" at the RKO Shubert.

Estimated receipts for the week ending Nov. 6:
1. "Hold Back the Dawn" (Para.)
2. "Three Sons O’Gan’s" (W.B.)
3. "You’ll Never Get Rich" (Col.)

‘Kane’ Tallies Big $13,000, Toronto

TORONTO, Nov. 16.—"Citizen Kane" swept to $13,000 at Shea’s Theatre and $8,000 at the Imperial grossed $11,800. Estimated receipts for the week ending Nov. 6:
1. "The Maltese Falcon" (W.B.)
2. "Eagle in the Sky" (Eagle)
3. "The Big Sleep" (Para.)

‘Navy Blues’, Show $21,000, Cleveland

CLEVELAND, Nov. 16.—"Navy Blues" gave the RKO-Palace a smash $21,000 with "Hollywood Sweater Girls Re" as the stage attraction. Estimated receipts for the week ending Nov. 6:
1. "Smokey and the Bandit" (W.B.)
2. "Nothing But the Truth" (Para.)
3. "A Yank in the R. A. F." (20th-Fox)

‘Lift Village’ Census Ban

The State Board of Regents on Friday reversed the State Education Department’s ban of the "Forgotten Village," John Ford’s newest Mexican folk life. The Regents rejected the recommendation of a subcommittee. The vote was described as "rather close."

‘Paper Restion Hits British Houses

London, Nov. 16.—English film houses have been severely hit by new restrictions on the sale of tickets. Under the new ruling, in effect today, posters use to 10 for each film program. It is based on a demand for a reduction of 50 per cent from the amount currently used. Throwaways and other forms of advertising also will have to be seriously curtailed.

‘York’ Is Buffalo Smash at $22,500

BUFFALO, Nov. 16.—"Sergeant York" was a hit at the Great Lakes with $22,500. "Honky Tonk" continued its drive at the Hippodrome with $9,100 in the third week. Estimated receipts for the week ending Nov. 8:
1. "Smokey and the Bandit" (W.B.)
2. "You’ll Never Get Rich" (Col.)
3. "One Foot in Heaven" (W.B.)

‘Smokey and the Bandit’ Takes $3,000

BUFFALO, Nov. 16.—"Smokey and the Bandit" took $3,000 at the RKO after its showing at the Hippodrome with $1,500 in the second week. Estimated receipts for the week ending Nov. 8:
1. "Smokey and the Bandit" (W.B.)
2. "One Foot in Heaven" (W.B.)
3. "Parachute Battalion" (RKO)
BELIEVE IT OR NOT!

It's Another Republic Record!

SHOWMEN TELL THE WORLD

REPUBLIC AGAIN BREAKS THEATRE RECORDS WITH ITS GREATER IDEAS IN ACTION!

REPUBLIC'S BOXOFFICE RESULTS ARE UNTIED AND UNEQUALED BY ANY OTHER COMPANY, STAR OR GROUP OF WESTERN STARS.

THE TOPS
BACK IN THE SADDLE (Rep.) . . 175%
SINGING HILL, THE (Rep.) . . 170%
RIDIN' ON A RAINBOW (Rep.) . . 165%
MELODY RANCH (Rep.) . . 160%
UNDER FIESTA STARS (Rep.) . . 160%
DOWN MEXICO WAY (Rep.) . . 155%
RIDE, TENDERFOOT, RIDE (Rep.) . . 140%
SUNSET IN WYOMING (Rep.) . . 135%

AND REPUBLIC'S 32 GREATER IDEAS IN ACTION MAINTAINED THE COLOSSAL AVERAGE OF 114%
Radio Lauded
By F.D.R. in
NBC Message

President Roosevelt on Saturday sent "congratulations and best wishes" to Niles Transoceanic, Inc., president, on the occasion of the 15th anniversary of the network. The text of the President's letter follows:

"On the occasion of the fifteenth anniversary of the National Broadcasting Co., I wish to extend my congratulations and best wishes. "Radio has contributed greatly to the culture of the American people during the past two decades, and has been a factor of incalculable value in making them the best informed people in the world through the dissemination of information affecting their welfare. "We are living in a time of gravest national emergency, and no one can foretell the demands this emergency may make upon all of us in the future. "We do know, however, that radio will be called upon to play an increasingly important part in domestic and world affairs. I have no doubt that the members of the broadcasting industry realize the responsibility which is theirs and that they will meet that responsibility by rededicating their vast resources to the maintenance of our democratic traditions, while at the same time they work with redoubled zeal to make our American system of broadcasting the best in the world."

![Image of a radio broadcast wave]

**Off the Antenna**

THERE is no denying that NBC's research division grew remunerative over the weekend as the network celebrated its 15th anniversary and highlighted some interesting contrasts between 1926 and 1941.

Time costs have risen about 2,000 per cent. Production of programs has tripled. Music constituted about two-thirds of all program material as compared with one-half today, but there are twice as many music-hours on the air today as in 1926. The morning exercise periods have disappeared from the network but two new types of shows have appeared, the quiz programs and news and special events.

Chiefly because of the advent of daytime serials, dramatic shows have increased from three hours weekly to 65. Talks and discussions have increased from approximately four hours weekly to 75.

The average number of station-sponsored hours on the Red has increased from 149 to 3,709 weekly, and on the Blue, from 24 to 1,443. The average number of stations used on each sponsored program has gone up from nine to 55 on the Red and from three to 57 on the Blue. Sponsoring programs filled 15 per cent of all broadcast time in 1926 and 27 per cent in 1941.

**Purely Personal**: Edward Longstreth, former director of radio for Colgate-Palmolive-Fleet, and Bruce Chapman are writing two daytime serials designed to incorporate the commercials in the dialogue. . . . Wallace Brophy and Herbert Weinacht had their book, "The Opera," published by Simon & Schuster last week. . . . Herbert Bayard Swope, Jr., CBS correspondent, will leave the network Nov. 24 to become an ensign in the Naval Reserve. . . . William Bivens, WBT, Charlotte, N. C., announcer, has resigned to become advance man for "For Papa." . . . John E. Foster, Jr., WCPQ, Cincinnati, news commentator, and Agnes Devanny were married last week. . . . Jack McCarthy, NBC announcer, became father of a girl Friday.

Latest station to experiment with all-night programming is WABC. Last Friday, Arthur Godfrey conducted his record show over the station from 1-5:15 A.M. and for the next few Fridays he plans to conduct it from 1-6:15 A.M. This is in addition to his program from 6:30-7:45 A.M. over the same station, and another show starts over WJSV, Washington, at 7:45 A.M.

**Program News**: Liberty magazine will sponsor Paul Sullivan's newscasts over 22 CBS stations Tuesday and Thursday 6-6:30 P.M. beginning tomorrow. . . . "Auction Quiz," heard over NBC-Blue, has become a syndicated weekly newspaper column. Questions used in the column . . . Campana Sales Co.'s "First Nighter" will start its 12th year on the air Friday, Nov. 28 on CBS. More than 500 programs have been presented on the station.

**Ascap Members Meet Dec. 1, Board Later**

Ascap's semi-annual membership meeting has been set for Dec. 1 at the Astor Hotel. The meeting of the board of directors to elect officers is expected to be called soon after the membership meeting according to present plans.

**Compromise Expected On Wash, Ascap Fees**

Seattle, Nov. 16—It is estimated $250,000 in fees is due Ascap for the period since 1937 when the Washington anti-Ascap law became effective. About half the amount is due from radio, and most of the remainder from exhibitors. A compromise payment is expected to be worked out by all parties.

Ascap officials met with state theatre interests Friday to work out an agreement on license fees following an agreement with State's Attorney General Smith Troy by which Ascap will conform to the state law to permit resumption of business. Ascap also agreed to drop its appeal to the U.S. Supreme Court on the validity of the state law. John G. Payne, Ascap general manager, and Herman Finkelson, attorney, were here for the talks and are due in New York Wednesday.

**U.S. Fails to Prove Charge, Says Crescent**

(Coasted from page 1)

W. H. Mitchell, representing an associated defendant, Muscle Shoals Theatres, J. D. Mosby, of counsel for Universal and United Artists, said his clients' brief would be filed in 10 days.

Final arguments in the Crescent anti-trust suit, which has consumed seven weeks in Federal Court during late Summer, have been set for Dec. 1.

**Complaints Brought Suit**

Crescent's main brief declared the anti-trust action was the result of complaints made to the Department of Justice by W. Smith, W. P. Roth, Fred Gorman and Mac Buchanan. The brief commented that Judge Elmer Davies, the trial judge, "observed the manner and demeanor of these witnesses while on the witness stand and on more than one occasion, in substance, stated that Smith was entitled to little or no credence—that he appeared to be anxious to give answers which he thought would meet with the approval of counsel for the plaintiff."

The 124-page brief asserted that Section 2 of the Sherman Act is not applicable, declaring: "All of the complaints against the defendant exhibitors have come from so-called independents and have not concerned the quantity of pictures but quality and dating. The charge is that the defendant exhibitors have bought and played the best pictures that they have been able to play earlier. It is perfectly obvious that the defendant exhibitors have not monopolized the supply of films in any sense of the word."

**Deny Agreements**

The brief also declared that there had been no division of territory by the defendant use of agreements not to compete with each other.

Claiming Crescent operations exerted no material restraint on inter-state commerce, the document said, "it is absurd to say of such a commodity that the buyer in one locality 'controls the market' even if he be the only buyer in that locality. Prints may be shipped in one direction as easily as in another and the distributor alone controls the market. The Department of Justice engages in pure sophistry when it supposes that one can control by exhibitors of a local or geographical market . . . ."

**12% Wage Increase Averts RCA Strike**

A strike by RCA Communications employees was averted Friday and a new two-year contract, calling for wage increases of 12 per cent, was agreed upon after two weeks' mediation.

The cornerstone of the new RCA Laboratories was laid Saturday with Major Gen. J. G. Harbord, RCA chairman of the board, officiating. David Sarnoff, president, spoke by radio from the Motsonia en route from Honolulu to San Francisco.
TEAMWORK

ALL three Eastman negative films contribute to the over-all excellence of today's productions. Although they specialize in different fields, they join forces readily because of one important attribute enjoyed in common—unvarying high quality. 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
ALEXANDRE DUMAS' STRANGEST STORY OF TWO BROTHERS WITH BUT A SINGLE SOUL!

TWINS... invisibly bound to each other for life—yet worlds apart and enemies to the death!... living, loving, fighting as one man! When one brother holds a beautiful woman, the other thrills to her love! When one brother writhes under the lash, the other feels his pain! Dumas' most unusual, most exciting drama—now dwarfs all previous achievements of the adventure screen!

Edward Small presents

ALEXANDRE DUMAS' masterpiece of adventure and romance

THE CORSICAN BROTHERS

STARRING

DOUGLAS FAIRBANKS, JR.

RUTH WARRICK • AKIM TAMIROFF • J. Carroll Naish • H. B. Warner
Henry Wilcoxon • John Emery • Gloria Holden • Veda Ann Borg • Directed by Gregory Ratoff

Screenplay by George Bruce • From a free adaptation of the Dumas story by George Bruce and Howard Estabrook • Released through UNITED ARTISTS

This is a reproduction of an ad on YOUR BIG CHRISTMAS ATTRACTION that will appear in Life, on newsstands December 19th, as well as a 4-color ad in Look, on the newsstands December 16th—and then a whole barrage of ads in five additional national magazines!
Only 7 of 521 Condemned in Year by Legion

WASHINGTON, Nov. 17.—Only seven of 521 motion pictures reviewed by the Legion of Decency during the year ended Oct. 31 were condemned in the central class, as reported at the annual meeting of the Catholic Hierarchy, just held here.

This was three less than were condemned in 1939-40, it was disclosed by Archbishop John T. McNicholas of Cincinnati, chairman of the Episcopal Committee on Motion Pictures. The Archbishop's report showed at 267 pictures, or 51.25 per cent of those reviewed, were placed in Class I as totally objectionable; 197, or 37.81 per cent, in Class II as objectionable for adults, and 50, or 9.98 per cent, in Class III as objectionable for children.

‘Swamp Water’ Gets $7,500 on Weekend, Big Broadway Draw

"Swamp Water," 20th Century-Fox picture, was an outstanding exception on Broadway over the weekend, taking an estimated $7,500 for Saturday and Sunday. This is one of the biggest weekend grosses the theatre has had and the week is expected to wind up comparatively big. The run is tied in with an advertising and exploitation campaign.

The picture is playing at an advanced rate of $5.00 on matinees and 75 cents evenings, Saturday and Sunday, and 35 cents matinees and 65 cents at night on weekdays.

Elsewhere, business in the main was about normal. The crisp Fall weather and football games which brought in many visitors helped, managers reported.

Also big was "Week-End in Havana" at the Roxy, which, with a stage show, drew an estimated $30,000 Friday through Sunday. The

B & K Takes Three Chicago Theatres

CHICAGO, Nov. 17.—Balaban & Katz will take over the Portage, Drake and Admiral theatres here from the GCS Circuit on a 20-year lease starting Jan. 1, it was learned today.

Details of the arrangements have not been disclosed but it is assumed that the change results from the arbitration clearance complaint filed by the GCS circuit some time ago, which named the

Sears and Raftery New Chiefs of U.A.

Sears to Head Sales and Raftery President; Kelly Made Finance Committee Chairman and Laudy Lawrence Coordinator

Gradywell L. Sears, formerly general sales manager of Warner Bros. Pictures, has been named sales chief of United Artists Corp. His term will run for several years. Attorney Edward C. Raftery, of the law firm of O'Brien, Driscoll and Raftery, and secretary and general counsel of the company, has been designated to accept the presidency of the company for a limited period. Raftery, who will continue in the practice of law and retain his lawyer status with the company as well as his partnership in the O'Brien, Driscoll and Raftery firm, accepted an arrangement to head the company for one year, but without a contract.

Sears’ deal for the sales management of United Artists was negotiated by Attorney Leo Spitz. He was elected a vice-president of the company.

It was also announced yesterday that Lundy Lawrence, assistant to David O. Selznick and former Euro-

Films to Latin America to Be Truthful, Says Whitney

By SHERWIN A. KANE

American films sent to Latin America will be "utterly truthful and authentic picturizations of American life and objectives," John Hay Whitney, head of the film division of the Office of the Coordinator of Inter-American Affairs, declared yesterday. Whitney, in a review of his recent six-month tour of Latin America, declared that Hollywood would give its cooperation in the production of such films. "We will not combat false impressions with anything but facts," he said. "The American way is its own best ambassador." Whitney will meet on the Coast next week with major American executives.

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Personal Mention

JAMES MULVEY, vice-president and Eastern representative for Samuel Goldwyn, Inc., arrived in Florida yesterday to recuperate from a recent operation.

JEANNETTE BERLINER, Republican booker in New Haven, will spend the Thanksgiving holiday here.

BERNARD KLEIN of National Theatre Supply is recuperating at Israel Zion Hospital, Brooklyn, after an appendicitis operation.

EDWARD L. KLEIN is recuperating at the Hotel Gregorian after two operations.

WALTER WANGER has returned to the Coast.

To Inaugurate NYU Course on Pictures

The Washington Square College of Arts and Sciences of New York University plans to inaugurate a four-year course in motion pictures, leading to the degree of Bachelor of Arts, said to be the first such course in an Eastern college.

To mark the event a tea will be held on Dec. 5, at which executives of the film companies, press representatives and others are expected.

Set Cinema Club Election

CINCINNATI, Nov. 17.—The Cinema Club of Cincinnati will hold its annual election on Saturday.

Readers’ Say-So

Editor, Motion Picture Daily:

Your issue on Monday, Nov. 10, quoted me as saying that the cuts for marquee and shop windows (in Detroit) has aided the theatre grosses. I have made no statement whatever and I am in no position to render an opinion due to the short length of time the orders were in effect.

Mrs. Pauline Griffith

Hiller Pittsburgh Variety Club Head

PITTSBURGH, Nov. 17.—Joseph Hiller has been named chief booker of the local Variety Club. Other officers are: Brian McDonald, first assistant; Tony Stern, second assistant; James Alexander, treasurer; Al Weibling, secretary. Directors are: James Ber- nard, Peter Dana, Harry Feinstein, Mark Goldman, Harry Hendel, Byro Simon.

The testimonial banquet for Harry Kalmine will be held Nov. 24 at the Penn Hotel, with more than 1,000 expected. Honorary banquet chairmen are John H. Harris and Moe Silver. General chairman is C. C. Kerr. Other officials are: Dave DeSante, Joe Feldman, Joseph Silverstein, Ed Stirling.

New Officers Elected By Club in Charlotte

CHARLOTTESVILLE, N. C., Nov. 17.—New officers of the local Variety Club, an announcement of which was made at a dinner in the home of D. A. McMillan, were elected. The officers are: Charles Havens, president; Al McDaniel, vice-president; L. E. Price, secretary; G. L. Smith, treasurer. Other officers are: C. C. Kerr, Henry Smith, Jack Shuler, and Joe Fields.

20th-Fox Team Here

The 20th-Fox basketball team from the studio arrives here today to participate in the Golden Lus- lee Basketball Tournament to be held at Madison Square Garden tomorrow and next Monday.

AMERICAN AIRLINES INC.

ROUTE OF THE FLAGSHP
Exhibitor Interest
On ‘Swamp Water’;
B’way Grosses Big

"Swamp Water," 20th Century-Fox
picture opening at the Globe tomorrow,
holds New York exhibitor interest.
The picture comes here after
an exceptional campaign and record
business in St. Louis. Similarly in
San Francisco the picture brought in
a gross of reportedly record propor-
tions.

This gives 20th Century-Fox three
films on Broadway, with "Week-End
in Havana" at the Roxy and "How
Green Was My Valley" at the
Rivoli, thus dominating the Main
Stem.

HOW’M I DOING?
HERE’S YOUR
ANSWER!

"SWAMP WATER"
TREMENDOUS
ON B’WAY!

FIRST TWO DAYS EQUAL
TO A FULL WEEK’S
BUSINESS AT GLOBE
THEATRE, NEW YORK

And in St. Louis – Biggest Week’s Business Since “Jesse James”!
In Atlanta – 20% Ahead of “Yank”!
In San Francisco – Biggest of the Year!

VIEWS OF THE
TERRIFIC FRONT
AND OPENING DAY CROWDS!
**Appeals Board Revises Award On Clearance**

The arbitration appeals board yesterday handed down a decision revising the award of a Washington exhibitor in the clearance case of the K-B Amusement Co., Washington, as an appeal was taken in a New York case, a new complaint was filed in New Haven and a Portland, Ore., complaint was withdrawn.

In the appeals board decision, the original award of the arbitrator held that the complainants' theatre, the Apex, is not in competition with either the Calvert or Uptown and directed that the clearance granted the latter two by Warner and Loew's should be eliminated entirely. The appeals board held that the testimony as to the absence of competition was largely "opinion," while facts disclosed their competition does exist between them.

The board ruled that the seven days' clearance of the Calvert and the Apex should be limited to five days and the clearance of the Uptown, which has ordinarily immediately followed the Calvert, also should be limited to five days over the Apex.

The New York case appealed was that of the Alvin Theatre against the five consenting companies, on clearance, and was appealed by the Wilbur Amusement Co., an intervenor.

The U.S. sub-titles of "Son of Fury," selected by the Apex, was withdrawn and the clearance granted the Apex should be limited to five days and the clearance of the Uptown, which has ordinarily immediately followed the Calvert, also should be limited to five days over the Apex.

**Ascap and Wash. ITO Confer on Fees Due**

SEATTLE, Nov. 17.—Ascap attorneys failed to agree with the ITO of Washington on a settlement of fees allegedly due Ascap from the four-year period in which the state anti-Ascap suit was in effect, it was learned today following weekend conferences.

James Hone, executive secretary of the exhibitor organization, and a committee received proposals from John G. Paine, Ascap general manager, and Herman Finkelstein, attorney, but withheld a decision until the proposals can be placed before the entire board of the exhibitor organization.

**Baltimore Club Will Give Hospital Room**

Baltimore, Nov. 17.—The board of directors of the local V.F.D. Club has approved the memorial committee's proposal that the club furnish a room in the Sinai Hospital here in memory of its late chaplain, Rabbi Edward L. Israel. The furnishings will include a sound-proofed floor, in addition to the usual furnishings.

**10 New Films Completed; 42 Now Shooting**

Hollywood, Nov. 17.—Forty-two pictures were before the cameras this week as nine opened and 10 finished. Twenty-eight are being prepared, 78 are being edited.

The backers are M-G-M and 20th Century-Fox, each with eight in work.

The tally by studio:

**Columbia**


Korda (U.A.)

Started: "To Be Or Not To Be."

M-G-M


Monogram

Finished: "Freckles Comes Home," "Boy of Mine," "Kid Squad."

Paramount

Finished: "Dr. Broadway."

In Work: "This Gun for Hire," "True to the Army."

RKO

Started: "Out of the Frying Pan."

Sun

Finished: "Sing Your Worries Away."

Mexican Spitfire at Sea."


Republic

Finished: "Born to the Saddle."

In Work: "Lady for a Night."

Roach (U.A.)

Finished: "Follow the Leader."" Brooklyn Orchid."

Small (U.A.)

Finished: "Back to Harry."

**Ritchey Sets Mono. Argentine Release**

Norton V. Ritchey, vice-president in charge of foreign activities for Monogram, has closed a deal with Distribuidora Panamericana to distribute Monogram product in Argentina, according to word received here from Ritchey, now in Buenos Aires.

Ritchey also has named Nat Liebeskind, former RKO South American supervisor, as Monogram special representative in Argentina, Uruguay and Paraguay, with headquarters in Buenos Aires.
The success of a single short subject series, John Nesbitt's "PASSING PARADE," produced by M-G-M, is doing this industry more good than reams of editorials and testimonials.

To have good pictures they must be supported. To do fine things on the screen requires the cooperation of the theatres. All credit to the exhibitors of America for their judgment in booking and supporting the "PASSING PARADE" series.

The public has indicated its absorbing interest in these shorts that tell of the little events that make living an exciting experience. The sincerity of their production, the sound manner of their exposition in the best magazine tradition, the span of their source material across the by-ways of life make them subjects of extraordinary human appeal.

To those thousands of showmen who have already taken John Nesbitt's "PASSING PARADE" to their hearts, we are grateful. To others who have not yet given their audiences the opportunity to experience the warmth and inspirational thrill of these brilliant little entertainments, we urge an immediate booking. Try them once and you will become an enthusiast for one of the best offerings the screen affords.

For instance, these John Nesbitt gems:

- Just released:
  - "STRANGE TESTAMENT"

- On the way:
  - "WE DO IT BECAUSE——"

- Recent "Passing Parade" Hits:
  - "Hobbies" • "Willie and the Mouse" • "Out of Darkness" • "This is the Bowery" • "Whispers"
Only 7 of 521 Condemned in Year by Legion

(Continued from page 1)

96 per cent in Class B, as objectionable in part. The report pointed out that there has been a continued increase in the number of films rated as objectionable, in part or in their entirety, and emphasized the necessity of strong disapproval to implement the work of the national office for wholesome pictures. Renewal of the pledge of the Legion of Decency in all churches was set for Dec. 14.

Ban on Ism Groups Favored by Equity

(Continued from page 1)

out. About a third of the 4,000 were ineligible to vote because they were not in good standing or for other disqualifications, officials stated. Twenty-nine of the ballots were ruled invalid.

The referendum was in the nature of an advisory vote to the council. Twice before membership meetings have urged the adoption of such amendment. Those who voted in the affirmative on the first question were asked, in view of the difficulty of defining "sympathizer," whether that word should be included in the amendment.

Defence Increases Spending in Frisco

SAN FRANCISCO, Nov. 17.—Theatres are feeling influx of extra money into workers' pockets here, due to defence activities, and many are making notice in the opening of six new night clubs, indicating the public has more money to spend.

The Tivoli Theatre will reopen Nov. 25 with the San Francisco Civic Light Opera committee in charge. Final production, which will run a week, will be 'Rudolf Frain's "The Firefly."'

Loew Decision on Minn. Is Delayed

Loew's decision on its future operations in Minnesota, scheduled to be decided yesterday, was delayed due to the absence from the city of William F. Rodgers, vice-president and general sales manager. The decision may be made today following Rodgers' return from Philadelphia.

Glenman Joins Goldwyn

Hollywood, Nov. 17.—T. Keith Glenman, formerly manager of the Paramount studio, has been appointed manager of Samuel Goldwyn Studios.

WANTED

Young man, draft exempt, with accounting experience. Familiar with national motion picture circuits and independent exhibitor accounts. Must be able to compile records, set up statements, etc. Salary $30 to $35. Box 205, MOTION PICTURE DAILY, Rockefeller Center, New York.

Sears New U.A. Sales Head: Raftery Named President

Elected to New Posts in United Artists

(Continued from page 1)

Alexander Korda, Charles Chaplin and Mary Pickford. The deal with Sears was arranged last week.

The company will establish a new production committee in Hollywood to be headed by George Bagnall, former general manager of the Paramount studio and more recently general manager of Alexander Korda Films, Ltd. The committee will consist of four members in addition to himself which is to be designated by Chaplin, Pickford, Korda and Selznick. Selznick has appointed Daniel T. O'Shea, executive vice-president of United Artists, as his representative on the committee, and the remaining committee members are scheduled to be named within the week.

Will Include Financing

The new production committee will have charge of the company's financial interests in its productions and will direct the operation of United Artists Productions, Inc., the former Walter Wanger production company recently acquired by United Artists and destined to become the company's own producing organization.

Under the plans of the executive reorganization, it is expected that United Artists will appreciably increase its release schedule by signing independent producers who will work through the company's own producing organization.

Arrangements for such additional productions will be made by the new committee, on the advice of Sears and the New York executive committee and will, in turn, be passed upon by the United Artists board on the joint recommendation of these groups. Sears will assume his new post on Monday. The other appointments are effective immediately.

Raftery has been identified with the company in legal capacities for 19 years. He will maintain headquarters, he said, in both the United Artists headquarters in New York and Hollywood, and will make periodic visits to the Coast for conferences with owners and producers. The presidency of United Artists has been vacant since Dr. A. H. Giannini relinquished it about five years ago. In the interim, Mary Pickford, George M. Cohan, Maurice Silverstone and Kelly have acted as temporary administrative heads of the company.

Sears said that it was his intention to retain the present United Artists sales setup in both the home office and the company's 32 exchanges in the United States and Canada. However, he was widely reported yesterday that Carl Leserman, formerly assistant to Sears at Warner Bros., who resigned with Sears two weeks ago, would shortly join United Artists.

In this connection it has been established that the Nathanson interests in Canada have invited Haskell M. Masters, United Artists general sales manager for the West and Canada, to become general manager of their new Odeon Circuit in Canada.

Harry Gold is Eastern and Southern general sales manager for United Artists.

Lawrence said that Walter Gould, foreign manager, will remain in charge of that department, and that his immediate changes are contemplated in the personnel of the 27 exchanges abroad.

The number of U.A. productions to be made by the company's new producing unit is scheduled to be set by Sears in the near future. In the meantime, the company said by Kelly to have $1,200,000 in assets and the exclusive ownership of "The Big Noise," an Alexander Korda production, starring Carole Lombard and Jack Benny, and directed by Ernst Lubitsch, as well as the last Wanger production, "Sundown." The Korda production is owned by United Artists through Romaine Prod., a wholly owned subsidiary when it gets the rights to the picture, Raftery said.

Announcement at Party

Announcement of the executive reorganization was made late yesterday at the Waldorf-Astoria suite of David O. Selznick, who has been the principal figure in the negotiations under way here for the past six weeks. On the course of those negotiations, the names of not only Raftery and Sears entered the picture, but also that of William F. Rodgers, vice-president and general sales manager of United Artists.

The announcement yesterday was something of a gala occasion, in the form of a cocktail party, with not only all of the United Artists home office executives in attendance, but together with trade and daily press representatives, as also well known executives of other companies. Among the latter were Nicholas M. Seleneck, Joseph M. Schenck, Ned E. Deupin, Carl Leserman, Malcolm Kingsberg, Charles W. Koffman, John Hay Whitney, Lowell Calvert, Sam Rinzler, Colvin Brown and Leo Spitz.

Defense Challenges Position of U.S. in Crescent Suit Brief

(Continued from page 1)

plaintiff deduces therefrom are accruable, applicable statements of the law. The fact that the supplemental to Crescent's 124-page main brief was filed last Friday with Federal Judge Elmer Davies, stated the main brief was filed "supposing that defendants desired to get before the court" the facts and law without at the same time discussing the conclusions drawn by the plaintiff from the facts.

It was argued in the reply brief that the plaintiff's briefs with Paramount, Warners and 20th Century-Fox "cannot be invalidated for want of necessary parties. Pointing out the three distributors were missed from the Crescent suit following the consent decree, the brief declared, "It is impossible, therefore, to invalidate these franchise at this time because it would adversely affect the right of parties not before this court."

With respect to agreements, Crescent had with independent exhibitors not to compete with Crescent after selling their theatres, the brief asserted, it was impossible to make agreements not to compete made in connection with the sales of a business do not violate the (Sherman Act.)

Defendant exhibitors, the brief declared, have not made unreasonable use of whatever control they may possess.

Cincinnati Reports 256 October Games

CINCINNATI, Nov. 17.—Total attendance at 256 chance games parties here in October was $29,853, according to figures of Chief Enterprise T. Weatherly, in a report to City Manager C. O. Sherill, who issued the following summary: 13,978 prizes, $49,932, leaving net of $162,657 to the sponsoring organizations. Average net cost per player was 54 cents.

Plaintiffs Withdraw Reading Trust Suit

(Continued from page 1)

agreed to a dismissal, which Benjamin Sork, attorney for the plaintiffs, affirmed.

Meanwhile, the anti-trust trial of Milton Rosensweig, operator of the Iris, here, against Warners and the major distributors, was postponed for Monday, was continued by agreement until the next term of court, probably in January.

B & K Takes Three Chicago Theatres

(Continued from page 1)

five consenting companies and the B & K Belpark, Will Rogers and Gateway theatres. It is expected that the deal will automatically dispense of the complaint.

Hart Has Operation

William S. Hart, veteran actor, underwent a minor operation yesterday at the Columbia-Presbyterian Medical Center.
ASK YOURSELF THIS QUESTION:

- Theatre managers who have adopted High Intensity projection know that the increased screen light means

**IMPROVED PICTURE QUALITY**
**BETTER AUDIENCE RESPONSE**
**INCREASED ATTENDANCE**
**MORE PROFIT**

The new “One Kilowatt” High Intensity arcs supply 50 to 100 per cent more screen light than low intensity lamps at practically the same operating cost. Initial cost is also low.

Ask your dealer to give you the figures and a demonstration of this modern projection light.

THE NEW “ONE KILOWATT” ARCS USE “NATIONAL,” “SUPREX” AND “OROTIP” CARBONS

1881-1941

The sixty year record of “National” carbons is one of steady progress and improvement. Further progress and continued leadership in the Motion Picture Industry are assured by constant research and an intensive development program.

The words “National,” “Suprex” and “Orotip” are trade-marks of National Carbon Company, Inc.

NATIONAL CARBON COMPANY, INC.
Unit of Union Carbide and Carbon Corporation

Carbon Sales Division, Cleveland, Ohio
GENERAL OFFICES
30 East 42nd Street, New York, N. Y.
BRANCH SALES OFFICES
New York, Pittsburgh, Chicago, St. Louis, San Francisco
‘Swamp Water’ Gets $7,500 on Weekend, Big Broadway Draw

(Continued from page 1)

The deal by which Universal will release Walter Wanger’s “Eagle Squadron” was signed on Saturday, coincident with the company’s mid-week meeting of its Eastern and Southern districts and branch managers, home office and studio officials at the Hotel Astor. The deal conforms Morrow Picture Daily’s story of yesterday.

The picture is scheduled to be made at the Universal studio and back-shots are now being made by a Wanger production unit in Europe. Shooting is scheduled to start by Jan. 5 and the picture is slated for release in the Spring.

Bergen Program Tops Hooper List

Edgar Bergen’s Charlie McCarthy tops the list of big audience programs with a rating of 30.1, against the latest Hooper ratings. Fibber McGee & Molly are in second place with 29 and Walter Winchell is close third with 28.6, having moved up from seventh place in the last report. Martha Gellhorn is in sixth place with 27.6, just behind “Alridch Family” with 28.3 and Bob Hope with 27.9.

Others in the first 15 are: “Lux Radio Theatre,” 26; “Maxwell House Coffee Time,” 23.3; EddieWon’t.His picture to family,” 19.3; “District Attorney,” 18.3; Orson Welles, 18; Major Bowes, 17.4; “Kraft Music Hall,” 17.3; Kate Smith’s, 16.8, and “One Man’s Family.” 16.8.

Red Skelton, with 20.6, leads the programs with regional, rather than coast-to-coast, hooks.

Films to Latin America to Be Truthful, Says Whitney

(Continued from page 1)

company heads to discuss plans for production.

During this trip through the Southern Hemisphere, Whitney said he had discussions with President Vargas of Brazil, Foreign Minister Rosetti of Chile and with the leaders of other countries. Whitney, who is expected to return to the United States in January, is expected to meet with the Latin nations to aid in the familiarization of each country.

Everyone expressed a desire to see more of the United States way of doing things when Whitney speaks to them.

“I am able to return to the United States in 1942,” Whitney said yesterday he found groups of American business men in Argentina and Brazil have done effective work in cutting down the playing of Axis films in houses not actually controlled by the Nazis.

Business Men Give Aid Against Axis

During his recent trip to South America, John Hay Whitney said yesterday he found groups of American business men in Argentina and Brazil have done effective work in cutting down the playing of Axis films in houses not actually controlled by the Nazis.

mm, form, in this country as well as the U. S. pictures in South and Central America.

Technical aids to help improve the quality of South American shorts made for United States districts and have done effective work in cutting down the playing of Axis films in houses not actually controlled by the Nazis.

Morrison Loses Suit To Halt SAG Action

Hollywood, Nov. 17.—Federal Judge Leon Yanikovich has rejected the petition of Leo Morrison, agent who sought to restrain the Screen Actor’s Guild from taking disciplinary action against him against his suit against Charles K. Feldman and others for allegedly injuring his agency by dropping his agency contract with Morrison. The court held the SAG’s agency franchise agreement carried sufficient remedies and that the court was in no position to grant relief.

Delay Date for Trial

CHAPEL HILL, Nov. 17.—Date for trial of six major exhibitors against Dixie Theatres Co., for $4,750, will be set in Federal Court here after Dec. 1. The plaintiffs at a showing of 19 films at the court’s Volunteer Theatres here. Plaintiffs are: Loev’s, Columbia, Warners’ 29th Century-Fox, Paramount and Universal.
MOTION PICTURE DAILY

NEW YORK, U.S.A., WEDNESDAY, NOVEMBER 19, 1941

TEN CENTS

Alert. Intelligent and Indispensable to the Motion Picture Industry

Average Cost of Arbitration Put at $87.87

Prof. Sturges Discusses Decree at Chicago

CHICAGO, Nov. 18.—The average cost of an arbitration proceeding during the first nine months of the year, the study of Industrial Arbiter Inc. was $87.87, including $88.23 of the arbitrator’s fees and $29.64 of the fees of the arbitrator’s associate. The total cost for the nine months was $87.87, including $88.23 of the arbitrator’s fees and $29.64 of the fees of the arbitrator’s associate.

FCC Official Pro-Red, Charge by Rep. Dies

WASHINGTON, Nov. 18.—Goodwin Watson, broadcast analyst of the Federal Communications Commission, on Wednesday night was charged by Rep. Martin Dies of Texas with being a “propagandist for Communism and the Soviet Union.”

Dies made his charge in a letter to FCC Chairman Frieda, in which he declared he was deeply concerned over Watson’s appointment to the FCC. He said it clearly demonstrated what he has frequently said in the past, that there is a definite influx of Communists and “fellow travelers” in the Government service.

Dies listed Communist front organizations with which he said Watson is affiliated.

Group Leaves for Detroit ‘U’ Opening

A group of New York trade paper representatives left last night for Detroit to attend the opening of the Fox Theatre there tomorrow night of Universal’s “Keep ‘Em Flying,” starring Abbott and Costello. The stars, Carol Bruce and Arthur Lubin, director, will attend, as will Dick Foran of the cast, who left here with the New York representatives.

A parade, greeting by city officials, radio broadcasts and a reception have been planned for tomorrow preceding the opening. The New York group will return here by air Thursday morning.

WB Note Guarantee Is Reported by SEC

The Securities and Exchange Commission made public yesterday a guarantee of payment by Warners of a $4,000,000 note issued by the Stanley Co. of America, a Warners subsidiary, to the Equitable Life Assurance Society of the U.S.

The note provides for interest at 4½ per cent and quarterly annual payments of $104,850, with a final payment to be made Oct. 1, 1956.

Warners also reported, according to the SEC statement, that it had concluded a new employment contract with Joseph Bernhard as vice-president and general manager, for five years ending Oct. 31, 1946, at a salary of $2,500 per week plus $500 a week for expenses.

No Paper Tomorrow

Motion Picture Daily will not be published tomorrow, Thursday, Thanksgiving Day.

USO Shows Set for 206 Camps; B’way Plays Are Slated

The shows planned by USO Camp Shows, Inc., for the entertainment of men in the Army and Navy will reach a total of 206 Army camps and Naval stations and will continue until next April, 1942, as announced yesterday.

The first four shows on the circuit will open at Army camps and Naval stations on Nov. 27, according to Eddie Dowling, president of USO Camp Shows, Inc. Four others will open Dec. 3, Dowling announced, and a total of 206 shows is expected to be ready by Christmas.

The first four shows include: "Fun," "Ada Leonor and Her All-American Girl Revue," "Follow the Crowd" and "Bring on the Girls." According to plans, an all-Negro show will go into production shortly for inclusion in the Winter program, and three Broadway plays also will be presented.

The major show circuit will play only 65 Army camps and Naval stations where complete theatre and stage facilities are available. Other units will go into 104 camps and stations which have inadequate stage facilities for elaborate shows.

New Yorkers to Be At Dinner to Silver

ALBANY, Nov. 18—Film and theatre executives from New York, Buffalo, Boston and Pittsburgh are expected to attend the testimonial dinner at the Ten Eyck Hotel here Dec. 8, given by the newly formed Albany Variety Club, Tent No. 9, for M. A. Silver, Warner Theatres zone manager.

‘Times’ to Furnish WMCA With News Periods Daily

In one of the most important moves toward newspaper and radio cooperation, the New York Times has undertaken to furnish WMCA with news periods every hour on the hour from 8 A.M. to 11 P.M. every day except Sunday, when four periods will be furnished. The arrangement will start Dec. 8.

The first and last periods each day and the Sunday periods will be of eight minutes duration, while others will be of three minutes. The Times will prepare and edit all the

M.P. Associates Hold Annual Fete Tonight

Motion Picture Associates' 22nd annual dinner and dance will take place tonight at the Hotel Astor with about 50 persons expected. Among those invited are Paul Lax, Rosemary Luce, Mischa Auer, C. Aubrey Smith and Bruce Cabot. Gus Van will be master of ceremonies. Jack Ellis is chairman of the arrangements committee. Joseph Lee is president of the organization.

No Paper Tomorrow

Motion Picture Daily will not be published tomorrow, Thursday, Thanksgiving Day.

Indianapolis Exhibitors Reelect All Officers

INDIANAPOLIS, Nov. 18—Officers of Associated Theatre Owners of Indiana were reelected by the board of directors as the organization's 15th annual convention closed today at the Hotel Antlers here.

Roy E. Harrold of Rushville begins his third term as president. Other officers are: H. H. Johnson, Madison, vice-president; Marj. J. Wolf, Indianapolis, treasurer; Don Rossiter, ex-

Minn. Houses Seek Films to Avoid Closing

Allied Asks Early Release For Subsequents

By ROBERT E. MURPHY

MINNEAPOLIS, Nov. 18.—With the product situation in Minnesota acute because of the extended delay in selling by six major companies as a result of the state's anti-block-of-five law, Northwest Allied today appointed an emergency buying committee which will attempt to negotiate immediate release of films by first runs in order to avoid closing of subsequent run houses between now and the time new product will become available to them.

Donald O'Reilly of St. Paul was named chairman of the committee. The other members are Fred Strom, executive secretary of Northwest Allied, and Sidney Wolk of Minneapolis.

Meanwhile, many independent exhibitors are asserting that they will be forced to raise admission prices in order to pay the higher terms being asked by the companies which have resumed selling during the past two

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(Continued on page 6)

(Continued on page 6)

(Continued on page 6)
Coast Flashes

Hollywood, Nov. 18

M-G-M today borrowed John Garfield from Warner and Alan Tamiroff from Paramount to work with Spencer Tracy in "Tortilla Flat."

John J. Gallagher Productions today established headquarters at the Hal Roach studio, announcing plans to make "Gypsy Cavalier" for Columbia release in English and Spanish versions. Edwim Martin was appointed advertising and publicity head for the company.

Members of the short subjects branch of the Academy of M. P. Arts & Sciences will gather tomorrow to plan procedure on voting in the annual awards competition. Pete Smith is branch chairman.

RKO announced today the purchase of "Father Malachy's Miracle," Brian Doherty play produced on Broadway in 1937.

Marcus Goodrich today asked the Federal court to enjoin M-G-M from producing a film under the title "The Duke," from the Ferne Molnar play, which is the title of his novel. If an injunction is denied, he asked the court to grant damages based on an accounting.

Will Dissolve GCS Circuit in Chicago

CHICAGO, Nov. 18—Mort Goldberg, president of the GCS Circuit, said today that disposal of the circuit's three de luxe houses, the Portage, Drake and Admiral, to Bulaban & Katz means the dissolution of the circuit and the retirement of the circuit heads after the first of the year.

Negotiations are now on for the sale of GCS circuit's Fox, Jeff and Revue theatres, all seating less than 750.

Danziger Leaves Metro

William Danziger yesterday resigned from the advertising department of M-G-M after seven years with the company. He plans to sail for Rio de Janeiro Dec. 19 with Mrs. Danziger for an indefinite stay.

BROADWAY PLAYS

"GRAND-SCALE SMASH HIT!"—Life Magazine

GERTRUDE LAWRENCE in the Musical Play

"LADY IN THE DARK"

AUD. 14, 52c. W. 11th St. Mat. Wed. & Sat. Special Matinee Thanksgiving Day

Personal Mention

PAT CASEY plans to leave for the Coast tonight.

PAUL NATHANSON left for Toronto yesterday.

MERVYN LEROY is due here today from the Coast for a vacation.

JULIAN JOHNSON is expected from the Coast for a New York visit.

Greendale Play to Open Here Tonight

"Walk Into My Parlor," a play by Alexander Greendale, opens tonight at the Forrest with Rosina Galli, Nicholas Conte, Silvio Mineiotti and Hildegard Halliday among the cast members. Luther Greene is the producer.

Phil. Variety Club Banquet on Dec. 14

PHILADELPHIA, Nov. 18—The local Variety Club will hold its annual banquet on Dec. 14 at the Bellevue Stratford Hotel. James J. Walker, former mayor of New York, is expected to be the featured speaker. Delegates from Frank C. Walker and Mayor Bernard Samuel of Philadelphia are scheduled to a group of Hollywood personalities and members of the entertainment industry.

Entertainment, to feature numerous stage and screen personalities, is in charge of Sam Steifel, and chairman of the committee is Ted Schnager. The banquet will honor the retiring chief barker, Earle Sweigert, and Dr. Leon Levy, former chief barker.

Censorship Urged by La. Methodists

SHREVEPORT, La., Nov. 18—The Louisiana Methodist Conference, meeting here, went on record not favoring control and censorship of motion pictures by the state board of education.

The resolution stated that films, which it terms the greatest teaching agency in America today, should be examined to their moral value by state boards of education.

WB Stockholders Will Meet on Dec. 8

The annual meeting of stockholders of Warner Bros. Pictures, Inc., will be held in Wilmington, Del., on Dec. 8. Directors have been nominated for re-election by the preferred stockholders for two-year terms. The six are Joseph Bernhard, Wadsworth Catchings, Robert W. Perkins, Albert Warner, Harry M. Warner and Jack L. Warner.

From Army Show Group

SACRAMENTO, Nov. 18—Parties Unlimited has been incorporated here under the provisions of the California law. The purpose of the corporation is to sponsor entertainments, dances and shows for the men in the Army and Navy. The directors include Philip Brooks, Claire Trevil, Edith Wilkerson, Martha Mature, Priscilla Stillman, Helene Bowman, Mary Briggs, Marjorie Hall and Daisy A. Seiler.

M. J. SIEGEL plans to return to the Coast Friday.

JACK HART of the Riviera Theatre, Scranton, Pa., has been called into the Army.

ROBERT M. SAVINI has returned from the trip through the Midwest, South and Southeast.

Move to Level Off

Prices in St. Louis

ST. LOUIS, Nov. 18.—A move to level off admission prices among subsequent run houses in St. Louis is under way, according to Fred Wehr-enberg, head of a circuit of neighborhood houses and president of the MPTO here. Wehrenberg said the movement has been endorsed by the St. Louis Amusement Co. and inde- pendents, and that they are worse able to do without the one for St. Saul and one in West St. Louis.

The "levelling" of runs will entail a slight increase in admission prices but will include Federal and State taxes, Wehrenberg said. State taxes here are raised in mills, and the move has a slogan of "No Mills and No Pennies." For example, many of the subsequent run houses are charging 20 cents, and this will be increased to 30 cents. Those charging 22 cents will increase to 25 cents. Wehrenberg said the plan was tried recently at his 24 theatres and was successful.

Dual Opening in Pa. Is Set for 'Valley'

A dual opening of "How Green Was My Valley" is scheduled for the Comerford, Wilkes-Barre, and the Strand, Scranton, next Wednesday, it was announced yesterday. The book- ing of the two houses is likewise to be considered as the world premiere at the Rivoli here to be scheduled for the picture during the world premiere of this year, according to 20th Century-Fox.

The twin bookings were made because of the large Welsh population and mining interests, it was stated.

RKO Will Screen 3 Westerns on Dec. 8

RKO will hold trade screenings of the second block of three Tom Holt westerns in all exchanges on Dec. 8. The "Open Range," "Conce on Danger" and "Thundering Hors." The section is St. Louis, where the screening will be held on Dec. 9.

Legitimate Play Booked

COLUMBUS, O., Nov. 18.—RKO Radio Pictures here will present "Life with Father" for an engagement beginning Dec. 1. This is the first venture of the kind for this house.

Slesinger to Hollywood

Stephen Slesinger flew to Hollywood yesterday to confer with Frank Orsitti, his coast representative, on "Maxwell House," which Slesinger has tied up for novels and films.

Newsreel Parade

THREE important events are to prompt special issues, a signing of the new neutrality law, the arrival in Washington of Japanese envoy Tojo, and the coronation of the Mexican emperor. Each will receive attention. The rest and contents follow:

MOYETONE NEWS, Nov. 21—Japanese envoy Tojo arrived in Washington, accompanied by the Japanese ambassador, Charles S. Gray, and Mrs. Gray. The envoy was received by President Roosevelt in the White House. Following is the text of the mayor:

"Sچṣṣ友谊 is the goal, and it will be the policy of this government to work for it with all its might.

NEWS OF THE DAY, Nov. 21—Japanese envoy Tojo arrived in Washington, accompanied by the Japanese ambassador, Charles S. Gray, and Mrs. Gray. The envoy was received by President Roosevelt in the White House. Following is the text of the mayor:

"SچṣṣFriendship is the goal, and it will be the policy of this government to work for it with all its might.

PARAMOUNT NEWS, Nov. 22—Call to the charge the annual issue of "Life Is a Bed of Roses," which is now available for the season.

UNIVERSAL NEWSREEL, Nov. 23—Japanese envoy Tojo arrived in Washington, accompanied by the Japanese ambassador, Charles S. Gray, and Mrs. Gray. The envoy was received by President Roosevelt in the White House. Following is the text of the mayor:

"SچṣṣFriendship is the goal, and it will be the policy of this government to work for it with all its might.

Trade Board Will Study KRS Selling

LONDON, Nov. 18—Sir Andrew Duncan, president of the British Board of Trade, declared in the House of Commons today in response to a question by the government, that there would be no discussion of the KRS until the Japanese would be able to discuss the terms of its interest in independent exhibitors.

Several members raised the point that there was no reason for the government to put Japanese members on a percentage basis, which, it was implied, is harmful to exhibitors. Duncan contradicting this statement but agreed to look at the distributors' "combined.

The KRS has called an emergency meeting of trade to consider the new situation brought about by the necessity of conserving film stocks.
**Motion Picture Daily**

**Reeviews**

"They Died With Their Boots On" **(Warners)**

**Hollywood, Nov. 18**

The history of General George Armstrong Custer, U. S. Army cavalry hero extraordinary, is told in epic proportions in Warners' "They Died With Their Boots On." Filmed on a grand scale, and with great attention to detail as well as to spectacle, the picture traces Custer's life from his start as a West Point plebe, through the Civil War to his death at the Little Big Horn in Dakota Territory.

It is a splendid production in all departments. Moving, gripping and elevated with comedy it assumes important stature among action pictures. Errol Flynn as Custer and Olivia de Havilland as his wife are starred. Supporting them is an excellent cast headed by Arthur Kennedy, Charley Grapewin, Gene Lockhart, Anthony Quinn, Stanley Ridges, John L dietel, Walter Hampden, Sydney Greenstreet, Regis Toomey, Hattie McDaniel and George P. Huntley.

Results of careful effort by Robert Fellows, associate producer, and Raoul Walsh, director, are much in evidence. The picture flows, both in the sweeping scenes and in the counterplots, so that the running time does not seem overlong. Flynn and Miss de Havilland deliver perhaps their best performances to date. Notable in the support are Grapewin, Ridges and Huntley. Bert Glennon's camera work seldom has been equaled.

The picture plays as somewhat of a problem at West Point, but is graduated into the thick of the Civil War. Made a brigadier general through an error, he emerges from the war with high honors. Seeing his unhappy in his domestic life after retirement, his wife urges his erstwhile superior to repair to him, and she is given command of Fort Lincoln in the Dakota Territory, where he organizes the cavalry. Unscrupulous traders cause Indian trouble, and through political attempts to get Custer out of the way. The Government treaty with the Sioux, granting them the Black Hills, is imperilled, and Custer rides to his death putting down the uprising.

Running time: 137 minutes. "C."

**Vance King**

"An Missouri Outlaw" **(Republic)**

THIS is conventional, entertaining Western melodrama with a little more plot than is usual. The story has two parts, both involving about midway through the film. One concerns racketeers preying on local draymen, while the other has to do with the son of the town's sheriff, accused of murder in another town.

Don "Red" Barry and Noah Berry are son and father, respectively, both giving good performances. Lynn Merrick, Paul Fix, Al St. John, and Kenne Duncan and others are in support. George Sherman directed and was associate producer.

The picture begins with a barroom brawl and subsequent sequences bring in a good deal more action, which is staged convincingly enough. The yarn takes a familiar twist, when after the murder of his father, Barry, accused also of this, tracks down four suspects individually. The racketeers are thus checked and Barry is cleared of all charges. The photography is fine.

Running time: 58 minutes. "G."*EUGENE ARNELL

*"G" denotes general classification.

"Frightened Lady" **(J. H. Hofberg)**

The Edgar Wallace mystery yarn of the title has lost some of its effect in its transition to the screen. The presentation is hardly equal to other British films of the type which have given mystery fans here to expect the utmost in suspense and mystery entertainment generally.

The picture does have its merits, however. The story is drawn out, but it has certain unusually interesting features that make it worth consideration especially where murder and mystery pictures have proved worthwhile. Marius Goring, Penelope Dudley Ward and Helen Hay are the principals in the all-British cast. S. W. Smith produced and George King directed.

Running time: 75 minutes. "A."*EUGENE ARNELL

*"A" denotes adult classification.

**School Play in Seattle**

Seattle, Nov. 18—"The Man Who Came to Dinner" has been booked for a week's run at the Metropolitan Theatre here beginning Nov. 30.

**Altec Promotes Peterson**

Altec Service Corp. has promoted D. A. Peterson, former Philadelphia supervisor, to branch manager there, it was announced yesterday.

**‘York’ Draws Big $26,000 to Lead Chicago**

St. Louis, Nov. 18—Armistice Day was greatly remembered at Adelphi Theatre, "Sergeant York" at the State-Lake continued well in its third week with $23,000. You’ll Never Get Rich” is Tivoli’s hand took $4,000 at the Chicago.

Estimated receipts week ending Nov. 13:

**"The Little Fences" (RKO)**

Garrison—$4,500, Gross: $2,000, (Average, $1,000)

"Swing It, Soldier" (Univ.)

All That Money Can Buy—$3,500

"I Started With Eve" (Univ.)

Burt Reynolds—$2,500, (Average, $500)

"Sergeant York" (W. B.)

To Lead Chicago—$2,500, (Average, $500)

"Mystery Ship" (W. B.)

Swing It, Soldier—$2,500, (Average, $500)

"Stagecoach" (Warner)—$2,000, (Average, $500)

**Baltimore Down But ‘York’ Hits $21,000**

Baltimore, Nov. 18—Holiday shopping is already nipping into the film business. On Tuesday, "Sergeant York" in a fourth week, taking $21,000 at the Stanley. Estimated receipts for the week ending Nov. 13:

**"The Feminine Touch" (M-G-M)**

Century—$3,000, (Average, $2,000)

**"Appointment for Love" (Univ.)**

Kethes—$2,000, (Average, $2,000)

**"International Squadron" (W. B.)**

Cannon—$1,500, (Average, $500)

**"Stalag 17" (W. B.)**

Stone—$1,000, (Average, $300)

**"Little Fences" (RKO)**

Garrick—$750, (Average, $75)

**Quiz Bobb, Browne On Fines Collection**

William Bobb and George E. Browne were examined Monday by Federal Judge Henry W. Goldard as to their personal property in an effort by the Government to determine their ability to pay their $29,000 fines imposed on each by Federal Judge John C. Knox. Assistant U. S. Attorney Martin Klein, who conducted the examination, declined to comment, stating that the examination under the law is not a matter of public record.

**School Age Cut Rate Is Started in Phila.**

Philadelphia, Nov. 18—A "teen-age" admission has been inaugurated in several theaters. It is allowing a reduced adult admission to those of high school age. The policy calls for the checkout club to be set up for the patrons in the age group, presentation of a membership card at the box office being required.

The plan goes into effect this week at Harry Friedman’s suburban Lansdowne and has been inaugurated at the Liberty, the Sunset, Loew’s Northgate, Loew’s Ephrata, Loew’s in Elmwood Park, Loew’s in Haddonfield and the William Goldmann theaters.

**The Times**

Philadelphia, Nov. 18—Business is sluggish in spite of the influx of vacationers spending their holidays in the city for the football games. Among the first runs, "Great Guns" at the Aldine took $8,000 at the Earle. "Sergeant York" continued big at the Aldine in $12,000 for its fourth week.

Estimated receipts for the week ending Nov. 14:

**Sergeant York** (W. B.)

The Aldine—$12,000, (Average, $1,000)

**Back Hold**

The Aldine—$12,000, (Average, $1,000)

**"Fay’s Guns" ( Warners)**

Philadelphia, Nov. 18—"Sergeant York" at the Aldine in $12,000 for its fourth week.

Estimated receipts for the week ending Nov. 14:

**Sergeant York** (W. B.)

The Aldine—$12,000, (Average, $1,000)

**Back Hold**

The Aldine—$12,000, (Average, $1,000)
"H. M. PULHAM, ESQ."

"H. M. PULHAM, ESQ."

"DESIGN FOR SCANDAL"

ROSALIND RUSSELL, WALTER PIDGEON in "DESIGN FOR SCANDAL" with EDWIN ARNOLD, Lee Bowman, Jean Rogers, Mary Beth Hughes, Guy Kibbee, Barbara Jo Allen (Vera Vague). Original Screen Play by Lionel Houser. Directed by NORMAN TAUROG. Produced by JOHN W. CONSIDINE. A Metro-Goldwyn Mayer Picture.

"TARZAN'S SECRET TREASURE"


"H. M. Pulham, Esq.' is a love story of universal appeal . . . to rank as outstanding grosser in all situations." — M. P. Daily


"It's got something for everybody. Will bring maximum attendance." — M. P. Herald

"Great show . . . to return important money. A solid hit." — Hollywood Reporter

"Design for Scandal" packed with marquee personalities . . . entertainment for masses and classes. 'Design for profits' could be title." — M. P. Herald

"A humdinger . . . has everything that makes for entertainment for all types of patrons." — M. P. Daily

"Bright as a new dollar. Points to profitable business in all showings." — Boxoffice

"Sparkling romp will be reflected in bullish box-office returns. Money-maker in all situations." — Film Daily

"For profitable biz." — Variety

"Tarzan's Secret Treasure . . . the best of the Tarzans." — M. P. Herald


"Laughs, thrills, excitement. Will pull the crowds to the box-office." — Showmen's Trade Review

"Makes all preceding episodes look like a quiet Sunday afternoon." — Boxoffice

"Tarzan's latest is grand make-believe. Roll out the plush carpet for patrons from 7 to 70." — Film Daily

"A natural for the younger generation, and the elders." — M. P. Daily
BLOW RINGS AROUND YOUR OPPOSITION IN DECEMBER!

"KATHLEEN"

SHIRLEY TEMPLE in "KATHLEEN" with HERBERT MARSHALL, LARAINÉ DAY, Gail Patrick, Felix Bressart.
Screen Play by Mary C. McCall, Jr. Directed by HAROLD S. BUQUET.
Produced by GEORGE HAIGHT. A Metro-Goldwyn-Mayer Picture.

"Kathleen" should be one of the year's biggest money-makers.
—Showmen's Trade Review

Shirley displays all the talent and metism that made her the No. 1 office attraction.
—Boxoffice

Fastly appealing; ranks among top man interest yarns for all fans.
—Film Daily

It's ready to rub your eyes, ladies and gentlemen of show business, and your fans, when you meet 'Kathleen'.
—M. P. Daily

Audience laughed and cried with Miss Temple... this is precisely what the office doctor ordered.
—M. P. Herald
Minn. Houses Seek Films to Avoid Closing

(Continued from page 1)

weeks. This week Paramount, United Artists, RKO, Warners and 20th Century-Fox.

The exhibitor committee plans to confer with the distributors and all holders of first-run film and television exhibition rights, in order to clear product immediately for the houses threatened with closing for lack of film.

Many houses have completely used up the available product already, it was stated. If they are forced to wait three weeks to three months longer, when the product they are being sold by the five companies would normally become available, they would be forced to close, in the opinion of some exhibitors.

It is believed that efforts will be made to clear the product most rapidly to houses in the greatest danger of closing. Industry agreements made generally by houses so benefited will not take advantage of the situation by advertising the earlier availability of product during the emergency period.

Ask 20th-Fox Reply In Pickwick Action

NEW HAVEN, Nov. 18.—Plaintiff's interrogatories in the Pickwick v. Warner case, No. 45,452,579, anti-trust suit against the eight major companies will require an answer by 20th-Fox to the U. S. District Court here by Nov. 28.

Information is sought on the corporation and whether 20th-Fox has since November, 1929, been a stockholder of Shubert Theatres Corp., Metropolitan Playhouses Inc., Metropolitan Playhouses, Inc., National Theatres Corp., or Fox West. Complete information is also sought on contracts with the Embassy and Capitol theatres. In the event any of these corporations will be made generally by houses so benefited not to take advantage of the situation by advertising the earlier availability of product during the emergency period.

Open Two Army Houses

BLOXON, Miss., Nov. 18.—Two motion picture theatres will open at Keesler Field next month. Capt. A. L. Shesemeyer, post theatre officer, announced. The theatres, seating 1,000, will be operated by qualified personnel on active duty and members of their households.

Start New Training Film


Average Arbitration Cost

Put at $87.87 a Complaint

(Continued from page 1)

and stenographic work, and do not include attorney fees.

Discussing the comparatively small number of complaints, with only 125 filed to Oct. 25, Sturges said he had been informed that it is a matter of policy to arbitrate at least in the cases where the sending companies to adjust disputes with exhibitors before they become arbitration cases.

Explain Opposition

He admitted that most exhibitors will have nothing to do with arbitration either because of their opposition to the decree or because they allegedly fear "retribution if they invoke their rights." A third group of exhibitors, he said, disregards arbitration because they regard it as either too slow or too costly.

Relating that the first year's cost of the industry's arbitration system will be approximately $300,000, Sturges said that it is considered that the arbitrators work for $10 a day rather than their professional worth, and the fact that the arbitration system is really three enforceable, that it induces the belief that "the industry gets very full value for its money."

The point of defending or prosecuting contempt actions under the decree could be much more costly, Sturges suggested. Sturges said that in cases involving the 51 awards which had been made by arbitrators to Oct. 25, the average time between filing of the complaint and the making of an award was 80 days. The shortest was 27 days and the longest 178 days. In seven cases in which appeals were decided, the average time from the filing of the complaint to the deciding of the appeal was in 113 days and the longest 210 days. The average time between the arbitration and the appeal decision was 92 days.

Informing his audience that the consenting companies most generally offered to arbitrate film disputes for the final settlement if the decision of the industry, Sturges said: "And we emphasize especially how particularly timely is this action in aid of the peaceful adjustment and settlement of disputes,—coming as it does when the national defense program is being stepped up to the highest place in the field of national policy. Equally timely it is that these national facilities for arbitration are being made ready to meet the demand for rapid adjustment of disputes, and liquidations of defense contracts and employment relations which almost certainly will accrue upon the termination of the war."

Describes U. S. Aims

Sturges detailed the Government's objectives as presented in its bill of complaint and a supplemental and amended bill filed in suit against the consenting companies. He explained the provisions of the consent decree and left his listeners with the perception that he chose to draw concerning the "efficacy of the consent decree as a process of law which may be employed to the advantage of producers and the potentialities of arbitration as an instrumentality of law enforcement."

Dismiss Counter Suit on 'Lynton'

N. Y. Supreme Court Justice Ferdinando A. Pecora has dismissed a $50,000 counter-claim of Edward M. Pickwick Theatres for $250,000 against Paramount, Gilbert Miller and Charles Frohman, Inc.

The counter-claim was raised in a suit by Richard Roeder and Bud Flaherty, Guthrie McClearnitch against Sheldon and Miss Barnes with the plaintiffs claiming that amount as one-half of a recovery in a successful plagiarism suit over the film, "Letty Lynton," brought by the present defendants against Loew's, Inc.

McClearnitch claims that he owned one-half of the film rights to the plagiarized play, "Dishonored Lady," Paramount, Miller and Charles Frohman, Inc., along with McClearnitch, were charged with producing a British version of the play without the consent of Sheldon and Barnes, co-authors.

Three Firms Chartered

ALBANY, Nov. 18.—Three new firms have been chartered here. They are: Buckeye Theatre Corp., organized by Ward Broudy, F. P. Kopp and S. G. Myers; Telecommunication, Inc., under the supervision of the Research Council of the Academy of Motion Picture Arts and Sciences, by Herbert Schettel, Alfred G. Burger and Herbert T. Myers; Amusement Co., by Melvin B. Lambert, Marion Pitcher and Bertha Cohen, R & N Amusement Co. has been dissolved.

Exploitation Men to Attend Metro Forum

COLUMBUS, O., Nov. 18.—In addition to H. M. Richey, in charge of exhibitor relations, William R. Ferrihos, executive of Warner Bros., and John O'Shea, central division manager, John J. Maloney and H. P. Wolfinger, district managers, the following exploiters are expected to attend the M-G-M exhibitor forum at the Dasher Wallick here Nov. 25: C. S. Deardourff, Cleveland; Charles Bar ron, Pittsburgh; Warren A. Sleen, Detroit; Jack Gilmore, Buffalo; Irving Wat terson, St. Louis, and John E. Wong, Cincinnati manager. In addition to Mr. Di nauian,3; Todd Ferguson, Memphis; James Burg, Oklahoma City and Claude Morris, Kansas City.

Indiana Exhibitors Reelect All Officers

(Continued from page 1)

eutive secretary, and Christine Kirk, secretary.

The forum during the day centered on Allied's unity program. The dele gates heard addresses by Abram F. Myers, chairman and general counsel of United States and Jacob Weiss, AT&O counsel. The annual banquet tonight concluded the convention events.

Drop Saturday Matinees

INDIANAPOLIS, Nov. 18.—The Es quire is dropping Saturday matinees.

Wagner Return to U.A. Producer Under Discussion

(Continued from page 1)
the negotiations for the new United Artists management late last week. Wagner is in the United States for the next few months.

Few, if any, changes in the company's executive sales roster are anticipated immediately following Sears' assumption of the company's presidency.

Reports persist that Carl Leserman, assistant to Sears at Warners for many years, will become associate producer in the near future, but the post slated for him appears to be uncertain at this time. Report indicates that he will either become as assistant to George B. Coghill, head of the Western sales department. The latter will be named Western sales manager in the event Haskell Masters transferred to his former Canadian post after the company, which has been suggested as a possibility. It is also known that has been named to succeed D. M. Reiss, head of the Odeon Circuit in Canada and that if he is accepted, Leserman, presumably would take over the Canadian as well as the Odeon territory.

George L. Bagnall, newly appointed head of United Artists' production left for the Coast yesterday to assume his new duties.

New Yorkers to Be At Dinner to Silve

(Continued from page 1)
ager here, who was recently promoted to Pittsburgh zone manager, S. H. Fabian is general chairman for the affair and Moe Grassgreen, 20th Century-Fox local branch manager, is treasurer. T. Haver's management. Clayton Eastman, Paramount branch manager, Paul Krumenaker, Warner branch manager, J. Myer and Louis Schine of the Schine Circuits; M. E. Biskin of E. T. Theatres; Samuel Rosen, Fabian Theatres; H. L. Rippy, M-G-M branch manager, Joseph Miller, Col umbia branch manager; Jerry Spada, Universal branch manager; Max Wostebe, RKO branch manager; Stanley Sears, Buffalo commenting on the occasion.—Max F. Ida, Warners, chairman, Louis Baker, Warners, president, and Neil Hildam, independent exhibitors.

Hoffberg Gets 5 Films


Para. Buys Wylie Story

Hollywood, Nov. 18.—Paramount has acquired the screenplay of 'R. Wylie's "The Black Madonna," "Over the Hill," which will be filmed as "Absett Without Leave."
Phileco Retransmits New York Telecasts
Philadelphia, Nov. 18.—WPTZ, the television station, is picking up programs from NBC in New York and retransmitting them. About five hours weekly are being retransmitted as part of a special test.

The programs are picked up off the air at New York telephone line or radio relay is used. This method was employed by the General Electric station on the coast of Maine, but was discontinued when that station went off the air early last summer.

C.C. Authorizes Power Increases
Washington, Nov. 18.—The FCC has authorized Stations WNBC, New York, Conn., and WGER, Long Island, to increase their power from 1,000 to 5,000 watts.

Action on a number of other applications for increases in power was also ordered.

Seeks Change of Frequency
Station KCMM, Kansas City, has applied for a change of frequency from 1,480 to 810 kilocycles and increase in power from 1,000 watts night, 5,000 watts day, to 10,000 watts night, 50,000 watts day.

Applications have also been received from WTAM, Milwaukee, for increase in power from 5,000 to 10,000 watts; WMC, Memphis, for increase in power from 1,000 to 5,000 watts; WBBM, Chicago, for change of frequency from 1,460 to 790 kilocycles and increase in power from 500 watts night, 1,000 watts day, to 5,000 watts night, 50,000 watts day.

WOR to Dedicate FM Transmitter Nov. 30

W71NY, the WOR FM station, will dedicate its new 10,000 watt transmitter on Nov. 30 with a program featuring Mayor LaGuardia, Maj. Edward H. Armstrong, developer of the FM system, and army and navy officials. The new transmitter will have a radius of approximately 2.5 miles from its location at 444 Madison Ave., New York.

Chicago added its third FM station this week when W6GC, owned by CBS, went on the air. In Philadelphia, W3SPH, owned by WFTL, started operations last week. Felix Meyer has been named program supervisor of W3SPH.

'Bolivar' Completed

MEXICO CITY, Nov. 18.—"Simon Bolivar," story of the Liberator of Venezuela, has been completed. It is now being shown in Colombia by Miguel Contreras Torres, veteran producer-director, and Jesus Grovas, president of Grovas & Co. and former Paramount's partner-in-theater operator, and the longest picture ever made in Mexico, running 25 reels.

Booher Shifts Post

NEW ORLEANS, Nov. 18.—Herbert Schlesinger, first bookeeter at the M-G-M exchange here, has resigned to take a post with 20th Century-Fox in Charlotte.

No Criticism Seen of War News Programs

WASHINGTON, Nov. 18.—Investigation in which news has been handled has given no cause for criticism of broadcasters, it has been disclosed by Federal Communications Commission Chairman James L. Fly.

Fly said the inquiry, ordered by the Senate Interstate Commerce Committee some months ago during its hearings on the White Resolution, was nearing completion and a report might be submitted before the end of the year.

The investigation has been a tremendous job, he said, involving the sending of questionnaires to all station operators and intensive studies by the commission staff. While he could not speak for the commission, he explained, it was his own view that little had been developed for which the industry could be criticized.

Transferred by CBC

OTTAWA, Nov. 18.—Reginald Hor- ton of the CBC staff of the Canadian Broadcasting Corp. here has been transferred to Toronto, and has been replaced here by James H. Book of Sudbury, Ont.

The threat is real, but you can meet it this intelligent way

Scarier, with every passing day, become the metals on which the operation of your projection room depends. The threat is real, but you can meet it this intelligent way: put the Altec Service man on your side. Entrust him with the job of getting the most— the fullest possible life-service—out of every part in the equipment that you now possess. With every passing day, an Altec Service agreement becomes more essential to an exhibitor's business security.

Independent Outlets Form Organization
Chicago, Nov. 18.—A permanent organization for Independent Broadcasters, Inc., is being formed here today and tomorrow in a meeting at the Drake Hotel of representatives of 150 independent stations affiliated with networks.

Eugene C. Pulliam, president of WIRE, Indianapolis, is temporary chairman, and William J. Scripps, WWJ, Detroit, temporary secretary. Copyright problems have been discussed with Ascap representatives and others. Officers will be elected tomorrow. A drive against super-power stations is reported planned.

NBC Representative Probes Nazi Air Ban

NBC headquarters here said that Charles Lanus, head of the continental European network news department here, has been sent to Berlin to investigate the ban of all American radio correspondents by German authorities. Lanus, formerly in Berlin, now makes his headquarters in Berne, Switzerland.

Form Producing Firm

SACRAMENTO, Nov. 18.—Established producers have been filed by A. K. Barbee Productions to make pictures in Hollywood. Directors will be A. K. Barbee, J. Stanley Mullin and George R. Richter, Jr.
"RISE AND SHINE" HITS
A HIGH SPOT! CATCHY MUSIC, LOTS
OF YOUTH AND LIFT A FUN CAST THAT WOULD
ATTRACT ATTENTION FOR ANY FILM! SHOULD
HAVE AUDIENCE REELING!
—Boxoffice

"RISE AND SHINE" TOP SHOW! ADDS UP TO A
SOLID HIT FOR JACK OAKIE AND A SHOWMANLY
START FOR THE DEPENDABLE MARK HELLINGER!
—Hollywood Reporter

"RISE AND SHINE" HAS EVERYTHING TO COM-
MAND HEFTY PATRONAGE!... FUNNING,
FOOTBALL, MUSIC, NONSENSE... COMEDY
THAT HAS EVERYTHING!
—Daily Variety

"RISE AND SHINE" IS A TOUCHDOWN
PARADE OF LAUGHS! LOADED FOR STRONG
GROSSES EVERYWHERE! FILLED WITH MERR-
IMENT AND WILL SCORE!
—The Film Daily

"RISE AND SHINE" IS SPRIGHTLY,
LIVELY AND TUNEFUL COMEDY WITH
MUSIC... ELABORATE AND WELL-
MOUNTED PRODUCTION... NAMES
... SHOULD SUPPLY THE EXHIBITOR
WITH CONSIDERABLE MATERIAL FOR
EXPLOITATION!
—Motion Picture Daily

20th CENTURY FOX

"RISE AND SHINE" RIDES THE AIR-WAVES! MARK HELLINGER AS GUEST OF FRED ALLEN'S PROGRAM
ON CBS! LINDA DARNELL AS GUEST OF ILKA CHASE'S PENTHOUSE PARTY ON NBC! BOTH GUESTS
OF THE "TREASURY HOUR" PROGRAM NOV. 25! MILLIONS OF LISTENERS FROM COAST TO COAST!
Ascap Sets Officers' Terms to Next April

The Ascap board of directors on Wednesday voted to extend to April 1, 1942, the terms of all officers headed by Gene Buck, president. The annual election of officers is scheduled for April 1. The board's action was taken because no election was held last April due to the radio-music war.

Paramount Opens Sales Conference In Chicago Today

CHICAGO, Nov. 20.—Barney Balaban, Paramount president, and Adolph Zukor, chairman of the board, will address the company's two-day sales meeting which began at the Drake Hotel here tomorrow. Balaban will leave for the Coast at the conclusion of the session. Neil Agnew, vice-president in charge of distribution, will preside at the meeting at which general sales problems and sales plans for "Louisiana Purchase" will be discussed. The picture (Continued on page 4)

Republic Acquires Bromberg Franchise

James R. Grainger, Republic Pictures president, has announced that the company has purchased the franchise agreement held by A. C. Bromberg for the Southwest division. Bromberg, who has been in the industry since 1906, stated that he plans to retire from business.

The Bromberg organization has distributed Republic films since the latter company's inception and held the franchise for Atlanta, Charlotte, Memphis, New Orleans and Tampa territories.

Grainger said that the personnel of the branches will remain. Bromberg, who was in New York on the deal which was announced Wednesday, said he plans to leave shortly after the first of the year with Mrs. Bromberg for an extended tour of South America.

Masters Heads Odeon And Empire Firms

Haskell M. Masters resigned Wednesday as Western and Canadian manager for United Artists and will head the new Odeon Circuit in Canada and Empire-Universal Films, both headquarters in Toronto.

MOTION PICTURE DAILY reported exclusively that the Odeon post had been offered to Masters. (Continued on page 4)

HOLIDAY GROSSES STRONG OVER U.S.

New Product, Favorable Weather Help Many Key First Runs

Exhibitors in the 32 states observing Thanksgiving yesterday gave thanks for a healthy box-office. Few exceptions were reported last night, and these were due chiefly to bad weather. Winter roared over parts of the West and heavy rain fell in much of the South.

With strong product available, numerous key first runs moved up their opening a day to garner the holiday trade. Football, parades and other events counter-attracted for matinees in many cities.

St. Louis reported S.R.O. at most first runs, with business exceeding last year's. "Keep 'Em Flying" at the Fox was a standout. Downtown Providence was capacity by 4 P.M., with "Keep 'Em Flying" also here leading the parade.

Chicago, Los Angeles Big

Holdouts were the rule in Chicago's Loop. Los Angeles business was big with an array of strong product and, for the first time in years, no major holiday competition. Cincinnati, Indianapolis, Denver and Seattle reported matinees above normal and big night business. Boston theatres, quiet in the morning because of a parade which attracted 500,000 spectators, and football games, had a capacity rush beginning in the afternoon.

Milwaukee, where family celebrations held sway, reported first runs slightly above average and subsequent matinees. Expected good business was ruined in Buffalo by a driving rainstorm, a celebration, rodeo and football, but "International Squadron" at the Hippodrome and "Shadow of the Thin Man" at the Great Lakes held up well.

Defense Holiday Booms Baltimore

Baltimore, Nov. 28.—A holiday at defense plants today brought record attendance at downtown film houses. Mild, springlike weather helped. Most theatres opened new pictures today.

20th-Fox Claims Rights to Musical

Twentieth Century-Fox has taken cognizance of reports that Vinton Freedley, producer of "Let's Face It," is offering the film rights to the play. Edwin P. Kilroe, copyright attorney of the company, has written Freedley regarding the matter, it was learned over the weekend. The musical show (Continued on page 4)

Report Max Cohen to Take Squire Theatre

It is reported that the Squire Theatre, on Eighth Avenue at 44th Street, will be taken over by Max A. Cohen, head of the Cinema Circuit. The theatre has been closed for several months. It formerly was a part of the old Consolidated Circuit.

Alert. Intelligent, and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

NEW YORK, U.S.A., FRIDAY, NOVEMBER 21, 1941

TEN CENTS

Disagreement Delays British Fund Division

Loew's Opposes Billings As Basis for Shares

Division of the $20,000,000 allowed to be withdrawn from British revenue during the ensuing 12 months by the eight major companies has been delayed due to opposition by Loew's to the formula or apportionment of the remittances among the companies, it was reported.

Seven distribution companies favor postponement of the remittances on the same basis as last year, that is on a percentage basis to each company's share of gross billings in England for the year before. Loew's opposed this formula last year and the question was sent to arbiters. (Continued on page 4)

DISAGREEMENT DELAYS BRITISH FUND DIVISION

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The Ascap board of directors on Wednesday voted to extend to April 1, 1942, the terms of all officers headed by Gene Buck, president. The annual election of officers is scheduled for April 1. The board's action was taken because no election was held last April due to the radio-music war.

Paramount Opens Sales Conference In Chicago Today

CHICAGO, Nov. 20.—Barney Balaban, Paramount president, and Adolph Zukor, chairman of the board, will address the company's two-day sales meeting which began at the Drake Hotel here tomorrow. Balaban will leave for the Coast at the conclusion of the session. Neil Agnew, vice-president in charge of distribution, will preside at the meeting at which general sales problems and sales plans for "Louisiana Purchase" will be discussed. The picture (Continued on page 4)

Republic Acquires Bromberg Franchise

James R. Grainger, Republic Pictures president, has announced that the company has purchased the franchise agreement held by A. C. Bromberg for the Southwest division. Bromberg, who has been in the industry since 1906, stated that he plans to retire from business.

The Bromberg organization has distributed Republic films since the latter company's inception and held the franchise for Atlanta, Charlotte, Memphis, New Orleans and Tampa territories.

Grainger said that the personnel of the branches will remain. Bromberg, who was in New York on the deal which was announced Wednesday, said he plans to leave shortly after the first of the year with Mrs. Bromberg for an extended tour of South America.

Masters Heads Odeon And Empire Firms

Haskell M. Masters resigned Wednesday as Western and Canadian manager for United Artists and will head the new Odeon Circuit in Canada and Empire-Universal Films, both headquarters in Toronto.

MOTION PICTURE DAILY reported exclusively that the Odeon post had been offered to Masters. (Continued on page 4)

HOLIDAY GROSSES STRONG OVER U.S.

New Product, Favorable Weather Help Many Key First Runs

Exhibitors in the 32 states observing Thanksgiving yesterday gave thanks for a healthy box-office. Few exceptions were reported last night, and these were due chiefly to bad weather. Winter roared over parts of the West and heavy rain fell in much of the South.

With strong product available, numerous key first runs moved up their opening a day to garner the holiday trade. Football, parades and other events counter-attracted for matinees in many cities.

St. Louis reported S.R.O. at most first runs, with business exceeding last year's. "Keep 'Em Flying" at the Fox was a standout. Downtown Providence was capacity by 4 P.M., with "Keep 'Em Flying" also here leading the parade.

Chicago, Los Angeles Big

Holdouts were the rule in Chicago's Loop. Los Angeles business was big with an array of strong product and, for the first time in years, no major holiday competition. Cincinnati, Indianapolis, Denver and Seattle reported matinees above normal and big night business. Boston theatres, quiet in the morning because of a parade which attracted 500,000 spectators, and football games, had a capacity rush beginning in the afternoon.

Milwaukee, where family celebrations held sway, reported first runs slightly above average and subsequent matinees. Expected good business was ruined in Buffalo by a driving rainstorm, a celebration, rodeo and football, but "International Squadron" at the Hippodrome and "Shadow of the Thin Man" at the Great Lakes held up well.

Defense Holiday Booms Baltimore

Baltimore, Nov. 28.—A holiday at defense plants today brought record attendance at downtown film houses. Mild, springlike weather helped. Most theatres opened new pictures today.

20th-Fox Claims Rights to Musical

Twentieth Century-Fox has taken cognizance of reports that Vinton Freedley, producer of "Let's Face It," is offering the film rights to the play. Edwin P. Kilroe, copyright attorney of the company, has written Freedley regarding the matter, it was learned over the weekend. The musical show (Continued on page 4)

Report Max Cohen to Take Squire Theatre

It is reported that the Squire Theatre, on Eighth Avenue at 44th Street, will be taken over by Max A. Cohen, head of the Cinema Circuit. The theatre has been closed for several months. It formerly was a part of the old Consolidated Circuit.
‘Seventh Trumpet’ Will Open Tonight

Tonight’s new addition to Broadway’s roster of stage plays is “The Seventh Trumpet,” written by Charles Rann Kennedy. To cast includes Jan MacAulay, Peter Cushing, Carmen Mathews, A. G. Mathews, Leslie Bingham and Alice Hanley. The play is a presentation of The Seventh Trumpet, Inc., of which Kennedy is the principal.

Cut British Release To Save Film Stock

LONDON, Nov. 20.—The eight major American companies here will eliminate one February release, thus effecting a saving of approximately 4,250,000 feet of film.

The decision was taken at a meeting of the Kinephotograph Readers Society (distributors) following consultation with the Eastman Kodak Co. and a comprehensive survey of the shortage of film stock.

An industry conference may be held in the near future to study the present production situation and to agree on a code to safeguard the industry’s position during the period of the war. The lead for the meeting was taken by the technicians’ association.

NEW YORK THEATRES

RADIO CITY MUSIC HALL

CARY GRANT, JOAN FONTAINE

‘SUSPICION’

An EGO-RADIO Picture

On THE GREAT STAGE: “WIFE GOING”

Celebrity guests render revue. Symphony Orchestra under the direction of Abe Burrows. 1st Mezzanine Seats Reserved Circle $6—800

CARMEN CEDAR ALICE PAYNE

MIRANDA-ROMERO-FAYE-PAYNE

‘WEEK-END IN HAVANA’

ROXY

PLUS A BIG STAGE SHOW

7TH AV. & 56TH ST.

PALACE BWAY & 47TH ST.

GARY COOPER as “SERGEANT YORK”

Joan Leslie—Walter Brennan

5th Big Week

20th Century-Fox presents

“How Green Was My Valley”

Univ. ARTISTS

RIVOLI

Broadway at 48th St.

Continuous Pop. Prices. Midnight Shows.

Personal Mention

HERMAN ROBBINS has gone to Florida for two weeks.

EDWARD M. FAY has returned to Providence after a visit here.

FRANK C. WALKER spent Thanksgiving in town.

J. FITZGERALDS, president of Famous Players Canadian, has returned to Toronto.

FRANK SCULLI, M-G-M salesman in Philadelphia, is the father of a daughter born to Mrs. Sculli this week.

H. E. McFarland, manager in Brazil for Western Electric Export Corp., has arrived for a visit of several weeks.

‘Flying’ Given Big Opening in Detroit

DETROIT, Nov. 20—Two mass rallies, a parade and a flight of Army planes over the city featured the day’s activities here yesterday as Universal’s Abbott and Costello film, “Keep ’Em Flying” opened at the Fox Theatre.

The comedy stars, and Carol Bruce and Dick Foran, who is also in the film, are both in the service. Mr. and Mrs. A. W. Snider welcoming them, and later in the day a defense rally was held, followed by a parade of motorized military equipment.

Army planes flew over the city in a blaze of anti-aircraft lights before the opening. Army cars took the starring actors and their hostesses to the theatre, where the premiere of the film was preceded by a half-hour broadcast over the Michigan state network of NBC.

‘Flying’ at Criterion Wednesday

“Keep ’Em Flying” is scheduled to open at the Criterion on Broadway next Wednesday.

M-G-M to Screen Six Pictures in December

M-G-M has set dates for trade showings of six new films in the ten leading exchange centers between Dec. 2 and 16. The showings are as follows: Dec. 2, “The Vanishing Virginian,” and “Dr. Kildare’s Victory”; Dec. 9, “Johnny Eager,” and “Babes on Broadway”; Dec. 16, “Mr. and Mrs. North,” and “The Bugle Sounds.”

Odeon Year Profit Put at $2,573,148

LONDON, Nov. 20.—The Odeon Circuit has reported gross profit for the year ended June 30, last year, at £2,573,148 (approximately $2,573,148). A total of £79,470 was appointed for ARP and War Damage Act contributions, and £1,092 (out of £87,386) was carried forward.

Canada Circuit Dividend

MONTREAL, Nov. 20.—Confederation Amusements, Ltd., has declared a dividend of $4 payable Dec. 18 to shareholders of record Nov. 29.

Urges School Film For Sex Teachin

PHILADELPHIA, Nov. 20.—Extensive use of motion pictures in public schools to promote the concern over love, sex and marriage was urged by Judge Lois Mary McBride of the Pittsburgh County Domestic Court at the annual meeting of the Philadelphia Motion Picture Forum at the Bellevue-Stratford Hotel.

Recognizing the screen as an important influence, he said the films could be used as a means of education for a better and stronger family life, a unit essential for rear ing healthy citizens.

Judge McBride urged the education of adolescents for marriage “a job of the home,” she declared that a second-best solution was to use motion pictures in schools to train young people “to be married and stay married.”

Charges Films with Laxness

She accused the screen of contributing to juvenile delinquency, increasing moral laxness among adolescents.

At the meeting, attended by many local exhibitors in addition to 1,500 members of the Forum, Judge McBride urged the women to consider films for children, and to “plan the movie life of the children.” She declared that the film-makers must insist that the screen deliver the proper variety of entertainment, the mothers must guard the films, and the exhibitors must regard the screen as a family film censor, shoppers as guardians of the screen.

Arthur Beach, editor of the National Board of Review Magazine, also addressed the meeting, describing some of the recent picture leases.

Taylor Forms Twine Company in Canad

TORONTO, Nov. 20.—N. A. Taylor, general manager of 20th Century Theatres, has incorporated the entertainment company charter under the name of Twine Century Theatres Corp. It group of 40 theatres, affiliated with 20th Century Theatres Corp., operated with partnership and pooling contracts although it had not been legally formed as a company, it was stated.

U.S. Signs Hecht To Make ‘G-String’

United Artists has signed Ben Hecht to produce “The G-String Murders,” as the first picture under its production arrangement, it was announced. Hecht’s contract also calls for him to write and direct the film. The story is based on Gypsy Rose Lee’s murder mystery novel, film rights to which are reportedly owned by David O. Selznick.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

LISTEN!
We have a call for you from New York, Albany, Washington, Milwaukee, Philadelphia, Bridgeport, New Haven, Springfield, and Hartford!

"THEY DIED WITH THEIR BOOTS ON" OPENED TO THE BIGGEST THANKSGIVING BUSINESS IN WARNERS' HISTORY!

So you can imagine what it'll do for Xmas!
Network Affiliates Organize, Pulliam First President

Chicago, Nov. 20.—The Association of Network Affiliates, Inc., was formed here at a two-day meeting at the Pulliam Hotel, vice-president of nearly 100 independent stations affiliated with networks. Initial steps were taken to organize drive against permitting super-blower operation by existing clear channel stations in excess of 50,000 watts.

Taft Named Vice-President

Eugene C. Pulliam, WIRE, Indianapolis, was elected president to serve until the first annual meeting in April, probably here, Hubert Taft, Jr., WRC, Cincinnati, is vice-president. The board of directors, to serve until April, includes: Red Network, S. J. Crisp, KOA, Butte; W. J. Scripps, WWJ, Detroit, and Pulliam. Blue Network affiliates, Ronald Woodward, WING, Dayton; Luther Hinkle, KROE, Des Moines, and, E. J. Breen, KVO, Pittsburgh, CBS affiliates, Hoyt Wooten, WREC, Memphis, John Kennedy, QCHS, Charleston, W. V.; and Edgar Bill, WMBD, Peoria, Ill. Mutual affiliates, Donald Davis, WHB, Kansas City, Taft, and Leonard Harvey J. Wesse, past chief bankers, will serve for the coming year. Moritz and Niederthaler, who had been vice-presidents of the national convention, were reelected and Devaney alternates. Moritz also was reelected as national canvasser.

Camp Openings Set On First USO Shows

CINCINNATI, Nov. 20.—Harris Dudaish, Al Kolitz and Albert Weinsteine have been canvassers for Pulliam's CTC, and this morning the first 10 stations in the lineup were: Allen S. Moritz, William Devaney, Peter Niland, Saul Greenbloom, James J. Grady, F. W. Hurley, and Walter Abel. After the meeting, the station managers will be appointed to stations.

Clearing 'Charley' Title for Canada

TORONTO, Nov. 20.—Negotiations are in progress here between the Canadian and Spanish Universal Films for clearance of the film title, "Charley Aunz," for the market. Empire-Universal holds a prior right to the title in the Dominion through its release of a British picture. Pending outcome of the negotiations, 20th Century-Fox has not released the picture in Canada.

Paramount Opens Sales Conference in Chicago Today

(Continued from page 1) will be given a trade showing in connection with the meeting.

Masters Is Head Of Odeon Circuit

(Continued from page 1) erman, former assistant to Gradvi L. Sears, who will succeed Masters as soon as Sears takes over his new duties Monday at New York, was in charge of domestic distribution.

Masters' new posts will be those of assistant manager and general manager of the Empire-Universal circuit and general manager of the Odeon Circuit, which plays 85 Canadian theatres. Both companies are controlled by N. L. Nathanson and Paul Nathan son.

Masters has been associated with Universal Artists since 1928. He was Canadian sales manager for the company with headquarters in Toronto for many years. He was appointed Western and Canadian sales manager for the company on the resignation of L. J. Schlaifer a year ago.

Disagreement Delays British Fund Sharing

(Continued from page 1) traition with a decision in favor of the other companies. Lowe's served notice that it would not agree to the same formula again, advising that another company, perhaps a third company, would offer a formula based on net earnings in Britain, rather than billings. The outcome of the dispute for remittance this year is payable in quarterly instalments. The first $5,000,000 may be remitted after Jan. 31.

Philco 3rd Quarter Profit Is $733,935

Consolidated earnings of Philco Corp., excluding its Canadian subsidiary, for the third quarter of 1941 amounted to $733,935, after provision of $1,125,000 for taxes, according to an announcement by James T. Tuck ley.

This is equivalent to 33 cents per share of 1,372,143 common stock outstanding, as compared to 57 cents in the same period last year.

Rule Stage Acts Not Employes of Theatre

ABILLY, Nov. 20.—In a decision by the appellate Division of the N. Y. Supreme Court made on the claim for credit under the unemployment Insurance Act by Radio City Music Hall, New York, it has been held that members of vaudeville acts engaged for weekly periods are not employees of the theatre within the meaning of the law and therefore escape the insurance tax.

The court ruled, four-to-one, that such special acts and the individual performers working in them are held to be independent contractors and the disallowance of the claim for credit for contributions paid on their wages is reversed and the claim for credit is allowed, with costs and disbursements to the appellant in the Industrial Commissioner.

20th-Fox Claims Rights to Musical

(Continued from page 1) is one of the current hits on Broadway.

Kilroe's letter follows:

"We have noticed in the trade papers that you are offering for sale the motion picture rights to the play 'Let's Face It.'

"Please be advised that the Twentieth Century-Fox Film Corp., owns the world-wide silent, dialogue and talking motion picture rights in and to the play 'The Cradle Snatchers' upon which the play 'Let's Face It' is based.

"We respectfully ask you to refrain from offering for sale the motion picture rights which we own.

Equity Will Draft Ban on Ism Groups

The Actors' Equity council at a meeting next Tuesday will appoint a committee to draft an amendment to the association's constitution which would ban Communists, Nazis, Fascists and their sympathizers from holding office in Equity.

Motion Picture Daily

Friday, November 21, 1941

Review

"Keep 'Em Flying" (Universal)

Score another for Bud Abbott and Lou Costello, for Universal, and for the exhibitor. Keyed to the present-day interest in defense and the air, the script is written with tunes and songs, containing a climax thrill sequence in the air, plus a touch of romance and drama, in addition to the shedding of the, er, the dressing of comedy, the film shot click at any box-office in the land.

This picture takes the comedy pair, Abbott and Costello, into the air via an Army Air Corps training school, as a couple of carnival hucksters who join their pal, Dick Foran, stunt flier who enters the air school. Romance is offered by Foran and Carol Bruce, stationed at the school as a USO hostess. Romance is rapidly dabbled by Martha Raye in the dual role of twin-sister hostesses, and William Gargan and Charles Lang assist in the dramatic development.

Arthur Lubin, director, and Glenn Tryon, associate producer, provide an elaborate and effective air corps background and a lively, entertaining pace. Best of the songs are "Let's Keep 'Em Flying," by Don Raye and Gene de Paul, and "I'm Getting Sentimental Over You," one of several sung effectively by Miss Bruce. Carrying the film, and never out of it for more than a few minutes, Abbott and Costello pile gag on gag and funny situations on one on the other to make a large appeal to the audience. A double feature should create a merry jingle in the theatre's cash register.

Running time, 86 minutes. "G.*g* denotes general classification.

Charles S. Aaronson

Camp Openings Set On First USO Shows

Eddie Dowling, president, and Lawrence Phillips, executive vice-president of USO-Camp Shows, Inc., have announced the Army camps and Naval stations at which the first three streamlined shows for the entertainment of service men will open.


Edward Arnold and Kenneth Thomson representing the Screen Actors Guild were here confering on the shows.

Clearing 'Charley' Title for Canada

Tentative plans for Six U. A. Pictures

HOLLYWOOD, Nov. 20.—Plans for exploitation and advertising campaigns are under way for six United Artists films set for release this winter. Artists films are being made here by C. A. promotion executives, headed by Edward Greenthal, advertising and publicist.

They will remain here for a week. With Greenthal are Morris Heim, Al S. Elting, and Sam Kohn. The films are "Shanghai Gesture," "Coriscan Brothers," "Twin Beds," "Hitotose Harry," "Jungle Book," and "To Be or Not to Be."
4th Week on Broadway!

"How Green Was My Valley"
At the Rivoli

3rd Week on Broadway!

"Week-End in Havana"
(In Technicolor)
At the Roxy

2nd Week on Broadway!

"Swamp Water"
At the Globe
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**NOTES:**
- All U.S. dates are tentative.
- Each date entry reflects a booking of a film for release during the week of the date mentioned.
- The film listings are entries from the October 24, 1941, edition of the Motion Picture Daily's Booking Chart.
**Blues' Leads Los Angeles With $30,000**

Los Angeles, Nov. 20.—Armistice Day crowds welled total first-run business here to a general 25 per cent increase over the previous holiday. The $30,000 was the standout for $2,000 a week at the Paramount. Estimated receipts for the week ending Nov. 15:

- **Lady Of The Night** (M-G-M)...
- **The City** (M-G-M)...
- **The Captain's Chair** (M-G-M)...
- **The Thin Man** (M-G-M)...
- **The Gunfighter** (M-G-M)...
- **The Blue Angel** (M-G-M)...
- **The Grand Illusion** (M-G-M)...
- **The Story Of G.I. Joe** (M-G-M)...

**Notes from Hollywood**

_P Paramount has taken an option in the magazine serial, “Dark of the Moon,” for Republic. Original vehicle for Dorothy Lamour, Macdonald Carey and Bruce Bennett. Fluid will be co-started in Columbia’s “Highly Irregular,” story of a British pilot grounded in Holland. Written by Harry Kurnitz and adapted by Martin Kauz and Jay Dratler, the film will be directed by Richard Wallace. Wallace, who has recently signed a contract with Spencer Tracey in M-G-M’s “Tortilla Flat.” American Magazine, which publishes Clarence Budington Kelland’s series, will exploit the series of films being made for RKO by Jerrold Frank’s Pyramid Pictures.

Paramount has given new writing contracts to Billy Wilder and Theodore St. John. Bert Lahr just finished a masterwork which Roark coverage Away, will support Eleanor Powell and Red Skelton in “I’ll Take Manhattan,” M-G-M.

Duncan Renaldo, Amos Tims and Fortunio Bonanova have been cast in roles in Paramount’s “For Whom the Bell Tolls.” Warners has acquired the rights to William Faulkner’s archery short, “With Bow and Arrow in the Everglades.” Richard Arlen, who has signed a contract with Warners, will make his debut as a Yankee Doodle Dandy.

Republican has cast Margaret Lindsay in “Woman in the Dark,” mystery comedy which Joseph Santley will direct. The studio also signed Ray McKenzie to play opposite Gene Autry in “Coyote Serenade.” The next picture for Monogram to be produced by the King Brothers will be “Unofficially Dead,” which gets under way Dec. 1 with Phil Rosen directing from George Bricker’s script.

Kent Taylor and Frances Langford will be teamed in “Mississippi Gambler” which John Rawlins will direct for Universal. Republic has signed Gertrude Lawrence for three pictures this season. Robert Alda will direct “The Night Before the Divorce,” starring Lynn Bari, at 20th Century-Fox.

_Fox’s New Haven Winner at $8,200_  

New Haven, Nov. 20.—The “Foxes,” dually with “Nine Lives Are Not Enough” at the Roger Sherman took $8,200. “It Started With Eve” at the State, took $7,500 at the Paramount. Estimated receipts for the week ending Nov. 13:

- **Nine Lives Are Not Enough** (M-G-M)...
- **It Started With Eve** (Univ.)...
- **Returned** (20th Century-Fox)...
- **The Captain’s Chair** (M-G-M)...
- **Tillie the Teller** (Col.)...
- **Loew-Poli** (30c-45c)...
- **It Started With Eve** (Univ.)...
- **Returned** (20th Century-Fox)...

_Town, Carroll Show Get $23,200, Frisco Lead_  

Omaha, Nov. 20.—The Orpheum’s stage-screen bill drew top business, getting $23,200 with “New York Town” and Earl Carroll’s show. The weather was clear and cold. Estimated receipts for week ending Nov. 12-13:

- **New York Town** (Paramount)...
- **Earl Carroll Show** (Earl Carroll)...
- **Curtain Call** (Col.)...
- **The Eternal Gift** (Lamont)...

_Named Arbitration Clerk_  

J. M. Carney has been appointed clerk of the Milwaukee arbitration board by the American Arbitration Association, succeeding R. T. Loell, resigned.
Sing a song of showmen, pockets full of dough
Watching happy customers, standing in a row;
After playing "SKYLARK,"
They sing with beaming pans...

"BOY, IS THIS A MONEY DISH TO SET BEFORE THE FANS!"

A Paramount Picture, with
Binnie Barnes • Walter Abel • Mona Barrie
Ernest Cossart • Grant Mitchell • James Rennie

A Mark Sandrich Production • Screen Play by Allan Scott
Adaptation by Z. Myers • Based upon a Play and Novel by Samson Raphaelson

*Grosses from the first six dates on "SKYLARK" show it running well ahead of that last Milland-Colbert smash "ARISE MY LOVE"
$50,000 Check Is Film Contribution to Red Cross Roll Call

WASHINGTON, Nov. 23—Will H. Hays, president of the MPPDA, has sent a $50,000 check to the American Red Cross for “war emergency welfare work,” Norman H. Davis, Red Cross chairman, announced here today.

The check represents part of the proceeds from the distribution of the film, “Land of Liberty,” produced originally as a joint industry venture for the New York and San Francisco World’s Fairs. It subsequently was generally released with the net proceeds to go to war emergency work.

In his letter, Hays asked that the $50,000 be added to the current Red Cross roll call. “Our organization,” Hays wrote, “wants to show its appreciation of the splendid work which your organization is doing and therefore makes this voluntary contribution, hoping it will be of help in connection with your current Roll Call.”

Davis, in accepting, asked Hays to thank the industry for the contribution and expressed appreciation for the cooperation which the film industry always has given the American Red Cross.

Bernhard Leaves on Exchange Tour

Joseph Bernhard, vice-president and general manager of Warners, left last night on a tour of company exchanges, his first since assuming his new post with the film company. He will be accompanied by Mort Blumenstock, recently named national manager of advertising.

Nicholas Schenck Grants Executive’s Release

By SAM SHAIN

Sidney R. Kent, president of 20th Century-Fox, is bringing in Tom Connors as his assistant, under a proposed long-term deal. This deal, informed sources add, will not change the operating setup of the company’s domestic, foreign or theatre departments. Announcement of the appointment by Kent awaits formal closing of terms, which is expected sometime this week.

Connors will be responsible to Kent in his new post, and, it is said, will act for Kent in the president’s absence. Connors is one of the best known executives of the industry. He is presently Eastern, Southern and Canadian sales manager of M-G-M. His services are known to have been sought by nearly every other major company, in recent months. His joining Kent is looked upon as a tribute to Kent’s leadership in the industry.

That Kent is bringing Connors in with the prior consent of Nicholas M. Schenck for the release of Connors from M-G-M, is taken for granted by the trade, familiar with Kent’s methods of operations. Kent would not have it otherwise. Connors is expected to join Kent after details of his deal are worked out and following the M-G-M sales meeting over the weekend in Chicago, which he will attend.

A native of New York City, Connors, after attending Commerce High School and Manhattan College, became a salesman of cotton goods and steel products. He entered the industry as a salesman for Pathe in New York, later joining Metro. He became assistant branch manager and branch manager for Metro in 1923 and in 1924 he was appointed assistant general sales manager, in 1925 Southern sales manager, and in 1933 Canadian sales manager. Later he was appointed Southern and Canadian sales chief and in 1935 became Eastern, Southern and Canadian sales manager.

LA Locals to Get Report on Finances and 2% Assessment

‘Night of Stars’ to Be Held on Wednesday

Scores of screen, radio and stage personalities will assemble at Madison Square Garden Wednesday night to take part in the eighth annual “Night of Stars” show for refugee relief and Palestine resettlement. Marvin Schenck is chairman of the producing committee.

Included in the roster of entertainment (Continued on page 6)

‘Unity’ Invitations Go Out This Week

Chicago, Nov. 23—Invitations to the all-industry conference under Allied States’ unity plan were scheduled to be sent out this week by the Allied committee, it is learned. The invitations will be sent to industry leaders and representative members of industry organizations. The meeting will be held here in December. A definite date is expected to be announced early this week.

Larger Scope Set for USO Camp Shows

BY EDWARD GREIF

With a considerably enlarged board of directors, the USO-Camp Shows, Inc., on Friday announced the opening of Hollywood offices under the direction of Edward Arnold, Screen Actors Guild president and vice-president of Camp Shows, in addition to the New York headquarters headed by Eddie Dowling, president.

Besides touring shows for the Army and Navy camps, a talent pool has been formed in Hollywood and another will shortly be organized here to provide additional entertainment for the men in service. Eight musical shows and stage comedies are ready for presentation, it was said, four (Continued on page 6)
Personal Mention

GEORGE J. SCHAEFFER will leave for the Coast by plane to-night.

LEON SCHLESINGER, HARRY GOLDBERG, HARRY MAYER and HAROLD ROSENBERG have left for Pittsburgh to attend the Variety Club's testimonial dinner for Harry Kalmine tonight.

MAX FACTOR, former manager of the Pioneer Theaters office in Des Moines, has left for the Coast, following his resignation.

MERRY LEROY and MRS. LEROY are here from the Coast.

Deny Muscle Shoals Crescent Affiliation

NASHVILLE, Nov. 23.—The Government's belief that Muscle Shoals Theaters was an affiliate of the United Amusement Co. instead of an independent partnership is the explanation for the inclusion of the small circuit in the Federal anti-trust suit against Crescent and the "Little Three," a brief filed by Muscle Shoals in U. S. District Court here last week.

The brief, filed on behalf of Louis Rosenbaum and Nettie Suedekum, part-ners in Muscle Shoals, by W. H. Mitchell, counsel, charges that Max Buchanan, who opened a competing theater in Columbia, Ala., supplied the Government with information concerning Muscle Shoals' alleged relationship to Crescent which led to its inclusion in the action. The brief charges that Buchanan's operation was started solely for its "moneymaker" value.

No theory of public welfare can justify bringing Muscle Shoals Thea tres into this case," the brief asserts. "So far as we are concerned," it adds, "this action was brought by the United Amusement States against Muscle Shoals Theatres to protect the welfare of one Max Buchanan.

Named District Head For Central States

BURLINGTON, Ia., Nov. 23—L. J. Wegener, manager of Central States Palace Theatre here, has been named district manager for this territory with supervision of 10 of the circuit theatres.

C. Ingram, manager of the Cresco Theatre at Cresco, Iowa, last year, has been transferred to manage the King Theatre at Algebra, Iowa, and Jack Slingless, formerly manager of the Park Beauty, Burlington, will manage the Cresco.

Open 'SwampWoman' in Detroit on Friday

Producers Releasing Corp. will hold the premiere of "SwampWoman" starring Ann Corio and Jack LaRue, at the Cinema Theatre, Detroit, on Friday. Mr. Mr. Celebrit[y] another PRC film, will be on the same bill.

BROADWAY PLAYS

"GRAND-SCALE SMASH HIT!"

—Life Magazine

GERTRUDE LAWRENCE

in the Musical Play

"LADY IN THE DARK"

ALVIN, 52 St. W., Bway—Mat. Wed. & Sat.

"A GREAT SHOW—Herold Tribune

50c, $1 & $1.50 No Higher

2ND YEAR 2ND NIGHT

of the Sensational Musical Ice-creamaza

IT HAPPENS ON ICE

at America's Only Ice Theatre

Center Theatre, Rockefeller Center, G. O. 1-1542

Even, except Mon., Sat., Sun., Thr., & Sat. 511 St. for Every Part. Mgg. 11:00 A.M.

October Tax Total Rises to $6,812,275

WASHINGTON, Nov. 23—Federal admission tax collections in October totalled $8,127,275, an increase of $367,325 over the corresponding figure of $7,760,000 for the same month last year. The gain was due primarily to higher collections of $6,444,950 and $183,845 above the $5,628,360 received in October, 1940 as reported to the Internal Revenue Bureau.

The month's collections brought total revenue for the first four months of the fiscal year to $65,995,925, compared with $62,759,178 in 1940, a gain of $3,236,747, or 5.2 per cent. The gain was due to a much larger increase in the luxury tax receipts than in the basic admission tax collections. As a result, the latter collections increased from $739,831 to $882,332, but the latter figure remained below the October, 1940 level of $1,103,233, the bureau announced.

There has been a general improvement in conditions along Broadway, it was indicated, box-office collections are crossing from $693,586 to $882,401, compared with a little jumping from $3,964 to $7,107, a revenue from admissions to roof gardens, and also an advance of $42,281 to $52,451, in addition to which $314 was secured from permanent use or lease of boxes an admission fee on which tax was received in September.

Admission tax collections are due Tuesday, Dec. 1, sharply in the bureau's November report as a result of the further reduction of the exemption.

Associates Nominate Officers Wednesday

Motion Picture Associates will nominate officers for 1942 at a meeting Wednesday at the organization's club rooms in the Hotel Lincoln. Also a financial report of the MPI for the last three months and a Wednesday night will be made. Joseph J. Lee is MPI president.

Dave Fleischer Hurt

ALBUQUERQUE, Nov. 23—Dave Fleischer, director for Fleischer Studios, was injured in an automobile accident near Lordsburg, N. M., on a Sunday night trip. He was reported to have suffered to fractured ribs, in addition to cut and bruises.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday as holidays by Outdoor Publishing Co., Inc., 776 Sixth Avenue, Rockefeller Center, New York City. Second-class postage paid at New York, N. Y., and at additional mailing offices. Published also in London by Outdoor Publishing Co., Ltd., 120 Fleet Street, London, E. C., and by Outdoor Publishing Co., Ltd., 39 Clinton Avenue, Brooklyn, N. Y., under the title Outdoor Motion Picture Magazine. entries for publication in the New York public libraries. Copyright, 1940, by Outdoor Publishing Co., Inc., Outdoor Publishing Co., Ltd., and Outdoor Publishing Co., Ltd. All rights reserved. In Great Britain and other English-speaking countries (except Australia and Canada) by Outdoor Publishing Co., Ltd. Copyrighted 1940 by Outdoor Publishing Co., Ltd. All rights reserved.
To All Exhibitors!
The title of the 20th Century-Fox Picture

HOT SPOT

has been changed to

I WAKE UP SCREAMING

Watch the trade papers for further details!
WALT DISNEY'S
CIRCUS OF FUN
in TECHNICOLOR

Book now!

THE GREATEST SHOW ON EARTH
Now in its fifth sensational week on Broadway doing “Snow White” business.

Already set as the gala holiday attraction in more than 50 key cities coast to coast.

OR HOLIDAY PLAYING TIME!

Contact your RKO Exchange immediately.
**Ask Civil Suit Be Tried First In Minnesota**

MINNEAPOLIS, Nov. 23.—Distributors' plans to test the validity of the Minnesota antitrust law by trial of the criminal actions charging Paramount, RKO and 20th Century-Fox were complicated at the weekend by the reported insistence of Attorney General William Lynch, Ramsey County Attorney, that the civil actions instituted by the five consenting companies and United Artists against the law be disposed of first.

The distributors regard the criminal actions charging the three companies with violating the state law by selling films contrary to its provisions as a quicker and more definite means of testing the validity of the statute.

The civil actions have been set for trial Dec. 15, while the civil actions could be reached by the district court between Dec. 5 and 10, it is said.

The equity actions were instituted by the six companies originally to obtain an injunction restraining the State from enforcing the law, but their application for a temporary injunction pending trial was denied.

In both instances the distributors say the civil actions be tried first so that the criminal cases may be nolle prossed if the law is declared unconstitutional. The civil actions will be taken to the Supreme Court in either case, but the distributors believe that an appeal in a criminal action would be disposed of more quickly.

Northwest Allied, sponsor of the law, has asked the court for permission to intervene to defend the statute.

Home office legal departments said that while they had not been informed of any opposition to their plan to try the Minnesota criminal actions first, they believed that the failure of their counsel in Minnesota to obtain affirmative indication that the opposition was not irreconcilable.

The time in which the distributors could have the trial delayed by the state court's denial of their application for a temporary injunction against the Minnesota law expired over the weekend without action being taken.

**Exhibitor Wins in St. Louis Complaint**

ST. LOUIS, Nov. 23.—An arbitration award in favor of Mrs. Mildred Karlin against the Paramount-Ancills and Ritz, Rolia, Mo., complainant in a scene run case against the five consenting companies, was handed down at the local board by John J. Nagle, arbitrator. The award is the first won by a complaining exhibitor in the six cases heard here.

CHICAGO, Nov. 23.—The clearance complaint of the G. C. S. Circuit, operating theatres against the five consenting companies, was dismissed at the local arbitration board Friday by agreement of all parties. The withdrawal followed the deal last week by which Balaban & Katz will take over G. C. S.'s Portage, Drake and Admiral.

**'Hi Gang' Is Called Effervescent Film**

LONDON, Nov. 23.—The Gainsborough production, "Hi Gang," previewed here at the Shepherd's Bush Pavilion, is an inspired film which scored a preview bullseye. The BBC program stars, Bebe Daniels, Ben Lyon and Vic Oliver, are seen in an effervescent comedy which has its setting between Miss Daniels and Lyon and American broadcasting companies. The effective setting is chiefly in the U. S.

The performances are packed with vitality, and there is excellent use of comedy and music. A BBC show is the climax. Apparently it ran shop-office success here, the film also should do well in the U. S. market. Maurice Ostrer and Ted Black produced. Flanagan

**'Purchase' Will Be Offered Separately**

CHICAGO, Nov. 23.—Paramount will sell "Louisiana Purchase" separately. It was announced by RKO company's sales meeting at the Drake Hotel. National release will be Dec. 25 to obtain holiday playing time with the exception of Chicago, St. Louis, Boston, Philadelphia and Detroit, where the stage show is booked. The agreement would allow the company to raise admission prices on the picture, it was stated, but will reportedly insist on preferred playing time after key runs. The picture will be given a newspaper and magazine campaign on which about $100,000 will be spent, it was stated. The meeting was told that exchanges will use 350 prints on the film, 100 more than the usual number for the United States. The number is to be raised to 200 for "Northwest Mounted Police."

Neil F. Agnew, general sales manager, president at the meeting, which ended yesterday following discussion of the company's third block-of-five and matters pertaining to consent decree selling.

**'Night of Stars' to Be Held on Wednesday**

(Continued from page 1)

Mr. Porter Wells, manager of the Sultana, announced the idea of a benefit show at which music would be played and a $250 donation be added to the fund. The orchestra is composed of outstanding band leaders. Also slated to appear are the Harry Warren Orchestra, the Rossy's Gaa Foster Girls, and the stars of five Broadway musicals. Also on the program are an international news round-up, a person skit featuring Guacho Marx and Gloria Stuart, the Hollywood "Swatter Girl Revue," Ralph Edwards of the "Truth and Consequences" radio program, Fred Waring with his orchestra and glee club, and others.

**20th-Fox Party Today**

Twentieth-Century-Fox will hold a preview of Mark Hellinger's film, "Rise and Shine" this afternoon at Toots Shor's Restaurant, in conjunction with a cocktail party.

**Griffis Acquisition Of Para. Stock Is Reported by SEC**

WASHINGTON, Nov. 23.—Acquisition by Stuart Griffis, chairman of the board of Para. Pictures, of 1,000 shares of the company's common stock in September is reported in the final quarterly report for the Securities and Exchange Commission.

The SEC report showed also that Griffis, a stockbroker, purchased 1,000 shares of Paramount second preferred stock for 900 shares of common, and that Maurice Newton, director, exchanged 2,810 shares of the second preferred for 2,529 shares of common. At the close of September 23, reports showed, Newton held 10,647 shares of common stock and Griffis 7,500 shares direct and 22,900 shares through four trusts.

The only other September transaction reported was the sale of 200 shares of General Theatres Equipment capital stock by J. B. Larue, leaving him with 400 shares.

**Locals to Get IA Financial Report**

(Continued from page 1)

William Bioff was paid by Browne under special by-laws passed at the convention, Walsh said. Nothing further has been paid since Browne resigned, Walsh asserted.

Bioff has filed an election to start serving his sentence, it was learned, although Browne is still insisting on his right to remain at the Federal House of Detention pending determination of his appeal. Time spent at the House of Detention is not credited to the sentence. However, if a prisoner elects to do so, he may be transferred to a Federal penitentiary where he receives credit for time spent if the conviction is ultimately upheld.

**Televise Title Basketball**

The 20th-Century-Fox studio basketball team, winner of the 1941-42 championship, will meet the Phillips 66 team, winner of the 1940 title in a championship game for the Golden Jubilee cup at Madison Square Garden tonight. The game will be televised by NBC and the final 15 minutes of the play will be broadcast by CBS.

**W. NEW Changeover Dec. 1**

Changeover of wave lengths and power between WNEB and WOV will take place Dec. 1, it was announced over the weekend. Both stations will retain their present news and officers, it was said.

**Rites for Exhibitor**

GRAPEVINE, Texas, Nov. 23.—Funeral services were held here for J. K. Dulaney, exhibitor here and vice-president of Tarrant County National Bank. His wife, two sons, and a sister survive.

**Buehrin in Cleveland**

CLEVELAND, Nov. 23.—Adolph Buehrig, Jr., formerly manager of Loew's theaters abroad, is the new manager of Loew's State here, succeeding Chick Evans.

**Larger Scope Set for USO Camp Shows**

(Continued from page 1)

which will open Thursday. Approval for the program has been made possible by the USO for the Camp Show program.

The USO funds will allow for 14 to 25 road companies but efforts are being made to provide 20 or 25 such shows. Special programs arranged to visit these areas will ensure little if any competitor in the talent pool will be able to provide their services. At this time it has been agreed to lower their minimum scales from 15 to 20 per cent, it was said.

Lastfogel, Doob Aides

Oscar Doob, publicity and advertising head for Loew's Theatres, will handle national publicity. Abe Lastfogel, representing the Artists Managers Guild of Hollywood, will take an unsalaried but active post as assistant to Dowling. Morgan Wallace will be assistant to Arnold.

In recognition of the unions accepting lower minimums, Camp Shows has promised continuous co-operation. The bookings of the parcel package shows have been purchased at average prices of $2,200-$2,300 a week it was said.

New members appointed to the board were: Abraham Z. Bernstein, American Guild of Musical Artists president; George Schaefer, RKO Theatres; Bruce A. Alger, American Guild of Variety Artists president Mark Woods, NBC treasurer; Charle Koerner, RT Theatres general manager; Joseph Hazen, Warner attorney; Henry Jaffe, union lawyer; Emily Holt, American Federation of Radio Artists executive secretary Emil Friedlander, theatrical consultant; Lawrence W. Lowman, CB, vice-president; Brock Pemberton, publicist; and Edward Johnson, Metropolitan Opera general manager.

**Others on Board**

Other members of the board at Dowling: Frank Gillmore, Associate Architects of America president; Lastfogel; Harper Shibey, USO president; Walter Hoving, USC chairman of the board; Brett Lyon, Actors Equity president; Lee Shubert, theatrical producer; Y. Frank Freeman, Paramount vice-president; Charles Prather, president of M. P. Producers president; Clarence Michals, Seaman's Bank, an Lawrence Phillips, Camp Shows executive vice-president.

**Theatres Give USO Largest Contribution**

Motion picture theatres accounts for the United Service Organization's drive, Thomas E. Dewey, nation drive chairman, revealed in a letter to Leon Bernhardt, chairman of the theatre drive committee.

