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Ban 7 Changes Weekly

Kansas City, Sept. 30.—Seven features weekly are too many for an exhibitor if his opposition is short of product, the local grievance board ruled in awarding J. E. Shitchen, Gem Theatre, Neodesha, Kan., 71 features from Glenn Kock of the Kock, same town.

Testimony showed Kock had been running double and triple bills plus shorts, in an attempt to fulfill his contracts with Fox, M-G-M, Vitagraph, Paramount, Universal, Columbia, Radio and some independents.

The board found that while Kock had been operating on this policy for some time and though his 1934-35 contracts had been signed prior to the time Whitten began operating the Gem, in all fairness to the complainant as well as to the distributors, Kock should confine his operations to five or six changes weekly.

Grosses Only Measure for Pay—Cantor

Real talent in the industry is rare and should be adequately rewarded, declares Eddie Cantor. Regardless of the basis of compensation, whether it is percentage, weekly salary or a flat figure per picture, it should be commensurate with the artist's ability, he insisted.

Cantor's remarks were made upon his arrival here yesterday from the coast with his family.

Commenting on the proposed royalty

Interfaith Group Will Review Work

The interfaith committee, formed several months ago during the crusade for clean films, is scheduled to meet shortly to discuss whether or not Will H. Hays, president of the M. P. T. O. A., has kept his pledge to reform the industry.

Right Rev. Monsignor Michael J. Lavelle, vicar general of the Roman Catholic archdiocese of New York,

Selling Plans Up At 1st Div. Meet

Future sales policies, new production plans and exchange expansion highlighted talks by Harry H. Thomas, president; Nicholas Luddington, William M. L. Fiske, Fred Charles Rosenweig, Al Friedlander and Julius Chapman at the First Division convention held at the Park Central over the week-end.

Thomas assured the men that first

Russians to Make 80 for Next Season, Rapf States

Returning from a two months' survey of film and theatre conditions in Russia, Maurice Rapf, son of Harry, who is an M-G-M executive producer, says Russia is far behind us but their picture business is on a sound basis, more unified in control, and run by the Communist party which has a central committee to control policies of the various production units.

Lease Clause May Be Taken From the Code

Campi Legal Committee In Favor of Move

A move has been started to withdraw from the campi's series IV: Section E, Part 6, dealing with interference with leases of theatres.

A recommendation for removal of the clause was made by Campi's legal committee at a hearing last Thursday and protracted arguments between distributors and exhibitors followed.

Before a vote could be taken, members of the body decided to table the question until the next session, Oct. 11. Independent exhibitors are understood to be strongly in favor of retaining the clause since it is regarded as a protection from outside interests which may attempt to oust unaffiliated.

Yamins' Analysis of Sales Pacts Held Up

Due to differences of opinion on Nathan Yamins' report analyzing standard contracts in force this season by major distributors, the legal committee has decided to hold another meeting for discussion of the various points brought out by Yamins before submitting the analysis to Campi for action.

Code Authority has been receiving complaints that distributors are violating the code by certain clauses in

Coast Group in for Campi Conferences

Ben Bernstein, Harry Hicks and five other California exhibitors arrived yesterday from the coast to confer with Ed Kuykendall and to attend the clearance and zoning hearing for this territory.

Jack Miller of Associated Exhibitors' Assoc., of Chicago is expected in town within the next few days.

Sign Writers' Wage Talks Resume Today

Week-end conferences between sign contractors and circuit representatives on the 10 per cent wage increase demanded by Local 230, N. Y. Sign Writers' Union, failed to effect a settlement and will be resumed today.

Sign writers are threatening a strike vote in the event their scale is not increased from $13.20 to $14.70 per day.
Selling Plans Up
At 1st Div. Meet

(Continued from page 1)

Division was in every key center within the next few months. He also spoke on the type of product the reorganized company planned. Friedman later talked on pictures.

In addition, Bud Rogers, general sales manager for Liberty, which First Division is releasing in a number of territories, spoke on the 12 pictures his company is producing this season. Louis Hyman, executive of Sol Lesser's company, talked on "Chanda." Several Audio shorts were screened Saturday, including "Musical Moods," "Thrilling Tom Experiments," "Mexican Idyll" and "Old Faithful Speaks." After the screening in Erpi's projection room in the Fisk Building, Gar O'Neill, E. S. Gregg and W. A. Eley spoke to the men.

Features shown were "Schools for Girls," "Curtain Falls" and "Return of Chanda."

A dinner was held at the Casino de Paree Saturday night when "Hei Ti Kao" rings and bracelets were distributed in conjunction with an exploitation campaign on a special of that name being handled by First Division. The convention adjourned yesterday, and Thomas gave a final talk on the aims and ideals of the company. He stated that four major pictures are slated for production by First Division with top-notch writers, casts and directors. About 60 branch managers, salesmen, bookers and home office representatives attended the three-day session.

Churchill Does Script

London, Sept. 30.—Winston Churchill, former chancellor of the exchequer, has written the scenario for Alexander Korda's forthcoming feature, "The Reign of King George V." The film is to be released next year during King George's silver jubilee.

Cohan Gives a Party

George M. Cohan threw a surprise cocktail party at the Eastern Service Studios last Saturday for members of the "Gambling" unit.

Fox Renews on Fetchit

Hollywood, Sept. 30.—Fox has taken up its option on Stepin Fetchit's contract.

Stuart Takes New Post

Herschel Stuart takes over his new post as director of advertising, publicity and exploitation at Columbia today. George Brown, whom he succeeds, has gone into an executive post at the Bow advertising agency. Brown will be guest of honor at a farewell luncheon in the M. P. Club tomorrow.

Charter Col. of India

DOVER, Sept. 30.—Columbia Films of India, Ltd., was chartered here to deal in films, etc., listing capital of $10,000. The incorporators are Max Seligman, Richard Philpitt and Floyd Weber, Prentice-Hall, Inc., of Delaware, is the agent for the company.

Purely Personal

JOHN BOLES, who recently completed work on "The White Parade" for Fox, arrived in town Saturday with Mrs. Boles, his first visit here in seven years. He will be here about four weeks.

ADOLPH POLLAK, president of Showcraft Pictures, plans to leave for Hollywood next week. He recently returned from a quick trip to the coast.

ANA MAY WONG is in New York from Hollywood and will attend a showing of "Chu Chin Chow" at the Roxy tomorrow.

ED FINNEY is in Providence for the opening of "Girl of the Lumberlot" at the Strand.

BARNEY ROSSENTHAL of the St. Louis Monogram exchange is in town conferring with W. RAY JOHNSTON.

STEVE BROGUE of the Boston Monogram exchange is also in town.

Rene Robert, Fox fashion designer, sailed Saturday on the Ile de France.

PAULINE LORD has arrived from the coast.

Colonel Levy in Town

Col. Fred Levy of Louisville is in town for a week. He arrived Saturday to confer with Sol Lesser before the latter sailed for England.

Brandt in Newark House

NEWARK, Sept. 30.—Harry Brandt is understood to have closed a deal to take over the Schubert, now playing Italian films.

BARGAIN !!!!

1200 USED SEAT CHAIRS

$5 each inbound gents back on

In excellent condition.

WHITE HOUSE, SACRE.

P. F. Masevich, Para. Bldg., N.Y.C.
Lease Clause May Be Taken From the Code

(Continued from page 1)

theatre owners from properties being operated by them.

The leasing clause has been one which has been regarded by some Campi members as full of grief. In many instances, when lawsuits come up before appeal boards involving interference with peaceful operation of theatres Campi has played a hands-off role. This has happened in several instances with the result that court action has been taken by those involved.

If Campi passes the recommendation by a majority vote, the NRA in Washington must first approve the resolution before it can be taken out of the code. This, it is held by some exhibitors, may be opposed.

Second Bank Night Is Banned in Omaha

OMAHA, Sept. 30.—The second bank night case to be heard by the local grievance board has been adjudged a violation and a stop order has been issued by the Kansas City manager of the West, Sioux City, Iowa. The complaint was filed by Nathan Dax, manager of the Hi-Lo.

The board also found that P. E. Johnson of Stuart, Neb., had not completed a transfer of his theatre in Omaha to the Kansas City manager. The case was brought by RKO Distributing Corp. It was disclosed that Johnson had merely made an agreement with the lessee allowing him 10 per cent of the gross for running the house. Under the board ruling Johnson must fulfill his RKO contract.

Distributors were warned by the grievance board to stop picture service to exhibitors who are delinquent. K. Weir, manager, because he has ignored rulings of the board to stop reduced admissions. The order is effective next Friday.

De Moliner, Sept. 30.—Bank nights have been ruled unfair competition in two cases brought here. Lester J. Martin, executive secretary for Allied of Iowa and Nebraska, appeared for the respondents, as representative of Affiliated Distributors, Inc.

T. W. Thompson of the Rex, Fairfield, was complainant against Louis Gaines of the Orpheum at Fairfield, and C. W. Roskopf of the Casino, Marshalltown, was complainant against Don Thormbore, Strand, Marshalltown. Gaines says he will appeal to Campi.

Lichtman Third Man On Zone Committee

Because of his wide experience, Al Lichtman, vice-president and sales manager of United Artists, has been unanimously appointed by Campi as third representative of the zone committee. He makes the third member, George J. Schaefer and Charles H. Gilmer, who have previously been named to the committee.

In making the selection, Code Authority feels that Lichtman’s advice on clearance and zoning problems is of great value. Lichtman has agreed to serve.

Russians to Make 80 for Next Season, Rapf States

(Continued from page 1)

Grosses Only Measure for Pay—Cantor

(Continued from page 1)

plan for studio talent, which has re-
ceived intermittent discussion in pro-
duction circles. Cantor said a sense of compensation was not as important as the rate of compensation.

"After all," he declared, "the box-
one office deal should be the only measur-
ing stick for talent. For instance, Goldwyn pays me a percentage of everything that comes in at the box-
one office.

"Who can arbitrarily estimate what a Mae West is worth, save by what she draws at the box-office? Some players are paid $800 weekly who should be paid $8,000, and the oppo-
site is also true."

Asked about the reported possibility that Division Administrator Sol A. Roskopf will try to force a plan, Cantor commented that anything he might say would be only one man’s opinion.

May Confer With Rosenblatt

Producers know what they are do-
ing," he continued. "Talent is ruled by the box-office. You can see the result. That’s why they pay Fritz Kreisler so much—because there are so many Rubinoes."

Cantor said that while he is in the east he may confer with Rosenblatt with whom he discussed the salary sit-
tuation for two days while Rosenblatt was on the coast the last time.

Cantor is to make personal appear-
ces with "Kid Million" scheduled to open at the Rivoli Nov. 6 or 7. He also will appear in Pittsburgh and Baltimore.

After completion of his coffee hour radio contract in two months he in-
tends to take his family to London. "Then," he said, "I can appear at benefits for London hos-
pitals, and at another for German-
ian-Jewish relief. He will remain abroad for two months. When he returns he will broadcast on the Pueblo hour.

Yamins’ Analysis of Sales Pacts Held Up

(Continued from page 1)

contracts. Yamins was delegated to make a study of the various pacts. The meetings lasted last week at the M. P. Club, but disagreed on the re-
port, which was to have been sub-
mitted to the audit committee.

It is expected that the report will be ready by the Oct. 11 authority session.

Vallee on Coast Oct. 8

Hollywood, Sept. 30.—Rudy Vallee and his band will report here at Warners Oct. 8 to begin work in a musical feature produced by MGM. Alice White and Robert Arm-
strong have been signed for the cast.

the coming season and the heads of all studios are gathered by the central managers and assigned their quota. Where the committee feels one studio can make a certain type of picture better than another, this studio is given the script. There are six studios.

Rapf states each studio has a busi-
ness manager whose principal worry is getting his studio the best from the govern-
ment for each picture. Unit managers line up directors, stars and writers.

Directors, scenaristans and composers work on story. Studio has an added possibility to a small remuneration, each of the three principals gets three-
quarters of one per cent of the gross. Artistic critics in eight reels and a picture runs from seven to eight years and these men continuously get roy-
alties as the grosses are checked in.

Appeal in Few Films

Stars, or players, get fabulous sal-
aries because it is rare that a player is seen more than twice in any two years. The Russians do not be-
lieve in star power. Producers call many more than star players. Trat
ern's pictures are suited for the roles. Experience is not essential, Rapf says. Actors and act-
ess manipulating is paid for.

Russia has to import its film, he aver,
and most of it is from Germany and America. He added more Amer-
evian music and dancing since films are being turned out ever before. Because film is scarce, producers must use one of every three feet a roll.

Discussing new product, Rapf states the big hit of the year in Russia is a picture on the Chelyuskiny Expedition to the world. Artistic critics in eight reels and a picture is done in chronological form, something on the type of the Byrd Antarctic film in which De Lamar to "Life" is now in its fifth year and has about three more to go before it com-
pletes the round of all Russian theatres.

Film on Lenin’s Life

Three Songs of Lenin is the latest picture. He says most of it is based on the life of the Russian leader. The producers are working on a new idea, Rapf says. They are making "Gulliver’s Travels" with dolls as the cast. Only one human being is in the picture, which will be eight reels in length.

A new academy is being built which will house a school for training students interested in film and theatre work. The school will also have a film laboratory. The site is on the Volga river. The new laboratory will solve a lot of film problems for Rus-
sian cinema.

"The Treachery of Marvin Blake," which is known in America as "Cabin in the Cotton," is the only American film to be shown in Russia. It has been cut in half and subtitles are dubbed in.

Comedies are rare and are only put out when the feature is short. Film theatres, as well as legitimate houses, have intermissions.

All film houses have reserved seats. Costs on a feature film are in poor condition and cannot be compared to the legitimate theatres.

MPTOA Fight On Duals to Be Continued

(Continued from page 1)

P. T. O. A. bulletin declares that the ruling will "eventually destroy many small operators unless it is modified."

"When the ruling was written," the bulletin continues, "this question (duals) will have to be threshed out and the new law brought into being as well as bring on another wave of indignation against the movies. It is felt that the majority of the exhibitors will let their greed for the immediate dollar wreck the business by thwarting efforts to curb the evil of this form of cut-throat competition," the bulletin states.

Legislative activity against the American Film Producers, Authors and Publishers to prevent music tax assessments is urged upon ex-
hibitors by M. P. T. O. A. as the most important step that can be taken individually. The bulletin points out that anti-trust suits against the music licensing organization have failed in the past because of inability to demon-
strate that interstate commerce was involved. Films were tried in the silent picture era. Now, it states, neither the music nor the words can be reproduced without the positive prohibitions which circulate in interstate commerce.

Touches on A.S.C.A.P. Action

The bulletin observes that if the Federal suit pending against S. C. A. P. is unsuccessful, the suit cannot always be instituted against the so-
cial club.

M. P. T. O. A. re-states its block booking policy, based on a strict 15 per cent cancellation privilege. The bulletin also warns exhibitors against relaxing efforts to maintain programs of discrimination and prudent public relations in the face of a decline in business in the new economy. It cites the probability of legislative and tax moves against the industry in coming months. The bulletin urges an organized exhibitor front to oppose them on their appearance.

The bulletin also touches upon loans to theatre owners through the Feder-
al Housing Administration, which, it sets forth, may be obtained in amounts up to $2,000 for repairs and improvements of a permanent nature. It is stated that no applications for loans are considered if taxes on the property are not paid, or, in most in-
stances, if there are interest arrears on mortgages.

Kuykendall Expects Two or Three Units

(Continued from page 1)

Kuykendall plans to leave for Mem-
phis Thursday to attend the annual convention on Oct. 7-8 of the M. P. T. O. A. of Arkansas, Mississippi and Tennessee. He recently returned from Atlanta where he spoke at the G. F. O. A. annual meeting and the A. D. O. A. Ass’n session. Kuykendall stated busi-
ness in the South is very good and exhibitors are optimistic. In other parts of the country, he said, business is spotty.
The Amazing Romance of the Slave Girl Who Turned Her Masters Into Her Slaves!

Zahrat, the slave girl, whom all Bagdad desired! This pearl of the Orient refused her love to Princes and Sultans for Nur-al-Din, the slave—who was denied the right to own her!

The Screen's Most Lavish and Spectacular Production! Mystery! Intrigue! Adventure! Music! Romance! Beauty! — Woven into one of the Great Pictures of All Time! Produced by G. B. with a Cast of International Stars, including Anna May Wong, Fritz Kortner and George Robey.

SEE Slave Lovers... Forbidden to Love! Victims of a Barbarous Civilization!

SEE Bagdad's Mammoth Temple of Love! Thousands of Slaves and their Masters in Oriental Revels!

ROXY

ONLY PICTURE IN ROXY FOR FLAT 2 WEEKS

OCTOBER RELEASE. G. B. SALES FORCE AT ALL FOX
WRECKING ROXY RECORDS

PRESS and PUBLIC CONFIRM HOWARD S. CULLMAN’S JUDGMENT

"THREE ★ ★ ★ STARS"
-Kate Cameron, N. Y. Daily News

"Most pretentious screen spectacle!"
-Regina Crewe, N. Y. American

"Stunning sets and lavish production!"
-Rose Pelswick, N. Y. Journal

"Tuneful, spectacular, robust!"
-N. Y. Times

"Entertaining spectacle! Lively story!"
-Marguerite Tazelaar, N. Y. Herald-Tribune

"I enjoyed it immensely. Colorful, lavish, spectacular and tuneful!"
-William Boehnel, N. Y. World-Telegram

"Good entertainment; lavish spectacle, produced with much imagination, excellently acted... exciting dramatic situations... good comedy, unusually good musical score and fine voices. Class A!!"
-Harrison's Reports

HISTORY BOOKED
Directly After Screening!

EXCHANGES IN U. S. REGAL FILMS LTD., IN CANADA
New English Tax Plan Up For Decision

By BRUCE ALLAN

LONDON, Sept. 30—(By Mail)—Plans for the new entertainment tax campaign are set for discussion soon by the C. E. A. general council. One proposal herefore to be discussed is the duty in future take the form of a flat percentage of total receipts instead of the present act. Whatever decision is reached on matters of tactics, exhibitors approach this problem with the big encouragement that the embattled exchequer has as good as promised relief in some form in the next budget. A lot still depends on the general state of trade at the end of the financial year.

* * *

"Quota quickies" are also very much on the agenda. In a few weeks the president of the Board of Trade is to receive the C. E. A. deputation on this question, and a great deal depends on the exact form of the recommendation used to be. If one offer a practical method of compelling the production of quota films of a minimum entertainment value, it can be taken for granted that legislation will be introduced to give effect to them. On the other hand, there has been a great deal of official hints that a minimum cost clause is not regarded as considerably filling the bill, while the "quota clause," implying the issue of a certificate of suitability for exhibition, is regarded as of even more doubtful workability. As between these two solutions probably favors the first, but the prospect of an amendment to the Films Act to penalize the "just quota," would be heightened if the C. E. A. could produce a policy independent of trade influences and the possibility of trade intrigue.

* * *

Revision of the Cinematograph Act, the other measure by which the Board of Trade is governed, is also being sought. The National Ass'n of Theatrical Employees, which has so far failed to secure its wage claims through the Joint Conciliation Board, has now secured the powerful support of the Trade Union Congress, to its suggestion to seek the imposition of trade union conditions by Parliamentary action. This development was forests when negotiations faltered.

Stallman Promoted By Stanley-Warner

PHILADELPHIA, Sept. 30.—J. Lester Stallman, manager of the Circle, key Stanley-Warner neighborhood house in the northeastern section of the city, has been promoted to district manager for Warners for northern Pennsylvania. Stallman has been assistant manager for Warners in Atlantic City, Camden and Wilmington. Recently, George Keenan of Warners' publicity staff was appointed his aide at the Circle.

Peggy Wood Gets Role

Hollywood, Sept. 30.—Peggy Wood has been engaged by Warners to replace Genevieve Tobin in "Right to Live."
THEATRE OWNERS TAKE ACTION ON NATIONAL HOUSING ACT

Stirred to action by reports in Motion Picture Daily, Motion Picture Herald and Better Theatres that the National Housing Act provides $33,000,000 in credit to motion picture theatres for repairs, replacements and improvements, hundreds of theatre owners have signified intention to borrow as quickly as possible to recondition their theatres.

The Government has presented an opportunity and a challenge that has awakened the interest of the whole motion picture industry. The theatre is the proving ground for all the costly efforts in production, and must add its share toward the final triumph of its presentations. It is necessary that motion pictures be shown in surroundings that are not only safe and sanitary but pleasing and comfortable. Theatre owners recognize that these attributes of their theatres contribute solidly to their rewards.

Although the National Housing Act was designed as a broad recovery measure for the 16,000,000 buildings in the country in need of repair, the Government has recognized the importance of the motion picture theatre in the prosperity and well-being of the nation and made definite provision for them. It remains for theatre owners to make immediate use of so rare an opportunity.
Boston Slips; “Belle” Gets $31,000 Take

Boston, Sept. 30—Boxoffice was somewhat disappointing in Sept. After a steady recent climb, the totals were confidently expected to surpass those of Sept. 1933. Instead, the drop was about $3,000.

Metropolitan's total, $31,000, was lower than had been expected, with “Belle of the Nineties” grossing a scant $3,000 over average. Keith's held over “The Count of Monte Cristo,” which was good for $16,000, the house average, after doing $17,500 the previous week.

“The Scarlet Letter” at the Boston grossed $1,500 over average with a vaudeville program on the boards. Total first run business was $10,500, Average is $900.

Estimated takings for the week ending Sept. 27:

- **THE SCARLET LETTER** (Majestic):
  - BOSTON—(2,000), 26c-30c, 7 days, Vaude: Gross—$7,500. Average—$1,000.
  - **THE WORLD MOVES ON** (Fox):
    - WAGON WHEELS (Para.)
      - FERRY—(1,800), 26c-30c, 7 days.
      - Gross—$950. (Average, $135.)

- **THE COUNT OF MONTE CRISTO** (RKO):
  - KEITH—(1,300), 30c-65c, 7 days, Gross—$16,000. (Average, $2,286.)

- **THE BARRARETS OF WIMPATTLE** (Metro-Goldwyn-Mayer):
  - LOEW'S—(2,000), 35c-50c, 7 days, Gross—$16,500. (Average, $2,357.)

- **BELLE OF THE NINETIES** (Para.):
  - METROPOLITAN—(4,350), 35c-65c, 6 days, Gross—$57,000. (Average, $7,125.)

- **TOMORROW'S CHILDREN** (Fox):
  - MINNEAPOLIS—(2,000), 26c-30c, 3 days, Gross—$950. (Average, $316.)

- **HIDE OUT** (M-G-M):
  - PARAMOUNT—(1,800), 26c-30c, 7 days, Gross—$10,000. (Average, $1,429.)

- **CHAINED** (M-G-M):
  - PARAMOUNT—(2,500), 26c-30c, 5 days, Gross—$2,100. (Average for week, $420.)

- **HIDEOUT** (M-G-M):
  - BUFFALO—(3,500), 26c-30c, 7 days, Stage; Morton Downey; Ben Davis; Three Sandwich Men, with Harry Beres and Madaline Wight; fashion show. Gross—$17,200. (Average, $2,314.)

- **FRIENDS OF MR. Sweeney** (Warner):
  - THE CRIME DOCTOR (Radio):
    - COURTV—(2,500), 26c, 7 days, Gross—$6,150. (Average, $871.)

- **ELMER AND ELISE** (Para.):
  - MAN—(1,800), 26c-50c, 7 days, Gross—$18,500. (Average, $2,643.)

- **BELLE OF THE NINETIES** (Para.):
  - GREAT WESTERN—(2,000), 26c-30c, 7 days, Gross—$18,800. (Average, $2,686.)

- **HIPPIDROME**—(2,000), 26c-30c, 7 days, Gross—$19,200. (Average, $2,743.)

- **ONE NIGHT OF LOVE** (Col.):
  - LAFAYETTE—(2,000), 26c, 7 days, 2d week. 30c. 26c-30c. 20c. Elmo, Gross—$7,200. (Average, $6,500.)

Buffalo Stampedes To Mae West Film

BUFFALO, Sept. 30.—Even temperatures of 85 and 87, followed by rain, high wind and cold, failed to prevent a boom for “Mae West’s ‘Belle of the Nineties’,” which did $18,800, or $8,800 over normal, and was held over. “One Night of Love” is going for a third week in the Lafayette, having got more second week than its first. The second week takings were $9,700, or $3,200 over average. “Hideout” and Morton Downey got $17,200, or $2,900 to the good.

**Wimpole** $13,000 Hit in Providence

PROVIDENCE, Sept. 30—“Barretts of Wimpole Street” clicked to the biggest business of the week in town by catching $13,000 at Loew’s State to better the par figure by $1,000. Fay’s, with a combo of “Housewife,” “Red-Head” and “Sputnik,” grossed $9,800, or $1,000 to the good, and the Majestic did $8,800 with “British Agent” and “Lightning” for a second week.

One of the surprises of the week was the failure of “One Night of Love” and “Crime Without Passion” to pull more than $7,000 at the Strand. Total first run business was $44,200. Average is $40,500.

Estimated takings for the week ending Sept. 27:

- **BARRARETS OF WIMPATTLE** (M-G-M):
  - LOEW’S—(3,000), 15c-10c, 7 days, Gross—$13,000. (Average, $1,857.)

- **HOUSEWIFE** (Warner):
  - FAY’S—(1,000), 15c-10c, 7 days, “Spices of ’41” leading stage bill. Gross—$8,000. (Average, $1,143.)

- **CRIME WITHOUT PASSION** (Warner):
  - HOPKINSON—(1,000), 15c-10c, 7 days, Gross—$8,000. (Average, $1,143.)

- **ONE NIGHT OF LOVE** (Col.):
  - CIRCUS—(2,000), 15c-10c, 7 days, Strand—(2,000), 15c-10c, 7 days, Gross—$13,000. (Average, $1,857.)

- **AGE OF INNOCENCE** (Radio):
  - GROSS—$7,000. (Average, $929.)

- **DANCE GALE—COURTV** (Col.):
  - GROSS—$7,000. (Average, $929.)

- **HAT, COAT AND GLOVE** (Radio):
  - GROSS—$7,000. (Average, $929.)

- **THEIR BIG MOMENT** (Radio):
  - GROSS—$7,000. (Average, $929.)

**Chan, Show Pull $18,500, Philadelphia**

PHILADELPHIA, Sept. 30—“Charlie Chan in London,” with Thurston, the magician, on the stage, was the big draw of the week and grossed $18,500 per day, or $6,500. “Belle of the Nineties” also was a heavy draw at $14,400, over the line by over $2,000. Total first run business was $76,800. Average is $6,600.

Estimated takings for the week ending Sept. 27:

- **COUNT OF MONTE CRISTO** (U. A.):
  - ALDINE—(1,200), 25c-35c-50c, 6 days, 2nd week, Gross—$1,500. (Average, $250.)

- **PARIS INTERLUDE** (M-G-M):
  - ARCADIA—(2,000), 26c-40c-50c, 4 days, 2nd run, Gross—$1,200. (Average, $300.)

- **BOYD—(2,400), 35c-40c-50c, 6 days, 2nd week, Gross—$1,500. (Average, $250.)

- **CASE OF THE HOWLING DOG** (War.):
  - PENNSYLVANIA—(1,200), 26c-40c-50c, 6 days, Stage; “Rise of the Goldbergs”; Radio Ann. Wonder Girls, Melody and Daphne: Gross—$16,000. (Average, $2,667.)

- **THEY'RE ALL GOOD** (M-G-M):
  - FOXL—(3,000), 35c-40c-50c, 6 days, Stage: Thurston, the magician. Gross—$16,500. (Average, $2,750.)

- **THE ALLENTOWN NEWS** (M-G-M):
  - STAG, ALLENTOWN—(1,800), 35c-40c-50c, 6 days, Gross—$14,000. (Average, $2,333.)

- **IT'S ALL GOOD** (M-G-M):
  - STAG—(1,600), 35c-40c-50c, 6 days, Gross—$14,000. (Average, $2,333.)

- **THEY'RE ALL GOOD** (M-G-M):
  - STAG, ALLENTOWN—(1,800), 35c-40c-50c, 6 days, Gross—$14,000. (Average, $2,333.)

- **THEIR BIG MOMENT** (Radio):
  - ORPH—(1,000), 15c-10c, 7 days, Gross—$4,000. (Average, $571.)

- **HIDEOUT** (M-G-M):
  - FOX—(1,000), 35c-40c-50c, 6 days, Stage: Thurston, the magician. Gross—$16,500. (Average, $2,750.)
Moross Urges Rate Tip by K. C. Houses

Campi Aide Critical of Subsequent Scales

KANSAS CITY, Oct. 1.—Admission increases at subsequent runs was urged on local exhibitors by S. A. Moross, assistant to John C. Flinn, Campi secretary, in informal discussion of a workable method whereby prices may be stabilized.

"The day of the nickelodeon is past and we certainly don't want to bring it back," he said.

Moors encountered a situation among Kansas City subsidiaries he

(Continued on page 6)

Coast Production

Takes Sharp Rise

Hollywood, Oct. 1.—Production last week took a sharp rise over the preceding week and passed the average for the past three years. Forty-four features and six shorts were in work as against 36 and six for the preceding week.

Paramount and Radio led the feature field with seven pictures each before the cameras. This was followed by Warners with six; Columbia and M-G-M, five each; Universal, four.

(Continued on page 8)

Renumped Newsreels

Making Debut Today

The first issue of the new Fox Movietone News makes its appearance today simultaneously with the initial release of the reorganized Hearst Metrotone News. The Fox newsletter is now under the editorship of Laurence Stallings, with Lowell Thomas serving as commentator-in-chief. It is reported the reel will be longer and contain a number of new features. Edwin C. Hill will be the "voice" of Hearst Metrotone.

Wyoming Grosses in 1933 Were $873,000

WASHINGTON, Oct. 1.—Box-office receipts of $873,000 and aggregate payrolls of $160,000 were reported for 1933 by 37 film and vaudeville houses in Wyoming; it was announced today by the U. S. Census Bureau.

Results of the census in Idaho and Nebraska show that the former state

(Continued on page 6)

American Group in Talk With the President

By JAMES LOCKHART

MEXICO CITY, Oct. 1.—American distributors are optimistic over the progress of negotiations with the Mexican government for the purpose of averting the proposed application of a 10 per cent tax on rental articles to films.

The American delegation, Joseph M. Schenck, Douglas Fairbanks and Major F. L. Further of the Hays office, in an interview with President Rodriguez, urged exemption of film on the ground that the tax would make it impossible for American companies to continue in business.

Distributor believes the Finance Ministry is favorably disposed toward exempting films. It has pointed out that the duties on films and discs were not for the purpose of banning imports, but were designed to stimulate Mexican production.

(Continued on page 4)

Pathe Hearing Goes Over for More Facts

Hearing on application of Pathe Exchange for permission to extend an extraordinary meeting of stockholders to pass on reorganization plans was put over a week in the New York Supreme Court yesterday. The postponement was made to allow for filing additional information concerning the plan.

French-Soviet Deal

Set for Joint Film

By BELLA KASHIN

Moscow, Oct. 1.—A French film group known as the European Cinema Trust has a march upon American producers who have been negotiating deals for joint Soviet-American production.

It was announced today that the Soviet authorities have closed a deal for joint filming of "Peter the Great."

(Continued on page 6)

Theatre Valuations

Cut by $1,305,000

Assessment cuts totalling $1,305,000 on 13 film theatres for 1935 were announced yesterday by William Stanley, acting president of the Department of Taxes and Assessments.

The cuts range from $200,000 down

(Continued on page 8)

Giannini Colonel

Dr. A. H. Giannini will be added to the list of Kentucky colonels Thursday when the appointment will be made officially by Governor Ruby Laffoon.

(Continued on page 6)

Grosses Run

On Level of Last Autumn

Reports Are Compiled From 22 Key Spots

Grosses are running pretty closely along the levels they followed last year at this time. For the third week of September the total take in 22 key cities was $1,393,008. A year ago in the final week of September the total was $1,342,710.

This is a little below the high level reached during the first two weeks of the month, when takes went up to the

(Continued on page 6)

Para. Claims Up

To $154,047,735

That claims filed against Paramount Publix stood at $154,047,735,32 on Sept. 15 was revealed yesterday in a statement issued by the trustees. On June 18, when the bankruptcy ended and the corporation went into receivership, a report made to the court by the trustees listed total claims at that time as $86,000,000.

Yesterday's statement showed:

"The total of claims filed in the Paramount bankruptcy proceeding

(Continued on page 8)

GFTA Opens 2-Day Session at Atlanta

ATLANTA, Oct. 1.—G. F. T. A. Independent Theatres' Ass'n opened its two-day convention here at the Robert Fulton Hotel today, with Ike Katz, Montgomery, Ala., president, in the chair. Sidney Samuelson addressed the convention. A highlight is a feature of the entertainment, to be held at Wieuca Inn.

Among important matters before the convention is a report from a special committee which went to Washington for a conference with Division

(Continued on page 8)

Wehrenberg Shaken in Motor Car Crash

ST. LOUIS, Oct. 1.—Fred Wehrenberg, president of the M.P.T.O. unit here, and Louis C. Heib, secretary-treasurer, had a narrow escape from death when Wehrenberg's car skidded off an oiled road in a rain storm late at night. They were returning from the dedication of the New Mercier Theatre, Perryville, Mo.

Wehrenberg was bruised. Heib's nose was fractured and he was cut painfully.
First Division Sets June for New Lineup

First Division expects to complete national representation in the United States by June, with 80 per cent of the country now covered, the policy plans to be in every important center within the frame branch within the next nine months.

Al Friedlander in all probability will handle the development of exchanges in the west, south and southwest. The company has just closed a franchise deal with Mike Howard for Atlanta.

For the present, First Division will complete representation of the four pictures which will supplement product contracted for with outside producers. Stories, stars and directors are now being lined up.

U. A. Sets Six Deals

United Artists has closed deals with six top New York circuits involving 115 theaters. Circuits and theaters represented are: Randorff, 42; Century, 30; American, 26; Harry Harris, 7; RKO, 5; Roth, 3; and Sidney Samuelson's Newton, at Newton, N. J. Other deals for RKO theatres are well under negotiation and will probably be closed within the next few days.

Ernest Schwartz Gaining Cleveland, Oct. 1.—Ernest Schwartz is still in a critical condition as a result of the shooting nine days ago at his home in Beverly Hills by four bullets, but hospital authorities report that he is resting comfortably, and will probably recover. Schwartz has an excellent chance of recovery.

Hollywood to Lew Brown

Lew Brown, stage producer, has leased the Hollywood Theatre here from Warners and will present a number of musical shows there, the first of which will be "Calling All Stars," which opens Thanksgiving week.

Film & Photo Revivals

The Film & Photo League will present the second of its series of film revivals at the New School for Social Research beginning Oct. 13. Ten pictures will be shown.

Katz Theatres Go On

Operation of Monarch Theatres will not be affected by the fact that Sam Katz is joining B. M. as an executive assistant to Louis B. Mayer. Miller Field is president of the circuit.

and has no idea what to do with his mind when he will leave the coast. He is waiting for Mayer to arrive from London tomorrow to discuss future plans.

Weeks Lines Up Men In Three Key Cities

George Weeks has appointed Tony Ryan manager of Gaumont British exchanges in Buffalo and Albany and Herb Given as head of the Philadelphia office.

James Spier will be attached to the Buffalo office, while Lester D. Wolfe will handle Albany sales. Joe Singer is in London's office.

Weeks arrives in Washington to-day and will be in Pittsburgh tomorrow. On Thursday he will be in Cincinnati and following day in Cleveland. On Saturday Weeks will be in Detroit. He is lining up sales staffs to work out-of-Fox exchanges as he goes along.

Van Leer Goes to G-B

Arnold Van Leer, who handled publicity for Morris Gas for 10 years and has been identified with Warners, RKO and Columbia, has joined A. P. Singer in London. He will handle the Criterion for G-B when "Man of Aran" opens Oct. 19 on a two-day policy.

G-B Declares Dividend

Gaumont British has declared a four per cent quarterly dividend on its outstanding common stock.

Stebbins Heads East

Hollywood, Oct. 1.—Arthur W. Stebbins is scheduled to leave for New York today.

Columbia Signs Jory

Hollywood, Oct. 1.—Columbia has signed Victor Jory to a termer.

Loew's Off 2 on Big Board

Columbia Pictures, etc. 3419 3514 3514 31 300
Consolidated Film Industries 5995 5995 5995 6 200
Eraman Kodak, phil. 1214 1214 1214 13 5000
Paramount Pictures 2314 2314 2314 2 8000
Loew's, Inc. 2817 2717 2717 2 5500
Paramount Publicity 1014 1014 1014 2 600
Pathé Exchange 3314 3314 3314 3 400
RKO 2741 2741 2741 2 4000
Warner Bros. 5 451 451 4 3500

Technicolor Only Issue on Curb

Warner Bonds Drop 2 Points

General Theatre Equipment 6s 40% 6s 34% 6s 34% 30 4
General Theatre Equipment 6s 40, etc. 65 65 65 15 0
Loew's 6 34%, vv deb rights 1214 1214 1214 20 100
Paramount 6s 40% 2500 2500 2500 22 110
RKO 6s 41%, 99 99 99 15 0
Warner Bros. 6s 39, wd. 39 39 39 10 0

Purely Personal

MONROE GREENTHAL, U. A. exploitation chief, has returned from Washington where he arranged a special showing of "Our Daily Bread" for President and Mrs. Roosevelt.

NOVA PILBEAM, young English player; JACK HULBERT, Mark Oxter, JEFFREY BONAS, and ARTHUR LEE were weekend guests of Howard S. Cullman at Purchase, N. Y.

IDA LUPINO, accompanied by her mother, MRS. CONSTANCE LUPINO, will sail for England the latter part of this week. They will return in January.

JULIAN JOHNSON, head of the Fox story department, left Hollywood last night for New York. He'll attend home office conferences on his arrival here.

MORT BLUMENSTOCK, in charge of first two big England are now away on a week's business trip to Pittsburgh, Cleveland and Washington.

BENTA HUME, English actress, will arrive tomorrow for the opening of the "Merchant of Venice" at the first of America's $15 and foreign $12. Single copies: 10 cens.

Harry Askin Funeral

Funeral services for Harry Askin, legitimate theatre manager and former manager of John Philip Sousa, will be held at the Campbell Funeral Church at 10 o'clock. He died Sunday.

Askin is survived by his widow, a son and daughter from a former marriage and a brother.

Start Ohio Tax Fight

Cambridge, Oct. 1.—The first of a series of meetings under the auspices of the Ohio L. T. O. as part of a campaign to secure repeal of the 10 per cent county sales tax held here today. Another is to be held in Cleveland tomorrow, with a third at Cincinnati on Friday.

Mayer Here Tomorrow

Louis B. Mayer returns from a two-month absence in Europe tomorrow to take the reins of his Strickling, M-G-M's publicity director on the coast, will be with him.

Quigley Ampa Chairman

Quigley Ampa will be guest chairman at the Ampa Thursday. Mark Oster and Jeffrey Bernerd of Gaumont British will be guests of honor.

DeMille Recovering

Hollywood, Oct. 1.—Cecil B. DeMille was recuperating today from a minor operation. His condition is pronounced as favorable.

FORMING STOCK GROUP

Hollywood, Oct. 1.—A stock company made up of star material will be formed by Walter Wagner, independent producer for Paramount. The group to be signed are Peggy Conklin and Charles Boyer. Wagner is now negotiating for other performers.

OWNS NEWSLAUGHS 100%


Reisman in Tomorrow

Phil Reisman, foreign sales manager of RKO, arrives from Europe tomorrow on the Paris after an extended tour that took him to most of the principal continental cities.
THE BIGGEST NEWS TODAY is the first Issue of the NEW and GREATER HEARST METROTONE NEWS starring EDWIN C. HILL (The Globe Trotter)
The SCREEN SCOOP

CHARLES DICKENS' GREAT EXPECTATIONS

A Stanley Bergerman Production
Presented by CARL LAEMMLE
A UNIVERSAL PICTURE
Universal crashes through first with a Dickens picture in a Dickens year! ...Bringing to life on the screen those well-known characters of one of his most popular stories—Magwitch, Pip (as boy and man); Estella, Miss Havisham, Joe Gargery and all the others!...What a showman’s opportunity—and what a wonderful picture to back up everything you do and everything you say about it!

with HENRY HULL
PHILLIPS HOLMES
JANE WYATT
Florence Reed, Valerie Hobson, Alan Hale, Georgie Breakstone and many, many others. Screenplay by Gladys Unger. Directed by Stuart Walker.
Tobis Begins Distribution For England

(Continued from page 1)
Germany is represented with 177 titles, while various film importers will bring 54 foreign films into Germany. Paramount is distributing seven; Fox, 16 (seven German and nine American), and E.G. M. and Rota, on behalf of Universal, five.

Shareholders of Tobis Tonbildsyndikat A.G., comparable with Western Electric, will meet tomorrow to approve the balance of the company and to decide payment of a dividend.

* * *

The Czechoslovak republic is discovering the possibilities of a law prescribing that all German films imported after Jan. 1, 1935, must be dubbed or distributed with super-imposed Czech titles.

* * *

Tobis will distribute some RKO pictures in France. A contract has recently been signed by both companies. The contract will embrace "Little Women" and "Wild Cargo." The films will be distributed in Germany by Europa.

* * *

The president of the German State Film Chamber has prohibited the erection of new theatres until March 31, 1935. The ban is equally extended on all houses which have been closed down for a considerable time. An exception from the stipulations of this law is possible when a direct need is obvious.

Rosenblatt Going To Address Labor
(Continued from page 1)
Federation of Labor annual convention. Although Rosenblatt received the invitation to make the address some days ago, he was not sure until today that he could make the trip. His acceptance is believed in line with administration's efforts to head off the attack on the NRA which is threatened by labor leaders. This also is believed to have been the cause of the President's evident effort to please labor in his radio address last night by strike truce, which in effect will hold benefit labor more than employers, and the suggestion that labor should be guaranteed an annual income, rather than hourly or weekly wages.

Capital Hearing on Agents Irks Coast
WASHINGTON, Oct. 1.—West coast interests are represented as displeased over the decision to hold the Agency Committee hearing in Washington instead of California. It is explained by NRA officials, however, that none of the west coast producers have any funds for the printing of the transcript of the hearings and that the rule of the organization is to hold all hearings in Washington except where they affect purely local situations.

Butterfield with Hearst
Allyn Butterfield, who resigned last week as editor of Universal Newsreel, has joined the editorial staff of Hearst Metrotone News. He is on a two-week vacation, his first in four years, before taking up his new duties.

Wyoming Grosses in 1933 Were $873,000
(Continued from page 3)
last year had 61 film theatres with receipts of $105,000 an dpayrolls of $93,000. The average of $240,000 and payrolls of $36,000.

Nebraska had 231 film houses with receipts of $2,500,000 and payrolls of $464,000, and 10 other theatres with receipts of $216,000 and payrolls of $34,000.

None of the Idaho cities was large enough to warrant the making of a separate report, but separate figures were given for two Nebraska cities, Omaha being shown to have 28 film houses with receipts of $118,000 and payrolls of $264,000, and Lincoln four with receipts of $104,000 and payrolls of $26,000.

French-Soviet Deal Set for Joint Film
(Continued from page 1)
a Soviet play by Alexander Tolstoi, descendant of Count Leo Tolstoi. The play centers about two identical films, one in Russian and the other in French. Soviet Reporters Petrov, who made "The Tempest," will direct both. Production will begin in January at the Leningrad studio and it is planned to have the picture ready for release in the fall.

Cools to Grauman Deal
Los Angeles, Oct. 1.—Fox West Coast has cooled to an operating deal for Grauman's Chinese, which went into bankruptcy last week. United Artists will operate the theatre shortly at popular prices with Sid Grauman in charge.

Actress Weds Director
SANTA BARBARA, Oct. 1.—Ruth Channing, an actress, and Hamilton McFadden were married in Hollywood Sunday, and are here on their honeymoon.

"There's HAPPINESS AHEAD, ma'am, if you don't miss the net."
First GREAT TRIUMPH FOR THIS GREAT FOX PICTURE

The applause that resounds through the Music Hall will re-echo around the nation!

SOON all America will be singing its praises and pushing to see the production that is now thrilling New York in its Radio City showing. And everyone will be the happier for seeing its impetuous romance... hearing its tantalizing tunes... marveling at its colorful multitudes and amazing spectacles.

AN ERIK CHARELL PRODUCTION

CARAVAN

CHARLES BOYER
LORETTA YOUNG
JEAN PARKER
PHILLIPS HOLMES
LOUISE FAZENDA
EUGENE PALLETTE
C. AUBREY SMITH
CHARLEY GRAPEWIN
NOAH BEERY

Coast Production Takes Sharp Rise

(Continued from page 1)

Fox, three; Roach and Century, one each, with the scattered independents reporting a total of 22 features and 14 shorts. In the final stages of preparation, while 51 features and 23 shorts are in cutting rooms, Fox expects to report six features preparing and five editing; Paramount, three and two; M-G-M, zero, and nine; Goldwyn, zero and two; Universal, two and three; Columbia, three and six; Warners, three and 11; Radio, two and six; while the independents have six and seven.

In the short subject division M-G-M reports two preparing and four editing; Roach has one two; Universal, one and one; Columbia, one and three; Warners, zero and one; Radio, one and seven, while the independents report eight and five.

Theatre Valuations
Cut by $1,305,000

(Continued from page 1)

to $50,000, the largest being $200,000 on Loew's State. Another $300,000 cut was on the Roxy, the assessment on which was cut to $30,650.

The following in detail follow:

Theatres 1934 1935
Astor $1,725,000 $1,675,000
Capitol 2,000,000 2,500,000
Gaity 2,250,000 2,175,000
Globe 1,125,000 1,075,000
Loew's State 4,100,000 3,900,000
Mayfair 1,800,000 1,750,000
Palace 1,350,000 1,250,000
Rialto 2,900,000 2,825,000
Roxy 1,500,000 1,550,000
Strand 850,000 6,250,000
Times-Apollo 3,250,000 3,200,000
Ziegfeld 1,150,000 1,090,000

GFTA Opens 2-Day Session at Atlanta

(Continued from page 1)

Administrator Sol A. Rosenblatt on the legality of retaining Nat Williams and Oscar Lam as unaffiliated members of the local grievance and clearance boards. It is charged that the two are affiliated with Lucas & Jenkins, who are affiliates of Publix. Ike Katz, N. H. Waters, Sam Borisky and an attorney composed the committee.

Roach Arrives on Coast

Hollywood, Oct. 1.—Hal Roach returned from the east today with the statement he is optimistic over the outlook for theatre attendance throughout the nation for the next six months. He said he planned staging a musical revue in New York this winter, using stage and screen names.

Re-elect Nathan Levinson

Hollywood, Oct. 1.—Major Nathan Levinson was re-elected chairman of the technicians' branch of the Academy today. Wesley C. Miller was elected chairman of the sound section; George Barnes, of the photographic section, and James Wilkin-son, of the film editors' section, while S. J. Tinning was re-elected chairman of the programs and programs committee.

Flash Reviews

The Curtain Falls—...acceptable entertainment for neighborhood houses.

A Successful Failure—An entertaining melodrama designed for family appeal...

The Man from Hell—... may prove highly entertaining to the youngsters...

Col. Sales 25% Above 1933, Says Montague

KANSAS CITY, Oct. 1.—Columbia sales this year are running 25 per cent ahead of last year. Abe Montague, the company's sales head, said here tonight on his way back to New York. Today he was guest of Max H. Columbia district manager, at a Variety Club luncheon. Late this evening Montague left for Chicago to make preparations for the opening of "One Night of Love" at the B. & K. Chicago there on Oct. 19.

In addition to Roth, Montague confered today with Harry Taylor, Columbia branch manager.

Montague said opposition to duals on the coast was pitting out. He asserted that the Legion of Decency influence seemed to be strong in the

Para. Claims Up

To $154,047,735

(Continued from page 1)

and deemed filed under Section 77-B of the bankruptcy act and the new claims filed in the proceeding and the exclusive of duplications, up to Sept. 15, 1934, according to a recent calculation made by the solicitor of the re- possession trustees, is $154,047,735.82. This figure includes a large number of claims which have been filed in amount below $25,000 and considerably higher than those at which such claims will be finally liquidated.

M-G-M Drops Plans On 'Wandering Jew'

(Continued from page 1)

distribution rights, will send the picture back to Twickenham Studios in England without showing it in a theatre.

Phil Meyer of General Pictures Exchange held the territorial contract for New York, which likewise was sold to M-G-M. No other territory was sold. In releasing M-G-M from the contract, William Shapiro, president of Franklin and Meyer and the producers did not receive any money in the settlement other than the expense incurred through advance fees, duty, legal fees and other disbursements involved in the negotiation. Meyer, however, loses a minimum of $12,500 and forefeited the remaining earnings, in settling rather than have the picture go out after Rabbi Stephen Wise and a rabbinical committee recommended not showing it in the United States.

Industry Heads at Luncheon for Nizer

Industry leaders yesterday paid tribute to Louis Nizer at a luncheon in his honor at the M. P. Chas. Among those who spoke were Will H. Hays, Dr. A. H. Giannini, Harry M. Warner, Al Lichtman, Felix F. Feist, H. Wilkin, Phil Baker and the guest of honor.

Jack Alcolate, publisher of Film Daily, was master of ceremonies, in addition to speakers, sitting on the dais were: Jules E. Brulatou, David Bernstein, Albert Warner and Jack Coh. About 200 attended.

Deny Saenger Listings

WASHINGTON, Oct. 1.—In one of the first moves on taking over supervision of stock exchanges throughout the country, the Securities Exchange Commission has refused registration and listing privileges to Saenger Theatres, Inc., certificated for deposit for first mortgage and collateral trust sinking fund 6 per cent gold bonds.

Applications for listing of the Saenger bonds is understood to have been in line with reorganization plans recently completed.

New Orleans, Oct. 1—Saenger over its objection, to the Washington story whereby the exchange commission has refused to allow listing of 6 per cent bonds.

Middle West but hardly on the coast.

Montague expects to be in New York Wednesday after an absence from the home office of four weeks.

Grosses Running Closely Along Last Year's Levels

(Continued from page 6)

Seattle 6 26,800 6 1,393,008 129 $1,372,271
Washington 7 842,000 6

Comparative grosses compiled from day-to-day reports for 52 weeks show this:

Week Ending

Theatres

Grosses

September 29-30, 1933 113 $1,342,710
October 6-7 121 1,410,786
October 13-14 121 1,544,838
October 20-21 121 1,170,824
October 27-28 142 1,509,740
November 3-4 144 1,379,500
November 10-11 144 1,271,000
November 17-18 144 1,357,152
November 24-25 141 1,431,209
December 1-2 142 1,418,753
December 8-9 144 1,558,838
December 15-16 139 1,221,850
December 22-23 138 1,071,457
December 29-30 138 1,433,289
January 5-6 138 1,714,856
January 12-13 138 1,453,649
January 19-20 138 1,305,267
February 2-3 136 1,248,517
February 9-10 135 1,338,357
February 16-17 136 1,317,011
February 23-24 136 1,354,308
March 2-3 137 1,378,924
March 9-10 134 1,276,345
March 16-17 136 1,317,011
March 24-25 128 1,291,695
March 30-31 135 1,247,322
April 6-7 132 1,571,695
April 13-14 132 1,354,151
April 20-21 132 1,307,764
April 27-28 134 1,250,702
May 3-4 133 1,266,655
May 10-11 133 1,269,381
May 17-18 133 1,291,113
May 24-25 133 1,123,764
May 31-June 1 128 1,111,452
June 7-8 125 1,713,587
June 14-15 125 1,076,284
June 21-22 124 1,084,997
June 28-29 116 1,041,876
July 5-6 117 1,195,932
July 12-13 117 1,012,240
July 19-20 112 1,044,965
July 26-27 113 1,241,121
August 2-3 112 998,285
August 9-10 112 1,010,499
August 16-17 112 1,012,240
August 23-24 114 1,044,965
August 30-31 116 1,261,278
September 6-7 129 1,372,271
September 13-14 129 1,372,271
September 20-21 134 1,393,008

Copyright, 1934, Quinley Publications
Phil. Agog Over Warner Theatre Yarn

H. M. Warner Denies Buy For Own Operation

PHILADELPHIA, Oct. 2.—Film and real estate circles were agog this morning following publication of a story to the effect that Harry M. Warner had bought the Pennsylvania-Publix Theatres here. There are four of them, the Tower and Nixon in West Philadelphia and the Franklin and Roosevelt in Frankford.

According to the story, the purchase price was $1,645,000 to be paid mainly to the estates of William Friehof and Fred G. Nixon-Nirdlinger.

The original story said that Warner had bought the houses (Continued on page 12)

No British Quota Jump Planned Now

LONDON, Oct. 2.—No increase in the amount of British film footage which exhibitors are required to show under the quota law is called for during the coming year under the exhibitors' quota schedule.

The annual schedules expire each (Continued on page 12)

Universal Booming, Grainger Goes West

With Universal's sales to date 100 per cent ahead of any identical period in any other year in its history and the first six 1934-35 releases in the exchanges, James R. Grainger, general sales manager, left for the coast yesterday on a "clean up" sales trip. He will stop at Chicago, then head straight for San Francisco, take in other important coast cities and spend two weeks at the studio.

The return east, about five weeks hence, will be made via Dallas and New Orleans.

Harry Cohn Coming To New York Oct. 9

HOLLYWOOD, Oct. 2—Harry Cohn will leave here in time to attend a meeting of Columbia stockholders in New York on Oct. 9 for personal affairs.

At that time seven directors will be elected and contracts of Harry and Jack Cohn will be ratified. These have three years to run as of July 1, 1934.

Indies Here For Fight on L. A. Zoning

Claim Indirect Ban on Dems Is Included

ALLEGED efforts of the Los Angeles board to put into the schedule an indirect ban on duals will be fought today by independent producers and distributors when the plan comes before an appeal body at Camp headquarters.

I. E. Chadwick, representing independent producers, stated yesterday that the board had camouflaged the dual ban, but it is still in the schedule after Camp had ordered all reference to twin bills withdrawn. He also declared that the board is trying to eliminate prevews and regulate the showing of independent product.

The independent leader denounced the clause in the schedule which (Continued on page 12)

Seals Are Awarded To 19 More Films

HOLLYWOOD, Oct. 2—A total of eight features and 11 shorts received certificates of approval from the Production Code Administration during a period of 10 days ending Sept. 26, making a grand total of 149 features and 141 shorts cleared since the new administration went into effect July 15.

Certificates for features handed out to the various companies during the past 10 days were: Fox and Radio (Continued on page 12)

Reorganization of FWC To Proceed in 2 Weeks

Reorganization of Fox West Coast will proceed within the next two weeks as a result of the refusal yesterday of the U. S. Circuit Court of Appeals here to permit the reopening of the agreement by which large Paramount-Publix claims against F. W. C. were settled.

The F. W. C. reorganization has been held in abeyance pending the Federal court's action on a petition to reopen the Paramount claims' settlement, which was brought last August by Samuel Zirn, attorney for a small group of Paramount bondholders. The plan of settlement was approved earlier by the U. S. District Court here. Plans are now being made for a sale of Fox West Coast assets at foreclosure. A new company, controlled by Chase National Bank and Fox Film, the principal creditors of F. W. C., will bid in the assets at the foreclosure sale. The reorganization plan itself, which goes into effect shortly thereafter, will not disturb the (Continued on page 12)

LONDON REPORTS BIP BUYING G-B

ASCAP Ready To Consider Compromises

An exhibitor delegation is scheduled to meet today with E. C. Mills, the manager of the American Society of Composers, Authors & Publishers, presumably to discuss a compromise on the new schedule of music fees placed in effect on Monday by the society.

Mills stated yesterday that any reasonable compromise reaching the society would be given consideration and recalled that he had suggested such a plan when the new rate schedule was first announced about two months ago.

Distributors Given Warning on Scales

Letters have been sent out to all film exchanges warning them that Code Authority has unanimously voted to ban the practice of permitting exhibitors to charge scales below those specified in contracts.

A letter signed by John C. Flinn executive secretary, points out that the lack of uniformity in contract distributors have consented to lower scales after cases have been decided by local boards. This is ruled an unfair trade practice and distributors (Continued on page 12)

GFTA Decides Upon Allied Affiliation

ATLANTA, Oct. 2—The G. F. T. A. Theatres Ass'n voted unanimously today at the second meeting of its convention to affiliate with Allied.

Sidney Samsenoll, Allied head, and Col. H. A. Cole of Texas attended the sessions.

An expansion campaign was authorized and it was decided to start an aggressive move to protect members from adverse legislation.

Mayer Heading Film Group on the Paris

LOUIS B. MAYER, production head of M-G-M, and Mayer will head a group of film notables arriving today on the Paris. Others among the passengers are Constance Bennett and her husband, Marcel Carriere de la Falaise de Courray; Benita Hume, English star, coming for the opening (Continued on page 7)

First Division Gets Two Western Series

First Division has signed for four Hoot Gibson and six Rex Bell westerns to be distributed internationally next season. Gibson will produce his own pictures while Al Mann will make the Bell westerns.

In addition, the company will handle 24 "Musical Moods" shorts (Continued on page 12)
**Columbia Up 7/8 on Big Board**

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**Warner Bonds Gain 7/16 Points**

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**Reception for Munro**

C. E. Munro, managing director of Fox theatre interests in Australia, is on a visit here and was guest at a reception in the N. Y. Athletic Club last night. Among those present were other representatives of Fox.

**Brown Luncheon Guest**

George Brown, retiring advertising publicist and publicity head of Columbia Pictures for some years, was on hand yesterday at the M. P. Club hotel yesterday as a walking cane as a gift.

**Pilgrim to Open Soon**

Tri-Cosponsored Consolidated opens the Pit, the 1,000-seat house at 97th and 3rd Ave., Brooklyn, around Oct. 5.