Acknowledging receipt of the totals for the drive, Mr. Dewey wrote: "This is a grand result. The committee rendered a very great service both to the USO and I. I believe, the nation."
Mr. Samuel Goldwyn
7210 Santa Monica Boulevard
Los Angeles, California

November 13th, 1941

Dear Sam:

Now that I’m back in New York after the preview of BALL OF FIRE and have had time to reflect on its qualities, I want to tell you that the memory lingers on. It has been a long time since I have seen a picture so completely satisfying as this latest production of yours. It is genuine entertainment, Sam, healthy and happy, full of fun and originality. The blending of comedy with romance and sentiment will make it, in my opinion, a box office ball of fire. You and everyone concerned in its making can take a bow.

Having read the script and knowing the splendid cast you had assembled, I was prepared to see a fine picture when I went to Hollywood, but BALL OF FIRE exceeded my fondest expectations. Gary Cooper has never had a role better fitted to him than that of Professor Potts and Barbara Stanwyck, the night club “Ball of Fire” who burns up “Pottsy”. The seven delightful fun as I’ve ever seen and every member of the cast is excellent. Howard Hawks’ work is brilliant. He has given the show pace and excitement as well as masterful direction. Needless to say, Gregg Toland’s camera is still full of miracles.

I can assure you, Sam, that every member of our organization considers it a great privilege to distribute your productions and we are more than happy about BALL OF FIRE. It’s a picture that will delight every patron and one that will start every exhibitor’s New Year off just right.

Congratulations and best wishes,

Cordially,

[Signature]

Ned L. De Laurentiis
Do you rely entirely on one method of advertising?

If you do, DON'T! You'll never hit the high-spots unless you hit hard everywhere.

Lots of people out for a walk will "go for" a good poster display or a dramatic 24-sheet. Lots of people out for a stroll look in windows. Lots of people ambling along are attracted by bright lights and colorful display.

Don't put all your advertising eggs in one basket. Spread them around. Yell your head off with good readable, colorful, peppy posters, banners, flyers, snipes, novelties, displays.

Use your head. It will show on the BLACK side in your box office.
**Decision Today on Leserman to U.A. As Sales Manager**

A decision whether Carl Leserman will join United Artists is expected to be made today. Should he join the company he will be general sales manager under Gradwell L. Sears, vice-president in charge of distribution.

A decision regarding Leserman has been in abeyance pending his determination whether he would associate with another company. It appeared, however, that he would yield to Sears’ wishes. Leserman formerly was assistant to Sears when the latter was general sales manager of Warners.

Whether Chicago district manager for U. A., will be appointed Western and Canadian sales manager to succeed Haskell Maxwell as is yet undetermined. Stern arrived yesterday from Chicago.

Cresson E. Smith, Western division manager for RKO, resigned yesterday to become associated with United Artists in a new sales post under Sears. David Griesedieck, United Artists branch manager at Los Angeles, has resigned and will become associated

**Foreign Department Managers to S. A.**

Arthur M. Low, vice-president of Loew’s in charge of foreign activities, left yesterday for South America. He has returned by train for Miami, where he will take the clipper.

Joseph H. Seidelman, Universal vice-president and export manager, left for Rio de Janeiro yesterday by plane to preside at sales meetings there and in Buenos Aires.

George Weltner, assistant foreign department manager of Paramount, has been in South America for about two weeks.

**Monogram Product Now Available for Television**

First of the national distribution companies to make its product available to television is Monogram, it was learned yesterday, which has made a deal with NBC for its 1937-38 product and will continue with its more recent pictures. Another of Monogram films already have been screened by WNBT, the NBC television station here.

Until recently, NBC has had to rely exclusively on independent product and old films which were distributed by one of the national distributors but

**Exempt Radio Time From Price Measure**

Washington, Nov. 24.—Specific exemptions of radio newspapers and periodicals is contained in the corporation license renewal request today by the House Banking Committee. The exemption is seen as strengthening the Administration intent not to make price controls applicable to advertising. Otherwise, the bill permits the Government to place virtually every business under a rigid licensing system to enforce price controls.

**RKO Realignment Reported to Board**

A committee of the RKO board of directors reported to the full board yesterday on the proposed realignment of the company’s policies and setup under the full authority of George J. Schaefer, president. No action is reported to have been taken by the board and the matter remains in status quo until Friday, Dec. 5. when the board is scheduled to meet again.

Schaefer last night for the Coast. It is reported that certain changes are to be made in the studio’s executive personnel, under Joseph I. Breen.

It is said that the committee’s report called not only for realigning of the board’s functions and services of members, but included recommendations regarding a reduction in the number of directors. The report also is said to contemplate dissolution of the executive committee.

**700 at Pittsburgh**

Dinner for Kalmine

PITTSBURGH, Nov. 24.—About 700 persons attended the testimonial dinner here tonight to Harry Kalmine, Warner theatres executive and former zone manager for the circuit here, at the William Penn Hotel.

John Harris, national chief banker of the Variety Club, presented the guest of honor with a check for $3,500, net proceeds of the dinner, to be used to build a Kalmine memorial hall at Camp O’Connell for under-privileged boys, and a diorama of the camp as

**Allied Unity Meet On Dec. 9, Report**

DES MOINES, Nov. 24.—The all-industry conference sponsored by Allied States has been called for Dec. 9 at the Blackstone Hotel in Chicago, it was reported here at the convention of Allied Independent Theatre Owners of Iowa and Nebraska.

The convention opened with a luncheon at the Savery Hotel attended by 125 exhibitors, film men and cir-
**Personal Mention**

BARNEY BALABAN and STAN-TON GRIFFIS have arrived on the Coast for a two weeks visit at the Paramount studio.

SALVADOR GOLDBERG, delayed in his departure from the Coast last weekend, was now is scheduled to arrive in New York Thursday.

DAVID ROSE, Paramount managing director for Great Britain, is in London awaiting a plane to New York.

MAX MILLER, War time managing director for Great Britain, is scheduled to leave London early next month for New York.

LARRY O'TOOLE, Paramount manager in Panama, arrived here yesterday.

A. A. SCHUMERT of RKO left for Detroit last night.

VIRGIL R. MCFAUL, president of Buffalo Theatres, Inc., has been elected a director of the Liberty Bank of Buffalo.

**Ampa Will Honor Harris, O'Donnell**

John H. Harris of Pittsburgh, national chief Barker of the Variety Clubs of America, and R. J. O'Donnell of Dallas, national assistant chief Barker, have been invited to guests of honor at an Ampa meeting here Dec. 11, it is reported.

**S.P.G. Talks With Majors Broken Off**

Negotiations between the Screen Publicists Guild and home office publicity departments have been broken off, the S. P. G. announced yesterday. "The S. P. G. will now take appropriate action on all public and labor fronts," the announcement stated.

**High Court Refuse Nick, Weston Review**

WASHINGTON, Nov. 24.—Refused to upset a verdict of the lower Federal courts, the U. S. Supreme Court Tuesday refused to review the convictions of John P. Nick, internation vice-president, and Clyde A. Weston, business manager, of the S. L. O. IATSE, both convicted at Brooklyn Monday, and sentenced to years' imprisonment and $10,000 fine.

Nick and Weston were charged with having taken over the St. Louis office and with asking the exhibitors of the city for new contracts at what the Government described as "unfair wages." They settled for much lower wage rates and, it was charged, in return for a bribe, there would be no trouble if they paid off. They were charged with asking for $10,000 to "take care" of the Government, and $6,500 in one case, which was made through a third party.

The appeal of the two unionists based on a challenge of the constitutionality of the anti-racketeering law and contentions that hearsay testimony was received by the Court. This is the first time it has been contended that their activities had never interfered with the distribution of films.

**Hellinger Show for Pres.**

An attendance of about 125, including newspapermen, sports editors at sports celebrities, attended a screening of "Rise and Shine," 29th Century Fox football picture, at Toots Shor's Restaurant yesterday afternoon. The reception for Mark Hellinger, producer of the film, and Don Amlet, Louis and Linda Darnell was held follow the showing.


**AMERICAN AIRLINES Inc.**

ROUTE OF THE FLAGS

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A MUSICAL WESTERN WITH OOMPH!

GO WEST, YOUNG LADY

SONGS WITH A SOCK!

THRILLS WITH A WHAM!

ROMANCE THAT'S A WOW!

PENNY SINGLETON

CHARLIE RUGGLES, ALLEN

GLEN FORD * ANN MILLER

JENKINS, BOB WILL AND HIS TEXAS PLAYBOYS

FRANK R. STRAYER, SCREEN PLAY BY RICHARD FLOURNOY AND KAREN DEWITT

Released Nov. 27th

The top tune-and-laugh-filled thriller-roller of the West! Rare and rowdy novelty entertainment...alive with gayety and gunfire, fightin' and fun!
Studios Start
10 New Films; 44 Shooting

Hollywood, Nov. 24.—Forty-four pictures were before the cameras this week as 10 started and eight finished. Twenty-six are being prepared, and 70 are planned.

Paramount started five during the week, making a total of eight in work on that lot.

The tally by studio:

Columbia
Finished: "The Man Who Returned to Life," "Lawless Plainsmen."
In Work: "Martin Eden," "Shut My Big Mouth."
Started: "Trinidad."

M-G-M
Finished: "China Caravan."
"Out of the Past," "I'll Take Manhattan," "Rio Rita."
"Mrs. Miniver," "Born to Sing," "I Married an Angel," "We Were Dancing."

Monogram
Finished: "Smuffy Smith, the Yard Bird."
Started: "Forbidden Trail."

Paramount
In Work: "Out of the Frying Pan," "This Gun for Hire," "True to the Army."

RKO
Finished: "Valley of the Sun."

Republic
Finished: "Lady for a Night."
In Work: "Brooklyn Orchid."

20th Century-Fox
Finished: "On the Sunny Side."
"Son of Fury."

Universal
Started: "Tough As They Come."

 Warners
In Work: "In This Our Life," the Girl," "Always in My Heart," "Arsenic and Old Lace," "The Lady, LLC Inc."
(Formerly "The Night Before Christmas)."

Notes from Hollywood


In the production news of Hollywood stars and featured players were given assignments and stories published to prominence at 20th Century-Fox, will finish shooting in "Ten Gentlemen from West Point." John Howard was set for the "That Certain Lady" opposite Margaret Lindsay at Republic. Looking back to the 1942-43 schedule, L. O. signed Tim Holt to do six more westerns, first of which will be shot in March. He has finished three of his pictures, which he will be making at the same time, that studio also made a deal with 20th Century-Fox for the sale of George Raft to the screen. As a result of his appearance in the "Falcon" detective stories next year.


Universal gave Doris Knowles, late of the Royal Canadian Air Force, a term contract. He's now in "The Wolf Man," formerly titled "Mr. Wolf." Maureen O'Hara will play opposite Thomas Mitchell in RKO's "One Hour of Glory," Mary Roberts Rinehart story which the studio obtained from Warner's, Dorothy Lovett, the feminine lead of the abandoned "Dr. Christian" series, has been given the lead of "Powder Town" at RKO. Joan Leslie, the feminine lead of "Sergeant York," draws the lead opposite James Cagney in "Yankee Doodle Dandy," at Warners.

In that picture, too, will be Irene Manning, light opera and concert star recently signed.

Leon Schlesinger's Merrie Melodies and Looney Tunes cartoon workers are working on a short featuring Bugs Bunny singing "Any Bonds Today?" which will be given to the U. S. Treasury Department for use in the defense war drive.

Howard Estabrook has been signed by Warners to adapt the best seller, "Beloved," by Bellamy Partridge... "Vega Ann Bomb" and Frank Jenks join the cast of Columbia's "Young Man, Old Coach." Russell BLACKTON, widow of J. Stuart BLACKTON, industry pioneer, makes a comeback in Paramount's "One of the Fray." Tom Huey will have a character role in the "Paris Beach Story," Preston Sturges picture starring Claudette Colbert and Joel McCrea.

Monogram has 11 pictures completed ahead of schedule and awaiting release dates. Four more productions will be completed before Christmas, making a total of 16 leading, "Gentlemen of the Road," "The Duke," "Down to the Valley," and "The Right Man." The latter two are the titles of "Doan of the U. S. A.," once known as "Steel Cavalry." The sequel is "More Country.

St. Louis Grosses
Are Generally Off

St. Louis, Nov. 24.—Grosses fell off slightly, principally as a result of the promotion offered by "Hellzapoppin" at the American. "Hot Spot" was the only film to do better than average.

Estimated receipts for the week ending Nov. 19:

International Lady (M-G-M) $17,500 (16c-30c-45c-60c)
Married Bachelors (M-G-M) $12,500 (8c-16c-24c-32c)
You Belong to Me (Col) $5,000 (1c-2c-3c-4c)
Mississippi Gambler (RKO) $3,500 (2c-4c-6c-8c)
Maltese Falcon (W.B.) $1,500 (1c-2c-3c-4c)
International Squaw (W.B.) $1,000 (1c-2c-3c-4c)
Missouri Breaks (W.B.) $500 (1c-2c-3c-4c)
Hot Spot (20th-Fox) $3,000 (1c-2c-3c-4c)
Never Give a Sucker an Even Break (Univ) $1,000 (1c-2c-3c-4c)
Week-end in Havana (20th-Fox) $500 (1c-2c-3c-4c)
A Ride from the R. A. F. (20th-Fox) St. Louis (4c-6c-8c-10c) Gross: $2,250. (Average: $2,250)

Heenan Rites Today

Philadelphia, Nov. 24.—Funeral services will be held today for William J. Heenan, 58, Paramount salesman, who died last Thursday in Jefferson Hospital following an operation. He leaves a widow, Nellie; a daughter and a son.

Short Subjec Reviews

"Main Street, U.S.A." (March of Time) (RKO)
This latest subject in the March of Time series centers its attention on the Manchester, N. H., taken as a typical American small town, to picture (effect of the war's impact upon United States. Lacking something of the dramatic movement characteristic of many of the series, it nonetheless offers significant and timely the Forceful and effective is the device, picturing what life under Hitler's new order would be like in Manchester, N. H., by showing how shop workers, in action, censorship, rating, racial discrimination, concentration camps and mass executions in American setting. The contrast the American way of life is sharp and tells its own story. The reel is essential and is pointing up necessity of an unflinching defense front by the whole country, and showing the manner in which a typical family is trickled to and from the films. It offers stirring and thought-provoking thrilling moments. Release, Nov. 21, 1941.

"Sittin' Pretty" (Grandtland Rice Spotlight) (Paramount)
This offers crisp and thorough coverage of how to ride a horse. It does an interesting and enlightening fashion, showing the varied degrees of experts in the field. Reel opens with the American riding without a saddle, and then rides through on the lightweight. Jockey atop a thoroughbred, studied and instructors at a New York school of horsemanship, bronco busting, it being a trick ride. It is a good sports short, which, course, will impress amateur and professional. Running time 16 mins. Release, Oct. 31, 1941.

"Viva Mexico" (Miniature Series) (M-G-M)
Camera glimpses of the picturesque towns of Mexico, from ports to the capital, done in co with good descriptive commentary, the Fitzpatrick crew. It offers a feel with enough material to make an excellent addition to any program. Running time, 9 mins, release, Nov. 1, 1941.

"Popular Science, J-1" (Paramount)
Five subjects are the concern and this each offers modest entertainment, making for a short that is entertaining and to the point and as a precursor in the series. It begins with highway connecting Pittsburgh and New York. It examines an ultramodern kitchen, a microscope which magnifies atoms, an amusing new coin mechanism "Professor Oakes" and an of his crankshaft inventions, and the U. S. Forest Service in action. Running time, 11 mins. Release, Nov. 7, 1941.
**Review**

*Old Mother Riley’s Circus*  
( Anglo-American )

London, Oct. 30 (By Mail)

ALTHOUGH the comedy of Arthur Lucan has no obvious appeal outside these isles, it should illustrate a study of what British audiences laugh at and why. Lucan, who has expanded from small-time vaudeville to radio and music-hall fame, is today among the box-office leaders. Probably only a country where pantomime has come to mean something at the theatre will understand the show -a tour de force of.resolve to a circus clown. For not a moment does the electric vitality of Lucan weaken for a flash does he aim any further afield than the bleachers.

Production qualities are adequate, but the direction by Thomas Bentley, a pioneer among British directors, will not ruffle Hollywood. Running time, 70 minutes. "G".

AUBREY FLANAGAN

"G" denotes general classification.

**Havana’ Tally Is $20,500 in Capital**

WASHINGTON, Nov. 24.—The Armistice Day receipts of $20,500 at the gossips above average, "Week-End in Havana," with vaudeville at Loew’s Capitol, led with $30,500, and the "New Year Get Rich" (Col.) won the sweepstakes with $17,450, estimated receipts for the week ending Nov. 13:

- "It Started With Eve" (Univ.)...
- "Loews Columbia"...
- "Last of the Dances" (20th-Fox)...
- "Duck’s and Show $8,000, Kansas City"...

**Love’ in Toronto Draws Big $11,500**

TORONTO, Nov. 24.—"Appointment for Love" at the Uptown Theatre grossed $11,500, and a second feature brought $9,200 to the Imperial for the second week.

Estimated receipts for the week ending Nov. 15:

- "The Maltese Falcon" (W. B.)...
- "Lady Scarface" (RKO)...
- "Week-End in Havana" (20th-Fox)...
- "Hurt’n” (M-G-M)...

**Seattle Gives ‘Blues’ Strong $8,700 Gross**

SEATTLE, Nov. 24.—"Birth of the Blues" at the Paramount took a strong $8,700. The second week of "You’ll Never Get Rich" drew $7,400, and "The Little Queen of Liberty" was good for $7,000. The weather was rainy.

Estimated receipts for the week ending Nov. 14:

- "In a land of Lovers" (Univ.)...
- "The Maltese Falcon" (W. B.)...
- "Birth of the Blues" (Para.)...
- "Little Queen of Liberty" (Col.)...

**Havana’ Scores $22,000 in Detroit**

DETROIT, Nov. 24.—Ideal weather helped with the Fox reporting $22,000 for "Week-End in Havana" and "The Maltese Falcon" and "Kisses for Breakfast," estimated receipts for the week ending Nov. 13:

- "You’ll Never Get Rich" (Col.)...
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Metro Forum, ITO Meeting In Ohio Today

(Continued from page 1) expected to attend. Business sessions will be held tomorrow afternoon and Wednesday.

All exhibitors in the territory served by Cleveland and Cincinnati exchanges have been invited to attend the M-G-M Exhibitor Forum, with H. M. Richey, assistant to William F. Rodgers, general sales manager, in charge of exhibitor relations, presiding. William A. Greene of the Bureau of Advertising of the American Newspaper Publishers Association will speak on "Good Newspaper Advertising." Gov. John W. Bricker of Ohio is expected to welcome the exhibitors.

Ferguson to Speak

William R. Ferguson—M-G-M exploitation manager, will talk on "Explotation Ideas That Work," with field staff men on hand. Smith of the Ohio ITO and Edward Salzberg of Bluefield, W. Va., will act as expeditor spokesmen. Representing M-G-M also will be E. K. O'Shea, Central division manager; J. J. McLoney and H. P. Wolfberg, district managers, and E. M. Booth and F. D. Drew, Cincinnati and Cleveland branch managers, respectively. Ken Prickett, in charge of the M-G-M mobile exploitation unit, "The Show Builder" will be present. Ferguson will preside at a central division conference of M-G-M field staff representatives at the hotel on Wednesday.

'U' Party for Air Corps

Universal will host to Air Corps officers from Mitchell Field and recruiting officers at a supper party Wednesday evening at the Hotel Astor, following the local premiere of "Keep 'Em Flying" at the Criterion.

Cincinnati Baseball Club Drew 1,237,537

Cincinnati, Nov. 21.—The extent of theatre competition from national home and elsewhere, was seen at the annual meeting of the Cincinnati Baseball Club here, where it was disclosed that the combined home and road attendance at the Cincinnati games was 1,237,537 in 1941. The attendance figures for 1940, however, were 1,317,961. Past president Crosby Jr., president of the Crosley Corp., was reelected president and a director of the baseball club.

700 at Pittsburgh Dinner for Kalmine

(Continued from page 1)

personal gift. The camp was begun several years ago by Kalmine, Frank and Damey, former Senator Irwin Coalition for the local Variety Club.

Speakers at the dinner included: Mayor Cornelius D. Scully of Pittsburgh; Joseph Bernhard, Warner Cinema vice-president; former New Jersey Governor Harold Hoffman; James H. Greene, executive of the Chamber of Commerce; Edward R. Stirling, national vice-commander of the American Legion; Clarence Meeder, president of the miscellaneous department of unions; Al Abrams, sports writer, for the Dapper Dan Club, William L. Raftery, President C. C. Kellenberger, chief baker of the local Variety Club; M. A. Silver, Rev. Homer Flint, Rabbi Solomon B. Freed, Rev. Lawrence O'Comel and Stanley Kann.

Entertainment was provided by acts from local night clubs and the Stanley Theatre. Among the out-of-town guests in attendance were: Al Schwalberg, Harry Goldberg, Mort Blumen, Howard Siegel, David Dembowski, Lou Goldberg, A. W. Smith, Jr., Robert Mochnic, Jack Coln, Charles Kurtzmann, Mike Cullen, Harry Mayer, Phil Spitalny and Abe Weiner.

Raftery to Nashville On Crescent Action

Edward C. Raftery, United Artists president and general counsel, will leave for Nashville Friday to represent the company in the closing arguments in the government's anti-trust case against the Crescent circuit, United Artists and Universal in Federal court there on Monday.

Raftery will be accompanied by Benjamin Pepper of the O'Brien, Driscoll & Raftery law firm, which also represents Universal in the Nashville suit. Columbia won a dismissal from the Nashville court at the close of the trial last September.

Decision Today on Leserman to U.A. As Sales Manager

(Continued from page 1)

with Empire-Universal Films and Good Circuit in Cincinnati, andilahters, who now heads these companies. Griesdorn was Eastern representative for James Roosevelt when the latter was producing for United Artists. Previously he was United Artists branch manager at Winnipeg. J. J. McInerny, United Artists branch manager at San Francisco, has tendered his resignation but it has not yet been accepted by the home office. He did not disclose why he took a new post with the company would be, but it is assumed that it will be with the West Coast sales organization since Smith's resignation from RKO is known to have derived from his wish to make his home on the West Coast where he married a ranch. Smith has been with RKO as Western manager for the past three years. Prior to that he was Chicago district manager for United Artists.

Sears has taken the position at United Artists, according to the Baltimore Sun, to attend to the Silverstone, while Edward C. Raftery, new United Artists president, is estimated $5,500 Thursday through Sunday. Now, in its second week, the picture was up next Thursday.

At the Rivoli where "How Green Was My Valley" is in its fourth week was "Swamp Babies" which has been amounted to an estimated $16,200. This film also will hold over.

"The Chocolate Soldier," now in its fourth week at the Astor, took an estimated $5,700 Friday through Sunday and will remain. "Mob Town" finished its run at the Rivoli last night with an estimated $4,300 and is to be replaced today by "A Day With the Falcon."
IN PREPARATION
THE EIGHTH ANNUAL EDITION

BOX OFFICE CHAMPIONS OF 1941
Presented with complete analysis and personnel credits.

THE SEASON'S MONEY-MAKING STARS
Evaluated and reported upon by the exhibitor showmen of the world.

THE RADIO CHAMPIONS OF 1941
As polled by Motion Picture Daily among the editors of the daily newspapers of America.

One Dollar the Copy
EDITED BY TERRY RAMSAYE

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER, NEW YORK
Off the Antenna

WIN will dedicate its new 50,000-watt transmitter with a program next Monday from 9 to 10:30 P.M. Among those scheduled to appear are Bert Lytell, Frank Fay, Dinah Shore, Dick Todd, Adrienne Ames, A. L. Lewis, Fulton Lewis, Jr., Fulton Oursler, George Hamilton Clem, Clem McCarthy, and Bert Cohn. A new and enlarged orchestra directed by Dick Ballou and Don Albert will provide the music. The program will originate from the Barlin-Ray Theatre.

Purdy Personal: Bill Berns of the Warner publicity staff will resume his program, "The Camera Turns," which he left for the last time at 2:15 P.M. today. Stevie Mathews was appointed assistant manager of the NBC traffic department yesterday. Maurice Koppel has been named program director for WOR, . . . Rice Stevens, who performed at the Metropolitan Opera opening last Wednesday, will sing on Home tonight and the Coca Cola show Sunday. . . . George Fuerst, formerly manager of the KGO-KPO, San Francisco, traffic department, has resigned to join the KPO sales department, and his former assistant, Bob Sandstrom, succeeds him in the traffic post. . . . John Gunther, if he returns from Europe in time, will substitute for Raymond Gram Swing when the latter starts a three-week vacation Christmas Day. Gunther, however, is seeking admission to Russia and another substitute will be invited if he obtains the visa. . . . Bob Reichenbach of the KMOX, St. Louis, promotion staff has resigned to organize the Disco Recording Co. Harry Cheshire, "hillbilly" director for KMOX, and Gordon Sherman, engineer on the station, will join him in the venture.

Network officials breathed easier yesterday as word came that the threatened long distance telephone strike had been called off by the Federal of Long Lines Telephone Workers after an agreement had been reached granting wage increases and setting up boards to adjust remain-
ing wage questions. The agreement was reached by the strike, made few preparations to meet it, presumably on the assumption that it would be settled in time.

Norman D. Waters, head of the advertising agency bearing his name, yesterday reminded program producers for general audiences that the industry was under a threat of a strike, and promised that steps would be taken to meet the situation, presumably on the assumption that it would be settled in time.

On NBC yesterday released the Cooperative Analysis of Broadcasting standings for half-hour evening shows. In the order of their standing they are: Edgar Bergen; Jack Benny; Fibber McGee & Molly; Bob Hope; Marion House Time; with Frankie Bricke; "One Man's Family;" "Fitch Bandwagon;" "Mr. District Attorney;" "Time to Smile," with Eddie Cantor and Dinah Shore; Burns & Allen; Rudy Fallec and John Barrymore; and "Truth or Consequences." In an effort to build a good children's program, NBC-Blue on Saturday, Dec. 6, 11:30 to noon, will start the first of a weekly half-hour series of special events. The program will be originated from a studio in a city, and will run for 13 weeks. The first two programs will be "Fables for Fun," from WJZ, in which an original fairy tale will be dramatized, and "Ask Young America," from WLB, Los Angeles, with school children participating in an open forum on current events.

Monogram Product Now Available for Television

(Continued from page 1)

reverted later to the independent producers.

During the radio fight with Ascap, feature films virtually, could not be shown over the television station because it was impossible to separate the music from the dialogue in most instances. However, with WNBC's removal, WNBT resumed its film program and has stepped it up to three or four features each week. In addition to Ascap, those who are advertising are: American, which is NBC's film, "Forgotten Men." An answer by Paramount declares the title is in the public domain.

Parra, Sued on Title

Paramount has been named defendant in a suit filed in Supreme Court by Jewel Productions, Inc. The plaintiff seeks to restrain Paramount from releasing "Forgotten Men," which, it is alleged, infringes the title of Jewel's film, "Forgotten Men." An answer by Paramount declares the title is in the public domain.
Kent Closes With Connors; Deal Revealed

His Duties Will Cover All 20th-Fox Departments

Sidney Kent yesterday announced the closing of a five-year pact with Tom Connors to be a personal assistant. In his statement, Kent reveals that Connors will assume his new post within the next few weeks. Also, that Connors will accompany Kent on a trip to New York and the Coast about Jan. 1.

Kent’s statement follows:

“I have known Tom Connors since he came into the industry. I have admired his ability and integrity as a man and I have made the choice after careful consideration of several men. I, myself, have come up through distribution and I naturally looked to that field for an assistant. Mr. Connors’ duties, however, will not all be in distribution, but will cover other departments as well. This move is not in any wise a move to appoint a successor to Herman Webber. Mr. Webber will remain just as long as he desires to do so. I have made this appointment to give the sales and other departments more help and of a kind that I have been unable to give myself lately. This move will in no way change the company policy of promotion from within the ranks, which both Mr. Connors and I agree on.

“I am especially pleased at the reception to this appointment. Many important exhibitors from all over the country have voluntarily phoned or wired me praising the appointment. I now this will be pleasing to Mr. Connors as well.”

$28,000 Subscribed in Federation Drive

A total of $28,000 already has been subscribed by the Amusement Division in the 1941 campaign of the New York and Brooklyn Federations of Jewish Charities. Major Albert Warren, co-chairman with David Bernstein, announced at a luncheon meeting of the division at the Hotel Astor yesterday.

Major Warren, presiding, yesterday.

(Continued on page 8)

Leserman Appointed U.A. Sales Manager; Chaplin Plans Three

Carl Leserman was appointed general sales manager of United Artists yesterday by Gradwell L. Sears, vice-president in charge of distribution. He will assume his post immediately.

At the same time it was announced in Hollywood that Charles Chaplin plans to produce three pictures for U. A. during 1942.

The announcement was made that one of the Chaplin films will star himself as Landru, the French Bluebeard. The subject matter of the other two is as yet undecided. Shooting on the first is scheduled to start in January.

(Continued on page 8)

Columbia Quarter Net Up to $261,705

Columbia yesterday reported net profit of $261,705 for the first quarter ended Sept. 27, after all deductions, as compared with $183,878 with similar deductions for the same period last year.

No provision has been made for restricted currencies in England.

The working capital amounted to $11,619,219. The report shows $14,207,784 current assets and $2,888,565 current liabilities. “Results to date for the second quarter indicate a continued improvement in earnings,” Harry Cohn, president, stated in announcing the earnings.

Gov. Bricker of Ohio Stresses Films’ Duty To Bar Propaganda

COLUMBUS, O. Nov. 25.—The “grave responsibility” of presenting the truth on the screen without propaganda belongs to the leaders of the film industry, Governor John W. Bricker of Ohio told the ITO of Ohio convention luncheon at the Deshler-Wallick Hotel here today.

Several hundred persons are attending the sessions, in conjunction with

Nicholas M. Schenck to Head Film Committee for 1942 March of Dimes

Nicholas M. Schenck, president of Loew’s, Inc., has accepted appointment as chairman of the Motion Picture Committee for the 1942 March of Dimes, held annually in connection with the President’s Birthday Ball for the Paralysis Foundation. Schenck declared that it is planned for the industry to play a much greater part in the campaign than ever before.

Named as co-chairmen with Schenck are C. C. Moskowitz, Loew’s theatre executive; Joseph Bernhard, vice-president of Warners, and Harry Brandt, head of Brandt Theatres. Oscar A. Doob, advertising and publicity director of Loew’s Theatres, is national public relations advisor for the film committee.

It is planned to obtain the participation of all branches of the industry in the campaign, both in the East, in Hollywood and throughout the country, it was stated.

The proceeds are devoted to the National Foundation for Infantile Paralysis, which helps sufferers at Warm Springs, Ga., as well as in local institutions.

Washer to Be Ad Head for Goldwyn

Ben Washer will soon join the Samuel Goldwyn organization as Eastern advertising and publicity director, it is reported. Announcement of his appointment is expected shortly. Washer, former publicity manager of United Artists, it is reported, has resigned from his executive position at Donahue & Co., advertising agency, to assume the Goldwyn post. In the latter post he will succeed Lynn Farnol, who resigned, it is said, because of service in the U. S. Army. Farnol holds a commission as captain. Washer is among the best known publicity men in show business, in the opinion of the trade.

Nicholas M. Schenck

(Continued on page 8)

Branson New RKO Western Manager

Walter Branson, RKO Midwest district manager, was appointed Western division manager yesterday by Ned E. Depinet, vice-president in charge of distribution.

Branson succeeds Cresson E. Smith, who resigned recently to make his home in South Africa. Smith’s successor will be Los Angeles branch manager for United Artists. The U. A. post was vacated recently by David Griesdorf, who is returning to Canada.

Branson has been with RKO in the Midwest for about 15 years as sales manager, branch manager and district manager.

Ayers, Seed Named W.B. District Chiefs

Norman J. Ayers and Harry Seed have been promoted to district managers by Warners and a mid-Atlantic district was created with Robert Smeltzer as manager, it was announced yesterday by Ben Kalmenson, general sales manager.

Ayers, formerly Boston branch manager, will head the Eastern division.
Marches Open in Guild Play Tonight
Fredric March and Florence Eldridge will return to the Broadway stage tonight in a new play by Sophie Treadwell titled "Roar of Harvest" and described as an American comedy." The play, a Theatre Guild Production, will be presented at the Guild Theatre.

FPC-Nathanson Suit in Canada Settled
Paramount yesterday announced the settlement of a Canadian court action brought by Famous Players Canadian against N. L. Nathanson interests involving ownership of the Broadway Theatre at Timmins, Ont. The company's statement follows in part:

"Famous Players Canadian Corp., legal action against certain of the Nathanson interests—namely, Empire Universal Films, Ltd., Associated Theatres, Ltd., and against Oscar R. Hanson and Broadway Theatre (Timmins, Ltd.)—has been settled out of court with the defendant admitting Famous Players claim. J. J. Fitzgibbons, president of Famous Players Canadian Corp., Ltd., announced today.

Hanson Takes Alliance
Toronto, Nov. 25—According to report, Oscar R. Hanson, who broke with N. L. Nathanson three weeks ago to organize his own group of distributing and theatre companies, has taken over Alliance Films of Toronto, an independent exchange and also Colonial Pictures, Ltd.

Producers Oppose English Quota Cuts
London, Nov. 25—Production groups are actively opposing a reduction in the present quota percentages, as suggested by the Films Council. Producers voted today to ask the Board of Trade to leave the quotas as they are, declaring that, despite the reduction in the total of films registered for quota, an important volume is now awaiting registration. They forecast a drop in production if the quotas are cut.

They suggest that the exhibitors can meet their present quota by increasing screening time. The shorts producers will meet this suggestion and also expect to oppose the council's suggestion for quota reductions. They also declare that, since exhibitors are screening more than their required percentages, labor interests also are expected formally to oppose the reductions. It is indicated today that the Board of Trade may make a statement on the quota situation this week.

Golden Wings Is Scored by Critics
Washington, Nov. 25—The most widely heralded motion picture burst to hit this season appeared in the local press today as "Golden Wings" which opened last night at the National.

Commented New B. Bell (Post) "Swirling dialogue frosted on its wing tips." A "triumph of dulness," retorted Jay Carmody (Star) "Don Craig (Nero) called it "sloppy, corny and embarrassing," while Bernie Harrison (Inquirer-Herald) cited "too much weight." "miraculously produced" and said the William Guy Bolton story of the R.A.F. "never gets off the ground." Fay Wray, Sigrid Hasso and Owen Lamon have the leads.

Para., W. B. Sued On Payment to Bioff
Paramount and Warners were named defendants yesterday in two more stockholders' suits filed in the N.Y. Supreme Court by result of evidence of payments made to William Bioff and George E. Browne in their trial. Philip Greenberg, Paramount's general counsel said the company, its officers and directors, seek an accounting of all monies paid. A similar suit was brought by Henry L. Hirsch, Warners stockholder.

Francis Harley, 20th Century-Fox managing director for Great Britain, is scheduled to leave London Dec. 4 by clipper for New York.

Charles Smarkwitz, Warner Theatres assistant zone manager in Albany, has returned from Pittsburgh.

M. J. Siegel, is due today on the Coast from the East.

Terry Turner has returned from the West.

Larry Gremains, Warner Theatres representative, has been at the New Haven Hospital.

District Heads for Variety Club Named
John H. Harris, national chief banker of the Variety Clubs of America, has made the following district appointments:

Sam Galanty, for Washington, Baltimore and Philadelphia; Marty Mullin, for Boston, and to organize New Hampshire, Maine and New York; Lenner Rudden, Kansas City and St. Louis; Mike Shapiro, Pittsburgh, Cleveland, Cincinnati, Pittsburgh, Dayton and Dayton; Alex Schreiber, Detroit, Milwaukee and Minneapolis; Edward Shafton, Omaha and Des Moines; Paul Short, Des Moines, Minneapolis, Oklahoma City, Los Angeles and Charlotte; C. J. Latta, Albany, Buffalo and Indianapolis, and R. J. O'Donnell to organize New Orleans, Chicago, Portland, Denver, San Francisco and Salt Lake City.

These district representatives will cooperate with existing tent Citations assigned to them and will assist in organizing new tents.

Coast Meet on S. A. Hears Hays, Whitney
Hollywood, Nov. 25—Will H. Hays and John Hay Whitley today addressed the Motion Picture Society for the Americas as the first step in what will be a tour of the United States with the film program of Nelson Rockefeller's Office of Inter-American Affairs. They told details of his South American trip, which they previously related to New York executives.

Open Chicago RKO Building Tomorrow
Neil B. De Piro, RKO vice-president, will head a group of executive executives leaving this evening by train to attend the opening tomorrow of the company's new exchange building in Chicago. Also attending from the home office will be Walter Brand, Harry Michaelson, A. A. Schubart, William Savage and John Wood.

Univ., U.A. Reafirm Right of Selection
Nashville, Nov. 25.—United Artists and Universal Film Exchange represented today in stronger terms than here before their right to select the films which are to receive the distribution of films "for any reason or reasons." U. A's and Universal's brief in the Crescent anti-trust case, filed in the Federal Court by John D. Mosby of Nashville, asserted that in the selection of a customary "there can be no more valid and legal reason than their (the defendants distributors) financial advantage.

Govt. Favors Apr. For 'Little 3' Tri

The Department of Justice favors an April trial date for its anti-trust suit against Columbia, United Artists and Districts. District officials here, Department officials revealed New York yesterday.

The Government has indicated it will not be opposed to the setting of the Sch suit in late January or early Febuary, but counsel involved in the case told that the Government is committed at this time to a trial date in Febuary or March date instead.

Night of Stars Is Get At Garden Tonic
The curtain goes up at 8:30 tonight on the eighth annual presentation of the "Night of Stars" show Madison Square Garden, the program to be turned over to the United Jewish Appeal on behalf of the Joint Insurance Board, the United Jewish Appeal and the National relief engine.

More than 20,000 persons are expected to witness the presentation, which National entertainers will participate. It will open with singing by the Hungary of the Hailstorm and "Hatikvah," and also will be followed by an overture, one of the best-kept secrets in the music world. turbocharged into life.

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Paramount and Warners were named defendants yesterday in two more stockholders' suits filed in the N.Y. Supreme Court by result of evidence of payments made to William Bioff and George E. Browne in their trial. Philip Greenberg, Paramount's general counsel said the company, its officers and directors, seek an accounting of all monies paid. A similar suit was brought by Henry L. Hirsch, Warners stockholder.

York' Lower Price Release Set July 4
"Sergeant York" will not be released in the United States at regular admission prices until July 4, 1942, Vice-President William R. Weaver, R. C. O. Manager, said yesterday. The film is now playing at minimum of 55 cents for evenings and 40 cents matinees. It was released generally Sept. 27.
Electrifying news for this industry!

The greatest New Year's attraction any company ever had is now set to reap the holiday fortune.

Of course it's "BABES ON BROADWAY"!

Everybody knows how truly sensational is this MICKEY ROONEY, JUDY GARLAND, M-G-M musical extravaganza.

It will be trade-shown December 9th.

400 prints will be available for day-and-date bookings to welcome 1942 with joyous shouts and jingling shekels.

Happy New Year from The Friendly Company!

MICKEY ROONEY • JUDY GARLAND in "BABES ON BROADWAY" with Fay Bainter • Virginia Weidler • Ray McDonald • Richard Quine • Donald Meek • Alexander Woollcott • Screen Play by Fred Finklehoffe and Elaine Ryan • Original Story by Fred Finklehoffe • Directed by BUSBY BERKELEY • Produced by ARTHUR FREED • A Metro-Goldwyn-Mayer Picture
HERE ARE THE TEST CAMPAIGN—and the sensation

1. The industry read this item in Film Daily. Here, step by step, is the story of 20th's "new wrinkle in test runs."

2. The Sock Campaign was keyed to the "I Wake Up Screaming" title...

MELODRAMATIC ELEMENTS WERE STRESSED IN ADS, FRONT, STUNTS.

STUNT BALLY... on this trailer's P. A. system, a girl screamed, plug followed!
HIGHLIGHTS OF 20TH'S
IN "I WAKE UP SCREAMING"
Boxoffice results in Milwaukee!

3 OPENING DAY HAD MILWAUKEE ON ITS EAR!
BIGGEST THANKSGIVING DAY IN SIX YEARS!
From morning to night, crowds like these...

4 THE FIGURES TELL THE STORY!
RUNNING AHEAD OF "TIN PAN ALLEY'S"
THANKSGIVING GROSS...AND BEATING
"CHARLEY'S AUNT"!

5 NEW TITLE!
NEW ADS!
NEW TRAILERS!

IMPORTANT NOTICE!
To All Exhibitors!
The title of the 20th Century-Fox Picture
HOT-SPOT has been changed to
I WAKE UP SCREAMING

Inquire at your local Century-Fox Exchange! And many happy boxoffice returns—from wide-AWAKE 20th!
WHY ARE SUCH TERRIFIC CROWDS
WHY ARE THEY STANDING IN LINE?
WHY IS THE WORLD’S LARGEST

because

CARY GRANT
JOAN FONTAINE

in
Suspicion

with
SIR CEDRIC HARDWICKE
NIGEL BRUCE
DAME MAY WHITTY

Directed by
ALFRED HITCHCOCK
Screen Play: Samson Raphaelson, Joan Harrison; Alma Reville
Howard Barnes, N. Y. Herald-Tribune, Says:

"‘Suspicion’ is a far finer film than ‘Rebecca’. Hitchcock has made a brilliant film which is certain to move and amuse you as much as it makes your hair stand on end.”

Kate Cameron, N. Y. Daily News, Says:

“Packed with suspense... Cary Grant and Joan Fontaine give fine performances — intensely exciting.”

Bosley Crowther, N. Y. Times, Says:

“A tense and exciting tale, a psychological thriller packed with lively suspense.”

Lee Mortimer, N. Y. Daily Mirror, Says:

“A high class package containing Miss Fontaine’s most superb histrionics, large gobs of Alfred Hitchcock’s suspense, swell settings, photography and background.”

William Boehnel, N. Y. World-Telegram, Says:

“Has all the singular fascination of ‘Rebecca’, ‘39 Steps’ and ‘Lady Vanishes’... Will keep you mesmerized from beginning to end with its fine characterizations and its mounting horror.”

Cecelia Ager, PM, Says:

“A cinema masterpiece... It pays off the audience seeking entertainment, and the student seeking a model of film craftsmanship.”

Rose Pelswick, N. Y. Journal & American, Says:

“Excellent entertainment... Hitchcock does a superb job in creating and sustaining an absorbing mood... outstanding melodrama.”

Eileen Creelman, N. Y. Sun, Says:

“Alfred Hitchcock again has created that extraordinary mood of suspense... This is a strange picture, powerful, with the tension mounting steadily.”

Archer Winsten, N. Y. Post, Says:

“Suspenseful... rich in character observation... a distinctly superior picture.”

Leo Mishkin, N. Y. Morning Telegraph, Says:

“Hitchcock at his best... And, you might say, when Hitchcock is at his best, there is nothing better, anywhere... ‘Suspicion’ stands as one of the terrific thrills of the season.”
$28,000 Is Subscribed
In Drive for Federation

(Continued from page 1)

named committees representing the various branches of the amusement business. The committees are the same as for last year's drive. Warner said that the division's cooperation this year will be greater than ever before.

Vice-chairmen of the division are: Henry Willand, Paul Behrens, Jack Cohn and George Schaefer. In addition, Leopold Friedman and William Goldberg are vice-chairmen of the Federation's city-wide campaign.

The committees named yesterday are as follows:

Columbia—Abe Schneider; Nathan D. Sjovold, co-chairman; Charles J. Schellinger.

Loew's—M.G.M.—Leopold Friedman; chairman; Max A. Cohen, Charles J. Schellinger.


Metro—M.G.M.—Goldberg, Louis; Melvin M. Belkin, chairman; Phil Reichenau, Louis Goldberg, Michaelson, co-chairman.

Republic—Suit, Milton Green.


Pathé—Sid Ulman, Jr.

United Artists—Monroe Greenblatt, chairman; Harry Gold.

First National—Producers—Budd Rogers, chairman; Edward A. Golden.

Universal—Picture—Samuel Machover.

National Screen Service—Herman Robin.

Motion Picture Operators—Joseph D. Baran.

Film Importers—Max A. Schleitner.


Metromedia—M. P. P. D. A.—Isaac M. Neur, Oscar Philip Baker, Ben Benu, Jack Block, Eddie Cantor, Eddie Duchin, Benny Goodman, Lou Holtz, George Jessel, Abe Ly-

(Continued from page 1)

Goodman, Lou Holtz, George Jessel, Abe Ly-

n, Dave Robinson, Ed Wynne.

Field and手卩sive？easements—


Dancing Schools—Arthur Murray.


Federation Representatives—Leo Friedland, Max Goldberg.

Providence Censorship Holds Up Garbo Film

PROVIDENCE, Nov. 25—Captain George W. Cowan, police inspector of amusement, notified Loew's State Theatre here that he would not grant a license for the exhibition of "Two-Faced Woman," the new Greta Garbo picture, at this time.

Cowan left for Boston shortly after his assistant, Lieutenant William F. McTiernan, and Jack Simon, manager of the State, had been screened for the police officials at the M-G-M exchange. The police inspectors have been instructed to submit a written report to department heads on their return.

Cowan said the license was withheld after he was informed that he would not grant a license for the picture in its "C" classification.

Rogers to Represent Feldman Productions

Budd Rogers has been appointed Eastern representative for the Charles K. Feldman Group Productions.

The firm, which is currently supervising foreign distribution of Frank Capra films in collaboration with Warner Bros., has an arrangement with Group Productions. Universal has produced "Paris Calling," with Elisabeth Bergner, Ralph Morgan, and "Men of the Musketeers," and plans its release Jan. 16, it was stated.

Ball of Fire to Be Screened Dec. 10

RKO will hold the trade screening of the Samuel Goldwyn production of "Ball of Fire," throughout the country on Dec. 10. It will be shown at 11 A.M. in all cities except St. Louis, where the show will be at 10:30 A.M., and New York, where three screenings will be held at 10:30 A.M., 2:30 P.M. and 4:30 P.M.

Leonetter to Texas

Leon Netter, Paramount home office theatre executive, will leave for Lufkin, Tex., Friday morning, where a contract signed between the circuit theatre, and the theatre at Lufkin, Tex., Friday morning. 

Ayers, Seed Named W.B. District Chief

(Continued from page 1)

Ayers, Seed named W.B. District Chief

(Continued from page 1)

which M-G-M is introducing its mobile showbuilding.

H. M. Richey, assistant to William F. Miller, Paramount's vice-president and general sales manager, demonstrated the mobile unit to showmen here recently. Richey said the company is ready to sell the showbuilding to interested customers in the theatre, particularly the suburban run houses. An "exhibitor's forum" was conducted by Richey in connection with the demonstration.

William A. Greene of the American News, Ass'n, explained the fundamentals of amusement advertising, in addressing the opening convention. He emphasized that the show, not the theatre, should be sold. Other speaker included William R. Ferguson, Loew's exploitation director, and Edwin Salzberg, Bluefield, W. Va., exhibitor.

The annual banquet was held to night, followed by a screening of "Keep 'Em Flying" at the Grand.

Gov. Bricker of Ohio Stresses Films' Duty To Propara Garba

Negotiations between the Screen Publicists Guild and home office publicity managers were broken this Monday largely because of differences over wage scales, it was learned yesterday. The Guild asked 30 per cent of the wage, while the companies countered with a proposal of a flat 10 per cent raise for all, was reported.

An agreement was reached on classifying employees as publicists and associate publicists with a front salary of $45, $55 and $75, on a sliding scale, for the former, and $35 to $95 for the latter, while the companies offered a flat $50 and $60, respectively, if they were paid.

No final definition of publicists and associate publicists was reached, however, the agreement was reached on the S.P.G. demand for a close shop.

With the breaking off of negotiations, however, both sides regard a tentative compromise as withdrawal it was reported. The S.P.G. executive council will meet tomorrow, and the new version needed to consider the next steps to be taken.
Frank Capra Signs 3-Year Producing Deal with 20th-Fox

Hollywood, Nov. 26—Frank Capra today announced a three-year exclusive producer-director deal with 20th Century-Fox. He will have his own unit, which will be autonomous. The number of pictures he is scheduled to make was not revealed, but it was announced that his films will be billed as "Frank Capra Productions released through 20th Century-Fox." He is now shooting "Arsenic and Old Lace" for Warners on a one-picture deal.

Stars Will Aid in Defense Bond Sale

Hollywood, Nov. 26—All stars making personal appearances will make an extra one in each city to stimulate the sale of U. S. defense bonds and stamps, it was announced today following the weekly meeting of the studio publicity directors' committee. Will H. Hays addressed the group, praising its work on behalf of the industry. It was decided also to service foreign correspondents from the domestic publicity departments.

Senate Probe of Films Off Indefinitely

By BERTRAM F. LINZ

Washington, Nov. 26—The Senate sub-committee's investigation of alleged war propaganda in motion pictures and on the radio has been postponed indefinitely, it was learned today, and indications were given by committee members that the investigation will not be revived this year.

Senator D. Worth Clark of Idaho, chairman of the sub-committee, said (Continued on page 4)

FDR Will Talk on Bill of Rights Day

President Roosevelt will participate in a special program to be carried by all networks on Monday, Dec. 2, designated by Congress as Bill of Rights Day. The occasion, the 150th anniversary of the ratification of the Bill of Rights, will be marked by a hour-long broadcast at 10 P.M., the major portion of which will be a dramatization by Norman Corwin of CBS called "We Hold These Truths." Corwin will also direct the show. Performers in New York, Washington and Hollywood will participate and a symphony orchestra will provide the music.

Nominate Buxbaum To Head Associates

Harry Buxbaum, New York Metropolitain district manager for 20th Century-Fox, was nominated unanimously for the presidency of the Motion Picture Associates at a luncheon meeting at the Hotel Lincoln, yesterday. Joseph Lee, incumbent, declined the nomination, as did Jack Ellis, who held the post for three years prior to Lee. The elections will be held Dec. 19.

Other nominations are as follows: first vice-president, David Snager; James Frank, Jr., Jerome Wilson and Jack Ellis; second vice-president, Moe Saunders, Mathew Cahan, Adolph Haas and Capt. Harry Miller; treasurer, Saul Trauner; financial secretary, Charles Penser; recording secretary, Moe Fraun.

U. S. Decree 'Unworkable' Myers Says

Charge Decree Violations In Ohio ITO Report

Columbus, Nov. 26—The industry consent decree was termed "unwanted, unnecessary and unsatisfactory" by Abram F. Myers, chairman and general counsel of Allied States, in an address to the ITO of Ohio convention here today. Myers said there is general dissatisfaction in exhibitor ranks with operations of the decree and that in all his travels he has not heard a single exhibitor say he favored the new selling method. He attributed the decree's alleged unpopularity to the fact (Continued on page 4)

Providence Police Bureau Upholds Garbo Film Ban

Archbishop Francis J. Spellman of New York, in a pastoral letter to be read at all masses in the diocese next Sunday, urges faithful Roman Catholics to refrain from seeing "Two-Faced Woman." This is said to be without local precedent.

Providence, Nov. 26—The Bureau of Police today upheld an exhibition in respect to George W. Cowan's action in denying a license for the showing of "Two-Faced Woman," M-G-M Greta Garbo film, here. Inasmuch as the other cities and towns usually follow the lead of Providence in such matters, it is considered unlikely the picture will be shown anywhere in Rhode Island so long as the Legion of Decency "C" or "Condemned" rating on the film stands, officials declared. Cowan, in denying the license application (Continued on page 4)

Rodgers Slated as Minn. Suit Witness

William F. Rodgers, Loew's vice-president and general sales manager, is scheduled to appear as the first industry witness to be called by the defense at the opening of trial of Minnesota's criminal informations against Paramount, RKO and 20th Century-Fox at St. Paul, Dec. 15, it is reported. The three companies are charged with violations of the state's anti-block-of-trade law.

Top executives of other companies are scheduled to follow Rodgers on the stand. Loew's has made no decision yet concerning a resumption of selling in Minnesota and no early move by the companies on page 4)

Washer's Goldwyn Post Is Announced

Ben Washer has resigned from Donahue & Coe advertising agency to Some Eastern advertising and publicity representative for Samuel Goldwyn, Inc., it was announced yesterday. The announcement confirmed Morman Picture Daily's story of yesterday. Washersays Lynn Farnol, who has resigned because of the pressure of duties as a captain in the Army.
Coast Flashes

Hollywood, Nov. 26

PUBLICITY today announced that it plans an annual junket to exchange cities of a group of younger players. For the first time the studio had built up a considerable group of upcoming players, with 15 to be groomed for featured roles.

The shorts branch of the Academy of M. F., Arts & Sciences last night reelected Pete Smith chairman. Gordon Hollingshead, Jules White and Smith were reelected to the executive committee. The group wired Mrs. Besa Short of Interstate Theatres, Dallas, commending her efforts in behalf of shorts.

Federal Writ Halts ‘Tobacco Road’ Ban

HAMPDEN, Ind., Nov. 26—Federal Judge W. H. Black today entered a temporary restraining order to prevent the City of Hammond from banning a road company from presenting "Tobacco Road" at the Paramount here. He set Friday for a hearing on whether the order should be made permanent. The company, which had scheduled six performances, beginning tomorrow, asked the restraining order. Mayor Frank R. Martin threatened to "stop the show if obscenities were used."

Balaban Due from Coast Tomorrow

HOLLYWOOD, Nov. 26—Barney Balaban, Paramount president, will leave today for New York tomorrow after studio conferences. Stanton Grifis, chairman of the executive committee, and Alex and Mr. S. general counsel, will leave tomorrow by train.

preston with Interboro

Lew Preston, for the past seven years with the Endicott Circuit, Brooklyn, has resigned to join the Interboro Circuit, in charge of the Bay Ridge and Bensonhurst territory under the personal direction of Stanley Kolbert.

Personal Mention

WILLIAM F. RODGERS is scheduled to leave the Coast today for New York.

PHIL LAUFFER, publicist at Loew's Criterion here, and Mrs. Lauffer, leave tomorrow for a two-week vacation in Florida.

JOHN A. SCHWALM, manager of the Northkito, Hamilton, O., is visiting in Pennsylvania.

IRVING MARTIN, publicist for the Stanley Theatre, Baltimore, is spending the weekend in Richmond.

JOSEPH FORTE, manager of Warner's Parker, Darby, Pa., will be feted at a testimonial party to mark his election as president of the local Lions Club.

Mayer Far Eastern 20th-Fox Sales Head

Charles E. Mayer, now manager for 20th Century-Fox in the Dutch East Indies, with headquarters in Batavia, has been made supervisor for the Far East, covering Japan, China, the Philippines, Federated Malay States and the Dutch East Indies. Charles E. Mayer, now here, will leave next week for his territory.

Mayer replaces A. G. Doyle, who will return from Manila to the home office soon for a new assignment.

Valley Campaigns Judging on Tuesday

The five winners in the "Sun Valley" campaign will be met on Tuesday morning by Cora, conducted by 20th-Century-Fox will be decided next Tuesday, it is disclosed by A. M. Bordsell, the company's advertising and publicity director. The judges are scheduled to meet at Toos Shor's Restaurant. The theatre managers or advertising men adjudging the winners will each give two trips to Sun Valley.

U Party Follows 'Flying' Premiere

Universal was host at a supper party at the Hotel Astor last night following the premiere of "Keep 'Em Flying" at the Criterion. The party was in honor of Army Air Corps and recruiting officers and their wives who were guests at the premiere.

Price Increases Not 'Urgent': Ohio I.T.O.

COLUMBUS, Nov. 26.—The ITO of Ohio deferred action at the organization's convention and made a proposal recommending general increases in admission scales throughout the state. The convention endorsed which considered the proposal held that the need for general action at this time and recommended that the subject be left open for discussion at a later date.

Huss Is Cincinnati Variety Club Head

CINCINNATI, Nov. 26.—F. W. Huss, president of Associated Theatres, Inc., has been elected chairman of the local Variety Club, succeed William Onie. Andrew J. Niednighth and William Devaney were named first and second vice presidents, respectively. M. Greenberg was reelected property master and Peter Niland was named driver.

Cashman, in addition to Onie Arthur Fruenfield, Allan S. Moritz Joseph J. O'Shaughnessy and James H. Williams. Replacing James W. Grady, Harris Dusen, Nat Kaplan, Al Kolitz, Albert Weinstein, Huss and Greenberg, and Niland, the installation dinner will be held next Monday.

Priorities Hit Frisco House Renovation

SAN FRANCISCO, Nov. 26—Priorities are hindering numerous local deals for new neighborhood houses plus several repair deals. Aaron Golberg, owner of a local circuit, has dropped plans to remodel the Egyptian. Golden State circuit's Grand has been put into repair since July, owing to inability to get steel to finish a job started at that time. The YMCA, downtown, has a torn-up lobby and hall-finished marquee, for the same reason.

English Film to World "Laburnum Grove," produced in England and starring Edmund Gwenn, will open at the World Theatre on Monday.

MOTION PICTURE DAILY

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English Film to World "Laburnum Grove," produced in England and starring Edmund Gwenn, will open at the World Theatre on Monday.
IT'S THE SAME WITH PICTURES...FOR NEW YEARS!

Why buy an unknown quantity when you can get the picture that BROKE EVERY HOUSE RECORD AT THE WARNER, MILWAUKEE OUTGROSSED "DIVE BOMBER" AT THE STRAND, NEW YORK DOUBLED "DODGE CITY" BIZ AT THE ROGER SHERMAN, NEW HAVEN

Take the guesswork out of your New Years’ booking—with

WARNERS’ "THEY DIED WITH THEIR BOOTS ON"
No FCC Power to Halt Theatre News

Washington, Nov. 26.—The FCC reports that it has answered an inquiry from a Maine theatre owner that there is no provision in the Communications Act or FCC regulations to prevent a radio receiver being linked to the theatre sound equipment for amplifying of newscasts by a local broadcasting station. The exchange was named.

The commission made no mention, however, of a recent request of the Mutual against Zucar, Inc., preventing the latter from picking up World Series broadcasts and transmitting the reception over its own leased lines to restaurants and hotels.

Providence Police Bureau Upholds Garbo Film Ban

(Continued from page 1)

They have made it to appear that a simple police censor is the censor of this moving picture. We have not seen the picture but we feel that the principle of public authority vested in the matter in the issue is the important thing.

An editorial expressing similar views appeared in today's Brown Daily Herald, Brown University undergraduate publication.

Hollywood, Nov. 26.—M-G-M executives today declined to comment on the police censors in Providence in holding up "Two-Faced Woman."

RKO Makes Further Sales Staff Changes

(Continued from page 1)

Sam Gorenlick, Chicago sales manager, was named to succeed Osmerman.

Emmet Cashman, home office representative, has been named in the post of assistant to William Dahler, in charge of sales approval for the Eastern division.

A. A. Schubart, manager of exchange operations, announced a re-alignment of territories for other home office representatives. Jack de Waal will be in charge of New York, Philadelphia, Pittsburgh and Washington; Dan Nolan, Boston, New Haven, Albany, Buffalo and Connecticut; A. F. Brauemig, Cleveland, Cincinnati, Indianapolis and Detroit; John Chabot, Chicago; Cliff Cashman, Dallas, Memphis and New Orleans; William A. Burke, Chicago, Milwau-kee, St. Louis, Kansas City and Denver; R. L. Seiders, Detroit, Scranton, Falls, Omaha, Des Moines and Okla-homa City; and J. J. Schmitzer, Los Angeles, San Francisco, Portland, Seattle and Salt Lake City.

Senate Film Probe Is Off Indefinitely

(Continued from page 1)

there are "too many pressing matters" pending in Congress to resume its propaganda investigation.

Violationist members of the sub-committee have refused to say that the probe has folded, but nothing has been done since the hearings recessed Sept. 22, and the purpose of any of the remaining agenda pictures been screened despite repeated promises of committee members to see them.

Shift Metro Showing

M-G-M will trade show "Babes on Broadway" on Dec. 5 instead of Dec. 9, as previously scheduled. La Baume, N.York the film will be shown on Dec. 2, along with "Dr. Kildare's Victory"

Johnston Holdings Reported by S.E.C.

WASHINGTON, Nov. 26.—The acquisition of common shares by R. W. Johnston, president of Monogram Pictures, has been reported by the Securities and Exchange Commission in a report on transactions.

Johnston received an aggregate of 9,879 shares in common stock in June as payment on a loan, giving him a total of 24,232 shares held direct, while through Monogram Pictures and the Kansas City he acquired 1,918 shares, disposing of them as payment of a loan; through Monogram Pictures of California, he acquired 3,285 shares, and through Monogram Pictures of St. Louis, 1,778 shares.

In the same company, John W. Mangham, Atlanta, director, acquired 5,670 shares of common through the Kansas City, and shares in July and 5,571 shares in August; Howard W. Stubbs, director, acquired 2,988 shares through Monogram Pictures of California, 1,295 shares through Monogram Pictures of the Northwest in August, and in the same month Charles W. Tramp, Milwaukee, director, received 2,350 shares from Monogram Midwest Film Co. in settlement of a debt.

Meehan Holdings Reported

A late report for June showed that Meehan sold required common shares of Keith-Albee-Orpheum preferred stock and sold 16,023 shares to Radio-Keith-Orpheum Corp., leaving him with 13,109 shares in the month, and a report on closed-end investment companies showed that Robert R. Young, director in Paul Film, disposed of 6,500 shares of Pathe common stock in September, leaving him with 13,109 shares.

Reports on holdings of persons becoming officers or directors of registered corporations showed that William H. Ekelund, vice-president, held for John W. Loew, Inc., securities, directly but held 67 shares of common stock through a holding company when he became an officer Sept. 3.

Salutes to WHN on Increase in Power

WQAM, station owned by the city of Miami, will salute WHN tonight in honor of the latter's going to 50,000 watts power. The Republic of Cuba will honor WHN by special broadcasts over its long and short waves, and WWRE, New York, will have a salute program tomorrow evening at 10:45.

U.S. Decree 'Unworkable,' Myers Says

(Continued from page 1)

that it was written without exhibitor approval and said there are many de- 
fects in the measure.

"Any way you look at the decree, the consenting companies can choose the company which they wish to endorse after June 1, 1942," Myers declared.

Myers, in expressing hopes for the success of the act, concluded.

Dec. 9, said that it of-

fered exhibitors the opportunity of formulating a trade practice policy which would be acceptable to them and to the distribution companies and which might replace the consent de-

In discussing the unity movement, Myers emphasized the industry's need for a united front to protect itself against taxation.

P. J. Wood, secretary of the ITO, submitted a report to the convention which showed that 110 exhibitors in replying to an organization question-

naire on experiences with the decree selling system had charged one or 

more distributors in the Ohio terri-

tory of violating the decree by 

mandating the purchase of short sub-

jects and news reels in advance of 

dis-

cussions of feature picture deals. Others charged that distributors had re-

fused to sell them subsequent pic-

ture blocks unless the prior blocks were bought first.

All officers of the organization were 

reelected and only two changes were 

made in the directorate. The new dir-

ectors were Henry S. Fickinger and 

Willis Vance.

The convention adopted a resolution expressing appreciation to M-G-M for conducting an exhibitor forum on trade building problems in connection with the convention.

NSS Talks Union Pact

Motion Picture Laboratories, Technical Union, Local 701, has started negotiations with National Screen Service for a contract covering 

in- 

cluding of violating the decree, the 

union disclosed yesterday. About 13 men 

are involved, it was said.
Squadron’ at $6,400 Tallies Best in Seattle

Seattle, Nov. 26—"International facade" at the Orpheum took $6,400. Other grosses were down. The little Foxes at the Fifth Avenue was $5,700. The weather was cold.

Estimated receipts for the week end Nov. 21:

- Radio "Through" (M-G-M) $9,000
- "Over Her Shoulder" (20th-Fox) $8,000
- "Pins and Needles" (Paramount) $7,000
- "Leo the Live Foxes" (RKO) $7,000
- Fifth Avenue $12,500 
- "Never Get Fat Rich" (Col) $7,000
- "Liberty" (1-800) (30c-40c-50c) 7 days, gross: $5,000.

Eugene Arnel

Tonto Basin Outlaw

(Monograph)

Lincoln, Nov. 26

The Range Busters hit the trail in this above-average western to come out with a mild winner. The trio, Ray "Crash" Corrigan, John "Dusty" King, and comic Max "Alibi" Terhune enlist with T. R. Ruggles, The Army refuses to accept them, and sends them back to King's native Wyoming to track down a gang of crooks who've been rustling Government cattle.

Corrigan, posing as a cowboy out of work, seeks a job with Tristram Coffin's outfit in an attempt to develop a lead on the rustling. Coffin, a bohyond chum of Corrigan, is tipped off to the latter's identity. Terhune and King, meanwhile, go their separate ways to round up the rustlers.

The climax is King's stampede of a herd of wild cattle through the town as Corrigan and Coffin shoot it out. Feminine interest is blonde Jan Wiley, as a newspaperwoman sent to the Tonto Basin. A featured song is "Cabin of My Dreams." Robert Cline's photography is good, as is the direction of S. Roy Lay.

Running time, 60 minutes. "G.*

Riding the Sunset Trail

(Monograph)

Lincoln, Nov. 26

Satisfactory action fare is this Tom Keene western, Robert Tansey, producer-director, has made some minor alterations in the casting setup which improves this number over its predecessors. Frank Vacekoni has been added to the cast.

The plot is routine with Jib Aubrey, supposedly murdered by his half-brother so the latter could cash in on a fake will, and Aubrey's eventual return to convict the half-brother. Betty Dawson as Aubrey's daughter is the feminine interest and Sue Rounds, another daughter. Keene and King handle the situation, and in the end, King and his henchmen, Earl Douglas and Tom Seidel, at every meeting. Duncan finally hires Gene Alsee to ambush Keene, but Alsee turns out to be a crook gone straight. Tansey's production and direction are good and photography by Marcel LePicard is fine.

Running time, 56 minutes. "G.*

"Laughing" Is Hit in Frisco

With $22,000

San Francisco, Nov. 26—"Look Who's Laughing" opened at the Golden Gate, and drew $22,000, aided by strong support by Ben Bac- gen & Charlie McCarthy. "Hot Spot" and "Great Guns" drew $15,000 at the Fox. The weather was clear.

Estimated receipts for the week end Nov. 18:

- "Look Who's Laughing" (RKO) $12,200 (30c-40c-50c) 7 days. Stage: vaudeville. Gross: $12,200.
- "Appomattox for Love" (Univ) PARAMOUNT—(2,740) (30c-40c-50c) 7 days, 3rd week. Gross: $6,000. (Average, $800)
- "Two Latins from Manhattan" (Col) ORPHEUM (1,340) (30c-40c-50c) 7 days, 2nd week. Gross: $7,000. (Average, $1,000)
- "Savois" (Col) $4,000.

"Squadron" $7,400

Indianapolis Gross

Indianapolis, Nov. 26—"International Squadron" and "Father Takes a Wife" did $7,400 at the Circle in a week. First runs but Loew's had a short week in order to open new showings on Thanksgiving Day. Estimated receipts for the week end Nov. 18:

- "International Squadron" (W. B.) CIRCLE—(2,500) (30c-35c-40c) 6 days. Gross: $3,500. (Average, $583)
- "Appointment for Love" (Univ) TERMINAL—(2,500) (30c-40c) 4 days, 4th week. Gross: $9,000. (Average, $2,250)

"Falcon" Captures $6,800

New Haven, Nov. 26—"The Maltese Falcon," dually with "Father Takes a Wife," proved a strong draw at the Theatre with $6,800.

Needs" Best Bet in Omaha with $4,200

Omaha, Nov. 26—Lydia at the Strandum led with $3,900, "The Gay Falcon" drew $4,700 at the Brandes. The market was cold and unsettled, and very thin ice show provided competition.

Estimated receipts for the week end Nov. 19-26:

- "Foot in Heaven" (W. B.) $3,000
- "Gay Falcon" (RKO) $3,000
- "Foot in Heaven" (W. B.) $3,000

Will Organize Office Workers in St. Louis

St. Louis, Nov. 26—Organization of white collar workers along film-row here has been started by the AFL Stenographers, Typewriters, Bookkeepers, and Assistants locals, Local 17,707. Aiding the drive is the Film Exchange, Local B-1 of the IATSE.

Louis D. Lovato, business representative, said the white collar drive and the drive of the Local 17,707 was led by Harold L. Black as vice-president.

Peter J. Christmas was again named president; Harold L. Black, recording secretary; Mike Chaloupa, treasurer and financial secretary; Robert Ginn, another member of the executive board, and Arthur Randall, Ted Kowalski, Emil Hoppe, George Johnson and Charles Christensen were named to the board of directors.

Omaha Musicians' Officers Reelected

Omaha, Nov. 26.—All officers of the Omaha musicians union Local 70, have been reelected for one year with the election of E. J. Nordin, Sr., who was succeeded by Harold L. Black as vice-president.

"Falcon" Takes $6,800, New Haven

New Haven, Nov. 26—"The Maltese Falcon," dually with "Father Takes a Wife," proved a strong draw at the Theatre with $6,800. First runs but Loew's had a short week in order to open new showings on Thanksgiving Day. Estimated receipts for the week ending Nov. 20:

- "The Maltese Falcon" (M-G-M) PARAMOUNT—(2,500) (30c-40c-50c) 7 days, 2nd week. Gross: $4,000. (Average, $571)
- "Great Guns" (RKO) PARAMOUNT—(2,740) (30c-40c-50c) 7 days, 3rd week. Gross: $6,000. (Average, $800)
- "Falcon" $6,800.
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**WARNERS**

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**20TH-Fox**

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**Texas’ and ‘Rich’ Hit in Los Angeles With $31,500 Gross**

Los Angeles, Nov. 26.—“Texas’ and ‘Rich’ scored a $31,500 gross in Los Angeles—$15,000 at the Hillstreet and $16,500 at the Pantages. Other grosses were fair. Estimated receipts for the week ending Nov. 19:

- **Sundance** ($7.00) 7 days, Gross: $4,100. (Average, $600.)
- **Texas** (Col.) Hillstreet—$7.00 7 days, Gross: $3,800. (Average, $543.)
- **Sundance** (U.A.) $6.50 5 days, Gross: $3,500. (Average, $700.)
- **Texas** (Col.) $6.50 7 days, Gross: $3,400. (Average, $486.)

**Business Is Chicago High With $44,000**

Chicago, Nov. 26.—Week-end foot- ball crosses and Thanksgiving added grosses considerably. The Chicago with “Unfinished Business” and Orrin Tucker’s band on the stage at the “Small Soldier” took $18,000 at United Artists. Estimated receipts for the week ending Nov. 26:

- **International Lady** (U.A.) $3,000
- **Top Sergeant Mulligan** (Mon.) $2,000
- **All That Money Can Buy** (RKO) $2,000

**Man, Show Good Kansas City Tally**

Kansas City, Nov. 26.—“Man at Large,” plus “George White’s Scandals of 1941,” on the stage of the Tower, drew a strong $13,000. The “Maltese Falcon” took $10,000 at the Newman. Estimated receipts for the week ending Nov. 26:

- **Man at Large** ($6.80) 7 days, Gross: $10,000. (Average, $1,429.)
- **George White’s Scandals of 1941** ($5.50) 7 days, Stage: “The Rehearsals” unit. Gross: $10,000. (Average, $1,429.)
- **Unfinished Business** ($5.50) 7 days, Stage: “The Rehearsals” unit. Gross: $10,000. (Average, $1,429.)

**Audit Service Expands**

Film Audit Service, of which Samuel Hacker is general manager, has opened an office in Dallas, which provides the company with complete coverage of the industry, according to Hacker. Branches are in 19 cities in this country and in Toronto, Hacker has been identified with the industry for 10 years, and formerly was with First National, Columbia and Republic.

**Mexican Firm Starts First of Six Pictures**

Mexico City, Nov. 26.—Production has started on the first of a series of six pictures for Mexicana Films, S. A., by Mexico American Cinema, Inc., a new Mexican Company organized by Gen. Juan F. Azerate, ex-chief of the Army Air Service, just before he was named for Benito Juarez as Minister, The picture is “Isa de la Paso” (“Isa of the Pasion”) and concerns Cliperton Island, an island which was a bone of contention between Mexico and France.

The film is to be released this Winter. It is the first of six that Mexico-España will make in the 1941-42 season.
With **Jinx**, the magazine cover beauty pre-sold by millions of dollars worth of publicity! And **Bert Gordon**, the Mad Russian, known to millions of radio fun fans!

**RELEASED DEC. 4th**
Goldwyn Uncertain
Of Future Release;
Is Pleased with RKO

By SHERWIN A. KANE

While stating that he does not know what his future distribution arrangements will be, Samuel Goldwyn yesterday paid high tribute to the RKO sales organization on his arrival from the Coast. Goldwyn plans to remain in New York until the end of next week. He will not discuss future distribution arrangements until here, he said. His two-picture distribution deal with RKO will be fulfilled with the delivery to the company of his latest production, “Ball of Fire.” The picture was previewed at the RKO (Continued on page 5)

20th-Fox Fights Use
Of Film Title on Song

Declaring 20th-Century-Fox is ready to make a test case of the "pernicious activity" of using the titles of popular pictures as titles of songs, Edwin P. Kilroe, copyright attorney for the company, has written the Lincoln Music Corp. concerning (Continued on page 8)

CBS Seeks F.C.C. License
For Commercial Television

By EDWARD GREIF

Despite the uncertainty of the immediate future of television, which will depend in large measure on the priority status given the new industry in Washington, CBS has applied for a commercial license from the FCC, Adrian Murphy, CBS executive director of television revealed yesterday.

CBS has been meeting all the requirements of a commercial permit since July 1 by operating on a regular 15-hour weekly schedule under a program test authorization and has not opened its programs to commercial sponsorship heretofore.

The network is in agreement with others in the industry that color television (Continued on page 8)

Place Ceiling
On Film Rental
For Dominion

Expect Monday Will Be
Effective Date

TORONTO, Nov. 27.—A ceiling has been placed on film rentals in Canada under the Dominion’s price control law for wartime, trade officials here learned today.

Details of the regulation were not available immediately and it was not known today at what level rentals have been frozen. There were no reports of any objection to the ceiling. It is believed the order applying to film rentals is intended to be effective simultaneously. The ceiling on admission prices set by the Canadian War Time Price and Trade Board several weeks ago was the maximum charged during the period from Sept. 15 to Oct. 11. A level has also been placed on wages.

B’way Grosses Big;
‘Suspicion’ Strong

Broadway’s first runs scored impressive grosses this week, with the impetus of capacity business during the greater part of the Thanksgiving weekend. It was a strong week for two films, “Suspicion” at the Radio City Music Hall and “They Died With Their Boots On,” at the Strand.

Reports from key cities in states celebrating Thanksgiving Day yesterday.

(Continued on page 5)

ITQ Accepts Bid
To Unity Meeting

The New York ITQA has accepted the invitation of the Allied States unity committee to attend the all-industry conference in Chicago on Dec. 9, it was disclosed yesterday following a meeting of the group at the Hotel Astor. Harry Brandt, presi-

(Continued on page 4)
S. A. Films Give New Competition to U. S. Films Produced in Latin America Today offer greater competition to Hollywood in Latin American countries than do German or French films. This was stated by Fred Lange of Paramount's foreign department, on his return yesterday from a trade survey in Central and South America. He said Mexican and Argentine pictures are increasingly popular. Theatre business is excellent in the territories he visited, he reported.

Grierson Gets Full Commissioner Post

Montréal, Nov. 27.—John Grierson has been appointed National Film Commissioner of Canada for three years, it was announced by J. T. Thorson, Minister of War Services. Grierson had been acting commissioner, but now will devote all his time to the post as head of the National Film Board. It is expected that the Dominion's program of public information films promoted by Grierson and the like will be carried on more extensively.

New York Theatres

RADIO CITY MUSIC HALL 26th St. & 6th Ave.
CARY GRANT, JOAN FONTAINE "SUSPICION" As RKO-ROJO Picture
ON THE GREAT STAGE: "NICE GOING"—Lamont's Gay Spotter Novelties, Teaney's Baby Bounce. 1st Mortgage Restored Reserve Circle B-6500

CLAUDETTE COLBERT, RAY MILLAND, BRIAN AHERNE in "SKYLAND" PARAMOUNT

IN PERSON HARRY BANN AND BAND Extr. RAY BOLGER in "THREE COMMANDS"

BARBARA HENRY STANWYCK, FONDA "YOU BELONG TO ME" PLUS A R18 STAGE SHOW ROXY 7th Ave. & 36th St.

Personal Mention

L. R. GOLDING, Fabian division manager, and CHARLES SARCHITZ, Warner Theatres executives in Africa, have been named special managers for the city's official Christmas celebration.

ROBERT GOLDSMIDT of WMC is recovering from a tonsil operation at LeRoy Sanitarium.

GEORGE BURROW of the Guaranty Trust Co. has returned from the Coast.

FRANK KOVALETS, manager of the Granada Theatre, Olyphant, Pa., recently became the father of a son.

Knoepfe Rejected By Cincinnati Club

CINCINNATI, Nov. 27.—Rudy Knoepfe, Republic salesman, has been reprimanded by the managers of Cincinnati, and Peter Niland succeeded himself as secretary and treasurer. Al Kolitz was named first vice-president, succeeding Milhoorn, and Len Bugie was chosen second vice-president, replacing Joseph McCreary in the position. At the meeting of the Irving Sohlin, Milton Gurian, William Devaney, John Effert, Ross Williams and McKnight. The installation dinner was held Feb. 20.

First USO Camp Unit Opens in Alabama

The USO-Camp Show's circuit had its premiere last night with the opening of "Follow the Crowd" at Camp Chabot, Alexandria, La. Tonight, "Funfare" will open at the Naval Air Station, Norfolk, Va. "Ada Leonard and her All-American Girl Revue" will bow tomorrow at Camp Watertown, N. Y., while "Beachcombers of 1942" will open at the same time at the Navy Yard, Bremerton, Wash. Four more shows will open next week on the circuit of 206 Army camps and Naval stations.

Tobacco Road' Shuns Hammond on Threat

Hrmond, Ind., Nov. 27.—Though armed with a Federal court restraining order to combat Mayor Frank Martin's threat to close Tobacco Road if it obscenities were presented, the tour company packed up today and moved to St. Louis. The show was in time on tonight for six performances at the Paramount Theatre. Fear that the Mayor's protest would cause the show to play at a loss was the reason for the change in plans.

Susie WB on Bioff Money

Garthelle Pelham, who claims to own 100 shares of Warner Brothers exchange mon- shares, sued yesterday in N. Y. Supreme Court, seeking an accounting of monies paid by them to William Bioff and George E. Browne. This is one of several similar suits filed against the companies involved.

Lubin Host to Press

Arthur Lubin, director of "Keep 'Em Flying," Abbott and Costello picture, will be host today to the press at his Essex Hotel suite.

David Rose, Paramount manager directing for Great Britain, sailed from Liverpool yesterday and is due in New York about Dec. 6.

Val Lewton, story editor for David O. Selznick, has left for the Coast after a New York visit.

Rita Andre arrived from London yesterday.

Gilbert Kanzour, film critic of the Evening Sun, Baltimore, is recovering from a broken arm.

Alfred Hitchcock is in town from the Coast.

Tax, Labor Mexico

Theatre Problems

MEXICO CITY, Nov. 27.—One of the most serious problems facing the operators of Mexico's 1,009 theatres is the threat of a strike, in the absence of the imposed and in its calculation. It is expected that early next year exhibitors will petition for a reduction in the rates for theatre operation, by the method of calculation.

Labor expense is also a problem, but little can be done, it is believed, since labor operations are particularly strong in the country. Some effort is being made by the Government to provide the operators with a lower percentage of gross receipts for the Municipal Government and nine per cent for the General Government for the Federal Government. Payments, made daily, are computed on the basis of seating capacity. Thus, a 3,000-seat house charging $1.50 sells tax on $1.50 daily gross, whether that actually is attained or not. This sometimes results in an actual daily tax of 50 per cent, and the average amounts to 25 to 35 per cent.

In the opening of the Cine In- surgentes, seating 4,000, and the second opening of the Cine Palacio, there are 69 houses operating in Mexico City.

2 Rochester Houses Ask Assessment Cut

ROCHESTER, Nov. 27.—A reduction of $300,000 is sought by the Rochester Palace Corp., operator of the Palace Theatre, in the $28,000 city assessment on the house. B. F. Keith Corp. and Moore-Wiggins Co., landlords of the Temple Theatre, seek a $119,700 reduction on a $479,700 assessment.

New Chicago Office Is Opened by RKO

CHICAGO, Nov. 27.—The formal opening of the new RKO exchange building here today attracted an ex- ample audience, including film men and exhibitors, who visited the offices during the day. Representa- tives were present from the home of- fice.

Foul Jouks Paramount

Hollywood, Nov. 27.—Robert T. Ornery and more recently dialogue director at Warners, will join Paramount Jan. 5 as assistant to William Meiklejohn, supervisor of talent and casting.

Newsrell Parade

A NUMBER of military subjects are in the weekly issues, including the arrival of the U. S. armed forces to the newspaper merchants here, survivors of the "Reuben James" in New York, and tank and parachute demonstrations. The full contents.


NEWS OF THE DAY, NO. 22.—"Reen 1942" in Canada. Canada. German film "The World Over" is in India. On the set of "Phobos," mother is a German film "The World Over" is in India. On the set of "Phobos," mother is a


Photophone Closes Florida Circuit

RCA Photophone has closed a $60,000 deal with Florida State TV arrangements for the servicing by RKO of the circuit's 100 houses, accorded to W. L. Jones, RCA national service manager, who will be hand- led by Jack Dennis, RCA Atlanta re- presentative, and M. C. Talley, trea- urer of the circuit.

MOTION PICTURE DAILY

(Motion Picture Daily)

Published daily except Saturday, Sunday a half hour. (Subscription Compa- Inc., 1570 Sixth Avenue, Rockefeller Center, New York, New York, Yale 7-2110.) Tel. Cable address, "Quahoguel, New York." M. James, President; John E. Morgan, Vice-President and Publisher, Calvin Brown, Vice-President and Gene Manager; Warren G. Rockfeller, Vice- President; Sam Shain, Editor; Alfred H. G. Kershaw, Associate Editor. James, Crusading Manager; Chime Bure, President; C. B. O'Neil, Manager; Hollywood Bureau, Postal Unit Life Building, William R. Weaver, Editor. Houston, Texas. C. B. O'Neil, Manager; Hollywood Bureau, Postal Unit Life Building, William R. Weaver, Editor. Los Angeles, California. C. B. O'Neil, Manager; Hollywood Bureau, Postal Unit Life Building, William R. Weaver, Editor. London, England. C. B. O'Neil, Manager; Hollywood Bureau, Postal Unit Life Building, William R. Weaver, Editor. London. All contents copyrighted 1941 by Motion Picture News Co., Inc. Outlines, Motion Flots, and Motion Picture News. Published by William H. Langley. Motion Picture Almanac and Pam. "Friday, November 28, 1941." Covering rates per year $5. "American梦" is re-"American梦" is re-

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20th Century-Fox presents "How Green Was My Valley" United Artists at RIVOLI Broadway at 45th St. Continuus Pop. Prices. Midtown Show!
Maybe it isn't the funniest picture ever made...but we've never seen (or made) a funnier one!

Warner Bros.
Boston Bans Garbo Film; Pa. Approves
(Continued From page 1)
not be granted for any showing in this state.

Meanwhile, the Pennsylvania censor board approved the film, which opened at the Boyd, Philadelphia yesterday, but in a special message to the MPAA it stated that "it looks with disapproval on this type of production." Commenting on the board's action, Mrs. Edna R. Carroll, chairman, remarked that "the situations in the film are more silly and impossible than ridiculous, in the opinion of the board."

Yamins Bars Film

Nathan Yamin, former president of Allied States Association, said he would "make no attempt" to show the picture at any of his six Fall River Art theatres because of the "C" rating given it by the Legion of Decency.

Bishop James E. Kearney of Rochester warned that the film "may also cause some police officers, as well as the Legion of Decency rating, the Better Films Council of Rhode Island met to consider action in the situation yesterday, but made no public announcement.

Dietz Defends Picture

The New York Times today publishes a statement in which Howard Dietz, M-G-M advertising and publicity director, defends the picture. It follows:

"We have read Archbishop Spellman's statement. It is regretted that the Legion of Decency has seen fit to irrationally interfere. It has always been our endeavor to produce quality motion pictures which will not offend good taste or decency. There is no exact science in the production of motion pictures. People do at various times differ as to the effect of a given line or scene, particularly in a picture such as this, which is a comedy and designed primarily to amuse."

"It is only fair to point out that the picture "Two-Faced Woman," was presented at the Motion Picture Production Code Authority and received an approval seal from that organization. It has likewise been presented to all state censorship boards and, with slight alterations in a few cases, had been passed by every one for publication by the National Board of Review. Motion Pictures has classified the film as "especially worthy of study above average."

In Hollywood, Hays said the "matter is under consideration" but declined comment on the situation at this time. All the studio officials also declined to be quoted in any way.

It was learned that Hays assembled data on the picture prior to the meeting of the Producers Assn.

Film Industry Ranked 14th in Business Volume in '57

The motion picture industry ranked 14th in volume of business and 11th in total assets among American industries, according to a compilation made by Dr. Leo C. Rosten, analyst, from recent Securities and Exchange Commission surveys of 18 leading industries.

The figures, however, do not include profitabilities, radio, communications, textiles, insurance companies, banks and some other industries. Had these been included, it was pointed out, the rank of the motion picture industry would be proportionately lower on the list.

Rankings Listed

Dr. Rosten's industrial ranking by volume of 1937 business was as follows:

1. Oil Refiners
2. Steel
3. Meat Packers
4. Automobiles
5. Mail Order Houses
6. Chain-Grocery, Food
7. Cigarette Manufacturers
8. Tobacco Products
9. Tires and Rubber Products
10. Agricultural Machinery
11. Motion Pictures
12. Rubber Products
13. Newspapers
14. Carnival Shows

The automobile industry is 18th in the list, paying 1.62% to the executives. Retail sales account for 11.8% of the total volume of sales.

'Spot,' Stage Show

WASHINGTON, Nov. 27.—"Hot Spot," a stage bill headlined by Joe Frisco took $16,000 at Loew's Capitol. Other grosses were fair. Estimated receipts for the week ending Nov. 19:

"Nothing But the Truth" (Para)
Paragon's Palace (30c-5c-7c) 7 days, Gross: $11,500, (Average, $1,643)
RKO's "Northwest Passage" (40c-5c-6c-7c) 7 days, Gross: $12,300, (Average, $1,757) $350, (Average, $50)
International Squadron" (W.B.)
Warner's "Earle" (3c-3c-5c-5c) 7 days, Gross: $3,000, (Average, $428)
"Hot Spot" (28c-39c-55c-43c) 7 days, Gross: $2,500, (Average, $357)
"Week-End in Havana" (28c-42c-55c-43c) 7 days, Gross: $3,000, (Average, $428)
"The Malmute Falcon" (W.I.B.)
Warner's Metropolis G: $1,000, (Average, $143)
Warner's "Columbus" G: $5,000, (Average, $714)
"Week-End in Havana" (28c-39c-55c-43c) 7 days, Gross: $3,000, (Average, $428)
"The Malmute Falcon" (W.I.B.)
"Week-End in Havana" (28c-39c-55c-43c) 7 days, Gross: $3,000, (Average, $428)

Sues Over Pathe Deal

Arthur W. Newell, who says he owns 200 shares of Pathe Film Corp., common stock, sued yesterday in N.Y. Supreme Court for the appointment of appraisers of his stock. He objects to the stock exchange between the late E. I. du Pont de Nemours & Co., and wants to be paid off in cash.

Para. Sued on Song

PHILADELPHIA, Nov. 27.—Dr. Clay A. Boland and S. Bickley Reilheimer have filed a $50,000 infringement suit against Paramount in Federal Courts here, charging that their song, "Midnight on the Trail," was used as the theme song for "Dancing on a Dime".

Walter Toastmaster For Dinner to Silvo

(Continued from page 1)

Haines, Nate Blumberg, Herb Robbins, Tom Connors, Ned DePpe, George Schaefer, Sam Morris, W. Ian Rodgers, Neil Agnew, J. Colum, and Victor Charles, were all present.

Herman, Edward Alpers Charles Kurtzman, John O'Connell Fred Meyers and Frank McCarthy, and many others, was also expected: Sid Lehman, Kenneth Robson, Max Roth, Sid Samson, Ray Law, Michael Green, and Charley Seuhy, Charles Payman, Jack E. man, Harry Berkson and Bert Stea.

Axler Joins Circuit

TORONTO, Nov. 27.—David Axler has resigned his sales post with United Artists here to become executive assistant to Jules Allen, head of Premier Theatres and Theatre Holding Corp. His appointment follows the recent resignation of Raymond S. Allen as supervisor of the Allen Circuit, Toronto.

Opens New Exchange

CINCINNATI, Nov. 27.—Mitchell Blachschlagher, who recently resigned as booker at the local United Artists exchange, has formed Popular Pictures Co., to distribute independent product in Ohio, Kentucky and West Virginia.

ITQ Accepts Bid To Unity Meetin

(Continued from page 1)

dent, will be a delegate and oth from the organization may attend, was stated.

LOS ANGELES,Nov. 27.—The Pacific Coast Conference of Independent Theatre Owners plans to push original 11-point trade practice pogram at the unity meeting in Chicago at the Calumet Hotel today. De gates are to be appointed.

Admit Service Men Fre

Des Moines, Nov. 27.—Mr. John Loveridge, who recently bought the Casino Theatre here for Abe Frankel, has announced a policy of admitting all service men in uniform without charge to all shows.
Motion Picture Daily

B'way Grosses Big For "Suspicion" and 'Boots On' Set Pace

(Continued from page 1)

by largely indicated generally big holiday grosses.

For example in Philadelphia, strong watching the annual Toyland page and those coming in for Saturday's Army-Navy game brought good business all day; in Omaha, a huge street lighting program brought crowds downtown at night and business in other equaled or exceeded last year.

$105,000 for "Suspicion"

Presented with a stage show, "Suspicion" drew an estimated $105,000 during its first week, ending Wednesday night. "They Died With Their Boots On" with Woody Herman's orchestra, also in its first week, brought insufficient estimates to be considered. In Philadelphia, the last holidays in years. In Omaha, a huge street lighting program brought crowds downtown at night and business in other equaled or exceeded last year.

"Louisiana Purchase" (Paramount)

THE musical comedy, "Louisiana Purchase," by Morrie Ryskind, with music by Irving Berlin, was a great hit on Broadway, and equally successful on tour. There is every reason to believe that the spectacular screen version by Paramount also should be a box-office winner of the first order.

The film has what it takes to score with the patrons, of all ages, in all places. It has spectacular settings, enhanced by Technicolor; cast names of high marquee caliber, beautiful girls, tuneful music, and a picture-load of comedy, most capably handled by two of the country's comedy experts.

The experts are Bob Hope and Victor Moore, the latter of the original stage version, and they will have any audience in a state between chuckles and guffaws most of the way. In support are Vera Zorina, who dances and sings, and with Hope, supplies the romance; Irene Bordoni, as the New Orleans restaurateur who helps Hope out of a jam, and Raymond Walburn, Maxie Rosenblum, Frank Albertson and Donald McBride.

The yarn concerns the effort of Hope, unwitting dupe of crooked politicians, to frame Moore, U. S. Senator, bent on investigating the city politicians, so that he will whisk away the crooks to protect his own political career. Miss Zorina is hired for the job, but when Moore pays her a million for her help, she doubles across Hope and company. It all comes out for the best when Hope's friends in St. Louis help Moore's plans to expose the State legislature, and the latter gives up when he learns the real crooks have been apprehended and Hope is cleared.

The New Orleans Mardi Gras forms an effective color costume, and dancing. Entertainment highlights of the film develop whenever either Hope, Moore or both are handling the comedy situations and the gags.

Running time, 98 minutes. *G**

CHARLES S. AARONSON

Agree to Accept Appeal Decision In K-B Complaint

(Continued from page 1)

the industry arbitration system. It made under Section 18 of the consent decree which permits the appeals board to reopen proceedings in any case within 10 days after a stipulation in order to correct inadvertent errors.

James V. Hayes and Robert Sher, former assistants to the U. S. Attorney General in the drafting of the industry decree, are counsel for K-B Amusement Co. The latter operates the Apex Theatre, Washington, which brought a complaint seeking elimination of the clearance held by Warners' Uptown and Calvert. An award eliminating the clearance was made by Louis M. Denit, arbitrator, and Warners appealed. The appeals board ruled that although competition between the theatres involved was slight, it was sufficient to warrant a clearance over the Apex. Accordingly, the arbitrator was reversed and the clearance was set at a maximum of five days.

Preferred Time a Factor

In seeking reconsideration of the case by the appeals board, K-B Amusement Co. contended that the effect of the decision was nil, since the Uptown and Calvert normally cleared on Technicolor on Wednesdays and Thursdays and, if the Apex were to follow them with a picture strong enough for the dollars, it would, upon preferred playing time, the Apex would have to wait nine or ten days, instead of five, in order to play the same picture on a weekend.

It was reported that an agreement providing for a situation was reached by the parties involved and led to the stipulation waiving the right to a reconsideration of the case by the appeals board.

Indicate Settlement Of Maryland Case

WASHINGTON, Nov. 27.—Voluntary settlement of the clearance complaint of the Charles Theatre, La Plata, Md., against Loew's was indicated here today with the indefinite postponement of hearings scheduled to open. The complaint charged that the Marlboro, operated by Sidney Lust, has been engaged unreasonable clearance.

Orders Chaplin Suit Quiz

Federal Judge John C. Knox here has ordered examination before trial of Charles Chaplin in Los Angeles on Dec. 18 in reference to the suit of Konrad Bercovici for more than $50,000,000 damages, involving alleged plagiarism. The order, made by stipulation, provides that Bercovici must also submit to examination.

WB Set 'Nymph' Leads

Hollywood, Nov. 27.—Warners have signed Charles Boyer and Joan Fontaine to co-star in "The Constant Nymph," the Margaret Kennedy novel and play, Edmund Goulding will direct. Walter Huston has been signed to support James Cagney in Warners' "Yankee Doodle Dandy."

Goldwyn Uncertain Of Future Release; Is Pleaseed with RKO

(Continued from page 1)

Theatre, New Rochelle, Monday night.

"Fracaso" is doing a swell job with "The Little Foxes," Goldwyn said. "I regard Ned Denham as one of the top distribution men in the industry and I am well pleased with my association with the company thus far.

"However," he continued, "I don't know what I'm going to do about distributing a picture by the orchestra, "Ball of Fire." I am not negotiating with any distributor now and I see no reason doing so until I have another picture."

Plans Active Year

Goldwyn said his present production plans will make next year his "most active" in a long time. He plans to start the making of Louis Calvert's "Suspicion," in March; he will start "Treas-}

ure Chest," with Bob Hope, and in May or June he expects to start a William Wyler production. In addition, Goldwyn said he would complete a production on the life of Hans Christian Andersen in New York, and a picture on Walt Disney, adding that Gary Cooper would be in the production and that it would be about 70 per cent live action and 30 per cent animation by Disney.

Goldwyn also will have "Spitfire," being made in England in association with M. W. Woolf, which has David Niven and Leslie Howard in the cast, with Howard directing. This should be available here in February or March, the producer said.

Will Talk with Writers

Goldwyn, accompanied by Collier Young, his story editor, said he would see new Broadway plays and confer with Broadway authors and screen writers. Among the latter, he said, are Arthur Kober and Nat Perrin, who are doing the story for the Bob Hope picture. In connection with his increasing production costs in Hollywood, Goldwyn observed that an independent producer would have to be very careful today if he makes a picture if he is to operate at a profit. He predicted the death of double features in the near future because of the high cost of films, which he believes will make secondary features too expensive. He predicted a revival for short subjects, as a result.

Three Firms Formed

ALBANY, Nov. 27.—Three companies have been formed and one dissolved, according to the Secretary of State. New firms are: Estates The-}


Seattle Council Ejects Little, Nov. 27.—Officers for the 1942 season of the Greater Seattle Movie Council, Inc., organized a few weeks ago to "study, and make recommendations on motion picture production." Headed the group is Mrs. Charles G. Miller.
LOOK

WHO'S

LAUGHING!

BIG CITY . . SMALL TOWN . . IT'S MOWING 'F
Laughing with a terrific two weeks and a socko THIRD-WEEK HOLDOVER at the Golden Gate.

Laughing with the biggest single day's business in the history of the Strand...and a happy HOLDOVER!

Laughing with a HOLDOVER on top of an opening day that broke all records of the 20th Century Theatre!

Laughing because of the tremendous first week's business that brought a HOLDOVER.

Laughing at the biggest business done by the house in months and months.

They're laughing in Glens Falls and Elmira, N.Y., where the picture did 50% better than the sock hit, "Kitty Foyle"... and in Gloversville, and Dunkirk, N.Y., where it also topped that top grosser... They're laughing with better-than-"Kitty Foyle"-business in Amarillo, Colorado Springs, Pueblo, Kokomo, Waterloo, and Springfield, Ohio... THEY'RE LAUGHING COAST TO COAST, because there are more openings and more holdovers this week and next as RKO's giant of laugh shows gets rolling everywhere!
FM Station of CBS Will Start Monday

The CBS FM station here, W73NY, will start its broadcast sched-ule at 9 P.M. and will be on the air for six hours Monday through Saturday thereafter. Transmission hours will be 3-6 P.M. and 7-10 P.M. Monday through Saturday, and will be carried by high fidelity wires from a studio in the CBS building at 485 Madison Ave. to a free FM transmitter at 500 Fifth Ave.

The daily schedule will be: 3:00 News; 3:15, pop concert; 3:45, educational program with Edward Downes as commentator; 5:00, operaetta music; 5:15, song recital; 5:30, organ versets; 5:45, news; 6:00, signoff. At 7:00, news; 7:05, classical melodies; 7:15, chamber music; 7:45, operetta music; 8:00, symphonic hour; 9:00, song recital; 9:15, fireside music; 9:45 news, and 10:00, signoff.

The W73NY CBS FM station in Chicago, fourth in that city, is also on the air now and is heard 3-9 P.M. daily.

With the grant of a construction permit to Hughes Productions for K40LA, Los Angeles, the FCC has authorized additional FM stations. Some of these, 21 are on the air. Fifty applications are pending.

Hookup of FM for WOR Outlet's Start

The largest hookup of FM stations to date—a total of seven—will be linked to form a network. Sunday is the occasion of the dedication of the 10,000-watt transmitter W71NY, the W73NY off-tower station, now to be W22XM, Alpine, N.J.; W6GH, Hartford, Conn.; W43B, W39JB, Boston; W3SPH, Philadelphia, and W47A, Schenectady.

Canadian Radio Set Output Is Hard Hit

MONTREAL, Nov. 27.—War demands on Canadian manufacturing are making it difficult to supply even the reduced number of private sets allowed by the new curb on radio production, E. C. Grenier, president of the Canadian Radio Manufacturers Association of Canada, has revealed. Grimley stressed the industry’s desire to give all-out cooperation to the Government in supplying radio communication equipment to the troops.

In view of the scarcity of materials and rising demands for war equipment, he said, it is very doubtful if manufacturers could produce the quantity of home receivers actually permitted by the control board. To offset this prospective shortage every effort is being made to maintain service organizations to keep present sets in good working order, he added.

It is reported unofficially here that the Quebec Municipal Control Commission, in charge of Montreal finances, may abolish the present local city tax on radio receivers, an excise tax of $1.10 per set in the city. Set-owners would continue to pay the Federal radio license fee of $2.50 a year.

CBS School Group Meets

The United States committee of the CBS "School of the American" will meet today to consider plans for 1942.

Off the Antenna

THIS weekend will see the busiest four days of growth in the history of New York stations. WHN will lead the parade tonight with an increase to 25,000 watts and formal dedication Monday. WNEW will double its power Sunday night to 10,000 watts and makes itself eligible for 50,000 by shifting to the VOW channel, while WOV will drop from 10,000 to 5,000 during the switch to WNEW’s frequency. WMCA at 8 A.M. Monday will broadcast the first of hourly newscasts furnished by the New York Times. WOR’s FM station, W71NY, will boost its power to 10,000 watts Sunday. W8NY, the CBS FM outlet, will take to the air with a regular schedule Monday at 3 P.M.

Purely Personal: Fred Waring, who has not made recordings for 10 years, signed a contract with Decca Records yesterday. . . . H. M. Besicle, head of NBC research, has been elected vice-president of the N. Y. chapter of the American Marketing Association.

NBC television this week started a series to explain how television receivers should be operated for maximum efficiency. DuMont officials were gratified that not only the RCA receiver was demonstrated but the DuMont set as well.

The first board of directors and stockholders’ meeting for Mutual since stock holdings were distributed among the additional stations will be held at the Drake Hotel, Chicago, Monday, and Tuesday.

Program News: Pervinam has renewed "Double or Nothing" over more than 30 Mutual stations. "That’s My Name?" quiz show with Arlene Francis and John Reed King, will return to Mutual Jan. 6 over 82 stations, sponsored by Fletcher’s Yeast. . . . WNEW will carry the annual benefit performance of Musicians Local 802 from 9 P.M. to 4 A.M. Tuesday with Martin Block as master of ceremonies.

CBS Seeks F.C.C. License For Commercial Television

(Continued from page 1)

vision not be standardized at this time although it still believes that other eventually, may give the needed "flip" to put television across to the public, Murphy said. When the FCC set standards this year, it was done with the proviso that the question of standardizing color would be re-examined Jan. 1. Since mid-July, WNEW has been telecasting experimentally in color one hour daily, Monday through Friday, mostly with test patterns, and has totalled about 125 hours of transmission. However, since no manufacturer undertook to produce sets, which generally was hampered by the priorities situation, the network is of the opinion that not enough data has been collected at this time to make the fixing of color standards feasible.

Building for Expansion

CBS television has played its part in national defense by televising all programs made available by the military. Asked to explain his reaction toward the first five months of regular operation, Murphy responded: "The greatest problem toward the time when television will be able to expand freely. We are tremendously pleased in the results we have made, without being cocky that we know it all now. There is still a great deal to be learned. Commercial possibilities are miniscule until the war is over; they are small—later, they will be great. No one can say that when that day will be. "We have confirmed our belief that the informal, unstilted approach to programming has great possibilities," Murphy continued. "Interesting things people are interested in television to a greater degree than in other entertainment media. One of our greatest finds has been that the television camera can be fluid and can pick up almost everything in a studio. We have had handicapped by the lack of remote pickup equipment, which has been promised for almost any day soon, but it may have been a blessing in disguise. We have been forced to originate the entire 15 hours in the studio and, although it has been a burden, we have learned a lot while doing it. We have maintained the program pattern substantially the same as it started last July but have condensed at the same time our technique within that pattern."

Murphy believes that the Metropolitan Broadcasting Corporation, which will be bread Saturdays, has made a great revolution in the teaching of art, just as radio taught millions to appreciate classical music. The broadcasts are the property of the Metropolitan Broadcasting Corporation. The network will be allowed to exploit in any manner the rights to the program after the broadcast has been completed, subject to the provisions of Sections 1420 and 1421 of the Copyright Act.

Three New Stations Authorized by FCC

WASHINGTON, Nov. 27.—Construction of three new stations has been authorized by the FCC, which granted permits to the Battle ville Broadcast Company, WOVL, Battle ville, Minn., for 1,400-kilocycle, 250-watt stations in those cities, and to Grenville Pictures, Los Angeles, for a 40-kilocycle FM station.

Toscanini on NBC To Aid Bond Sale

Arturo Toscanini will return to lead NBC Symphony Orchestra for two concerts to aid the sale of defense bonds. The programs, which will be known as "Toscanini Treasury Concerts," will be heard Saturdays, instead of Tuesdays, the regular night for NBC Symphony. The time will be the Dec. 6 and 13, 9:30-10:30 P.M., over NBC Blue.

20th-Fox Fights Use Of Film Title on Song

(Continued from page 1)

the song, "How Green Was My Valley," Kliber’s letter follows.

Dear: Mr. Llewellyn, your letter of Nov. 27, is the basis of a statement made upon you by Twentieth-Century-Fox Film Corp.

No Permission Given

1. To cease immediately from stating that the song, "How Green Was My Valley," lyrics by Benny Da vis, music by Abner Silver, has been officially accepted by 20th-Century Fox Pictures, to Richard Llewellyn, the author of the book. This is contrary to the facts. Twentieth-Century Fox Film Corp. has not given permission to use the phrase 'How Green Was My Valley' as the title of a song, nor has it granted you permission to use in your song the exploitation of our picture, nor has permission been granted by Richard Llewellyn.

2. To cease from making any reference to our picture, "How Green Was My Valley" in the exploitation of your song.

3. To discontinue immediately the use of the phrase "How Green Was My Valley" as the title of your song.

4. To immediately notify Twentieth-Century Fox, and withdraw the recording of your song that it was published by special arrangement with Richard Llewellyn, and inspired by the 20th-Century Fox production, "How Green Was My Valley."

Demands Still Return

"You are requested to return immediately to Twentieth-Century Fox Film Corp. the still from our picture 'How Green Was My Valley' which came into your hands some time ago and you are further requested not to use the said still in any way in the exploitation of your song. If you have used any such design in your song, all copies of your song containing this still should be destroyed immediately."

Music Fee Increase Opposed in Canada

TORONTO, Nov. 27.—The Musical Protective Association of Canada has launched a fight against the proposals by the Canadian Performing Rights Society, Ltd., and Canadian BMI, Ltd., for substantial increases in the license fees for 1942 to the broadcasting stations, including the Canadian Government chain, notice having been given to the Canadian Broadcasters, Ltd., of the intention to revise the schedule upward.

The Protective Association has recommended the opposition to be presented before the Board in December and the following are among the members of the effboards, general manager of the Canadian National Exhibition, Toronto; chairman of the board, T. J. Bragg of Odeon The Canada; vice-president, Col. John A. Cooper, of the Canadian Moving Picture Distributors Association; the director ready for representing the Canadian Association of Broadcasters; Jack Connolly of the Hotel Association of Ontario, and T. G. Dalgliesh, secretary.
Producers to Get Allocation On Materials

Committee Will Supply Individual Studios

By BERTRAM F. LINZ
WASHINGTON, Nov. 30.—Motion picture producers next year will be given specific quantities of steel and other restricted commodities as one of the many industries using such products, with the allocations to individual companies probably to be worked out by an industry committee, under an allocations system gradually being adopted by the Office of Production Management to replace priorities.

Under the allocations system, producers will be able to plan continuous production schedules in 1942 for at least three months ahead and possibly twice that length of time, and will (Continued on page 10)

Moskowitz, Brandt To ‘Dimes’ Meeting

Charles C. Moskowitz, Loew’s Theatres executive, and Harry Brandt, head of the Brandt circuit, who are chairman of the Motion Picture Committee of the 1942 March of Dimes campaign, and Oscar A. Doob, Loew’s Theatres advertising and publicity director, who is national chairman of publicity for the campaign (Continued on page 13)

Executive Salaries Frozen in Canada

Ottawa, Nov. 30.—Finance Minister J. L. Ilsley has announced that all managerial and executive salaries have been frozen at the rate established on Nov. 7. The order applies to all employees above the rank of foreman or a comparable post.

Some salary increases will be allowed but will require approval of the Minister of National Revenue if they would bring the total salary above $7000. Cost of living bonuses are prohibited to all earning more than $3000 a year.

Opposition to Garbo Film Grows; Church Leaders in Protest

Further opposition to the exhibition of “Two-Faced Woman,” M-G-M’s new Greta Garbo picture, was voiced over the weekend.

Archbishop John H. Glennon of St. Louis advised Catholic pastors in that strong Catholic community to warn parishioners that the film had been placed in the condemned classification of the National Legion of Decency and to “unite in protesting against the showing of the picture.”

In Hartford, Conn., Roman Catholic Bishop Maurice F. McAuliffe placed “Two-Faced Woman” on the church’s “forbidden” list and notified all pastors in the Connecticut diocese to urge their parishioners to boycott the film.

Rex Williams, manager of Loew’s in St. Louis, said that the picture will (Continued on page 10)

RCA to Form New Firm for Blue Net

RCA shortly will set up a separate and wholly owned subsidiary corporation to control the Blue Network, leaving the National Broadcasting Company to operate the Red Network alone, it was reported over the weekend.

The purpose of the move, it was said, is to facilitate the sale of the Blue Network, as required by an order of the FCC, enforcement of which order has been suspended indefinitely (Continued on page 12)

Gov’t Weighs Priority for 25,000 Television Receivers

Ascap Membership Meets Here Today

Ascap’s first general membership meeting since the close of the radio-music “war” will be held at the Astor Hotel today and, according to forecasts, may result in a spirited airing of grievances and criticism of administrative action.

The only formal business before the meeting will be ratification of by-laws changes of a minor nature, one of which will provide for semi-annual meetings for Ascap members on the Coast. Discussion from the floor is expected to occupy most of the session.

By EDWARD GRIFF

Government priorities officials are considering aid to television during the emergency by granting manufacturers priorities on supplies to build 25,000 receivers and 10 television transmitters during 1942, it was learned over the weekend.

Mortimer W. Loewi, executive vice-president of DuMont, declared that “I am more optimistic about the immediate future of television than I have been for some time. All we need is a little Government backing to re-store the public’s confidence.”

Loewi, who has made several trips to Washington in an effort to obtain (Continued on page 12)

O’Shea Eastern M-G-M, Flynn Central

Rodgers Reveals Changes At Chicago Meeting

CHICAGO, Nov. 30.—William F. Rodgers, vice-president and general sales manager of M-G-M, today announced the appointment of E. K. O’Shea as Eastern division manager and John E. Flynn as Central division manager.

O’Shea has been Central division manager, and will continue to succeed by Flynn in that post. Flynn has been district manager with headquarters in Chicago.

Rodgers announced the changes at the company’s mid-season sales meeting of district and branch managers at the Blackstone Hotel here.

Crescent Decision

Seen Before Xmas

Federal Judge Elmer Davies has indicated to counsel in the Government’s anti-trust suit against the Crescent circuit, United Artists and Universal that he will hand down his decision in the case in U. S. District Court at Nashville before Christmas, it was learned here over the weekend.

Final arguments and rebuttal will be entered in Nashville Federal court today and are expected to be concluded some time tomorrow, Columbia (Continued on page 10)

Paramount Partners To Meet in Chicago

A meeting of Paramount’s Northern and Western theatre partners will be held in Chicago Wednesday with Leonard Goldenson, head of theatre operations, presiding.

Operating problems and product will be discussed. Among those scheduled to attend the meeting are: Sam Denchow and Leon Netter, home office executives; John Nolan and J. J. O’Leary of the Coronet Circuit; Sam Pinasik, Harry S. Pearl, Al Hudson, John Balahan, Walter Immelman, Tracy Barham, Harry David, Myriam, Edward, A. H. Blank, Ralph Branton, J. J. Fissell and Jules Rubens.
Personal Mention

EDWARD C. RAFTERY, United Artists president, has returned from the Coast via Cleveland, Kansas City, and St. Louis to the Coast from Nashville tomorrow. AGRAND W. SELLS, vice-president and distribution head, and ANTHONY W. KELLER, general manager, president, arrive on the Coast today. RUBE JACKER has returned from Memphis. SIT RECHEENICK has left for a two-week Carribean cruise. CAPT. N. L. MOORE, formerly with Allied Artists, is taking command of the 122nd Intelligence Company at Fort Sam Houston, San Antonio.

JAMES A. MULVEY, Eastern representative of Samuel Goldwyn, Inc., is expecting back Wednesday from Florida, where he went following an appendectomy.

NICHOLAS M. SCHENCK, president of Loew's, is due today from the Coast. CHARLES SKOURAS is here from the Coast.

NORTON V. RITCHIE, Monogram vice-president in charge of foreign distribution, left for Cuba after touring South America.

Set Hollywood Stage Show on USO Circuit

Edward Arnold, president of the Screen Actors Guild and vice-president of the USO-Camp Shows, Inc., announced today that a motion picture version of a Fanchon & Marco stage show is being produced in Hollywood as one of the first contributions to the USO-Camp program for the Army and Navy.

Harry Delmar, general production manager for USO-Camp Shows, Inc., left New York over the weekend for meetings with commanding officers in all corps areas concerning the performance to be given on the circuits of camp shows. He will visit Atlanta, Chicago, Omaha, San Antonio and Los Angeles.

Coast SPG Supports N.Y. Group's Drive

The Screen Publicists Guild of Hollywood, in a telegram made public Friday, declared that it was "heartily in accord" with efforts of the SPG here to obtain a contract. The wire was from Mrs. Mason, president of the Coast unit, to Joseph C. Gafalow of the national SPG.

The New York Guild at a meeting late Thursday night voted "full approval and support to a complete campaign of action" for resumption of negotiations, but "no details of the campaign" was discovered.

Hold Fete Tonight For Loew-Poli Men

NEW HAVEN, Nov. 30.—Nat Rubin, new manager of the Lyric, Bridgeport, and Frank Matteo, new assistant in charge of the Loew-Poli here, were guests of honor at a testimonial dinner-dance tomorrow evening at the Seven Gables Inn. Both formerly were at the Loew-Poli in New Haven. M. Morris Mendelson, Loew-Poli attorney here, will be toastmaster and will be assisted by F. Shaw, Loew-Poli division manager, Lou Brown, Loew-Poli publicity chief, and Robert E. Russell, manager of the Poli, New Haven, and chairman of the dinner.

Trade Contributes $15,000 to RAF Fund

The Royal Air Force Benevolent Fund of the U. S. A., Inc., has received a contribution of $15,000 from the film industry through the MMPDA. In a letter accompanying the contribution, Will H. Hays, MMPDA president, explained that the money represents a portion of the proceeds from the distribution of the film "Land of Liberty," recently released. A part of the sum of money from the same sources was contributed to the Roll Call of the American Red Cross.

Producer Group in Britain Invites U. S.

LONDON, Nov. 30.—American organizations producing in England will be invited to join the newly constituted British Film Producers Association.

The association, after recent meetings, has drawn up a new constitution on a wider basis and will endeavor to include all active companies, it is understood.

March's Father Dies

Fredric March and his wife, Florence Eldridge, appearing on the Broadway stage in "Hope for a Harvest," it is reported will fly to Paris, this week for the funeral of March's father, John F. Bickel, 82, who died in Centralia, Wash., on Friday.

Barrist Buys Two Houses for Circuit

PHILADELPHIA, Nov. 30.—David Barrist, local Roman Catholic Church elevates Rossi
hall director, who previously announced he would set up at independent circuit, has completed his purchase of the Midget, the Milton Theatre and Critic and Criterion theatres in Bridge
ton, N. J.

Barrist bought the houses and the commercial properties connected with them from the Linker family. They have been operated by their predecessor, 92 years. The purchase here acquired last month by Barrist is being remodeled. His circuit will be known as the Materian Theatre Corp.

Church Elevates Rossi

Ercole J. Rossi, named a Right Reverend Monsignor by order of the Vatican, is the uncle of Columbus Sileo, wife of Jimmy Sileo, theatrical photographer. Relatives and friends gathered last night at the home of Knights of Columbus. His investiture took place at St. Patrick's Old Cathedral on Matt Street.

Drops Shows in Dayton

DAYTON, O., Nov. 30.—The RKO Colonial here has temporarily discontinued the show, but plans to resume its combination policy Dec. 26.

Prices in Milwaukee Continue to Increase

MILWAUKEE, Nov. 30.—Local theater admissions continue to show general increases with Fox disclosing that the 25-cent early bird price to 1 F. M. is effective this week. In favor of the 25-cent admission, formerly the admission at 1 P. M. The evening price after 1 P. M. is raised to 44 cents and after 6 P. M. 55 cents including tax. The number of neighborhood theatres also are raising the admissions as much as seven cents which provide a figure which will eliminate the tax. After this they will be added. Neighborhood houses, to have advanced the time for the Sun

Para. Union to Join Screen Office Guild

The Paramount Employees Association, which is affiliated with the Para Union, has voted to join the Screen Office & Professional Employees Guild, Local 109, CIO, it was announced Friday. It is the seventh independent group to become affiliated with the SOPE. Others were Loew's-M-G-M, Columbia, RKO, 20th Century-Fox and National Screen Service, all office workers' unions, and the Screen Readers Guild.

BROADWAY PLAYS

"GRAND-SCALE SMASH HIT!"

GERTRUDE LAURENCE

In the Warner Play

"LADY IN THE DARK"

ALVIN, 2 St. W. of E'way—Mat's, Wed. & Sat.

"A GREAT SHOW—Herald Tribune

50c, $1 & $1.50 PLUS TAX NO HIGHER

2ND YEAR—2ND EDITION of the

IT HAPPENS ON ICE

At America's Old Time Theatre

Center Theatre, Rochester Center, C. L. 2447 Eliminate All Others, See What's Best for Every Port. KEEP THE MONEY, AT 8:40

Warners Sign Massey

Hollywood, Nov. 30.—Warners have signed Raymond Massey to a contract calling for three pictures a year.
Girls,' Show Boston High, Pull $21,500

Boston, Nov. 30.—“Three Girls About Town” with the “Hollywood Sweater Girl Revue” on the stage of the Keith Boston, drew a strong $21,500, an average of $5,375. Estimated receipts for the week ending Nov. 19-20:

Three Girls About Town” (Col.) Keitel BOSTON—(2,687) (30c-4c-6c-8c-15c) 7 days, gross: $5,375. Average, $1,905.

“Man at Large” (20th-Fox) KEITH—(1,812) (3c-6c-9c-12c-15c) 7 days, week gross: $2,900. Average, $415.

“Dr. Kildare’s Wedding Day” (M-G-M) METROPOLITAN—(4,362) (3c-6c-15c) 7 days, Vaudeville, including Nye-Curtiz and his orchestra. Gross: $2,420. Average, $349.

“Never End in Havana” (20th-Fox) CASTLE—(2,600) (3c-6c-9c-12c) 7 days, 2nd run, gross: $1,400. Average, $200.

“International Squadron” (W.B.) SHAWNEE—(2,800) (2c-4c-6c-9c-11c) 7 days, run gross: $4,000. Average, $571.

“The Feminine Touch” (M-G-M) LOEW’S STATE—(3,000) (3c-6c-10c) 7 days, gross: $5,100. Average, $729.

“The Feminine Touch” (M-G-M) LONE STAR—(3,000) (3c-6c-10c-13c) 7 days, Gross: $16,300. Average, $2,330.

Singer, F. A. Ad Manager

San Francisco, Nov. 30.—Louis Singer, at the Paramount Theatre here, has been promoted to ad manager to succeed David Richards, who resigned to study law.

1,000th Para. Film Is Released in Sweden

The Stockholm opening of the Paramount film, “The Lady Eve,” marked the one-thousandth Paramount film released in Sweden since the company began distribution in that country, according to word received at the home office from Carl P. York, general manager in Scandinavia.

Blues’ Pulls $9,000 Gross in New Haven

New Haven, Nov. 30.—“Birth of the Blues,” dubbed with “Henry Aldrich for President” at the Paramount grossed $9,000 in eight days plus a midnight show Thanksgiving Eve. “They Died With Their Boots On” took $8,900 on a single feature program at the Roger Sherman. Estimated receipts for the week ending Nov. 27:

“Week-End in Havana” (20th-Fox) Collegiate—(1,675) (4c-5c-6c) 7 days, gross: $5,500. Average, $786.

“Morn Over Her Shoulder” (20th-Fox) WELL—(2,800) (3c-6c-9c-12c-15c) 7 days, gross: $2,300. Average, $336.

“Birth of the Blues” (Para.) PARAMOUNT—(2,323) (3c-4c-5c) 8 days, gross: $1,900. Average, $238.

“The Shadow of the Thin Man” (M-G-M) CINQUAIN—(2,800) (2c-4c-6c-9c-11c) 7 days, gross: $1,200. Average, $157.

“You’re Never On Time” (Col.) PARAMOUNT—(7,000) (2c-4c-5c-6c) 7 days, gross: $4,300. Average, $614.

“Abbott and Costello Meet the Invisible Man” (Para.) PARAMOUNT—(2,080) (2c-4c-5c-6c) 7 days, gross: $6,800. Average, $328.

“Keep ’Em Flying” (W.B.) (20th-Fox) ABBOTT—(3,000) (3c-6c-9c-12c-15c) 7 days, gross: $3,200. Average, $457.

“Miss Maltese Falcon” (W.B.) (20th-Fox) FISHER—(2,000) (2c-4c-5c-6c-7c) 7 days, gross: $7,000. Average, $700.

“Keep ’Em Flying” (W.B.) (20th-Fox) FOX—(3,000) (3c-6c-9c-12c-15c) 7 days, gross: $1,000. Average, $150.

“Flying” Is Strong; Detroit Grosses Up

Detroit, Nov. 30.—The Fox, with two days’ receipts from the world premiere of “Keep ‘Em Flying” with Jack Oakie, set a box office star, reported $14,000 gross for the two days and $15,000 for the other five. The Michigan grossed $2,000 with a split of two and five days. Estimated receipts for the week ending Nov. 20:

“Week-End in Havana” (20th-Fox) College—(1,400) (2c-4c-5c-6c) 7 days, gross: $2,800. Average, $400.

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“Flying” Is Strong; Detroit Grosses Up

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We KNOW it will top "Dodge City"

We KNOW it will top "Virginia City"

We KNOW it will top "Santa Fe Trail"

We KNOW it will top "Dive Bomber"

BECAUSE IT'S DOING IT RIGHT NOW!
Out Soon!
Complete details of campaigns used in record-breaking 'Boots' engagements —in Warner exchanges soon —for showmen who want to know!

ERROL FLYNN
OLIVIA DeHAVILLAND
in
"THEY DIED WITH THEIR BOOTS ON"
with
ARTHUR KENNEDY • CHARLEY GRAPEWIN
GENE LOCKHART
Directed by RAOUl WALSH
Original Screen Play by Wally Kline and Aeneas MacKenzie • Music by Max Steiner

WARNERS
who know---and are known for---hits!
"How green is a gold Scranton and as big as it is.

Pre-release Openings at Strand in Scranton, Wilkes-Barre the Most Sensational in the His.

Thanksgiving Day Openings By Any Day in Any Week in Every Record Shatt.

Full Week's Business of "Week-end In Havana" Equalled By the Premiere Night Was Greater Than Full Day's Business.

Big City...Small City.
AS MY VALLEY MINE IN ILKES-BARRE!

B'WAY!

Comerford in Both Cities!

EVERYTHING—YEAR!

Barre In One Day! And "A Yank In R. A. F."

HOW GREAT IS MY VALLEY!

Super-showmandising!

105 trailer prints used in 35 Comerford theatres in advance of openings!

Proclamations by Mayor Loveland of Wilkes-Barre and Mayor Huester of Scranton welcomed picture!

Huge street banners spanned theatre approaches!

Chamber of Commerce, Glee Clubs, Welsh Women’s Society, other groups gave great co-operation!

Tremendous newspaper breaks and unstinted plugs from local radio station!

Tremendous turn-out for gala dual openings taxed police lines, snarled traffic, drew countless thousands from a radius of 45 miles!
The oboe sounds its “a”  
...and a New Century of Music begins

A hundred years ago in the Apollo Rooms on Lower Broadway, an oboe sounded the pitch ... the strings, the brasses and the woodwinds tuned... and a Connecticut Yankee raised his baton to signal the start of Beethoven’s Fifth Symphony. Before him, at their high music racks, stood the first symphony orchestra in America. Behind him an audience of some 400 sat upright in their pews.

Today, in Carnegie Hall, an oboe again sounds its “a”... and the 62nd successor to Ureli Hill raises his baton before the orchestra of the Philharmonic-Symphony Society of New York.

And behind him... before him... all around him... an audience of 10,000,000 awaits the opening theme.

10,000,000 people listening to the radio on a Sunday afternoon! ... More than have heard the Philharmonic within the walls of a concert hall in the hundred years of its history.

What finer tribute to the world’s greatest orchestra on the beginning of its second century? What better evidence of an America musically come of age?

The oscillograph registers the wave pattern of an oboe’s “a” sounded by the Philharmonic’s Bruno Labate. Instruments in an orchestra traditionally tune to an oboe because its accurate pitch and penetrating tone are easily caught by the human ear.

100th Anniversary of the  
Philharmonic-Symphony Society of New York  
Broadcast exclusively for the past 12 years over  
THE COLUMBIA BROADCASTING SYSTEM
Opposition to Garbo Picture Is Spreading

(Continued from page 1)

The Archdiocese of Baltimore has released an open letter to priests,�타이틀 설명

Letter to Priests

Archbishop Glennon has made his decision public, and the Archdiocese of Baltimore has released an open letter to priests,ñas 설명

Criticism in Press

Criticism of the film appeared in the Catholic press. The Review, Catholic publication of the Archdiocese of Baltimore and Washington, in a front-page article referring to the Legion's condemnation of the picture, declared:

"It is unjust to be seen by persons, Catholic or non-Catholic, who depend on the National Legion of Decency as a guide to the movies. The Review hereby notifies the owners and managers of theaters that the presentation of 'Two-Faced Woman' will be considered by the Catholic Archdioceses of Baltimore and Washington and others as a distinguishing of standards and an affront to them and will be resented as such."

Road Cancellation

Critica, Nov. 30.—"We're in the business 52 weeks a year and we're not going to defy public opinion," Larry Steffen, Warners Theaters district manager here, declared in connection with the circuit's cancellation of the road show of the play, "Tohacc Road," in Hammond, Ind., last week.

Warner officials here called off the engagement, scheduled for the Paramount Theatre in Hammond, at the request of Mayor Frank Martin and civic groups, although a Federal court order had been obtained to prevent the Mayor from closing the show on grounds of obscenity.

Stein commented: "We can just about tell when the press is enough to warrant a change in our policy."

The cancellation is said to have cost the circuit $1,500. The company went from Hammond to St. Louis.

Critics' Quotes . . .

"HOW GREEN WAS MY VALLEY" (20th Century-Fox)

"How Green Was My Valley" has a quality and distinction inadequately described by calling it one of the year's best films.—Newweek.

Is a film completely honest, thoroughly and superbly competent. It is a full-bodied work. It has stature and completeness; a maximum of cinematic skill, the minimum of movie trickery.—Cecilia Ayer, PM (New York). It is a picture of great pomposity, harmony and faultless grace,—a picture rich in visual 

Arbitration Cases Drop To 9 in Nov.

(Continued from page 1)

one at the Indianapolis tribunal, which was the first of record there. Two boards, Des Moines and Seattle, also closed their records.

Of 59 awards made by arbitrators to date, 32 have been in favor of exhibitors and 27 have been in favor of distributors.

However, an appreciable number of cases which have been withdrawn and which we have heard toward the end of November, and it is expected that arbitrators will be able to make a significant number of awards on voluntary settlements which gave the parties full relief.

10 Appeals Decided

Of the 59 awards, 18 have been appealed and 10 decisions have been made by the appeals board. Of the latter, eight were in favor of distributors and two for exhibitors.

Only 20 of the 31 local boards have complaints pending. Of the 20, nine boards have only one case pending, leaving only 11 boards with more than one undisposed of. New York continues to lead in number of cases of all boards, with 27. Philadelphia is second with 14, and Washington third with 10.

E. M. Loew Files

On Boston Clearance

Boston, Nov. 30.—The Boston arbitration boards' seventh complaint was filed yesterday by E. M. Loew's Strand, Boston, against Paramount, RKO, 20th Century-Fox and Warners.

The complaint seeks elimination of the seven days clearance over the Strand now held by the Rialto for a Christmas vacation. The final arguments today will present the unusual circumstance of a president of one company, Edward G. Robinson of United Artists, defending another company, Universal, in the action. Rafferty was retained as counsel by Universal, as well as by the American Actors, long before his recent election to the presidency of the latter company. He will be the only New York counsel at today's hearing.

The Strand is represented by Benson Pepper at the bar.

Form Kentucky Firm

FRANKFORT, Ky., Nov. 30.—The British firm of Kneale and Fowle, a subsidiary of Kneale, has been incorporated here to operate theaters.
Mr. Sam Goldwyn  
7210 Santa Monica Blvd.  
Los Angeles, Calif.  

Dear Sam:

Having gone to Hollywood for the express purpose of looking at BALL OF FIRE and having seen it twice before audiences at sneak previews I want to repeat that I expect it to be one of the year's biggest box office attractions.

To back up that confidence I am happy to tell you that I have arranged for BALL OF FIRE to open in a large number of our theatres New Year's week. I cannot imagine a more suitable or profitable picture for that preferred playing time.

BALL OF FIRE has everything a fine picture should have - marvelous comedy and glorious romance. Gary Cooper is just as the public likes him best. Barbara Stanwyck has the best part in her brilliant career. In fact every member of the cast is perfect and needless to say the whole production reflects the good taste and high quality that we have come to expect in every Goldwyn picture.

I am glad to have seen you again and to have had the opportunity of looking at BALL OF FIRE. It is a grand show and great entertainment. I know that RKO can look forward to one of its biggest New Year's weeks.

Kind personal regards,

Sincerely yours,

[Signature]

C. W. Koerner
U.S. Considers Priorities on Television Sets

(Continued from page 1)

the priority ratings, declared that re- action to the request is quite favorable and hopeful." The plan calls for the release of materials to manufacturers for about 2,000 sets monthly. Additionally, there is a move already under way for the FTC to purchase outright 10,000 receivers and to place them in strategic points in this broadcast service to test sets which have television transmitters.

Would Aid in Training

With telecasters cooperating by transmitting special defense programs, groups of civilians such as air raid wardens and similar defense organizations could gather at places where sets are installed and learn their duties on mass. It was stated.

Loewi places DuMont receiver sales since July 1, the date television was commercialized, at 100,000, but recently, however, set sales have increased somewhat, Loewi said. He pointed out that those who would normally purchase an average price set have refrained from doing so because they feared television would be forced off the air by "this stimulation" or that sets would be altered in the future. The granting of priorities for television, however, would restore confidence and create a demand, according to Loewi.

Average 14 Hours Weekly

DuMont, which operates W2XWV as an experimental station, for the past two months has averaged about 14 hours of transmission weekly, he said. This has been on an irregular schedule, however, and has consisted mostly of test patterns and films. Last Thursday, a feature film was televised and Loewi is hopeful of setting up Thursday evening as a regular night for programs as the first regular schedule for the station. The station still operates on a temporary antenna and hopes for delivery from the manufacturer of a permanent antenna just about disappeared, he said.

Outdoor mobile equipment is ready, Loewi said, although it will not be used until a full program schedule is begun.

RCA to Form New Firm for Blue Net

(Continued from page 1)

by the commission, and hopes that the order may be reinstated at any time, and if that is done, NBC would be compelled to dispose of the Blue Network without a sacrifice of earnings.

The new corporation set up for the Blue web is expected to make a sale each clear day of its operation. The facilities on which each network will be completely separated.

When CBS disposed of its Artists Management Corp., recently, the fact that it was operated by a separate corporation made the sale easier to handle, while NBC, which had no such separate corporation, encountered many difficulties, and to date has failed to dispose of its artists bureau.

Off the Antenna

WTH other independent stations in the New York area increasing their wattage, WMCA is preparing a drive to argue the viewpoint that more power. WMCA will urge that the "progressive loss of power through ground absorption of signal strengths among stations higher up on the dial" gives WMCA's 5,000 watts, the equivalent of much greater strength at higher frequencies. Using statistics proving non-commercial networks, WMCA's three of its kitchens would lead the WOR Symphony Orchas as guest conductors for programs in January. They are Milton Katinie, Hardy Forbmy and Frederick Rechro. John Edwards has been chosen as vocalist on the CBS "Your Hit Parade."

•••

Purley Personal: Mrs. Frank H. Roosevelt will be featured speaker on "America's Town Meeting of the Air" over NBC-Blue Thursday. Lily Pons will be guest on short wave stations WJCA and WBOG Wednesday during a Metropolitan Museum of Art lecture programs devoted to opera... Alfred L. Weideman, WOR cocmgr, has sold another of his books and will lead the WOR Symphony Orch as guest conductors for programs in January. They are Milton Katinie, Hardy Forbmy and Frederick Rechro. John Edwards has been chosen as vocalist on the CBS "Your Hit Parade."

•••

An analysis of program material on WJNY, WOR's FM station, released over the weekend, reveals that only 3.4 per cent of its programs are the same as those of its parent station, WOR. The bulk of the material, 6.5 per cent, is high fidelity transcriptions. Mutual network programs not carried by WOR make up 29.4 per cent and WJNY originales 9.4 per cent on its own. The remaining 63.5 per cent is made up of recordings.

David O. Selznick will be guest on Kate Smith's noonday show tomorrow over CBS to receive the N. Y. Daily Mirror award as the "outstanding producer of motion pictures." Kenneth McCaleb, Sunday editor, will make the presentation of the program.

•••

Program News: Edwin C. Hill will take his program, "The Human Side of the News," heard over CBS, to the annual convention of the National Press Club this week, as the "first business man... A series of six sustaining programs, "Delance and Your Dollar," prepared by the 20th Century Fund, will start over NBC-Blue Saturday 3:35 P.M. New York's leading newspapers and the Associated Press are the news commentary by Frank Bingman over the NBC Red, Pacific Coast and Mountain networks... Arthur Tracy, whose "Street Singer" program was notable on the networks, will return to the air Jan. 5 on 25 NBC-Blue stations. The Duke will be offered for adoption over NBC television in a new weekly series starting Wednesday at 8:45 P.M.

Rita Hayworth and Bob Hope will receive awards tonight from the Hollywood Photographers Association as the most cooperative screen performers of the year. Cecil B. DeMille will make the presentation over CBS during the "Lux Radio Theatre," 9-10 P.M.

Theatre Changes

Low-Poli Men Are Shifted

NEW HAVEN, Nov. 30.—Harry F. Shaw, Low-Poli division manager, has appointed Nat Rubin, former as- sistant at the Poli here, to manage the rugs of the Lyric, Bridgeport following adoption by that theatre of a full-week program. Shaw de- cided that while he cannot cut the "sweat" on the full program, he cannot heald the "sweat" on the full program, he cannot

Buy Out Philadelphia House

PHILADELPHIA, Nov. 30.—Henry Freedman becomes the sole owner of the suburban Lawnlade, formerly known as the "Blue House" and "Flying Dutchman," out of the interest of Harry Fried, who operates a group of independent sub- urban theatres. Freedman recently leased his suburban Lamidale to Warner Theatres.

Open Miss. Drive-In

JACKSON, Miss., Nov. 30.—The new Drive-In Theatre, located east of Jackson, has opened. The new theatre will accommodate 250 cars. Under the management of the Kempton-Rich- 

Commonwealth Acquires Three

KANSAS CITY, Nov. 30.—Common- wealth Theatres has taken over the Baxter and Ritz theatres, Baxter Springs, Kansas, J. W. Granfin, former manager of the Bijou, who purchased the property, will take over the management. The new ownership announced.

Shift Milwaukee Managers

MILWAUKEE, Nov. 30.—Fox has named managers for its Wisconsin and Palace, local first-run houses. Joseph Rosenfeld, former manager of the Mayfair, will take over the Wisconsin while Philip James and Louis Lutz, former manager at the Oriental, is the new Palace manager.

Oakland Managers Moved

OAKLAND, Cal., Nov. 30.—George Yost, former manager of the Dimond, has been transferred to the Palace, replacing him at the Dimond is Frank Hayward.

Rebuild Burned Theatre

WEST POINT, Ia., Nov. 30.—Ben Bruck will have a new $12,000 theatre building to replace the one recently destroyed by fire, construction to be completed for opening at Christmas.

Lupino in W. B. Picture

HOLLYWOOD, Nov. 30.—Ida Lupino has signed a star in a new film for a ne- named "The Damned Don't Cry." The part originally assigned to Bette Davis.

WHN Gets Exclusive Rights on Dodgers

WHN announced over the weekend that it obtained exclusive rights to all Brook- lyn Dodger baseball games next year. Old Gold Cigarette will sponsor, through the J. Walter Thompson agency. Red Barber will be the announce- tors for next year. The broadcasts will start with the pre-season games, and the Dodgers are planning to open March 11, to include an away game and a home away-from-home games.

WHN is the first big WHN contract since the station increased its power to 59,000 watts.

House Hears FCC

Official Pro-Ref

WASHINGTON, Nov. 30.—Carry- ing his anti-Communism campaign to the House of the Rep., Martin D. Walworth, a Democrat that Chairman James L. Fly had evoked the issue raised by the charge that Goodwin Watson, chief FCC bro- ker, had "aided and abetted" a "propagandist of Communism."

"I hold in my hand unimpeach- able documents to establish the charge," Mr. Fly said. "I further charge, and I now rep- ort that, Goodwin Watson has been an active and prominent member of the Communist and Soviet Union. I have Watson's disputed writings to prove it.

Fly "absolutely ignored" an offer to show him the evidence, Rep. Dies serietted, but replied to the charge saying that he had made an issue and had found the charge baseless.

"Instead of looking at our evil Communists," Mr. Die said, "you, Mr. Goodwin Watson is a man of 10 generations American ancestry," commented.

Cast of CBS Temple Holiday Series S

Warner Baxter, Robert Young, Lionel Barrymore and Humphrey B. gart will be heard with Shirley Tem- ple in her series of four Christmas plays Friday nights at 10 P.M., who will start this week over CBS.

The schedule follows: Dec. 5, "Bomors and the Enthusiast"; Dec. 12, "Mr. Ideal" with Young; Dec. 1 Christmas for Two" with Bar- more, and Dec. 26, an unannounced play with Barry, Attila and a silent violin. "The Quintones," furnish the music.

Cast in 'U' Serial

HOLLYWOOD, Nov. 30.—Kent Ta- lor, Peggy Moran and Robert Armstrong were set today as the first of the cast for Universal's serial based on the "Gangbusters" radio program.
Showmanship Flashes . . .

Clergy Invited to See 'Heaven' and 'Gift'

PROVIDENCE, Nov. 30.—Local clergymen were invited guests at screenings here of "The Eternal Gift" and "One Foot in Heaven." The latter was screened for Protestant ministers at Fay's Theatre, the show being arranged by Edward M. Fay and Mark Larkin, the latter doing exploitation work on the feature for Warners. Robert Grossman had a special showing of "The Eternal Gift" for an audience of priests and prominent Catholic men and women several days in advance of its opening.

Family Portrait Contest Used for 'Foot in Heaven'

St. Louis, Nov. 30.—As part of the exploitation campaign for "One Foot in Heaven" at the Ambassador, Harry Crawford, manager, conducted a drive—through ads in the daily press—for family portraits. Tickets were awarded to those accepted for use in lobby displays.

Resemblance Contest Promotes 'Belle Starr'

CHARLOTTE, N. C., Nov. 30.—The Carolina Theatre here staged a contest in exploiting "Belle Starr," offering the winner a cup and entertainment by the local Variety Club. The contest was for the girl most nearly resembling Gene Tierney, star of the film. Jack Austin is manager of the house.

UA Sends Xmas Packages Of 'Corsican' Ad Campaign

Monroe Greenthal, director of advertising and publicity for United Artists, has sent to the heads of the leading circuits of the country sets of proofs on the advertising campaign for "Corsican Brothers." Edward Small production which will be the United Artists Christmas attraction. The sets of proofs were elaborately packaged in Christmas wrappings.

The Year's Most Important Public Service Announcement

Beginning Monday, December 1

Last-minute news gathered by

The New York Times

will be broadcast

every hour on the hour by

WMCA NEW YORK

America's Leading Independent Station

* Monday through Saturday: 8 a.m. through 11 p.m. Sunday: 9 a.m., 1 p.m., 5 p.m., 11 p.m.
Product Digest?  It's the very thing every manager in America has been looking for since "Covered Wagon" days.  It's tops.

H. L. RICHARDSON
Smalley's Plain Theatre
Fort Plain, New York

This is my 31st year in the Theatre Business and it is the best thing that has come along to help me intelligently book and exploit pictures.

H. E. MILLER
Miller Theatre
Festus, Mo.

I do my booking largely by its use.

R. D. PAGE
Maury Theatre
Mt. Pleasant, Tenn.

I refer to it most every day as your files have all the information and you don't have to look elsewhere.

FRANK WOLF
Center Theatre

I can truly say that I would not be without it.

GEORGE LAMY
Victory Theatre
Holyoke, Mass.

We find your Product Digest as now being compiled very easy to use.

J. G. CALDWELL
Princess-Caldwell Theatres
Aurora, Mo.

Product Digest is in constant and daily use.

ART BOWMAN
Star-Arbo Theatres
Kansas City, Missouri

For quick reference of necessary information it has no equal.

W. J. WILKE
Liberty Theatre
Graham, Texas

It is a great asset in every respect especially for exploitation of pictures.  Your advance reviews and tips are great.

J. G. SAMARTANO
Loew Poli-Palace Theatre
Meriden, Conn.

We appreciate very much the accurate, advance write-ups of the features.  It is a time-saver when doing our bookings.

J. W. RICHLEY
York Theatre
York, Pa.

Product Digest is complete, dependable and compiled in a splendid manner.  It's not idle gossip when I say we will still be using last year's Product Digest for the next few seasons.

JOSEPH A. FORTE
Parker Theatre
Darby, Pa.

I think the Product Digest of the MOTION PICTURE HERALD is about everything a showman could ask for.

FELIX H. TISDALE
Ge-Ana Theatre
Georgiana, Alabama

After using the Product Digest I don't see how anyone could get along without it.

J. A. NEUMAN
Beaux Arts Theatre
St. Paul, Minn.
It is the best system I have ever used.

WALTER BUENGER
Pecos & Grand Theatres
Fort Stockton, Texas

Product Digest is one of the biggest helps in buying, booking and exploitation of pictures that has ever been put before an exhibitor.

C. L. FIRMAGE
Firmage Theatre
Milford, Utah

It is possible to maintain this section with a minimum of time and effort and it provides a maximum amount of information indexed in such a way that it is readily obtainable.

W. CALDWELL
Lyric Theatre
Scottsville, Ky.

The idea, the system and the method of reference of your Product Digest is excellent.

HUGH W. BRUEN
Bruen’s Whittier Theatres
Whittier, Calif.

I can say that it is the most complete and satisfactory way to keep up on pictures, offered by any paper.

JIMMIE REDMOND
Bonham Theatre
Fairbury, Nebraska

We use this feature all of the time and find it very helpful.

LYLE BRIGHTBILL
Auditorium Theatre
Cando, N. D.

I have learned to rely so much on my binder for booking and exploitation that I would be lost without it.

L. C. LAMPO
Avalon Theatre
Jeanerette, La.

Product Digest is a great and quick help to me.

O. E. BAUMAN
Classic Theatre
Watertown, Wis.

This new department has served us very well.

FRED ZEKMAN
Black Hills Amusement Co.
Denver, Col.

The Product Digest has been a very great help to me and I have on file all the issues since the beginning of this section.

WALLACE W. DEUPIN
Pic Theatre
Woodbine, Iowa

I find myself constantly referring to the information contained in the Product Digest and as booker for this circuit it gives me the information that I must have in doing my work intelligently.

W. M. GRIFFIN
I. W. Rodgers Theatres
Cairo, Illinois

Your Product Digest has proved most helpful to us in the operation of our theatres. It has proved so satisfactory that we are keeping it right up to snuff every week.

LESTER J. SACK
Sack Amusement Enterprises
Dallas, Texas

We have found the short subjects review section of great value.

PHILLIP E. REYNOLDS
Strand Theatre
Phoenix, Arizona
Here They Come!
The Fighting ANZACS WITH

“Everything from genuine thrills to red-blooded romance — from mad, wild military charges to passion-ate love in the moonlight! Wildly dramatic!”

BOSTON DAILY GLOBE

“A genuinely exciting film—soul stirring — will send your heart right up into your mouth . . . makes Hollywood seem pale and listless by contrast . . . feel you are watching history in the mak-ing.”

BOSTON HERALD

“Scenes of unparalleled val-our and breathless excite-ment . . . fiery romance! Unequaled in its fierce com-bats. Will go down as one of the most exciting pictures of the year.”

BOSTON TRAVELER

“Alive with all of the ro-mance and excitement of which real motion pictures are made . . . wildly thrill-ing situations . . . amazing achievement!”

WASHINGTON POST

The Picture that will Skyrocket YOUR boxoffice to a NEW high!

3 WEEKS Warners Philadelphia • NOW in its 2nd WEEK Paramount Bkly

(Followed by entire circuit)

2 WEEKS in Washington 2 WEEKS in Providence

2 WEEKS in New York 2 WEEKS in Providence

and HOLDOVERS everywhere!

Nationally Distributed by GOODWILL PICTURES, 630 Ninth Avenue, New York, N. Y.

Date it now through these local exchanges:

METROPOLITAN AREA, EASTERN PA. and SOUTHERN N. J.
Principal Film Exchange
630 Ninth Avenue New York City

UPPER N. Y., WASHINGTON, D. C., and W. VIRGINIA
Equity Film Exchanges
505 Pearl Street
Buffalo

1242 Vine Street

203 Eye Street
Washington

NEW ENGLAND
Harry Asher, 12 Piedmont St., Boston

OHIO—INDIANA—KENTUCKY
Producers Releasing Corp.
Cleveland, Cincinnati, Indianapolis

ILLINOIS and WISCONSIN
Teitel Films, 851 South Wabash Avenue, Chicago, Ill.

MICHIGAN
Producers Releasing Corp.
2100 Cass Avenue, Detroit

ATLANTA—CHARLOTTE—NEW ORLEA
Affiliated Producers
164 Walton Street, Atlanta, Ga.

Adams Film Exchange
Film Exchange Building, Dallas

ARKANSAS
Central Film Co.
108 S. Cross St., Little Rock

OKLAHOMA
E. L. Walker, 915 N. Lee Street, Oklahoma City

"RED HOT DRAMA—magnificent direction...nothing more thrilling on any screen!"

—Says the N. Y. SUN

"One thrill—one laugh after another . . . dialogue frank, lusty . . . has the sweet music of reality."

W. WARD MARSH

"STIRRING! Has fine combina- tion of drama, romance and action."

CLEVELAND PRESS

"EXCITING! Demands attention . . . welcome addition to screen."

CLEVELAND NEWS

"BRILLIANT" offensive ac-tions of Anzacs . . . theme has irresistible power!"

N. Y. HERALD TRIBUNE

"One of those rare and pleasant surprises . . . excel-ling its advance notices. . . . should be seen by every news-conscious person. Dramatically woven!"

PHILA. DAILY NEWS

"Rip-roaring, hell-bent. Crammed full of action."

SPRINGFIELD NEWS

"YIPPEE — for a brawling boisterous entertainment."

NEW YORK TIMES
See Failure of Minn. Law to Afford Relief

Theatre Plight Blamed On Consent Decree

MINNEAPOLIS, Dec. 1—Intimations that the Minnesota anti-block-of-five law has failed to bring the relief expected of it to the State's independent exhibitors is contained in a message to members of Northwest Allied issued late last week by Fred Strom, executive secretary.

"Exhibitors of the nation, as well as of Minnesota," Strom wrote, "have the consent decree to thank for their present plight. In view of the inordinate earnings and profits of producer-distributors, no exhibitor need question any longer for whose benefit the consent decree was written. It

(Continued on page 6)

Arrest Nick Dean
In Extortion Case

Nick Dean, associate of William Bioff and George F. Browne, was arrested yesterday in Chicago by FBI agents after a search since last July 9, the Department of Justice announced yesterday. Dean is under indictment with Louis Kaufman for allegedly extorting "upwards of $1,000,000" from

a film industry. Dean, also known as Nick Cicrella, is being flown from Chicago to New York, and is expected here this morning to face an arraignment in Federal Court. His apprehension is expected to speed the fixing of a date for his trial on the extortion charge.

According to the Government, Dean acted as agent for Bioff and Browne in the collection of tribute money from the film industry in local situations and particularly from Chicago theatre circuits. Kaufman is free on $1,000 bail.

NBC Shifts Strotz To Coast Operations

In a major shakeup at NBC, Niles Trammell, president, announced yesterday the transfer of Sidney Strotz, vice-president in charge of programs, to Hollywood, where he will be vice-president in charge of Pacific Coast operations for the network. Strotz will be succeeded by C. L. Menser, now national production manager, while Don Gilman, now vice-president in charge of the Pacific

(Continued on page 7)

Ascaps Distribution Drops
To $2,700,000 This Year

Ascaps total distribution to publisher and writer members for 1941 will be about $2,700,000 as compared with $7,000,000 for 1940, Gene Buck, president, reported at the annual meeting at the Hotel Astor yesterday. The drop was occasioned by the "war" with the broadcasters which began Jan. 1. Operating expenses of the organization increased from a yearly average of about $1,000,000 to $1,600,000 this year, Buck said, attributing the rise to the radio "war." Because of the settlement of the feud with all the networks and many of the stations, Buck expects to distribute between $2,500,000 to $3,000,000 from radio in 1942. Other revenue sources should bring the total to $5,000,000, he said.

Buck received a rising vote of confidence from most of the approximately 550 in the audience after he had explained his rejection of a $35,000 annual fee offer he had been making to a publisher group as an inducement to retire. Buck explained that he would not retire unless

(Continued on page 7)

Equity Disturbed at Camp Ban on 'Eileen'

Paul Dullzell, Actors Equity executive president, stated yesterday that the union "is very much disturbed" over the decision of Camp Show to cancel "My Sister Eileen." Members of the cast were given three weeks' rehearsal pay and two weeks' salary.

Dullzell declared that lack of technical equipment was given as the reason for

(Continued on page 7)

Congressman Demands Withdrawal of Garbo Film

Menken to Speak at Cinema Lodge Dec. 9

Arthur Menken, Paramount News cameraman, will be guest speaker at the first Fall meeting of Cinema Lodge of B'nai B'rith, on Dec. 9 in the Grand Ballroom of the Hotel Edison, Arthur Israel, Jr., president of the lodge, announced yesterday. Menken will show "Battle for the Pacific," resume of his travels on the Far Eastern front.

Another speaker will be Judge Jacob Asher, president of District No. 1 of B'nai B'rith. Rabbi Nathan Perlman of Temple Emannu-El will offer the invocation.

WASHINGTON, Dec. 1—Charging that production of "Two-Faced Woman" was an "affront to Congress in view of the industry's promises to put out no pictures offensive to good taste and decency," Rep. Martin J. Kennedy of New York today demanded of Will H. Hays that distribution of the Greta Garbo picture be halted.

Kennedy's letter to Hays was based on criticism by Archbishop Francis J. Spellman of New York that the film was a "danger to the public morality." The Congressman asserted that industry spokesmen had promised to eliminate offensive pictures at recent Congressional hearings, and that proxies

(Continued on page 6)

Ascaps Distribution Drops To $2,700,000 This Year

M-G-M's 'Virginian' To Have Premiere In Lynchburg, Va.

CHICAGO, Dec. 1—William F. Rodgers, M-G-M vice-president and general sales manager, announced at the company's sales meeting here that the "The Vanishing Virginian" will be given a premiere at Lynchburg, Va., on the same broad scale given "Gone With the Wind" at Atlanta.

Rodgers told the meeting, which ended today, that the entire organization from Nickolas M. Schenck, president, down, extends to Thomas J. Comors its best wishes for a full measure of success in his new post as assistant to S. R. Kent, president of 20th Century-Fox.

A dinner was given last night as a testimonial to Comors and to welcome John E. Flynn into the division manager's ranks. Flynn has been appointed Central division manager, succeeding E. K. O'Shea, who

(Continued on page 6)

Edmund Grainger
Republic Producer

HOLLYWOOD, Dec. 1—Edmund Grainger has been signed by M. J. Siegel, president of Republic productions, to a three-year contract as a producer. He will join Republic at once. His appointment is in line with the company's intention to offer contract for "A" playing time, Siegel said.

Grainger, son of James R. Grainger, Republic Pictures president, and nephew of Edmund C. Grainger, head of the Shea circuit, was a producer 10 years with 20th Century-Fox and Universal, and last year with Warners.

Raftery Reveals Decision For Both Companies

BY JOHN SHUMAKER

NASHVILLE, Dec. 1.—United Artists and Universal do not intend to participate in the all-industry unity meeting sponsored by Allied States at Chicago, Dec. 9. Edward C. Raftery, United Artists president and counsel for both companies in the Government's Crescent anti-trust suit here, said today.

Raftery said the main object of the meeting to be an attempt to formulate a system of distribution for use "After the consent decree is thrown out." It was believed that the two companies' decisions not to participate in the meeting was for that asserted reason.

Universal officials could not be reached for comment on Raftery's statement late yesterday.

Counsel Make Final Crescent Arguments

NASHVILLE, Dec. 1—Counsel for the Government, United Artists and Universal Film Exchanges today presented final arguments in the Crescent Amusement Co., anti-trust action in Federal Court here, and indications were that the case, which consumed seven weeks of trial in the Summer, would be in the hands of Federal Judge Elmer Davies by late tomorrow afternoon.

With one exception, all briefs are in. Robert L. Wright, special assist

(Continued on page 6)
'Twelfth Night' On Broadway Tonight

The Chekhov Theatre Players' production of the Shakespearean comedy, "Twelfth Night," begins a limited engagement at the Little Theatre, tonight, after which the company will resume its road tour. The play, directed by Michael Chekhov and George Shdanoff, has in its cast Beatrice Straight, John Flynn, Sam Schatz, Mary Lou Taylor and others.

'Pulham' Opens in Boston Tomorrow

Boston, Dec. 1.—The world premiere of M-G-M's "H. M. Pulham, Esq." based on the novel of the same name by John P. Marquand, will be held at the Loew's State and Orpheum. Wednesday evening Bob Robert Young, the star, and John P. Marquand, author, will make personal appearances at the theatres.

Heads Milwaukee Club


NEW YORK THEATRES

RADIO CITY MUSIC HALL

92nd St. & 6th Ave.

CARY GRANT • JOAN FONTAINE

"SUSPICION"

IN PERSON HARRY JAMES

RAY MILLAND

CLAUDETTE COLBERT

BRIAN AHERNE

IN PARAMOUNT'S "SKYLARK"

EXTRA: RAY BOLGER

PARAMOUNT

NEW YORK TIMES

5 SENSES DAILY

THE SOUTHERN SUNSHINE ROUTE TO

LOS ANGELES

THE MERCURY

(Two Sections)

THE PLAINS

THE SOUTHERN

THE SUN

COUNTRY SPECIAL

In Los Angeles, December 2, 1941

AMERICAN AIRLINES INC.

ROUTE OF THE FLAGS

Train Mishap Delays N.Y. MGM Delegates

Chicago, Dec. 1.—The home office representatives to the M-G-M meeting here reached Chicago four hours late but just in time for the Saturday afternoon sessions which began at 3:30 P.M. A misdirected flight, thrown on the track in front of a train left at Gary, Indiana, to limit near Buffalo, caused the engineer to lock the brakes, putting the train of the New York delegates out of their staterooms and into a halted assembly train at Buffalo.

Dallas Variety Club Heeded by Griffith

DALLAS, Dec. 1—R. E. Griffith has been elected chief banker of the Variety Club here, succeeding Paul Short. Other officers are: Claude Excell, first assistant; W. G. Underwood, second assistant; Ted Dobbs, barker; J. O. Adams, property master; Ed Rowley, S. L. Oakley,永久, and Cherrico, alternates; Jack, Justin McManus, R. J. O'Donnell and Short, canvassers; J. O. Cherry and Burt King, clowns; Jacob Lerner, and B. C. Gibson, alternates.

New officers will be installed Dec. 15. The report of Short showed 43 members, and that the club paid of $14,000 debt for a swimming pool and $5,000 in other charitable obligations. Also, $3,000 was spent to operate Camp R. E. Griffith, where 600 under privileged boys spent Summer vacations on 600 acres donated by Griffith.

Kann's Mother Dies

At 77 of Pneumonia

Mrs. Bertha Kann, 77, mother of Maurice Kann, publisher of Movietone News, died yesterday at Post Graduate Hospital of pneumonia. Funeral service will be private. Also surviving are two children, three other sons, George E., manager, Loew's Willard, Woodside, L. I.; Solly and Benjamin, the latter of Boston; two sisters and two brothers.


CHICAGO, Dec. 1.—The annual Christmas dinner given by the Balaban & Katz Employes' Club will be held at the Stevens Hotel on Dec. 12.
Clearance Verdict
In Jersey Upheld
By Appeals Board

A reduction to seven days of the 21-day clearance of the Cort Theatre, Albany;鲞ville, N. Y., by Samuel Goldwyn, N. J., by Paul L. Liptrap, arbitrator, at the New Jersey local board in September, was upheld on appeal in a decision handed yesterday by the Appeal Board.

The original award, however, set seven days as the maximum “availability” for the Playhouse, Cort, and the appeals board modified it by making the award read “clearance” instead of “availability.”

Of the three parties to the arbitration, the board said: “The arbitrator filed an able analysis of the evidence. His findings are amply supported by the record. His conclusions from these findings, while well reasoned and persuasive, we occur with him that seven days is a reasonable clearance between the Cort and the Playhouse.”

The complaint involved Loew’s, Paramount, Vitagraph, and Century-Fox, and the appeal was made by the intervenor, Sormani Theatre Co., operator of the Cort. Costs were divided equally among the parties involved.

Four Buffalo Complaints

Four complaints were filed yesterday in Buffalo, all on phases of some run and clearance. They are: Ryan’s Ithaca Theatre, Ithaca, naming the Strand, State and Temple theatres, on some run and clearance; Clyde Playhouse, Clyde, naming Schine’s Capital, Newark, and the Olean, Lyons, on clearance; Cuba Theatre, Cuba, charging the State, Palace and Haven, Olean, are favored, and the Astor Theatre, naming the New Family, Batavia. All consenting companies are named in all complaints, except 20th Century-Fox in the Batavia action.

Dallas Case Dismissed

A complaint dismissed at Dallas was the clearance case of B. R. McClenon, operator of the Texan and State theatres, Atlanta, Tex., against the Strand, State and Temple theatres, on some run and clearance; Clyde Playhouse, Clyde, naming Schine’s Capital, Newark, and the Olean, Lyons, on clearance; Cuba Theatre, Cuba, charging the State, Palace and Haven, Olean, are favored, and the Astor Theatre, naming the New Family, Batavia. All consenting companies are named in all complaints, except 20th Century-Fox in the Batavia action.

Murphy Named Aide
To Bradley

James J. Murphy, former regional director for motion picture tribunals West of the Mississippi for the American Arbitration Association, is Bradley, Connard & Co., was appointed assistant to the executive director, J. Noble Bradley, and will be in charge of all tribunals throughout the country.

Samuel S. Perry, former Eastern regional director of the film tribunals, has been named a regional director. A.A.A. states that he will handle general commercial and industrial disputes.

The A.A.A. also announced that Harold D. Conner, St. Louis attorney, has been named clerk of the local board in that city, succeeding C. W. Hudson, resigned.

Reviews

"Ball of Fire" (Samuel Goldwyn-RKO)

S. AMUEL GOLDSWYN has compounded a highly entertaining motion picture from a comic romance which embodies as implausible a collection of characters and incidents as playwrights are likely to devise in their attempts to produce ravishing productions. It is possible that the producers will be rewarded with more than a few laughs from the public. It is provided by a political enterprising theater managers with the help of the best of his comedy portrayals, that of a young professor who is compiling a section on American slang for a new encyclopedia on which he is working with seven other professors. In his search for the latest in slang he is brought into contact with Barbara Stanwyck, as Sally puss O’Shea, night club singer, at the moment at which she is forced to leave the police to avoid questioning in the case involving the demise of a gangster.

Her boy friend is suspected of being a factor in the case. She takes refuge in the professional sanctum, maintained by a charitable foundation. In the four days she spends in the place engaged in aiding Cooper in his research work in slang, love blossoms and the guns of gangsters are unable to keep them apart thereafter.

A uniformly and uniformly excellent cast contribute rich humor, moments of sentiment, incidents of suspense and even excitement, but never quite succeeds in making themselves or their freak lives entirely plausible. However, the result is one that should provide a full measure of entertainment for all audiences and with it, profit for the exhibitor. Outstanding is Howard Hawk’s direction, the performances of Cooper and Miss Stanwyck, those of Richard Hayden, as the gangster; Dan Duryea and Robert Peters as his aides, Alphonse and the six professors.

Running time, 107 mins. “G.”

SHIRWIN A. KANE

"The Body Disappers" (Warners)

The novelty of bodies dissolving on the screen through the use of camera tricks is employed in "The Body Disappers," and the film is dependent to a large degree on the device for its comedy. The general production effort is creditable, especially in the amusing performances of Edward Everett Horton and Willy Best. Jeffrey Lynn and Jane Wyman are the top names in the cast. Lynn is the body of the title and although heard a good deal he is seldom seen. D. Ross Lederman directed, Bryan Foy was associate producer and Ben Stoll associate producer.

The yarn is light but serves adequately, telling of the college professor (Horton), whose serum restores life to the dead, and his experiences with the wealthy beneficent-to-be (Lynn). The patient, who at the outset was intoxicated and not dead, is revived but suddenly disappears. Horton, who must administer an antitoxin within a certain time to Lynn, is suspected by his colleagues of suffering a mental disturbance and is placed in an institution. As this happens, those who take his place in the arm and is unseen thereafter, release him after some harum-scarum sequences. Horton proves his sanity and the efficacy of his serum when Lynn and Miss Wyman are returned to physical being. Best is Horton’s frightened assistant.

Running time, 72 minutes. “G.”

EUGENE ARNELL

"Sealed Lips" (Universal)

Hollywood, Dec. 1

FRESHNESS of idea distinguishes this melodrama of crime, detection and journalism from the welter of product exploiting these three institutions in popular melodrama. Seed of the story is a situation, suspected at the start of the picture and verified subsequently, which has a notorious gangster who is completing a prison sentence turn out to be in fact a double crossed into serving the time for the criminal, who has continued his nefarious activities meanwhile without interruption from the police. The idea is worked out adroitly with such angles as finger-printing and other expedients of identification effectively taken care of.

Players in the film are John Litel, doubling as gangster and prisoner, William Gargan as the detective, June Clyde as the girl reporter, Anne Nagel, Mary Gordon, Ralph Harolde, Joe Crehan, Addison Richards, Russell Hicks, Ed Stanley and many others rounding out a cast which performs ably for the most part, but shakily in some instances.

George Waggner, accountable for the original screenplay from which the film derives its chief strength, also directed the picture. Jack Bernard was associate producer.

Running time, 62 minutes. “G”

ROSEU WILLIAMS

B’way Weekend Is Strong;‘Suspicion,’ ‘Flying’ Out Front

The new Abbott and Costello comedy, "Keep ’Em Flying," at the Criterion, is repeating the box-office performance of last week’s surprise hit, "I Married a Witch." Major effort, "In the Navy." Leading the Broadway parade, the picture brought in $35,000 at the Georgia at the fourth day of its run Wednesday, through Sunday. This is about equal to the "In the Navy" business.

Broadway generally had a good weekend with holdover films dominating. Three pictures are now in a tie for first place, with "Harvey," "For Me and My Gal" and "I Married a Witch". These are "Skylark" at the Paramount, "Suspicion" at the Radio City Music Hall, and "They Died With Their Boots On" at the Strand.

"How Green Was My Valley" at the Rivoli goes into a sixth week tomorrow. "Swamp Water" stayed a fourth week Saturday at the Globe.

"Purchase' Opens Dec. 31

The Paramount has already set its New Year’s Eve show. The show, which is the first ever to open on Broadway, is scheduled under the title of the Bob Hope and Vera Zorina musical, "Louisiana Purchase," with Gene Krupa’s band on the stage.

"Suspicion" with a stage show drew an estimated $57,000 Thursday through Sunday and starts its third week Thursday. "Swamp Water" and "I Married a Witch" at RKO, which opened in engagement with "With Their Boots On" with Woody Herman’s orchestra grossed an estimated $24,600 Thursday through Sunday and also starts a fourth week Wednesday.

The second week of "Skylark" with Harry James’ orchestra and Ray Bolger stops the runs with an estimated $43,000 expected.

"Belong to Me" Big

A new film, Columbia’s "You Belong to Me" with stage show at the Roxy, went over big with an estimated $37,000 for its first three days beginning Friday. The picture will play only one week in spite of this, to be succeeded on Friday by "Rise and Shine.

"How Green Was My Valley" garnered an estimated $13,000 Friday through Sunday, its fourth week, with "For Me and My Gal" at the third day of its run Sunday business at the Globe with "Swamp Water" amounted to an estimated $3,800. "A Date With The Falcon" finished a week’s run at the Rialto with an estimated $4,200 and was replaced yesterday by "A Kid from Kansas.

The Music Hall has booked Columbia’s "The Men in Her Life," starring Loretta Young, to open Dec. 11.

Frosch Will Head Club in Twin Cities


The officers are the officers and Max Torodor, William Elson, W. A. Steffes, Blockey, Eddie Ruben, Ben Berger, Roy Miller and Paul H. Most, induction is planned for about the middle of December. Retiring officers will make their final reports at that time.
COLOSSAL! Terrific! SMASH!

ORPHEUM, ST. PAUL
225% of Previous Abbott & Costello Openings!

"Outrageously funny... Abbott and Costello terrific!"
—William Boehnel, World-Telegram

FOX, DETROIT
150% of Previous Abbott & Costello Openings!

"Fast and funny... one laugh after another!"
—Rose Pelswick, Journal-American

PALACE, STAMFORD
170% of Previous Abbott & Costello Openings!

"Rough and tumble... should tickle almost anyone's ribs."
—Rosely Crowther, N.Y. Times

INDIANA, INDIANAPOLIS
165% of Previous Abbott & Costello Openings!

"... Another natural!"
—Daily Variety

"Will make money!"
—Hollywood Reporter

CIVIC, PORTLAND, ME.
215% of Previous Abbott & Costello Openings!

"A wild comedy... continual laughter!"
—Eileen Creelman, N.Y. Sun

"Hilarious!"
—Howard Barnes, Herald Tribune

BUD ABBOTT and LOU COSTELLO
"KEEP 'EM FLYING"

with

MARTHA RAYE • CAROL BRUCE

WILLIAM GARGAN • DICK FORAN

CHARLES LANG • SIX HITS

Directed by ARTHUR LUBIN • Associate Producer GLENN TRYON

A UNIVERSAL PICTURE

UNIVERSAL'S CHRISTMAS GIFT TO
BROADWAY, PORTLAND, ORE.
275% of Previous Abbott & Costello Openings!

"Reaches the stratosphere for comedy...It's tops!"
-Harold Conrad, B'klyn Eagle

STRAND, BINGHAMTON
160% of Previous Abbott & Costello Openings!

STATE NEW BEDFORD
210% of Previous Abbott & Costello Openings!

MAJESTIC, PROVIDENCE
130% of Previous Abbott & Costello Openings!

"Costello is the funniest comedian since Chaplin."
-Film Daily

"He is in a class by himself!"
-Archer Winsten, N.Y. Post

"One of the funniest comics that ever lived!"
-Lee Mortimer, Daily Mirror

UPTOWN, KANSAS CITY
153% of Previous Abbott & Costello Openings!

RIVOLI, TOLEDO
150% of Previous Abbott & Costello Openings!

What a RAVE from the New York Daily News!

"CAPACITY CROWDS to 2:30 A.M."
-Astor Theatre, Reading, Pa.

"The answer to a box-office prayer!"
-Motion Picture Herald

"Score another for Universal!"-Motion Picture Daily

"UPENDOUS! Take your choice!"
Counsel Make Final Pleas in Crescent Case

(Continued from page 1)

tant to the U. S. Attorney General today filed the Government's reply brief to the defendant exhibitors' brief, and announced the reply brief to de- fendant distributors' briefs filed Nov. 25, would be filed Dec. 10. Judge Davies has reserved judgment until the end of November before the end of December.

Wright today charged both defense and plaintiff exhibitors with being at fault in the elimination of independent competition.

Charges 'One-Way Deal'

He described as "strictly a one way proposition" the alleged practice of "time restriction," by which film contracts with independent exhibitors at the same time they were negotiating with Crescent for a circuit deal to include the towns in which the indepen- dents operated.

The distributor, Wright said, "has the power to gaslight nothing to lose by holding out the hope of a film contract to the independent when actually the circuit deal is the one that and the circuit get together.

Willard McKay, counsel for the Schine Circuit, whose anti-trust trial is expected to begin late in February, was present for the arguments.

Raftery's Argument

Edward C. Raftery, president of United Artists and counsel for U. A. and Universal, insisted that a fair franchise would result.

The distributor, he said, has a real stake in making a fran- chise. A franchise may assure an outlet for films and it may help a distributor to establish an exhibitor in a position against another distributor, he said. The distributor, he said, wants to contract for more than a year's product.

Declaring the Government was at- tacking everything. The "time restriction" of customers, Raftery asserted U.A.'s output was only five percent of the total films produced by the eight majors and asked, "How could we be a party even to substantial restraint of interstate trade?"

Arguments Based on Briefs

The arguments of Raftery and J. D. Mosby, of Nashville, also of U. A. and Universal, were almost exclusively based on their brief filed last week.

A. A. Mosby declared that "time and time again" independents admitted on the stand that Universal and U.A. sold every film on satisfactory terms. U.A.'s 63 and 71-situation blanket deals with Crescent, he said, were made "for perfectly proper commer- cial purposes."

Two cases of alleged discrimination by U.A. and one by Universal brought the attention of Raftery from its policy that these "isolated, sporadic and doubtful cases" cannot be used either to set up intent to conspire or conspiracy.

A. A. Mosby delivered the longer argument on behalf of the Government. He commented that the defense in the course of the trial had dis- missed as "Tennessee horse trading"...
Osborne in Tribute
To New Camp Shows
Brigadier General Frederick, Osborne of the U.S. Army, Morale Branch of the United States Army, commenting on the entertainment prepared for the troops, said: "The U.S.O.-Camp Shows, Inc., said, 'The combined forces of America's entertainment industry have accomplished a tremendous task which will go far to keep morale high.'

Equity Disturbed on 'CampBan on 'Eileen'
(Continued from page 1)
he closing, and that this should be remedied promptly.
Saying that he had received information Sunday for losing had been a question about "the moral tone of the play, Dullzellers," the postmaster on the basis of a report from one of the officers of the. "I don't know how the man's administration," said Dullzells, "is furnished by the fact that the New York City Civic Theater Program set up by Alfred Harding, Equitable Theatre, and also worked with Bert Lytell on the army entertainment program, is this afternoon offering 'My Sweet Eileen' to 900 high school students at the request of the schools themselves. Lawrence Phillips, executive vice-president of Camp Shows, denied that any censorship by his own organization or the Army was involved.

New York City Drops Television Set Tax
In response to a request from FCC Commissioner George F. Kasel, New York City has decided to drop the collection of the $2 monthly tax on television receivers in public schools pending the outcome of a court test was pending but it probably will be dropped, too. Flye made his appeal to the city on the basis of "public service," but in the interest of an infant industry.

Bickel Funeral Sunday
RACINE, Wis., Dec. 1—Funeral services will be held today for John F. Bickel, father of Fredric Bickel, who died last week in the home of a daughter in Centralia, Wash. Bickel, 117 years, George Riple.
Bickel is survived by two other sons, Harold L. Bickel, Los Angeles, and John Bickel, Syracuse.

Rites for Mrs. Hoyme
PHILADELPHIA, Dec. 1—Funeral services were held Saturday for Mrs. James L. Flye, No. 17 years receptionist in the offices of the Warner theaters circuit here.

E. J. Callahan Dies
CINCINNATI, Dec. 1—Edmund J. Callahan, 63, veteran stage hand, died last night from blood poisoning following the amputation of his leg due to accident at the RKO Studio in April.

Illinois Allied to Use Air
To Promote Attendance
Ausc's Distribution
Down to $2,700,000
(Continued from page 1)
writer-members desired it. Billy Rose, the producer, supported Buck while Saul Bornstein, president. Trumbull explained that the publishers wanted a "business man's" administration. Election of officers has been abandoned.
Buck appointed a 12-man board consisting of six publisher members of the board of directors and three each of writers and publishers from the general membership to consider resolutions and suggestions for reclassification of membership and methods of Century Theater. Most prominent of these is the "Edgar Leske Plan," a method which proposes that payments to writers as director, have be
dings be cut 50 per cent, with the other half paid on the basis of radio performances of the writer's composition.

Davies to Preside at Dinner for Morrow
Elmer Davies, CBS news analyst, will preside tonight at a dinner given by William S. Paley, CBS president, to Edward R. Morrow, CBS's Europe staff, at the Waldorf-Astoria. Morrow returned recently from London.

New York; broadcast, starting at 9:30, will originate at the dinner.
Morrow, Paley, Davies, Archibald MacLeish, chief librarian of the Library of Congress, and William L. Shirer, former CBS correspondent in Berlin and now news commentator here, will speak. The program will be a dramatic sketch on the subject of freedom of speech. Among those expected will attend will be Leon Henderson, James L. Flye, Alfred Smith, Lt. Gov. Charles Poletti, Most Rev. J. Francis A. McIntyre, New York City, Paul B. West, Kenneth Cooper, Joseph V. Connolly, Hugh BAille and Robert Sherwood.

To Use Orchestra
At Buffalo Theatre
BUFFALO, Dec. 1—Robert T. Murphy, manager of the Buffalo theater, has announced that the theater will install a full-time orchestra Dec. 18. Musicians, with Meyer Pollack as conductor, have been engaged for 10 weeks and, according to Murphy, their contracts will be renewed.

The new musical unit is planning a Christmas feature piece as an overture to "Dumbo" opening Dec. 18.

Gossage Elected by AFM Local in Ottawa
OTTAWA, Dec. 1—Harry Gossage has been reelected president of Local 180 of the American Federation of Musicians for the seventh year.

Gossage is interested in the plans of the musicians here are: vice-president, Don Lyon; secretary, Fred Mulhollan; treasurer, Vivian Solomon; and executive members, Albert Mittlestadt, Dirk Keetbass, Charles Wimpers.

FCC Sees Test of Color Television
The full FCC membership yesterday saw a color television demonstration here by NBC. Color was received on a standard size receiver and a somewhat larger model simultaneously with black and white on the two sets for comparison.

When commercial television was announced here, it was said that work was done with instructions to the licensees to prepare a report on color for Jan. 1. Yesterday the up date was that the progress made, although both the FCC and the industry were not optimistic, do not want to color should not be standardized at this time.

NBC Shifts Strotz
To Coast Operations
(Continued from page 1)
Coast operations, will be placed in charge of public relations there. A. E. Nelson, assistant vice-president stationed in San Francisco, will continue in his post. Strotz was named executive vice-president of the entertainment and supervision of Strotz. All appointments will become effective January 1.

Strotz joined NBC in Chicago in 1933 as manager of the program and artists' service department. He became vice-president in charge of the Central division in 1939, succeeding Trammell who was then named executive vice-president. Strotz was named vice-president and executive vice-president in charge of programs shortly after Trammell was elected president.

Phil. Club to Give
Paralysis Aid Fund
PHILADELPHIA, Dec. 1—Highlight of the sixth annual Variety Club banquet on Thursday will be the presentation of $4,000 by retiringChiefer Earle W. Sweigert to Dr. Herbert B. Goddard, director of schools, to be used to expedite and partially support medical work among spastic cases of infantile paralysis.

The Willis Martin Hospital to be used in spastic work for paralytics will be presented Wednesday by the Ladies Auxiliary of the Variety Club at a luncheon. At the speakers table will be Dr. Walter C. Cornell, director of public schools; Dr. G. S. Mendell, director of the Martin Hospital; Frank L. MacNamee, of the Infantile Paralysis Foundation; Bishop O'Connell, Democratic city chairman; Chief Barker Earle W. Sweigert and Jay Emanuel.

RMA to Meet in Chicago
Paul V. Galvin, president, of the Radio Manufacturers Association, has called a directors meeting for Thursdays at the Palmer House to consider national defense cooperation, priorities and similar problems.

Sues Abbott and Costello
NBC, Bud Abbott and Lou Costello, Standard Brands, Inc., and J. Walter Thompson Co. were named defendants yesterday in a plagiarism suit filed in U. S. District Court by Barney Gerard.
She's the Sweetheart of the Fleet

She's a Honey!
She's a Lulu!
She's the Queen of Honolulu!

She rocks the screen in this rhythm-roaring battle of gobs, gags and gals!

Lupe Velez

HONOLULU Lu

Leo Carrillo · Bruce Bennett

Screen play by Elliot Gibbons & Paul Yawitz · Directed by CHARLES BARTON
Produced by WALLACE MacDONALD
A COLUMBIA PICTURE

Released Dec. 11
RCA Theatre Television Off for Emergency

Defense Technical Needs Hinder Installation

RCA, which demonstrated large screen television television to the industry last May, has virtually abandoned plans for installation of television receivers in theaters during the period of the emergency, it was said yesterday.

The principal reason given was the lack of engineering talent required for such installations. Most engineers are vitally needed in defense work, it was pointed out, and it is difficult to obtain a sufficient number even for existing services.

Other factors named were the lack of materials because of defense priority.

(Continued on page 8)

Taplinger Leaves WB Publicity Post

Robert S. Taplinger yesterday announced his resignation as Warner Brothers' public relations manager, the resignation to become effective within 10 days. No successor was announced.

Taplinger said he expected to announce his future plans within a few weeks. It has been reported that he will return to the Coast. He was transferred to New York several weeks ago after having served as studio publicity director since 1937.

In connection with the resignation, L. A. Warner, vice-president in charge of production, now in New York, told Taplinger: "Bob Taplinger leaves us carrying with him our high esteem and our very best wishes for his future. He has made a fine record in the motion picture industry in the past four years. Good luck to him."

Name Winners in 20th-Fox Contest

All-expense, two-week vacations for two at Sun Valley, Idaho, were awarded yesterday to winners of the 20th Century-Fox nationwide "Sun Valley Serenade" showmanship contest. The judges met at Toots Shersh's restaurant.

The five winners are: Dan Terrell, Loew's Palace, Washington; Herman Kurslen, Fox Theatre, San Francisco; Nick Dean, Warner Brothers Theatre, New York; Nick Dean, also known as Nick Cirella; and Robert Fisher, Loew's State Theatre, Philadelphia.

Nick Dean Is Held In Bail of $25,000; Pleads Not Guilty

Nick Dean, also known as Nick Cirella, a former representative of George E. Browne when the latter was IATSE president, was held in $25,000 bail yesterday by Federal Judge Henry W. Goddard. Dean interposed a plea of not guilty to the indictment returned against him and Louis Kaufman, business agent of the Newark operators' local of the IA, in which Browne and William M. A. Boff are also named as co-conspirators although the latter two were not named in this indictment.

U. S. Attorney Mathias F. Correa asked Judge Goddard to stipulate that union funds were not to be used for the posting of bail, as was done in the case of the $50,000 bail for Browne and Boff and Dean's attorney agreed. Up to the time of closing of court yesterday, the bail had not been posted.

At Correa's request, the trial date was set for Jan. 6 but it was indicated later that there is little likelihood that the U. S. Attorney will be ready to proceed on that date.

Song Renewal Right Vested in Publisher

The U. S. Circuit Court of Appeals yesterday in a test suit ruled that the renewal rights to a song copyright are vested in a publishing house which employed a composer rather than the composer himself. The court upheld a decision of Federal Judge Grover C. Moscoowitz which awarded renewal rights to the song, "Come, Josephine," to the plaintiff, Shapiro, Bernstein & Co., as against the composers, Fred C. C. Correa, Eastern, Southern and Canadian sales manager, who is joining 2nd Century-Fox.

1,000 Attend CBS Dinner to Murrow

More than one thousand notables of the worlds of films, art, the press, music, radio, labor, industry and government were guests of William S. Paley and CBS last night at a gala dinner in honor of Edward R. Murrow, chief of European staff of CBS, at the Hotel Waldorf-Astoria last night.

The program was broadcast over

Decree Takes Industry Out Of Judiciary, Court Hears

Radio Music Fees Frozen in Canada

Toronto, Dec. 2.—Harry Sedgwick, representing the Canadian Performing Rights Society and BMI of Canada for continuance of the 1941 license fees next year.

The royalties will be maintained at

By JOHN SHUMAKER

Nashville, Dec. 2.—By entering the consent decree, the Government sacrificed any principles of law it may have had in its anti-trust actions against the motion picture industry, W. H. Mitchell of Florence, Ala., counsel for some of the defendants, charged today in final arguments in the Crestmont Amusement Co. anti-trust action.

"The consent decree takes the industry entirely out of the realm of the judiciary," declared Mitchell, He

Censor in NY Bans Only 8 Films in Year

4 Later Approved; Total Of Cuts Down to 503

By RICHARD J. CONNERS

Albany, Dec. 2.—Only eight films were banned in their entirety, of 1,702 reviewed by the Division of Motion Pictures of the N. Y. State Education Department (censor board) during the year ended June 30, last, according to the report of Irwin Esmond, director, filed with Commissioner of Education Ernest E. Cole.

Of the eight banned, four were later lifted on re-revision. In the previous year 1,762 were reviewed, of which nine were banned, but all later licensed after revision. The reduction in the total of films reviewed was ascribed to the 177 fewer foreign-made pictures shown, those dropping from 458 to 311.

In the more recent year, 303 eliminations of scenes, subtitles and dialogue were ordered in 68 films on statutory grounds, compared with 926.

Denies William Fox Bid to Change Plea

PHILADELPHIA, Dec. 2.—Permission to change his plea of guilty to not guilty on charges of conspiracy to obstruct justice and defraud the United States was denied William Fox today by Federal Judge Guy K. Bard in Federal Circuit Court.

The judge also denied a petition to reconsider Fox's sentence, and Fox continues under bail until his appeal is heard by the United States Circuit Court of Appeals. United States Attorney Gerald A. Gleeson, who said he was acting under instructions from Attorney General Biddle, joined in the

Six Reviews Today

Maybe He's AWOL
Philadelphia, Dec. 2
IT happened to Samuel Rosen, Monogram branch manager. Sending the film, "Two Faced Woman," to Italian town to be shown there, he sent an urgent telegram: "Have been informed Sergeant Mulligan to Lebanon. Please pick up." He received a reply from one of the commanding officers at the camp which read: "We have no Sergeant Mulligan stationed here."

W’Woman’ Shown for St. Louis Officials
St. Louis, Dec. 2—A screening of M-G-M’s "Two Faced Woman," robed in secrecy, was held here to night for Prosecuting Attorney James P. Finnegan and civic leaders, including Mrs. Jacob M. Lashey, president of the Missouri Woman's Club, and Reporters were barred and no one would comment, although a conference of officials was held after the screening. The film is one of the six major advertisements announcing the film's opening at Loew's on State Thursday.

Goldenson, Dembow
To Southern Meet
Leonard Goldenson and Sam Dembow, Paramount branch executives, will leave for New Orleans to attend the meeting of Paramount Northern and Western theatre associates at Blackstone Hotel in Chicago today.

Canadian Exhibitor Dies
Toronto, Dec. 2—Fred Guest, 77, pioneer theatre owner of Hamilton Ont., and Vancouver, died at Hamilton in an illness of some weeks. During the past few months he had sold his Stanley Theatre in Vancouver to Famous Players and three Hamilton houses to M. A. Milligan, former Canadian general manager of Paramount Film Service.

Personal Mention
HARRY M. Kalmin, Leonard Schlesinger and Homer Gold- emberg are expected today from Albany.

Morey Marcus, newly appointed United Artists to plans to spend the holiday days with his family on the Coast.

David Rose, Paramount managing director for Great Britain, is scheduled to arrive here Monday on the Zephyr. He is general manager for the film industry in Canada before entering into other new orders affecting the business.

This declaration was made in connection with the new regulations which have placed a "ceiling" on all theatre admission prices for the duration of the war and have pegged the salaries of certain employees, provision being made for a bonus system governed by departmental statistics showing the cost-of-living trend.

For Heads in Atlanta
On Franchise Deal
James R. Grainger, President of Famous Players Canadian Corp. has come out with the suggestion to the Dominion Government that the Federal authorities should confer with representatives of the film industry in Canada before putting into effect any orders affecting the business.

Ask Consultation on Canadian Film Edicts
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Officers Installed
By Cincinnati Club
CINCINNATI, Dec. 2.—Approximately 100 barker...became head Barker of the Club. William Davaney, second assistant; Saul M. Greenberg, property master, and Peter Nifland, first assistant, of the Probate Court, was toastmaster.

Variety Club Heads
Anma Honor Guests
The Variety Clubs and their national headquarters in Philadelphia, Washington, D.C. and T. J. O’Donnell of Dallas, will be honored by Anma at a luncheon meeting at the Hotel Edison, Dec. 2.

Harry and O’Donnell have been asked to talk of the work of the Variety Clubs in meeting the needs of disabled soldiers, sailors, amongst children. Others active in Variety Club work also are scheduled to speak.

A. W. Ensminger Dies
BUFFALO, Dec. 2.—Austin W. Ensm- inger, 48, owner of the Riel, Colonial and Canada theatres here, died yesterday. He was connected with the theatre business for 14 years. Funeral services will be held from his home Thursday.

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Officially Installed
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TALK ABOUT NEW YEARS!

"How about celebrating the holiday at a nice HISTORICAL picture?"

"There's also an interesting PROBLEM picture we could go to."

"I guess I know what you want! Something gay, peppy, with music!"

"Of course! The best of them all! Mickey Rooney, Judy Garland in 'Babes on Broadway'?!

Above: The rousing 24-sheet shouts its gay message!

400 Prints for Happy Holiday Bookings!

The first trade show of "Babes on Broadway" confirms everything you've heard! The news is sweeping every Film Row like wildfire! A fortune in receipts, a fortune in patron joy awaits 400 lucky theatres at New Years! Be friendly to your public with The Friendly Company's "Babes on Broadway!"
12 New Films Finished; 43 Now in Work

Hollywood, Dec. 2—Forty-three pictures were before the cameras this week. The first fifteen were finished and 11 were started. Twenty-six are being prepared, and 48 are being edited. The tally by studio:

**M-G-M**
- In Work: "Trinidad," "Martin Eden," "Shut My Big Mouth."
- Started: "After the Alamo."

**Paramount**
- In Work: "To Be or Not To Be."

**RKO**
- Finished: "The Falcon Takes Over."
- In Work: "Lam and Abner No. 2," "Power Town."

**Republic**
- Started: "Pardon My Stripes," "Cowboy Serenade," "Man from Yenene."

**Roach (U. A.)**
- Finished: "Brooklyn Orchid."

**Universal**
- In Work: "Cough as They Come."

**Warner Brothers**
- Finished: "Always at Heart."
- In Work: "In This Our Life," "Lareny, Inc.," "Jake Girl," "Arsenic and Old Lace."

3 Companies Formed

**Albany, Dec. 2—**Three new companies have been formed here. They are: Lindenhurst Theatre Co., Inc., Bay Shore, L. I., by Sylvia Goodman, Lillian Dinny and Loretta Brown; H. B. Self, Inc., New York, by Harry G. Kosch and others; and Park-Circle Theatre, Inc., New York, by Miss Monsoon, Adeline Kaplan and Stella Dyke.

Headsophilia, RCA Office

**Philadelphia, Dec. 2—**Ken P. Haywood has been placed in charge of a service office opened here for the first time by RCA Photophone.

Reviews

"All Through the Night"
(Warners)

Hollywood, Dec. 2

A MELODRAMA of the moment, with violence, murders, fights, plots, counter-plotting, mugs, thugs, and, finally, Nazi fifth columnists, this Jerry Wald production directed by Vincent Sherman presents Humphrey Bogart as a New York racketeer who becomes a front-page hero by turning his underworld talents and associates to the business of outfitting saboteurs who plot to sink an American battleship on New York's doorstep. The picture has a world of gusto, a wealth of complications, lengths of alang-la-lang of conflict and struggle.

Seen with Bogart are Constance Veidt as the Nazi chieftain, Kaaren Verne as a girl in his power, Jane Darwell, Frank McHugh, Peter Lorre, Judith Anderson, William Demarest, Jackie C. Gleason, Phil Silvers, Wally Ford, Barton MacLane, Ed Brophy and a dozen other dependables.

The Nazi aspect is come upon midway in the screenplay by Leonard Spiegelgass and Edwin Gilbert, from a story by Spiegelgass and Leonard Q. Ross, although its work has complicated the hero's existence prior to that. It's a neat trick of development and goes far toward offering up a little to the plot. It requires a lot of story.

Not to be confused with the everyday anti-Nazi film, nor the everyday metropolitan gangster melodrama, the production is timely, off the beaten track and fast, save for some speeches.

Running time, 105 minutes. "G."* 

ROSCOE WILLIAMS

"You're In the Army Now"
(Warners)

TWO more zanies, this time Jimmy Durante and Phil Silvers, find themselves enrolled in the U. S. Army and make a shambles of discipline and regulations with their antics. It is all good fun of the tried and true slapstick variety and should please the cash customers, although the comedy bogs down on occasion.

Mainly, though, the slapstick keeps moving along and includes such items as the rookie losing his clothes because they are too large; a tank running wild with Durante at the controls; an innocent visit to the target end of a rifle range; a house being dragged through the streets on a tank while the occupants think an earthquake has struck; the same house getting off an accident explosion of shells has blown away the foundation; officers trying to make speeches after a rookie has dropped alum in the lemonade; salesmen lining up the house in an effort to sell vacuum cleaners, and similar items all done before but still good for laughs.

The Duane and Silvers, two salesmen, try to sell a recruiting sergeant a cleaner, but wind up as enlistees. They find Jane Wyman as the colonel's daughter (Donald McBride is the colonel) and she asks his aid to convince her father to submit to mechanization of his outfit. Both Miss Wyman and Durante are heard in songs. Others cast include Regis Toomey, George Meeker, Joseph Sawyer and William Haade. Lewis Seiler deserves credit for the direction so ably suited to a comedy of this type. Ben Stoloff was associate producer.

Running time, 79 minutes. "G."* 

EDWARD GREIF

"Steel Against the Sky"
(Warners)

A NOTHER in a series of productions extolling the exploits of those whose dangerous day-by-day labor makes modern-day civilization possible. "Steel Against the Sky" tells the tale of men who build bridges. In it, A. Edward Sutherland, who directed, scores a smash climax with a sequence showing what happens when a derrick breaks loose on top a half-completed bridge during a driving snow storm.

The fury of the winds, the danger lurking in every step on the ice-coated girders and the tremendous force of the loose derrick swinging in the gale are presented with breath-taking dramatic impact and are likely to be remembered as one of best sequences of its kind.

Unfortunately, however, some weak comedy makes up the early part of the film and prevents it from getting off to a faster start. The story concerns itself with three brothers, Lloyd Nolan, Edward Brack and Craig Stevens, who live with their crippled father, Edward Ellis, and follow the trade he taught them, bridge building. Stevens, the youngest, is out of much account until he falls in love with Alexis Smith, whom Nolan also loves. Stevens and Nolan vie for her attentions and a serious family quarrel starts, but it is settled during the storm sequence, and Stevens wins Miss Smith. Walter Catlett, as a "professor" constantly working on his worthless inventions, is responsible for the comedy. Edmund Grainger was the associate producer.

Running time, 86 minutes. "G."* 

EDWARD GREIF

Theatre Changes

Plan Philadelphia Drive-In

**Philadelphia, Dec. 2—**Two opera air theatres, each with a car capacity ranging from 800 to 1,000, will be established here next Spring by the E. M. Loew circuit. Larry Lasky, a member of the city's leading real estate deals calling for drive-in to be established in W. Philadelphia and the other in a northern section.

Takes Upstate Houses

**Albany, Dec. 2—**Mitchell Corner who operates a group of houses in Schohorte and Otsego Counties, N. Y., has taken over the Casan in Watertown, N. Y., and a house in Greys Island, N. Y., from Victor Bunze.

**Chicago Theatre Sold**

**Chicago, Dec. 2—**The Oldale Theatre here has been sold by Lestie Reshini to the Bartelson Bros. circuit.

**Acquires N. Y. State House**

**Fort Edward, N. Y., Dec. 2—**Harry Lamon, independent operator with theatres at Hudson, Greenville Alton and Berlin, N. Y., has take over the Bradley Theatre here.

**Buy California Theatre**

**Waltham, Dec. 2—**Hazel M. Gilbert and Ray E. Hively have bought the Walnut Grove Theatre from Harriet Harvey.

**Shift Connecticutt Managers**

**New Haven, Dec. 2—**Nat Rubi formerly manager of the Loew-Poll here, has been named manager of the new Lyric, Bridgeport, Conn. Frank Hanus, former student assistant at the Loew-Poll, has been promoted assistant and Herbert Coleman of the Bijou has taken Hanus's post at the Loew-Poll.

**Named Exploitation Manager**

**San Francisco, Dec. 2—**Richard Romo of the Fox Theatre advertising staff has been made exploitation manager of the Warfield. Both are Fox West Coast Theatres.

**Named Assistant Manager**

**Walnut, Va., Dec. 2—**Long Gibbs, cashier at the Colonial Theatre here, has been named assistant manager, succeeding Gerald Trout who has entered the Navy.

**Assistant Manager Shifted**

**York, Pa., Dec. 2—**Jerome Vau Brackle, assistant manager of Warner's Ritz, has been transferred to that circuit's Capitol here, succeeding Jack Kinney, assistant manager to Harry Olimstead.

**New Theatre Film**

**Sacramento, Dec. 2—**Saturday Theatre, 600 to 1,000 capacity, incorporated here to operate a California circuit with head quarters in San Francisco. Directors are Selden L. Atwater of Alameda and Leslie M. Kessler of Albert H. Kessler, both of Berkeley.

**House Shifts to Duals**

**Rochester, Dec. 2—**Departing from its long-established one-leasing policy, the Little Theatre will show "The Story of the Vatican" and "The Adventures of Cheo" next week.
Pizor in Complaint; Dismiss D.C. Case

An arbitration complaint on clearance was filed at the Philadelphia arbitration board by Lewen Pizor, exhibitor organization leader, on behalf of his Tioga Theatre, yesterday, while a Washington complaint was dismissed and one was withdrawn in Chicago.

Second Complaint

Pizor filed a clearance complaint last July on behalf of the Tioga, naming Warners, Paramount and 20th Century-Fox, which was subsequently withdrawn, following a reported settlement. The new clearance complaint names only Paramount and charges that the distributor ordinarily gives the competing Warner Strand 30 to 40 days clearance over the Tioga. It asks an award fixing the maximum clearance of the Strand at 14 days over the Tioga. The Keystone and Great Northern theatres are named as interested parties.

The Chicago case withdrawn was that of the Ogden Theatre, operated by Ben Cooney and Harold McFarland. It is a five-consenting companies and alleged unreasonable clearance in favor of the Marshall Square Theatre. A settlement was reported to have been reached.

Linden Loses Case

At Washington, Milton W. King, arbitrator, dismissed the clearance complaint of the Linden Theatre, Baltimore, against Warners, Paramount and RKO, saying that the plaintiff had failed to uphold its contention that the 14 days clearance granted the Met Theatre over the Linden is unreasonable. James Hayes and Robert Sher, former assistants to the U. S. Attorney General, who aided in the drafting of the consent decree, were counsel for the plaintiff in the case.

Walsh Asks 702 Be Named at Para. Lab

Richard F. Walsh, IATSE president, has written Barney Balaban, president, asking that Laboratory Technicians Union, Local 702 of the IA, be recognized as the collective bargaining agency at Paramount's Long Island laboratory, it was learned yesterday. At present, the company has an agreement with an independent union which does not expire until April 30.

Denies William Fox Bid to Change Plea

(Continued from page 1)

A request made yesterday by Fox's counsel.

Fox was sentenced recently to a year and a day and a fine of $3,000 on the conspiracy charges. He was the leading creditor against J. W. Davis, resigned U. S. Circuit judge, during a recent trial on similar charges. After two disagreements, the indictment against Davis was quashed.

Schneck Appeal to Be Argued Today

Appeals from judgments of conviction on income tax evasion charges in the cases of Joseph M. Schenck and Max Schenck will be argued today in the U. S. Circuit Court of Appeals here today.

Review

"The Vanishing Virginian"

(M-G-M)

Here is a picture of unusual charm; the charm of friendly, civilized people and their kindly way of life; the nostalgic charm of beliefs, traditions and loyalties of the days that are past but whose passing has enriched and endeared them in the memories of many. And it is a picture which because of its substance, its lack of marquee glamour names and its unraveling title challenges every exhibitor who plays it to get from it the rich rewards which are there waiting for real showmen. It will pay off only in proportion to the exhibitor's ability to realize what he has in it and to communicate that realization to potential customers. Whatever the effort in this respect, the picture merits it and the exhibitor enjoys it, if it is destined to meet with the pleased patrons and new patrons.

There is in it no story that submits to critical analysis. It is an account of the days and the years and a family of Virginians of a generation ago. The love of the parents, Frank Morgan and Spring Byington, and the long professional career of Morgan as public prosecutor in Lynchburg, Va., provide continuity rather than story and plot.

Despite the absence of an easily recognized, standard plot, the picture is not episodic, at least, no more consciously episodic than everyday life. The family members are well-drawn characters who catch and hold audience interest, who succeed in making you care what happens to them this year and the next and the one after that. Wisely, Frank Borzage's direction has seen to it that not all that happens are high spots. He has caught the uneven tenor of family life, the humdrum as well as the joys, the sorrows and the loves. Yet scenes like the funeral of the old, colored family retainer, a rescue of children at play from an enraged bull, a family gathering on a porch-front at dusk, a reunion after father's death, a memory that other than their sheer human essence must must and hold the sentiments of many.

Kathryn Grayson, Natalie Thompson, Juanita Quigley, Scotty Beckett and Dickie Jones are uniformly appealing as the children. Leighton Whipper, as the colored retainer, does an outstanding characterization. Louise Beavers is good as his wife. Lesser parts are capably handled. Edwin Knopf produced.

Running time: 93 minutes.
Censor in NY Bans Only 8 Films in Year

eliminations in 111 films the previous year.

Statutory reasons were: indecent, 241; inhumane, 35; tending to incite to violence, 173; tending to corrupt morals, 195, and sacrilegious, 14.

Reduction in rejections and eliminations was due, Esmond said, in part to frequent conferences between his division and license applicants, as well as with producers and exhibitors, whereby it was possible to suggest a plan of revision of pictures in order to relieve them of objections under the statute.

Record Receipts in Year

Gross receipts of the division for the year ending June 30, 1941, were the greatest in the 20-year history of the organization. Total revenue totaled $316,095 for the 12 months, as against $311,800 the preceding year. Expenditures were up to $88,416 as contrasted with $82,877 in 1940. Net profit item, the state of $247,677 against $247,922 for 1939-40.

The board's inception Aug. 1, 1921, to June 30, 1941, the state has received $4,710,170, exceeding a total of $1,446,521, with net revenue of $3,263,649. Revenue is derived chiefly from a charge of $3 per reel on originals and $2 per reel on prints.

From 22 Countries

Although foreign pictures dropped sharply, Esmond reported the same number of prints had been imported as in 1940. The picture year, 1941-42, included 1,017 prints in all. This equals the total of 1,017 prints in 1916, the year of the world war, or almost the total of 1,028 prints in 1911, the first year of distribution of foreign films.

300 at Screening of Warner Ballet Shorts

"Spanish Fiesta" and "The Gay Parisian," Warner two-reel subjects featuring the Ballet Russe de Monte Carlo, were screened yesterday at Felt's Monte Carlo for an audience of about 300 persons, including General Eleaner Lopez-Contreras, president of Venezuela; many of New York's Social Registerites, film personalities and the press.

Among those attending were Tamara Toumanova, Mrs. Leonore Warner, Jeffrey Lynn, Monty Woolley, Dorothy Kilgallen, J. Reagan McCary, Irving Kolodin, Mark Hanna, Miss H. B. Warren, Randolph Hearst, Tom Beck, A. G. Vanderbilt, and Lucius Beebe.

Variety Club Elects In Baltimore Tonight

BALTIMORE, Dec. 2 — Baltimore Tent, No. 19, of the Variety Club will hold its annual election of officers tomorrow night. A special party has been arranged for entertainment of the voters.

RKO Annual Drive Will Begin Dec. 2

The RKO annual billings drive will be known as the 1942 Neat Depict Drive, and will run for 20 weeks from Dec. 2 to May 8. Depict a vice-president responsible for distribution.

Nat Levy, Eastern district manager, will be drive captain, and will travel to all of the house organs, will start Monday on tour of exchanges.

Sales Manager A. W. Smith, Jr. Eugene "Gene" Mochrie, Eastern Division Manager; Walter Branson and Canadian Division Manager, have been outlined to join the trip at intervals during its visit to 38 branches in the United States and Canada. The various district managers also will tour with the captain in their respective territories, which include: Northeastern, Gn Schaefer; Eastern Central, Charlie Boasberg; Southeastern, Davie Price; Midwestern, Jack Osserman; Prairie, L. E. Goldhammer; Rock Mountain, H. C. Fuller; Western, H. MacIntyre.

Elliott to Do Jungle Film for Monogram

Hollywood, Dec. 2 — Clyde F. Elliott, producing director of Frank Buck's "Bring 'Em Back Alive," has signed with Monogram to produce a new adventure film in the South American wilds.

We will leave shortly for a stay several months in the jungles of Matto Grosso and the Amazon area. He plans to expose about 200,000 feet of film. The picture will trace the adventures of a young man exploring the jungles. The tentative title is "Catch 'Em Alive."

PRC Expands Its Field Sales Force

The field force of Producers Releasing Corp. has been expanded by Arthur Greenblatt, general sales manager. New salesmen appointed are Oliver W. Long, Los Angeles; George Cooper, Milwaukee; J. B. Cummins, Atlanta; J. Brimmer, Omaha; F. L. Orton, Chicago.

A number of new circuit deals in the Midwest, South and East have been closed, according to Leon Fronkess, exteutive vice-president.

Form Producing Firm

SACRAMENTO, Dec. 2 — Capitalize at $200,000, a producing company has been incorporated here to produce motion pictures and television programs.

Housewife Matinee

Philadelphia, Dec. 2

LOCAL theaters offer dense worker matinees as the season for the conicience of such patronage, and now the 56th St. Theatre comes forward with "Land Of the Housewife Matinee." To enable the housewife to come early and leave early, and to see the whole afternoon show, the new policy calls for the matinees to start at 1 P.M., house closed at 2 P.M.

The policy will prevail from Mondays through Fridays.

Reviews

"Babes on Broadway"

(Washington, D.C.)

WHEN the title-card reading "Mickey Rooney and Judy Garland in —-" flashed on the screen of the Alexander Theatre in Glen- dale the paying guests shrieked their delight. When the next title-card announced "Babes on Broadway" they screamed anticipation of the entertainment to come and settled into their seats in a rush of expect- ation. Thereafter they alternated between chuckles, howls, bursts of applause and stretches of restlessness, punctuated by a couple of touches of weeping, indicating by their behavior at the end that a lot of enter- tainment, perhaps even a bit too much, had been witnessed.

It is a sort of omnibus-type property that MG-M has fabricated for its No. 1 Star and his No. 10 associate (their rankings in last year's J. H. Schaar report) and the picture is, as is typical of its kind, very, very good in the good spots and quite to the contrary in the bad ones. It is great stuff when the entertainers are entertaining individ- ually, dually and collectively, in songs, dances, impersonations and satires, and it is, perhaps in part by contrast, extraordinarily inept in the narrative stretches between these numbers.

The story with which the players are occupied between musical numbers is another variant of the tale about people who want to stage a show but lack funds. Fred Finkelhoffer and Blaine Ryan, who wrote it, devised a number of switches and angles, some good and some hard to take, but whatever virtue or cost there may be in audience recognition can be cancelled out to that extent by the throwaway quality of the narrative-

The music, as listed, are Mickey Rooney, Judy Garland, Fay Bainter, Virginia Weidler, Ray McDonald, Richard Quine, Donald Meek, Alex- er Woolcott, Luis Alberni, James Gleason, Emma Dunn, Frederick Burton, Cliff Chark and William Post, Jr.

Rooney, top man in a cast that includes McDonald and Quine, supplies half a dozen sparkling sessions of song and dance, topping them and himself with a burlesque of Carmen Miranda which had the customers screaming.

Donald MacMillan takes over complete command of camera and set, adding in two dances—one of them interrupted three times by audience applause—which establish him alongside Fred Astaire and Ray Bolger.

It is as musical, of course, that showmen will be exploiting the attraction and in doing so they are warranted in going the limit. They can say, for instance, that the picture contains 15 musical numbers, among them some of the best of their kind, that Bushy Berkeley, director of the picture, has seen it to that all of his past experience in the field of dance direction is reflected in the enter-

Produced by Arthur Freed, manifestly with complete liberty as to what the picture is strong enough in music and in solo performances to be forgiven its story.

Running time, 118 minutes. "G."**

ROSCOE WILLIAMS

"Dr. Kildare's Victory"

(Washington, D.C.)

A NEW love in the person of Ann Ayars enters the life of "Dr. Kildare" to fill the spot made vacant by the "death" of Laraine Day in the previous issue in this series. While it may take some time for Miss Ayars to win the affection in the hearts of the audiences which Miss Day achieved over a period of time and many pictures, Miss Ayars gives every indication that she is entirely capable of filling the spot.

At least for Miss Ayars' first picture in the series, Lew Ayars pays little attention to her wife, apparently still mourning the death of his former sweetheart. Cast as a debonaiite glamour girl, Miss Ayars is brought to the hospital with a piece of glass piercing her heart. After a successful operation by Ayers (with Lionel Barrymore on the sidelines explaining what takes place), she has a rapid recovery and promptly falls in love with her doctor.

The picture ranks well up with the rest of the series. A fellow-intern (Robert Sterling) of Kildare's is dismissed for violating a rule which required him to bring Miss Ayars to another hospital because of a terri- torial division between the two institutions. Sterling plans to go ahead with his marriage to Jean Rogers, a nurse, but the latter is also dis- missed when she appears in observance of the said rule.

Finally, Barrymore and Ayers succeed in planting a story in the episode in the newspapers and a more humanitarian rule is effected, together with the reinstatement of Sterling and Miss Rogers. Alma Kruger, Walter Kingsford, Neil Craig, Edward Gargan, Marie Blake, Frank Orth and George H. Reed are among the rest of the cast. Major W. S. Van Dyke II directed.

Running time, 92 minutes. "G."**

EDWARD GREIF

"G" denotes general classification.
The eighth annual edition of FAME is now in preparation. Edited by Terry Ramsaye, it will be published about January 1st, 1942, and will analyze and summarize the year’s outstanding talent successes. Among its features it will present the box office champions of 1941 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 1941 as polled by Motion Picture Daily among the editors of the daily newspapers of America . . . Fame and Radio—an analysis of the extent to which the air waves lean on Hollywood for talent.
RCA Television in Theaters Old For Defense Emergency

(Continued from page 1) 

ity regulations and the lack of any definite interest on the part of the industry. Although there were many discussions with exhibitors during the Spring and early Summer, no agreement was consummated. At the time RCA announced the theater television in May, RCA stated that it had perfected the equipment and would be willing to have those with theater experience handle the production and exhibition. However, it was understood at that time that RCA would accept no responsibility for details if no others could be found.

Meanwhile, DuMont has a large screen receiver developed. No demonstration for the trade has been arranged, however, and it is understood that none is contemplated at present.

Sechony actually started installation of a large screen set in the Kaltlo but the installation was never completed and the Kaltlo recently recovered damages in an arbitration award.

Song Renewal Right Vested in Publisher

(Continued from page 1) 

represents defendants Louis Rosenberg, Mrs. Nettie Sudekum and Muscle Shoals Theatres.

He attacked the "theoretical question" of Allen A. Dobey of Government counsel in his argument yesterday: "Can an independent buy a circuit?" Dobey's question, he said, is a "contractual question."

He maintained that reputable independent exhibitors can and have bought films successfully "against a circuit," and cited the case of his own client, Rosenberg, who before 1930 moved into a substantial Art-theater town, built a good independent theater business, and within five years a competing circuit theatre and another independent had left rather than Rosenberg.

The final arguments, continuing for a second day, made little headway as most of the day was taken up by another proceeding before Federal Judge Elmer Devies, the trial judge. Universal and United Artists told the court a supplemental brief in which they declared the Government, in its argument yesterday, made "vicious" efforts to controvert any of the distributors' findings of fact, on file since Oct. 15.

"It is innuendo and assertion of fact without factual basis, from which it draws wholly unjustifiable inferences," the brief declared. "Does the Government seek to meet these facts and to establish its theory of liability, whatever that may be.

"It is elementary that difficulty of proof is no substitute for proof; nor is the want of payment any substitute for proof. Furthermore, the proof as to intent or as to the fact of conspiracy is dependent wholly upon circumstantial evidence.

Stromberg Sets Dividend

ROCHESTER, Dec. 2—Stromberg-Carlson Radio Co. has resumed dividend payments on the common stock with holders voting payable Dec. 20 on the issue. The last dividend on the common was in 1937, when three payments of 125 cents were made following a like payment in 1936.

WNEW Increases Staff

Two announcers and two engineers have been added to the WNEW staff, bringing the total to 20. The announcers are Bert Wayne, formerly of New England, and Harry Wood, last known on KYW, Philadelphia. The engineers are Saul Osias and Murray Goldberg.

To London for NBC

Robert St. John, NBC newscaster, will be on the planning trip to London Dec. 15 to join Fred Bate's London staff of the network; it was announced yesterday by A. A. Schechter, director of news and special events.

1,000 Attend Dinner to Murrow

(Continued from page 1) 

CBS from 9:30 to 10 P. M. as a special program in place of the regularly scheduled "Report to the Nation." Paley introduced Murrow with tribute to him and all newscasters. Murrow gave his own evaluations of the overseas situations. Elmer Davis, CBS news analyst, was toastmaster.

Also on the program were Lily Pons with soprano duet and piano; William L. Shiner, CBS news analyst; Archibald MacLeish, librarian, U.S. Congress, and Kate Smith with Ted Strayer at the piano. Dinner music was by the Columbia Symphony Ensemble.

Taking part in the program were Henri Bernstein, Dr. Artur Rodzinski, Herbert Bayer, Swope, David O. Selznick, Tom Connors, Sam Shain, Richard Berlin, David Lawrence, Edward J. Flynn and David Dubinsky.

On the dais were: Albert L. Warner, CBS Washington; John V. Connolly, president, King Features; Major George Fielding Eliot, CBS military analyst; John Benson, president, American Association of Advertising Agencies; Kent Cooper, general manager, Associated Press; Bishop Francis J. McConnell; Robert A. E. Sherdow, deputy coordinator of Information; Newbold Morris, president of the City Council; James P. Sheehan, chairman, FCC; Most Rev. Francis A. McIntyre; Alfred E. Smith; Lieutenant Governor Charles Polito; Edward Shuey, general manager of CBS; Godfrey Haggard, British consul general; Don Francisco, director, Community Relations Department of the Coordinator; Inter-American Affairs; Paul White, CBS director of news broadcasts; Paul B. Wise, president, American Association of National Advertisers; Lyman Bryson; Lindsay Wellington, British Broadcasting Corp.; Rabbi Joseph B. Wise; Hugh Baillie, president, United Press, and Linton Wells.

Letters were received from President Roosevelt, last Wednesday, Secretary of State Cordell Hull, and Viscount Halifax, British Ambassador.

Radio Music Fees Frozen in Canada

(Continued from page 1) 

eight cents per receiving set for the Society and one cent a set for BMI, based on coverage of individual stations. The CPRS is an affiliate of Ascap.

It is understood that both music organizations will drop their application to the Copyright Appeal Board for permission to increase the broadcasting fees but will still ask a higher fee for "joke" boxes and portable film projectors.

Since it is anticipated that the agreement between the radio and music interests was reached voluntarily because of the Government stabilization program freezing wages, retail prices and theatre admissions, as a war measure.

Decree Takes Industry Out Of Judiciary, Court Hears

Greene, Revel Form Music Unit With BMI

In the first major move to obtain Hollywood talent for BMI, that organization announced yesterday that Mort Greene and Harry Revel have formed a publishing firm in partnership with BMI.

Although the exact stock ownership of the new company, which will be known as "Zane, Zane, Zane," has not been revealed, it is understood that BMI will own 50 per cent, with the remaining 50 per cent being owned by the two writers. The company will specialize in the publishing of film scores, although music from other sources will be used.

The move is expected to aid considerably the exploitation of songs from films over the air. The first five songs to be published will be from the RKO picture, "Call Out the Marines." These songs will be "Beware," "Zane, Zane, Zane," "High Above the Border," "The Light of My Life Went Out Last Night" and "Call Out the Marines."

Both Ascac Members

Although both Greene and Revel are members of the ASCAP-radio-music-consent decree permits them to grant direct licenses to stations, provided fees over whatever money is paid for such direct license. The form the arrangement is expected to take is that all ASCAP licenses will be permitted to grant direct licenses under their existing licenses while BMI stations will get direct licenses without cash payment. The ASCAP will be required. Since the music of other writers, not necessarily composers, also will be published by the new firm, none of the songs will be exclusively BMI. Promotion offices will be opened in Chicago and New York, as well as Hollywood, it was said.

N. J. Broadcasters Form Association

TRENTON, N. J., Dec. 2—Officials of a majority of the radio stations in New Jersey have organized the New Jersey Broadcasters Association for the purpose of establishing statewide broadcasting policies regarding defense, governmental, charitable and other activities.

A. Harry Zook, president of WPGF, Atlantic City, was elected president of the association; Edward Colel, manager of WPAT, Paterson, and O. L. Maxey, manager of WSNJ, Bridgeton, were elected vice-presidents; Patrick Kelly of WAAT, Jersey City, secretary, and treasurer.

The executive board also will comprise John C. Bird of WCAP, Asbury Park, and WBRB, Red Bank, and George Lawrence of WJAG, Paterson; George C. McGinley of WTTM, Trenton, and A. B. Schillinn, vice-president of WAAT, Jersey City.

St. Louis House Burns

ST. LOUIS, Dec. 1—The Majestic Theatre, third-run house in North St. Louis, which has been closed since Sept. 10 because of a dispute with the theater operators, was virtually destroyed Saturday morning by a spectacular three-alarm fire. The theatre was extensively damaged at a cost of $50,000. Fire officials estimated the loss at $40,000.
N.W. Allied to Talk With Sales Heads on Minnesota Problems

MINNEAPOLIS, Dec. 3.—Representatives of Northwest Allied who will attend the all-industry unity meeting in Chicago next Tuesday plan to avoid themselves of the opportunity to confer with sales executives of major companies on the serious product shortage and other problems in Minnesota.

Fred Strom, executive secretary of Northwest Allied, and Benjamin Berger, who will head the organization's delegation to the unity meeting, emphasized that the talks to be held with the sales managers who are expected in Chicago will not be officially representative of Northwest Allied but will be a voluntary effort on the part of individual members of the delegation.

(Continued on page 5)

Taplinger to Col., Harry Cohn Aide

Robert S. Taplinger will become executive assistant to Harry Cohn, Columbia president, under a long-term contract with the company. Columbia announced yesterday.

Taplinger, who announced his resignation as Warners' national publicity director the day before, will make his headquarters at the Columbia studio, where he will report on Monday.

Before coming to the Warner home office several weeks ago, Taplinger was in charge of Warner studio publicity for four years. Prior to that (Continued on page 5)

McCoy Named W.B. Division Manager

RALPH L. McCoy, Warner's Southwestern district manager and Atlanta branch manager, yesterday was named Southwestern and Midwestern division manager by Benjamin Kalmenon. Warner's sales head, McCoy arrived from Atlanta yesterday to establish his new headquarters at the home office.

Kalmenon announced that Henry Herbel, West Coast district manager, will be given additional duties in that territory, and that W. C. Williamson, Jr., former Warner branch manager at Memphis, has been appointed manager of the western McCoy office.

Henry Krumm, former salesman at the Dallas branch, was promoted to branch manager at Memphis.

(Continued on page 5)

St. Louis, Memphis Pass Garbo Film, Omaha Cuts

ST. LOUIS, Dec. 3.—St. Louis and Memphis censors yesterday approved M-G-M’s “Two-Faced Woman,” Greta Garbo picture. The Memphis local censor board, which has been inactive for the past three years, passed the film after requisitioning a special screening.

In St. Louis, Frank Keller, chief probation officer for the Juvenile Court, approving the film, said the scenes were no more objectionable than those found in most pictures.

Keller was a member of a selected group headed by Prosecuting Attorney James P. Finnegan who saw the picture privately Tuesday. Rex Williams, manager of Loew’s State, said in a statement that the confidence of the community in film censorship was strengthened by the decision.

Conditions Under His New Deal With Company

GEORGE J. SCHAFFER was granted full operating authority over RKO by the company’s board, which met yesterday. These conditions are under his new deal with the company. Joseph L. Breen will be the over-all authority on production and the board of directors will hereafter serve as a working board, meeting each week, instead of once a month as heretofore. Floyd Odlum, president of Atlas Corp., attended yesterday’s meeting. This full operating authority was recommended in a report on the company’s problems.

(Continued on page 5)

Full Authority In RKO Given To Schaefer

Pleas End, Crescent Case Goes to Judge

By JOHN SHUMAKER

NASHVILLE, Dec. 3.—United Artists and Universal Film Exchanges shared the brunt of the Government’s closing argument in the Crescent case today, as Robert L. Wright, special assistant to the U.S. Attorney General, asked Federal Judge Elmer Davies not to let the two distributors go free.

Judge Davies took the case under advisement this afternoon after a total hearing of nearly eight weeks. A decree holding both in violation of the Sherman Act should be entered, Wright declared. Columbia, third of the “Little Three” defendants, was dismissed during the trial last summer.

The Government’s case as to Universal and United Artists is admittedly narrow and is based, in the case of U.A., on alleged discrimination at Rogersville Tenn., and Athens, Ala., and 63 and 71-situation deals with Crescent. The Government holds that Universal discriminated in film...
Personal Mention

ERNEST KOENIG, formerly manager in France for Universal, and Mrs. Koening arrived yesterday from Barcelona on the Magna Lucia.

Ben Kalmenson and Ralph L. McCoy left last night for Chicago.

Leonard Goldenson leaves Chicago today for New Orleans. He is expected back over the weekend.

JAMES A. McILVEY will arrive from Florida today, convalescing from a recent illness.

Wolfe Coles, Warner's Canadian district manager, left last night for Toronto.

Steve Pallos, Alexander Korda's Eastern representative, left late last night and will go to the Coast from there.

Alfred Hitchcock has returned to Los Angeles with his wife, Alma Reville.

Jesse L. Lasky has returned to Hollywood from Missouri.

Defense Booms Film Grosses in Norfolk

NORFOLK, Va., Dec. 2—Concentration of Army personnel and defense workers has brought a wave of big business to local film houses, with turnaways more and more frequent this Fall. The Norva smashed a 13-year-old house record Thanksgiving with 6,200 admissions in a single day. Picture was “Birth of the Blues.” The old record was established by “Singing Fool.”

Para. and F. & M. Set Product Deal

Paramount has closed with Fanchon & Marco for its first two blocks of pictures for first-run showing in St. Louis, Charles M. Reagan, Paramount assistant sales manager, announced yesterday. Separate deal was negotiated by Reagan with Harry C. Arthur, Jr., vice-president of Fanchon & Marco.

Review

“Paris Calling” (Universal)

MELODRAMA concerning the underground activities in France of a group of French patriots whose every effort is directed in opposition to the Nazis, the film has pace, movement and suspense to recommend it as first-rate entertainment.

The implausibility of certain situations and the conclusion tend to detract from the effectiveness of the melodrama, but in general the story is well told and well acted. As produced by Benjamin Glazer and directed by Edwin L. Martin, the film has been given amateur production values, speed and excitement. Its timeliness, with much made of the “V” for Victory symbol, should be of value in selling the film.

Elizabeth Berger plays the fiancée of Basil Rathbone, Frenchman who turns out to be in league with the Nazis after the occupation of Paris. When her friend is killed in a Gestapo vain attempt to kidnap her, Miss Berger joins the underground movement. She meets Randolph Scott, American flier with the RAF, who is left behind in the evacuation of France, and is pursued by the Nazis.

 Assigned to trap Rathbone, she contrives to obtain his papers, kills him and escapes to send the information to England via secret short-wave, using piano notes for code transmission. Scott, meanwhile, escapes the Gestapo to come to her aid. An RAF unit of Marines in a transport plane reaches the seaport town in time to effect a rescue of all concerned.

Running time, 95 minutes. G.*

*“G” denotes general classification.

‘Pulham’ Has Double Opening in Boston

BOSTON, Dec. 3.—The double world premiere of M-G-M’s “H. M. Pulham, Esq.” was held last night at Loew’s State and Orpheum theatres following a full day of preliminaries which garnered plenty of space in local papers.

The première audience was headed by Governor Saltonstall of Massachusetts. RKO’s young star of films and J. P. Marquand, author of the story, made personal appearances at both theatres.

Relatives in the audience, which included Boston’s elite, were many members of Harvard’s class of 1915, chief object of Mr. Pulham’s ridicule in the story. The picture was well received by localcritics.

Resume Paper Sale As Writ Is Granted

The seven New York newspapers involved in the newspaper dispute went back on the stands yesterday as a temporary injunction restraining the Newsdealers’ Federal Union from continuing its boycott was granted by Supreme Court Justice Edward R. Koch. In granting the application, which was made by Attorney General John J. Bennett, Judge Koch pointed to evidence which showed that the defendant union represented only 500 of the 14,000 newsdealers in the city.

Delay Schenck Appeal

Argument on the appeal of Joseph M. Schenck and Joseph H. Moskowitz, chief of the case, was postponed yesterday in the U. S. Circuit Court of Appeals until today.

CHANGE TO ALTEC SERVICE

IT HAPPENS ONCE AT America’s Only Ice Theatre Center Theatre, Parkchester Center, CO. 5-5740

250 Seats for Every Perfor. 50¢, 75¢, 1.00. No Refunds

“AGREAT SHOW—Herald Tribune

50c, $1 & $1.50 PLUS TAX

IN THE MUSICAL PLAY

LADY IN THE DARK


FOR CHANGE

IT HAPPENS ONCE

State Theatre, Parkchester Center, CO. 5-5740

250 Seats for Every Perfor. 50¢, 75¢, 1.00. No Refunds

Motors (Registered U. S. Patent Office)

MOTION PICTURE DAILY

Published daily except Sunday, Saturday and holidays. Jules Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone Circle 7-1100. Cable address, "Quigley, New York." Martin Quigley, Editor-in-Chief and Publisher. Colvin Brown, Vice-President and General Manager; Watters, R. Rothacker, Vice-President; Sam Shain, Editor; Alfred L. Morgan, Associate Editor; James A. Cree, Advertising Manager; Chicago Bureau, 35 South Michigan Avenue, Chicago; London Bureau, 10 Golden Square, London 1, England; Hollywood Bureau, Fostal Union Life Building, William E. Weaver, Editor; New York Bureau, 49 Madison Avenue, and 4 Golden Square, London. All contents copyrighted 1941 by Jules Publishing Company, Inc. Other Quigley publications: Motion Picture Magazine, Motion Picture Almanac and Fame. Entered as second-class matter, November 21, 1938, at the post office at New York, N. Y. Additional mailing-office: Subscriptions $6 per year, $12 foreign. Single copies 50c.
YOU CAN TAKE IT OFF . . . . THIS YEAR!

This year you don’t have to buy blindfolded for New Years. You don’t have to hope that you’ve booked a hit. This year, you can know!

Because this year—from Warners—you can get “They Died With Their Boots On”—the picture that right now is OUTGROSSING “DODGE CITY” AND “VIRGINIA CITY” AND “SANTA FE TRAIL” AND “DIVE BOMBER” AND, BROTHER, THAT AIN’T HAY!

Take off the blindfold, Mr. Showman, and grab "THEY DIED WITH THEIR BOOTS ON"

ERROL FLYNN
OLIVIA DEHAVILLAND
in "THEY DIED WITH THEIR BOOTS ON"
with ARTHUR KENNEDY, CHARLEY GRAPEWIN, GENE LOCKHART
Directed by RAOUL WALSH
Original Screen Play by Wally Kline and Aeneas MacKenzie
Music by Max Steiner
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Schafer Gets Full Authority in RKO

(Continued from page 1)

...day's operations by a special directors' committee which had been appointed to survey the entire financial position of the company by the board. The committee comprised Frederick Ehrman, Thomas Dorell and W. G. Van Schmus. The executive committee, it is reported, will be discontinued and the likelyhood exists, according to authorities, that W. Peter Rathvon, chairman of the executive committee, will be elected vice-president of the company at future meeting.

Thin Man's Leads in Strong Buffalo Week

BUFFALO, Dec. 3 — Grosses were called here as all houses reported box-office figures. "Shadow of the Thin Man" was good for $15,500 at the Great Lakes. "Look Who's Laughing" scored $12,100 at the Wentworth. Estimated receipts for the week ending Nov. 29:

- Birth of the Blues" (Para.) 4 days: $3,900. (Average, $975)
- "Leaves of Grass" (Para.) 7 days: $11,800. (Average, $1,686)
- "Shadow of the Thin Man" (M-G-M) 5 days: $3,500. (Average, $700)
- "Keep 'Em Rolling" (M-G-M) 5 days: $1,800. (Average, $360)
- "International Squabbles" (W.B.) 3 days: $1,750. (Average, $583)
- "Miss Polly" (U.A.) 3 days: $1,600. (Average, $533)
- "Hip Hop Drome" (28c-39c-50c) 3 days: $1,100. (Average, $366)
- "Look Who's Laughing" (RKO) 3 days: $1,100. (Average, $366)
- "The Pittsburgh Kid" (Rep.) 3 days: $1,100. (Average, $366)
- "A Gentleman Is Born" (28c-39c-50c) 3 days: $1,100. (Average, $366)
- "You Belong to Me" (Col.) 3 days: $1,100. (Average, $366)
- "Nabul Academy Lady" (U.A.) 3 days: $1,100. (Average, $366)

N.W. Allied to Talk Minnesota Problems

(Continued from page 1)

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- "A Gentleman Is Born" (28c-39c-50c) 3 days: $1,100. (Average, $366)
- "You Belong to Me" (Col.) 3 days: $1,100. (Average, $366)
- "Nabul Academy Lady" (U.A.) 3 days: $1,100. (Average, $366)

N.W. Allied to Talk Minnesota Problems

(Continued from page 1)

...day's operations by a special directors' committee which had been appointed to survey the entire financial position of the company by the board. The committee comprised Frederick Ehrman, Thomas Dorell and W. G. Van Schmus. The executive committee, it is reported, will be discontinued and the likelyhood exists, according to authorities, that W. Peter Rathvon, chairman of the executive committee, will be elected vice-president of the company at future meeting.

Thin Man's Leads in Strong Buffalo Week

BUFFALO, Dec. 3 — Grosses were called here as all houses reported box-office figures. "Shadow of the Thin Man" was good for $15,500 at the Great Lakes. "Look Who's Laughing" scored $12,100 at the Wentworth. Estimated receipts for the week ending Nov. 29:

- Birth of the Blues" (Para.) 4 days: $3,900. (Average, $975)
- "Leaves of Grass" (Para.) 7 days: $11,800. (Average, $1,686)
- "Shadow of the Thin Man" (M-G-M) 5 days: $3,500. (Average, $700)
- "Keep 'Em Rolling" (M-G-M) 5 days: $1,800. (Average, $360)
- "International Squabbles" (W.B.) 3 days: $1,750. (Average, $583)
- "Miss Polly" (U.A.) 3 days: $1,600. (Average, $533)
- "Hip Hop Drome" (28c-39c-50c) 3 days: $1,100. (Average, $366)
- "Look Who's Laughing" (RKO) 3 days: $1,100. (Average, $366)
- "The Pittsburgh Kid" (Rep.) 3 days: $1,100. (Average, $366)
- "A Gentleman Is Born" (28c-39c-50c) 3 days: $1,100. (Average, $366)
- "You Belong to Me" (Col.) 3 days: $1,100. (Average, $366)
- "Nabul Academy Lady" (U.A.) 3 days: $1,100. (Average, $366)
They come to you from
A United Artists with collective strength.

... an organization determined to deliver

**THE CORSICAN BROTHERS**

Edward Small presents Alexandre Dumas'

*Starring* Douglas Fairbanks, Jr.

with Ruth Warrick * Akim Tamiroff

Directed by Gregory Ratoff * Screenplay by George Bruce & Howard Estabrook

**THE SHANGHAI GESTURE**

Arnold Pressburger presents His Great Roadshow Hit!

*Starring*

Gene Tierney * Walter Huston * Victor Mature * Ona Munson

with Phyllis Brooks * Albert Basserman * Maria Ouspenskaya

From the celebrated play by John Colton * Directed by Josef Von Sternberg

**TWIN BEDS**

Edward Small presents The Famous Stage Farce!

George Brent and Joan Bennett in

*Starring*

Mischa Auer * Una Merkel * Glenda Farrell * Ernest

Directed by Tim Whelan * Screenplay by Curtis Kenyon and Kenneth and E. Edwin Moran
United United Artists.

pany with a background and a backbone
important pictures from great producers.

Vice-President in Charge of Distribution
UNITED ARTISTS CORPORATION
NBC to Revise Policy on Beer Sponsorship

(Continued from page 1) almost solidly, the new policy statement is expected to clarify the situation as to both waves. NBC has always taken the position that certain sponsors who were on the network before the adoption of the policies would be permitted to continue, but a new business of this type was turned down. As for beer, it was accepted locally by NBC-owned stations but not on the network.

What Manual Says

At present, according to NBC's "Working Manual for Continuity Acceptance," unacceptable business includes "cathartics, including foods or beverages advertised for their value as cathartics. Also products generally known and used exclusively as cathartics, even when cathartic references are not made in broadcast advertising copy." Also: "Alcoholic beverages may not be advertised on any network program."

The National Association of Broadcasters' code states the product "hard liquor" is proscribed as "continuity which describes, representatively, any functions or symptomatic results of disturbances, or relief granted such disturbances through use of any product.'"

CBS Policy Cited

The CBS "New Policies" states, in part, "many people might not have compatible advertising over the radio, regardless of the excellence of the program. The reason for this viewpoint is obvious; radio broadcasting is heard by mixed and assorted groups of all kinds, in the home, in restaurants, and on the street. In other words, a larger segment of the listening audience may be affected by a program, and a smaller group may find it distasteful to hear a discussion of some subject with which other listeners are not in accord. But the medium is a public one and should be used properly. Similarly, we realize that the personal and often intimate qualities of the human voice, radio's medium of presenting its sponsors' messages, forbid discussing subjects on the air in a manner which might be wholly acceptable when read in type."

Minneapolis Reel House

MINNEAPOLIS, Dec. 3.—The Esquire here, purchased recently by Lawrence Cohen of Los Angeles, will be reopened shortly before Jan. 1 as this city's first newsreel theatre, it was announced today. Cohen plans to remodel the theatre.

Off the Antenna

REVIEWs of film openings, with excerpts of the film, will be started over NBC television next Tuesday with a criticism by Adrienne Ames of the Walter Wanger-UA picture, "Sun Down." The review is planned as a regular feature of "Radio City Matinee," a program produced by Ernest Collins and televised Tuesdays at 3:45 P.M.

Miss Ames, who has appeared in many films herself, now does a Hollywood "chatter" program over WHN, and has appeared previously on television. During the review of "Sun Down," scenes from the picture totaling six minutes' running time will be shown. Arrangements with major companies for reviews of important pictures are being made, it was said. "Sun Down" will open at the Criterion on Broadway Dec. 12.

Purley Personal: Clinton Winant, brother of Ambassador John C. Winant, has been appointed CBS correspondent in Vichy. Jack Shaindlin, musical director for Universal and Columbia short subjects, will conduct the symphony orchestra on "Democracy at Work" over NBC-Red Saturday at 2 P.M., with his original orchestral piece from the film, "Gordian Knot," will be performed. Also, Corris has succeeded Alan Courney as master of ceremonies on "WOW's 1280 Club."

WMCA and WQXR have leased space on the 34th floor of the Chain Building for FM stations, it was learned yesterday.

WIN has received 13 additional contracts, following the power boost to $9,000 watts last week. Capt. Tim Broughton will be heard today through Friday, 6-6:10 P.M., sponsored by Hecker Products; "My Daughter Betty" will be sponsored three times weekly by I. Rokche & Sons; Simon Ackerman is sponsoring George Hamilton Co. Jr., three times weekly; Railway Express Agency, 12 times; Rochester, Gamble & Groeb, Old Dutch Mills, Welch grape Juice and National Production Co. are using spot announcements; Simon & Schuster are using five-minute talks for a book; Paragon Oil will use station-break announcements, and Ritz Thrift Shoppe will use promotions on "Grouch Club."

Clarence Wheeler, vice-president of WHEC, Rochester, was feted this week on the occasion of the 10th anniversary of his association with the station by others who have been there for a decade. These were Gunnar Wig, Elrod Gehlert, Bill Herlihy, John O'Brien, Ralph W. Barber, Madeleine L. Cleary, Howard Mouatt and Mary F. Carroll.

Crescent Case Goes to Judge As Pleas End

(Continued from page 1) contracting in favor of Crescent Union City, Tenn., and, to a lesser degree, at Rogersville.

Wright again maintained that distributor-exhibitor franchises are illegal and create unreasonable restraint of interstate commerce.

William Waller and George Armistead, Jr., Crescent counsel, presented their final arguments today. Waller charged the Government has not proved conspiracy between the exhibitors and any distributor and said no coercion was brought to bear on the distributors, separately or as a whole.

He maintained also that Crescent franchises with 20th-Fox and Warners and Paramount were not illegal and did not prevent the distributors from selling second run to the opposition.

"Furthermore," Waller said, "the Government thinks Crescent wrong in arguing that Paramount franchise, Crescent willing for the contract to be amended, and Mr. Paxton saying that the selling of second-run is not 'important.'"

Armistead declared the anti-trust action against Crescent was sole the Government had made against the Department of Justice by W. J. Roth, Gallatin, Tenn.; Max Buchan Atlanta, Ga.; John Tim Smith Knoxville, Tenn., and Fred Gorma formerly of Erwin, Tenn.

3 Resign Posts at Philco Television

PHILADELPHIA, Dec. 3.—Nick Alexander, who has been with the station since its early experimental days, has resigned as manager of WPTZ, Philco television station. At the same time, production manager Warren Wright resigned. B. R. Herick Philco executive who has headed various departments at the plant during process of reorganization, takes over operation of the television station until successor is named. Winters resigned as head of the publicity department, and until a successor is named, the desk will be filled by Herbert Rhoad of the advertising department.

Raise Seattle Price

SEATTLE, Dec. 3.—John Danz's Pacific Coliseum house, became established a local first-run precedence by increasing weekend prices. Now the price will be 25 cents on weekdays, 25 cents on 5 P.M., 50 cents thereafter, including tax; Saturdays, 25 cents to 1 P.M., 40 cents to 5 P.M., 58 cents thereafter, weekdays, 75 cents on weekends, 1 P.M., 80 cents thereafter.