**Two Fox Players Ill**

Hollywood, Oct. 2—Illness of two featured players is holding up production at Fox. Richard Arlen's eye infection has forced a suspension of work on "Hondo." On "East River," shooting is being done by Vic McGlennon, who is in a hospital with laryngitis.

**Spain in Film Drive**

Madrid, Oct. 2—In emulation of the United States, Spain has started a movement against objectionable films and literature. El Debate, the country's leading Catholic organ, is extremely active in the drive.

**Final League Ball Game**

The final game in the M. P. baseball league will be played today between Eripi and NBC at the Dyckman Oval.

*Note: The text contains a mix of financial data and entertainment news items, typical of a daily newspaper's business and entertainment sections.*
Love and Kisses
(photographically reproduced)
from DOLORES DEL RIO
and a thousand thanks for the
perfectly darling campaigns which
Warner Bros. tell me you are planning
for "MADAME DU BARRY"

"BARRETTS"
BLINDFOLD TEST!

Pick any city at random and you’ll get a RAVE!
(and a NEW Box-office record!)
NEW YORK DAILY NEWS ★ ★ ★ ★ (Four Stars)—“Magnificently and sensitively portrayed by Norma Shearer, Fredric March, Charles Laughton. Stars of ‘Barretts of Wimpole Street’ in triple triumph!”

HARRISBURG TELEGRAPH—“Already on our ‘Ten Best of 1934’ list. In all probability it will be voted THE BEST picture of the year...”

RICHMOND NEWS-LEADER—“Undoubtedly one of the outstanding screen productions of the year, both for sheer beauty and from the standpoint of individual performances...”

HOUSTON PRESS—“Picture is certain to enter all lists of the ‘best 10’ for 1934. . . one of the finest efforts yet made at a civilized use of the screen...is artistically thrilling and highly entertaining...a motion picture no lover of the movies can afford to miss...”

LOUISVILLE HERALD-POST—“A vivid, vital and perfect production...”

PROVIDENCE NEWS-TRIBUNE—“’The Barretts’ a brilliant production—brilliantly conceived, written, acted and directed...”

ATLANTA JOURNAL—“An extraordinary success... direction conspicuously fine...Miss Shearer’s performance most appealing one...”

BOSTON POST—“A superb, inspired production... for memorable moments in a motion picture theatre we recommend ‘The Barretts’...Miss Shearer’s finest picture...”

INDIANAPOLIS STAR—“A film for everybody. A credit to the screen.”

WASHINGTON POST—“Takes rank virtually in a classification of its own...”

KANSAS CITY STAR—“Millions of people will see the movie and enjoy it...Literature’s loveliest romance...”

DALLAS MORNING NEWS—“An outstanding, even epochal, cinema achievement... Emphatically one of the best pictures of the talking period...”

MINNEAPOLIS JOURNAL (AAAAA—Extraordinary Rating)—“Film version of ‘Barretts’ a great, flawless entertainment... Miss Shearer must be considered for the 1934 award of the Academy of M. P. Arts and Sciences...”

(And it’s the same sweet story all over the map!)
Purely Personal

Russell Gleason, Roscoe Attes, Joan Lowell and Marjorie Graham lunched yesterday at the Wyndham. The Fighting 69th left on the Centenary for Chicago to make personal appearance at the Playhouse with "Adventure in Fear." 

Lolly Weber, associate producer on Pantomine Berman's staff at Radio Studio, and William Seiter, director, arrived yesterday from Boston where they saw the stage production of "Roberta."

Mrs. Clarence Daniels, writer who was signed by David Selznick when the latter was in England recently, arrived today at the Paris bound for the coast.

Johnny Burke and Harold Spina, composers, who did "Amour Doesn't Live Here Anymore," are writing a series of shorts in which they will appear.

F. Lyle Goldman, director of the theatrical division of Audio Prod., has gone to Hollywood to supervise a color short for an insurance company.


Ira Lupino, accompanied by her mother, sails for her native England this afternoon. She is on vacation from Paramount.

Wyne Gibson, who has just finished work opposite George M. Cohan in "Gambling," left yesterday for the coast.

Edward Golden, monograp general sales manager, has returned from a trip to Albany, Pittsburgh and Cleveland.

Merritt Hulbert, head of the Paramount editorial department on the coast, gets into town today from Hollywood.

Waldo Mayo, conductor of the Capitol radio orchestra, celebrates his first anniversary as conductor next Sunday.

Sam Benjamin, Amity exchange manager, left for Oklahoma City yesterday after home office conferences.

Irving Bernard and Hassard Short, producer of "The Great Waltz," sail today on the Queen of Bermuda.

C. S. Ashcraft of Imperial Electric Co., Los Angeles, is spending a few days here on business.

Ivy Kaufman, "Lazy Dan," a radio listener's favorite, will appear in person at the Roxy next week.

William Gemis of Ideal Seating, Grand Rapids, Mich., is in town for a few days.

Kathryn Blake of Amity Pictures returned yesterday from a Bermuda vacation.

Louis Phillips goes to Atlantic City today and returns tomorrow.

F. E. Chadwick plans to leave for Hollywood Friday.

Edward Small arrives from Hollywood tomorrow.

Menace (Paramount)

Hollywood, Oct. 2.—This is a murder mystery thriller of the first water, opening in Nairobi, East Africa, and winding up in Santa Barbara, giving the production plenty of latitude for action, suspense and color. The picture is a triumph, with clever, smooth direction by Ralph Murphy, who has extracted the most of every situation in the screen play by Anthony Veiller and Chandler Sprague from Philip MacDonald's original.

The cast, headed by Gertrude Michael, Paul Cavanagh, Henrietta Crosman, John Lodge, Raymond Milland, Bertone Churchill, Halliwell Hobbes and others, contribute well their respective roles in this telling, forceful story of a maniac on the loose with the determination to avenge the suicide of his brother, supposedly caused by the three innocent people he is out to get.

After forwarding a series of terrifying messages and chasing the party from England to Santa Barbara, he catches up with it there by posing as a guest at their home. It is this party house where all the hair-raising episodes take place. Everyone is accused of the murder of one of the trio, producing suspense until the final fadeout. The photography by the remarkable Booth Reynolds did much in offsetting the gruesomeness of this type of murder mystery story.

Production code seal No. 266. Running time, 60 minutes.

Gay Divorcee (Radio)

Hollywood, Oct. 2.—Showmanship in this production magnifies Fred Astaire's marvelous dancing, elevates Ginger Rogers to the terpsichorean altar, and introduces a rhythmic Continental song and dance number heralded as successor to the Caricora, which it is not.

However, when trimmed to exhibition length the film should please where lightness, gaiety and eye values are appreciated.

Unquestionably America's leading exponent of dance, with personality to boot, Astaire, handled properly, promises much for the screen, but love stuff is not his forte.

The story is slight, but taut. Ginger Rogers, to secure a divorce, hires Lawyer Edward Everett Horton, who bungles things between Ginger and a professional co-respondent (Eric Rhodes), hired for the occasion. Mixing his passwords, Rhodes brings Ginger and Fred together.

There is fine entertainment in four dance numbers, while the comedy of Horton; Eric Blore, waiter; Rhodes, gigolo, and Alice Brady contributes to the verve of the film. Mark Sandrich directed with appreciation of dramatic, comedy and musical values adapted from the stage play by Dwight Tabor. The film is well photographed by David Abel, David Gould handled the dance ensemble and Max Steiner the musical direction. For exploitation Astaire and the Continental musical number should do the trick. Previewed without production code seal. Running time, 95 minutes.

Looking 'Em Over

The Fighting Hero (Reliable-State Rights)

The main fault to be found with this Tom Tyler vehicle is that it plays fast and loose with the truth. Some of its incidents are so far-fetched that they are certain to be greeted with snickers even from an audience of western fans. That is exactly what happened at a neighborhood showing of the film. Tyler's name is the only one in the cast that means anything.

"The Fighting Hero" is one of those westerns in which the hero, a representative of the forces of law and order, poses as a bad man in order to track down a gang of outlaws. In this instance Tyler is an operative for an express company out to solve the holdup of some gold shipments. After being chased hither and yon by the sheriff and others who really believe him to be a bandit, Tyler reveals his true identity and receives as his biggest reward the love of a Spanish senorita.

The picture creates plenty of noise, is packed with action and is best suited for juveniles. Harry S. Webb directed.

No production code seal. Running time, 56 minutes.

(Additional review on page 7)
"The Curtain Falls" (Chesterfield)

Thanks to the presence in the cast of that grand trouper, Henrietta Crosman, "The Curtain Falls" is acceptable entertainment for neighborhood houses. Her performance endows the film with life and gives it a warm, human quality.

Miss Crosman acts the role of an old stage star at the end of her acting days. Rather than throw herself upon charity, she decides to put up a bluff and palm herself off as her wealthy British friend, Lady Scoresby. The latter's rich nephew (Holmes Herbert) somewhere on Long Island and immediately proceeds to make himself an asset. That the duplicity succeeds is explained by the fact that the family has rarely seen the real Lady Scoresby and just as rarely heard from her.

Miss Crosman uses her position as an instrument for straightening out a number of difficulties that threaten to undermine the family. She prevents Herbert's wife (Natalie Moorhead) from eloping with a charming Lothario (Jameson Thomas), saves Herbert himself from financial ruin, promotes a romance between his daughter (Dorothy Lee) and dry goods store owner (D. B. Crockett), and enables his black-sheep son (John Darrow) to see the error of his ways. In the end she reveals the truth about herself and dies with the gratitude of the entire family.

Charles Lamont directed. Production code seal No. 280. Running time, 67 minutes.

"The Man from Hell" (Wills Kent-State Rights)

This Willis Kent production is weak. It may prove mildly entertaining to the younger crowd. That is all that can be said for it.

That it has an extremely stereotyped story to tell is the least of its faults, as originality is hardly to be expected in a western film. The trouble lies in that development reveals no spark of imagination, while the acting is almost no help at all. Save for that of Fred Kohler, the performances are lifeless and uninteresting.

Fortunately the film has some nice exterior shots, for which thanks should go to cameraman William Nobles. Two rousing fist fights and a gun battle provide its only excitement.

The plot has to do with Reb Russell's efforts to find the man who committed the crime for which he was sent to jail. The man he wants is Kohler, an escaped convict serving as mayor of Russell's home town. After a number of physical encounters with him Russell succeeds in bringing the authorities on the convict's neck and clearing himself. The animosity between the two is sharped by their mutual interest in Ann Darcy.

The most intelligent performer in the cast after Kohler is a milk-white horse called Rebel. Lew Collins directed. No production code number. Running time, 58 minutes.

"Two Heads on a Pillow" (Liberty)

Despite a lack of cast names, this is an enjoyable picture that should easily please audiences in neighborhood and small town houses. Though primarily a comedy that at times borders on the farcical, its theme—divorce—is well handled. William Seidelman's direction drained a fair story of its faults, and Herbert Neuman's photography is good.

The story has Neil Hamilton, a struggling young lawyer, separating from his bride of two months, Miriam Jordan, because of her mother's interference. After the divorce, Hamilton achieves success and finds himself defending a case similar to his own divorce, but with his former wife the opposing attorney. This brings the two together again, but they remarry only after some time is taken up with dissertations on what goes to make up a successful marriage.

The cast also includes Henry Armetta, who almost steals the picture with his infective comedy; Lona Andre Hardie Albritt and Dorothy Appleby, who shares comedy honors with Armetta by her portrayal of an attractive but slightly moronic girl friend of Albritt.

Production code seal No. 187. Running time, 65 minutes.

David Gould Arrives

David Gould, manager of M-G-M's office in Puerto Rico, arrived yesterday. He is here taking care of his foreign activities, arrives tomorrow at the Manhattan after a lengthy stay in London.

Seidelman Returning

Joseph Seidelman, head of Columbia's foreign activities, arrives tomorrow at the Manhattan after a lengthy stay in London.
CAN TRULY FEEL THE JOY AND THRILL AND HEARTACHE...

of this plucky youngster . . . . as he fights for his father's love . . . . against his scheming aunt and his sly, sniveling cousin!

Jackie Cooper in
PECK'S BAD BOY

THOMAS MEIGHAN
JACKIE SEARL
O. P. HEGGIE
DOROTHY PETERSON

A Sol Lesser Production
Directed by Edward F. Cline
Screen play by Bernard Schubert and Marguerite Roberts
**Hollywood Personalities**

Hollywood, Oct. 2.—Anna Sten to an unknown destination for a two-week vacation . . . Viola Knapp, Joe Shea’s secretary at Fox, has resigned and is spending her vacation in New York . . . Stan Laurel and Oliver Hardy have been invited to be guests at next year’s World Fair in San Diego . . . Maurice Goldberg, well known New York photographer, shooting St. Louis Temple for a Vanity Fair piece is spotted in “East River” by Fox . . . Erle Kenton will direct “The Depths Below” for Columbia . . . Peggy Wood has arrived by plane at the Blue Bird in Scottsboro . . . Travis Banton is busy designing fall wardrobes for Claudette Colbert, Carole Lombard, and Elissa Landi . . . Madge Evans has a new LaSalle.

**“Barretts” Up**

In Cleveland,

Get $15,000

Frisco’s Best

Cleveland, Oct. 2.—The Barretts of Wimpole Street, bound for West conscious last week to the tune of $19,000 at the Paramount. Average is $11,000.

“Servants’ Entrance” pulled in the cash customers $9,000 worth at the United Artists, and “Dames” had an average on the first week at the downtown theatre.

“Servants’ Entrance” took a normal $23,000 at the Warfield, but business elsewhere was nothing to get excited about.

Total first run business was $38,800. Average is $8,400.

Estimated takings for the week ending Sept. 25.

**The CAT’S PAW** (Fox)

Allen—(3,000), 25c-30c-40c, 4 days. Gross: $1,700. Average: $430.

**CRIME WITHOUT PASSION** (Para)

Surprising $9,000, 15c-35c-55c-75c-90c, 4 days. Gross: $1,700. Average: $425.

**THE COUNT OF MONTE CRISTO** (M-G-M)

RKO-KEITHS—(1,150), 25c-55c, 7 days. Gross: $1,600. Average: $230.

**THE CURTAIN** (M-G-M)

Loew’s—(2,700), 25c-35c-45c, 7 days. Gross: $2,100. Average: $300.

**FRONT PAGE JANE** (M-G-M)

Good business, $6,000, 15c-35c-55c-75c, 4 days. Gross: $1,600. Average: $400.

**ICTHYS** (Warner)

Good business, $4,000, 15c-35c-55c-75c, 4 days. Gross: $1,600. Average: $400.

**THE LIFE OF EMMA CARR** (M-G-M)

Good business, $5,000, 15c-35c-55c-75c, 4 days. Gross: $1,600. Average: $400.

**THE LAST OF THE MO’BAY** (M-G-M)

RKO—(1,100), 15c-35c-55c-75c, 4 days. Gross: $1,600. Average: $400.

**THE LADY AND THE CHAMPION** (I.A.S.)

RKO—(1,200), 15c-35c-55c, 4 days. Gross: $1,600. Average: $400.

**THE LADY AND THE TIGER** (Paramount)

Loew’s—(2,300), 15c-35c-55c, 4 days. Gross: $1,600. Average: $400.

**THE LADY FROM WASHINGTON** (Warner)

RKO—(1,150), 15c-35c-55c, 4 days. Gross: $1,600. Average: $400.

**THE LADY OF THE NIGHT** (Par)

RKO—(1,100), 15c-35c-55c, 4 days. Gross: $1,600. Average: $400.

**THE LADY TALKS TO STRANGERS** (Col)

RKO—(1,100), 15c-35c-55c, 4 days. Gross: $1,600. Average: $400.

**THE LADY’S MAN** (M-G-M)

Good business, $6,000, 15c-35c-55c-75c, 4 days. Gross: $1,600. Average: $400.

**THE LADY’S HUSBAND** (Par)

Good business, $6,000, 15c-35c-55c-75c, 4 days. Gross: $1,600. Average: $400.

**THE LADY’S MISTAKE** (M-G-M)

Good business, $6,000, 15c-35c-55c-75c, 4 days. Gross: $1,600. Average: $400.

**THE LADY’S MILLION** (M-G-M)

Good business, $6,000, 15c-35c-55c-75c, 4 days. Gross: $1,600. Average: $400.

**THE LADY’S MISTAKE** (M-G-M)

Good business, $6,000, 15c-35c-55c-75c, 4 days. Gross: $1,600. Average: $400.

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**THE LADY’S MILLION** (M-G-M)

Good business, $6,000, 15c-35c-55c-75c, 4 days. Gross: $1,600. Average: $400.
All over America the Laugh Panic is on! Audiences that used to sit on their hands are now blistering them with applause! They laugh till they cry, then cry for more! There never was anything like it! DUMB-BELL LETTERS, that dippy-daffy-delirious collection of guaranteed genuine bottled in the booby-hatch nut mail, is one reel of concentrated howls that is stealing the show everywhere.

Lallapaloozas from the morning mail collected by Juliet Lowell
Reorganization of FWC To Proceed in 2 Weeks

(Continued from page 1)

present F. W. C. operating setup in any material way. The election of Sidney R. Kent, Fox president, to the presidency of the reorganized F. W. C. company, contemplated in the plan, is regarded as one of its most important provisions.

Refusal of the Circuit Court of Appeals to hear Zinn's appeal on the settlement also permits Paramount to proceed with its F. W. C. agreement. Paramount's claims against the circuit arose out of alleged defaults by F. W. C. of 1930 leases on seven Pacific Coast theatres which it sublet from Paramount. The theatres involved are the St. Francis, Paramount and California at San Francisco; Paramount at Oakland; Paramount and Rialto at Portland, and Paramount, Seattle.

Under the terms of the settlement F. W. C. takes new 10-year leases on the three San Francisco theatres at an average rental of $214,000 and pays Paramount $114,299 in back rent and an additional amount to be determined by net income on the houses over a specific period. In addition, Paramount is to receive 37½ per cent of the net earnings of all downtown San Francisco houses in which F. W. C. has an interest during the life of the agreements.

F. W. C. also takes a new lease on the Paramount, Oakland, and pays $990,000, Paramount, guaranteed by Fox, for the remainder of the lease. The landlord of the house withdraws a claim of $2,211,500 filed against Fox for breach of leases. The settlement also provides for a payment by F. W. C. of $35,030 to Paramount for back rent on the Paramount and Rialto, Portland, and the Paramount, Seattle. The Rialto has been repossessed by the landlord and is not in Paramount's possession. Paramount, Portland, will be operated for 10 years by a new company in which Paramount will have a 75 per cent interest and Paramount the other 25 per cent. Paramount film franchises are incorporated in the settlement.

The settlement of the Paramount claim was so important a part of future F. W. C. operations that a majority of the shareholders have decided the settlement should be consummated until the Federal court had decided on the Zinn appeal and the approval of the settlement was made final.

British Takes for '33 $192,156,000

WASHINGTON, Oct. 2.—A total of $15,000,000 was paid in Great Britain for admissions to film houses during 1933, according to a U. S. Department of Commerce statement based on report from American Consulate-General in London. The entertainment tax on the $192,156,000 in admissions amounted to $32,026,000.

The total number of admissions to British theatres in 1933 was 95,800,000, or an average of 18,000,000 a week. The inclusion of Ireland, it was pointed out, would bring the figure up about 15,000,000 a week. The average admission price of 2,000 British theatres during the current year was approximately 20 cents.

During 1933, the report states, 475 films were imported into Great Britain, of which 380 were registered by nine American-owned companies directly representing the leading American film-producing organizations. The value of the American films represented more than 90 per cent of the total imports of films. The net value, according to the British authority, of remittances to the United States arising from American films imported in 1933 was $2,033,000. During the same period receipts from abroad on account of British films amounted to $26,007,000.

No British Quota Jump Planned Now

Gombersall Back on Job

T. T. ("Peck") Gombersall, west coast sales manager for Universal, returned to his post yesterday after eight and a half weeks in the Hospital for Joint Diseases. Gombersall fell from a horse while riding in Central Park, injured his back and was placed in a plaster cast. However, part of the cast still encases his chest. That made Gombersall chaste and ready to take on anything. Many of his former employers tried it, pounded the chest and found all that Gombersall did was to smile and emit hollow sounds.

required to be of British origin. The same schedule is prescribed for the year ending Sept. 30, 1935, after which the schedule declines to 20 per cent and continues at that level until the expiration of the present Films Act in 1938.

First Division Gets Two Western Series

(Continued from page 1)

by Audio. The company is negotiating for a number of English pictures and is considering a possible distribution of Mammon's serial, "The Sky Fighter."

Mike Howard has been appointed division manager of the New Orleans, Charlotte and Atlanta offices. Al Friedlander shortly will open First Division exchanges on the coast.

Indies Here For Fight on L. A. Zoning

(Continued from page 1)

states that unless a picture has a first run it cannot be released until 35 days after availability set by distributors. He also added that independents cannot rely on this schedule a week on the coast, which is unheard of.

It is understood Edward Golden, general sales manager of Monogram, and Louis Nizer, who defended independents at the hearing on the Milwaukee schedule when deals were the main topic, will be ready to fight proponents of the schedule.

Among those here from the coast to attend the hearing are Jack Milstein, M-G-M branch manager in Los Angeles; Harry Chotiner, Ben Berinstein and Harry Hicks.

Every attempt will be made to fight provisions in the schedule which do not conform with the deal of a competing exhibitor stated, "We want a workable schedule and we want it quick. Buying is being held up on the coast until the clearance plan is set," he said. In addition to the coast men, sales heads of the various major and independent organizations will attend the session today.

Admissions, it is stated, are not one of the major issues which will be discussed at the hearing but that if the schedule is passed, it will drive out the small producer and exchange man.

Carthage Clearance Is Set at 120 Days

ALBANY, Oct. 2.—The protest of Mimrose Amusement Corp., operator of the Star Theater, Carthage, against the clearance held by Schine's Strand, that town, over second runs, has been disposed of by a decision of the clearance and zoning board. The decision was that first runs should have 120 days' clearance.

A letter bearing the complaint of William C. Smalley, operator of Smalley's Hamilton, Hamilton, N. Y., against the Glove City Amusement Co., Inc., Gloversville, the grievance board, sitting as an industrial adjustment agency, has passed the case up to Camp.

Seals Are Awarded To 19 More Films

The City Amusements Co., New York, and Producers Enterprises Corp., New York, respectively, have been awarded seals for which they developed films on their own.

British Takes for '33 $192,156,000

WASHINGTON, Oct. 2.—A total of $15,000,000 was paid in Great Britain for admissions to film houses during 1933, according to a U. S. Department of Commerce statement based on report from American Consulate-General in London. The entertainment tax on the $192,156,000 in admissions amounted to $32,026,000.

The total number of admissions to British theaters in 1933 was 95,800,000, or an average of 18,000,000 a week. The inclusion of Ireland, it was pointed out, would bring the figure up about 35,000,000 a week. The average admission price of 2,000 British theaters during the current year was approximately 20 cents.

During 1933, the report states, 475 films were imported into Great Britain, of which 380 were registered by nine American-owned companies directly representing the leading American film-producing organizations. The value of the American films represented more than 90 per cent of the total imports of films. The net value, according to the British authority, of remittances to the United States arising from American films imported in 1933 was $2,033,000. During the same period receipts from abroad on account of British films amounted to $26,007,000.

No British Quota Jump Planned Now

Gombersall Back on Job

T. T. ("Peck") Gombersall, west coast sales manager for Universal, returned to his post yesterday after eight and a half weeks in the Hospital for Joint Diseases. Gombersall fell from a horse while riding in Central Park, injured his back and was placed in a plaster cast. However, part of the cast still encases his chest. That made Gombersall chaste and ready to take on anything. Many of his former employers tried it, pounded the chest and found all that Gombersall did was to smile and emit hollow sounds.

required to be of British origin. The same schedule is prescribed for the year ending Sept. 30, 1935, after which the schedule declines to 20 per cent and continues at that level until the expiration of the present Films Act in 1938.

First Division Gets Two Western Series

(Continued from page 1)

by Audio. The company is negotiating for a number of English pictures and is considering a possible distribution of Mammon's serial, "The Sky Fighter."

Mike Howard has been appointed division manager of the New Orleans, Charlotte and Atlanta offices. Al Friedlander shortly will open First Division exchanges on the coast.

Gombersall Back on Job

T. T. ("Peck") Gombersall, west coast sales manager for Universal, returned to his post yesterday after eight and a half weeks in the Hospital for Joint Diseases. Gombersall fell from a horse while riding in Central Park, injured his back and was placed in a plaster cast. However, part of the cast still encases his chest. That made Gombersall chaste and ready to take on anything. Many of his former employers tried it, pounded the chest and found all that Gombersall did was to smile and emit hollow sounds.

required to be of British origin. The same schedule is prescribed for the year ending Sept. 30, 1935, after which the schedule declines to 20 per cent and continues at that level until the expiration of the present Films Act in 1938.
Campi Is Divided on Removal Of Leasing Clause from Code

Campi is divided on withdrawing the lease clause from the code, some members contending that it impossible for Code Authority to hand down equitable decisions. Some code men also hold that if a landlord wants to lease a theatre, it is his own business and he can do as he pleases. Independent members hold this clause was put into the code to protect exhibitors from outside interests taking their theatres away from them while they are operating.

Katz Studio Aide, Mannix Stays—Mayer

Clariying the status of Sam Katz, who recently joined M-G-M, Louis B. Mayer, production head, yesterday said upon his arrival in the Paris that Katz would be his assistant and also assistant to Eddie Mannix, personal representative of Nicholas M. Schenck, at the studio. Mayer emphasized the fact that reports Katz would replace Mannix are unfounded. Katz will confer with Mayer today and after the meeting will depart.

Disposal of Fox Theatres Case Sought

Disposal of the petition for a reorganization of Fox Theatres under Section 77-B on the grounds of fraud will be asked by creditors of Fox Metropolitan Playhouses at a hearing before Federal Judge Martin Manton Tuesday, it was learned yesterday. The Fox Met creditors have obtained subpoenas for Nathan Burkan, A. C. Blumenthal, Ernest W. Niver of Halsey, Stuart & Co., W. C. Katz studio.

Detroit’s Theatres Benefit from Series

Detroit, Oct. 3—There’s plenty of activity in this town with the World’s Series crowd here. Downtown houses are feeling the effects. All hotels are filled and everybody is in a spending mood.

Warner-Para. Deal In Phila. Dropped

That a takeover of four Public-Pennsylvania theatres by Warners had been discussed as part of a deal which included “numerous other considerations,” all of which was subsequently proved.

Receipts in W. Va. $3,158,000 in 1933

Washington, Oct. 3—Gross receipts of 149 West Virginia picture houses last year totalled $2,711,000 on a payroll of $598,000, while seven other theatres took in $447,000 and had a national recovery administration postponing the date upon which the rules will go into effect to Oct. 11

Discover NRA Rules on Extras Already Approved

Washington, Oct. 3—Sudden discovery that the rules concerning the employment of extras had been approved without interested parties in the industry being given an opportunity to present their views, today necessitated issuance of an order by the national recovery administration postponing the date upon which the rules will go into effect to Oct. 11.

Film Workers Up 33½%. But Expenses Drop

Industry Costs Decline 22½% Under 1931

Washington, Oct. 3—Employment in the film industry last year was approximately the same as in 1931 but producers’ expenditures were 22½ per cent less. It was reported tonight by the U. S. Census Bureau.

Total expenditures for production were $119,342,606 against $154,435,698 in 1931, a large part of the decline being in feature films, it was shown. Total cost of negatives was $82,279,569 against $108,539,975, apportioned as follows: Production, $1,190,642.15; office expenses (Continued on page 6)

Blumenthal Plans Producing Series

A. C. Blumenthal plans to enter production within the next few weeks with negotiations now under way to produce four or five pictures a year for a major company. He expects to close a deal within the next few days. According to Blumenthal’s plans, he will make some of the pictures in the Midwest.

Jersey Allied Dual Move Falls Through

With the general ban on duals out, Allied of New Jersey has lined up the Orange—East and West—as the initial spots where a plan to eliminate twins by territories will be tried out. Independents are concerning with Warners on the plan and a date for dropping the second feature will be set shortly. Yesterday was to have been the day when the general ban was to have gone into effect, but lacking five per cent of independent theatre representation, the move fell through.

Balaban Is Allowed To File Para. Claim

John Balaban, former Publix home office executive, now associated with Balaban & Katz, Chicago, was authorized by Federal Judge Alfred C. Cox yesterday to file a claim against Paramount Publix based on the unexpired portion of his contract. The
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JAMES A. CRON
Advertising Manager

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

Vol. 36

October 4, 1934
No. 80

MOTION PICTURE DAILY

Heavy Para. Sales on Big Board

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Warner Bonds Decline ½ Point

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Chadwick to Make Six

Chadwick plans to produce six features, one of which will be "In My Old Kentucky Home." Production will start at the Chadwick studios on the coast as soon as his work as independent production representative for RKO is finished.

Discussing activities of independents, Chadwick says they are improving the type of product being turned out. He says it is amazing what the independents have done in the last year.

Van Schmus to Entertain

Trade and daily paper reviewers and others in the industry will be entertained tonight in the Music Hall executive offices by Managing Director W. G. Van Schmus following the 9:15 showing of "Power." This is the second Gaumont British feature to be shown at the Music Hall under the new deal with the British firm.

Warners to Star Darro

Hollywood, Oct. 3—Falling in line with the demand for kid pictures, Warners have decided to do a star, starring Frankie Darro.

Form Two Film Firms

ALBANY, Oct. 3—Cartoon Exhibitors, Inc., has been chartered here with 200 no par value shares to present films and vaudeville. Robert Schirmer, Clinton S. Cook and Carl Ahlemann are directors.

Filmera Agency, Inc., also has been formed to deal in picture apparatus. Alfred L. Schein, Stanley K. Friedman and Stanley B. Schein are incorporators.

Warner-Para. Deal In Phila. Dropped

(Continued from page 1) abandoned, was admitted yesterday by Paramount theatre representatives here.

The theatres, the Tower and Nixon in West Philadelphia, and Franklin and Roosevelt in Frankford, are under lease to Paramount until 1951, it was stated. Newspaper accounts describing H. M. Warner as the purchaser of the houses for "personal operation" were denied emphatically by Warner on Tuesday. Joseph Bernhard, Warner theatre director, made a similar denial on behalf of the company yesterday.

Korda to Hollywood Soon

Los Angeles, Oct. 3—Alexander Korda, head of London Films, plans to leave for Hollywood shortly. The completion of three films will keep him here for a short while longer, however. The main purpose of his visit is to make an inspection of the American studio.

To Film Houdini Story

Hollywood, Oct. 3—Columbia will film a story based on the life of Houdini, with Fred Keating, life long friend of the magician, featured. Jo Swerling is at work on the story.

Trade Show "Divorcee"

Radio will give a trade showing of "The Gay Divorcee" tomorrow morning at 11 o'clock at the Astor.

Product Talk Opens

Milwaukee Session

MILWAUKEE, Oct. 3—A round table discussion of distributor sales policies and the product field behind closed doors, occupied the opening session of the Wisconsin Allied convention here today. Exhibitor attitudes on buying are also understood to have been aired by the 40 delegates in attendance. Tomorrow's session is scheduled to take up the subject of double featuring in Wisconsin.

Loewell M. Prewitt Dead

INDIANAPOLIS, Oct. 3—Loewell M. Prewitt, 40, well known Indiana exhibitor, is dead at his home in Plainfield. He had been ill for three years. He was a former member of the executive board of the Indiana exhibitors' association and was owner of the Prewitt Theatre. He is survived by his mother, Mrs. Viola N. Prewitt, and his widow.

M. L. Gordon Passes

MITCHELTON, Oct. 3—M. L. Gordon, owner of the theatre bearing his name, died at his home here following a lingering illness.

Delay Boston Road Deal

Loew's has delayed taking over the Boston Road from Henry Seigel under contract. The house is now being remodeled.

Mississippians to Meet

JACKSON, Miss., Oct. 3—Theatre Owners of Mississippi will hold their semi-annual meeting at the Robert E. Lee Hotel Oct. 28-29.

"There's HAPPINESS AHEAD—he imagines he's about to become a mother"
Thank you, ED FAY, for BIG HEARTED HERBERT

We're glad you asked us to buy this famous stage hit after you saw what a riot it was on Broadway. Your fellow showmen will be proud of you for inspiring one of the greatest film comedies of the year. Already your judgment has been vindicated by such preview praise as "a laugh riot if there ever was one," "a grand entertainment treat," "a swell answer to any exhibitor's prayer." We give you all the credit for the idea . . . . . . you'll give GUY KIBBEE and ALINE MacMAHON a lot of credit for a pair of grand performances . . . . . . and we believe the trade will give us credit for giving them the kind of shows they ask for!

-WARNER BROS.
ANNA STEN

gives one of the most outstanding performances since the inception of talking pictures!
— FILM DAILY
"FREDRIC MARCH turns in the best job of his career!"
—VARIETY

IN PRESENTATION OF

Again

IN PRODUCTION

Artists
See Music Tax Agreement of About 25-30c

Discover NRA Rules on Extras Already Approved

Chicago Clearance Decision Reversed

Blumenthal Plans Producing Series

Cleveland's Dual Agreement Upheld

Film Workers Up 33 1/3%, But Expenses Drop

Employes Classified

Newark Spots Try Films

Midwest Picking Up, Declares Wolfberg

Receipts in W. Va. $3,158,000 in 1933

MOTION PICTURE

DAILY

Thursday, October 4, 1934

Conference, but it was learned from an authorized source that the bill pro-

posed a flat rate of 40 cents per seat as an alternative to the society's new

schedule. An exhibitor representative countered with the proposal of 15 cents

erate per seat, which was accepted.

The group will meet again with Mills on Monday at which time an agree-

tement will be worked out to the benefit of all. The neighborhood of 25 or 30 cents is regarded

as likely. The former music tax rate was 10 cents per seat and the new

schedule calls for a seat tax equal in amount to the highest admission charge.

Exhibitors, it was stated, would not be restrained under any compromise

arranged with the government in its anti-trust suit against A.S.C.A.P. and

were assured they would not be forced to bring any legal action of their own against the society.
Exhibitors were assured that the new rate would mean a substantial

reduction in the Music Tax from the former rate of 40 cents per seat. The

tax would be raised to 15 cents per seat for an additional 2-cent each on the
difference between the admission charge and the admitted seat tax.

The new rate is expected to be in effect by October 15.

(Continued from page 1)

Chicago clearance decision reversed. (Continued from page 1)

Corp., which has the Embassy, same

city. Code Authority was unanimous in its vote of 4-0. The board then

heard a division of the Chicago committee when it de-

fined the Palace issued a clearance

over the Valparaiso.

Appeals from "race night" decisions by the instantaneous board were held in favor of complainants.

Leonard Sowar, Strand, Muncie, Ind.,

complained against the Kivoi, same

city, and the Paramount, Marion, protesting against the Indiana, same

city.

The complaint of the Baxter and

Broadway, Louisville, against the St.

Therese Catholic Church Gym, same

city, was upheld and all distributors were ordered to stop serving the non-

theatrical account.

A preliminary advertising complaint on behalf of the Strand, Knoxville, Tenn., against the Bijou, same city,

was upheld by Campi.

Disposal of a retained admission committee by the Mars, Lafayette, Ind., against Clyde South and Ivan

Arnold of the Main, same city, was upheld by Code Authority.

A second complaint filed by A. B.

Momand of the Odeon, Shawnee,

Okla., against Atlantic-Arundel-

Co., on overbuying was dismissed.

Campi upheld the findings of the Dallas Industrial Adjustment Agency in

a case involving A. D. Vincke.

Campi, Texas, against the Rita and

Queen, same city.

Campi Adjourns L. A. Hearing Until Today

(Continued from page 1)

yesterday discussing several situations

affected by the scheme. Among those

attending the meeting were Ben

Field, Harry W. Chotiner, Mill-

ton Arthur, Jack J. Milstein, E.

Chadwick, Lou Halper, John B.

Bertero and E. Port Major, all from

the coast.

GFTA Loses Board Fight

ATLANTA, Oct. 2—Division Admini-

strator Sol A. Rosenblatt does not

take seriously the local contention

that Nat Williams and Oscar Lam are not

titted to serve as unaffiliated mem-

bers of the code boards. Ike Katz,

president of the GFTA, reported to

the convention to this effect. He was

one of a group that went to Wash-

ington to put the matter up to NRA

headquarters.

Vaude Order Is Approved

WASHINGTON, Oct. 3—Division

Administrator Sol A. Rosenblatt has

been ordered by the Code Authority to

not interfere with vaudeville perform-

ers, whether amateurs or profes-

sionals, to be paid a minimum of $7.50 for each

theatre booked.

Lease St. Louis Odeon

ST. LOUIS, Oct. 3—The Lincoln

Amusement Co. has leased the Odeon

and will open it as a colored first run

picture.

Blumenthal Plans Producing Series

(Continued from page 1)

the east and others on the west coast.

He is all set on his first story, but

would not discuss this angle or studies

when questioned.

Blumenthal plans to leave for Holly-

wood sometime next week. Reports

are current he may make the pictures for

United Artists. Joseph M. Schenk and Douglas Fairbanks ar-

rive from Mexico and Hollywood to-

morrow and will spend the week-end at

Blumenthal's home in Larchmont. It is expected Schenk and Blumenthal

will talk over the proposed production

deal.

Cleveland's Dual Agreement Upheld

(Continued from page 1)

Anti-Trust Law, fraud in securing the

agreement of signatures and failure to

secure the signatures of all the Cleveland

theatres, are factors in the decision

reaching as provided to make the agreement

binding.

This was the first case testing the

legality of the Greater Cleveland full agreement feature agreement. Jerome

Friedlander, attorney, represented M. H. Horwitz, president of the Cent-

terwood Amusement Co.

Film Workers Up 33 1/3%, But Expenses Drop

(Continued from page 1)

against $3,422,125 for news and $4-

3,917,004 for educational, $167,933, against $469,497.

During the year $14,581,457 was spent on wages and $15,149,868 on

expenses, against $14,728,680 in 1931. Labora-

tory operations included positive films costing $7,624,701, against $12,556,233.

The number of employees increased from 4,839 to 5,431.

Employees Classified

In the report issued today, for the

first time, the bureau has attempted a breakdown of employees on a geographical basis, giving the following information for 1933:

Managers, superintendents, pro-

ducers and assistant managers and

other responsible administrative

employees, 10 receiving salaries ag-

gregating $12,883,328; scenario writers,

unit managers, assistant directors,
technicans, wardrobe designers,

laboratory supervisors, cameramen,

messengers, stewards, janitors, key

bolters, doormen and other cler-

ical employees on salary, 7,650 receiv-

ing salaries aggregating $1,457,424;

carpenters, painters, prop makers, lab-

oratory workers, wardrobe workers, and other laborers, 4,634, receiving salaries aggregat-

ing $10,777 (average for the year) receiv-

ing $18,395,489.

There was a considerable range in the employment of employees, the bureau reported. In January, 1933, 9,592 were employed; the low point was reached in March with 7,880 at work, the high point in September with 13,734.

Midwest Picking Up, Declares Wolfberg

(Continued from page 1)

under his supervision, stated yester-

day upon his arrival in New York. He

adds theatre receipts are improve-

ing and the film business is showing

results.

He plans to leave for his head-

quarters early next week.

Receipts in W. Va. $3,158,000 in 1933

(Continued from page 1)

payroll of $61,000, the U. S. Census

Bureau reported today.

The census showed that theatres with a take of $34,422 and payrolls of

$85,000, and Huntington had eight

which took in $34,422 and had a pay-

roll of $38,000.
Katz Studio
Aide, Mannix
Stays—Mayer

(Continued from page 1)
cide when he will leave for Holly-
wood to assume his new duties. May-
er indicated that Katz may accom-
pany him when he leaves in two or
three days.

Mayer stated he had made no plans
for production in England as his trip
was in the initial stages. He added
he will confer today and tomorrow
with Schenck and J. Rob-
ert Rubin on the English sit-
uation and later with Arthur Loew. Mayer
signed several Viennese songwriters
and foreign players, but did not
have a list available when interviewed. He
said some of them are on the way
over now.

Discussing foreign production, the
M-G-M head assurred England is coming out of the de-
pression beautifully. He added the British are
striving hard to compete for world attention in production and are
coming along, particularly Alexander
Korda. He said, "We have never closed our
doors to foreign pictures, and the better
they make them, the better we like them."

Mayer denied published reports he
would enter the California guberna-
torial campaign against Upton Sin-
clair.

Wife Remains Aboard

Because of the condition of his wife, Mayer was compelled to leave
her aboard the Paris overnight. She
will be on his hotel this morning and
probably leave for her coast
home today, accompanied by Howard
Strickling, studio publicity head, who
returned with the Maysers.

Phil Reisman, head of RKO's for-
eign activities, also returned on the same boat with his wife, as he
had his family in Spain. He said his company planned five offi-
cines in Spain. He opened the Bar-
celona office which is in charge of
Robert DePuy. The other offices will be in Valencia, Madrid, Bilboa
and Seville. Within the near future, RKO will open new exchanges in
Italy and France.

Outside of quota pictures now be-
ing made, RKO does not intend to
produce abroad. Reisman said in
England all of the company's pic-
tures are shown while in other coun-
tries they amount varies from 35 to
40 a year.

Constance Bennett returned on the
Pier with her husband, Victor
Marqui Henri de la Falaise de Courtray, who
is ill with malaria as a result of
spending six months in Indo-China. The Maysers had a
picture which is being sponsored by
Bennett Pictures Corp. He recently
made "The Promise of the Virgin" in Bali,
for which a deal was practically
closed by Miss Bennett abroad with
a major East Coast producer.

When interviewed by Morrocc PICT-
TURE DAILY, Miss Bennett would not
reveal the company because contracts
have not been signed. She was met at the pier by her business
manager, J. S. Rex Cole. Cole and
Miss Bennett leave for the coast by
plane today. The Marquis will take
a train. She has five more pictures

1934 charge it from possible Valencia, Also Cole Columbia train.

“What Every Woman Knows”

Hollywood, Oct. 3—This production is excellent entertainment, with
three more coast and contributors rating lusty cheers. With Myrna
Hoffe, John Meehan and James K. McGuinness adapted the Sir James
Barrie play, preserving all its whimsical and delightful humor. Gregory
LaCava directed in an inspired mood.

The story concerns the Scotch family of Wylie. David Torrence is
the head of the family. Crisp the brothers, and Helen Hayes the sister
who is always jilted by prospective husbands. In order to
chance a marriage for her Conspirators Torrence, Crisp and Diggins
send a student (Brian Aherne) money to complete his studies if he will
oblige Miss Hayes at the altar. Through his wife's efforts Aherne wins
a seat in Parliament and falls for doll-faced Madge Evans. Miss Hayes
employs her wit to advantage and brings Aherne home.

The balance of the cast, in fast company, registered as outstanding in
their respective roles. Miss Hayes lives up to her past laurels. Crisp
and Torrence are hilarious, Miss Evans impressive, and Lucille Watson,
as Miss Evans' aunt, contributes fine humor. The surprise of the pic-
ture is Aherne, whose performance would have overshadowed a less
capable cast. There is fine photography by Charles Rosher.

This picture should be box-office in any spot.

No production code seal. Running time, 95 minutes.

“Peck's Bad Boy,” tonight's preview at the Roxy, was reviewed by wire
from Hollywood on Aug. 28.

“Wagon Wheels,” last night's preview at the Mayfair, was reviewed by wire
from Hollywood on Aug. 27.

A Last Lady,” last night's preview at the Strand, was reviewed by wire
from Hollywood on Aug. 27.

Seek Dismissal of
Fox Theatres Case

(Continued from page 1) Michael, Fox Film treasurer; Milton C. Weissman, receiver for Fox Thea-
tres; the entire bookkeeping staff of Fox Theatres, and individual credi-
tors of the company who have joined in the petition for reorganization.
These include Miriam Rogers of Bos-
ton, alleged by Fox Met creditors' counsel to be a sister-in-law of Blum-
enthal and to have had assigned to her
personal claim against Fox Thea-
tres; the Elliott-Fisher Co., Columbia Pictures Corp. and other creditors
of the company.

All those subpoenaed, it was said,
will be examined in an effort to sup-
port the Fox Met creditors' allega-
tion that the petition for reorganiza-
tion of Fox Theatres was instituted with the sole aim of realizing on the
company's ownership of the common
stock of Fox Met. Creditors of the
latter company point out that no move to liquidate or reorganize Fox Thea-
tres was made prior to the reorganiz-
ation efforts of Fox Met. There are
approximately $34,000,000 of claims
outstanding against Fox Theatres.

Judge Manton postponed the hear-
ing scheduled for today on the Fox
Met creditors' organization petition un-
til Tuesday.

To Start Saenger House

HOUMA, La., Oct. 3—The erection of the People's Theatre, new Saenger
building will begin within the next 30 days.

Durante for “Carnival”

Hollywood, Oct. 3—Jimmy Dur-
ante has been signed by Columbia
for a featured role in “Carnival.”

Loew Dividend Declared

Loew's Inc., yesterday declared a regular quarterly dividend of $1.02 1/2 per
share on the preferred stock. The dividend is payable Nov. 20 to stock-
holders of record Oct. 31.

“Widow” to Open Oct. 11

“The Widow” is set to open at the Astor Oct. 11 as a two-a-day.

- Absolutely Personal

ROWLAND V. LEE has post-
poned his trip to England to super-
vise the cutting of “Gambling,” which he finished recently at the Eastern
Service Studios.

GEORGE AIJERBACH’s "My Brother's Wife" has been purchased by M-G-M
as a co-starring vehicle for CLARK GABLE and JEAN HARLOW.

PETE SMITH is preparing four
pearls JACK J. MILSTEIN, M-G-M
Los Angeles branch manager, found
in his yesterdays stu-
dy.

H. S. KRAETZ and SAMUEL ORNETZ have sold "Frisco Fury" to Columbia
as a possible starring vehicle for
JACK HOLT.

MERRITT HULBURD, head of the Paramount Hollywood story depart-
ment, came into town yesterday.

C. C. PETTITTON, who returned yester-
day, has been assigned to three weeks trip to Holly-
wood and other western stops.

MILTON ARTHUR, brother of HARRY C., and his wife sail for Los Angeles
Saturday morning to attend their child's
"virginity".

CHARLES BLUM, recently with
Al.
ied of New Jersey, has joined
Steiner Ad. Service.

MARGARET ROSS'S "Roads To Italy," "Born With Wings," has been purchased by
Paramount.

THOMAS MEUGAN left for Detroit
today to attend the World's Series.

LIE OUCH is back from a European
jaunt.

TOM WILEY celebrated another
birthday yesterday.

Balaban Is Allowed
To File Para. Claim

(Continued from page 1) in
claim, it is understood, will amount $178,000,000. A similar
petition for leave to file the claim was
not opposed by counsel for the Para-
mount Estate.

Judge Cox also extended the time
for filing of individual bondholders' claims against Paramount Publix
to Dec. 1, 1934. He said during that time
however, will not increase the total
of claims filed against Paramount, as
Currie National Bank, trustee under
the issues, has filed a claim for the
total amount of the bonds. This is
included in the $154,000,000 total,
which represents all claims filed
against Paramount from the time of
the bankruptcy to Sept. 15. Also in-
cluded is the Paramount Broadway
claim which has been reduced from
an original $78,000,000 to $44,000,000.

The latter figure will be wiped off
with approval of the pending Para-
mount Broadway reorganization plan
by creditors and the Federal court.

Para. List to Randorce

Paramount has sold all its product
to Randorce circuit with 49 theatres
in Brooklyn. Henry Randel closed
the deal for the distributing house while Sam
Rinzler and Louis Frisch signed for the
circuits.

Lester F. Martin Here
Lester F. Martin, mid-west exhib-
tor leader, is in New York on the
code.
A TREMENDOUS SUCCESSOR
TO "LADY FOR A DAY"
says:
The Hollywood Reporter
and adds
A PICTURE THAT IS JUST
PLAIN, ORDINARY SWELL! GIVE
YOURSELF A TREAT BY PLAY-
ING THIS UP BIG!

• • •

THIS IS MONEY IN THE BANK...
THE PICTURE IS A TRIUMPH
AND COMBINES SOCK DRAMA,
STIRRING COMEDY AND
UNIQUE ROMANCE. ANOTHER
GEM IN COLUMBIA'S DIadem.
A WORTHY SUCCESSOR TO
"LADY FOR A DAY".

—Motion Picture Daily.

• • •

AS A BOX OFFICE ATTRACTION
IT LOOKS LIKE A RUNNER-UP
ON "LADY FOR A DAY" . . .
SHOOTS STRAIGHT AT THE
AUDIENCE HEART WITH EMO-
TIONAL WALLOP. PICTURE
HAS EVERYTHING IT TAKES FOR
POPULAR APPEAL.

—Variety

LADY BY CHOICE

with Carole LOMBARD—May ROBSON

Roger Pryor—Walter Connolly

Story by Dwight Taylor—Screen Play by Jo Swerling

Directed by David Burton

A COLUMBIA PICTURE
Bernard Says
BIP-Gaumont
Deal Is Off

General Manager States He Has Cabled Word

Negotiations for the purchase of Gaumont British stock by British International Pictures have been called off, Jeffrey Bernard, general manager of G-B, stated yesterday. He said official word to this effect was sent to him by cable yesterday.

In a talk before Ampa members yesterday Bernard thanked the press for the reception given his company's product. He added that the more success Gaumont British has here, the more successful will be American pictures in England.

"Times have changed," he stated, "and pictures produced in England are now making up to the standards of every country in the world."

He believes the American public

(Continued on page 7)

Says Columbia Not To Produce Abroad

Columbia does not intend to produce on its own in England, Joseph Seidelman, head of the company's foreign department, stated yesterday upon his arrival from a four-months' trip in Europe.

He stated deals have been closed with independent producers to turn out 10 quota pictures for the company. No changes have been made in any

(Continued on page 8)

Balcon, Lee Start
On Tour Next Week

Michael Balcon, production head for Gaumont British, and Arthur Lee leave next week on a tour of eastern

(Continued on page 7)

Drivers Wanted

New Orleans, Oct. 4—The resident manager of the Tudor is advertising in the classified columns of the daily newspapers for "a man who is thoroughly competent to drive a Roman chariot; must be experienced." Friends say he should visit a spiritualist medium and reincarnate Marc Antony.

GFTA Charters Unit To Control Theatres

ATLANTA, Oct. 4—Independent Theatres' Investment Corp., a $25,000 organization, has been formed to acquire by lease or purchase theatre properties in the southeast. It will be an auxiliary of the G.P.T.A. Independent Theatres' Ass'n. N. H. Watters of Birmingham, was elected president, with Willis Davis of Atlanta, secretary and treasurer. Vice-presidents

(Continued on page 7)

A. J. Callaghan Dies
In Hollywood at 45

Hollywood, Oct. 4—Andrew J. Callaghan, vice-president of Technicolor, died here today at the Queen of Angels Hospital following an abdominal operation. He was in his 45th year. Although ill for several months, Callaghan refused to give up his work until two weeks ago.

Surviving are a widow; a son, Andrew Jr.; a daughter, Frances, all of

(Continued on page 7)

Fox West Coast Assets Sale
Set for Los Angeles Nov. 1

Sale of Fox West Coast assets at foreclosure as the initial step in the company's reorganization will take place in Los Angeles about Nov. 1, it was indicated here yesterday by eastern factors in the F. W. C. reorganization.

Fox Film and Chase National Bank, the two principal F. W. C. creditors, will bid in the assets in an exchange for their claims against F. W. C. through a new company organized for the purpose. Complete reorganization of F. W. C. with Sidney R. Kent heading the new company, is expected to be accomplished within a few weeks after the foreclosure sale.

Form National Body to Make
Family Films

Organization of the M. P. Foundation of the U.S.A. as a nonprofit agency for the production and sale of "family type" films, which has been in process for the past several months, was completed yesterday, according to a statement issued by Dr. William B. Millar, secretary of the foundation and former general secretary of the Greater N. Y. Federation of Churches.

The directors and members of administrative committees of the foundation are prominent educators, businessmen, lawyers, and writers.

(Continued on page 8)

Last Minute Changes End Film Dispute

The Loew-RKO product situation in Greater New York was finally settled yesterday after weeks of negotiations between head of the two circuits and Fox, Columbia and Universal.

In a last minute switch, RKO stepped out of the deal with Columbia when it was impossible to agree on terms demanded by the distributor. As a result, Loew's will continue to have the complete Columbia output while RKO gets all of Universal's pictures. Columbia, it is

(Continued on page 8)

Schwartz Loses Suit Against "U" Circuit

RICHMOND, Oct. 4—The U. S. Circuit Court of Appeals here has decided against Nathan Schwartz, suing as Willkay Holding Corp., in his fight to recover $79,328.92 from Universal Chain Theatres Corp., for an alleged breach of contract. The suit was directed against Robert L. Randolph, receiver of the circuit.

The case was an appeal from an order of the U. S. District Court of Maryland.

(Continued on page 8)

Denver Council Acts To Allow Giveaways

Denver, Oct. 4—The City Council has removed the city ban on giveaways in theatres.

If the Mayor signs the bill, court action is looked for to determine whether the code can interfere with a business carried on wholly within a state.

The giveaways were knocked out, with the exception of the Huffman auto giveaways, by the local grievance

(Continued on page 18)

Code Revision Is Looked for
By Kuykendall

"Certain Interests" Not Keeping Faith

Declaring that "certain interests" involved in the writing of the code are not keeping faith, Ed Kuykendall, president of the M. P. T. O. A., sees a reopening of the entire code within the near future.

He says this will be necessary unless these interests have the foresight to accept and realize what is coming about and play fair.

Kuykendall, without mentioning names, charges certain parties are using every method to evade various issues that were accepted by them in Washington.

"I cannot help but believe it will be necessary to reopen the entire code unless these interests swing along with the rest of the boys and play a fair game," he asserted.

Third Hearing Set
On L. A. Schedules

Due to the complexity of the coast situation, a third hearing on the Los Angeles clearance schedules will be held today at Campi headquarters. During the last two days, Ed Kuykendall, E. T. (Peck) Gomersall and Harry Shiffman have

(Continued on page 18)

Code Probe by U. S.
Asked by Wis. Allied

MILWAUKEE, Oct. 4—Resolutions demanding a Congressional investigation of the code and revision of the copyright laws were adopted at today's session of the Wisconsin Allied convention. The resolutions were

(Continued on page 18)

Returns a La Mode

Some baseball fans like their radio returns in deluxe surroundings. Hundreds of them paid from 40 to 60 cents to get into the Music Hall yesterday and sit in the chaste modernistic surroundings of the big lounge downstairs to get the World's Series returns.
What N. Y. Critics Think of "Our Daily Bread"

JOE BRANDT is going in for cut- down. Meaning, he is wearing a swell pair of scissors with a neat hole chiseled out of one of them. That was to take care of an infected toe that is practically new again.

BENITA HUME says she will appear in a play before returning to England, she doesn't want to make pictures now, declaring she has four offers to do a play here.

DAN CASHOLL of Sydney, Australia, owner of theatres in the Commonwealth which are associated with Paramount, is in town on a business and vacation trip.

HERMAN STEIN, head of Universal's non-theatrical activities, is getting over an attack of pneumonia politely. He expects to be back at his desk on Monday.

LEON SCHLESINGER flies east tomorrow with the first print of "Those Beautiful Dames," the first of the new "Merrie Melodies" cartoons in color.

THEODORE DITRICH is back in his office at Hearst Metrotone News, but his long pneumonic shade has left him shaky. Says he is getting along now.

JEANETTE MACDONALD, now here on a vacation, will sing several numbers in "The Merry Widow" Monday night over the Columbia network.

DOUGLAS McLEAN, Paramount associate producer, is in town to confer with MAXWELL AUSTIN, who is adapting "So Red the Rose."

HARRY ERINGTON and MRS. ERINGTON (BARBARA KENT) arrived in town yesterday from the coast. They are Europe bound.

JOE PENNER is due in town today from the coast. He has just finished "The Cowboy," Paramount's "College Rhythm."

NORMAN MORAY is back at his desk after a trip to Indianapolis, Detroit, Toronto, and Chicago.

ITO GUZMA and ARMIDA finish work on a Vitaphone short in the Brooklyn plant today.

FRED GREKAS has sold his story, "Song of the Damned," to Columbia.

Young Finishes Oct. 6

Hollywood, Oct. 4—Felix Young's contract with Columbia as an associate producer expires Oct. 6 and he plans to leave immediately for New York. Young is scheduled to report to Radio the first of next month as an associate producer.

"Divorcee" Date Shifted

The trade showing of "The Gay Divorcee" which was originally scheduled for this morning at the Astor has been postponed until Oct. 9.
Look forward with pleasure to October, November, December.