Increase Reel Prices

CHICAGO, Dec. 3.—The Warners have increased matine prices from 15 cents to two cents tax to 20 cents, including tax. The house is operated by Richard Beck. The evening price, from 6:30, remains at 25 cents plus tax.
Sears Holds First District Meeting; To Studio Today

Gradwell L. Sears, vice-president in charge of United Artists distribution, and Carl Leerman, general sales manager, held a special sales meeting at the home office yesterday, attended by all district managers in the United States and Canada and other home office executives. Sears discussed the line-up of forthcoming U.A. products, stressing merchandising and selling angles on the next six films, scheduled for early release, including: "The Corsican Brothers,"

Para. Will Redeem All 2nd Preferred Stock February 3

The board of directors of Paramount Pictures, Inc., of which Barney Balaban is president, yesterday approved the redemption on Feb. 3 of the entire issue of the company's second preferred stock outstanding, amounting at this time to approximately 100 face value. The board at the same time declared a dividend of 25 cents per share on the common stock and the regular quarterly dividends on the preferred.

Coast Unit Attacks Harmful Publicity

Hollywood, Dec. 4.—The studio publicity directors committee today adopted a resolution condemning "publicity practices in behalf of individuals without regard to the effect upon industry good will" as a step toward offsetting the effect of a recent Pic magazine layout, which was interpreted by the committee as the work of freelance press agents.

Holdovers Continue Well on Broadway

With unseasonably warm weather prevailing, accompanied by heavy fog and occasional rains, business along Broadway this week was mixed. Most of the strong film attractions were holdovers, and there were only two new pictures added. "Rise and Shine" will open at the Astor this morning, and "Smiling Through" went into the Capitol yesterday. Next Wednesday, "Birth of a Nation" will open at the Rivoli. (Continued on page 6)

Rules Theatre Has Right to Seek Writ on Jurisdictional Picketing

Although denying a temporary injunction, N. Y. Supreme Court Justice Richard Koch ruled yesterday that a theatre owner has a good cause of action for an injunction where a union pickets a house solely in retaliation for an opposition union picketing another theatre. The decision, in the opinion of observers, may have far reaching significance in the recurrent counter-picketing drives between operators' Local 306, IATSE, and the independent Empire State M.P. Operators Union.

The suit involved the complaint of the No. 62 Delancey St. Theatre Corp., operator of the Delancey, in Manhattan, against Local 306. The Delancey employs Empire State operators, and the complaint alleged that Local 306 was picketing the Delancey as "retaliation" against Empire State. Justice Koch, although denying the theatre's motion for a temporary injunction, refused the union's plea for a dismissal of the complaint. He ruled that if the theatre could establish its "retaliation" claim by evidence in the trial, a good cause of action for an injunction would be set forth.

Schaefler and N. M. Schenck Approve Unity Committee of MPTOA to Attend Meeting

CHICAGO, Dec. 4.—Nicholas M. Schenck, president of Loew's, and George J. Schaefer, president of RKO, expressed their approval here today of the industry unity plan proposed by the Joint Council.

Both executives plan to attend the initial meeting on the unity plan, scheduled for the Blackstone Hotel here next Tuesday.

 Asked his views on the meeting, Schenck said: "I believe that the theory of the unity plan as outlined is an excellent idea and my company is very much for it. I plan to attend the meeting and am hopeful that something will come out of it that will benefit the entire motion picture business."

Schaefler declared: "My opinion is that the industry should begin to reap the real benefits when they finally get together and work out a plan such as is proposed by the Joint Council." Asked if he thought such a plan could replace the consent decree. (Continued on page 4)

Lehman Will Speak At Dinner to Silver

ALBANY, Dec. 4.—Gov. Herbert H. Lehman of New York will be one of the chief speakers at the testimonial dinner at the Ten Eyck Hotel here Monday night for Moe Silver. Details were completed at a committee meeting today. James J. Walker will be toastmaster.

Other speakers will include State Attorney General John J. Bennett and Mayor Herman Hoogkamp of Albany. Industry figures scheduled to speak include: Joseph Bernhard, Harry Kalmus, Arnold Schaefer, Neil Agnew, Nate Blumberg, Si Fabian, C. J. Latta, Jack Cohn, Herbert Yates, E. K. O'Shea, Joseph Vogel, John Harris, Robert J. O'Donnell, Ned Edel, Depinet and A. J. McDonald.

Special trains will leave for Albany on Monday from New York, Cleveland and Buffalo, with a contingent from Pittsburgh also expected. On Monday at noon the local Variety Club will install officers at a luncheon, with Harris and O'Donnell conducting the ceremony. Silver is chief Barker.

DO NOT REMOVE
First in
Film-and-
Radio News
Brief
Accurate
and
Impartial

MOTION PICTURE DAILY
L. A. Churches Asked to Bar Garbo Picture

instructed by Archbishop Pending Revisions

Los Angeles, Dec. 4.—Archbishop John J. Cantwell today instructed priests in the Los Angeles diocese to request parishioners not to attend exhibitions of "The Face-Faced Woman" pending revision of the picture to meet Legion of Decency standards.

It was learned that M-G-M executives have not submitted the picture to the Legion reviewing group, during which time it is suggested, including reshooting of scenes if necessary, and to effect such changes in all prints now in distribution.

It was also learned that M-G-M had contractual obligations which can be abridged only by reason of (Continued on page 6)

Collins Indianapolis Variety Club's Head

INDIANAPOLIS, Dec. 4.—Kenneth T. Collins, manager of the Indianapolis Theaters, has been reelected chief backer of the Indianapolis tent of the Variety Club and begins his second term.

Other officers named are: Arthur Landes, first vice-president; L. J. McGinley, second vice-president; Al Blocher, treasurer, and Claude McKean, secretary. Directors elected are: Carl Niese, Marc J. Wolf, Dick Frank, Fred Greenberg, A. C. Zaring, Joe Neger, Curtis Butler, Harold Stevens, L. A. Fendick, Morris E. Lefko and George Landis.

M. 36, No. 111
NEW YORK, U. S. A., FRIDAY, DECEMBER 5, 1941
TEN CENTS
M-G-M Flying Print
To Africa in 3 Days
When the Capetown Clipper makes its inaugural take-off for South Africa tomorrow it will bring a print of M-G-M’s “H. M. Pulham, Esq.” the company announced yesterday. The film is to be in Johannesburg three days later, clipping the 45 to 60 days now required for the trip by boat. It is planned to show the film at the Metro, Johannesburg, simultaneously with the current event run, and before anywhere else in the United States.

Chalmers, Publisher
Of Film Paper, Dies
James Petrie Chalmers, vice-president of Chalmers Publishing Co., publishers of Moving Picture World prior to its consolidation with Exhibitors Herald in 1927, died yesterday at his home in Greenwich, Conn., at the age of 98. Exhibitors Herald was merged with Moving Picture News in 1929 to form Motion Picture Herald.

Funeral services for Chalmers will be held Sunday afternoon at the Presbyterian Church in Greenwich. Burial will be in the family plot at Mt. Kisco.

Personal Mention

WILLIAM F. RODGERS, M-G-M general sales manager, and E. K. O’SHEA, Eastern division manager, have returned from Chicago.
•
Robert LaPalante, manager of the Pantheon, Vinecennes, Ind., has been inducted into the Army.
•
Mrs. Ida Green, secretary to Stanley J. Mayer, 29th Century-Fox manager in Des Moines, is recovering from an appendicitis operation.

New Defense Film
Previewed Today
“Women in Defense,” latest film approved for exhibition under the auspices of the Motion Picture Committee Cooperating for National Defense, will be previewed this afternoon. The commentary for the subject was written by Mrs. Eleanor Roosevelt and is spoken by Katharine Hepburn. The film was made by the Film Unit of the Office for Emergency Management and is the 23rd subject in the group. Six hundred prints will be shipped to exchanges in a few days. A three-minute trailer, “Food for Freedom,” also has been approved and prints shipped to exchanges.

M-G-M Signs Savoyan
Hollywood, Dec. 4.—William Savoyan, playwright, has been signed to a producer contract by M-G-M, it is reported. It is understood he will spend some time at the studio studying film technique before making a picture.

Fly to Los Angeles
over the BUSINESS ROUTE of the NATION
More passengers, mail and express fly United’s central, year round Main Line Airway than any other coast-to-coast air route. 4 Mainliners to Los Angeles daily.

United Airlines
Air Lines
Airlines Terminal: 80 E. 42nd St.
649 Fifth Ave.
669 Fall St.
Hotel Pennsylvania MU-2-7200
t or travel agents, hotels

Newsreel Parade

T HE commemoration of bill - Rights Day by President Roosevelt in Washington is the highlight event in the weekend newsreel issue. All rolls from this film show are the usual defense items and miscellaneous general news events.

MOVIE NEWS, No. 28—For an unusual situation as Japan threatens Thailand President names Bill of Rights Day, May General Frank P. Lahm, with mar- riors at Randolph Field, North Carolina parachute troops, some air over Paris for skiing are shown. A thoroughbred race horse is sold at auction to a Frenchman.


Nick Dean Free on Bail
Nick Dean was freed yesterday from confinement in the Federal House of Detention upon posting a bond of $7,500, but he still faces an indictment for extortion of $1,000,000 from major film companies, and is an alleged accomplice of William Bloch and George E. Brown.

Motion Picture Daily

(Registered U. S. Patent Office)
Published daily except Saturday, Sunday and Federal Holidays. Publisher, Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York, New York. Cable address, "Quiglub, New York." Martin Quigley, Editor-In-Chief and Publisher; Calvin Brown, Vice-President and General Manager; Ron Shulman, Vice President; Sam Shlain, Editor; Alfred L. Scharschmidt, Managing Editor; James A. Cross, Advertising Manager; Chicago Bureau, 603 Michigan Avenue, C. B. O'Neil, Manager; Hollywood Bureau, Postal Union Life Building, William R. Weaver, Editor; San Francisco Office, Manager, Harry Benedict; 4 Golden Square, London W1, Hope Williams, Cable address, "Quiglub, London." All contents copyrighted 1941 by Motion Picture Daily, Inc. Other publications, Motion Picture Daily Letter, International Motion Picture Almanac and Pamps, En ters under the Act of March 4, 1925, Subscription charges per year $6 in the Americas and $12 foreign. Single copies 10¢.
450 EXHIBITORS STAND to see Paramount’s "Louisiana Purchase"!

The Normandie Theatre in New York seats 589 persons.

Paramount scheduled its New York trade showing of "Louisiana Purchase" at the Normandie. But when 11 a.m. Friday—screening time—came around, every seat was filled and THERE WERE 450 EXHIBITOR STANDEES! And they all remained to applaud the fade-out!

The answer? Word’s gone around the industry that in "LOUISIANA PURCHASE," Paramount has served up a holiday show that has EVERYTHING. NAMES? Bob Hope; Vera Zorina; Victor Moore; Irene Bordoni; Dona Drake; Raymond Walburn! TUNES? Irving Berlin’s best! GALS? A hundred Louisiana Lovelies—the Cream of the Crop! STORY? Buddy DeSylva’s Broadway hit, translated to the screen under his own supervision! Slick direction by Irving Cummings; the finest Technicolor ever exposed!

Read the trade raves; a few excerpts appear at right for your convenience. Then you’ll know Paramount’s not WISHING you but BRINGING you a Happy New Year!

THE TRADE SAYS:

"... Will be a tremendous money attraction... a smash... advertising cannot go overboard in heralding this as a show that has everything!"

—Hollywood Reporter

"A hit show of biggest dimensions... has everything to regale any audience craving entertainment and to assure first-run holdover business..."

—Daily Variety

"... Should register at the box office... all the elements needed for success... for the patron who demands cheerful entertainment, this is what he asked for!"

—Showman’s Trade Review

"... Pictorially magnificent, musically pleasant, photographically breathtaking... Paramount has spared nothing... Zorina really a standout!"

—The Independent

"... Should be a box office winner of the first order... has what it takes to score with the patrons, of all ages, in all places!"

—Marion Picture Daily

"... Looms as one of the more conspicuous musical comedies... impressive array of star power... sparkling dialogue... girls... a happy combination!"

—Marion Picture Herald

"Fine pop musical, packed with laughs and eye-filling production values. Will score everywhere. Magnificent Technicolor; action swiftly paced!"

—Film Daily

THE SHOW THAT HAS EVERYTHING!

"LOUISIANA PURCHASE" in Technicolor!

A Paramount Picture starring

BOB

HOPE

VERA

ZORINA

VICTOR

MOORE

with Irene Bordoni • Dona Drake • Raymond Walburn and Those Louisiana Lovelies—The Cream of the Crop!

Directed by Irving Cummings • Screen Play by Jerome Chodorov and Joseph Fields • Based on the Musical Comedy by Morris Ryskind • From a Story by B. G. DeSylva

Music and Lyrics by Irving Berlin
Schaefer and N. M. Schenck Approve Unity

(Continued from page 1)

Schaefer said: "If the exhibitor and distributor are free to see eye and
think alike, it is possible that a plan could be worked out that would be
satisfactory to the Government and the public."

MPTOA Executive Group Will Attend

The entire MPTOA executive committee and possibly several
members of the organization’s board of directors, in addition, will attend the
unity meeting. Ed Kuykendall, MPTOA president, has called a meet-
ing of the group for Monday at the Blackstone Hotel, in advance of the
all-industry meeting.

Members of the organization’s participation in the Suitsauce Drive are
definitely slated to attend, in addition to Kuykendall, are: Morris Loewenstein, Oklahoma City;
H. V. Barney, San Fran-
sicco; O. C. Lam, Rome, Ga.; Arthur Lockwood, Boston;
Lesley D. Crowell, and Fred Wehrenberg, St. Louis.

At their separate meeting, the group will discuss unity proposals and
formulate an organization policy with regard to all groups to be
made at the all-industry meeting.

ITOA Calls Session

A separate meeting also has been called by Harry Brandt, president of
the New York ITOA, for Monday in Chicago. Representatives of exhibitor
units which are not affiliated with either national exhibitor organization have
asked to be represented. There are
about a dozen such organizations, in-
cluding those in Kentucky, Virginia,
Arkansas, Wisconsin, and others. They
are: the Florida PCCIT, comprising a
district of Florida depart
ments of Florida;
the NCA; the Chicago District of Columbia;
Portland, Salt Lake City,
Des Moines and the Southern Cali-
nornia section of the PCCIT.

The representatives will be
represented by a large delegation, com-
prising its unity committee and many of its
directors. In the delegation are
expected to be: Abram F. Myers, H.
A. Cole, Sidney Samelson, Jack
Kirsch, Roy Harrell, Martin Smith,
Fred Strou, Ben Berger and Ray
Branch.

Executives to Be Present

Company representatives scheduled to be present include, in addition to
Schaefer and Schenck, W. F. Rodgers and H. M. Richie of Loew’s; Austin
Keough and Claude Lee of Para-
nount; Joseph Bornhard and Ben
Kalmenson, Warners; Felix Jenkins,
20th Century-Fox; Abe Montague,
Columbia; James R. Grainger, Rep-
ublic and 20th Century-Fox; Talk-
Releasing, and either Y. John-
ston or Steve Brody for Monogram.

Others who may attend but have
not definitely decided yet are: Barney
Balaban, Paramount president; Jack
Cohn, Columbia vice-president, and
T. J. Connors and W. C. Michel of
20th Century-Fox.

Maurice Bergman will represent
Ampe.

Reviews

Sullivan’s Travels” (Paramount)

PRESTON STURGES, whose stories and pictures have maintained a
happy blending of entertainment and box-office values, picks up the argument
whether pictures with a “message” are preferred by the public to pictures which
are unadulterated entertainment. He picks it up and makes a good picture of it, and in so doing manages to deliver a
film with as much entertainment as there is in a highly entertaining
tale.

His chief foil is Joel McCrea, prizéd Hollywood director, who, after
a series of successes built on flyweight themes, suddenly determines
do to picture a social significance, to bring to the screen the message of
America’s impoverished outcasts. He masquerades as a tramp and sets
out on a cross-country, cross-continental crusade against those who would
dematize. Twice, by comic misadventure, he is unwillingly returned
at Hollywood without having accomplished his objective. On the first
occasion he meets Veronica Lake, discarded in her pursuit of Holly-
wood success, who believes him to be a tramp and befriends him. She
accompanied him on his final trip at sharing the lot of the downtrodden.

At its conclusion, McCrea sets out to distribute money to the outcasts
who, he believes, have contributed much to his experience and under-
standing. He is beaten, robbed and tossed in an outbound freight car.
While his assailant is subsequently killed by a train and the body
mutilated is identifies as the director’s McCrea is arrested and convicted
for assault on a railroad policeman, and sentenced to six years in a
work camp, ruled by a brutal overseer. On one occasion, he is taken with
other prisoners to see a film, and laughs with the broken, dejected men
at a Walt Disney cartoon.

Subsequently, his release is effected, he is reunited with Miss Lake,
while the studio officials, who had tried to dissuade him from making
the picture with a message, are convinced that, after his experiences,
he could make a successful one. McCrea rejects their urging, voicing
his new belief in the virtue of making people laugh.

Sullivan’s Travels’ is unique in treatment. It is a picture which will be recommended to others by those who see it.
It is not, however, an easy picture to sell and exhibitors will do well to
give it special attention.

Starr’s direction is excellent, and supporting roles are uniformly well
played, but best of its supporting role are Robert Warwick, William
Demarest, Maurice O’Reilly, Robert Greig, Eric Blore and Kenneth
Buckingham.

Running time, 91 minutes. “G.”

Shearin A. Kane

“Midnight Angel”

(Paramount)

A n interesting murder melodrama, against the background of the
day’s news, has been produced by Sol C. Siegel, who has used the
setting of a test blackout in a large American city to give the story time-
line, and omitting much, of the
practice.

As the vivacious and impulsive young telephone operator who
snatches at excitement and romance wherever she sees it, Martha O’Dril-
s is given a first rate performance. The confusion created by an air
raid drill and the typical crowd reactions have been caught amusingly
by Ral Franklin.

Robert Preston, who plays the male lead, is convicted of murder by
the testimony of a dancer (Eva Gabor), a woman he had never seen. As
he is being driven to jail during the blackout the police van collides with
an army truck and Preston escapes. Miss Driscoll sees him, decides he
was innocent and undertakes to help. Preston is encumbered by hand-
cuffs and the military police hamper his escape but he finally learns that
a friend (Philip Merivale) on whom he had relied really is a foreign spy.
In the end, Preston is cleared by a confession overheard by the
police through an arrangement with Miss Driscoll’s friend at the tele-
phone exchange. Among the cast are Louis Jean Heydt, Thurs-
to Hall, Mary Treen, Edward Bromberg and Spencer Charters.

Running time, 76 minutes. “G.”

Edward Greif

Plagiarism Trial Starts

Boston, Dec. 4—Trial in the $200,
$000 infringement suit of William
O’Rourke, author, against RKO has
started in Federal Court here before
Judge George C. Sweeney. O’Rourke
claims that the RKO picture “Con-
tacted Girls,” which was recently
raised “substantially similar” to his own “Girls Reforma-
tory,” which he submitted to RKO in
1937.

Paro. Will Redeem All 2nd Preferred
Stock February 3

(Continued from page 1)

stocks, amounting to $1.50 a share or the first preferred and 15 cents
share on the second preferred. Thirteen dividends are payable Dec. 27 to com-
mon stockholders of record Dec. 17, and preferred holders of record Dec.
12.

The common dividend is the fourth decided on to be paid for the year,
giving it a 1941 dividend standing of $1 per share.

$10.06 Redemption Price

The redemption of the second pre-
ferred will be at the redemption price
of $10.06, and will apply as well to
the scrip for the second preferred
shares at a proportionate rate. There
are 421,200 shares of second preferred
stock outstanding, and 18,000, or
22,600 shares in the Paramount treas-
ury.

The second dividend will be con-
verted into common stock at a rate of nine shares of common for
ten of preferred. Redemption of the preferred will leave only first preferred
outstanding, apart from the common
and conversion of the first into com-
mon is being spurred by the increas-
ing common dividends.

$12,000,000 in Exchange

Paramount’s offer to exchange its 3 5/8 cent debentures for the common
will be 4 per cent debentures will expire to-
day. Indications are that approxi-
mately 10 per cent of the $12,000,000 of
debentures will be exchanged.

Following an investigation con-
ducted in cooperation with the local
Better Business Bureau, the commit-
tee turned over police authorities
information disclosing operations of
a “studio visit” racket by which visits to the studios under the
“no-visitor” rule were being charged
$7.50 each on a promise of a walk
through studio premises. The name
of one individual who had managed to
smuggle in some visitors by misrepresen-
ting them as having business con-
nections and explanations as to admittance was turned over to the police.

Publicity assistance for Camp Shows, Inc., was also discussed at the
meeting, in which the mailing list committee charged with reduction of
waste in publicity departments was

‘Dumbo’ Xmas Release

Walt Disney’s “Dumbo” will be re-
leased nationally during Christmas
week, it was announced yesterday.
Disney’s “Fantasia” will end a 26-
week run at the New Amsterdam
in London, Sunday and “Dumbo” will
start a pre-release run there Dec. 21.

It was stated.

Photophone in Deal With Mass. Circuit

RCA Photophone has closed a re-
newed agreement on service with the
Western Massachusetts Theatres, at
Springfield, covering 17 houses of the
attachment, according to W. L. Jones,
RCA national service manager.

Nate Goldstein negotiated the deal
for the circuit, and RCA was repre-
sented by J. P. Ware.
GENEROUS CONTRIBUTORS

BECAUSE of their exceptional ability — each in its own field — to record completely the beauty of every scene, Eastman negative films have contributed their part to the success of modern 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
**L.A. Churches Asked to Bar Garbo Picture**

(Continued from page 1)

legal action as the reason why the comic characters cannot be seen in the film.

Up to today the studio had not received notification of specific legal action by the National Legion has suggested in previous cases, notably "Strange Cargo," with a resultant change in Legion classifications.

Will H. Hays, who is expected to leave next week for Indiana and continue his tour of New York, today maintained his policy of silence with respect to the incident.

"Two-Faced Woman" opened today at Grauman's Chinese and Loew's State following a newspaper advertising campaign which utilized large space to attract the attention with Legion of Decency action or newspaper accounts of the situation.

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**Reviews**

**"Mr. Bug Goes To Town"**

(FLICHER-PARAMOUNT)

THIS feature-length cartoon in Technicolor brings its audience to a new world of make believe, a fantasy depicting a community of bugs and their problems of life. It is an amusing fable that affords pleasant and amusing diversion for the young and old alike.

Technically, it is a splendid effort attests to the advancement of the animated cartoon art. That great care and skill were exercised in materializing the imaginative idea is evident. The animation and color work are consistently superior and are bound to draw praise from the technical observer. The character creations, particularly "Honey Bee," "Hopping Grasshopper," "C. Bagley Beetle" and "Mr. Bumble," are quaintly charming.

"Mr. Bug" is endowed further with a musical score of merit. The three songs by the Hoagy Carmichael-Frank Loesser combination titled 'I'll Dance At Your Wedding,' 'We're the Couple in the Castle' and 'Hoppity Hoppy' are of the type that usually has the customer humming as he leaves the theatre.

The fable has an amusing plot whose central character is "Hoppity," the hero, who seeks to provide the bug race with a refuge from the "humanites," who trample through the community. "Beete," who has designs on "Honey" and is jealous of "Hoppity," hampers the latter. After an amusing series of scenes and songs, the hero is led to a retreat where the community is restored.

It is all cleverly worked out with comedy effects.

Running time, 78 minutes. **EUGENE ARNELL**

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**"Road Agent"**

(Universal)

UNIVERSAL'S three adventure-seekers — Dick Foran, Leo Carrillo and Andy Devine — find action, intrigue, fast shooting and riding and a bit of romance in this film which is a western endowed with more than usual production values for that type of picture by Ben Pivar, associate producer.

The direction by Charles Lamont kept the story moving along and the central song interludes for Foran without disrupting the plot. Some humor is supplied by Devine and Carrillo. The cast also includes Anne Gwynne, Samuel S. Hinds, Richard Davies, Anne Nagel and Morris Ankrum.

The three companions capture a gold shipment captured from a stage coach. But they are suspected and just as they are about to be hanged Foran is made sheriff and his partners deputized. Finally they save the bank's deposits. In a gun battle the desperadoes are killed and the band president learns that the three men were agents for the Wells Fargo Co., sent to the town to restore law and order.

Running time, 60 minutes. **M. Q. JR.**

*G" denotes general classification.

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**Tri-States Extends Use of Usherettes**

Des Moines, Dec. 4.— The Tri-States Theatres have replaced the ushers at the Des Moines Theatre here with six usherettes and one director. The replacement is made because of the scarcity of men ushers due to the draft and the higher-paying defense jobs.

The Tri-States organization for years has had ushersettes in the Omaha and Orpheum Theatres, and also in the recently opened Paramount at Omaha, and in two of the theatres at Waterloo, Iowa.

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**Sears Holds First District Meeting; To Studio Today**

(Continued from page 1)


A luncheon was held at Toots Shor's restaurant after the meeting.

Sears leaves today on his first trip to the Henry I. Freed, Loew's U. A. post. He will be accompanied by Edward C. Raftery, president, and June K. Grauman, chairman of the finance committee.

They will discuss production plans with Universal producers. On his return, expected in about 10 days, Sears is expected to announce production plans for the coming six months.

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**Holdovers Continue Well on Broadway**

(Continued from page 1)

Temporary bookings of "The Blues" will open at the Paramount.

Leading the holdover attractions along Broadway was "Suspicion" at the Radio City Music Hall which, with an average attendance, grossed an estimated $8,000 for the second week. The third week started yesterday and grossed nearly $10,000. Brigadier "Men in Her Life," at the Roxy, "You Belong to Me," supported by a stage show, drew an estimated $6,000 for the week. The "Shadow of the Thin Man" brought an estimated $14,000 to the Capitol in its second week.

The second week of "They Died With Their Boots On" grossed an estimated $6,000 at the Strand. The third week started yesterday with Woody Herman's orchestra still the stage attraction. Other long run features did a fair business. "How Green Was My Valley" now in its sixth week at the Rivoli, grossed an estimated $21,700 for the fifth, "Chocolatier" grossed $6,800 for the week and is expected to gross an estimated $6,000 for the third week which ends tonight and will be held over.

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**Basketball League Opens First Season**

The Motion Picture Basketball League, recently formed, opened its season with three games Wednesday night at the Hecksher Foundation National Theatre Supply击败BMB by the score of 89 to 84, the Independence over International Projector Corp., 37-32, and M-G-M vanquished Paramount in an overtime period by 19-39. The games will be played through the season.

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**Para. to Do ‘Merton’**

Hollywood, Dec. 4.— Paramount plans a remake of "Million Dollar Movies" as a musical with an all-star cast. Sol C. Siegel will produce.

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**Para. in Circuit Deals**

Deals for Paramount's first two blocks-of-five were closed yesterday with the R.E. Griffith circuit, Texas; H. J. Griffith circuit, Kansas and Missouri, and the Griffith-Long circuit in New Mexico.

Charles M. Reagan, assistant sales manager, announced.
**Dick Tracy vs. Crime, Inc.** (Republic)
A SERIAL in 12 parts, this doubtless will lend definite support to the week's program. It is fantastic to be sure, but presented in all seriousness by a company of experienced players, it abounds in thrilling action of the sort that attracts and enraptures the serial trade. In the cast are John Byrd as the incredible "Dick Tracy," Owen, Jan Wiley, John Davidson, Ralph Morgan, Kenneth Harlan and others. The yarn has to do with "The Ghost," a fantastic criminal character who with the aid of "science" can fade away into nothing and go along his criminal way, eluding and tormenting the content of the first chapter, this is sure-fire material. The first episode runs 28 minutes and the subsequent issues about 20 minutes. Release undetermined.

**"Chameled Identity"** (Miniature Series)
(M-G-M)
This is a good miniature drama, well told in action, enhanced by a six-dramatic program. It possesses good, sure things the story concerns the assumption by one fugitive of another's identity to be apprehended for a crime committed by the other. A substantial contribution to any program. Running time, 10 minutes. Release, Nov. 8, 1941.

**"Twenty-One Dollars a Day Once a Month"** (Walter Lantz Cartoon)
(Universal)
The characters in the toy department are seen marching and caving in time to the catchy tune of the title. The color cartoon is cleverly done and should satisfy. Running time, 7 minutes. Release, Dec. 1, 1941.

**"Jingle Bells"** (Personality and Name-Brand Musical)
(Universal)
Here's a good short attraction for the holiday season. In an effective winter setting, it has the talented and widely known Gloria Jean, sparkling rhythm by the Milt Hearn Trio, and other entertainment bits by "The Sportsmen," male quartet; Lee, Lynn and Lou, feminine quartet; and the musical that has names and the added advantage of timeliness. Running time, 13 minutes. Release, Dec. 24, 1941.

**"Fancy Answers"** (Pete Smith Specialty)
(M-G-M)
A quiz reel which, with pictoral asides and breezy commentary, offers a full measure of diversion and incidental information for any audience. The questions are not too insinuating and the answers not too obvious. Audiences are allowed 10 to 15 seconds in which to work out the correct answers. Running time, 9 minutes. Release, Nov. 1, 1941.

**"In the Zoo"** (Speaking of Animals)
(Paramount)
This is another in the series of humorous absurdities in which trick photography plays a part. Making a round at a zoo, the off-screen commentator has a little something to say about the attraction. The trickery comes in as the animals, in turn, look up and retort. There is a lot of good fun in the short. Running time, 10 minutes. Release, Oct. 31, 1941.

**"Road in India"** (Fascinating Journey)
(Paramount)
The camera moves along a road in India, observing the different natives who to this day observe the traditions of their ancestors of centuries. The lovely colors of the country are splendidly photographed in color, and should appeal particularly to the more serious looker. Running time, 11 minutes. Release, Oct. 28, 1941.

**"Flying Bear"** (Lantz Cartoon)
(Paramount)
The disaster experience of a flying bear who does his maneuvering above an army airport provides the story for Lantz cartoon in color. The subject is mildly amusing in its more preposterous moments. Running time, 9 minutes. Release, Nov. 1, 1941.

**"The Quiz Kids, Q-12"** (Paramount)
The youngsters whose store of knowledge by which their scores are together again with Joe Kelly, who asks the questions and usually receives the correct answers. The new edition should easily gain as good a reputation for wit, humor and entertainment. Running time, 11 minutes. Release, Dec. 5, 1941.

**"The Mighty Navy"** (Popeye Cartoon)
(Paramount)
Popeye has a bang-up time in the Navy, utilizing strength rather than "modern design" in weighing the anchor, handling the big guns and the like. When enemy craft encircle his ship he takes care of them, the reel is amusing in spots and should serve to brighten the program. Its chief appeal is to children. Running time, 7 minutes. Release, Nov. 14, 1941.

**"Quick Returns"** (Sportlight)
(Paramount)
Badminton and table tennis experts demonstrate how it should be done in this, which rates above fair for the sports series. The reel is somewhat lacking in excitement in spite of the fact that the games are fast and, no doubt, thrilling for the players. Running time, 10 minutes. Release, Nov. 28, 1941.

**"Hobbies of the Stars"** (Picture People)
(RKO-Pathé)
This is an interesting assortment of shots of Hollywood personalities at leisure. Claire Trevor displays some ancient movies; John Beal and Jean Parker are seen sketching their scenes of each other; Alexander Korda, Mary Pickford, Charles Chaplin and David O. Selznick sign a "contract" for the camera, and Bob Burns at his home in San Fernando Valley tells a few stories about his dogs. Helen Broderick is the narrator. Running time, 9 minutes. Release, Nov. 7, 1941.

**"Doin' the Town"** (Personality and Name-Brand Musical)
(Universal)
Not outstanding but more than usually entertaining is this musical with Ozzie Nelson and orchestra, Helen Parrish, Dutch and Buddy, Rose Ann Stevens and others. A few tunes are played and sung by Nelson and Miss Parrish, Dutch and Buddy and seen briefly to advantage, and Miss Stevens tops it off nicely with an amusing ditty sung with Nelson. Running time, 16 minutes. Release, Nov. 26, 1941.

**"Polo Champions"** (World of Sports)
(Columbia)
Bill Stern, as commentator, traces the entire story of polo from the training of the ponies to some shots of championship matches. It is an interesting reel, both for lovers of the game and for those who want to learn what it is about. Pictures of the Meadowbrook stars and games are particularly good. Running time, 10 minutes. Release, Nov. 11, 1941.

**"The Art of Skating"** (Disney Cartoon)
(RKO-Pathé)
Presenting, "Goofy" in all sorts of contortions as he tries to demonstrate the proper technique of skating. Disney scores again with a real laugh provoker. The performance on the skis is good for almost continuous laughter. Running time, 3 minutes. Release, Nov. 14, 1941.

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**'Night,' Show Big $34,000 in Philadelphia**

PHILADELPHIA, Dec. 4.—With Thanksgiving Day heavy business was enjoyed by most of the downtown houses. Combination of Erskine Hawkins band and the Ink Spots on the stage Monday, the "Night of January 16" on the screen gave the Earl $34,000. Estimated receipts for the week ending Nov. 25-28:

*Please refer to the original text for the list of receipts.*

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THE THRILL SHOW OF THE YEAR!

MR. DISTRICT ATTORNEY IN THE CARTER CASE

PAUL HARVEY as Mr. District Attorney

JAMES ELLISON • VIRGINIA GILMORE • FRANKLIN PANGBORN
PAUL HARVEY-LYNNE CARVER-SPENCER CHARTERS-Bernard Vorhaus-Director
Original screen play by Sidney Sheldon and Ben Roberts
Based on the Phillips H. Lord Radio Program, "MR. DISTRICT ATTORNEY"
The Thin Man' in Seattle Takes
Great Good $9,400

Seattle, Dec. 4.— "Shadow of the Thin Man," their third theme was "The End," the book was selling $9,400.

"Sundown" at the Liberty and "It Started With Eve" at the Orpheum were the Others. There was a mild.

Estimated receipts for the week ending Nov. 28:

- "Birth of the Blues" (Para.)
- "The Little Fools" (RKO)
- BLUE MOUSE—$950 (30-4c-8c-7c)
- "The Big Store" (Para.)
- MUSE BOX—$950 (30-4c-9c-7c)
- "Swing It, Soldier" (Univ.)
- ORPHEUM—$950 (30-4c-8c-5c)
- "Dawn Mexico Way" (Rep.)
- PAL—$950 (30-4c-9c-8c)
- "Hot Spot" (20th-Fox)
- PARAMOUNT—$950 (30-4c-8c)

"Flying' Is Detroit
Winner at $23,000

Detroit, Dec. 4.— During mild weather, the Fox sold $23,000 for "Keep Em Flying" and "The Perfect Snob." The Michigan did $18,000 with "Birth of the Blues" and "The Big Store."

Estimated receipts for the week ending Nov. 27:

- "Three Girls About Town" (Col.)
- ADAMS—$1,000 (15c-30c-4c-5c)
- "Charley's Aunt" (20th-Fox)
- RINGSTAD MUSIC—$1,000 (30c-30c-3c-5c)
- "Pipe Line" (Fith—Fox)
- "Keep Em Flying" (Univ.)
- "The Perfect Stomp" (Walt-Fox)
- "FOX—$1,500 (30c-4c-5c-6c)
- "Birth of the Blues" (Para.)
- MICHIGAN—$1,500 (30c-30c-4c-5c-

Commercial Television Not Pushed by NBC: Morton

"NBC doesn't want to push commercial television too fast. We'd rather do a good job for the sponsors who have and gradually increase the number of programs but we are not yet equipped to give them all satisfactory service."

Four Regular Sponsors
At present, WOR—NBC's television station—has four sponsors on regular contract. They are Bulova, with one-minute time signals; Botany Five Pachy, WSM, Nashville; O. L. Cahn, with two similar five minute units on Christmas; and RKO, with two 10-minute units.

The McGees—Dec. 4.— "Ringside" has been a great hit. The program is handled by George Remus, the former World's Fair manager, and is the top rating program on the station.

FOOTBALL

-

-off the Antenna

THELES TRAMMELL, NBC president, yesterday announced the final results of elections in 13 of the 14 districts of the NBC Stations Planning and Advisory Committees on National Defense. Seven districts have been laid out on both the Red and Blue networks, and affiliated stations voted for representatives on their respective networks. The committees will meet Jan. 6 and 7, quarterly thereafter.

The Red committee consists of Paul W. Morency, WITC, Hartford, Conn.; James D. Souse, WLI, Cincinnati; Stanley Hubbard, KSTP, St. Paul; Harold Stowe, WJER, Detroit; Harold Smiley, WABC, New York; Erv Goertzen, KGIL, Billings, Mont., and Arden X. Panganin, KGW, Portland, Ore. For the Blue, with District 6 unreported, the committee includes: Harold Wilder, WSYR-WTRY, Troy-Saratoga, N. Y.; Allen Campbell, WNYZ, Detroit; Earl May, KMA, Shenandoah, la.; Henry P. Johnston, WSGN, Birmingham, Ala.; Harold Hough, KGKO, Fort Worth, Tex., and Howard Lane, KFBR, Sacramento, Calif.

Purely Personal: Joe Howard, star of the CBS "Gay Nineties" show, has had his autobiography, "Joe Howard's Life—A Wonder Who's Kissing Her Now," accepted for publication by Scribners. . . . Bill Peeneul, formerly at WIOF, Miami, has joined the WHN announcing staff. . . John Florea, who has been assisting Stan Shaw on "Millennium's Matinee" for seven years over WNEW, will act as substitute for Shaw on Sundays and Mondays. The addition was made necessary by the shift of the station's frequency which permits it to be on the air seven days instead of six. . . Lew Walker, WBYN announcer, is the father of a daughter.

Walter Murphy, college editor of the CBS publicity department, has been promoted to the post of publicity director of WBOB, the CBS station in Boston, it was announced by Louis Rupell, the network publicity head. Murphy succeeds Dorothy Drake, who died recently.

NBC short wave, beginning Monday, will add a Finnish program to its schedule beamed daily to Europe. The program will be broadcast from 1:15 to 2:30 daily in five parts and commentary. It will also be carried by WBOB, 50,000 watt short wave station in Boston, Arvo Haapa, American-born newspaperman of Finnish descent, will handle the program. Finnish is the eighth language to be heard over NBC short wave others are English, French, German, Italian, Portuguese, Spanish and Swedish.


F.C.C. Authorizes Two New Stations; Gets Pleas on Four

WASHINGTON, Dec. 4.—The F.C.C. has granted construction permits for two new stations and received applications for four.

The permits were granted to the Tar Heel Broadcasting System, Inc., for a 25,000-watt AM station at Washington, N. C., and the Baltimore Radio Show, Inc., for a $5,500-kilowatt FM station at Baltimore.

The applications were submitted by the Jos Huggins Broadcasting Co., for a 1,340-kilowatt AM station at Waterloo, Iowa; the Sacandaga Broadcasting Corp. for a 1,340-kilowatt AM station at Gloversville, N. Y.; the Ludington Broadcasting Co. for a 1,490-kilowatt, 250-watt station at Ludington, Mich., and the Continental Broadcasting Co. for a 1,460-kilowatt FM station at Reading, Pa.

Seeks Frequency Change
An application was also filed by Station WKBZ, Muskegon, Mich., for change of frequency from 1,490 to 1,450 kilocycles.

The commission ordered hearings, on dates to be set later, on the applications of Station WKBZ, Altotona, Ill., for 1,030-kilowatt, 1,000-watt day station at Altotona, Ill.; Station WSON, Henrietta, Ky., for 500 watts, and Station WIRE, Indianapolis, for change of frequency to 1,190 kilocycles, increase of power to 2,500 watts, and move of transmitter from Indianapolis to Zionsville, Ind.

FCC Cuts Listing of Newspaper Stations

WASHINGTON, Dec. 4.—The FCC today revised downward its estimate of the number of newspaper stations owned by newspaper interests, deleting from its list 49 of the 298 stations which earlier it had classified as newspaper-owned.

The Commission's action was taken at the resumption of hearings on stations -in operation during the war, the figure immediately was attacked by Harold Hough, of the Fort Worth, Tex., Star-Telegram, chairman of the Newspaper Radio Committee, who charged that many of the stations still listed should be eliminated.

Hough pointed out that the new exhibit placed stations in two groups, one of which, he said, consisted of stations where the newspaper interest is so minor that the paper has no control of their operations.

Para. Sets Ginger Rogers
Hollywood, Dec. 4.— Ginger Rogers will be starred by Paramount in "Lunatic" and "G-Men," which Arthur Hornblow will produce. The film will precede the recently announce "Real Ball" on Paramount's schedule.

Mathews-Berle Nuptials
JOLLEY HILLS, Calif., Dec. 4.— Joyce Mathews was married here today to Milton Berle at the home of his mother, Mrs. Santra Berle.

Recovering After Fire
DOVER, N. H., Dec. 4.—Mel Morris, manager of the M. & P. Strand here, said that three small children are recovering at Wentworth Hospital from injuries sustained when they escaped from their home here after a fire swept through the west district, manager, who was visiting, escaped with minor bruises.

Mitchell Is Signed
HOLLYWOOD, Dec. 4.—Twentieth Century-Fox has signed Thomas Mitchell for "Momie" and "This Above All!"

Continued SWG Talks
HOLLYWOOD, Dec. 4.—The negotiating committee of the Screen Writers Guild met today again with producer representatives.
U.S. Seeks to Speed Trial of Schine Action

Will Demand Early Reply To Interrogatories

The Government is scheduled to petition Federal Judge John Knight in U.S. District court here this morning for an order directing United Artists, Columbia and Universal to supply answers to Government interrogatories in the Schine circuit suit until suit on or before Dec. 22.

The move follows receipt of a communication from Louis D. Frohlich, Counsel for Columbia, advising Seymour Simon, Assistant to the U.S. Attorney General, that he will be unable to agree to trial of the suit before Feb., 15. At the earliest and that he will be unable to file answers to Government interrogatories before Jan. 15.

The Government has endeavored to arrange for the trial to begin early in (Continued on page 3)

W. B. Named in Ten Bioff Payment Suits

Warner Bros. has been named defendant in a total of 10 stockholders' suits arising from disclosure of extortion payments allegedly made to William Bioff and George E. Browne, according to an application made on behalf by Warners to consolidate the suits. N.Y. Supreme Court Justice Ferdinand A. Pecora reserved decision on the application which included plans for a stay of all examinations before trial of Warner's officials.

Justice Isador Wasserglegel on Friday ordered consolidation of eight suits pending against Loew's, Inc., brought on similar charges. All actions seek an accounting by officers of the payments, contending that they were illegal.

See Olsen in Chicago Post Held by Browne

Chicago, Dec. 7—Frank C. Olsen, acting business agent of the IATSE stagehands' local here several years, was appointed by a roll-call vote at a meeting Friday to continue until the union's regular elections in May. Observers believe that Olsen will be elected at that time to the post of business agent, which formerly was held by George E. Browne.

Atlas Corp. Owned

43% RKO Common

In Oct., SEC Shows

WASHINGTON, Dec. 7—Atlas Corp. holdings in RKO amounted to approximately 43 per cent of the company's common stock, exclusive of warrants, and well over one-third of the RKO preferred stock outstanding at the end of October, according to a Securities & Exchange Commission report. Floyd B. Odlum is president of Atlas Corp.

During October Atlas purchased 10,800 shares of RKO common and 1,800 shares of convertible preferred, bringing its holdings at the end of the month to 843,233 shares of common direct and 268,230 shares through warrants, in addition to 327,812 warrants for common and 47,351 shares of preferred.

Some of the heaviest transactions in film securities in recent months were revealed in the report for October. Manufacturers Trust Co., New York, purchased $140,000 par value of

(Continued on page 3)

SOLID FRONT AIM OF CHICAGO MEET

60 Montreal Houses Cited on Child Laws

Montreal, Dec. 7—About 60 actions have been taken by the Quebec Attorney General's department against Montreal theatres on charges of admitting children under 16 years contrary to law, officials announced over the weekend. The officials stated that such actions will continue. Twelve exhibitors have pleaded guilty. The majority of them were fined $10 and costs.

Report U.A. Talks

Milestone, Hitchcock Deal; Rogers Signed

Lewis Milestone and Alfred Hitchcock are among the reported producer possibilities for United Artists. On Friday Frank D. Sears, vice-president in charge of distribution, announced that the company had signed Charles R. Rogers for a releasing deal.

David O. Selznick, producer-owner of U. A., has postponed his departure for the Coast until today, it was learned over the weekend. His next picture, it is reported, will be "Keys to the Kingdom," with Ingrid Bergman. He is reported additionally

(Continued on page 3)

Oscar Deutsch Dies;

British Odeon Head

LONDON, Dec. 7—Oscar Deutsch, 48, chairman and managing director of Odeon Theatres, Ltd., one of the leading English circuits, died suddenly on Friday. Odeon controls approximately 300 theatres.

Deutsch, an important figure in the British film industry for many years, entered the business in distribution, as chairman of W. & E. Film Service (Midlands), Ltd. He entered exhibition in 1925, but it was not until 1933 that he began to build the Odeon Circuit.

He was born in Birmingham, Aug. 12, 1893, and was educated at King Edward's School, Birmingham, and Ecole Universale, Luxembourg. He was engaged in the metal business be

(Continued on page 4)
Rubin, Zukor Speak At N.Y.U. Film Fete

J. Robert Rubin, vice-president of Paramount, and Samuel Goldwyn, according to the new motion picture department at New York University, at a tea at the University's East Building on Friday with the managing director of the college. Rubin pledged that the industry would provide the utmost cooperation and help in every way.

Adolph Zukor, Paramount board chairman, who also addressed the gathering, said that the department will be helpful in creating new production talent. An address of Chancellor Harry Woodburn Chase was made by Dean Charles Maxwell McConn and Professor Robert Gessner.

The meeting was attended by executives and representatives of film companies including Barney Balaban, Carl Milliken, Austin Keough, John Fenton, Al W. M. Wolfe, William Clark, Archie Patterson, Albert Dean, Rose Hirsch, William Fadiman, Hattie Baker and others.

Seaman Is Elected Baltimore Club Head

Baltimore, Dec. 7—Bernard Seaman has been elected chief barkeeper of the local Variety Club for the ensuing year. He replaces William C. Hicks. Others elected include: first assistant barkeeper, Edward Perotta; second assistant barkeeper, Rodney Collie; secretary, Martin Goldfinch; treasurer, Frank H. DuRait.

The newly elected board of governors consists of J. Louis Keme, Hicks, J. Louis W. E. White, Donald Bogan, Edwin A. Sherwood, Leonard J. McLaughlin and Lauritz Garman.

Film to Roxy Xmas Day

The 20th Century-Fox picture, “Remember the Day,” which was shown by the Roxy Theatre on Monday, December 8, 1941, is the only film being shown on the Roxy Theatre on Christmas Day, a Thursday. The theatre usually opens its new films on Friday.

Personal Mention

SAMUEL GOLDWIN left for Hollywood Friday night.

GRADWELL SEARS and Arthur W. Kelly left Friday for the Coast and are due here today. Edward C. Raftery arrived on the Coast Friday night from Nashville to plan.

JOHN OJERHOLM, head of Paramount's British laboratory, is scheduled to leave London by boat for New York today.

JAMES MILLER, vice-president and Eastern representative for Samuel Goldwyn, Inc., has returned from Florida.

SAMUEL PALAN, Monogram salesman in Philadelphia, has recovered from an illness.

20th-Fox, Warners Set Trade Showings

Twentieth Century-Fox and Warners have announced trade showings on new pictures. On Dec. 22 and 23, Warners will show five: “Dangerously They Live,” “The Man Who Came to Dinner,” “Men of the Sea,” “Wild Bill Hickock Rides,” and “Kings Row.” Exact dates and times will be announced later.

Twentieth Century-Fox will show six, as follows: “Blue, White and Perfect and Remember the Day,” Dec. 19; “Son of Fury” and “Young Americans” Jan. 5; “Airport” Jan. 7; “That Huckleberry Heart” and “You Can’t Always Tell,” Jan. 6.

Albany Fete Honors M. A. Silver Tonight

ALBANY, Dec. 7—Several hundred persons are expected to attend the testimonial dinner to M. A. Silver, recently appointed War Zone manager in Pennsylvania, at the Hotel Ten Eyck here tomorrow night. Exhibitors are expected from New York, Buffalo, Cleveland and Pittsburgh, Gov. Robert H. Lehman is expected as one of the principal speakers. James J. Walker, former mayor of New York, will be toastmaster.

Young, Marquand Honored at Party

Robert Young and J. P. Marquand, star and author, respectively, of “H. M. Pulham, Esq.” were guests of honor at a cocktail party at the Shell Room, RCA Building, on Friday. The M-G-M film is scheduled to open at the Radio City Music Hall, Dec. 18.

Among those present were Gus S. Evans, Alice Tipton, Jane Wyman, Roberta spot, Si Scadder, Samuel Goldfinch, Schmidt, A-Mike Vogel, Ida Credom, Tom Rogers, Ray Bell and William Ferguson.

Roach Drops Suit Over Metro Pacts

Formal stipulation discontinuing the $1,280,000 damage suit of Hal Roach Studios, Inc., against Loew’s, Inc., and M-G-M Distributing Corp., was filed Friday in U. S. District Court here. No details were given. The plaintiff had charged the defendants with violations of a series of distribution contracts made between 1936 and 1940.

Hawks Rites in Baltimore

Funeral services for Wells Hawks, 71, well-known public man, are to be held in Baltimore. He died in Pomona, N. Y., on Thursday. He represented many stage and screen stars including: Mark Twain, London, W., Hope Wilkins, Mark T. coach. Hawks was at one time was with Fox Film Corp. He had been an invalid since 1927.

Phila. W. B. Club Party

PHILADELPHIA, Dec. 7—The local Warner Brothers Branch hold its annual Christmas party Dec. 19 in the club rooms.
Flying’ Gets $9,400, Lead Frisco Gross

SAN FRANCISCO, Dec. 7.—“Keep Em’ Flying” and “South of Tahiti” are leading on a combined basis with $9,400 each for the weekend, and the second week’s gross was $15,400 at the Golden Gate.

Estimates for the week ending Nov. 25-28:

- Look Who’s Laughing” (RKO) $2,000.
- Golden Gate (M-G-M) $2,000.
- Shadow of the Thin Man” (M-G-M) $1,500.
- Sons of the Desert” (Universal) $1,500.
- Crossfire” (20th-Fox) $1,500.

Thin Man Scores
High, Indianapolis

INDIANAPOLIS, Dec. 7.—“Shadow of the Thin Man” did a small $5,000 at the home weekly, with “Two Lumps from Manhattan” sharing the bill. At the Indiana, “Keep Em’ Flying” and “Mob Town” took $12,000.

Estimated receipts for the week ending Nov. 27:

- The Maltese Falcon” (W. B.) $2,000.
- Law of the Tropics” (Fox) $2,000.
- Circle” (20th-Fox) $1,500.
- Keep Em’ Flying” (Univ.) $1,500.
- Mob Town” (Paramount) $1,500.

RKO tendered a farewell luncheon and a Bon Friday to Cresson E. Smith, who resigned as Western division manager to join United Artists and make his home on the Coast. Ned E. Deinert was toastmaster.

Golden Calls Film Mightier Than Tank in Modern Time

WASHINGTON, Dec. 7.—In modern times, it is the picture which is mightier than the tank, supplanted the pen which was mightier than the sword. Nathan D. Golden, motion picture consultant of the Department of Commerce, declared in an article in Foreign Commerce Weekly, issued yesterday.

Explain how the industry’s role in domestic commerce and the maintenance of morale, Golden also pointed to the contributions of motion pictures to foreign relations and world trade.

Golden called the influence of films on foreign trade “noteworthy in many instances.” “That 280,000,000 people see motion pictures every week, Golden called motion pictures an “animated catalogue” of the nation’s goods. In normal times, he added, 70 per cent of all motion pictures shown in foreign markets were of U. S. origin. “That American sales abroad were materially aided by that fact admits of no doubt,” he observed.

Of major significance, Golden said, was the contribution of films to morale. The U. S. Army M. P. Camp, operating 552 camps in 1943, has an average of 27,000 army posts with an average attendance of 275,000 daily. There are 2,121 programs weekly, 7 features and at least two shorts and with frequent personal appearances of film stars.

Neutral countries have indicated their preference for U. S. films, Golden said, pointing to the fact that Swedish theatres sold 71 per cent of all product came from the U. S. in 1940 as compared with only 60.7 per cent in 1939.

File 28th Complaint
With Local Board

(Continued from page 1)

its Central and Lynbrook theatres on a single contract.

Dismiss Para. in Chicago Case

CHICAGO, Dec. 7—Paramount was dismissed from the Alcyon Theatre, Highland Park, Ill., clearance case on Friday at the complainant’s request. The case was continued until further notice. Arbitrator Slater directed that briefs filed on a motion for dismissal by counsel for intervening theatre on the ground that no clearance exists and the lack of arbitrator’s jurisdiction.

Atlas Held 43% of RKO Common Stock

(Continued from page 1)

Paramount’s 1947 divestitures during the month and disposed of $3,341,800, leaving it with $20,900 at the end of the month.

Jack L. Warner added 22,900 shares of Warner Bros. common, bringing his holdings to 125,800 shares at the close of the month.

U.S. Seeks to Speed Trial of Schine Action

(Continued from page 1)

January, according to George L. Grobe, U. S. Attorney here.

Simultaneously, the Government filed a 28-page supplemental bill of particulars.

Restated in clearer form are 45 names and locations of theatres to which preference or protection allegedly was granted by the distributor defendants. Listed are 27 theatres in four states which, according to the Government, were acquired by Schine after they were granted preference over competing theatres. Forty competing theatres over which Schine allegedly obtained privileges are listed.

Also given are 23 houses which, the Government charged, the distributors have refused to license on a local competitive basis.

OSCAR SCHINE DIES; BRITISH ODEON HEAD

(Continued from page 1)

fore entering the film industry, and was chairman of the Birmingham and Midlands Branch of the Cinematograph Exhibitors Association in 1931-32.

Companies in which he was interested included Sound Equipment, Ltd., Denham Laboratories, Ltd., Scophony, Ltd., and several others. He leaves a widow. They had no children.

THE THRILL SHOW OF THE YEAR!

MR. DISTRICT ATTORNEY IN THE CARTER CASE

VIRGINIA GILMORE as Terry Parker, reporter

JAMES ELLISON • VIRGINIA GILMORE • FRANKLIN PANGBORN
PAUL HARVEY • LYNNIE CARVER • SPENCER CHARTERS • BERNARD VORHAUS-Director
Original screen play by Sidney Sheldon and Ben Roberts
Based on the Phillips H. Lord Radio Program, “MR. DISTRICT ATTORNEY”
Industry Front
Aim of Chicago Unity Meeting

(Continued from page 1)
operation, and his attendance at the Chicago conference made pos-
sible through the kindness and cour-
tesy of Mr. Nicholas M. Schenck, who has allowed him to finish
his work at M-G-M six weeks earlier than expected, in order to represen
20th Century-Fox at this coming meeting. Although at least two of the major
companies, such as Universal and United Artists, will not be repre-
sented, a welding of interest interna-
tially in the trade and division of
the business will be attempted, it
is said.

Three 'Uns' a Target
A unified front against "unjust tax-
ations," unfair legislation, and "un-
favorable publicity"—the "Three
'Uns'—appears to be the slogan which may be the solution to a prob-
lem that has been broached before. Unlike the past, when the Division of
the Motion Picture Industry petitioned the courts to protect the industry,
this time, according to the active committee chairmen, the problem will
be handled in a more effective manner, possibly through legislation.

All Exhibitor Groups
To Be Represented
Washingotn, Dec. 5—Every dis-
tributing company except Universal
and United Artists and every exhib-
itor organization without exception
will be present at the Unity Meeting,
which will be held in the Midtown
Waldorf-Astoria Hotel on Tuesday.

Baraban Balkan, Paramount pres-
ident, and Neil Agnoli, president of
Universal, will be present to at-
tend the meeting. Austin Krouth
and Claude Lee of Paramount were
reported earlier as slated to represent
the company.

Baraban is the third major company
president present at the meeting to
to attend, Nicholas M. Schenck of
Loew's and George J. Schaefer of
RKO having accepted earlier.

Lab Union Extends
Picketing in Strike
Laboratory Technicians Union,
Local 702, extended its activities in
the five-weeks-old strike against
Motion Picture Laboratories by start-
ing secondary picketing against
Commonwealth Pictures and Guaranteed
Pictures on Friday. Similar picketing
will be started against Institutes
Pictures today and against other
customers in the near future, ac-

ning to John H. Rugge, president.

Serial in 15 Episodes
Republic's serial, "Dick Tracy vs.
Crime Inc.", is presented in 15 ep-
isodes and not 12, as was stated in
Motion Picture Daily's review.

Reviews
"Bahama Passage"
(Paramount)
THIS film, produced and directed by Edward H. Griffith, gives the
exhibitor a number of good selling points. There is a beautiful back-
ground of sea, sky and a tropical isle, photographed magnificently in
Bahamas. There is a tremendous number of attractive stars, which are
too many to list before, and wearing costumes that suggest romance in the
South Seas. Finally there is Stirling Hayden, a handsome blond who
might easily become one of the most popular male stars.

Beyond the pictorial elements, natural and human, this film offers little.
An attempt was made to have a slightly different story and a couple of
old tricks were credited, but the result was not a complete success.

At the New York trade there was, however, a large number of exhibitor
critics who laughed a few times at the wrong places.

Hayden is heir to Dildo Cay, a small island where his family has op-
erated a salt business for generations. Flora Robson, his mother,
rides an Englishman, Leo G. Carroll, to run the island, and his daughter,
Miss Carroll, comes with him. Hayden's wife, who refuses to live on
the Cay, threatens divorce. There is trouble with the natives, the mother
dies of a heart attack and the Englishman is taken by the natives.

Hayden and Miss Carroll are alone. He resists her advances but finally
falls in love.

Running time, 83 minutes. "A".

M. Q. Jr.

"No Hands on the Clock"
(Paramount)
A mystery film which accumulates and available plots which conceal the
identity of the murderer to the very last become fewer, the tempta-
tion to resort to plot by plot in order to keep the audience in the dark
appears to become proportionately greater. In the case of "No Hands
on the Clock" this tendency has unfortunate results in that it has per-
fused the confusion.

So numerous are the clues introduced to lead the audience away from
the culprit, and so unnecessary are many of them to the telling of the
story, that even after the murderer or murderers have been solved and the
goings-on explained, many in the audience are likely to remain as mas-
tified as ever.

Chester Morris, a private detective specializing in tracing missing
persons, marries the object of one such search and has his honeymoon
interrupted by an assignment to find the son of a wealthy Nevada
rancher. Clues run in all directions; murderers, shootings, chases ensue,
to say nothing of honeymoon misunderstandings. The unravelling of
the mystery is accomplished mostly by Morris's detection, rather than
a single clue, and the confusion is unsatisfactory largely for that reason.

Jean Parker, James Kirkwood, Rose Hobart, Dick Purcell, Astrid
Allwyn, Loren Raker, George Watts and Robert Middlemass are in
principal support.

Running time, 76 minutes. "G".
SHERWIN A. KANE

"Sing for Your Supper"
(Columbia)
JINX FALKENBURG, Charles "Buddy" Rogers and Bert Gordon,
known as the "Mad Russian," appear here in a rather unevenly placed
light musical comedy, which is sufficiently amusing in its lighter moments
but whichumbles slightly elsewhere. In its best when Gordon, who has an expert sense of comedy timing, is on the scene wrestling
with the English language. The script is not completely polished.

Rogers is an orchestra leader in a dance-a-dance casino; Miss Falken-
burg is the heiress who takes the job of hostess because of Rogers,
concealing her true identity. He eventually learns of her social status, but
doesn't mind too much. Publicist Don Beldoe spreads the news to the
newspapers and Miss Falkenburg, thinking Rogers responsible, departs,
in a huff. Beldoe finally patches things up in a rather implausible man-
ner.

Running time, 65 minutes. "G".
EUGENE ARNELL

Assumes Bombay Post
Charles O. Julian has arrived in
Bombay to take his new post as
manager of the RKO office in India, Far
Eastern Manager Leon Britton has
moved his headquarters to Singapore.

Mankiewicz Rites Held
Funeral services were held here
Friday for Dr. Frank Mankiewicz, 69,
father of Joseph L. Mankiewicz,
M-G-M, and Herman J. Mankiewicz.

Chicago Police
Head Reverses
Local Censor

(Continued from page 1)
the following day ordered the classify-
tion change.
Meanwhile, Bishop John H. McNicholas of Cincinnati, chair-
man of the National Legion of Decen-
tate last week issued a pastoral letter to all Catholic bishops con-
firming the film. He ordered an active com-
mittee of the Legion be formed, inter-
medialists not already exist, in ever-
parish to urge support of his con-
demnation.

Pickets in Cincinnati
Father Edward Kotter, of the loc-
parish in Cincinnati, placed two pick-
ets before the RKO Palace, where th-
film has been running in the heart of
the city, and sent through the streets, bearing banners calling attention to the Legion's ban.

In Chicago, Mayor Edward J. Kelly, after seeing the film at the
success, was nailed to the picture, which screened Thursday night, de-
clared the following day that no defi-
itive decision had yet been formed. Father John DuFour, Archdiocesan
diocese, who attended the screenings with the Mayor and Police Commis-
sioner, was quoted as saying that the film was inadvisable, not only be-
cause of the N.Y. State ban but because of the lack of reaction. The film
suffered from the fact that it was shown in the wrong part of the city.

A Denver Cathedral Register on
the film's run said that the film was "a
delicate challenge" to the Legion of
Decency.

Cross-Picketing Ban
Discussed at Hearing
The New York State Joint Legis-
ativc Committee on Industrial Labor
Controversies held a hearing on the question of cross-picketing by
unions. All speakers, with the excep-
tion of the CIO N. Y. State Council of
Construction, favored some ban on
cross-picketing.

Sound films were exhibited to the
committee to show how a picket line
in front of a Pickering's department store
was conducted.
Abandon Film Probe
Washington, Dec. 8.—The creation of a national conciliation board representing all the elements of the industry, to meet whenever necessary, and the creation of a single exhibitor body for the whole country will be among the matters to be taken up at the trade unity conference scheduled to begin here tomorrow.

100 Honor Silver; 
Admiral a Speaker
ALBANY, Dec. 8.—The Albany Variety Club paid tribute to its first Chief Barker, Moe Silver, in a patriotic setting at the Hotel Ten Eyck tonight before 400 motion picture people honoring his promotion to the Pittsburgh zone managership for Warner Theatres.

Minn. Civil Action 
Trial After Feb. 1
MINNEAPOLIS, Dec. 8.—Trial of the civil action of the consenting companies seeking a permanent injunction against enforcement of the Minnesota anti-block-of-five law and a ruling on its constitutionality, was decreed today until after Feb. 1 to permit trial in the meantime of the criminal actions for violations of the.

Schine Trial Will
Start on March 3

Radio Goes on War Basis
Washington, Dec. 8.—The Defense Communications Board today moved to put the radio industry on a war footing. First move was the order to the FCC to cancel all stations' monitoring schedules maintained for checking frequency stability, so that full use may be made of the transmission for defense purposes.

Censorship studies are being made by a number of Government agencies, Chairman James L. Fly disclosed later. The Navy yesterday took over censorship of the international short wave stations, in keeping those in the island possessions, Fly said.

He added that the Navy probably will need some of the properties of the radio communications companies but there is no present indication that broadcasting properties will be taken over by the President under wartime powers granted in the Communications Act. Various industry committees shortly will be asked to aid.

The War Department at 7 o'clock Pacific Time last night shut off and blacked out all but one radio station in the Pacific Northwest. IRO, CBS station in Seattle, broadcast official news.

[Radio's war coverage detailed on Page 4.]

Subsequent Off as Much As 33%, While B'dway Remains Normal

Neighborhood and small town theatres throughout the country experienced a decline of 15 to 35 per cent in box office receipts Sunday, while large city first runs were less affected by the national emergency. Business at most theatres veered back to normal or almost so yet.

Theatre business is expected to take a heavy dip tonight as the President addresses the nation from 10 to 10:30 P. M. About 50,000,000 persons in the United States heard the President's address yesterday at 12:30 P. M., it was estimated by C. E. Hooper, Inc. This was the highest yet. Other estimates gave the total as 80,000,000.

day, according to reports from "key" cities.

Seattle blacked out last night and theatres closed at 10:30 P. M. San Francisco also blacked out. Business was low.

Broadway houses appeared to be little affected by the outbreak of hos-

See Far East
Market Open

War in the Pacific is not expected to close the industry's Far Eastern markets, in the opinion of the majority of foreign department officials.

Although no definite information on shipping facilities is expected for another day or two, most export managers are confident that lanes to the Philippines, Australia, New Zealand, Malay, Hong Kong, Thailand and India will be kept open by the United States and Great Britain. The Far East market, exclusive of Australia and New Zealand, is worth about $5,000,000 annual revenue to the industry.

The only countries which foreign managers are agreed will be closed to the industry are Japan, occupied China, French Indo-China and whatever other additional area Japan may succeed in occupying. The loss of
Loew, Univ. Give
Holiday Bonuses

Loew's and Universal yesterday announced holiday bonuses to employes. In both instances they will be for those receiving $40 or less weekly. Universal will give one week's salary, while Loew's will give two weeks' salary, not exceeding $50, to those employed a year or more and one week's salary, not exceeding $25, to those employed six months to a year.

Morgenthau Backs
Soldier Exemption

WASHINGTON, Dec. 8.—Plans of members of Congress to revise the admission tax provisions of the revenue law to exempt soldier admissions to Army motion picture theatres have received the support of Secretary of the Treasury Morgenthau.

In a letter to Representative John W. McCormack, who inquired about the Treasury's position, Secretary Morgenthau said he would have no objection to lifting the tax so long as the net proceeds from such admissions are used exclusively for the welfare of the military or naval forces.

NEW YORK THEATRES

RADIO CITY MUSIC HALL

CARY GRANT & JOAN FONTAINE "SUSPICION"

ON THE GREAT STAGE: "WIG GOING"

Leibnitz's play, opening tonight, under the direction of Erno Rason.

PARAMOUNT

CLAUDETTE GOLBERT, RAY NOLLARD, BERNIE KAINER in Paramount's "SKYLARK".

In PERSON:

HARRY JAMES AND BAND

RAY BOLGER

PARAMOUNT

Time: 7:30 pm

GLADIS GOLBERT & RAY NOLLARD & BERNIE KAINER in Paramount's "SKYLARK"

GLADYS GOLBERT in PERSON

"Rise and Shine"

PLUS A BIG STAGE SHOWING: ROXY

7th Ave. & 46th St.

5 SERVICES DAILY VIA

THE SOUTHERN SUNSHINE ROUTE TO

LOS ANGELES

THE MERCURY

(Two Sections)

Lv. New York
4:30 pm and 4:45 pm
Ar. Dallas-Ft. Worth
2:38 am and 2:28 am
Ar. Los Angeles
1:26 am and 7:47 am

THE PLAINSMAN

Lv. New York
5:25 pm
Ar. Dallas-Ft. Worth
2:55 am
Ar. Los Angeles
9:47 am

THE SOUTHERNER

Lv. New York
10:55 pm
Ar. Dallas-Ft. Worth
8:52 am
Ar. Los Angeles
2:02 pm

THE SUN

Lv. New York
6:30 am
Ar. Dallas-Ft. Worth
4:58 pm
Ar. Los Angeles
1:26 pm

COUNTRY SPECIAL

For reservations, call your Travel Agent or Havemeyer 6-5000.

AMERICAN AIRLINES Inc.

ROUTE OF THE FLAGS

400 Honor Silver:
Admiral a Speaker

(Continued from page 1)

Joseph Hazen, Warner executive, returned yesterday from the Coast.

FRANCIS HARRABY and ROBERT T. KANE, 20th Century-Fox British officers, who were to leave London by clipper Friday for New York will come by boat instead as a result of a Government order halting clipper flights by civilians. They are due here about Dec. 22.

Academy Awards Dinner on Feb. 26

Hollywood, Dec. 8.—The board of governors of the Academy of Motion Picture Arts and Sciences has set the 14th annual awards dinner for Feb. 26. Achievements eligible must have been in connection with pictures released during 1941, or first publicly exhibited in the Los Angeles area before Jan. 12, 1942.

U. A. Owners Meet At Pickfair Friday

Hollywood, Dec. 8.—United Artists' annual meeting of owner-members and Eastern executives will take place Friday at Pickfair, Edward C. Raittsey, president, announced here today.

PERSONAL MENTION

DAVID ROSE, Paramount managing director for Great Britain, arrived from Lisbon by boat yesterday.

WILLIAM C. GERHARDT, Central division manager for 20th Century-Fox, leaves today for Chicago.

BERNARD B. KENNEY, son of C. G. Kenney, manager of the Park, Reading, Pa., has won his "wings" in the Royal Canadian Air Force.

Suspend Garbo Film, Discussing Revisions

M-G-M representatives are discussing with Legion of Decency officials possible revisions in "Two-Paced Woman," Greta Garbo picture, it was stated yesterday at the home office. Meanwhile, the company is not taking any bookings beyond Dec. 16. The suspension, it was indicated, will be temporary.

Hold Rites Today For Sam T. Lyons

Hollywood, Dec. 8.—Funeral services will be held here tomorrow for Sam Theodore Lyons, 41, talent agent, who succumbed to a heart attack yesterday. He had been in the agency business for 25 years here and in New York. He is survived by his widow, the former Joy Lynne, actress, and his brother, Arthur, with whom he was in business.

Academy Presents $25,000 to War

NEW YORK, Dec. 8.—The Academy of Motion Picture Arts and Sciences has contributed $25,000 to the national defense fund, announced today by President Alfred E. Lasker. The Academy of Sciences and the Academy of Arts have contributed $25,000 to the national defense fund.

The contributors include: Walter T. Brown, secretary to and representing General John J. Bennett, Mayor Herman Hooge- kamp of Albany; Harry Kahn, John Harris, James Balmer, Herman Robert, Robert E. O'Keefe, E. O. Shep- man, Si Fabian, chairman of the affair; C. J. Latta, Silver's successor as manager in Albany; Jack Cohn, Ned E. Depinet, Myer and Louis Schine and Louis Golding.

N. Y. Executives Attend


At a luncheon today at the Ten- Eyck, officers of the local Variety Club were installed by John Harris and James Balmer of the national Variety Clubs. Silver was installed as chief banker to which he was elected before his transfer to Pitts- burgh.

Immediately after the induction of officers, Silver turned over the chief banker's office to Louis Golding.

Rites for Wood's Mother

COLUMBUS, Dec. 8.—Funeral serv- ices were conducted Saturday for Mrs. Elizabeth Lillian Wood, 79, mother of J. Wood, secretary of the ITO of Ohio, who died at her home late last week.

MOTION PICTURE DAILY

(Restricted U. S. Patent Office)


American Airlines Inc.

ROUTE OF THE FLAGS

Tuesday, December 9, 1941

2
M-G-M NEWS IS GOOD NEWS!

"Vanishing Virginian" Surprise Triumph

More later! Take our tip now! Keep your eye on this "sleeper"! Rich with humanity, packed with power, it will enthrall every man, woman and child in the nation. Epic performances by Frank Morgan, Kathryn Grayson and a superb cast. Directed by Frank Borzage.

"H. M. Pulham, Esq." at Radio City Music Hall

While the sensational Boston World Premiere continues to pack them in, the announcement of "H. M. Pulham, Esq." at Radio City Music Hall opening December 18th, gives thrilling evidence of the importance of this widely acclaimed production. Hedy Lamarr, Robert Young, Ruth Hussey, Charles Coburn head a perfect cast. King Vidor, director.

"Shadow Of Thin Man" Business 172% Nationwide

Hold-overs are a habit! Mr. and Mrs. Paying Public agree that Mr. and Mrs. Thin Man are a happy national institution and that Bill Powell and Myrna Loy are just what the box-office craves. Major W. S. Van Dyke, II, directed.

"Johnnie Eager" Will Make Film History

It's in the air! When you see it, when you watch Robert Taylor and Lana Turner, your pounding pulse will tell you it's the most exciting drama that Mervyn LeRoy has directed since "Fugitive From A Chain Gang." Edward Arnold's in the powerful cast.

Raves For "Babes On Broadway," New Year's Hit

Now you KNOW! Now the trade has SEEN it! Wherever you go, whatever trade paper you read, the news is Mickey Rooney, Judy Garland in "Babes On Broadway" for a Happy New Year! 400 prints are ready to welcome 1942 with bulging bank-accounts! Director, Busby Berkeley.
Webs All-Out In Coverage Of War News

Radio networks and independent stations ripped program schedules to shreds Sunday, as word of the Japanese attack on Honolulu was received shortly before 2:30 P.M. All networks and most of the major networks in the metropolitan area were hard hit, however, as thousands remained at radios following news developments. Few theaters with news flashes, the managers reasoning that theatergoers were seeking entertainment.

In Los Angeles, programs were interrupted to notify police and firemen of duty to report to their station houses on Sunday night by 11:30 a.m. The estimated business was off 15 percent. Attendance remained subnormal yesterday with many fearing an air attack or sabotage at aircraft plants.

Washington Slack

Washington theaters experienced a marked setback Sunday as crowds paralleled the White House with the Japanese Embassy, and many thousands sat glued to their radios. Business continued slack until yesterday afternoon.

Chicago Loop houses reported business off seven per cent Sunday, with the exception of the Oriental, which showed one of its biggest Sundays to history.

In Cincinnati, Dayton and Columbus only a slight decrease was reported Sunday and some recovery was experienced yesterday.

St. Louis first-run receipts dropped 15 to 20 per cent Sunday, Bulletins, according to a family, were announced to matinee audiences.

Tri-State circuit headquarters at Des Moines reported grosses off about 33 per cent Sunday. Most suburban houses, however, reported business at average levels. First runs broadcast occasional news bulletins.

Indianapolis business was not noticeably affected, managers said. A few houses reported attendance slightly off. Two or three had excellent business.

Dallas reported no noticeable change either day. All Interstate Circuit houses interrupted programs for news bulletins.

At Minneapolis, Sunday business was reported moderately off and many managers attributed it as much to a snow and sleet storm as to the war. Early Monday business, however, showed a noticeable drop, although the weather had cleared.

Only one theater in Providence reported business off. At Toronto, attendance showed a strong recovery yesterday after a poor Sunday. Managers believed reaction to war news prevented a larger percentage of patrons from returning to the theaters yesterday.

Small Effect on Broadway

Broadway grosses maintained a good level in 1941, which kept thousands at their radios.

"Rise and Shine," presented with a stage show, had a strong opening at Washington, D.C. under a war setting. The $29,500 for the first three days beginning Friday. It will hold over.

Al in its third week, the Century City Music Hall show, "Suspicion," with a stage presentation, grossed an estimated $30,000 Thursday through Sunday. The film will be replaced Thursday by "The Men in Her Life." "Skylark" with Harry James' orchestra and Ray Bolger on the stage, starts its last week in New York at the Paramount with an estimated $36,000. Saturday and Sunday showings have been estimated at $2,000. "Birth of the Blues" and Orrin Tucker's orchestra goes into tomorrow.

At the Strand, "They Died With Their Boots On" and Woody Herman's orchestra drew an estimated $20,200 Thursday through Sunday. The show ends a three-week run tomorrow night to be replaced Thursday by "Blues in the Night." "How Green Was My Valley," now in its sixth week at the Rivoli, did an estimated $11,500 Friday through Sunday and continues. "Swamp Water" in its fourth week at the Globe grossed an estimated $3,100 Saturday and Sunday.

War News Slashes National Gross; B'way Remains Firm

(Continued from page 1)

War ‘Specials’ Sent Out by All Newsreels

All five newsreels yesterday sent by air express to all accounts "specials" on the declaration of war. The approximately the usual length, are substitutes for the usual midweek issues.

Late yesterday following the eight major distributors collected their third payment, aggregating approximately $21,000, from the Yokalama Specie Bank at San Francisco over the weekend. The payment was under a pact with Japan which set aside $500,000 of the companies' Japanese revenue for that year for payment in four installments beginning last September. The fourth and final payment is due in February.

Few in Tokyo

The outbreak of the war found few American film company officials still in Tokyo. Lewis Pepperman, United Artists manager there, was in communication with the home office from Tokyo last Friday. Harold Dunn and M. Shashin of Warners were last heard from August 1.

All Japan by American film employes has been under way for several months and skeleton staffs remain, for the time being.

The Far East film colony is now concentrated mostly in Manila. T. I. Brown's Consolidation United Artists; Larry DePride, Universal; George Kallman, Cliff Almy, Warners; James F. Perkins, Para-Loew, 20th Century-Fox, were among those in Mani-ila when last heard from. Several others were last heard from at Shang- hai, among them J. D. Berman of M-G-M, FloydCrowder, RKO; A. L. Kaplan, Warners, and Robert F. Spencer, United Artists. All of Uni- versal and Sidney Albritt of 20th Century-Fox are at Batavia, Java, and the earliest estimates of the two. 20th Century-Fox and Robert Lury, Universal, are at Singapore. Arthur G. Doyle, 20th's Far Eastern supervisor, was believed to be on his way to the United States. At Swemmelar of Warners is at Hong Kong.

Recalled to U.S.

Morey Marcus of United Artists and Charles Mayer of 20th Century-Fox sailed for the Far East on the President Polk from San Francisco on Saturday. The ship was called back to port Sunday and arrived yesterday.

Japanese were removed from the accredited list of motion picture correspondence yesterday by major company foreign departments.

Recess Hearing on Press-Radio Tiesup

WASHINGTON, Dec. 8—The FCC, which wound up its presentation of the conflict between Radio Press and the RCA has receded hearings to give newspaper interests an opportunity to prepare their evidence on the newspaper/broadcasting station relationship.

No date was set for further hearings, but a new hearing probably would be held until after the turn of the year.

Browne's $20,000 Fine Paid in Cash

The $20,000 fine imposed on George F. Brown's Motion Picture Daily yesterday by E. S. King, his Chicago attorney, William Bird has not yet paid his stockholders. A consolidation of the 10 stockholder suits brought against Warners as a result of alleged extortion payments to Ross Browne has been ordered by N. Y. Supreme Court Justice Fer- dinand A. Peora. The court named former General Sessions Judge Alfred J. Talley as chief counsel for the plaintiff.

Studies Take on War Aspect; Expect Change in Schedules

Hollywood, Dec. 8—Hollywood today took on a war aspect. All radio stations and virtually every studio were under augmented guard, with extra fire precautions taken.

Rearrangement of shooting production is expected, particularly in cases of their location, due to expected restrictions on large traveling units. All private airplanes have been ordered grounded, which is causing rewriting of scripts. The studios yesterday suppressed all effects while the Army picked up all machine guns at studios. Citizens have been asked to stay home as much as possible. Republic has barred all visitors. Paramount demands identification from everyone. Fourteen AFL studio locals totaling 16,000 workers today pledged an implied "no strike" policy.

See Far East Market Open Despite War

(Continued from page 1)

Japan is not considered commercially important by the industry. Because of its war-time years and due to war-time restrictions, it has produced no revenue for the past three years.

Late yesterday the eight major distributors collected their third payment, aggregating approximately $21,000, from the Yokalama Specie Bank at San Francisco over the weekend. The payment was under a pact with Japan which set aside $500,000 of the companies' Japanese revenue for that year for payment in four installments beginning last September. The fourth and final payment is due in February.

Few in Tokyo

The outbreak of the war found few American film company officials still in Tokyo. Lewis Pepperman, United Artists manager there, was in communication with the home office from Tokyo last Friday. Harold Dunn and M. Shashin of Warners were last heard from August 1.

All Japan by American film employes has been under way for several months and skeleton staffs remain, for the time being.

The Far East film colony is now concentrated mostly in Manila. T. I. Brown's Consolidation United Artists; Larry DePride, Universal; George Kallman, Cliff Almy, Warners; James F. Perkins, Para-Loew, 20th Century-Fox, were among those in Mani-ila when last heard from. Several others were last heard from at Shang- hai, among them J. D. Berman of M-G-M, FloydCrowder, RKO; A. L. Kaplan, Warners, and Robert F. Spencer, United Artists. All of Uni- versal and Sidney Albritt of 20th Century-Fox are at Batavia, Java, and the earliest estimates of the two. 20th Century-Fox and Robert Lury, Universal, are at Singapore. Arthur G. Doyle, 20th's Far Eastern supervisor, was believed to be on his way to the United States. At Swemmelar of Warners is at Hong Kong.

Recalled to U.S.

Morey Marcus of United Artists and Charles Mayer of 20th Century-Fox sailed for the Far East on the President Polk from San Francisco on Saturday. The ship was called back to port Sunday and arrived yesterday.

Japanese were removed from the accredited list of motion picture correspondence yesterday by major company foreign departments.

Recess Hearing on Press-Radio Tiesup

WASHINGTON, Dec. 8—The FCC, which wound up its presentation of the conflict between Radio Press and the RCA has receded hearings to give newspaper interests an opportunity to prepare their evidence on the newspaper/broadcasting station relationship.

No date was set for further hearings, but a new hearing probably would be held until after the turn of the year.
He's ready to outscream "Frankenstein" and "Dracula" in that Pre-Christmas date!

Here it is all set for you to sell hard...that horror magic that brings you hot profits out of cold shivers!

The Wolf Man

with

CLAUDE RAINS
WARREN WILLIAM
RALPH BELLAMY
PATRIC KNOWLES
BELA LUGOSI
MARIA OUSPENSKAYA
EVELYN ANKERS

and the new master character creator
LON CHANEY

as "The Wolf Man"

Directed by GEORGE WAGGNER
Associate Producer, GEORGE WAGGNER

OUR UNIVERSAL DATE! READY NOW!
Leaders of Exhibition Assemble in Chicago

Conciliation Is Aim of Meeting OnTrade Unity

(Continued from page 1)

row, the conference will not take any definite steps but that a committee will be appointed to tackle the proposals and report at a future meeting, after sessions tomorrow or Wednesday.

Such a conciliation board will consist of representatives of the groups for each element of the industry with equal representation to such elements, and such an exhibitor body will have a person of national prominence and prestige as its leader, and a person of similar standing as its general counsel.

Peace between factional exhibitor groups of the country is the principal object of the unity meeting. That such a peace is desired rather than the continuous warfare and prejudices of these groups is readily admitted by leaders already assembled here.

Five separate exhibitor groups met here today to formulate their plans for the meeting. They were: Allied States, the Pacific Coast Conference of Independent Theatre Owners, MPTOA, Northwest Allied and groups representing regional exhibitors, groups not affiliated with either national exhibitor organization.

At the national Allied meeting were Abram F. Myers, H. A. Cole, Jack Kirsch, Sidney Samuelson, Roy Harrold, Martin G. Smith and Ben Berger. Cole, Allied president, said that Kirsch, head of Illinois Allied, would preside at the opening of the all-industry meeting tomorrow.

Cole said that Allied has no intention of dominating the meeting and that each exhibitor and distributor representative who wishes to do so will have the opportunity to be heard.

Schine Case Trial Scheduled to Start In Buffalo March 3


Setting of the March trial date for the Schine anti-trust suit will make it impossible for the Government to begin trial of its New York action against the "Little Three" in April, as the Government announced recently it planned to do. The Schine trial is expected to last at least a month and preparations for trial of the New York suit would require a minimum of another month, attorneys say.

Minn. Civil Action Trial After Feb. 1

(Continued from page 1) law against Paramount, RKO and 20th Century-Fox.

The criminal actions are scheduled for trial beginning Dec. 15 and involve what the consenting companies believe will be a quicker and more definite test of the constitutionality of the law than would be provided by the civil action.

The civil action had been scheduled for trial tomorrow but local counsel for the distributors reached an agreement with state officials.


"The consent decree is a mess," the MPTOA asserts in an organization bulletin which reviews the workings of the decree thus far. Issued yesterday, on the eve of the all-industry unity meeting in Chicago today, the bulletin makes the significant statement that while the industry already has been "dragged so far into government regulation that it will have great difficulty in extricating itself," and that "even if the cooperation and backing heretofore withheld can be secured now, it is a question whether self-regulation and self-discipline can be undertaken by the organized industry at this time."

"Whether the consent decree can be rewritten during its three-year period," the bulletin continues, "how long will it take to get it modified (even if everybody agreed upon the desired changes) and whether legislation (such as the Minnesota law) is the only way it can be changed, are questions that require careful examination. In the meantime, the number of exhibitors who would like to see the consent decree hatched up, for a variety of reasons of their own, is steadily growing."

A selective contract offering a reasonable cancellation right, unhamppered by conditions, is advocated in place of the block-of-five method.

The bulletin criticizes the operation of the arbitration system.

The all-industry unity effort is viewed by Barney Bablan, Paramount president, as taking on new significance and importance with the United States in the war. "In a sense, we can contribute to national unity by achieving unity within the industry," he said before leaving for the Chicago meeting yesterday.

MOTION PICTURE DAILY
Tuesday, December 9, 1941

War Overshadows Meet Preparation
Chicago, Dec. 8.—The war partly overshadowed the all-industry unity meeting as industry representatives gathering here yesterday and today from all parts of the country gave as much attention to radio bulletins and newspapers as they did to plans for the meeting.

He said Allied has a "definite idea on unity but the plan is new to other exhibitor organizations.

At the MPTOA conference were Ed Kuykendall, president, and members of the organization's executive committee. Their first action was the adoption of a resolution endorsing President Roosevelt in the international situation and pledging the support of the theatres of MPTOA units.

Kuykendall declined to comment on MPTOA's position at the unity meeting. Attending the session in addition to Kuykendall were H. V. Harvey, Max A. Cohen, O. C. Lam, and Fred Wehrenberg. Lewin Pizor and Arthur Lockwood are expected to arrive tomorrow and Morris Loewenstein will not attend, having been designated to represent Kuykendall at the convention of the Oklahoma Theatre Owners at Oklahoma City tomorrow.

Coast Unit Has Plan
The conference of PCCITO delegates was attended by Robert H. Poole, executive secretary; Louis Lulan, Jack Y. Berman, and H. V. Harvey. It was reported that the Pacific Coast group would recommend the adoption of the organization's 11-point program by the all-industry meeting.

At the meeting of representatives of regional organizations were Harry Brandt, Leo F. Woitow, William F. Crockett, Harry C. Arthur, Jr., John Rugar, Poole, Berman, W. B. Bryant, Myron Blank, Robert White, Harvey and Robert Barton.

E. L. Peasee and Fred Strom of Northwest Allied considered procedure for presenting their views on the serious product situation in Minnesota and complaints against product terms to distribution executives who are expected here tomorrow.
Company Chiefs at Unity Meeting

N. M. SCHENCK
Loew's President

BARNEY BALARAN
Paramount President

GEO SCHAEFER
RKO President

T. J. CONNORS
20th-Fox Executive

W. F. RODGERS
Loew's Sales Head

NEIL AGNEW
Paramount Sales Head

J. BERNHARD
W. B. Vice-President

J. R. GRAINGER
Republic President

All Theatres Are Affected

Arbitration awards can be enforced against theatres which refuse to intervene in a proceeding by means of the arbitrator's power to regulate clearance and other provisions of contracts of the consenting companies, the national appeals board said yesterday in a decision invalidating the arbitrator's award in the clearance case of the Squire Theatre, Great Neck, L. I.

In its decision, the board increased the clearance of the Skouras Playhouse, Great Neck, to 14 days over the Squire, from the seven days clearance which had been set as a maximum by George H. Spiegelberg, arbitrator, in making the original award. In addition, the board gave the Little Neck Theatre one day's clearance over the Squire, whereas Spiegelberg had abolished all clearance between the two.

Spiegelberg made no award as to the Beacon, Port Washington, and the Danhasset Theatre, which were named as interested parties on the ground that, having failed to intervene in the case, he lacked jurisdiction over them. It was on this point that the appeals board ruled that they may be affected because of an arbitrator's power to set the maximum clearance which a consenting distributor may accort to theatres involved.

The board gave the Beacon a maximum clearance of seven days over the Squire and the Manhasset four days. Spiegelberg's award also was modified to limit it to future contracts entered into by the five consenting companies with the theatres involved and not to existing contracts. The appeal was taken by the intervenors, Skouras Playhouse and Northern Amusement Corp., operator of the Little Neck. The Playhouse, prior to the complaint, had 30 days clearance over the Squire, except from Paramount, which gave it 14 days, and the Little Neck had seven days clearance.

Clearance Altered in Philadelphia Decision

PHILADELPHIA, Dec. 8.—Calvin H. Rankin, arbitrator, in an award entered here on Saturday permitted the 28 days clearance of Warners' Logan over A. M. Ellis' Broad Theatre, Philadelphia, to remain, but reduced the 21 days clearance of Hunt's Rockland to 14 days and the 14 days clearance of Warners' Bromley to seven days.

The seven days clearance of Warners' Grange over the Broad also was permitted to stand, although no change had been sought in that situation.

Meanwhile, the clearance complaint of Columbus Stamper, operator of the Rivoli here, was withdrawn.

Ampa Relief Fund Total Now $2,304

The Ampa welfare committee reported yesterday that $2,304 was collected for its relief fund during the first six months of its existence. Because of the need of those being aided, the committee recommended that preference be given present and past members of Ampa.

Schaefer Will Realign RKO Departments

(Continued from page 1)

Schaefer's approval, Breen, it is also indicated, will make some changes. The realignment both here and on the Coast is for the purpose of coordinating activities under the direct supervision and authority of Schaefer.

It is also indicated that N. Peter Rathvon will shortly assume the position of vice-president of RKO, in an operating capacity, subject to the supervision of the president.

In the meantime, reports are that among the persons soon to depart from the lot is J. R. McDonough.

Schaefer, it is said, intends to build a more closely-knit and cooperative organization, which will function smoothly and with the greatest coordination under his full authority.

Para. Closes With Loew Metropolitan

Paramount yesterday closed with Loew's metropolitan circuit for the distributor's first two blocks of new season's product. The deal has been in negotiation for months and has held up the playing of Paramount's new product in neighborhood houses of the entire metropolitan area. The negotiations were concluded by C. C. Moskowitz of Loew's and Neil F. Agnew of Paramount.

THE CASE HISTORY

OF A

BIG PICTURE

THOUSANDS of radio fans CLAMORED to see the adventures of their favorite air-waves sleuth—MR. DISTRICT ATTORNEY—ON THE SCREEN!...AND it's even more...EXCITING than the first in the series! YOU'LL cheer handsome JAMES ELLISON (remember him in "ICE-CAPADES")...and his sweetheart ANDY is lovely VIRGINIA GILMORE. The rest of the cast INCLUDES FRANKLIN PANGBORN for laughs, beautiful LYNNE CAVRER for extra-romantic EXCITEMENT, PAUL HARVEY, DOUGLAS FOWLEY, JOHN ELOREDGE and many more...IF YOU saw "MR. DISTRICT ATTORNEY" or if you've heard HIS adventures on the air, you WON'T want to miss "MR. DISTRICT ATTORNEY IN THE CARTER CASE"...And if you HAVEN'T—then it will give you A brand-new thrill! It's

A REPUBLIC PICTURE
Make that your slogan and you'll profit handsomely . . .

Advertise . . . because the very word "Showmanship" means showing off and the best way to show off is with advertising.

Advertise . . . because advertising is news and people are hungry for news and information about entertainment.

Advertise . . . because advertising and business success go hand in hand.

Advertise . . . because motion pictures is a business of ideas, showmanship, glamour . . . and advertising is made up entirely of ideas, showmanship and glamour and that's what makes people stop, look, listen and buy.

Advertise . . . start with the Trailer and spread out in all directions with information about your show . . .

Advertise with Standard Accessories.
Special Accessories and Trailers because

NATIONAL SCREEN SERVICE
Sells More Seats!
War Jitters Slash Gross Over Country

Areas With Blackouts or 'Alerts' Harvest Hit

Three days of war jitters, constant radio news bulletins, several air raid alarms and the climax of the nationwide address by President Roos- evelt at 10 o'clock EST last night, caused grosses to slump badly from coast to coast.

Many theatres moved to keep their audiences by making ar-
rangements for reception of the speech somewhere in the house, or, in some instances, giving bulletins of the speech.

For war's effect on radio operations, see Page 7.

Hollywood Gears For War Safety

Hollywood, Dec. 9—Studio managers will meet Thursday to plan for wartime operation of the studios. It was announced today in the midst of numerous happenings on the West Coast incident to the war.

Fred W. Britton, Producers' Association executive vice-president, called the studio managers to the conference, at which reorganization of fire and police departments and other matters of general community protection will be taken up.

The 20th Century-Fox studio today formed an emergency committee and began training employees in air raid precautions.

Accept Shipment to Far East Markets

Film shipments are being accepted to all major Far Eastern markets outside of Japan and Japanese dominated territory. The Macnee-Barnes Co., film forwarders, was advised officially yesterday by Pacific operators.

Shanghai, Hong Kong and Thailand are the only new areas closed to ship-
ments.

Entertainment Only
Is Theatres' Policy

Broadway theatres and major circuits are planned to continue a policy of "entertainment only" in the emergency, with respect to interruption of programs to present war news bulletins. A similar decision was reached yesterday by Warner circuit officials in Philadelphia. It was generally felt that theatres could do much to bolster morale by providing uninterrupted entertainment.

Metro Will Resume Minnesota Selling
Rodgers Reveals

Chicago, Dec. 9—M-G-M will re-

sume selling in Minnesota at the ear-
liest opportunity as a concrete example of its willingness to contribute to industry unity and cooperation, William F. Rodgers, vice-president and general sales manager of Loew's, an-

ounced at the all-industry unity meeting here today.

He said that the decision to resume selling had been made only today and at the request of a group of exhibitors representing Northwest Allied at the all-industry meeting.

Details of the procedure by which the company will re-enter Minnesota have not been worked out, it was learned, but are expected to follow that taken by all other consenting companies in applying for an exemption from the sales provisions of the consent decree in order that they may comply with the provisions of the Minnesota anti-block-of-five law.

Unity Meeting Delegates Pledge
Loyal Support to Nation in War

Chicago, Dec. 9—A pledge "to our country and our commander-in-chief" in the war effort was adopted today by the delegates to the all-industry unity meeting. In offering the resolution, Robert H. Poole, executive secretary of the PCTO said, "What better purpose, what better keynote can we present to the trade and country at this time than our loyal pledge and our patriotic de-

votion." The text of the resolution follows:

"Resolved, that the representatives of the motion picture indus-

try here assembled in Chicago this 9th day of December, 1941, do hereby pledge wholehearted, patriotic and loyal effort of them-

selves and the industry, which they represent to our country and to our Commander-in-Chief, the President of the United States. "Be it further resolved that copies of this resolution be trans-
mitted to the President of the United States, the Secretary of the Navy and the Secretary of War."

UNITY GROUP MAPS INDUSTRY PROGRAM

Meeting Gets Under Way with Nearly 100 Trade Leaders Present; Committee on Ways and Means Reports Today

By SAM SHAIN

Chicago, Dec. 10 (Wednesday)—A permanent Motion Picture Industry Committee of 20 members to effectuate the program to be adopted by the all-industry conference will, according to report, be recommended by the ways and means committee at the 10 A.M. session today.

The ways and means committee, which elected T. J. Connors chairman, completed its work after an all-night session. Its recommendations, adopted unanimously, is reported, will be that the permanent committee shall consist of five representatives of Allied, five of the PFOA, five unaffiliated exhibitors, and one representative of each of II distributors.

Chicago, Dec. 9—With an address by Abram F. Myers, Allied States chairman and general counsel, which enumerated aims of the all-industry unity meeting here today, and a message of encouragement and warn-
ing to the industry representatives from Sidney R. Kent, 20th Century- Fox president, the opening session swung into action by designating a

Garbo Picture Is Revised by Metro

Hollywood, Dec. 9—M-G-M last night completed and dispatched East a revised version of "Two-Faced Woman." Due to plane restrictions the film was shipped by train.

The revision of the picture comes in sequel to objections against the original version registered by the Legion of Decency and represents an effort on the part of M-G-M to have the Legion's outright condemnation of the film lifted and placed instead in an unobjectionable for adults classification.

Recall of Greta Garbo and Melvyn

(Continued on page 3)

Sees Dimes Setup
In Future Drives

The nation-wide organization of theatre men being built up by Nicho-

las B. Schneck, as national chair-

man for the industry's infantile para-
lysis drive, will provide an active mechanism by which the country's film houses can cooperate in many

(Continued on page 3)
Personal Mention

NICHOLAS M. SCHENCK, George J. Shatter, and J. Robert Rubin will arrive from Chicago by train this morning.

Are Blank and Ralph Branton, of Tri-State Theatre Corp., Des Moines, were visitors at the Paramount home office yesterday.

Nate Sandler, owner of the North Woods Theatre, Northwood, IA., and Mrs. Sandler, have returned from a motor trip to Florida.

Max Felt, manager of the Allen, Philadelphia, is recovering from a serious nose infection.


Herbert Hillman, former student at the College Theatre, New Haven, now in service at the Air Base, Bangor, Maine, friends of Mr. Hillman have been entertained to dinner in his honor.

The opening of the Century Theatres and the remodelling of the U. S. Auto Theatres in Philadelphia holds promise of a most successful season, Mr. Wilschke, manager, said yesterday.

To Admit Soldiers To Chicago Houses

CHICAGO, Dec. 9.—Through the efforts of the army representative of the division of the American Federation of Labor, headed by James E. Coston, zone manager for Wisconsin, arrangements have been made to admit more than 1,000 members of the armed forces at all amusement places in the downtown district.

These include the six deluxe houses operated by Bababun & Katz, the Oriental, USO Palace, Woods, Clark, Monroe, Astor, and the two newsreel theatres, the Telemews and To Day. The entire collection is open to soldiers and sailors and all other members of the armed forces who may desire to see the latest feature pictures.

Ohio Veteran Dies

DAYTON, O., Dec. 9.—James F. Potts, 73, operator of the first film house in Portsmouth, O., and later operating theatres in Cincinnati, died at his home here yesterday.

MOTION PICTURE DAILY

Wednesday, December 10, 1941

KRS Drops Aid to Army Film Council

LONDON, Dec. 9.—The Kines-

ography Rental Society (distributor) for Army motion pictures today formally decided to extend no further collaboration to the new War Re-education office created by the In-

itation of the Army Council. It with-

rew the present mandate for society

members to represent it on any War

Office functions.

The move is in reply to the ap- 

pointment of Paul Kimberly as direc-

tor of the Army Kinesography without consultation with the KRS. The or- 

ganization today also discussed the rental situation and the value of the percentage, however, but no decision was reached. A third Ameri-

can company threatened to join two operating theatres in permit the KRS to dictate its rental terms, and the matter was put over.

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Harmony Keynotes All-Industry Conference

All Enterprises in Canada Included In License System

TORONTO, Dec. 9.—All business enterprises in the Dominion, manufacturing, importing, wholesale, retail, and ancillary, under the domination of a license system, it has been announced by the Dominion Film Employees' Union, of which David Gordon of the Bank of Canada is chairman. The move is intended to cover all companies and establishments under a control system, which have not already been brought under the scope of the two Orders-in-Council for the freezing of retail prices, theatre admissions and other consumer costs.

Deadline Today

Those already specifically mentioned as coming within the scope of the regulations effective Dec. 1 have been given until Dec. 10 to apply for their business operating licenses and the board has announced "Other businesses should not apply for licenses until asked to do so." It is anticipated that film distributing companies, equipment suppliers, ancillary equipment and accessories will come under the widened licensing edict so that the releasing of films may eventually be restrained. The list of things to come contained the following statement: "All persons coming within the provisions of the new order will be automatically licensed under its terms."

Includes Related Services

In the including of "the exhibiting of motion pictures," the interpretation of film distribution is interpreted as the manufacture of the word "services" as follows: "Services means the following specified services and any services associated therewith or ancillary thereto and any activities or undertakings that may hereafter be designated by the board as services for the purposes of these regulations." Eleven services are designated in the order and one of them is the exhibiting of motion pictures.

Whether control of film rentals is intended to be a part of this requirement or not is a matter of interpretation, it is contended by film trade officials, Film distribution can be called a service associated with the exhibition of films and the wording of the official interpretation also makes it possible for the board to say that film renting or any other activity can be brought under the scope of price level.

Sees Dimes Setup In Future Drives

(Continued from page 1)

ways and means committee to set up an all-industry program. Representing exhibitors on the committee include Jake Samuelson, Allied States; Ed Kuykendall and Max A. Cohen, MP TOA; and Robert H. Poole and Leo Wolf, the TOA of New York and others. Neil Agnew and T. J. Connors were named to represent decree consenting distributors and Steve Brodly of Monograph, to represent non-consenting distributors. The committee met tonight to draft a program of action and is scheduled to report to the union conference tomorrow morning. The committee was set up on a motion by Kuykendall to form such an all-industry group in order to execute the purposes of the conference and that the committee formulate a program of action. Mr. Waldo, president of Illinois Allied, presided. The meeting at the Blackstone Hotel today was attended by a number of trade leaders from all over the country. Many addressed the conference which started shortly after 1:00 P.M., with the consciousness that one of the most overshadowing of the thoughts of all.

Top Executives Attend

Among the leaders present were: Nicholas M. Schenck, Barney Balaban, George J. Schaefer, William F. Rodgers, J. Robert Rubin, Austin Kough, Felix Jenkins, Connors, Anew, Claude Lee, John Balaban, Jack Conner, Charles S. Grainger, Brodly, Joseph Bernhard, Harry Brandt, Ned Depinet, Charles Reagan, Poole, Eddie Rubens, Harry Anstaeth, Sam Cohen, Lewis Pizor, Oscar Lam, Fred Wehrenberg, H. V. Harvey, Jack Miller and Petri.

Myers, in his address, revealed that among the proposals advanced for consideration are the formation of a single, national exhibitor organization, a new selling method to replace the decree's blocks-of-five system and the establishment of a national conference and mediation board for the industry.

Adjust Problems, Schenck Tells Meet

CHICAGO, Dec. 9.—"Exhibitors and distributors should adjust all problems among themselves," Nicholas M. Schenck, president of Loew's, told the all-industry unity meeting here today. "All problems should be met by united action," he said. "One that cooperation will come unity, strength, friendship and security in our industry."

"Last Chance' To Unite, Kent Tells Meeting

(Continued from page 1)

obstacles and more serious problems in the future. Kent presented his views in a letter addressed to Abram F. Myers, who read it to the assembled audience.

Introduces Connors

His letter introduced T. J. Connors, newly appointed executive assistant to Kent, who, he wrote, "will carry forward the work that we have always had with regard to the great value of inter-industry cooperation."

Kent also paid tribute to William F. Rodgers, who said, "A lot of good work has been done if everyone else had done as much as he to preserve industry cooperation there would now be unity in the trade. And he warned that if the future is not American, the trade and the experience of American organized labor which, he recalled, after having been high in public favor for many years, now "faces the most drastic laws against any class ever intended in our country."

"We, as an industry, face the same thing if we continue with our internal agitations," he stated. "We will earn just what we can get.""Traces Negotiations

Kent traced the history of inter-industry negotiations from the old 5-5 pact up to the present. Asserting that "while the results which we have obtained in the past were not always perfect, we kept together," Kent related that ultimately "agitation took the place of good will and cooperation," and hereafter, "trading conference after conference failed and the decree, laws and lawsuits took the place of wise industry counsel and cooperation."

"This is our last chance to regain lost ground before we get more legislation and more lawsuits," Kent said.

His letter reminded exhibitors that despite their cries that they are being driven out of business, "we all have survived and gone ahead." And he said that the distributor must go back to the realization that the independent exhibitor has a proper place in the business "and is an economic necessity and not a hardship."

"As to the problem of chain theatres, it appears about to be tested in the court, and the future now lies beyond either side," Kent stated.

Foreclose in Baltimore

BALTIMORE, Dec. 9.—Keith's Theatre, 26-year-old vaudeville and film house, will go on the block in about 30 days after mortgage foreclosure proceedings instituted here in Circuit Court against the Maryland Theatre Corp., which operated it. Keith's, by the Lexington Theatre Co., of which Morris Mechanic is president.
FREDRIC MARCH

His Bedtime Stories were about other Women!

A Bedtime

WITH ROBERT BENCHLEY, ALLYN JOSLYN

Screen play by Richard Flournoy. Story by Horace Jackson and Grant Garrett. Directed by ALEXANDER HALI.
‘Honky Tonk’
Chicago Best
With $32,000

CHICAGO, Dec. 9—“Honky Tonk” at the State-Lake took a big $32,000 and the Oriental with “Public Enemies” and the A. B. Marcus Revue on $27,000.

Estimated receipts for the week ending Dec. 4:

“Smile Through” (M-G-M)
APOLLO—$1,360, (3,000-4,50-59) 7 days.
Gross: $950.
Average: $136.
“A Day in the Life of a Imp” (20th-Fox)
CHICAGO—(4,000) (3,000-3,453-756). 7 days.
Gross: $365.
Average: $52.

“Badlands of Dakota” (Univ.) 1 day.
NEW YORK—(600) 7 days.
Gross: $1,500.
Average: $250.

“The Swimmer” (20th-Fox)
“Great Race” (RKO–Path)
JOSEPHINE ROOSEVELT—(1,500) (3,000-5,000) 7 days.
Gross: $700.
Average: $100.

“Honky Tonk” (M-G-M)
DEPARTMENT STORE—(3,000) (3,000-2,950-57) 7 days.
Gross: $320.
Average: $46.

“The Chocolate Soldier” (M-G-M) 1 day.
NEW YORK—(200) 7 days.
Gross: $300.
Average: $43.

“Two Faced Woman” (M-G-M) 6 days.
UNITED ARTISTS—(1,200) (3,000-3,460-59) 7 days.
Gross: $1,900.
Average: $250.

Legion Approves 7
Of Nine New Pictures

The National Legion of Decency for the current week has approved seven of nine new films, five for general patronage and two for adults, and classifies one film as objectionable in part. The new films and their classification follow:

CHORTER A-1, Unobjectionable for General Patronage—“Go West, Young Lady,” “Obliging Young Lady,” “Tarzan’s Secret Treasure,” Texas Ranger, This Man’s the Law.

A-2, Unobjectionable for Adults—The Body,” Disappearers,” “Confirm or Deny” (Clark B. Oliver, Available in Part—“I’ll Sell My Life,” “Louisiana Purchase.”

Gillespie on ‘Corsican’

James Gillespie has been assigned by United Artists to the West, Northwest and Midwest for promotion for “Corsican Brothers.”

Reviews

“Bedtime Story”
(Columbia)

Hollywood, Dec. 9

EQUIPPED with a script full of humorous dialogue and amusing complications, Fredric March as a playwright and Loretta Young as his actress wife provide a maximum of onstage, offstage and backstage entertainment in this comedy of careers, conflicts and coincidences.

The story has grown with the actress-wife’s determination to retire from the stage to a life of simple domesticity and the playwright-husband’s determination that they shall continue their professional careers. She persists, despite his attempts to dissuade her, to the point of divorcing him and marrying another man, but discovers in time that her divorce was not valid and her second marriage is therefore without standing. Reunited, actress and playwright compromise on a life divided between home and career.

Highlight of the picture, according to riotous response of a theatre preview audience, is the sequence in which the husband, discovering who has her second marriage is invalid, rescues her from a hotel apartment by sending a procession of porters, chambermaids, plumbers, exterminators, waiters, finally a band of celebrating conversationists, into the department which the would-be second husband has dined his supposed bride preliminary to retiring. A free-for-all ensues, out of which woman and wife emerge safely. Handling of the bedroom scene observes the proprieties somewhat more carefully than is typical of sophisticated comedies in general.

Robert Benchley, Allyn Joslyn, Eve Arden, Helen Westley, Joyce Compton, Tim Ryan, Olaf Hytten, Dorothy Adams, Clarence Kolb and Alan Hale are shown. Tomborder is divided by B. P. Schulberg, direction by Alexander Hall, Richard flournoy furnishing the script derived from a story by Horace Jackson and Grant Garrett.

Running time, 85 minutes. “A.”

ROSECO WILLIAMS

“Come On Danger”
(RKO)

Hollywood, Dec. 9

LEADOFF in the group of three Tim Holt westerns being offered in a block by RKO, “Come On Danger” piles up more action in its short screening time than any outdoor film screened for the same length of time with Tim Holt supported by Ray Whitley and Lee ‘Lasses’ White, his perennial buddies in the series which is now in its second year, the picture has personal and mob movement, comedy, a dash of romance and music all tied up with an exciting story.

The trio enact the roles of Texas Rangers who, disguising their identities, lead a girl to safety. And try to keep a body of killers, who are after one of the Rangers, from getting through the state to leak oil to murder ranchers led by a girl whose land he has stolen. Edward Killory, identified with all previous Holt westerns at RKO, and Bert Gilroy, the producer of the entire unit, utilize every foot of the film to best advantage in filling it with ingredients to satisfy action fans. An extremely fast tempo is maintained.

Frances Neal, Karl Hackett, Malcolm McTaggart, Glenn Strange and others support the trio.

Running time, 58 minutes. “G.”

VANCE KING

Short Subject Reviews

“Holt of the Secret Service”
(Columbia)

There are well-established box-office favorites, Jack Holt and Evelyn Brent play the leading roles in the new 15 chapter serial directed by James Horne. Based on a screening of the first two chapters, this is a story which is likely to have considerable box-office pull—both children and maximum screeners are interested. It is checkfull of action right through. Each episode ends with a short trailer cased as next chapter.

Holt and Brent are assigned by the Secret Service to track down a gang of counterfeiters. Holt poses as an escaped convict while Miss Brent poses as his gun-moll wife. Others in the cast include Montague Shaw, Tristram Coffin, John Ward, Ted Adams, Joe McGuinn, Edward Hearne, Ray Pearson and Jack Chestnut. Running time, first chapter, 30 mins.; others, 20 mins. Release, Nov. 21, 1941.

“The Fox and the Grapes”
(Color Rhapsody)

There are some clever animations in this story of a wily fox who sets out innocently on a picnic. After spreading his lunch, a crow tempts him with a bunch of grapes, offering to trade the grapes for the lunch, but the fox tries to get them without paying anything. But the crow, who is supposed to be fairly enjoyable, but the story and its presentation are barely adequate. Highlight is an Indian attack which staged in a manner that impressed children. Running time, 18 mins. Release, Nov. 7, 1941.

“California or Bust!”
(Western Musical)

Western Musical

(RKO-Path)

Ray Whitley and his “Six Bar Command” wagon train sets out for California where, it is said, lies a wealth of gold. The group sings a song that is fairly enjoyable, but the story and its presentation are barely adequate. Highlight is an Indian attack which staged in a manner that impressed children. Running time, 18 mins. Release, Nov. 7, 1941.

“The Copacabana Revue”
(Easterline) (Paramount)

With Pancho and his orchestra, Juanita Juarez a vocalist, and the “Samba Sirens,” all concerned with "conga" song and dance, this adds up to a good musical subject. The “Sirens” are a group of girls featured at Copacabana, prominent Broadway night spot. A dance team and acrobats are on the program. Running time, 10 mins. Release, Nov. 28, 1941.

“Information Please, No. 2”
(RKO-Path)

Lindsay, star of “Life With Father,” is the guest expert in this continuation of the quiz series of “Regular by Harold’s experts and Cliffote Fadiman and present, as usual. A number of visual queries are used such as quoting lines of poetry suggested by the caller. The caliber of entertainment of the series is maintained with this. Running time, 10 mins. Release, Oct. 17, 1941.
MACHINERY for silencing broadcasting stations in areas where air raids are threatened was set up by the FCC yesterday, it was announced in Washington.

Field inspectors have been assigned a liaison duty between the interceptors of the military and the station operators in each area. Precautions were taken by the inspectors to shut down must be issued immediately, the commission warned.

Meanwhile, in San Francisco, where stations went off the air at about 2 P.M. Monday, normal operations were resumed shortly after 4 P.M. yesterday.

Under the FCC setup, stations will be advised promptly so that they may shut down their equipment if a system of quick communication will be organized to expedite the intercepting of stations to close down or start again. At present, it was said, inspectors are stationed at intercepter command headquarters in New York, Seattle, Tampa, Fla., and Riverside, Cal., but additional inspectors will be sent to 19 other cities.

In New York, fingerprinting and photographing of every official and employee of networks and stations were begun. Orders were taken to prevent casual visitors from entering offices unless properly identified.

Short Wave on 24 Hours

Short wave operations at NBC were extended to 24 hours daily with all commentators banned. Network news is no longer being used. Instead, it is being prepared specially by the networks. Like the domestic broadcasters, all short wave stations are concentrating almost exclusively on news. NBC also added a ninth hour, while CBS broadcast with 10.

Networks continued for the third week to operate continuously throughout the day and night, with many commercial programs cancelled or shortened. The air raid alert in the Foreign Language Stations Offer Aid

Foreign language station representatives in the metropolitan area convened yesterday at the offices of WHOM yesterday, called upon national, state and city defense organizations to make fuller use of their facilities to reach foreign-language groups. It was pointed out that many in the city understand fully only their native languages.

Programs are available in Italian, Polish, German, Yiddish, Spanish, Hungarian, Lithuanian, Czech, Ukrainian, Greek, Chinese, Swedish, Syrian, Russian and French. Stations represented were WBRY, WCNW, WNIX, WWRL, WEVD, WHOM and WOV.

SEPARATE corporate setups for the Red and Blue networks were ready to be announced by NBC at the board meeting Monday, but the declaration of war caused postponement of the announcement, it was reported unofficially yesterday.

Pulley Personal: Jack Hyatt, who joined the radio division of the Committee for the Celebration of the President’s Birthday, is Inez Elliott, news editor of WOR, has been married to Peter, December 25.

Free E. Wilson, formerly with WLC, Champaign, Ill., has joined the station of WIND, Chicago. Chester B. Cal has joined the WBYN staff.

Hundreds of telegrams and letters requesting the text of speeches made last March 31, the day given by President S. Paley, CBS president, to Edward R. Murrow, the network's chief of European correspondents now here on a visit, has resulted in a decision by the network to print a booklet containing the speeches of Paley, Murrow and Archibald MacLeish.

Despite extra precautions to prevent entrance to NBC offices these days, the network has decided to continue the tours through Radio City. Assistance of all persons to the studio elevators is carefully checked and new newspapers covering the network are required to carry passes.

Ira Walsh, WPEN, Philadelphia, publicity director, has resigned to take the post of radio and television coordinator for the physical fitness program planned by the Civilian Defense Board.

New York area occupied local stations all day but none went off the air. Later, stations broadcast the information that it was a practice signal. Recognizing the possibility of confusion, NBC banned the sound of sirens or gongs on all dramatic programs. Even old established programs like "Gangbusters" which have used sirens as themes for long periods will be compelled to change, it was stated.

WOR during the day broadcast air raid sirens to familiarize listeners with the sound and cooperated with police during the alert signal.

Coast Situation Eased

The interceptor inspectors set up yesterday by the FCC eased the West Coast situation where stations prior to the war had understood that they would have to go off the air each night at 7 P.M. Under the new order, they will continue to broadcast until ordered to stop. Programs originating on the Coast continued to be fed to the networks despite the fact that the stations were off the air. The fact that such shows are transmitted by telephone lines, of course, made such continues possible.

Television, too, played a part in disseminating war news. WCWB, the CBS station televised a copy of Mayor LaGuardia's broadcast. "If It Comes," concerning air raid precaution, immediately after it was issued and also picked up a diagram of an Air Raid Protection Service map of a city block prepared by Senior Post Warden Edward E. George.

CBC Launches Fifth Year with Murray

TORONTO, Dec. 9—The Canadian Broadcasting Corp. has launched the fifth year of its operation in its present setup under Federation auspices, and it has been formally announced, under the continued management of Gladstone Murray.

The CBC, which has complete control of stations and one receiving station at Britannia Heights in Eastern Ontario as an Empire link. Monitors are on duty 16 hours a day at this station for the maintenance of a listening post to foreign broadcasts.
Motion Picture Daily
Wednesday, December 10, 1941

War Jitters
Slash Gross
Over Country

(Continued from page 1)
of the loss being after 6:30 P. M., due to the Belasco Theatre of the theaters speech. Neighborhood business was off from 10 to 40 per cent, with the smaller houses hit hardest. One little theater at all its theaters, in town of 30,000 and up, has been cut almost in half since yesterday.

Theatre attendances in the Los Angeles area dropped an estimated 50 per cent of normal, especially in the Hollywood and San Pedro areas, sections of which were evacuated of civilians. A blackout of that area was ordered at 5 P. M.

Exhibitors in areas where blackouts were ordered, or air raid alerts were in progress, were particularly hard hit. Schools were dismissed yesterday after the sounding of New York's first air raid signal.

Theatres Carry Speech
The time of the President's speech, 10 P.M., affected Eastern theatres least, as those across the country were hit harder. Most neighborhood houses here made arrangements to carry the speeches over the loud speaker systems. Schedules were adjusted to permit the speech to be heard between features.

In Washington, President Roosevelt's address, combined with a partial blackout, reduced theatre attendance to skeleton figures. The three Loew houses piped in the speech to their audiences. The blackout extinguished all theatre marquees and displays.

Loew's, RKO, Century, Randeforce and Brandt were among the New York circuits which carried the speech from theatre to theatre. All theaters, which did not follow suit, made arrangements to have the speech heard over lobby receivers.

Newspapers in New York received news from Transradio Press and are flashing important bulletins on the screen as fast as they arrive. Tickets are installed in the lobbies to be watched by patrons.

The League of New York Theatres, organization of legitimate stage producers and theatre owners, announced yesterday that these houses would be furnished with bulletins by the League to be read from the stage during intermissions.

Shutting off of marquee and house lighting in San Francisco during Monday's blackout cut grosses more than 60 per cent, it was reported.

Blackouts in Canada
From Canada came word that the danger of raids on the U. S. coast had resulted in increased air raid precautions at unlit theaters. Victoria and other cities on the lower British Columbia mainland have under-cut power supplies. Blackouts were reported, affecting about 45 houses in that area alone.

In Seattle, where blackouts are undergoing a 11 o'clock, business is at its lowest point in months, it was reported.

Reviews

"Johnny Eager"
(M-G-M)


THIS is the story of a gangster, a master of man and a magnet for women, whose ruthlessness, skill and complete lack of morals, honor or sportsmanship carry him triumphantly through a series of crimes, ranging from parole violation to murder, to a point where, overtaken by his first honest impulse, he is trapped in a street battle and killed by policemen after having moved down a rival gang. A little pre- evention of the eventuation would be that he'd have continued triumphantly if he hadn't yielded to his one honest impulse.

It is one of the longest, most elaborately staged and most "all out" gangster pictures ever produced, although not the most convincing, due in part to some ultra-dilute dialogue and in part to accentuation of the character-study angle.

In its combining of killer and Casanova characteristics in the personality of the principal figure, and in its emphasizing of the slavish adulation of the gangster by the women in his life, the film recalls vividly the same studio's 1931 production of "A Free Soul."

Robert Taylor plays the irresistible ex-con convict with Lana Turner, Patricia Dane and Glenda Farrell portraying his voluntarily enslaved inamoratas (to use a word made much of in the dialogue) in various stages of preference. Van Heflin, as the gangster's collaborator, and Boswell steals the picture repeatedly, and Edward Arnold dominates the screen in which he appears. Robert Sterling, Henry O'Neill, Diana Lewis, Barbara Nelson and Charles Dingle head a long list of supporting players.

The film is unsuitable on several points for exhibition to children and for some types of adult patronage.

Production is by John W. Considine, Jr., direction by Mervyn LeRoy, from a screenplay by John Lee Mahin and James Edward Grant based on a story by Grant. Running time, 105 minutes, "A."*

*Roscoe Williams

"The Wolf Man"
(Universal)

The fantastic legend of the werewolf again is brought to the screen, this time under the guidance of George Waggner, from an original screenplay by Curt Siodmak. It is still fantastic, still highly implausible, but it does have a full measure of suspense and thrill, and as such offers exploitable entertainment of its kind.

The cast is an unusually good one, and strong in marquee material, including Claude Rains, Ralph Bellamy, Warren William, Lon Chaney, Jr., Bela Lugosi, Patric Knowles and Maria Ouspenskaya.

The story is set in an atmosphere of fog and darkness in an English village. Chaney, returned after many years to the ancestral castle where his father, Rains, is master, is bitten by a werewolf in attempting to save the life of a girl, and so becomes a werewolf himself. Chaney attempts to lead his son's mind from his condition, and Bellamy, contable, leads the wolf—or man—hunt. In love with Evelyn Ankers, village girl, Chaney seeks to save her for himself. In a suspense-laden final sequence, Chaney is caught in a trap, returns to his proper physical appearance, and word is spread that he died trying to save the girl.

Running time, 70 minutes. "G."*

*G denotes general classification.

Charles S. Aaronson

Accept Shipment to Far East Markets

(Continued from page 1)
ments with the outbreak of war in the Pacific. The New York harbor, being accepted to the Philippines, Dutch East Indies, Straits Settlements, Australia and New Zealand, and all South Pacific and Far Eastern areas are unaffected by the war.

The situation confirms opinions of a majority of home office foreign executives who, as reported in Motion Picture Daily yesterday, foresee no immediate loss of major markets in the Far East.

File 29th Complaint At New York Board

The New York arbitration board received its 29th complaint yesterday with the filing of a demand by Loren Hunsicker, Inc., operator of the New Paltz Theatre, New Paltz, N. Y.

The complaint names Loew's and alleges that the distributor has not cooperated with the New Paltz in the exhibitor's campaign for their film, "The Pride of the Yankees." The complaint states that it is "a huge unfair competition to Loew's, Bradwin, Poughkeepsie, and to the Broadway, Kingston, N. Y., over the New Paltz. According to American Arbitration Association headquarters, the complaint seeks an award permitting the New Paltz to play ahead of either one of the two competing theatres named, instead of after both of them,

*precautions and studio protection, Fire and robbery reserves are being listed and blackout curtains have been ordered.

Ten IATSE business representatives instituted a suit to determine the qualifications of technicians for service in civilian defense. Thousands of studio workers have already joined the service.

Rearrange Schedules
Studio shooting schedules have been rearranged to avoid the necessity for night location work. Warners began building new exterior sets to take the place of those used in the city.

Also affected are plans of several companies to shoot scenes on sea locations. All commercial vessels have been called into service and harbor traffic is restricted.

Lieut. Col. Richard Schlosberg and Capt. Sy Bartlett plan to send a special writer and his associates to report on the lay of the land to Canadian officials on increasing the number of training films for the war services.

Screen Directors' Guild has set up an advertising committee that has been offering commissions in the Signal Corps to top creative talent was under consideration and details would be revealed later.

SWG Rallies Members
The Screen Writers Guild executive board today placed its members service at the disposal of all defense services and called a mass meeting of all writers and publicity men for Monday night when plans for extended cooperation will be announced. Captains have been appointed at each studio to enlist volunteers. A vote pledging support was sent to President Roosevelt.

Garbo Picture Is Revised by Metro

(Continued from page 1)
Douglas for one day's shooting was necessitated in the revision, which also involved elimination of certain items of dialogue and scenes. It is learned that the effect of the changes is to hold that the husband who did not detect the wife's disguise until late in the original version discovers it early in the revised version.

The picture in its original version closes a week's run here tomorrow to moderate business which slumped in proportion to all local grosses following the outbreak of war.
Call New York Exhibitors to Air Raid Meet

Valentine Will Instruct Staffs Tomorrow

Police Commissioner Lewis J. Valentine of New York City yesterday called an emergency meeting for 10 A.M. tomorrow at Loew's Ziegfeld Theatre, Sixth Avenue and 54th Street, Manhattan, of all circuit and independent exhibitors, theatre managers and their assistants for the purpose of informing and instructing them on matters pertaining to a surprise air attack.

The purpose of the meeting is to outline methods of handling audiences and protecting property in addition to dealing with incendiaries and the like.

Since the war broke out on Sunday local theatre men have been inquiring (Continued on page 11)

Radio Under War Control

Full control of all radio facilities in the country was yesterday placed in the Defense Communications Board by President Roosevelt in an executive order giving the DCB authority to designate radio facilities for the use, control, inspection or closure by the War or Navy departments or other agencies of the Government.

The order paved the way for whatever action may be found necessary to shut down stations which may interfere with military transmissions or serve as beacon to approaching enemy. (Continued on page 12)

FDR Air Audience Rated All Time High

The greatest radio audience of all time in this country heard President Roosevelt's address to the nation Monday night, it was agreed by Cooperative Analysis of Broadcasting and C. E. Hooper, Inc., which conducted such surveys. Hooper placed this audience at 90,000,000, not taking into account the fact that larger groups were gathered around each radio than ordinarily.

CAB made no effort to project the figures but stated that 83 percent of (Continued on page 12)

INDUSTRYadopts BASIS FOR UNITY

Chicago Meet Creates Permanent Industry Committee with Five Main Objectives: Exhibitors, Distributors Harmonious

By SAM SHAIN

CHICAGO, Dec. 10.—With almost cataclysmic suddenness the motion picture industry after only two days of discussion at the historic unity conference held here has finally found a working basis for inter-industry harmony so long and vainly sought over the years.

For the first time a national consolidation committee has been created with the unanimous approval of all industries and exhibitor desires have been blended. In the opinion of many of the 70-odd delegates here, a miracle has just occurred. When the conference began and before last Tuesday, they

Chicago Meet Creates Permanent Industry Committee with Five Main Objectives: Exhibitors, Distributors Harmonious

The Committee

CHICAGO, Dec. 10.—The members pro tem of the Motion Picture Industry Conference Committee have been named, with Jack Kirsch as chairman. The group includes:

MPTOA — Ed Kylendall, Fred Wehrenberg, H. V. Harvey, Max A. Cohen, Lewen Plazin.


Independents—Robert H. Poole, Bob White, John Ragar, Leo F. Wolcott, Henry Brandt.


A permanent committee will be named after the delegates report to their parent exhibitor boards. (Continued on page 9)

200 British Houses Have Reopened in Year: Rose

By SHERWIN A. KANE

More than 200 British theatres have reopened this year after having been closed as a result of air raids or other war causes, according to David Rose, Paramount managing director for Great Britain, who arrived from London early this week.

Rose said yesterday that of Britain's 5,458 theatres, only 236 are closed, as compared with approximately 550 at the first of the year. Some of those put out of commission temporarily after permits for repairs had been obtained, he said. Others had been closed vol-

FWC Studies Effect Of Coast Blackouts

LOS ANGELES, Dec. 10.—Fox West Coast officials tonight were studying effects of blackouts in the West Coast area for the first indication of the ultimate result on business at the circuit's 20 theatres in San Francisco, Long Beach, Wilmington and Torrance districts. All marquees and other outside illumination have been ordered shut off at night under Army orders until further notice as one of the precautions against air raids.

Stearn Named U.A. Western Sales Head

Bert M. Stearn, United Artists district manager for the North Central territory, yesterday was appointed Western division sales manager for the company by Carl Lescman, general sales manager.

Stearn succeeds Haskell M. Masters, who resigned several weeks ago. The appointment is effective immediately. Stearn has been with United Artists for the past 15 years, having started as a salesman in the Cleveland branch. He was subsequently promoted to branch manager at Pittsburgh and six years ago was made
British Problem in New Calls to Arms

LONDON, Dec. 10.—The Cinematograph Exhibitors Association, faced with wholesale defections of theatre owners, is expected to adopt a new manpower policy, will ask the Ministry of Labor to hear its case immediately after passage of the manpower bill.

Producers believe the Ministry will consider individual applications for exemption of studio technicians. Distributors, also hit, plan to take no action. It is expected all men under 25 will be called, and the present exemption of certain categories will be canceled. Without an attitude of conciliation toward films, the industry appears faced with some serious problem, observers declare.

New restrictions on the use of paper are having a serious effect on the use by the industry of posters and stills. However, the poster situation may be eased as the result of a distributor plea to the Board of Trade.

Kaufman Ticket Is Elected in Newark

NEWARK, Dec. 10.—The entire slate of incumbent officers of Local 244 of the operators union here; headed by President John Kaufman and business agent, has been reelected by a vote of 106 to 51. The opposition ticket was larger than many observers expected.

Those reelected included Harold Shabolt, president; Daniel Olmer, vice-president; Harry Oppenheimer, recording secretary, and William C. Uessler, treasurer. George Gilligan led the opposition as candidate for president. The election was supervised by William J. Brennan, Jr., special master in chancery. Kaufman is under indictment in the Federal Court in New York with Nick Dean, alias Circella, on charges of conspiring to extort money from film executives.

Plan New Shea House

BUFFALO, Dec. 10.—Vincent R. McFall, president and general manager of Shea Theatres, Inc., has announced that the Tock Theatre building, former legitimate house, will be rebuilt to contain a one-story, 1300-seat Shea theatre, bringing the number of downtown Shea houses to four.

BROADWAY PLAYS

"GRAND-SCALE SMASH HIT!"—Life Magazine

GERTRUDE LAWRENCE

In the Musical Play

"LADY IN THE DARK"

ALVIN, 22 W. 46th St., New York City, Fri. & Sat.

A GREAT SHOW—Herald Tribune

50¢, $1 & $1.50 PLUS TAX

PLUS TAX

2ND YEAR—2ND EDITION OF THE

Sensational Musical Intrigue

IT'S BARKERS DAY

At Ampaa Luncheon

Chief Barkers of a number of Variety clubs are scheduled to attend an Ampaa luncheon to the organization and its national officers, John H. Harris and R. J. O'Tinnell, at the Hotel Edison today.

Among those are: Harry Arthur, Jr, St. Louis; M. A. Silver, Alameda; Earl Siegwart, Philadelphia; Paul Short, Dallas; Harry Browning, Boston; M. A. Lightman, Memphis, and James G. Balmer, national downtown guy.

Among those who have reserved

for the luncheon, it was an


English Quota Cut Enacted Into Law

LONDON, Dec. 10.—The recent Board of Trade order reducing the quota for English stagehands from 20 per cent to 15 per cent for exhibitors and 20 per cent for distributors, passed the House of Lords today.

The order thus becomes law, and will be effective next April 1 for distributors and Oct. 1 for exhibitors.

Mexico Approves 'Kid'

MEXICO CITY, Dec. 10.—"Billy the Kid" has been approved by the Federal Film Supervision and Censoring Board, which forbids its exhibition anywhere in Mexico six weeks ago. Without citing reasons, the board permitted the film at the Cine Olimpo, which had been barred when the board closed down on it.

Joins W. B. in Phila.

PHILADELPHIA, Dec. 10.—Earle W. Siegwart, Paramount district manager in charge of the booking, has joined Albert C. Benson as district short subjects representative, embracing the territory covering Pittsburgh, Philadelphia and Washington. He replaces Sol Jacobs.

Buxbaum Elected Associates' Head

Harry Buxbaum, Metropolitan district manager for 20th Century-Fox to the Motion Picture Associates for 1942 at a meeting yesterday at the Hotel Lincoln. Buxbaum was chosen first vice-president. Buxbaum, who had been unanimous for the post, will succeed Joseph Less.

Other officers are Matthew Calvert, second vice-president; Moe Friedman, treasurer; Seymour R. Schall, and Moe Kurlitz, secretary. In addition, all of the new officers will take part in the middle of next month.

A few days after the meeting, the membership voted a donation of $100 to the Red Cross. A possible investment of $5,000 in defense bonds also was discussed.

RCA Withholding Public Televisio

ST. LOUIS, Dec. 10.—RCA is voluntarily withholding public introduction of theatre television in order to meet objections of Thomas J. E. F. Joyce, vice-president, told the St. Louis Sales Managers Bureau. Joyce said arrangements had been made for the Red Cross, while others, Thomas H. Benson, Mike Jacob, the A. T. & T. and others for the showing of television in the Odeon Theatre in Philadelphia but the demonstration was dropped.

RCA's decision to drop theatre television was exclusively reported by Motion Picture Daily on Dec. 3.

Heads Seattle Union

SEATTLE, Dec. 10.—Charles C. Cric more has been reelected president of the local stagehands' union Othe are: Ed Leach, vice-president; Lewis Booth, recording secretary; Arthur R. Clay, presenter, and others for the local; Swedish, immigrants, and selected business agent for the 18th term.

Columbus Veteran Dies

COLUMBUS, O., Dec. 10.—W. H. Hartman, a member of the U.S. Army for 50 years, died at St. Anthony's Hospital yesterday. His wife and two daughters survive.

Killed in Honolulu

DES MOINES, Dec. 10.—First Lieutenant John Sherman Green, husband of Mrs. Ida Green, secretary to Stanley J. Mayer, local 20th Century-Fox manager, was among those killed at Hickam Field, Honolulu, on Sunday.
Dear Santa Claus:
I have tried to be a good exhibitor all year. Now, all I want for Xmas is a print of “You’re In The Army Now.”
Your friend,
Sam Q. Showman

P.S. If you could also get me “They Died With Their Boots On” for New Years... then “All Through The Night”, “The Man Who Came To Dinner” and “Kings Row”, I could afford to be good all next year, too.

THERE IS A SANTA CLAUS, SAM DEAR!
IT’S WARNER BROS!
50 MILLION FRENCHMEN WON'T BE WRONGED!

EVERY DAY YOU CAN HEAR IT CALLING ON THE FRONT
THE WRAPS ARE OFF! TURN YOUR MARQUEE WHITE HOT WITH THIS ONE!

PRINTS are READY NOW at UNIVERSAL!

Right from under the heels of the Nazi heels... comes this blistering story of fifth horsemen vs. fifth columnists!

WHY 50 hostages die for the deeds of one hero!
WHY the man with the gun fears the man with the heart!
WHY reprisal killings only breed more rebellion!
WHY every morning hears a prayer—and every evening the executioner's fusillade!

ALLING

AGE OF YOUR OWN NEWSPAPER!

A Charles K. Feldman Group Production starring
Elizabeth BERGNER • Randolph SCOTT
with Basil RATHBONE
Gale SONDERGAARD • Edward CIANNELLI
Charles ARNT • Lee J. COBB

Original Screen Play by Benjamin Glazer and Charles S. Kaufman • Original story collaborator, John S. Troy • Directed by EDWIN L. MARIN • Produced by BENJAMIN GLAZER

A UNIVERSAL PICTURE
The oboe sounds its "a"
... and a New Century of Music begins

A hundred years ago in the Apollo Rooms on Lower Broadway, an oboe sounded the pitch... the strings, the brasses and the woodwinds tuned... and a Connecticut Yankee raised his baton to signal the start of Beethoven's Fifth Symphony. Before him, at their high music racks, stood the first symphony orchestra in America. Behind him an audience of some 400 sat upright in their pews.

Today, in Carnegie Hall, an oboe again sounds its "a"... and the 62nd successor to Ureli Hill raises his baton before the orchestra of the Philharmonic-Symphony Society of New York.

And behind him... before him... all around him... an audience of 10,000,000 awaits the opening theme.

10,000,000 people listening to the radio on a Sunday afternoon!... More than have heard the Philharmonic within the walls of a concert hall in the hundred years of its history.

What finer tribute to the world's greatest orchestra on the beginning of its second century? What better evidence of an America musically come of age?

The oscillograph registers the wave pattern of an oboe's "a" sounded by the Philharmonic's Bruno Labate. Instruments in an orchestra traditionally tune to an oboe because its accurate pitch and penetrating tone are easily caught by the human ear.

100th Anniversary of the
Philharmonic-Symphony Society of New York
Broadcast exclusively for the past 12 years over
THE COLUMBIA BROADCASTING SYSTEM
**Reviews**

**“Thundering Hoofs” (RKO)**

Hollywood, Dec. 10

RKO introduces a new few twists in the western formula with "Thundering Hoofs," another in the series of outdoor action pictures featuring Tim Holt, Ray Whitley and Lee "Lassies" White. Compactly made and with the efficient direction of Whitley since told, that of his own songs, including one stage that which is the title. Bert Gilroy handles the production well. Supporting the trio are Luana Walters, Archie Twitchell, Gordon DeMain, Charles Phipps, Monte Montague, Joe Bernard, Frank Fanning, Fred Scott and Frank Ellis.

Running time, 60 minutes. "G"**

VANCK KING

**“Confessions of Boston Blackie” (Columbia)**

ALTHOUGH certain of the pluses of the picture are not altogether the fault of a man who, "Confessions of Boston Blackie" is satisfactory entertainment.

The routine story has been given a substantial lift by good performances, particularly by Chester Morris, the character of the title, Richard Beeman, the pool table, the police inspector who, with the elusive ex-scarper, and George Stone, as Morris' assistant. The man is committed but the body is not found. The finger points at "Blackie," who is really innocent. In trying to clear himself, he searches for the body while dodging Lane. He finally proves his point but finds himself, Lane, Harriet Hilliard and others locked in the basement of a building with little chance of escape. The resourceful "Blackie," however, starts a fire, which attracts Stone, who summons a rescue party. Miss Hilliard and Morris provide the romance. Edward Dmytryk directed.

Running time, 66 minutes. "G"**

EUGENE ARNELL

**“Laud of the Open Range” (RKO)**

THIS is a good western. It is a sufficiently sturdy yarn allowing for a good share of action and excitement, all developed on the screen in the customary manner of better Western films. Also it has brought musical numbers by Ray Whitley which are pleasant and do not detract from the story.

Tim Holt plays the lead, as deputy sheriff, supported by Whitley, Lee "Lassies" White, Janet Waldo, Hobart Cavanaugh and Lane Bonnell. The story stems from the will of the town's late outlaw chieftain which stipulates that his property go only to ex-convicts who are convicted of a crime in a homestead race. The excitement is in the vicinity of a dam and making the racers pay for irrigation. Holt upsets their plans. Edward Kelly directed.

Running time, 60 minutes. "G"**

EUGENE ARNELL

*"G" denotes general classification.

**Candidates Selected For Exchange Union**

PHILADELPHIA, Dec. 10—Candidates for the offices of Local B-7, Film Exchange Employees Union here for the coming year have been selected. The election will be held Dec. 12. The nominees are: Harry Bache and Fred Fortunato, president; Edward Reckaus, vice-president; James Williams, secretary; Marie Hause, treasurer. The vote of the O. Cohan, James Lynne, business agent.

**Named FPC Director**

TORONTO, Dec. 10—Howard P. Robinson of St. John, N.B., vice-president of the New Brunswick Telephone Co., and executive of one of the companies, has been elected a director of Famous Players Canadian Corp.

**Defeat Midnight Ban**

TORONTO, Dec. 10.—A proposed by-law to abolish Sunday and holiday midnight shows at the theatres in Oshawa, Ont., was voted down six to three by the City Council, the move being opposed by aldermen who declared that the late performances formed the only opportunity for war workers and soldiers on weekend leave to enjoy recreation.

**Stars at Chicago Benefit**

CHICAGO, Dec. 10—Stan Laurel and Oliver Hardy, Allan Jones, Irene Hervey, Humphrey Bogart, Mayo Methot, Joe E. Brown and Jimmy Durante have accepted invitations to appear in person at Chicago's Christmas benefit "Night of Stars" program which will be held in the Chicago Stadium on Dec. 17, according to Barnett Hodes, executive secretary of the affair.

**Skylark’ Hits Good $7,400 in Seattle Gros**

SEATTLE, Dec. 10.—"Skylark" at the Paramount drew $7,400 and a road show on the Palomar stage will bring $10,000 more. The house drew $6,100. The weather was cold and rainy.

Estimated receipts for the weekend Dec. 5:

- *Birth of the Blues* (Para) $4,500
- *Night of the Blue Mouse*—(Sibley) $3,500
- *Shadow of the Thin Man* (M-G-M) $4,000
- *The Perfect Gentleman* (M-G-M) $5,000
- *Fifth Avenue* (2-200) $6,000
- *Beverly Hills* (2-200) $4,000
- *Sunburn* (U. A.) $3,000
- *Niagara Falls* (U. A.) $2,500
- *Shadows of the Thin Man* (M-G-M) $3,500
- *The Smiling Ghost* (W. B.) $3,000
- *Shadow of the Thin Man* (M-G-M) $4,000
- *It Started With Eve* (Univ) $2,000
- *Swing It, Soldier* (Para) $1,500
- *Palomar*—$1,000
- *Girls of the Girls* (La.) $1,000
- *Ocean" (M-G-M) $1,500
- *Garden* (M-G-M) $1,000
- *Buy Me That Town* (Para) $1,500
- *The Bowery* (2-200) $1,000

"Thin Man" Omaha Leader With $7,20**

OMAHA, Dec. 10.—"Shadows of the Thin Man" at the Omaha drew $7,200 in a week, weather being dry and cold. Estimated receipts for the weekend Dec. 4:

- *Shadow of the Thin Man* (M-G-M) $4,500
- *The Perfect Gentleman* (M-G-M) $3,500
- *The Men in Her Life* (Col) $2,500
- *Loew-Poll*—$3,000
- *Shadow of the Thin Man* (M-G-M) $4,000
- *Henry Aldrich for President* (Para) $2,500
- *Moving On* (Wh.) $2,000
- *Guns and Gasoline* (Lon.) $2,000

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**Sues Ascap on Royalty**

Vinyou, Inc., assignee of Vine Yornans, has filed suit in N. Y. State Supreme Court for $200,000 damages against Ascap and Hammers Inc., alleging royalties on songs.
Industry Adopts Program
As Basis for Trade Unity

(Continued from page 1)

which also benefited delegates from the 

industry, including such leaders as Sidney R. Kent, William 

F. Rodgers, Nicholas M. 

Barringer, John H. 

Hollins, Tom 

Comons, Abram Myers, Neil 

Agnew, Abe Montague, Jack Cohn, 

Charles J. Schaefer, Joseph Bernhardt, Ed 

Kuykendall, Max A. Cohen, Robert 

Poole and others.

Internal bickerings and outside agi-

tation among leaders will be met by a 

united industry front.

A report of the Ways and Means 

Committee was submitted to the meet-

ings of the T. J. Committee, which 

Harry Brandt moved for its accept-

ance and Fred Weihrenberg seconded. 

The report was adopted unanimously.

It provided for the appointment of 

a Motion Picture Industry Confer-

ence Committee of 25 members, as 

forecast in the Daily Mirror daily, 

yesterday, and specified five main 

objectives for a unity program. 

These were: to end and Means 

Organization; to promote 

against outside attack, 

stitutional advertising and good 

will activities, 

obtaining priority ratings and 

conciliation of 

tion complaints.

Name Subcommittees

Subcommittees were appointed to 

work on each of the five points. They 

follow:

A. Committee: 

Cole, Kuykendall, Brandt, Joseph 

Vogel, Speros Skou-

ras, Schaefer, Harry Kalmine.

Industry protection: Sidney R. 

Kent, Schaefer, Balaban, Poole, Kuyk-

endall, Cole, Brandt.

Institutional advertising and 

goodwill activities: Heads of 

advertising and publicity departments 

of all distributors and Leo Brecher, 

New York; Lionel Wasson, Des Moines; 

Fred Weihrenberg, St. Louis; Lavan 

Pizor, Philadelphia; Leonard Golden-

son, New York; Pete Wood, Colum-

bus; Don Kowster, Indianapolis, and 

Moe Rosenberg, Pittsburgh.

Industry priorities: Joseph Ber-

nard and members of his existing 

priorities committee, together with 

Sidney J. Atkinson, Parker Barron, 

Washington, D.C., and William Crockett, Virginia.

The main committee was designated to 

handle matters of internal industry 

complaint arising under Point 5.

Organizations which were 

represented at the meeting here are 

scheduled to meet separately to 

ratify the action taken and report to 

Kirsch. When approvals have been 

received the MPICC and its 

subcommittees will begin to function 

officially.

Text of Report

Following is the complete report of 

the committee:

"In the interest of industry unity, this 

committee conveys to the assem-

blage a message of unique importance. 

It offers a coordination of thought, not 

purpose in that in all of its discussions 

and debate it found a complete under-

standing in every direction. It is a 

pleasure to report to you that com-

plete harmony prevailed and we 

earnestly look forward to the uniting of 

all interests represented here for unity 
in the motion picture industry.

With our unanimous approval we 

present to you the following program 

outlining a proposal of activities, 

including the forming of the Motion 

Picture Industry Conference Commit-

tee:

"(1) Coordination of policy and 

action in reference to taxa-

tion.

"(2) Coordination of policy 

and action in protecting 

the name and integrity of 

the industry as a whole.

"(3) Formulation of plans for 

institutional advertising 

and other goodwill activities.

"(4) Protecting the necessary 

supplies of the industry by 

securing proper priority ratings.

"(5) Formulation of a pro-

gram providing, if possible, 

for the adjustment, or modifica-

tion of the policies or practices 

of one branch or members thereof 

which are opposed by any other 

branch or a substantial portion 

thereof.

"It is the recommendation of this 

committee that the forming of a 

Motion Picture Industry 

Conference Committee shall be 

constituted as follows:

Five members of Allied States 

Association.

Five members of the M. P. T. 

O. A.

No Choice, Says U. S.

"We respectfully submit that until 

and unless the industry advocates 

and secures for itself legislative recognition 

that it is a business which may render 

better service without competition than 

with it, the Government and the 

courts have no other choice in enforcing 

the Sherman Act than to compel it to 

operate as it claims to operate, to 

that upon a competitive basis.”

Among the brief’s signers were 

Attorney General Thurman 

Wald and Robert J. 

Wight, in 

charge of the Crescent prosecution.

Fox Wisconsin Sets 
Series of Lectures

WILMINGTON, Dec. 10.—In early 

January Fox Wisconsin Amuse-

ment Corp. will begin a series of 

lectures, one a week for five weeks, at 

6 houses in this territory. The 

lectures will consist of a program 

and is planned to sell tickets for 

the entire block of lectures. No 

films will be shown on the nights of 

the shows.

Three Firms Formed

ALBANY, Dec. 10.—Three new 

concerns have been formed here. They 

are: Adro Productions, Inc., by 

Arthur Leit, M.D. Bober and 

Sally Johnson, New York; 

Topcor, by E. M. Phair, Sylvia Den-

mark and Gladys Barnett, New York, 

and Half-Dell Productions, Inc., by 

E. Jordan, Barclay Shaw and 

Sara Gilbert, New York.

Amusement Machine 
Output Cut by OPM

WASHINGTON, Dec. 10.—Sharp 

cuts in the production of amusement ma-

chines of all kinds were ordered to-

day by the Office of Production 

Management.

For the current month, the output 
of automatic phonographs and other 

machines, whether or not coin-oper-

ated, will be reduced to 25 per cent 

below average production in the 

12 months ended last June.

The curtailment will be increased to 

100 per cent on Jan. 1 and the fol-

lowing month to 75 per cent, and will 

be continued at that level until fur-

ther notice.

"Five members of independent ex-

hibitor groups.

Distributor companies—Columbia, 

MG-M, Paramount, Producers Re-

leasing Corp., RKO, Republic, Mon-

ogram, Twentieth Century-Fox, War-

ner Bros., United Artists and Uni-

versal.

“Further, it is the recommendation 

of this committee that inasmuch as the 

MPICC is a designated body 

drawn from the entire industry, it 

may proceed to set up such rules of 

conduct as it may deem proper, and 

further, it may appoint such subcommit-

tees as it may deem necessary to 

carry out to fulfill this industry’s 

objectives. In the forming of the 

MPICC the committee, took into 

account the all-embracing inter-

industry program and recommends 

that voting power therein be excluded. 

Unity must be the aim and purpose of 

the MPICC for the benefit of all.”

Add PRC Salesmen

Additions to the sales staff of Pro-

ducers Releasing Corp. have been 

made by Leon Fromkess, executive 

vice-president. They include: George 

Caldaus, Los Angeles; John Mort-

son and Jack Weil, St. Louis, and 

C. Carpenter, San Francisco.
<table>
<thead>
<tr>
<th>COLUMBIA</th>
<th>M-G-M</th>
<th>MONO.</th>
<th>PRC</th>
<th>REPUBLIC</th>
<th>RKO RADIO</th>
<th>20TH-FOX</th>
<th>U. A</th>
<th>UNIVERSAL</th>
<th>WARNERS</th>
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<tr>
<td>Nov. 14</td>
<td>Secrets of the Lone Wolf (D)</td>
<td>Warren William (1941-42)</td>
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<td>Nov. 21</td>
<td>The Men in Her Life (D)</td>
<td>Loretta Young                (Conrad Veidt) (1941-42)</td>
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<td>Nov. 28</td>
<td>Go West Young Lady (C)</td>
<td>P. Singleton                 (1941-42)</td>
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<td>Dec. 5</td>
<td>Sing for Your Supper (C)</td>
<td>Buddy Rogers                 (1941-42)</td>
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<td>Dec. 12</td>
<td>Honolulu Lu (D)</td>
<td>Lupe Velez                    (1941-42)</td>
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<td>Dec. 19</td>
<td>Harvard, Here I Come (C)</td>
<td>Riders of the Badlands (O)</td>
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<td>Dec. 25</td>
<td>Bedtime Story (C)</td>
<td>Fredric March</td>
<td>Loretta Young              (1941-42)</td>
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**Columns:**
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- **M-G-M**
- **MONO.**
- **PARA.**
- **PRC**
- **REPUBLIC**
- **RKO RADIO**
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- **U. A.**
- **UNIVERSAL**
- **WARNERS**

**Rows:**
- Nov. 14
- Nov. 21
- Nov. 28
- Dec. 5
- Dec. 12
- Dec. 19
- Dec. 25
- Jan. 2
- Jan. 9
- Jan. 16
- Jan. 23
- Jan. 30

**Entries:**
- Columbia
- M-G-M
- Motion Picture Daily's Booking Chart
- Film titles and details
- Director and lead actors
Flying's Gets Big $33,500, Los Angeles

Los Angeles, Dec. 10.—"Keep Em' Flying"' gross with "South of Troy" grossed a total of $33,500 at the engagements and the RKO Hill Street theatres to become the town's leading business getter.

Estimated receipts for the week ending Dec. 3:

- **Swamp Water** (20th-Fox) 
- **Great Gams** (20th-Fox) 
- **THIS NIGHT'S THE NIGHT** (M-G-M) 
- **Swamp Water** (20th-Fox) 
- **Great Gams** (20th-Fox) 
- **Keep 'Em Flying** (Univ.) 
- **South of Troy** (Univ.) 
- **Skylark** (Para) 
- **Glamour Boy** (Para) 
- **ABANDONED** (20th-Fox) 
- **Maltose Falcon** (W.B) 
- **Target For Tonight** (W.B) 
- **Warners** (W.B) 
- **Skylark** (W.B) 
- **Target For Tonight** (W.B) 
- **KERNER BROTHERS (DOWNTOWN)**

Hamilton Sets Dividend

Toronto, Dec. 10.—Hamilton United Theatres has announced a 4c dividend, payable the 15th, to the shareholders of the Odeon Theatres of Canada, Ltd., has declared its first dividend under the new auspices, a paean of confidence from the management promising shares for the quarter ending Dec. 31.

Take Fort Lee House

Peter and Lillian Kriev are the new operators of the Fort Lee, Fort Lee, N. J.

200 British Houses Have Reopened in Year: Rose

(Continued from page 1)

N.Y. Showmen to Get Air Raid Instruction

(Continued from page 1)

of circuit offices and in the Commissioner's office in this regard.

Meanwhile, Governor Lehman yesterday ordered immediate blackouts in all cities in New York State. This, however, does not apply to New York City, which, it is said, is under separate jurisdiction, but plans for a blackout unless are being rushed. All outside illumination at places without night watchmen has been banned.

In his order, Governor Lehman informed mayors of all municipalities that advance notice of the blackouts should be given to the people through the radio and press.

War News Continues To Reduce Grosses

Additional reports from the field show that the effect of constant radio war bulletins on theatre grosses indicate heavy losses. In the Minneapolis area it was reported grosses were off in 22 engagements as 75 per cent, with the average drop estimated at 50 to 60 per cent, although last week was partially normal.

Grosses in Cleveland were reported to have fallen off heavily at almost all theatres. Grosses Monday and Tuesday were more seriously affected than on Sunday.

Los Angeles reported grosses off up to 75 per cent in the Coast. One San Francisco neighborhood operator was reported saying that he had two patrons during Monday's blackout.

'Heaven' at $9,800

Kansas City Gross

Kansas City, Dec. 10.—"One Foot in Heaven" and "The Gay Falcon" drew $9,800 at the Orpheum. "Swamp Water" drew $8,700 at the Esquire and $6,500 at the Uptown. Estimated receipts for the week ending Dec. 3:

"Swamp Water" (20th-Fox) 
"Esquire" (30c-94c-55c) 7 days, Gross: $4,500. (Average, $650) 
"Two-Faced Woman" (M-G-M) 
"Midland" (30c-44c-7c) 7 days, Gross: $4,000. (Average, $570) 
"Birth of the Blues" (Para) 
"Orpheum" (30c-44c-7c) 4 days, Gross: $1,600. (Average, $400) 
"Moonlight in Hawaii" (Univ.) 
"Lyrick" (4c-94c-55c) 7 days, Stage: Hawaiian Folies, Gross: $7,000. (Average, $1,000) 
"Swamp Water" (20th-Fox) 
"Uptown" (30c-44c-7c) 7 days, Gross: $4,000. (Average, $570) 

Reverts to Single Bills

Cincinnati, Dec. 10.—The 1,400-seat RKO Lyric, after three unsold weeks of double features at 28 and 40 cents, has reverted to its former move-over single bill policy at a previous rate of $28, 33 and 42 cents.

Rafferty Is Active President of U.A., Selznick Declares

(Continued from page 1)

definitely set for that cast at this time, Dorothy McGuire will play "Claudia" no matter when that film is produced, he said.

Selznick stated Mary Pickford plans one picture a year and that Clarence Brown will start a new picture within the next few months.

Pickford was accompanied by his wife, Mr. and Mrs. Mervyn LeRoy and Myron Selznick. He will attend a meeting of United Artists owners in Hollywood on Friday.

Sears Says 'Gesture' May Be Roadshowed

Hollywood, Dec. 10.—Gradwell Sears, U.A. general sales manager, said today following a screening of "Shangrila Gesture" that the film might be roadshowed in January in about 25 key cities before general release.

Alexander Korda will give a luncheon for Sears tomorrow to which all company-owner members and executives have been invited.

'Coriscan' Opens

In Capital Dec. 18

The Coriscan Brothers, Edward Small production for United Artists release, starring Douglas Fairbanks, Jr., will have its premiere at Loew's Criterion Theatre, Dec. 18. U. A. announced yesterday.

Leading capital figures are expected to attend the opening, and for a dinner and reception. The picture is set for a two-week run at the Palace. The film is slated to open in Loew's in at least nine cities on Dec. 24.

Stearn Named U. A. Western Sales Head

(Continued from page 1)

manager of the district comprising Pittsburgh, Cleveland, Cincinnati and Indianapolis.

It was stated that Stearn's appointment follows a long-established United Artists policy of making appointments wherever possible, from within the ranks.

Named Phila. Booker

Philadelphia, Dec. 10.—Harry E. Weak, in downtown branch manager, announces the appointment of Joseph Flood as new Booker, now giving the local exchange four. Flood had been associated with various local independent exchanges.

To Entertain Shut-ins

Des Moines, Dec. 10.—The seventh annual theatre party for shut-ins given each year by Christmas by theatre men of the city is to be held at the Uptown Theatre Continental, Saturday. Lou Levy, Universal manager, is general chairman.

Mona, Peru Deal Set

Norton V. Ritchie, vice-president in charge of Monogram foreign operations, has advised the home office in Peru that he has closed a deal for Amauta Films of Lima to distribute Monogram product in Peru.
Motion Picture Daily
Thursday, December 11, 1940

Defense Board Takes Over Radio Control

War Power Is Exercised By Roosevelt

(Continued from page 1) enemy raiders; enables the board to regulate the operations of stations more closely from a defense standpoint, if necessary, and permits the board to turn stations over to the Army or Navy if such action is required.

The board's operations under the order will be conducted through the Federal Communications Commission. James L. Flynn, FCC chairman, is also head of the D.C.B.

No Immediate Plans

Fly said after the issuance of the President's order that there are no immediate plans to take over private broadcasting facilities.

Neville Miller, president of the National Association of Broadcasters, said any application in order not to create any unnecessary alarm.

Meanwhile, following four hectic days of organizing, pre-announcing and granting licenses for 2,500 new stations under the war division of the FCC, the board will be able to prepare for the emergency without interfering with the emergency divisions.

Commercial program schedules were still in the air, for the most part, and news was crowding almost everything else off the air.

In New York, preparations were made to organize definite schedules for the broadcasting of alert, air raid and all clear signals. Texts were written for announcers in the event the signals are to be broadcast. Calmness and order will be the keynote.

On the West Coast, arrangements have been made for the highest powered station on the lowest wave length to act as base station and one of the others is being paid for. All the other stations in the area are to monitor this beacon station and leave the air when the beacon station does. This system was followed in the early days of radio when all stations went off the air during an SOS.

A false air raid alarm in Los Angeles caused radio stations to black out for 40 minutes at 12:20 P.M. yesterday.

Notices on WNYC

WNYC will be the first to receive instructions in this area when signals are to be sounded and will be the originating station for special notices to the civilian population. These will include police department requests, information to parents of school children, addresses by city officials and Mayor LaGuardia in his capacity as civilian defense director and the like.

WNEW, WMCA and WHN have installed direct lines to WNYC so that an announcement from the latter station can be carried simultaneously over the other stations. NBC previously had a line to WNYC which was used for feeding network special events to the municipal station on occasion.

Extra guards were placed at transmitters yesterday and CBS decided to restrict studio audiences to those originating outside its main building. NBC discontinued taking visitors on the studio tour to the engineering floor, although the rest of the tour was continued. In Cincinnati, Crosley Corp., operators of WLW, asked civilians aeronautics officials to declare Mason, O., a restricted area for air traffic. Mason is the site of WLW's 500,000 watt experimental transmitter, and WLW's 75,000 watt international short wave transmitter.

Tickler on Television

NBC television placed a camera directly in front of an AP news ticker and carried it over the air as it was received. Increased emphasis was placed on civilian defense training classes.

As for network operations, NBC declared that it was operating under "self-imposed censorship" and that only officials and air signals would be broadcast. In a message read over the air by Roy Campanella, it was urged that listeners refrain from telephoning the networks or official agencies and use the radio verification of reports. At the same time, John F. Royal, NBC vice-president in charge of international relations, declared that short wave operations would continue free of propaganda. Mutual announced that arrangements had been made for its Manila correspondent, Royal Arch Gunnison, to broadcast twice daily, with the Navy censoring his scripts.

Operation on a 24-hour basis will continue as long as news reports warrant continuous broadcasting, it was said. Officials of CBS stated definitely that it would continue day and night until at least the end of the week. CBS serves a special news department in San Francisco.

Robert A. Catherwood, WWRL general manager, sent wires yesterday that power low-powered stations be used to broadcast air raid alarms. He said the stations would remain off the air but would go on immediately if needed. Thus, a civilian could sleep undisturbed but, if his set were turned on, would hear an alarm immediately.

RCA Votes Dividends

RCA has declared dividends of 87 1/2 cents on preferred, $1.25 on "B" preferred and 20 cents on common. Preferred dividends are payable Jan. 15, 1941, holder of record Dec. 18. The common dividend is payable Jan. 28, to holders on Dec. 19.

Heads Mexico Producers

Mexico City, Dec. 10.—Fernando de Fuentes has been elected president of the Association of Mexican Producers. Directors are: Rafael Sevillia, Mario de la Serna, Santiago Reachi, F. Carrideo and Salvador Elizondo.

Off the Antenna

FOR the past three weeks, it was learned yesterday, the Westinghouse 50,000-watt short-wave station in Boston, WBOS, has been carrying the entire program of NBC short wave, with the exception of two hours. Since NBC has two 50,000-watt transmitters of its own, WRCA and WNBI, there are now three top power stations beam ing out the same programs simultaneously.

Purely Personal: Stan Lowry, WOR sportscaster, yesterday was reelected to the board of directors of the Basketball Writers Association. Lowry is the only radio member of the organization, as he is of the Football Writers Association. The only broadcast sportsmen to be guest of Adrienne Ames on WHN at 7 tonight. Dave Ariez and Lucille Ball will be Miss Ames' guests Saturday.

The debut of the Barrymore name on television will take place Monday when Ethel Barrymore will read the Bill of Rights over the CBS station.

George J. Vogel, general manager of KZRM-KZRF, the CBS outlet in Manila, now in town for a visit, reveals that listening posts had been receiving misleading weather reports from the Japanese radio since last July. The nature of the reports was discovered in August.

The network, up to a late hour yesterday, was still checking to determine the whereabouts of Cecil Brown, Manila correspondent, who was reported to have been on H. M. S. Prince of Wales when sunk.

Program News: R. J. Reynolds Tobacco Co. has renewed the Xavier Cugat Quartet, or NBC's "Cugat Radio Show" on NBC network; WHN's 92.4 frequency outlet, WBOS, Boston. The renewal is for 13 weeks, effective Jan. 15. ... J. B. Williams Co. has renewed "True or False" for an additional 13 weeks over 63 NBC-blue stations, effective Jan. 15.

More About Correspondents: Martin Agrowsky, NBC Ankara correspondent, has been transferred to Singapore. ... Howard E. Smith, until this week CBS Berlin correspondent, is now in Berne, Switzerland, and will broadcast from there. ... William L. Shiner, another former CBS correspondent in Berlin and now a commentator here, yesterday became the father of a daughter.

Broadcasters Boost Defense Bonds Sale

Washington, Dec. 10.—Broadcasters have thrown themselves whole-heartedly into the drive to increase sales of defense bonds since the outbreak of the war, it was disclosed today by Treasury Department officials.

Vincent Callahan, chief of the division, said that the Defense Savings Division, revealed that hundreds of telegrams and letters have been received from broadcasters this week, pledging their fullest cooperation in financing which they were made sure of.

FDR Air Audience Rated All Time High

(Continued from page 1) all persons reached by telephone at home for an interview yesterday reported that they listened to the program. The Hope survey declared that 92.4 per cent of all persons reached replied that they would listen to the broadcast. The difference between the 79 rating and the 92.4 percentage figure is explained by the fact that some persons did not answer the phone and were therefore catalogued as not listening.

Philco Television Executives Shifted

Philadelphia, Dec. 10.—Reorganization of WPTZ, Philco television station here, places David Gruber, chief engineer, as general manager in charge of both the engineering and program departments. C. J. Bingley, who had been a key man in the television engineering department, is the new station manager, acting as coordinator between the engineering and program department. B. R. Herr, Philco executive who serves in various capacities as "trouble shooter" will be the program manager temporarily until the position is filled.

Increase in Power Authorized by FCC

Washington, Dec. 10.—Station WQAM, Miami, has been authorized by the FCC to increase its day power from 1,000 to 5,000 watts. The commission ordered hearings on the competing applications of broadcasters Inc., San Jose, Calif., the San Jose Broadcasting Co., San Jose, and Luther E. Gibson, Vallejo, Calif., for a new 1,400-kilowatt TV station, and General Broadcast- ing, Inc., Miami, for a new 1,140-kilowatt, 5,000-watt station.
Lisbon Routes Are Closed
By New War Declarations

Declarations of war by Germany and Italy against the United States has shut off the mid-Atlantic sea and air routes to and from Lisbon, which have been used by industry executives between here and Lisbon, and for many film shipments.

The New York-Lisbon passage was the only European run permitted under this country’s neutrality law. Foreign department officials believe that air and sea passage to and from Britain will be reestablished promptly over the North Atlantic route. Accommodations will be available, they believe, for both passenger and film shipments. Spanish and Portuguese vessels may continue to Lisbon for the time being.

The American Export Line, only United States line operating between here and Lisbon, was closed yesterday.

Loew to Ask Minn.
Escape Next Week

Loew’s will make application to Federal Judge Henry W. Goddard early next week for an exemption from the sales provisions of the consent decree to permit it to resume selling in Minnesota under the state anti-blocking law, which was approved yesterday in a Federal District Court.

In doing so, the company will follow the same procedure as did the other four consenting companies when confronted with the Minnesota law.

Loew’s application will be filed as soon as the necessary legal papers are completed.

U.S. Making Last Effort on Little 3 Trial

What is believed by industry attorneys to be a last attempt by the Department of Justice to obtain a trial of the Government anti-trust suit against United Artists, Universal and Columbia prior to the decree escape clause deadline of June 1, 1942, was launched by the Department here yesterday.

The Government gave notice that it would seek an order to restore the

War Brings Slash
In B’way Grosses

The war has had a disastrous effect on theatre business along Broadway. After bringing in fairly substantial grosses over the weekend, all films played to the poorest business of the month, Monday through yesterday.

At the Radio City Music Hall, “Suspicions,” with the stage show, which had an estimated $70,000 weekend, finished its third week with an estimated

Coast Studios
On Day Shifts
For Blackouts

Ordered on 8 to 5 Work Schedule Dec. 15

Hollywood, Dec. 11.—All Hollywood studios tonight were ordered effective Dec. 15 to go on an 8 A.M. to 5 P.M. daylight shift in order to give workers time to return to their homes for blackouts.

This was decreed at an emergency session of the Association of Motion Picture Producers as part of a program designed for protection of employees and studio properties.

All studio equipment and facilities were placed at the disposal of the War Department in conferences with Lieut. Col. Richard T. Schoenberg, of the Army Signal Corps, who returns to Washington tomorrow.

Studio managers met earlier today to discuss reorganization of studio

Defense Committee
Meets Here Today

The industry committee cooperating for national defense is scheduled to meet here today to discuss arrangements for placing the organization on a war footing.

George J. Schaefer is chairman of the committee and Francis Harmon of the MPDPA is coordinator. Its members represent every branch of industry activity. Arrangements for securing the organization for whatever wartime services it may be called upon by the Government to perform are expected to be made at the meeting.
What to Do When the Air Raid Alarm Sounds

OFFICIAL air raid warnings sounded by sirens on fire apparatus will consist of a long blast followed by a short blast repeated for about five minutes. The all-clear signal consists of a series of short blasts sounded for about five minutes. The things to do when the signal sounds follow:

IN CASE OF AN ALARM

Above all, keep calm. Don’t create panic. Get off the streets, but don’t run; walk. If five minutes from home, go there. If at home, stay there. Hot, humid weather today may bring muggles. If more than five minutes from home, seek shelter in the center of nearest building. Avoid top and lowest stories of buildings. Stay away from windows and outside walls. Avoid elevators. Motorists should park their cars instead. Stay out of subways. They are not safe. Put out lights. Avoid use of telephone, and again remain calm.

In case of a raid, shut off all gas ranges, heaters and furnaces. Turn off pilot lights. Fill bathtubs and buckets for use in case of fire. Move to room with fewest windows and leave. Keep radio turned on. Leave at least one window open. Frantic calls from friends may never be answered. Never use flash or stream of water, as the bomb will explode. Bomb will burn 15 minutes if left alone, only two minutes if sprayed. Don’t use a chemical fire extinguisher on bombs. Cooperate with air raid wardens. Obey instructions. ALWAYS KEEP CALM.

Duties of civilians are as vital to the country’s welfare as are those of the armed forces. Obey these instructions carefully. Don’t get excited. Your safety as well as that of your family, your fellow workers, may depend on how you act.

ALWAYS HAVE THESE INSTRUCTIONS WITH YOU.

Studio Union Talks May Return to N.Y.

(Continued from page 1)

weight to the negotiations of the IA, the union reaches in Washington. Walsh has not taken complete charge of the talks with producers, and is acting. It was stated, only on the evening of Friday, that three or four agreements may be made shortly on the jurisdictional dispute between Photographers Local 666 and the American Society of Cinematographers. They are studying that situation.

News Is Piped to Cincinnati Houses

CINCINNATI, Dec. 11.--WCPD, Scripps Howard station here, operated by the Cincinnati P&O, has completed arrangements with nine local suburban theatres to pipe its 9 P.M. news broadcasts to the theatre audiences via loudspeakers.

WB 16-Week Sales Drive Starts Dec. 16

War Cancels USO Show for Iceland

The troupe of players who were to depart this week to entertain soldiers in Iceland under the sponsorship of USO-Camp Shows, Inc., were notified by the War Department yesterday that the show has been cancelled because of the war. The announcement was made by Edye Dowling, head of the organization.

Don't Use Phones When Air Raid Signals Sound, Lehman Warns

Albany, Dec. 11.—Governor Lehman today issued the following statement:

“When you hear an air-raid warning do not use your telephone. Tuesday’s air-raid warning in the New York metropolitan area resulted in so many people using the telephone that the lines in some sections of New York and suburban areas were choked. Civilian authorities were overwhelmed. The phones are needed by the police, firemen, wardens, and the full functioning of the defense organizations was retarded. “I ask every one when an air-raid warning is sounded to remember that the telephone lines must be kept free for defense purposes. Only the most serious personal emergency warrants use of the phone when you hear an air-raid warning. In the future, please refrain from telephoning until you are sure the all-clear signal has been given.”
United Artists announces that Arnold Pressburger has completed his roadshow production of John Colton’s world-famous stage play “THE SHANGHAI GESTURE” which will be available for its premiere presentations about January 15th.

Arnold Pressburger presents

“The SHANGHAI GESTURE”
From the celebrated play by John Colton

starring

GENE TIERNEY
WALTER HUSTON • VICTOR MATURE •ONA MUNSON

with
Phyllis Brooks • Albert Basserman • Maria Ouspenskaya
Eric Blore • Clyde Fillmore • Ivan Lebedeff • Rex Evans

Directed by JOSEF VON STERNBERG
Screen play by Jules Furthman, Karl Vollmoeller, Geza Herczeg

RELEASED THRU UNITED ARTISTS
Coast Studios On Day Shifts For Blackouts

(Continued from page 1)

in Canada, Too

Toronto, Dec. 11.—Gordon Conant, chief warden of Onta
tario, today ordered blackout regulations throughout Toron
to and Hamilton districts effective Dec. 20. On comple
tion of preliminary measures a total blackout will be effec
tive some time in January. Special instructions are going to the
theatre managers.

rushes of the shots taken the day be
fore available the next afternoon.
All 20th Century-Fox employees will
be fingerprinted and photographed for
identification cards which they must have on them at all times. Radios were
banned.
All Hal Roach employees were or
dered into the studios at 7:30 A.M. to
get in before the rush of getting home in time for the blackout.

Study Safety Rules

Charles Boren, Paramount studio
manager, heads a committee of de
partment heads formed today to study
recommendations for safety of em
ployees at the studio and at home and
will release instructions this weekend. Para
mount has one troupe starting at
7:30 A.M. and quitting at 5 P.M. to
determine whether that schedule can
be made general.

Universal announced the organi
zation of a studio defense corps as a unit of the California State Gendar and a Red Cross unit primarily for defense of the studio. Windows have been painted and special lights installed in accordance with blackout specifi
ations. Personal radios have been banned.

Remaining members of the Navy's Hal Roach unit will be
called to active duty in a few days. The unit includes about 200 camera
men, electricians and sound men.

Speed N. Y. Blackout

New York City officials are speed
preparations to have the city thrown into darkness. The under
taking will be the greatest of its kind, re
quired 20,000 workmen turning off traffic signals and street lights, a job which must be done by hand. It is planned that the whole of the city will be completely blacked out for five minutes, including the dousing of the smallest neon sign.

Test blackouts in New York State
were started Wednesday night. Buf
falo was blacked out last night. This was in response to Governor Lehman's

police and fire departments for mutual
protection.

Four studios today formulated a
policy of management during war con
ditions. Twentieth Century-Fox or
dered one production company to start at 7:30 A.M. and finish at 4:30 P.M. as a
test to determine whether all activi
ties could be confined to those hours. The laboratory was placed on a day
basis instead of night work, making

in this film secondary consideration apparently was given the story.
It is, in effect, several musical numbers, mostly a la jitterbug, strung
together by a slightly yarn about a swing group from Iowa brought
New York by an attractive agency promoter to broadcast for an eccen
tric sponsor.
In its favor is its energetic presentation. In it are the Merry Macs,
Leno Errol, Baby Sandy, Anne Gwynne, Robert Paige, Butch and
Buddy, Robert Paige and Ken Douglas. Charles Lamont directed.
Probably the most saleable element of “Melody Lane” is a combina
on of the greatest movie musical relations and the fact that they are
brought from the corn belt to the big city to promote a breakfast cereal called “Kornbies.” It has its
possibilities.

Running time, 60 minutes. “G.”

EUGENE ARNEEL

*”G” denotes general classification.

Review

“Melody Lane”

(Continued from page 1)

U.S. Making Last Effort on Little 3 Trial

(Continued from page 1)

suit to the trial calendar in U. S. Dis-
court. A similar order was set for Dec. 17 before Fe
ral Judge Henry W. Goldard, it was in the case of Robert
Wright, Assistant U. S. Attorney Genera
l, at that time will ask the court to set the case down for trial in the Carn Ac
chamber in April.

If the Government is unable to win
that action against the three com
panies, or failing that, to obtain from them a consent decree substantially similar to the present industry decree by June 1, the selling and trade show provisions of the present decree could become inoperative.

However, attorneys point out that
the Government suit against the Schine circuit and the “Little Three” is now set for trial in U. S. District court at Buffalo on March 3 and that only one witness in the trial of the Crescent suit at Nashville, it may last several months. It was
t also recalled that Judge Goddard has set several occasions for the Gov
ernment attorneys that he would not consent to a trial here which
would force the “Little Three” to de
fend two cases simultaneously.

In view of these considerations, in
dustry attorneys say, there is little prospect of the Government obtaining an early Spring trial date or of meet
ing the June I escape clause deadline by a victory here over the three com
panies.

Face Charges for Admitting Children

MONTREAL, Dec. 11—Additions
charges have been made against the
operators of film houses for admitting
children under 16 years of age. Sev
eral were fined today Wednesday and
others next Thursday. Eugen
Savard, owner of the Theatre Na
tionale, was one of those given a fine
of $10. Additional cases are expected
coming Sunday shows in violation of the Lord’s Day Act. Exhibitors who have pleaded guilty to such charges have been fined $10.

Three Theatres in Yorkville Are Shut

(Continued from page 1)

German pictures, a number of which
have been held in Customs, and they
have been forced to run reissues.

Meanwhile, it was learned that
the George Nitze, president of Ufa, th
company which for years has been the
distributor of German films in this
country, also will face a charge of give
the FBI in its sweep across the coun
try apprehending aliens. Nitze
whaercabouts were unknown yesterday.

Basketball Results

In the second round of the Mootie Pro
files series, the 9-6 Cardinals of the Wed
nesday night at the Hecheslo
Foundation, Universal defeated Na
tional Theatre Series, 30-20. A hearing on the
International Projector Corp, beat Par
amount 44 to 38 and M-G-M beat
BMI 36 to 17.
The unseen star of August 6th, 1926

That night 15 years ago—when "Don Juan" had its world premiere—marked the first public acceptance of talkies. The great success of that night could not have been achieved without this little cone in the loud speaker. The cone made it possible, for the first time, to fill a theatre with high quality sound. This is one of many basic contributions Western Electric has made available to the industry.

Electrical Research Products
Division of
Western Electric Company
INCORPORATED
195 Broadway, New York, N. Y.

Second of a series of advertisements covering basic developments in the art of talking pictures.
Loew to Ask Minn. Escape Next Week
Of Judge Goddard

(Continued from page 1)

New York, Lewis Leaders in Buffalo
BUFFALO, Dec. 11.—"New York Times" and Ted Lewis, per-
orchestra on the stage drew $16,500 at the Buffalo. "Shadow of the Thin
Man" in the second week at the Great
took $10,000.

Estimated receipts for the week ending Dec. 6: 

"New York Town" (Para.) $2,990.44 (3.5c-5.5c) 7 days. Gross: $19,290.44. 
Ted Lewis, a band, 7 days. $40,000. 
"Shadow of the Thin Man" (RKO) $17,700. 
"Moon Over Her Shoulder" (20th-Fox) $11,700. 
"The Blues" (20th-Fox) $12,200.

Among the Living" (Para.) $7,800.30 (5c-8c) 7 days.

"The Pittsburgh Kid" (Rep.) $7,900.30 (3c-5c-7c) 7 days. 

"Lakes to Me." (Col.) $5,000.30 (3c-5c) 7 days.

"Navy Academy" (Col.) $2,600.30 (3c-5c) 7 days.

Report Studio Sets Up Film Report System

HOLLYWOOD, Dec. 11.—Republic an-
ounced today it has set up a system
whereby salesmen and branch mana-
gers will report daily to the studio
list of pictures throughout
the country. The reports will be
on other companies' product as
well as its own, it was stated. This
system will be fielded to San Francisco, Memphis, Chi-
cago and Washington offices for com-
parison and then dispatched to the
studio.

Both public and exhibitor reactions to the above-mentioned pictures will be surveyed. Studio officials said they intend to use this information as a guide for its production pro-

100,000 Paramount Shares Converted

More than 100,000 shares of Para-
mount preferred stock have been
converted into common during the
last three days, Stanton Griffiths,
chairman of the executive committee,
reported yesterday.

The company announced a week ago
that it had declared the second pre-
ferrer at $10.06 a share on Feb. 3, and
that the conversion right, at the rate of
nine shares of common for ten of
preferred, will expire Jan. 20. There
were 42,200 shares of the issue out-
standing, and 22,600 shares in the
Paramount treasury.

Lisbon Routes Are Closed
By New War Declarations

(Continued from page 1)

New York and Lisbon, yesterday,
ounced cancellation of sailings on Government order. The line's Ex-
route from here Monday, Ojeholm, man-
aging director of Paramount's British
organization, is the only known indus-
try member on board.

The same line's Excellent is
due to sail from Lisbon today

Woolf New Head of
British Producers

(Continued from page 1)

filial, against competitive services and
restrictions on studio space.

The new Army Films Council met
today with the exhibitors promising all aid and the distributors referring to

Meanwhile, it is understood the
Board of Trade may prohibit all pub-
lic display of signs as part of the drive
to conserve paper.

Philippine

'Woman' Gets
$22,000 Lead

PHILADELPHIA, Dec. 11.—The Army
navy football game, coupled with the
ennui generated by the week, on Nov.
27 made for big grosses. "Two-Faced
Woman" at the Boyd took $22,000, $10
above the $21,900 the "Blues of the
Gave" dropped.

Estimated receipts for the week Dec. 1-5:

* "The Little Fosses" (RKO) $15,000.30 (3c-5c-7c) 7 days. Gross: $105,000.30. 
* "No Time for Me" (Col.) $9,600.00 (3c-5c-6c-7c) 7 days. Gross: $67,200.00. 
* "ARCADIA" (Col.) $8,000.75 (3c-5c-6c-7c) 7 days. Gross: $56,000.75. 
* "Two Faced Woman" (M-G-M) $8,500.90 (3c-5c-6c-7c) 7 days. Gross: $59,500.90. 
* "New York Town" (Para.) $7,200.10 (3c-5c-6c-7c) 7 days. Gross: $50,400.10. 
* "They Died With Their Boots On" (W. B. STANLEY) $5,000.00 (3c-5c-6c-7c) 4 days. Average: $1,250.00. Gross: $5,000.00. 
* "The Birth of the Blues" (Col.) $4,000.00 (3c-5c-6c-7c) 7 days. Gross: $28,000.00. 
* KARLTON—$1,000.00 (3c-5c-6c-7c) 7 days. Gross: $7,000.00. 
* "The Great War" (W. B.) $6,600.00 (3c-5c-6c-7c) 7 days. Gross: $46,200.00. 
* "In Their Boots" (W. B.) $4,000.00 (3c-5c-6c-7c) 7 days. Gross: $28,000.00. 
* "The Life and Death of very Little Woman" (Col.) $3,000.00 (3c-5c-6c-7c) 7 days. Gross: $21,000.00. 
* "The International Lady" (U. A.) $6,600.00 (3c-5c-6c-7c) 7 days. Gross: $46,200.00. 
* "The Man Who Plays" (U. A.) $6,000.00 (3c-5c-6c-7c) 7 days. Gross: $42,000.00. 

Waters Named Head
Of Television Society

Norman D. Waters, advertising ex-
pert and present president of the
American Television Society, suc-
ceded Warren M. Caro, it was an-
nounced yesterday, Halsey V. Bar-
ning was named assistant to the presi-
dent.

Caro, who is now in Washington
with the Federal Works Administra-
tion, was elected chairman of the
board of governors.

"What Television Can Contribute
To Defense" will be the subject of
a symposium at the next meeting to be
held Wednesday night at the new
headquarters of the society at the
Hotel Woodstock.

NLRB Ruling Holds
Attorneys' Attention

A ruling of the National Labor
Relations Board in Los Angeles is holding the at-
tention of industry attorneys. It is
to the effect that employer or-
izations regarded as "employers" within the
meaning of the Wagner Act and its
acts for itself or others are not an
employer in matters affecting
employee relations. The spe-
cific case, not concerned with the
employer associations and the
Independent Canvas Workers
Union.
Of the Antenna

CECIL BROWN, CBS Singapore correspondent, who was on the H. M. S. Repulse when sunk by the Japanese, came through yesterday with the first stirring eye-witness account of the current hostilities. Brown, who could not get off the air, sent a cablegram to the CBS home office and followed it with another giving minute-by-minute details. The detailed account was read during the network's 8 P.M. news period.

Brown described in detail how he swam about in oil-covered, shark-infested waters and how any piece of debris which would float was eagerly seized. "After 50 minutes in the water," he said, "I managed to reach a Carley float. It was jammed but a Royal Marine helped me to sit on the edge of the float. I had a beef bone and some small chipped bits of metal. I tried for an hour and a half to reach the destroyer and we sang 'When Irish Eyes Are Smiling' and 'Anchors Aweigh' and tried to cheer each other up. . . . I saw the U-boat lay over on its side, hover there for 10 minutes and then slowly turn over to its side, he rose in the air like a6 crippled limb of a giant and it too disappeared."  

MILLER ASKS FOR CALM

In a letter to broadcasters Wednesday night, Neville Miller, National Association of Broadcasters president, said that newscasters and announcers would report war developments calmly and deliberately, so as to avoid horror, suspense and undue excitement.

"We are in agreement with the War Department recommendation that for the handling of the war news definite periods of time be established, rather than the interruption of program service, except for news of transcendent importance," Miller said.

After four days of hectic interruptions, networks and stations are slowly settling down to some semblance of regular schedules. The adoption of time schedules for newscasts resulted from interruptions, and NBC was considering reduction of the four minutes of flashes per hour if the news sets down.

Reported Interred

Among the missing yesterday were Paul Dickson, Mutual's Berlin respondent, who was reported interred, and David Colin, NBC's Rome correspondent, whose reports have not been received. CBS said all its men were present and accounted for.

MCA announced that its 24-foot neon sign atop Radio City would be blacked out.

CBS reported that it has increased the amount of short wave news 400 per cent since Monday. Instead of the normal portion of 75 per cent of entertainment, 25 per cent of news, the news now constitutes 75 per cent, it was said.

News commentators, normally restricted to one period nightly, have been required to stay at their stations to interpret news as it comes in.

NEW John B. Kennedy is heard frequent intervals during the day, instead of once, and NBC has scheduled H. V. Kaltenborn and John W. Henderick for nightly programs over combined NBC and Blue. Kaltenborn goes on from midnight to 1 A.M. and Vandercook from 1 to 6 A.M.

WMCX is supplying news bulletins to the League of New York Theatres. In turn, they send it to legitimate houses to be read at intermission.

Hold Rites for Benesch

CHICAGO, Dec. 11.—Funeral services were held yesterday for Charles Benesch, 73, pioneer exhibitor, who died Tuesday. Surviving are his widow, two daughters and one son, Elmer, who operates the Malden, Century and Lindy theatres. Burial was in B'nai Abraham Zion Cemetery.

Cincinnati Games

Set November High

CINCINNATI, Dec. 11.—There were 264 city-licensed chance game parties holding here in November, constituting an all-time numerical high, according to a report of Police Chief Eugene T. Weatherly to City Manager C. O. Sherrill, which showed total attendance of 284,147. Gross receipts were $119,903, cash prizes, $47,544, and to sponsoring organizations, $151,388. Average net cost per player was 53.3 cents.

Comparatively, there were 256 parties in October, with attendance of 295,893. Gross was $211,978, prizes, $49,121, and net, $162,657. Average net cost per player was 4.1 cents.

THE THRILL SHOW OF THE YEAR!

MR. DISTRICT ATTORNEY

IN THE CARTER CASE

F R A N K I L I N  P A N G B O R N  as Charley Towne

JAMES ELLISON • VIRGINIA GILMORE • FRANKLIN PANGBORN

PAUL HARVEY-LYNNIE CARVER-SPENCER CHARTERS-Bernard Vorhaus-Dirctor

Original screen play by Sidney Sheldon and Ben Roberts

based on the Phillips H. Lord Radio Drama, "MR. DISTRICT ATTORNEY"
THE EIGHTH ANNUAL EDITION OF THE INTERNATIONAL REFERENCE AUTHORITY ON TALENT VALUES IS NOW IN PREPARATION.

THE BOX OFFICE CHAMPIONS OF 1941 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 1941 AS POLLED BY MOTION PICTURE DAILY AMONG THE EDITORS OF THE DAILY NEWSPAPERS OF AMERICA.

EDITED BY TERRY RAMSAYE

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER, NEW YORK
Films Leading Entertainment At Army Camps

Survey Shows Reliance On Screen Fare

Motion pictures are the chief source of entertainment for the thousands of men in training at the Army camps of the nation, a survey by Motion Picture Daily discloses.

In most of the encampments of the country, now operating at capacity with enlisted and drafted personnel, one or more motion picture theatres, manned for the most part by service men, show the best of the industry's product.

It is fed to them by the Army Motion Picture Service, with short subjects and newsreels making up the same type of full film program shown in the regular theatres of the country. At the same time, the increase in defense activities in various sections.

NBC Sells Artists' Unit to Executives

NBC on Friday sold its concert and talent divisions, including the Civic Concert Service, Inc., to a group of four network executives, including Alfred H. Morton, vice-president in charge of television; Daniel S. Tutill, assistant director of the artist service; O. O. Bortoff, president of Civic Concert Service, and Marks.

Cancel New Orleans Mardi Gras for 1942

New Orleans, Dec. 14.—For the third time since its inception in 1827, the city's Mardi Gras, set for Feb. 19, has been called off. Decision to cancel most parades and balls was announced after a meeting of the governing committees of the carnival organizations, because of the war.

The carnival was called off during the Civil War years and in 1918 and 1919.

Arbitrator Assails Decree and Buying Power of Circuits

The consent decree itself and the buying power of large, established circuits is sharply assailed in an arbitration award handed down over the weekend by George S. Harris, dean of the Newark Law School, in the same run complaint filed at the local board by the Cedar Operating Co., owner of the Strand, Astoria, L. I.

The arbitrator, however, dismissed the complaint without prejudice to its renewal at a time when factual, rather than opinion evidence can be presented.

The arbitrator, himself, "sincerely feels" in protecting the rights of new theatre owners in a district where circuit theatres are already entrenched.

The complaint was dismissed, the arbitrator explains, because it was filed "prematurely" with respect to...

See U.S. Asking Extension of Decree Escape Clause

The Department of Justice, according to legal opinion in the trade, will petition Federal Judge Henry W. Goddard for an extension beyond June 1, 1942, of the deadline for the consent decree escape clause.

On Wednesday, the Department is scheduled to apply to Judge Goddard for a reinstatement of the anti-trust suit against Universal, Columbia and United Artists to the U. S. District Court calendar here. However, legal observers see little chance of the Government being able to obtain a trial date for the suit before next May, at the earliest, due to the fact that trial of the Government's suit against the Schine Circuit in Federal court at Buffalo is set for March 3.

Judge Goddard has informed the Government on previous occasions that he would not require the "Little Three" to defend two of the Department's suits simultaneously. Therefore, it is believed that, with the Schine trial consuming at least two months, trial of the New York suit could not be started before May and could not be concluded by the June 1 deadline.

With the New York suit back on the court trial calendar here, however, attorneys believe that the Government...

ALL N. Y. THEATRES PREPARE FOR RAIDS

FDR Will Get Censor Right

Washington, Dec. 14.—Enemy-owned property, including copyrights and patents, in the United States is being subjected to seizure by the Government and broad authority is given the President to impose a censorship on all communications, in legislation which is expected to be enacted by Congress this week to give the President sweeping war-time powers.

The measure will include all of the authority given the Chief Executive during the first World War, with such additional authority as may be...

Defense Report Will Be Made on Friday

A report and recommendations of the industry committee cooperating for national defense will be made to the MPDA board of directors at a meeting Friday on means of obtaining cooperation in placing the industry on a war footing for any service it may be called upon by the Government to perform.

Members of the committee, of which Francis Harmon and Francis J. Schafer, chairman, was held on Friday at the latter's office. No statement was issued following the meeting, which was described as an "executive session."

750 Managers Are Given Rules; Times Square Set for Blackout

By EDWARD GREIF

Approximately 750 managers and their assistants gathered at the Loew's Ziegfeld Field to receive instructions on how to handle theatre audiences in the event of blackouts, air raid warnings and possible attack.

Meanwhile, from other sources, it was learned that arrangements were being completed to effect a blackout of the whole Times Square area within five minutes. A test blackout of the entire New York metropolitan area is expected shortly it is also reported.

They heard addresses from police and fire department officials and representatives of the volunteer air raid wardens. The principal theme of the...

Kent Will Leave for Hollywood in Week

Sidney R. Kent, president of 20th-Century-Fox, will leave for California in about a week. He will be joined there later by Tom Connors, his personal assistant, who takes over head-quarters with Kent at the company's home offices today. A. M. Botsford, director of advertising and publicity, who left for the studios on Friday, is expected to return before Connors leaves to join Kent. Morris Kinzler, of the Kayton-Spier advertising agency, which handles the company's accounts, accompanied Botsford.

Critics' Circle Calls Off Annual Party

Because of the War, the Motion Picture Critics' Circle in New York, has decided not to hold its customary reception in connection with the annual polling of best pictures, producers, directors and actors of the year. The poll, however, among the metropolitan newspaper critics will be held as usual. Dec. 29. The publication generally followed within a week after the poll was taken.
S.P.G. Invites Units To Defense Meeting

Invitations have been sent by the Screen Publicists Guild to Ampa, Film Players Club, M.P. Associates, MPPDA, National Board of Review, Society of M. P. Engineers, MPTOA, Allied of N. Y., N. Y. TTOA, the trade press and operators, laboratory technicians, studio mechanics, Warner Bros. office employees, Screen Office & Production Club, the Guild of photographers and exchange employees unions for a meeting Friday to discuss local industry cooperation in the war effort.

The conference will be held at the Hotel Piccadilly and is not intended to conflict with the industry national defense committee, as the new group will meet on alternate weeks.

In his letter of invitation to the meeting, Joseph Gould, S.P.G. president, said: "We in the motion picture industry have a special responsibility... It requires that we trade unions, employer associations, the press, welfare societies, social clubs—all understand and at once, pool our skills, our energies and our resources for the all-out job of preparing our nation for battle and for victory."

Blumberg to Coast For Product Talks

Nate J. Blumberg, Universal president, arrived here for the Coast this week and will remain at the studio most of the winter.

J. Cheever Cowl, Universal board chairman, who is now on the Coast, will remain at the studio through January. The home office and studio crews are consulting over the planning of Universal's 1942-43 production schedule immediately after the first of the year. The company's current season's schedule is now being completed.

Capra Halts Work; To Enter Service

Hollywood, Dec. 14.—Frank Capra will discontinue production for the duration and expects to enter the Army service before the end of the week.

Capra said he has applied for a commission in the Signal Corps and expects to be called soon. He is now assisting "Archer and the Lady," a Warners' picture at that lot. Capra had only recently closed a deal with 20th Century-Fox for release of his future productions.

PERSONAL MENTION

WILL H. HAYS, president of MPPDA, is due from Chicago today.

SAM BUCHWALD, general manager of the Fleischer Studios in Miami, left over the weekend to return to Miami.

PHIL ENGLER of Warners left over the weekend for Syracuse and Albany.

CHARLOTTE MCCUGGAN, secretary to Terry F., Shaw, Loew-Path Division manager in New Haven, is ill.

ABE MONTAGUE, Rube Jacker- tler, Lou Astor and Max Weis- felder of Columbia will return from Philadelphia today after attending the annual Variety Club banquet there last night.

RUSSELL BERLOW is due here to- day on the Excalibur from England.

MARION B. FOLSOM, treasurer of the Eastman Kodak Co., has been re- appointed to the Unemployment Insurance State Advisory Council by Governor Lehman.

Flynn Is Due Here For M-G-M Confabs

Jack Flynn, recently appointed Central division manager for M-G-M, will arrive from Chicago today for his first office visit in his new capacity.

S. A. Shirley has returned to the Chicago office of M-G-M as district manager with supervision over Chi cago, Milwaukee and Minneapolis, the post from which he was forced to withdraw several months ago because of ill health.

Also at M-G-M in Chicago, W. E. Banford has resumed his duties as branch manager after a two-month illness, and J. G. Kemptner has been promoted to sales manager at the branch, which post he held during Banford's absence.

2,800 Attend W.B. Annual Xmas Party

The Warner Club's annual Christ mas party was held Saturday at the Vitaphone studio in Brooklyn with 2800 children and adults attending. The entertainment was arranged in circus fashion with animal acts and the like, in addition to a "Santa Claus" pageant comprising 18 carts of toys and candy.

The committee in charge included Ralph Budd, chairman, Morris Schiff, secretary; Harry Mayer, Don Overwood, Martin Bennett, Milton Cohen, Bernard Good man and Robert Salomons.

Fight Overcrowning In Ottawa Theatres

OTTAWA, Dec. 14.—A campaign has been instituted here for the crowning of theatre managers. There is no assurance of cooperation, with regard to their reactions to the consent decree and alleged violations, is promised, and will soon be ready for compilation of results, states Max well-A. Adelman, executive secretary. Virtually 50 of the questionnaires have been returned, with an overwhelming majority in opposition, it is reported.

WB Xmas Party Held

NEW HAVEN, Dec. 14.—The annual Warner Christmas party was held Saturday at Waverly Inn, Cheshire, Conn., with all employees of the theatre and exchange departments, not otherwise engaged, at one of other exchanges invited. The dinner was followed by dancing. J. J. Hoffman, head of the New Haven zone of the Warner Theatres, was host.

Short Subject Reviews

"Our America at Home" (March of Time-RKO)

FOUR days after the international conflict struck home—the "March of Time" shorts for 1940 are available in the "Our America at Home," a compelling treatment of something that is dear, sweet and mine. Taken for the most part from "The War Cor ral," it draws a striking parallel between the war activity of 1917 and the present, although the subject matter is entirely different. Added to the war scenes from "TI Tent rpmars" are President Roosevelt and Mr. Churchill, congress, valiantly wrestling to keep the wheels of the like. It is presented in stirring fashion, and is a most timely and valuable subject. Running time, 3 minutes. Release, Dec. 19, 1941.

"Women in Defense" (National Defense Committee)

Produced by the Film Unit of the Office for Emergency Management, the shorts run without charge to participating exhibitors by the Motion Picture Committee Cooperating for National Defense. Written by Mrs. Eleanor Roosevelt and spoken by Katharine Hepburn, the subject recounts the varied ways in which women are of assistance in the defense effort. Neither commentary or production are particularly inspiring or informing, but the subject matter hardly lent itself to extraordinary effort. However, it doubles will serve the purpose for which it was designed. Running time, 10 minutes.

"How War Came" (Raymond Gram Swing Historical) (Columbia)

The popular radio commentator Raymond Gram Swing undertakes to explain the beginnings of the war. For this explanation, Swing sketches the European situation which preceded the outbreak in 1939. His points are emphasized by interesting, color animation. Although the reel has to go under the second war, the declaration of war is, it is extremely timely and should be effective now. Running time, 8 mins. Release, Nov. 7, 1941.

BROADWAY PLAYS

"GRAND-SCALE SMASH HIT!"—Life Magazine

GERTRUDE LAWRENCE

in the Musical Play

"LADY IN THE DARK"

ALVIN, 52 St., W. of B'way—Met's Wed. & Sat.

"A GREAT SHOW—Herald Tribune" 50c, $1 & $1.50 PLUS TAX

2ND YEAR—2ND EDITION OF THE Sensational Musical Iatterravvance

IT HASN'T BEEN ON ICE

at America's Ice Capades, Center Theatre, Rockefeller Center, Co. 5-5474, Secret, Main, Mott, S.W., 50c at 50c for Every Perf. 50c. EVG. AT 8:00
All Theatres in New York Preparing for Air Raids

(Continued from page 1)

The meeting was that common sense is needed most. Staffs should be trained, and not required to act until the show is under way. The staff should be kept going unless something hits the theatre.

An attempt to exclude the press from this meeting by those in charge was ignored, the managers present of that such an attempt was completely out of order.

All speakers urged that audiences should be kept calm and made to understand that they are safer in the theatre than out in the street. Leadership should be assumed by some one in responsibility, it was stressed. It was suggested that trailers should be prepared for routine use if they are not equipped to handle all emergencies and advising the audience exactly what to do in the event of a raid or blackout.

Speakers declared that no building is completely safe against a direct hit but that deaths or injuries from direct hits were relatively few, while casualties from shrapnel, spent anti-aircraft shells, flying debris and automobile, according to the reports of Skouras operating company involved.

Critizes Skouras

He was critical of the Skouras circuit for its failure to intervene in the case, concluding it had "complete confidence that its interests would be amply protected by the defendant district." Suggesting that it would be "wise and salutary" for distributors to make conscientious efforts to reach equitable results in all these cases, "the exhibitors," Harris's opinion observes: "If the distributing defendants, rather than a defendant of uncertain identity, had been the occasion of the action, the Skouras circuit." Harris expressed confidence that the court has the power to order the defendants to retain new enterprise and can freeze existing enterprises both of ownership and control in the mold of their making."

Files Clearance Case At Kansas City Board

KANSAS CITY, Dec. 14.--J. E. Pennington, operator of the Cozy Theatre, Topeka, filed a clearance complaint at the local board naming all five consenting companies and nine Topeka first run theatres as interested parties.

The complaint charges that the Cozy is required to follow Topeka Circuit's 120 days and acting that this is an unreasonable clearance, asks that a maximum clearance of 30 days in favor of the first runs be established.

Granger on Tour

James R. Granger, president of Republic, left by plane Friday night from Chicago for a country-wide tour including a stay in Los Angeles for the Christmas holidays and Toronto Jan. 12 to attend a salesmen's meeting. 

Arbitrator Assails Decree and Buying Power of Circuits

$215,700,084 Was Film Cost for 1939

WASHINGTON, Dec. 14.—Motion picture production activities were at a peak in 1939, with 178 establishments expending $215,700,084 in the production of films, it was disclosed by the Census Bureau on Friday in its report on that branch of the industry.

The bureaus figures indicated there were 95 more establishments operating in 1939 than in 1937, and that the expenditure for production was almost entirely in color greater.

The total persons engaged in the industry was 35,345 against 32,938 in 1937. The number of salaried officers and employees was 9,635 against 13,000, and the number of wage earners averaged 24,652 against 19,338; salary payments totaled $93,314,158 against $90,283,870, a decrease of $2,030,268 and profits and unassigned were greater.

Of the total of 178 establishments reported, 93 were in California, 63 of them in the Los Angeles area.

Figures previously published by the Census Bureau showed that during the fiscal year ending June 30, 1942, 92 or 23 in the Los Angeles industrial area.

See U.S. Seeking Escape Extension

(Continued from page 1) the will ask Judge Goddard to extend the clause deadline from June 1, 1941, to September 1, 1941, as soon as it becomes obvious that there is no possibility of completing the film in the New York by June 1. If the film was not completed, according to a decision against the Three or obtained from them a decree substantially similar to that home. For the date that, the trade show and block-of-five sales provisions of the decree may be abandoned.

However, if Judge Goddard was to extend a Government application for an extension of the June 1 deadline, the two provisions would remain in effect for another six-month season, it is believed. Observers are of the opinion that, if the consenting companies are added to show that they have experienced a substantial loss of revenue in favor of the non-consenting companies by the time that a Government request for the new date, the trade show and block-of-five sales provisions of the decree may be abandoned. 

of the audience is present. 

Allay for absence. The danger is not as great as it has been made to appear. If anyone is gassed, there are three things to do: Call for assistance; remove the injured to fresh air and keep them quiet.

USE COMMON SENSE. CHECK EQUIPMENT AND TRAIN STAFFS IMMEDIATELY.

KEEP THE SHOW GOING.
A Pen and Pencil Study
of Eversharp’s "Take It Or Leave It"
in its second year on CBS

These gentlemen were worried about selling an $8.75 Eversharp pen and pencil set in a market where you can buy a pen for 29 cents and a pencil for a dime.

But not any more!

... not since they put the entire Eversharp appropriation into radio about two years ago, went on the air over CBS with "Take It Or Leave It".

... not since their sales jumped more than 100 per cent in less than a year.

... not since they found out that radio could sell pens and pencils all year around—on St. Swithin’s Day as well as at Commencement and Christmas.
No wonder President Martin L. Straus of the Eversharp Company wrote to CBS:

"Radio has raised sales to new peaks all over the country. Radio alone has enabled us to reach housewives and college students; factory workers and business men; farmers and city folk—for practically everybody listens."

For more than a year, Eversharp has been writing the script of this brilliant success story on CBS. It's a script long familiar to people who sell cars or sterling silver. It's a script for people who make mattresses or refrigerators or cameras. In fact, it's for all manufacturers whose products cost a lot... last a long time. Radio can sell them just as successfully as it sells “quick turnover” items—the soups and soaps, the cereals and cigarettes. Just as successfully and just as surely.

CBS borrowed a pen and pencil from Eversharp (as well as the facts) to produce a new booklet, “Take It Or Leave It.” Copies may be obtained from CBS, 485 Madison Avenue, New York.

THE COLUMBIA BROADCASTING SYSTEM
Flying’ Best Bet in St. Louis at $15,100

ST. LOUIS, Dec. 14.—“Keep ‘Em Flying,” in its second week at the Loew’s, took $12,000. Estimated receipts for the week ending Dec. 14, $25,000.

Shadow of the Thin Man” (M-G-M)
Two Men from Shanghai” (20th-Fox) Dec. 14, 1,250; (30c-45c-60c) 7 days. Gross: $1,200. (Average, $162.50)

Moon Over Her Shoulder” (20th-Fox) Dec. 14, 825; (30c-45c-60c) 7 days. Gross: $1,200. (Average, $162.50)

Keep ‘Em Flying” (Univ.) Dec. 14, 825; (30c-45c-60c) 7 days. Gross: $1,200. (Average, $162.50)

South of Tahiti” (Univ.) Dec. 14, 825; (30c-45c-60c) 7 days. Gross: $1,200. (Average, $162.50)

Week-End Garters $10,000 in Montreal

MONTREAL, Dec. 14.—“Keep ‘Em Flying,” in its second week at the Loew’s, took $15,100. Estimated receipts for the week ending Dec. 14, $25,000.

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Off the Antenna

KXN, the CBS station in Hollywood, will stage a "full-dress rehearsal" blackout drill tonight. All glass brick walls have been covered with opaque paper, and all windows have also been blacked out. The station will operate, during the rehearsal, on power from an emergency generator. On the assumption that telephone communication may be disrupted, the programs will be sent from studios to transmitter by short-wave radio, and the transmission of the usual network programs will be handled from an emergency unit. All activities within the studio will be conducted with light from candles and oil lamps.

Purely Personal: Richard G. Grieve, editor of the NBC-Red Network Voice, a publicity sheet, has been named photo editor and Sid Deftor has been named head photographer. Irving Cacoy, who has been computing and singing safety songs for children on WOK, is now writing and singing "When You Hear the Siren Blow." Clift Williamson and Wayne Nelson have joined the WND, Chicago, announcing staff.

Mutual on Friday reduced operations to 18 hours daily.

WEAF and WJZ have set aside specific periods daily for the dissemination of information to the general public and volunteer workers on war problems. It is intended that by scheduling the periods in advance, workers will be able to tune in to instructions from any convenient radio set, without disrupting their regular schedules. On WEAF, the periods will be from 5:45-5:55 P.M., Mondays through Fridays; 5:00-5:05, Saturdays, and 11:45-12:00 P.M., Sundays. WJZ will broadcast these programs from 12:15-12:20 P.M., Mondays through Fridays; 6:25-6:30 P.M., Saturdays, and 11:10-11:15 A.M., Sundays. If necessary, it was added, Red and Blue network periods would be added.

Cecil H. Hackett, WINS managing director, announced over the weekend that he had secured permission from all sponsors on the station for the insertion of defense bond advertisements during commercial programs.

NBC-Red over the weekend issued a new rate card. The card lists many technical improvements installed by Red affiliates. Costs are broken down by the zones and B.C. services are also shown. The new card is accompanied by a brochure.

NAB Asks Foreign Shows to Be Continued

Washington, Dec. 14.—Continuance of foreign language broadcasts by American broadcasting stations was strongly advised over the weekend by the National Association of Broadcasters. To end them at this time would "tend to demoralize large segments of our population," a special NAB bulletin warned.

"We believe it is of greatest importance that these people, who can best be reached in languages other than English, be kept reliably informed of developments as well as entertained, lest they turn to alternate wave-propaganda of the enemy," said the bulletin.

An NAB committee is investigating the subject. We expect the policy of the Government will be to continue foreign language broadcasts. Stations will be immediately informed of any developments.

In airing such programs, broadcasters were urged to follow these precautions:

Positive establishment of the integrity and loyalty of writers and announcers; a double check in advance of all translations; careful preservation of either script or recording of each broadcast.

The NAB pointed out that an estimated 15,000,000 persons can be reached most effectively by foreign language broadcasts. About 200,000 regular listeners come from stations over the United States broadcast foreign language programs.

Heads Ottawa Cine Club

OTTAWA, Dec. 14.—Watson Bolharrie has been elected chairman of the board of the Ottawa Cine Club. Directors are: Dr. R. Payter, vice-chairman; Dr. W. G. McGregor, secretary-treasurer, H. Sedzia, and his son, Pearson Sedzia.

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CBS, NBC Prepare Theaters for Raids

CBS and NBC have installed emergency equipment in their radio playhouses for blackouts and raids. It was revealed at their annual meeting of top management that tiers of managers at Loew's Ziegfeld Friday.

Two stretchers, cots for those who become ill, and an emergency supply of drinking water should the blackout be of great extent, were introduced.

A drain on the house was also provided. Ushers have white arm bands and are equipped with white powdered pails of sand. Dressing-room windows have been covered with opaque paint.

President Will Have Censorship Right

(Continued from page 1)

necessitated by technological developments of the past quarter century.

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The Devil Pays Off

WILLIAM WRIGHT, as Chris, and MARGARET TALLICHET, as Joan, get together in a spy-hunt ... and love.

J. EDWARD BROMBERG
OSA MASEN
WILLIAM WRIGHT
MARGARET TALLICHET
ABNER BIBERMAN
JOHN H. AUBER—Director
Screen play by Lawrence Kimble and Thelma Barlow
Original story by George Wurthing
Yola and Julian Zimet

Buy U.S. Defense Bonds

Web's Action Against FCC Off to Jan. 12

Trial of the injunction suit brought by CBS and NBC against the FCC to restrain enforcement of the new network rules was postponed Friday until Jan. 12 by a U.S. District court composed of Circuit Judge Learned Hand and Federal Judges Henry W. Goddard and John J. Bright. The trial was scheduled to start today.

The postponement, which was opposed by FCC Attorney Thomas E. Harris, was granted at the request of Charles Evans Hughes, Jr., attorney for CBS. Hughes explained he has been retained only three weeks ago and the sudden outbreak of the war had prevented any conferences with network officials. John T. Cahill, NBC attorney, joined in the request.

Harris asked that a stipulation signed previously, which postpones enforcement of the new network rules until a decision is reached in the case, be vacated. He asserted that the stipulation had been signed with the understanding that the case would proceed to trial on Dec. 15. However, the court denied this request.

Also denied was a request of the American Civil Liberties Union for permission to file a brief as a friend of the court. The ACLU is understood to favor the new rules because, in the organization's opinion, they will promote competition and therefore aid free speech.
Review

"Red River Valley"
(Republic)

T HE homecoming of Roy Rogers and his company of musicians (the Sons of the Pioneers) occasions a celebration in the town of Red River, during which outlaws in cahoots with one on the inside depart with the funds for the completion of the all-important dam. The plot, which is suspended at times for musical interludes by Rogers and company, is concerned with the investigation of the matter and an assortment of battles and chases leading to the capture of the persons responsible.

Splendid photography, a good job of direction, especially the staging of the action scenes, standard performances and nicely handled musical numbers combine to make "Red River Valley" effective entertainment for Western audiences.

The cast includes Rogers and the "Pioneers" George Gabby Hayes, Sally Payne, Trevor Bardette, Gale Storn, Robert Homans and Hal Taliaferro. Joseph Kane was associate producer and director.

Running time, 82 minutes. "G.**

EUGENE ARNE

*G" denotes general classification.

Allee Closes Deal

Altee Service Corp. has closed a deal for sound and repair-replacement service with Intermountain Theatres at Salt Lake City, covering five theatres.

Blondin Rites Today

OTTAWA, Dec. 14.—Funeral services will be held here today morning for Emilie Blondin, 48, ticket taker at the Frances Theatre, who died Thursday night.

‘York’ Takes Good $21,000, Boston Lead

BOSTON, Dec. 14.—Grosses were only fair, with "Sergeant York" at the Metropolitan taking the lead with $21,000.

Estimated receipts for the week ending Dec. 3-5:

"Week-End for Three" (Univ.)
KANSAS CITY—BOSSON—(2,197) (20c-44c; 35c-55c) 7 days, Vassarville, including Man; the Bay, Gross: $1,300. (Average, $186.)

"Suspicion" (RKO)
"Moonlight in Hawaii" (Univ.)
"Sergeant York" (W. B.)

WARWICK—(8,000) (30c-44c; 35c-55c) 7 days, 2nd week. Gross: $1,600. (Average, $230.)

"Sergeant York" (W. B.)
MAGNOLIA—(4,367) (35c-44c) 7 days, all after midnight shows. Gross: $1,300. (Average, $186.)

"I Wake Up Screaming" (20th-Fox)
"We Go Fast" (20th-Fox)
PALMOUR—(2,789) (20c-35c; 35c-55c) 7 days, Gross: $7,900. (Average, $1,129.)

"Wake Me Up Screaming" (20th-Fox)
"We Go Fast" (20th-Fox)
"Fenway—(2,200) (20c-35c; 35c-55c) 7 days, Gross: $4,800. (Average, $686.)

"Birth of the Blues" (Para.)
"Among the Living" (Para.)
SCOLLAY—(2,500) (20c-35c; 35c-55c) 7 days, 3rd run. Gross: $3,500. (Average, $500.)

"Shadow of the Thin Man" (M-G-M)
"Naval Academy" (Col.)
LOEWS'S STATE—(3,000) (30c-44c; 35c) 7 days, Gross: $14,300. (Average, $2,043.)

"Shadow of the Thin Man" (M-G-M)
"Naval Academy" (Col.)
LOEWS'S ORPHEUM—(2,500) (30c-44c; 45c; 55c) 7 days, Gross: $13,500. (Average, $1,929.)

War News Dampens Baltimore Grosses

BALTIMORE, Dec. 14.—Business made a substantial start over the weekend until war news broke. Attendance then took a decided slump. "Keep 'Em Flying" took $9,000 at Keith's.

Estimated receipts for the week ending Dec. 11:

"Sun down" (M-G-M)
CENTURY—(2,000) (30c-44c) 7 days, Gross: $10,000. (Average, $1,429.)

"Keep 'Em Frying" (Univ.)
KEITH'S—(2,400) (25c-35c; 35c-46c) 7 days, 2nd week. Gross: $8,000. (Average, $1,143.)

"Swamp Water" (20th-Fox)
NEW—(2,850) (30c-35c; 35c-55c) 7 days, Gross: $6,000. (Average, $857.)

"Mabel Falshey" (W. B.)
STANLEY—(2,000) (25c-35c; 35c-45c; 45c-55c) 7 days, Gross: $4,500. (Average, $643.)

"The Men in Her Life" (Col.)
HIPPODROME—(2,300) (25c-35c; 35c-46c; 46c-55c) 7 days, Stage show including Miss Ethel Trot; Jerry Cooper. Gross: $13,000. (Average, $1,860.)

"Glamour and Show Lead in New Haven"

NEW HAVEN, Dec. 14.—"Glamour Boy," plus a stage show featuring Jimmy Lunceford's band and Bill Robinson, drew $8,500 at the Paramount, comparatively the best gross.

Estimated receipts for the week ending Dec. 11:

"The Men in Her Life" (Col.)
"Texas" (Col.)
COLLINS—(2,075) (40c-55c) 7 days, 2nd week, Gross: $2,000. (Average, $272.)

"Two-Faced Woman" (M-G-M)
"Man of L. Lee" (20th-Fox)
LOEWS-FOAL—(2,600) (30c-45c; 45c-55c) 7 days, Gross: $1,500. (Average, $214.)

"Glamour Boy" (Para.)
PARMAVANT—(2,725) (30c-55c) 7 days. Stage show: Lunceford band and Bill Robinson. Gross: $2,500. (Average, $357.)

"Lydia" (U. A.)
"Porchette Bistariante" (RKO)
ROGER SHERMAN—(1,500) (30c-45c) 7 days, Gross: $1,400. (Average, $200.)

Richmond to Mono.

HOLLYWOOD, Dec. 14.—Ted Richmond, after producing five pictures for Producers Releasing Corp., has signed as a Monogram associate producer.

‘Flying’ Draws Big $12,000, Milwaukee

MILWAUKEE, Dec. 14.—"Keep 'Em Flying" and "Father Takes a Wife" drew $12,000 at the Warner's first cold wave cut grosses. Estimated receipts for the week ending Dec. 10:

"Rise and Shine" (20th-Fox)
"The Parish of Penchant" (Para.)
PALACE—(2,500) (45c-55c) 7 days. Gross: $4,300. (Average, $614.)

"You Belong to Me" (Col.)
"Great Guns" (20th-Fox)
"The New Town Deb" (20th-Fox)
"Small Town Deb" (M-G-M)
WISCONSINC—(2,200) (44c-55c) 7 days, Gross: $7,300. (Average, $1,043.)

"Citizen Kane" (RKO)
RIVERSIDE—(2,500) (30c-46c; 46c-55c) 7 days, 2nd act. Stage: "The Gay 90's." Gross: $5,700. (Average, $814.)

"Keep 'Em Flying" (Univ.)
"Father Takes a Wife" (RKO)
WARNER—(2,900) (30c-46c; 46c-55c) 7 days. Gross: $12,000. (Average, $1,643.)

Here's Universal’s tonic for the gala winter sports and holiday season!

"Entertainment ONLY is Theatres' Policy"
SAYS MOTION PICTURE DAILY

extra attractions

JINGLE BELLES
A PERSONALITY AND NAME BAND MUSICA
performs as a guest for the famous Decca Record Radio and Stage favorites with T. B. Rosen, Lee Lynn and Lou and the Schubertland Dancers

DATING IT NOW!

Extra Attractions:

Fascinating ski-thrills in a fun-infested winter resort, while Gloria Jean sings "Joy Old Gentlemen," "Tenomtzanb'um" and "Jingle Bells".
Open Defense Case in Minn.

State Rests in First Day
Of 5-Block Action

MINNEAPOLIS, Dec. 15.—With the opening of trial of criminal actions against Paramount, RKO and 20th Century-Fox for alleged violations of the Minnesota anti-block-of-five law here today the state completed its opening and the defense began its case. Attorneys predicted that the defense would require two weeks to present their case and arrangements have been made with Judge Albin S. Pearson to continue through this week and then adjourn until after the holidays. The defense waived a jury trial.

In the court room at the opening of the trial were Herman Wobbler, 20th Century-Fox general sales manager; Neil F. Agnew, vice-president and distribution head of Paramount; Colonel Jason Joy, 20th Century-Fox studio personnel head and scenario director; Louis Phillips, Paramount home office attorney; William Zimpel (Continued on page 6)

Schenck Appoints

‘Dimes’ Chairman

National March of Dimes headquarters has been established in the Hotel Astor, New York, and Nicholas M. Schenck, national chairman of the film industry’s committee for the 1942 drive, has completed the organization of state chairmen.

"The prompt and enthusiastic response encourages me to feel that our drive in January will be an outstanding success and a great factor in the fight against infantile paralysis," Schenck said. C. C. Moskowitz, co-chairman of the film committee, announced yesterday that Clark Gable has volunteered his services in the making of the offering (Continued on page 6)

St. Louis Clearance Complaint Dismissed

St. Louis, Dec. 15.—The clearance complaint of Victor Thien, owner of the new third-run Palace here, against Paramount and 20th Century Fox, was dismissed in an award entered at the local board today by J. Wesley McAfee, arbitrator. The complaint was the first of record here. In his opinion, McAfee held that the 21 days clearance of St. Louis (Continued on page 7)

War Information

Under FDR to Be
Revamped, Report

WASHINGTON, Dec. 15.—A general shakeup of President Roosevelt’s defense information setup to put it on a war basis is rumored here to be in the making, but officials who would be concerned tonight refused comment.

It is reported that in the reorganization John Hay Whitney, head of the film division of the Office of Coordinator of Inter-American affairs, would take over some of the duties of the Office of Facts and Figures, now headed by Archibald MacLeish, and that MacLeish would be given a new post.

No confirmation of these reports could be obtained tonight, but that a general shakeup of the defense information setup is in the offing appeared credible in view of the possible censorship which may be adopted under the legislation now pending to revive the wartime powers of World War President Woodrow Wilson.

CBS Employes Get

Salary Increases

All CBS employes earning up to $75 weekly have been granted automatic increases ranging from $104 to $221 annually. The increases were announced yesterday by William S. Paley, president. The increases will go into effect Jan. 4 and affect all employes except those covered by union agreements who have received salary adjustments since Oct. 1.

Each employe earning no more than $75 weekly will receive $10 per cent of the first $30 of his salary; $75 per (Continued on page 7)

Test Raid for Newsreels

Clears Broadway Quickly

By EUGENE ARNEEL

A test air raid alarm was sounded in the Times Square area of Manhattan at 10:10 A.M. yesterday and within three minutes the city’s most thoroughfare — Broadway between 43rd and 46th Streets — was cleared of all pedestrians and vehicular traffic was brought to a standstill.

The drill was staged by the city expressly for the newsreels, the films designed to acquaint the public with the steps to be taken in the event of a raid. Cameramen were stationed in the Times Building awaiting the call. The alarm took Broadway by sur-

Paramount Theatre

Starts Raid Drills

WASHINGTON, Dec. 15.—In cooperation with the New York Civilian Defense organization, the New York Paramount, under the direction of Robert M. Weitman, managing director, has started intensive training of its staff of 160 to prepare for any emergency. Do’s and Don’ts for the protection of patrons have been posted at strategic points in the theatre. Similar procedure will be followed at the theatres throughout the country owned directly by Paramount or affiliated with it, it was announced.

Radio Setup

To Remain in

Private Hands

WASHINGTON, Dec. 15.—Retention of broadcasting facilities in private hands and as little interference with their operation as possible is contemplated in the Administration’s plan for war-time radio, it was asserted today by James L. Fly, chairman of the Defense Communications Board.

However, Fly said, the war will raise new and serious problems for the industry, and already has done so on the West Coast.

"I need not tell you that the DBH is simply not going into censorship," (Continued on page 7)

Management

Officials to Be

On U.A. Board

Hollywood, Dec. 15.—United Artists owners have relinquished their places on the company’s board of directors to manage official in order to concentrate on production activities, it was announced today at the close of a four-day meeting of the owners and company executives.

Edward C. Rafferty, president, was elected chairman of the board. Other new directors include Grodwell, L. Sears, vice-president; Arthur W. Kelly, vice-president and chairman of the finance committee; Luany Lawrence, vice-president and (Continued on page 8)

B’way Gross Shows

Slight Improvement

Broadway grosses showed a slight improvement over the weekend, indicating, say the theatre managers, that the public is gradually adjusting itself to the sudden change of events. Showmen yesterday expressed the belief that business will return to normal in time.

At the Paramount, the new Bing Crosby-Mary Martin musical, Birth of the Blues," was sold out on the stage, grossed an estimated $20,000 Saturday and Sunday. Business for the first week which ends (Continued on page 3)

Studios Inaugurate

Daylight Operations

Hollywood, Dec. 15.—All studios, for the first time, today started at 8 A.M. and closed at 5 P.M., with no scrambling or effects on studio operations noted. The area continued in a partial blackout.

Warners zoned its studio and appointed air raid wardens to see that (Continued on page 6)
Herman Robbins, head of National Screen Service, is a grandfather. A daughter, Susan, was born on Saturday at Woman's Hospital, to Mrs. Allan Robbins, wife of the NSS executive's eldest son. It is their first child and Robbins's first grandchild.

Nat Rubin, manager of the Lyric, Bridgeport, Conn., has been called to Washington, where his mother is ill.

Charles Stephenson, veteran Canadian manager, has returned to the Century Theatre, Kitchener, Ont., after recovery from a long illness.

Nat Cohen, publicity director of the Welland-Lewis Theatres, Atlantic City, has returned with his wife from a motor trip to Canada.

Louis Lavorgne, projectionist at the Lincoln, New Haven, is the father of a boy, Paul, born at St. Raphael's Hospital.

E. V. Richards, president of Paramount - Richards Theatres, Inc., New Orleans, has turned over his two private yachts to the United States Coast Guard.

Dave Fleischer has recovered from his injuries and plans to return to California next week.

A. L. Pinard of Republic visited in Cincinnati over the weekend.

Hugh Thornton, manager of Warner's Metropolitan Theatre, Chicago, is in the Provident Hospital there for a checkup.

Morton Goldstein, after a period in the Army, has returned to the Columbia sales staff in Philadelphia.

Mrs. Harry Weiner, wife of the Columbia branch manager in Philadelphia, is recuperating after an operation at the Jewish Hospital, Philadelphia.

Israel's Married

To Ruth Goldstein

Carlos Israel, attorney, former consul to Roxy Theatre stockholders and unsecured bondholders of RKO, was married on Saturday to Ruth Goldstein.

The ceremony was attended by a small group of family and friends. The couple will reside in New York. Israel's is now among consul for Associated Gas and Electric Co.

Theatre Rally Nets $70,000 for Relief

One thousand persons representing all branches of the legitimate theatre at a rally at the Hudson Theatre yesterday heard speakers appeal for $100,000 to start the Theatre War Service. A total of $70,000 was pledged by 140 of their number. The organization will coordinate all the theatre’s war relief and other war activities. Rachel Crotthers is president.

Services Held for John O. Rohde 4

Oklahoma City, Dec. 15—Funeral services were held here today for John Otto Rohde, 48, Warner branch manager here, who died Saturday. He is survived by his widow and two children.

To Give Defense Bonds

Interboro Circuit, of which Sammie Strauberg is president, will give its Christmas presents in the form of defense bonds or stamps instead of cash this year.

AMERICAN AIRLINES Inc.

ROUTE OF THE FLAGSIPS
B’way Gross Shows


tight is expected to reach an estimated $42,000. It continues.

The Radcliffe in the Hall show, "The Men in Her Life," with the stage presentation, brought an estimated $4,000. The show will finish a week’s run to-morrow night to be replaced Thursday by "H. M. Pulham, Esq." and "The Natural Chemistry." M-G-M’s "Babes on Broadway" will be the Music Hall’s New Year’s attraction, scheduled to open Dec. 31.

"Rise and Shine," $14,700

"Rise and Shine" in its second week at the Roxie with a show staged to an estimated $14,700 Friday through Sunday. "Confirm or Deny" goes in the "Night." Buskey Basie’s orchestra gave the Strand an estimated $19,500 Thursday through Sunday. The show starts a second week Thursday.

"The Feminine Touch" grossed an estimated $7,800 at the Capitol Thursday through Sunday. It will be replaced Thursday by "Kathleen," the new Shirley Temple picture. "How Green Was My Valley," now in its seventh week with an estimated $9,200 Friday through Sunday.

At the Astor, "The Chocolate Soldier" also playing a seventh week, did an estimated $9,200 Friday through Sunday. "Swamp Water" brought the Palace a total of $9,000 Saturday and Sunday and concludes its fifth and final week Friday night.

War Aggravates

Pre-Christmas Slump

Reports from various sections of the country continued to indicate for the present a sharply downswept business, apparently as a result of the war and blackout situation, with the annual Christmas "dump" also a factor. The blackout depression caused three houses in San Francisco to close.

The legitimate Alcazar may reopen if conditions do not hamper the house in the existing burlesque, the President, has been closed indefinitely, and the California, Fox branch, probably will reopen as the stage replacement.

Nightly blackouts in the Pacific Northwest have been discontinued by the Army, with all theatres and radio stations resuming regular operation. However, theatre business remained well below normal levels over the weekend.

New Orleans houses reported a 20 per cent drop since the outbreak of war. A blackout test in Rochester found theatres prepared with all staffs in procedure.

The usual pre-Christmas slump in the Cincinnati trade area has been ac-

OMAHA GIVES 'YORK'

Good $9,700 Gross

OMAHA, Dec. 15.—At the Paramount "Sergeant York" grossed $9,700 at increased prices. The weather was clear and the receipts resulted from the company’s exchange offer. The estimate receipts for the week ending Dec. 10-11:

"Lone Star Serenade" (RKO)
BRANDIS—(1,200) (34c-46c) 7 days, Gross: $2,400 (Average, $1,000)

"Two-Faced Woman" (M-G-M)
OMAHA—(2,000) (34c-46c) 7 days, Gross: $1,000 (Average, $143)

"Rise and Shine" (20th-Fox)
ORPHEUM—(1,000) (34c-46c) 7 days, Gross: $900 (Average, $90)

"Sergeant York" (W. B.)
PARAMOUNT—(300) (46c-58c) 7 days, Gross: $920 (Average, $306)

Para. Retires Last

Of Debenture Issue

Paramount retired the last of its $36 per debenture and 5 per cent interest on $3,600,000 of debentures by purchasing out of its excess cash $5,135,300 of the debentures which remained outstanding at the termination of the company’s exchange offer. During the exchange period, $11,347,700 of the debentures were offered in exchange for Paramount’s new four per cent debentures due in 1957.

To Exempt British

Studio Technicians

LONDON, Dec. 15.—The Ministry of Labor has agreed to exempt from the conditions of the manpower committee on production personnel, which is expected to insure a protective minimum of technicians and labor for British studios.

The chief recommendation was that all technicians and skilled workers over 25 be exempted from military service. While certain classifications, where women may replace men, are open to negotiation, the Ministry plans to ensure that where possible women will be trained to replace men.

Approximately 400 key technicians of military age will be exempt. The Labor Ministry agreed also not to do anything which would reduce the present volume of production or total of personnel employed, but it is said this is open to revision if the demand continues to decrease. The Ministry will not condone the employment in the industry of women registered for war work. Producers and unions have been expected to meet their obligations with the Ministry’s position.

The manpower committee was appointed to anticipate the needs of the production branch of the industry following urgent trade pleas to the Government that the call-up of military service in an unlimited number of technicians would seriously hamper the work of production.

Horne Publicity Staff

ToHandle USO Shows

The Hal Horne publicity organization has agreed to make available to USO—Camp Shows, Inc., the entire staff and its facilities for publicity and exploitation work on a non-profit basis. The organization will cooperate with Oscar Doob of Loew’s who is serving as national director of public relations.

The present public staff of the service entertainment organization will be transferred to USO—Camp Shows is completing arrangements for holiday entertainment at camp theatres, with all 11 USO-Camp Shows is completing arrangements for holiday entertainment at camp theatres, with all 11 Glitter shows being added to the 60 regulars of the service. This will result in a total of 215 camp shows, making a total of 215 camp shows served.
"For Heaven's Keep
Keep 'em Laughing...
and you'll keep
Columbia is happy to contribute improve

FREDRIC MARCH

A

BEDTIME

WITH ROBERT BENCHLEY

ALEXAND

Screen play by Richard Flournoy · Story by Horace Jackson and Grant Garrett · Directed by
SAKE, LAUGHING!

--Mrs. Franklin D. Roosevelt

on working...fighting...WINNING!

by to LAUGHTER...with a GREAT COMEDY!

LORETTA YOUNG

E STORY

ALLYN JOSLYN * EVE ARDEN * HELEN WESTLEY

Produced by B. P. SCHULBERG - A COLUMBIA PICTURE
Management Officials to Be On U.A. Board

(Continued from page 1)

executive coordinator, and George Bargnall, vice-president and chairman of the product committee. Harry Buckley and Harry Gold were not reelected vice-presidents.

Suspend Production Plan

At the same time, it was announced that the company has suspended its plans for actively participating in production itself, but that United Artists Productions, Inc., successor to the Walter Wanger company, will continue to be available for production set-ups such as the current Ernst Lubitsch filming of "To, Be or Not to Be.

The product committee was made a "permanent part of the United Artists organization" and will handle all deals for United Artists release. In addition to Bargnall, members of the committee include: Joseph T. O'Shea and Loyd Wright. Headquarters will be maintained here and Kelly will divide his time here and in New York during production and release schedules.

Reports Six Deals

Raftery disclosed that the committee has "six important deals near completion" but would not disclose with what companies.

The four company owners, Mary Pickford, David O. Selznick, Alexander Korda and Charles Chaplin, attended the meeting. The owners stated that they would not interfere with the new board and that operating control would be in the hands of the management.

Raftery, in addition to being chairman of the board and president, is general counsel of United Artists and attorney for Mary Pickford. The latter has been associated with Selznick; Kelly is looked upon as representing Chaplin, and Bargnall is associated with Korda.

Raftery, Sears and Kelly plan to leave for New York by train on Thursday.

Industry Mindful Of War Task: Hays

CHICAGO, Dec. 15.—"The motion picture industry is not unmindful of its responsibility in these days of tense action as a whole," said H. B. Hays, told the Indiana Society of Chicago at its annual dinner at the Stevens hotel here last weekend. Hays was guest of honor.

"With the mental, physical and spiritual health of so many at stake," Hays said, "the inevitable interference with the conduct of the war in all countries is apparent. The problems of war as they affect the war industries and the war effort are of the utmost importance to all members of the industry. It is imperative that we do not allow our thoughts to turn to what we wisely have termed national defense for the moment. But instead of thinking of the war effort, we should think of the best way in which we can help to carry on the war effort."

Test Raid for Newsreels Clears Broadway Quickly

Schenck Appoints State Chairman of 'March of Dimes' (Continued from page 1)

(Continued from page 1)

facial trailer, under the supervision of Frank Whitbeck.

The state chairman include: R. B. Vincent, Alabama and Georgia; Harry Nace, Arizona; and L. M. Lightman, Arkansas; Robert H. Poole, Charles King, George Schutte, Frank Brooks, Charles Moe at the Paramount Theatre.

Two-Minute Halt

Visible on Broadway were only those working in an official capacity. After a period of about two minutes the "all clear" was heard and the correlated civilians released themselves.

Although the drill was planned to include only persons in the streets, in some buildings including Loew's home office at 1540 Broadway, reportedly moved to the center of the building, in keeping with the regular air raid instructions.

The demonstration was repeated about a half block away, and was declared more successful than the first. A similar demonstration took place in the Gramercy Park vicinity.

Barrs Blackout Plan

Meanwhile a plan to have a simultaneous blackout in all theaters in the city in the event of any emergency was arranged by Stagedance's Theatrical Protective Union.

The plan was to have been submitted to the police department, and three companies for approval but late yesterday a spokesman at the office said that it had not been received. Without consulting either the Mayor or the Commissioner's office, the union had arranged for a test blackout Saturday night in a legitimate theater. Superintendent Valentine, however, turned thumbs down on the plan since it did not have official approval.

A meeting of Times Square air raid wardens was held last night at the Hotel Astor. Robert Christhenbery, zoning official, told the meeting that H. M. Weitman, managing director of the Paramount, addressed the gathering.

Discuss Newsreel War Regulations (Continued from page 1)

(Continued from page 1)

to time as official regulations are decided upon.

The reels were asked to provide Colonel Night with light weight cameras and, setting up, with the issuance of special Army passes or the assignment of cameramen to action zones, each company has been working on camera assignments. It is understood that a maximum of two cameramen might be permitted assignments in action zones and that their material would be turned over to the Intelligence Department for scrutiny and release. The pooling of all war footage with its simultaneous release to all reels by the Government, as is done in Great Britain, was also mentioned as a possibility.

However, no final regulations have yet been placed in effect.

What material, if any, obtained by cameramen in the Pacific will, of course, be subject to Government censorship prior to release.

New Jersey Allied Meeting Thursday

A meeting of the New Jersey Allied board of directors and another of the entire membership will be held Thursday at the Stacey Trent Hotel, nine o'clock, for the regular period. Discussion of industry matters including air raid precautions in theaters and the all-industry unity meeting in Chicago last week. Harry H. Lowenstein, president, will preside.

In the evening the members will attend the "Dancing Lady," at the Mayfair Theatre in that city, which is scheduled to open on that day. The film was released for four weeks, was formerly the Orpheum.

Benefit Group Formed

MERIDEN, Conn., Dec. 15.—Stage Employees and Moving Picture Operators Benevolence Association of Meriden has filed articles of association with the Secretary of State, naming John T. McGrew as agent.

Open Defense Case in Minn. Criminal Trial

(Continued from page 1)

merman to the defense attorney, and Frederick Lorenzen and James Kennedy, New York counsel for Century-Fox. The defendants are Benjamin Finley, St. Paul attorney, and David Shearer, Minneapolis.

Baltzly, Paramount Minneapolis branch manager, took the stand first and admitted entering into a deal with David Ratner, operator of the Pollock Theatre, for the leasing of a block of five pictures without cancellation rights.

Cancellation in Law

A violation is charged in that the Minnesota law specifies an entire season's product must be sold in a single block with a 20 per cent cancellation right.

L. E. Goldhammer, RKO branch manager here, also admitted he had sold Ratner blocks of five pictures each. Ratner admitted receiving the contract. Both Goldhammer and Baltzly admitted they knew the companies would release other pictures in the block.

Jack Cohon, 20th Century-Fox salesman here, admitted having sold blocks of five pictures to Theodore Hamm, operator of the Gem and Oxford, St. Paul. All testified that the sales were made in accordance with federal law. The federal court on a preliminary hearing held that the law under which the companies were formed and the law under which the companies had been granted court relief permitting them to violate the state law was not unconstitutional and in restraint of trade, and that his clients are guilty, therefore. On the conclusion of the case, the long task of taking defense testimony will begin.

A civil action in which six distributors are accused of an injunction against enforcement of the state law has been set down for trial next February.

Studies Inaugurate Daylight Operation (Continued from page 1)

workers in each of four zones were to work under the investigation is now under way.