Already this season, FOX has given you such hits as "The Cat's Paw"..."Servants' Entrance"..."Judge Priest." For the coming three months FOX is producing hits just as great...and more of them! Analyze the new pictures on the following pages. Compare them with other offerings. And prepare to make next quarter's business an even greater pleasure...

with these FOX Pictures
Your Feature Program for OCTOBER

Mary Roberts Rinehart's
ELINOR NORTON
with CLAIRE TREVOR
Gilbert Roland
Henrietta Crosman
Hugh Williams
Norman Foster
Produced by Sol M. Wurtzel
Directed by Hamilton MacFadden

JACKIE COOPER in PECK'S BAD BOY
with Thomas Meighan
Jackie Searl
O. P. Heggie
Dorothy Peterson
A Sol Lesser Production
Directed by Edward F. Cline

CARAVAN
with CHARLES BOYER
LORETTA YOUNG
JEAN PARKER
Phillips Holmes
Louise Fazenda
Eugene Pallette
C. Aubrey Smith
Charley Grapewin
Noah Beery
Executive Producer, Robert T. Kane
Directed by Erik Charell

MARIE GALANTE in "GAMBLING"
with SPENCER TRACY
KETTI GALLIAN
Ned Sparks, Helen Morgan, Siegfried Rumann, Leslie Fenton, Arthur Byron,
Jay C. Flippen and Stepin Fetchit
Produced by Winfield Sheehan
Directed by Henry King

America's First Actor
GEORGE M. COHAN
in
Produced by Winfield Sheehan
Directed by Rowland V. Lee
Music in the Air
Music by Jerome Kern
Lyric and libretto by Oscar Hammerstein, 2nd
with
Gloria Swanson
and John Boles
Douglass Montgomery
June Lang
Al Shean, Reginald Owen, Joseph Cawthorn
An Erich Pommer Production
Directed by Joe May

365 Nights in Hollywood
with
James Dunn
Alice Faye
Mitchell and Durant
John Bradford
A Sol M. Wurtzel Production
Directed by George Marshall

24 Hours a Day
with
Claire Trevor
Gilbert Roland
Herbert Mundin
A Sol M. Wurtzel Production
Directed by Hamilton MacFadden

Warner Baxter in Hell in the Heavens
with
Conchita Montenegro
Russell Hardie
Herbert Mundin
Andy Devine
Ralph Morgan
Produced by Al Rockett
Directed by John Blystone

Lottery Lover
starring
Lew Ayres
"Pat" Paterson
Peggy Fears
Ned Sparks
An Al Rockett Production
Directed by William Thiele

The First World War
Secret Films from Nations' Archives
Edited by Laurence Stalings
Produced by Truman Talley
Your Feature Program for December

SHIRLEY TEMPLE
in BRIGHT EYES
with JAMES DUNN
A Sol M. Wurtzel Production
Directed by David Butler

THE WHITE PARADE
with LORETTA YOUNG
JOHN BOLES
Muriel Kirkland  Dorothy Wilson
Joyce Compton  Astrid Allwyn
Polly Ann Young
A Jesse L. Lasky Production
Directed by Irving Cummings

EAST RIVER
with EDMUND LOWE
VICTOR McLAGLEN
Marjorie Rambeau
Charles Bickford
Grace Bradley
A Robert T. Kane Production
Directed by Raoul Walsh

AGAIN FOX takes the prizes for a line-up solid with successes!

HELLDORADO
with Richard Arlen
Ralph Bellamy
Henry B. Walthall
and Stepin Fetchit
A Jesse L. Lasky Production
Directed by James Cruze
BIP Deal with Gaumont Is Off, Asserts Bernard

(Continued from page 1) will give G-B the same reception as British pictures are giving American pictures.

"We are striving to improve the quality of our product, and have a long way to go. The films will be popular with the public here, as American players are with English players." He ended his speech by declaring that theatre owners here are showing more interest in the British films than ever before, and there is every indication they will continue to sign contracts for the 16 films being released this season.

Gaumont British Drawn Ampa Crowd

Gaumont British invaded the Ampa yesterday, introducing a number of its stars, directors and personnel to members of the organization.

Introductory were Jeffrey Bernard, Arthur Lee, Nova Pilbeam, Benita Hume, Jack Halbert, Berthold Vier, Arthur Lonergan, Elliot Temple, Ivar Lovald, Tiger King and Michael Delane. Martin Quigley acted as guest chairman.

In addition to the Gaumont British personalities, the following were introduced: J. J. McCarthy, Lester Thompson, Walter Moore, Paul Golb, Richard Appleby, Dave Gould, William Gargan, J. H. Hoffberg and Douglas Crockwell. Churchills TV correspondent for the New York Times and Appleby is president of the British Empire Chamber of Commerce.

Entertainment was provided by Gus Edwards, Tony Marchioni, Eddie Peabody, Harry Hershfield, and Bernard and Henry. About 200 attended.

Trading Tricks

Holbrook, Oct. 4.—The new complaint bureau set up to exact a refund of grievances without jeopardizing the standing with producers, Campbell MacCullough, new chief of the Motion Picture Bureau, is installing a social service division and has employed Allan Mac Donald and Mrs. Ethel Callis to be in charge. If work cannot be found for the needy, they will be recommended to various social service agencies.

A. J. Callaghan Dies in Hollywood at 45

(Continued from page 3) whom reside here, and his parents, who live in Chicago, Callaghan's birthplace. Callaghan's passing came as a distinct blow to Hollywood, of which he was a favorite, and is greatly missed.

Before joining Technicolor eight years ago, Callaghan was an independent producer for six years. Prior to that he was a partner to George K. Spoor, then president of Essanay Film Manufacturing Co.

Fox Collects from Dinehart on Delay

Hollywood, Oct. 4.—Alan Dinehart, who arrived here several days late for the start of his role in Fox's "Lover's Lover," was forced to kick back $10,000, which the studio had advanced him against royalties.

Dinehart was delayed in New York because of work in a stage play.

Cary Grant in "Wings"

Hollywood, Oct. 4.—Cary Grant has been definitely set for the top role in Paramount's "Wings in the Dark," formerly titled "Eyes of the Eagle." He has the leading role with Roscoe Karns in a featured comedy role. James Flood will direct.

Vidor Back on Coast

Hollywood, Oct. 4.—King Vidor has returned to Hollywood from London and has gone to work at United Artists where he will direct "Broken Soil." He obtained the project from his partner, Abel Davis, and will continue to operate the Capital Film exchanges at Denver and Salt Lake City.

Takes Birmingham House

Haddingham, Oct. 4.—A long lease on the house in Haddingham has been obtained by N. H. Waters, operator of several suburban theatres, from the Birmingham Trust & Savings Bank. Combination stage shows and films are under consideration.

Kerers Buy Out Davis

DeWey, Oct. 4.—Brice and Kerers, who have bought CM Partnership for a large amount, are operating a theater in Denver and Salt Lake City.

Now "Devil Dogs of Air"

Hollywood, Oct. 4.—A switch of titles at Warners tags "Devil Dogs of the Air," the further release title on the James Cagney-Pat O'Brien vehicle, "Flying Marines."
Form National Body to Make Family Films

(Baseball Fever
Hollywood, Oct. 4.—Hollywood's craziest bet has been made between Alexander Hall and Roscoe Karns. Each has posted six baseballs. If the Detroit Tigers win the World Series, Roscoe may pitch the halls at the windows of Hall's home. If the Tigers lose, Hall will do the pitching at Roscoe's domicile.

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Activity will be in the non-theatrical field, involving the production of informational programs for civic education under federal and state subsidies. In charge of this work will be a committee of the University of Wisconsin; Albert Cary, trustee of the University of Wisconsin Science Publishing Society, Boston; Rear Admiral Richmond Pearson Hobson, U. S. N., retired; Mrs. Dr. W. B. Stimson; Sidney Desen, long active in the film field; Dr. Charles D. Trestler, president of the Greater New York Federation of Churches; Charles V. Vickrey, president of the Golden Rule Foundation; Carl Beck, efficiency engineer; Roy Curtiss, producer of "The Cavel Case," who also initiated the program which resulted in the production of the King of the Thieves. Eugene Rule, headmaster of the Beaver Country Day School, Chestnut Hill, Mass.; and other financiers.

Roscoe's plans will be to travel through the states to secure money for the foundation. The first of the pictures will be about the baptism of children in various ways. The pictures will be distributed to schools, Sunday Schools, and church services.

Last Minute Changes End Film Dispute

(Continued from page 1)

stated, was not anxious to do business with the circuit because RKO turned down the product before.

Failing to get together with Skouras on pooling of product for the Riverside, RKO will continue to show their films, and Paramount will mount in addition to all of Radio and Universal at the 81st St. on upper Broadway. The Fox lineup continues at the Riverside.

George Skouras wanted to pool Fox with Radio, Universal, Columbia, Paramount and Warners, but because of contracts entered into for the 81st St., giving Springer & Co. to RKO, and a demand of Retro for an exchange and radius of business with the Riverside, Skouras would accept no other terms than the house terms he had set up in the past. He is said to have made a new contract to pool pictures for the Riverside with the 81st St.

Midwestern Skouras' Academy and RKO's Jefferson on 14th St. have combined product, with the former getting prior selection. In exchange, Paramount takes over the Uptown, Berkeley, from RKO in an exchange of product transaction.

More Openings Are Set for Milwaukee

Milwaukee, Oct. 4.—Milwaukee's Rialto will be fully lighted Oct. 5 when the Fox Palace and Warrners' Strand reopen. The former will use stage shows with Jack Richards' band and force. The latter will be given over to The Golden Rule, of which George Gambrill moved along as manager.

Jim Casey, manager of the Palace until it went dark early in August, succeeds Gambrill in that capacity at the Alhambra, which inaugurate a campaign to improve the policy under a new setup, the Palace being the only first run house with this type of enterprise on the avenue to date. That it is possible to manage Warrners' Strand, the policy of which has not yet been announced.

Notices Are Posted At Missouri Theatre

St. Louis, Oct. 4.—Two-week notices have been posted at the Missouri. The unofficial explanation is that this is a precautionary move in case F. & M. are unable to secure enough product to continue the dual policy under which they are operating. The Missouri is the only first run house with this type of entertainment on the avenue to date. The Missouri plans to manage Warrners' Strand, the policy of which has not yet been announced.

Fier on Mascot Tour

Hollywood, Oct. 4.—Jack Fier has left on another trip of Mascot exchanges. He will go east as far as Boston. Fier returned last week from an exchange tour.

Het Manhein, Mascot publicity director, also checks out on a good will tour through Seattle, Portland and Vancouver.

"Tra, la, la—tra, la, la—there's HAPPINESS AHEAD!"
that's service!

• Universal Newsreel pictures of the first World Series game were on Detroit's screens Wednesday Night — a few hours after the game!

• Universal Newsreel pictures of the first game were on Broadway yesterday morning.

• Universal Newsreel pictures of the first game were in St. Louis for the opening of the theatres yesterday.

• Universal Newsreel pictures of the first game were in Los Angeles (and everywhere between West and East) last night!

STEP OUT WITH—

UNIVERSAL NEWSREEL
M-G-M Searching for New Writing Talent

Hollywood, Oct. 4.—M-G-M has started an intensive search for new writing talent and has signed Dr. Gorlan Grewer, University of Southern California English professor, to head the campaign.

Grewer has already established 60 contacts with as many University cities, where the initial works of budding scenario writers are given the once over by the group. Those turning in creditable work are given six-week tryouts by the studio with a long term contract for those who survive the test.

Four youthful writers, who have already been handed long term contracts through the above mentioned search, are: Charles A. Lowell, Robert Parsh, John Higgins and Richard Goldstone.

Youngstown Groups Now Want Previews

Youngstown, Oct. 4.—Previews of films to be shown in Youngstown will be given to club leaders to further the campaign for clean pictures here, Mrs. Oscar Schaefer, manager of the motion picture committee of the Federation of Women Clubs, asserts.

Mrs. Meeks says that some attempt would be made to censor lobby displays of theaters.

X. B. Folsom, president of the Federation, emphasizes the importance of the difference shorty by club and church leaders with representatives of theaters to discuss the movement.

Ilness Halts Para. Film

Hollywood, Oct. 4.—The withdrawal from the cast of J. M. Ker-rigan as result of illness has forced Paramount to stop production on “Father Brown, Detective.” Work will be resumed when someone has been found to replace Ker-rigan in the type role. The pictures are directed by Gertude Michael and Paul Lukas have the romantic leads.

Berlin Gets 14 in July

Washington, Oct. 4.—Fourteen features were exhibited in Berlin in July, 1934, as against 10 in June and only five in July, 1933, according to a report to the U. S. Department of Commerce from Acting Commercial Attache Douglas Miller in Berlin.

Of the 14, six were German, two American, two French, and one each Danish, English, Austrian and Swiss.

Thayer Gets Coast Post

Cincinnati, Oct. 4.—R. W. Thay- er, manager of the local Ross Federal offices, has left for the west coast where he will be district manager, with jurisdiction over Los Angeles, San Francisco, Salt Lake, Spokane and Seattle. He is succeeded here by G. W. Wagner, manager of the Mil-waukee office.

Jensen Takes Col. List

Seattle, Oct. 4.—Jensen Von Her- berg, operators of the Liberty, Venetian, Rocky and Bagdad theaters in Seattle and Tacoma, have signed for the entire Columbus output for the 1934-35 season. “One Night of Love,” will be the opening attrac-
tion at the Liberty.

MOTION PICTURE
DAILY
Friday, October 5, 1934

Variety Club Chatter

Cincinnati, Oct. 4.—The first event of the new season, known as “Monte Carlo Night,” got off to a fly start Monday, with barker’s and their guests present in large numbers. The adjoining room occupied by the Cin-cinnati Variety Club was pressed into service.

Weekly business sessions are out, although weekly luncheons and enter- tainment provided for Oct. 13. The regular luncheon will be held in the newly opened film service.

The fox of Tent No. 3 is set for early November, and will take place in the new Plaza Hall of Mir-

Cincinnati, Oct. 4.—The Variety Club will conduct its first edition of “A Couple of Knights in Russia” with a cast headed by Baskers Hoppe, the mad monk; Ed Romek, Shuns犀, the mad kidnapper; Lou Ansell, the mad woman, and Mrs. Chick Evans as the beautiful empress. The club has inaugurated free buffet lunches to all members and their guests any night of the week.

New officers elected are: George W. Daves, chairman; Al Pacy, sec-
tary; Tony Methe, chairman of the house committee; Al Zimbalist, publicity consultant.

George Tyson is expected here from Pittsburgh for the first annual meeting. Business matters don’t in-
terfere, Johnny Haddad must tag along.

Barker Silver Setbon has been transferred to Warner’s Milwaukee zone.

Barker James Walker became a beneficently recently.

Washington

Washington, Oct. 4.—Sedate and quiet was the weekly luncheon of Tent No. 11, presided over by Frank H. Durkee and Walter D. Pacy, kings for the week.

In lieu of giveaways, lotteries, or other what nots not particularly in good favor by codies at the present Durkee-Pacy, the club $50 to be applied to Variety’s fund for Christmas baskets.

The motion picture name, principally from the Earl theatre stage show, featuring Bert Walton and Larry Allen, was the virtual host of the harmonica.

Bert Wheeler, radio star, socially visiting the Capital, attended as the guest of Harry Meakin, Barker Wheeler regrets the audience with stories and latest Hollywood gossip.

The names of Roy Knight, Warner theatre sound department, Norman Goldstein, Globe Poster Co., and Sydney Leidman, United Artists salesman, have been added to the rolls.

Plans for the first annual banquet and ball are going forward, with Chief Barker John J. Fayette and Canvas-

Barker A. Julian Blylawski and Salesman Alfred Pacy will head the annual meeting of the national organization on Oct. 14 in Pittsburgh.

Plan New Detroit House

Detroit, Oct. 4.—Alex Schreiber and William A. London, operators of several Detroit neighborhood houses, plan a new, 1,100-seater in the southern-western section of the city in the Ford motor district.

Variety Club Moves Begun in Milwaukee

Milwaukee, Oct. 4.—Plans for a local Variety Club have been under way with the following 11 men selected to draw up a charter: Ben A. Romek, 25,000 men; Ed Lefko, 13,000 men; George Fischer, an officer of the M. P. T. O. of Wisconsin and Upper Michigan; Charles Trampe, an officer of the Film Board of Trade; E. F. Maertz, secretary-treasurer, Al-

ied Independent Theatre Owners’ Ass’n; H. E. Weisfeld, managing director of of M. P. T. O. of Wisconsin; Sam Shurman, M-G-M exchange manager; Art Schleifer; Harry Michel, advertising manager; H. J. Fitzgerald, general manager of Wisconsin Amusement Enterprises, Inc.; D. E. Weisfeld, general manager; E. Weisfeld, managing director, Riverside, and Al Kvooll, general manager, Saxe Amusement Management, Inc.

Koenig and Trampe journeyed to Detroit Sept. 30 to study the activities of the tent in that city. The organization will, it is planned to be as charitable as well as social.

New Iowa Ruling on Tax Put Into Effect

Des Moines, Oct. 4.—A new method of advertising the sales taxes on theatre admissions has been adopted by the state board according to a schedule prepared by the theatre representatives. The ruling went into effect Oct. 1 after a survey by the board.

Instead of the former method of 15-cent admissions, for example, with one cent sales tax; the fractional sys-
tem is to be adopted, making the ad-

Newsday read “admission $1.15 plus .003 tax.” The new system will be more accurate, according to Chairman Ray Murphy, as some theatres had previously announced admissions show-

ing for example four per cent to 10 per cent sales tax, instead of the required two per cent.

Milwaukee Houses Shift

Milwaukee, Oct. 4.—The Fox Garden, a theatre which has been under a well-conceived run policy, has reverted to the first run column with “The Count of Monte Cristo” as the current attraction, and an admission policy of 25, 35 and 40 cents. The circuit’s Alhambra, playing first run pictures since its reopening, four months ago, has reverted to extended runs and con-
tinues its vaudeville policy. Reopen-
ing of the Palace is slated for early next month.

Cincy Warnerites Elect

Cincinnati, Oct. 4.—The local Warner club has elected the following officers: Stanley Hecker, president; Fred Stewart, vice-president; Al Shmitken, secretary; James Brunetti, treasurer; Al Shimlett, branch manager, as chairman of contribution and loans.

MeLucas Holds Post

Omaha, Oct. 4.—At the annual election of officers, D. V. McLucas, a long-time member of the board, was re-elected president of the Omaha Film Board of Trade and C. K. Olson, Warner branch manager, was re-elect-
ted vice-president.
Try these 5 SWELL SONG HITS

on your piano (or your pianist)
Lyric by
MORT DIXON

Happiness Ahead

Music by
ALLIE WRUBEL

Sweet-heart, there must be happiness ahead,

I'm sure we'll spend a day of cheer for every little tear we've shed.

Sweet-heart, I see our happiness ahead and there's a

then imagine DICK POWELL singing them to a gorgeous new screen star
Lyric by IRVING KAHAL

Beauty Must Be Loved

Music by SAMMY FAIN

Each garden, each flower lives to be kissed by an

April shower, Give me your lips, Beauty must be loved.

Your charm, dear, Your grace, dear, Let me applaud you with

my embrace, dear, Give me your arms, Beauty must be

...JOSEPHINE HUTCHINSON, direct from her triumphs with the famous N. Y. Repertory Theatre
All On Account Of A Strawberry Sundae

Lyrics by MORT DIXON

Words by ALLIE WRUBEL

They flirted on Friday and married on Monday,

All on account of a strawberry sundae. They

built a house for two.

Believe it or not, that's what a sundae can do. If they had

...using an entirely new technique of song direction developed by MERVYN LeROY...
The Window Cleaners

Words and Music by
BERT KALMAR
and HARRY RUBY

Ev'ry morning we begin
On the outside looking in.
You bet we see a lot
While we massage the window pane.
Out the window we would go
If we told the things we know,
But we're too wise to scandalize.

and surrounded by a cast-full of stars
including John Halliday, Frank McHugh,
Ruth Donnelly, Allen Jenkins, Dorothy Dare
**HAPINESS AHEAD**

**Release date advanced to October 20th, so you can bring this big money-maker in without delay!**

### VARIETY

**Happiness Ahead**

Familiar in story, 'Happiness Ahead' becomes excellent entertainment through dialog and directorial treatment. Picture has speed and novelty, about land in the good grocers. Noteworthy is the cinematic debut of Josephine Hutchinson. Despite the tightness of her part, Miss Hutchinson gives evidence of becoming a stellar screen bet. With a quality similar to that of Helen Hayes, she will be a file favorite.

As an heiress who is tired of the pomp of her surroundings and a dominating mother, Miss Hutchinson sneaks off, becomes acquainted with Dick Powell, a window-washer. She finds Powell and his friends genuine. In an effort to help him better himself, she borrows money from her indulgent father. Powell, not knowing she is wealthy and believing the father to be her boy friend, gives her the air. Dad squares things in time to save her from marrying a man her mother has chosen.

Mervyn LeRoy has given the story a freshness that was necessary to lift it above commonplace. His fast direction keeps the yarn from dragging. Dialog is above par, giving all the characters a naturalness often missing.

Powell is himself as the window washer. He sings four numbers, none of them socks. 'Pop Goes the Weasel' will get a good reception. 'Window Panes,' which has existed a while, should continue to pay off. It is planned for a radio phoners.

### MOTION PICTURE HERALD

**Happiness Ahead**

*Warner*

**Romance**

This picture is composed of popular entertainment and showmanship elements. It's a love story, checkful of human interest. The Cinderella theme is novelty reversed; a rich girl falls in love with a regular fellow poor boy. A spirit of gay romantic adventure motivates. Yet supplementing that quality there's plenty of comedy in dialogue and situations. There's action enough to give the story a tinge of realism. Occasionally comes a pulse quickening thrill. Logical is the touching tinge of contrasting drama, made more potent by smartly controlled suspense. Music, both in song and accompaniment, fulfills a different function than in previous Dick Powell pictures. While it is a feature by itself, its primary purpose is to accentuate the romantic quality of the theme.

In addition to its entertainment quality, it uncovers Dick Powell as a star not entirely dependent upon his singing ability. Also it introduces a new personality, Josephine Hutchinson, not an electric beauty but an actress of ability with the earmarks of potential popularity.

While it covers much that is colorful and interesting, the story is simple and natural. Wealthy Joan finds no interest in the sham and fable of high society. New Year Eve, on an adventurous quest, she lands in a Chinese restaurant. The people there thrill her; she is made one of a party, window washers and shop girls. Romance comes, quick, keen and appealing, for her and Bob Lane. To shield her identity, she rents a walk-up flat.

All goes well until ambitious Dick, desiring to go into the window washing game for himself, but not having the necessary dough, sees Joan get the money from her father. Not knowing the relationship, but accepting the check, he thinks he is being two-timed and the romance begins to end. We hope not.

Short Subjects

"Tale of the Vienna Woods" (M-G-M)

An entertaining Technicolour cartoon that tells the story of the old fairy tale of the deer and the pedestrian satyr. The deer and Porta take a walk through the woods and are chased by a pack of hounds. Later, the deer is cornered by the dogs and the satyr rescues him. Running time, 8 mins.

"His Lucky Day" (Educational)

Featuring Ernest Truex and Josephine Dunn, this short is good entertainment for any region. It has everything, particularly a comedy centering a dinner at a dinner party which Truex gives at the hint of his boss in order to impress a big buyer of their company's products. Truex is a tall Italian and Truex is a tall Italian and a washer-woman. Truex prepares the meal and the dinner comes off in a manner that ought to hand many a laugh to audiences. Production code seal No. 120. Running time, 18 mins.

"Picturesque Portugal" (Fox)

The Magic Carpet of Movie town journeys through Portugal in this reel, starting with shots of dances at a fishing village and ending with views of the city of Lisbon. Particularly interesting are scenes of the countryside, herding bulls and rounding them up for the arena, a bullfight in Lisbon and maneuvers of the Republic's crack cavalry. Running time, 7 mins.

"Time on Their Hands" (Educational)

Featuring Charles Carlisle, the radio star, this short is excellent vocal entertainment. Carlisle is the host of a top numbers, old pipe organ. The Mountain Melodees form the chord background for all the numbers, along with the Eight Bells. Percle Grofe supervised the music. Production code seal No. 97. Running time, 10 mins.

"Stars in the Making" (Dualworld)

Good entertainment is this short, with a unique plot and interesting story. Audiences will like it because of its behind-the-scenes shots of Hollywood's studios. Frank Albertson and Yvonne Pelletier are featured, playing the parts of two extra girls in pictures, and the film traces a day in their life as they work in a studio. Running time, 16 mins.

"The Black Sheep" (Educational)

A 16-min. cartoon that should appeal to children. It is based on the tale of the sheep who cried wolf once too often and is met with a twist at the end. Appropriate music accompanies the action. Production code seal No. 144. Running time, 5 mins.

"Goofy Movies No. 8" (M-G-M)

Petie Skelton gives a dissertation on the fashions of 1913 and then presents an old time "melodrammer" of 1908. As usual, his comments are to the point. Running time, 8 mins.

MOTION PICTURE DAILY

MOTION PICTURE DAILY'S
HOLLYWOOD PREVIEW

"Transcontinental Merry-Go-Round" (Reliance-U. A.)

Hollywood, Oct. 4.—Varied in entertainment appeal, running the gamut from mystery to melodrama, to backstage, to radio show, to girle, girlie musical, to cheating cheaters and romance, Edward Small has impounded a highly satisfactory show with vitality and personality. Laid abead an ocean greyhound, the story is told in retrospect. It visualizes a crazy quilt drama, intermingling wise guys, good and shady ladies, honest hearts and their crisscross motives, which pattern balances with comedy and song set amid lavish and luxurious decorations.

Name values are: Gene Raynond, in his best performance; Jack Benny, the Boswell Sisters, Mittzi Green, Jean Sargent, Jimmy Greer's Orchestra from radio, and a cast with Nancy Carroll, Sidney Blackmer, Ralph Morgan, Shirley Grey, Sam Hardy and William Boyd. Sid Silvers and Sidney Howard, British comics, handle the comedy for boisterous reactions.

The production has been smartly directed by Ben Stololof. It is from Leon Gordon's original, with added agile dialogue by Joseph Moncure March and Harry Com. Original musical numbers were staged by Larry Ceballos and Sammy Lee with Ted Tetzloff. The photography is superb.

The masses will like this for its colorful, vivid and juicy entertainment. Production code seal No. 267. Running time, 93 minutes.

Looking 'Em Over

"Thunderstorm" (Ambico)

In "Thunderstorm" Soyuzfilm has built a grim, sombre tragedy on the theme of an unhappy marriage. Those who like Russian films will find it strong and perhaps satisfying entertainment, but those who go to the theatre chiefly for diversion will find it a bit too drear and ponderous to suit their tastes.

From the start there is a feeling of impending doom. The bride of the tale is married to a stolid young merchant with nothing of the love about him. To make matters worse he is slavishly obedient to his mother. With him it is mother first and wife second. Driven frantic by her neglect of him, she falls in love with a man possessing the romantic qualities lacking in her husband. In a highly dramatic scene the woman confesses her guilt when she is seized with fear at the end of a service. Knowing what lies in store for her should she remain with her husband and defeated in her effort to throw in her lot with her lover, she casts herself into the Volga.


There are English sub-titles in profusion. Running time, 78 minutes.

"A Successful Failure" (Monogram)

An entertaining melodrama designed for family appeal. William Collier, Sr., is outstanding on the list of performances which includes Lucile Gleason, Russell Hopton, Gloria Shea, William Janney, Jameson Thomas, George Breakstone, Richard Tucker and Clarence Wilson.

Hounded by his family to get an increase in salary, Gleason is fired by his newspaper when his eyes begin to fail. Hopton, who is in love with Gleason's daughter, Miss Shea, quits his job because he has faith in the older man's possibilities as a columnist. Gleason has been writing some stuff which continues to be rejected by editors. Hopton becomes his manager and is also father of a radio station, Gleason gets a radio booking and later becomes a sensation.

Gleason manages to keep the change in jobs from his family until he is injured in a park riot in which his son, Janney, is one of the instigators. The rift between Miss Shea and Hopton is settled satisfactorily as well as the family troubles.

Running time, 62 minutes.

Short Subjects

"Yokel Dog Makes Good" (Dualworld)

Here is a short that is ace entertainment. It appears to be a musical burlesque of "Men in White." The entire action is in a hospital, with Billy Gilbert taking the part away from Johnny Downs and Sally Sweet, who are featured. The wind-up of the film is in an operating room, with nurses and interns acting as a cheerleading section, and this part of the picture, with its dialogue and comedy, should have audiences holding their sides. Reviewed without production code seal. Running time, 18½ mins.

"Nifty Nurses" (Educational)

Another of the Adventures of a News Cameraman series. It is very interesting. Europe and outlying places are covered. Shots include fighting elephants in India, whip-fighters in Bali, African warrior dances, sword dance in Portugal, sabot making in Holland and destroying a boat on the Rhine. Reviewed without a production code seal. Running time, 7 mins.

"Mickey Plays Papa" (Disney-United Artists)

Pluto, the dog, steals this hilarious cartoon from Mickey Mouse. A baby is left on Mickey's doorstep on a stormy night and Pluto's efforts to amuse the child, assisting Mickey and his wife in their own playroom, are featured. Recommended for all audiences. Production code seal No. 248. Running time, 7 mins.

"Scour of the Arab" (Dualworld)

Western fans may appreciate this short, but it is centering around an American rancher in Arabia to buy some native horses. His prize mount is stolen, along with his fortune, by bandits and recovered by his top hand. Running time, 26 mins.

"The Chump" (Dualworld)

With Hal Skelly, Lina Basquette and Sally Starr in the cast, this short is disappointing. Skelly is an escaped convict with a passion for writing checks to pretty girls and finally becomes entangled with Miss Basquette and Miss Starr, only to leave them stranded with no money in a night club. Running time, 20 mins.
“Power”  
(Guinness British)  

Guinness British has shrewdly capitalized on the current interest in the German attitude toward the Jews in presenting the film version of Leon Feuchtwanger’s novel, “Jew Suss,” but whether it has turned out a piece of popular entertainment remains to be seen.

Unlike the DriSalet of Arliss, whose struggle for power is ennobled by strong patriotism and an altruistic desire to better the lot of his people, the central character in this picture is driven by an unrelenting hate in the person of a mysterious rabbinical figure to save the life of a condemned Jew. The same fate sends him publicly to visit his mother and to give a grudging recognition to his daughter.

Conrad Veidt gives a splendid performance in a difficult role. He animates himself into the life of a dissolute duke, Frank Vesper, and pushes him to heights of power. In doing it, however, he turns the one love of his life, Benita Hume, over to the duke; he almost lets an innocent man die as a matter of policy. His retribution comes when his daughter commits suicide to escape the duke’s attentions.

In the last reel of the picture he gets a Machiavellian revenge and dies on the gallows seeking peace of spirit. The picture is beautifully photographed and splendidly staged, but seems episodic until the closing sequences, where Veidt seeks something beyond his paternal dispensation.

Cedric Hardwicke gives a sharply etched performance as the mysterious rabbi. Lothar Mendes directed. Production code seal No. 149. Running time, 105 minutes.

“The Scotland Yard Mystery”  
(B. I. P.)  

A mystery yarn which holds the interest despite the fact that the designing villain is known to the audience all the time. It is typically an English picture in regard to accent and names. Not one of the cast is known in this country, but nevertheless all turn in capable performances.

The story is that of a hard medical man at Scotland Yard who perfects a formula which, injected into the victim makes him appear dead. With the aid of an anti-toxin, the subject comes back to life none the worse for his experience. By this method the medical chief lines up five persons, insures them, and after giving them his treatment has them declared dead to collect insurance money.

Sir Gerald Du Maurier, in whose employ the medical man carries on without suspicion, is called on the case when his future son-in-law, a doctor of his father’s choice, is accused of dirty work after he has passed the men as physically fit.

Du Maurier works on the job alone and after a series of clues gets on the trail of his man and finally nails him.

In the cast are George Curzon, Grete Natzler, Belle Crystal, Leslie Perrins, Walter Patch, Henry Victor, Herbert Cameron and Frederick Paisley. Thomas Bentley directed. Running time, 72 minutes.

“Freedom of the Seas”  
(B. I. P.)  

An entertaining bit of humor and drama combined in a nicely balanced story. The picture starts off in a comedy vein and about midway goes straight drama. The players, with the exception of two, have decided Cockeye accents. On the whole, it is amusing and enjoyable.

Clifford Mollison, a sheepish clerk in the office of Wendy Barrie’s father, makes a mess of his advances to Miss Barrie and is fired. A doctor of his father’s calls to Mollison’s aid, advises him to join the naval reserve and prove to the girl and her father his capabilities. After three years in the service he is assigned to a freighter.

Shortly after his arrival on the cargo boat, Mollison learns that Miss Barrie, her father and Zelma O’Neill, a chorine, are on it, having been rescued recently by a U-boat. Also aboard is a German spy, who has bribed the radio operator to send messages to a U-boat. The hero learns what is transpiring, and, playing a lone hand, kills the spy and sinks the U-boat, saving the day for all concerned.

Mollison wins the girl and also praise from her father for his fine work. Running time, 77 minutes.

been decided. In his appeal Huffman under the guise of code or otherwise, claimed that anyone who interfered would be liable for any damages in- unlawfully with a business, whether cured because of the interference.

Says Columbia Not To Produce Abroad  
(Continued from page 1)  

of the foreign personnel and no new offices have been opened recently, Seideman added.

Business in England is very good and experiments are progressing and improving every month, he said. Seideman is holding conferences with Jack J. Warner.

Within the next 60 days “One Night of Love” will be shown day and date in 12 important cities of Europe.

RKO Vaudeville Rochester Activity  
ROCHESTER, Oct. 4.—With all downtown theatres except one in the hands of Comerford, competition that had been lax for the best part of a year burst out again here today with the RKO Palace opening vaudeville and first run film shows to combat Loew’s Royal, also.

Loué’s, which started the ball rolling last week by jumping suddenly into double bill shows and almost as suddenly quitting them, is keeping its eye peeled on the RKO experiment. The Rochester, which has the largest stage here, tried vaude for several times before and gave it up.

The Palace, Regent, Century and Capitol now are controlled by Comerford, who also is bidding against Schine to buy the Pennyswore houses, Monroe and Madison, two biggest neighborhood in the city. The Palace hasboosted its payroll to 75 men, has hired Russ Kahn as orchestra leader, and has named Charles Cole as stage manager and Tom Grierson as organist.

Powers to Conduct Vigorous Campaign  
William T. Powers, who was recently nominated as the Republican candidate for attorney general of New York State, is preparing a vigorous campaign for the coming election. Powers, who is in film circles, having been associated with Fox West Coast in Los Angeles for a number of years, was transferred to New York to handle code matters in connection with F.W.C. He makes his offices at the Fox home office, which is also eastern headquarters for F.W.C.

Johnson in Store Talk  
General Hugh S. Johnson will speak at Hearn’s department store tomorrow at this morning at the conclusion of the celebration of its 100th anniversary. The former NRA administrator’s talk, which will last a half hour, will be broadcast over a nationwide hookup.

Kuykendall Off Today  
ED Kuykendall leaves for Memphis tomorrow on a tour of a number of,newspaper offices, including the Los Angeles clearance and zoning hearing. The M. P. T. O. has panel of members of the appeal committee hearing, which took two days.

Fox Signs Composers  
Hollywood, Oct. 4.—Fox has signed Ray Henderson, composer, and Ted Koehler, lyricist, to join the music department.
FOOTBALL SEASON OPENS!

—AND JUST IN TIME FOR YOU!... A THRILLING ROUSING MUSICAL FEATURE IN THE COLLEGE SPIRIT WHEN THE WHOLE COUNTRY IS IN FEVER-HEAT PLAYING, PRACTISING AND TALKING FOOTBALL!

SONGS OF THE COLLEGES

TWO REELS OF SOUL-STIRRING BLOOD-POUNDING ENTERTAINMENT YOUR AUDIENCES WILL STAND UP AND CHEER!

Featuring
HAL ROBERTS
And his Famous TROJAN BAND

East, West, North and South... there's a thrill for every Old Grad and his son and daughter as the band swings by and the songs they love ring out! They'll be singing them too as the scenes flash by... thrilling scenes from gridiron, track and every field of college sports with good fun and a spine-tiuning music and a GLORIOUS NEW THRILL FOR YOUR SCREEN!

An RKO-RADIO SHORT FEATURE

Produced by Lee Marcus
**“Belle” Gets $61,000 for B’way Start**

**Hollywood Personalities**

Hollywood, Oct. 4.—Al Kaufman celebrated his birthday with a big party given by the Carl Brissotns... and the Frank Tutlikes parted the Bing Crossbys on the occasion of their fourth wedding anniversary... Dick Powell and a bullet from Paramount for “Racing Luck.”... Fred Feating fully recovered from his recent illness. ... Ann Dorval gets the leading role opposite Rudy Vallee in “Sweet Music” at Warners. ... Joan Crawford droves to a new spot behind the scenes. ...

“Belle of the Nineties” was a heavy draw at the Paramount last week, and other local box-office hits, as it has done in other parts of the country. The take was $61,000.

**“Belle” Leads Three Detroit Hits, $28,600**

Detroit, Oct. 4.—Three hits in one week knocked all the local box-office calculations askew.

“Belle of the Nineties” led the parade with a kick of $28,600 at the Michigan. This topped normal by $8,600. “Barretts of Winnipeg Street” proved its second straight week, averaging $6,000 per day. “One Night of Love” was the third smash at $19,600 at the Fox.

Total first run business was $79,300. Average is $7,690.

Estimated takings for the week ending Sept. 27:

- **CHARLIE CHAN IN LONDON** (Fox)
  - Gross: $6,000. Average: $250.
- **BROADWAY-CAPITOL—JOAN HART**
  - Gross: $5,000. Average: $200.
- **BAY OF BARES** (Warners)
  - Gross: $10,000. Average: $333.

**Survey Shows Films Third as Recreation**

Surveys conducted by the Recreation Assn. of New York in 29 cities indicate that films rank third as a source of entertainment, with 5,072 persons reporting.

Of this total, 979 preferred reading newspapers and magazines, 3,935 gave the films their favorite form of entertainment, and 3,670 listed themselves as films fans above all else.

**Dover Honor Nugents**

Dover, Oct. 4.—This town has honored its best known family. the Nugents. A referendum to pick a name for the old Ohio theater resulted in an overwhelming majority for Nugent.

**West Opus Is $14,000, Wow**

Kansas City, Oct. 4.—“Belle of the Nineties” gave the Newman one of its biggest payoffs. It opened at $1,400 in eight days and an all-night opening show. “The Barretts of Winnipeg Street” sent the Midland’s figure to $15,000, high for the week.

The Tower nabbed $8,800, with “Gift of Gab” and a stage show, while “Holy Ghost” did $4,000, $4,800, and $1,800, a second stanza at the UpTown. “The Rich Girl in the World,” the Mainstreet’s attraction, together with the Ross-McLairn in pictures and “La Cucaracha,” trailed at $5,000.

Total first run business was $46,200. Average is $3,560.

Estimated takings for the week ending Sept. 27:

- **THE RICHEST GIRL IN THE WORLD** (Para.)
  - Gross: $14,000. Average: $1,625.
- **THE BARRETT’S OF WIMPOLLE STREET** (M-G-M)
  - Gross: $11,000. Average: $800.

**“Limerlost” Gets $6,000, 2nd Week**

Portland, Oct. 4.—“The Girl of Limerlost” is drawing a steady draw in its second week at the Broadway. It was still over normal by $1,000 on a good week.

The only other attraction in town to show strength was “Now and Forever,” with Hermie King and his band on the stage. The take was $6,000, which in its fourth week was still running along in good shape with a $2,000 take. It moved to the Blue Mouse.

Total first run business was $23,600. Average is $2,180.

Estimated takings for the week ending Sept. 25:

- **THE GIRL OF LIMERLOST**
  - Gross: $6,000. Average: $800.
- **DAMES** (Warners)
  - Gross: $6,000. Average: $800.
- **BLUE HORIZON** (Fox)
  - Gross: $5,000. Average: $625.

Haymick’s Music Box

- **HAYMICK’S MUSIC BOX** (20th-Fox)
  - Gross: $2,000. Average: $333.

The life of the ege, Winters

- **THE LIFE OF THE ERE, WINTERS** (Radio)
  - Gross: $2,000. Average: $333.
This "stick" has been a silent but potent measure of Hollywood salaries for a long time. The triumph or disappointment of expensive productions at the point of public response, measured in cold hard figures, is an unerring criterion of all creative talent-writers, actors, directors, technicians and, in a very real sense, of producers and executives whose judgment dictated the type of story, its treatment, assembled the cast who gave it being, and its costs.

MOTION PICTURE HERALD and MOTION PICTURE DAILY, long aware of the significance of box office reports, have made them an exclusive weekly and daily feature, published without comment. Now the editorial and statistical facilities of both publications have combined to issue the first annual BOX OFFICE CHECK-UP, a summary, with comment, of box office reports and other factors that have contributed to screen triumphs of the past twelve-month. For the first time there is being set up an annual record and reference medium to serve producer, distributor and exhibitor alike, to measure the possible returns of the future by commonsense values of the immediate past.

Notable among the features to be presented in the BOX OFFICE CHECK-UP is a list of all Box Office Champions from August 1933 to July 1934—the big money makers of that time with names and duties of the personnel engaged in their production, including all whose genius combined artistic accomplishment with great box office values.
FAMOUS WIENER (SCHNITZEL) SURGEON EXPLAINS HOW TO INJECT "VITAMIN A" INTO THE BOX OFFICE

"Lo-o-o-o! You shoost make dem leff from dis rib down, alreddy!"

says Dr. Hofbrau, noted scientist who discovered how to make beer with foam on the bottom.

RIGHT HERE is where the laughs begin in this "intimate revue", the funniest, fastest, girliest short comedy that has come out of Hollywood in many a moon...

Nifty Nurses
A MUSICAL COMEDY with
JOHNNY DOWNS
SALLY SWEET

Written and Directed by LEIGH JASON
Songs and lyrics by
WILL JASON and VAL BURTON
Dance Director, ALEXANDER OUMANSKY

"THE SPICE OF THE PROGRAM"

Distributed in U. S. A. by FOX Film Corporation
No New Lease
On Music Hall
Is Looked For

RKO May Simply Supply
Product Hereafter

That a new lease on the Music Hall may not be entered into between RKO and Rockefeller Center appeared likely yesterday as negotiations which have been in progress between the two organizations for almost two months past appeared to have reached a stalemate.

RKO's lease on the Music Hall expired Sept. 1 and discussions of a renewal which were begun prior to that date have been continued almost daily until recently. It is understood,

(Continued on page 2)

Loew-RKO Deal on
Product Effective

Having effected a settlement on the local product situation, as reported exclusively in Motion Picture Daily yesterday, the arrangement between Loew's and RKO goes into effect immediately.

Under the terms of the deal, Loew's will select some Universal pictures for

(Continued on page 3)

"U" in Rush; Three
Going, 8 to Start

Hollywood, Oct. 5.—October ushers in the busiest production schedule at Universal within the past three years, with three pictures in production and

(Continued on page 3)

Ostrer Explains
By BRUCE ALLAN

London, Oct. 5.—Isidore Ostrer, president of Gaumont British, declares in an official statement that he never contemplated relinquishing control of the company, but had in mind a fusion of interests.

The impression prevails here that the deal with B.I.P. failed because of inability to agree upon the price, particularly the amount involved in liquidating director contracts.

It is not safe to assume the discussions will not be resumed.

Find Zoning Haltered by Legal
Quibbling; Lawyers Squelched

Legal minds employed by exhibitors and distributors to handle clearance and zoning and grievance cases before the New York boards are being cautioned to stop wasting time with technicalities.

Members of the boards find that when the lawyers get together in the sessions too many technical points are brought up which retard progress and bring down to simple facts, Leon Rosenblatt also objected to protracted legal orations and questioning.

One of the members of the board noticed John C. Flinn in the audience and wanted to call on him for a clarification, but Lee would not permit it, stating Flinn was attending the session as an observer and not as an interpreter of the code.

The meeting finally got down to order, but all that the case was drawn out to the extent that an adjourned hearing was ordered for Monday.

Allied Now in 32 States;
More Brewing—Samuelson

With the addition of the G.F.T.A., Independent Theatre Owners' Ass'n to its roster, Allied now has unions covering 32 states Pitney Samuelson, president, stated yesterday upon his return from Atlanta. He stated the Atlanta organization covers four states.

"We are not through with our expansion plans yet and will not be until we have complete coverage in the United States," Samuelson added.

Stock Units Again
Philadelphia Worry

PHILADELPHIA, Oct. 5.—Exhibitors will be faced this year with an aggravation of low-box-office scales. In addition to the Broad and Erlanger theatres, the Walnut will reenter the

(Continued on page 3)

Davis Made Head of
Western Penn MPTO

PITTSBURGH, Oct. 5.—William Davis of the Liberty has been named head of the M.P.T.O. in this section. He succeeds Dr. Herman of Carnegie.

All of the other M.P.T.O. of

(Continued on page 4)

MPTOA Men Gather
For Memphis Meet

MEMPHIS, Oct. 5.—M.P.T.O. leaders are scheduled to arrive here tomorrow for the annual convention of M.P.T.O. of Arkansas, Mississippi

(Continued on page 4)

Gaumont Dickering
For Three Players

Gaumont British has negotiations under way for three American stars for future productions. Michael Balcon yesterday held a telephone conversation with Myron Selznick of

(Continued on page 4)

Clearance May Be
Sent Back to L. A.

After three days of hearings, a Campi appeal committee ended discussion yesterday on the Los Angeles clearance and zoning schedule. It is understood that the plan will be sent

(Continued on page 4)

Not to Resign Now,
Asserts Rosenblatt

SAN FRANCISCO, Oct. 5.—Division Administrator Sol A. Rosenblatt indicated here today in private conversations prior to his address before the

(Continued on page 4)

Schenck Sees
Sinclair As
Film Menace

Says Producers Would
Have to Quit Coast

Election of Upton Sinclair as governor of California would be a blow that the industry could not stand, declared Joseph M. Schenck, president of United Artists, upon his arrival at Newark Airport from Florida and Mexico yesterday. The industry would be forced to move elsewhere if Sinclair should attempt to carry out his Socialist taxation plan, he insisted.

His remarks were in explanation of a statement made the day before in

(Continued on page 3)

Small Working on
Two Coming Films

Edward Small, vice-president in charge of production for Reliance Pictures, is concentrating on two stories at present, and expects to return to the coast in a week or 10 days to get production under way. One is

(Continued on page 3)

"Barretts" Capitol
Hit; Gets $65,860

Chalking up the largest gross in 10 months, the Capitol garnered $65,860 on the first week of "Barretts of

(Continued on page 4)

Platinum Out

Hollywood, Oct. 5.—Color pictures are going to be hard on platinum blondes, says Robert Edmond Jones, radio designer, who is now working on sets for "Becky Sharp," which is to be done in the three-color Technicolor process.

They just won't photograph, says Jones. Regular blondes will be all right.
A "Lost Lady" (Warner's) — Adds particular appeal for the feminine contingent although the fine acting of the cast's principals in the successor performance of Alfred E. Green, will make magnets to attract any movie-goers of the fair sex.

Daily Mirror — Barbara Stanwyck has such great skill that the genuine acting story behind the plot is almost swallowed up by her performance. "The Old Lady" an absorbing picture. There is little to it, as a movie, but it is a commercial success.

Daily News — The character and locale of the story are completely changed and only by the help of the situation of the drama is left in the new version.

But aside from the fact that the film version of "A Lost Lady," which is now on view at the Strand Theatre, is not the same as the Marion Davies vehicle, Barbara Stanwyck's acting of the title role in something worth going out to see. The balance of the cast is good and Alfred E. Green's direction and writing is well timed.

Concerning Journal — "The author will probably not recognize it, but, retaining the title, the scenarios Gene Markey and Kath Yrna Scola have turned out an interesting story rhythmically well played by Barbara Stanwyck.

Saw — A bit of heaven and some dismal drama about a disillusioned girl, desperate to marry, but not a very absorbing story, rather than love. "Barbara Stanwyck, as usual, almost saves the day by giving the two elementary but honest performances.

"Wagon Wheels" (Paramount) — American—A good, old "Western" thrill-er, the newcomer to the Mayfair screen, holds all the ingredients of the outdoor episode. "Daily News" — This film is not very rapid, but the pace it sets is easily enjoyed.

"Now, It's a Well-Made, nicely photographed piece, written and directed with a lack of originality which probably gives it the kind of story from the given road. But it has the straight melodramatic picture.

The film does possess much that is interesting and entertaining. The result are mostly for what it might have been.

Abelson Quits World

OAKLAND, Oct. 5 — Art Abelson has resigned as manager of the World, an A. H. Blank first run, in the new Roxie in Glensford, Mont. The house had exceptionally completed to meet the boom expected to result there from the Pacific Coast, Glenwood, picture, planning under way. His successor at the Blank house has not been named yet. Abelson leaves for his new post tomorrow.

Anna Sten at Music Hall

Anna Sten is scheduled to arrive in town to make a personal appearance at the Music Hall, Nov. 1, in conjunction with the opening of her picture, "We Live Again."

Lubitsch in on Monday

HOLLYWOOD, Oct. 5 — Ernst Lub-"itch, director of "The Merry Widow," leaves here by plane Sunday. He will attend the opening of the picture at the Astor there on Oct. 11.

Better Tone in Big Board Trading


Technicolor Advances 3/8 on Curb


Bonds Show Upward Trend


Quakers for Clean Films

RICHMOND, Ind., Oct. 5 — Indecent films were read before the Quakers at their Indiana yearly meeting. They adopted a resolution pledging themselves to aid the Legion of Decency. Copies will be sent to Will Hays, the executive secretary.

Strickling Goes West

Howard Strickling, M-G-M studio publicity head, left for the coast by plane yesterday and arrives in Hollywood tomorrow. Lewis B. Mayer, M-G-M's president, and Sum Katz are due on the coast Monday.

George K. Arthur Back

George K. Arthur returned from Europe today to leave for the coast some time next week. He will remain in New York several days discussing deals for plays on which he holds options.

Evangelical Church Denounces Industry

AKRON, O., Oct. 5 — The screening was denounced as a moral menace in a message from the bishops of the Evangelical Church. A special delegation of 11 bishops attended the 31st general conference of the church. Their comment follows: "Abnormal sex life, free love and its rival, adultery, indecent literature, indecent motion pictures. In the thrilling farce of the last century, the sins of today are depicted. In the acting of the sin, all the roles are played.

The worsening of the freedoms of American women and the exploitation of their natures might well be designated as a 'million dollar film mill.'

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Schenck Sees Sinclair As Film Menace

(Continued from page 1)

Miami that United Artists might be forced to move to Florida. "Personally, I hold everything in my power to oppose his election," Schenck continued, "and I think it the part of wisdom for the industry as a whole to get in back of the opposition."

Skelton is a distinguished airplane, Schenck's opinion.

"He won't become a Democrat or a Republican if he wins," said the United Artists head. "He'll be a Socialist as he always has been, and he gets a big majority, the Legislature, in fear of public sentiment, will do his bidding."

Asked if he thought production could be switched to New York on a large scale, he said he believed not.

Rules Out New York

"It's a business that requires concentration of talent and facilities in a small area. It can't get this concentration in New York. Anyways, an important element in any other situation is the fact that influential men there have assured me it would be possible to secure tax exemption for a period of 15 years."

Accompanied by Douglas Fairbanks, Schenck flew in from Mexico, via Yucatan, San Juan and Miami. His plane left Miami Thursday morning, but was held overnight in Charleston, S. C., by fog. The Mexican City visit was in an attempt to influence the Mexican Government not to impose a 10 per cent tax on the sale of movietone, which is paid on film to which Mexico has its copyright.

Schenck expects to stay in New York about four weeks. He will meet Miss Helen Gahagan, actress, to whom he is engaged, when she arrives here on her way to the coast.

Fairbanks Says Little

Fairbanks was non-committal. He hurried away from newsmen photographers, but paused long enough in the airport office to say that he probably will be in New York a week. He is still considering his plans to make a Chinese picture, he said. He also has received many requests to remit "The Mark of Zorro," but is giving this some thought.

Both Schenck and Fairbanks said there was no significance in the dissolution of Art Cinema.

"It simply didn't make money," Schenck explained. "It was one of the first really unit productions, and I was through United Artists like 20th Century, Reliance and Goldwyn."

A. C. Blumenthal, who is welcoming aviation, says that nothing had been done about his tentative plans for producing for United Artists release.

Others who greeted the fliers were: Joseph Moskowitz, vice-president of Reliance Pictures; A. J. Brown, treasurer of Reliance Pictures; Arthur Stebbins; Harry D. Buckley, vice-president in charge of U. A. theatres; Dennis F. O'Brien, of O'Brien, Driscoll.

**MOTION PICTURE DAILY**

HOLLYWOOD PREVIEW

"Firebird"

(Warner's)

Hollywood, Oct. 5.—A first-rate murder mystery.

The story concerns an actor (Ricardo Cortez) found dead in his apartment following visits from several of his friends. Every tenant in the building is suspected, including a husband and wife (Lionel Atwill and Verree Teasdale), their daughter (Anita Louise), her governess (Marie Doro), the owner of the building (Robert Barrat), the dead man's ex-wife (Dorothy Tree) and the night porter (Spencer Charters).

To make things tougher for Inspector C. Aubrey Smith a lady who could not have possibly committed the crime confesses, evoking the question: "Whom is she shielding?"

The solution brings in more than enough elements of suspense and surprise to provoke plenty of audience interest. Director William Dieterle does not allow the action to lag. The cast is excellent, particularly Miss Louise, who gets the most opportunities. Etienne Girardot, as an erratic professor, contributes one of the funniest comedy bits in some time.

The photography of Ernest Haller is good.

This film should do well in spots where fans like their mysteries sophisticated.

Code seal number 233. Running time, 75 minutes.

& Raftery; John Myers, London Films, and Harry M. Goetz, president and treasurer of Reliance Pictures.

Small Working on Two Coming Films

(Continued from page 1)

"Beau Brummel" and the other is "Gungho Din."

Writers are busy on both. Sam Wood has been signed to direct one and probably will get the Kipling story. He may send a camaraman to India to get some atmosphere shots, but the picture will be made in Hollywood.

Small has no present plans for eastern production, he says, as he thinks coast facilities are superior.

"If a story should develop that seemed better fitted for New York studios than the coast, I wouldn't hesitate to do it," he added.

Details of the "Beau Brummel" story have not been set. Robert Donat will play the lead. Warners made "Beau Brummel" 10 years ago, Small said, but they own the Clyde Fitch play done by Richard Mansfield. The story of Brummel's life are in the public domain, he stated.

Stock Units Again

Philadelphia Worry

(Continued from page 1)

field on Oct. 15 with traveling stock as its new eastern circuit being launched by Ivan Cedar. First attraction will be "She Loves Me Not."

The Broadway Erlanger, operated by John F. Nixon-Nirdlinger began to use Wee & Leventhal productions last season at the beginning of the Helen Trehubek line, the explained the topnotch business with a series of shows which sold most of these seats in the neighborhood of 40 cents. The scale reached to two dollars, but there

were very few seats or sales at the highest.

This year, the Broad is now in its second week of capacity business with a traveling stock production of "Pur- suit of Happiness" with at least two more weeks to go, while the Big Erlanger, which opened this week, is doing good business with "Mrs. Quinicy Hollis."

Both houses have a long list of bookings, with productions being built quickly whenever the current attraction falters.

"U" in Rush; Three Going 8 to Start

(Continued from page 1)

Eight scheduled to begin within the next 30 days. Shooting are: William Wyler's production, "The Good Fairy;" "Night Life of the Gods," being directed by Lowell Sherman; and "The Man Who Reclaimed His Head," starring Claude Rains.

Scheduling to go within the next few weeks are: two Ben F. Zeidman productions, "Straight From the Heart" and "I've Been Around"; Stanley Bergerman's "Strange Wives;" Edmund Grainger's "My Mystery of Ed- win Drood;" a Buck Jones feature still yet untitled; the third 15-chapter se- rial on the current schedule to be di- rected by Louis Freidelander; a Zoe Akins story to be directed by Howard Hawks; and Murray Roth's "Mr. Dynamicite."

Fight Films Near School

License Commissioner Paul Moss was asked yesterday by the Community Councils of the City of New York to grant the request of the principal of Erasmus Hall, Brooklyn, that a license be denied a new Trans- lux house being built near the school.

Holds Bobby Connolly

Hollywood, Oct. 5.—First National has changed Bobby Connolly, dance director, under a long term contract.

No New Lease On Music Hall

Is Looked For

(Continued from page 1)

however, that current discussions no longer contemplate a lease renewal, one of the main reasons for the current state of RKO's future status in association with the house. That there will continue to be a definite affiliation between RKO and the house is quite certain, although that affiliation may be limited to an arrange- ment which will merely provide the house with a supply of product.

Of the Music Hall in all possibilities would be carried on by the Rockefeller interests under the immediate direction of W. G. Van Schmus, whose regime has become more and more independent of RKO supervision in recent months. Van Schmus made an early departure yesterday for a week-end engagement and could not be reached for comment on these developments.

The old RKO lease on the Music Hall provided for a rental to be paid to Rockefeller Center after deduction for operating expenses, maintenance and other contingencies. The Rockefeller Cen- ter participation in rents, therefore, depended entirely upon the profit made by the house, which, in turn, led to Rockefeller Center taking a continu- ingly increasing authority over actual operation of the building. It is this situation which now appears to be relegating an RKO lease on the house to the discard.

Loew-RKO Deal on Product Effective

(Continued from page 1)

its houses. This turns the rest over to RKO. No Columbia product changes hands. Loew's will go through with the original contract with this dis- tribute.

Only one of the 11 houses recently acquired from independent by RKO is being dropped. That is the Orca, Brooklyn, which Randforce takes over. Nov. 1. Randforce does not sur- render any product in acquiring the theatre. It is simply taking over the lease. Louis Frisch and Sam Zinman have always wanted the house, but until recently kept it closed. This, however, cannot be done under the rental deal with RKO.

Loew's has turned over the Fox product to 30 RKO houses, but the recently acquired group is not in- cluded in the switch.

There will be three sets of first runs in the uptown situation, the first group being Loew houses, the second, RKO, followed by the Nemo, Riverside, Stoddard and Beacon.

Skouras is closing the Jap Gardens along the Riviera, in the same building.

H. L. Tracey Is Injured

Willard, O. Oct., 5.—H. L. Tracey, local exhibitor was seriously injured when his automobile collided with another near here. His condition is con- sidered critical by hospital author- ities.
Boston, Oct. 5.—Grosses showed a steady gain this week in spite of the fact that one of the biggest attractions was showing a film for the third week and another for the second week.