B. V. Sturdivant, Fox West Coast executive, has informed the Theatre Defense Bureau, on assignment from the Office of Civilian Defense with complete surveillance over theaters, bowling alleys, ballrooms and other places where admission to persons during blackouts, alerts and raids. All amusement is restricted in such places. Screen Writers and Publicists and Radio Writers' guilds' representatives, among other meetings, have been addressed to the public information bureau to plan program to educate the public in the defense measures.
Motion Picture Daily

up Attack Brings Record Radio Use

The highest number of "sets-in-use" - ever recorded for an entire evening by E. Hooper, was set during the evening of December 7, the day Japan attacked Honolulu, it was reported today. The figure, 47 percent, surpasses the 41 percent set for the comparable Sunday last year and the annual season's average of 36.6 percent set during the Sundays in November.

Edgar Bergen and Walter Winchell led with ratings of 29.9 percent as a most popular evening programs of the evening, with Bob Hope third, rat-

ing 28.8, and Fibber McGee & Molly Moll

th's 27.8. "LuX Radio Theatre," "Maxwell House Coffee Time," "Major Bowes, 18.9," "Fitch and

name to Spalding, "College of Musical Knowledge," 8.2, and Orson Welles, 7.8. Red

kinton, with 22.3 percent, was the lead figure.

A Crossley survey made for WOR

covered that listening jumped at least 10 percent in metropolitan New York on the afternoon of Dec. 7. Jos-

eph Creamer, head of WOR's promo-

tion department, stated yesterday.

Canada Board Hears Pleas on Music Fees

OTTAWA, Dec. 15—Judgment was

served after hearing today by the

Copyright Appeal Board after argu-

ment against proposed music license

fees for commercial purposes.

The formal announcement was made

that Canadian broadcasters have

agreed with the Canadian Perform-

ers Rights Society and Canada's

Broadcasting, Music, Allied, and

Theatres, Ltd. to continue next year the

1941 copyright payment basis, as was revealed earlier.

The current rate, one cent per set to

be the Society and one cent to BMI.

CBS Architects Get Salary Increases

(Continued from page 1)

out of the next $10, and five percent of

the next $10. Thus a person earning

$25 will receive an additional $2.50

weekly, while one earning $50 to $75

will receive an additional $4.25 weekly.

Baley explained that the raise was

designed to help employes in the mod-

erate salary range meet the rising cost

of living. He explained that past, pres-

tent and future relations with union

justified allowing "our relations with

unorganized employees to remain

within the existing framework of such

relations.

St. Louis Clearance Complaint Dismissed

(Continued from page 1)

An amendment of the Aubert's clearance

and a reduction of the Union's clear-

ance.

Off the Antenna

WITH war news somewhat slackened, CBS and NBC shut down the net-

work at 1 o'clock this morning. WEAF, WJZ, and others on the net-

work, however, continued to operate on a 24-hour basis. WEAF, on Sunday

morning, was forced to remain off the air for 99 minutes because the strain

of continuous operation blew a tube in the transmitter.

Purley Personal: Albert A. Grobe, former manager of the N. Y.'s Broad-

casting System (WFIL) and radio director of Mayor LaGuardia's recent

campaign, has resigned as program manager and newsreader. WNYC's Wil-

liam Williams has joined WHN as commentator. ... Gregor Ziemer, Wil-

liam J. Lata, Cleveland; I. J. Hoffman, New Haven; Don Jacobs, Newark; C.

C. Latta, Albany; Ted Schnanger, Philadelphia; M. A. Silver, Baltimore;

John J. Payette, Washington; and Howard Waugh, Memphis.

Home office executives participating will include: Clayton Bond, Harry

Goldberg, Leonard Schlesinger, Frank Phelps, Sam E. Morris, Abel Vidal,

W. Stewart McDonald, Henry Ken-

nest, Louis Kaufman, Herman Maier

and Frank Cahn.

Warner Zone Heads To Meet Here Today

Harry Kalminn, assistant general

manager of Warner Theaters, will

preside at a home office meeting of

the managers today, the first since

he took over his post.

Attending will be the following zone

managers: James Costo, Chicago; S

Wulf, Cleveland; I. J. Hoffman, New

Haven; Don Jacobs, Newark; C.

J. Latta, Albany; Ted Schnanger,

Philadelphia; M. A. Silver, Balti-

more; John J. Payette, Washington;

and Howard Waugh, Memphis.

Home office executives participating will include: Clayton Bond, Harry

Goldberg, Leon Schlesinger, Frank

Phelps, Sam E. Morris, Abel Vidal,

W. Stewart McDonald, Henry Ken-

nest, Louis Kaufman, Herman Maier

and Frank Cahn.

Harley, Kane Unable To Get Passage Here

Francis L. Harley, 20th Century-

Fox managing director for Great

Britain, and Robert Kane, head of

the company's British production,

were unable to leave Lisbon for New

York last week when the Evita, on

which they were to have sailed, was

held in port.

It has been reported here that the

Portuguese Embassy has canceled

visas for civilian travelers between

London and Lisbon. However, one

Portuguese and one Spanish pas-

senger line still are operating to New

York. The 20th Century-Fox home office has

planning that so far no definite plans

have been developed for any branch of

radio. At best, however, it is believed

that there are but a "nullum" of the

nationwide commercial service toward

the industry which has been working.

 Asked whether there would be any

change in the monopoly situation as

a result of the war, Fly said the easiest

solution would be for the chains to

accept the new rules and notify their

affiliates accordingly.

Kanin to Address Defense Meeting

Garson Kanin, Office of Emergency

Management film consultant, will be

one of the speakers at the first meet-

ing of the M. P. Emergency Defense

Conference, a New York group called

together by the Screen Publicists

Guild, it was announced yesterday.

The meeting will be held Friday eve-

ning at the Hotel Piccadilly.

Radio Setup To Remain in Private Hands

(Continued from page 1)

(beau). That is not its job and it is

has no plans and no desire to go into

it. The same is true of the FCC. We

are seeking only to get communications

generally in a state of military

preparation.

Broadcasters should not become un-

usually alarmed, he added. So far,

he said, "they have done a fine job.

Fly refused to speculate regarding the

immediated future of television, ex-

plaining that so far no definite plans

had been developed for any branch of

radio. At best, however, he said, the

can be a "nullum" of the

nationwide commercial service toward

the industry which has been working.

Asked whether there would be any

change in the monopoly situation as

a result of the war, Fly said the easiest

solution would be for the chains to

accept the new rules and notify their

affiliates accordingly.

The DEVIL PAYS OFF

DRAMA OF SPIES AND SABOTAGE

AT SEA!

J. EDWARD BROMBERG

OSA MAESS

MARGARET TALLCHET

ABNER BIERMAN

JOHN H. ABER—Director

Scream play by Lawrence Kimble

and Malcolm Stuart Boylan

Original story by George Worthing

Yates and Julian Zimet

Buy U. S. Defense Bonds

Original story by George Worthing

Yates and Julian Zimet

Buy U. S. Defense Bonds

WILLIAM WRIGHT, en. Chris, van waltin and philosopher, who does a little spoiling on the side.
ASK YOURSELF THIS QUESTION:

- Theatre managers who have adopted High Intensity projection know that the increased screen light means

  **IMPROVED PICTURE QUALITY**
  **BETTER AUDIENCE RESPONSE**
  **INCREASED ATTENDANCE**
  **MORE PROFIT**

The new “One Kilowatt” High Intensity arcs supply 50 to 100 per cent more screen light than low intensity lamps at practically the same operating cost. Initial cost is also low.

Ask your dealer to give you the figures and a demonstration of this modern projection light.

THE NEW “ONE KILOWATT” ARCS USE “NATIONAL,” “SUPREX” AND “OROTIP” CARBONS

1881-1941

The sixty year record of “National” carbons is one of steady progress and improvement. Further progress and continued leadership in the Motion Picture Industry are assured by constant research and an intensive development program.

The words “National,” “Suprex” and “Orotip” are trademarks of National Carbon Company, Inc.

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Unit of Union Carbide and Carbon Corporation

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GENERAL OFFICES
30 East 42nd Street, New York, N. Y.
BRANCH SALES OFFICES
New York, Pittsburgh, Chicago, St. Louis, San Francisco
Realignment of RKO Effected By Schaefer

Rathvon V.P.; Kingsberg, Goldberg in New Posts

George J. Schaefer, president of RKO, yesterday announced the first steps in his plan for realignment of the RKO organization. He announced that N. Peter Rathvon, who has been chairman of the executive committee, has been elected vice-president of the parent company, and that Malcolm Kingsberg will be elected president of all RKO theatre subsidiaries in addition to continuing as executive vice-president of Keith-Albee.

Balaban Is Named Dimes Co-Chairman

Barney Balaban, president of Paramount, has accepted the post of co-chairman with Nicholas M. Schenck on the national Motion Pictures Committee for the 1942 March of Dimes campaign.

Others on the national film committee are C. C. Moskowitz, Joseph Bernhard, Spyros Skouras and Oscar Doh.

Harry Brandt, president of the ITOA of New York and co-chairman of the drive, has established headquarters for the film committee of the campaign at the Hotel Astor.

Ampa Testimonial To Hays in March

Ampa will sponsor an industry-widescreen memorial dinner to Will H. Hays, commemorating his 20th anniversary in the industry, Vincent Trotta, Ampa president, announced yesterday.

The dinner will be held at the Waldorf-Astoria, next March 6.

(Continued on page 4)

Defense Testimony Starts in Minnesota Case, Joy a Witness

St. Paul, Dec. 16.—Defense attorneys in the State’s criminal actions against Paramount, RKO and 20th Century-Fox today began laying an elaborate background for its contention that the Minnesota anti-block-of-five law, which the companies are accused of violating, is unconstitutional. This was the second day of trial in Ramsey County District Court here.

After long opening statements by defense attorneys Joseph Finley, a defense counsel, the defense began its testimony. Col. Jason Joy, 20th Century-Fox radio personnel head and scenario director, was the first witness. He testified that the industry operates under its own code.

Loew’s Minn. Escape Plea in Court Today

Federal Judge Henry W. Goddard will hear Loew’s application yesterday for a release from the trade show and block-of-five sales provisions of the consent decree to permit the company to resume selling in Minnesota.

The application was filed yesterday. Judge Goddard set the hearing to be held immediately following the one on VOL. 50, NO. 119

NEW YORK, U.S.A., WEDNESDAY, DECEMBER 17, 1941

U.S. TO CENSOR COMMUNICATIONS

M.P. Defense Unit Now War Activity Group

The industry committee for national defense has changed its name to the War Activities Committee—Motion Picture Industry, and Francis S. Harmon has resigned from the MPPDA to serve as a full-time executive for the committee, it was announced yesterday by George J. Schaefer, chairman. The announcement, for release today, follows:

“George J. Schaefer, chairman of the coordinating committee of the Motion Picture Committee Cooperating for National Defense, announced yesterday in behalf of the committee a change in title. The committee hereafter will be known as War Activities Committee—Motion Picture Industry.”

Far East 55% ‘Normal,’ Offices Are Functioning

French Film Supply In Montreal Gone

Montreal, Dec. 16.—The supply of French films available for French Canadians here, which a year ago was thought to be enough for two years, has dwindled to nothing, and the effect of the shortage has been felt.

France Film, operating French language houses here, has closed the Cinema de Paris, and other lesser houses are showing revivals, alternating with legitimate shows. The Cinema de Paris, seating 404, on Dec. 26 will reopen as a newsreel house, the first in Canada, and is expected to be open from 9 A.M. to midnight, charging 20 or 25 cents at all times. It is being taken over by Consolidated Theatres, according to report.

While fragmentary reports to home offices indicate that business in the Far East is running at about 55 per cent of normal, on an over-all average, “business as usual in Shang-hai” was the word received at Universal’s home office from department yesterday from Robert Perlins, chairman of the company’s Far Eastern staff.

James Perlins, Paramount supervisor in the Orient, and father of the Universal representative, also reported to John Hicks, Paramount vice-president and foreign manager, recently that the company’s offices and personnel in Manila have escaped Japanese bombings and are still servicing theatres there.

Universal has now received word from all of its representatives in the Far East, except one at Hong Kong, where it is being taken over by Consolidated Theatres, according to report.

Radio, Cables Affected; President Expects Voluntary Effort

WASHINGTON, Dec. 16—Censorship of radio, cables and other media of communication was imposed tonight by President Roosevelt.

Motion pictures were not mentioned specifically in the President’s announcement. Observers believe that, except for newsreels, the regulations may not apply to films since the orders are definitely directed at communications carrying vital information.

Byron Price, executive news editor of the Associated Press, on leave from that organization, was named director of censorship, responsible directly to the President.

Admitting that censorship is abhorrent to all Americans, the President declared that the experience of the past few years has demonstrated that it is necessary in war time, adding: “and we are at war.”

So far as domestic radio is concerned, he indicated, a voluntary censorship is being maintained.

Canada Prohibiting New Year Price Rise

TORONTO, Dec. 16.—The War Time Prices and Trade Board today issued a ruling prohibiting Canadian theatres from increasing prices for special New Year’s Eve performances and from passing along to the public the 20 per cent Federal amusement tax.

Studio Workers Give $17,528 to L. A. Fund

Hollywood, Dec. 16.—A total of $17,428 was contributed by 30,000 studio workers to the Los Angeles Community Chest, according to a report of the Motion Picture Division today. Last year $167,662 was contributed. The report was made at ceremonies at noon in the Biltmore Bowl at the highlight of a half-hour broadcast in which Edward Arnold acted for Chairman Louis B. Mayer, who is ill.
Coast Flashes

Hollywood, Dec. 16.

PARMOUNT today took extraordinary precautions to preserve property and lives in the event of bombings. Measures taken were designation of various basements as air raid shelters, filling of studio water tanks to capacity for fire fighting, distribution of sand around the lot and installation of alarm equipment. Blackout window coverings were placed about the lot in departments which might be used at night.

IOTO of Southern California and Arizona will meet Friday to hear a report by H. Pook, executive secretary, and Jack B.erman, trustee, who attended the recent industry meeting in Chicago.

Monogram studio executives headed by W. Ray Johnston, president, and Trem Carr, production chief, left tonight for a franchise holders' meeting in Washington, Dec. 19 to 21. The 1942-43 program will be discussed.

Lou Harris, in charge of trailers at the Paramount studio, today was appointed Cecil B. de Mille's associate producer.

Commons Approves Reduction in Quota

LONDON, Dec. 16.—The House of Commons today formally approved the recent reductions in the exhibitor and distributor quotas by 2½ per cent each, to 15 per cent for exhibitors and 20 per cent for distributors. The change, recommended by the Board of Trade, was approved by the House of Lords last week.

FLY to LOS ANGELES

over the BUSINESS ROUTE

of the NATION

More passengers, mail and express by United's central year round Mail-Liner service, than by any other coast-to-coast air route. 4 Mainliners to Los Angeles daily.

UNITED AIRLINES

Airlines Terminal: 80 E. 42nd St.
649 Fifth Ave. 69 Wall St.
Hotel Pennsylvania MU-2-7300

or travel agents, hotels.

Personal Mention

JULIUS GORDON, circuit operator of Beaumont, Tex., is expected in New York today.

A. M. Botsford and Morris Kindler left the Coast yesterday for New York.

Earl Hudson, president of United Detroit Theatres, and Jack Keegan were in town yesterday.

Leonard Goldenson and Leon Netter have returned from Boston.

Irving Martin, publicity chief of the Stanley, Baltimore, plans to spend the weekend with his family in Richmond.

Herbert Lubin, manager of the Landis, Vineland, N. J., is on the general executive committee of the defense council of Vineland.

WALTER THIMMEY, owner of the McNair, St. Louis, is ill.

Nicholas Marek, who sold his interest in the Roxy, New Britain, Conn., has gone to Florida to live.

Murray Greenfield of Loew's has enlisted in the Army.

I. M. Rappaport, owner of the Hippodrome, Baltimore, is a New York visitor.

Rube Jacker plans to leave for Charlotte tonight.

Joseph Seibelman, Universal vice-president and foreign manager, is scheduled to arrive from South America by plane tomorrow.

John W. Rogers is in town from the Coast.

Robins, Universal Artists branch manager in St. Louis, and F. J. Kaiser, salesman, were in a collision in Tennessee last week, but are recovering.

Shirley Smith, secretary to Les Kaufman, head of the Fandango and Marcus advertising department in St. Louis, and Don Nording, manager of the West End Theatre, will be married soon.

John Ryker of Fanchon & Marco, St. Louis, is the father of a baby girl.

Otis Cowan, manager of the Warehouse, Manhattan, Kan., has joined the Army.

Brylawski in OPM

On Film Priorities

WASHINGTON, Dec. 16.—OPM officials disclosed today that A. Julian Brylawski, MPTOA vice-president, has been appointed to an important post in the priorities division, and made responsible for all priorities for the motion picture industry.

It was revealed that Brylawski was approached more than a month ago with a suggestion that he undertake this work and that the staff of Donald M. Nelson, director of priorities, will be in charge of the application of priorities to both technical materials needed by studios, exchanges and theatres, it was stated.

Metro Screenings

Set on Six Pictures

M-G-M yesterday set trade screenings on six new pictures, to be shown in exchanges during January. The films and the screening dates are: "Woman of the Year" and "Joe Smith, American,, Jan. 13; "China Coast" and "We Were Dancing," Jan. 14; "Born To Sing" and "Out of the Past," Jan. 20. The first two will be shown in New York only on Jan. 6 and the second two here Jan. 13.

John Comerford, 80, Dies in Los Angeles

SACRAMENTO, Dec. 16.—Word was received here that John Comerford, 80, oldest brother of the late M. E. Comerford, founder of the Comerford Agency, died last week at his home in Los Angeles. He was an uncle of Postmaster General Frank C. Walker and John T. Comerford, district manager for the circuit. He is survived by two daughters and a sister.

Newsreel

Parade

FLMSS of the Times Square parade will premiere in the midweek issues along with varied other subjects dealing with the war. Secretary Knox's Hawaii report is included.

MOVIE TONE NEWS, No. 23—Knox Pearl Harbor. Pacific Fleet at sea, May 25. Pandora destined to strike against Japan. The Tank production in Montreal, Health alert, the Christmas in Haiti. The LaGuardia on air raids; Times Square stunt.


Para. Will Release 'Blackout' at On

Paramount will deliver "Pact Blackout" to exhibitors for showing beginning Jan. 2 and, to expedite bookings, will agree on terms with exhibitors later, Neil Agnew, general manager yesterday.

The film is the story of a Los Angeles blackout. It was scheduled for release originally late in February, as a part of the company's third block. The special arrangements are being made to enhance the picture's timeliness, Agnew said.

Merge Para. Bioff Suit

Consolidation of the four stockholders' suits brought against Paramount in connection with the payments made to William Bioff and George E. Brow was ordered yesterday by N. Y. Supreme Court Justice Albert Sny. The court-appointed Alfred J. Talbot, former General Commissioners judge, trial counsel for the stockholders.

DAILY

(Registered U. S. Patent Office)

Published daily except Saturday. Sunday by Bioff Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City. Telephone City 2-5959, 42 New York.

Bioff, Editor-in-Chief and Publish Brown, General Manager; Messrs. W. R. Schermerhorn, Editor, George E. Brown, Assistant Editor; Alfred Fine, Managing Editor; James C. Ignatowski, Pittsburgh Bureau 124 South Michigan Avenue, C. O. N. O. Building, Chicago, III.; Charles A. Hill, Patent Office Building, William R. Weaver, Editor, Washington; Alfred J. Talbot, Editor, London; J. Goldston, London, W. I.; Hope and Brown, Manager, address "Outlook Box 1300, New York, New York, N. Y., under the act of March 3, 1879, Subscribers rate per year $2.00 in the United States, $2.25 foreign, single copies 10c. 2
CHIN UP AMERICA!

There's a job to be done here at home and the film industry rises to the emergency with a cheerful and united front! Great entertainments are available from all companies to keep the morale of our people high for the effort ahead.

M-G-M HOLIDAY CHEER!

"BABES on BROADWAY" is just what the folks want right now. Mickey Rooney, Judy Garland bring music & merriment to 400 happy theatres at New Year's.


"WOMAN of the YEAR" a sensation in its first West Coast Preview. Spencer Tracy and Katharine Hepburn are a terrific two-some. Here's a show that's got everything.

"JOHNNY EAGER" T. N. T. Taylor 'N Turner! Bob and Lana are dynamite together! That's how you'll admire this powerful, punchful drama. It's another "Honky-Tonk" for two-fisted romance.

Keep your eye on "THE VANISHING VIRGINIAN," a sleeper that's packed with heart-throbs. Just Previewed! "WE WERE DANCING" starring Norma Shearer, Melvyn Douglas—it's a honey! Just completed! "I MARRIED AN ANGEL" starring Jeanette MacDonald, Nelson Eddy—a musical sensation! Abbott and Costello spell "RITA" like this: 2-0-2! Eleanor Powell, Red Skelton in a wow musical! Spencer Tracy, Hedy Lamarr, John Garfield in "TORTILLA FLAT." And a new Hardy in production: "ANDY HARDY'S COURTSHIP" with Mickey Rooney, Lewis Stone and all the folks!

Merry Xmas!
Realignment of RKO Effected By Schaefer

(Continued from page 1)

Orpheum. (Schaefer is president of K-A-O.)

Leon Goudey, who has been treasurer of K-A-O, chief theatre subsidiary of RKO, has been elected treasurer of the parent company and additionally will be treasurer of all RKO theatre and picture subsidiaries.

Responsible to Schaefer

All these officials will be directly responsible to the president.

Charles Koerner will be elected a vice-president of the theatre companies and will continue as general manager under Kingsberg. Kingsberg replaces Major L. E. Thompson, who, it is reported, is heading for some other executive post in the company. Goldberg succeeds William Clark.

Such an announcement stated that all theatre activities will be consolidated under Kingsberg's direction and that the companies of which he will be elected president are: RKO Proctor Corp., RKO Midwest Corp., RKO Orpheum Corp. and RKO Service Corp.

One Finance Head

Regarding Goldberg's new post as treasurer of the parent and subsidiary companies, Schaefer stated: This melts down all financial operations under one head who will be directly responsible to the president.

"The realignment," Schaefer "will line up the organization as well as more clearly and definitely fix duties and responsibilities."

British Studios Ask Exemption of Talent

London, Dec. 16.—A majority of producers and representatives of British units of M-G-M, Columbia and 20th Century-Fox, in the British Producers Association, will seek the aid of the Ministry of Information in obtaining exemption for their talent from military service necessary of talent.

The producers plan to offer full documentary proof of their need, with technicians probably included, and the Ministry has promised to lend its assistance. The producers are also considering a plan under which the association would be a clearing house on the producers' clothing ration system, instead of the present method, under which each producer has coupons to take care of studio needs. Board of Trade approval will be sought.

Extension to Jan. 5

In Pickwick Case

New Haven, Dec. 16.—A second stipulation has been made by the attorney for the plaintiffs in the Pickwick, Greenwich, anti-trust suit against the eight major film-producing companies, and the attorney for 20th-Fox, granting extension of time in which 20th-Fox may answer the long interrogatories of the plaintiffs. The time has been extended to Jan. 5, 1942, when answers will be expected as to corporation, clearance and personnel matters.

Far East 55% 'Normal', Offices Are Functioning

Defense Testimony

Starts in Minnesota

Case, Joy a Witness

(Continued from page 1)

that they are safe and that their organizations are still functioning. The only all 20th-Fox representatives in the Far East also have been heard. No casualties among persons heard in the Far East have been reported to home offices.

Hank Henry, manager of Paramount's Manila exchange, who held that position as vice-president, was called to duty at the outbreak of hostilities.

"These changes were determined upon at a meeting of the executive group attended by representatives of exhibitors, distributors, producers, artists and trade press."

A budget committee to study an arrange for financing the cost of the industry's war activities was appointed, consisting of St. Fabian, R. J. Wilby and Joseph H. Hazen.

M.P. Defense Unit Now War Activity Group

(Continued from page 1)

group. Francis S. Harmon, who has been acting director of the committee cooperating for national defense, has been appointed to the position and has been designated assistant executive vice-chairman of the War Activities Committee. Mr. Harmon has resigned from the Motion Picture League, a division of the Advertising Research Association, Inc., in order to devote full time to the war activities of the industry.

"These changes were determined upon at a meeting of the executive group attended by representatives of exhibitors, distributors, producers, artists and trade press."

Academy Awards

Committee to Meet

Hollywood, Dec. 16.—The new awards committee of the Academy of Motion Picture Arts and Sciences, of which Walter Wanger is chairman, will meet for the first time tomorrow night to organize its black-out meeting rooms in the Twelfth Street Club.

Committee Personnel


Canada Prohibiting New Year Price Ris

(Continued from page 1)

ment tax in connection with admissions for such performances. The ruling limits the admission charge to the scales in effect for midnight performances last New Year's. Under the requirement the exhibitors must also file the Federal tax, in addition to scales, to form. assistant to the theatre to the scale profits, but this is with the prices charged last New Year's Eve.

Fox's new scale was made necessary because the regulations placing a ceiling on admission prices do not cover special performances such as New Year's Eve midnight shows.
An exploitation special timed for the minute
Vividly portraying America's air-might as it shouts defiance at the ruthless aggressors

IT PACKS THE POWER
of a FEATURE-THRILLER!

CAVALCADE
OF AVIATION

THRILL to the first flight of the "Kitty Hawk" ... 
THRILL with America's first war ace, Capt. Eddie Rickenbacker, in action ... THRILL and WONDER at the freak designs that helped America get its wings ... THRILL to the first American air-bombers in action ... THRILL ONCE AGAIN with America's air heroes—Byrd, Chamberlain, Post, Rogers, Earhart, Elder and others ... THRILL to General Billy Mitchell's forecast of war in the air ... THRILL to America's mighty air power blasting its enemies from the skies!

SEE Amelia Earhart as she appeared before her ill-fated flight over the Pacific!
SEE Ruth Elder, the first woman to fly across the Atlantic Ocean!
SEE Ruth Nichols as she returned after setting a new altitude record!
SEE Wiley Post and Will Rogers on the world-flight from which they never returned!
SEE General Billy Mitchell as he forecasts the coming of air-war!

World Premieres in Dayton and Dallas! — NATIONAL RELEASE, DEC. 31
**‘Flying’ Gets Chicago Lead With $22,500**

CHICAGO, Dec. 16.—Despite slow business for a couple of days due to war conditions the week ended strong. The Palace, with “Keep Em’ Flying,” pulled $7,000. “Tokyo” took $25,000 at the State-Lake. Estimated receipts week ending Dec. 12.

**“Spanish Fiesta”**

1941.

**“Hedda Hopper’s Hollywood, No. 21”**

**“Peaceful Quebec—At War”**

**“Annapolis Salutes the Navy”**

**“Strange Facts”**

**“She’s Oil Mine”**

**“The Gay Persian”**

**“Battlefields of the Pacific”**

**“Rhythm in the Ranks”**

**“How to Hold Your Husband—Back”**

**“Who’s a Dummy”**

**“Gaucho Sports”**

**News Announced at Rochester Houses**

**“Kitchen Quiz No. 2”**

**“Battle of the Bulge”**

**“The Three Musketeers”**

**“A Royal Scandal”**

**“The Distant Trumpet”**

**“Barbara Frietchie”**

**“One Friday Morning”**

**“Gang Buckaroo”**

**“The Great Lover”**

**“The Three Musketeers”**

**“The Girl in the Sneakers”**

**“The Gay Persian” (Warners)

First of a proposed series, “Spanish Fiesta,” is an uncommon type of screen entertainment, far in advance of the regulation formulae established from the standpoint of artistry. Transplanted to the screen under the direction of Jean Negulesco, the celebrated Balkan Russe de Monte Carlo featuring Tallara Tounamanova, Frederic Franklin and Leonide, enacting the story of the gypsy girl who steals away from an army camp and ventures to a party of the aristocracy. The entire troupe performed with great skill. The accompanying music by Rimsky Korsakov has a rare fidelity quality, while the presentation, vividly colored, is compelling in its beauty. The subject is of an aesthetic nature. Running time, 19 mins. Release, undetermined.

1941.

**“Peaceful Quebec—At War”**

This is average “inside Hollywood” fare. As in the reel predecessor, a good deal of attention is paid upon Miss Hopper, who is first seen entertaining a few screen players and veteran William Farnum at her home. Subsequently she visits the Hollywood premiere of Miss Hopper’s first “Hedda Hopper’s Hollywood,” then to the Motion Picture Relief Fund home, and finally the Mo- canbo, a Hollywood night spot. Running time, 10 mins. Release, Dec. 8, 1941.

**“Annapolis Salutes the Navy”**

This is a quiet, fairly interesting insight on Annapolis, which is a particular attention on the relics of Colonial days, such as the homes and the signers of the Declaration of Independence, who are represented in the film. Running time, 9 mins. Release, Dec. 8, 1941.

**“Strange Facts”**

Three items make up this reel. The show is not so much the preparing lamps, jewelry and other ornamentals from a huge collection of shells; the sculptor is at work making many things from fresh corsica, and an unusual migration of shad takes over Silver Springs, Fl. Done in color, the reel holds interest for the traditional tossings of pennies. Running time, 9 mins. Release, Dec. 8, 1941.

**“She’s Oil Mine”**

(Columbia)

1941.

**“The Gay Persian”**

Buster Keaton, aided and abetted by Elsie Ames, Monty Collins and Eddie Quillan, induces in some old style slapstick. As a plumber, Keaton tries to help Miss Ames evade the courtship of an unwanted foreign nobleman. The latter Keaton is insulted and a duel is fought. There are the usual complications attendant upon the plumber’s broken pipe, but love is saved as usual. Running time, 11 mins. Release, Dec. 6, 1941.

**“Battlefields of the Pacific”**

With the war developments, the “dated” news matter that forms “Battlefields of the Pacific” has actually gained in value. It is a special March of Time issue composed of material from three previous subjects which deals with the thought point of American interests—the Far East—and is frankly labeled as such. Empiricized of sequences from “Crises in the Pacific,” released December, 1939; “The Philippines: 1898-1946,” May, 1940, and from “Spools of Life,” the War film is in the line of intelligent and informative analysis of the military strength, geographical significance and natural resources of the Philippines, the Dutch East Indies, Hong Kong and Guam. Running time, 22 minutes. Release, Dec. 19, 1941.

**“Rhythm in the Ranks”**

Disgraced because he tarried by the wayside for a flirtation with a pretty skater while the rest of the wooden soldiers marched off to maneuver, the reel holds interest by itself but also pulsing an enemy army single-handed, but with the aid of invisible camouflage paint. George Pal’s new Madison episode spot for the subject, pleasing to see. The color is particularly good. Running time, 10 mins. Release, Dec. 13, 1941.

**“How to Hold Your Husband—Back”**

(Pete Smith Specialty)

Several types of wires, all of whom love their hobbies not wisely but too well, are presented for audience amusement by Pete Smith in a new specialty reel. The well-meaning but disastrous—to their husbands—efforts of the wives should garner a full measure of chuckles everywhere. Running time, 10 mins. Release, Dec. 13, 1941.

**“Who’s a Dummy”**

(Leon Errol Comedy)

Devoid ofsubtitle, Leon Errol is involved in a series of preposterous situations stemming from his assumption that his wife, Vivian Tobin, is engaged in a torchy love affair with another, which in reality is a re- hearsal of a play. It is typical Errol comedy staged only for the laughs it will no doubt draw. In comparison with Errol efforts, this is about average. Running time, 17 mins. Release, Nov. 28, 1941.

**“Gaucho Sports”**

(RKO)

This is an entertaining sports reel, whose subject, enhanced by good photog- raphy and with much else in the line of recreational activities of the gaucho on the Argentine Pampas. The great cattle herds, which, incidentally, current topics, are distributed. No special illustrations, skilful riding and a unique method of roping are shown. It should go over well with both the young audience. Running time, 9 mins. Release, Oct. 21, 1941.
Radio Placed On Censorship Basis by U.S.

(Continued from page 1)

ship avoiding the dissemination of false or misleading information, such as reports of the movements of vessels and troops, probably will meet the requirements of the situation.

Definite censorship will be necessary, however, to see that valuable information reaches the enemy, inadvertently or otherwise, through the medium of the mails, radio or cable and prevent its dissemination to any other means.

Certain types of information, covered by long-standing laws, also is to be withheld, he said.

Revive War Powers

The announcement that censorship would be established followed by a few hours the quick enactment by Congress of legislation reviving World War powers of the President, including that of censorship of international communications. Domestic censorship was not included in the measure, being already taken care of under Section 5(b) of the Communications Act of 1934.

Outlining the various steps which would be taken to prevent information from reaching the enemy, the President commended the attitude of radio and the press toward the safeguarding of vital news.

"The Government," he said, "has called upon, a patriotic, press and radio to abstain voluntarily from the dissemination of detailed information of certain kinds, such as reports of the movements of vessels and troops. The response has indicated a universal desire to cooperate."

Newscast of military or naval activities already is under strict control of the War and Navy Departments, as is the use of such scenes made in the production of features.

Urges Caution on Air News Reports

Urging the importance of accuracy of news reports, even at the expense of brevity, A. A. Schecter, NBC news and special events director, yesterday sent a memorandum to all the network's news editors listing cau-

tions to be observed. He repeated the previously issued warnings against reading casualty lists, movements of troops, weather information and the like.

Pointing out that the enemy frequently sends out false communiques to obtain information by denial or confusion, Schecter warned against dissemination of such reports. He made an exception, however, for com-

trollers who, because they can explain the full meaning, may discuss the communiques in their proper light.

Denies Receiver Plea

SCRANTON, PA., Dec. 16.—Judge Samuel E. Shuff refused a petition filed by Louis Pollard asking for the ap-

pointment of a receiver for the Union Broadcasting Co., operator of WARM here. Pollard is litigating a claim against the company.

FDR Air Talks Holding Nation Close to Sets

Huge audiences continue to stay close to the radio receiver when President Roosevelt is on the air, it was indicated again yesterday by a survey by Cooperative Analysis of Broadcasting, which reported that 53.9 per cent of all set owners heard the President and the Bill of Rights program Monday night.

CAB reported that the show itself established an all-time high for programs using a regular radio tech-

nique and it was the fourth largest audience for the President.

The President's speech the week before drew 83 per cent of set owners, according to C. E. Hoop-

er rated the broadcast 79 per cent an all-time record. The address to Congress, earlier the same day, drew 50 per cent, according to Hoover.

Wisconsin Houses Air News Summary

JANESVILLE, Wis., Dec. 16.—Many theatres of southern Wisconsin have made arrangements with station WCLO here to have portions of the upcoming football games broadcast in theatres so that patrons may be informed of the latest news while watching the show. Fox houses here are sponsoring a new "all-star" WCLO twice-daily—at 7 A.M. and 5:45 P.M.—

and a complete news summary at its Jeffers and Myers theatres at 9 P.M.

The Devil Pays Off

THE DEVIL PAYS OFF

DRAMA OF SPIES AND SABOTAGE AT SEA!

J. EDWARD BROMBERG
OSA MASSEN
WILLIAM WRIGHT
MARGARET TALLICHET
ABNER BIBERMAN
JOHN H. AUER—Director

Seven play by Lawrence Kimmell and Melville S. Glick

Original story by George Waithing

Yates and Julian Zimet

Buy U. S. Defense Bonds

Short Wave Shifts To Boost Coverage

Starting today, the two NBC short wave transmitters and WIBOS, the Westinghouse short wave transmitter in Boston which also broadcasts the NBC programs, will shift their entire schedules and frequencies to ad-

just their language programs for the greatest amount of listening in for-

cign countries.

Both NBC and CBS continue to operate their short wave transmitters 24 hours daily. CBS reported yester-

day that it had received assurance from Latin American stations of whole-hearted support. Charles Malmstedt, Finnish-born American, now the NBC staff as

newscaster in Finnish.

McLaughlin Resigns As WIBC Manager

INDIANAPOLIS, Dec. 16.—C. A. Mc-

Laughlin, vice-president and general manager of WIBC here, has resigned. He also resigned as an officer and di-

rector of Broadcast Corporation of Indiana, operator of the station.

H. G. Wall, president of the corpora-

tion and a principal owner of the station, has assumed the management.

Pittsburgh Union Elects

PITTSBURGH, Dec. 16.—Clare Mee-

der has been reelected president of Miners' Local 60. Edward G. En-

berts is vice-president, Nick Hapac, treasurer, and Emil Bil, executive secretary. Mike Hickly, Frank Panama, Gene Urban and George Wilkins, directors.

THE LARGEST SINGLE CONTRACT WITH A WINE SPONSOR WAS SIGNED YESTERDAY BY WNEW WITH K. Arakelian, Inc., makers of Mission Bell Wines. The con-

tract is for 52 weeks and is non-cancelable, even the usual war cancellation clause having been eliminated. The deal calls for 1,267 15-second cut-in announcements, 936 run-of-schedule announcements and 315 15-minute music periods during the year. Other new business includes a 52-week contract with the Chicle Co., which has added three 15-minute periods weekly on "Make Believe Ballroom" in addition to the spot campaign which has been conducted exclusively on WNEW, and Hensler Brewing Co., which has extended a 30-week contract for three periods weekly on the "Ballroom" for an additional year.

Purely Personal: Robert Gerdy, CBS Trade news editor, has resigned, effective Friday, to join the press division of the Office of the Coordinator of Inter-American Affairs. Mr. Gerdy, a veteran of Blue sales, was host at a luncheon yesterday for the female employees of the Blue sales division, . . . James K. Breyer of Music Corp. of America and Mrs. Breyer (Virginia Ferrall, the vocalist formerly heard on "Uncle Walter's Doghouse" . . . Rudy Vallee has signed Joan Davis as a permanent member of his cast.

On again—off again—on again—has been the status of the annual East-West all-star football game originally scheduled to be carried by Mutual under the sponsorship of Gillette from San Francisco New Year's Day. When Army officials cancelled the game, it was shifted to New Orleans but Mutual still couldn't carry it because it had previously scheduled the Cotton Bowl game from Dallas. Figure that the difference in time zones will permit carrying both contests. It was all settled yesterday, however, when the East-West game was postponed to Jan. 3.

Weather forecasts faded from the radio picture yesterday as just another war casualty. The War Department asked discontinuance of the reports which might aid the enemy. Stations are arranging with sponsors of these forecasts, which frequently broadcasts road conditions, is making arrangements with local police to continue such broadcasts but eliminate weather data.

Program News: Col. Stopendale will return to the air next March over NBC-Blue under sponsorship of the Ontario Travel & Publicity Bureau. He will be heard Fridays, 7-7:30 P.M. . . . Sterling Products has reactivated "Orphans of Dicorza" and "Antoine of Trouville"; over NBC-Blue stations Mondays through Fridays. . . . Effective Jan. 1, Stardust Bands have reactivated the Edgar Bergen show and "One Man's Family" heard Sundays over 84 NBC-Red stations.

Charles D. Brown, as Hunt, captain of a doomed ship.
War Blow to L.A. Grosses; 'Flying' Good

Los Angeles, Dec. 16.—Strong business prior to the war declaration helped to give grosses for games call 50 to 35 percent in first runs with blackouts and preparations playing a major part. "Keep 'Em Flying" took $22,200 at the Hillstreet and Pantages.

Estimated receipts for the week ending Dec. 13:

"The Two.png - "Marry the Boss's Daughter" (2-Thx) CHINESE—(2,000) $33-4c-55c-75c) $1,200. (Average, $250.)
"All That Money Can Buy" (RKO) 4 STAR—(900) 4c-35c-55c $1,200. 3rd week. Gross: $1,000. (Average, $333.)
"Cats and Kangos" (RKO) HAWAII—(1,000) (3c-4c-55c-75c) 7 days. Gross: $100.
"Keep 'Em Flying" (Univ.) "Burma Conveyor" (Univ.) "Flying" (Univ.) 7 days. "Flying" 3rd week. Gross: $12,700. (Average, $2,700.)
"Two Faced Woman" (M-G-M) "Marry the Boss's Daughter" (2-Thx) LOVJO'S STATE—(2,700) (3c-4c-55c-75c) 7 days. Gross: $1,500. (Average, $14,000.)
1 day. "Keep 'Em Flying" (Univ.) "Burma Conveyor" (Univ.) "Flying" (Univ.) 7 days. "Flying" 3rd week. Gross: $9,500. (Average, $2,000.)
"Appointment for Love" (Univ.) PARAMOUNT—(1,305) (3c-4c-55c-75c) 7 days. Stage: Meet the People. Gross: $10,000. (Average, $14,000.)
"How He Won His Spurs" (H.B.) "The Tanks Are Coming" (W.B.) WEST—(7,000) (3c-4c-55c-75c) 7 days. Gross: $12,105. (Average, $1,730.)
"One Foot in Heaven" (W.B.) "The Great Gildersleeve" (M-G-M) WARNER BROTHERS (Downtown) (1,400) (3c-4c-55c-75c) 7 days. Gross: $12,105. (Average, $1,730.)

Reviews

"The Bugle Sounds" (M-G-M)

"Mr. and Mrs. North" (M-G-M)

"West of CIMARRON" (M-G-M)

"Wife" Gets $9,000; Slump Hits Toronto

Toronto, Dec. 16.—"Our Wife" grossed $9,000 at the Imperial during a limited engagement. The war news and the full effect of the Christmas slump forced "Keep 'Em Flying" at the Imperial in the third week, took $7,500.

Estimated receipts for the week ending Dec. 13:

"The Remarkable Mr. Kipps" (British) EAGLE-LEON—(1,060) (18c-30c-40c-60c) 6 days. Gross: $10,000. (Average, $1,500.)
"Our Wife" (Col.) DM-UNION—(2,857) (35c-40c-65c-95c) 6 days. Gross: $5,000. (Average, $900.)
"The Chocolate Soldier" (M-G-M) "The Devil Pays Off" (Rep.) LOEFS'S—(2,041) (35c-40c-65c-95c) 6 days. Gross: $8,000. (Average, $900.)
"Belle Starr" (2-Thx) "Gypsy Rose Lee" (2-Thx) SHEAS—(2,400) (18c-30c-40c-60c) 6 days. Gross: $2,500. (Average, $833.)
"You'll Never Get Rich" (Sel.) "Elroy Queen and the Perfect Crime" (Col.) CS—(1,450) (3c-4c-55c-75c) 6 days. Gross: $2,000. (Average, $1,333.)
"Keep 'Em Flying" (Univ.) "Interlude" (Univ.) UPTOWN—(2,374) (3c-4c-55c-75c) 6 days. Gross: $7,500. (Average, $1,500.)

Technicolor 25c Dividend

Technicolor, Inc., yesterday declared a dividend of 25 cents a share on outstanding stock, payable Dec. 29 to stockholders of record Dec. 22. It was announced by Dr. Herbert T. Kalmus, president and general manager.

Universal and RKO Security Deals Are Reported by S.E.C.

WASHINGTON, Dec. 16—Disposition in October of 220 shares of Universal Pictures first preferred stock by Universal Pictures Securities and Exchange Commission in its final summary for the month, reported the National Association of Securities Dealers, Inc., the Keith-Albee-Orpheum common stock, giving it a total of 1,025,749 shares together with 7,476 shares of preferred.

Report Monogram Trading

A delayed report filed by M.A. Hulling, director in Monogram, disclosed the acquisition in August of 2,389 shares of Monogram common through his Interpersonal and the Dahmen, Los Angeles, and 1,249 shares through Monogram Pictures of the Northwest, giving a total acquisition held by the former and 2,712 shares through the latter.

Reports on the holdings of persons who control interests of companies were submitted by the companies, gathered in that company Oct. 8, but that Herbert Sefried, New York, held 5,500 shares of Trans-Los companies, he became a director in that company Oct. 30. A report on Columbia Broadcasting System, Inc., which was submitted, held by the former, 10,000 shares of Class B common stock by William S. Paley, president, leaving him with 244,356 shares.

Studios Announce New War Picture

Hollywood, Dec. 16.—Republic plans to make "Remember Pearl Harbor," an original by Alber C. Cohen, associate producer, to star Dec. 29. The studio also lists "Yanks Over Burma Road," "Interne National Band," "Interceptor Command," "The Rotten Eggs Over Alaska" for early production. Paramount announced it plans to make "The Night's Story," a story of the defense of America's Pacific outposts, and the studio also has announced "Listening Post." The script of "Burma Road," 20th-Century-Fox film, is being rewritten to bring it up date, the studio disclosed.

Columbia has registered "Salute to Tobruk," based on the title of the BB program.

Killed in Hawaii

DES MOINES, Dec. 16.—Announcement of the second death in the Hawaiian fighting that affected film row was made here today by Herbert Hugford, the boatman's mate first class, who stepmother has been bookkeeper at Central States Theatres the past 2 years.

R. I. Projectionist Dies

PROVIDENCE, R. I., Dec. 16.—Patrick J. Keenan, 45, veteran projectionist, died today at his home nearby Auburn. He had been an operator nearly 30 years.
WALKER HEADS U.S. CENSORSHIP STUDY

Civil Defense Films Set by Studio Group

Hollywood, Dec. 17.—The Army training film project of the Research Council of the Academy of M. P. Arts and Sciences in collaboration with the Signal Corps has been expanded to include a series of civilian defense films, it was announced last night.

The first of these films, all of which will deal with military information of vital importance and interest to civilian populations, will be on such subjects as safeguarding military information, proper cooperation of civilian populations with military authorities, proper preparations for blackouts, and the like, it was said.

Prints will be distributed through the cooperation of the distribution and exhibition branches of the industry's national defense committee, the War Activities Committee Motion Picture Industry. The script for the first of the films has been completed.

Special Unit of Cabinet Sifts Plans for War Agency Setup

WASHINGTON, Dec. 17.—Plans for various Federal agencies for war time censorship are under study by a special Cabinet committee headed by Postmaster General Frank C. Walker, it was revealed at the White House today.

Other members of the committee are Vice-President Henry A. Wallace and Attorney General Francis Biddle. Lowell Mellett, director of the Cabinet committee, announced yesterday that the committee will develop an overall program for submission to President Roosevelt.

See U.S. Asking Extension Of Decree Escape for Year

An extension of the June 1, 1942, deadline for the decree escape clause may be sought by the Government in the event it becomes apparent that a decision cannot be obtained in the New York anti-trust action against the "Little Three" by that date, Robert L. Wright, special assistant to the U. S. Attorney General, admitted in U. S. District court here yesterday.

The extension, attorneys indicated, would be for a year.

5-Block Law Hurts Sales, Wobber Says

St. Paul, Dec. 17.—The Minnesota anti-block-of-five law has a serious effect on distribution in the Northwest territory, Herman Wobber, 20th Century-Fox general sales manager, testified today while under cross-examination in the State's criminal actions against Paramount, RKO, Loew's to resume selling in Minnesota. See Page 4.

Radio Poll Tomorrow

THE results of Motion Picture Daily's poll to determine the Radio Champions of 1941, conducted among more than 600 radio editors in the United States and Canada, will be published tomorrow.

Willkie Cites Film Freedom In War Crisis

Speaker at Inter-Faith Campaign Meeting

By SAM SHAIN

Whereas two or three months ago the motion picture industry had defended its right to show pictures depicting Nazi injustice and horror, no one today would want the industry to do otherwise than to bring to the American public stimulation of their own activities by films of the great struggle going on in the world.

Wendell Willkie

Wendell L. Willkie said yesterday he addressed a blue ribbon audience of about 60 men and women of

Complete 'Dimes' Committee Named

George J. Schaefer, RKO president, and W. G. Van Schmus, managing director of the Motion Picture Industry, have accepted co-chairmanships on the National Motion Pictures Committee for the 1942 March of Dimes campaign. Nicholas M. Schenck, chairman, announced yesterday.

Their acceptance completes the personnel of the national committee which includes, in addition to the three named, Barney Balaban, C. C. Fleskowitz, Oscar A. Doob, Harry Brandt and 48 state chairman.

Coast Groups Plan Talent Service Pool

Hollywood, Dec. 17.—An organization to coordinate requests for free talent appearances was formed last night by film, radio, stage and talent groups. Fred W. Beeton, executive vice-president of the Association of A. P. Producers, was named chairman and the new group will be known as the Hollywood Coordinat

(Continued on page 4)
Abandon Sneak Previews on Coast
Due to Blackouts: Seek Papers' Aid

Hollywood, Dec. 17—Discontinuance of the long-standing practice of "sneak" previews not intended for press review in Los Angeles suburbs was announced today by Y. Frank Freeman, president of the American Society of M.P.A.A. Freeman asked the cooperation of Los Angeles editors in not printing reviews prior to specified review dates.

He cited war conditions as making journeys to distant points dangerous in the event of blackouts. The zoning system thus ended was invoked several years ago to end a competitive conflict which raged between local publications at that time, to the dissatisfaction of all parties and the public.

Newspaper cooperation is expected to be uniform and spontaneous.

Texas Exhibitor Files
Arbitration Appeal

B. R. McLendon, operator of the Texan and State theatres, Atlanta, Texas, has filed an appeal from the dismissal of his clearance complaint at the Dallas board, American Arbitration Association headquarters, reported yesterday.

The complaint named Loew's, RKO, 20th Century-Fox and Warner, whose Paramount and United theatres at Texarkana, Tex., J. B. Adone, arbitrator, dismissed the case after finding that the clearance granted the competing theatres was unreasonable.

The complaint attracted public attention because of the constant publicity of which E. V. Richards is head, and which operates the competing theatre.

The proposed measure would empower the commission, under the present law, to take jurisdiction “for the maintenance of public order, the promotion of public morals and the orderly conduct of such places of amusement.”

Counsel for the measure was discussed by the City council today. Councilmen expressed the view film houses should be granted such powers as much as police now have the power to seize salacious films in theatres.

The bill was referred to the Police and Fire Committee.

Van Dyke to Head
Chicago Film Club

The Chicago Film Club has been elected president of the Reelfellow Club here, composed of film salesmen, succeeding W. Weinschenker.

Other new officers are Nat Nathanson, vice-president, and Frank Young, secretary-treasurer. The elected treasurer and Al Kent is the new sergeant-at-arms.

Club's annual dinner dance, to be held in the Gold Room of the Congress Hotel, has been changed from Jan. 30 to Feb. 6, in order not to conflict with President Roosevelt’s birthday day.

Boston Club Elects
Four as Trustees

Boston, Dec. 17—The local Variety Club, which has elected to serve three-year terms on the board of trustees, are: Joseph Levinson, Paul Baron, Murray Weiss and Harry Rogovin.

The annual club will sponsor the first night of the "Icecapades" on Dec. 29 at the Boston Garden, the proceeds to go to the club’s charitable work.

Levy Host to 'U' Staff

De Mones, Dec. 17—Louis Levy, Universal exchange manager, will entertain 36 employees and their husbands, and the staff of National Christmas party at the Savoy Hotel here Monday.

War Slumps as Change

Washington, Dec. 17—Sally Last, operator of neighboring theatres here and in nearby Maryland, has inaugurated the policy of giving defense stamps to patrons who want them in lieu of change.

'Soldier' Ending Run

Washington, Dec. 17—"The Chocolate Soldier" will end its run at the Astor Theatre on Broadway Sunday evening, after eight weeks. It will be followed by "The Shaughai Gesture" on Dec. 25.

Acknowledges Unity
Meet War Pledge

Chicago, Dec. 17—Acknowledgements of the resolution adopted by the all-industry unity conference in Chicago, calling for full cooperation and support of the industry to the President and the armed services, have been received by Jack Kirsch, temporary chairman, from the White House and the office of the Secretary of the Navy.

The message, signed by H. McIntyre, secretary to the President, said in part: "The message which has been received have given the President and the courage to carry out the will of the American people. For the splendid assurance conveyed that he is more than appreciative that he can say.

Lieutenant Alan Brown of Secretar
Knoo's office wrote in part: "Such offers of cooperation are extremely heartening and merit the appreciation of the entire Naval establishment."

Gruenberg Named
RKO District Head

Kansas City, Dec. 17—H. J. Gruenberg has been elected chief banker of RKO for the district of the Northwest, has been appointed by Ned E. Depinet, vice-president, as Rocky Mountain district manager, and Harry Reid, district manager, has been named as general manager.

The new executive has been granted a leave of absence because of ill health. Gruenberg will handle his headquarters from Salt Lake City.

A successor will be named shortly.

Griffith Chief Barker
Of K.C. Variety Club

San Francisco, Dec. 17—H. Griffith has been elected chief Barker of the Variety Club here, and other officers of the club are: Fred Meyn, first assistant; L. Faickenstein, second assistant; A. I. Cole, secretary, and W. G. McKim treasurer. The staff includes officers and Charles Potter, Russie Borg, R. B. Biechele, A. C. Schall, O. K. Mason and Lester Durand.

Movie Union Reelects

San Francisco, Dec. 17—Al Maan has been reelected president of the showmen's Employes' Union Local 1, and an upward trend in the union is apparent, including Secretary-Treasurer N. M. Thomas and Business Agent William Sutherland.
Right now, every company has “a great holiday show” for you. In every case, it’s marked “Do Not Open Until Xmas!”
In every case EXCEPT ONE . . .
That one is Warners’ “They Died With Their Boots On” which opened in a limited number of spots Thanksgiving Day and has already earned
THREE SMASH WEEKS AT THE N. Y. STRAND!
HOLDOVERS IN PRACTICALLY EVERY SPOT!
BUSINESS WAY OVER “DIVE BOMBER” AND “DODGE CITY”!

We opened it early so that you could know what you were buying for the holidays.
So don’t be fooled by a holiday wrapping...when you can get

"THEY DIED WITH THEIR BOOTS ON" from WARNERS for New Years!
Walker Heads Cabinet Group Censor Study

(Continued from page 1)

...the Office of Government Reports, while not a member, is sitting in on the meetings of the committee.

Stephen Early, the President’s secretary, said that Byron Price, yesterday named director of censorship, is expected to arrive in Washington Friday to meet with the cabinet committee.

The proposed program will be designing a bill. As a step developed by Government agencies before the outbreak of war and that the plan will be submitted to President Roosevelt for final approval. It is hoped that the plan will be ready for submission by the time the pending war powers bill is due for a House vote.

Mail, cable and radio messages going out of or coming in the country will subject to censorship. Government sources of information, however, will remain open because the Government considers it “most important” to continue getting information from the source to the public with the least possible delay. Early said.

Coast Groups Plan Talent Service Pool

(Continued from page 1)

ing Committee for Stage, Screen and Radio. A huge talent pool is planned for the rotation of names and for authentification of appeals for personal appearance contracts. Committees will include Y. Frank Freeman, A.M. P.P. president; Howard Strickling, chairman of the publicity directors’ committee; Edward Arnold, Screen Actors Guild president and Hollywood head of USO-Camp Shows; Kenneth Thompson, SAC executive vice-president, Bert Allenberg, Artists Managers Guild president; Charles K. Feldman, an agent; True Boardman, head of the American Federation of Radio Artists; Don Gilman, NBC vice-president; William Forbes of CBS; J. B. Korsholm of the Theatre Authority, and Jock Lawrence, who will serve as secretary.

Feldman was named to head a sub-committee to set up a talent roster. Recently, studios have been flooded with requests for personal appearances, the result of having been received in one day.

Chicago Red Cross Unit

CHICAGO, Dec. 17.—Forty-five women employees of companies along Film Row here last met to organize for an active part in the public relations campaign of the Red Cross, with the unit being formed by Lucille Ballantine, booking agent.

See U.S. Asking Extension Of Decree Escape for Year

(Continued from page 1)

She’s to resume Minnesota Selling; Given Law’ Escape

Loew’s will resume selling in Minnesota immediately as a result of a ruling, issued yesterday by Federal Judge Henry W. Goddard, extension of the anti-trade show and block-of-five sales provisions of the consent decree.

The execution enables the company to operate in Minnesota without violating the state’s anti-block-of-five statute.

Stanley Thompson, Loew’s home office attorney, presented the order, which had been agreed upon with Robert L. Wright, special assistant to the U.S. Attorney General.

Loew’s was the last of the five consent decree companies to seek and obtain the court exemption from the decree for Minnesota selling.

All companies now are selling in Minnesota under the state law, which requires distributors to offer an entire season’s output at one time with a 20 per cent cancellation right.

"We shouldn’t be penalized for that," Roy Pepper said.

"We can be ready to try this case," Feldman said, "and we’re not interested in the Schine case at the same time."

Pepper offered that the "Little Three" would not apply to the Schine case in the near future.

Want Trial Limited

Wright proposed that a trial of the New York suit should be confined only to the sections of the Government’s complaint which relate to the block booking and blind selling, which, he contended, would make possible a decision in the case by June 18. A Government victory in such a trial would meet the requirements of the decree escape clause and would continue the decree in full force beyond June 1. Both Pepper and Frolich objected to a "piece-meal" trial of that nature.

They told the court that the Government now found itself pressed for time in the face of the escape clause only because the Department of Justice has been "remiss" in not bringing the New York suit to trial ahead of the Crescent and Schine circuit cases.

Civil Defense Films Set by Studio Group

(Continued from page 1)

plicated by Nunnally Johnson and Gregory Trump, and started at 20th-Century-Fox today under the direction of Irving Pichel. Armchair films are shown only to armed forces and are restricted under military secrets and espionage acts.

Raisen Saturday Price

Lancaster, Pa., Dec. 17.—Ray O’Connell, manager of the Capitol, has increased Saturday prices.

5-Block Law Hurts Sales, Wobber Says

(Continued from page 1)

mony today. His testimony was still substantially to Wobber’s.

Wobber pointed out that sheet deals, split deals and spot bookings are now prohibited by the five-block-of-five statute and that all were convenient and widely used practices through which distributors could control the price of rentals.

He testified that the Minneapolis territory normally is handled with six to nine screen bookings every month, and that the Minneapolis exchange territory includes not only that state, where the statute is in effect, but also North Dakota, South Dakota and part of Wisconsin, where the five consent decree distributors must operate under it terms of the consent decree. That makes a problem within the branch office itself, he pointed out.

Wobber Describes Distribution

Wobber traced his 34 years association with the industry and his functions. As a witness he testified that the Minneapolis territory normally is handled with six to nine screen bookings every month, and that the Minneapolis exchange territory includes not only that state, where the statute is in effect, but also North Dakota, South Dakota and part of Wisconsin, where the five consent decree distributors must operate under it terms of the consent decree. That makes a problem within the branch office itself, he pointed out.

Essaness Moves Several Manage

CHICAGO, Dec. 17.—Several manager and assistant manager changes have been made at the Essaness Theatre circuit here. On release from Army duty, Carl Levine, formerly with Times, was appointed manager of the Biograph Theatre, succeeding Isadore Comode who replaced Roy Zermain manager of the “400” Theatre, Zermain becomes manager of the Buckingham Theatre replacing Earl Silverman who we to the Vic Theatre.

After Gosler has returned to the circuit as assistant manager of the Crawford. Raymond Kanoff we from there to assistant manager at the Miller began an assistant manager at the Nor Center Theatre.

NLRB Certificates 1A

WASHINGTON, Dec. 17.—The National Labor Relations Board today certified the IATSE as the sole collective bargaining agency for the production employees of the Alexander Film Co. and Alexander Preview Co. Colorado Springs, Colo.
Willkie Cites Film Freedom In War Crisis

(Continued from page 1)

he world of entertainment at the organization luncheon meeting held at the Hotel Americana she latter day of the National Conference of Christians and Jews, in that society's federal budget campaign to raise $300,000.

Willkie was the keynote speaker of the occasion. J. Robert Rubin, chairman of the theatre division, was toastmaster. In attendance among the many people of the business were Martin Quigley, Nicholas M. Schenck, Jack Cohn, George J. Schaefer, Emil J. Lasky, Louis Nizer, Herman Robbins, John Hicks, William F. Rodgers, Tom Connors, Russell Holman, Nate Songold, David Lipton, John Byram, Arnold Dean, N. Peter Rathvon, Maurice Kann, Malcolm Kingsberg, Gordon Youngman, Herbert Yates, C. Fred Coon, Moss Hart, Max Gordon, Howard Dietz, Joseph Vogel, Robert Savini, W. C. Michel, Silas Seagard, Arthur Mayer and others.

Those on Dais

On the dais with Willkie and Rubin were Martin Quigley, George J. Schaefer, Basil O'Connor, Dr. Everett Jenkins, Rabbi Morris Lazaroff, Jack Lasky, Will Hays, Nicholas M. Schenck and Louis Nizer.

Among other speakers who addressed the meeting were Dr. Everett Jenkins, president of the National Conference of Christians and Jews; Jack Cohn, Rabbi Morris Lazaroff of Baltimore, and Basil O'Connor is finance chairman of the National Conference. Rabbi Lazaroff was a member of the group that President Roosevelt sent to Europe to study inter-racial matters such as the conference is interested in.

Cohn announced that contributions to the campaign were gratifying and predicted that it would be successful.

A 16 mm. film, "The World We Want to Live In," produced by Columbia Pictures for the Conference was shown. The film is intended for showing in schools, churches and similar community groups. It was well received.

Willkie's Address

Willkie's speech in part follow:

"It seems almost inconceivable that only some three or four months ago I was associated with some of these very gentle persons present here today in defending the right of the great popular medium—the motion picture—for free expression. It seems most impossible that it was necessary two or three months ago to defend their right to tell the story of Nazi injustice and horror. Yet we have advanced so far so rapidly that nobody would want this great medium of public information to do otherwise today than to bring to the American people stimulation of their own activities by pictures of the great struggle that is going on in the world, and I have no doubt that they will perform their duty thoroughly and magnificently during this period carrying out their part of the national program.

"I do not think that even as yet the American people realize the character of the struggle in which we are engaged. We speak of the historic times of the establishment of this nation as one of the great periods of yesterday, and a period of trial. We frequently refer to the period of the War between the States as another great period of trial. In comparison with them, the United States faces a far more troublesome period, a period of greater trial than it has ever faced.

"Before this war has gone much further the standard of living of every person in America must be reduced and every man in America must work harder. We must grow strong and tough and end all our flabbiness and our softness. We must become men and men who are willing to fight and willing to die, and willing to sacrifice and sacrifice and sacrifice, and sacrifice completely. In the periods when men must sacrifice their daily habits of living, when men must sacrifice and men must die, always there arises under such conditions the spirit of intolerance and prejudice. Men and women become suspicious of each other. Men and women begin to point the finger of scorn at others and at their beliefs, and I am here today—and I expect to appear on many other occasions such as this, in order to raise my voice every time it appears, against the slightest touch of intolerance arising in America at this time.

"We must preserve the civil rights of this country and the freedom of expression, or all of our sacrifices will be in vain.

"This is the kind of cause that many people forget during a crisis of the present kind when there are so many calls, and when they must consider what they can give and how they can give it, but you cannot give it to a better cause than one that stands for what all Americans believe—that during a period of stress and strain—we of us—all of us Americans—may have our birthright of freedom and liberty."

Huston to Join Army

Hollywood, Dec. 17.—John Huston, Warner director, will join the Army as a captain in the Signal Corps when he completes work on his current film.
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Two-Faced Woman's Reclassified by Legion of Decency

(Continued from page 1)

A SCREEN foreword on this Mayfair production by Jules Levey points out that any connection between this and a motion picture is purely coincidental—and that is approximately correct.

For those who like their comedy with music and an endless—and quite noisy—procession of antics, this should prove popular and amusing entertainment.

All the bars are down on a conglomeration of completely insane nonsense, "suggested by" the apparently endlessly popular stage show of the same name starring Ole Olsen & Chic Johnson. It would appear that the measure of success enjoyed by the stage show in various parts of the country would mark the measure of box-office success for the film.

It must be sold as novel nonsense of the Olsen & Johnson variety. To attempt to indicate the sequence of occurrences—for that is all there is—appears virtually impossible. It is a story about a story about nothing, with a romantic thread which appears to serve merely to hold the component parts from flying completely apart.

Olsen & Johnson talk to the audience; they disappear; chorus numbers appear, on a stage and in a swimming pool; music is heard, songs are sung; the stunts run from Rube Goldberg cigar lighters and old-fashioned slapskitt to new-fashioned horseplay. Supporting the cast are Martha Raye, Hugh Herbert and Mischa Auer, specializing in the comedy, and Jane Frazee and Robert Paige, handling the romance and the songs. Glenn Tryon and Alex Gottlieb produced, and H. C. Potter directed, while the music was written by Don Raye and Gene de Paul.

Running time, 84 minutes. "G."* CHARLES AARONSON

"Hellzapoppin" (Universal)

"G" denotes general classification.

Hatter's Castle"

(Paramount-British)

THEDENESS OF A J. Cronin still means something to the British public and it is hardly surprising of his novel that the British exhibitor will seek to sell this newest Paramount-British film.

The subject is gloomy, and the film has been directed and acted with a deliberate inclination towards the melodramatic and somber. While it is in a sense escapist, since it is entirely removed from the present and preoccupations of war, it does not necessarily follow that jaded and nerve-strained wartime audiences will take kindly to its unrevealed solemnity.

The performance of Robert Newton, as the egomaniac Mad Hatter, whose craze for power is the inspiration of the story, is a dominating one and marks the actor as one of the British films' leading artists.

Others in the cast are Deborah Kerr, as the daughter; Enid Stamp-Taylor, as the other woman; Emlyn Williams and James Mason, all known to British audiences and all giving good performances.

Although the essential theme in "Hatter's Castle" is the power mania of James Brodie, leading hatter of Levinford, the picture is heavy Victorian melodrama in a modern romantic.

The film is for the most part adequately technique, with the camera work a notable factor in this regard.

Running time, 108 minutes. "A."** AUBREY FLACIAN

"A" denotes adult classification.

The Royal Mounted Patrol"

(Columbia)

THIS action film should please the followers of that type of picture. Dealing in the first part with the lighter aspects of the Mounties' curriculum and subsequently developing into more rugged entertainment, the film is nicely balanced and away from routine.

Charles Starrett, Russell Hayden and Lloyd Bridges join the service, train together, and have girl (Wanda McKay) problems. The scenes shift to the backwoods where Miss McKay's brother, Donald Curtis, and his crew are cutting too much timber. At this point comes the action, Starrett and Bridges, in charge of the district, are joined by Hayden, member of the air corps, bringing medical supplies for native children. Miss McKay sets out to help the Mounties stop a timber pirate. Curtis sets the forest ablaze as an excuse to move his timber. After capturing the fire, Starrett and the Mounties set out for Curtis, and eventually get their man. Lambert Hillyer directed. William Burke produced.

Running time, 59 minutes. "G."* EUGENE ARNELL

"G" denotes general classification.
F.C.C. Authorizes
New Iowa Station,
Changes in Power

WASHINGTON, Dec. 17—The F.C.C. has issued a construction permit to the Iowa Great Lakes Broadcasting Co., for a new 1,240-kilicycle, 100-watt station. Orders of yesterday authorized five stations to increase their power.

The power requests approved were those of Stations WERC, Erie, Pa., for increase of night power from 1,000 to 250 watts; WMVA, Martinsville, Va., for increase of night power from 1,000 to 1,240 watts; WSRF, South Bend, Ind., for increase from 500 to 1,000 watts; KOY, Phoenix, Ariz., for increase of day power from 1,000 to 3,000 watts; and WNWN, Watertown, N. Y., for increase from 500 to 1,000 watts, extension of time from day to unlimited and change of frequency from 1,300 to 790 kilocycles.

Orders Several Hearings

The commission ordered hearings held on the applications of the Genesee Broadcasting Corp., for a new 600-kilicycle, 100-watt station at Flint, Mich.; WTVS Radio Co., Inc., for a 600-kilicycle, 1,000-watt station at Toledo, Ohio; WML, Rochester, N. Y., for change of frequency to 790 kilocycles and increase of power to 5,000 watts; WGRG, New Albany, Ind., for increase of night power to 790 kilocycles and increase of power to 1,000 watts night, 5,000 watts day; and WOR, New York, for change of frequency to 790 kilocycles and increase of power to 1,000 watts.

Every construction permit for a new 1,240-kilicycle, 250-watt station has been asked by the Ludington Broadcasting Co., Ludington, Mich.

Western Pa. Park

Gross Up for 1941

PITTSBURGH, Dec. 17—Amusement park business last Summer in western Pennsylvania was from 13 to 15 per cent ahead of 1940 grosses, a survey of park managers indicated. Opinion was varied on the gate-pulling power of free acts and traveling name bands. Indications are that 1942 business, judging from industrial pay-rolls and advance picnic bookings, will be even better than this year.

Blessed with fair weather, most of the Summer, the parks enjoyed heavy attendance of booked outings, and brisk transient trade. Although none of the district parks exact gate admissions and therefore are unable to record the exact total attendance figures, most park managers believed that per capita spending was up, as well as attendance. Nine amusement parks operated in this area last Summer.

Books Admission to ‘Corsican’ Opening

At the opening of the United Artists’ small film, “The Corsican Brothers” at the Palace in Washington today, anyone bringing books to the theatre between 10 A.M. and 1:30 P.M. will be admitted free.

The arrangement has been sponsored by the Newspaper Women’s Club of Washington, and is designed to obtain books for the armed forces of the country. Many books already have been contributed since announcement of the plan.

There is a mechanized defense against your subtenent's

As essential as aircraft detection equipment to national defense, is the Altec Service man’s electrical and mechanical equipment, by which he diagnoses and curing hidden maladjustments before they cause breakdowns.

Daylight Saving Time

Proposed for Calif.

Hollywood, Dec. 17.—The Los Angeles city council and county board of supervisors today recommended the passage of daylight saving time legislation by the Legislature as a war time measure.

Daylight saving proposals have been defeated about four times in the last 13 years in California. Theatre groups usually have headed the opposition.

Seattle FM Station

Building Proceed.

SEATTLE, Dec. 17.—Installation of the Pacific Northwest’s first FM broadcasting station, for coordination of Seattle and King County law enforcement work, will proceed as previously scheduled.

It was at first believed that Army authorities might object to the installation, but word has been received from Washington that the Army has no objection to the installation of a FM radio station for use of the Seattle police and sheriffs’ offices.

Heads Reading Union

READING, Pa., Dec. 17—Frank Diefenderfer has been reelected president of the local musicians’ union this year, and was reelected to the 22nd consecutive term. George Haller was elected vice-president, and Edward A. Gicker, secretary; George W. Snyder, treasurer.

Off the Antenna

FORMAL dedication of WSH, the FM station of WTIC, Hartford, will take place some time in March when a new antenna now under construction will be put into operation. The station made its bow as a commercial FM outlet Monday. Two sponsors have already been signed, WQXR, the WQXR FM experimental station, returned to the air yesterday from its new location in the Gotham Broadcasting Building. The station, with 10,000 watts and renamed WSH-N will start commercial operation shortly, it was said yesterday. W71NY, the WOR FM station, will be host to more than 100 advertising agencies executing at an "FM party" to be given jointly by the WOR and W71NY sales staffs on this day.

Purely Personal: George Locatier, drama program director of the NBC recording division, has been made a member of the British-American Ambassa-
dor’s Corps committee in recognition of his production of a special wartime Christmas program. . . . Una Merkel will be guest of Dorothy Kilgallen on "The Voice of Broadway" over CBS at 11:30 P.M. Saturday.

Bill Berns, film reviewer for WBYN, has polled the film critics of all New York radio stations, and will award what he designates as "Oscars" to winners on his WBYN program, 1:30-2 P.M. today. Awards will go for the best picture, production, direction, actor, actress, supporting player, music photography and newcomer, and will be made in the film Critics of the Air.

New business reported by WHK includes sponsorship of "Newsrel Theatre of the Air" by Morris Plan Industrial Bank, renewal by Hearren Department Store of "Kiddie and Quiz Show," renewal by Paul Kascel & Sons of "The Bright Brains of the Blues," five-minute daily talks by Simon & Schuster for its tax instruction book, and spot announcement contracts by Dill Co. and P. Duft & Sons.

Program News: Wrigley Gum has extended Gene Autry’s Sunday night show over CBS from 25 minutes to 45 over 72 stations. "Melody Ranch" will therefore take up the entire 6:30-7:15 spot and "Dizzy Mort" will be discontinued. Wrigley has extended show on the network for Thursday nights some time in January. . . . Froster & Gamble has added 18 more NBC Red stations for "Truth or Consequences," bringing the total to 63 stations, effective Jan. 3. . . . International Salt will sponsor "Wife Saver" Saturdays, 10-11:30 A.M., over 20 NBC-Red stations beginning Jan. 10. "American Accents of the Free," sponsored by Anacin, will shift from 10-11 A.M. to 11-noon. . . . Summer Products has rechristened "Manhattan at Midnight" for another year over NBC-Blue, adding 10 stations and bringing the total to 60.
NEW YORK, U.S.A., FRIDAY, DECEMBER 19, 1941

**MOTION PICTURE DAILY**

**Bob Hope Is 1941 Winner Of Radio Poll**

*Chosen by 600 Editors In Sixth Annual Vote*

By EDWARD GREIF

Make way for the new Champion of Champions, Bob Hope! The funny man of the Pepsodent show was accorded top honors by the more than 600 newspaper radio editors and columnists of the United States and Canada, participating in Motion Picture Daily's sixth annual radio poll on behalf of Fame. Hope thus becomes the third radio star to win top honors in six years of voting. Edgar Bergen, aided by the wooden-legged Charlie McCarthy, was named top man three years; Jack Benny, who won last year, was also in the leader in the poll. This year's voting showed many shifts in the radio editors' tastes and, if past polls are any indication, the results will preserve a change in the public's taste as well.

Following Hope in the Champion of Champions classification were Benny, who has never been lower than second, and Bing Crosby, another perennial favorite, who was also in the third spot last year and the year before.

(Continued on page 6)

**Carry On' Montague Urges Sales Forces**

The Columbia sales organization was urged to "carry on with everything you have been doing in this emergency," by Abe Montague, general sales manager, in a message sent department members yesterday.

"You must know that there has never been a greater morale builder invented by man than the motion picture," Montague said in part. "We in this business are obligated to see that nothing happens to keep it from giving full benefits to the greatest number of people."

**War Cancels 1942 Academy Award Banquet**

Hollywood, Dec. 18—The board of governors of the Academy of Motion Picture Arts and Sciences late last night cancelled the annual Academy Awards banquet, which had been scheduled for Feb. 26. War conditions were cited as the reason for the decision, which was reached by unanimous vote.

The step is in line with the cancellation of the Rose Bowl football game, the Pasadena Tournament of Roses, the Santa Anita race meet and the Tournament of Roses. The Rose Bowl game and the Tournament of Roses were also cancelled.

(Continued on page 10)

**Big New Year Business Is Seen on B'way**

Public Expected to Be Seeking Gaiety

A New Year's Eve greater than any before is expected by Broadway theatre men who will have top-notch product from all major distributors for the holiday.

Within the next two weeks, it is believed, the public will adjust itself to war conditions and will be in the mood for entertainment to welcome the new year.

Most first runs will bring in new shows Dec. 31, although some will hold over feature and stage attractions opened Christmas. All houses will give extra performances, some remaining open all night and others until four or five o'clock in the morning. As in previous years, most managers will keep the show going as long as there is business.

M-G-M's big musical, "Babes on Broadway," with Mickey Rooney and (Continued on page 8)

**Grosses Reported Above Last Year's**

Despite the reaction of the public to the outbreak of war last week, national grosses for the seven days from Dec. 7 through Dec. 13, will show above the grosses for the corresponding period a year ago, according to the early business reports to home offices of national circuits. The decline in receipts for the week, compared with the preceding week, was smaller than the decline for the two comparative periods a year ago. The greater decline this year is attributed by circuit officials (Continued on page 8)

**Wobber Hits Legal Restriction on Films**

Sr. Paul, Dec. 18—Herman Wobber, 20th Century-Fox director of distribution, continued on the stand today in the trial of the criminal actions against Paramount, RKO and 20th Century-Fox for violations of the Minnesota anti-block of-fate law in Ramsey County district court here. Wobber's testimony again tended to support the defense contention that the film industry is not properly subject to.
Staff Buys Defense Stamps Each Week
Chicago, Dec. 18.—The entire staff of the RKO exchange here, numbering 46 employees, have pledged themselves to buy approximately $100 worth of U. S. Government stamps every week on a payroll allotment plan. The move was entirely voluntary on the employees’ part.

Circuits Distribute Data on Air Raids
All major circuits are informing their managers in the field of air raid precautions and measures to be taken in event of blackouts, it was learned yesterday. Among these, Paramount, it was announced, has sent to its theatre affiliates a complete plan for air raid emergencies, including instructions for training of theatre staff. The plan was drawn up by Henry Anderson, manager of Paramount’s insurance department.

In Buffalo, more than 60 Western New York theatre owners yesterday with Police Commissioner Austin J. Roche to make plans for darkening their houses on the night of Buffalo’s first blackout, scheduled for Dec. 26 at 11 P. M.

NEW YORK THEATRES

RADIO CITY MUSIC HALL
“H. M. PULHAM, Esq.”
Ad M.G.M Pictures with
HEDY LAMARR • ROBT. YOUNG
RUTHERFORD
with the New York’s
Great Christmas Stage Show
1st Montclaire State Reserved. Circle 6-6000

BING CROSBY MARTIN
In Paramount’s
“BIRTH OF THE BLUES”
IN PERSON
ORIN TUCKER and Band
Featuring
WE BONNIE BAKER TIMES SQUARE

PARAMOUNT
Don Ameche Joan Bennett
“CONFIRM or DENY”
PLUS A BIG ROXY 7th Ave., 26th St.

PALACE BWAY & 47th St.
CARY GRANT-JOAN FONTAINE in ‘SUSPICION’
20th Century-Fox presents
“HOW GREEN WAS MY VALLEY”
United Artists
RIVOLI
Broadway at 49th St.
Continuous Pop. Prices. Midnight Shows

Personal Mention

E. V. RICHARDS is in town from New Orleans.

ED KUYKENDALL arrived here yesterday and plans to leave for his Columbus, Miss, home today.

JULIUS GORDON, circuit operator of Beaumont, Tex., is in town.

R. B. WILY of the Wilby-Kincey circuit will return to Charlotte today.

A. M. BORTSFORD and Morris KINZLER are due from the Coast today.

Pascal to Sign With U.A., RKO Deal Off
Hollywood, Dec. 18.—Gabriel Pascal said here today he expects to sign a deal in the next few days for release of three pictures through Artists Inc. Artists had failed to sign a contract for his recently announced distribution arrangements with RKO. The pictures include “Arms and the Man,” for which Ginger Rogers and Cary Grant have been announced; “The Millionaires,” from the G. B. Shaw play, and “Snow Goose.”

‘Star’ Talent Cast in Civil Training Film
Hollywood, Dec. 18.—Don Ameche, Milton Berle and Thomas Mitchell are the “stars” of the first civilian defense training film being made by the Academy of M. P. Arts & Sciences Research Council in collaboration with the Army Signal Corps. The film is being shot at 20th Century-Fox, with Irving Pichel directing. The picture will be shown in theatres.

Davison New RKO Salt Lake Manager
Gifford Davison has been appointed by Ned E. Depinet, RKO vice-president, as branch manager in Salt Lake City, succeeding L. S. Grefenberg, promoted to RKO Mountain district manager. Davison has been an RKO salesman the past four years.

Dolvin WB Manager For Oklahoma City
Walter Dolvin has been appointed Warner Bros. branch manager in Oklahoma City, the company announced yesterday. He has been office manager and salesman at that branch. He joined the company in 1931 as salesman.

KALTENBORN Edits the News
H. V. Kaltanborn, America’s most famous news analyst, answers the questions your patrons ask.

U.A. Party Tuesday
United Artists next Tuesday will give a luncheon in the South Lounge of the Rockefeller Center Luncheon Club, for Arnold Pressburger, producer, and Joseph von Sternberg, director of “The Shanghai Gesture.”

Newsreel Parade

FIRST pictures of the Japanese attack in Hawaii as passed the X-rated distributors are expected to be released in the week-end. Newsreel and their contents follows:


Crandall to Handle U. F. Exploit Co.
Milton Crandall has been assigned to handle national exploitation of “Dead” by Universal. K. F. Poland Group production being released Universal. Crandall was assigned Louis Pollack, Universal Eastern advertising and publicity manager, handle key city openings and prepare material for road men.

Burns Lap Novelties
New Philadelphia, O., Dec. 18—William Gillman, local exhibitor, recently has published a story of a ship that burned a shipment of Japanese notes received recently for distribution to patrons at New Year’s Eve show. The novels were re-rented, but order specifically provided that it must be “made in the U. S. A.”

Motion Picture Daily

Friday, December 19, 1941

Motion Picture Daily (Registered U. S. Patent Office)

Published daily except Saturday, Sunday holidays by Quigley Publishing Co., 569 Sixth Avenue, publication office, New York City. Telephone Circle 7-3111, Quigley, Editor-in-Chief and Publisher, William T. Quigley; Vice-President and General Manager, Walter R. Roth面包, V. L. Keats; Vice-President. Confidential and Telegraph Manager, Watterson R. Roth; Editor, William L. Van Horn, Edward R. Finestone; Managing Editor; James Cron, Advertising Manager; Chicago Bureau, 221 North Michigan Avenue, C. H. O’Meara, Manager; Hollywood Bureau, Postal Union Building, William W. Weaver; Editor, Leonard Friedman, Manager; London Bureau, G. Square, London W1, Hope Grant, Manager, address “Outgoing London mail center,” Bought 1941. Quigley Publishing Co., Inc. Or publications: Motion Picture News, The Herald, Better Theatres, International Screenwriter and Film Focus.

Distribution rates per year $6 in the Americas $12 foreign. Single copies 10c.
RIGHT ON TIME!

For immediate booking from M-G-M!

"WAR CLOUDS IN THE PACIFIC"

2 Reels of Amazing Film That Foretold History!


Book it! Advertise it!
Pack your theatre NOW!
AT LAST IT'S ON

BIGGER!
BETTER!
CRAZIER!
FUNNIER!
Than
on the
Stage!

HELLZAPOPPIN'
starring OLSEN and JOHNSON

MARThA RAYE

HUGH HERBERT • MISCHA Auer • JANE FRAZEE • ROBERT PAIGE • GUS
SCHILLING • SHEMP HOWARD • The Six Hits • Slim and Stom • The Congeroot
and Spectacular Water Ballet

Screenplay by Nat Perrin and Warren Wilson • Based on an original story by Nat Perrin
Suggested by the stage play "Olsen & Johnson's Hellzapoppin'" • Directed by H. C. Perrin

A MAYFAIR PRODUCTION

ASSociate Producers, Glenn Tryon and Alea Gocdiec
HERE'S the GREATEST DATE in the HISTORY of YOUR BOXOFFICE! AVAILABLE NOW!

SET IT NOW!
Bob Hope Is
1941 Winner
Of Radio Poll
(Continued from page 1)

tore that. Hope first started to figure in the poll in 1939, when he placed seventh among the Champions and second among comedians. Last year, however, he moved up to second place in both groups and this year he is first in both.

Skelton Leading New Star
Red Skelton, whose name has be-
gun to be associated with comic-theatre marques, was voted the Outstanding New Star of the Season. Dinah Shore replaced Kate Smith who held the crown for three years, as the Best Popular Female Vocalist, but Bing Crosby, in the male section, came first, for the fifth consecutive year. Best new classification, Best Master of Ceremonies, Bing also won.

The name of Fanny Brice, some-
times known as Baby Snooks, re-
peared in the Motion Picture DAILY polls in 1938 when she was voted Best Comedienne and she has remained on top since, including this year, mak-
ing it four in a row. Fibber McGee & Molly, who have been in the running every year, were named Best Comedy Team for the third consecutive year.

The Best Variety Show on the air, according to the editors, is "Kraft Music Hall," the Best Quiz Show is "Information, Please," the Best Drama-
icatic Program (different plays) is the "Lux Radio Theatre," and the Best Dynamic Series (same cast and characters) is "One Man's Family."

Robinson Chosen Again
The editors chose Edward G. Rob-
inson again as the Most Effective
Motion Picture Player on the Air. H. V. Kal-
tenborn, who ruled the Best Actor in
News, is selected again as the Analy-
stor for two years until he was unseated in
1940 by Raymond Gram Swing, was reinstated to the top position this year, with Swing second and Elmer Davis, third.

Bill Stern, the NBC sports director, was voted Best Sports Announcer for the second year, while Harry von Zell, who has always been up there right behind the leaders, finally achieved undisputed first place as Best Studio Announcer.

Among the dance bands, Guy Lom-
bardo's outfit was voted Best Dance
Orchestra (Sweet) for the third year in
a row and for the fourth time in six years. The Best Dance Orchestra (Swing) is Glenn Miller's again.

Moving over to the classical side of
music, Richard Crooks again is found chosen as the Best Classical Male Vocalist, just as he was last year. Gladys Swarthout, after several years in one of the runner-up positions, this year was elected by the editors as Best Classical Female Vocalist.

Leopold Stokowski, who is conduct-
ing the NBC Symphony Orchestra this year, was named Best Symphonic Conductor, with Arturo Toscanini, second, and John Barbirolli, third.

The CBS "Spirit of '41" was the program which won the award for the Best Special Events or News Job Per-
fomed by Radio in 1941, and it was the CBS "School of the Air of the

(Continued on page 11)
to gala crowds all over the country! Big holiday openings set in these spots for

Ball of Fire

KEEP YOUR EYE ON THE "BALL!"

SAMUEL GOLDFYN PRESENTS
GARY COOPER * BARBARA STANWYCK
Ball of Fire

Directed by HOWARD HAWKS
Produced by SAMUEL GOLDFYN
Screen Play by Charles Brackett and Billy Wilder

Released through RKO Radio Pictures Inc.
**Reviews**

**“Remember the Day”**

(20th Century-Fox)

HERE is a warm and human motion picture, produced with consummate skill and performed with such intelligent understanding as to be certain to work its way into the hearts of all who see it. A nostalgic romance of a school teacher and her soldier-husband, it has the quality of greatness in its ability to extract the maximum in sympathetic understanding from the audience. As much it must take of the widest or audience appreciation, with corresponding results at the box-office.

Too much cannot be said for the beauty of the performance of Claudette Colbert as the teacher, perhaps the finest work she has ever done. In no particular is the film weak. Taken from a play by Philo Higley and Philip Dunham, it was written most expertly for the screen by Tess Slesinger, Frank Davis and Allan Scott. William Phipps, who produced, and King, the director, have achieved rare success in bringing the story to the screen. Here is ample proof, incidentally, that greatness does not depend upon length.

Miss Colbert’s support does not let her down. Most able performances are offered by John Payne, as the soldier; Ann Todd, as a child pupil; Douglas Croft, as another pupil, whose life is guided into a path of future greatness by the understanding of the teacher; John Shepperd as that boy grown to greatness, and all the others.

The story opens of Colbert, elderly and quiet, waiting in a thronged hotel lobby in Washington, trying to see the Presidential nominee, once her pupil. As she waits the story is told. The teacher who is loved by Payne, another teacher, who leaves when scandal would attach to her name, although no possible reason exists, and of the beauty of their love before his leaving; his return, in Canadian uniform, in 1916, and the sorrow leaving-taking immediately after their marriage.

Then the other half of the story, the small boy, who conceives a deep affection for the teacher, too deep for a boy of his years, and who is made to see that life’s disappointments must be met with courage. That is the bare outline of a story poignant with feeling and beauty, however simple. At the conclusion, the nominee suddenly remembers the woman, who timidly approaches him, the audience learns that the soldier-husband had never come back, and the teacher, happy in work well done, shares the triumph of the boy she had guided years before.

Running time, 85 minutes.  *G.*

CHARLES S. AARONSON

**“Blue, White and Perfect”**

(20th Century-Fox)

LOYD NOLAN as Michael Shayne, the private detective, is on the trail this time of saboteurs. Before tracking them down, he encounters smugglers, escapes death by shooting and drowning and is almost killed by several trucks. Nolan does action enough to satisfy and should do well as a supporting feature.

Nolan returns broke from a previous adventure and finds that his sweetheart, Mary Beth Hughes is about to marry another man. Through a force, he forces the arrest of this man (Ivan Lebedeff), but actually develops that the man was a bigamist. Nolan promptly gets a regular job and, although he obtains employment as a riveter, his real duties are to prevent sabotage. Industrial diamonds needed for defense work, are stolen by a gang led by Steve Geray, and Nolan is off on another hunt.

Ultimately, Nolan, with the aid of George Reeves, an F. B. I. man, round up the gang, and the story is one of the most interesting of the year. Ran- ing time, 75 minutes.  *G.*

EDWARD GREER

**“Blonde Comet”**

(Producers Releasing)

THIS has an excessive amount of auto racing fitted into a thin plot primarily concerned with the romance of two speedsters, one the young lady of the title, Virginia Vale, and the other, Robert Kent, her chief competitor, until he discovers her feminine charm.

The picture, not well made, has little to offer except the racing footage, which should appeal to those who have a particular interest in motor track action. It has, too, the veteran of the speedways, Barney Oldfield, who remains on the sidelines throughout where he has some trouble with the dialogue. For purposes of a comical touch, Vince Barnett also is on hand as the not too bright mechanic.

Running time, 66 minutes.  *G.*

EUGENE ARNEL

**G** denotes general classification.

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**Boston Gross Shows Gains; ‘Pulman’ Bess**

BOSTON, Dec. 18.—Grosses were generally higher with “H. M. Pulman Esq,” coupled with “Sing For Your Supper” registered a big gain.

Estimated receipts for the week ending Dec. 10:

- *A Date With the Falcon* (Univ.)
  - Keith BOSTON—$6,697 (30c-46c-50c) 7 days, gross: $22,000.
  - Estimated dollar gain: $2,700.
  - "Spank Water" (20th-Fox)
  - "Nine Lives Are Not Enough" (W. B.)
    - PARAMOUNT—$4,860 (30c-46c-50c) 7 days, gross: $16,500.
  - "Sweat Water" (20th-Fox)
  - "Nine Lives Are Not Enough" (W. B.)
    - LOEW’S—(Zooth-Fox) $1,950 (30c-46c-50c) 7 days, gross: $5,500.
  - "Sweat Water" (20th-Fox)
    - BELLE STAIRS (Para.) SCICIG—$1,200 (30c-46c-50c) 7 days, gross: $3,500.
  - "H. M. Pulman, Esq." (M-G-M)
    - "Sing for Your Supper" (Col.)
      - BOSTON—$1,300 (40c-46c-50c) 7 days, gross: $5,400.
      - "Pulman’s Bess" (20th-Fox)
        - BELLE STAIRS (Para.)
          - "Sweat Water" (20th-Fox)
            - LOEW’S ORIGEUM—$1,500 (30c-46c-50c) 7 days, gross: $3,500.

**Grosses Reported Above Last Year**

(Continued from page 1)

to the war reaction, although some decline during the three weeks preceding Christmas is normal and expected.

However, circuit officials say that the level of receipts this year is more than last year’s. They believe that even the greater decline did not bring last week’s gross below that of the comparable week last year. The reason, according to the officials, is that the receipts are credited with having maintained receipts at a higher average level for the week. However, the fact that stage shows suffered a more drastic drop in week than did straight film houses with outstanding attractions.

**‘Woman’ Captures $10,000, Montreux**

MONTREAL, Dec. 18.—“Two-Fall Woman” led Montreal grosses with $10,000 at Loew’s. “It Started West” at the Palace netted $9,500.

Estimated receipts for the week ending Dec. 11:

- ORPHEDUM—($000) (30c-40c-60c) 7 days, gross: $3,500.
  - Average, $4/0 (30c-40c-60c) 7 days, gross: $3,200.
  - LOEWS—(Zooth-Fox) $2,000 (30c-46c-50c) 7 days, gross: $3,200.
  - "It Started West" (Usv.)
    - SINGING FOX—$1,500 (30c-46c-50c) 7 days, gross: $3,000.
  - "We Go Fast" (20th-Fox)
    - ORPHEDUM—$2,000 (30c-40c-60c) 7 days, gross: $3,000.

**Three Girls About Town” at Col. **

"ElissaQueen Fifer, who plays the Perfect Crime" (Col.)

"Sergeant York" (W. B.)

LOEFS ORIGEUM—($000) (30c-46c-50c) 7 days, gross: $2,800.

"Swamp Water" (20th-Fox)

"Nine Lives Are Not Enough" (W. B.)

PARADIGM—$2,500 (30c-46c-50c) 7 days, gross: $3,000.

"Sweat Water" (20th-Fox)

"Nine Lives Are Not Enough" (W. B.)

BELLE STAIRS (Para.)

"Nine Lives Are Not Enough" (W. B.)

"Sweat Water" (20th-Fox)

"Nine Lives Are Not Enough" (W. B.)

"Sweat Water" (20th-Fox)

"Nine Lives Are Not Enough" (W. B.)

"Sweat Water" (20th-Fox)

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"Sweat Water" (20th-Fox)

"Nine Lives Are Not Enough" (W. B.)

"Sweat Water" (20th-Fox)
YOUR FAVORITE RADIO HERO ON THE SCREEN!

MR. DISTRICT ATTORNEY

IN THE CARTER CASE

Based on the PHILLIPS H. LORD Radio Program "MR. DISTRICT ATTORNEY"

JAMES ELLISON  VIRGINIA GILMORE

FRANKLIN PANGBORN  PAUL HARVEY  LYNN CARVER  SPENCER CHARTERS

BERNARD VORHAUS  Director

Original Screen Play by SIDNEY SHELDON AND BEN ROBERTS

A REPUBLIC PICTURE

* BUY U.S. DEFENSE BONDS *
Cancel Academy Awards
Banquet Because of War

(Continued from page 1)

other public gatherings which tend to produce traffic congestion, hampering military forces in an emergency.

A statement issued following the governors' meeting said: "The board, however, unanimously expressed the feeling that outstanding film achievement of the past year should not be unrewarded because of the great public interest in them. A form of presentation more in keeping with the times and existing conditions will be created. That will be decided the first week in January."

Rules which have applied for balloting in past years will be followed with little or no change, with nominating ballots distributed to eligible voters Jan. 25 and final voting ballots mailed Feb. 12. The date, place and manner of award presentation will be announced later.

War Group Theatre
Unit Holds Session

(Continued from page 1)

understand that a report and recommendations will be made to the MPPDA board of directors' meeting scheduled for today.

Among those at yesterday's meeting were: Beralhard, Francis Harmon, Ed Kuykendall, Leonard Goldenson, Spyros Skouras, Harry Brandt, R. B. Wilby, E. V. Richards, St Fabian, C. C. Moskowitz, Sam E. Morris, Nathan Yaminis and C. W. Koerner.

Joint Christmas Party

NEW HAVEN, Dec. 18.—Metro and Paramount Peg. Clubs here will get together for a Christmas dinner party and dance at the Oakdale Tavern on Tuesday.

Schine Will Seek
Later Date Than
March for Trial

(Continued from page 1)

hearing for a lengthy postponement of the Schine trial due to the Government's action in New York District Court Wednesday in connection with the trial of the "Little Three" anti-trust suit here some time this Winter or early Spring.

Charges U. S. Dilatory

McKay's action was taken on the grounds of the plaintiff's inability to defend interrogatories "do not serve the purpose for which they were intended and are of no assistance whatever to the Schine defendants in order to enable them to adequately prepare for trial," despite the fact that an answer has been extended for the Government from Oct. 5 to Nov. 25 and that no objections to the interrogatories have ever been made by the Government.

The time for making such objections now "has long since expired," McKay stated, "and plaintiff is therefore required to answer them in good faith just as though an order of the court had been made and entered against it."

Questions Unanswered

McKay said that out of a total of 43 interrogatories put to the Government, the plaintiff responded that "it does not have the knowledge required to answer all of them in their entirety and with respect to 13 subdivisions of those remaining.

Wobber Hits Legal Restriction on Films

(Continued from page 1)

ject to legislative regulation. He is expected to finish tomorrow when the trial is scheduled to adjourn until after the holidays.

Questioned by Frederick Lorenzen, New York defense attorney, along lines designed to show the commercial value of the production of a large number of pictures, Wobber offered statistics showing the variations in bookings received on individual pictures.

His figures revealed that "The Grapes of Wrath" received 12,107 bookings, whereas "The Great Commandment" received only 1,792. "The Bluebird," Shirley Temple's last picture for the company, lost $500,000 on 10,000 bookings despite the fact the company considered it the best Shirley Temple picture it had produced, Wobber said.

Six Argentine Films
Showing in Mexico

Mexico City, Dec. 18.—Six Argentine films are featuring the current program of the leading first run theatres here, the Cine Teatro Alameda, the Cine Iris and the Cine Magreth. These are the first of the 34 Argentine films to be exhibited in Mexico during the Winter. The six now being exhibited are from four companies: Sono Film.
Editors Tell What's Right—Or Wrong—About Radio

(Continued from page 1)

falling flat because of poorly conceived gags and stale humor. . .
Radio has done a fine job of presenting spot and commercial programs of the international situation... Corry commercials... Commercial announcers still too emotional."

"Comedy at Low Ebb"
California: "The Government can have no complaint at the cooperation it is receiving from all networks. Comedy material is at a rather low ebb, with rather few soap operas. Special commendation is due the industry for the fine work in coverage of war, changing conditions and the like, without injection of personal beliefs or propaganda. There is still a tendency for many programs to be pedantic. Many commercials are long-winded."

"Pennsylvania: "Some recognition should be especially designed for the shoestring comedian without radio assistance these comedy programs would not be what they are. . ."
"Ohio: "The tremendous programs boosting national defense are rather poorly done, considering the talent that's drafted for them."

"Texas: "Radio, as lively as ever, is the only amusement that costs no more than a year... . . . The industry is making the most of its public service opportunities. . . . With the quiz show era having run its course and interest in war news rising, radio has launched the 1941-42 season with a new high for dullest entertainment and lack of innovations... . . . Radio needs new stars and program ideas. . . . Too much touching up of programs... . . . too much studio mugger for inside audiences and syrupy piffle with sappy premises will kill radio."

"Missouri: "No progress for radio this year, except defense reporting and war news. . . . Too much canceling of the few fairly good radio concerts to make room for public affairs and special programs."

"New Jersey: "Serious and tragic war news should not be interlarded with commercial announcements."

"North Carolina: "Further Government regulations should be avoided... . . . No danger in newspaper and radio co-operation and ownership."

"Indiana: "Public is going stale on many radio stories. Scripts should portray the happy side of life. . . . Too much kidding of married life.

"Programs too Similar"
Iowa: "There are too many programs alike each season. . . . Too many good programs are on the air at one time."

"Wisconsin: "Radio is growing up into maturity... . . . Let it grow."

"Florida: "Spot announcements are the scourge of the broadcasting industry."

"Massachusetts: "Radio should not be harassed by politically minded individuals or Government bodies. . . . American Radio is the finest in the world.

"Connecticut: "Replace some of those daytime serials with good symphonic music. . . . With the war and national defense boom taking many away from their homes at night, it may be well to provide some good music for those nighttime workers during the afternoon."

Mexico Restricting Radio in Emergency

Mexico City, Dec. 18—Mexico has clamped down on radio as a war emergency with the cancellation of all amateurs' sending and receiving permits and of strict regulation of broadcasts by the Federal and commercial and other stations in the country. Inspectors of the Ministry of Communications and Public Works have strict orders to censor rigidly the news phases of these stations' programs and to forbid the transmission of any information that is not verified or at least sponsored by the press associations that the Mexican Government approves for Mexico. The stations are forbidden to broadcast news "flashes."

This action has been adopted, the Ministry of Communication and Public Works,... to prevent undue alarm and avoid panic.

The DEVIL PAYSD OFF

A Republic Picture

J. EDWARD BROMBERG, as Debeck, who consorts with the devil.

MBS Sponsors May Cancel on War Cause

Mutual yesterday announced that all existing and future contracts would contain a war clause giving sponsors the right to cancel program commitments in the event the war substantially curtails or interferes with their business. Sponsors must give two weeks' notice. The announcement no later than two weeks after their business is interfered with can be curtailed.

NBC stated that there has been no demand by sponsors for a war clause, although many talent contracts contain war cancellation options.

DCB Unit to Advise OPM on Materials

Washington, Dec. 18.—The Defense Communications Board today announced that the materials needs of the communications industry will be handled through an organization set up to act in an advisory capacity to the OPM and SPAB.
GENEROUS CONTRIBUTORS

BECAUSE of their exceptional ability—each in its own field—to record completely the beauty of every scene, Eastman negative films have contributed their part to the success of modern screen productions. Eastman Kodak Company, Rochester, N. Y.

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

PLUS-X          SUPER-XX
for general studio use  when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
IPTO Weighs Abandoning Its Annual Meet

considers Step Because of War Conditions

The IPTO is considering disposing of its annual national convention, ordinarily held in the spring, because of the war, and institute several meetings of the kind of directors, Ed Kuykendall, IPTO president, said here prior to his departure for his home in Columbus, Miss., over the weekend. Kuykendall said he favored such a proposal but that directors of the organization would be consulted before final action was taken.

The IPTO president said he would issue a bulletin to organization members covering proposals for cooperation on various activities relating to the war as soon as unit plans have been formulated by industry agencies. Meanwhile, he said, favors the use of trailers made by nation's prominent figures instead of (Continued on page 4)

MOTION PICTURE DAILY

NEW YORK, U.S.A., MONDAY, DECEMBER 22, 1941

TEN CENTS

Blackouts of Marquees in Future Seen

O.P.M. Warns of Need to Conserve Power

WASHINGTON, Dec. 21.—Blackouts of theatre exterior lighting in many sections of the country may be necessary in primary danger of air raids may be expected next year and through 1943, it was warned today by the O.P.M.

Explaining the great extent to which the production of aluminum, magnesium, chemicals and other war materials is dependent upon huge supplies of electric current, O.P.M. surveys have shown that many sections of the country will not have enough power for those needs and for commercial and household use as well, despite the energetic efforts that are being made to construct new plants and extend existing ones.

The blackouts recently imposed in the Southeastern states, it was warned, will be repeated there and in many other areas during the next two years, at least.

In order to assure vital defense (Continued on page 4)

Clearance Schedule Is Set for Portland

An arbitration award which sets clearance schedules on Paramount, RKO and Warner product for all runs in Portland, Ore., was entered last week at the request of the parties involved.

Meanwhile, New York's 30th complaint was filed here on "some run," the first case at the local station to be filed on any complaint other than clearance, and the complaint of the Colonial Theatre, Phoenixville, Pa., (Continued on page 10)

Power to FDR Over All Communications

WASHINGTON, Dec. 21.—Moving to complete the granting of powers to the President necessary for the conduct of the war, the House on Friday granted him the same authority over wire communications as he exercises over radio under the provisions of the Communications Act.

The legislation, plus the provisions (Continued on page 15)

NAB Issues War Guide For Broadcasts of News

WASHINGTON, Dec. 21.—The National Association of Broadcasters has issued recommendations "as a guide to wartime broadcasting," after consultation with the military and other Government branches.

It was generally advised that broadcasts of news should be in a manner likely to cause neither undue optimism nor an atmosphere of defeatism. The NAB urged moderation in news broadcasts, avoiding sensationalism, the exercise of extreme care in broadcasting enemy communiques, and care that those tuning in late do not get the wrong impression from news broadcasts. A list of "do nots" include the following:

Do not broadcast rumors.
Do not broadcast the movement of vessels or troop movements, unless officially released, or facts about location of vessels or landings.
Do not broadcast figures on draft enrollments, or personal observations on weather conditions, even in connection with sporting events.
Do not broadcast imperative re (Continued on page 11)

Law Can't Overcome Films' Intangibles, Agnew Tells Court

ST. PAUL, Dec. 21.—Additional evidence that the reaction of the public to Hollywood's production efforts is largely unpredictable was offered on Friday by Neil F. Agnew, Paramount vice president in charge of distribution, as trial of the criminal actions for violations of Minnesota's anti-block-of-five-law ended its first week in Ramsey County District Court here.

The trial, in which Paramount, RKO and 20th Century-Fox are defendants, was adjourned and will be resumed Jan. 7.

(Continued on page 10)

Industry Ready to Serve, Says Hays

The motion picture industry, through its War Activities Committee, is equipped and ready to devote its utmost toward winning the war and pledges a regular supply of entertainment as its responsibility in the present emergency. Will H. Hays, president of the MPPDA, stated Friday following the regular quarterly meeting of the Association's board of directors.

The statement by Hays follows:

"The motion picture industry in all its branches—production, distribution (Continued on page 4)

Kaltenborn Accepts 'Daily' Poll Award

H. V. Kaltenborn, NBC commentator, yesterday was presented a scroll commemorating his selection as Best News Analyst and Commentator in Motion Picture Daily's sixth annual poll of radio editors on behalf of the Network. The presentation, which was made by Syle Van, took place at the opening of Kaltenborn's news program over NBC-Red. He acknowledged the tribute, "from my newspaper colleagues," and added: "The praise of fellow craftsmen is praise indeed. Their friendly approval will stimulate me to do my best in the great task that faces us all."

Para., Monogram Pay Xmas Bonuses

Paramount and Monogram have authorized employee bonuses. Paramount paid a Christmas bonus to home office employees of a week's salary up to $50 for all paid not more than $75 weekly, a bonus for exchange employees, and a "cost-of-living" bonus of four per cent of salaries for the past six months of home office employees earning up to $100 weekly.

Monogram will pay bonuses in the form of defense bonds and stamps to employees of the home office and the New York, Philadelphia and Washington exchanges.

FCC Reports Defense Chief Work of Year

WASHINGTON, Dec. 21.—The time and funds of the Federal Communications Commission have been largely devoted to defense activities during the past year, it was disclosed today in the Commission's annual report.

No specific recommendations for legislation were contained in the report, but it was explained that any new measures found necessary would be asked for as the need arose.

The report announced that 915 standard broadcast stations were operating or under construction as of Nov. 1, and estimated the number of standard receivers in use at more than 50,000,000. On the same date there

IPTO Weighs Abandoning Annual Meet
Personal Mention

WILLIAM F. RODGERS, Low's vice-president and general sales manager, left for Florida over the weekend.

JOSEPH H. SEIDELMAN, Universal vice-president and foreign design agent, has returned from South America.

RUBE JACKER, Columbia assistant sales manager, left from Charlotte.

EMANUEL REUBEN of Loew's has enlisted in the Army.

Crescent Decision Seen by Year End

The possibility of a decision before the end of the year in the Government's anti-trust suit against the Crescent Circuit, Columbia, United Artists and Loew's in Federal court at Nashville was enhanced with the decision of distributor defendants not to file answers to the Government's final briefs in the case.

Distributors' counsel took the view that the final Government briefs raised no new points or issues nor have not been answered or covered by trial testimony and were content to let the case rest. The court, therefore, was permitted to give its final consideration to the case without further delay.

The attorneys' hope for a decision before Jan. 1 was also strengthened by the fact that Judge Elmer Davies has advised them he plans to take a holiday soon and would endeavor to make his decision before leaving Nashville.

Purchasing to Open in Non-Restricted Spots

Paramount is precluded from selling "Louisiana Purchase" in at least five important territories during the holidays because roadshow engagements of the stage play are current in those locations. Paramount announced Friday the company, however, has obtained 226 holiday bookings for the picture in non-restricted territories, according to Neil F. Agnew, distribution head.

Day and date Christmas openings have been kept, but the picture is in strong key cities and New Year's engagements in 139, Agnew said.

Callaway, WB Branch Head in L.A., Resigns

W. E. Callaway, branch manager for Warner Bros. in Los Angeles, has resigned from the company, it was announced on Friday by the home office.

MITCHELL MAYS, Jr., CO., INC. INSURANCE

Specializing in requirements of the Motion Picture Industry

75 Maiden Lane, New York 510 W. 6th St., Los Angeles

"A GREAT SHOW."—Herald Tribune 50c, $1 & $1.50 PLUS TAX 2ND YEAR—2ND EDITION OF THE Sensational Motion Picture Industry

It Happens on Ice

An America's Only Ice Theatre

Center Theatre, Rockefeller Center, CO. 5-5747

501 Seats for Every Perf. 50c, EVEGS, AT. 8:10

Rialto Makes Change With Defense Stamps

The Rialto Theatre on Broadway last week adopted a plan of giving defense stamps for change, and re- renamed its theatre the "W drease." It was added to the idea. The plan is being promoted by trailers and lobby displays.

Rialto


10,000 Houses Goal Of Industry's Drive In March of Dimes

A goal of 10,000 theatres to cooperate in the industry's March of Dimes drive to aid infantile paralysis sufferers was set as part of President Roosevelt's birthday celebration has been set by Nicholas M. Schenck, chair man of the industry's drive committee, it was announced Friday.

2,500 Houses Pledged

Although the drive is only starting more than 2,500 theatres already have participated.

"The motion picture industry Schenck said in a message addressed to the American exhibitor, "has been called upon to help many worthy charity causes, but, in my opinion, none touches the heart more deep than does the annual campaign to raise funds for the fight against infantile paralysis. This charity, sponsored by President Roosevelt, is a noble, necessary work, more important now than ever."

While in past years motion picture theatres have never before have attempted a thorough, nationally-organized drive. The Motion Picture Industry at last 10,000 theatres sign the pledge to give aid cooperation.

Collections in Lobbies

"Really, not too much is asked of us.

We are going to take collections in our theatre lobbies during the week of Jan. 22 to 28. If we do it with the proper organization and promotion, this will make worthwhile industry contribution the good cause."

Barron Names Group For Capital Campaign

WASHINGTON, Dec. 21.—The industry's committee for the March of Dimes drive has been announced as backed by Barron, chairman of the committee.

The Fascinating Rascal of Fiction in His Latest Adventure-Thriller!

Boston Blackie, the slickest scoundrel of mystery novels, again proves himself a screen character that thrill-lovers will want to see again and again...as he escapes a hundred dangers...except one woman's arms!

Confessions of Boston Blackie

CHESTER MORRIS • HARRIET HILLIARD
RICHARD LANE • GEORGE E. STONE

Original screen play by Paul Yawitz - Directed by EDWARD DAVYTRYK
A COLUMBIA PICTURE
Blackouts of Marquees in Future Seen

(Continued from page 1)

Motion pictures were the next phase in the series of blackouts of non-essential lighting, such as signs and show windows. Suggested by the OPA have indicated that blackouts probably will be repeated in the Southeast, that shortages of power are to be expected next year in Texas, Arkansas and Louisiana; a shortage may occur in Buffalo and also in St. Louis, and that the Pacific Northwest also is threatened with an insufficiency of power. Still other areas may have to be rationed, as power is drawn from them to sections where shortages are sufficiently serious to threaten defense production, it was said.

Maintain Films for U.S.Morale:Harmon

(Continued from page 3)

ized over by Joseph Gould, SPC president. A steering committee of five was appointed to coordinate the work of the conference within the Motion Artists Committee—Motion Picture, the national industry committee, and to consider local problems. The committee includes: Maurice L. Kanin, Maurice D. Kann, Jonas Rosenfeld, Jr., David Golden and Sal Scoppa. The steering committee will meet next Monday.

Harmon, who is executive officer of the War Activities Committee, stressed the need of the industry implementing the good neighbor policy in Latin America, and gave it as his opinion that the use of films in Army training will result in a vastly increased use of films in schools after the war.

Kanin Urges Long Films

Other speakers were Eugene Plisnet, sector warden for Times Square, who spoke on the need of avoiding continuity,-runtime Garson Kanin, who holds a Government defense post, and who urged longer defense bills in theatres than the short trailers and shorts, and Capt. John W. Green, aide to the commander of the New York State Guard.

Representatives of the meeting were the following organizations: Amga, Screen Publicists Guild and auxiliary, Local 192, the Screen Employees' Local 109, of the Screen Office and Professional Employees Guild, National Film Board of Canada, Association of Documentary Film Producers, Local 702, of the Laboratory Technicians, Film Exchange Employees' Local 31 of the Screen Guild, Local 308 of the Motion Picture Studio Mechanics, NYU Film Library, Municipal Civil Service Commission, the MPTOA represented by Mark Fankenfield and A. E. Shangle, and the trade press.

Television Camera Needs No Artificial Light, Report

(Excerpt from page 1)

A television camera so sensitive that it can operate without artificial light was reported over the weekend to have been developed by RCA engineers. The camera was described as being more sensitive than other cameras under almost any conditions anywhere.

Details of the new invention were withheld and a spokesman for RCA declared that there could be no comment at this time.

Gives High Definition

The new camera was said to be capable of giving excellent definition, many times better than film theatre lighting needed. It was described as being capable of picking up an image in a room without extra lighting, during day or night. The only lighting required, it said, would be to obtain extra highlights and spot lights and to minimize the contrast ratios. The orthicon camera can pick up a fairly good image using only a bank of neon lamps, which are cooler, but many television engineers are ready to provide studio backdrops because the latter gives much sharper definition.

The orthicon has proved the best for television, pictures of which although it has less definition, the fact that it works with less light has made it more desirable. Further, it was stated, the constant motion in sports activities makes extreme definition unnecessary. Nevertheless, even the orthicon is not capable of meeting all the sports conditions. For example, the final period of football contests have backgrounds which is too weak for the orthicon to pick up.

Scout British Reports

Meanwhile, reports from England that John L. Baird, pioneer television engineer, has demonstrated three-dimensional color television over the air were discounted here over the weekend. It is stated that Baird may have achieved that same before his American colleague, but that an experimental transmission. The Baird demonstration included transmission of a picture of a hand holding some flowers, and smoke rising from a cigarette and a pipe.

British Projectionist Exemption Expected

LONDON, Dec. 21.—Exhibitors are confident now that all chief projectionists at theatres throughout England will be exempt from military duty, following meetings last week between representatives of the Cinematograph Exhibitors Association and officials of the Ministry of Labor.

Those above the age of 35 already are assured of exemption under a new plan of the Government, and it is now expected that those under 35, although not technically exempt, are now being told they have their military service deferred.

The development greatly eases the manpower situation in the industry, although the Government's plans for the use of women in industry and the new famine conscription plan will deplete the reserves available for training as substitute film labor.

Art Directors Form War Camouflage Unit

HOLLYWOOD, Dec. 21.—Studio art directors have completed the organization of a Motion Picture War Camouflage Unit, in cooperation with the United States Army, following a plan which Louis B. Mayer, head of the Metro-Goldwyn-Mayer studio department, was named chairman.

Art departments of all studios were consulted and pledged full cooperation in perfecting defense work in the Pacific Coast defense area. The Army was represented at the meeting by Capt. T. George Hazenbush, of the 60th Engineers, Jon Peacock, a member of Banks' staff, was appointed assistant to coordinate the work of the studio artists.

Agfa-AnSCO Indicted For Trade Restraint

The General Aniline and Film Corp., J. P. Farbenindustrie, Herman Schmidt, Dietrich A. Schmidt, officers of Farben, and Ernst Schwarz, vice-president in charge of the Agfa-AnSCO Division of General Aniline, were named defendants Friday in an indictment by a Federal Grand Jury here. They were charged with a conspiracy in restraint of trade in photographic materials and developers.

The indictment claimed that through an agreement of March 19, 1928, which allegedly divided the foreign market, the Farben and Agfa-AnSCO suppressed free competition in the sale of photographic materials and developers. The indictment said that Agfa-AnSCO now manufactures 13 per cent of the materials used in the United States.

O'Connell Reelected By New Haven Union

NEW HAVEN, Dec. 21.—Local 74 of the stage employes union for the New Haven district has reelected John O'Connell president for the fourth consecutive year. Other officers elected are: Charles C. McBride, vice-president; Harry Feldman, janitor and treasurer; Harold J. Miller, business representative, and Robert C. Watson, secretary. Trustees include William Welker and William O'Connell. Morris Waterman, Joseph Dietle and Wallace Miller, sergeant-at-arms.

Head Mexican Union

MEXICO CITY, Dec. 21.—Salvador Carrillo has been reelected president and Enrique H. Mayorga secretary general of the National Cinematographic Workers Union.

Industry Ready to Serve, Says Hay

(Continued from page 3)

and exhibition—is enlisted for the duration.

"Its slogan is: "In the war now every man is a citizen.""

"Through its War Activities Committee, the entire industry is equipped and ready to give the greatest possible service. The screen, nurtured in freedom, recognizes its obligations to freedom. In addition to the direct assistance to our national Government, this means a regular flow—qualified men to help maintain civilian and military morale. "Our industry pledges this supply of entertainment as a responsibility Americans.

Directors at Meeting


Holiday Films Set At Strand and Stat

Two additional Christmas Day feature showings, one at the Strand and the other at the Strand, will open at the Strand, RKO Radio Pictures Inc., and Warner Bros., the Strand, and Warner Bros., the Strand, which is closed.

"Welcome in the Army Now," Warner picture starring Jimmy Durante and Phil Silvers will open at the Strand, Playmates RKO for December 24, Kyser, will open at Loew's State.
**Motion Picture Daily**

### Reviews

#### “The Corsican Brothers” (Small-United Artists)

**THIS** is a swashbuckling adventure story in the Edward Small manner, a colorful exercise of the imagination in the tone and spirit of the same producer’s “Count of Monte Cristo,” “Son of Monte Cristo” and “The Man in the Iron Mask.” Direct index of its box-office value is the proof to be had in referring back to the records of those pictures and adding to this the additional attraction in the name of Douglas Fairbanks, Jr., as star of this offering.

Associated with Fairbanks, who portrays the two leading characters, are Akim Tamiroff, as their family enemy and the most forcible figure in the picture. H. Estabrook is another capable performer. The script by George Bruce and Howard Estabrook, from a Dumas novel, distributes the effort interest generally among the several players.

The story, directed with a flourish by Gregory Ratoff, is of Corsican twins, separated by birth when bandits murder their family and seize their estates, who are reunited on coming of age and set out to exact vengeance. It happens in the period when swordsmanship, personal resourcefulness and daring were the great levellers of combatants and there was a wealth of action, excitement and suspense in the presentation of the tale.

Running time, 110 minutes. “G.”

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### “Mr. District Attorney and the Carter Case” (Republic)

**THIS** is another version of the theme of feminine reporter and detective—or assistant district attorney, as here—working on the same case. The film, in a light vein, is entertaining, Leonard Fields was always cleverly funny.

Although three murders are committed before the final curtain, the preponderance of comedy lessens the effect of the mystery element. James Ellison and Virginia Gilmore have the leads while in support are Franklin Pangborn, Paul Harvey (the district attorney), Lynne Carver, bananas and Floy and others.

First to be murdered is Page, magazine publisher. Ellison and Miss Gilmore start on the case, he suspecting and convicting John Eldredge, whose wife and the victim were friendly. Miss Gilmore believes Eldredge innocent and does her investigation after losing her job through an erroneous story. Thereafter a series of active sequences lead to the discovery that Pangborn, general manager of the magazine, is really guilty. The last scene in which Pangborn tries to escape with Miss Gilmore and another suspect, Fowley, is comedy of the slapstick variety.

Running time, 68 minutes. “G.”

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### 'Crime,' Shaw Band Best in Providence

**PROVIDENCE, Dec. 21—“Citadel of Crime” and Artie Shaw's orchestra at the Hippodrome were given the biggest and the most successful break house records with $11,300. Toward the end of the week, business began to feel the influence of the severe drop in share prices. "H. M. Pulham, Esq." and "Sing for Your Supper" at Loew's, got $13,000.

**Estimates for the week ending Dec. 11:**

- **International Squadron** (W.B.) — $1,000.
- **Sing An Old Song** (Par.) — $2,000.
- **RKO ALIBEE — (2,239) (36c-39c-50c) 7 days, Gross: $4,000. (Average, $571.)
- **M. Pulham, Esq.** (M-G-M) — $3,000.
- **Sing for Your Supper** (Col.) — $3,500.
- **NAVES STATE** (RKO) (34c-36c-50c) 7 days, Gross: $3,000. (Average, $428.)
- **Wake Up Screaming** (20th-Fox) — $3,500.
- **Guns (20th-Fox) — $3,000.
- **BASEBALL (M-G-M) — $3,000.
- **Unlucky Partners** (M-G-M) — $3,000.
- **Paramount on Fifth Avenue (M-G-M) — (2,200) (36c-39c-50c) 7 days, Gross: $4,000. (Average, $571.)
- **Butlins of Dakota** (Univ.) — $1,000.
- **Man at Large (20th-Fox) — $1,000.
- **Because You're Mine** (20th-Fox) — $1,000.
- **Dream of a Siren** (Univ.) — $1,000.
- **It Bells Dalia Siren** (Eskira) — $1,000.
- **Virginia Rape (M-G-M) — $1,000.
- **Kuban** (Adventure) — $1,000.
- **Tiny Em (Univ.) — $1,000.
- **Moonlight in Hawaii** (Univ.) — $1,000.
- **Fall Guy (RKO) — $1,000.
- **Lidin** (U.A.) — $1,000.
- **The Feminine Touch (M-G-M) — $1,000.
- **Three Condemned** (Ex-Condensed) — $1,000. (Average, $1,000.)

**RKO Shows Fourth Block Next Month**

RKO has scheduled trade screenings on the fourth group of five pictures in all exchanges, A. W. Smith, Jr., RKO's publicist, announced.

The five are: "Joan of Paris," "Call Out the Marines," "Mexican Spitfire at Sea," "Valley of the Sun," "Sing Your Worries Away." "Call Out the Marines" and "Mexican Spitfire at Sea" will be shown in all exchanges at the same time.

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"Call Out the Marines" and "Mexican Spitfire at Sea" will be shown in all exchanges at the same time.
WHEN ONE THEATRE SELLS MORE TICKET

...and That

EDWARD SMALL
presents

Alexandre Dumas' MOST
AMAZING ADVENTURE ROMANCE!

"One of the best of the cinema's romantic melodramas. All action, romance, thrills and suspense that have made Dumas an infallible source of engrossing screen entertainment. Fairbanks, turns in an exceptionally deft performance in the dual role."
—Washington P

"A wonderful show for the holidays! A highwater mark in the happy combination of Dumas and Fairbanks. Mr. Fairbanks at his best."
—Washington Times-He

One of the big, important pictu
The Story of Washington's World Premiere!

Yes, at 8:45 Thursday night, Loew's Palace which seats 2,400 had 3,703 people in the house...1,300 standing! The box-office was forced to close for almost an hour—and at one o'clock opening day Loew's Palace had more people in the theatre than the combined audiences of five opposition theatres! The greatest record-breaking pre-Christmas opening in the history of Washington. Held over for a second week, of course!

Starring

Douglas Fairbanks, Jr.

with

RUTH WARRICK • AKIM TAMIROFF
J. CARROL NAISH • H. B. WARNER • HENRY WILCOXON
JOHN EMERY • GLORIA HOLDEN • VEDA ANN BORG

Directed by GREGORY RATOFF • Screenplay by George Bruce
From a free adaptation of the Dumas story by George Bruce and Howard Estabrook

IT'S THE CHRISTMAS WEEK ATTRACTION IN MANY LOEW THEATRES THROUGHOUT THE COUNTRY!
Short Subject Reviews

“War Clouds in the Pacific”  
(Warner-M-G-M)  
The Canadian Government completed this film on the war danger in the Pacific just before the attack of Pearl Harbor. Dec. 7. While it treats with Japan as a potential danger, the commentary, of course, makes no references to the outbreak of war. The friendship of Japan to the Axis, the danger points in the Pacific and the fortifications and fleet ready to move at a moment’s notice are shown. Shown, too, are Japanese factories making munitions, German officers in Japan and the general strategy of defense. The reel shows intense preparations being made to ward off surprise attacks, with naval officers peering off into the horizon and furious preparations under way at Pearl Harbor — scenes which may make the audience gasp in the light of what actually occurred. Nevertheless, the reel is instructive in its unusual manner and should make it popular with audiences. Running time, 21 mins. Release, Dec. 24, 1941.

“Scenic Grandeur”  
(FitzPatrick Traveltalk)  
(M-G-M)  
The camera finds picturesque backdrops and a wide variety of natural beauty in the Northwest for this new FitzPatrick Traveltalk subject. Many of the glacial scenes are impressive, having been caught by the camera from both sea and air. Color makes a vital contribution to the subject, particularly in shots of light effects of the Midnight Sun. Running time, 9 mins. Release, Dec. 13, 1941.

“Wedding Worries”  
(Our Gang Comedies)  
(M-G-M)  
Our gang worries about what will become of one of its members when her father decides to present her with a stepmother, and decides to do something about it. Their plans for preventing the wedding ceremony fail but leave considerable wreckage and some laughter in their wake. Running time, 11 mins. Release, Dec. 13, 1941.

“Porky’s Pooh”  
(Looney Tune)  
(Scranton-Warners)  
An ex-hobo dog tells another canine still down on his luck how to find a master and live in style. The new wealthy dog describes how he picked Porky Pig as master and, after some difficulty, won the soft spot. Good for a laugh. Running time, 7 mins. Release, Dec. 6, 1941.

“The Night Before Christmas”  
(Twentieth Color cartoons)  
(M-G-M)  
Here is a swell cartoon for any holiday program. It resorts to many of the familiar animatations of the cat and mouse chase reels but carries a good Christmas spirit message that provides a fine, original ending. Color adds materially to the eye-pleasing piece. Running time, 9 mins. Release, Dec. 6, 1941.

Reviews

“Fiesta”  
(Roach-United Artists)  
Hollywood, Dec. 21  

WHEN this item in Hal Roach’s sequence of “streamlined features” is devoted to the presentation of singing and dancing ensembles in the Mexican tradition, which is most of the time, it is a treat in Technicolor for eye and ear. When it is devoted to, between ensembles, to telling a tale about a fortune-teller intent upon welding the daughter of the rancho, and being exposed as a fraud by her beloved sweetheart and his pals masquerading as bandits, it is a strain upon credulity and a test of audience patience. It is as a novelty in Technicolor that the film has a chance with an audience brought into the theatre to see another picture.

Production and direction by Leroy Frintz are effective in the musical moments, casual elsewise. Annie Ayars, George Negrete, Armida, George Givot, Antonio Moreno, Nick Moro, Frank Yaconelli, George Humbert, Paco Moreno, Betty Bryson, Carlos Valdaze, Jose Arias and his Mexican Tipica orchestra and the Guadalajara Trio are the listed talent.

Running time, 45 minutes. “G” — Roscoe Williams

“Law of the Timber”  
(Producers Releasing)  
Hollywood, Dec. 21  

JAMES OLIVER CURWOOD’S story, “The Speck on the Wall,” has been adapted for “Law of the Timber.” Strong, melodramatic material, murders, a forest fire, fights and dynamite blasts are presented in the offering, whose story deals with the efforts of several men, this time, to cut a Christmas tree while engaged in filling a national defense order. It hits the target of action fan patronage.

Marjorie Reynolds, Monte Blue, J. Farrell MacDonald, Hal Brazel, Sven-Hugo Borg and Earl Beal head the cast. Effective technical results are achieved by producer-director Bernard B. Ray and George R. Batheiler, Jr., in charge of PRC production, who gave the film quality which belies the budget. The dialogue and the acting are below par in some spots, however.

Running time, 64 minutes. “G” — Vance King

“Billy the Kid’s Round-Up”  
(Producers Releasing)  

EFFECTIVE playing by the personable Buster Crabbe and a few good action scenes help matters some, but beyond that the Western is of minor caliber. The yarn is typical and its presentation is somewhat shy of color. Al St. John offers the comedy, while in other supporting roles are Carleton Young, Joan Barchey, Glenn Strange, Charles King, Slim Whitaker and Dan Webster. The director is Sherman Scott and the producer Sigmund Neufeld.

The skulduggery comes in when the sheriff is murdered and the usual group of bad men try to promote the election of the conniving deputy, Crabbe and Young counter by nominating St. John. The battle begins and St. John gets the job.

Running time, 58 minutes. “G”* — Eugene Ankel

“The Lone Rider Fights Back”  
(Producers Releasing)  

FOR those exhibitors whose patrons care more for fighting on the screen than for what goes with it, this “Lone Rider” issue should be adequate. It opens with a barroom fray and many of the following sequences are similarly hardy.

The smooth talking “Rider” with the lethal punch is George Huston. His comic partner is Al St. John. Others figuring in the story less prominently are Dennis Moore, Frank Hagney, Charles King and Frank Ellis.

The yarn, which might have been told more directly, has to do with the murder of a ranch owner and attempts to wrest the property from the victim’s daughter. Huston sees to it that the attempts fail. Sam Newfield directed the Sigmund Neufeld production.

Running time, 64 minutes. “G”* — Eugene Ankel

*“G” denotes general classification.

Short Subject Reviews

“The Mechanical Monsters”  
(Superman Cartoon)  
(Paramount)  

Well named is Superman, who has the benefit of a discharged bullet, 23 eyes capable of penetrating metal, etc., in this, his second screen appearance for Paramount, he battles a small army of German enemies headed by a villainous inventor after one of the “mechanical monsters” takes to the air in a $7,000,000 jewelry heist. Upon defeating the army in short order, Superman zooms through the air and effects a nick-of-time rescue of the pretty feminine reporter who is suspended over a cauldron of liquid fire. The cartoon is cleverly done in color, is certainly exploitable, and should bring results where the fantastic makes for entertainment. Running time, 10 mins. Release, Nov. 21, 1941.

“Nothing But Nerves”  
(Benchley Comedy)  
(Paramount)  

This is a quiet and humorous session with Robert Benchley who tells of a “Benchley” again and his case of the “average man.” Average Man starts the day off with an unsuccessful attempt to steady his new car, becomes repeatedly unnerved when the phone rings, the plumbers go to work on its cigar lighter, actually lights, and finally a rival locks himself in the stall shower order to have the plumber release the water. Benchley’s comedy has a definite flavor. Running time, 10 mins. Release, Jan. 2, 1942.

“Screen Snapshots No. 4”  
(Columbia)  

The entire reel, in this case, is given over to Billy Gilbert who takes a day off to visit San Francisco. He visits City Hall, speaks to the mayor, looks in at the mint, drives a street car and at breakfast in Chinatown and winds up with a personal appearance. Should please the Gilbert fans. Running time, 10 mins. Release, Dec. 28, 1941.

“Buying a Dog”  
(Sportlight)  
(Paramount)  

This imparts some really worthwhile knowledge about dogs in addition to providing entertainment. Wit Ted Hudson narrating the light show, a number of prize canines and their proper care and top it off with the lack of equipment in the Army, factor which some audiences may take amiss in view of the current war situation. It has lots of good gags. Running time, 7 mins. Release, Oct. 21, 1941.
MOBILIZED for BOXOFFICE!

OUR AMERICA AT WAR!

Today, for the destruction of that infamous tyranny...130 million Americans, filled with a just and terrible wrath, have pledged their wealth, their future and their very lives.

SEE HOW OUR DEMOCRACY MEETS THE CHALLENGE OF WAR!—FIGHTING WITH GRIM DETERMINATION TO WIN VICTORY!

THE MARCH OF TIME
Produced by the Editors of TIME

Already March of Time camera crews are mobilized and at their war stations! Besides the home office staff, ready to jump whenever and wherever the news breaks, Black & Maedler are in the Pacific...Jurgens is in South America...Hodgson & Wyand are still in London.

Maurice Lancaster is with Wavell in India...Novarro is covering the Middle East...Rebière is in Spain...Pagés in French Africa...Nichols in Singapore...and Thomas Kwang is following Chiang Kai-shek and his armies from the Burma Road to Hongkong.

These men will bring the biggest stories of the war to your screen!

EXTRA!—SPECIAL ISSUE

THE MARCH OF TIME'S BATTLEFIELDS OF THE PACIFIC

*An Atlas of the War*

Understand the vital news flashes now coming from the war zones of the Pacific...See March of Time's Special Atlas of the Philippines, Guam, Hong Kong, and the Dutch East Indies...Here is a real opportunity to become familiar with the vast geographical plains in today's theatre of war!

SPECIAL ISSUE

ISSUE No. 5 (VOL. VIII)

ISSUE No. 3 (VOL. VIII)

ISSUE No. 4 (VOL. VIII)

HESE ONE-SHEETS ON MARCH OF TIME SUBJECTS ARE NOW AVAILABLE AT ALL NATIONAL SCREEN ACCESSORY OFFICES
Set Clearance For Portland; File N.Y. Case

(Continued from page 1) was withdrawn at the Philadelphia board.

The Portland award establishes the maximum clearance on the three defendant distributors' product for first runs over second runs at 42 days after the close of the first run or at the end of the third week of first run, whichever is the earlier. Clearance of second runs over third runs is set at 14 days; clearance of third runs over fourth runs at 14 days and fourth runs over fifth runs at seven days. The award does not apply to pictures which had not completed its first runs at the time the award was entered.

The agreement affects virtually every theatre in Portland, not only because the award involves everything down to fifth run but also because of the large number of theatre operators who intervened in the case and, therefore, are affected by it. The complaint was brought originally by William Graeber, operator of Graeber's Egyptian, Portland, against all five consenting distributors in an effort to have the 91 days clearance of first runs over his theatre reduced to a maximum of 45 days. The complaint was withdrawn early in November following a settlement agreement among the parties. Subsequently, also by agreement of all parties, it was reinstated and Irving Rand, arbitrator, was asked to enter a consent award embodying the availability schedule described.

In the final award, the complaint was dismissed as to Loew's by agreement and as to 20th Century-Fox because its affiliated theatres were involved as respondents.

The 39th New York complaint was filed by Cox Operating Co., Savoy Theatre, Jamaica, L. I., on some runs against Paramount, RKO and 20th Century-Fox. The Skouras Jamaica and Loew's Hillside are named as interested parties. The complaint charges that the Savoy was refused second run in its zone by the defendant distributors because of the circuit by-pass power of the two theatres named, which were given the run sought by the Savoy. An award is requested prohibiting the distributors named from licensing for second run in the zone other than by separate contracts for individual theatres.

The Philadelphia complaint withdrawn was that of Lewen Pizor and Herman Coane, operators of the Colonial, against all five consenting distributors, on clearance. It was the second complaint to which Pizor was a party that has been withdrawn at the Philadelphia board, although his first withdrawal, involving his Tioga Theatre, subsequently was refiled.

Attorneys Employed in 86% of Arbitration Cases

Attorneys have been employed in 86 per cent of the arbitration cases filed during the first nine months of the operation of the boards, a third quarterly report of the American Arbitration Association published in the current Arbitration Journal reveals. During that time 139 cases were filed.

The report shows that during only the first six months of the boards' operation, cases of average costs averaged $87.87, of which exhibitors paid $58.23 and distributors $29.64. The cost figures, reported in Motion Picture Daily Nov. 9, do not include attorneys' fees, costs of appeals or the distributors' cost of maintaining the system.

Law Can't Overcome Films' Intangibles. Agnew Tells Court

(Continued from page 1) The defense indicated it expected to complete its case by the end of the week after Agnew's testimony, which was completed Friday, contributed another chapter in the defense attempt to show that the unpredictable and intangible elements of the industry cannot be controlled by legislative rules of conduct and might be disastrous in attempted.

Agnew testified that Paramount's "swamp merchandise," when other companies were prepared this product under the schedule, and that the company, despite the number of pictures it would produce in conferences of its officers, he pointed to a long list of pictures as evidence that excellence of product does not necessarily mean proportionately good financial return.

Cites 'Financial Failures'

Cecil B. DeMille's "The Crusades" was "a financial failure of the first magnitude," Agnew said, "Alice in Wonderland," despite a heavy cost, did not return its production outlay, he said.


He contrasted these with such successes as "Going to Town," "Klondike Annie," "The Bride Comes Home," "Wahini Wedding," "Artists and Models," "The Road to Singapore" and other "light and frothy" offerings.

'Tahiti' and Rand Kansas City Best

KANSAS CITY, Dec. 21—South of Tahiti," with Sally Rand heading the stage show, drew a $10,000 at the Tower. "Sundown" and "Niagara Falls" took $10,000 at the Midland.

Estimated receipts for the week ending Dec. 11:

"Swamp Water" (20th-Fox) $1,000-1,500 (30c-44c) 4 days, 2nd week. Gross: $1,750. (Average, $875)
"Sundown" (U. A.) $1,000-1,500 (30c-46c) 4 days, 2nd week. Gross: $1,000. (Average, $250)
"Niagara Falls" (U. A.) MIDLAND—$1,000-1,500 (30c-46c) 4 days. Gross: $800. (Average, $200)
"Swamp Water" (20th-Fox) NEW YORK—$1,000-1,500 (30c-46c) 4 days. Gross: $800. (Average, $200)
"Look Who's Laughing" (RKO) ORPHEUM—$1,000-1,500 (30c-46c) 4 days. Gross: $1,000. (Average, $250)
"South of Tahiti" (Univ.) TOWER—(2,200) 3rd-4th weeks. Gross: $800. (Average, $400)
"Swamp Water" (20th-Fox) UPTOWN—(2,200) 3rd-4th weeks. Gross: $800. (Average, $400)

Named Warner Booker

NEW HAVEN, Dec. 21—J. R. Mullan, Warner manager here, has promoted Sidney Levine, former assistant booker, to booker, succeeding Victor Curandelli, recently married and recently Mullen moved up to assistant booker.

Another

"EXTRA ATTRACTION" for "EXTRA GROSSES"!

Annapolis Salutes the Navy

A TIMELY FEATURETTE DESIGNED FOR MARQUEE BILLING!

All America wants to see "Tomorrow's Admirals" strip the decks for action!

DATE IT NOW!
RUNNING TIME: 9 MINS.

THOSE ANNAPOLIS ADMIRALS CERTAINLY HAVE BOX OFFICE APPEAL!

AND SO DOES OUR "TWO OCEAN NAVY"

UNIVERSAL EXHIBITOR

STILL GROSSES

EXTRA ATTRACTION

(Continued from page 1)
Critics’ Quotes...

"H. M. Pulham, Esq." (M-G-M)

May prove a quiet affair for some tastes. On the other hand, Marquand’s frustrated people and their special problems have been presented with a good line, subtly expressed conviction that easily makes up for the lack of dramatic action.—Variety.

I enjoyed the picture. It’s directed with care, set out beautifully and acted with superior ability.—Lee Mortimer, New York Daily Mirror.

J. P. Marquand’s novel about a renegade Yankee, “H. M. Pulham, Esq.,” has been made into a tremendously vital and entertaining screen record of an upper class Bostonian trying to escape from the clutches of family, tradition and an ordered pattern of existence.—Howard Barnes, New York Herald Tribune.

In brief, Mr. Vidor has permitted his film to lose ironic point. He has filled to make “H. M. Pulham, Esq.,” either a credible social document or a account of a truly pathetic life.—Basley Crothers, New York Times.

An adult and intelligent motion picture. Of necessity, the Marquand story has had to be compassed in the translating. Neither the meat nor the savour has been lost in the process although the film is, strangely, less dramatic than the novel.—Blehen Creetman, New York Sun.

CONFIRM OR DENY (20th Century-Fox)

With performances nicely taken care of by Don Amchee, Job Bennett and ad nauseam character actor and able director by Archie Mayo, this 20th Century-Fox production blends tragedy with comedy expertly to make an interesting war drama with a funny side.—Hilda Hill, New York Daily News.

With our own air raid warnings in the audience taking notes, “Confirm or Deny” turned out to have a lot more sock than it knew it had.—Louise Lersten, M (New York).

Essentially a drama, but it also seems so accurate in all the ramifications of its backgrounds and material that one must consider it as an interesting commentary as well as an entertaining melodrama.—Robert H. Dana, New York Herald Tribune.

Circumstance has provided “Confirm or Deny,” with a dramatic intensity obviously not inherent in the scenario.—New York Times.

Indeed, this is easily the screen’s most vital and well-considered melodrama dealing with the conduct of people when the bombs are dropping . . .

the film, directed by Archie Mayo, is staged so convincingly that it might almost as well have been photographed in the London streets.—Donald Kirkby, Baltimore Sun.

SMILIN’ THROUGH (M-G-M)

Neither much better nor much worse than its predecessors, the new film has the double advantage of color and Miss MacDonald’s voice, to which might be added her still famous red hair and ready smile.—Donald Kirkby, Baltimore Sun.

It is a little long and too-laden, and the story dated; but its appeal is still obvious. This new version has mood and background, and in addition, several welcome innovations—the use of Technicolor, the beauty and voice of Jeanette MacDonald, Philadelphia Record.

There isn’t much novelty left in “Smilin’ Through.” And its sentiment has turned so soggy that there seems very little reason for making it even with Miss MacDonald and the benefits of color photography.—Mildred Martin, Philadelphia Inquirer.

A lachrymose, sticky, super-sentimental romance conceived and acted by Lane Cowl for the post-war U. S. of 1919. Its present revival differs from the original in one respect: Technicolor.—Time.

The chief trouble of the current version is that, despite Technicolor, songs, and Jeanette MacDonald, it differs so little from its predecessors that you can miss the dust and occasional cutesies accumulated with the years.—Variety.

ONE FOOT IN HEAVEN (Warners)

It is a notable adaptation. The lively, tuneful, very worldly doings of Parson Spenne have been transferred to celluloid with intelligence and charm—Time.

There is nothing preachy in this film story of the life of a Methodist preacher . . . a camera drama that is humorous, deep and sympathetically handled, interesting and inspiring.—Nelson B. Bell, Washington Post.

Warners have succeeded admirably. It is not a fast-paced story, nor is it very carefully strung together, but in its separate anecdotes there is much amusement and much entertainment.—Helen Macalister, Washington News.

A picture to charm the heart with its sincerity and its simplicity.—Jay Carmody, Washington Star.

“NOTHING BUT THE TRUTH” (Paramount)

Although it is the weakest of Bob Hope’s recent vehicles, it is good for a reasonable number of laughs.—Variety.

An old truism that was squeezed dry long ago . . . telling the truth isn’t funny any more—Time.

The moment Mr. Hope makes his first appearance, the gags begin to go off like a string of firecrackers. He gives sparkle, zest and renewed life to a type of farce which many thought to be on the way to obsolescence.—Donald Kirkby, Baltimore Sun.

Minneapolis Gives

‘Flying’ Big $8,500

Minneapolis, Dec. 21.—“Keep ‘Em Flying,” at the Orpheum drew $8,500, while “Suspicion” attracted $7,500 at the State. The war declaration depressed business.

Estimated receipts for the week ending Dec. 11:

“Suspicion” (RKO)-STATE—$2,000 (2c-3c-4c-6c) 7 days. Gross, $5,300. (Average, $750.)
“Shadow of the Thin Man” (M-G-M)-CENTURY—$1,600 (2c-3c-4c-6c) 7 days. 2nd week. Gross, $5,000. (Average, $714.)
“Keep ‘Em Flying” (Univ.)—ORPHEUM—$2,000 (2c-3c-4c-6c) 7 days. Gross, $8,500. (Average, $1,214.)
“Law of the Tropics” (W.B.)—GOPER—$980 (3c) 7 days. Gross, $2,200. (Average, $314.)
“Ladies in Retirement” (Col.)—WORLD—$1,500 (2c-3c-4c-6c) 7 days. Gross, $2,100. (Average, $300.)
“Bandit Trail” (RKO)—3 days.
“Unexpected Uncle” (RKO)—3 days.
“Lady Scarfase” (RKO)—4 days.
“The Stork Plays Off” (Col.)—4 days.
ASTER—$1,000 (9c-2c-6e-2c) 7 days. Gross, $7,200. (Average, $1,029.)

Opens Phila. Exchange

PHILADELPHIA, Dec. 21.—Murray Schwartz, formerly branch manager of the Peerless exchange here, has opened his own independent exchange to be known as Astor Corp. He has obtained the franchise for Astor Pictures, and in addition, will handle the product formerly carried by Peerless.

Manages Toronto Theatre

Toronto, Dec. 21.—Harry S. Dalbe for years with Famous Players Canadian Corp., has become manager of the Midtown Theatre, first run here of the 20th Century circuit.

‘Swamp’ Beats War Slump in Philadelphia

PHILADELPHIA, Dec. 21.—This outbreak of war held-down business at the downtown houses, “Swamp Water” at the Stanton took a big $10,000. Estimated receipts for the week ending Dec. 9-12:

“Little Forno” (RKO)—ALBINE—$4,500 (23c-46c-56c-76c) 7 days. 2nd week. Gross, $7,000. (Average, $1,000.)
“Chocolate Soldier” (M-G-M)—Unstory Partners (M-G-M)—ARCADIA—$400 (3c-46c-56c-76c) 7 days. 2nd run. Gross, $1,000; 2nd run, $1,100; 4-day average. Gross, $900. (Average, $250.)
“Two-Faced Woman” (M-G-M)—BOYD—$4,200 (3c-46c-56c-76c) 7 days. 2nd week. Gross, $3,000. (Average, $1,500.)
“Blues in the Night” (Warners)—EAGLE—$4,000 (2c-5c-46c-56c-76c) 7 days. 2nd week. Gross, $9,000. (Average, $3,000.)
“Birth of the Blues” (Para)—FOX—$5,000. (2c-5c-46c-56c-76c) 7 days. 2nd week. Gross, $7,000. (Average, $2,000.)
KARTON—$1,000 (2c-46c-56c-76c) 7 days. Gross, $3,000. (Average, $429.)
“Keep ‘Em Flying” (Univ.)—STANLEY—$1,500. (2c-5c-46c-56c-76c) 7 days. Gross, $7,500. (Average, $1,625.)
“Swamp Water” (20th-Fox)—STANTON—$7,000. (2c-5c-46c-56c-76c) 7 days. Gross, $10,000. (Average, $2,500.)

The DEVIL PAYS OFF

ABNER BIBERMAN, as Corio, who spies on spies.

Thrill DRAMA OF SPIES AND SABOTAGE AT SEA!

J. EDWARD BROMBERG
OSA MASSEN
WILLIAM WRIGHT
MARGARET TALLICHET
ABNER BIBERMAN
JOHN H. AUER—Director
Screen play by Lawrence Kimble
Based on Malcolm Biberman’s novel
Original story by George Worthing Yates and Julian Zimet

Buy U. S. Defense Bonds
On The Press!

Edited by TERRY RAMSAYE

A QUIGLEY PUBLICATION
FCC Reports
Defense Chief
Work of Year

(Continued from page 1)

are 67 FM authorizations and 43 applications pending, with an estimated 10,000 FM receivers in public use. Applications for FM stations in New York City far exceeded the available frequencies there, it was stated.

In the television field, eight stations had been given commercial authorizations and a score of experimental stations had signified their intention of applying commercial as soon as possible, it was said.

Defense activities were centered largely in the National Defense Operations section, which established 100 monitoring stations throughout the country to detect violations of laws, treaties or regulations, through which several hundred unlicensed transmitters were closed down. The foreign broadcast monitoring service, which analyzes propaganda, news, to keep listeners advised of changes, and the Defense Communications Board, which has developed a program for operation of communications services during the war.

AB Issues Guide
On New Programs

(Continued from page 3)

users to report for civilian defense. They should be qualified and not idle imperative.

Stick to facts and cut out unbecoming writing.

Do not allow sponsors to use the waves as a springboard for commercials.

Do not use sound effects on dramatic programs which might be confused with emergency messages in the like.

Do not try to second-guess military officials, broadcast lists of casualties, or permit speakers to say anything adv.

Do not broadcast the location of units making war materials, and do not take chances with ad lib programs.

Power to FDR Over
All Communications

(Continued from page 1)

If the Communications Act, restores powers held by the President during the first World War to close stations and remove their equipment or authorize the use or control of stations by any Government department, with provision for just compensation to the owner.

Radio News in Theatre
CINCINNATI, Dec. 21—WKRC here is being urged to send by telephone the three new cast daily to the RKO Albee, 3,300-seat house here. The broadcasts are made by Garnett Marks at noon, mid-morning and afternoon.

L. A. Station Owner Dies
Los Angeles, Dec. 21—Vinton Dal-
ton, 50, owner of KMTE, died here after an illness of three weeks.

Off the Antenna

FIVE NBC-Red stations have started or are about to start operations on increased power. WJAR, Providence, is now on 5,000 watts nights, as is WWJ, Detroit. KGW, Portland, Ore. is scheduled to go up to that power on Jan. 1. WJLA, Washington, D.C., reached the 5,000-watt mark on New Year’s Day. WMTA, Charleston, S. C., is expected to start operation with 1,000 watts, day and night, on Feb. 1.

On the Blue, WAYS, Charlotte, N. C., is scheduled to go on the air New Year’s Day. Technical installations have been completed and final tests for the FCC begun.

Purely Personal:
Tom Braden, WOR, trade news editor, left Friday, for military service. . . . Sheridan House will publish shortly “Men of War” by Johannes Steel, WMCA commentator, based on his recent trip to England. . . . RKO announces two “Radio Station” articles, which have been written by the War Department for instruction in news and radio editors on how to deal with rumors. . . . Hudson Halsey has resigned as news editor of NBC short wave to become editorial assistant to Stanley Richardson, Coordinator of short wave broadcasting, formerly of WEAF, Louisville, has joined the announcing staff of WJJD, Chicago, . . . David E. Patridge, formerly of KMB, Kansas City, has joined WIL-H-W.S.AJ, Cincinnati, as assistant to the promotion director. . . . Glenn Miller has accepted appointment as national chairman of the dance orchestra leaders’ election for the Celebration of the President’s Birthday.

International Telephone & Telegraph Co. will sponsor a digest of Latin American news on WABC beginning Dec. 29. It will be heard 6:10-6:15 and there will be no commercials on the show, it being intended purely as a goodwill message.

Last minute war news Saturday afternoon directly from the scene of the battle will be featured in a new program, “War Correspondent,” which Libby radio stations will send out first. It will begin earlier Jan. 10 or 17. The starting date has not yet been decided. Ben Grauer will be master of ceremonies and any one or more of NBC’s correspondents around the world will be picked up as the event warrants. The program is timed 5:45-6 P.M. to take advantage of the early deadlines of Saturday afternoon programs.

Program News: Al Pearce will switch to NBC-Red Jan. 8 and will be heard Thursdays 7-8:30 P.M. Xavier Cugat, now heard at that time, will go over to Wednesdays 6-7 P.M. Cugat will replace the “Robert Young” show which will then start. Larry Long will do the program.

Wrigley Donates
Air Time for Navy

The William Wrigley, Jr., Co. on Friday donated time over 98 CBS stations, and WABC for a half-hour weekly series to be heard Thursdays, 10:15 to 11:45 P.M.

The program will be devoted to informational services of the Navy. It will originate from the Great Lakes Naval Training Center, near Chicago, and WBBD, Chicago, will feed the program to the network. Biggest Bobbie Brown will act as producer.

46 Stations
Joined NBC
Webs in 1941

Technical improvements and the addition of new stations featured in a year-end summary of activities released by the network over the weekend. A total of 36 stations joined the Blue network, four were added to the Red and 33 stations joined as optional outlets for Red or Blue. Power increases were granted 79 stations and nine affiliates received more favorable frequencies. Four stations left NBC during the same period.

330 Hours to Defense

During the first 10 months of the year, 1,062 defense programs were broadcast, of which 79.3 were originated by NBC and the remainder in cooperation with Government agencies. Exclusive of spot announcements, 520 hours were devoted to defense, of which NBC donated 295 hours. At present, the time devoted to defense programs increases to more than 100 defense broadcasts monthly.

News shows increased 65 per cent in volume during 1941. Two new listening posts were opened, one on each coast.

The short wave network was started with 23 military stations, and there are now three regular commercial accounts on that wave. NBC has also formed two stations and WPBS, the Western house short wave transmitter in Boston. The short wave staff increased from 46 to 48 during the year.

On the educational front, NBC has started libraries of recordings for schools and other organizations and hopes to expand this service during 1942. About 600 hours of network time was devoted to women’s shows, it was stated. Feudal difficulties with the American Federation of Musicians, NBC-Red radically revamped its late evening programs.

Four Million Visitors

Visitors to Radio City were many. More than 350,000 persons paid for tours of the plant and another 1,500,000 visited the studios during the year. About 4,000,000 persons, it was said, have taken the tour since the sightseeing trip was started some years ago.

During the year, the short wave transmitter was rebuilt, new studios were placed in the main tower making possible the entire National radio program. The new transmitter is under construction at San Francisco and studios were added at Chicago, Washington and Denver. The short wave transmitter is being prepared for commercial use and ultra-high-frequency links between various points has been established. The new telephone lines are cut off or are undesirable for technical reasons.

Television plans for next season, a major step forward although its progress was hampered somewhat by the war. NBC has started plans for a new commercial television outlet in this area during the year and a staff of 80 was maintained. Although only 15 hours of weekly and a total of 66 hours for December’s total is expected to reach 75 for the month. There are four sponsors on the air regularly now.
HERE AT THE RED NETWORK . . .

We can't even **BLUSH** any more!

(First, Second and Third Awards in Fame-Motion Picture Daily Poll
Go to Red Network Programs)
The Experts, as well as the Listeners, Give NBC RED Top Honors—and That's no Blushing Matter!

Of course we're happy about winning the top three honors in the Fame-Motion Picture Daily Poll—but the Red's fine showing all along the line means a great deal more from a practical angle than just the annual winning of popularity polls.

It demonstrates, primarily, why 36.9% more radio families "listen most" to the NBC Red Network than to any other network by day... and 41.7% more by night... as revealed by the listeners themselves in the All-County Census of Radio Listening Habits.

In addition to winning the top three places in the "Champion of Champions" classification, NBC Red programs took the lion's share of the remaining honors. In all, NBC Red shows won 14 first places—against 7 for the next network and 1 for the third—12 out of 22 second places and 9 out of 19 thirds.

So, to the experts, for doing such a good job of reflecting the vast listening audience's preferences, thanks... to the winning artists and sponsors—congratulations!

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**BOX-SCORE—1941**

**Fame-Motion Picture Daily Poll**

**NBC RED** took "three out of three" (first place, second place and third place) in these 5 classifications: Champion of Champions... Best Comedienne... Best Comedy Team... Best Master of Ceremonies... Best Variety Program.

**NBC RED** took the "top two" (first place and second place) in these 3 classifications: Best Classical Male Vocalist... Best Comedian... Best Dramatic Series.

**NBC RED** took first place in these 14 classifications: Champion of Champions (Bob Hope) ... Best Popular Male Vocalist (Bing Crosby) ... Best Classical Male Vocalist (Richard Crooks)...Best Comedian (Bob Hope) ... Best Comedienne (Fanny Brice)...Best Comedy Team (Fibber McGee & Molly)...Best Sports Announcer (Bill Stern) ... Best News Commentator (H. V. Kaltenborn)...Best Master of Ceremonies (Bing Crosby)... Best Dramatic Series (One Man's Family)...Best Variety Program (Kraft Music Hall)...Best Quiz Show (Information Please)...Best Daytime Serial (Vic & Sade)... Outstanding New Star (Red Skelton).

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**NBC Red NETWORK**

The Network MOST People Listen to MOST
(by the vote of the listeners themselves!)

**NATIONAL BROADCASTING COMPANY**

A Radio Corporation of America Service
You can't keep secrets in show business and expect the public to make a rush for your box office. Tell it! Yell it! That's the way to sell it! Plaster your town . . . plaster your neighborhood. The show starts right in your lobby. Use those press books. Plan your campaign like a general plans a battle. Every picture . . . big or little . . . is a battle to sell seats. Advertising is your ammunition. Make it scream with entertainment-promise. Make it shout: Come in . . . look around. There's a good show inside. Tell it—yell it—sell it—with

NATIONAL SCREEN SERVICE
Prize Baby of the Industry!
Procedure of L.A. Houses in War Outlined

Defense Bureau Issues 'Important Points'

Los Angeles, Dec. 22.—The theatre Defense Bureau of the Los Angeles Defense Council over the weekend issued a set of "20 important pointers" for theatre operators aiding the emergency.

Number one on the list is that during air-raid warnings, blackouts and dual attacks programs are to come uninterrupted and patrons are to remain in the theatre.

The bulletin urges that semi-weekly drills on panic prevention be held.

(Continued on page 6)

Kirsch Urges Patron Drive; Conn. Unit Opposes Decree

New Haven, Dec. 22.—Approximately 98 per cent of the independent exhibitors in this territory are opposed to the consent decree and urge a return to the old black system of selling with adequate cancellation provisions, Allied Theatre Owners of Connecticut reports as the result of its recent poll on the decree.

The result has been communicated to Abram P. Myers, chairman of the board of Allied Theatre Owners.

The letter to Myers, written by Maxwell A. Alderman, executive secretary for the organization, states: "The main objections of the independent exhibitors indicate that the con-

(Continued on page 8)

Daylight Time Move Seen as Film Problem

Radio Also Affected If Time Is Shifted

Considerable interest was expressed yesterday in film and radio circles as to the effect of a bill introduced by Senator Sheridan Downey of California expressing Congressional approval of any action President Roosevelt may take to invoke daylight saving time in any section of the country during the war.

Meanwhile, the California State Senate by voice vote yesterday tabled Sen. Ed Fletcher’s resolution urging Congress to adopt daylight time. Fletcher withdrew another resolution to place California on daylight time.

(Continued on page 6)

Van Wagner Named Comptroller of RKO

Garrett Van Wagner, who has been assistant treasurer of RKO and assistant to George J. Schaefer, president, yesterday was appointed comptroller of the company at a meeting of the board of directors.

Robert H. Dann and William F. Whitman were elected assistant secretaries of RKO.

Van Wagner’s appointment followed approval by the board of the recom-

(Continued on page 8)

Radio News Brief

First in Film and Radio News Brief, Accurate and Impartial

TEN CENTS

NEW YORK, U.S.A., TUESDAY, DECEMBER 23, 1941

OL. 50. NO. 123

MOTION PICTURE DAILY

PICTURE

Industry’s ‘Dimes’ Drive Pleases FDR

A message of appreciation from President Roosevelt to Nicholas M. Schenck, chairman of the motion picture committee to help fight infantile paralysis, was received by Schenck yesterday in a letter from Keith Morgan, national chairman of the March of Dimes campaign.

Morgan wrote that the President was "gratified" that the industry is undertaking a nationwide effort to help the drive. "I am sure he will watch the motion picture campaign with keen personal interest," he added, "and asks that letters be written to him.

"Please express our appreciation to every person and theatre cooperating."

Loew’s Plans Refunding of $18,000,000

Wall Street reports are that Loew’s, Inc., is negotiating a refunding loan of approximately $18,000,000, part of which will be on a long-term basis and part on a short-term basis, with a group of nine insurance firms.

The funds it is reported are to be used for calling in all of Loew’s outstanding $11,850,000 3/4 per cent debentures due in 1946, and its $12,652-

(Continued on page 8)

Three Skouras Bros. Given New Contracts As Circuit Operators

George P. Skouras has been given a 15-year extension of his present contract as operator of Skouras Theatres by Fox Metropolitan Playhouses, it is reported, as a reward for his services.

Spyros and Charles Skouras have signed a new five-year contract as operators of National Theatres, it is reported. Their contract additionally includes a five-year option in favor of the company, according to report.

Skouras Theatres Corp. operates houses in the New York metropolitan area. National Theatres operates more than 400 houses in the Midwest and on the West Coast.

The Skouras brothers have long been prominent in circuit operation. Starting in St. Louis, where they were also active in distribution in the early days, they bought an interest in a circuit and eventually became first run operators.

(Continued on page 8)

Ihristmas Eve

1941-'42 Year's Profit on the Horizon

In Hollywood and the Midwest have been charged with the task of reporting to the professional circles the details of the annual meeting of the Motion Picture Industry Conference Committee here Dec. 23. It was decided to hold the conference at the Congress Hotel where the conference will be held.

The conference is expected to be attended by 150 representatives from the various branches of the industry.

(Continued on page 8)

Bway Theatres Regain Strength

Broadway theatres regained much of the box-office composite which was lost with the first reaction to the war that fateful Sunday in Hawaii.

There will be no restrictions on New Year’s eve celebrations in Times Square, Police Commissioner Valentine announced yesterday.

(Continued on page 5)

(Continued on page 8)

Networks Flash Churchill Arrival

Fresh off the wire services, radio again had the privilege of flashing the world simultaneously the thrilling news that Winston Churchill, Britain’s Prime Minister, was in Washington and in conference at that moment with President Roosevelt. Inquiry revealed that NBC-Blue broadcast the wired flash at 6:57 P.M. and CBS flashed it at about the same time, and NBC again at 7 P.M. Churchill broadcasts a few minutes later, had arrived in this country by plane, accompanied by Lord Beaverbrook and naval, military and technical experts.

(Continued on page 5)

‘Time’ Sues to Enjoin M-G-M Film on War

Judge John Bright in U. S. District Court here yesterday signed an application by March of Time against Loew’s, Inc., and Warwick Productions, Inc., ordering them to show cause why they should not be restrained from exhibiting “War Clouds in the Pacific,” a two-reel film, unless scenes contained in that picture alleged to be the property of March of Time were removed. The film was compiled

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(Continued on page 8)
Coast Flashes

Hollywood, Dec. 22


Twentieth Century-Fox also announced a new war film, "Ground Pilots," the story of Army Air Corps ground crews, for early production.

Alexander Korda plans the production of a film based on "War and Peace." Count Leo Tolstoy novel, in which he will star Merle Oberon. It is planned to start production early next summer, with release by U. A. expected toward the end of the year.

Lester Rankin, describing himself as a Warner Bros. minority stockholder, has filed a Federal court suit in Los Angeles against the officers and directors of the company seeking the return of about $81,600 allegedly paid William Bobb and George E. Browne, former IATSE leaders. He also asked for the return of other undisclosed sums allegedly advanced union men.

W.B. Theatres Zone Meet Held in Albany

Albany, Dec. 22—C. J. Latta, new Warner Circuit zone manager here, presided here today over a meeting of the main New York zone managers in Ralph Crabill's district.

Accompanying Latta, who outlined Warner's policy for 1942 and the wartime emergency, was Charles A. Snakowitz, zone publicity head.

NEW YORK THEATRES

RADIO CITY MUSIC HALL

"H. M. PULHAM, Esq."

An M.G.M Picture with HEDY LAMARR ROBT. YOUNG CONRAD NUGENT With the Music Hall's Great Christmas Stage Show 1st Matinee Seat Reserved. Circle 6-6000

BING CROSBY MARTIN in a Paramount Picture

"BIRTH OF THE BLUES"

PARAMOUNT TIMES SQUARE

Don Ameche Joan Bennett

CONFIRM or DENY" PLAYS A BIG STAGE SHOW 7th Ave. & 59th St.

"LOOK WHO'S LAUGHING" Edgar Bergen Chali'n McCarthy

ALL THAT MONEY CAN BUY" Edward Arnold Anne Shirley

From the London Office of Quigley Publications

HOPE BURNUP and AUBREY FLANAGAN send Greetings to all their friends throughout the world and wish them

A HAPPY CHRISTMAS VICTORY and PEACE in 1942

Personal Mention

FRANCIS L. HARLEY, 20th Century-Fox manager for Britain, and Robert T. Kane, head of the company's British production, arrived from Europe by clipper via Brazil over the weekend.

J. J. Milstyn has arrived in California from New York.

Robert Prachett, former Paramount booker at the St. Louis exchange, now with the Army in Hawaii, has sent word that he is safe.

Harry M. Bessey of Altec Service Corp. has returned from Detroit.

MATTHEW J. FOX, Universal vice-president, story arrived in Hollywood from the East.

SV Waxman, manager of the Hollywood and Cinema, Atlantic City, was called for active duty in the Navy. He will be stationed at the Philadelphia Navy Yard.

Judge Joseph Varblon, head of the Varblon circuit in Southern New Jersey, has entered the Camden, N. J., hospital, for a checkup.

William Knott King of Philadelphia, and Martha Musche were married recently.

Hold Cadoret Rites In Rochester Today

ROCHESTER, Dec. 22—Funeral services will be held here tomorrow morning at the Blessed Sacrament Church for William H. Cadoret, 65, general manager of Monroe Amusements, Inc., who died here Saturday following a heart attack. Burial will be in Bourbonnais, Ill.

Cadoret had been in the theatre business since 1909, and for many years was film buyer for the Comerford Circuit, with offices in Scranton, Pa., joining the circuit in 1921. He had charge of the Palace, Temple, Century, Regent, Capitol, and Monroe theatres here. One brother, Gerald Cadoret, is general field supervisor for the Comerford Circuit, and another brother, Arthur, formerly was associated with that circuit. William Cadoret is survived by his widow, and a daughter, Ellen.

Linnet Installed as Mason Lodge Head

Hank Linet of Universal's advertising and publicity staff last night was elected and installed as master of City Lodge No. 408 of the Free and Accepted Masons. Delegates of the Masons from the film industry attended. The installation was at the Masonic Temple in the United States for some years.

Rites for John Shipman

PHILADELPHIA Dec. 22—Funeral services for John Shipman in Pittsburgh for John E. Shipman, 69, of the maintenance and repair department of the Warner theatre circuit here, who died on Saturday. He was the father of J. Ellis Shipman, executive of the Warner circuit here. He leaves a wife, a daughter, a sister and a brother.

Nov. Tax Revenue Is Up to $10,411,197

WASHINGTON, Dec. 22—Admission tax collections increased almost 50 cent in the first month of app which went into effect on Oct. 1, it was reported today by the Internal Revenue Dept.

The bureau announced that receipts from the tax in November aggregated $10,411,197, compared with $8,612,275 in October and $7,124,225 in November, 1940.

For the first 11 months of the year, the report showed, admission tax collections reached $76,407,121, compared with $36,829,403 for the corresponding period last year.

The bureau's special report for the Third New York (Broadway) Beach district showed collections of $2,600,82 against $1,497,707 in November, 1940. Collections at the box-office were $2,500,000, $1,497,707, and $70 on tickets sold by brokers. It was established at this price, against $1: $174 on permanent use or lease of boxes and seats and $86,692 from admissions to roof gardens and cabarets against $67,965.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 170 West 43rd Avenue, Rockefeller Center, New York City, Telephone Circle 7-2100. Cables: "Quiglobe, New York," Martin, Quigley, Editor-in-Chief and Publisher Copyright, 1942, William C. Finestone, Vice-President and General Manager, Waterson R. Rodhouse, Vice-President; Sam Shanin, Editor; Alfred L._TRANSACTION, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau 650, 650 South Dearborn St., Chicago, Ill. R. O'Neil, Manager; Hollywood Bureau, Postal Union Life Building, William R. Weaver, Editor; Leon Friedland, Manager; London Bureau, New York, London, W. A. Hope Williams, Manager, Public address "Quiglobe London." All contents copyright 1931 by Quigley Publishing Company, Inc. Other Quigley Publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Famed. Entered as second class matter, Sept. 23, 1919, at the post office at New York, N. Y. under the Act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.
“Ushers! Get out the tape for Mickey Rooney, Judy Garland in M-G-M’s 'Babes On Broadway’!”

Here is a picture in the best traditions of show business which has just about everything needed to bring crowds to the theatre and joy to the hearts of patrons of all ages, and to the exhibitor.

—M. P. HERALD

One of the most palatable and substantial entertainments ever to find its way into celluloid. Talent and versatility are apparently boundless, and in this toe-tickling, heart-warming musical, are employed to their best possible advantage. There are enough breath-taking highlights in the film to have assured successful reception for three motion pictures.

—BOXOFFICE

Entertainment-laden money show. A showman’s natural and can’t miss being a big money picture.

—EXHIBITOR

Great show; sock entertainment. As great a job as has ever been put into one picture. Any ticket buyer will go out raving. A whale of a box-office attraction with Mickey Rooney, the nation’s top male draw, and Judy Garland, heading the cast and doing the best jobs of their careers. The answer to every exhibitor’s prayer. Boys and girls, it’s a show, and what a show!

—HOLLYWOOD REPORTER

Just about everything the average movie fan could desire. Place "Babes On Broadway” right on top . . . the best Rooney-Garland co-starrer to date. Head and shoulders above all other recent musicals. Bound to be a hit with any audience, will shoot box-office grosses upward in every situation.

—SHOWMEN'S TRADE REVIEW

Should do as well as its predecessors, "Strike Up The Band” and "Babes In Arms,” at the box-office—which was very good.

—VARIETY (Weekly)

In exploiting this attraction, showmen are warranted in going the limit. The picture contains 15 musical numbers, among them some of the best they’ve ever seen. Busby Berkeley, director, has seen to it that all of his past experience in the field of dance direction is reflected in the enterprise . . . Audience shrieked their delight.

—M. P. DAILY

Will be a box-office smash of the season. One of the most refreshing and enjoyable musicals to ever grace the screen. It has everything, and exhibs. can prepare for holdovers and top grosses.

—FILM DAILY

An avalanche of sure fire entertainment, paced by the certified box-office names of Mickey Rooney and Judy Garland. It has everything with which to mop up—youthful zest, heart-tug, infectious rhythm, constant amusement and excitement, stirring performances, substantial story interest, captivating music and lavish production.

—DAILY VARIETY

400 HAPPY NEW YEAR DATES LAUNCH 1942’s FIRST TRIUMPH!
**Dietz Hits Critics**

**Of Hollywood in Liberty Article**

"The movies didn't just happen. They are the result of hard work, inspiration, and the good judgment of small men."  
So writes Howard Dietz, director of advertising and publicity of Metro-Goldwyn-Mayer, in the Jan. 3 issue of Liberty magazine.

Dietz takes to task those who criticize Hollywood. He expresses his views partially as follows:

**U.S. Films 'Best in World'**

"Over the years the Hollywood movies have become the best in the world, capturing the market wherever they were shown. Despite barriers of language, 91.2 per cent of the seating capacity outside the United States is devoted to American films.

"Somehow, some way, it becomes clear to those who care that the men who make the movies have more sense than those who take them to task. The movies are here to stay and they got that way because this critical leadership had investment courage, a grand staff, and enough vision to share this leadership with the growing talent.

"They believed in the movies, risked their security for the movies, and stuck to their job with the tenacity of a sourdough in the days of the gold rush."

But the radio, faced with no alternative, had to derive its revenue from commercials. It is significant, however, that the same resistance to the coming of television has been shown by the companies that own the networks.

"No... they have been locked into their daily output 24 hours a day with no alternation of their normal schedule."

"We are faced with the same problem as the movies, and it is up to us to make sure our audience is not deprived of either the movies or the radio..."

"Sordid Accusations"

"Had they been greedy they would have fallen for this seemingly easy money. Other industries which are on their last legs. This adherence to a principle gives the lie to those who would have us believe that the movies are being thrown around when the linen was washed in public. The movie magnates, whatever their frailties and admitted mistakes, have been doing what they thought was for the best interests of the vast personnel involved and for the success of the screen itself.

"Why should every other art form be judged by its exceptions and the movies only by their best?"

"When Dickens was a current best seller an awful lot of authors wrote books that no one bothered to remember."

"And a lot of canvases were dashed while a Rembrandt was painting "The Night Watch.""

"And a lot of turkeys were produced the same year that Ibsen wrote "The Wild Duck.""

**Fire Damages House**

**Bath, N. Y., Dec. 22—**Damage estimated at more than $1,000 was caused by fire that broke out in the Babcock Theatre here.

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**Review**

**"King’s Row" (Warner’s)**

**Hollywood, Dec. 22**

**SCENE** of this picture is a small American city, the period is 1890-1930. The story is that of the town and its people, many of whom are counterparts of people in every community and many of whom are psychopathic cases, neurotics and emotionalists of one kind or another.

Under impression direction by Sam Wood a large cast delivers an assortment of performances which combine to produce an over-all effect of cinematic perfection. The screenplay by Casey Robinson, from a novel by Henry Bellman, gives each player plenty of opportunity in the course of a long and detailed accounting for what goes on in every department of a man-sized narrative. David Lewis, associate producer, distinguished himself in the handling of a subject which offered more problems than any other.

Robert Cummings, Ronald Reagan, Ann Sheridan, Betty Field, Charles Coburn, Claude Rains, Judi Anderson, Nancy Coleman, Kaaren Verne, Maria Ouspenskaya, Harry Davenport and Ernest Cosart are the principals in the adult cast. Ann Todd, Scotty Beckett, Douglas Croft and Mary Thomas are excellent juveniles enacting the early portions of the film.

It is a somber story, 125 minutes in the screen telling, and it deals with the morbid, the psychiatric and the fantastic as such melodramas deal with such items as the mortgage on the homestead and the uprising of物价. But here is a sadistic surgeon, described as such in the dialogue, who goes about town using his scalpel as an instrument of moral discipline—this includes amputating the legs of a young man whose attentions to his daughter he objects to. Another is a girl kept indoors by her father, who kept her mother indoors for years before her death, until he becomes convinced of his insanity, whereupon he kills her and commits suicide.

It is the stories of these, and of those whose lives they and their doings distort, that make up the master-narrative. So powerfully are these elements stressed that some illicit love affairs conducted by some of the husbands are made to seem more than incidentally important.

There is nothing in the picture for children and there is much in it that is not for them.

The picture is not to be classified as "escapist" save in the sense that it provides a means of escape from real troubles to some unreal ones that are of a more trivial and terrible than the misfortune that may meet to them in their daily lives. It is a magnificent job of production, technologically and by all the accepted rules of professionalism, and it is a theatre experience to be remembered, but it is a deadly earnest business making no gesture whatever toward imparting joy to the customers.

Running time, 125 minutes. "A."**

*Rocco Williams

**Legion Approves Thirteen New Films**


**Plan Gifts for Soldiers**

**Cincinnati, Dec. 22—**The Cincinnati Committee on National Defense, in arrangement to provide local boys in the service with cigarettes, razor blades and similar commodities, has received funds supplied from the club’s treasury. When such funds are not adequate for the purpose, money will be staged to maintain the contributions.

**Gary Cooper Gets Gehrig Role in Film**

Gary Cooper has been selected by Samuel Goldwyn to play the role of Lou Gehrig in the forthcoming picture based on the life of the late ball player, it was announced in Hollywood yesterday.

Sam Wood, who will direct the Goldwyn film, arrived from the Coast yesterday to spend the holidays with his daughter, K. T. Stevens, stage actress, following which he will return to the Coast to start work on the Gehrig picture.

**Chicago, Dec. 22—**While here, en route to New York, Sam Wood said he favored Gary Cooper and Zita Johann for the leads in "For Whom the Bell Tolls," which he will direct for Paramount after completing the Gehrig picture for Goldwyn. An "official" choice of players has not been made yet, he said.

**Laraine Day in 'Fingers'**

**Hollywood, Dec. 22—**Laraine Day has been set opposite Lew Ayres in M-G-M's "Fingers" which Charles Lederer will direct.

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**Studios Keep Pace Despite War’s Crisis**

Hollywood, Dec. 22—War or no, the business of making pictures for the nation's entertainment continued. This week they were off, 10 finished to make a total of 49 before the cameras. Twenty-one are in the editing stage, preparation, and 72 are being edited.

M-G-M continues to be the busiest studio, with nine in work; Paramount is second, with seven. The tally by studio:

**Columbia**

In Work: "Canal Zone," "Trinidad," "Blondie's Gosts a Guest."

**Korda (U. A.)**

In Work: "To Be or Not to Be."

**M-G-M**

Finished: "Out of the Past."


**Paramount**


**RKO**

Finished: "Lum and Abner No. 2."

"The Mayor of 44th Street."

**Republic**

In Work: "Riders of the Sunset Trail," "A Tragedy at Midnight."

**20th Century-Fox**

Finished: "For Children."

In Work: "This Above All," "Kings of the Finger Tips of Manhattan."

**Universal**

Finished: "You’re Telling Me."

In Work: "Drums of the Congo," "The Mystery of Marie Roget."

**Warner’s**


In Work: "Yankee Doodle Dandy," "In This Our Life," "Larceny, Inc."

**Leaves Ontario Post**

Toronto, Dec. 22—After serving for more than 15 years, A. H. Gray has resigned as inspector of theatres for the Ontario Government.
Procedure of L.A. Houses in WarOutlined

(Continuedfrom page 1)
among all personnel; that at least two of the theatre's personnel, including the manager, take a course in first aid; that firemen serve on the defense council in each area, where such council exists; a set method of handling lights during blackout; installation of emergency lights; staff instruction on alarms and signals, in addition to rules requiring box-office doors to be kept closed; the Grand to remain in operation without proper and responsible management; that the staff should be cheerful, courteous and thoughtful; emergency lighting switches should be painted white and encircled in red; and that box-office windows and doors be opened with a minimum of change funds; check with Red Cross on first-aid requirements; check all ceiling suspensions such as chandeliers.

Refuge for Public
Also, that theatres admit the public in the event of an attack; that proper precautions be taken by management at the event that the power is interrupted; that only cheerful program material be used for children's matinees; that no mention of armed forces' activity be made; that the national anthem be played at least once during each complete performance; that theatres be made available for morning classes of the Red Cross or similar organizations; that an efficient "parking" system be installed; that theatremen consider making vacant store space available to government and defense organization; that managers request patrons to remain seated during troop movement or such, to avoid traffic congestion; that fire drills be issued and displayed properly; care in handling film and elimination of fire hazards.

In summation, it was said: "Instruct your staff to be constantly in every phase of your operation until doing the right thing becomes automatic. Welfare of the community requires calm and employ sound, common sense at all times. Make your theatre a respected leader in doing right thing at all time. You therefore will make an important and vital contribution to the national effort."

Managers at Meeting
Los Angeles theatre managers today attended a meeting of the Theatre Defense Bureau which was addressed by Fire Department battalion chiefs assigned to instruct them by Fire Commissioner E. R. Pranke, and the cooperation with the bureau director.
Instruction in dealing with incendiary bombs and other possible air raid effects was given. Theatres were grouped by zones of six houses each with the manager of one in charge of drills.
In addition, theatres employing large staffs will be organized separately under the same setup. The defense bureau will function along with the Fire Department in this line, with emergency.

Reviews

"The Man Who Came to Dinner" (Warner)
Hollywood, Dec. 22

T HE Warner workmen herewith have hand to the motion picture exhibitor virtually unchallenged the George S. Kaufman-Moss Hart comedy which the legitimate theatre has presented with notable commendable success in New York. It would seem to follow that the film can be depended upon to produce a comparable inflow of dollars when presented in the cinemas of those centers. Whether the fame of the stage play in the cities may have carried over into the towns in sufficient force to guarantee a readiness for it there is a matter of considerable interest.

On the screen as on the stage, the comedy abounds in sophistication, the cast in costumery and the humor in expressions, connotations and references comprehensible and amusing to the aware and informed but sometimes meaningless to the casual and slow of wit. In retaining most of the original gag and Philippe, one of the screen purposes demand, the craftsmen in charge of the enterprise have retained also the form and largely the manner of the stage. To those who go to the theatre expectant of a stage play, doubtless this will be a source of satisfaction, while those who go to see movement and the orthodoxy processes of screencraft may find it something else.

Bette Davis, Ann Sheridan, Billie Burke, Jimmy Durante, Reginald Gardiner, Grant Mitchell, Laura Hope Crews and many other film names are at hand for marque use. Monty Woolly, who starred in the stage version, plays the name role in the picture, supplying a commanding presence and a billing-name with significance of stage conscious. A Beverly Hills, Calif., audience indicated by frequent and unrestrained laughter its approval of the picture.

Jack Saper and Jerry Wald were associates to Executive Producer Hal B. Wallis and William Keighley directed from a screenplay by John Huston and Philip G. Epstein. Anticlimax is retained in all possible essentials the characteristics of the stage play.

The comedy is not pointed at children, its humor is for the most part beyond their years, and some of its lines are unconditioned to the juvenile ear.

Running time, 150 minutes. "A."

"Dangerously They Live" (Warner)
Hollywood, Dec. 22

A NEW twist to the espionage and counter-espionage story is given Warners' "Dangerously They Live," an excitingly told and well done melodrama. The refreshingly effective story has a band of Nazi agents in New York kidnap a girl operative of the British Intelligence who pretends to have amnesia in an effort to foil their attempts to gain information concerning a convoy rendezvous. Aiding her is a young psychiatrist who is used at first as an innocent dupe of the Nazis but who later is convinced of the girl's story concerning their danger and joins her cause.

The picture ends with the bombing by British planes of the German submarines which have been given false information by their aides in the United States. John Garfield as the young doctor, Nancy Coleman as the girl operative and Raymond Massey, as the head of the spies, head a long cast. Miss Coleman, in her largest role to date, delivers exceptionally well.

The original screenplay by Marion Parsonnet and the direction of Robert Florey maintain suspense throughout to achieve as excellent climax. Ben Stoloff was associate producer.

Running time, 78 minutes. "G."

"G" denotes general classification.

Reopen Bayside Theatre
The Bayside, Bayside, L. I., formerly operated by the Brandt circuit, has been reopened by No. 30 Theatre, Inc., and is being operated under the supervision of Skouras Theatre Corp., with the manager of one in charge of drills.

The new theatres employing large staffs will be organized separately under the same setup. The defense bureau will function along with the Fire Department in this line, with emergency.

3 Firms Chartered; Two Are Dissolved

Albany, Dec. 22—Three companies have been chartered here, and two have been dissolved. The new firms are: Reopen Bayside Theatre, by Ralph Bosch, Nicholas H. Ruiz and Albert V. Testa; Colonial Productions, Inc., by H. L. Crantz, F. M. de Vries, F. S. Willett, Harold W. Smith, and Troop-Blumenthal, Inc., by LeRoy Blumenthal, Emanuel H. Rand and Lester Troop.

Those dissolved are: Union Tickets and R. W. Productions.

Daylight Time Move Seen as Film Problem

(Continued from page 1)

when he was advised that the subject matter was outside the scope of the Governor's special session proclamation.

May Offset Loss
Although exhibitors previously have opposed daylight time as an adverse influence on the box-office, it was pointed out by observers that in areas requiring blackouts, longer daylight hours may offset the loss of business resulting from the dumping of darkness over entire buildings. Also, these observers said, additional daylight may be an inducement to stay outdoors during Summer months but in cold, wintry weather there will be little tendency to stay out of doors whether there is daylight or not.

Opposition to daylight time centers around the fact that it is not yet definitely whether blackouts will be necessary as a precaution, and it was felt by some spokesmen, therefore adoption at this time of a daylight saving measure may be premature.

Would Not Affect Radio
Radio listening falls off sharply during Summer, as far as hour counts, as far as hour counts, as far as broadcast times. The latest study surveys have been able to determine, but among many radio executives, too, it is a known fact that daylight time will not affect listening during Winter months. Radio, of course, has a special problem and the industry long has advocated a Congressional bill which would fix the time on a national basis, either with or without daylight saving. It offers a constant problem to network programmen but local or sectional daylight time areas complicate the problem to extreme proportions.

Prepare Plans for Sign Blackout in Pa.

PHILADELPHIA, Dec. 22—The Pennsylvania State Council of Defense has proposed a plan for immediate blacking out of all outdoor illuminated signs in the state in case of an air raid. The proposal, submitted by the Outdoor Advertising Association of Pennsylvania, calls for each large lighted sign to be equipped with a convenient switch, by means of which it can be blacked out during an emergency. The plan provides for a system of clear instructions which are easily available. Signs which cannot be so controlled will be turned off for the duration of the emergency.

Para. Choristers to Sing

The Paramount Choral Society, consisting of 54 Paramount home office employees, will give a concert of Christmas carols in Grand Central Terminal from 5 to 6 P. M. tomorrow.
Kirsch Urges Patron Drive; Conn. Unit Opposes Decree

(Continued from page 1)

amusement and recreational pursuits which have been condemned for lacking in somber accounts of the war," Kirsch's letter states.

Urges Aid Solicitation

"It seems to me," he continues, "that the committee as a preliminary step might enlist the aid of public officials and prominent personalities in raising money to carry on the usual pastimes and diversions. All thoughtful persons recognize the need of keeping the American people from the wearisome c

Three Skouras Bros. Given New Contracts As Circuit Operators

(Continued from page 1)

opera there. They sold out to Warner Bros. and Skouras and Charles became general managers of the Warner circuit. In 1930 they severed connections with the company and affiliated with Paramount. Later they took over Fox Metropolitan Playhouses in New York.

For a number of years Sypros and Charles Skouras have operated the National Theatres circuit, comprising the Allied Artists, Fox, Intercontinental, Mountain, Fox Midwest, Wisconsin Amusement Enterprises and Everlast State Amusement Enterprises divisions and Fox Michigan Corp.

Sypros Skouras is president of the National Theatres. Charles Skouras is in charge of the Fox West Coast group.

George Skouras is president of the Skouras Theatres Corp., which is not affiliated with National Theatres.

B'way Theatres Regain Strength

(Continued from page 1)

was renewed after a sudden decline for the same war reasons. The temperature on Sunday was lower than on any other day but proved no great deterrent to theatre business, and yesterday the weather was slightly milder.

H. M. Pullham, Esq., grossed an average of $4,200 in two performances of "The Music Hall Thursday through Sunday, with the stage presentation. At the Paramount, "Birth of the Blues" with Orrin Tucker's orchestra brought in an estimated $19,000 Saturday and Sunday and finishes its second week with an estimated $38,000 expected.

Business at the Strand, where David O. Selznick's "North by Northwest" is in its second week, amounted to an estimated $14,000 Thursday through Sunday. The RKO grossed an estimated $23,800 with "Confirm or Deny" and a stage show, Thursday through Sunday. The show is in its opening week.

"How Green Was My Valley," in its eighth week at the Rivoli, drew an estimated $9,000 Friday through Sunday.

Van Wagner Named Comptroller of RKO

(Continued from page 1)

mandation of the management that all accounting and auditing activities of the organization be unified under the supervision of one official, who would become comptroller of the parent company and its subsidiaries.

Van Wagner has been associated with RKO for almost 10 years, having been on the staff of the Irving Trust Company from 1933 to 1940. Subsequently, he was elected assistant treasurer and assistant to the president.

Buy Two Minn. Houses

MINNEAPOLIS, Dec. 22.—The Lake and State Theatres at Detroit Lakes, owned by William Elson and Gilbert Nathanson, from Andrew and Herbert Anderson.

English Production Is Going Full Blast, Goldsmith Declares

Production in England is running "full blast" and studio space is at a premium, according to the independent British producer, who arrived here recently, stated yesterday.

There are seven pictures now in production in addition to two production activities at studios which the Government has taken over, he said. American companies are engaged in considerable production in London, he said.

Large Risk Eliminated

One of the principal difficulties, that of risk to investments in the event a studio or performer was injured as a result of war activity, has been eliminated by the Government's issuance of indemnity insurance, which Goldsmith said, has been one of the main stimuli to production. But there is still a considerable shortage of technical help and talent, he added.

The Government grants leaves when technical men are required for production and the Government cooperates, there is still a great deal of difficulty, he pointed out. Leaves are granted for production rather than for certain periods of time. In the case of talent, Goldsmith reported, similar arrangements have usually been made. Many actors flatly refuse to leave their posts except for pictures requested by the Government, Goldsmith said. In the latter case, it is not uncommon for an actor to refuse payment for his services, according to Goldsmith.

Theatre Business Booms

Theatre business, especially in the Midlands and the North, has never been better, he declared. The granting of leaves, he said, means that many workers who have money which because of restrictions and rationing cannot be spent except for certain items, are working for theatre space.

Goldsmith has completed "Hatter's Castle" for Paramount and a print is now on route here. In May, Goldsmith will release "Flagirl," a story of the German "Grand Canary," for C. M. Woolf, with distribution by General Film Distributors. The film, he said, is in distribution on the film has not been set. He expects to spend six to eight weeks additional here and plans to see Cronin and Hobart, he said. Goldsmith left last night for the coast.

See Mono. Profit at
$250,000 for Year; 34 Films Scheduled

(Continued from page 1)

gram shows a profit, before taxes, of $101,000, Brody said. Sales this season to date are in excess of total sales for the entire preceding season he reported.

Monogram plans to produce four features of a higher budget class than the old block buying, which, if the producers are not originally, will increase budgets on several pictures now listed and may add a new series of Westerns to its release schedule, Brody told the financial holders.

Plans were discussed at the meeting. A special jewelry hall show was considered for the John Boles picture, "Road to Happiness."

"Speaking as a meeting, in addition to Brody, included T. C. Pakenham, chairman; George Weeks, producer; John Hummel, executive vice-president for De Luxe Laboratory; and a member of the Monogram board of directors, and Lloyd Lind, assistant sales manager.

Denies Dismissal of Ill. Clearance Case

CHICAGO, Dec. 22.—A motion to dismiss the clearance complaint of the Don Theatre, Downers Grove, Ill., was denied by Thomas C. McConnell, following the start of hearings on the case here today. The hearing is to be resumed Dec. 29.

Loew's, Inc., Plans
$18,000,000 Funding

(Continued from page 1)

200 $6.50 no par preferred. The debentures are callable at 110 1/2 at 4% to Feb. 15, 1914, and at 102 to Feb. 15, 1943. The preferred is callable at 105.00.

The negotiations have not yet been concluded but it is believed they may be finalized today.

It is believed that part of the company's $15,800,000 of calls for Loew's calling part of the issues involved from the firm's cash surplus, said amount to about $30,000,000. Loew's negotiations are being directed by David Bernstein, vice-president and treasurer.

Museum Shows Films
For Civilian Safety

Twelve British-made films on "Safety for the Citizen" themes, dealing with air raid and other wartime precautions, will be shown daily by the Museum of Modern Art, Egyptian government defense pictures, with the understanding, according to de Rochefort, that such pictures were for exclusive Canadian distribution or for the Government war archives.

Time Stays to Enjoin
M-G-M Film on War

(Continued from page 1)

by the National Film Board of Canada.

The application was in connection with a copyright infringement suit in which March of Time alleged that the film was copied in part from material in five "Time" reels made between 1937 and 1940. Loew's M-G-M is distributing the film, which was scheduled to open tomorrow at the Capitol on Broadway. Morehall Realty Corp., a Loew's subsidiary which operates the Capitol, was made a party to the action.

Louis de Rochefort, producer of March of Time, gave a statement in a statement in which the film uses scenes recently taken by its cameramen in the Far East. Since those scenes are in a special March of Time released "Helmet of the Pacific," new being released by RKO, "we have no choice but to seek injunctive relief," the statement said.

March of Time, during the past three years, has given the National Film Board of Canada scenes from its films. March of Time and other government defense pictures, with the understanding, according to de Rochefort, that such pictures were for exclusive Canadian distribution or for the Government war archives.
PACIFIC BLACKOUT!

TOO HOT TO HOLD!

Yours Jan. 2
"PACIFIC BLACKO

MARThA O'DRISCOLL, Philip Merivale
Blackout on the Pacific Coast... terror and sabotage as a great Western city is plunged into darkness at the sound of the Alert... plot and counterplot of enemy agents taking advantage of the confusion of panic!

That's the background of Paramount's "PACIFIC BLACKOUT"—the film Paramount is rushing to you ahead of release, as a showman-ship natural! It's yours January 2; see next page for details!

"UT" A PARAMOUNT PICTURE with ROBERT PRESTON

Eva Gabor • Directed by Ralph Murphy • Screen Play by Lester Cole and W. P. Lipscomb • Based on a story by Franz Spencer and Curt Siodmak
Paramount filmed "PACIFIC BLACKOUT" under the title "MIDNIGHT ANGEL." It was originally set for February 2nd release, as a part of Paramount's third block.

It was intended to use title "PACIFIC BLACKOUT" while the picture was in script form. We eliminated this title, however, because we felt it might be too alarming.

TODAY ALARM IS FACT. Blackout came to the Pacific Coast only a few days after the completion of the picture. "PACIFIC BLACKOUT," therefore, comes to you one of the most timely pictures ever made.

PLAY "PACIFIC BLACKOUT" WHILE IT IS HOT. We realize the TIME LOST in negotiating for this hot box office shot WILL COST DOLLARS so we have decided that ANY PARAMOUNT CUSTOMER MAY BUY THIS PICTURE NOW and play it JANUARY 2nd. Terms will be settled when the third block of pictures is negotiated for. For those exhibitors who are not at present Paramount customers, the picture is IMMEDIATELY AVAILABLE FOR SALE and CAN BE PLAYED JAN. 2nd.

Read what the trade critics said BEFORE war made the story true!

"OUGHT TO DO GOOD BUSINESS WHEREVER IT PLAYS...swiftly-paced, suspenseful melodrama...an exciting screen play made out of the blackout!" —Daily Variety

"CLICKS SOLIDLY...admirably paced melodrama played against an American blackout...successful and entertaining!" —Film Daily

"SOLID ENTERTAINMENT THAT'LL PAY A HEALTHY PROFIT...when Seattle staged a practice blackout it gave Hollywood a swell idea for a tensely exciting adventure movie!" —Hollywood Reporter
**MOTION PICTURE DAILY**

**Actor Can Collect On Promise of Screen Test. Court Decides**

Refusal by a film company to give a screen test to an actor under contract for that purpose makes the company liable for damages, term of the New York Supreme Court ruled yesterday in upholding a $1,500 judgment awarded against Loew's by Conrad Noles, actor.

The ruling affirmed a decision by New York City Court Justice Frank A. Carlin, which granted the judgment against the company in a test suit brought by the actor.

The agreement set down no opinion but based its decision on one by Justice Carlin. The City Court ruling was to the effect that Loew's had agreed, for a fee of $100, to furnish the actor with a test film, and that the latter had led the plaintiff to believe that he would be accepted for the leading role, and that he would subsequently be accepted for the role.

Because Noles was prevented under the terms of the agreement from seeking employment elsewhere, the court had held, he would have been unable to obtain better terms elsewhere had he not signed the contract. According to Cecil A. Citron, attorney for Noles, this is the first decision on the question.

**Ask Court Review of Opera on Tour Writ**

WASHINGTON, Dec. 22.—Reconsideration of the Supreme Court's decision that no Federal question was involved in the granting of the injunction by the New York Court of Appeals to Opera on Tour, Inc., prohibiting the IATSE from interfering with the use of mechanical music, has been asked by the union.

A petition for rehearing has been filed with the Court of Appeals in the determination whether or not the injunction interferes with the right of free speech, of which guaranteed by the 14th amendment to the Constitution.

Opera On Tour produced the opera "Aida," the same staged hands under a reciprocal agreement with the American Federation of Musicians which had protested against the elimination of musicians. The injunction was subsequently granted and affirmed on appeal by the New York high court. In November, the U. S. Supreme Court refused to review the case on the ground that no Federal question was involved.

**Lewis Is Elected an RCA Vice-President**

Edward E. Lewis has been elected vice-president of the RCA Manufacturing Co., directing the activities of the company's finance and accounts division. The assignment will relieve F. H. Corcoran, vice-president and secretary, for greater active work. Most recently Lewis has been director of priorities for the company.

**FCC Program To Be Adjusted To Censorship**

WASHINGTON, Dec. 22.—The work of the Federal Communications Commission will be fully accommodated to the new Government censorship requirements, FCC Chairman James L. Fly declared today.

A close liaison will be maintained by the FCC with the censorship set up under Byron Price, Fly said.

He expressed the belief that the new methods will eradicate the great fear of censorship, being aware for some time that it was inevitable. He refused to speculate as to what action the various forces, the inevitable problems to deal with under censorship and he will discuss them with Price at an early date.

**1,154 Features on WOR During Year**

A total of 1,154 special feature broadcasts, including spot news, sports and syndicated programs, were carried by WOR during 1941, according to the annual report of special feature broadcasts, and news, issued yesterday. An aggregate of 322 hours and 34 minutes was devoted to these programs. WKNY, WOPI-FM station, carried 471 special features during 224 hours and 29 minutes, the report stated.

Broken down by classifications, there were 164 features, given 74 hours 25 minutes; 111 national features, 34 hours 43 minutes; 14 spot news, 48 hours 31 minutes; 116 political, 41 hours 31 minutes; 136 topical, 34 hours 45 minutes; 83 charitable, 25 hours 19 minutes; 104 sports, 48 hours 26 minutes, and 107 special features, 17 hours 51 minutes.

**CBC Not Carrying U. S. War Bulletins**

OTTAWA, Dec. 22.—Newscasts of war bulletins originating in the United States are not carried by the Canadian Broadcasting Corp. because they are not considered authentic enough, CBS officials stated today.

However, it is likely that Canadian listeners will be given these broadcasts when news services in the United States have been properly coordinated and become censorable, it was said.

**Para. Reel Man in Hawaii**

Joe Rucker, Paramount News cameraman, arrived in Hawaii to cover the Ed. Heilman story. Paramount disclosed yesterday. Rucker is believed by the company to be the first American newsreel cameraman to reach Hawaii from the United States since the beginning of the war.

**Review Board Selects 'Kane' as Best Film**

The National Board of Review of Motion Pictures, in its 16th annual selections, has chosen "Citizen Kane" as the best American film of the year, the last word in the film art, and also the "high mark of film as a form of literature," they said. Also honored was "High Sierra," "Here Comes Mr. Jordan," "Tom, Dick and Harry," "The Road to Zanzibar," and "Lady Eve." Also cited among documentaries were "Ku Kan" and "The Land."

**Pa. Censor Passes Five Russian Films**

PHILADELPHIA, Dec. 22.—Since the start of the war, the Pennsylvania censor has approved five Russian pictures, it was disclosed by Mrs. Edna R. Carroll, chairman of the censor board. The change in the board's attitude is significant in view of its stance against foreign propaganda pictures. A court action is still pending in Common Pleas Court here against the board, seeking an appeal on a ban on two Russian pictures submitted shortly after the outbreak of hostilities in Europe and Germany.

Two of the five approved pictures, "A Day in Soviet Russia," and "View of the West," are propagandistic pictures. The other three are musicals. Mrs. Carroll explained that the two approved pictures are not of the distinctly documentary type, used by the Russian armed forces. And since such forces are now battling a common enemy, it is not considered military propaganda. She said that such pictures would be approved, pointing out, however, that the board had not yet reviewed any pictures that may be classified as Communist propaganda.

**Off the Antenna**

B. M. licenses are now held by a total of 792 stations, according to Carl Haverlin, BMI station relations director. Of these, 756 are commercial stations and 36 non-commercial. Haverlin declared that with the end of the year-ear last Friday from the Pennsylvania State Broadcasters Association, there is now 100 per cent approval for the long-term BMI contract which begins March 12, 1942, and runs for eight years to March 12, 1950. The expiration date, Haverlin noted, is about two and a half months beyond the date when the present Acap contract on the broadcasters expires.

Program News: "Lux Radio Theatre," which has been on CBS since 1935, yesterday was renewed for an additional year by Lever Bros., for 68 stations. "Shirley Temple," starring Shirley Temple with Frank P. Kapur, was renewed for a Saturday half-hour period, 6:30-7:30 P.M., over WEAF for a full year. "Sophisticated Lady," starring the late Al Jolson, has been on CBS since 1936, and has been renewed for five more years. "Lust Radio Theatre," which has been on CBS since 1935, was renewed for an additional year by Lever Bros., for 75 NBC-Rad stations. "March of Time," starring John Gielgud, has been on NBC's 15 stations since 1935, and has been renewed for two more years. "Mystery Theater," with Rex Reed as narrator, has been on NBC since 1936, and has been renewed for five more years. "Captain T. G. Dowling, weaver of dreams," has been on NBC since 1935, and has been renewed for five more years. "Talk House," with William Post, has been on NBC since 1936, and has been renewed for five more years. "Time and Tide," Monday through Friday serial sponsored by Proctor & Gamble, returns to CBS Dec. 29.

Instead of the customary "WOV, Fifth Avenue," has been the telephone signal at that station for some months, the operator now responds with "WOV—for Victory."

War Notes: A plan for continued broadcasting during air raids has been suggested in radio circles whereby, upon signal, all stations in the danger area will switch to the same frequency and use the same program. With the same frequency, wave-lengths will not offer any guide to enemy bombers and stations cannot be identified. While the WFLH FM station in Philadelphia, has proposed that FM stations be used for air-raid warnings as telephone communications between AM stations and their transmitters may be disrupted during raids. . . . Jane Cowl, Eddie Dowling, Burns Malone and Brock Pemberton will discuss "The Theatre and the War" over WINS Sunday at 1:30 P.M. An Italian anti-Fascist rally at Cooper Union Tuesday will be broadcast by WHOM Saturday 8:30-9 and 9-11. WNYC has extended their half-hour program of Sunday nights, from 11:30 P.M. to 12 midnight.

Mutual has started a group insurance plan which gives each employee of more than three months' standing free life insurance of $2,000 and permits those in higher salary brackets to purchase more at their own expense.

**Motion Picture Daily**

Tuesday, December 22, 1941
Los Angeles Gross Shows Slight Pickup

LOS ANGELES, Dec. 22—First run houses took a severe beating from wartime conditions, but managed to pick up a little as the initial shock of blackouts and threatened blackouts wore off.

Estimated receipts for the week ending Dec. 17:

- "Rise and Shine" (26th-Fox) CHINESE—$2,500 (33c-4c-5c-7c) 7 days. "All That Money Can Buy" (RKO) $850-900 (4c-5c) 7 days. Gross: $1,850. (Average, $264)

- "Cabinet" (26th-Fox) "Rise and Shine" (26th-Fox) CHINESE—$2,500 (33c-4c-5c-7c) 7 days. "All That Money Can Buy" (RKO) $850-900 (4c-5c) 7 days. Gross: $1,850. (Average, $264)

HAWAII—(3c-4c-5c-7c) 7 days. Gross: $2,500.

- "Keep 'Em Flying" (Univ.) "The Gay Falcon" (RKO) HILL STREET—(2,700) (33c-4c-5c-7c) 7 days. "Flying" 2nd week. Gross: $7,500. (Average, $1,071)

- "Rise and Shine" (26th-Fox) "Cabinet" (26th-Fox) LOEW'S STATE—(2,700) (33c-4c-5c-7c) 7 days. Gross: $11,100. (Average, $1,586)

- "Keep 'Em Flying" (Univ.) "The Gay Falcon" (RKO) PANTAGES—(3,000) (33c-4c-5c-7c) 7 days. "Flying" 3rd week. Gross: $6,300. (Average, $900)

- "New York Town" (Univ.) "Keep 'Em Flying" (Univ.) PARAMOUNT—(3,595) (33c-4c-5c-7c) 7 days. "Flying" 4th week. Gross: $10,000. (Average, $1,400)

- "RKO Grand" (RKO) WARNER BROS. (Hollywood)—(3,600) (33c-4c-5c-7c) 7 days. "Keep 'Em Flying" (Univ.) 2nd week. Gross: $9,000. (Average, $1,286)

- "Keep 'Em Flying" (Univ.) WARNER BROS. (Hollywood)—(3,400) (33c-4c-5c-7c) 7 days. Gross: $10,000. (Average, $1,429)

Sacramento Houses Now Back to Normal

SACRAMENTO, Dec. 22.—After a week without a blackout, Sacramento theatres were reporting Christmas business back at normal. Heavy concentrations of entertainment-seeking troops at the local flying school is making up for a civilian dropoff, the managers said.

All the theatres are keeping their minutes, conviction for racketeering, and have received no official notification otherwise, although the local Merchants' Association has announced all stores will stay dark after 9:30 P.M.

Nick Resigns from "Union in St. Louis"

ST. LOUIS, Dec. 22.—John P. Nick, once head of Local 143 of the operators' union here but now under Federal conviction for racketeering, has resigned his membership in the local following an ultimatum by the union to resign or go to trial for conduct unbecoming a member. Nick had been a member of the union 30 years. He is still a member of Local 6 of the stagehands.

Two Unions Close Deals with S. O. S.

The International Association of Machinists and the American Federation of Office Employees, have renewed their contracts with S.O.S. Cinema Supply Corp.

Continuation of the 100 per cent closed shop wage increases of from 10 per cent to 20 per cent, holidays, sick leave and vacations, were all covered by the new agreement.

What'll We Do About Mikado?

ST. LOUIS, Dec. 22.—Fanchon & Marco, operating the Mikado Theatre, de luxe neighborhood house, for the St. Louis Amusement Co., has decided to change the name of the theatre, and has enlisted the cooperation of patrons in the effort to find a new name.

'VeeSwamp Water' at $8,700, Cincinnati

CINCINNATI, Dec. 22.—"Swamp Water" had a big $8,700 week at the RKO Shubert for the first week of temporary discontinuance of stage shows, and "Two-Faced Woman" grossed $5,300 on its second downtown week at the RKO Capitol.

Estimated receipts for the week ending Dec. 16-20:

- "Design for Scandal" (M-G-M) (20th-Fox) RKO—ALBEE—(2,000) (3c-4c-5c-7c) 7 days. Gross: $3,700. (Average, $530)

- "Skyline" (Para.) RKO—PALACE—(2,000) (3c-4c-5c-7c) 7 days. Gross: $7,000. (Average, $1,000)

- "Two-Faced Woman" (M-G-M) RKO—SHUBERT—(2,100) (3c-4c-5c-7c) 7 days. Gross: $3,800. (Average, $543)

- "Two-Faced Woman" (M-G-M) RKO—CAPITOL—(3,000) (3c-4c-5c-7c) 7 days. 2nd week. Gross: $5,300. (Average, $750)

GUARD AGAINST LOSSES
AVOID TAX TROUBLES

THIS SIMPLE ACCOUNTING SYSTEM
DEvised EXPRESSLY FOR EXHIBITORS

- Thousands of exhibitors tell us 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.

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER
NEW YORK
NEW YORK, U.S.A., WEDNESDAY, DECEMBER 24, 1941

MELLETT TO HEAD GOVERNMENT FILMS

End Cuba Duty on U.S. Film Imports
In Trade Treaty

WASHINGTON, Dec. 23.—Elimination of the present Cuban import duty on American films going into that country under bond for preliminary showing to distributors or for purposes of censorship, and which are re-exported within 30 days, is provided for in a supplementary reciprocal trade agreement announced today by the State Department.

The present duty on such films is 4.8 pesos per kilogram, or approximately $4.80. In 1940 such imports were valued at 131,000 pesos.

Defense Unity Plan
Of Morris Agency

The William Morris Agency today inaugurates a campaign on the "spirit of show business," to marshal the trade behind the country's defense efforts in the present crisis, with the slogan "Hey Rube." Campaign buttons of red, white and blue, bearing the slogan, are being distributed through the theatre area in the city, in hotels, cafes and theatres to popularize the drive.

The agency also is advertising in the trade papers and among the first outgrowths of the campaign is the consideration which Robert Christenberry, managing director of the Hotel Astor, has given to the program drawn up by the M.P. Industry Conference Committee.

FDR Voices Objection to Censorship; Harmon Represents Trade

Declaring that he wants no censorship of motion pictures, President Roosevelt has appointed Lowell Mellott, director of the Office of Government Reports, as Coordinator of Government Films during the war emergency.

The appointment was made known by Mellott in a letter to George J. Schaefer, chairman of the War Activities Committee—M. P. Industry, yesterday. Concurrently, Schaefer announced that Francis S. Harmon, executive vice-chairman of the War Activities Committee, has been named to represent all branches of the industry in dealing with the Government.

The President approved this procedure in a letter to Mellott designating him as the Government's representative in its wartime relations with the industry. Schaefer immediately informed Mellott of Harmon's designation as the industry representative.

In his letter of direction to Mellott, President Roosevelt said: "The American motion picture is one of our most effective media in informing and entertaining our citizens. The motion picture must remain free. As national security will permit, I want (Continued on page 4)

3,000 Houses in 'Dimes' Campaign

Close to 3,000 theatre have pledged participation in the motion picture industry's drive for the 1942 March of Dimes, it was estimated yesterday. Each theatre will show the Clark Gable appeal trailer at each performance during the week starting Jan. 22, and make collections in the theatre.

A campaign book being prepared by Ernest Emerling of Loew's advertising staff will be ready for distribution by the end of this week. All supplies will be furnished gratis to theatres.

No Paper Tomorrow
Motion Picture Daily will not be published tomorrow, Christmas Day.

Coast Flashes

Hollywood, Dec. 23—W. S. Van Dyke, director, has given Ruth Taylor, who is Mrs. W. S. Van Dyke, a picture postcard of the Ritz-Carlton as a Christmas present. The sum, the largest single contribution except the bequest of Douglas Fairbanks, picked up by Van Dyke, is to be used for the construction of a new clinic at the Motion Picture Country Home, now under construction, it was said.

Documentary films will be recognized this year by the Academy of Motion Picture Arts and Sciences. Two awards, one for the short film and the other for the feature film, will be presented at the 25th Annual Academy Awards ceremony to be held March 13 at the Hollywood Roosevelt Hotel.

The executive board of the Screen Writers Guild today named an all-over liaison committee of writers to coordinate the work of guild members voluntarily to aid national defense. Ralph Block is chairman. He will work with Washington authorities, the national industry committee and the Hollywood writers defense group.

Walt Disney Productions, Inc., is producing a series of 20 one-reelers for the Navy on a cost-only contract, the films to be used in training for recognition of American and foreign aircraft and weapons. The story, direction, animation and models will be used. They are being produced in coordination with the U. S. Navy.

Conrad Elected by Wilkes-Barre Union

WILKES-BARRE, Pa., Dec. 23—Members of Local 325, Motion Picture Employees Union, here, yesterday elected Conrad J. Conrad, president. Other officers are: Edward Parsons, vice president; Joseph D. Malloy, financial secretary-treasurer; Goldenson, recording secretary; Harry G. Nickel, steward; Joseph Weis, treasurer; John Mahan, welfare director; Robert M. Weis, executive secretary; George G. Weis, delegate to the Central Labor Board; Roman Most, business agent; Albert Weis, business manager; William Weis, business agent; John Weis, business agent; John Weis, business agent; John Weis, business agent; John Weis, business agent; John Weis, business agent; John Weis, business agent; John Weis, business agent; John Weis, business agent.

Three officers of Theatre Employ- ees Union, Local B-96, IATSE, here, were reelected,雨 Martin as president, Karl Thomas, financial secre- tary and William Tosline, business agent. Others are: Tom Curley, vice-president; Robert McWilliams, re- cord secretary; Eva Davis, ser- gant-at-arms; Tom Groves, Tina Morgan, John McGowan, secretary; Harry Freeman, executive board; Harry Jones, Marion O'Neil, James Boney, trus- tees.

BROADWAY PLAYS

"A GREAT SHOW."—Herald Tribune
50c, $1 & $1.50 PLUS TAX
2ND YEAR—2ND EDITION
OF THE
SMALL WOMAN'S
LITERARY
PUBLICATION
IT IS A
WOMEN'S
SERVICE
at America's Only Inn Theatre
Center Theatre, Rockefeller Center, CO. 5-3747
250 E. 40th St., $1.50, $1.00, $0.50
50c Kits for Every Dept. EVOS, AT 8:40

Personal Mention

J. D. McELHINNEY, 30th Cen- tury-Fox Far Eastern representative, was reported at his office yesterday that he was safe in Singapore and that business is continuing there.

Leo Hill, doorman at the Strand Theatre in Wilkes-Barre, Pa., has enlisted in the Army, joining two brothers now in the Navy.

Lester Kneiger, assistant to Ted Schmelter, Warner Theatre zone manager, has been added to his re- sponsibilities after being out for several months because of illness.

Dr. Joseph Forte, Jr, son of Joseph Forte, manager of Warner's Parkers, Darby, Pa., has left for the Canal Zone as a lieutenant in the Navy.

Albert Deane, assistant to John W. Hicks of Paramount, has been named to the post of coordinator of the Inter-American Assistance Program.

Trade and Press at Preview of 'Gesture'

A capacity trade and press audience crowded the Astor Theatre last night for the opening of 'The Shanghai Gesture,' which will be distributed by United Artists.


RKO Sales Drive Conference Here

Following a tour of RKO branches in the East and South, Sen. Levy, captain of the Ned Dipietro sales drive, held a conference here at the New York exchange of the staff and home office executives. A. W. Smith, Jr., sales manager, addressed the session. Others attending were Robert Mochrie, Harry Michelson, A. A. Schulz, M. G. Poller, W. J. McNeice, John R. O'Malley and Robert Keating.

Levy will take up his tour of the field, along with Harry Gottleber, ed- itor of the RKO house organ, after the first of the year.

Court Denies Last

Nikk, Weston Plead

St. Louis, Dec. 23—John Nick and Clyde Weston, ousted heads of the local operators union, have lost their last appeal against conviction on the five-year Federal prison terms to which they were sentenced, when the U. S. Su- preme Court denied their application for a rehearing in the case.

Convicted under the Federal anti- racketeering statute, they must sur- render before Jan. 2 to be transferred to prison.

Named Film Buyer

PHILADELPHIA, Dec. 23—Benjamin Sorkin, operator of the Rio theatres in Reading and Schuylkill Haven, Pa., has named David Milgrim, head of the Affiliated Theatres here, as film buyer for his houses. The Rio houses, however, will be operated independ- ently of the circuit.

Takes House in Pa.

BEETLEHEIM, Pa., Dec. 23—William Blochstein has taken over the op- eration of the local Strand.

STEVE PALLOS, Alexander Korda's Eastern representative, returned from Washington last night.

Bud Gschalk of the Paramount home office exploitation staff and George Trumbull, representative at the Hotel Biltmore this evening. They will leave for Miami on a month's honeymoon.

Joseph Lingo, assistant manager at Loew's Rochester, has left his post to enlist in the Army.

Fred Lovejoy, son of Frank L. Lovejoy, chairman of the board of Eastman Kodak Co., Rochester, is a private in the 209th Coast Artillery.

William Matthews, manager of the Strand Theatre, Scranton, Pa., is the father of a son, James William, born to Mrs. Matthews, in the Woman's Hospital, Scranton.

J. A. McCoswile, Columbia for- eign manager, arrived from South America by plane yesterday.

Newsreal Parade

WINSTON CHURCHILL, or rived here in time to make the broadcast. Films of the Prime Minister and President Roosevelt at the White House were released in the evening. Monday night. The contents:

MOVIEFONE NEWS, No. 31—Churchill at the White House, Saturday, and Roosevelt at the White House, Sunday evening.

Phila. Associates

To Honor Emancipation

PHILADELPHIA, Dec. 23—A test meeting was held here, the organizing commit- tee, as founder of Motion Picture Associates here, has been decided upon by the local group. The affair will be held sometime in March, ac- cording to present plans. The group also donated $50 to the charity fund of the local Variety Club.

Hold Schine Parade

ROCHESTER, Dec. 23—Some 25 employees in all the local Schine branches plan a Christmas party last night at the Seneca here.
The traditional circus call to arms — the rallying cry of Show Business — again thunders through the great American world of entertainment.

The Big Show has been attacked!

Down through the pages of our country's history — whenever security and decent living were endangered by the wanton acts of international outlaws — our fathers and our fathers' fathers closed their fists about every last weapon at hand to defend their nation's life and liberty.

Our country needs us now. There are a thousand ways to help — a thousand ways to roll up our sleeves and heed the traditional battle-cry of Show Business. Take your places! Grab the best weapon at hand — and come out fighting!

HEY RUBE!

* * *

OUR SEASON'S GREETINGS TO SHOW BUSINESS

ESTABLISHED 1898

WILLIAM MORRIS AGENCY
Review

"Wild Bill Hickok Rides" (Warner's)

With Bruce Cabot as Wild Bill Hickok, Constance Bennett as a lady card sharp, and Warren William as the villainous, double-dealing bad man, it might be expected that "Wild Bill Hickok Rides" would be a first-rate Western, and it is.

Credit director Ray Enright with having made one of the "shootingest" outdoor action films of recent date. There is hardly a foot of film that does not have its share of gunplay and action and there is enough gunpowder exploded during the course of the picture's running time to supply a regiment.

When her dance ball burns during the Chicago fire, Miss Bennett teams up with William in an effort to gain control of some valuable ranch land in Montana. She meets Cabot on the train West and falls in love with him after he foils a holdup. Love, however, does not interfere with Bennett's handling of the bad man and she agrees to aid William in ousting Cabot's friends (Russell Simpson and young Betty Brewer) from their ranch. Miss Bennett draws the line, however, at murder and ultimately goes over to the homesteaders' side to aid them against the gang.

The film is excellently cast. Besides those mentioned there are Walter Catlett as the local editor; Ward Bond as the crooked sheriff, Frank Wilcox, Howard da Silva, Trevor Bardette, Lillian Yarbo, Lucia Carroll and Faye Emerson. Edmund Grainger was associate producer. The one song, contributed by Miss Bennett and her troupe of girls, "The Lady Got a Shady Deal," is worthy of mention.

Running time, 91 minutes. "G."*+G* denotes general classification.

Edward Greif

*John (Allied) Exhibitor* Gives Santa His Order

WASHINGTON, Dec. 23.—"Johnny Exhibitor," with the assistance of Abram E. Myers, chairman and general counsel of Allied States, today wrote and posted his letter to Santa Claus in which he requested a parcel of unanswerable gifts that will benefit others as well as himself.

In order, he asks for the following: Victory for my beloved country over its enemies; peace and establishment of a just peace that will endure forever.

"I have through the success of the M. P. Industry Conference Committee as a mighty shield and defender of the industry and as a forum for the discussion and adjustment of industry problems.

An acceptable substitute on June 1 for the "unworkable and now disregarded" blocks-of-five selling method.

Either abolition of or a complete change of personnel in the arbitration, appeals board "so that whatever is good in the arbitration system can be salvaged" for, instead of giving effect to the purpose of the decree to curb monopoly and restore competition, the "board has interpreted the decree as a bill of rights for the existing order and has emasculated virtually every award in favor of an independent exhibitor and has offered no advice to the independent distributors as to how to evade the decree.

Asks Ceiling for Rentals

A ceiling for rentals that will assure a fair profit, which, of course, can be accomplished without governmental action—all that is needed is vision on the part of producers-distributors who must realize the inevitable consequences of profiteering when the country is at war; who must view the rentals demanded in the light of their reported earnings and then consider the impression which these will create in the minds of officials charged with preventing inflation.

Fair dealing, including a tacit resolve on the part of distributors not to resort even occasionally to the withholding of pictures to which exhibitors are fairly entitled under their contracts or on demands that exhibitors increase their admission prices.

Worked for Harmony

To establish that he is a deserving recipient this year, "Johnny Exhibitor" requests Santa Claus that despite the present decree, higher film rentals, a box-office slump and the withholding of pictures, "I did not raise half of my customary bell." He was "too busy trying to save my property in the face of increased costs and taxes" and working for "industrial harmony as a contribution towards national unity," and cooperating with Uncle Sam by showing defilms, the "Ladies United," the USO, the Fox defender, with a loss, participating in the USO campaign and contributing to the Red Cross.

"I claim no special credit for these activities," he tells Santa Claus, "although I resent some recent ill-treatment from the Hays in transmitting to the Red Cross the check for 'Land of Liberty.'"

Altec-Midwest Deal Set

Altec Service Corp. has closed a deal for booth service with the Midwestern Booking Agency of Columbus, O.
"Americans are never too busy to laugh. In the middle of the greatest national emergency, they can still go to the movies and laugh. and when they come out, they're tougher and harder to lick."

"My talents are like those of Einstein. He's got that head of hair. I have the schnozzle. And nobody understands him either!"

"If I had more education, I could be a script writer. But I never got past the fourth grade. The teachers were prejudiced. They favored the kids under twenty."

"I'm ripe for making a speech. I just got through with "You're In The Army Now". Top sergeants all over the joint. They made me shoot off everything but my mouth!"

"My new picture "You're In The Army Now" is great. You ought to see it. Everyone ought to see it. The whole world ought to see it. How they will adore me!"

"This is my message. Keep studying, keep your nose to the grindstone and you'll end up like me. You have been warned!"

...AND

You're in the Army Now

HITS THIS WEEK!

Warner Bros. Keep 'em Rolling
Notes from Hollywood

**PURCHASE** of eight story properties by various studios marked recent Hollywood production activities. Republic and M-G-M each bought two, Monogram, 20th Century-Fox, Paramount and RKO each one.

Republic bought "Gold Rush the Rough Riders," set in early California gold rush days by J. Robert Bren and GLADYS ATWATER, and "Water Carnival," set in the Old West, by MAURICE and ROBERT SHANNON. M-G-M acquired "Teach Me to Live," FORBES PARKS' story of the settlement of Colorado, by CLARENCE UPSON YOUNG, also a western. Another western story purchased was "Crowd in the Night," South Sea story by CECELIA LEWIS. Somerset, by the 20th Century-Fox which plans to star JOHN KENNEDY in it.

Other acquisitions include "Bridesmaid," an RKO, "Challenger in the Night," South Sea story by CECELIA LEWIS. Somerset, by the 20th Century-Fox which plans to star JOHN KENNEDY in it.

**Among the major casting assignments are the following:** Eddie Albert has been set for the lead in "Merton of the Movies," play by MURDOCK, will star MICHELLE MORGAN, who has recently been added to the Paramount staff, and the Rover, who was named as the star of "Tin Men," which will be directed by a woman. The script will be written by Charles Lederman's first directorial assignment.

**Victor Mature," replaces DON AMECHE in 20th Century-Fox's "My Gal Sal," in which he will enact the role of PAUL DRISSEY, singer. John Payne, who recently played MATURE in "Ten Gentlemen from West Point," in which he was, will appear with DAN DAIRY. Another writer, WESSEL ROSKOE, who recently played one of the story's roles, has signed BILL GOLDWYN. The story is to be directed by a woman, and the picture will be produced by GOLDWYN.

**Donna Reed** is an extensive build up, M-G-M released LARINE DAY in her with "Me and My Man," which she will appear with DON DAIRY. Another writer, WILSON MORGAN, who recently played one of the story's roles, has signed BILL GOLDWYN. The story is to be directed by a woman, and the picture will be produced by GOLDWYN. The story is to be directed by a woman, and the picture will be produced by GOLDWYN.

**Flying Over" comes out in theaters here because of tension resulting from the war. Keep 'Em Flying was strong, but without the $12,000 at the box office. Estimated receipts for the week ended Dec. 13:

- **Skyjacker** (Para.) $9,000.
- **Jawbone** (Para.) $8,500.
- **Tale ofita Go Lucky** (Para.) $8,000.
- **Eve of the Morning** (Para.) $7,500.
- **Black Sheep** (Para.) $7,000.
- **Tall Shadows** (Para.) $6,500.
- **South of Tahiti** (Para.) $6,000.
- **Ride and Run** (Para.) $5,500.
- **Keep 'Em Flying** (Para.) $5,000.
- **Sailor on Leave** (Para.) $4,500.
- **I'll Be Seeing You** (Para.) $4,000.
- **Stop the Clock** (Para.) $3,500.
- **Through a Glass Darkly** (Para.) $3,000.
- **Murder in the Midst** (Para.) $2,500.
- **Terror at 2 AM** (Para.) $2,000.
- **Thanks for the Night** (Para.) $1,500.
- **A Spike in the Night** (Para.) $1,000.
- **Blindfold** (Para.) $750.
- **Half a Heart** (Para.) $500.
- **Murder of the Massachusetts** (Para.) $250.
- **Boy Meets Girl** (Para.) $200.

**Flying' Captures $8,700, New Haven**

NEW HAVEN, Dec. 23.—'Keep 'Em Flying' and 'Parrina Convoy' at the Roger Sherman drew $8,700. Estimated receipts for the week ended Dec. 18:

- **Rise and Shine** (20th-Fox) $2,500.
- **The Sky** (20th-Fox) $2,000.
- **College-hall** (Univ.) $1,500.
- **Sunrise** (20th-Fox) $1,000.
- **Ride and Run** (Univ.) $500.
- **Keep 'Em Flying** (Univ.) $250.
- **Bermuda Convoy** (Univ.) $200.
- **Terror at 2 AM** (Univ.) $150.
- **Boy Meets Girl** (Univ.) $100.
- **Blindfold** (Univ.) $50.
- **Half a Heart** (Univ.) $25.
- **Murder of the Massachusetts** (Univ.) $20.
- **Boy Meets Girl** (Univ.) $15.
- **Thanks for the Night** (Univ.) $10.
- **Through a Glass Darkly** (Univ.) $5.
- **A Spike in the Night** (Univ.) $5.
- **Wethering the Storm** (Univ.) $1.

**Seattle Shows Slight Gains At Box-Office**

SEATTLE, Dec. 23.—With the first war scare over and nightly blackouts discontinued, show business improved slightly this week. The Orpheum stage with "Blues in the Night" took $7,500.

Estimated receipts for the week ending Dec. 19:

- "The Comedienne Tonton" (M-G-M) $1,000.
- "Blue Streak" (Repub.) $1,000.
- "Lady Gal" (Para.) $1,000.
- "South of Tahiti" (Para.) $1,000.
- "Fifth Avenue" (20th-Fox) $1,000.
- "Sundown" (Para.) $750.
- "Nagara Falls" (Para.) $750.
- "Goldfinger" (M-G-M) $750.
- "One Foot in Heaven" (W.B.) $750.
- "Smash Hit" (Derby) $750.
- "M-G-M" (Repub.) $750.

**Serenade" Gainers, $9,500, Minneapolis**

MINNEAPOLIS, Dec. 23.—"Sun Valley Serenade" attracted $9,500 at the State.

Estimated receipts for the week ending Dec. 19:

- "Keep 'Em Flying" (Univ.) $1,000.
- "Keep 'Em Flying" (Para.) $750.
- "Yokel vs. Gopher" (RKO) $500.
- "Gopher's" (RKO) $500.
- "Keep 'Em Flying" (Univ.) $400.

**Seattle, Baltimore Leader at $12,000**

Baltimore, Dec. 23.—Pre-holiday shopping plus the war situation, resulted in a slump. "H, M, Pulliam, Esq.," took $12,000 at the Century. Estimated receipts for the week ended Dec. 19:

- "H, M, Pulliam, Esq.," (M-G-M) $12,000.
- "Keep 'Em Flying" (Univ.) $12,000.
- "South of Tahiti" (Para.) $12,000.
- "Fingers at the Window" (Para.) $12,000.
- "Tall Shadows" (Para.) $12,000.
- "Sailor on Leave" (Para.) $12,000.
- "The Gay Falcon" (RKO) $12,000.
- "South of Tahiti" (Para.) $12,000.
- "Tall Shadows" (Para.) $12,000.
- "Sailor on Leave" (Para.) $12,000.
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THE EIGHTH ANNUAL EDITION OF THE INTERNATIONAL REFERENCE AUTHORITY ON TALENT VALUES IS NOW ON THE PRESS.

THE BOX OFFICE CHAMPIONS OF 1941 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 1941 AS POLLED BY MOTION PICTURE DAILY AMONG THE EDITORS OF THE DAILY NEWSPAPERS OF AMERICA.

EDITED BY TERRY RAMSAYE

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER, NEW YORK
Fly Asks Action on Bill for FDR Power

WASHINGTON, Dec. 23—Quick action on legislation involving the President with war-time control of all communication facilities was urged upon the Commerce Committee today by Federal Communications Commissioner Chairman James L. Flynn.

Flynn said that the measure, already approved by the House, would enable the Army and Navy to take control and operate such specific facilities as might be required in war conditions, but gave assurance that no wholesale expropriation of broadcasting stations and wireless facilities would take place.

The only basis for the taking over of all facilities by the Government, he said, would be the spread of total war throughout the United States.

Time Gets Writ in 'War Clouds' Suit

Loew's, Inc., and Warwick Productions, Inc., consented yesterday before Federal Judge John Bright in the U. S. District Court to a settlement of the suit for damages against Loew's, owned by the Harry Amris Co., which operates seven theaters.

Suit was filed on Monday by Time, Inc., for an injunction and damages against Loew's, Warwick and the Motion Picture Ass'n of America, which controls the Capitol, claiming that "War Clouds in the Pacific" infringed upon material from five of "March of Time" issues made between 1937 and 1940, covering the Far East crisis.

New Competition for Pittsburgh Theatres

PITTSBURGH, Dec. 23—New competition for film theatres is expected from the variety show, owned by the Harris Amris Co., as well as competing seven theaters.

Fly will open a 16-day engagement here on Christmas Day. Following the "Follies," for the fourth consecutive holiday season, the Gardner will present a skating program that includes professional tennis matches, hockey, collegiate basketball, boxing and ice skating. In April will come the annual championship rodeo, to be followed by the roller derby. "Ice-capades," owned by the Arena Managers Association headed by John H. Harris, completed an 11-performance engagement recently at the Gardens.

Off the Antenna

NBC has adopted a trademark consisting of a hand holding aloft an NBC microphone with the words, "National Broadcasting Company" inscribed around the microphone. The slogan, "NBC—Champion of Champions," will be sent tomorrow.

"Follies," Missing over Roll, will reopen tomorrow with a Russian film, "General Suvorov." This film, which is an Italian production, is the subject of an investigation by the Department of War, but will reopen tomorrow with a Russian film, "General Suvorov," which is an Italian production.

WOR employees received Christmas bonuses this year in the form of Defense bonds and stamps. The equivalent of two weeks' salary was given to those who joined the station before Jan. 1, 1941, one week for those who started between Jan. 1 and Sept. 1, and an $18.75 bond to all others.

WBEN is preceding all newcasts in foreign languages with a statement that the news about to be broadcast is from the Associated Press wire and that it is important that foreign language groups get accurate news reports "lest they turn to short-wave propaganda from enemy countries."

Program News: Sterling Products has renewed "Are You a Missing Heir?" effective Jan. 6 over 74 CBS stations. Audience participation takes the form of a new CBS short wave Dec 27, where answering the anagram of a word of the day will win a "Star of Mary, Marlin," 20 stations. These in addition to "Vic and Sade" which will start on the network next Monday over 48 stations. Colgate-Palmolive-Perk renewed "Women of Courage," 61 stations; Moby and Marge, 79; "Stepmother," 54.

K. C. Club Tourney Aids City Milk Fund

KANSAS CITY, Dec. 23. — The eighth annual milk fund bowling tournament sponsored by the Variety Club, the Kansas City Chamber of Commerce bowling alley proprietors ended last Sunday and hundreds of underprivileged school children are assured of sufficient milk to keep them in good health for the remainder of the school year.

The amount of money raised last year in Kansas City was $3,108 and in Kansas City, Kan., the amount was $520. The 1941 total for the two cities will approximate $1,800. Frank Hensler was the general chairman for the event and Fred Meyn was the chairman for the Kansas City, Kan., tournament.

Settle Krimsky Suit

Suit of John Krimsky and Gifford Cochran, Inc., for $250,882 damages against United Artists, Inc., was settled and discontinued yesterday in the U. S. District Court. Plaintiffs, as producers of the film "West of Zanzibar," had charged United Artists with violating a distribution contract made in 1934.

Russian Picture in Yorkville Theatre

The Yorkville Theatre, in New York's Yorkville section, predominantly German, and which dropped German films after the outbreak of war, will reopen tomorrow with a Russian film, "General Suvorov," which is an Italian production.

46 Stores Report

Use of Radio Ads

PITTSBURGH, Dec. 23.—Exactly half of the 92 department stores in 50 key cities reported use of radio for advertising, according to a survey recently completed by the Retail Training Bureau of the University of Pittsburgh. Of the 46 stores reporting, it was reported, that 34 were continuing for 13 weeks or less, and 16 for five years or more.

Among the 46 stores reporting, it was said, they received greater return from radio as compared with other media. 27 said there was less return, 16 said it was equal, and 14 replied, "don't know" or made no reply. Of 46 not using radio, 20 replied it was because time rates are excessive.

Twelve stores reported more than one station and 34, only one. Advertising is restricted to specific items in 8 per cent of the programs, according to the survey. The six leading classifications of merchandise advertised on the air were electrical appliances, linens, rugs, groceries, furniture and furs. Medium price lines were dropped in 63 per cent of the cases. High price lines by 24 per cent and low price by 13 per cent. Only 6 per cent of the stores attempted to check the results from radio ads.

Emergency Group Formed in Chicago

CHICAGO, Dec. 23. — An amusement emergency committee composed of John Balaban, Jack Kirsch, Eddie Silverman and James E. Conlon held a meeting today at the Blackstone Hotel to formulate plans for complete coordination of available facilities in preparation for any emergency. Van Nolikos was elected chairman of the Red Cross drive with a quota of $3,000,000 in mind.

This movement is strictly from the Amusement and Recreational Division of the Emergency Committee but may work in as part of that group later.

Charity Meet Jan. 5

HOUMOY, Dec. 23.—Edward Arald, chairman of the industry's permanent charities committee, has set January 5, the second annual trade day, for a syndication meeting at the Blackstone Hotel to formulate plans for complete coordination of available facilities in preparation for any emergency. Van Nolikos was elected chairman of the Red Cross drive with a quota of $3,000,000 in mind.

This movement is strictly from the Amusement and Recreational Division of the Emergency Committee but may work in as part of that group later.
EXHIBITORS VOTE ROONEY CHAMPION

Wins 3rd Consecutive Year in M. P. Herald-Fame Poll; Gable Is Second; Austry Leads Western Players

Mickey Rooney, for the third consecutive year, was voted the top money-making box-office champion by the combined vote of circuit and independent exhibitors of the United States and Canada in the annual Motion Picture Herald-Fame poll to determine "The Biggest Money Making Stars of 1941."

The first 10 stars, as evaluated by exhibitors in terms of their drawing power, together with the percentage of possible votes each drew, in the order of their ranking, are:

1. Mickey Rooney .......... 51
2. Clark Gable .......... 48
3. Abbott & Costello .......... 38
4. Bob Hope .......... 33
5. Spencer Tracy .......... 31
6. Gene Autry .......... 31
7. Fibber McGee & Molly .......... 31
8. Bette Davis .......... 19
9. James Cagney .......... 16
10. Judy Garland .......... 13

Rooney's record of three consecutive first places is exceeded only by Shirley Temple's, who was winner for four years straight. Marie Dressler, who won twice and Will Rogers, who was the leading star in 1934, were the only other winners in the 10 polls.

Gable, by placing second, became the only other star to have been named the No. 1 choice in the poll twice. Rooney

First Step in Split of NBC Is Approved

Empire State Union Reelects Officers

All officers of Empire State M. P. Operators Union have been reelected for additional two-year terms, it was announced by the national office. The administration of the union will take place at a dinner at the Hotel Claridge, Jan. 6. The administration slate was elected by a special meeting of the membership.

The officers reelected were: Abraham Kindler, president; Nicholas Pitta, vice-president; Leonard Draper, secretary; Louis Santarsoro, recording secretary; and Peter Elrhe, sergeant-at-arms.

Service Today for Hall, Keel Pioneer

WASHINGTON, Dec. 25.—Funeral services will be held at the Hines Memorial Chapel here today for Ray L. Hall, Chief of Newsreel Liaison Bureau of Public Relations Department of the War Department, who died at Doctor's Hospital on Tuesday of pneumonia. Hall was 62. Burial will be in Kentland, Ind., his birthplace. He is survived by his widow, three sons and a daughter.

Hall was educated at Indiana University and entered newspaper work in

Hey Rube' Organization Plans to Incorporate as National Group

Leaders of the show world have decided to incorporate the name of "Hey Rube," traditional rallying cry of show business, as a national organization, for the benefit of the men and women in show business and to unite them in the interest of the country's defense under that slogan. The list of charter members includes: George J. Schaefer, president of RKO; Barney Balaban, president of Paramount; Will H. Hays; E. V. Richards, head of the Screen Circuit; Joseph Hazen, of counsel for Warners; William Morris and Abe Lastfogel, originators of the "Hey Rube" idea, and heads of the William Morris Agency; Leo Spitz, industry counsel; Edwin L. Weil, of counsel for Paramount; Robert Christenbury, managing director of the Hotel Astor, and head of the Broadway Association; T. J. Connors, personal assistant to Sidney R. Kent; Max A. Cohen, president of New Yorker Allied; Nicholas M. Schenck, president of Loew's; Sam Shain and Gordon Youngman, of counsel for RKO. Incorporation papers already have been drawn by Youngman at Schaefer's instructions.

The "Hey Rube" idea got under way last Wednesday when the William Morris agency announced the slogan to the trade in advertisements in the trade journals. Campaign buttons will form the basis of financing the organization. These buttons will be sold and the funds devoted to the men and women of show business for defense of the country.