Metropolitan was high with "Cleopatra" grossing $2,925, for $4,500 above the average. "Charlie Chan in London" took second honors with $2,000. "The Bowery" was $1,935.

In its third week, "The Count of Monte Cristo" at RKO Keith's made a high profit of $3,000, the average for the three weeks of $5,000, one of the highest takes ever given a first run held over for three weeks in Boston. Total gross for "The Howling Dog" was $102,000. Average is $94,000.

Estimated takings for the week ending Oct. 4:

"CHARLIE CHAN IN LONDON" (Fox) (BOSTON) 2,000, 26c-5c, 7 days, Vaude. Gross $12,000. (Average $1,600)

"NOW AND FOREVER" (Para.) (BOSTON) 2,000, 26c-5c, 7 days. Gross $9,500. (Average $1,350)

"THE BARRETT S OF WIMPOLE STREET" (Warners) 3,000, 26c-5c, 7 days. Gross $12,000. (Average $1,710)

"LOEWS'S STATE" (2,000), 26c-5c, 7 days, 2nd week, Gross $16,000. (Average $2,286)

"CASE OF THE HOWLING DOG" (Warners) (PARK) 2,000, 30c-50c, 7 days. Gross $13,000. (Average $1,857)

"THE COUNT OF MONTE CRISTO" (U. A.) (METROPOLITAN) 2,500, 30c-50c, 7 days, 3rd week. Gross $10,000. (Average $1,429)

"THE VITASCOPE" (Para.) 2,500, 30c-50c, 7 days. Gross $8,500. (Average $1,214)

"JUDGE PRIEST" (Fox) 2,000, 30c-50c, 7 days. Gross $10,000. (Average $1,429)

"OUR DAILY BREAD" (Fox) 2,000, 30c-50c, 4 days, Gross $7,000. (Average for week $2,200)

Clearance May Be Sent Back to L.A.

(Continued from page 1)

back to the coast board for revamping a second time. The committee, which heard the discussion, will recommend to the studio on the film's meeting next Thursday, it is said.

Considerable interest in the plan received around the Fox West Coast-Warner situation, the former having the Uptown and the latter the Forum. According to a decision of the coast board, both houses are in competition with each other and should play pictures simultaneously.

F. W. C. had prior run on its Uptown. F. W. C. had two lawyers and a bondman on the stand. The Fox lawyers, after a decision of the War

Not to Resign Now, Asserts Rosenblatt

(Continued from page 1)

American Federation of Labor convention that he has no present intention of resigning. If he does resign, he said, it will not be for some time. The statement before the convention he made no mention of film problems. He discussed the NRA in general terms and praised President Roosevelt's recovery program.

Rosenblatt left for Hollywood immediately after speaking.

Los Angeles, Oct. 5.—Division Ad
ministrator Sol A. Rosenblatt returned from San Francisco tonight.

Motions pictures will be back East Sunday when he will fly back east.

Division Administrator Sol A. Rosenblatt is due back from the coast on Monday. He will go straight to Washington.

Saturday, October 6, 1934

Hollywood Personalities


Challenge Contract On Uncensored Film

BUFFALO, Oct. 5.—The legality of selling pictures before they were made and hence before they could be subject to state censorship was questioned by the losing side in a film contract suit decided by Justice John V. Maloney in Supreme Court. Justice Maloney upheld a contract entered into Oct. 16, 1933, between the Standard Film Exchange of Buffalo and the Eastwood Amusement Co., Inc., of Buffalo. The suit was filed at the request of the point raised by Sidney B. Pfeifer, counsel for Eastwood. Standard sued to force arbitration, and, if defeated on the contract, it charged failure to play contracted pictures in defendant's Palace Theatre. In his argument before Justice Maloney on Sept. 4 and subsequent brief, Attorney Pfeifer cited the censorship statute in force in 1932 and declared in terms that it made unlawful to sell, lease or exhibit any picture not licensed by the censorship division of the State Department of Education.

"Barrett's" Capitol Hit; Gets $55,860

Wimpole Street." The picture is being held over. "Dancing Lady," with $66,053 for eight days for the week ending Dec. 7, 1933, was the biggest grosser. "Calva-" at the Music Hall held to a fair gross with $75,000. "Bellevue of the Night" opened during the second week at the Paramount. The Roxy with $25,500 on the second week for the show "Chin Chin" making it one of the week's. "Good," British Agent at $23,109 for a second week at the Strand was good, while "She Loves Me Not" at the Palace, second run, made $14,000, which is not bad. "Count of Monte Cristo" took $56,000 at the Rivoli during the initial run. Over in Brooklyn, "One Night of Love" at the Fox tallied $32,000 on the first seven days and is being held a second week with a strong possibility for a third week.

Studios Approve 43 Free-Lance Writers

HOLLYWOOD, Oct. 5.—Forty-three free-lance fan writers out of 61 now carrying credentials were app

FitzPatrick May Do Metro Feature

HOLLYWOOD, Oct. 5.—James A. FitzPatrick has arrived from the east to make a Technicolor short on the Warner Bros. lot. He had been asked to produce the short, will have the picture produced. Jack Lewis read messages from fan magazine editors offering hearty co-operation in all that bears down the famous at the studios and make sure the control over the public relations of the industry in a bad light.

MPTOA Men Gather For Memphis Meet

and Tennessee, which will be held Monday and Tuesday.

Among those expected are Ed Kuykendall, M.P.T.O.A. president; Free Wehrwein, present vice-president; M.P. T.O. of Eastern Missouri and Southern Illinois, and Jack Miller, president of the Exhibitors Ass'n of Chicago. Also expected is David Palfreyman, theatre contact for the M.P.T.O.A. M. A. Lightman, president of the Tri-State unit, will pres-ent.

"Cristo" Pittsburgh Hit

PITTSBURGH, Oct. 5.—"The Count of Monte Cristo" has been breaking all sorts of records at the Fulton Theatre the last three weeks. It has been announced. It's the first picture to win such extended time here in almost two years.

Opening to the biggest business since "The Private Life of Henry VIII," it fell off only a little during the week. It will do well now that it may even stay a fourth.

Milwaukee Board Meets

MILWAUKEE, Oct. 5.—The clearance board today discussed revision of the local zoning schedule in accordance with the principles laid down by Campi. Another meeting will be held Oct. 11.

Roger Piles Up a $10,000 Denver Gross

DENVER, Oct. 5.—With three first runs going strong and two held over, business in the downtown sector has some of the appearance of a boom. "Judge Priest" led the parade with a $10,000 gross at the Denver which topped out for $400. "Sin of the Nineties" had a big second week at the Denham with $6,000, and "Count of Monte Cristo" was 100 per cent over normal at $5,000 in the Clara. Total first run business was $25,500. Average is $26,500. Estimations for the week ending Oct. 4:

"COUNT OF MONTE CRISTO" (U. A.) (DENHAM) 2,500, 35c-50c, 5 days, $8,500. (Average $1,700)

"JUDGE PRIEST" (Fox) (DENHAM) 2,000, 35c-50c, 5 days, $11,000. (Average $2,200)

"PURSUED" (Fox) (DENHAM) 2,000, 35c-50c, 3 days, $4,000. (Average $1,333)

"OUR DAILY BREAD" (Fox) (DENHAM) 1,500, 35c-50c, 4 days. $7,000. (Average for week $2,200)

"Transatlantic" Is Title

Reliance's latest production for United Artists release was previewed in yesterday's edition of "The Daily" under the title, "Transcontinental Merry-Go-Round." The title of the film is "Transatlantic Merry-Go-Round."

R. J. Minny Coming East

Hollywood, Oct. 5.—R. J. Minny, author of the book "Clive of India," which he has adapted for 20th Century for Ronald Colman's use, was on his way to New York tonight.
RKOPayments Held Pending Court Action

Proposed Deal Reduces Monthly Maturities

Payment of accumulated maturities of $500,000 of principal amount of the $1,500,000 RKOP gold notes outstanding, held by Consolidated Film Industries and secured by virtually all of the RKOP investments in subsidiaries, is being held in a dispute pending submission of a new agreement to the U.S. District Court here providing for a reduction in the amount of the monthly maturities of the notes, it was learned Saturday.

The new agreement, if approved by the court, may lower the monthly maturities (Continued on page 8)

First Run Situation Acute in St. Louis

St. Louis, Oct. 7.—The first run situation has become acute. With four first runs in operation in recent months, there have been weeks when all of them have been in the black, but with nine running at present newspapers and billboards doing a better, it is believed to be getting most of the benefit.

World Series crowds are a big help at present, with "Pamela," "She Loves Me Not," "Cleopatra" and "British Agent" running. There is some talk of a code complaint by F. & M. to get product.

Washington Houses Take in $5,165,000

Washington, Oct. 7.—Box-office receipts at 191 film theatres in the state of Washington last totaled $5,165,000, while legitimate and vaudeville total was $1,899,000.

The bureau also released figures for Virginia, showing receipts of $4,129,000 by the 129 film and vaudeville houses in the state.

The film houses in Washington paid out $1,027,000 in wages in 1933, the (Continued on page 8)

Tries Gold Hooks

Hollywood, Oct. 7.—Trout up Long Pine were so tired of rusty hooks that they won't bite any more. Gary Cooper is going to fool them with gold hooks and needle points.

MPTOA Busy on Moves to Add Three State Groups

New MPTOA units are expected in northern New Jersey, Michigan and eastern New York.

The three contemplated units, if organized, would invade territories dominated by Allied, which has considerable strength in these regions.

Recently, Ed Kukyndahl, president of the MPTOA, stated that a trio of new affiliations was being considered by his organization, but he would not mention the territories in mind.

Allied last week annexed the GFTA Independent Theatre Owners' Assn. of Atlanta, which covers four states and raised the total of states in which Allied is represented to 32. Allied plans to invade all MPTOA territories in the time and it is believed the MPTOA will not sit back without making a like move against Sidney Samuelson's organization.

Samuelson plans to add another independent organization to his ranks within the next few weeks, but will not tip off the unit until it aligns with Allied.

Northern New Jersey is Samuelson's stamping ground, and if the MPTOA ventures into this Allied stronghold, it is said Allied will make a strong play for additional southern territories.

Deal on to Settle Suit by Quittner

An out of court settlement of the long pending Edward Quittner monopoly suit, asking triple damages in excess of $5,000,000 from Paramount Publix, the MPPDA, and a majority of its member distributing companies, is being discussed and may be consummated in the near future, it was learned Saturday.

The Quittner suit was tried in U.S. District Court here early in 1933 and dismissed by Judge Francis G. Caffey who held that even if it were to be assumed that the defendants were guilty of a statutory violation there was no basis for determining the amount of damages suffered by Quittner as a result. Graham & (Continued on page 8)

Columbia Directors Meet Here Tomorrow

Columbia's board of directors meeting will be definitely held tomorrow after several postponements. Harry Cohn, president, will be unable to attend because of increased production activity on the coast which will require his presence at the studio.

At the meeting seven directors will be elected and contracts of Harry and Jack Cohn, which have been for three years as of July 1, 1934, will be ratified.

L. A. Hearings Over, Coast Men Returning

Following a three-day hearing on the Los Angeles clearance and zoning schedule, distributor and exhibitor members who came east for the hearings (Continued on page 8)

Settle Para. Tax Claim at $216,919

Settlement of a 1930 income tax claim of $471,452 filed against Paramount Publix by the Treasury Department has been made for $216,919, it was learned Saturday.

Prior to the settlement the claim had been reduced to $389,054 after having been contested by the Paramount Publix trustees. At the time the tax was levied against Paramount by the Treasury Department, Arthur A. Ballantine of Root, Clark, Buckner & Ballantine, counsel for the Paramount trustees, was under secretary of the treasury. Because of this circumstance Ballantine has been eliminated from sharing in the fee paid his law firm for its services in contesting and settling the Federal claim.

France to Abandon Import Quota Plan

Paris, Oct. 7.—France will abandon its import quota system on Nov. 15 after six months' study of its workings, the government has made known.

Preparations for the change are being hurried in order that it may be made effective prior to Nov. 15, the date on which the government's extraordinary powers to make tariff (Continued on page 8)

Expect a Break in Pittsburgh Ad Row

Pittsburgh, Oct. 7.—A break is expected here shortly in the fight to win a lower theatre advertising rate. Right now, the situation remains as it has (Continued on page 8)

British Deal Said to Hang On 2 Million

Report Maxwell Eying Fox Gaumont Stock

LONDON, Oct. 7.—Negotiations for an amalgamation of British International Pictures and Gaumont British are understood to have broken down over a difference of about £2,400,000 on the purchase price.

The opinion prevails here that negotiations may be resumed, but few will venture a prediction as to whether this will be in the near or remote future.

Reports in the financial district over the week-end were to the effect that John Maxwell is now interested in purchasing the Fox 49 percent in Gaumont British held by Chase National Bank.

An offer has already been made, according to one report.

Color is lent to the rumors by the Isidore Oster statement following (Continued on page 8)

Mexico City Film Row Is Optimistic

MEXICO CITY, Oct. 7.—Film row is also optimistic over the assurance of President Abelardo Rodriquez to distributors, including representatives of nine American producers, who petitioned him to exempt the film industry from the proposed 10 per cent rental tax. While conferences with the President (Continued on page 8)

Talks on Music Tax Go On Again Today

A second meeting to discuss a compromise of the new music tax rates is scheduled for today between members of the exhibitors' emergency committee and E. C. Mills, general manager (Continued on page 8)

Schlanger Colonel

Added to the regiment of Kentucky colonels is Ted Schlanger of Warners' home office theatre department, who receives his commission as aide-de-camp on the staff of Governor Ruby Laffoon.

Schlanger
New Garbo Pact with M-G-M Almost Ready

HOLLYWOOD, Oct. 7.—Negotiations between Garbo and M-G-M, and a new contract are nearing completion, but details are being kept secret until the signatures are signed.

It is believed that if Miss Garbo and M-G-M do not get together, she will make pictures for Walter Wanger, Paramount's release or that she may divide her work between Wanger and M-G-M.

Harry Edington, Miss Garbo's manager, would not discuss the contract situation prior to his departure early this week for a trip to London, England, on a five-week vacation. He said any information regarding Miss Garbo's negotiations could only have to come from studio officials.

The Swedish star does not contemplate a trip abroad at this time, Edington stated. Barbara and Ken Edington's wife, is accompanying him.

Release Turner Plane

PARKERSBURG, O. P.—"The Warner Comet," huge Boeing transport airplane to be piloted by Col. Roscoe Turner and Clyde Pangborn in the new transatlantic flight, has been released by French customs officials.

The plane had been seized because of the non-posting of a 500,000-franc bond by the pilots to certify that the plane would not be sold in this country.

The United States Lines came to be the aid of the stranded airmen and posted the bond for them so the planes would be unable to raise the money.

Clark to Coast Soon

Within the next 10 days, John D. Clark, general sales manager of Fox, will leave for the coast and will visit the studios. He will stay at the Hollywood Roosevelt Hotel where he will act as general sales manager.

He is expected to visit the studios, and Clark and Wobber will return east, visiting Fox exchanges en route and holding special meetings in connection with the S. R. Kent Drive.

In Washington today.

"Bo" Dowling Resigns

Ambrose B. Dowling has resigned as European representative for RKO Pictures Corp. in London, England. Dowling, convalescing from a recent illness, the RKO home office stated Saturday. No successor to Dowling will be named.

His duties to be consolidated with those of Phil Reisman, vice-president of RKO Export.

Columbia Gains Half on Big Board

High Low Close Net Change
Columbia Pictures, etc. 36 35 36 1 1/4 700
DeMille, etc. 28 28 28 0 0 0
Lorne Inc. 100 100 100 0 0 0
Lee's Inc. 29 28 29 1 1/2 475
Paramount Western, etc. 20 20 20 0 0 0
Paramount Public, etc. 4 4 4 4 1/4 1/2 1,475
Paramount Public 4 4 4 4 1/4 1/2 1,475
RKO 2 2 2 2 1/2 0 450
Warner Bros. 1 1 1 1 1 0 450

Technicolor Up Half on Curb

High Low Net Sales
Technicolor 12 1/2 12 1/2 1 1/2 1,000

Warner Bonds Drop 1 1/4 Points

High Low Net Sales
Keith B. F. 6s 4 62 4 61 1/4 1/4 625
Lorne's 6s $1 1/2 101 101 1/2 1/2 100
Paramount Western 4s 1/2 41 40 40 1/8 0 100
Paramount F. L. 6s 4 47 46 46 1/4 1/4 50
Paramount Public 5 5/8s 4 65 64 64 1/8 1/8 50
Warner Bros. 6s 5% 61 61 60 1/2 1/2 500

purely personal

RUDY VALLEE and LOU HOLTZ leave for Fox studios this week. Vallee and Holtz are to appear in "The Green Hornet," and will also be in "White Shadows," a new series of films for which Rudy is choosing the starring role.

New Orleans, Oct. 7.—Gaston J. Dureau, Sr., father of the late Head of the Saenger circuit booking department, is dead at the age of 67. He died from stroke.

Dureau, Sr., was a charter member of the Choctaw Club and a close friend of the late Mayor Behrman. He is survived by his widow, Mrs. Terrence Maurice Dureau, three sons, Gaston, Milton and Alton, and a daughter, Mrs. Pauline Langkee.

Funeral services were held today and members of the local theatrical colony as well as exhibitors attended.

Shift Date on "Aran" Opening of "Man of Aran" has been changed to Oct. 18 at the Criterion instead of Oct. 19. Simultaneous with the Criterion opening will be "The Little Friend" at the Roxy.

Arnold Van Leer will manage and handle advertising and exploitation at the Criterion.

Tiger King, Maggie Dillane and Michael Durrell, three natives from the Island of Aran, will make personal appearances at the Criterion and the Gaumont British picture opens. Following the opening, the natives will return to the island.

New Industrial Series

EMERSON YORKE, formerly of Paramount Studios, has just completed production on a two-reel industrial short, "Romance of Rugs." Described as an "educational photographic theme in two studies," the film depicts the origin, care and hygiene of Oriental rugs and is available in 35 mm. 16 mm., in both silent and sound versions.

Lefonts Closes Deals

NAT LETENON of Monogram has closed a deal with Superior Talking Pictures, Inc., for 12 westerns for use in the western Pennsylvania and West Virginia territories. He has also contracted for six "Tarzan," the Police Wagon features and "Gaston Northwest-Mounted" features for the same territories from Stage and Screen Prod. Inc.

R. L. Estill Promoted

SEATTLE, Oct. 7.—Robert L. Estill has been promoted to assistant booker at the local Paramount exchange. Max Hadfield succeeds Estill as head shipper.

Film Men at Crime Session in Capital

WASHINGTON, Oct. 7.—Representatives of the film industry will join with the Washington Bureau: of the FBI next Thursday for a three-day conference on crime.

The conference was called by Attorney General Homer S. Cummings, who announced that it would be held in his recent radio address on the national crime problem.

President Roosevelt will address the meeting at its opening session Wednesday night.

The conference is to consider the causes and prevention of crime; investigation and apprehension; criminal courts and punishment, and detention, parole, probation and pardon.

Hays on Clean Films

Will H. Hays is scheduled to describe to the biennial convention of the International Federation of Catholic Alumnae at the Waldorf Astoria, Friday, the industry's efforts to meet the clean films issues of the church decency campaign.

Wilcox to Do Musical

LONDON, Oct. 7.—Herbert Wilcox, production chief of British & Dominions, will produce "The Bohemian Girl," a musical, and will direct the picture himself. Wilcox is also having a completely modernized score written for the picture.

Nine Song Writers at Fox

HOLLYWOOD, Oct. 7.—Fox has nine song writers penning tunes for future productions. They are: Ray Henderson, Ted Koehler, Johnny Green, Ed Heymann, Al Sherman, Joseph Myer, Jack Yellen, Jay Gorney and Don Hartman.

Reagan Finds Upswing

Returning from a sales trip to Chicago, Walter Charles Reagan, Paramount division manager, states business is on the upswing. The studio, which has been under a substantial swing upward.

RKO Closes 4 Deals

Jules Levy, general sales manager of RKO, has closed product deals with four circuits. Sparks, Hobartelle Interstate, Jules Roberts Great States and Kinney-Wilby.
WHIRLING FEET... IN A MAELSTROM OF MELODY
the most sumptuous rhythmic hit of all seasons...

GAIETY!
MUSIC!
BEAUTY!

INTRODUCING "THE CONTINENTAL"
the new dance sensation that will sweep the land into a new "Carioca" frenzy

"Tell of your love, your lips an' sweet whispers, so ten der-sy!"
It's some thing dar - ing. "The Con-ti - nen-tal" A way of dance
Two boys sayin' the Con-ti - nen-tal And you are sayin' "The Con-ti - nen-tal"

THE KING AND QUEEN OF "CARIODA"
FRED ASTAIRE
GINGER ROGERS
STARS OF "FLYING DOWN TO RIO"... IN
THE GAY DIVORCEE"

with
ALICE BRADY

EDWARD EVERETT HORTON
... and half the beauties of Hollywood ...

DIRECTED BY
MARK SANDRICH

PANDRO S. BERMAN PRODUCTION
TERRIFIC CLIMAX!
— N.Y. World Telegram

BRILLIANT! AMAZING!
— N.Y. Times

EXCITING! ABSORBING!
— N.Y. Daily News

EXCELLENT! STIRRING!
— N.Y. Eve. Journal

KING Vidor
who directed "The Big Parade"—"The Champ"—"Street Scene"...
now gives you
OUR DA

"THEY YELLED! THEY CHEERED!
I NEVER SA..."
Says Arthur Mayer, Managing Director of the Rialto Theatre, N. Y., of the surprise sensation of the year!

ILY BREAD
Released thru UNITED ARTISTS
Get Ready For A

It's bigger than "Back Street"—bigger than "Only Yesterday"—bigger than any other picture you've had for many, many weeks or are likely to get in many, many more!... The perfect BIG-CROWD attraction from star, story, author, director and every other possible standpoint... GO TO IT!

Starring

CLAUDETTE COLBERT

with WARREN

WILLIAM

ROCHELLE HUDSON

A JOHN M. STAHL Production For UNIVERSAL

Ned Sparks Henry Armetta

Presented by CARL LAEMMLE
Screen Sensation!

Even better than “BACK STREET”

Imitation of Life

A Novel by

FANNIE HURST

STEP OUT WITH UNIVERSE
British Deal
Said to Hang
On 2 Million

(Hollywood Personals)

Hollywood, Oct. 7—Joe Morrison back from Arrowhead. Alfred Delcambre took her mother for her first airplane ride the other day, for Randy Scott leaves for Virginia. Rhea Langford is from here by Broadway. Ann Southern vacationing in Palm Springs. Ann Dvorak taking dancing lessons for the role in "Seven Music at Warwick". Delaware. Pare Lorentz, Mexico. William Wilson gets a role in "Bright Eyes" at Fox. Mary MacLaren signed for "Evelyn Prentice at M-G-M. Jean Harlow's first novel, "His Every Move," is being written. Anna Steen will go to New York for the opening of "We Live Again" at the Music Hall, Nov. 1... Chandler Sprague has finished the script for "Private Worlds," Walter Wagner's next picture.

Deal on to Settle
Suit by Quittner

(Continued from page 1)

Reynolds, counsel for Quittner, subsequently filed an appeal which is now pending in the U. S. Circuit Court of Appeals here and which may be stated that the arguments on the settlement are not successful.

Quittner, a former Middletown, N. Y., exhibitor, charged in his suit that Paramount erected the Publix at Middletown when it was the result of the transaction for Paramount pictures at the distributor's terms. Following the opening of the Publix, the complaint alleged, Quittner was unable to obtain sufficient product for his two Middletown theatres which were subsequently closed.

Cravath, de Gersdorff, Swaine & Wood are counsel for Paramount in the case and Arthur Butcher Graham has been attorney for Quittner since the recent dissolution of the firm of Graham & Reynolds.

L. A. Hearings Over
Coast Men Returning

(Continued from page 1)

either are on their way back or leaving today.

Jack Hirschman left Friday night for Chicago and will be met in the Windy City by Harry Hicks, who left Saturday night to pick him up and a coach. Hirschman is in Pittsburgh visiting friends and from there goes to Los Angeles. Jack Milstein, M-G-M branch manager in Los Angeles, leaves today. I. E. Chadwick flew to Hollywood to leave the week-end to attend a committee hearing on production scheduled for today. As a result of the three-day hearing, exhibitors and producers from the coast feel that everything will be worked out favorably to all. Hicks and Milstein returned to their homes in the eastern United States after a successful trip in southern California were in favor of the schedule before the New York hearing and that discussions before the Camp appeal committee will result in the remaining 10 per cent being straightened out. He said exhibitors were pleased with uniformity and the hearings are now up to Camp to give it to them. John Bertero, F. W. C. attorney, and Port Major, booker of the circuit, return west probably on Thursday.

Some of the men held that the schedule will be returned to the Los Angeles board for a second revision.

Zohbel West Tomorrow

Herman Zohbel, treasurer of Radio leaves for the coast tomorrow.

"Belle" Providence Wow
Gets $12,000

(Continued from page 1)

PROVIDENCE, Oct. 7—"Belle of the Nineties" knocked Providence for the 2nd straight weekend by hauling in a record $12,000 for the Strand. Manager Edward Reed staged a midnight show and managed to clear out $590. The usual take at this house is under $7,000.

"Belle of Monte Cristo" at Loew's caught $10,000 and Fay's, the Majestic and RKO Albe all were up to or over their usual par, rounding out a strong week for the downtown house. Total first run business was $44,990. Average is $40,500.

Estimations for the week ending Oct. 4:

BELLE OF THE NINETIES (Para.)
1. Belle of Monte Cristo (M-G-M, Monopoly)
2. Macbeth (M-G-M, Million Dollar Ransom, Univ.)
3. WAKE UP AND DREAM (Univ.)
4. The Adventures of Don Juan (M-G-M, Black Moon, Col.)
5. NAME THE WOMAN (Col.)
6. VICTORIOUS (2,300), 15c-40c, 7 days, Gross: $1,000.
7.いずれにしろ、今 nocturnal (2,250), 15c-40c, 7 days, Gross: $1,000.

Washington Houses
Take in $5,185,000

(Continued from page 1)

Reports showed, while the other theatres grossed $935,000, Virginia theatres had salary payment aggregating $784,000. Forty-one film theatres in Seattle had a gross of $2,320,000 on a pay-roll of $490,000, while 11 other theatres grossed $350,000 on a payroll of $171,000. In Tacoma, 11 film houses took in $325,000 and had a salary roll of $73,000, while 12 film theatres in Spokane grossed a $171,000 on a payroll of $117,000 and three other theatres took in $319,000 on a payroll of $50,000.

Ten film theatres in Richmond took in $750,000 and had a payroll of 735,000, while seven houses in Norfolk had a payroll of $85,000 and seven theatres in Roanoke took in $241,000 and had salaries of $63,000.

France to Abandon
Import Quota Plan

(Continued from page 1)

changes without the approval of Parliament expire. It is expected that a general abolition of tariffs will become effective with abandonment of the import quota system.

Foreign managers of distribution companies were uncertain of their films would be affected by release of France's import quota laws and declined comment Saturday pending receipt of fuller information here on the prospective change.

Hoblitzele Due Soon

Carl Hoblitzele and Robert O'Donnell of the Hoblitzele Interstate circuit are due in town this week.

More Louisville Duals

LOUISVILLE, Oct. 7—Loew's has submitted a dual bill policy with new change in scale.
All of Majors For New Plan On Code Costs

Some Independents Fall In Line as Well

All major companies and practically all independent producers and distributors have approved the new allocation plan of assessment promulgated by a committee comprising S. Kent, Harold S. Barfield and nard Golden.

The revised assessment plan has been approved by Campi in principle and sent to Division Administrator of A. Rosenblatt, who will call a public hearing before approving it formally. Rosenblatt returned from the east by air yesterday.

United Artists, Universal and Columbia were the only major companies which objected to the original plan. These companies have sanctioned

(Continued on page 2)

Memphis Meet Gets
Fire Insurance Plan

Memphis, Oct. 8—Organization of theatres into an insurance mutual as protest against allegedly discriminatory fire insurance rates, expressions of satisfaction with the progress made by the wholesale fire insurance company and opposition to the increased basic tax were the principal matters presented to the M. P. T. O. of Arkansas, Mississippi and Tennessee insurance company today.

Suggestion that theatres need an insurance mutual plan was introduced

(Continued on page 2)

Expect to Complete
G-B Staff in Month

Completion of the Gaumont British setup nationally is expected within the month. George Weeks, general manager, stated yesterday.

Weeks leaves today for Atlanta, Nashville, Chicago, Kansas City and Louis to line up his personnel another two weeks in the east.

(Continued on page 2)

High Court Refuses To Act on "Holiday"

Washington, Oct. 8—The Supreme Court today denied a review of lower court decision in the case of Aren vs. Shubert Theatres, involving plagiarism of "Death Takes a Holiday."

The application of Samuel Zirn, attorney for a Paramount Publix bondholders' group, for leave to appeal from the U. S. District Court order appointing Charles D. Hillers, Eugene V. Leske and Charles E. Richardson trustees of Paramount Publix was denied by the U. S. Circuit Court of Appeals.

(Continued on page 7)

Zirn's Appeal Refused; Katz Denies Para. Lost

Alleging that neither Paramount nor creditors of the company suffered loss or damage as a result of the re-purchase of the company's stock issued from 1929 to 1932 for the acquisition of theatres and that the appraisals did not constitute a "dividend or other distribution of assets to stockholders."

Trendle Says 12 Houses in New Service

United Detroit Service Booking Corp. now has 12 theatres using the service and more are expected to join. George W. Trendle, president, stated yesterday.

The company basically renders a service to the exhibitor, helps him buy and book pictures and in no wise is connected with United Detroit Theatres Corp., a Paramount subsidiary which also has Trendle at the head, according to Trendle.

"We are planning expansion," Trendle said, "but cannot state at this time what it will be."

The service company does not book, but acts as advisors to exhibitors, Trendle explained. Exhibitors

(Continued on page 4)

ASCAP's New Tax Schedule Compromised

A new music tax schedule which retains the former annual rate of 10 cents per seat for theatres up to 800 seats and establishes a new annual tax of 15 cents per seat for theatres of from 801 to 1,599 seats, and 20 cents per seat for theatres of over 1,600 seats was mutually agreed upon yesterday by the American Society of Composers, Authors & Publishers and the emergency committee on behalf of exhibitors.

The schedule was worked out yesterday morning between E. C. Mills, general manager of the A.S.C.A.P. and members of the emergency committee and was ratified yesterday afternoon by the A.S.C.A.P. board of directors.

(Continued on page 4)

Report Rogers Will Make One for M-G-M

Hollywood, Oct. 8—Will Rogers, according to reports here, has been signed to do one picture for M-G-M, which will undoubtedly be a picturization of the Eugene O'Neill play, "Ah, Wilderness!"

Reports have been current for months that, following Will Rogers' successful stage appearance in the O'Neill play in San Francisco last spring, he would star in the picture for M-G-M.

(Continued on page 2)

Aarons for Combine In Percentage Fight

Philadelphia, Oct. 8—Formation of a buying combine of all affiliated theatres in this territory to oppose high percentage playing terms demanded by distributors is advocated by George P. Aarons, secretary of M. P. T. O. of eastern Pennsylvania, southern New Jersey and Delaware, in a current bulletin issued to members of the organization.

Aarons cites a maximum percentage of 20 per cent as the highest paid by

(Continued on page 2)

Ruling Regarded as of Vast Import in Use Of Sound Devices

Washington, Oct. 8—A decision of potential import to the industry was handed down by the U. S. Supreme Court today when it refused to accept for hearing two appeals from the Circuit Court of Appeals rulings in the controversy involving patents held by the American Tri-Ergon Corp., which is controlled by William Fox.

Patents on two inventions were involved, double prints in recording and the flywheel on reproducers. The defendant in the double prints infringement suit was Paramount Publix, while the Wilner & Vincent circuit and Altona-Publix, a Paramount Publix subsidiary, were named as co-defendants in the flywheel action.

The lower court had held that the

(Continued on page 4)

Briefs to Be Filed In Dubinsky Dispute

Washington, Oct. 8—Inability of Sam Dubinsky to get to Washington before the day prescribed for the filing of appeals in the Amusements Division of the NRA on the wage controversy in Kansas City.

Dubinsky asked for permission to file a brief, and the I.A.T.S.E. representatives not only agreed to this, but consented to have the entire matter argued by briefs, thus eliminating the need for a hearing.

Chicago Clearance Is Put Over Again

Chicago, Oct. 8—The clearance and zoning board has tabled the B. & K. petition for a revision of the clearance setup. It is understood that it will come up for consideration at a future date. Meanwhile B. & K. officials stoutly maintain that they will push

(Continued on page 7)

Hearing Is Given On Detroit Lease

Although Campi has sent to Washington an amendment approving withdrawal of the leasing clause, known as SE, Part 6, in the code, a Detroit

(Continued on page 7)
Does $15,480 in Day

"Power," grossed $15,480 at the Music Hall on Sunday, according to Jeffrey Bernerd, who also declared yesterday that "Power" had grossed $2,601 at its first three days at the Tivoli, London.

The record, he added, for an opening three days there was held by "The House of Rothschild" at $2,486.

Refuse Barronmore Case

Washington, Oct. 8 — The U. S. Supreme Court today rejected an application by Dolores Costello and John Barronmore for a writ of certiorari against the Guarantee Building and Loan Assn., in a suit over a judgment resulting from some of their deposits in the institution.

Crime Meet on Dec. 10-12

Washington, Oct. 8 — The three-day conference on crime called by Attorney General Homer S. Cummings, which opened here yesterday, and which draws 1,000 industry representatives, is scheduled for Dec. 10-12, instead of Oct. 10, as reported yesterday.

"Wimpole" Gets 3rd Week

"Barretts of Wimpole Street" will get a third week at the Capitol. This will be the eighth film to be held three weeks in the 15 years since the Capitol was opened, according to Major Bowes.
IT'S IN THE AIR!

ONE GREAT REEL
featuring the sensational and intricate plays of the world's champion football team, the Chicago Bears, and starring the world's most notable gridiron athletes.

HAROLD "RED" GRANGE
"BRONKO" NAGURSKI
JACK WANDERS
WILLIAM HEWITT
JOHN DOERRING
GENE RONZANI
CARL BROMBAUGH
"OKIE" MILLER
and Other Stellar Football Favorites
DIRECTED BY RAY McCAREY

ADVERTISE IT NOW WITH YOUR BIGGEST FEATURE!

Hollywood Reporter says:
'A gold-mine of entertainment. A pleasure and a thrill a minute.'

M. P. Daily says:
"Pete Smith makes it particularly interesting with his trenchant remarks and the use of slow motion."

Film Daily says:
"Unusual and timely short. Action, thrills and comedy by Pete Smith."

M. P. Herald says:
"An ideal short, will go well on program during football season."

M-G-M makes BIG ones out of LITTLE ONES!
Supreme Court Denies Review In Sound Case

(Continued from page 1) patents had been infringed upon. To-day's action by the Court, in effect, affirms that decision.

Paramount Publix was denied by Erpi and Wilmer H. Emmert and Alt- to-Publix by RCA Phonograph.

The decision of the court is considered one of the most important matters affecting the industry in a long time.

As pointed out by the petitioners, "as construed by the courts below, the patents are so broad as to permit the respondents to claim tribute from practically every one who has produced or exhibited motion pictures, or has manufactured equipment for recording or reproducing sound with moving pictures, in developing and printing of sound and picture records."

Tri-Ergon is a patent holding company organized in 1926 and a venture of William Fox for the purpose of exploiting commercially in this country the inventions of—that is, of Germans, Vogt, Eng and Massolle.

Two Defended By RCA

Two suits for infringement of the same patent were involved; both were defended by RCA Phonograph, a subsidiary of the Fox M-G-M. Each defendant, in which the allegations of infringement supplied by RCA Phonograph, are used to reproduce sound in conjunction with motion pictures.

In carrying the cases to the U. S. Supreme Court, the theatre companies contended there was a sharp conflict of opinion among the circuits, and that the lower courts are not in accord to the validity of the patents; that the decision of the Circuit Court of Appeals was diametrically opposed to the court's decision and in conflict with the Supreme Court's decision in one of the De Forest cases and in other courts, and that the most important question of patent law which should be settled by the Supreme Court.

Says Tri-Ergon Ruling Clears Way for Suits

That the refusal of the U. S. Supreme Court to review a decision of the Circuit Court of Appeals in the American Tri-Ergon patent case clears the way for legal action on the part of Tri-Ergon against all producers and exhibitors for the collection of royalties on the double prints and flywheel patents was asserted yesterday by Daniel G. Rosenblatt of the law firm of Hirsh, Newman, Reuss and Becker, who represented the plaintiff in the court battle.

Rosenblatt also said that a suit would be taken in behalf of Tri-Ergon against a number of the leading producing companies and circuits of the nation's theatre houses. He said no action would be taken against the small exhibitors as they would probably be covered by a settlement made by the big circuits regarding the payment of royalties to Tri-Ergon.

From producers payments would be sought on the use of the flywheel and double prints devices, Rosenblatt declared, while the exhibitors would be charge for the use of the flywheel invention, which is used in reproduction equipment alone.

Erpi, which defended in Paramount, yesterday had no statement to make. At the same time, Erpi legal experts appeared unperturbed by the Supreme Court's decision. I understood that the electric shortly will make a statement of its policy.

The theatre companies reported to have involved technicalities. This may prove to be the basis of the impending Erpi statement, it is believed.

Interstate Gets Another

DALLAS, Oct. 8.—The Melrose, a Suburban inferior house, became part of the Arkada, Dallas, and has started construction on a suburban house in Houston in partnership of city. Interstate controls all downtown first runs in Dallas and Fort Worth and most of the houses in Houston, San Antonio, Austin, Galveston and other Texas cities.

Fights Sunday Date

NEW ORLEANS, Oct. 8.—Du- mont Theatre is claiming the fight to be held for a Sunday night. He contends that he plays the film Sunday and Monday night and Friday, Saturday and Sunday, Booker, Manager, said he is going to book it Wednesday and Thursday. The case will be heard this week.

Ernest Schwartz Gaining

CLEVELAND, Oct. 8.—Ernest Schwartz, attorney and president of the Cleveland M. P. Exhibitors' Ass'n, is reported to have had a successful day at the court yesterday during which his partner, B. Z. Levine, was killed, is reported to be convincing at Charity Hospital. Unless complications develop, his recovery is practically assured.

Trendle Says 12 Houses in New Service

Continued from page 1) buy themselves, but we sit with them and help them arrange their schedules.

It is understood a new holding company will be formed shortly to take care of the pending suit out of Detroit, United Detroit Service Corp., and owners of the houses will be stockholders in the holding firm.

Willard C. Patterson, general mana- ger of the Paramount subsidiary, arrives from Detroit today to set product deals with Paramount. Trend- le leaves for Washington today on matters pertaining to radio. He may well have to give up work for a short while ago. Surviving are: a widow, a son, Andrew, Jr.; a daugh- ter, Frances, all of whom reside here, and his parents, who live in Chicago.

John E. Koen Dead

SALSO, Oct. 8.—John E. Koen, 61, who established and operated the first film theatre in Salem and later, in association with his brother, the late William H. Koen, built theatres and operated them in Haverhill, Beverly, Brockton and Quincy, died at his home here yesterday. Koen had been in the theatre business about 10 years ago. He is survived by his widow and by one brother, George.

Zanuck's Father Buried

HOLLYWOOD, Oct. 8.—Funeral ser- vices for Frank Zanuck, who died here Saturday morning from a heart attack at the age of 74, will be held here this morning at Wee Kirk of the Heather, Forrest Lawn. Zanuck is survived by his widow, Cora S. Zanuck, president of 20th Century, three sisters and two grandchildren.

Service for Dintenfass

A memorial service for the late Mark H. Dintenfass will be held Fri- day at the Fernelh Mausoleum, Ards- ley, Mrs. Esther Dintenfass, the widow of the late Mark H. Dintenfass, mausoleum which has been on the Dintenfass estate at Palisades, N. J., for a number of years.

Dunne on "Brummel"

HOLLYWOOD, Oct. 8.—Philip Dunne, son of Finlay Peter Dunne, will do the story for Edward Small's next Reliance feature, "Beau Brummel."

ASCAP's New Tax Schedule Compromised

(Continued from page 1)

The 12 houses will be in service on the basis of the new rates on behalf of all exhibitors who have paid tax installments at the rate prescribed in the original tax schedule. ASCAP has declared to be in effect on Oct. 1. That schedule, which goes into the discard as a result of yesterday's compromise, established a music tax per seat based on the highest admission charged by the individual theatre at any performance. Thus, the tax would have ranged, in most theatres, from 15 cents to 75 cents per seat.

In addition to obtaining what is regarded in exhibitor circles as a highly advantageous compromise, exhibitors are assured that the Paramount- ASCAP agreement, much like other music licensing agencies, in bringing litigation of their own against the society in an endeavor to see that its power to charge whatever declared illegal, or in en- dowing the courts with the power to enforce the copyright laws with the same objective.

Profit to ASCAP Obscure

What ASCAP obtains in the way of advantage as a result of the compromise was not clear to observers yesterday. Some held that the exhibitor agreement might, in the opinion of ASCAP, weaken any exhibitor action or testimony against the society in the future, as exhibitor acceptance of the compromise might be held to be an admission that the collection of a music tax is valid and legal.

In a statement issued yesterday the society declared merely that it feels that exhibitors have acted "fairly" in the settlement. It left a more wordy statement issued by the emergency committee the compromise is "a fair and constructive solution of a vexing question." It adds that the committee feels that it was treated fairly by A.S.C.A.P., and comments that if that organization, also, was fair. It urges exhibitors to support the agreement reached and recalls that without the committee's efforts the rates would have been much higher.


Martin Barrett in Omaha

Martin Barrett, field representative for Van Beuren Corp, is in Omaha on a tour of key cities. From there he goes to Chicago and disposing returns to New York early next week.

Fred J. McConnel, general sales manager, has just returned from Chicago and Milwaukee.
Somewhere in the literature of the world there is a story that flames with the fire that Garbo can portray. Somewhere lurks a narrative of power that Garbo can tell to your audience, of smouldering love, of high adventure and tenderness that yields tears. Metro-Goldwyn-Mayer has found that story. It is Somerset Maugham’s “The Painted Veil”, destined to pack theatres throughout the world, to enthrall love-hungry hearts with its romance portrayed immortally by the one and only Garbo. Prepare for it as you have never prepared for a picture within your memory!
Zirn’s Appeal Refused; Katz Denies Para. Lost

Washington’s Board Decides Five Cases

Washington, Oct. 8.—Five of six cases before the grievance board to date were decided.

A complaint of the M. P. T. O. of the District of Columbia that East Coast television was using particular features to raise funds for strictly educational pictures was dismissed for lack of evidence.

F. H. Durkee Enterprises, Baltimore, brought a reduced admissions charge against the Aldine, charging that the house was being run as a pool house office. The board issued a cease and desist order to James Remick, operator, effective Oct. 9.

Evidence of compliance must be submitted by Oct. 12. A misunderstanding as to the meaning of “from and after Oct. 1” brought a reopening of the Durkee-Brought case of Sept. 24, as the Rex honored tax-bearing passes on that date. Leon H. Zeller and S. K. Schechter, operators of the house, asked Secretary Fitzgerald that the board extend its jurisdiction to include the period at the close of business on Oct. 1. The board was satisfied with the explanation and Durkee withdrew the case.

Charging overbuying, too frequent occurrence of buying power surcharge was against Brodie Theatre. Joseph Brodie sought relief. Named as defendants were C. E. Price, Pacy Co., Inc., and McHenry Theatre Co., operating Pacy Garden and McHenry Theatres, respectively. Eight distributors were involved in Brodie’s alleged lack of major product. The board dismissed the case.

The dispute over the Baltimore’s Colony Theatre and United Artists over an interpretation of contract provisions was postponed, probably to Oct. 29.

A second overbuying case was brought in which Bodies was being issued with show cards. All defendants were involved in Bodies alleged lack of major product. The board dismissed the case.

Agents Join Fight On Capital Hearing

Hollywood, Oct. 8.— Ralph Blum, representing the agents here, has drawn up a suit to secure the agency code hearing’s being held in Washington. When the petition is filed, the judge will appoint counsel for plaintiffs and agents and it will be forwarded to Division Administrator Sol A. Rosenthal, who will confer with Assistant Administrator William P. Farnsworth. The agents, like the Academy, which has already wired a protest to the commissioner, are unable to hear the meeting away from Hollywood.

Chicago Clearance Is Put Over Again

Chicago, Oct. 8.—Charging that all major distributors in this territory refuse to serve him properly on any kind, Jack Steinberg, Harbour Theatre, Ashatabula Harbor, has filed a protest against the Chicago board of appeals. He is cited in a M. A. Shea, claiming that Shea, who operates theatres in Ashatabula, has refused to buy the 1933-34 and the 1934-35 product.

Hays Not to Speak

A report that Will H. Hays would address the convention of the International Federation of Catholic Alumnae on the subject of clean films at the National Catholic Welfare Congress was not credited by Hays yesterday to a “misunderstanding.” Other engagements will prevent his attending the convention, it was said.

20 per cent, respectively, on the $4,875, 000, representing that Paramount set aside 65,000 shares of its stock in 1928, redeemable in 1931 at 975 per share, to consummate the Kunsky-Trendle deal. The stock was selling at $64 per share at the time the deal was made and at $2 per share at the redemption date, according to the Katz answer.

The Great States deal of 1929 involved $30,000,000, redeemable in 1931 at $85 per share, or an aggregate of $2,550,000. The stock was quoted at $66 at the time of the deal and at 68 per cent on the redemption date. The transaction is defended on the grounds that it was a legitimate acquisition, which has resulted in no loss to the company or creditors. It is pointed out that, from the standpoint of earnings for the first nine months of 1929, the total had been $28,000,000 net, or 10 per cent on the proposed investment. The answer asserts that the capital structure of the company was never endangered by the transaction and that the company’s books make the transactions existed was certified to by competent accountants at the time. In addition to dismissal of the complaint, costs of the action are asked by Katz.

All Majors for New Plan on Code Costs

(Continued from page 1)
The new plan, which will not be made public until the N.R.A. Department of Safe Plan so approves it, is considered by codists as a better allocation for majors and a nominal assessing plan for the smaller exhibitors.

Instead of sending out bills for six months’ payment, the $180,000 will be raised by one per cent assessment on the earnings of major companies, which have already paid Campi sums toward the assessment. The present exhibitor or small exhibitor is ready for the assessment.

The new plan is expected to be approved Thursday. H. campi will return to the session. The new plan is expected to be approved Thursday. The new plan is expected to be approved Thursday.

Hearing Is Given On Detroit Lease

(Continued from page 1)

complaint on interference with the operation of the Eastown was heard yesterday by a Campbell appeal committee consisting of Jack Coleman and William Yoost, local circuit owner. Henry Randle, manager of the Paramount branch in Brooklyn, withdrew as a member of the board because United Detroit Theatres, a Paramount franchise, was bought yesterday by Louis Phillips appeared with George W. Trendle in defense of United. Phillips held that although the United lease on the house expired May 21, 1934, Trendle was operating until June 30 when he was forced to vacate because Louis Wisper had bought 30 per cent of the first mortgage bonds and half of the chattel mortgage.

Trendle operates the house. William H. Kaplan, attorney for Wisper, claimed that the bonds were bought after a trustee in bankruptcy for the theatre issued certificates of title on the sale. Wisper contended that his purpose in buying the bonds was to get possession of the theatre and to prevent overbuying, too frequent occurrence of buying power surcharge was against Brodie Theatre. Joseph Brodie sought relief. Named as defendants were C. E. Price, Pacy Co., Inc., and McHenry Theatre Co., operating Pacy Garden and McHenry Theatres, respectively. Eight distributors were involved in Brodie’s alleged lack of major product. The board dismissed the case.

The dispute over the Baltimore’s Colony Theatre and United Artists over an interpretation of contract provisions was postponed, probably to Oct. 29.

A second overbuying case was brought in which Bodies was being issued with show cards. All defendants were involved in Bodies alleged lack of major product. The board dismissed the case.

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**MOTION PICTURE DAILY**

**Hollywood Preview**

**“Perfect Weekend-End”**

*Warners*

**Hollywood, Oct. 8.—**James Cagney as a tough-mug truck driver with a propensity for week-end-ining in jails will appeal to the masses who like him in rough and ready roles. The general tenor of the film is vigorous action with melodrama as a sequel to his screen play by Warren Duff and Seton I. Miller and a story by Frederick Hazlitt Brennan. Sid Hickox photographed well.

For aggressive action and broad comedy with rousing suspense for a windup, exhibitors can promise patrons a Cagney film that, while not much action or sophistication, will surely be a box-office wallop where the masses predominate. Production code seal No. 217. Running time, 65 minutes.

**“Kentucky Kernels”**

*Radio*

**Hollywood, Oct. 8.—**This one is a laugh fiesta from the opening to the fadeout. Containing all the elements of comedy hoke and aided by prop southern accents this outdistances every preceding Wheeler and Woolsey opus and can be glanced at as a sure-fire laugh and money getter.

The story spots Wheeler and Woolsey as two former stage magicians who adopt Spanky MacFarland when the youngster’s father (Paul Page) plans suicide because of a broken romance. Attorneys notify the boys that the kid inherits the Kentucky estate and they move south, where they run smack into a feud.

From here on the comedy runs wild with the principals tossing a gag a minute. Mary Carlisle looks good as a romantic note, but has little to do. George Stevens directed with skill and a fine sense of comedy values, drawing the story to the last laugh.

Spanky MacFarland, of Our Gang fame, almost steals the whole show with the comedy team of Miss Carlisle and Noah Beery turning in a crack performance. The story, music and lyrics by Bert Kalmar and Harry Ruby constitute a creditable job. Fred Guiol shares the script credit.

The picture is good, clean fun throughout. Previewed without a code seal. Running time, 79 minutes.

**Oregon Court Asked To Force Picket Ban**

**SALEM, Ore., Oct. 8.—**The Capitol here has requested the state Supreme Court to enjoin the recent direct order for a picket ban in the Cortez theatre. The theatre’s attorney submitted evidence claiming that picketing of a “disagreeable and nasty sort” has been in progress. He stated that some pickets carried banners and shouted, “This is a scab theatre.”

The decree of the Supreme Court held that peaceful picketing might be conducted one block from the theatre in each direction.

**Nine Portland Holdovers**

**PORTLAND, Oct. 8.—**During the first 40 weeks of the year, nine films have been held for a second or more weeks. Heading the list in number of weeks run was: “It Happened One Night,” “Overland,” “House of Rothschild,” “Chained,” “Girl of the Lumberlost,” “Treasure Island,” “Viva Villa,” “Bull Dog Drummond,” and now “Dames” in its fifth week.

**“Servants” Is Kansas City’s Best, $4,600**

**Kansas City, Oct. 8.—**First run grosses were off at local showshops, with two exceptions: “Servants’ Entrance” ran in downtown, $4,600, above par by $1,300. The Tower was in the money with $8,000 “Million Dollar Ransom” and a stage show, “Belle of the Nineties” sagged in its second stanza of six days at $2,300.

Total first run business was $32,300. Average is $3,450.

Estimated takings:

- **Endicott, Oct. 2:** “Belle of the Nineties” (Para) $10,800, 25c-40c, 6 days, plus $20,000, $5,000, $4,600, $3,300, $300, plus midnight show. Gross: $5,000. (Average, 6 days, $833.)
- **Week Ending, Oct. 4:** “ACE OF INNOCENCE” (Radio) $1,000, 25c-40c, 7 days, plus $10,000 midnight show. Gross: $8,800. (Average, $1,257.)
- **“CASTLE LADY” (M-G-M) MIDLAND—$4,000, 25c-40c, 7 days, plus $500 midnight show. Gross: $5,400. (Average, $814.)
- **“SERVANTS’ ENTRANCE” (Fox) $1,000, 25c-40c, 4 days, plus $1,000 midnight show. Gross: $2,400. (Average, $600.)

**Wood Starting Ohio Sales Tax Campaign**

**CINCINNATI, Oct. 8.—**Following the third regional meeting of the Ohio T. T. O. at Cincinnati to discuss the 10 per cent state admission tax, P. J. Wood, secretary, is inaugurating an intensive campaign among legislators in behalf of the sales tax, which stands a good chance of passage at the November session of the General Assembly.

Protests against the measure hereof have come largely from business interests, including the Cincinnati Federation, predicated on the possibility of industrial plants being moved to Kentucky to avoid the tax. However, since the recent enactment of a sales tax in Kentucky, the likelihood of such an exodus does not exist, and the previous opposition now is in favor of the tax with certain modifications.

**Parker, Evergreen Merge**

**PORTLAND, Oct. 8.—**The Williamette Amusement Co. is the new name of the merged interests in Oregon of J. J. Parker Theatres and the Evergreen Theatre Co. This new company will operate the Music Box after making such repairs as may be necessary.

**Ricardo Cortez Has Flu**


**Marsh Operated Upon**

**Cleveland, Oct. 8.—**W. Ward Marsh, Plain Dealer movie editor, is in a hospital after an emergency appendicitis operation.

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**MOTION PICTURE DAILY**

**5-Year Mark In Cleveland**

**Cleveland, Oct. 8.—**“Judge Priest,” broke a five-year record at Warners’ Hippodrome with a $13,000 gross—more than twice the average business.

“Barretts of Wimpole Street,” at Loew’s Stillman in its second week down downtown, took $7,500 against a $4,900 average. Both pictures are being held.

Total first run business was $44,500. Average is $3,438.

Estimated takings for the week ending Oct. 5:

- **CHARLIE CHAN IN LONDON** (Fox) ALLEN—$6,300, 30c-35c-40c, 7 days, Gross: $10,000. (Average, $1,429.)
- **JUDGE PRIEST** (Fox) WARNERS’ HIPPODROME, MIDLAND—$4,000, 30c-40c, 4 days, Average: $1,000.
- **BRITISH AGENT** (F.N.) RKO PALACE—$1,300, 30c-35c-40c, 4 days, Gross: $3,000. (Average, $750.)
- **SCAR
care—** (M-G-M) LOEW’S STILLMAN—$1,000, 30c-35c-40c, 7 days, Gross: $7,500. (Average, $1,000 at regular house admission prices of 30c-35c-40c.)

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**Memphis Meet Gets Fire Insurance Plan**

(Continued from page 1)

by R. X. Williams of Oxford, Tenn. It was given prominence by the new board of directors after Williams asserted fire rates are 40 to 50 per cent higher than those of lumber yards in Mississippi despite compliance with state regulations.

Praise for the new season’s product, particularly with regard to cleanliness of subject matter, was expressed by exhibitors at the open session, including Ed Kyundai, national president.

Kuykendall spoke at length yesterday morning in support of the industry’s drive for funds to offset the A. S. C. A. F. music tax increases.

W. L. Landers of Batesville, Ark., was elected president, succeeding M. A. Lightman, H. D. Wharton, Warren; W. E. Elkins, Aberdeen, and W. F. F Rush, Covington, were named vice presidents, respectively, for Arkansas, Mississippi and Tennessee. Williams was re-elected secretary-treasurer.

The following directors were chosen:


A resolution was offered by Rufin urging the clearance board to take this time in drafting a new schedule and avoid rushing into it. Resolutions of sympathy for Maurice Kann, editor of Motion Picture Daily,
THE dependability of Eastman Super-Sensitive Panchromatic Negative is not based entirely upon its well-known uniformity. It is the original, inherent quality of the emulsion...its constant ability to help producers and cameramen make the most of every picture...that completes its dependability...that seals the acceptance which this famous film enjoys. Eastman Kodak Company. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)
Not Noticed

Columbus, Oct. 8. Just how much attention patrons pay to the sequence of a picture is the question in the mind of a local neighborhood exhibitor.

A point of "Many Happy Returns," reaching the theatre from a West Virginia town a few minutes before stage "Jungle" began, was immediately on arrival, without the customary screening.

During the first show, the fifth reel was shown ahead of the fourth. The audience laughed after every joke, were not surprised, and many told the manager how much they had enjoyed the picture as they left the theatre.

"Cristo" Up To $8,500 in Seattle; Held

SEATTLE, Oct. 8.—"Count of Monte Cristo" got off to a flying start with a $8,500 gross at the Music Hall. As this was $8,000 over par the picture was held over for an extended run at the Blue Mouse.

The competition was too strong for the second week of Mac West. As a result, the Fifth Avenue switched after four days to "Barretts of Wimpole Street," which was estimated at $3,000, and on the latter at $4,200.

Total first run business was $32,100. Average is $31,000. Estimated takings for the week ending Oct. 4:
- "THE LAST GENTLEMAN" (U. A.) BLUE MOUSE—(950), 25c-40c-55c, 7 days. Gross: $3,600. (Estimated: $3,400, Average: $496.)
- "COUNT OF MONTE CRISTO" (U. A.) MUSEUM HALL—(2,750), 25c-45c-56c, 6 days. Gross: $4,600. (Estimated: $4,700, Average: $783.)
- "CHARLIE CHAN IN LONDON" (F. M. G.) FIFTH AVENUE—(4,200), 25c-45c-56c, 4 days, 2nd week. Certified: $3,000. (Average, first week: $7,000.)

"Barretts" Pulls $10,200 in Omaha

OMAHA, Oct. 8.—"Barretts of Wimpole Street" was an outstanding hit in a week of generally big business here. It went up to $10,200, over par by $2,200 at the Paramount.

"The Count of Monte Cristo" and "The Notorious Sophie Lang" were strong at $8,500. Total first run business was $26,550. Average was $2,250.

Estimated takings:
- "GIFT OF GAB" (Univ.) MUSIC BOX—(900), 25c-35c-46c, 7 days. Gross: $4,500. (Estimated: $4,400, Average: $635.)
- "DOWN TO THEIR LAST YACHT" (Radio) MIKE ON THE MARINA—(500), 25c-40c-56c, 7 days. Gross: $4,000. (Estimated: $3,900, Average: $557.)
- "HEMINGS" (Warners) MUSIC BOX—(900), 25c-35c-46c, 7 days. Gross: $4,800. (Estimated: $4,700, Average: $671.)

"Priest" Grosses $6,500, Portland

PORTLAND, Oct. 8.—"Judge Priest," at the Paramount accompanied by a double stage band and opening of the big Oregon-Stanford football rally, increased take to $6,500, or $1,500 over normal.

"Barretts of Wimpole Street" at the United Artists, secured $6,000, or $1,000 over par. Daily matinees were discontinued at Hamrick's Oriental, another change in normal management.

Total first run business was $23,400. Average is $21,800. Estimated takings for the week ending Oct. 5:
- "GIFT OF GAB" (Univ.) MUSIC BOX—(900), 25c-35c-46c, 7 days. Gross: $4,500. (Estimated: $4,400, Average: $635.)
- "DOWN TO THEIR LAST YACHT" (Radio) MIKE ON THE MARINA—(500), 25c-40c-56c, 7 days. Gross: $4,000. (Estimated: $3,900, Average: $557.)
- "HEMINGS" (Warners) MUSIC BOX—(900), 25c-35c-46c, 7 days. Gross: $4,800. (Estimated: $4,700, Average: $671.)

"Priest" and Show Lead in Philadelphia

PHILADELPHIA, Oct. 8.—"Judge Priest," plus the first "concert" idea on the Fox stage was Philadelphia's big noise, cleaning a robust $26,000. The program was held for a second week, with a third in prospect.

The other stage show house, the Earl, took a last $1,625 with "Million Dollar Ransom" and Blanche Calloway on stage.

Another sensation in "Caravan's" $8,500 reopenings, figure for the Locust, though the business indicated a profit. Not so much the strength of "The Fountain," which got $10,000 at the Boyd, as its suitability as a class picture led it to be put into the Karlton.

As a result of the competition, other first runs fared badly.

Total first run business was $12,300. Average is $13,100.

Estimated takings for the week ending Oct. 6:
- "COUNT OF MONTE CRISTO" (U. A.) PARAMOUNT—(2,000), 25c-40c, 6 days. Gross: $4,000. (Estimated: $3,800, Average: $633.)
- "COUNT OF MONTE CRISTO" (M-G-M) ARCADIA—(600), 25c-45c-56c, 2nd run. Gross: $2,800. (Estimated: $2,500, Average: $417.)
- "THE FOUNTAIN" (Radio) PARAMOUNT—(2,000), 25c-40c-55c, 6 days. Gross: $3,000. (Estimated: $2,800, Average: $467.)
- "MILLION DOLLAR RANSOM" (Univ.) BLANCHE CALLOWAY—(500), 25c-45c, 7 days. Stage: Blanche Calloway and Orchestra. Gross: $2,000. (Estimated: $1,800, Average: $286.)
- "JUDGE PRIEST" (Fox) FOX—(1,500), 25c, 7 days. Concert on stage with augmented orchestra. Vanya, Buskirk, Viola Phe. 1st Perch. Douglas Stanislaw and Adelaide de Luca. Gross: $2,600. (Estimated: $2,500, Average: $364.)
- "HAVE A HEART" (M-G-M) KARLTON—(1,000), 25c-40c-56c, 6 days. Gross: $2,400. (Estimated: $2,300, Average: $383.)
- "CARAVAN" (Fox) LOCUST—(1,000), 25c, 7 days. Gross: $2,500. (Estimated: $2,400, Average: $357.)
- "BELLE OF THE OPERA" (Paramount) STANLEY—(3,200), 25c-40c-56c, 6 days. Gross: $4,800. (Estimated: $4,500, Average: $700.)
- "GIFT OF GAB" (Univ.) STANLEY—(3,200), 25c-40c-56c, 6 days. Gross: $4,800. (Estimated: $4,600, Average: $767.)
Columbia Net Outlook Same As Last Year

Stockholders Get Word; Cohn Pacts Approved

Columbia's earnings for the three-month period ending Sept. 30 will equal the last year's record for the same period when the net was $1.35 per share, stockholders were told at the annual meeting yesterday.

Details could not be given out definitely, it was stated, because the audit has not been completed.

As was expected, contracts for the services of Harry Cohn as president and Jack Cohn as vice-president were ratified for a period of three years dating from July 1, 1934. The following directors were re-elected:

(Continued on page 23)

New Principle Set

In Plagiarism Suit

Dismissal by the U. S. Supreme Court of an appeal to review a decision of the lower court in the case of Wirtz vs. Shubert, involving alleged plagiarism of "Death Takes a Holiday," firmly establishes the fact that the court may itself, unaided by experts, compare conflicting works and dispose of cases of that nature without trial, Louis Phillips, Paramount attorney, stated yesterday.

The suit was filed some time ago

(Continued on page 23)

Tennessee Theatres Take in $2,777,000

WASHINGTON, Oct. 9,—Receipts of 124 film and vaudeville theatres in Tennessee last year totaled $2,777,000, and the houses had an aggregate payroll of $613,000, according to the Census Bureau.

Ten theatres in Nashville had receipts of $576,000 on a payroll of $143,000, the bureau reported; while nine in Chattanooga had a take of $199,000 on a payroll of $37,000; four in Knoxville took in $96,000 and had a payroll of $25,000, and 19 in Memphis took in $813,000 and had a payroll of $173,000.

Court Orders Study Of Sales in Phila.

PHILADELPHIA, Oct. 9—The Orphans' Court of Philadelphia and Delaware County today appointed masters.

(Continued on page 23)

Loew's Expects to Net Over $4 Per Share for This Year

Loew's will net a trifle more than $4 per share on the outstanding 1,464,200 shares of common stock for the fiscal year ended Sept. 1, a high official of the company told Motion Picture Daily yesterday.

Annual report of Loew's will be ready in another month, it was stated. The net is after deprecations and taxes as well as settlement of the recent libel suit on "Rasputin and the Empress," for which $125,000 was paid by the company. It also includes profits from international subsidiaries.

Loew's yesterday closed at 28 1/4 on the stock exchange with 4,900 shares traded in on the day for a loss of 1/4 point per share.

Fox Moves in Patent Fight Now Awaited

What William Fox's next move will be in the battle he has been waging against the big electrics since his retirement was a question that stirred the industry yesterday. With the fight for recognition of the validity of his Tri-Ergon patents on double printing and reproducing flywheels won, his next move, it was predicted, will be to settle the question of infringement through suits for injunctions and accounts.

Possibility of an out-of-court settlement is regarded as remote by those

(Continued on page 23)

Lubitsch to Make Two for Toepzlz

Ernst Lubitsch's deal with Toepzlz Prod. in England is for two pictures and contracts are on the way over from London for signing, the director stated yesterday.

Lubitsch said he has two more to make for Paramount, which will take

(Continued on page 23)

Code Assent Limit Change Approved

WASHINGTON, Oct. 9.—Amendment of the film code to eliminate the provision requiring adherence within 45 days after its adoption or after the entry of an individual or company into the business, was approved today by the N.R.A. This leaves assents open

(Continued on page 26)

Para. Directorate Will Include Various Groups

Paramount Publich bondholders, stockholders, bank and trade creditors will have representation on the new board of directors of reorganized Para-

(Continued on page 26)

British Lion Head Seeks Indie Films

Sam Smith, managing director of British Lion, is negotiating with a number of independent companies for 26 pictures which his company will distribute in England. He also has

(Continued on page 26)
Schreiber Suit To Be Headed by Master

DETROIT, Oct. 9.—After five days of trial, the suit of Jacob Schreiber, owner of four theatres on Woodward ave., against Louis and Ben Cohen of Cooperative Booking and all distributors but M-G-M will go before Special Master C. Ronge and U. S. District Court here next Tuesday.

Schreiber contends that preferential treatment given to Continental by defending distributors is a restraint of trade.

Edward Raftery of O'Brien, Driscoll and Raftery, New York attorneys, arrive here Tuesday to defend distributors in a suit by Rockwell Gust, local attorney. William Henry Gallagher is counsel for Schreiber.

Edward Raftery leaves for Cleveland Sunday and on Monday will come to Detroit. Raftery stated yesterday he had been retained by distributors to defend the case in conjunction with Rockwell Gust of Detroit.

Warners Lining Up “Happiness” Drive

Warners are lining up an extensive national exploitation campaign to help exhibitors in selling “Happiness Week,” which has its New York showing at the Strand tonight.

Song numbers from the film will be featured in two important radio programs. One is a Rudy Vallee broadcast emanating tomorrow night from the McVay Theatre. Another is the “Hollywood Hotel” hour Friday night featuring Dick Powell, who appears in the picture. Both programs will go out on a coast-to-coast hookup.

Exhibitors will also profit through the designation of a “Happiness Week” coincidently with the release of the picture over the country. Pledge cards will be furnished patrons the deed that will spread happiness will be supplied to exhibitors for distribution to their audiences during this period.

Loew’s Boston Dividend

Loew’s Boston Theatres, Inc., have a regular quarterly dividend of 15 cents, payable Nov. 1 to stockholders of record on Oct. 22.

Paramount Drops Half on Big Board

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Purely Personal


J. E. Chapple, proving his still in town; Harry Thomas, Morris Kinkel, Martin Dickstein, Jim Mulloy, Joe Polak, Dick Brady and Lynn Farrow were among those lunching at the Tavern yesterday.

John Cronwell and wife, Kay Johnson, returning from a three months trip to Europe today in the Majestic, which was a delayed sailing

Walter Eberhardt is looking long

ing eyes toward Nassau, scene of last year’s vacation place and in top spot for this year’s selection as well.


Marcus Griffin now has a eighteen-year-old son born at the Midtown Hospital.

Clairie Trevor arrives in town to
day for a brief vacation from the Fox studio.

Clemence Dane arrives on the Majestic today instead of yesterday.

Edward Schnitter of Columbia was down with a cold yesterday.

Loew’s Boston Theatres, Inc., have a regular quarterly dividend of 15 cents, payable Nov. 1 to stockholders of record on Oct. 22.

Hold “Peck” at Roxy

“Peck’s Bad Boy” is being held a second week at the Roxy and is likely to go a third.

Paramount Drops Half on Big Board

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Technicolor Off Half on Curb

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Paramount Publix Bonds Off Two

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Flint Dusts End Nov. 1

FLINT, Oct. 9.—Double features will end here Nov. 1. Both indie houses and circuit features have agreed on a plan to do away with the dusts.

Gets Contract Report

Hollywood, Oct. 9.—The complete report of the administration of the Academy standard minimum contract for artists for the year ended Oct. 1 was presented to the Academy’s board of governors tonight.

Benjamin Glazer Coming

Hollywood, Oct. 9.—Benjamin Glazer was on his way to New York by plane Tuesday to membership meeting for forthcoming Paramount productions.

Arllis Opens Oct. 17


Grainger to Pittsburgh

E. C. Grainger, eastern division manager for Fox, leaves for Pittsburgh, Philadelphia and Washington on Saturday.
Gaumont British Opens For Business

This is a statement from exhibitors to exhibitors. We operate 350 theatres in London and the British Isles. De luxe, suburban, neighborhoods.

- We don't ask where pictures are made. All we ask is: “Are they good entertainment?” And that's all our patrons ask. We believe you and your patrons feel the same way.

- We are also producers. We will bring you 16 productions every year. We know—and you know—that new personalities, new faces, new stories and new treatments, are what you want. And that's what we'll give you.

- Mr. Sidney R. Kent, President of Fox Films Corp., after screening our product, invited us to release in the U. S., through Fox. We consider this a compliment. And a responsibility. Mr. Kent's standards are high. We will measure up to them.

- Our sales offices in the U. S. will be in the Fox Exchanges. The branches will handle prints and accessories. Our own sales force will shortly contact you from your Fox Exchange. Regal Films, Ltd., will continue to serve Canada.

- Our policy is simple. Screen our pictures. Look before you book. Our first [8] are presented herewith. They tell our story in one word—Box-office.

MARK OSTRER
Chairman of the Board

JEFFREY BERNERD
General Manager
ROXY

BOOKS 10

"CHU CHIN CHOW"

and NINE MORE!
RADIO CITY

BOOKS 4

"POWER"

and THREE MORE!
Based on the celebrated novel by
LION FEUCHTWANGER
Directed by
LOTHAR MENDES

A tremendous new personality
Conrad VEIDT

Now Playing

RADIO CITY MUSIC HALL
ENTHRALLING ROMANCE OF THE SLAVE GIRL WHOSE BEAUTY ENSLAVED HER MASTERS.

WRECKED ROXY RECORDS! TWO BIGGEST WEEKS IN LAST SEVEN YEARS!
CHUCHIN CHOW

AUTHOR: OSCAR ASCHE
DIRECTED by WALTER FORDE
MUSIC BY FREDRICK NORTON
MUSICAL DIRECTOR: LOUIS LEVY

with
ANNA MAY WONG
GEORGE ROBEY
FRITZ KORTNER
A NEW PERSONALITY

Evelyn Laye

in "Evensong"

THEY WERE LOVERS—ONLY YESTERDAY—BUT HE COULDN'T REMEMBER—AND SHE COULDN'T FORGET.
directed by
VICTOR SAVILLE

written by
H. M. HARWOOD
George Arliss in "The Iron Duke" with Ellaline Terriss, Gladys Cooper, A. E. Matthews, Allan Aynesworth
A New Personality
THE MOST SENSATIONAL DISCOVERY IN YEARS!

Jessie Matthews
in "Evergreen"

SHE CAN SING! SHE CAN DANCE! SHE CAN ACT! SHE CAN LOOK! SHE CAN CHARM!

Princess Personality Herself!

Youth, beauty and a Million Dollars worth of Magnetism!

This is not a prediction—this is a promise. Jessie Matthews will be one of the Biggest Box-Office Bets in America within the next 6 months.

Based on the stage play by BENN W. LEVY

Directed by
VICTOR SAVILLE

Lyrics and Music by HARRY M. WOODS
RICHARD RODGERS and LORENZ HART
Jack's Sensational Song Success—"MY HAT! ON THE SIDE OF MY HEAD," will be Sung Whistled and Played, on the Air and Everywhere: on Release.
A NEW PERSONALITY

EVELYN LAYE

in "Princess Charming"

WITH

HARRY WILCOXSON

A NEW PERSONALITY • SENSATION OF "Cleopatra"!

YVONNE ARNAUD • GEORGE GROSSMITH

DIRECTED BY MAURICE ELVEY
"HE ALWAYS OBEYED ORDERS—UNTIL HE WAS ORDERED TO ACT AS UNDERSTUDY FOR HER FUTURE HUSBAND."
One of the Greatest discoveries. One of the most deeply moving performances. One of the most sincere stories in years.

WOMEN WON'T CRY—THEY'LL SOB—AND LOVE IT!
Nova Pilbeam in "Little Friend"

with Matheson Lang • Lydia Sherwood

Directed by Berthold Viertel

By Ernst Lothar
OPENING OCT. 18 TWICE DAILY Coming! CRITERION THEATRE

"MAN of ARAN"

DIRECTED BY ROBERT FLAHERTY
PRODUCER OF 'NANOOK OF THE NORTH'

ON THE WAY

8

JUST AS GREAT . . .
AS THE FIRST EIGHT

GAUMONT BRITISH PRODUCTIONS

1600 BROADWAY • NEW YORK CITY
U.S. DISTRIBUTION—FOX EXCHANGES • IN CANADA, REGAL FILMS, Ltd.
Report a New Fox Met Bid, $4,500,000

(Continued from page 1)

the Fox Met assets could not be con-
summated, it is understood, but would
stand as an initial cash payment in
the event a deal were closed. In
what form the $3,900,000 balance
would be paid could not be learned
yesterday.
Sources close to the Fox Met sit-
uation are of the opinion that Hay-
den Stone bid holding for Skouras
Theatres with Randorf possibly in-
cluded in the proposal, either on a
participating basis or on an agree-
ment to continue operations by con-
tact with Skouras. Randorf repre-
sentation would appear as a threat as
essential as much as the Fox Film
franchise is held jointly by the two
operators of Fox Met. Attorneys for Skouras denied yes-
terday that their company was be-
hind the Hayden Stone bid. George
Skouras could not be reached for
comment.

Fox Theatres Case
Decision Reserved
(Continued from page 1)

the filing of the petition, alleging that it is merely an attempt to real-
ize on assets in effect mortgaged.
Likewise, attacked the validity of the
claims of Miriam Rogers of Bos-
ton, a sister of Rogers of A. C. Blumenthal, in the amount of $35,000; the claim
of Louis B. Siegel, a broker, for
$35,000 and that of a typewriter con-
cern for $29. The Bankruptcy Law
requires that a petition for reorgani-
ization be filed by at least three cred-
itors. Mr. Rogers attempted to dis-
qualify the claims of one or more of the
petitioners.
Mrs. Rogers' claim is alleged to
have been assigned to her by Blu-
menthal, who, Palmer stated, filed it
on the basis of a commission al-
leged to be due him for the acquisi-
tion of a theatre site in Boston for
Fox in 1931.
Judge W. C.页面 1 was undetermined in adjourning the hear-
ing to Oct. 18.

Fox Midwest Setup
To Await FWC Move
Reorganization of Fox Midwest
will not take place until W. F. C. is
reorganized, Elmer Rhoden, head of
the midwest circuit, stated yesterday.
He said he expected the coast or-
ganization to be rehabilitated within
the next month or so, but could give no
approximate date for his group of
theatres.
Rhoden is in New York confering
with F. C. executives on product
buys for this season. He expects to be
here three weeks.

Winfield Sheehan Leaves
Winfield Sheehan, in charge of pro-
duction of Fox Westerns in Holly-
wood by train yesterday to re-
sume his duties at the studios. Shee-
han recently arrived here from abroad.

Columbia Net
Outlook Same
As Last Year
(Continued from page 1)

Harry Cohn, Jack Cohn, Leo M.
Balaban, Nathan B. Tobin, Henry
Sachs, Sol Bornstein and Jack Kerner.
Dr. A. H. Giannini, recently elected
a voting Trustee in place of Joe
Fox, praised the Congress of the
company and its earnings show-
ings during the depression period.
He said that George Cohn gave the
Cohn brothers their first loan.
Harry Cohn was not present.

Radio Trading Stirs
Interest in Street
(Continued from page 1)

identified with their sensational rise
of 1929.
Reports are freely circulated in the
financial district that this is so and,
despite the improved earnings posi-
tion reported by RCA for the first
six months, and other considerations
which might explain the current ac-
tivity, the street persist in its belief
that none of these as readily explains
the stock movements as the report
that the original sponsor of this bull
market favorite is again in the field.
Though no spectacular gains have
been made in the Radio shares of late,
the daily turnover for the past several
weeks has averaged between 15,-
000 to 20,000 shares.

British Lion Head
Seeks Indie Films
(Continued from page 1)

a deal on for an American distributor
to handle some British Lion product.
Smith leaves tomorrow for Toronto
to confer with N. L. Nathanson of
Regal Films in Canada and returns
Monday by which date he expects to
be able to announce that the British
film owners have agreed to take some of the British films for this market, it
is understood.
The British Lion executive sailed on
Oct. 2. The feature will have among its passengers Mark
Ostys, Jeffrey Bernerd and Michael
Falcon of Gaumont British.

Midwest Picking Up,
W. F. Rodgers Finds

Business conditions in the midwest
are much better than they were six
months ago, William F. Rodgers,
W. F. Rodgers, general manager,
stated yesterday following his return
from Cleveland and Pittsburgh.
"There is no question that things
are decided better than they were.
Rodgers expects to leave for Pittsburgh
over the week-end on another short
trip.

Resume Revival Series
Another series of revivals is to be
put on by the Film & Photo League.
Details in view of the fact that this
series will be shown will be: "The Last Moment," "Shattered," "Metropolis," "Old
STOP PRESS!!

ROXY REPORTS BIGGEST BUSINESS IN THEATRE'S ENTIRE HISTORY ... 58,837* JAMMED HOUSE OVER SATURDAY AND SUNDAY... POLICE RESERVES CALLED TO HANDLE UNPRECEDENTED THRONGS ... FIRE DEPARTMENT FORCED ALL BOX OFFICES TO CLOSE 37 MINUTES BECAUSE OF OVERCROWDING!

*and "the adults outnumbered the juveniles 10 to 1," says Film Daily

SELL IT TO THE ADULTS
... the kid trade will take care of itself!
audience ... will laugh and cry together

If you've seen it ... you know how tears of sympathy and gladness well into your eyes ... as a jealous aunt and her snooty son make life a hell for this motherless lad ... and almost turn his father against him.

Jackie Cooper

in

PECK'S BAD BOY

THOMAS MEIGHAN
JACKIE SEARL
O. P. HEGGIE
DOROTHY PETERSON

A Sol Lesser Production
Directed by Edward F. Cline
Screen play by Bernard Schubert and Marguerite Roberts
Plan to End 3 N.Y. Advisory Boards Talked

(Continued from page 1) to Oct. 8, when again representatives for both sides will meet for three hours to complete the testimony.

Because two other cases were on the calendar for the same day, the board postponed a session to Oct. 15, when a recommendation for a decision will be made. On Oct. 18, the main board meets again and the litigants will be present to submit additional testimony and summation.

That so much time should be spent on one case is regarded by some code members as ridiculous. Under a proposed plan, the New York, New Jersey and Long Island advisory boards would be eliminated and litigants will be allotted 15 minutes to present their side of the case.

It is understood a recommendation along these lines will be made to Campi either at tomorrow's session or the meeting following.

Roosevelt, Beacon, Complaint Quashed

Complaint of the Roosevelt, Beacon, N.Y., against the Beacon and Paramount on an alleged breach of contract was dismissed yesterday by the New York court. The owner of the Roosevelt previously operated the Apollo, which since has been closed, and with the consent of Paramount all pictures transferred to the new house.

According to the complaint, a schism has arisen in Paramount reorganization circles between the stockholders' protective committee headed by Mr. Keogh and other N. L. Nathanian or Emanuel Cohen. It is expected that the complete board will not ex- cuse the subject of their actions on the organization over the amount of representation on the new board.

"Looking Over Shorts"

"The Return of Chandu" (Sol Lesser-Principal)

Hollywood, Oct. 9.—The Return of Chandu is 12, is another of the series of thrillers and mystery. It will keep the young- sters on the edge of their seats. Although there have been tentative plans to release the film as a feature, it cuts up into a much better serial with promise of a good reception at neighbor- bhood box-office.

The story features Bela Lugosi, known as Chandu the Magician in the Orient where he was born, and Frank Chandler in America. Chandu brings the Egyptian princess Nadji, played by Maria Alba, to Hollywood to escape death at the hands of an evil, mystic cult of the Uaabi. The cult wishes to sacrifice her in order to bring to life the recently recovered body of Princess Lenora, and restore the lost continent to its former glory.

The following episodes, each wind- ing up in wild excitement, will be a series of chases and black magic which carry the pursued half way around the world. A happy ending finds Chandu and Princess Nadji enamored.

Lugosi, Miss Alba, Clara Kimball Young, Lucien Frival, Dean Benton, Pyro Logan and others are featured in the cast offer good performances. Director Ray Taylor's handling of suspense is excellent. Barry Barringer did a good screen adaptation from the radio story by Harry Earnshaw, Vera O'Connell and R. R. W. Jr. The episo- des retain the original Chandu theme music. Excellent photography by John Hickson.

"Switzerland the Beautiful" (M-G-M)

This is a serial of the J. M. FitzPatrick Travel Talk series, this time done in Technicolor. Interlaken, Lucerne and Geneva are covered with interspersed scenes of the area.

The coloring greatly enhances the film and makes it doubly entertaining. Running time, 10 minutes.

"Good Golfers Start Young" (Columbia)

An interesting and at the same time amusing study of form in golf. Among the prominent golfers seen in action are Maureen O'Sullivan, Honeymoon, "Worth" Cox, Walter Kozak and Johnny Farrell. There is also an amazing exhibition by a top Professional Eddie Rule, Jr. No code seal. Running time, 10 minutes.

"Polo Thrills" (Columbia)

Here is a sports short that lives up to its title. It is furious action from beginning to end. If a program needs a thrilling match to fill the need. The film shows how polo ponies are trained and winds up with a series of exciting shots of an international polo match between teams representing the United States and Great Britain. As fine a short as can be made in the width. No code seal. Running time, 10 minutes.

"Katnips of 1940" (Mintz-Columbia)

A fine job of animation has been done on this "Krazy Kat" number. It is lively and diverting. The cartoon presents the tale of the aspiring musical star who gets her break when the star goes phooey. Smartly exe- cuted. Code seal No. 66. Running time, 7 minutes.

" Richest" Is Hit in Frisco

With $16,000

San Francisco, Oct. 9.—First runs have been highly successful for the "Richest Girl in the World," and it is likely to hold its own. The film, directed by George Cooper, stars Dorothy Jordan, stars the role of a girl who leaves the country for New York, then back to San Francisco, where she is found to be worth a $20,000,000 inheritance.

Judging by theScreenland and Daily Variety reviews, it will appeal to a wide audience. The story is well written and the acting is good. The film was produced by the Pictures Corporation of America and released by the Warner Brothers.

Differences Aired On Buffalo Zoning

Differences over the Buffalo clear- ance and zoning schedule were aired at Camp meeting before a special appeal committee comprising Leslie E. Thompson, chairman; E. C. Grainger, and J. A. hinterman.

Attending from Buffalo were Jane Halloran, code secretary, Jules Michaelis, Basil Brothers, Benjamin Gold and J. W. H. Sturges, and from New York, Louis Nizer, 0. O. Decker and William Rodgers, the latter two with M-G-M, also were on hand.

Rosenblatt to Study Atlanta's Board Row

Atlanta, Oct. 9.—Division Administr- ator S. A. Rosenblatt has assured Ike Katz, head of the G. F. T. A., that a probe will be made into the eligibility of Nat Williams and Oscar Lam to serve as unaffiliated members of the local code boards.

Charles H. Burkey Dead

Kansas City, Oct. 9.—Charles H. Burkey, 63, veteran exhibitor, died early today of heart disease. Funeral services will be Thursday. Burkey entered in show business 17 years ago, when he built the Summit, which he operated until his death. He had been president of the Centre Owners of Kansas City several years before being forced into retirement three years ago by ill health. For many years he served as vice-president of the M.P.T.O. of Kansas and Western Missouri, of which he was a founder.
Unanimous!

Variety

Says

"As a box-office attraction it looks like a runner-up to LADY FOR A DAY, and should pull the same patronage."

The Hollywood Reporter

Says

"It's a honey! The old adjectives will have to do. It's plain ordinary swell—a tremendous successor to LADY FOR A DAY."

Motion Picture Daily

Says

"This is money in the bank, crammed with mass and class appeal. A worthy successor to LADY FOR A DAY."

and now = Film Daily =

Says

"Another bell-ringer from Columbia—will click anywhere. May Robson follows LADY FOR A DAY with another triumph."

Carole May Lombard • Robson
Lady By Choice

with Roger Pryor • Walter Connolly
Story by Dwight Taylor • Screen play by Jo Swerling
Directed by David Burton

A Columbia Picture
And how he will roar on the screen of the
STATE THEATRE during the coming season of 1934-35!

We're happy to announce that the beloved M-G-M lion is on his way to this theatre with entertainments galore. All the great star players of filmland, all the delightful motion pictures that he sponsors on the screen are now assured the patrons of this theatre. More glamorous, more gloriously enjoyable than ever is the happy array of Stars, stories and hits that are on the way to you during the coming season!

Just 4 of many M-G-M Hits to Delight You!
THE BRIGHTEST OF SCREEN STARS-
THE MOST INTRIGUING OF STORIES-COMBINED
BY M-G-M TO PRODUCE GOLDEN HOURS OF ENTERTAINMENT!

Norma Shearer
Charles Laughton
Herbert Marshall
Lillian Gish
Marie Antoinette

The Good Earth
Paula's Shilling, best selling novel
Clark Gable
Wallace Beery
Robert Montgomery in the wild and woozy
Mutiny on the Bounty
Jeanette MacDonald
Shelby
Victor Herbert's most popular
Naughty Marietta

Ann Harding
Robert Montgomery in the remarkably量ject novel
Biography of a Bachelor Girl
Stan Laurel
Oliver Hardy in Victor Herbert's great operetta
Babes in Toyland
Sequoia
with Jean Parker
William Powell
Myrna Loy
the story of "The Thin Man" in
Evelyn Prentice

Constance Bennett
in Michael Arlen's story
Outcast Lady
Joan Crawford
Clark Gable
Robert Montgomery in the sexy hit of the screen
Forsaking All Others
Greer Garbo
Herbert Marshall
George Brent
in G. W. Pabst's great story
The Painted Veil

Celebrated plays and "best-sellers" on the M-G-M program
The Man and the Lion
Lassie Come To Town
The Circus
Lobbying As It Ought To Be Done
Living In A Big Way

M-G-M Short Features

You're invited to enjoy the finest entertainment the screen has ever known at the
STATE THEATRE OF THE STARS
Quick Action
On Para. Am, Says Law Firm

In Creditors' Interest, Aver Trustee Advisors

That a reorganization of Paramount at "the earliest practicable date" held by the trustees of the company to be for the benefit of creditors was asserted by Root, Clark & Ballantine, trustees' counsel, in reply to a charge by shareholders that the company was obstructing organization.

Paras. Negotiating

On All Trust Suits

That Paramount is now negotiating settlements of all anti-trust litigation pending against the company was revealed yesterday in a report on the status of claims filed against the company submitted by the trustees.

Scenes of Jugoslav

King Are Censored

A newsreel censorship of scenes taken in and around Marseilles during the ceremonies prepared to greet the arrival in that city of King Alexander of Jugoslav, who later was assassinated with Foreign Minister Barthou, has been clamped down by the French Government, Paris cables here yesterday declared.

Fox Movietone News flew its clips to Paris, but the plane was grounded by government officials and the film held.

Ostrers Now Hold Control of

G-B Stock, Mark Reveals Here

Majority control of Gaumont British rests with Isidore and Mark Ostrer whose stock interest is not 49 per cent as frequently reported, but 31 per cent. The additional two per cent was acquired by them about two years ago from Lord Lee of Fareham, according to Mark Ostrer, chairman of the board of G-B, in a statement made to Motion Picture Daily yesterday.

Ostrer denied reports John Maxwell of B. I. P. is negotiating with Fox for the 49 per cent stock interest held by the American company. He said he had held conversations with S. R. Kent, president of Fox, who hit reports the latter company was selling its interest in G-B.

Feature Clips in Shorts

To Be Used by Educators

A series of 24 two-reel subjects cut from standard releases and to be called "Secrets of Success," is to be made available to church and educational groups through the Hays office. The idea is to show life situations as an aid to religious education and character building.

The films will be 35 mm and will be shown, according to the plan, in theatres, probably Saturday mornings when the programs will not interfere with regular programs.

Frank Lloyd

Made Head of

M. P. Academy

Hollywood, Oct. 10—Frank Lloyd was named to the presidency of the Academy of M. P. Arts and Sciences at a joint meeting of its board of governors and executive committees that ended early this morning. He succeeds J. T. Reed.

Warner Baxter was elected successor to Howard J. Green as first vice-president, while Howard Estabrook was chosen to succeed Lewis (Continued on page 10)

Protestants'

Films Drive

Near Windup

Activity of the Protestant Church in its campaign for clean films was seen drawing to a close yesterday when an executive of the Federal Council of the Churches of Christ in America told Motion Picture Daily no plans had been made by the Council to carry on its film program beyond Oct. 21.

Several weeks ago that date was designated as "National Sunday" on (Continued on page 10)

Expect Action on

Code Costs Today

Camp is expected to approve the revised assessment plan for producers and distributors today in addition to the second half levy for exhibitors.

Division Administrator Sol A. Rosenblatt arrived from Washington last night to attend today's hearing and (Continued on page 6)

Hays Predicts

Continued Use

For the Code

Results Are Favorable, He Tells Directors

Continued application of the production code with proper consideration for "strong, dramatic themes" will be the order for the all-winter, H. S. Hays told M. P. P. A. directors at the regular quarterly meeting of the board yesterday.

Results to date under code administration are viewed favorably by Hays, who sees stronger entertainment values reflected in the "encouraging" public response being given to new season pictures. Hays also finds higher standards of entertainment indicated in an analysis of 279 features scheduled for the new season which reflects, he told the M. P. P. A. board, a better selection of story material with (Continued on page 6)

Gaumont Costs to

Average $300,000

Gaumont British will spend an average of $300,000 on each of the 26 pictures to be produced this season, Mark Ostrer, chairman of the G-B board, stated yesterday. He added that "The Iron Duke" with George Arliss has been completed at a cost of $700,000.

Ostrer sails on the Aquitania Oct. 19, accompanied by Jeffrey Bernerd, (Continued on page 10)

Moore Picture First

Columbia to Loew's

Booking of "One Night of Love" into the Paradise, Valencia, State, 83rd St., 173rd St., 72nd St., Lexington and Orpheum on Oct. 19 marks the first Columbia picture to go into Loew houses under the revised booking setup in Greater New York.

RKo gets all of Universal's product with the exception of five films, which go to Loew. No Fox pictures will be booked by Loew, it was stated yesterday, the output being transferred to RKO houses with the consent of the distributor.

Three Per Cent Sale

Tax Drafted in Ohio

Columbus, Oct. 10.—A general three per cent sales tax, said to meet most of the objections of the opposing groups which brought about defeat of
Hollywood, Oct. 10.—Production took off on a roll as the company continued to flourish with a total of 43 features and four shorts before the cameras, which is a decrease of one feature and two shorts under the preceding week.

Warner released the field with seven features in work, two preparing and four in the cutting rooms. Columbia, two, six and nine; Radio, six, two and four; Paramount, six, three and two; Fox, four, three and five; Universal, three, two and five; Roach, one, zero and zero; Century, one, zero and zero; and M-G-M, seven, five and seven. In the short subject division Roach reported one working, one preparing and two editing; M-G-M, zero, one and four; Universal, zero, one and six; independent, three, five and five.

**M-G-M Planning Big Opening on "Widow"**

M-G-M has laid out elaborate plans for the opening of "The Merry Widow" at the Astor tonight. The activities will be broadcast over WHN from the lobby beginning at 8 o'clock and extended.
GET THIS

e Libson in Cincinnati
II Keyes in Dayton
Bill Hollander in Chicago
Frank Starz in Dallas
Harry Browning in Boston
Will Singer in Omaha
Charles Taylor in Buffalo
Bill Tubbert in Syracuse
Frank LaFalce in Washington

Howard Waugh in Memphis
Ed Fay in Providence
Ken Grimes in Morgantown
Fuzzy Knight in Fairmont
Don Nichols in Charlotte
Gene Curtis in Toronto
Ed Hart in Plainfield
F. Moneyhun in Indianapolis
Earl Hudson in Detroit

AND OTHER REAL SHOWMEN EVERYWHERE

IT'S YOUR KIND OF AN IDEA
STAGE A "HAPPINESS WEEK"

The Time is right—the Title's right—the Stars are right—the Story’s perfect—for a big city-wide celebration of HAPPINESS WEEK tied in with your run of “HAPPINESS AHEAD.”

Only an idea as big as this can bring you maximum returns from the picture that’s been hailed as “excellent—delightful—grand”!

You won't have to force it. We provide you with convincing arguments and special inducements that will line up the whole town behind you without a struggle!

A PROCLAMATION

To the Citizens of the City of (____________)
Greetings:

The year 1934, now nearing its close, has been fraught with many momentous changes for this community, in common with every other community in the United States.

A new feeling of hopefulness is everywhere evident, following four years of uncertainty, apathy and fear.

While poverty still exists in our city and there is still far too much economic distress, the hungry are being fed and the homeless sheltered.

The business life of the city has been revived; there is less unemployment, less crime, less suffering among our residents.

Signs of business revival are present everywhere; confidence in our national leadership and our financial institutions has been restored; industrial strife is yielding to arbitration in a spirit of cooperation. Our schools are open, our teachers and our municipal employees are being paid.

To borrow a phrase from a current motion picture, there is "Happiness Ahead."

Consequently I, as Mayor of the City of (name of City) designate the week beginning (date here), as "Happiness Week," and I ask the citizens of this community to join in a movement that has for its purpose their own happiness and that of their neighbors.

Merchants, professional men, amusement houses and every line of industry will offer unprecedented values to shoppers during that time. Let it be a week of reconciliation among the unfriendly — of reunion among friends.

There IS HAPPINESS AHEAD. Let (name of City) lead the way along the road to Happiness — let us consecrate a week to cheerfulness, to mutual understanding and to burying deep the memories of the bitterness, the strife, the discouragement that have so long cast a shadow over all our homes.

In seeking happiness we realize that it lies within ourselves. Let us look forward to Happiness Ahead.

Given under my hand and seal this ______ day of ________ 1934

John Optimist
Mayor
WARNING! — See this picture yourself before you decide how strong you want to go on the campaign. We know it’s the kind of show that will make you want to go out and ring doorbells, wave flags, and post 24-sheets on City Hall. And you’ll find it doubly interesting as a sample of the great attractions that are coming in.

WARNER BROS.’ HAPPINESS YEAR
Quick Action On Para. Aim, Says Law Firm

(Continued from page 1)

counsel, Charles D. Hilles, Eugene W. Leake and Charles E. Richardson, the Paramount trustees, declared that "notwithstanding the favorable operation of the company and the business" it was believed that the earliest possible reorganization was advisable, and for that reason, the trustees have treated the subject of claims as "one of first importance."

"While reorganization is a matter for the creditors and stockholders to proceed with," the trustees' letter states the trustees will continue to cooperate with these groups.

Accompanying the letter to Rogers, is a summary of the present status of the case, the three trustees are now in the bankruptcy and re-organization proceedings. The period for filing these claims expired Sept. 15. Since the $278,000,000 claim of Paramount Broadway bondholders has been reduced to $44,000,000 and, with eliminations of preferred claims, the total has been further reduced to $154,000,000.

Only Third Held Provable

Of this amount only slightly more than $41,000,000 of claims in this category are held in probate and, but for that, the thousands of small claims filed in proper and ample, and more than $4,000,000 of claims in this category are held in probate and, but for that, the thousands of small claims filed properly.

More than the amount stated in the report are being negotiated and a few are being filed against the parent company and with others of the same type can be made a part of a plan of reorganization for the company.

The claims report states that the size of the claims is unknown and that $1,500,000 of this amount represents the claims of the Stanley Co., which, the report declares, is believed to be "outstanding and the amount to it has been filed. In addition, more than $50,000,000 of claims are being negotiated under settlement plans that will greatly reduce their amount, it was said.

The claims remaining against the company, the trustees' letter states, "constitute no obstacle to the presentation of a plan of reorganization" now.

No Darro Series Yet

Hollywood, Oct. 10.—Contrary to reports, Warners are not yet making a series of kid pictures featuring Frankie Darro, but instead will spot him in the juvenile lead in "Racing Luck" which is scheduled at that time as a Lyle Talbot starring vehicle.

Bud Barsky Off Tuesday

Bud Barsky, independent producer, plans to leave for the coast next Tuesday. He is in New York on financial and distribution and a series of pictures he plans to make upon his return to Hollywood next week.

Educl'S Series Is Begun

"Three Cheers for Love," the first in Educational's new "Young Romans" series of comedy shorts, has gone into production at the Eastern Service Studios, Astoria.

Hays Predicts Continued Use For the Code

(Continued from page 1)

increased selection of historical, biographical and musical subjects.

Reterating his statement that the industry's answer to the decency campaign will be made in pictures, Hays told the board that that policy "comes to this: the code will not be enough."

"We have done much more than substantially strengthen safeguards for production code observance, Hays said.

His survey of the 279 features, he related, shows a "very large increase in the number of films to be made from the great classics of literature and the stage and from books that have won a place in the hearts of millions of readers."

His essay and biographical films, he said, will comprise seven per cent of the season's production as compared with one per cent last season. There will be 34 musicals, 22 comedies, 24 detective and mystery films, 10 adventure films and six aviation pictures, he said.

Among those attending the meeting yesterday were Adolph Zukor, Joseph L. M. Schenck, Sid Grauman, Jack Warner, C. K. Michael, Nicholas M. Schenck, H. M. Warner, R. H. Cohn, and Albert Warner.

Overbuying Charges Made Against Reade

(Continued from page 1)

New York grievance board next Tuesday. The case is Herbert and Leon Shusterman of the Strand, Red Bank, against Reade's Carlton, same city. Fox, U. A., M-G-M, Vitagraph and RKO. The Shustermans claim that Reade last year bought 249 pictures when his requirements called for 156. The Roxy, Perth Amboy, against Reade's Majestic, Strand and Crescent, same city, Fox, U. A., M-G-M, Columbia, RKO and Big U. It is understood Louis Nizer, secretary of the local Film Board of Trade, will represent distributors and Millicent C. Weisman will act as attorney for Reade.

Plans Halloween Dance

The Warner Club will hold an in- clusiveness dance the evening of Oct. 26 at its clubrooms.

Protestants' Films Drive Near Windup

(Continued from page 1)

which day all Protestant ministers were requested to preach a sermon advocating clean films and to urge formation of Better Films Councils in their respective circuits. A call to ministers, a booklet, called "Source Material on Motion Pictures For Pastors," prepared from material culled from the industry's trade and from editorial matter which had appeared in the religious and daily press.

Distribution of these booklets has reached a nation-wide scope, it is reported by the council, and it is expected that every Protestant minister will make use of it in preparing the sermon for Oct. 21. Distribution of the former pamphlet is also progressing at a faster rate than heretofore, it is said, and it is estimated that 10,000 a week are being mailed. It is felt, however, that pD demand for the pledges will be with the expected formation of Better Films Councils.

Expect Action on Code Costs Today

(Continued from page 1)

may submit a report on the Hollywood situation. Rosenbloom returned from the coast Monday.

Decisions will be rendered on several appeal hearings, but none will be made on the sessions held the last few days on the Los Angeles, Detroit, Chicago and Cincinnati clearance and zoning schedules. The Indianapolis zoning plan was up yesterday with ministers and exhibitors from that territory in force. The counseling of Walter Vincent will substitute for Ed Kuykendall at the session which will get under way at 10 this morning.

Buying Case Quashed By Milwaukee Board

MILWAUKEE, Oct. 10.—The grievance board has dismissed overbuying charges brought by the World Theatre against Etta Wiesner, Gem Theatre, and RKO, M-G-M and Vitagraph. The Gem. It was testified, has 312 pictures under contract for 1934-35 on a three weeks weekly policy.

In the cases of Saxe Amusement Management vs. J. E. Hothman, operator of the Comet; Wiesner vs. Silverman of the Silver Theatre Corp., and Wiesner vs. Julius Wasilowski, operating the Midvale, all charged with admitting children for five cents, cease and desist orders were issued.

Labor Questions All In

All local theatres have returned questionnaires on labor, the NRA fact finding committee is now classifying theatres in a plan to set a basic operators' scale, according to a point system adopted by the committee.
Five smash hits from Paramount in 8 weeks.

GREAT

—Keep it up!
That "Coming American Boom" is here... eight more big pictures from PARAMOUNT in the next few weeks.
“College Rhythm”
with
JOE PENNER
LANNY ROSS
JACK OAKIE
HELEN MACK
DIRECTED BY NORMAN TAUROG
a Paramount Picture

“HERE IS MY HEART”
with
BING CROSBY
KITTY CARLISLE
DIRECTED BY FRANK TUTTLE
a Paramount Picture

‘Mrs. WIGGS’
of the
CABBAGE PATCH”
with
PAULINE LORD
W. C. FIELDS
ZASU PITTS
DIRECTED BY NORMAN TAUROG
a Paramount Picture

“LIVES OF A BENGAL LANCER”
with
GARY COOPER
FRANCHOT TONE
RICHARD CROMWELL
SIR GUY STANDING
DIRECTED BY HENRY HATHAWAY
a Paramount Picture
Frank Lloyd Is Made Head of M.P. Academy

(Continued from page 1)

S. Stone as second vice-president. Nathan L. Balcon was elected secretary, succeeding Frank Capra. William Sistrom was re-elected treasurer, while Don Wellman continued as executive secretary and William Conklin as chairman of the actor-producer relations committee.

A code for first assistant directors was adopted. Ratified by seven of the major producing organizations, it provides for the payment to assistant directors of a bonus of one week's pay between pictures for overtime on a preceding picture. The assistant directors were the only workers that failed to take their troubles to the NRA, elected to work out their problems through the code.

See Brighter Future

The meeting ended on a note of high enthusiasm, engendered by the belief expressed by all in attendance that the Academy had overcome its past obstacles and was destined to reclaim its former position in the near future.

Statistics on the administration by the Academy of the standard minimum contract for artists for the year ended Oct. 1 were made public in a report submitted to the governors.

The report showed that approximately $500 weekly was paid to some actors in settlement of their claims on the basis of the Academy's interpretation of the minimum contract, while an equal number of cases was reversed on the ground the claimants gave their contracts the wrong reading.

It is revealed that since the arbitration department was established in early 1931 a total of $12,826 has been paid out by studios in claims handled through the Academy. The report also discloses that, in addition to members of the M. P. Producers' Ass'n, independent producers have availed themselves of the service. At present the producer-director relations office is settling cases without going to court.

Houses Under 800

To Pay 5-Cent Fee

(Continued from page 1)

evening admission prices, the highest figure to represent the fee per seat for each of the theater's shows, with the exception of the new plan a victory despite increases of five and 10 cents over last year's levy.

A theater charging $600 a year under the 1933 assessment. This same theater under the new levy of 15 cents now pays an annual total of $120.15, but under the proposed A. S. C. A. P. plan to tax according to admissions this house would have been required to pay $200.10.

For theaters seating over 1,000, the new assessment is doubled, bringing the music levy of $100 to $200.

ITOA Discusses ASCAP

Settlement of the A.S.C.A.P. music tax increase highlighted discussions of the I.T.O.A. at the organization's regular meeting yesterday at the Astor.

“Great Expectations” (Universal)

Hollywood, Oct. 10.—An intelligent, entertaining screen version of Charles Dickens' story richly endowed with typical Dickens humor and melodramatic pathos gives distinction to this production. Cut to exhibition length, the film should prove a first rate show to those appreciative of Dickens, though the mass reception may be uncertain.

The story revolves around the character Pip, portrayed by George Beban as a boy and Jack Holt as an adult. The youth lives with his sister, Raffaella Ottano, and Alan Hale, his blacksmith husband. Visits of the boy to the estate of Florence Reed, where her ward, Anne Howard, as a child, and Jane Wyatt as an adult, live, result in a youthful romance.

While serving as an apprentice blacksmith years later, Holmes is notified that a substantial bequest for schooling has been offered by an anonymous person. He finds later that the donor is a former convict, Henry Hall, whom he had befriended as a child. Family relationships, subsequently revealed, lead to the engagement of Holmes and Miss Wyatt.

Stuart Walker has directed intelligently. All cast performances are excellent. Gladys Unger's screen play retains the complete period flavor. Wherever Dickens is popular this should register, but in other spots it will need exploitation to sell. Production code seal No. 301. Running time, 101 minutes.

“Weigh Up and Dream,” last night’s opener at the Mayfair, was reviewed by wire from Hollywood on Sept. 4.

The Merry Widow,” tonight’s premiere at the Astor, was reviewed by wire from Hollywood on Sept. 4.

Gaumont Costs to

Average $300,000

(Continued from page 1)

General manager: Michael Balcon, production head; Jack Hulbert and Berthold Viertel. Ostier will return at the first of the year, while Warner will be back in about four weeks. Nova Pilbeam will sail shortly after the opening of “Little Friend” at the Strand. Nov. 1, and the child actress will return to England around Oct. 21.

Ostier stated yesterday his company is still awaiting word from the division of Roxy, although a deal had been on at one time. He said G-B does not want to operate its own theaters in America.

Weeks to Atlanta Today

George W. Weeks, Gaumont British general sales manager, departs for Atlanta today to appoint a staff there. There will follow visits to Cincinnati, Indianapolis, Detroit, Kansas City and St. Louis.

Saville on “Dictator”

London, Oct. 10.—Through cooperation with Gaumont British, “Dictator” (Poster of the Passing Show) was able to resume production this morning on “The Dictator” after only two and one half days’ delay. Victor Saville has taken over the directorial job relinquished by Alfred Santell. Saville has just finished “The Iron Duke” with George Arliss. He studied the script over the weekend.

Three Per Cent Sale

Tax Drafted in Ohio

(Continued from page 1)

Sales tax proposals in recent sessions of the legislature, has been drafted for submission to the General Assembly.

Nov. 19

It is estimated the tax will yield $25,000,000 to $75,000,000. The state administration estimates current needs at around $62,500,000.

MOTION PICTURE DAILY is advised that, while the bill does not specifically provide for repeal of the nuisance tax, which includes the 10 per cent admission tax, it does leave room for specific repealers, which could be written in. If the bill passes, as is now predicted, the present tax could easily be modified to include admissions as sales.

In the proposed setup, sales under 10 cents would be exempt, while amounts from 11 to 41 cents would be subject to a one-cent tax. The impost would be two cents up to 71 cents, with a three-cent levy between 71 cents and $1. The full three per cent would apply for $1 up.

Pickett to Hastings

Omaha, Oct. 10.—J. W. Pickett, former state manager of the Strand at Hastings, Neb., succeeding Carl Rose who goes to York, Neb., to take charge of the San and York for Central States Theatre Corp. of Des Moines.

Short Subjects

“Laughing with Medbury In The Arctic”

(Barth-Jutters-Columbia)

John P. Medbury wise-cracking on the ice, so to speak. The humorist has built a more or less funny narrative around a collection of stock shots of the polar regions. Some of his remarks are all right, while others are a little too obvious to be really funny. Code seal No. 165. Running time, 10 mins.

“Songs of the Colleges”

(Radio)

A timely and appropriate short sub- ject, and a wise choice of words and music. It is a pleasing cartoon done in color that should add to the list of shows that Western has in its repertoire. Code seal No. 1. Running time, 15 mins.

“Men in Black”

(Columbia)

Featuring the trio of Ted I stooges, this burlesque on the profession is passably funny. There are a few gag plays that are familiar by this time, it still manages to arouse laughter. Larry Fine as Larry Fine Jr., Jerry and Moe Howard, are internes in a hospital who carry on like lunatics. Code seal No. 241. Running time 19 mins.

“Pastry Town Wedding”

(Radio)

The wedding of two of the elfin populace of Pastry Town is here portrayed, with ingredients of appropriate music and song. It is a pleasing cartoon done in color that should add to the list of shows that Western has in its repertoire. Code seal No. 12. Running time, 25 mins.

“Trapeze Artist”

(Mintz-Columbia)

There is considerable entertainment value in this “Krazy Kat” animated. It is a cartoon version of the story of the man on the flying trapeze. A clever and amusing piece of work. The strains of the popular tune serve as a musical score. Code seal No. 67. Running time, 7 mins.

“Dumb Bell Letters”

(Radio)

This is Number 3 of the series and is just as funny as the first two. It contains the usual letters collected by Lucille, some of which are from business organizations. Production code seal No. 88. Running time, 4 mins.

Skouras to St. Louis

Spyros Skouras left last night for St. Louis by plane on a short business trip. He will return east and have particular appeal to younger audiences now that football games are on again. The songs of 13 colleges such as Tulane, Georgia Tech, Notre Dame, Yale, Harvard and Ohio State are played. Production code seal No. 261. Running time, 15 mins.

Thursday, October 11, 1934
HERE THEY COME... ON A RAINBOW OF RHYTHM!

FRED ASTAIRE • GINGER ROGERS
THE GAY DIVORCEE

ALICE BRADY

EDWARD EVERETT HORTON

THE KING AND QUEEN OF "CARIOCA"... dazzling stars of "Flying Down to Rio" bring you the musical hit of the decade! A dashing, dancing romance... loaded with half the tantalizing tunes that ten million can't stop whistling!

See them do "THE CONTINENTAL"... the famous dance sensation that will set the whole world into a new "Carioca" frenzy!

RKO-RADIO PICTURE

Directed by Mark Sandrich
Dances directed by Dave Gould
A Pandro S. Berman Production
TONIGHT'S THE NIGHT ON BROADWAY!
KANSAS CITY, Oct. 11.—Solidifying its position in highly competitive situations, Fox Midwest has effected a pool with Commonwealth Theatres here, and in Kansas City, Kan., with Grubel Bros., owners of the Electric, formerly operated by Paramount. The move involved six houses.

It is understood the deal is in the form of a partnership arrangement, with a split of the profits on an equal basis. Fox Midwest is in charge of bookings and has virtually taken over operation of the competitive theatres.

(Continued on page 6)

Says Theatre Guild May Make Pictures
DAYTON, Oct. 11.—Prediction that the Theatre Guild eventually will have to go into pictures was made by Lawrence Langner, Guild director and one of its founders, when interviewed during a one-day stopover here.

"Unwillingness of actors to go on tour, plus the fact that many of the legitimate theatres are being converted into film houses will sooner or later result in the guild going into the picture business. The solution will be for the guild to produce its plays on the New York stage, transfer them to the screen with the same casts, and release the pictures itself," he declared.

(Continued on page 6)

Quittner Suit Is Settled By Para.
Settlement of the $5,100,000 Quittner anti-trust suit has been agreed upon and contracts are being drawn for submission to the Federal court for approval, it was learned yesterday.

Although terms of the settlement could not be disclosed prior to the filing of the agreement with the

(Continued on page 2)

Logan and Victor to Work on "Bacallas"
Logan and Victor are to work on "Bacallas," a comedy for Victor, who will produce it here, and Logan will work on the project for two or three months. Logan will work on the partly before coming here.

(Continued on page 6)

Miami Studying Tax Removal on Studios
MIAMI, Oct. 11.—The question of tax exemption for the purpose of lure- the California film producers here was discussed at today's meeting of the City Commission. As soon as the legal department rules on whether or not this is possible, some action will be taken, it was stated.

(Continued on page 2)
Ampa Members Give Comedians Big Hand

Comedy was the order of the day at yesterday's Ampa meeting. Milton Berle, Eddie Foyd, Paty Flick and Joe Bostwick were in the crowd in stitches. The honor guest of the occasion was Jeanette MacDonald, whose "Merry Widow" opened last night at the Astor.

Other guests included George Weltz, assistant manager of Paramount Exchange, and Gus Edwards; Mil- lard Ellenson, a former district attorney, who is a candidate for Supreme Court judge in the Bronx; and N. L. Mandian, Universal foreign manager.

Hal Horne was guest chairman. Bert Ruttger will preside at next week's meeting, while Police Commissioner Valentine will be guest chairman on Oct. 15.

President William R. Ferguson told the Ampa members yesterday that the Nov. 8 meeting will be a closed meeting. The program will be devoted to consideration of the proposal to admit women to membership in the organization.

Depinet, Zohbel to Coast

Ned E. Depinet, president, and Herman Zohbel, treasurer of RKO Radio, whose plans for starting the coast were delayed a day, left yester-
day. Depinet will remain at the studio about a week for production conferences, while Zohbel will establish temporary headquarters there for an extended stay.

William Mallard, RKO Radio general counsel, may leave for the studio this week end, although definite ar-
rangements for his departure have not been made up to late yesterday.

Sign Product Deal Today

Contracts between Fox, RKO, Skouras, Universal and Randorfe in volving transfer of Universal and Fox product to RKO houses are scheduled to be signed today by all parties in- volved. At the same time the agreement will take over the Uitca, Brooklyn, when the deal is signed and may keep the house closed.

"Power" Gets $68,000

"Power" garnered $68,000 at the Music Hall for the week ending Wednesday night.

Paramount to Show Eight French Films

Paramount is readying eight French features, with native casts and dia-
logue, for release in America early next year. The pictures have been produced at the company's Joinville studios during the past 18 months.

A special department is planned at the home office to handle the films, which will not be released nationally, but only in French speaking localities in this country, Canada and in Louisiana. Release will be gen-
eral in Canada, however.

The eight pictures are as follows:

FROM the private notebook of a famous Coast columnist...comes this laughing lowdown on a couple of Hollywood upstarts...who start up the ladder to fame...and climb into a storm center of comic complications.

365 NIGHTS IN HOLLYWOOD

JAMES DUNN
ALICE FAYE

Mitchell and Durant
John Bradford

Produced by Sol M. Wurtzel
Directed by George Marshall

Based on a book of short stories by Jimmy Starr
Screen play by William Conselman and Henry Johnson

Date it in for preferred time—and give your crowds the time of their lives!

ALICE FAYE SINGS AGAIN ...only MORE SO!
Secret councils of great nations dispatched this grim command...and hidden "eyes" saw danger in every move of this lonely girl...too innocent to know her own allure.

Industry insiders privileged to witness the completely fascinating performance of this magnetic personality have tipped the word to fellow showmen. Soon the word will spread to all the world!
Marie Galante

with

SPENCER TRACY
KETTI GALLIAN

NED SPARKS
HELEN MORGAN
SIEGFRIED RUMANN
LESLIE FENTON
ARTHUR BYRON
JAY C. FLIPPEN
& STEPIN FETCHIT

Produced by Winfield Sheehan
Directed by Henry King
Screen play by Reginald Berkeley
Based on a novel by Jacques Deval
Ask Fox Met Operators to Change Pact

(Continued from page 1)

bondsholders' group who is pressing the action for disposal of the Fox Theatres' reorganization petition. The latter corporation owns all of the common stock of Fox Met. In his action, Palmer charges that Fox Theatres has no other assets of value and that the reorganization petition is an attempt to swindle the creditors out entirely under supervisory control, treated of Catholic church history, and, secondly, met all standards of the Legion of Decency.