Gilliam Gets RKO Chicago Sales Post

CHICAGO, Dec. 25.—Tom Gilliam will become sales manager of the RKO branch here Monday to succeed Sam Gorelick, who has been promoted to branch manager. Gilliam was manager of the Warner exchange here for years but was transferred to Atlanta. Recently he returned to Chicago and has been a member of the Paramount sales staff.
Burton Robbins, son of Herman Robbins, National Screen Service president, was married yesterday to Gladys Kaplan of New Rochelle. The couple left for a two-week honeymoon in New Orleans.

Robert Riskin has arrived in New York from London and it was probably the last American ship sailing from the latter port for the war period.

John Grierson and Ross McLean of the National Film Board, Ottawa, were Christmas visitors here.

Jeanette Berliner, Republic booker in New Haven, will leave for a short Florida vacation next week.

T. F. O’Toole, Ben Louie and H. Levine attended the Bar Mizvah of Allan, son of Harry Oleshen, Columbia Boston salesman, Saturday. The reception was at Toby’s Restaurant, Brighton, Mass.

**Personal Mention**

**Mexican Theatres Aid First Blackout**

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**Mexican Theatres Aid First Blackout**

MEXICO CITY, Dec. 25—Theatremen of the Mexican film industry got their first blackout in Mexico of a blackout one night recently when the oil port was plunged into darkness for an hour by orders of the military commander. The experiment was a complete success and the theatraemen were praised for their cooperation.

The Government has not as yet announced blackouts for any other Mexican theatres. It is expected that these experiments will not be made here or in any of the other larger communities but will be confined to the ports.

**Frisco Operators Win Rise in Wage**

SAN FRANCISCO, Dec. 25—The operators’ local of the Screen Employees has voted a five cent per wage increase, effective Jan. 1, from first run theatres, over the present scale of $2.10 per hour. Negotiations with operators of subsequent run houses are being continued.

Theatrical Employees Union, No. 18, is negotiating with operators for a 10 per cent wage increase for house employees of all local theatres.

**Heineman Gives Party**

William J. Heineman, Universal assistant general sales manager, will give a delayed Christmas party for orphans from the St. Joseph's School for Girls at his Forest Hills home tomorrow.

**Plan Charity Matinees**

NEW HAVEN, Dec. 25—Fishman Theatres reports that the Rivoli, New Haven, and Howard here will have annual canned goods matinees in cooperation with the Salvation Army and the neighborhood church, respectively.

**SPG Party Tomorrow**

The Screen Publicists Guild Auxiliary today held its annual holiday party to-morrow night at the New York Newspaper Guild Club. Uniformed men will be admitted free.

**Benjamin Goetz Dies**

CINCINNATI, Dec. 25—Benjamin F. Goetz, 73, father of Joseph Goetz, assistant division manager for RKO Theatres here, died yesterday after a long illness. He was at one time connected with the Strand in Dayton, O. A daughter also survives.
that EXTRA something that makes a winner belongs—in the motion picture industry—exclusively to WARNERS!

This particular sock is from Humphrey Bogart's new smash "ALL THROUGH THE NIGHT". There is, however, the same box-office impact in "THEY DIED WITH THEIR BOOTS ON", "THE MAN WHO CAME TO DINNER", "KINGS ROW" and every other picture Warners make!
Rooney Voted Champion in Exhibitor Poll
(Continued from page 1)

The only two that can be placed among the leading 10 in all 10 years of the poll are the leaders determined by the combined vote of both independent and circuit exhibitors. Tabulating the vote separately, Gable was in first place among circuit exhibitors, followed by Rooney, Tracy, Cooper, Miss Davis, Autry, Cagney and Miss Garland, in that order.

A young independent exhibitors, Rooney was first, followed by Gable, Tracy, Abbott & Costello, Hope, Autry, Cooper, Cagney, Miss Davis and Miss Garland.

Autry led the Western stars for the fifth consecutive year. He was first in the combined votes as well as the separate groupings by circuit and independent exhibitors. The 10 top Western money making stars, with their respective percentages of possible votes, were Autry, 67; Bill Boyd, 57; Roy Rogers, 39; Charles Starrett, 20; Smiley Burnette, 19; Tim Holt, 17; Johnny Mack Brown, 16; Three Mesquites, 15; Bill Elliott, 14, and Tex Ritter, 10.

Significant in the voting was the comedy trend which placed Abbott & Costello and Hope in the third and fourth positions, respectively. The comedy team made their mark of appearance among the top 10 while Hope moved up from 18th position last year. The remaining eight are consistent money getters and are listed as the former polls. Hope was in first place in the Motion Picture Daily-Film "Champion of Champions" radio poll.

Executives Accept Unity Appointments
(Continued from page 1)

chairmanship of the committee on protection of the industry from outside attacks was Karl V. Wyler, who took this opportunity of complimenting you on the magnificent effort of the past and of the procedure and the general approach to the problem which means so much all of us and our industry.

Schaefer also accorded appointments to the sub-committees on Articles 1 and 4 of the all-industry program. Sigourney also accepted the temporary chairmanship of the subcommittee on industry taxation. Article 1 was referred to a committee to work out a code with the plan of action adopted and believe that with the proper cooperation of the appointed committee it will result in greater efficiency within the ranks of the industry as well as the promotion of its best interests without.

Leonard H. Goldenson, head of Paramount theatre operations, was appointed to serve on sub-committees for Articles 1 and 4, wrote, "I think you gentlemen are on the right track... and I am ready to help in any way possible."

Harry M. Kalmine, Warners' theatre head, wrote that he "be very happy to serve" on the subcommittee on taxation.

Reviews
"The Shanghai Gesture" (Arnold Pressburger—United Artists)
The screen version of the John Colton play which will be remembered as a sensational stage "shocker" in its day is bereft of the more obvious sensationalism of the book, but in shedding some of its native sordidness it has neglected or failed to replace what was discarded with strengthening screen factors which have so often leavened a motion picture effort of this kind.

Mother Goddamn", played by Osa Masson, and her house of assignation, in the film become "Mother Gin Sling" and an elaborate gambling establishment with unmistakable sidelines; while Poppy, played by Gene Tierney, becomes the victim of her gambling fever rather than of man's lust. Those are the basic concessions made by the film to the audience of the screen. There remain murder, principals without character, wit or morality and, therefore, without claim to audience sympathy, and the tawdriness of a tale lived and told largely within the confines of a "joint," notwithstanding the evening clothes which populate it.

It may be said, however, that Producer Arnold Pressburger's film does make sin unattractive. Josef von Sternberg directed.

In brief, the story is that of Poppy who comes to Mother Gin Sling's place in search of a thrill and becomes a victim of its vices and her own weakness. Her wealthy father, played by Walter Huston, endeavors to get her away from the place and from Shanghai and learns that Mother Gin Sling is the Chinese girl he married in his youth and the mother of his daughter. This is a moment of this, but unable to break Poppy's fascination for Victor Mature, a dancer at the dive, Mother Gin Sling shouts the girl.

Running time, 100 minutes. "A."

*Sherwin A. Kane

"Forbidden Trails" (Monogram)
AFTER hibernating in the penitentiary for some time, two desperados emerge with intentions of making even the score with U. S. Marshal Buck Jones, who sent them away. Marshals Tim McCoy and Raymond Hatton come to the aid of their colleague with the result that the two ex-cons cease to be and attempts of their partners of the underworld to rob stage is foiled.

The Western, another of the "Range Busters" series from Monogram, should go over well enough. In some spots the writers went slightly overboard in melodrama, as in extricating the trio from difficult situations, but aside from this the yarn is acceptable. It has all and more of what is required in a story line as the material moves along after the opening sequence at a good clip. Moreover, the names of Jones, McCoy and Hatton have marquee value.

Others in the cast are Tristam Hatton, Charles King, Glen Strange, Dave O'Brien and Christine McIntyre. Robert N. Bradbury directed and Robert D. Rudin produced as the photography is good.

Running time, 67 minutes. "G."

*Eugene Arnel

*G" denotes general classification.

Service Today for Hall, Reel Pioneer
(Continued from page 1)

Indianapolis and Chicago. For many years he was with Hearst's International News Service in Chicago. When Edgar B. Hatrick organized the Hearst-Selig Weekly, newsreel to the Public Welfare, he was named editor. The connection continued into the World War period. Hall subsequently was named editor of Screen Daily and of the Chicago Daily Newsreel organized by Terry Ramsaye for the Mutual Film Corp., and in turn with Capt. G. Charles Urban and Ramsaye, the newsreel known as "Kinograms." Later, Hall was editor of Fox Variety, and then went to Pathé News as editor, succeeding Emanuel Cohen, who went to Paramount News. He became Washington representative of Pathé News, and had much to do with the road shows appearances of Gay Franklin D. Roosevelt of New York.

Patron Protection Planned in Capitol
(Continued from page 1)

of theatre employees to take care of theatre audiences in time of air raids and blackouts. The auditors of the theatres themselves are the safest place besides one's home or air raid shelter," he said.

Late asserted that a certain number of theatre personnel will be given courses in civilian defense training and they, in turn, will impart their knowledge to other members of their respective organizations.

Form Louisville Firm
LOUISVILLE, KY, Dec. 25.—Scop Loew's Theatre, Inc., Louisville, capitalized at $24,000, has been granted charter to operate theatres and other amusement places and conduct a theatrical booking agency. Incorporators were Betty Myers, Isidor Block and Jacob Lichtenstein, all of New York.

Loew's Sues Operators On Trust Charge
(Continued from page 1)

360 members of the affiliated houses, its home office and exchange, that employees in the shipping, poster and inspection department are members of the United Brotherhood of Cinematographers, Local B-51 of the IATSE, and employees in the developing department of the Loew's Theatres, Inc., Local B-51 are under a contract which expired Nov. 30 but are continuing to work under the same terms.

Contract Expired
On Aug. 31, 1940, the complaint continued the contract between 306 and Loew's. On Dec. 11 of this year, during negotiations for renewal of the contract, the complaint states, Loew's, in a letter from the union demanding the fulfillment of three conditions as a prerequisite to a renewal of the contract, stated that among the legally were that Loew's supply films only to exhibitors that employ 306 and that those men be not handled or transported by IATSE members, and that films be delivered by IATSE members only. Loew's ships films through express, parcel post and common carriers.

Must Comply
The complaint further states that the union declared that Loew's must comply immediately with these demands or be expelled from the IATSE. Loew's was called at once in the home office, the New York exchange, Loew's metropolitan theatres, the Caribbean theatres, and that Local B-51 would join the strike.

All major companies will face similar demands, according to advice received by Loew's from the IA and 306 officials, the complaint states. Loew's points out that there are 306 independent theatres in New York alone that would soon be closed if Loew's is prevented from servicing these independents, it is claimed, the company will lose $400,000 in the current season. In addition, a closing of the 65 Loew houses will mean a loss of revenue totaling $400,000 weekly, it is alleged.

Loew's also asked for a declaratory judgment stating that the demands are illegal, in restraint of trade, that such contract would violate the consent decree and would require Loew's to interfere with the internal management of independent exhibitors.

Nine Circuit Deals Are Closed by PRC
Nine circuit deals for 1941-42 product have been closed recently by Producers Releasing Corp., Arthur Greenblatt, general sales manager, announced.

The deals include Interstate Circuit, Texas Consolidated Theatres and Jef- ferson Theatre Co., Dallas; Inter- mountain Theatre Co., of San Francisco; Epstein Circuit, Omaha; Fred Cole- man Circuit, Atlanta; Affiliated Theatres, Providence, R. I.; and Van Nomkes Circuit, Chicago.

New York first run for P.R.C.'s "Swamp Woman" has been set for the Central Theatre, starting today.
Hey!

Look who Kay's got with him!

—in the happiest musical laugh hit you ever had to yell about!
Kay and his gang in a comedy heat-wave... kidding the tights off Shakespeare and beating the laughs out eight to the bar! ... The Old Professor's in the groove... Ginny's on the beat... John's on the lam, and Lupe's on the loop for the tops in fun for '42 and the market's biggest money chance for you!

KAY KYSER in PLAYMATES

with

JOHN BARRYMORE • LUPE VELEZ
GINNY SIMMS • MAY ROBSON • PATSY KELLY
PETER LIND HAYES and KAY KYSER'S BAND
featuring
Harry Babbitt • Ish Kabibble • Sully Mason

Screen Play by James V. Kern

5 TOP TUNES NOW SWEEPING THE AIRWAVES:
“Humpty-Dumpty Heart”
“How Long Did I Dream?”
“Thank Your Lucky Stars and Stripes” • “Romeo Smith and Juliet Jones”
“Que Chica”

Produced and Directed by DAVID BUTLER
Montreal Stumble

SOMETHING smart and ingenious in the way of deceiving theatre cashiers occurred at the Rosemont Theatre. During a rush period the other day, a middle-aged man wearing dark glasses and tuxedoed the window hurriedly, thrust a $10 bill across the counter, and received a ticket and $8.25 in change. When the cash was counted, it was discovered that the man had split a $10 bill and pocketed the front of the dollar bill to the back of the $10 bill.

"Foxes" at $11,800

Big in Milwaukee

MILWAUKEE, Dec. 25—The Little Foxes and "Parachute Battalion" sold $11,800 each, with the combination of the "Folies Bergeres" at the stage and the film "South of Tahiti" drew $12,100 at the Riverdale.

Estimated receipts for the week ending Dec. 17-18:

"South of Tahiti" (Fox) $3,000.
"Three Girls About Town" (Col.) $2,800.
"Parachute Battalion" (M-G-M) $2,500.
"Underground" (ESQUIRE) $2,400.
"Wake" (RKO) $2,100.
"Flamingo" (Melody) $2,000.
"Shadow of the Thin Man" (M-G-M) $1,900.
"Holiday Inn" (Fox) $1,800.
"Honeymoon Hotel" (CRC) $1,600.
"Thanksgiving Song" (Grauman's) $1,500.

"A Quiet Fourth" (Edgar Kennedy Comedy) (RKO) $3,500.
"Appaloosa" (Para) $3,500.
"Sons of the Desert" (Para) $3,500.

"Crystal Flyers" (Sportoscope) (RKO) $3,500.

"The Brave Little Bat" (Merrie Melodies) (Warner) $3,500.

"Stars Day Off" (Picture People) (RKO-Pathé) $3,500.

Providence Gross Lowest in Months

PROVIDENCE, Dec. 25—War jitters prevalent throughout the city caused receipts to be reasonably lowest in months. Reasons given were the generally bad business all over the country, and the way that their films were presenting work. The town had one new feature—"Sundown".

'Glamour' and Show $18,000, Philadelphia

PHILADELPHIA, Dec. 25—Combination of "Airmail" and "Sundown" held the boxoffice down at the Earle, "Glamour Boy" and a Holly- wood review on the stage drew $18,000.

Estimated receipts for the week ended Dec. 16-19:

"Airmail Can Buy" (RKO) $1,468.
"Sundown" (CFD) $1,468.
"New York Town" (Para) $1,468.
"RKO's Christmas Round-Up" (1,500) 3 days, Gross: $1,468. Average: $4,893.
"Shadow of the Thin Man" (M-G-M) $1,468.
"Cicero" (Warner) $1,468.

'Convoys' and McCoy

Kansas City Leader

KANSAS CITY, Dec. 25—In a week of general film news, "Convoys" and Clyde McCoy and his orchestra on the stage of the Tower drew $8,200.

"Appointment for Love" (Univ.) $1,900.
"Sunrise" (Univ.) $1,900.
"The Men in Her Life" (Col.) $1,900.
"Six Gentlemen Fledging" (Color) (Col.) $1,900.
"Sons of the Desert" (Col.) $1,900.

Chicago Clearance

Case Off to Jan. 16

CHICAGO, Dec. 25—The clearance case of the Annette Theatre, Cicero, scheduled for hearing at the local arbitration board Dec. 30, has been postponed to Jan. 16.

A postpetition of the Don Theatre's clearance case from Dec. 29 to Jan. 6 also was agreed upon.

Short Subject Reviews

"Information, Please, No. 3" (Korda Path) The experts gather once more to answer the questions propounded by Clifton Fadiman, the interlocutor. In addition to the regulars, John Kerran, Franklin P. Adams and Oscar Levant, Cornelia Otis Skinner is present as guest. There is the usual variety of questions and high quality of the quips. As good as ever. Running time, 11 mins. Release, Dec. 12, 1941.

"A Quiet Fourth" (Edgar Kennedy Comedy) (RKO) Edgar Kennedy sets out to celebrate a quiet Fourth of July holiday, but things get very complicated before the day is over. Two of the neighbors' children join him on the picnic and pester him with fire crackers. Later, Kennedy chooses as picnic grounds the area which the stage and the film "South of Tahiti" closed for this same occasion. Fire he thinks the explosions are fire works until some of the shells drop nearby. Running time, 15 mins. Release, Dec. 19, 1941.

"Crystal Flyers" (Sportoscope) (RKO) A Swedish ski patrol demonstrates the fundamental techniques of skiing. With excellent photography and animation, the character of this film should be of interest. The demonstration is designed to teach the method of travelling cross-country over the snow, rather than the customary instruction of sportsmen. Running time, 8 mins. Release, Nov. 8, 1941.

"Stars Day Off" (Picture People) (RKO-Pathé) Donald Duck bakes some waffles in accordance with instructions received by radio. He makes one error—putting rubber cement in the batter instead of baking powder. Donald is funny and there are lots of laughs. Running time, 7 mins. Release, Dec. 5, 1941.

"Monsters of the Deep" (Broadway Brevities) (Hays) The noted fisherman, Michael Lerner, goes angling for deep water fish off the Point Comfort of Chile and Peru. Although somewhat long for this type of reel there are plenty of exciting moments, particularly when a giant octopus is introduced. Included, too, are under-water shots of a battle between an octopus and a shark. Running time, 20 mins. Release, Dec. 13, 1941.

"Sundown" Beats Slump in St. Louis

ST. LOUIS, Dec. 25—"Sundown" was the only film to overcome the war jitters, grossing $14,000 at Loucy's.

Estimated receipts for week ending Dec. 18:

"Smilodon" (Univ.) $1,200.
"Raintree County" (M-G-M) $1,200.
"Sundown" (CFD) $1,200.
"The Lady from Nowhere" (Warner) $1,200.
"Daisy Fields" (RKO) $1,200.

"Keep 'Em Flying" (Univ.) $5,000.
"Sundown" (CFD) $5,000.

"Sundown" Beats Slump

Indianapolis Club

Has Child's Party

INDIANAPOLIS, Dec. 25—The Indianapolis Variety Club and the local Indianapolis Theatre staged for entertaining underprivileged children of the city at a Christmas party at the Indiana Theatre, a feature of which was the showing of Mr. Bug Goes to Town.

The entertainment was in addition to an indoor circus at B. F., Keith's Theatre staged by Indianapolis Tent No. 10 for children earlier.
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War Work of Webs Proves Value: Sarnoff

"The facility and speed with which radio can convey news from the hot spots of an "unlimited emergency" to a war time basis, emphasizes the value of network broadcasting as conducted in the United States," said David Sarnoff, RCA president, declared yesterday. "Announcement of actual annual year-end statement was made by Sarnoff, who described the continuing musical, dramatic and comedy programs, as "revitalizing topics, needing more than ever in the present day, the atmosphere of war." He cited the instantaneous news reports from the Pacific and the eye-witness coverage of the war in Europe by NWAY, which has shown the flexibility with which broadcasting performs its service to the people. He said there are 900 broadcasting stations and more than 55,000,000 receivers in the country.

Declaring that wartime necessity presents a detailed listing of technical improvements in radio, Sarnoff asserted that the developments during the war period will come to light in later years in much the same way that radio developed after the last war.

Employees Total 30,000

RCA's backlog of unfilled orders is 80 per cent of defense and only 20 per cent commercial, he said, with a total number of employees at an all-time peak of 30,000. Through radio communications the country is in direct contact with 49 other nations, dependent of any other country or group of countries, Sarnoff pointed to the fact that when the U. S. Army went into Dutch Guiana it found a direct circuit already established, as was the case with the Philippines and Hawaii, and during 1941 a new circuit was opened permitting transmission of radiophone from Moscow to New York in 13 minutes.

During 1941 the entire radio industry produced 13,000,000 receiving sets, more than 100,000,000 tubes, and 110,000,000 phonograph records, far ahead of the previous 1921 peak for the phonograph industry.

Sarnoff said he was proud that television could continue during the war and cited the new electronic microscope, an offshoot of television research, which made it possible to photograph the influenza virus for the first time. All electronic engineers in RCA Institute's classes and radio research is developing new metals and plastics.

He added that the huge all-out campaign by radio had aided in the sale of defense bonds and that radio had made entertainment available to military men training camps to a far greater extent than was possible during the last war. "All radio is enrolled and lined up to insure full victory," Sarnoff concluded.

Off the Antenna

W WRJ will shift all foreign language programs from the day to evening hours, Robert A. Catherwood, general manager, announced Wednesday. The move will become effective when the station shifts to operations on 5,000 watts full time. WRJ now broadcasts approximately 40 hours of foreign language programming. According to Col. CRSC the station does not believe it can compete on an equal basis in English with the big name evening shows while it can provide competitive programs during the afternoons when the networks are devoted only to serials. Further, it was pointed out, many CWB and WPCC listeners during daytime hours, while they would be available in the evening.

Purely Personal: Lloyd A. Free, FCC director of foreign broadcast monitor service, arrived early this week by clipper from England. Jimmy Durante will be guest on the Kate Smith show over CBS tonight. Richard Kroll, assistant to Lester Gottlieb, Mutuel director of publicity, will leave today to join the Army Air Forces. Harry E. Bencz, retent Columbia exhibitor, has been named manager of KMYC, Marysville, Col., succeeding Walter Conaway.

WKH, La Crosse, Wis., will join NBC on Jan. 1. It will be a basic supplementary outlet to both the Red and Blue. The station is owned by WKH, Inc., and operates with 1,000 watts power, unlimited time, on 1,410 k.c. The NBC network rate will be $120 per evening hour, with $10 night time cut-in rate, $5 days, and $7 on Sunday afternoons.

G. W. Johnston, chairman of the radio division of the Committee for the Celebration of the President's Birthday, and Keith Morgan, national chairman, will leave today for a swing through 11 states for the purpose of arranging radio broadcasts, organization dinners and the like. Broadcasting schedules have been set up in 11 states by Johnston and Morgan will visit these Transcriptions in Italian, French and Spanish have been produced by Norman Warembud of WBAY and are being shipped to all foreign language stations, and transmissions have also been made of appeals by William Green and the international news services of NBC and CIO, respectively, for shipment to stations in large industrial areas.

Program News: Standard Brands has renewed "One Man's Family" for an additional year over 60 NBC-Red stations. , Millville Shoe Co. has renewed for the fourth consecutive year the newscasts by John Allen Wolf, Monday through Saturday, 7:45-8 A.M. over WABC... D. L. Clark Co. will resume its "Service With a Smile" over 54 NBC-Blue stations... "WHN will start a new live show Monday, "Immortal Horizons..."

First Step in Split Of NBC Approved

(Continued from page 1)

be transferred from NBC to RCA, pending the location of an outside purchaser to assume operation of the three stations. Also announced was the sale of the WJZ-WFAX license to the Waldorf Astoria Hotel, which will operate WJZ-WFAX Radio, a subsidiary of the Waldorf Astoria Hotel. The New York stations are understood to be ready for complete separation of the two networks and are awaiting official approval from the Federal Communications Commission. The network has had about 90 corporate names for the new network and it is understood that the Blue will be operated by a new corporation as a wholly owned subsidiary of RCA. Also understood is that NBC will declare a dividend in kind to the parent company, RCA.

To Start Stage Policy

BREEDPORT, CONN., Dec. 25.—The new part-week vaudeville policy, scheduled to start in early January, has been pushed up to Jan. 1. Prices will be 40 cents for stage shows, and 25 cents for children, including tax, with 35 cents of the $3 ticket price going to the school, all over the house, and 17 cents for children.

Squire Reopens Soon

The Squire Theatre will reopen next month with the first local showing of "The Eternal Gift." Catholic diocese invited by the Reverend Fulton J. Sheen.
Price Names Ryan Censor Aide on Radio

Executive of Fort Co. Is Director of NAB

WASHINGTON, Dec. 28.—The first step toward the setting up of his organization was taken Friday by Byron Price, Director of Censorship, with the appointment of John H. Ryan of Toledo, Ohio, assistant director in charge of radio. Ryan is vice-president and general manager of the Fort Industry Co., operators of six broadcasting stations in Ohio, West Virginia and Georgia, and is a member of the board of directors of the National Association of Broadcasters. He will serve on leave of absence from his company and, price said, "at a considerable personal sacrifice."

Radio stations and networks have been working under a "self-imposed censorship." Many independent stations have expressed a desire to have (Continued on page 4)

Loew’s-306 Case

Hearing on Jan. 13

A hearing will be held Jan. 13 in Federal Court on the anti-trust suit brought by Loew’s against Local 306 of the operators’ union to restrain enforcement of a union demand that the company cease delivery of films to New York exhibitors who do not employ Local 306 projectionists.

Renewal of efforts by the local to eliminate Empire State M.P. Operators’ Union and other independent unions from the New York territory was seen in labor circles over the (Continued on page 6)

B&K, WCAU Seek Sponsor Television

Washington, Dec. 28.—Balaban & Katz Corp., Chicago, and the WCAU Broadcasting Co., Philadelphia, have filed applications with the Federal Communications Commission for conversion of their television stations to commercial operation. B&K will operate on Channel No. 2, and WCAU will operate on Channel No. 5.

Koerner Realigns RKO Divisions to Aid Supervision

A revision of RKO’s divisional theatre setup designed to increase personal supervision of the circuit’s houses has been completed by Charles W. Koerner, general manager. A new out-of-town theatre division has been created and will be headed by Sol Schwartz, former division manager for the Bronx and East Side Manhattan. The following theatres have been included in the new division: Keith’s, Lowell; Albee, Providence; Palace, Capitol, Temple, Century and Regent, Rochester; Eckel, Empire, Keith’s, Palace, Paramount and St. James, Syracuse; Uptown, Detroit; Iowa.

‘Dimes’ Home Office

Post to Goldenson

Nicholas M. Schenck, national chairman of the film industry’s “March of Dimes” campaign, has appointed Leonard Goldenson as chairman of the home office committee.

Goldenson has enlisted the aid of the following executives in making office drive collections: Herbert J. Yates, George J. Schafer, Joseph (Continued on page 4)

Only U. S. War Declaration Exceeded Churchill’s Daytime Radio Audience

Prime Minister Churchill, in addressing the joint session of Congress on Friday, spoke to one of the largest daytime radio audiences ever recorded, the Cooperative Analysis of Broadcasting has reported. The rating of 44.7 per cent was far ahead of the previous Churchill high of 26.1 per cent, set last Aug. 24. The high point of his predecessor, the late Prime Minister Chamberlain, was 13.2 per cent, set on Jan. 9, 1940.

Churchill’s speech was even ahead of nearly all of President Roosevelt’s daytime addresses, although it fell short of the 65.7 per cent set Dec. 8, when President Roosevelt asked Congress for a declaration of war on Japan.

The Churchill speech was heard over the facilities of the four national networks, NBC Red, NBC Blue, CBS and Mutual, between 12:30 F.M. and 1:35 F.M.

Previous listening ratings on speeches of Prime Minister Churchill broadcast in this country were a figure of 23.7 per cent for the speech from London on Feb. 5, 1941, and a figure of 16.5 per cent, on the speech of June 22, last, also made from London.

Set 20th-Fox Studio Parley Next Month

Twentieth Century-Fox production plans for the latter part of 1942 will be discussed at studio conferences shortly after the first of the year, which will be attended by Sidney R. Kent, president, and T. J. Connors, his personal assistant, from the home office. Also conferring will be Duray F. Zanuck, vice-president in charge of production; Joseph M. Schenck, and William Goetz, vice-president and executive assistant to Zanuck.

Aaron Is Assistant Metro Sales Chief

Edwin W. Aaron, who has been with M-G-M for the past 25 years, has been named assistant general sales manager of the company by William F. Rodgers, vice-president in charge of distribution. Aaron has been assistant to Rodgers for the past 12 years, and in his new capacity will add more duties, and he will have a wider scope of activity.

Aaron has been with the company for the past 25 years. His first position, according to International Motion Picture Almanac, was with F. M. Saunders as cashier at the New York exchange, which was then operated on a franchise. He moved to the home office when the exchange units were absorbed by the company to install an accounting system throughout the country. He became a traveling auditor for five years and subsequently returned to the home office as head of the contract department.

Ascog Waives Back Royalties In Washington

Covers 3-Year Period of Anti-Ascap Law

Ascog has decided not to prosecute exhibitors, broadcasters or other music users in the state of Washington for royalties on the music used and not paid for during the three years the music society was prevented by the state’s anti-Ascap law from operating in Washington, it was learned yesterday.

Under a recent agreement with state authorities, Ascog will resume operations in Washington by filing a list of its copyrighted compositions with the secretary of state in compliance with the law and has agreed not to press its appeal on the constitutionality of the statute in the U. S. Supreme Court.

Ascog officials said that Washington music users would resume payment of royalties immediately and that no damage actions for the unlicensed performances would be brought by the society. They pointed out that few theatres in the state made provision for contingencies of this kind and that successful damage action by Ascog would work an unreasonable hardship on many houses in Washington.

Will Seek Delay on Schine Trial Today

Defense counsel in the Government’s anti-trust suit against the Schine Circuit will ask Federal Judge John C. Knight in U. S. District court at Buffalo today for an extended postponement, probably until May, of trial of the case.

Willard S. McKay, counsel for the Schine circuit, will seek deferment of the trial on the ground that the Government’s failure to furnish competent (Continued on page 4)

Agnew and Gillham To Coast Thursday

Neil Agnew, Paramount vice-president and distribution, and Robert M. Gillham, advertising and publicity director, will leave for the Coast New Year’s Day for screenings of new product.

Distribution and advertising campaigns on the new product will be discussed with studio officials following the screenings.
Clearance Case Is 2nd Filed at Albany

ALBANY, Dec. 28.—Smalley Theatres, Inc., of Cooperstown, N. Y., has filed an action with John Rawson, clerk of the superior trial court here, on clearance case. The case is the first filed at the local board since last March and the second of record here.

The complaint names all five consenting companies and seeks reduction of the 14-day clearance over Smalley’s Theatre, Sidney, N. Y., held by Schine’s Colonie North. In addition, the complaint, executive secretary of Allied Theatre Owners of New York, is attorney for the plaintiff.

Decision Due Soon In Pittsburgh Case

PITTSBURGH, Dec. 28.—Samuel W. Pringle, arbitrator in the clearance case filed last April by David Green’s Beacon Theatre here, will hand down his decision in the case before Jan. 16. The case was heard recently after numerous postponements.

Cohan Gets Gift from Providence Friends

George M. Cohan, who is recovering at his home here from a serious illness, received a decorated Christmas tree from 100 friends in Providence, his home town. The tree was delivered through the New York office of Edward M. Fay, Providence theatre operator, and an old friend of Cohan.

Bausch & Lomb Bonus

ROCHESTER, Dec. 28.—The approximately 6,500 employees of the Bausch & Lomb Optical Co. here were paid a Christmas bonus ranging from one-half to one week’s pay.

Tri-State Spots to Play Stage Shows

PITTSBURGH, Dec. 28.—More than 200 theatre owners and smaller cities in the Tri-State area will play stage shows when traveling name bands are available, according to Ketzel, executive secretary of the state council, who has elected that the theatre to sponsor the local Variety Club.

During 1941, those that were built into motion picture theatre territory for one night included: Pittsburgh, where: Splittbary, Jimmy Dorsey, Louis Armstrong, Harry James, Lyman Gooding, and Erskine Hawkins with the Ink Spots, Calloway, Artie Shaw, Bob Chester, Alvino Rey, Johnny Long, Paul Brennan, Swifty, Firestone, Fred W. Weems, Vincent Lopez, Jack Little, Herbie Kay, Sammy Kaye, Gene Krupa, Jan Savitt, Eila Fitzgerald, George Hall, Gus Arnheim, Grey Gordon, Lang Thompson, Mal Hallett, Russ Morgan, Teddy Powell, Fatts Waller, Wally Wood, Jan Garber, Raymond Scott, Tommy Tucker, Shep Fields, Vaughn Monroe, St部署, Jack Teagarden, Ina Mae Hutton, Blue Barron, Maurice Stanley and Baron Elliott.

Long-established bands are usually the first box-office draws, Hiller stated.

Bette Davis Resigns As Head of Academy

HOLLYWOOD, Dec. 28.—Bette Davis, first woman ever to be elected president of the Academy of Motion Pic- tures Arts and Sciences, has announced her resignation from the post, due to the pressure of her film work and ill health.

The board of governors will meet on Jan. 7 to elect a successor. Miss Davis took office three months ago. In making known her resignation, Miss Davis said she felt the Academy presidency is a full-time post if the job is to be done as thoroughly as is required.

To Increase Prices

MILFORD, Conn., Dec. 28.—When Bernard Gordon renips the Capitol here after complete renovation, he will raise the admission ticket to 30 cents from the former 30 cents. Lucy Flack was the former operator.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Motion Picture Herald Co., Inc., 1720 Sixth Avenue, Rockefeller Center, New York City. Telephone Circle 7-3100. Telegram: "Motion" Hollywood, Calif. Entered as second-class matter, Sept. 23, 1928, at the post office at New York, N. Y., under the Act of March 3, 1879. Subscription rates per year $4 in the Americas and $3 foreign. Single copies 10c.

Personal Mention

JACQUELINE COWDIN, Univer- sity of California, has extended her visit at the studio for another two weeks.

RAMFOLDS DUNBAR, Fair Eastern super- visor for Warners, has arrived in Shanghai, according to word received here. His whereabouts had been un- known since the outbreak of the war.

JAMES MAHAN, shipper at the Warner exchange in New Haven, is the father of twins born to Mrs. Mahan last week. It is their third child.

Benjamin Loure, salesman for Columbus in New Haven, is on a two-week vacation, part of which he will spend in Boston.

JERRY WALD, associate producer for Warners, and CONSTANCE POLAN were married Christmas Day at Las Vegas, Nev.

Raid Shelters Built At Warner Studio

Four air raid shelters and an aux- iliary system of trenches and dugouts have been completed at the Warner exchange in Hollywood, and the company announced on Friday. Ten more are to be built, it was said.

The four shelters are situated in the front lots of studios and concrete buildings, are fully equipped with gas protection, beds and hospital units, and are ready for emergency. The company has assigned wardens to su- pervise studio evacuation. A rehears- al is planned shortly. A checking system has been set up and concrete con- tage, the company has acquired three ambulances and has installed an independent studio telephone system.

Donoghue Now With Loew Publicity Staff

Terry Donoghue, formerly of the editorial staff of the Newark Ledger, New York Journal-American, and a number of other newspapers, has been assigned to the Loew’s circuit publicity department, assigned to Loew’s State theatre and general newspaper contact work. The company has assigned technical secretaries to Loew’s State and St. George, New York, which are the two Loew’s headquarters publicity staff, covering Manhattan theatres.

Firm Frisco Company

SAN FRANCISCO, Dec. 28.—Hi-Lo Brother, Inc., has been incorporated in the state of California, with capital stock of $20,000.00.

Studio Personnel Joins In War Effort of Country

HOLLYWOOD, Dec. 28.—Many of Hollywood’s studio personnel, in various branches of production activity, are actively engaged in the war effort, or volunteering for service.

Darryl F. Zanuck, vice-president in charge of 20th Century-Fox production, on semi-solicit duty with the Army Department, has had active charge of the production of training films for the Army.

Leonard A. Corder, commander in the Naval Reserve, organized a Naval photographic unit, and with serving with him are Alfred Zander, Fred D. Toland, commanding officer; E. A. Libby, assistant chief, Camera Section B: E. A. Libby, Camera Section C: E. A. Libby, Camera Section D: E. A. Libby.

In addition to these, two motion picture figures are being trained at the Naval Training Center at Fort Jay, in the 11th Naval District’s Procurement and Per- sonnel Office, D. K. P. Elmendorf, a former cameraman in charge of the Navy is Lieut. Commander A. J. B. Bos- ton, U. S. N., formerly with 20th Century Fox, and his executive officer, Lieut. Com- mander E. A. Libby, with the two added to the list as well.

The Army general headquarters photographic unit of the Signal Corps Reserve, organized under the Research Council and with C. N. Leibnitz, Warner chief sound engineer, as commanding officer, was elected to take part in the war effort. A number of members were called for immediate duty.

The Signal Corps Reserve unit includes such notables as Major Sam Brown, Columbia ex-captain; Captain John Albrecht, chief cameraman for RKO; Lieut. Jack Warner, Jr., of the Warner production chief; Lieut. Jules Buck, cameraman, and others.

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Raid Shelters Built At Warner Studio

Four air raid shelters and an aux- iliary system of trenches and dugouts have been completed at the Warner exchange in Hollywood, and the company announced on Friday. Ten more are to be built, it was said.

The four shelters are situated in the front lots of studios and concrete buildings, are fully equipped with gas protection, beds and hospital units, and are ready for emergency. The company has assigned wardens to su- pervise studio evacuation. A rehears- al is planned shortly. A checking system has been set up and concrete con- tage, the company has acquired three ambulances and has installed an independent studio telephone system.

Donoghue Now With Loew Publicity Staff

Terry Donoghue, formerly of the editorial staff of the Newark Ledger, New York Journal-American, and a number of other newspapers, has been assigned to the Loew’s circuit publicity department, assigned to Loew’s State theatre and general newspaper contact work. The company has assigned technical secretaries to Loew’s State and St. George, New York, which are the two Loew’s headquarters publicity staff, covering Manhattan theatres.

Firm Frisco Company

SAN FRANCISCO, Dec. 28.—Hi-Lo Brother, Inc., has been incorporated in the state of California, with capital stock of $20,000.00.

Studio Personnel Joins In War Effort of Country

HOLLYWOOD, Dec. 28.—Many of Hollywood’s studio personnel, in various branches of production activity, are actively engaged in the war effort, or volunteering for service.

Darryl F. Zanuck, vice-president in charge of 20th Century-Fox production, on semi-solicit duty with the Army Department, has had active charge of the production of training films for the Army.

Leonard A. Corder, commander in the Naval Reserve, organized a Naval photographic unit, and with serving with him are Alfred Zander, Fred D. Toland, commanding officer; E. A. Libby, assistant chief, Camera Section B: E. A. Libby, Camera Section C: E. A. Libby, Camera Section D: E. A. Libby.

In addition to these, two motion picture figures are being trained at the Naval Training Center at Fort Jay, in the 11th Naval District’s Procurement and Per- sonnel Office, D. K. P. Elmendorf, a former cameraman in charge of the Navy is Lieut. Commander A. J. B. Bos- ton, U. S. N., formerly with 20th Century Fox, and his executive officer, Lieut. Com- mander E. A. Libby, with the two added to the list as well.

The Army general headquarters photographic unit of the Signal Corps Reserve, organized under the Research Council and with C. N. Leibnitz, Warner chief sound engineer, as commanding officer, was elected to take part in the war effort. A number of members were called for immediate duty.

The Signal Corps Reserve unit includes such notables as Major Sam Brown, Columbia ex-captain; Captain John Albrecht, chief cameraman for RKO; Lieut. Jack Warner, Jr., of the Warner production chief; Lieut. Jules Buck, cameraman, and others.

BROADWAY PLAYS

“GRAND-SCALE SMASH HIT!”—Life Magazine

GERTRUDE LAURENCE

In the Musical Play

“LADY IN THE DARK”

ALVIN, 22 W. 57th St., of “By’way—Mat. Wed. & Sat.

A GREAT SHOW!”—Herald Tribune

50c, $1 & $1.50 PLUS TAX

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EVERY EXCEPT Mon., Wed, New Year’s, Sat-Sun.

201 Seats for Every Perf. 50c ENDS AT 8:40
GREATEST XMAS DAY ON RECORD!

And what a week-end it was bound to be—with reviews like these:

“HIGHEST RATING! HERE IS A PICTURE FOR THE FAMILY TO SEE AND ONE THAT TWENTIETH CENTURY-FOX MAY WELL TAKE PRIDE IN HAVING PRODUCED!”

—N. Y. Daily News

“THIS IS A TALE OF AMERICA! IT IS WARM, RICH AND HUMAN. IT BRINGS TEARS TO YOUR EYES, BUT THE GOOD CLEAN TEARS OF HAPPINESS; HAPPINESS AT BEING AN AMERICAN!”

—N. Y. Daily Mirror

“NONE OF THE PICTURES THAT CAME INTO TOWN YESTERDAY COULD MATCH IN SIMPLE CHARM AND DIGNITY ‘REMEMBER THE DAY’!”

—N. Y. Times
**Reviews**

**“Lady for a Night” (Republic)**

Several well-staged musical numbers enliven this production by 
Albert J. Cohen. These include "Up in a Balloon" and "Ta Ra Ra Boom De Ay," done in the gambling casino manner, and a spiritual song by the Hall Johnson Choir. Beyond the music, however, there is little to picture the story and the sequence becomes tedious.

Neither the acting nor the dialogue is distinguished. Joan Blondell plays the part of a manager of a gambling casino whose lifetime ambition is to become a recognized member of Memphis high society. Her first venture, having herself crowned queen of the annual carnival, brings only additional snubs but she tries again. When Ray, Middleton, scion of a local family, loses more than he possesses, Miss Blondell takes advantage of the situation to force him to marry her.

This maneuver, too, fails miserably, especially when Middleton's relatives, Philip Merivale and Blanche Yurka, conspire against her. There are efforts on the part of John Wayne, who plays the principal male role as a gambler-politician, to win recognition for Miss Blondell but the main character always ends sadly when she is accused of the murder of her husband. Ultimately, she returns to her gambling casino as the bride of Wayne convinced that her people are much truer and warmer than the upper crust.

One bit, part, that of a voodoo "conjurer man," is effective. Others in the cast include Edith Barrett, Leonard Kinsey, both of whom give good performances, Hattie Noel, Montague Love, Carmel Myers, Dorothy Burgess, Guy Usher, Ivan Miller, Patricia Knox, Lew Payton and Marilyn Hare. Leigh Jason directed. Running time, 87 minutes. "G." **Edward Greff**

**“Swamp Woman” (Producer Releasing)**

**SWAMP WOMAN** is a slow drama of the interior of the South's swamp regions, whose main lure would be in certain theatres the fact that it has Ann Corio in the cast. Miss Corio, it is proclaimed in the Press, is looking for an opportunity on the stage of the Central Theatre on Broadway, the "Queen of Burlesque." The "Queen" may be depended upon to satisfy her admirers. She is no exponent of overdress. One shot of her on the stage of a burlesque theatre is strictly "shock" material and definitely not fit for any family gathering. Virtually all of the story takes place in the swamp area, in effective settings. Miss Corio, theatre performer, returns because of her love for one of the natives, Jack La Rue. He in the meantime is preparing to marry her young sister, Mary Hull. Also brought in is a flying chain by Richard Crane, who is harbored by Miss Hull and John Novello. Miss Corio's former associate of the theatre, who really committed the murder for which Deane was convicted. It eventually works out for all except Novello, who is tricked into a confession. Ian MacDonald is the detective in search of Deane. Max Alexander and George Meeker produced. Running time, 68 minutes. "A." **Eugene Arnel**

**Construction in S.A. Report by Ritchey**

A great deal of new theatre construction is under way throughout Latin America, Norton Ritchey, vice-president in charge of Monogram foreign 
activities, reported Friday on his return by plane from a four-month tour.

Declaring that it is "impossible to generalize about Latin America," Ritchey said theatre business was improved in some countries, worse in others. He cited the building of new theatres as being evidence of a general trend for bigger grosses.

Ritchie described his trip, which was for the purpose of constructing the distribution setup and a general inspection tour, as "highly successful." Four or five new distributors have been added, he said.

**Price Names Ryan Radio Censor Aide**

Some one in authority on whom executives or newsmen may call for decisions on items in newscasts which are borderline cases. The fact that the radio broadcasts may be heard out side the country without the necessity of passing through any other medium of communication requires special handling.

**Frisco Still Shows Effect Of Blackouts**

San Francisco, Dec. 28.—Grosses recovered slightly from the effects of the first blackout jitters, but were still far down at the Palace, Wharf, where "H. P. Pullam, Esq." and "Marry the Boss." Daughter took $12,200. Same results for the week ending Dec. 15-19:

"Skyscraper" (Para.)
PARAMOUNT—(2,740) (15c-30c-60c-90c) days. Gross: $12,300. (Average: $4,500.)

"H. M. Pullam, Esq." (M-G-M)
"Marry the Boss's Daughter" (20th-Fox)
WARFIELD—(2,600) (15c-30c-60c-90c) days. Gross: $12,500. (Average: $4,900.)

"Dandy" (U-A)
"The Son of Paleface" (2,600) (15c-30c-60c-90c) days. Gross: $12,000. (Average: $4,900.)

"Lady in Retirement" (Col)
ORPHEUM—(2,440) (15c-30c-60c-90c) days. Gross: $5,700. (Average: $2,300.)

"Target for Tonight" (W.B.)
Welden—(1,700) (15c-30c-60c) days. Gross: $5,000. (Average: $1,600.)

"One Man from Uncle" (L-N)
"Congo" (20th-Fox)
"The African Adventure" (1,400) (15c-30c-60c-90c) days. Gross: $5,200. (Average: $3,400.)

"One Day in Soviet Russia" (Artko)
CLAY—(400) (15c-30c-60c-90c) days. Gross: $3,000. (Average: $1,000.)

Will Seek Delay on Schine Trial Today

(Continued from page 1)

Sensuous answers to defense interrogatories has prevented the theatre company from making any adequate preparation for defense. Counsel for United Artists, Universal and Columbia will file a motion postponing the trial because the Government has succeeded in having its anti-trust suit attached to the case on the New York Federal court trial calendar for February. They will argue that the case is required to defend two of the Government's suits simultaneously.

Trial of the Schine suit has been set down for March 4. Attorneys in the case are indicated that they believe a postponement of several months would be required of the Government to be filed on or proceeding with the New York suit trial when it is called in February. It is believed that the Government will not this in its chances of preserving the trade show and block-of-five provisions of the consent decree if they are offered on the New York suit prior to June 1.

Leave Rochester House

Rochester, Dec. 28.—Charles Freeman, manager, and Mr. Cobb, assistant, have resigned their posts at the Century here, Arthur Krolch, manager, taking over a temporary from the Century temporarily, with John Menzies of the RKO Palace as assistant.

Shift Phila. Managers

Philadelphia, Dec. 28.—Ken Kramer has been named manager of the Mayfair, here, Marty Balaban has gone to the Overbrook in the same capacity.

**KOERNER REALIGNS RKO DIVISIONS TO AID SUPERVISION**

The home office Warner Club will hold its 13th annual banquet and ball in the grand ballroom of the Waldorf-Astoria Hotel on March 14. Martin F. Bennett is president of the club.
There is no substitute for RICHARDSON in the projection room.

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Trouble-Shooting Charts

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700 Pages of up-to-the-minute data that every projectionist needs!

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MOST ADVANCED MANUAL
ON MODERN SOUND REPRODUCTION AND PROJECTION

The 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.

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QUIGLEY BOOKSHOP
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Radio Ready For War Now, 
Paley States
Declaring it "fortunate that radio broadcasting had been forged and tempered into a potent instrument of democracy before the war," William S. Paley, CBS president, in his annual statement, said that radio is ready for war with "responsible judgment, trained personnel and world-wide facilities.

"It would not be true to say that we have formulated new polices with regard to the war. It is of the essence of radio broadcasting that it should seek and find its responsive to the ever changing opportunities and ever changing needs of democracy," Paley asserted.

He said that CBS would play its part through "news, through public discussion, through the presentation of historic events as they occur, and through appropriate dramatization," to maintain national morale. This will be done with two things in mind, he added, "first, the winning of the war, and second, the winning of the peace." The skills and techniques of radio broadcasting are admirably adapted to promote and intensify nation-wide devotion to the goals I have mentioned, and we shall use all our resources to that end," Paley said.

He said existing programs would continue with a new significance. "These include religious, political music, light music and "programs of fun and frolic." Asserting that the CBS short wave transmitting station in United States message all over the world, Paley concluded that "the power of a free radio in a free country will be felt, as never before, by all the nations of the world."

Laughing $5,800; Indianapolis Slow
INDIANAPOLIS, Dec. 28.--"Look Who's Laughing," or "The Gay Fal- con," did $8,800 at the Indianapolis, but business was slow elsewhere and as a whole it was one of the worst weeks of 1941.

Estimated receipts for the week ending Dec. 18:

Skyrock (Par.) $3,400
Menace Splitter's Baby (RKO) (35c-44c) 7 days, Gross $3,300. (Average, $471)

"Look Who's Laughing" (RKO) (35c-34c) 3 days, Gross $2,800. (Average, $933)

The Men in Her Life (Cal.) (Univ.)$2,200.

Secrets of the Lovers (Col.)$2,000. (35c-44c) 7 days, Gross $1,400. (Average, $200)

Birth of the Blues (Paras) $1,700.

Among the Living (RKO) (42c-48c) $1,000. (35c-44c) 6 days, 3rd week, Gross $840. (Average, $140)

Manages N. J. Houses
AL SUSKIN has been named manager of the Criterion and the Majestic, Bridgeton, N. J.

Off the Antenna
FOLLOWING the announcement by the FCC that it approved transfers of licenses of four NBC Blue stations as a step in the separation of the Red and Blue networks, Niles Trammell, NBC president, on Friday sent a telegram to all Blue affiliates. He urged all stations to attend a special conference to be held at the Drake Hotel on Monday, although the purpose of the meeting was not stated in the wire, it is understood that the next steps in the separation will be discussed.

"People's Platform," the CBS program usually given over to discussions on controversial subjects, will be devoted next Saturday to predictions by four of the network's leading news analysts on "What's Ahead for the World in 1942?". Lyman Bryson, chairman of the CBS adult education board, will preside. Earl Grant, radio critic of the network's European staff, now in this country; Elmer Davis, news analyst; Major George Fielding Elliott, CBS military expert, and Albert Warner, head of the network's Washington bureau, will attend.

The networks gave all employees not needed for production or programs a full weekend over the Christmas holiday by working with skeleton staffs Friday and Saturday. The same procedure will be followed for a four-day New Year's weekend.

"Moonlight Saving Time," the all-night show on WOR, with Jerry Law- rens as master of ceremonies, has dropped its regular name. This follows the move by many independent stations along similar lines to prevent the use of such requests as a possible code of communication among agents.

Some stations are continuing request numbers but no longer are announcing the person making the request.

Chicago Firms Cut Civilian Set Output
CHICAGO, Dec. 28.—Three radio manufacturers here are reducing their output of sets for civilian use in order to work on defense orders. Paul Galvin, president of the Gal- vin Instrument Co., which is the head of the Radio Manufacturers Association, has announced that his company has "frozen" all its civilian models to present defense and arms factory production work. F. F. McDonal, Jr., president of Zenith Radio Corp., reported that be- cause of rapidly expanding war work his company will be unable to meet the rising demand for his regular line of products, and the older transmitting with the Federal Corp., said it will re- duce civilian radio output and step up an army set known as the "walkie-talkies," for military use in the field.

"Flying" Garners $11,000 in Buffalo
BUFFALO, Dec. 28.—"Keep 'Em Flying" maintained its strong engagement at the Lafayette with $11,000 in the second week. The "Maltese Falcon" drew well at the Hippodrome with $8,300.

Estimated receipts for the week ending Dec. 20:

"H. P. Pulham, Esq." (Men.-M.-G.)
Small-Town Dek (20th-Fox)
BUFFALO—(4,499) (35c-55c) 7 days, Gross $7,000. (Average, $1,000)
Design for Scandal" (M.-G.)
Cutout Girl" (20th-Fox)
GREAT LAKES—(3,000) (35c-55c) 7 days, Gross $6,600. (Average, $950)
"The Maltese Falcon" (W. B.)
"The Body Disappears" (W. B.) HIPPODROME—(3,000) (35c-55c) 7 days, Gross $6,500. (Average, $925)
"International Lady" (U. A.)
Week-End for Three (RKO)
TROY—(1,000) (55c) 7 days, Stages: Meyer Baham and his Twenty-fifth Century Orchestra, Ben Yost's New Yorkers. The Eight Singing Sweet- hearts: Gross: $1,000. (Average, $160)
"Keep 'Em Flying" (Univ.)
"Another Chinese" (Univ.)
LAFAYETTE—(1,000) (35c-55c) 7 days, 2nd week, Gross: $1,100. (Average, $160)

M. P. Daily Radio Poll Winners Get Awards
Awards to winners in the Motion Picture Daily-Fame Champion of Champions contest were given during broadcasts on Saturday. Sam Shain, editor of Motion Pic- ture Daily, presented the awards to Bill Stern, voted Best Sports An- nouncer, over NBC-Red, during the "Sports Newsreel of the Air." Nila Green was received with laughter from Ed Greif of Motion Picture Daily on "Let's Pretend," voted best children's show. Hal Haddon of Porteus Pictures of Motion Picture Daily gave their awards to Glenn Miller's band, voted Best Popular Orchestra (Swing) over NBC-Blues, and to Guy Lombardo's band, voted Best Popular Orchestra (Sweat) over CBS.

Manages Pa. Theatre
BETHLEHEM, Pa., Dec. 28.—William Blobstern has become manager of the Strand here.

Sees Billion in Air Equipment for U. S.
Present indications are that the Government will call upon the radio industry to begin production of approximately $1,000,000,000 worth of radio equipment for the armed services in the coming months, James T. Buckley, Philco president, declared in his annual state.

"Some idea of the magni- tude of this task may be gained from the fact that the normal, peacetime output of the industry is only about $500,000,000 worth," he said. He added that "it is hoped and believed that civilian produc- tion can be maintained on a reduced basis."

Mutual Added 48 Affiliated Stations During Past Year
With the addition of 25 stations and the replacement of 23 others, Mu- tual added 48 affiliates to the network during 1941 to bring the total number to an all time high of 193, it was pointed out in the annual year end summar.

During 1941, new station additions included WGR (Rochester) and WPBR, Baltimore, WCAE, Pittsburgh, all 22 years old and operating with 5,000 watts. The addition of five stations in Florida for the first time.

Sporting events, always a big fea- ture on the network, grew in empha- sies during the year, led by the acquisition of exclusive rights to the Mike Jacobs boxing bouts. For the third year, Mutual broadcast exclusively the World Series play-by-play, and for the second year, the professional football chionships.

In May, Mutual broke off from the rest of networks to bring back Ascap music to the air and followed its ac- tion with a call on the National Association of Broadcasters.

During the year there were 93 special events and specials originating at home and abroad. These consumed 492 hours and 56 minutes.

The first Mutual radio theatre was opened during the year. Mutual scored a freak kind of radio scoop when its Washington correspondent failed to get the telephone connection. The fol- lowing President Roosevelt's request for a declaration of war against Japan and the network became the first broadcasters to hold the觉悟 of a house of Congress in session.

To Get 'Kane' Award
George J. Schaefer, RKO presi- dent, has arranged for the presentation of Modern Art will receive from Quincy Howe, new president of the National Board of Review, the organization's award for "Critic Kane," judged the "best picture of the year." Everett Sloane of the cast also will be present.

Witt Joints Horne
Peter Witt has joined the Hal Horne organization, it was announced on Saturday. He will act as field coordinator.
Critics’ Quotes . . .

“BIRTH OF THE BLUES” (Paramount)
That elusive screen form, the musical show, has been brilliantly handled in “Birth of the Blues.” The new offering is an ingenious blend of swing music, comedy and straight drama...it stacks up as captivating entertainment.—Howard Barnes, New York Herald Tribune.

May not be ranked as one of the outstanding musical productions of the times, but it is a thoroughly entertaining film from the moment it opens until it fades off the screen.—Kate Cameron, New York Daily News. Whether authentic musical history or not, “Birth of the Blues” marks the swing of an hour and a half of ne plus ultra entertainment for eyes and ear.—Vincent B. Bell, Washington Post.

All in all it was quite a birth the blues had and Paramount’s account of it gives Crosby the best filmshe since he got on the studio’s payroll.—Jay Carmony, Washington Star.

Can be put down as one of Paramount’s real moneymakers.—Lovella O. Parsons, Los Angeles Examiner.

As long as the film peddles song moments it has something to offer. . . . The only sour note sounded by “Birth of the Blues” is the story.—Harry Mines, Los Angeles News.

“RISE AND SHINE” (20th Century-Fox)
The film is a hilarious musical satire on college football with a gangster angle thrown in and with the usual Hellinger flair for funny dialogue and screwy characters.—Harrison Carroll, Los Angeles Herald Express.

Maybe its past the football season and all that, but “Rise and Shine,” 20th Century-Fox gridiron contribution for laugh purposes, would be timely whenever shown.—Edith Schallert, Los Angeles Times.

They’ve finally turned out another football comedy as funny as “Hold That Co-ed.” . . . completely mad farce.—Virginia Wright, Los Angeles News.

A sillier football film has not been seen since the Ritz Brothers made the 20th Century-Fox varsity back in ’37.—Donald Kirkley, Baltimore Sun.

In its considerable retention of Thurber’s malicious whimsicality, it amounts to reasonably good, if uneven, entertainment.—Jay Carmony, Washington Star.

One of the gayest and most spontaneously amusing pieces of gridiron nonsense to hit the screen in years.—Don Craig, Washington News.

“KATHLEEN” (M-G-M)
M-G-M made no mistake when they took over Shirley’s services. She does more for them than they do for her. . . . Even with a personable supporting cast and the film’s in costumes and settings, there’s still the story—and that’s histrionics.—Edith Werner, New York Daily Mirror.

M-G-M, her new sponsors, haven’t done right by our Shirley.—New York Times.

Even if this story passed muster with Mrs. Temple, it won’t catapult her daughter back into the Motion Picture Herald’s best ten list of money-making stars.—Neumeyer.

A grand girl, Shirley, and although “Kathleen” is deficient as drama, we know you are going to like her.—Gilbert Kanour, Baltimore Evening Sun.

“YOU BELONG TO ME” (Columbia)
Wesley Ruggles has put together a bright, amusing little comedy.—Mildred Martin, Philadelphia Inquirer.

Put it down as apple-snow, palatable but not nutritious.—Philadelphia Ledger.

This is the kind of broad, uproarious comedy of marriage that doesn’t wait for the laughs to die. They’re practically continuous.—Virginia Wright, Los Angeles News.

The audience appeared to relish every minute of this comedy about a lady doctor and the rich patient she married.—Philip K. Scheuer, Los Angeles Times.

Wesley Ruggles’ latest comedy is a comfortable soother for an hour and a half.—Precedent Journal.

Somewhat above the normal, and an amiable instrument for procuring grins and chuckles over familiar characters and things.—Gilbert Kanour, Baltimore Sun.

“CONFIRM OR Deny” (20th Century-Fox)
There is plenty of excitement to the story, some lively wise-cracking, and considerable tragedy.—Doris Arden, Chicago Times.

Although this one has all the elements of exciting drama . . . it turns out to be a thoroughly ordinary melodrama.—Chicago Herald-American.

Six months ago it probably would have been a very exciting, timely and thrilling film. Today it still has a great deal of merit—but it is yesterday’s headline.—Wolf Kaufman, Chicago Sun.

“UNHOLY PARTNERS” (M-G-M)
It is a newspaper story, pretty good, pretty “action-y,” and very noisy. You probably will enjoy it.—Wolf Kaufman, Chicago Sun.

Edward G. Robinson and Edward Arnold are providing double-quick action in melodramatic manner in a story where the suspense is well sustained for the greater portion of the 94 minutes of unreeling.—Dorothy Guinn, Philadelphia Daily Ledger.

Since it deals with an age best forgotten, its melodramatics seem quite naive. Nevertheless, they are exciting.—Henry T. Murdock, Philadelphia Ledger.

The best thing about “Unholy Partners” . . . is that it shows us Laraine Day completely resurrected from her horrible fate in the “Dr. Kildare” series.—Paddison Prettlo, Washington News.
Breaks all opening day and second day attendance and money records in the history of the Astor Theatre, New York City.

WORLD PREMIERE ENGAGEMENT OF

Arnold Pressburger’s

THE Shanghai Gesture

From the Celebrated play by JOHN COITON

starring GENE TIERNEY

WALTER HUSTON • VICTOR MATURE • ONA MUNSON
with PHYLLIS BROOKS • ALBERT BASSERMAN • MARIA OUSPENSKAYA

Directed by JOSEF VON STERNBERG

RELEASED THRU UNITED ARTISTS
War Effort to Occupy N.Y. Legislature

Opens Jan. 7; Little Film Legislation Seen

By RICHARD J. CONNERS
ALBANY, Dec. 29.—Prosecution of a successful war effort is the major concern of the 1942 New York State legislature, which convenes Jan. 7 to hear J. Herbert Lehman's annual message. The motion picture industry has already indicated its enthusiastic support of measures designed to aid in the national effort at home and abroad and the feeling exists that exhibitors particularly will have a real interest in legislative action.

While legislative leaders undoubtedly have not completed (Continued on page 4)

Trade Cooperation Laundered by Mellett

WASHINGTON, Dec. 29.—The establishment of coordination of Government film activities has brought from the industry "wonderful" offers of cooperation, it was said today by Arch Mercy, assistant to Coordinator Lowell Mellett.

So far, Mercy said, no definite program has been laid down, but it is planned to set up only a small organization, since it is felt that not many persons will be needed under the policy of cooperation which will be followed, in which the industry will have a point of contact with all the Government film activities.

After the new organization gets started, he said today, he will issue a statement outlining the policies and objectives of the planned coordination.

Dinah Shore, von Zell To Get Awards Today

Scrolls will be presented tomorrow evening at 9 o'clock to Dinah Shore and Harry von Zell during the broadcast of Eddie Cantor's "Time to Smile" over NBC-Red. Miss Shore was voted Best Popular Female Vocalist in the annual Motion Picture Daily "Champion of Champions" radio poll on behalf of Fame and von Zell was named Best Studio Announcer.

Clearance Award Affects Theatres In Oakland, Calif.

A clearance decision affecting virtually all theatres in Oakland, Calif., was reported to American Arbitration Association headquarters here yesterday by L. Frank Golding, of San Francisco.

The decision, handed down in the case brought by the Piedmont Theatre, Oakland, against the five courts, has ended a long suffering and during the eight months of litigation a lengthy number of the pictures in the city, abolishes the practice in Oakland of having first run clearance from the closing day of a "move over" engagement.

Donovan C. Peters, arbitrator in the case, held that the picture results in unreasonable clearance of the fifth run Piedmont and directed that in the future first run clearance must be given from closing day on the theatre in which the picture was booked originally.

The arbitrator also reduced the clearance of the fourth run Chimes and Grand Theatres to one day over (Continued on page 4)

Casey Due Today

For Union Parade

Pat Casey, producers' labor representative, will arrive from the Coast today to attend the negotiations starting on new film contracts with eight IATSE studio locals.

The negotiations were begun here last September and were adjourned to the Coast when agreements could not be reached. The Coast negotiations ended with an agreement to reach with only two of the 10 IA studio locals and were again transferred to New York so that heads of the major companies could participate and make final decisions.

Studio Photographers Local 69, IATSE, has contemplated a "direct action" in its effort to obtain jurisdiction over all studio cinematographers, and plans to advise company heads at next week's negotiations in New York that they will refuse to work (Continued on page 4)

IA Buys $50,000 in Defense Bonds

The IATSE yesterday purchased $50,000 in Defense Bonds, Richard F. Walsh, president, announced. Walsh said that letters were going out to the 800 locals of the union, urging them to make similar purchases to the extent of their ability to do so.

Pledge Little 3 Not to Defend 2 Suits at Once

BUFFALO, Dec. 29.—Counsel for the "Little Three" were assured by Seymour Simon, special assistant to the U. S. Attorney General, in Federal court here today that they will not be required to defend the Government's anti-trust suit against the Schine Circuit here and the suit in Federal court at New York simultaneously.

Simon said that the Government plans to try the Schine suit first and that the New York suit will not be started until the local suit is concluded. He estimated that it would take at least 8 weeks for trial of the Schine suit, which is on the court calendar here now for March 3. The New York case will be called about Feb. 10, Simon said, and at that time the Federal Judge Henry M. Goldard will probably set the trial date for some time in April.

This, Simon believes, will give time to complete the trial here and to start the New York trial in time to finish that case by June 1. If the Government has not won a victory over the (Continued on page 8)

Two W.B. Branch Managers Named

Ben Kalminson, general sales manager of Warners, yesterday announced the appointment of two branch managers. Fred Greenberg, Indianapolis branch manager, has been shifted to Los Angeles, and Claude W. McKean has been named to replace Greenberg in Indianapolis. Greenberg succeeds W. E. Callaway, who joined United Artists recently.

Greenberg joined Warners in 1930 as a salesman with the Kansas City office and was promoted into the head office there in 1936. McKean joined Warners two years ago as a salesman. Previously, he had been connected with Fox West Coast Theatres and RKO.

Hellzapoppin’ On B’way as Grosses Soar

Record Visitors Influx Jams Show Places

By SAM SHAIN

Extra planes, extra trains, extra buses, besides thousands of private automobiles are bringing thousands of visitors to New York for New Year’s Eve, the transportation firms report, and this year’s celebration in Times Square promises to be the biggest in more than a decade, despite the war. "Hellzapoppin’" — on Broadway. (Continued on page 4)

MPPDA Compiling List of Film Needs

WASHINGTON, Dec. 29.—The MPPDA is compiling a list of the industry's estimated requirements for scarce materials for the coming year and when completed will submit it to the motion picture section of the Priorities Division for consideration, it was learned today.

The information is being compiled in response to a questionnaire sent to all industries and motion picture producers by the Office of Production Management early this month.

OPM officials explained that Frances S. Harmon, executive vice-chairman of the War Activities Committee, M. P. Industry, is now circulating a questionnaire in which the (Continued on Page 4)

Year in Review

A review of the year 1941 in the motion picture industry, as recorded in the day-by-day headlines from Motion Picture Daily, appears in this issue, beginning on Page 6.
Deciding on Capital Birthday Ball Today

WASHINGTON, Dec. 29.—At a meeting scheduled to be held here tomorrow, it probably will be decided whether President Roosevelt's birthday balls for the benefit of paralysis sufferers are to be held as usual next month.

Always a big financial success, due principally to the presence of a dozen or more Hollywood stars, the round of entertainments in Washington hotels now is in danger of being canceled because of the war.

As yet, President Roosevelt has not indicated whether he believes the traditional parties in the nation's capital should be observed on his birthday, Jan. 30.

As coordinator of defense, District Commissioner Russell Young is in the position of discouraging large-scale turnouts of the public. But as chairman of the local committee on arrangements for celebration of the President's birthday, he is committed to the policy of raising as much money for the infantile paralysis sufferer as possible. And the birthday entertainments actually raise more than $100,000 here.

Among some members of the local film industry, there is a feeling prevails that the elaborate parties might be dropped this January and greater stress be laid upon the March of Dimes drive, of which Carter T. Barron, Loew's zone manager, is D. C. chairman. 

NEW YORK THEATRES

RADIO CITY MUSIC HALL

LAST TIMES TODAY

"H. M. PULHAM, Esq."

HEADLINERS:

HEDY LAMARR • ROBT. YOUNG

THE MEL-TON COMEDY

HILDA VON TILZEN

Knopf

MARY GROSBY MARTIN

IN PERSON

BING CROSBY & MARTY MARTIN

AND WARRINGTON

COCKETT & FRIENDS

THE MERRY BILLIES

Barker's Theatre

"BIRTH OF THE BLUES"

PARAMOUNT

LARRY PARKER

IN PERSON

TUCKER & BAND

FOOTLIGHTS.

WEENIE BAKER, TIMES SQUARE

"Remember the Day"

Claudette Colbert John Payne

PLUS A BIG SHOW ROXY & 50th ST.

AT LAST IT'S ON THE SCREEN

"HELLZAPPIN'"

OLSEN & JOHNSON • MARTHA RAYE

UNITED ARTISTS

RIVOLI BROADWAY

ARTISTIC BAND

CABLE 7362

MIDNIGHT SHOW. DOORS OPEN 9:30 A.M.

"HOW GREEN WAS MY VALLEY"

PALACE & 47th ST.

WALTER PIGDEN & MAUREEN O'HARA

MOTION PICTURE DAILY

Tuesday, December 30, 1941

Personal Mention

DAN O'SHEA, vice-president and general counsel for David O. Selznick Productions, is expected here today from the Coast.

EARL WRIGHT, 20th Century-Fox, Peter de Fazio, Warners; Henry Germaine, Paramount, and William Caselli, RKO, are among the salesmen who will New Haven exchanges now on vacation.

ALFRED LOHMAN, auditor and office manager, H. J. Griffiths Theatres at Kansas City, is the father of twin girls, born Christmas Day.

CARTER BARRON, Loew's zone manager in Washington, has been appointed captain of the municipal police force by Police Superintendent Edward J. Kelly.

RUTH HERRMANN is secretary to Les Kaufman, Fanchon & Marco, advertising head in St. Louis, replacing William Smith, who is leaving to be married.

LOUIS PHILLIPS, Paramount home office attorney, will leave for St. Louis at the end of the week for the resumption of the Minnesota anti-block-of-five law trial.

GEORGE WELTNER, Paramount assistant foreign manager, will return from an extended South American business trip by plane in two weeks.

STEVE PALOS, Alexander Korda's Eastern representative, has returned for South America at the end of the week on a six-weeks business trip.

NATE GOLDSTEIN, head of Western Massachusetts Theatres, is in New York.

LEON SCHLESINGER, cartoon producer for Warners, has arrived here from the Coast to spend two weeks.

REGINALD ARMOUR, assistant studio manager, RKO president, will arrive from the Coast by train on Thursday.

306 Wins Award in J. Circuit Dispute

Operators Union, Local 306, yesterday won an award from Harry C. Kane, arbitrator appointed by N. Y. Supreme Court Justice Joseph P. Pecora, in a dispute with the J. Circuit operated by Julius Joelson, the union announced yesterday.

According to the union, Joelson acquired the Consolidated circuit of 18 houses, employing about 100 projectionists, seven months ago and shortly thereafter sought a reduction of $35,000 in the annual operators' payroll of approximately $200,000. Arbitration was resorted to under the terms of the basic contract with the union. Kane ruled that Joelson must continue to pay the scale set for Consolidated and, in addition, must grant the five per cent increase provided this Fall under the N. Y. ITOA agreement, the union said.

Loew-Poli Men Are Promoted by Shaw

NEW HAVEN, Dec. 29.—Harry F. Shaw, Loew-Poli division manager, has announced the promotion of Herbert P. Brown, formerly assistant at the Loew-Poli Theatre here to assistant to the Bijou, replacing Michael Pieczeroff, who is the next assistant at the Loew-Poli, Springfield.

Boyd Sparrow, formerly at the Springfield house, has been transferred to assist at assistant to Loew's Aldine, Wilmington, Del., Herbert Alpert, former student at the Bijou, has been transferred to assistant at the Lyric, Bridgeport.

Vanishing Virginian' Premiere Set Jan. 23

M-G-M has set the world premiere of "Vanishing Virginian" for Jan. 23 at the Paramount, Lynchburg, Va. The film is based on the biography of Rebecca Yancey Williams of Averett, Capt. Robert Yancey, Frank Morgan portrays Capt. Bannerman, and as Kathryn Grayson and Spring Byington are featured. Frank Moran directs and Edwin Knopf produced.

Merger of 20th-Fox Actions Is Sought

Application by 20th Century-Fox Film Corp., filed yesterday in the N. Y. Supreme Court to consolidate the company and the American Film Corp., owned by Harry C. Warner, was denied by Judge Horace D. diffs, and Frederick Myers, C.I.O. industrial counselor, at a meeting last night at Fraternal Clubhouse.

Theodore Rosen, chairman of the SOPEG defense committee, reported that the organization has reached its $500 defense fund quota. Films showing civilian defense activities were screened at the meeting.

Fire Razes House

ATLANTA, Dec. 29.—The Tenth Street Theatre here was gutted by fire last week. Four firemen were injured, but no patrons escaped uninjured. At the same time, John R. Evans, 69, manager of the house, was buried. He had died the day before.

Named Club Delegates

MINNEAPOLIS, Dec. 29.—William Elson and Joseph Podoloff have been named by the Variety club of the downtown Section to handle the national convention. Alternates are Maitland Frosh and A. A. Kaplan.

Coast Flashes

Hollywood, Dec. 29.

LIEUTENANT-Colonel Darryl F. Zanuck by plane by plane on Thursday to confer with War Department and Army officials on the production of Army training films by the Research Council of the Academy of M. P. Arts & Sciences.

James A. Fitzpatrick left for Washington today to confer with J. W. Whitney, head of the film division of the War Production Board, on a proposed series of travelogues to be made in Pan-American countries and which would be distributed by M-G-M.

William P. Weaver, Hollywood editor of Quigley Publications, has been named to the public relations committee of the Theatre Defense Bureau formed by Mayor Fletcher Bowron, as a division of the Los Angeles Defense Council.

"American Cavalcade," a history of American pictures up to the present, was set by M-G-M today as the next starring vehicle for Spencer Tracy and Katherine Hepburn. Sidney Franklin will direct.

Universal has borrowed George Raitt from Warner for the starring role in a modernized version of "Broadway," which was made by the company five years ago. According to films, will do the script with Felix Jackson. Frank Shaw will be associate producer and William Seiter will direct.

Coast I. T. O. Favors War Rentals Relief

LOS ANGELES, Dec. 29.—Relaxation of film rentals and playing terms for ex-service clubs in which blacks and other war developments have affected patronage adversely was discussed by the Independent Theatre Owners of Southern California and Arizona at a meeting here today.

Fire department officials addressed the meeting and the theatre owners in precautionary measures. The local area has been divided into 10 zones for purposes of preparedness; each zone has an officer of the organization, presided.

Motion Picture Daily

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Dudley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City.

Cable address: "Quigleynew," New York.


Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Association, Film Daily, etc.

DINNER
is ready!

COME AND GET IT... FROM WARNERS!
Hellzapoppin’ On B’way as Grosses Soar

(Continued from page 1)

"Big" is the word for the Main Stem’s box-office. "Remember the Day," "H. M. Pulehan, Etc., "Hollywood Hoopla, "The Streets of Cairo, "The Story of Louis Armstrong, "Sundown, "Unholy Partners, "You’re in the Army Now," "Tarzan’s New York Adventure," and "Wolf Man" are pictures which are current on Broadway, and all are doing mighty well.

The highest grosser for this week is "Remember the Day," which with the usual Roxy Theatre’s stage show, is running full speed into a new house record of about $190,000, since this theatre embarked on its present presentation policy. The picture will shut down the mark set by "Alexander’s Ragtime Band" last year.

Among the festive occasions tomorrow is the opening of "Louisiana Purchase" at the Paramount Theatre. This picture will follow an unusually healthy grosser, "Birth of the Blues," which has so far garnered an unusually good figure of $46,000, according to reports. The accompanying film of this, on the stage, is Orin Tucker’s band. "Louisiana Purchase" will share the program at the Paramount Theatre with Gene Krupa and his band on the stage. Another festive moment to come tomorrow will be the opening of "M-G-M’s Broadway" at Radio City Music Hall.

Broadway’s houses are opening at 9 o’clock in the morning these days to accommodate the increased patronage.

"Hellzapoppin’", that Olsen and Johnson madcap musical is attracting excellent patronage at the Rialto, where the estimated film will close its first week with a gross $34,000.

‘Gesture’ is Strong

But—believe it or not (and the critics have done just that during this week’s Broadway championship) “The Shanghai Gesture,” which is doing as great a business at the Astor Theatre as any film which has played there. Just capacity—and that’s all! It has been S.R.O. since opening. By present ratings this means fully $22,000.

"H. M. Pulham, Esq," M-G-M’s picture at the Radio City Music Hall, accompanied on the stage by the traditional Christmas show of this theatre will do conservatively, it is estimated, about $100,000 this week. That’s as big as big can be.

It’s Christmas vacation for the kiddies and they are coming in droves with the relatives and friends eager to get in almost any theatre, but many of them show a discriminating taste, the managers state. Good weather has added materially to the likes which are all the box-office is measuring—but chiefly, it’s been good pictures.

“You’re in the Army Now," at Warner’s Rialto and "Tarzan’s New York Adventure" at the Paramount on the stage, has grossed an estimated $22,000 on the first four days of its engagement. "The Story of Louis Valentine has let us know that the city is taking no chances and has the biggest detail of police, 2,100 officers, on duty in the Times Square area for the holiday, beginning tomorrow, besides air raid wardens throughout the city.

The picture, "Unholy Partners," at the Gateway and "The South Pacific" at the Adelphi.

Clearance Award Affects Theatres

In Oakland, Calif.

(Continued from page 1)

the Piedmont. Theatres involved in this case included those of West Coast Theatres, Transbay Theatres, Solano Theatre Corp., Oakland-Berkeley Theatre Association, and Oakland County Theatres.

The clearance complaint brought by Sol Winokur, operator of the Ritz, Waterivitàl, Mich., has been dismissed by the Detroit tribunal, the AAA was advised yesterday.

The complaint named Loew’s and Warners and the theatres of Harvard, Mich., and Loma, Coloma, Mich. Paul W. Voorhis, arbitrator, ruled that the clearance of seven to 15 days of the intervening theatres over the Ritz is reasonable. The houses are within a seven-mile radius of each other. Costs were divided among all of the parties.

MPPDA Compiling List of Film Needs

(Continued from page 1)

ues will give information regarding their consumption of various materials, such as rubber and the like, in 1940 and 1941 and their anticipated needs for 1942.

When all the information is in, A. Julian Brylawski, in charge of motion picture priorities, will work with the exchanges of the OPM in setting up the quantities of materials which will be made available to the industry.

Casey Due Today For Labor Parley

(Continued from page 1)

with cinematographers who are not members of the IATSE.

Their fight is directed against the American Society of Cinematographers which has a contract covering first cameramen at all major studios. The I.A has petitioned the others in camera departments, and over cinematographers in independent studios and on the Broadway stage. Reps of all I.A film and stage locals are scheduled to leave for New York this weekend to participate in the talks here.

Insurance Policies B & K Xmas Present

Chicago, Dec. 29—Christmas gifts in the form of insurance policies were presented to employees of Balaban & Katz and the Great States circuit in Illinois and Indiana. The gift marked the fourth annual renewal of the insurance plan, the cost of which has been entirely by the company.

Love’ and Stooges

$17,000, Cleveland

Cleveland, Dec. 29,—"Appointment

of Love" for the Third Week on the Palace stage earned $17,000. “Two-Faced Woman" grossed $5,000 here in its third week at the Stillman in a comparatively quiet week hurt by Christmas shopping.

Estimated receipts for the week ending Dec. 18-19:

* * *

KROK PALACE—(31c-39c-47c) 7 days. Gross: $13,000. (Average, $1,857.)

"Week-End in Havana" (20th-Fox) 7 days. Gross: $12,400. (Average, $1,771.)

"It Started with Eve" (Univ.) WARNERS’ LAKER—(33c-39c-47c) 7 days. Gross: $8,000. (Average, $1,143.)

"Appointment for Love" (Univ.) RKO PALACE—(31c-39c-47c) 7 days. Gross: $8,700. (Average, $1,243.)

"Week-End in Havana" (20th-Fox) 7 days. Gross: $12,400. (Average, $1,771.)

"The Silver Chalice" (20th-Fox) 7 days. Gross: $6,000. (Average, $857.)

"Two-Faced Woman" (M-G-M) LOEW’S CLEVELAND—(31c-39c-47c) 7 days. Gross: $6,500. (Average, $929.)

"Appointment for Love" (Univ.) LOEW’S STILLMAN—(31c-39c-47c) 7 days. Gross: $6,000. (Average, $857.)

"Appointment for Love" (Univ.) KATZ—(31c-39c-47c) 7 days. Gross: $6,500. (Average, $929.)

War Effort to Occupy N.Y. Legislature

(Continued from page 1)

the defense formula, there is a general expectation that the blackout situation will important legislation in public assembly, including theatres. Throughout the state, many ex-holders of their theatres as emergency shelters. More stringent safety inspection of places of public assembly is being considered.

Heading the agenda of direct motion picture legislation of a non-defense nature is consideration again of a bill, certain to be introduced, it is thought there, to equalize the censorship fee on inspection of 10 mm. films, The 35 mm. film is of course subject of a $3 per 1,000 feet on original film and 2 per 1,000 feet on prints, under the laws prevailing, and the bill to add fee to the state Education Department, under which film stock will be inspected, was introduced too late last year for amendment.

Introduction Likely

Last year’s bill was understood to have been modeled after the Maryland law, but an amendment was needed to make it practicable here. With a year’s additional study, the recommendation by the legislature as revenue for the state budget is quite likely.

No action against the consent decedent is agreed to, but the old omnibus bill concerning chain stores and tenement legislation, is not in general feeling, however, is that little restrictive legislation will be considered during the wartime emergency unless strong appeal for supplementary revenue arises.

Legislation to straighten out the present restrictive practices in radio and motion picture theatre stage appearances of children under 10 is expected to be reintroduced. Such a bill was added to the 1941 legislature but vetoed by Governor Lehman. A new measure which meets the objections raised in the executive reversion would require for supplementary revenue arises.

Abolition of fee-charging employment agencies, always of interest to both production and radio circles due to theatrical agencies, is expected to be proposed. For several years Governor Lehman has advocated reversion of adverse legislation on near intersections and along scenic routes. This subject can conceivably be handled in the new 1942 session, as the avenues for additional revenue are sought.

The war has removed reasons for a change, but the present newsreels, since enemy propaganda will no longer have any chance to get through in this form. The "Seige on Western Europe" case is said on the courts.

Speech of Churchill

In Montreal House

MONTREAL, Dec. 29—Prime Minis- ter Winston Churchill’s speech at the joint session of the Senate and House of Commons in Ottawa this afternoon was reintroduced at the Newsreel Theatre here, from 3 to 3:30 P. M.

Special arrangements have been made for the picture to be reproduced directly from the screen of the theatre as it is received by radio pickup and transmitted to the theatre sound system.

Tuesday, December 30, 1941
FLASH FROM MILWAUKEE!
Here's the tip-off. In its first four days it's doing 243%, TOPPING EVERYTHING!

FLASH FROM MILWAUKEE!
Here's the tip-off. In its first four days it's doing 243%, TOPPING EVERYTHING!

1942's FIRST BLESSED EVENT!
Mickey and Judy in "Babes on Broadway," their biggest show yet, is merrily launched with 400 New Year's engagements from Coast-to-Coast! Clear the calendar for your hold-over!

MR. & MRS. LEO WILL KEEP 'EM ROLLING!

ROBERT TAYLOR
LANA TURNER
in "JOHNNY EAGER"

SPENCER TRACY
KATHARINE HEPBURN
in "WOMAN of the YEAR"

NORMA SHEARER
MELVYN DOUGLAS
in "WE WERE DANCING"

JEANETTE MacDonald
NELSON EDDY
in "I MARRIED AN ANGEL"

"JOE SMITH, AMERICAN" starring ROBERT YOUNG

ABBOTT AND COSTELLO
in "RIO RITA"

January

Feb. 3 — Arbitration boards open in 88 cities. Under the new system, Allied States supports Government plan to exhibitors to "polic" the distribution of films. The board's work is voluntary.

Jan. 20 — Motion Picture Industry Budgets for 1940-41. New Rogers budget plan for companies to set up a budget for each film. Budgets for the three major companies are $5,000,000, $4,000,000, and $2,000,000 for each company. Budgets for each film will be set up by the companies and the budgets will be approved by the board.

Jan. 12 — Motion Picture Industry Reports for 1940. Showing a decrease in the amount of money spent for motion picture production in the United States. The total amount of money spent for motion picture production in the United States was $800,000,000 in 1940. The amount spent for motion picture production in 1939 was $900,000,000.

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Executive Changes Were Highlight of Year

August

U. S. Senate, Crescent official free in U. S. trial; recovers to December; Total of 12 heads now four heads to Senate probe. Tremendous is word for Broad- way, and less so for Washington. The few estimates of Howell

September

Sept. 2—Senate unit scale set at 15 per cent tax. Coast report links different U. S. Wllkie heads film defense before

October

Oct. 1.—Allied units rating resolution for a national path committee to promote all industria, 16 arbitration com-

November

Nov. 1.—New general tax law to effect on grosses. Consent Judge- bribe Schine circuit in Kentucky from earlier opera-

December

Dec. 14.—Executive run ruled out under (Continued on following page)
Radio Silence on Churchard Pledged
Washington, Dec. 29.—White House gratification over the vote by President Franklin D. Roosevelt to maintainiline its operation. It is understood that the President has not yet been called upon to sign the bill into law, but that the Council will continue to function until it is signed.

FCC Seeks Data on Foreign Programs
WASHINGTON, Dec. 29.—Moving to bring up to date information collected some months ago regarding broadcast in foreign languages, the FCC has asked for such data from broadcasters of National Broadcasting Co., Radio Corporation of America, and others. The purpose of the request is to determine if there is any evidence that the broadcasts are being used for political purposes.

November
Nov. 2—Paramount gets decree "escape" for Minnesota. Appeal will be heard by lower court.

CBS, NBC Renew Seven Programs
CBS yesterday announced four renewals, NBC, Blue, three, and NBC Red announced the renewal of one program. The CBS renewals included International Silver Co. for "Silver Theater," the NBC renewal was Curtis Candy Co. and the NBC Red renewal was the Jackson Wheeler newscasts Saturday and Sunday morning. This decision, taken by NBC, over Broad and Lowell Thomas over 24 NBC stations.

CBS Transmitter Opens Thursday
CBS will dedicate the new 50,000-watt transmitter and tower of its new short wave station, WCRD, with a full-hour program starting at the stroke of 9:30. William S. Paley, president, and Edmund H. Coleman, director of short wave and Latin American relations, will speak, Paley in English and Coleman in Spanish.

Plan Censorship Parleys for Radio
WASHINGTON, Dec. 29.—Conference on plans to broadcast plans on the matter of censorship during the present war period will be scheduled "from time to time," the FCC Chairman, John H. Ryan, said today at a joint press conference with John H. Ryan, assistant director of the Office of Censorship, and John H. Ryan, assistant director of the Office of Censorship. The conference will be held on Dec. 31.

Pledge Little 3 Not to Defend 2 Suits at Once
Little Three by the June 1 the trade show and blocks-of-five provisions of the Radio Act of 1927 will go into effect. On the other hand, the Government has indicated that, if it cannot conclude the trial of the suit filed by the June 1 it will petition Judge Goddard for an extension of the escape clause deadline to some date after June 1. In this event the trade show and blocks-of-five provisions might be perpetuated for another year, since the new self- policing system would be getting under way at that time.

Today's hearing in U. S. District court here was on a motion by the government for appointment of a special master, or referee, to determine the facts and to settle the issues in the case. The case involves the question of whether the Government has the power to require that the defendants pay the costs of the suit.

December
Dec. 1—O'Shea becomes Eastern sales head and general manager of Central division. Producers to get allocations on defense materials. Governments weight 25 percent of the market only.

Dec. 2—Universal and United Artists not to distribute any pictures in Minnesota law to afford relief. Ascan's distribution drops to $2,700,000 this year. Dec. 3—Film distribution in Norway.


Dec. 11—Coast studios on day shifts for radio workers. Workers are authorized to work in radio alarms. Variety clubs aid radio workers at meeting.

Dec. 12—Coast studios on day shifts for radio workers. Workers are authorized to work in radio alarms. Variety clubs aid radio workers at meeting.


Dec. 14—Coast studios on day shifts for radio workers. Workers are authorized to work in radio alarms. Variety clubs aid radio workers at meeting.

Dec. 15—Coast studios on day shifts for radio workers. Workers are authorized to work in radio alarms. Variety clubs aid radio workers at meeting.

Dec. 16—Coast studios on day shifts for radio workers. Workers are authorized to work in radio alarms. Variety clubs aid radio workers at meeting.

Dec. 17—Coast studios on day shifts for radio workers. Workers are authorized to work in radio alarms. Variety clubs aid radio workers at meeting.

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Dec. 24—Coast studios on day shifts for radio workers. Workers are authorized to work in radio alarms. Variety clubs aid radio workers at meeting.

Dec. 25—Coast studios on day shifts for radio workers. Workers are authorized to work in radio alarms. Variety clubs aid radio workers at meeting.

Dec. 26—Coast studios on day shifts for radio workers. Workers are authorized to work in radio alarms. Variety clubs aid radio workers at meeting.

Dec. 27—Coast studios on day shifts for radio workers. Workers are authorized to work in radio alarms. Variety clubs aid radio workers at meeting.

Dec. 28—Coast studios on day shifts for radio workers. Workers are authorized to work in radio alarms. Variety clubs aid radio workers at meeting.

Dec. 29—Coast studios on day shifts for radio workers. Workers are authorized to work in radio alarms. Variety clubs aid radio workers at meeting.

Dec. 30—Coast studios on day shifts for radio workers. Workers are authorized to work in radio alarms. Variety clubs aid radio workers at meeting.

Dec. 31—Coast studios on day shifts for radio workers. Workers are authorized to work in radio alarms. Variety clubs aid radio workers at meeting.

Three to Red Cross
The Texas Co. has donated the New Year's Eve period from 9-10 p.m. to the Red Cross. Mrs. Franklin D. Roosevelt, Mrs. John Cowl and Buddy Baer will be heard in addition to the usual Fred Allen cast.

Time to Red Cross

Radio Silence on Churchard

Pledge Little 3 Not to Defend

2 Suits at Once

Year's News in Review

(Continued from page 7)

November

Nov. 24—Conyers will be assistant to Sid-
ney Kent. Full authority to Schaefer in RKO. report $500 is film contribution

Nov. 25—M-G-M forum in Ohio today.

Nov. 26—Branch directors to be named.

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Nov. 25—M-G-M forum in Ohio today.

Nov. 26—Branch directors to be named.
Holds 16mm. Showing Is Violation of Copyright

Los Angeles, Dec. 30.—The exhibition of a copyrighted film for direct or indirect profit constitutes an infringement despite ownership of a 16mm. print, Federal Judge Ralph Kohn ruled today in granting a permanent injunction against Edward Kohn, operator of the Movie Parade Theatre, who had been showing Charlie Chaplin films at his silent revival house.

The court ordered Kohn to pay Festival Films, Inc., of New York, the plaintiff and owner of the copyrights, $3,500 in damages, assessed on the basis of $250 for each day of unauthorized exhibition. It was established by the testimony that several films were engaged in selling or renting 16mm. films but the court ruled that unless licenses were granted by the owners of the copyright for exhibition for profit, such acts were in violation of the Federal copyright law.

"This injunction," the court ruled, "shall not restrict private exhibitions.

Capital Grows Off Slightly in Blackout

Washington, Dec. 30.—Theatre business was only slightly below normal tonight despite voluminous advance notice of the blackout rehearsal which was held between 7:45 and 8 P.M.

During the alert period, house fronts were darkened and ticket sales came virtually to a standstill. Nothing eventful was reported by any of the downtown theatres, where few patrons, if any, noticed that the film sound was stepped up to drown out the warning sirens. It was the first effective blackout test held in the capital. All theatre personnel were well prepared for the blackout.

Following a plan which was adopted last week at a meeting called by John J. Payette, Warner Bros. zone manager and deputy air raid wardens for

Unity Group to Meet in New York Jan. 21

Chicago, Dec. 30.—The second meeting of the Motion Picture Industry Conference Committee on all-industry unity has been called for Jan. 21 at the Warwick Hotel, New York, by Jack Kasper, temporary chairman. All members of the main committee and sub-committees have been invited. Financing and the placing of the committee on a permanent basis will be discussed and the appointment of a full-time executive secretary considered.

Cite Extortion Payments to Former IA Heads

Paramount, yesterday brought suit to recover $100,000 from William Bioff and George E. Browne which it allegedly paid the former IATSE officials "unwillingly and under duress."

The complaint, filed by Simpson, Thacher & Bartlett, counsel for Paramount, asserts that between May, 1936, and January, 1938, "the plaintiff, pursuant to demands of the defendants and under duress, paid to the defendants sums of money aggregating $100,000, which the defendants received and retained for their own use and benefit."

The complaint charges further that the suits were obtained by Bioff and Browne by means of extortionate and illegal demands and by threats of strike.

Bioff and Browne are now serving prison sentences of 10 and eight years, respectively, following their conviction in Federal court here in November of extorting more than $50,000 from Paramount, Loew's, 20th Century-Fox

Coast ITO Seeks Duals Elimination

Los Angeles, Dec. 30.—About 70 members of the ITO of Southern California and Arizona voted unanimously at a meeting here last night in favor of abolishing double features under wartime conditions.

The meeting also approved a resolution sent by the general manager of Columbia Pictures of Canada, Ltd. Glazer succeeds Dave Coplan, who resigned several days ago.

Bioff, Browne Sued by Para. For $100,000

No Paper Tomorrow

Motion Picture Daily will not be published tomorrow. New Year's Day.
Coast Cities Ban
Welcome to 1942
San Francisco, Dec. 30—As a civilian defense precaution, authorities of this city have joined Los Angeles in banning street celebrations for the New Year's Eve. A similar ban will be in effect in Seattle.

300 N.E. Theatres
In Dimes Campaign
More than 300 New England theaters have resolved to make lobby collections in the industry's 1942 March of Dimes drive, Jan. 22-28, according to M. J. Mullin, New England chairman.


Warner Will Employ
Girl Usurers in Phila.
PHILADELPHIA, Dec. 30—Warner theatres here will use girls usurers as starters next year, according to M. Jack Warner, who is charging that the usurers, now being sold by Jack Goldman, will be introduced at downtown houses.

It is feared that the usurers, at the annual meetings managing of the zone of several months ago, Ted Schläger, zone chief, revealed that the usurers, are in the market for a new home, because of the shortage in male help.

E. K. Bonus $4,200,000
ROCHESTER, Dec. 30—Eastman Kodak Co. directors will vote Tuesday to distribute a $4,200,000 bonus to employees March 13. The company will distribute $4,200,000.

Leaves RKO Post
INDIANAPOLIS, Dec. 30—2. L. Heinrich is resigning as booker of the Indianapolis RKO branch after 20 years with the company.

BROADWAY PLAYS

“GRAND-SCALE SMASH HIT!—Little Magazine
GERTRUDE LAWRENCE
in the Master Play
“LADY IN THE DARK”
ALVIN, $28, W. of B’way—Mats. Wed. & Sat.

“AGREAT SHOW”—Herald Tribune
$5c, $1 & $1.50
NO HIGHER
2ND EDITION
SENSATIONAL Musical Entertainment
IT HAPPENS ON ICE
At America’s Only Ice Theatre
Center Theatre, Rockefeller Center, C. 1-1474
Excep. Sat.: Mats. New Year’s, Sat.-Sun.
$50.00 Seats for Every Per } 50.00, 55.00, 60.00
S. E. 40th Ave.

MOTION PICTURE DAILY
Wednesday, December 31, 1941

Personal Mention

AL LICHTMAN, vice-president of M-G-M, is in town from the coast.

JAMES R. GRAINGER is due from the coast early next month.

J. R. McDONOUGH left Hollywood yesterday for Newark to attend his mother's funeral.

HOL HORNE and DICK CONDON are expected to leave the coast today for New York.

JACK DARBOCH of 20th Century-Fox has arrived on the coast.

GEORGE DINDS, manager of the Broadway Strand, is the father of a son, born to MRS. DINDS at Poly clinic Hospital. The baby weighed seven pounds, 11 ounces.

WILLIAM K. SAXTON, city manager of the city of拉着 were to announce to Paramount to spend the New Year holiday with his family on Long Island.

CLARA KRAFTSOW, Paramount secret- ary, has been discharged from Florida, where she recuperated from a recent illness at the hospital.

KATHRYN LAVALLE has left Los Angeles for New Haven to be married, and has been replaced by Mary BERNARD.

Sues Joelson on
Circuit Purchase

HARRY THOENS & CO., Inc., has filed suit in N. Y. Supreme Court for $50,000 in commissions allegedly made on the purchase of Consolidated Amusement Enterprises against Julius Joelson, circuit owner. The plaintiff charges the breach of an alleged contract made in December, 1938, under which Thoens was retained by Joelson to obtain a New York theatre circuit for purchase. The defendant is Joelson's former partner at the theatre.

Show ‘Fantasia’ Jan. 19
RKO will hold trade showings of Walt Disney's “Fantasia” in all exchange houses. It was announced yesterday by A. W. Smith, jr., sales manager.

Show for Children

PHILADELPHIA, Dec. 30—The local school authorities have announced that 800 underprivileged children from public institutions yesterday at War ren Auditorium. A portion of the tickets were distributed by Earl W. Swigert, Paramount district manager, and candy by Jack Beresin.

Newsreel Parade

Winston Churchill again, and packs the maid in the newreels. He is shown with his wife, Clementine Hozz Dwight, at the White House and addressing Congress. War scenes includes the ar- rive of California seamen torpedoed freighter with 31 survivors. The re- gatta and their contacts:


Universal Newsreel


Theatre Ad Slogan
Urges War Effort

PHILADELPHIA, Dec. 30—Calling attention to the double screen, the National Theatre booster, and at the same time urging continued sales of defense bonds and stamps, W. C. Gerst, manager of the National Theatre, has adopted the following slogan for all his newspaper advertising:

“Let Nothing Stop Us! Keep up the Morale by Attending Your Favorite Theatre! Keep Up the Fight for Freedom In Buying Defense Bonds and Stamps!”

Shubert Son a Producer

John Shubert, son of J. J. Shubert and nephew of Lee Shubert, is listed as a partner in the firm of “Johnny on a Spot,” which is scheduled to open at the Plymouth on Jan. 8. Charles Mac-Arthur wrote and directed the play.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)
Published Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 1270 Sixth Avenue, Rockefeller Center, New York City, New York. Published at 7100 Wilshire Boulevard, Los Angeles, Calif. Entered as second class matter at the post office at New York, N. Y., under Act of March 3, 1879. Subscription rates per year: $6 in the Americas and $12 foreign. Single copies 10c.
The public has accorded this delightful entertainment an enthusiastic reception. In her first picture since “Ninotchka” Miss Garbo again reveals her skill at delicious good fun. A bright spot in a serious world, this spirited M-G-M attraction is doing an outstanding business at the box-office.
Dumbo’ Gets Fair $15,000; Chicago Slow

RKO

Hollywood, Dec. 30

LIEUT. COMMANDER FRANK WADSWORTH, U.S.N. retired, a film writer specializing in stories involving navy pictures, has been called back to active duty with the Navy. He leaves Jan. 3 according to the script of RKO’s “Bombers.”

Republic has purchased “War of the Wildcats,” a story by Torrence Burtis of the oil fields in the ’20s. William HAWS, RKO producer, has signed Howard Hawks, his director-producer, to guide “Cheyenne,” marking the first time that the pair has worked together on a film.

Paramount has given Phil Terry and Macdonald Carey, actors, and Murial Rolfe, writer, new terms.

Bradbury Foote is doing the script of “What the Gods Provide” at M-G-M. 20th Century-Fox has set James Gleason in an exclusive term acting deal. Director Al Green has obtained film rights from “Clown Alley,” biographical novel by Len Clark, veteran clown.

Producers Releasing

Finishing: "Girls Town,” Billy the Kid Trapped.”

Paramount

“Fifth Gun for Hire.”

In Work: “Palm Beach Story,” “Take a Letter, Darling,” “Holiday Inn,” “Mr. Lucky,” “My Favorite Blonde,” “American Empire,” “Out of the Frying Pan.”

RKO

“Water Town.”

In Work: “My Favorite Spy,” “The Turtles of Tahiti,” “The Magnificent Ambersons.”

Republic

In Work: “Break of Day,” “South of Santa Fe.”

Started: "Yokel Boy.

20th Century-Fox

In Work: “This Above All,” “Rings on Her Fingers,” “Moon Tide,” “Tales of Manhattan,” “To the Shores of Tripoli,” “The Night Before the Divorce.”

Universal

In Work: “The Ghost of Frankenstein,” “Saboteur.”

Warners

In Work: “Larceny, Inc.”

In Work: “A Dog of Doodle Dandy,” “In This Our Life.”

Service Men Free At Cincinnati House

Cincinnati, Dec. 30—The 1,200-seat Strand, downtown subsequent run, which, on reopening recently under management of 31st Walnut Corp., subsidiary of Associated Theatres, Detroit, established a policy of remaining open until 3 A.M. for the benefit of service men, now is admitting free all soldiers and sailors in uniform. This is the first house in this area to have established either policy.

Metro Shifts Booker

Chicago, Dec. 30—Don Eckerman, formerly of the M-G-M Milwaukee office, has been added to the booking department of the Chicago branch.

Legion Approves 7 Of Nine New Pictures

The National Legion of Dececy for the current week has approved seven of nine new films, four for general patronage, and three for adults, while the pictures refused are ones which for one or more reasons are not suitable for two classes, in part and one was condemned. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage—Lone Riders and the Bandit,” “Riders of the Badlands.”

Class A-2, Unobjectionable for Adults—“Through the Night,” “Zanzibar.”

Playmates." Class B, Objectional in Part—“Baloma Passage” Class C, Condemned—“City of Sin.”

Managers to Be Own Conn. Rail Wardens

New Haven, Dec. 30—Connecticut theatre managers will be air rail wardens at their own theatres, it has been decided, instead of the original agreement with the Conn. State Police department that each theatre employ a fireman or policeman as air rail warden. Managers and assistants will attend a 20-hour course under Civilian Defense Committee supervision.

Release ‘Beast of Berlin’

Producers Releasing Corp. is releasing “Hitler—Beast of Berlin” in New York State. The film had been released elsewhere under the title, “Goose Step.”
Loew's Year
Net Profit Up
to $11,134,593

ended last Aug. 31 totaled $12,409,879, compared with $13,590,120 for the previous year. For the more recent period, theatre receipts, rentals and sales of films and accessories totaled $124,213,557; rent income amounted to $2,431,834, and miscellaneous was put at $1,764,488.

Operating and general expenses amounted to $30,983,916. The net income before taxes amounted to $13,181,180. Federal taxes were placed at $3,747,298, leaving net income of $11,503,890.

Minority interests' share came to $419,297, leaving Loew's, Inc., share of net income at $11,134,593.

Surplus, Assets Shown
The consolidated earned surplus account showed a balance at Sept. 1, 1940, of $38,715,016, and a balance at Sept. 1, 1941, of $39,959,813. The consolidated balance sheet showed current assets at Aug. 31, last, of $77,563,845, and total assets of $164,155,613.

Common Stock Options
Of the 4,000,000 authorized common shares, 8,492 are reserved for options to employees in connection with a personal service contract, the statement says, exercisable at 40 per share. The remaining authorized share of 3,991,508 shares has an additional $2,366,000 is due by arrangement with the British Government within four months to foreign countries other than Continental Europe and the Far East amount to $18,910,633.

Free Talent Plan Is
Approved by AMPP
Hollywood, Dec. 30.—The newly organized Hollywood Coordinating Committee for Stage, Screen and Radio, official clearing house for all free talent requests, has been approved by the Association of Motion Picture Producers, following a directors' meeting last night at which Hollywood's cooperation with the Government was discussed.

Ralph Block, chairman of the Screen Writers Guild War Emergency Committee, told the convention that he will coordinate the efforts of the screen writers with Federal agencies and obtain necessary information.

Universal Signs Close
Hollywood, Dec. 30.—Universal announced today it had signed Edie Clinton to a director's contract. He will make "Wake Up and Dream."

NY Critics Vote 'Kane'
Best Production of 1941
(Continued from page 1)
for his megaphoning of "How Green Was My Valley," runner-up picture to the winner.

Welles will receive a bronze plaque at a private dinner which the film reviewers will give on Jan. 10 at Leone's Restaurant. The cocktail party here-tofore held on such occasions will be dispensed with because of this, it was officially stated. Arrangements are now being made, however, to broadcast the presentation of the awards.

No Foreign Film Award
No award was made for the best foreign film nor was any "special recognition award" made.

"Citizen Kane" won on the sixth ballot, 10 out of 18 votes being cast for the picture, after the two-thirds rule was dropped automatically following the fifth ballot. The voting took place Monday afternoon in the private dining room of the New York Times.

Cooper won on the first ballot, which contained three-thirds majority on the fifth ballot.

Although "Two-Faced Woman,"
the new M-G-M-Greta Garbo picture, opens only today on Broadway, it was revealed nevertheless that Miss Garbo was among those who received votes for the "outstanding actress award" on the fifth ballot.

Eighteen Critics Vote
Sixteen reviewers from metropolitan New York daily newspapers participated, with the results of two being represented by proxies. The 16 included Cecelia Ager, PM; Howard Barnes, Herald Tribune; William Boehnel, World Telegram; Kate Cameron, Daily News; Herbert Cohn, Brooklyn Eagle; Bosley Crowther, Times; Wanda Halle, Daily News; Louise Levitas, PM; Dorothy Masters, Daily News; Leo Mishkin, Morning Telegraph; Pelswick, Journal-American; David Platt, Daily Worker; Edgar Price, Brooklyn Citizen; Thomas M. Pryor, Brooklyn Post; Edward Wolf, and Irene Thirer, Post; Robert W. Dana of the Herald Tribune, and Arnold Horowitz of the New York Daily News in New York City. Missilich is president and Cohn secretary.

Columbia Theatre
Wins Two Appeals
Fred Rowlands, Columbia, O., exhibitor, won two arbitration appeals, each involving a seven-day reduction of clearance for his third-run Pearson and Main theatres, in decisions by the national appeals board made public here yesterday, which reversed dismissals by arbitrators who heard the cases originally.

Both of Rowlands' complaints named all five competing theatres and competing houses operated by J. Real Neth Theatres Co. Both the Parsons and the Main had 52 days' availability after Columbia, while Neth's competing Markham and Eastern had 30 days' availability after first-run. Rowlands' complaints were dismissed by arbitrators who found the clearance involved to be reasonable.

Adjust Schedule
In reversing the arbitrators, the appeals board emphasized that third runs in Columbia which were not in competition with Neth theatres were given an availability of 45 days after first-run and, accordingly, held that the same availability should apply to theatres which were in competition with Neth. The awards reduced the availability of the two Rowlands houses from 52 to 45 days after first-runs.

New Clerk Is Named
At Cincinnati Board
Lorenz Lepmer has resigned as clerk of the Cincinnati arbitration tribunal and J. Vincent Aug, formerly with the City Solicitor's Office, Cincinnati, has been named to succeed him, American Arbitration Association headquarters here revealed in an announcement yesterday.

Metro Will Resume
Forums Next Month
(Continued from page 1)
the Coronado Hotel, St. Louis, Jan. 15. The company's first forum was in Columbus late in November.

H. M. Richey, assistant to William F. Rodgers, Loew's vice-president and general sales manager, will conduct both forums. Speakers at the forums will be Joseph Gooris, Western manager of the bureau of advertising, American Newspaper Publishers Association; Ben Short, head of Interstate Circuit's short subjects department; William R. Ferguson, M-G-M exploitation manager; William Salzberg, New York, and Simons of the Loew's home office.

Leaders to Attend
R. X. Williams, president of Tri-States MPTO, and M. A. Lightman, president of Malco Theatres, will sponsor the Memphis forum. Fred Wehrenberg, president of the MPTO of Eastern Missouri and Southern Illinois, will sponsor the St. Louis session. John E. Flynn, M-G-M Central division manager; E. W. Wolfberg, district manager; John X. Quinn, St. Louis branch manager, and W. L. Finney, St. Louis exploitation representative, will attend the St. Louis forum.

Burtis Bishop, Jr., district manager, and John H. Williams, branch manager at Memphis, and Todd Ferguson, exploitation representative, will be at the Memphis forum.

Studies Plan to Dub
Korda Films for S.A
The advisability of dubbing Alexander Korda's productions in Spanish and Portuguese for the Latin American market will be studied by Steve Pallos, Eastern representative for the United Artists producer, during a six-week visit to the principal Latin American countries.

Pallos sailed for Rio de Janeiro last night. He will also make arrangements for South American openings of Korda's new production "Jungle Book," while on the trip.

Pressburger Goes
To Coast on Friday
Arnold Pressburger will leave for the Coast on Friday to prepare his next film for United Artists release.

Pressburger said yesterday that his next picture will be selected from several properties. One of these is a French musical which he intends to produce in the near future and another is an original story of the escape of an American Jew in the present war.

Baltimore House Opening
Baltimore, Dec. 30.—The Roslyn, operated by the operator of the Southern, announced abandonment of plans to construct a second theatre at suburban New York, because of inability to procure materials.

Stampes as Change
In Great Demand
CHICAGO, Dec. 30.—Over $500 in defense stamps have been given in change to patrons of the Illinois-Iowa Theatre, a circuit in the past 10 days, according to Jack Rose, exhibitor, and company, and the plan is going over big.

"When we started," he said, "we gave each theatre a $15 fund of stamps figuring there would be small response, but since putting the idea into operation, we are required to keep up with the demand and have run short of stamps on several occasions." All the theatre's 13 houses run a trailer telling the patrons to "Remember Pearl Harbor" and to accept the stamps in change.

Give Defense Stamps
The Casino Theatre in the Yorkville section is distributing defense saving stamp books with the first 10-cent stamp included, gratis to patrons.

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War Effort to Occupy N.Y. Legislature

By RICHARD J. CONNERS
ALBANY, Dec. 29.—Prosecution of a successful war effort is the major concern of the 1942 New York State legislature, which convenes Jan. 7 to hear Gov. Herbert Lehman's annual message. The motion picture industry has already indicated its enthusiastic support of measures designed to aid in the national effort at home and abroad, and the feeling exists that legislators particularly will show real interest in legislation.

While legislative leaders undoubtedly have legislation in mind (Continued)

Clearance Award Affects Theatres
In Oakland

A clearance decision affecting mainly all theatres in Oakland was reported to American Federation of Labor headquarters Tuesday by the San Francisco local.

The decision, in a case brought by AF of L locals, recognized one of the IATSE efforts to abolish the 'tie-in' policy which helps keep exhibitors out of the theatre business.

Fan's Impression

Here's the kind of headlines that will tell your story when you date "HELZAPOPPIN!"

HELLZ A PUL
OLSEN AND JOHNS
MARThA RAYE
AT LAST ON THE SCREEN
HELLZAPOPPIN

A Mayfair Production · A UNIVERSAL RELEASE · A Hellzapoplin' Booking!

Hellzapoppin' On B'way as Grosses Soar

Record Visitors Influx Jams Show Places

By SAM SHAIN
Extra planes, extra trains, extra transport firms are bringing thousands of private cars to New York for New Year's transportation firms
Off the Antenna

LOUIS RUPPEL, CBS director of publicity, will accompany Edward R. Murrow, chief of the network's European staff, on part of the latter's lecture tour through the country. The first stop will be in Boston next week.

Purley Personal: Ralph J. Gleason, formerly with "Printers Ink," has been named CBS trade news editor to succeed Robert Gerdy who joined the staff of the Office of the Coordinator of Information. . . . Charles S. Holbrook has been announced as "enlightened training" program director; Walter Kauer, director of publicity and promotion, and Fred Barr, night studio manager, . . . Raymond Grum Sving, Mutual commentator, will move to Washington Jan. 12. . . . Florence Smith has joined the WFIL sales staff.

With the days growing longer, daytime stations which are required to go off the air at sundown will gradually start to increase their time. An extra half-hour will be added to the daily schedules of such stations on Jan. 1, with further increases until July.


Program News: Cities Service, the oldest network sponsor in radio, has renewed its concert series over NBC-Red for an additional year, effective Jan. 30. . . . Weather reports have been cancelled on WHN's "Let's Go Skiing" program but documentation of the snowfall at the various resorts is still permitted. . . . "Saturday Night Serenade" will be heard over WABC beginning Jan. 7 when Pet Milk endorses the CBS network for the show at 57 stations. . . . Phillips Chemical has renewed "Waltz Time" over 61 NBC-Red stations. . . . Fiegenbaum Brewing will sponsor Red Barber over WOR in five-times-weekly short programs beginning April 9. . . . The present thrice-weekly contract for the sponsor expires Jan. 6. . . . Paster Beer will sponsor the Chicago Bears-Prevost All Star football game from the Polo Grounds this Sunday. WOR has sold "Go Get It" to KTGJ in Des Moines, Iowa, which will start sponsorship Wednesday, Feb. 4, . . . J. B. Williams Co. has renewed "True or False" over 63 NBC-Blue stations for an additional 13 weeks.

CBS television will present a "Visual Review of the Year," 8:15-9:30 p.m. tomorrow. Included will be excerpts from the film, "Citizen Kane," produced by Orson Welles for RKO and winner of this year's New York Film Critics' award. Other features will be a fashion review by Saks Fifth Avenue and Stamos Brothers; a television adaptation of William Saroyan's "People With Light Coming Out of Them"; a demonstration of the "blood bank" technique: the year's three most popular songs, sung by Joanie; objects of art created by the Metropolitan Museum of Art; a sports resume by Bob Edge; war news interpretations by Robert T. Smith, director of the New York Times" foreign news department, and late war news bulletins.

FDR Birthday Fetes Set for Washington

WASHINGTON, Dec. 30.—After weeks of indecision due to the war, plans were announced today for the regular observance here Jan. 30 of the President's birthday with the customary Hollywood star-studded parties.

At a meeting of the arrangements committee, headed by District Commissioner Jacob Alter, the green light was finally given for bringing the usual dozen or more screen players here to make guest appearances at hotel halls and downtown theatres. The 1941 parties raised $54,000 for the infantile paralysis fund.

Edward J. Digital, president of the Screen Actors Guild, attended the session and accepted an invitation to serve as thrice officer for procurement of the stars. Arnold reached Washington today primarily to consult with Red Cross officials on plans for the forthcoming Red Cross symphony in Hollywood. He was accompanied by Jack Beaman, of the Los Angeles chapter, and Edward Blackman, associate of Juiles Bruttlum.

Ball Programs Cut Summer Air Slump

Baseball broadcasts have had the effect of reducing the annual Summer slump in radio listening, according to the annual report of the Co-operative Analysis of Broadcasting, issued yesterday. The report covers the period from Oct. 1, 1940, to Sept. 30, 1941, during which nearly three-quarters of a million telephone interviews were made.

It was pointed out that radio's loss in daytime listening has been, in part, Summer slump was less than half the drop found among evening listeners. The daytime decrease, as reported by CAI, was 13.5 per cent as compared with a 29 per cent drop for night audiences. Baseball broadcasts closed the season with an average rating of 13.5 for the entire season. These broadcasts of both major and minor league games were heard in 30 of the 45 poll cities where CAB conducts surveys.

Aid Waste Paper Drive

SCRANTON, Pa., Dec. 30.—Bundles of papers, magazines or other salvage material are being accepted for admission to eight Scranton theatre in this area. The action was taken as the first in a civilian defense salvage campaign here.

Lad Short Subject Review

"Cavalcade of Aviation" (Universal)

The idea of a cavalcade of aviation, with its timelines and wide appeal, is an excellent one, and as developed in this short subject by Thomas Meade and Joseph O'Brien, the producers, is a fine subject. Although some of the scenes depicting the highlights of the history of aviation have been seen before, such as Lindbergh's takeoff for Paris, the beginning of the Hindenbus at Lakehurst, and the like—their presentation with continuity and in chronological order takes on new interest.

The chronicle begins with the Wright Brothers at Kitty Hawk, with scenes redolent of early Hart, Elmer and others important in the development of aviation are shown along with shots of outstanding events, such as Lindbergh's flight and the first use of power in the present wars. There is, too, some amusing footage on experi- ences in aviation by radical inventors. Running time is 29 minutes. Release, Dec. 31, 1941.

16mm Showing Held

Copyright Violation

(Continued from page 1)

in residences or such places where there is no admission charge but such films may not be shown in public thea- tres, auditoriums or any other places of assembly where there is either direct or indirect profit.

Herbert S. Silverberg, attorney for Festival, said several other actions are pending over the Festival-owned 16mm films and added that under the court's ruling, various jack-rab- bit shows in the Midwest may be stopped from using other films. The ruling also applies to church charity shows, according to Silverberg, Kohn had been operating the Movie Parade shows at the infant- death films for several years. Festival charged in its action that its contemplated re- vival of Chaplin shorts had been damaged by the court's decision. Chap- lin films involved in the action were "The Adventurer," "The Vagabond," "The Fireman," "Behind the Scenes," "Easy Street" and "The Immigrant."
The Roxy's tenant, "Remember the Day," broke all records for that theatre since its opening in 1927 when 89,749 persons paid a total of $58,858 during the four days ending Sunday night. The mark topped the previous record holder, "Alexander's Ragtime Band," by $4,748.

And—the mightiest grosser for this week is "Remember the Day," which with the usual Roxy Theatre's stage show, is running full speed into a new house record of about $100,000, since this theatre embarked on its present presentation policy. The picture will shatter the mark set by "Alexander's Ragtime Band".

Remember the Day
‘Gesture’ Is Strong

Among this week’s Broadway champions is “The Shanghai Gesture,” which is doing as great a business at the Astor Theatre as any film which has played there. Just capacity—that’s all! It’s been S. R. O. since opening.

At the Astor, “The Shanghai Gesture” played to 31,612 persons during the four-day week-end. Business during the first four and a half days was in excess of $17,000 and an estimate made yesterday indicated that the film would gross from $25,000 to $27,000 for its first week, which would constitute an all-time money record for the theatre.