Archbishop John M. Shaw, apprised of the situation, declared: "It is possible to permit this film's performance as against the Legion of Decency might as well disband. It is our duty to every Catholic man, woman and child to uphold the Legion of Decency laws and cooperate with it."

The Legion immediately went into action, calling upon its members to support the film and making special appeals through Catholic churches and schools here. The response was immediate. McCloud reports. The picture has been playing to capacity all this week. Police have been required to handle overflow crowds and 20,000 admissions have been contracted for in said area. For the last two years, competitive neighborhoods have been playing the same pictures day and night and, in some cases, on a double bill. The plan is to play a weak picture against the big attraction.

The Fox-Commonwealth pool also made some possible controls of prices, and it was authoritative said that "circuit" will be eliminated as unnecessary. The company will not permit the pair to be shown on a Saturday night.

The pool gives Fox complete control of the first run situation in Kansas City, Kan. The present plan is to block the major attractions into the Electric, which is larger than the Granada.

Pool By Circuits

Irks Sales Heads

(Continued from page 1)

that the sales managers will consult with their buyers in deciding whether or not to sell the three circuit pool.

Joseph Seider, a Fox Met's man, had already purchased Warners' First National, Fox and M-G-M for the Prudential-Casey & Wheeler circuits.

Individual territories are tied together, but there is no interlocking agreement. The Skouras theatre in Hollywood is in process of its contract with Prudential's Freepost house in one deal; Prudential's Huntington Station unit is pooled with A. H. Seidler's house in Queens Village; Seidler's Floral Park is tied in with the Schwartz theatre in Queens Village; Seidler and Schwartz each have a house in Riverhead which are pooled; Skouras' Glen Cove, Lynbrook and Valley Stream houses are in with the Schwartz' Rockville Center units.

It is understood that the lawyers of the various companies will meet to discuss the matter.

Files General Suit on Color Film Patents

(Continued from page 1)

Charles E. Townsend and William A. Long, Douglas says that he began experimenting with color films in 1912 and made his first application for the hemisphere pictures in 1916. These processes now used by Fox, Paramount and Technicolor, he declares, are based on principles which he discovered.

Douglas says his own patents number 30, but these cover many things other than color films.

He was one of the organizers of the Vistor Talking Machine Co. His inventions, he says, include one making color films possible.

In 1917, Douglas states, he made a color film at his own expense with Douglas Fairbanks, Mary Pickford and several others. It was projected in a Red Cross drive. His photogaphic principles, he says, are based on a process of superimposing two red, green and blue light rays on to film and the other green rays. From the two negatives thus obtained, he explains, a positive superimposed film treated with emulsion on both sides, one for the red and the other for the green tones.

Reels Anxious Over Pictures of Slaying

(Continued from page 1)

vanced for the government's action was its fear that the film might create the impression the authorities were lax in safeguarding the monarch. The order came out of a clear sky and the pictures were seized summarily, it was said.

Pathe stole a march on the others, it was learned from an official of the reel, when the film taken by its cameramen was permitted to be shipped out of the country just before the censorship order was issued. It is scheduled to come out next week. Some of the newsreel officials expressed fear that none of the film would ever be released.

Campi Passes New Assessment Plans

(Continued from page 1)

adopted the finance levies and today will send them to the Department of Research in Washington.

George G. Hunter has joined Campi's legal staff, assisting Tyree Dillard, Jr., at appeal hearings and in drafting of decisions.

Division Administrator Sol A. Rosenblatt did not discuss the Hollywood situation, as he was expected to do. Attending the session were Walter Vincent, chairman; Charles L. O'Reilly, Nathan Yamin, Gordon Wynne, Neil Allan and new, Jr., Robert Rubin, Harold S. Bareford, Willard McKay and Edward Golden.

Herron Back at Desk

Frederick L. Herron, treasurer and in charge of the foreign department of the Hays office, has returned from a combination vacation and business trip that took him to the coast and to Mexico City.

Legion of Decency Comes To Rescue in New Orleans

(Continued from page 1)

Charles, appealed to Legion of Decency leaders for support of the Beacon Films' production, which, he stated, had been produced entirely under Catholic supervision, treated of Catholic church history, and, secondly, met all standards of the Legion of Decency.

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that the sales managers will consult with their buyers in deciding whether or not to sell the three circuit pool.

Joseph Seider, a Fox Met's man, had already purchased Warners' First National, Fox and M-G-M for the Prudential-Casey & Wheeler circuits.

Individual territories are tied together, but there is no interlocking agreement. The Skouras theatre in Hollywood is in process of its contract with Prudential's Freepost house in one deal; Prudential's Huntington Station unit is pooled with A. H. Seidler's house in Queens Village; Seidler's Floral Park is tied in with the Schwartz theatre in Queens Village; Seidler and Schwartz each have a house in Riverhead which are pooled; Skouras' Glen Cove, Lynbrook and Valley Stream houses are in with the Schwartz' Rockville Center units.

It is understood that the lawyers of the various companies will meet to discuss the matter.

Jules Buffano Married

Portland, Ore., Oct. 11—Jules Buffano, orchestra leader, has been married to Sue Lacner, artist.

M. May Lose 3 Houses in St. Louis

(Continued from page 1)

on the theatre situation. Skouras is due back in New York on Friday plane while Arthur leaves St. Louis this afternoon for Los Angeles, where he will visit the Fox & Mortimer office on the F. & M. west coast stations. Arthur returns to New York in about 10 days.

Marion Davies to Leave

Marion Davies leaves for the coast next week. She is now conferring with E. B. Hatrick on her two starring pictures of the 1934-35 Cosmopolitan schedule.

May Attend Premiere

Hollywood, Oct. 11—Dolores Del Rio expects to leave for New York shortly to attend the opening of "Mada DeBarry" at the Strand there.

Jules Buffano Married

Portland, Ore., Oct. 11—Jules Buffano, orchestra leader, has been married to Sue Lacner, artist.
“CONGRATULATIONS on the first issue. The President saw it and was greatly interested!”

—STEPHEN EARLY
ASSISTANT SECRETARY TO THE PRESIDENT

“I feel sure that great public approval will attend this effort.”

—MAYOR ANGELO J. ROSSI, SAN FRANCISCO

“Heartiest congratulations. A distinct achievement in unusual and entertaining presentation of the news and a great step forward in the newsreel field.”

—Darryl Zanuck, Los Angeles

“It is one hundred percent better as to news value and entertainment. After watching audience reaction I feel justified in saying you have delivered to exhibitors all and more than you promised. It is a step forward in newsreel presentation.” —ROBERT T. SMITH, WEST COAST THEATRES

“I congratulate Hearst Metrotone on its first issue. Excellent choice of subjects and vivid manner in which they are pictured and the splendid comments of Edwin C. Hill combine to make this newsreel of exceptional value. This is real drama.” —MAYOR FRANK L. SHAW, LOS ANGELES

“I have seen your first news release with Edwin C. Hill and desire to congratulate the people of this country in having so able and fearless a presentation of world events. Your service has every evidence of being a careful and complete summary of matters of real public interest.”

—JAMES M. CURLY, THREE TIMES MAYOR OF BOSTON

HEARST METROTONE NEWS
starring EDWIN C. HILL The Globe Trotter
Blazing New Trails

IN ADVERTISEMENTS we’ve seen the M-G-M trademark lion, Leo, portraying the roles of Trader Horn, Santa Claus, Mr. John K. Exhibitor and others. But now he has assumed, literally, the role of a trail blazer, designed to benefit on a large scale the motion picture industry.

Along the ribbon-stretched highways of the nation, going East, West, North and South, you’ll see 24-sheet boards drawing public attention to M-G-M pictures. On city streets in the most strategic locations these M-G-M 24-sheets are also in evidence. In leading fiction, style and other magazines M-G-M brings forceful sales messages in full-page displays into the homes of the American people; and through the local newspapers it ties its messages directly to the local showings of its productions.

Coupled with billboard, newspaper and magazine advertising M-G-M is continuing the tours of its already extensively-traveled Traveling Studio, creating interest, building good will, not alone for M-G-M, but for all motion pictures.

During the depression years M-G-M has maintained a force of able exploitation men. They have worked hand in hand with exhibitors, planting publicity stories with newspapers, effecting co-operative tie-ups with merchants, securing free time on radio broadcasts, making and placing window displays and other picture merchandising helps.

The screen has been given new life through great improvement in product. That’s one essential to success in theatre operation. Selling —advertising, exploitation, merchandising—is another highly important essential. Even the best pictures don’t sell themselves. And, too, many an average picture can be turned into a winner if it is properly sold.

When public interest lags, it has to be revived. When people stop buying theatre tickets, showmen go out and bring them to the ticket windows. Exhibitors have done the job in a limited way. But, as it is necessary in all big and successful merchandising cam-

paigns, the manufacturer of a product must blaze the trail, charting it through courses that the individual retailer cannot take alone, yet which are beneficial to him.

Already the public is reacting to the initial blasts in the M-G-M campaign. Witness the success of the first three pictures to receive this extensive exploitation, namely, "Chained," "Treasure Island" and "The Barretts of Wimpole St." New trails are being blazed to the ticket windows of the nation.

(Signed) BEN SHLYEN, Editor of Associated Publications
Hays Tells Catholic Meeting
Films Purged by Church Drive

The belief that the church drive against objectionable pictures has "wiped sin and shame from the screen" was expressed by Will Hays, M. P. P. D. A. head, in a letter read yesterday at the 11th biennial convention of the International Federation of Catholic Alumni at the Waldorf-Astoria.

"Current motion pictures," added the letter, "are meeting with an encouraging public response."

"You have been, perhaps, the most severe of all the groups in your appraisal of pictures, but always your criticism has been specific and you have brought the weight of your opinion directly to the makers of pictures."

The Auditorium, Oct. 12—Harry M. Warner, head of Warners, struck a serious note at the sixth annual golf tournament and dinner-dance sponsored by the Philadelphia Exhibitor today when he stated that the U. S. Supreme Court's refusal this week to grant a rehearing in the American Tri-Ergon patent case had created one of the most serious situations that exhibitors have ever faced. He prophesied that vital changes in the sound industry would be expected in the future as a result of the court's action in upholding William Fox's contention that dubbing patents were a monopolistic restraint of trade.

There were 70 entered in the tournament, while the attendance at the dinner-dance in the evening was 200. The top golfer was Johnny Bachman. Thirty prizes were awarded. (Continued on page 3)

Walters Cut Scates
In Milwaukee Spots

Milwaukee, Oct. 12—Walters have announced new low prices for the Venetian, Egyptian and State, local neighborhood houses, with adults admitted for 10 cents every Saturday until 6 P.M. and every Sunday until 5 P.M. The circuit is now playing two films at both its Egyptian and State.

A number of state cities have also gone in for dual features on a big scale and in Green Bay the Bay Theatre is offering five acts of vaudeville with two first run pictures every Friday, Saturday and Sunday.

After several postponements the Strand will be opened Saturday by Walters on a 25c-35c scale with dual bills.

Tussle Over Duals
Continues to Rage

Cleveland, O., Oct. 12—An application to intervene in the case of the Center Woodland Amusement Co., against the Family Theatre in which Common Pleas Judge Alva Gerlott last week granted a permanent injunction restraining the Family from showing duals, was filed by Lawrence Rich, attorney, representing Morris

(Continued on page 3)

Assessments
Again Turned
Down by NRA

Revisions Suggested—
May Be Set Monday

Washington, Oct. 12.—Despite the fact that the code finance committee, consisting of S. R. Kent, Harold S. Bareford and Edward Golden, approved the revised producer-distributor assessment schedule in the NRA Division of Research and Planning has overturned it for a second time. The NRA has made certain recommendations for revision in a letter to Camp and it is understood that the changes will be made by Monday.

Altogether, the NRA has approved the plan and practically all of the independents agreed to it, but the NRA committee here would not accept it on the grounds that the formula for basic rates, based on gross business, is unfair to the small producer and distributor.

It is apparent to Washington forces that the plan is wrong in the abstract and theory. It has been sent back for a third time.

With the NRA turning the schedule down, the move is considered.

(Continued on page 3)

Local Pool
Airéd
In Second Meeting

Local exchange managers yesterday met with Louis Nizer, executive secretary of the New York Film Booking and Trade, and discussed the three-cornered pooling arrangements on Long Island between A. H. Schwartz, George Skouras and Joseph Seiler.

Reports were current that Springer & Cocalis may enter the pool with the booking-buying plan being extended to Brooklyn.

No action was taken and another meeting will be called shortly.

"Barretts" in 2nd
Week Does $46,000

"The Barretts of Wimpole Street" continues to hold good patronage at the Capitol, garnering $46,000 in the second week. The Paramount fell off considerably on the third and last week of "Belles of the Nineties," grossing $28,000. "Peck's Bad Boy" didn't hit the $33,000 expected at the Roxy, but came close to it with a $29,000 take. Both the Roxy and the Capitol hold over.
**MOTION PICTURE DAILY**

**What N. Y. Critics Think**

**“Power”**

(Gaumont British)

**December 10, 1934**

**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

Vol. 36  October 13, 1934  No. 88

**MARTIN QUIEGLY**
Editor of the** DAILY**

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**Maurice Kann**

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**Temporary Film Shift**

Philadelphia, Oct. 12.—For the first time since United Artists and Warners started joint operation of the Aldine, Felix Feist, film editor on Greenwich Village books, has removed the production department from the studio, and made London his headquarters. Madame Du Barry went into the house Thursday, replacing “Our Daily Bread.” Booking, however, remains under the control of the policy. The house returns to U. A. with its next film, “Today We Live.”

**Feast to Honolulu**

Felix F. Feist, general sales manager of M-G-M, sails on the Santa Elena today for Los Angeles, en route to a vacation in the tropics. He will return to New York after the first of the year, and will go on a trip to America, except Canada $15 and foreign $12. Single copies $10 cents.

**Zapp Joins Trendle**

Hollywoold, Oct. 12.—Charley Zapp, one of the partners in Monarch Films here for the last two years, has become the new general sales manager of the company, accepting this position as a post by the United Detroit Booking Service, formed by George W. Trendle and operated by Mr. Zapp.

**Chaplin Starts Picture**

Hollywood, Oct. 12.—Charlie Chaplin started shooting his latest production today and the first scene was shot of Charlie himself and Paulette Goddard, who has the feminine lead.

**What N. Y. Critics Think**

**“Power”**

(Gaumont British)

**Charles H. Buryke Burled**

About 200 persons, mostly from the industry, attended funeral services for Charles H. Buryke, veteran exhibitor, who died of heart ailment last Tuesday at his home in the Belmont Buren, 73-3100, Tuesday. Buryke was a member of the Motion Picture Organizations of Greater New York, and was a director of the American Cinema, as well as the Motion Picture Producers’ Guild.

**Reopens Detroit House**

Detroit, Oct. 10.—Charles Porter, manager of the Greenbriar Theatre in Detroit, has reopened the new theatre this week and has received a new front and a new projection room.

**Gets New Dickens Yarn**

Hollywood, Oct. 12.—Favorable preview notices on “Great Expectations” have promised motion picture companies another good version of “The Mystery of Edwin Drood” to Stuart Walker. Edmund C. Grainger is the supervisor.

**Epstein in from West**

Dave Epstein, coast agent, arrived from Hollywood by air yesterday and has been signed by Gaumont British on talent deals. He will be here only a few days and then return west.

**Pete Smith Back**

Hollywood, Oct. 12.—Pete Smith returned today by plane from the East where he has been sick with what he calls a “New York stomach.”

**Fox to Make “Inferno”**

Hollywood, Oct. 12.—Fox plans to film Dante’s “Inferno” in Technicolor with production to start Nov. 5, under the direction of Harry Lachman.

**Innondation**

Gene Lockhart, stage comedian who appeared in the Theatre Guild production of “Ah Wilderness,” has been signed to a long term contract by Radio.

**Mrs. Sam Lieggett, wife of the Columbia executive, is recovering from an operation at the Presbyterian Hospital in Medical Center.

**Cross and Dunn, night club singers and radio entertainers, start work next week on Vitaphone short at the Brooklyn plant.

Bob O’Donnell has returned to the office after a few days here covering with Paulux office executives.

**R. M. Hatfield, Erpi’s managing director in England, will be here for another month on his annual home visit.

**Dorothy Dolan, former stage in-" tense" recently signed to a long term contract by M-G-M, has been cast for Hollywood.”

Jeanette MacDonald returned to Los Angeles last night following the opening of “Merry Widow” at the Astor.

**Morris Segal of Memphis, Cleve- land attorney, has been called to New York for conferences with E. H. Golstein.

**John Boles leaves Monday for a two week tour of New England, accompanied by his wife.

**Harry Asher of the Majestic exchange in Boston is due in town next week.

**Osa Menyon gave a cocktail party for Ernst Lubitsch at the Lombardy yesterday.

**E. Borek of Masterpiece Attrac- tions, from Philadelphia, arrived in town yesterday.

**John Meyers of London Films will return to these shores in six months.

**Joe Plunkett is now in London in the course of an extended trip.

**Ketti Gallain sailed for France on the Beraugina the other day.

**Kay Francis expects to leave for the coast of the Orient soon.

**Moe Streliner is back from a trek upstate on U.A. business.

**Lion Schlesinger returns to the coast on Tuesday.

**J. Walter Ruben, M-G-M director, is in town.

**Jules Michaels has returned to Buffalo.

**Baily’s Swing Ends**

Hollywood, Oct. 12.—Tom Baily is back from a tour to key cities where he visited editors for the purpose of putting up new angles on publicity copy and art.

**Para. Re-Signs Three**

Hollywood, Oct. 12.—Para has signed contracts on Randolph Scott, Lou Sheridan, and Colin Talley.

**Sten Title Changed**

Hollywood, Oct. 12.—The title of Anna Sten’s next picture for Samuel Goldwyn has been changed from “Broken Soil” to “The Wedding Night.”
Assessments Again Turned Down by NRA

Competition to Determine Protection, Campi Holds

"Perfect" Short

Dallas, Oct. 12—"La Curcuracha" has been booked after its fourth private screening by the Majestic as the "perfect short subject" for the theatre's perfectly balanced program Oct. 1—-2. The booking was held up because of the price. "La Curcuracha" will share the program with "Mrs. Wiggs of the Cabbage Patch.

(Continued from page 1)

Plan Protest Over Dubinsky's Tenure

(Continued from page 1)

New Code Group Named

Hollywood, Oct. 12—A standing committee for freelance makers making less than $150 weekly has been appointed by Campi here. Its personnel consists of C. H. Vanderlip, vice-president of the Bank of America, who will represent the public; Charles Hubbard, personnel manager at Universal, representing producers; and George Hays, representing players.

Finish Radio Series

Winding up a series of four national broadcasts explaining the current attitude of the Legion of Decency, Rev. Hugh C. Boyle, bishop of the Pittsburgh diocese of the Catholic Church, spoke last night. The New York outlet was Station WJZ.

Crackup Hurts Whitney

UPPSVILLE, Va., Oct. 12—John Hay Whitney was hurt today when his plane crashed, as it was being landed at his Llanoa estate after a trip from New York. His injuries are not serious.

Brandt Adds 3, Making 30

Harry Brandt has added three more theatres to his circuit, bringing the total to 30. Latest additions are the New, Rivoli and Boardwalk at Rockaway Beach, L. I.

Warnerettes Plan Party

Hollywood, Oct. 12—The Warner Club will stage a Hallowe'en party at the Ambassador Hotel on Oct. 27.

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(Continued from page 1)
Gaynor Film, Vallee Huge Hit on Loop

Chicaco, Oct. 12.—The Chicaco put together a winning bill last week and grabbed a surprising $62,000. It was one of the few results that reminded exhibitors of the "good old days," being $27,400 over current average. "Servants" outstripped "Ballroom," and on the screen and Rudy Vallee and his band on the stage. Despite the dwindling World's Fair patronage grosses are holding up. "Belle of the Nineties," at the Apollo, took $10,000 in its third Loop week; "Dames," in its fourth Loop week, grabbed $4,000 and the Garrick, and "Bulldog Drummond Strikes Back," also in its fourth Loop week, garnered $13,000.

Total first run business was $158,000, average is $121,600.

Estimated takings:

**Week Ending Oct. 1.**

ROOSEVELT — (1,951), 25c-33c-90c, 7 days, Gross: $17,700. (Average, $11,000)

**Week Ending Oct. 4.**

"SERVANTS" ENTRANCE: CHICAGO (Fox) ROOSEVELT — (1,700), 25c-33c-90c, 7 days, Gross: $14,300. (Average, $2,000)

"THE AGE OF CONSCIENCE" (Radio) PALACE — (3,290), 26c-33c-90c, 7 days, Gross: $22,200. (Average, $2,600)

**Week Ending Oct. 5.**

"BELLE OF THE NINETIES" (Paras.) APOLLO — (1,400), 25c-33c-90c, 7 days, Gross: $9,000. (Average, $1,285)

"DAMES" (Warner) GARRICK — (900), 25c-33c-90c, 7 days, Gross: $4,000. (Average, $550)

"BULLDOG DRUMMOND STRIKES BACK" (U.A.) (Fourth Loop Week) ORIENTAL — (3,940), 25c-40c-90c, 7 days, Gross: $21,000. (Average, $3,000)

"THE LAST GENTLEMAN" (U.A.) UNITED — (3,120), 30c-40c-90c, 7 days, Gross: $16,000. (Average, $2,286)

**Week Ending Oct. 6.**

"ROMAN MAID" THEATER (Univ.) STATE LAKE — (2,276), 25c-28c-90c, 7 days, Gross: $4,100. (Average, $586)

Educators to Study Wider Use of Films

A special committee has been created by the National Education Ass'n, according to Ernest D. Lewis, of Evander Childs High School, president, to study the use of films in secondary education.

Other purposes, according to Lewis, are to "offer constructive suggestions to the moving picture industry for improving the character of films shown to youth of high school age."

Emanuel Cohen Feted

Hollywood, Oct. 12.—Emanuel Cohen was feted tonight at a dinner of the Ambassador manager, his third year as head of Paramount production. More than 400 studio executives, contract players, writers, directors and cameramen attended. Mae West was the after-dinner speaker.

Cecil B. DeMille left the Cedars of Lebanon Hospital, where he is recuperating, long enough to attend.

Back to Stage Policy

AKRON, O., Oct. 12.—The Palace has switched from straight films to a stage policy, opening with Mills Brothers. The change is tentative and dependent upon public response. This is a new stage policy in town as present.

Its First on "Legit"

CLEVELAND, Oct. 12.—"Green Pastures" with Richard B. Harrison is "The Lawd" comes to the Ohio, local legitimate house, for three performances on Oct. 23-24. This will be the first legitimate show this season.

Centennial Group Named

DALLAS, Oct. 12.—The motion picture committee for Texas' state-wide centennial celebration to be held in 1936 was today appointed: John Rosenfield, Dallas News tvueum critic, chairman; D. B. (Jake) Getzott; Karl Hoblitzelle, president, Interstate Circuit; T. E. Jackson, former president of Texas State Fair; and Herbert Marcus.

Dallas is to be the principal hostess city for the centennial, which will commemorate Texas' hundred years of freedom from Mexican rule. Several historical films based on the struggle and other romantic phases of Texas history are contemplated.

"Wimpole" Is $65,860 Hit; Gets Holdover

"Barrettes of Wimpole Street" came through a strong sellout at the Capitol last week on a take of $65,860. It was the big Broadway noise of the week and was held over.

"Cock o' the Walk" is a slow start at the Music Hall, built up to $27,000 on the week. The Count of Monte Cristo is a good week at the Rovill with $36,000, and "Belle of the Nineties" held up to $36,000 in its second week at the Paramount.

"Chin Chow" was good for $25,500 in its second week at the Roxy. "British Agent" took $23,109 in its second week at the Strand.

Estimated takings:

**Week Ending Oct. 2.**

"COURT OF MONTE CRISTO" (U. A.) RIVOLI—(2,300), 40c-59c-7 days, Gross: $36,000.

**Week Ending Oct. 3.**

"SERVANTS" ENTRANCE (Fox) MAYSFAIR—(2,800), 30c-45c-2nd week, 2 days, Gross: $2,000.

**Week Ending Oct. 4.**

"BELLA" (Fox) RADIO CITY MUSIC HALL—(1,940), 25c-30c-4 days, Stage show. Gross: $57,000.

"Week Ending Oct. 5."

"BOLLYWOOD STREET" (M-G-M) CAPITOL—(4,300), 30c-35c-6 days, Stage show. Gross: $65,500.

"BELLE OF THE NINETIES" (Para) PARAMOUNT—(3,700), 30c-45c-2nd week, 2 days, Gross: $36,000.

"CHIN CHOW" (Gauburn British) ROXY—(2,500), 25c-35c-2nd week, 7 days, Stage show. Gross: $22,500.

"BELLE OF THE NINETIES" (Para) STRAND—(1,500), 25c-35c-2nd week, 7 days, Gross: $22,109.

**Week Ending Oct. 6.**

"OUR DAILY BREAD" (U. A.) BENTO—(2,250), 25c-45c, 7 days, Gross: $4,000.

Lloyd in Personal Checkup in South

CHARLOTTE, N. C., Oct. 12.—Because "The Cat's Paw" is not living up to its expectations in the South, Harold Lloyd is preparing for a visit there and to other key cities of the South.

Andie F. Whelan, Lloyd's personal representative who spent a day here conferring at the Fox exchange, said the comedian cannot understand, so he has decided to make a personal trip through the south and find out for himself just why his latest film has not appealed.

When he comes south, Lloyd will make no appearances at theatres but will confer with newspaper men, theatre and exchange managers.

Double Wedding Nears

OMAHA, Oct. 12.—A double wedding of interest to the local industry will take place here Oct. 16. Louis Wintrouth, son of Max Wintrouth, owner of the Majestic exchange, and Miss Mary Patman, former secretary to the Universal branch manager here, while the group's twin sisters, Betty, will be married to Adolph S. Wilson of New York.

This will mark the first serious separation of the Wintrouth twins since cradle days.

Not a blonde in the batch.

NRA Draws Up Own Schedule Of Code Dues

WASHINGTON, Oct. 14.—After having rejected two schedules of assessments for producers and distributors drawn by Camp's own finance committee, the NRA Division of Research and Planning has drafted and dispatched to Camp a schedule of its own which Washington officials believe will be more equitable than any yet suggested, it was learned Saturday.

Under the division's schedule, companies in the higher brackets would have had the following minimum amount to pay:

- 

Warner's Dropping 4 In Milwaukee Soon

MILWAUKEE, Oct. 14.—Warners are relinquishing four of their eight neighborhood houses here, effective Oct. 15. The future of the four houses, the Venetian, State, Riviera and Kosciuszko, has not yet been determined, although it is rumored they may be taken over by Fox.

Allied Holds '28 By-Laws Old; Plans to Revamp Them

Because it is felt the by-laws of 1928 are antiquated, Allied will revise its constitution to conform to present-day conditions. Proposals are now being made for certain changes and a vote by mail will be made before the new amendments are officially recorded.

Annual meeting of the national board of directors will be held sometime in January. The place and date have not yet been decided. Today the eastern Allied group will hold a special session at the Copely Plaza in Boston with Walter B. Littlefield as chairman. Business and organization relations will be discussed.

Sidney Samuelson, president, states four new units will be added to the national roster shortly. He would not say when the next exhibitor association would annex itself to Allied, but that when the time is ripe he will announce it.
BILL FOX is either one up in the patent fight via American Tri-Ergon or a lot of important film men are needlessly worried. Already factually established is the story that several attorneys have had little sleep since the Supreme Court ruled it would not grant a review of the lower Federal courts on the issue at stake, so great has been the West Coast sweep over legal tories. Edies and currents in the situation prevail over lack of authentic information as to Fox's next step. Reported over the week-end was a yarn he had already indicated to Erpi, RCA and their licensed producers and distributors that his annual royalty had been fixed at $100,000, if, the arrangement even in the picture business. Not clear is why the licensees should be worried. Their contracts with the electrics contain a clause furnishing exemption against patent onslaughts.

Hollywood's idea of something is that several attorneys of Ned Depinet and Herman Zohbel is followed immediately by a revived slant on the old fantasy that RKO will move distribution headquarters to the West Coast. Admittedly tentative as to decision, those who credit the yarn say there appears to be no doubt that a new office building will be rushed upon this lot to house fellows like Levy and Smith, not so slight Depinet. Don't let it throw you.

The downtowners behind the picture business consider it had enough that production is 3,000 miles removed from the executives that are supposed to fashion the picture. The present system, at least, keeps the financiers in touch with what's going on even if the ways of the celluloid mighty are so often mysterious to banking eyes. It seems a pretty safe conclusion to draw that administration, which includes distribution which embraces much and frequent contact with national civic heads, will remain snuggling close to the money-bags since the money-bags want it that way.

Truman Talley, Laurence Stallings and Pedro de Cordoba combine their respective producing, writing and deamutory abilities in what Fox is about to release as "The First World War." Its title tells its grim and authentic story. True to its intent, the picture, touching too lightly at the causes of the World War, but heavily on the conflict itself, is powerful because of its very truth, unrelenting and terrible as it is. Not pleasant entertainment, it will appeal to all, but a demonstration of Kanna's value aimed at sober heads and thinking minds. "The First World War" deserves to be played widely. It rates.

Breaths, belonging to bodies identified definitely with M-G-M officials, suspended their normal operations the evening of "The Merry Widow" opening Thursday night. The jitters also came near having an inning of their own when, at 10 o'clock, Arthur Sennwald, film critic of the New York Times who is rapidly making a name for himself so good are his analyses and his walking, walked out on the picture. It looked as if the Laban film, which sent Metro into six figures would get a panning Friday morning. Office-hogging bigwigs, therefore, were surprised, pleasantly, to see the comment, when the scene was handled it plenty. The lowdown is he had a bulldog edition to catch. And did...
This week we are playing DUMB-BELL LETTERS at the Roger Sherman and Strand, Hartford. I personally watched the reaction of the audience and I can frankly say that there is no short subject that I have seen in recent months that seemed to give such patron satisfaction.

—B. E. Hoffman
Warner Bros. Circuit
New Haven

**DUMB-BELL LETTERS** is one of the best comedy subjects I have ever seen. I have sat with audiences in my three situations, Seattle, Portland and Tacoma, while DUMB-BELL LETTERS were on the screen, and they are positively a riot. I sure hope to get a number of these subjects this season.

—John Hamrick

"DUMB-BELL LETTERS" was a distinct hit with our audiences... the subject outstanding on a very strong bill. Audience reaction was marvelous, the applause at the end was genuinely spontaneous. Many patrons stopped on their way out to inquire if there are to be more. A great subject and an asset to any kind of a bill.

—Carroll J. Lauder
Lauder Theatres Corp.
Greenfield, Mass.

"Have played the first two Dumb-Bell Letters and they sure are a riot. They get a big hand at every performance. I do not believe there is a better short subject made for entertainment value.

—Harry Zeitz, President
New Bedford Amusement Co.
New Bedford, Mass.

"Congratulations, Dumb-Bell Letters, the smartest, brightest, short that has hit the screen in years. We have never played any subject that has received such howls and laughs. It has taken Los Angeles and Hollywood by storm and is destined to become a box-office attraction.

—Cliff Work—Los Angeles

"Once in a blue moon the movies really produce something new, and even more rarely than that they develop something exceedingly entertaining, but this time they have originated a feature that promises to be the biggest fun festival ever brought to the screen. It is the 'Dumb-Bell Letters' now showing at the Orpheum. What a laugh they provide... and what a treat it is to hear an audience, so completely entertained, as to break into applause when the hot letter has been shown. I predict that 'Dumb-Bell Letters' will draw more cash customers than any of the biggest movie stars... a real laugh is a rare thing these days."

—Mel Washburn—New Orleans Item-Tribune

"Dumb-Bell Letters had their premiere showing our Boston Theatre were not only exceptionally pleasing but received solid and genuine applause after each showing, which is greatly unusual."

—C. W. Keeran
Boston

**RKO RADIO PICTURE**

"Just to let you know of our patrons' reaction as well as my own to 'DUMB-BELL LETTERS' These letters actually evoked uproarious laughter and at the finish of the subject brought a round of applause, something very unusual for any shorts. This series is destined to be very popular and it is my earnest belief laughs will emanate from the most solemn faces. Congratulations!"

—Orpheum Theatre, Minneapolis

**DUMB-BELL LETTERS**, the reel of lalapaloozas from the morning mail that's got the whole land s-c-r-e-w-y... collected by Juliet Lowell, produced by

**VAN BEUREN CORPORATION**
**NRA Draws Up Own Schedule Of Code Dues**

(Continued from page 1) pay the lowest percentages, but nevertheless, because of their greater grosses, they would contribute more dollars and cents. The plan, based largely upon the income tax tables, but with percentages determined so that those for the smaller companies are larger, provides for the following schedule:

For each $1,000 or fraction thereof of receipts up to $100,000, the assessment is $25; for each $2,000 between $100,000 and $250,000, $250; for each $500 between $250,000 and $500,000, $100; for each $100,000 between $500,000 and $1,000,000, $250; for each $500,000 between $1,000,000 and $5,000,000, $500; for each $1,000,000 between $5,000,000 and $10,000,000, $1,000. $500,000 between $10,000,000 and $20,000,000, $2,000 and for each $5,000,000 over $20,000,000, $2,500.

It is said that the top rate total assessment would be approximately $20,000, as under the original plan drafted by Camp, but that the top bracket would embrace only three or four companies instead of seven, as heretofore, and that the changes upon those in the lower brackets would be more in accordance with their economic importance in the industry.

The National Board of Review Division is understood to have felt that the rejected schedules drafted by Camp were too cumbersome and disproportionate, as the companies in the higher brackets were taxed at a higher percentage than less important concerns, it being pointed out that those in the higher brackets are also the ones with theatre affiliates, which are assessed under the exhibitor schedule.

**MOTION PICTURE DAILY**

**HOLLYWOOD PREVIEW**

**The Captain Hates the Sea**

(Continued from page 1)

Hollywood, Oct. 14.—Here’s a comedy drama which hits the bull’s-eye of the entertainment target with human elements pointing to a potential box-office winner. Expert direction and portrayals force the characterizations into strong relief remembered after the fadeout. It is suitable entertainment for all classes, providing laugh galore.

For story lovers, particularly a captain who hates the sea and whose whole, main ambition is to dip behiwiskered gents’ foliage into soup. John Gilbert, the romantic lead, is a disillusioned writer trying to stay on the wagon by leaving Hollywood. The story takes form when Victor McLaglen, a supposedly dumb flatfoot, comes aboard looking for a bond thief, Fred Keating. The latter passes the bond to Helen Vinson, posing as a demure librarian to whom McLaglen takes a shine.

Humor and pathos blend evenly in a series of situations leading up to the climax with the marital trial of Wynne Gibson and John Wray 60. While the McLaglen has a gallery photograph of the girl all the time; the married duo makeup; Gilbert doesn’t quit drinking and the captain pushes the beaver in the soup.

Lewis Milestone directed with keen insight and a sense of comedy value. The cast performances are excellent throughout with Leon Errol entertaining as a bartender. It is a first rate adaptation by Wallace Smith and Arnold Belgard from Smith’s novel. Production code seal, No. 329. Running time, 90 minutes.

**300 Houses Groomed To Run New Shorts**

(Continued from page 1)

Drastic form. The releases will be followed through by PARAMOUNT, M. A. with the first to be screened Wednes-

day before the general convention of the Episcopal Church at Atlantic City.

**Relight Dark Orpheum**

CINCINNATI, Oct. 14.—The Orpheum, 2,000-seat downtown suburban opposite the RKO Paramount, reopened Friday after being dark for more than a year. Operation is two a.m., with an evening on a grand policy from 2 to 11 P.M. on Sundays and holidays. Scale is 20 and 30 cents for balcony and lawn. The house was an RKO operation until the title was recently relinquished. It is the property of the Martin estate and now in charge of M. Chester Martin, one of the heirs.

**“I” Has 3-Star Cast**

HOLLYWOOD, Oct. 14.—Universal has lined up a three-star combine for “Straight From the Heart” in Roger Pryor, Bette Davis and Johnnie Ray. The story is an original by Doris Andenson and will go into work under supervision of Jack Zeddman.

Polly Walters has arrived from New York to play the chief role in Damon Runyon’s “Princess O’Hara.”

**Granger Reaches Studio**

HOLLYWOOD, Oct. 14.—James R. Granger will check into Universal Monday. The executive has been in San Francisco for the past week.

**Landi in Counter Suit**

HOLLYWOOD, Oct. 14.—Elissa Landi has filed suit here for $1,332.80 against Joyce Payne for damages allegedly in-
curred when the latter sued her in Aug.
The suit against Miss Landi was dismissed.

**Pathé’s Plan Seen Set; No New Changes**

additional days in which to file affi-
davit in reply to those opposing the holding of extraordinary meeting at which the plan could be adopted by two-thirds of the stockholders present. If the holding of the extraordinary meeting, 90 days’ notice is given to stockholders. Thus the meeting, if authorized, could not be held before January, 1935. The reorganization plan provides for an exchange of one share of convertible and five shares of common of the new company for each share of present preferred stock; two shares, a new common for each share of the preference stock, and a share and twelfth of a new common for each share of old common.

**May Meet Patent Issue Via Discs**

(Continued from page 1)

regional publication, at the Lulu Country Club on Friday evening. The Warner

**Danish Company Wins Suit**

COPENHAGEN, Oct. 14.—With the Petersen and Poulsen sound patents involved, a film is victor in a suit against Paramount and other major American film companies.

Some quarters construe the decision as vesting in Carl Bauer of Nordisk the right to bar out American pictures. If this is true, it is probable they will negotiate for their entry on a licensed basis.

**Tips Plan for Gov’t Check on Production**

(Continued from page 1)

helped the movies while they have ex-

**N. O. Tax Returns Light**

NEW ORLEANS, Oct. 14.—The amusement tax, one cent on each admission under 50 cents, or two per cent, has brought the city only $12,-

39 from Aug, 30 to Oct. 8, less than $10,000 a month.
Court Allows $40,000 of Fox Met Receivers’ Fees

An application for interim allowances for services rendered during the receivership of Fox Metropolitan Playhouses aggregating $285,000 was allowed in the amount of $40,000 by Federal Judge Julian W. Mack in U. S. District Court here yesterday.

Feeds applied for included $75,000 for Irving Trust Co., receiver; $70,000 for Walter Littlefield, receiver's counsel; $50,000 for Harold Hopf for settlement of the creditors; and $50,000 for Hays Bank & Trust Co. trustee under the Fox Met. indenture.

Following objections made by Archibald Palmer, attorney for an independent group of Fox Met. bondholders, Judge Mack disallowed the petitions for Boekman, Boggs & Clark.

(Continued on page 7)

Quittner Suit Deal Calls For $10,000

The $5,100,000 Quittner anti-trust suit against Paramount was settled for $10,000, it was learned yesterday. Settlement negotiations were concluded last Friday, with contracts being exchanged on Saturday.

Counsel for the Paramount units are now preparing a petition embodying the settlement which will be presented to the Federal district court here for approval when completed. Paramount is also negotiating settlements of two other anti-trust suits pending against it: those of A. B. Momand, Oklahoma, and E. M. Loew, Boston, asking aggregate damages of approximately $10,000,000.

Blumenthal Working On Producing Plans

A. C. Blumenthal is still working on his plans to produce about five pictures a year, he asserted yesterday. He is being held here because of the Fox Theatre situation. Blumenthal says he is working with the receivers of the circuit on reorganization plans and who will know where he stands in about a week.

He plans to leave for Hollywood sometime next week to complete arrangements on production and distribution of his features he intends to make on both coasts.

(Continued on page 8)

Mexican Tax Put Up To The Legislature

By JAMES LOCKHART

MEXICO CITY, Oct. 13—Acting on instructions of President, Abadardo Rodriguez, the National Legislature is considering ways and means of amending the Federal constitution in order to define definite regulations concerning imports of film materials.

Rules for production in Mexico will also be considered, the idea being to give governmental aid to struggling producers.

Action is expected by the end of the month.

(Continued on page 7)
Jersey 1933 Takes Reach $19,799,000

WASHINGTON, Oct. 15—Box-office receipts of New Jersey's 238 theatres last year totaled $19,799,000, while $3,797,000 was paid in personal and payroll taxes, according to the U. S. Census Bureau.

Reports of the office in business in the leading communities showed 13 theatres in Atlantic City with a box-office of $1,195,000 and payrolls of $199,000; seven in Camden with receipts of $599,000 and payrolls of $119,000; four in Irvington with receipts of $323,000 and payrolls of $65,100; 20 in Newark with receipts of $4,056,000 and payrolls of $933,000; four in Hoboken with receipts of $240,000 and payrolls of $74,000; 16 in Jersey City with receipts of $2,686,000 and payrolls of $570,000; 11 in Trenton with receipts of $1,025,000 and payrolls of $214,000; three in Passaic with receipts of $575,000 and payrolls of $73,000; eight in Paterson with receipts of $1,186,000 and payrolls of $222,000; and four in Elizabeth with receipts of $668,000 and payrolls of $141,000.

Hattrick Goes West Soon

E. B. Hattrick, general manager of Hearst's film interests, leaves for the West in a month for production conferences. Marion Hattrick is returning from Europe, leaves either today or tomorrow. Hattrick will be gone for about two months.

"Crocus" to Carnegie

"Autumn Crocus," an English picture, opens at the Carnegie to-night. It is playing under a policy for the house. Henry Seigle recently bought a half interest in the house. Leo Brecher owns the other 50 per cent.

Seeks Richmond House

RICHMOND, Oct. 15—Samuel Craver of Norfolk, operator of houses in Richmond, Danville, and Greensboro, N. C., is dickering for the Lyric, former Keith-Albee house here. He intends to operate it on a 15-cent basis, if the deal goes through.

"Gentleman" to Rivoli


Eastman Equals Previous High on Big Board

Columbia Pictures, Inc., has set a new record. Consolidated Film Industries, Inc., set another record. Eastman Kodak, Paramount Pictures, Loew Bros., and Pathé Exchange "A," are the only other companies to equal Eastman's record of $11,500,000. Columbia Pictures, with a record of $11,000,000, is very close.

Low Bond Sales Hit New High

Costain, Fox Story Head, Former Editor

Thomas B. Costain was appointed yesterday as chief of the new Fox bureau of literary material. For the past seven years Costain has been chief associate editor of The Saturday Evening Post and assistant to George Horace Lorimer, editor of the magazine.

Headquarters of the new bureau will be located in the Fox office until the first of next month and then will move to Radio City.

Costain was born in Canada and will visit there in February before joining the McLean Publishing Co. where he served as managing editor of McLean's Magazine. He then joined the Curtis Publishing Co. where he has been a member of the editorial board for the past 14 years.

Charles Klein Married

DEADWOOD, S. D., Oct. 15—Charles Klein, president of the Black Hills Amusement Co., has married Miss Hilda Metzger, 35, of Hot Springs, S. D. They are spending their honeymoon in Denver and Kansas City. Mr. Klein was recently married in New York to Miss Jeannette Waugh, also of Deadwood. Richard is looking for Para-mount in New York.

Harold Jones Marries

SIOUX CITY, S. D., Oct. 15—Harold Jones, manager of the Fox, has been married to Miss Imogene Mary Kast- tereck of Beatrice, Neb. They will reside in Sioux City.

Partington West Oct. 23

Jack Partington of F. & M. leaves for the coast Oct. 23. Harry C. Arthur returns from Los Angeles after conferences with Mike Marco on Oct. 27.

Yates in California

Hollywood, Oct. 15—Herbert B. Yates, president of Consolidated, is here from New York and will remain about a month.

Solomon Gets "Bengal"

Louis A. Solomon is now sole distributor on "Beyond Bengal," he states. The feature was produced by Harry Schenck.

Mallard at RKo Studio

Hollywood, Oct. 15—William Mallard, RKo general counsel, arrived today for conferences with studio and home office executives who are here.

Chodorov on "Adverse"

Hollywood, Oct. 15.—Edward Chodorov will supervise Warners' "Anthony Adverse."
the biggest attraction in years

—and that's plenty big
CARL LAEMMLE presents

Claudette

Colbert

in FANNIE HURST'S Great Novel

IMITATION OF LIFE

with WARREN

WILLIAM

ROCHELLE HUDSON

NED SPARKS HENRY ARMETTA ALAN HALE

and many others

A JOHN M. STAHL Production

for

UNIVERSAL
Claudette Colbert

has added tremendously to her popularity in the past few months...
Now Universal offers her in a picture bigger than "Back Street"
...bigger than "Only Yesterday"
...yes, in the biggest attraction in years
-"IMITATION OF LIFE"
**MOTION PICTURE DAILY**

**Tuesday, October 16, 1934**

**Campi Vote on Lease Clause Stands at 6-4**

(Continued from page 1) by Campi could not be enforced by the NRA. This being the case, they held that the clause should come out.

Independent forces are of the opinion that the clause is a make-work code to aid the smaller exhibitor from having his theatre taken away during the last few months of a lease.

Whether or not Rosenblatt will accede to the 6-4 vote has not yet been determined, but it is understood independent members of Code Authority will fight the resolution in Washington. No date has been set for a public hearing.

**Chicago Selling on Old Clearance Plan**

(Continued from page 1) schedule on the ground the plan submitted is void.

Jack Miller and Edward Silverman of the Eastern Distributing Co., have sold the clearance to Chicago after a week here confering with distributors and Code Authority men.

Individual protests against clearance and zoning schedules will be heard by an appeal code committee today, a Texas appeal is being held today. Tomorrow the San Francisco schedule comes up and on Thursday the Detroit plan will be argued.

**Disney Loses Writ Plea in High Court**

WASHINGTON, Oct. 15.—Walt Disney, whose film was en route to palm trees today in three motion picture territories. He has made the writ to require Judge Harry A. Holzer to vacate an order referring to a special master for hearing the infringement suit brought by RCA Photophone, Inc., against the Disney Film Recording Co., Ltd., Walter Disney Productions, Ltd., and Walter Disney, Inc., involving machines infringing on Photophone patents.

Disney had opposed the case heard before a special master because of an overcrowded calendar, on the ground that it imposed an unusual burden of expense upon him and would result in his companies being fined as well as assessed damages if they should lose.

**Three Held in Hartford**

HARTFORD, Oct. 15.—“One Night of Love” has been held over for a fourth week at Loew’s here. “Barretts of Wimpole Street,” which played to capacity at Poli’s, has moved to the Palace, the Poli B house here, for a second week. Mae West’s “Belle of the Nineties” was held over for a second week at the Allyn.

Poli’s, incidentally, inaugurated festival week with a big display, including a bar for free cider, etc. Mayor J. Watson Beach issued a proclamation expressing his commendation of the type of picture the managers are trying to show.

**Production Shows A Sharp Decline**

(Continued from page 1)

**Eastern Code Approvals Up To 150 Total**

(Continued from page 1)

**Production Shows A Sharp Decline**

(Continued from page 1)

**Cunningham Elected By Group in Indiana**

INDIANAPOLIS, Oct. 15.—Earl Cunningham, manager of the local Fountain Square, was named head of Associated Theatre Owners at its state convention at the Claypool here today.

There were 46 delegates and four officers present.

C Cunningham Elected By Group in Indiana

**Cunningham Elected By Group in Indiana**

**Roasted and Toasted, But Cohen Liked It**

HOLLYWOOD, Oct. 15.—For what was probably his last appearance in Hollywood’s history, studio workers, as paying guests, banqueted their chief when Emanuel Cohen was toasted and toasted at a dinner the other night to celebrate his three years of service as production head of Paramount.

The keynote speech was made by Cecil B. De Mille who said:

“Cohen has accomplished in three years a great deal. He was a showman with a future.”

Cohen, in his response, paid tribute to his co-workers, A. M. Rosenthal, who revealed to those in attendance what New York has long known: that he is one of the dirtiest after dinner speakers in the industry. Mae West adored Cohen “as a great man” while other speakers included Al Hall for the directors, Victor Milner for the back lots, Arthur Hornblow for the producers. A scroll presentation was made to Cohen by the president of the Paramount Studio Club. The stage show concluded with a pictureless newsreel.

Cunningham discussed exploitation and Harry Martin reported on his recent trip to New York, where he represented the small theatres before Code Authority. Metzger presided.
Oklahoma Exhibitors Vote to Join MP TOA

Continued from page 1

than 200 members of the Theatre Owners of Oklahoma, in annual convention here voted affiliation with the national group.

With this unanimous action, the unit subscribed to the policies of the national group.

The state association reelected all its officers and directors. They are Morris Lowenstein, Oklahoma City, president; Morris Morris, vice-president; R. M. Clark, Oklahoma City, secretary-treasurer; director of pictures, had placed its stamp of disapproval on only two per cent of the new product.

The association voted to meet again here in January or February.

Mother of Budd and Charles Rogers Dead

Mrs. Ida Rogers, widow of the late Simon Rogers and mother of Charles R. and Budd Rogers, passed away early yesterday in New Bedford, Mass. Funeral services were held yesterday at 2 o'clock at the Hebrew Israel Temple, New Bedford, Mass. Mrs. Rogers was 77 years old.

Charles R. Rogers, Paramount producer, flew in from the coast for the service held here yesterday. He was vice-president and general director of Liberty, was at her bedside when she died. Other surviving children are Walter and Abe Rogers, and Mrs. Anne Mendelson, Mrs. Julia Eschler and Mrs. Rita Robinson.

Dascomb Burial Here

PARIS, Oct. 15—Arrangements are being completed to ship the body of Edmund Brooks Dascomb, one of the heads of the Paramount News here, back to America for burial. He died here Saturday from a general cerebral hemorrhage.

Dascomb joined the Paramount staff in 1927 in New York and was transferred to Paris in 1929. He was born in Texas 33 years ago and was a graduate of the Naval Academy at Annapolis. He is survived by his wife, Anne Diane Dascomb and his mother, Mrs. Nellie Dascomb. Burial will be at Merelle, Pa.

Ed Berry Dead on Coast

HOLLYWOOD, Oct. 15.—Ed Berry, 43, unit business manager at Fox and a half-brother of Al and Ray Rockett, died at the Los Angeles hospital this morning from injuries suffered in an automobile accident at Bridgeport, Cal., on Saturday night. He was survived by his widow and the Rocketts.

Allied Men to Hold Special Meet Here

(Continued from page 1)

Afram F. Myers, Sidney Samuelson, Aaron Saperstein, Walter B. Littlefield, and H. M. Richy. Rogers, Charles E. A. Cole arrived from Texas yesterday to present. He was accompanied by Jack Lilly, his theatre partner in Greenville, Tex., and while here expects to sit down and discuss the problems against them by the East Coast Amusement Co. of Texas. The appeal covers product availability in Greenville, where East Coast operates two theatres.

Darmour to Lose Tontis

HOLLYWOOD, Oct. 15.—Larry Darmour is confined to the Wesley Holmes Hospital for a tonsil operation.

Cohn a Colonel

It became known yesterday that Jack Cohn, vice-president of Columbia, was named a Kentucky colonel several months ago by Gov. Ruby Laffoon of Kentucky.

Flash Previews

Anne of Green Gables—fine entertainment for general appeal. Rich in romance, with humor balancing paths...

Without Children—when properly edited, it should make fair program entertainment for youths and adults in any community.

These films will be reviewed in full in a later issue of Motion Picture Daily.

Looking 'Em Over

“Little Friend”

(Gaumont-British)

Simplicity and heart-warming qualities are the outstanding attributes of this Gaumont British production, strongly reminiscent of “Wednesday’s Child,” stage play which excited much comment when it strode the boards here in New York not too far back.

This is the unafraid story of a little rich girl who proves herself to be of stronger and more sterling fibre than the parents that bore her. It tells how, despite her 14 years, she exhibits an understanding, born of childish desperation, which outdistances that shown by her paternal and maternal elders, and how, through her own somewhat bewildered decision, she makes them and her happiness join hands once again.

Nova Pilbeam, very British, very much made of staunch stuff and far more competent as an actress than might be reasonably expected of the younger sister, is, does an excellent job and gives the picture its prime motivation. She is not known here, but not remote by any means is the guess that a demand for her will grow when “Little Friends” makes the round tours. Matheson Lang and Lydia Sherwood are very great and the direction by Berthold Viertel sympathetic. It is Nova, however, who makes the picture the humanly warm and worth while attraction which it is.

Production Code Seal, No. 0159. Running time, 75 minutes.

“Who Made His Name”

(Doll’ord)

This British production from the Twickenham studios is an engrossing mystery drama from the pen of Edgar Wallace. Well directed, finely acted and provided with rich and tasteful settings, it ought to click with American audiences.

The story strikes an original note. It tells of a wealthy Englishman (Lyn Harding) who changed his name to escape being mistaken for a man of similar cognomen who murdered his wife and her lover. His own wife (Betty Stockfield) has been having an affair with a polished scoundrel (Lance Henriques). The pair’s arrival at discovering the change in name turns into terror when they learn the story of the murderer. They immediately conclude that Harding and the latter are one and the same.

From that moment to almost the end of the film the woman and her lover are in the grip of the fear of death, in the same fate that befell the other couple. Then the husband explains, causing the wife to breathe easier and the lover to stand exposed for what he is. Of course, Harding knew of the attachment between Miss Stockfield and Perrins. He had deliberately made the two believe him the murderer so that he might find a scheme to show his wife just the sort of fellow she was carrying on with.

It is a tribute to the film that it fools the audience completely until the last few moments. All along it is led to believe that Miss Stockfield and Perrins will get the “works” at the hands of Harding.

The cast also includes Ben Welden, Aubrey Mathur, Richard Dolman and Stanley Vine. Miss Stockfield possesses an awe-inspiring voice as has been heard on stage or screen. It should make a tremendous hit. Henry Edwards directed. Running time, 67 minutes.

Pittsburgh Buzzes Over Variety Party

PITTSBURGH, Oct. 15.—They went up late, but the town today continued to buzz about the Variety Club dinner given by the Pittsburgh Post at the Aladdin Ballroom. More than 900 attended the sixth annual function. This was the largest attendance in the club’s history.

Special cars from the east, west and midwest poured celebrities into the town in numbers number coming in a day ahead of schedule to attend the Pitt-Southern California football game on Saturday night. A full house, indeed, a sellout to addition to a number of other visitors were:


Rosey Roswell acted as toastmaster and Johnny Perkins served as ringmaster for a show that included over 40 acts and lasted almost all of early Monday morning.

John H. Harris was general chairman of the better business committee. The fair was in honor of the club’s six officers, executive committee, who be held tomorrow and the following day. Mrs. Robbins Gilman of Minneapolis, chairman of the Women’s Club, and Mrs. John W. Myers will be among the speakers.

Ohio Parents’ Group Hits Block Booking

COLUMBUS, Oct. 15—A resolution demanding the right of theater owners to make pictures of protest against block booking, and taking a stand to work for Federal legislation was passed by the Ohio State Parent-Teachers Association Convention here today. The resolution was adopted by the Ohio Congress of Parents and Teachers at the final session of its convention here.

A resolution also was adopted urging high cultural standards in the development of radio programs.

BOSTON, Oct. 15—Under the auspices of the Massachusetts Civic League, the Twentieth Century Club, and the Massachusetts Parent-Teacher Association, a week-long confenence was held tomorrow and the following day. Mrs. Robbins Gilman of Minneapolis, chairman of the Women’s Club, National Congress of Parent-Teacher Ass’sns., will be in charge. Mrs. Frederick P. Bagley, chairman of the Boy’s Club, and Mrs. George A. Blaney, Chairman of the Girl’s Club, National Congress of Parent-Teacher Ass’ns., will be in charge. Mrs. Martha Sprague Young, editor of Child Welfare, and Mrs. J. W. Myers will be among the speakers.

Marxes Celebrate Significance

HOLLYWOOD, Oct. 15.—The Marx brothers, minus Zeppo, give a stinging and comic party to celebrate their signing a new contract with M-G-M.
Approval for New Code Cost-Plan Foreseen

Bareford, Rosenblatt to Hold Conference

Approval of the producer-distributor assessment schedule is expected today following conferences in Washington between Harold S. Bareford, a member of the code finance committee; Division Administrator Sol A. Rosenblatt and members of the Division of Research and Planning.

Bareford has been in touch with S. R. Kent, second code finance committee member vacationing in the South on recommendations made last week by the Division of Research and Planning when it turned down (Continued on page 7)

Hayden, Stone Fox Met Bid Rejected

The Hayden, Stone & Co. bid for Fox Metropolitan Playhouses assets was rejected yesterday by the bondholders' committee of the circuit. It is understood that the bondholders were dissatisfied with the term.

Under the proposal submitted by the investment house, it was learned that the bondholders' committee was to proceed with reorganization of Fox (Continued on page 6)

Probe Is Started On Para. Workings

An examination of present and former executives and department heads of Paramount Pictures concerning the conduct of the company's business prior to bankruptcy, the causes of its financial difficulties and its dealings with creditors and others was begun yesterday before John E. Joyce as (Continued on page 6)

Pope Hopes to See Film Crusade Widen

VATICAN CITY, Oct. 16.—Pope Pius praised the American drive for clean films today and expressed the hope it would spread to every corner of the world where pictures are shown.

The pontiff's statement was made during an audience granted Bishop Paul L. Hayes of Helena, Mont., who said the Holy Father had bestowed his blessing on the campaign to purify the screen and expressed a wish that the crusade go on (Continued on page 7)

Erpi Assures Theatres Defense in Patent Suit

Censorship Is Called Futile By Rosenblatt

HARRISBURG, Oct. 16.—Strong opposition by any move for government censorship of films was expressed here today by Division Administrator Sol A. Rosenblatt, speaking before the M. P. Division of the State Federation of Pennsylvania Women.

Rosenblatt claimed in industry is the answer to clean pictures, he declared.

After outlining the formulation of the code and the drive for clean pictures, he said, "I believe it will reach farther than the screen itself: it starts here.

"On July 15 of this year a forward looking move of tremendous social responsibility was made by the producers of motion pictures themselves," he said. "I believe it will reach farther than the screen itself: it starts here."

Price Hike Seen Behind Texas Move

HARRISBURG, Oct. 16.—Strong opposition to any move for government censorship of films was expressed here today by Division Administrator Sol A. Rosenblatt, speaking before the M. P. Division of the State Federation of Pennsylvania Women.

Rosenblatt described the industry efforts to correct the situation.

"On July 15 of this year a forward looking move of tremendous social responsibility was made by the producers of motion pictures themselves," he said. "I believe it will reach farther than the screen itself: it starts here."

"On July 15 of this year a forward looking move of tremendous social responsibility was made by the producers of motion pictures themselves," he said. "I believe it will reach farther than the screen itself: it starts here."

Distributors Put Curb on Long Island Buying Pool

In an effort to break up the Skaaras-Selder-Schwarz buying pool on Long Island. local distributors have ordered a halt in spot bookings for theatres involved in the pooling arrangement. Branch managers and

general sales managers of all companies have been meeting for the last two weeks on the Long Island buying setup and have finally come to the decision that, unless the individual circuit

Independent Marshall Fight On Lease Withdrawal Clause

Independents plan to take their fight against withdrawal of the lease clause from the code to Washington. at a public hearing to be set by Division Administrator Sol A. Rosenblatt.

All independents on Campi in addition to Walter Vincent, alternate for Ed Kuykendall, voted in favor of retaining the clause on the ground it was inserted in the code for protection of the small theatre owner.

Because of the close vote, 64-4, a heated protest against dropping the provision will be launched by unaffiliated exhibitors at the capital open session.

Those Not in Default To Get Aid Against Tri-Ergon Moves

Theatres equipped with Western Electric sound reproducers will be fully protected against patent infringement suits, Erpi is informing its customers. This will be done, Erpi is advising the theatre industry, "in strict compliance with the provisions of our contractual agreement with you," but provided theatres are "not in default under your agreement with us."

Erpi declares the flywheel and double printing patents claimed to be owned by American Tri-Ergon and on which the U. S. Supreme Court has refused to review the findings of the lower Federal courts do not relate to reproducers and assumes the position that "no action is called for at the present time relative to this equipment."

The electric's communication, addressed "To All Users of Western (Continued on page 6)

Para. Experimenting With Wire Recording

HOLLYWOOD, Oct. 16.—Sound recording experiments which, Paramount claims may revolutionize the present practice are being made this week. The sound is recorded on a wire. It makes use of the principle of arrested magnetism.

Both light waves and sound waves can be recorded, it is said, but at present Paramount is using only sound and Gary Cooper and Sir Guy Standage are doing dialogue from "Lives of a Bengali Lancer."

Deal on to Buy Out Marcus for Famous

SALT LAKE CITY, Oct. 16.—Negotiations for the purchase of the stock held by Mayor Louis Marcus in L. Marcus Theatres, Inc., by Louis L. Dent are reported here to be nearing completion. Dent is said to be acting on behalf of Famous Theatres Corp. and is a widely known western and southwestern operator himself.

Marx Brothers Sign Pact With M-G-M

HOLLYWOOD, Oct. 16.—The Marx brothers today signed a contract with M-G-M calling for one picture with an option for more.
Insiders' Outlook

THE code front appears to be turning more hectic than ever. A general rewriting of this week's offering of the Blue Eagle is looked for by more industry observers than you can shake a stick at not later than the spring. Congress will convene in January, and, among the first pieces of business to occupy the gentlemen of the broad-rimmed black hats and the flowing black tails, is new NRA legislation which covers new versions of the session gets too old. The nature of the spring foray into new law-making regions is expected to be such as will require basic changes in all existing codes, particularly in their provisions on labor.

A reopening of the film code, along with the others, therefor may be expected to pivot around labor and what is to be further done for it. But interesting as well is the present report based on many markers floating in the breeze, that there will be a demand for the rewriting of much of the trade practice prevalent in the industry. There is on record, for what it may mean, a notice of the M.F. T.O.A. to its members that the organization will be ready to work for an increase in the cancellation privilege from 10 to 15 percent and for restrictions on double features, an old and persistent M.P.T.O.A. bugaboo. Exhibitor association rivalry on what it is, becomes evident quickly enough that Allied will refuse to sit back on its haunches but instead will strike for adoption of its many and well-known platforms. Good old code!

Columbia Hits Old High on Big Board

Columbia Pictures, etc. | High | Low | Close | Change | Sales
---|---|---|---|---|---
Consolidated Film Industries | 356 | 135 | 354 | 19 | 1,100
Consolidated Film Industries, Inc. | 135 | 54 | 154 | 4 | 700
Eastman Kodak | 102 | 22 | 104 | 1 | 500
Eastman Kodak Co., Inc. | 22 | 102 | 104 | 2 | 500
Fox Film A | 125 | 12 | 124 | 1 | 1,100
Fox Film A, Inc. | 12 | 125 | 124 | 1 | 500
Fox-The Albe-Opsenheim, Inc. | 51 | 5 | 51 | 0 | 250
Loew's Inc., etc. | 50 | 51 | 51 | 0 | 250
Paramount Publix, etc. | 42 | 42 | 42 | 0 | 1,100
Pathe Exchange | 14 | 14 | 14 | 0 | 250
Pathe Exchange "A" | 14 | 14 | 14 | 0 | 250
Ward Brothers | 15 | 15 | 15 | 0 | 250
Ward Brothers, etc. | 15 | 15 | 15 | 0 | 250

Sentry Rises Eighth on Curb

Sentry Safety Control | 138 | 138 | 138 | 0 | 200
Technicolor | 138 | 138 | 138 | 0 | 200
Trans Lux | 138 | 138 | 138 | 0 | 200

Paramount F. L. Bonds Gain 3 1/4

General Theatrical Equipment (8) | 60 | 60 | 60 | 0 | 250
K therapist B. F. 6s | 62 | 62 | 62 | 0 | 250
Loew's 6s 41/4, 4% deb rights | 60 | 60 | 60 | 0 | 250
Paramount Broadway 5% of 1st | 90 | 90 | 90 | 0 | 250
Paramount Publix 5% of 1st | 89 | 89 | 89 | 0 | 250
Ward Brothers, 6% 39, wid. | 81 | 81 | 81 | 0 | 250

Dramatic is the story behind the newseel clips of the assassination of King Alexander in Malvernes last week. All of the reds rushed their shots to Paris for lab work. The first prints were seized by the local gendarmerie, censored and slashed to the bone, the reason for that being that the assassin might have been a Frenchman. The negatives, however, were smuggled to England by plane and by chartered speed boat, developed there for London theatres and prints placed on steamers due in New York today. Pathe, however, flew its clips to Cherbourg and caught the Breton, by back or vision, avoiding what proved to be a plot of trouble along the Seine. Local sideaide amusing is the story many of the dailies fell for late last night. Hearst Metronome laid credit for scenes of the murder in its then current issue. In other words, less than 96 hours after the deed had been done. Even Hearst can't do that.

The star rating system, employed by the Daily News and other newspapers of such and some consternation among major company publicity and advertising men, has undergone a change. The ratings are now buried in the reviews and this makes them less easy to spot. Now the and a man says they eventually will see the day when the entire system will be relegated to the limbo of historical importance. Trouble has not been with four star pictures; every company has been touting them on theatre marquees and in newspaper copy. Pictures rating less—that's been the rub. The feeling has been that this hurts at the box-office. The trouble over lack of unanimity in the company's attitude has been the natural and consequently the understandable temptation to capitalize on star winners whenever the News critics hand them out. Which is too often.

Herman Robbins' party at Schraon Lake this year was a peach, the invited guests declare. The National Screen president every year announces his customs to the Adironacks for hunting and fishing. Imbibing, in a nice way, of course, played a pretty substantial part in the festivities this year too. Bloomsbury all in back in a special bus carrying its own bar and bartender. Or maybe it was bar tenders. Wally Berry's new deal with Metro is about set. That stymies another Hollywood crisis of some sort or another.

Lawrence Langner, important man in the Theatre Guild's scheme of things, was heard when his organization, champion of the better things in the American theatre, will produce its own pictures. It might be better for the Guild to try it instead of trying more diligently on its first born first. Between the Tri-Ergon situation which is crowding the board room of the Hays association, due to its rating system, and the film ranks over what Upton Sinclair will do if he wins the gubernatorial race this fall in California, the celluloid market on huddles is bullish once again. K A N N

"Tower Day" Lunch Arranged by Ampa

The Amca tomorrow will observe "Tower Day" by way of celebrating the fifth anniversary of Tower Pub lications, Inc., and its editorial head, Cather ine McNelis.

Louis Nizer will be toasting master and Eddie Canaris, Eddie Canaris, and Ginger Rogers will be among those at the day, Entertainment will be supplied by John Kauffman, who wrote "Lazy Dan" of the air, and the Dun can Sisters.

"Barretta" Held Again

"The Barrettes of Wimpole Street" will be held for a fourth and final week at the Capitol. This is the only picture to be held for that length of time. The hope of the house with the exception of "Flesh and the Devil"

Skouras, Buckley East

HOLLYWOOD, Oct. 16—Charles Skouras, Charles H. Buckley and Ed Zabel leave for New York tomorrow night to discuss F. W. C. reorganization of this company as dispose of other accom plished business.

H. W. Kahn Forms Kameo

Henry W. Kahn, formerly managing director for Fox Film in central Europe, has formed Kameo Pictures Corp., as a world-wide distributor for American and foreign product.
“NO BETS OVERLOOKED

Says DAILY. VARIETY

in CAST...

“No bets were overlooked when it came to lining up a cast.”

—Daily Variety

STORY...

“Packed with action, drama, comedy, and other essentials.”

—M. P. Daily

BOX-OFFICE APPEAL...

“Cannot help but prove beneficial at the box-office.”

—Daily Variety

“Flavored with Box-Office bouquet.”

—M. P. Daily

BEN LYON SARI MARI'TZA ERICH VON STROHEIM HARDIE ALBRIGHT

DISTRIBUTED BY LEADING EXCHANGES EVERYWHERE FOR

MASCOT PICTURES CORP.

1776 BROADWAY, NEW YORK

CABLE ADDRESS: “LEVPIE’” NEW YORK
EIGHT OPENINGS OVER WEEK-END

GAY, GORGEOUS STARS OF "FLYING DOWN TO RIO"

FRED ASTAIRE
GINGER ROGERS

IN THE MOST SUMPTUOUS
ROMANTIC HIT OF ALL SEASONS...

"THE GAY"

with ALICE BRADY

EDWARD EVERETT HORTON
AND HALF THE BEAUTIES
OF HOLLYWOOD...

HEAR

"Don't Let It Be Easy"
and "Let's Knock Em Out"
by Mark Gordon and Harry Revel

ON A RAINBOW OF RHYTHM

RKO-RADIO BRINGS ANOTHER BOX-OFFICE BONANZA TO T
ND EACH ONE A RECORD BREAKER!

NEW RECORDS DANCING TO THE MERRIEST TUNE IN MONTHS!

BOSTON—First 3 days equals first 7 days business of “Flying down to Rio” which included New Year’s Eve and Day (and you know what business “Rio” did.)

HELD OVER FOR SECOND WEEK!

KANSAS CITY—First 3 days equals “Little Women” record which played Thanksgiving Day and holds all time house record.

HELD OVER FOR SECOND WEEK!

MINNEAPOLIS—First 3 days within $700 of full week’s business for “Rio” (and “Rio” was in top money class.)

HELD OVER FOR SECOND WEEK!

MEMPHIS—Doubles the best business since January and in for new house record.

OMAHA—First 3 days indicate week will do $1500 better than any show in past six months.

FORT WORTH . . . GALVESTON, MILWAUKEE . . . they’re still counting the money . . . we’ll give you the figures later.

DIVORCEE
Censorship Is Called Futile By Rosenblatt

Price Hike Seen Behind Texas Move

RCA Silent

While Erpi is now assuring its theatre customers that it will protect them in the patent situation brought closer to a climax by the U. S. Supreme Court's fusal to review the findings of the lower court in the fly-wheel and double printing case, RCA Photonaph has apparently done nothing by way of a move in the matter.

A company official yesterday declared no statements of any description had been made to date.

Probe Is Started On Para. Workings

special commissioner for the Federal district court.

The inquiry has listed for examination, as and when subpoenaed, Ralph A. Kohm, Jesse L. Lasky, Sam De- mont, Neil A. Agnew, Blaine S. Paley, George W. Trendle, John H. Kunsky, Elek J. Ludvig, A. John Michel, Norman Colyer, Edward A. Brown, Joseph E. McDermott, Fred E. Mohrhardt, Marion Coles, Charles E. Hawthorne, Henry Anderson and Fred Vicker.

The examination is being conducted by the Paramount Publicx trustees, through counsel, and will make particular inquiry into matters pertaining to the acquisition by Paramount Publicx of shares of its own stock in 1930, 31 and part of 1931.

All books, papers and records relating to such transactions are to be produced for inspection during the examination, which will also examine with an eye to and whereabouts of Paramount property and other matters which may affect the rights and title to and散热 of the debtor's estate.

Erpi Assures Protection in Patent Battle

(Continued from page 1)

Electric Sound Reproducing Equipment, reads Erpi.

"Undoubtedly of Nov. 29, 1933, and Jan. 25, 1934, we wrote you with respect to the matter of the suit brought by the American Tri-Ergon Corp., against Columbia, Loew's Publicx Theatres and Wilmer and Vincent Corp. involving the so-called fly-wheel patent. The recent action of the U. S. Supreme Court relating to this suit has been followed by many inaccurate and misleading statements.

"We wish, therefore, again to advise you that the suits in question do not relate to our equipment installed in your theatre. No action is called for at the present time relative to this equipment. We shall advise you if there should be any court decision affecting our equipment installed in your theatre.

"If however, you should be interfered with in the use of our equipment, or should be threatened with any such interference, it is important that you communicate with us immediately by telephone or telegraph. We would cooperate in giving you the possible opportunity full written details by mail. Any such communication would be addressed to our New York office.

Will Stick to Agreement

"As you have been previously advised, we will protect you in strict compliance with the provisions of our agreement with you in the event of a patent infringement suit based upon our reproducing equipment being brought against you and provided you will not be in default under your agreement with us.

In the meantime, the American Tri-Ergon situation has been the subject of several meetings to date of major company heads with John E. Otterson, president of Erpi, the latter having been held at the Hays office on Monday behind closed doors.

Opinion looked upon as entirely reliable holds the situation is one that is best described "as serious but not critical." Erpi and its licensed companies are expected to proceed along an identical line of action. What form such action will take it is reported, has not been developed as yet. Approach to the situation is said to be possible along several lines, but the decision reputedly rests largely on the majority opinion reached by Erpi and major company attorneys.

Hayden, Stone Fox Bid Met Rejected

(Continued from page 1)

Met with Hayden, Stone issuing to me the inside track in the new company in exchange for the bonds of Fox Met. Hayden, Stone agreed to re-purchase a part of the issue—Allied Film Theatres—while I'm waiting to hear from Erpi and major company attorneys.

Giannini Reaches Coast

Hollywood, Oct. 16—Dr. A. C. Giannini returned today from his extended European trip.
Approval for New Code Cost
Plan Foreseen

The assessment allocation for a second time.

More of the major companies already have contributed to the maintenance of Campi and when bills are sent out they will be on an annual basis, checked off against payments on file.

Bareford is due back tomorrow.

Illinois and Texas
Protests Are Heard

Two individual protests were heard yesterday by an appeal committee consisting of Edward Golden, chairman; E. L. McCloy and Henry Hussman.
The first case was that of B. K., manager of the Nanny, Chicago, III. against George W. Kruger, Hinsdale, Ill., on premature advertising.

Miller of the Essaness fight in connection with a new screening of "The Four Horsemen," which opened at the Bijou Theatre in Chicago.

In the second case, the Greenville Amusement Co., operating the Rialto and Colonial, Greenville, Texas, complained against the Jefferson Amusement Co. and East Texas Theatres, Inc., Beaumont, on overbuying.

A. W. Lilly, complainant; J. C. Clemons, president of Jefferson; J. M. Gordon, attorney for Jefferson; and Otis U. Sullivan of East Texas were on hand for the hearing.

U. A. Wins Contract
Complaint in Omaha

OMAHA, Oct. 16.—Jack Gelfand, manager of the Garden, Sioux City, Ia., defendant in "validity of contract" complaint brought by United Artists, lost the decision before the grievance board, acting for the first time as an industrial adjustment agency.

At the same time the grievance board refused to allow distributors to sell or give a film to the local Veterans of Foreign Wars post for a benefit show on the grounds of unfair competition from a non-theatrical source.

Loeb Here to Study
Data Upon Agencies


Because he wanted more time to get additional data, Loeb telephoned Division Administrator Sol A. Rosenblatt in Wash-
**Looking 'Em Over**

**Gridiron Flash**

(Radio)

By taking a hard-boiled young convict out of a prison football team, drafting him for a college eleven against his will, and then playing on the conflicting emotions involved between his get-rich-quick crook friends and his unwillingness to desert a fight once started, Radio has introduced a new and exciting slant into the annual batch of gridiron films. "Gridiron Flash" has he-man appeal and considerable love interest as well. Eddie Quillan gives a smart performance as the youngsters who is against the war, in general, until he finds a lot of people like him and are depending upon him to pull them through a tight spot. Betty Furness gives a convincing performance as the daughter of the campus star (Edgar Kennedy), who tries to hold Quillan in college and brings him back when he has deserted on the eve of his exam.

The football shots are well handled, and the comedy element is injected deftly by Lucien Littlefield and Kennedy. It's no epic, but it ought to make money where there are high school and college audiences. Glenn Tryon did a good job of directing. Production code seal No. 209. Running time, 63 minutes.

**Heating Up Bump Coast's Grosses Hard As Hub Gains**

**"Du Barry" Is $32,000 Lead**

Los Angeles, Oct. 16.—Continued hot heat, football and the World's Series scores knocked box-offices flat last week. The Paramount dropped "The Lemon Drop Kid" after five days to make room for "Mrs. Waggs of the Cabbage Patch." The take was $14,837, which is down a week. "Duel" failed to make an impression at either the Warners' Downtown or the Hollywood.

This week's returns were $48,187. Average is $92,200. Estimated takings for the week ending Oct. 10: 
- **CARAVAN** (Fox) 
  - LOW: STATE—(2,413), 35c-5c, 7 days 
  - Gross: $9,792. (Average: $1,399.)
- **THE LEMON DROP KID** (Paramount) 
  - LOW: STATE—(1,993), 35c-5c, 6 days 
  - Gross: $5,880. (Average: $980.)
- **DESIRELLE** (Warners) 
  - WARNER BROS. (Hollywood)—1,300, 35c-5c, 6 days 
  - Gross: $7,300. (Average: $1,217.)
- **KANSAS CITY PRINCESS** (Warner Bros.) 
  - WARNER BROS. (Downtown)—1,500, 35c-5c, 6 days 
  - Gross: $7,100. (Average: $1,183.)
- **A GIRL OF THE LIMELIGHT** (Embassy) 
  - FANTAGE—(3,000), 25c-40c, 7 days 
  - Gross: $4,430. (Average: $633.)

"Barretts of Wimpole Street" United Artists—(451), 25c-40c, 7 days 
- Gross: $6,000. (Average: $857.)

"Priest" and "Street" Top Twin Cities

MINNEAPOLIS, Oct. 16.—The Barretts of Wimpole Street" and "Judge Priest" bested all opposition in the local theatrical transactions of the week in the Twin Cities. The former took percentage business with a gross of $5,000, up by $2,000, at the Century here, and the latter went $1,000 over normal on a gross of $5,600 at the State.

"There's Always Tomorrow" made a fine showing with $3,000 at the World and here for $3,000 at the St. Paul Orpheum. "The Defense Rests," took $6,500 at the Minneapolis Orpheum.

Total first run business in Minneapolis was $25,500. Average is $21,000. For St. Paul it was $18,500. Average is $16,000.

Estimated takings:
- **Minneapolis:** 
  - Week Ending Oct. 11: 
    - "THE BARRETT S OF WIMPOL E STREET" (M-G-M) 
      - CENTURY—(2,370), 25c-40c, 7 days 
      - Gross: $6,000. (Average: $857.)
    - "DEATH ON THE DIAMOND" (M-G-M) 
      - LYRIC—(1,000), 25c-5c, 7 days 
      - Gross: $1,500. (Average: $1,500.)
    - "THE LONE Defender" (Col.) 
      - STATE—(2,300), 25c-40c, 7 days 
      - Gross: $5,000. (Average: $1,500.)
    - "YOUNG AND BEAUTIFUL" (Mascot) 
      - TIMES—(1,200), 25c-5c, 7 days 
      - Gross: $2,500. (Average: $500.)
    - "THERE'S ALWAYS TOMORROW" (Univ.) 
      - WORLD—(400), 25c-5c, 7 days 
      - Gross: $3,000. (Average: $425.)

**Week Ending Oct. 11:**
- "THE LAST GENTLEMAN" (Warners) 
  - PARAMOUNT—(2,000), 25c-40c, 7 days 
  - Gross: $5,000. (Average: $714.)
- "BULLDOG DRUMMOND STRIKES" (Paramount) 
  - UNIVERSAL—(1,200), 25c-40c, 6 days 
  - Gross: $4,000. (Average: $667.)
- "THERE'S ALWAYS TOMORROW" (Univ.) 
  - ORPHEUM—(1,500), 25c-40c, 6 days 
  - Gross: $4,500. (Average: $750.)

**Grainer Sees Upturn**

Hollywood, Oct. 16.—James E. Grainer, Universal sales head, on his arrival here yesterday, said facts indicated that the biggest business was still improving throughout the nation. He will remain two weeks consulting with studio executives and lining up product to be released after Feb. 1.

**Fred Kolmar Is Coming**

Hollywood, Oct. 16.—Fred Kolmar, Samuel Goldwyn's production assistant, was eastbound tonight. He will be a week in New York during which he will make preparations for Eddie Cantor's next film.

Breens Reported On Way

Hollywood, Oct. 16.—Joseph I. Breen is reported on his way east for a Hays meeting, understood to be set for Friday.
Fox Files Patent Suits Against Five Companies

INSIDERS’ OUTLOOK

...Two Pieces in a Jig-Saw Puzzle

SERIOUS, but not critical. Four words, but they tell as much as can be told of what races through the minds of the men who should know. What is in Erpi in Erpi’s licensed companies, which means most of the large producing, distributing and exhibiting corporations, on the American Tri-Ergon patent situation. The rest of the story is interesting, but not conclusive because its component parts are made up of points and issues, yet in doubt, but to be determined in days and months, perhaps, in years, to come...

Overlooked at large is the fact that the United States Supreme Court did not pass on the validity of the flywheel and double printing patents. It merely refused to review the findings of a lower United States Court of Appeals..."}

Expect Bond Group To Revamp Fox Met

That the bondholders’ committee of Fox Metropolitan Playhouses will proceed with its own reorganization of the circuit following the rejection of the Hayden, Stone & Randforce plan for the circuit’s assets was indicated as a probability by members of the committee yesterday. The committee’s reorganization plan will be dependent upon the acceptance by Skouras and Randforce of new short term operating contracts, probably of two years’ duration, in

BIP-Gaumont Deal Dead, Says Myers

"If the B.I.P.-Gaumont British deal was ever begun it’s finished now," said Advance Myers, Longden stock broker banker, and reported to be

Movietone Plane in Crash; One Drowned

One man was lost and four others were seriously injured when a Sikorsky plane crashed and sank

NRA Approves New Code Cost Plan Details

All Three of Industry Branches Included

WASHINGTON, Oct. 17.—Assessment schedules for producers, distributors and exhibitors were given approval of the NRA today, as exclusively indicated by Morton Pierce today. The Tri-Ergon Chairman’s Re- tor plan is based on a yearly levy while the exhibitor levy is for the second half year. Deputy Administration William P. Farmar said in making the announcement, added that any objections may be filed with him by Oct, 27, and said all opposition has been expressed, they will become effective.

It was said, however, that both schedules have received the approval of all interests and it is not antici (Continued on page 11)

Dent in Salt Lake As Famous Partner

Louis L. Dent takes over the Public-Salt Lake circuit of 13 houses on a short term partnership operating contract with Famous Theatres, Paramount subsidiary, as of Oct. 15, Y. Frank Freeman, head of Famous, said yesterday. The contract runs to June 27, 1935. Public-Salt Lake was formerly operated by Loew’s for Famous, which exercised its right to cancel on the expiration of the partnership contract several months ago. Since that time Marcus has continued in charge of the circuit unofficially.

Civic Groups Deny M. F. Council Aid

Twenty-two of the civic organizations of the 35 represented at a recent conference called by the M. P. Research Council deny they are committed to the “new” program of the council. Nineteen of them emphatically questioned the propriety of a publicity release sent out by Herbert S. (Continued on page 8)

Product Contracts Await Kent Return

Signing contracts in the local product situation affecting Shouras, Loew’s, RKO and Randforce is being (Continued on page 8)

"U," M-G-M, Columbia, Consolidated, First Division Named

William Fox’s American Tri-Ergon Corp. moved yesterday to enjoin M-G-M, Universal, Columbia, First Division and Consolidated Film Industries from further use of the double print and flywheel patents, instituting all five actions in the U. S. District Court here.

Speculation as to why only five companies were named in the actions filed yesterday went unanswered at the law offices of Ward, Crosby and (Continued on page 11)

NEW YORK, THURSDAY, OCTOBER 18, 1934

TEN CENTS
Court Ends Sale of Photocolor Shares

Sale of securities of the Photocolor Corp. and Photocolor Pictures has been halted by a suit ordered by Justice Salvatore A. Cotillo in Supreme Court here.

Besides the two firms the order names the following defendants: Frank E. Nemec, president of Photocolor Corp.; John A. Bolles, of 522 5th Ave.; Harold D. Scott, of Huntington, N. Y.; and Dayton Brown, of West Englewood, N. J.; Arthur Waddingham, of Dubbs Ferry, N. Y.; Frederick L. Lind, of Pine St., William H. Odell, Jr., of 521 5th Ave.; and Godd P. H. Chester, of Buffalo.

The defendants were ordered to show cause next Tuesday why the injunction should not be continued and why a temporary receiver should not be named for the companies.

The order was obtained by Bertha Schachner, assistant prosecutor, who charged that the Photocolor Corp. has claims and judgments totaling $30,000, and while its studio at Irvington-on-Hudson, N. Y., against it first mortgage gold bonds in default amounting to $383,600.

Set Broadcast Series

Warner's have closed a deal for a series of broadcasts on an advertising basis from 3 to 3:30 o'clock every Sunday over a NBC hookup. The broadcasts will be in the form of sketches called "Sally of the Talkies" and will detail the adventures in the Warner studios of a girl winner of a beauty contest.

Sets Deal on "Gay Love"

Empire Films, Ltd., has closed with Sam W. Smith of British Lion to distribute "Gay Love" with Sophie Tucker in Canada. An American distribution deal will be set tomorrow before Smith sails for London.

Radio Lineup to Kinecy

A deal has been closed with the H. F. Kineyc, Inc., for the copyright in all 135 Radio lineup. Twenty-two theatres in the Carolinas and Virginia are involved.

Loew's Ptd. Soars 4 on Big Board

<table>
<thead>
<tr>
<th>High</th>
<th>Low</th>
<th>Close</th>
<th>Change</th>
<th>Sales</th>
</tr>
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<tbody>
<tr>
<td>Columbia Pictures, Inc.</td>
<td>305</td>
<td>290</td>
<td>305</td>
<td>-5</td>
</tr>
<tr>
<td>Consolidated Film Industries, Inc.</td>
<td>155</td>
<td>140</td>
<td>150</td>
<td>-5</td>
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<tr>
<td>Eastern Motion Pictures Corp.</td>
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Technicolor Rises Eighth on Curb

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Paramount Broadway Bonds Up 2

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HERE Y'ARE, FOLKS!

GET YOUR WINNING COLORS
IN COMEDY—FROM WARNER BROS.

JOE E. BROWN
in
"6 DAY BIKE RIDER"

Backed by $100,000 Quaker Oats tie-up and already a mop-up in its first dates, including "a new high for the season" at Indianapolis Lyric!... Just one of the Warner laugh list that includes "Happiness Ahead," "Madame Du Barry," "Big Hearted Herbert," "Kansas City Princess," "I Sell Anything."

BEN BLUE
VITAPHONE SHORTS

See any one of his hilarious "Big V" series for proof that Vitaphone leads in comedy...... See Vitaphone when you want the cream of comedy names, including Leon Errol, El Brendel, Shemp Howard, Roscoe Ates, Allen Jenkins, Daphne Pollard, Easy Aces, Georgie Price.
"He's doing THE MERRY WIDOW WALTZ!"
(To Your Box-Office!)

It wasn't Election Night on Broadway! It was the brilliant World Premiere of the new $2 Astor hit!
THE CRITICS WALTZED

to their typewriters and sang:

**** (Four Stars). A new "MERRY WIDOW" emerges at the Astor. Ernst Lubitsch has devised something delightfully fresh and thoroughly entertaining.
—Kate Cameron, Daily News

Debonair and witty photoplay that reveals the master of cinema high comedy in his brightest mood. The incomparable Lubitsch proves once more his vast skill at genuine cinema wit. A thousand of those superb "Lubitsch touches". You will probably be picking your favorite ones for yourself.
—Richard Watts, Jr., Herald-Tribune

"MERRY WIDOW" opened at super-gala premiere with huge crowds jamming sidewalks. Lubitsch comedy deftly put over.
—Rose Petschick, Eve. Journal

Witty and incandescent in the excellent Lubitsch manner, heaply as the foam on champagne, fragile as mist and delicately gay. Ensemble numbers are breath-taking. Mr. Chevalier has never been better in voice nor charm. Miss MacDonald—a captivating personality and a lyric voice. The Winter season has been royally crowned.
—Andre Sennwald, Times

Audience applauded each song, each actor. All the lovely Franz Lehar score is there, sung delightfully. Romantic music, lifting gracious waltzes that live on in memory. There are enough laughs to keep an audience giggling most of the time.
—Eileen Creelman, Sun

Gaily abandoned! A grand show. It makes the original seem stodgy. A "MERRY WIDOW" which we are sure is the merriest of them all.
—Martin Dickstein, B'klyn Eagle

The exquisite, haunting melodies stir to thrilling, sparkling life. Lubitsch triumph glows in all its glory. A delight alike for eye and ear and heart and soul. Lubitsch's sly, chuckling humor is pointed with impish precision. Film leaves audience bemused by its beauty, thrilling to its songs. Truly Metro's masterpiece.
—Regina Crewe, N.Y. American

Nothing but the touch of Lubitsch could transmute the love pulsations of Count Danilo and the beauteous Sonia into the wickedly irreverent spasms which pour forth. Continuously stimulating. An utterly enchanting picture.
—Thornton Delehanty, Post

HALK UP ANOTHER $2 HIT FOR M-G-M!
Thrilling over a million readers of the Literary Digest weekly — now thrilling millions more on the screen!

**THE SPICE OF LIFE**

The week’s best jokes, gags, wisecracks and humor, carefully edited and presented in a manner that will get roars from any audience!

*Produced by Mentone Productions, Inc.*

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**SCREEN SNAPSHOTSHOTS**

3 ★ ★ ★ — Liberty Magazine

Here are the first 3 uproarious and riotous 2-reelers of Columbia's 26 for 1934-35!

**MEN IN BLACK**

with the Three Stooges! Good for a million laughs!

"Goofy laughs... broad laughs. Based on the goofy motif."

*FILM DAILY*

**IT'S THE CATS**

with Andy Clyde! Funniest short he's made!

"Really funny."

*FILM DAILY*

**COUNSEL ON DE FENCE**

with Harry Langdon. The famous Langdon pan will have them in the aisles!
 orchestra Under Koussevitzky, Delays First Pair Until Oct. 12, 13 — Notable Revivals Planned—Formulate Resident Opera Plans — “Musical Movies” Are Educational Experiment

OSTON, Oct. 5.—Residents of Boston have long been accustomed to the opening of the winter season of the Boston Symphony Orchestra. This year, however, Dr. Koussevitzky and others of the 85th-86th season, the Boston Symphony Orchestra of London, who visits us for the first time.

Martino to Direct Opera

According to the latest information available, plans are rapidly going forward for the establishment of a resident opera company here in Boston, under the direction of Raffaeo Martino, well known hereabouts as the conductor of the 18th Century Symphony Orchestra. Aido Franchetti, who is associated with the repertoire, includes Paul Allen’s Last of the Mohicans, Miller’s Mefistofele, and The Philosopher of the Campagne, none of which are familiar to Boston.

The usual stir is noticed in studios, music schools and conservatories. Enrollment appears to be satisfactory and although the old depression has not yet been regained, the outlook is hopeful. The directors of the Malkin Conservatory are announcing that Moses Smith, music critic of the Boston Transcript, will give a course in score reading for amateurs and music lovers with no amount of technical knowledge and the New England Conservatory of Music again places emphasis upon the value of the educational training offered its students under its director, Wallace Goodrich.

Educational Novelty

By far the most interesting educational experiment launched in Boston in some time, however, is the series of Musical Movies to be presented at the Exeter Street Theatre during October by Eleanor Brigham. The idea is entirely original with Miss Brigham, who is eminently fitted to undertake this bit of musical pioneering. She is the author of several successful sub-titles and the founder of the Pianoforte Teacher’s Society of Boston.

Musical Movies will cover a wide field, as is evidenced by the sub-titles of such lives as Lives of Musicians, The Instruments of the Orchestra, and Music and the World. Miss Brigham has selected the best to be obtained in musical literature and the instrumental portions of the picture programs will be illustrated by each instrument of the orchestra in turn and by the complete orchestra in a unit. Dance music of intrinsic worth will be danced for the “movie” opera. Miss Brigham has arranged that singers from the Metropolitan Opera will present two scenes from each opera. The generous response to this idea should be indicative of the success of the venture. It is only too apparent that makers of films, together with proprietors of movie theatres are more than willing to co-operate in presenting the better type of film program if the support of the public can be secured.

GRACE MAY STUTSMAN

Cosmopolitan Opera Opens N. Y. Season

(Continued from page 3)

The cast of Carmen included Coe Glade in the part—Jane Nigrey, an American soprano, making her first New York appearance as Micaela, and Armand Tokatyan, formerly of the Metropolitan, as Don José. Carl Schiller sang Escamillo and the remainder of the cast included Thelma Votipka, Georgia Stading, Albert Mahler, Paul Dulos, Amund Sjovik and Pietro Bussy. Michel Steiman, from the Paris Opera, was the stage-managed as Mr. Lert of the Russian Cossacks sung in Russian on the cello, with Max Panteleiff part, Ivan Ivanovitch as Don Quixote as Mina, and Russian performers to sing in their own language. Russian performances announced to be under the Art of Musical Russia Operas announced for the week were Lohengrin, La Bohème and Aida in repertory of Boris Godunov and Carmen.

Besides Mr. Rabinoff, the organization included King as chairman of the board, Anglin, Frank Fenn, Helene Kovel, Othmar and Chandler Christy, Mrs. I. Dr. John Lovejoy Elliott, Esberga, Dr. Milton J. Fee, William J. Finn, Mrs. Felt, Gabrillowsky, Mr. Leopold Godowsky, Mrs. water, Dorothy Gordon, Irman, Rita Hôcheimer, Ira Isadore Lowden, Mrs. W. J. Lander, Judge, Elnora Macrae, Dudley Field N. Harold V. Milligan, Mr. Dr. Frederick B. Robin, Joseph, George L. Schein, Spaeth, Mrs. Lionel S. Thomas and George E. W.

Members of Cosmopolitan (Give Pre-season C. O. Special pre-season concert of the Cosmopolitan Opera Association, Max Raider, an organizing director, at the Hippodrome, Sept. 21. Beginning with two operas played by Mr. Sjovik, a program included a display of the talents of several of the Cosmopolitan personnel.

Rosemary Brancato was praised by Mr. Paul Breit, of the Caro Theater. Annie warmly received in arias from Don Giovanni and Manna La Scala as was also the Miss in an aria from the Mounster Opera, Miss Eustis from a song of Fromigoletto was sung by Brancato, Dorothy Bacon, and Milo Picco. The sextet sung by Miss Brancato, Mr. Dunlap, Mr. Brancato, Mr. and Guido Guidi concluded the evening. During the intermission, an address delivered by Louis S. Fosner, Mr. Singerman, and Mr. Hirsch, outlined plans for the Cosmopolitan and invited additional members to be announced by Dr. Spaeth. Mr. and Mrs. Justice explained that open to members of the opera, without the union of the two present.

KREISLER CONCERT INAGURATES BOSTON SYMPHONY HALL SEASON

WALTER GOLDE

Teacher of Singing

Coach in Repertoire

Program Building

Studio: Steinway Building, 113 W. 57th St., New York

Phone: Circle 7-4243

Pianist - Coipo

Steinway Hall Studio
By Basil Maine

Top Usual Fervor at London Proms

season under Sir Godfrey - Miniver, Davies and Delius, Elgar represented a number of concerts with orchestra, and the soloist for Elgar’s Violin Concerto. The latter was enhanced by a

years. The Proms, in short, are helping thousands of average people to make themselves at home with music.

Not for “High-Brows”

The Proms are not for high-brows: least of all the miscellaneous programs. That of Aug. 18 was typical. The most substantial item was Sibelius’ Tapiola and Max Bruch’s G Minor Violin Concerto. The latter was enhanced by a

formal plan, there is, in listening, “no concern for the one side or the other.” It is not like looking on at a battle.

Lisa Minghetti’s very sensitive playing of the solo part. This young violinist from Vienna adorned the lovely work with a

beautiful tone and inimitable with well-controlled temperament; furthermore, she made it clear that, for her, the concerto held not a single meaningless phrase. If there was any meaning at all to be discovered in the Rondo from Rossini’s La Cenerentola, certainly it would have been conveyed by Mme. Conchita Supervia’s art, but when the aria is given out of its context and in a concert hall, the brilliance of the technical achievement must always be in chief interest.

Audiences Acclaim Bolero

This concert was notable for the appearance of Sir Walford Davies (Elgar’s successor as Master of the King’s Music) as the soloist in his amiable Conversations for piano and orchestra, which, as he whisperedly interpreted them, would have been more aptly called flirtations. For the rest, Harold Williams sang Verdi’s Ernani and Ravel’s Boléro, that profitable investment of a minimum of musical capital, the orchestra and Sir Henry Wood were rewarded with the loudest applause of the evening.

Some of the representative works by Elgar and Holst appears, of course, in these programs, but neither of these composers was given a commemorative concert. Homage to Delius, however, was paid in a program of his works on Aug. 23. For my part, the outstanding experience here was the renewed acquaintance with the Concerto for Violin and Cello both because of itself and of the intensely beautiful performance of May and Beatrice Hamson as the soloists. To these sisters Delius dedicated the work and never have I heard music which so absolutely belongs to its special

but Elgar himself loved the occasion for the opportunities it gave him of meeting old friends, especially those in the London Symphony Orchestra which under the leadership of W.H. Rees has understood his music better than any other in England.

Yet, as Bernard Shaw remarked in a speech at a public lunch during the week, “Elgar was not the kind of man whose memory causes one to pull a long face.” That’s what I call music. The composer once said to me, “I very simply after we had listened to one of his works; and I think he would have asked for no better tribute than the performances which were given in the Cathedral of The Kingdom, The Dream of Gerontius and the Second Symphony. In the assessing his kinship of a chorus gave of their finest, and in all his friends of the orchestra rose to this occasion. Tributes too, were paid to Holst in memory of a performance of his very characteristic Te Deum. Among the works of composers of smaller following, I found great interest in Dr. Cyril Todd and Lord Howick who were given to “I magi from the opera ‘Wahlflucht.’” The morning of Christ’s Nativity (two solos, chorus, semi-chorus of boy and orchestra. Beautiful words have here evoked music of elegance and inspiration. (Readers of MUSICAL AMERICA will doubtless have read the Dr. Roothen’s Septet was recently given at the Gittings Festival.)

For choral singing pure and simple the outstanding performance of the Gloucester Festival were of Samuel Wesley’s motet, In exitu Israel an Pally’s Breviary of Sirens. Herbert Sumsion was the very able conductor-in-chief.

Wald Complete’s New Opera in Paris

Paris, Oct. 1.—Max Wald, America composer, resident in this city, as completed a three-act opera in the form of a lyrical comedy, Mirandolina, based on Goldoni’s La Locandiera. The libretto, in English, is by the compose

NEW MUSIC SCHOOL

DALCROZE INSTITUTE

AMONG THE FACULTY

ROGER SESSIONS: All Branches of Composition.

PAUL BOEPPE: Improvisation, Dalcroze Teachers’ Training.

LYDIA HOFFMANN (formerly Stern Conservatory, Berlin): Advanced Instruction in Piano.

NICOLAI BEREZOWSKY (Violinist and Composer): Advanced Instruction in Violin.

ADA MACLEISH (Soprano): Advanced Voice Instruction.

The Wald Complex at 17th

MUSICAL AMERICA for October 10, 1934
AM NEEDS MOST!

A laugh in every epitaph! The screen's newest novelty—making new friends wherever shown!

LIFE'S LAST LAUGHS

The surprise short of the year! Panicked them at Radio City Music Hall when first shown there and a sure-fire hit on any program.

"Interestingly presented." FILM DAILY

Produced by C. S. Clancy

"Screen Snapshots catch the spirit of the town. If you can’t afford a ticket to America’s last carnival, they supply a delightful substitute. Better than a trip to movieland, they take you to almost everything you’d care to see in the land you’ve read so much about... Splendidly photographed, these shots are breezy, intimate. The most honest and certainly the most entertaining guide to be found... deserves a welcome to the cream of the short subject crop."

A riotous blend of color, music, comedy and novel effects!

COLOR RHAPSODIES

1. HOLIDAY LAND. Will add a delightful dash of spice to the well-balanced program.

2. THE SHOEMAKER AND THE ELVES. Another tuneful, colorful and delightful novelty with an appeal for young and old.

Produced by Charles Mintz

NAPSHOTS • LAUGHING WITH MEBURY PICTURES
Civic Groups Deny
M. P. Council Aid

(Continued from page 1)

Houston, head of the council’s "bureau of public enlightenment," according to the latest issue of Motion Picture
T numeral.

The council’s executive head is Rev. William H. Showalter, president to the general meeting on the name of Mrs. Grace Coolidge and the session was held in the American Mu-

The publicity release issued following the meeting read: "A statement of principles in motion pictures agreed upon by representatives of 35 national organizations was made pub-

The release also quoted Dr. Ben D. Wood of Columbia, who presided, as saying the 35 organizations in participating would adopt the council’s "new" program.

Against Block Booking

The council’s "new” program includes a demand for liberal distribution policies of pictures, block booking and appointment of a Federal admin-

strator to supervise production.

The council, which was not reached denied they had been committed to the council’s program. Most of them were emphatic in saying they were not willing to be used for the idea.

One called it “dangerous” to participate in a conference with the council, and several were emphatic in their opposition to the statement. Only three expressed a sympathetic interest in the council’s work. They were: Mrs. Washington C. Chute, secretary of the Fed-

eral Council of Churches in America; J. W. Crabtree, secretary, National Education Ass’n, and Mrs. B. F. Langworthy, president, National Congress of Parents and Teachers.

Objectors Are Listed

Those who objected to the statement were: Mr. Harry A. Weil, director, the American Ass’n for Adult Education; F. Trubee Davison, president, American Museum of Natural History; Rabbi B. Delph, acting president, American Jewish Congress; Rowland Shel-

A; Mrs. Philip A. Brennan, president, Interna-

tional Federation of Catholic Alumni; George W. Phillips, president, National Council of Women; Emily R. Kneubuhl, executive secretary, Business & Professional Women’s Clubs; Mrs. DeF. Van Slyke, executive di-

ctor, Catholic Women’s League of America; Charles L. Chute, executive director, National Probation Ass’n; Mrs. Grace Morrison Poole, presi-

dent, National League of Women Voters; and Weld Arnold, executive director, Institute of Geographical Exploration, Hartford, Conn.; and C. Ball, president, International Den-

tal Health Foundation for Children; Lee F. Hammer, director, Russell Sage Foundation; Miss Orie Lathαι Harriott, director of the Young Women’s Educa-

tional Alliance.
The organizations not reached for comment were: American Ass’n of University Women; Catholic Women of the U.S.; Catholic Daughters of America; National Council of Women of the United States; American, Federal M. P. Council, Girl Scouts, International Ass’n of Lions Clubs, Maryland Western Civic League for Motion Pictures, Mass. Anti-Lobby League, National Council of Teachers of English, National Women’s Trade Union League of America, and National League of the Unit ed Synagogue.

Dr. Short has sent a letter of ex-

planation to the organizations re-

presented at the conference in which he says he “hopes they have not been annoyed” by the news stories.

At the conclusion of his letter, he reads: "The news story sent out by our commit-

tee on information quoted Dr. Short as saying that the council was not binding on the organizations rep-

resented at the conference. To our

regret, the story as rewritten by se-

veral papers omitted this vital state-

ment.

The opening paragraph of the M. P. Council statement in the Herald papers, the Herald points out, read: "A statement of national policies in motion pictures agreed upon by the representatives of 35 national organiza-

tions."

Women Speaker Demands

National Film Boycott

Boston, Oct. 17.—A national boy-

cott of pictures by women’s organizations to secure cleaner films, stricter government control of the industry, and to protest against the stereotype of women was announced at a convention held here by the National Council of Parent-Teacher Ass’ns, the Twenty-


tenth Century Club and the Massa-

chusetts Civic League.

Mrs. Robbins Gilman of Minne-

apolis is the chief advocate of the

boycott.

During the addresses there was a showdown on the part of Mrs. Gilman and Dr. Helen D. McGill-

cuddy, chairman of the Catholic Order of Women’s Rochester, who favored a boycott. Dr. McGillcuddy expressed the belief that the film industry is not wholly to blame because it is merely trying to provide the kind of pictures that people demand and which box-

office figures show as profitable.

Mrs. Gilman, at some length, tried to refute the assertion.

Adolph F. J. Bendel, an exhibitor from Wellesley, Mass., gave the only answer on the part of the industry. He asserted that the claim that block book-

ing had been eliminated “is a lot of ap-

pearance on which we insist that people want to see the pictures you want to show in my theatre. All I got was a lot of appre-

ciation that I have done a good job in selecting pictures that I thought people could laugh at, mad-

ing fun, or dance to, and I think I am doing a good job.”

Product Contracts

(Await Kent Return)

(Continued from page 1)

held up until S. R. Kent arrives Mon-

day from a vacation in the south.

One difference of opinion has arisen between RKO and Skouras on the up-

town theatre situation and attempts to lead of the two circuits to iron out the points in question have been

left to Kent to decide.

It is understood Skouras will not make any arrangement with RKO until the situation has been worked out in connection with the two circuits. To date the points in question have been

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RELEASED TODAY!

ACTUAL SCENES OF THE ASSASSINATION OF KING ALEXANDER

SPECIAL PRE-RELEASE ISSUE—NO. 294

UNIVERSAL NEWSREEL
Grievance Board to Pick Films Awarded

Instead of letting Campi decide on selection of pictures, Shusterman is to get from Walter Reade as a result of a decision reached on Tuesday, the New York grievance board will hold a meeting tomorrow morning and allocate the product itself.

Shusterman operates the Strand, Red Ball and Keystone theatres in the city and Carlton, same city, and the Rocky, Perth Amboy, against Reade's Strand, Majestic and Canton, same city.

The board found Reade guilty of overbuying in both cities. It is understood Reade will appeal.

George F. Thompson, impartial man, will play an important part in the allocation of pictures. Shusterman's complaint at the hearing would be paid the same terms as Reade if he gets pictures.

Allied Heads Talk Law Moves on Code

Proposed legislative action in connection with code matters for this territory pertaining to independent exhibitors was discussed yesterday by Allied heads in the city. Those attending were in the offices of the Allied Realty Co., and Warners' Albany; the other was the Eagle, Albany, the Colonial, operated by the Lincoln Realty Co., and Warners' Albany, who was present as an observer. The meeting was dismission with prejudice.

The grievance board has dismissed an overbuying complaint brought by Campi against the New York Theatres Co., Inc., against Warners' Lincoln, Troy, on the ground that the complaint was premature for the 1934-35 product.

New Haven Schedule Forwarded to Campi

NEW HAVEN, Oct. 17.—The local clearance and zoning board has completed the clearance and zoning board for the territory and submitted it to Campi for approval.

Several weeks ago a contingent of exhibitors and branch managers attended a hearing in New York on the schedule, following which recommendation were made to the New York Theatres Co., Inc., by a group that was opposed to the change. It is expected that the plan will meet with approval of Campi at its meeting, Oct. 15, after which it will be put into effect.

Call Cincy Meeting To Discuss Zoning

CINCINNATI, Oct. 17.—The clearance schedules for the Cincinnati, Columbus and Dayton territories having been returned by Campi for re-drafting, an exhibitors' meeting has been called for next week by the local clearance and zoning board, to discuss a re-draft.

Looks Like Cantor's Best

Hollywood, Oct. 17.—"Kid Millions," Eddie Cantor's latest, previewed here in 93 minutes, or seven less than the "snack" preview of the picture in San Diego on Sept. 25, now looks like sure-fire box-office.

Cantor's annual laughter, augmented by an ice cream sequence in Technicolor especially appealing to youngsters and oldsters with imagination, is further amplified by alluring Goldwyn girls, musk and song and dance specialties and production lavishly beautifully photographed.

"Kid Millions" looks like Cantor's most enjoyable film, blending whimsical humor with a wholesome quality that makes it refreshingly entertaining. Box-office, it looks sure-fire.

Sandrich Is Looking For Talent, Stories

Mark Sandrich, who recently completed "The Gay Divorcee," is looking over the Broadway talent and play market in a search for new material. He calls for California on the Santa Elena on Oct. 27.

Sandrich believes in taking a brief vacation after making a picture and is here for that purpose. He says that when he gets away from the production center the new atmosphere gives him the idea of what people are doing in the theatre world. When he returns to the coast he will make another musical with Fred Astaire and Ginger Rogers. Miss Astaire is now away in Europe on a survey of the theatre world.

"Musicals have definitely established themselves as entertainment," he says, "and they will always have a definite place in the scheme of production."

He was president yesterday to go to RKO. Sandrich asserts he will make from three to four a year.

Roxy Fall Kills Aerialist

Arline Phillips, feminine half of the "Two Phillips" aerial act, died last night at Polyclinic Hospital of injuries suffered in a fall to the stage during an afternoon performance at the Roxy. Phillips was killed while playing the second week last, playing the second week last, playing the second week last, playing the second week last, playing the second week last.

Her husband, Charles, the other member of the act, was badly injured in the fall from the stage with her when she fell.

Mrs. Phillips was riding a bicycle on a wire estimated as being 60 feet long from the stage and fell from the second floor, which was her balance and fell head first to the steps leading from the stage to the orchestra.

Schwarzmeier Is Killed

BUFFALO, Oct. 17.—Christian W. Schwarzmeier, 34, projectionist at the Lafayette, was fatally injured when he was crushed against the steel abutment of a railroad viaduct. Schwarzmeier, police reported, swerved to the left to pass another car as he approached the viaduct. An operation failed to save his life, Medical Examiner Rocco N. DeDomme issued a certificate of accidental death.

Clifton Brennan Dead

LOUISVILLE, Oct. 17.—Clifton Brennan, 40, was killed yesterday at the M. P. Operator's Local No. 163 headquarters, after a heart attack. Brennan, recently named operator of the union for 23 years, retiring five years ago, is survived by his wife, a son, a brother, and five sisters. Burial was in St. Louis.

Movietone Plane in Crash; One Drowned

(Copied from page 1) while attempting to take Fox Movietone News film from the liner George Washington. The accident took place 60 miles off the coast.

Fox Movietone was trying to score a beat on pictures of the assassination of President Franklin D. Roosevelt. The Foreign Minister Barths of France was also aboard.

The man lost was Harry W. Johnson, radio operator. Those saved were: Marion Greenberg, the pilot, Edward Reek, news editor of Fox Movietone; Jack Kuhne, aviation editor, who is expected to be discharged from the Siskorsky company at Bridgeport.

Movietone had been to make the film overboard with a bus and line attached, but the sea was extremely rough. When the plane attempted to land in the lee of the ship a pontoon was knocked off and one of the wings hit a wave and crumbled, while the others crashed into the water while the others clambered up onto the tail and wing of the sinking plane.

Capt, George Fries sent a lifeboat to the plane, which is in New York today.

An earlier statement made by a Pathe News man on the desk that a reel had arrived aboard the Bremen and there was another reel editors yesterday and subsequently denied by Jack Connolly of Pathé.

E. B. Hatrick, general manager of Harmony, also stated no Fox Movietone had been made to create the impression in newspaper stories last week that the aerialist had been killed in the assassination as commuters upon yesterday in The Insiders' Outlook column in Motion Picture Daily.

"All that we did was to prepare a symposium as did the other reels," he stated.

Expect Bond Group To Revamp Fox Met

FRANCONIA, Oct. 17.—A bond group is expected to be organized to replace the existing term contracts, it is said. A sale of the circuit could be negotiated by the committee with the expiration of the contracts, it is said.

The committee's rejection of the Halpert offer has not discouraged the collar company from continuing their efforts to mystify many who are close to Fox Met developments.

Under the Hayden, Stone offer, the bondholders' committee was to have proceeded with its reorganization of Fox Met, issuing stock in the bonds. Hayden, Stone then hoped to exchange for their bonds. Hayden, Stone agreed to purchase for cash all of the net proceeds of the $4,500,000 for the entire issue, from whatever holders desired to sell. It is understood that Hayden, Stone, in connection with the offer, also asked a broker's commission for its part in the transaction. Whether or not the proposal is to be held in mind led to rejection of the offer could not be learned. Observers, however, regarded the bid as a favorable offer and were at a loss to explain its rejection.

Para. Golfers in Action

Several hundred members of Parmelee's country clubs participated yesterday in a company golf tournament at Winged Foot Country Club.
The producer-distributor assessments are based in large part upon recommendations of the Division of Research and Planning, made after the last proposal of Campi had been rejected. For purposes of simplification, however, the percentage of computation was dropped in favor of a flat figure for each of the 14 classes. $20,000 is to be added to the assessment figures for dwellings in larger cities a slightly heavier tax. While the assessments for the first time were made in the 24th bracket between $25,000 and $50,000 remain unchanged, those in other classes have been amended by the insertion of additional percentages.

Producers-Distributor Lobbies

The producer-distributor schedule was made public by Farnsworth after conference with Harold S. Bareford, member of the code finance committee, and followed the full calendar year: gross domestic revenue over $20,000,000, $25,000; $15,000,000 to $20,000,000, $20,000; $10,000,000 to $15,000,000, $17,500; $5,000,000 to $10,000,000, $12,000; $2,500,000 to $5,000,000, $4,500; $1,000,000 to $2,500,000, $3,000; $500,000 to $1,000,000, $2,000; $250,000 to $500,000, $1,000; $100,000 to $250,000, $500; $50,000 to $100,000, $250; $25,000 to $50,000, $125; $10,000 to $25,000, $62.50; all others $12.50.

The exhibitor schedule covers the last half of 1934. Groups within each population classification are charged on a basis of run and capacity. The schedule approved today is as follows:

Under 10,000 population, capacity under 500, $5, over 500, $8 (formerly $6); 10,000 to 25,000, under 500, $6, over 500, $9 (formerly $8); 25,000 to 100,000, $9 and $12; 100,000 to 300,000, $12 and $18; 300,000 to 500,000, $18 and $25; 500,000 to 750,000, $25; 750,000 to 1,000,000, $35; $250,000 to $3,000,000, $42; $20,000 to $25,000, $12.50; all others $12.50.

Rising out of this fog of speculation, conjecture is one point, crystal-like in its clarity by comparison with all others. This is: Exhibitors may safely lay aside any worry about sound operation with direct sound motion picture apparatus, since the situation is such that how producers work it out, attractions will continue to be delivered in the can with sound and images on the one film. How the celluloid is something not yet established, but there it will be. Besides, this is the producer's job. Also his worry.

K A N N
Du Pont Film Manufacturing Corporation

35 West 45th Street
New York City

Plant • • Parlin N. J.

Smith & Aller Ltd.

6656 • Santa Monica Blvd.
Hollywood, Cal.

The Dupont trade mark has never been placed on an inferior product.
Mr. Lubitsch Complains

By Martin Quigley

Mr. Ernst Lubitsch's numerous complaints to the daily press about the "censorship regime" have become exceedingly tiresome during the past few days. Since his arrival from Hollywood last week it has become virtually impossible to scan the amusement pages of the newspapers without finding the unpleasant spectacle of one of the screen's leading directors offering an amazing exhibition of ignorance concerning matters about which he should be well informed.

It may be explained to Mr. Lubitsch that what he refers to as "the censorship regime" is not censorship at all. It is, instead, a system of voluntary self-policing on the part of the industry, which pays Mr. Lubitsch rather handsomely, for the purpose of controlling the activities of various persons, including Mr. Lubitsch, who are in their own inclinations and dependent only upon their extremely limited knowledge of the tastes, thoughts and habits of the American people might quite conceivably reduce the motion picture business to a state under which Mr. Lubitsch's present royal per-print-sticker would represent a good week's gross for business for one of the major companies.

Mr. Lubitsch and some of the other artfe fellows of production, in their conversations and statements to the press, would have the world believe they are zealous, self-sacrificing disciples of Art; that the starving painter in the garret or the unsullied devotee to the ideal of Art than they are. But we have noticed that when the matter of a contract for services is under

(Continued on page 5)

Five New Fox Patent Suits Make Total 10

Cover Double Printing; Flywheel to Come

William Fox widened the front of his courtroom on the industries' bid to stop use of his American Tri-Ergon double printing patent by filing five more suits in Federal court for an injunction and an accounting.

The new defendants are Monogram Pictures, Reliance Pictures, Talking Pictures Epics, 20th Century Pictures, and AmerAngelo Corp.

This brings the total to 10 at present, as suits were filed in the same court on Wednesday against M-G-M, Universal, Columbia, First Division and Consolidated Film Industries.

The suits are being handled by Ward, Crosby and Neil, patent attorneys, are similar to those filed Wednesday by the pictures for injunctions and accounting—but they apply only to the double printing patent. No actions have been filed as yet covering the flywheel patent, which also is controlled by American Tri-Ergon and Tri-Ergon Holding Aktien-Gesellschaft, which Fox organized in 1928 to control the inventions of Hans Vogt, Joseph Massolle and Josef Engel, which were sold to a Swiss Tri-Ergon company.

Additional suits are to be filed shortly, it is understood, on both the double printing and flywheel patents.

M-G-M, Warner Hit

Detroit Clearance

M-G-M and Warners yesterday hit the Detroit clearance and zoning schedule at the courthouse, attacking many of its clauses as not in line with the principles laid down by the three major leaders in the plan to predicitc clearances on admissions were hit by both companies in addition to some of the exhibitors who came from the automobile city to attend the hearing. The general

(Continued on page 6)

Episcopalian Ask

Federal Film Rule

ATLANTIC CITY, Oct. 18.—Federal regulation of the industry was demanded in a resolution passed by the House of Bishops of the Protestant Episcopal Church here today at the general convention of the church. The resolution was in the form of a petition to the President asking him to

(Continued on page 5)

Exchange Men Form

Minneapolis Union

MINNEAPOLIS, Oct. 18—Exchange workers have organized what is believed to be the first union of its kind. They have secured the approval of the American Federation of Labor and have applied to the State Federation of Labor for a charter.
MOTION PICTURE DAILY
(Registered U. S. Patent Office)
Vol. 36 October 19, 1934 No. 93

New “Natural Color” Films Being Put Out

A new color process known as “Natural Color,” utilizing black and white stock and relying for color reproduction on three similar color filters in the projector lens, is now being produced by E. S. Brockway Co.

The new process will be used exclusively for industrial and commercial sales promotion and, on June 1, is being made on 16 mm. film only, though successful experiments have been made with 35 mm.

Director of the new process is Merrill Waide, who, at the time of his invention, was president of Na-Color, Inc. John W. Noble is in charge of producing with the new method and E. S. Brockway Co., Inc., now control it.

Join in Harris Benefit
SAN FRANCISCO, Oct. 18.—Every branch of the industry has been drafting over the weekend in pushing the benefit show to be given at the Fox by the local industry for Sam Harry, now co-owner of the Auer-Harris circuit in northern California. The show, which was to have been staged on Oct. 25, was postponed this week to Oct. 31, it was announced. A. M. Bowles is general chairman of the affair.

The publicity committee includes the following: Walter Barusch, Arthur Rosenbaum, Phil Phillips, Sam Holland, Emil Ernman, Bob Domann, Charles Pincus, Mickey McDonald, Don Krull, Ada Haanin, Claude La Belle, George Warren, Sol Fincus, Frederick Saidenberg, Harold Wilson, Bob Harvey, John Del Valle, Lloyd Thompson, Fred Johnson, Curran Swint and Katherine Hill.

Gable Out of Air Story
Hollywood, Oct. 18.—M-G-M has taken quite a lot of guff about being out of the air, leaving Wallace Beery and Franchot Tone as only members cast to date.

Meriden Poli Opened
MERIDEN, Oct. 18.—The Fox Poli here opened today with five acts and a double feature on the screen. Admission ranges from 10¢ to 25¢.

SentryRisesSixteenth on Curb

Dario Faralla Made 1st Div. Treasurer

Dario Faralla was named First Division treasurer yesterday and Henry Keiner was appointed short sales manager in charge of the new office.

Other appointments were made for the new office, which will be located in the Boston and Louisville exchanges, respectively.

Faralla, who has been on the coast the past year, was formerly executive business manager of the First National Burbank studios and treasurer of the Los Angeles Daily News.

He has served as financial advisor to Harry H. Thomas, head of First Division.

Faralla, who has been associated with Paramount and Harold Lloyd, has joined First Division as assistant to Al Friedlander, handling special publicity and advertising on “The Musical Mood” shorts and “Hei Tiki.”

Traffic Film in Court

“Saving Seconds,” a commercial film produced by Castle Films for the Aetna Casualty & Surety Co., was shown this week in Traffic Court, in charge of Justice of the Peace Pincus, and the industry’s plans for leaving for Hollywood today and will hold a plase tomorrow.

AL BONDY leaves tomorrow for New Bedford and Boston where he attended funeral services for his brother.

PEGGY CONKLIN, who is under contract to WALTER WAGNER, is flying to New York, where she will remain a week.

LOUISE HENRY, who was recently signed to a new M-G-M contract, is going to town from the coast Sunday.

FRANK O’HERON, recently made a Radio producer, has acquired an unlisted High Point, N. C., farm for $500.

BARRY CONNERS’ play, “AppleTrees,” has been purchased by Warners. Release title will be “Red Apples.”

H. S. KRAFT and SAMUEL ORNSTEIN have bought rights in material to go to Columbia for Jack Holt’s use.

SIG WITTGEN of Universal leaves today for Philadelphia, Pittsburgh and West Virginia.

MIGNON G. EBERHART’s “Case of the Dark Stairway” has been bought by Warners.

FRANCIS LISTER has left for the West to sell plays in 20th Century’s “Clive of India.”

M. A. LIGHTMAN leaves for his home town today after three days here.

M. H. HOFFMAN, president of Liberty leaves for the coast Sunday.

HAROLD S. BAREFORD got back from Washington yesterday.

HAL ROACH is in town again.

Dissolve 3 RKO Units
ALBANY, Oct. 18.—J. Henry Walters, attorney for RKO, has filed certificates in the office of the secretary of state dissolving Flatbush Leasing Corp., Long Beach Theatre Corp. and St. John Riviera Corp.

When reached yesterday, J. Henry Walters stated the three companies have become obsolete and are no longer operating.

Golden a Colonel
WASHINGTON, Oct. 18.—Nate D. Golden, Jr., Section chief in the Department of Commerce, is the latest appointment to the army of colonels on the staff of Kentucky Gov- ernor Larfors.

Columbia Changes Title
Hollywood, Oct. 18.—Columbia has changed the title of “Death Pilots East,” to “Mistaken Identity.” Judith Kendall has just completed the script.
The **FIRST** week was great, so

It was held over for a **SECOND** swell week—

Phenomenal business kept it a **THIRD**!

And now it stays for a **FOURTH** week! A new record for talkies in the history of Capitol, N. Y. It’s the **BIGGEST** hit of the year and M-G-M is thrilled with pride for—

(over)
HANG ON TO LEO for the BIG THINGS of 1934-35!

While “Barretts” is setting new records throughout the country, “THE MERRY WIDOW” is packing them in at its $2 Astor engagement on Broadway. And soon comes Helen Hayes in “What Every Woman Knows,” a truly great motion picture. Leo marches on—and thousands of happy showmen with him.
Mr. Lubitsch Complains

(Continued from page 1)

right. Assuming that you wish to continue indefinitely your profitable connections with the American industry you would be well-advised to think twice before making the response to this query which your lack of understanding of the subject might prompt you to make.

Mr. Lubitsch tells the newspapers of several classic works of literature and the drama which he assures them cannot now be made into motion pictures on account of this censorship. Mr. Lubitsch does not know what he is talking about. He says: "It is impossible to touch most vital subjects, to treat of them seri- ously and not have divorce and divorce as constituting the most vital problems of contempo- rary life and asserts that these subjects cannot be dealt with honestly.

Assuming Mr. Lubitsch does not mean by "honestly and seriously" the introduction for pornographic or sensational purposes, of obscene and indecent material his attention may be invited to the fact that there is nothing whatsoever in the Production Code barring the making of pictures based on these subjects. While there must be admitted to be incidents and facts of life which are not fit for the screen, the Production Code places no ban against the honest, serious and legitimate handling for theatrical purposes of any subject, even the most indelicate.

Mr. Lubitsch's complaint to the newspapers is untrue and de-structive. It is untrue because it misrepresents the meaning and intent of the Production Code. It is de-structive because it betrays a public opinion which is aroused over past delinquencies of Hollywood and ignorance of the subject where knowledge of it has been assumed and a rebellious attitude where a good faith per- formance has been promised.

Connecticut Wants Films for Schools

HARTFORD, Oct. 18.—Producers may be asked by the Connecticut State educational authorities to provide new films for use in schools so pupils can study them after seeing them for a second time.

During the coming year film study classes are to be introduced in all four classes in the high schools of some cities. In the course will incl-ude the story element of pictures, the mechanics and history of films, and the part of players.

Blumenthal's Part in Fox Met Detailed

(Continued from page 1)

at $4,000 on Fox Met assets and could not succeed if the petition were dismissed.

Blumenthal admitted that he had made a "gift" of his $350,000 claim against Fox Theatres to his sister, Miriam Rogers of Denver, who was based on a commission. Blumenthal alleged was due for services in connection with the planned acquisition for Fox theatre sites in Boston. Palmer drew from Blumenthal the admission that he had discussed plans of the recon- 

organization of Fox Theatres with his sister's attorneys in Boston, with Ernest W. Nivers and Alvin J. Schlosser of Halsey, Stuart & Co., with vari- ous creditors of Fox Theatres whom he said he could not remember, and with Bishop, the Columbus, Ohio, lawyer. The petition for recon- 

organization of Fox Theatres was joined subsequently by a creditor, who identified himself as a creditor of the corporation on the basis of the claim assigned to her by Blumenthal.

Asked Whether He Would Profit

Asked by Palmer if ex-Judge Charles Kelby, counsel for Blumen- 
thal's sister, had told him, Blumen- 
thal, that he "could get some money out of a reorganization of Fox Thea-
thres," Blumenthal replied: "It wasn't put as bluntly as that.

The hearing, in progress before Fed- 

eral Judge William T. Hart, was ad-

joined until Monday after the court had ruled that the first of the claims alleged to be examined was invalid. The claim was that of Louis L. Seideman, the 

atreasurer of Blumenthal's firm, who alleged that $55,000 in com-

mission was due to him for services in connection with a New-

ark theatre deal in 1930. Felix Jen-

nings of the Fox legal staff and Otto-

D. Koegel of Hughes, Schurman & 

Dwight, Fox attorneys, testified in connection with the disallowed claim. 

While on the stand, Koegel pro-

tested the line of questioning taken by Kelby which, Koegel charged, would leave the evidence which Fox Film has for suits against 

William Fox in connection with the Tri-

Ergon patent. Koegel's questioning, which Koegel objected to comprised an attempt to disclose Fox Theatres assets. Koegel was asked that if the assets is a suit by Fox Theatres against William Fox for an account-

ing on an independent fund, the amount, "probably $20,000,000," he said. Fox Film has a similar suit pending against William Fox, Koegel said.

Hoblittez-Horwitz

To Build in Houston

Houston, Oct. 18.—An 1,800-seat theatre with standard sized stage and cooling system, sound equipment and audiphones, will be erected by the Hoblittez-Interstate-Wil Horwitz interests in downtown Houston. It will cost $350,000. A rental guar- 

antee calls for $12,500 over a 30-

year period. Will Horwitz will be 

manager of the new theatre.

The Hoblittez-Horwitz interests announced they will build three 

neighbourhood theatres here as 

soon as they have completed architects' plans and leases. Horwitz operates three of the largest first runs here, and Horwitz operates the three larg- 

est suburban runs.

Episcopalian Ask Federal Film Rule

(Continued from page 1)

use his influence in obtaining the en-

actment of legislation.

In the discussion preceding the adoption of the resolution the pro-

duction of objectionable pictures was criticized by Bishop William T. 

Manning of New York, Herbert Logan Roots of Hankow, China, and Ernest M. Stires of Long Island.

"Our name is being blazoned in all the countries in the world by sa-

lacious movies," commented Bishop 

Manning.

"The American motion picture in-

dustry," said Bishop Roots, "is de-

stroying the good name of America in the Far East and is not effective. Films regarded as too in-

debent to be shown at home are shown in China and Japan."

Bishop Roots asserted many uncen- 
sured films are given exhibition in states not having censorship.

A resolution seeking the creation of agencies within the church to work with the Legion of Decency in purifying the screen, although passed by the church's House of Deputies yes-

terday, was sent back for revision when Bishop Manning objected to it as too weak.

Read Kendall to Marry

HOLLYWOOD, Oct. 18—Read Ken-

nall, one of Hollywood's best liked 

columnists, and Jean Edwards, secre-

tary to Mel Shauer at Paramount, 

have revealed their intention to wed. Bishop Stites will take place some 

time next month at the home of Gail 

Patrick.

Ross in Hartford Palace

HARTFORD, Oct. 18—Don Ross has 

replaced William Fisher as manager of the Palace. Fisher had been in the house temporarily. Ross, who is an extension of St. Louis, comes here from Loew's, Syracuse. He was with Warners for two years.

Allied Heads Lay Congress Campaign Plan

(Continued from page 1)

program for a Congressional inves-

tigation of the code. We have no argu-

ment against the NRA, but it is the code we want investigated. It is the code which is in the public's interest to be inves-

tigated.

"Further, we will carry our fight on block booking to Congress in addi-

tion to the public."
Cantor, Nizer, Lubitsch Enliven Ampa ‘Tower Day’

More than 200 turned out for “Tower Day” at the Ampa yesterday. All branches of the industry were represented—press agents, the trade press, producers, conductors, switchboard operators and players. It was a field day for the players, and Louis Nizer, as usual, introduced the Cantor as a man with “eyes penetrating, yet ineffably sad; a roguish nose, a little turned up at the end; a mercurial body, guided to his physical abilities, a mental nimbleness.”

And Cantor responded by saying that he wished Idas (Mrs. Cantor) could have heard it, “because she is a Clark Gable fan and thinks I have no sex appeal.” He added that he thought the mercurial part of his makeup was a secret.

Then he offered to answer questions. Somebody asked him to talk about Goldenwyn. There is an uncertainty of what happened at the 12 principles laid down by Camp in setting up schedules.

Views Conditions Different

Richey at this point took exception to the condition that only rules laid down for clearances in San Francisco cannot in all instances apply to Detroit because of different local conditions. He asserted that 20 key Detroit houses objected to the plan in toto. Ray Moon, representative of the cooperation, Booking Circuit, said that the two houses objecting to the plan comprise the majority of revenue producing theatres.

L. Levinson of Warners asked that all references other than to clearance be eliminated from the plan immediately, but Golden decided to go ahead and hear individual complaints. William Rodgers of M-G-M took issue with a number of the clauses, stating that his company would be affected considerably by their inclusion.

Edward Kirsch of United Detroit, objected to the provision for changing admissions after 6 P. M. He also asked that one admission all day and if the clause stays he will be set back three weeks on pictures.

On the addition in Golden were Gradwell Sears and Julius Charnez.

George Trehole of United Detroit Theatres stated he was in favor of the plan. Other exhibitors attending were Joe Wood, projectionist; Simon Ronski, Sam Brown and a group of Allied officers, including Abram F. Myers, Walter B. Littlefield, Col. Attlee, Cole and Sidney Samuelson. Jack Price of the Price Premiums attended because of a provision anem premiums. David Resst also attended and one of his 20 Detroit exhibitors listened to the arguments.

Decide Two Zoning Cases; Hold Third

Decisions were handed down in two clearances that were held up and one reserved by the New York code board yesterday. In the complaint filed by the Motion Picture Association, against Warner’s Cameo, South Orange; Millburn, Millburn; Sanford, Irvington, and Stanley, New-

Nazis Bar Stars

Berlin, Oct. 18—Two of Germany’s most popular film stars have been barred from appearing in future productions. One, Adolf Wohlbreuck, was barred on the ground that he was a Nazi; another, Paul Hoerig, for making indirect references about the Nazi regime during a private conversation.

“Aran” Draws Crowd At Criterion Debut

Flaherty and which was accorded the Mussolini gold cup.

Broadway got a different sort of theater with the unexpected and unhallowed appearance of a pipe band atop of the theatre marquee. Described as the only one of its kind in America, the instruments shrouded their music across Times Square and drew a sizable crowd of onlookers. Miss Dirrane, Maggie Dirrane and Michael Dillon, of the Majestic, appeared in a symbolic prolong during which Miss Dirrane sang ancient Gaelic songs in the original. Off-stage accompaniment on a piano was provided by Dr. Henry Cowell, director of music activities at the New School of Social Research.

The Gaumont-British executive personnel, including Mark Ostrer, Michael Balcon, Jeffrey Bernerd, Arthur Lee and the company’s publicity staff, headed by A. P. Waxman, were present in force as the top executive of other distributing organizations.

Cuba Is Gaining, States Dave Lewis

Since formation of the new coalition government and subsequent increased confidence in the political and economic situation, theatre business in Cuba has considerably improved, Dave Lewis told the M-G-M exchange there, stated yesterday. The U. S. reducing import duties on sugar from 2 cents a pound to nine-tenths of a cent or a quota of 2,000,000 tons annually, Lewis declared. He also added that Cuba is getting a break in the tobacco and other main industries from the U. S.

As a result, economic conditions in Cuba should show tremendous improvement, which will be reflected in theatre attendance, he stated. About 350 American pictures are imported into Cuba, and 75 silent theatres opened and 150 closed. There are some silent house conditions and there are two first runs in Havana are the National and Encanto.

Lewis here on a vacation and leaves for New York in a week. He plans to drive to Key West and from there take a boat for Havana when he returns.

Dave Gould, head of M-G-M’s office in Puerto Rico, asserted that in his territory 86 of 128 houses are in operation.

Cantor Praises Code Work of Rosenblatt

Praise for Division Administrator Sol A. Rosenblatt’s efforts in straightening out the coast situation affecting actors was given yesterday by Eddie Cantor. The star also expressed the results of the code in Hollywood.

He said: “Rosenblatt has done a good job on actors’ situations, but the ones that need the work most are being taken care of.” He stated, “I think the code is serving a good purpose in that it helped.”

Cantor is a member of Camp’s studio labor committee and asserted he had a lot to do with setting up the code on the coast. He leaves for London on Dec. 1.

Dismiss Duluth Protest

MINNEAPOLIS, Oct. 18—The E. B. Clinton group at Duluth has been dismiss by the clearance and zoning board.
IMPORTANT ADVANCE INFORMATION!

We urge you to screen at your first opportunity HELEN HAYES in “WHAT EVERY WOMAN KNOWS.” This is truly one of the finest, sincerest, most human pictures of our time. We suggest that your advertising should take the form of a personal recommendation. Tell your patrons that again you advise them to attend a new Helen Hayes picture. Tell them that their faith was justified when you recommended “Sin of Madelon Claudet.” You can go on record emphatically in your approval of “WHAT EVERY WOMAN KNOWS.” Remember, it is Sir James M. Barrie’s great play. In the cast, Brian Aherne and Madge Evans. M-G-M is heartily proud of it!
CONGRATULATIONS TO COLUMBIA FOR LADY BY CHOICE STOP RECEIPTS FIRST FOUR DAYS EQUAL LADY FOR A DAY WHICH ENJOYED VERY SUCCESSFUL ENGAGEMENT HERE STOP CRITICS AND AUDIENCE REACTION SPLENDID STOP KEEP UP THE GOOD WORK REGARDS

I M RAPPAPORT
HIPPODROME THEATRE
Baltimore MD
"'Lady By Choice' has an entirely new slant. . . . May Robson did much to make 'Lady For A Day' a popular success and she does more for 'Lady By Choice.' It is a rollicking yarn of many moods, ranging from grand comedy to pathos . . . the fun is boisterous and cordial and there is plenty of it. Miss Lombard furnishes plenty of fireworks."

—THE SUN, Baltimore, Md.

"'Lady By Choice' has everything, including the legendary kitchen stove, in it to provide solid diversion. It is, indeed, a grand show."

—THE EVENING SUN, Baltimore, Md.

"May Robson plays the role to the queen's taste. Another grand performance. Carole Lombard is fine—Walter Connolly is superb—'Lady By Choice' is swell theatre."

—BALTIMORE NEWS.

"As a box-office attraction it looks like a runner-up on 'Lady For A Day.'"

—VARIETY.

"This is money in the bank. A worthy successor to 'Lady For A Day.'"

—MOTION PICTURE DAILY.

"Tremendous successor to 'Lady For A Day.'"

—THE HOLLYWOOD REPORTER.

WITH

CAROLE LOMBARD • MAY ROBSON
ROGER PRYOR — WALTER CONNOLLY

STORY BY DWIGHT TAYLOR—SCREEN PLAY BY JO SWERLING
DIRECTED BY DAVID BURTON
Looking 'Em Over

"The Man of Aran"

"The saga of a man whose only master was the sea," is the keynote behind Gaumont-British's advertising campaign for this picture, produced and directed by Robert Flaherty, whose "Nanook of the North" has not been dimmed by the years. That line tells the story of "The Man of Aran."

Inhabitants of small, rock-creviced islands off the west coast of Ireland, what you get here is a page torn from the daily lives of the Spanish islanders who seek to eke their living from a land which breathes back only defiance. They scour the rocks for soil which brings them potatoes; they hunt the seas for the basking shark which gives them oil for their lamps throughout long, treacherous and grueling winters; they fight the ocean which surrounds them and never relents.

That's all there is to the story. But "The Man of Aran" is so fundamentally true, as basic as the very elements which play so powerful a part in the telling of this simple, yet rugged, story that it grips and holds and creates an emotional impact often as crushing as the murderous seas which smash their way across the screen.

Flaherty directed. He also photographed this picture with results recorded on celluloid that are as breath-taking and as vivid as they are thrilling. In their natural manner, the principals—"King" Tiger, Maggie Dirrane and the boy, Michael Dillane—are charming, unaffected and, therefore, effective.

Here is a distinctive picture, far off the beaten track pursued by the average film labeled Hollywood. How it will fare is a question. Unfortunately so. It deserves praise, a break and success.

Reviewed without a production seal, the production as caught at the Criterion last night ran 75 minutes. K A N N

Motion Picture Daily's Hollywood Preview

"White Parade"

(Jesse L. Laskey-Fox)

HOLLYWOOD, Oct. 18.—That completely beauteous creature, Loretta Young, evidences mature star power in this heart-stirring picture which Jesse L. Laskey has produced with box-office sagacity. Irving Cummings' sympathetic direction wins him the right to be included in the select inner circle of directors for purveying this entertainment so fragile with tears and trembling with laughter.

Depicting the collegiate training of nurses from probation to graduation, it wisely omits any clinical and surgical scenes, concentrating on the dreams, ambitions, heartaches, romances, humor, drama and the service ideals of the schools and the girls. Intimate scenes in the dormitories and hospital plush the emotions.

Nurse Young loves a rich polo player, John Boles. Despite his arid and promise of security, she foregoes romance to follow the lamp of Florence Nightingale.

Production values and Arthur Miller's camera work are topnotch. Boles' role is restrained and personable. The supporting cast gives fine performances, particularly Muriel Kirkland, Jane Darwell, Astrid Allwyn, Joyce Compton and Sara Haden. Even a small part by Jean Barnes stands out.

The film reflects credit on Rian James' story and the screenplay by Sonya Levien and Ernest Pascal with adaptation by James as well as Jesse L. Laskey, Jr. Interest is at all times sustained by a pervading human note, thus making the characters real and genuine.

Showmen, by exploiting these human values with tender romance and heart drama, should do big opening business and bigger business as the news gets around. Production code seal, No. 346. Running time, 90 minutes.

"The Case of the Flooding Dog," Tuesday night's preview at the Rialto, was reviewed by wire from Hollywood on Aug. 27.

"Have a Heart," new attraction at the Mayfair, was reviewed by wire from Hollywood on Aug. 13.
UNIVERSAL NEWSREEL BEATS THE WORLD!

FIRST ON BROADWAY

[On the Screen at 11:35 A.M. Yesterday]

FIRST IN AMERICA WITH ACTUAL SCENES OF THE ASSASSINATION OF KING ALEXANDER
To a world yearning for glamour comes this
AMAZING PERSONALITY!

To a nation eager for thrills comes this
STARTLING DRAMA!

Too beautiful to escape men's caresses... too innocent to fathom their intrigues... her face haunted the thoughts of those who coldly used her loveliness for their own sinister ends... in the danger zone of world intrigue!

Produced by Winfield Sheehan • Directed by Henry King
Screen play by Reginald Berkeley • Based on a novel by Jacques Deval
Marie Galante

with

SPENCER TRACY
KETTI GALLIAN
NED SPARKS • HELEN MORGAN
SIEGFRIED RUMANN
LESLIE FENTON • ARTHUR BYRON
JAY C. FLIPPEN & STEPIN FETCHIT
**Motion Picture Daily**

**Friday, October 19, 1934**

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**“Barretts’ Is $20,000 Wow, Philadelphia**

Philadelphia, Oct. 18.—“The Barretts of Wimpole Street” spelled money last week for the Boyd, knocking off a magnificent $20,000. It was heady.

Other top-notch grosses sent the totals rising, “Judge Priest” stuck to $18,000—“Wake Up, Band” in the Capitol, and another promising one, “The Black Cat,” all at the Capitol since the silent days. The second week take was $4,000.

Two other holdovers were still going strong. “The Country of the Red Criso” took $27,500 in its second stanza at the Rivoli, and “Belle of the Nineties” at the Fox.

“Power” was good, but not outstanding, at the Music Hall, the gross being $6,000. “Feek’s Bad Boy” took $29,000 in its first week at the Roxy and was held.

**“Wimpole” Is Los Angeles Wow, $23,000**

Los Angeles, Oct. 18.—With fair attractions and favorable weather, grosses gained considerably over the week. “The Barretts of Wimpole Street” lifted Loew’s State close to a record with a gross of $23,500.

Not only was the house incomparable, but Mrs. Wiggs of the Cabaret Patch” topped par by $3,775 with a gross of $12,717 at the Paramount. Normal, “One Foot in Adventure” and “Love Time,” was strong at Pantages.

Total first-run business was $70,475. Average was $69,000.

Estimated takings for the week ending Oct. 11:

- **COUNCIL OF MONTE CRISTO** (U. A.) $23,000, 2nd week.
- **GUEST OF HUMANITY** (Fox) $2,500, 2nd week.
- **WINKIE** (Radio) $6,000.
- **THE FOUNTAIN** (Radio) $-.
- **OUR DAILY BREAD** (U. A.) $-.
- **THE BLACK CAT** (Radio) $-.
- **THE CASE OF THE HOWLING DOG** (Warners) $-.
- **ONE EXCITING ADVENTURE** (Univ.) $-.
- **THE DRINKARD** (Stage) $2,500.

**Seattle to Have Club Seattle, Oct. 18.—A new social club to be established in the New Washington Hotel here, near Film Row, is now in process of organization. Film exchange members formed a committee headed by Neal East, manager of the Paramount exchange. Theatre division members will be enlisted by a committee under the direction of Al Rosenberg.

**Tobacco Film Ordered**

Audio Prod. has signed a contract with the Brown & Williamson Tobacco Co. for a film to be produced as a black and white cartoon subject, using a penquin as the central character. The film will be made of Kodak films. The picture is to be shown from traveling trucks.

**Pimpernel’ Is Completed**

Louvain, Oct. 18.—Worc has been completed at Elstree on “The Scarlet Pimpernel,” London Films production to be released through United Artists.
Chained" Is Best Draw As Chicago Dips

Chicago, Oct. 18.—Loop houses were the effect of the features, including fair house "Chained" made the best swing of the first runs by getting $4,100, at Roosevelt.

"Ladies Should Listen" was strong $17,000, up by $2,000, at Orien-

"Fantine's," which took $5,000, at the Chicago, but all other houses were either average or below, the gross going up to $13,25-

Estimated takings:

Week Ending Oct. 8:

"CHAINED" (M-G-M)

ROOSEVELT—(5,190), 25c-35c-50c, 2nd week, $4,100. (Average, $820.)

Week Ending Oct. 11:

"FANTINE'S," which took $5,000, at the Chicago, but all other houses were either average or below, the gross going up to $13,25-

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Estimated takings:
"A GIRL OF THE LIMBERLOST" ABOVE NORMAL

163% NORMAL

wires H. E. ULRICH
WATSON THEATRE
SALINA, KANSAS

AND EVERYWHERE THE REPORTS ARE THE SAME

"TRULY PHENOMENAL BUSINESS STATE THEATRE
RICHMOND, VA."

SAM FLAX, LIBERTY EXCHANGE, WASHINGTON, D. C.

OVER 7,000,000 READERS OF THIS GENE STRATTON-PORTER NOVEL

CUT YOURSELF IN ON THESE PROFITS—BOOK IT NOW!

with LOUISE DRESSER • MARIAN MARSH • RALPH MORGAN

Directed by CHRISTY CABANNE • Produced by W. T. LACKEY • Adapted by ADELE COMANDINI
RKO Secures An Extension On 6% Notes

Consolidated to Receive 60% of Print Work

An agreement between RKO and Consolidated Film Industries extends for the last six months of the year the 6% gold notes of RKO outstanding in the amount of $1,500,000 from Jan. 1, next, to May 1, 1938, was filed yesterday in U. S. District Court here. Under the original agreement with Chemical Bank & Trust Co. and Com- mercial Investment Trust, RKO was to meet maturities in the amount of $300,000 on the first of each month during the six months ending Jan. 31, 1938. The new agreement, for which the approval of the court is (Continued on page 3)

Say New Gulf Body Is Being Discussed

New Orleans, Oct. 19—Invitations issued to Louisiana theatre owners to meet with Mississippi owners at the latter's state convention in Jackson Oct. 29-30 have started a rumor that a Gulf States Theaters' group is to be scrapped for a new organization with the ultimate purpose of affiliating with the Motion Picture Trust. Independents are reported to be opposed to the plan. There are also reports that the next national convention of the M.P.T.O.A. will be held here for the purpose of furthering the plan.

Allied Production Plans Are Dormant

Allied's production plans are in a state of suspended animation. Sidney Samuels, president, stated yesterday that several deals have been under way from time to time, but for the present nothing is being done. Samuels said that the national organization's attention is now being focused on Washington, what with elections three weeks off. Although (Continued on page 3)

Actor Pact Turned Down by Producers

Hollywood, Oct. 15—The proposed actor-producer code of fair practice was flatly rejected as a whole by the producing group at a meeting of the two-five committee last night, called to a showdown on the matter. As a (Continued on page 4)

Skouras Heads East to Speed Setup of FWC

Accompanied by Buckley, Zabin—Due Monday

Los Angeles, Oct. 19—Prior to departure of Charles Skouras, Charles Buckley and Edward Zabin for New York last night, it became known that trustees of Fox West Coast appropriated $50,000 to pay off all local claims that do not exceed $10,000 individually. This means that all small creditors will be paid 100 cents on the dollar between now and Oct. There are five claims that exceed $30,000. It is understood that Fox West Coast will be sold and removed from bankruptcy within the next six weeks. (Continued on page 4)

Johnston to Tour; Says Sales Up 41%

W. Ray Johnston, Monogram president, starts another tour of Monogram exchanges today. He will visit all the exchanges he missed on his August trip. "Monogram sales are running 41 per cent ahead of last year," he declares, "and it is probable that after a conference with Trend Prods., production head, budgets may be raised again." (Continued on page 4)

Curb College Boys

Toronto, Oct. 19—A way has been found to curb the student nuisance. When several hundred University of Toronto students raided Shea's Theatre in celebration of a football victory, Manager Jerry Shea called the police who lured them out and compelled them to hand over their college registration cards before they left the theatre. Notification was then sent to the university that the cards could be redeemed by payment of the regular admission fee. The rah-rah boys had to have their cards and the "fines" worked.

Normanly Sees Business Jump For New Year

Chicago, Oct. 19—James P. Normanly, assistant to Dr. A. H. Giannini, looks for the industry chart to take a sharp upturn after the first year of the new leadership and the favorable reaction of the Paramount and Fox West Coast reorganizations. Normanly passed through here today on his way to New York to attend (Continued on page 4)

They Grip They Awe

The Fox Movietone News clips of the double assassination in Marseille of King Alexander of Yugoslavia and of Foreign Minister Barthou of France are fascinating in the intensity of their drama. It is probable the scenes of the slaying will rest in the political archives of the future as an important piece of visual history as well. They pack a genuine wallop.
Schenck in England

SOUTHAMPTON, Oct. 19.—Joseph M. Schenck arrived here today on the Majestic. His plans for marrying Merle Oberon are still indefinite, he said.

Goldwyn at Work on Several for Cantor

CHICAGO, Oct. 19.—Samuel Goldwyn has three or four vehicles under consideration for Eddie Cantor’s next, said Fred Kochman, the company’s production assistant, who passed through here today on his way to New York for weekend conferences with Cantor. Plenty of talent is available, but the problem is where and how to use it.

The cleanup campaign has had no serious effect on business, he said, but has resulted in better product. "Kid Millions" and Anna Sten’s "We Live Again" were approved by Joseph L. Breen without cuts, he said.

Capitol Cancels Cantor

For the third time in as many weeks, Eddie Cantor’s appearance at the Capitol line-staged films.

Many Film People Sail on Aquitania

A formidable array of film people sailed on the Aquitania last night. They included—

Mark Ostrer, chairman of the board of Gaumont British, and Mrs. Ostrer.

Michael Balcon, production generalissimo for the company. He expects back one of these days on his way to a two or three months’ stay in Hollywood to see how it’s done there.

Jeff Berend, general manager of G-B, who has been working day and night to launch his company’s London week. He will return, too, in a couple of months to check up on progress made.

Nova Pilbeam, 14-year-old star of "Little Friend," now current at the Roxy.

Mrs. Arnold Pilbeam, her mother.

Sam Smith of British Lion Prod.

Anna May Wong, who will make additional pictures in London.

Jack Coen, vice-president of Columbia, who is on his way to an inspection of company distribution in London. He expects to be back in less than a month.

Edward L. Klein, former New York resident, and Mrs. Klein.

William M. L. Fiske, 3rd, vice-president of First District.

Jack Canaday, and M. A. Schlesinger of General Talking Pictures on a six-week business trip.

Hoffman Ready for Start of New Group

Production on the Sweepstakes An-other Day, first of the four Liberty pictures added to the current program, will be started next week following return of M. L. Hoffman, president, to Hollywood. Hoffman leaves by plane tomorrow.

One of the remaining three will be a musical, Hoffman stated yesterday.

Clark to Coast Today

John D. Clark, general sales manager of Fox, leaves for the coast by airplane Monday. He will arrive in Hollywood on Monday to confer on production plans and then, accompanied by Herman Wobber, will make a tour of the company’s exchanges.

Universal Up One on Big Board

The initial results of experiments being conducted by Mary E. Bute, head of the sound and special prints division, have enabled an audience to "see" as well as hear music coming from the screen when submitted to public test yesterday at the Palace Theatre by Radio, which is showing an interest in the extension of music emanating from the screen because there is something to attract the eye at the same time.

The strip of film shown at the Palace yesterday was an interpretation in terms of light and camera effects of "Ol' Man's Dance" from Grieg’s "Pier Gynt Suite." The picture, if it can be called that, running but three minutes, was valuable in creating a mood and should prove a delight to those really versed in the mechanics of film. Of course, the commercial possibilities are limited.

Abeles to Warners

Arthur Abeles, former exchange manager and exhibitor, is understood to have been appointed head of Warners’ branch in Mexico City. He is on the Siboney en route to Mexico. Abeles started at Warners 30 years ago. Abeles states he will confer on his arrival in Mexico City.

Spectrum’s First Ready

HOLLYWOOD, Oct. 19.—"Frontier Days," the first of a series of westerns to be released by Spectrum Pictures, has been finished. The film, produced by Al Alty, is set for release next November.

INS Promotes Rawles

LOS ANGELES, Oct. 19.—Wallace Rawles, studio head of the studio, under contract with International News Service, has been appointed chief of the Pacific bureau handling film news up and down the coast.

Technicolor Off Half on Carb

P variety publix bond drop half

Leather Party in Paris

PARIS, Oct. 19.—Sol Lesser, Eddie Chine and George O’Brien are here for a short visit and then go to Italy shortly to sail on the Rex Oct. 30.
Dicker On to Cut Richards' Saenger Stock

(Continued from page 1)

interest is desirable from the Paramount viewpoint.

The original Saenger plan, virtually agreed upon at one time, provided for a purchase by Richards from Paramount of all of the Class A stock of the company for $25,000. This would constitute a 50 per cent interest in the new company. Paramount would retain all of the Class B stock. It is understood that the current discussions center on this phase of the plan, with Paramount favoring a smaller stock purchase by Richards, or, possibly, a larger voting stock representation for Richards purchased through a different apportionment of the new stock issues between the two principals.

The original Saenger stock outstanding was 20,000 shares of Class B common.

Calls for Richards as Head

The original Saenger plan also provides that the new Saenger board of directors will become president and general manager of the new company and will receive $600 per week for himself and an additional $400 per week for managing Richards involving provisions for payment to him by Paramount of a fee of $10,000 per year for each of its theatres, and a provision under which Richards agrees to pay $2,000 per week toward the costs of the Saenger organization. Paramount agrees to advance $200,000 to the Saenger bond committee for reorganization expenses and $50,000 for working funds for the new company, if needed.

Under the proposed plan Paramount also assigns its own claims against Saenger, aggregating $86,861, and agrees to sell all of the Saenger properties to the new Saenger company without warranty of any kind. All of these phases may eventually be made subject to the current discussions with Richards are concluded.

The original Saenger reorganization plan was completed last June and filed for court approval here a few days prior to the enactment by Congress of Section 77-B of the bankruptcy laws, the new provision pertaining to corporate reorganizations. Both Paramount and Saenger later applied for and were granted a debtor status under the new law, so hearings on the claims of both companies were deferred pending the adoption of the plan to the new bankruptcy status of both companies, thus leaving the plan in its present tentative state.

Trading Allowed in Saenger's Series B

New Orleans, Oct. 19.—There is no prohibition against trading in Saenger's Series B certificate of deposit of the Saenger Theatres, Inc., first day and collateral sinking fund 6½ per cent does not affect the right of the exchange to trade in the Series B certificates of deposit of Saenger Theatres, Inc. As the certificates of deposit were admitted to unlisted trading on August 17, 1933, while those of the Series A certificate of deposit were not admitted until subsequent to March 1, 1934. The commitments and the curbs involving that curbing was prohibited in issues listed after March 1, 1934.


Paramount district managers and home office executives will gather at the Homestead Hotel, Hot Springs, Va., Oct. 26-28 for a three-day conference. The New York delegation will leave Thursday and will be back Sunday morning.


Expected from the home office are: George J. Schaer, general manager; Neil Agnew, sales manager; Managers J. J. Unger and Charles Reagan; R. M. Gillham, director of advertising and promotion; Don Velde, Alec Moss, Herman Lorber, Arthur Dunne, Knox Haddow, Fred Leroy, Jack Rooper and G. B. J. Frawley.

"Wimpole" Holds Up In Its Third Week

"The Barretts of Wimpole Street" held up remarkably well in its third week at the Capitol, chasing up a gross of $43,700 for this period and making a total of $155,560 for the 21-day run. For the week, $65,806 was thrown to the till and the gross was $46,000. It is now in its fourth stanza.

At the Astor, "The Merry Widow" grossed $18,958 for the first seven days at a-day. For the first three days, the gross was $12,364. The first week, the film grossed $13,000 at the Astor.

The Paramount ended with a total of $43,000, which is good. "Judge Priest" at the Music Hall tallied $77,000, fair. "Chu Chin Chow" did not fare so well at the Palace with $10,000. The Rivoli took in $17,000 during the week. "Mona Lisa" was $18,000, while the second week of "Peck's Bad Boy" at the Roxy was $25,850, a nice one for the song list.

Leo Bulgakov in Town

Leo Bulgakov, Walter Connolly and Fay Wray arrived from Hollywood yesterday. Bulgakov recently completed shooting for RKO. Paul Lukas, who is here to stage "Night Remembrances" in conjunction with Leslie J. Spiller, was in town yesterday. Bulgakov presented the stage version of "One Sunday Afternoon." "Choice" to Music Hall

"Lady by Choice" is slated to go into the Music Hall sometime next month. No date has been set on the Columbia film.

Stay Asked on Use Of Majestic Name

(Continued from page 1)

than $100,000" building up and advertising a distribution organization. It charges that Herman Gluckman, as president of Majestic Pictures Corp., or the Majestic Prod. Corp. to be formed for the purpose of reaping the benefits, goes beyond the authority of the Pennsylvania company. It also charges that the use of the name "Majestic" by the new company is illegal and without the assent of the stockholders.

Lucchesi is represented by Frank Vogel, Philadelphia attorney, and Ot- terbein and Honig of this city are associate counsel.

A general denial is made in the answer just filed by Majestic Pictures Corp., which also points out that the complainant has not demanded that the defendant's board of directors take steps to remove the evil source.

Gluckman could not be reached yesterday for comment on the suit.

Assert Long Island Combine to Continue

(Continued from page 1)

combine in Long Island, the three-circuit pooling deal will continue, it was revealed, one of the circuit members yesterday.

"The move to pool the theatres in Long Island was not to cut down rental fees as was said, but to eliminate excessive protection and a general price war." The arrangement is for the benefit of all, including exchanges, the official asserted.

Allied Production Plans Are Dormant

(Continued from page 1)

he doesn't hesitate to say that Congressional action on block-booking, the increased music tax and the movie tax are looming threats, declares that the procedure is being held secret.

We are not telegraphing our blows before they are delivered. We say, 'We've had our lesson from shooting our mouths off prematurely.'

Hit Music Tax Deal

PHILADELPHIA, Oct. 19.—The American Society of Composers, Authors & Publishers is "not entitled to increase its rates at all at this time," the Independent Exhibitors Protective Ass'n of this city, declares in its current bulletin in which dissatisfaction is expressed over the terms of the recent compromise on music tax increases arrived at between A.S.C.A.P. and the Exhibitors' Emergency Committee.

Glucksman Sails Oct. 27

Jack Glucksman sails Oct. 27 for Argentina, Mexico, Chile and Europe. He will be gone about three months on business.

Trans-Lux Opens Oct. 25

The newest link in the Trans-Lux circuit of theatres, located at 561 Fulton St., Brooklyn, opens Thursday night. The house seats 500.

Two Rewarded by Radio

Hollywood, Oct. 19.—Anne Shirley has been given a new contract by Radio, while Betty Grable has been signed to a term by the studio.

RKO Secures An Extension On 5% Notes

(Continued from page 1)

sought, calls for payment of maturities in the amount of $25,000, plus interest, beginning May 15, 1934, and including Feb. 1, 1937, and $30,000 on the first, of the half-year beginning March 1, 1937, and ending May 1, 1938.

Thus RKO obtains a 45-month period instead of the original five-month term in which to retire the $1,500,000 obligation. RKO may, at its convenience, accelerate the payments by increasing the amounts at its own discretion.

It is considered as a consideration in the agreement, although not made a part of it, is a two-year deal between Consolidated and RKO under which Consolidated has given RKO the RKO print work, the remaining 40 per cent being retained by Pathe. Consolidated has given RKO the long printing deal which it exercised in conjunction with the gold notes agreement.

Hearing Set for Oct. 26

A court hearing on the agreement, which has been set before Federal Judge William Bandy. If court approval is obtained at that time, the new contract would be submitted to Consolidated for the past due payments for Sept. 1 and Oct. 1, last, with the possibility of a general agreement on the balance due and, with the Nov. 1 maturity which would then be due, the payments would aggregate $75,000, plus interest.

No court opposition to the agreement is anticipated as the arrangement is rendered highly beneficial to RKO and subsidiaries, according to the company's most vital and immediate financial problems. The transaction is negotiated by A. H. McCausland, Irving Trust representative in RKO, and J. H. Yeates, Jr., of Consolidated. Among the securities pledged by RKO as collateral on the $1,500,000 gold notes, is a large amount of voting stock in RKO and subsidiary companies, held by Chemical Bank as trustee. This stock may be voted by Consolidated or subsidiaries if the latter is satisfied that the conditions of the mortgage are being carried out.
MOTION PICTURE DAILY
Saturday, October 20, 1934

**Normandy Sees Business Jump For New Year**

(Continued from page 1)

result, the proposals advanced by both sides are moving forward. Division Administrator Sol A. Rosenblatt for final decision.

The Screen Actors' Guild plan is to present to members a resolution asking the American Federation of Labor for a separate charter for their organization. Since Actors Equity holds a charter covering the entire amusement industry, it is agreed that a guild charter is necessary for the Guild to become affiliated with Equity, with autonomy granted screen acting. The matter has not yet been placed before Cantor, head of the Guild. Kenneth Thomson, vice-president, has announced that, regardless of Rosenblatt's decision, the Guild will continue its efforts to obtain an A. F. of L. charter.

**Board to Meet Again On Shusterman Film**

Failing to get together on the product to be allocated Aaron Shusterman of Red Bank and Perih Amboy, N. J., as a result of an action in favor of Walter Reade, members of the New York grievance board yesterday held a second meeting until this morning to designate the pictures.

Action by the board marks the first time it will sit on a Saturday and open the local board offices for a meeting. Reade intends to appeal the decision as soon as the product is designated.

**Detroit Clearance Hearing Up 9 Hours**

Record for longest single hearing on a clearance and zoning appeal goes to the Detroit schedule. Starting at 2:30 yesterday on Thursday, a committee comprised of Edward Golden, chairman; Gradwell Sears and Julius Charny, board exhibitors and distributors discussed various points of objections of the 18-page plan until midnight.

The Los Angeles schedule holds the record for the number of days given to a single schedule. The hearings on this plan lasted three days.

**More Are Named to G-B Selling Force**

More additions to the Gannum British sales force were made public yesterday by George W. Weeks, general sales manager of the company. The appointments are as follows:

George Davidson, salesman, Detroit; Russell Borg and Joseph F. Woodward, salesmen, Kansas City; Fred E. Wagoner, sales manager, Indianapolis; Walter Wessing, sales manager, Portland, Ore.; J. M. Harris, salesman, and Joseph G. Mortensen, booker, St. Louis; Eli Ginsberg, salesman, and Joseph Toner, booker, Philadelphia.

**Flash Preview**

Elvira Norton—... has much unnecessary footage contributing little to已经有(. Kennedy, who already has leaving this one tepid as entertainment.

This film will be reviewed in full in a later issue of Motion Picture Daily.

**Actors Pact Turned Down by Producers**

(Continued from page 1)

“Irvin Cobb to Tour In Sinclair Fight”

Hollywood, Oct. 19.—After making a successful stand against Upton Sinclair, Irvin Cobb has secured a 10-day leave from his M-G-M contract to stump for Governor Merriam up and down the coast.

In the meantime producers, distributors and exhibitors are putting up a united front against Sinclair.
Fox Brooklyn Suit Ups List To 13 on File

Warners, Vitaphone are Among Defendants
A flank attack in the patent war has been instituted by William Fox in Federal Court in Brooklyn, where it was uncovered Saturday. Another double printing infringement suit asking an injunction and an accounting is on file there against Warners and Vitaphone.

This brings the total of suits to 13 in the fight of American Tri-Ergon, controlled by Fox, to force recognition from and payment of royalties by all American users of his double printing and flywheel patents, and the suits so far are on the double printing patent. The defendants are: American Film Corp., First Division, M-G-M and M-G-M Distributing.

Industry Surveys Fight on Sinclair

The Los Angeles, Oct. 21.—First results of the industry's state-wide campaign via the screen against the election of Upton Sinclair are beginning to be counted here, although in operation but a week.

With the production colony itself now thoroughly aroused, other industries are joining in the fight to defeat Sinclair, believing the work is essential for the best interests of the state. Sinclair's intimation two weeks ago that San Francisco, that, if elected, the state would engage in production as well as exhibition, is credited with having aroused Hollywood to a point.

Theatres Sidetrack Texas Tax Proposal

DALLAS, Oct. 21.—Proposals to tax theatres 10 per cent for the purpose of raising an $8,000,000 fund for the Texas centennial in 1936 seem to have sidetracked through a swift move by the Theatre Owners' Protective Assn. by Fox.

The association decided to circulate petitions among patrons and run trailers and worked out a trade whereby the committee agreed to drop the tax plan in return for trailer help from exhibitors.

Erpi Seen Bucking Fox By “Hill-Dale” Sound

New York, Monday, Oct. 22, 1934

TEN CENTS

Move on Foot to Combine About 50 New York Indies

A move is on foot by a number of local exhibitors to merge about 50 independent houses into one big circuit. Under the plan, a new corporation would be formed and each of the original operators and owners appointed a certain percentage of stock for their interests.

Although the plan is in the embryo stage, it was discussed at the last I. T. O. A. session when the Greater New York product situation was aired. No action was taken, since it was believed that this was not an organization matter, but a move on the part of numerous individuals in the unit.

The idea behind the proposed merger is to build up buying power for protection of the small exhibitor. Certain I. T. O. A. members already have expressed approval of the plan.

(Continued on page 6)

Firm's Indicated Course Advanced in Statement By H. G. Knox

That Erpi regards its “hill-and-dale” method of vertical cut disc recording as a valid and ready substitute for the Tri-Ergon double print patent and that producers have already given Erpi definite indication that they are “seriously considering” its use “for all or part of their talking picture” production, is made evident in an official Erpi statement released Saturday with the comment of H. G. Knox, Erpi vice-president in charge of engineering, on the new recording method.

Industry observers interpret the Erpi statement as a definite indication of the strategy to be pursued by the electric in its counter-offensive in the William Fox patents engagement. The Knox statement not only makes the flat claim of “superior quality” for “hill-and-dale” sound recording over film recording, but also suggests that it may prove to be more economical than recording on film throughout.

Knox's statement was couched in the form of a comment on the widespread praise of the unusual sound.

(Continued on page 15)

Seals Given to 19 Films; 14 Shorts

Hollywood, Oct. 21.—A total of 19 features, 14 shorts and episodes from two serials have received certificates of approval from the Production Code Administration during the period from Sept. 26 to and including Oct. 17. This makes a total of 168 features and 155 shorts passed by the administration since July 15.

Columbia heads the list with four features and four shorts. Monogram received certificates for two features; Liberty, one; Universal, two and one.

(Continued on Page 17)

Lee Now in Charge Of G-B in America

With Mark Oster, chairman of the board, and Jeffrey Bernier, general manager on the high seas bound for England, Arthur Lee is now in complete charge of Gaumont British in America.

Oster plans to return shortly after

(Continued on page 6)
Insiders' Outlook

MEN and companies in this industry, in one manner of speaking, get their appraisal by their deportment. The companies are companies, finding voice on the published page through the giddiness of their press agents, which make extravagant claims about box-office performance, newspaper beats and a wide assortment of goings on. At this end, it never takes long to pin and label those who lean in the direction of exaggeration which is a pleasant week-end manner of putting it. 

However, steered in the careful curriculum of the American Telephone and Telegraph Company, you get the extreme other side of the picture in the always cautious and guarded public statements handed out by Western Electric. There is a rather curious way of directing attention to a Saturday development which points up a move of considerable potential, if not actual, import in the messy patent situation brought to some sort of a head by the recent referral of the United States Supreme Court to review a lower court's findings against Erpi and its licensed companies where the flywheel and double printing patents, American Tri-Ergon, held, are concerned.

It has been this column's experience then that, when Erpi talks which it does little enough, it's apt to say something. Well, H. G. Knox, company vice-president in charge of engineering, did talk on Saturday. By reading with merely a modicum of diligence, the impression became clear-cut that Erpi considers its line in the patent fight unbroken and, as a matter of fact, solidified by a method of disc recording known as the "hill and dale." Knox, naturally, makes no mention of the Tri-Ergon patent on double printing. He couldn't and wouldn't. But Erpi's recent statement that fall on either side of his quotes: 'Columbia's experience with 'One Night of Love' has definitely demonstrated the usefulness of vertical cut recording of motion pictures for talking pictures. It not only affords an opportunity to record and reproduce the full volume range with superior quality, but also may prove a more economical method than recording on film through-out.'

Knox leaves himself an out, but the indicated line of procedure on Erpi's part, which means the part of its licensed companies, at the same time becomes clear. There must be a chance. That's always possible. Yet, all of this tends to make the supposition stronger than stronger that supposition that Erpi is preparing to weather any patent threat with its faith in the "hill and dale" method and on its belief, further, that disc-recorded sound later transferred to film will not impinge on the double printing patent 90 percent owned by William Fox. 

One additional statement culled from Knox's comment appears additionally significant. This is where he states: 'Paramount is using vertical cut recording in 'Enter, Madame,' and the inquiries we are receiving from other producers indicate they are seriously considering the advantages of this scientific development as a better and cheaper process for all or part of their talking pictures.' All of which can be no idle talk, since Erpi rarely, if ever, has refused to talk to the press, and on conversation on the loose... K A N N

Issues on Big Board Down

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Purely Personal

JULES E. BRULATOUR, Edgar CANTOR, DANIEL FROHMAN, GEORGE ISIDOR H. HARRIS, WILLIAM A. BRADY and ER. SULLIVAN have their acceptances in for the Friars' Club testimonial banquet Wednesday, November 21. The Honorary General JAMES A. FABLEY, Nov. 4, at the Astor.

ANITA LOUISE, one of the leads in "Madame Du Barry," heads cast at Hollywood today on the new 60-hour Los Angeles-New York Union Pacific limited. She will make a personal appearance and walk the Strand. Her ball is aboard the same train.

CEILA VILLA, daughter of the late PANCHU VILLA, has been signed by SAM SAK for a one reel Vitaphone short.

BURRO BARKSY has postponed his trip to the coast until Wednesday. A. H. SCHWARTZ is back from Lake Placid.

Fight on St. Louis Auditorium Failure

ST. LOUIS, Oct. 21—A stand effort to prevent use of the Municipal Auditorium by the "Ziegfeld Folies" by sending a delegation of exhibitors to the Board of Estimate has failed. Mayor Bernard F. Dickmann and City Comptroller Louis Nolte informed the city would carry out the contract.

Fred Wehrenberg headed the delegation, accompanied by Harry Greenman, Harold Evans, Paul Benven, Charles Cella, Harry Koplar, David Nelson and Louis Ansell.

Princess, Montreal, To Be Sold for Tax

MONTEAL, Oct. 21—According to official notice in the Quebec Gazette, publication of the Provincial Government, the Princess Theatre is to be sold at public auction to satisfy a claim brought by the City of Montreal for unpaid taxes.

The notice is signed by Sheriff Gner Lapierre of Montreal and the theatre will go on hammer early in December, it is stated. The listed name of the owner is the Canadian Theatre Co., Ltd.

Theatre Insurance Is Ordered by Moss

Theatres must carry liability insurance to protect patrons in case of injury under a ruling issued by the Commissioner of Insurance. He has directed Moss' Brooklyn, to meet a $25 judgment obtained by Joseph Rock-stein, 207 E. 12th St., who was injured in a fall.

Hardy in a Hospital

HOLLYWOOD, Oct. 21—Oliver Hardy is in St. Vincent's Hospital. He has had his tonsils yanked. This winds up "Babes in Toyland," in which he is featured with Stan Laurel. The film, which was in production eight weeks, a record for the Hal Roach lot, has been sent to the cutting room.
FULTON OURSLER, Editor in Chief of LIBERTY Magazine in a recent telegram to MR. CAPRA said in part:

"It is a good thing to honor outstanding merit and distinction in any art and these qualities are yours in the art of dramatic pictures. May you live long and flourish like the Green Bay tree to give the public more of the FRANK CAPRA type of pictures."

The sentiment expressed by Mr. Oursler is the sentiment of the public at large.

The genius of FRANK CAPRA crystallized in any particular motion picture makes that picture a notable event in any year.

His next effort is upon us; its title is: BROADWAY BILL; its author, ROBERT RISKIN who also wrote IT HAPPENED ONE NIGHT and LADY FOR A DAY; its stars are WARNER BAXTER and MYRNA LOY; and its cast an imposing one as one expects it to be in a CAPRA picture.
Charles Dickens' GREAT EXPECTATIONS
One of the World's Greatest Stories Becomes One of the Industry's Greatest Pictures!

HENRY HULL

PHILLIPS HOLMES—JANE WYATT

Florence Reed, Alan Hale, George Breakston,
and many others. Directed by Stuart Walker.

A Stanley Bergerman Production. It's a

UNIVERSAL
Move on Foot to Combine
About 50 New York Indies

Never Misses Start
Buffalo, Oct. 21.—A former
impostor working for the ex-
ecutive, retired in his early 60's, is the Lafayette The-
atre No. 1 fan. In the few
years the house has been op-
erated by A. Charles Hayman,
this man has been on hand
every night watching the
employment of ushers and cashiers. He has
missed just one week—
the third of the "One Night of Love" engagement. He saw
the Grace Moore picture

twice, however.

Shuster May Get
125 Reade Pictures
Aaron Shuster will be given
around 125 major pictures by the New
York grievance board as a result of an
overriding decision handed down in his favor against Walter Read last
week.

Weshner West One Year
Milwaukee, Oct. 21.—Dave Wesh-
ner this month celebrates his first an-
iversary as general manager of the
Wisconsin division of Warner the-
a. Shuster will get about 70 for his
Red Bank house and approximately
0 for his Perth Amboy theatre.

'Barnum' Home Premiere
World premiere of "The Mighty
Barnum," 20th Century production with
Wallace Beery in the title role, has been set
for Bridgeport, Conn.,
one of the Barnum & Bailey Circus
The picture is now in an advanced
stage of production.

Reinhardt at Warners
Hollywood, Oct. 21.—Max Rein-
hardt is back from the San Fra-
ncisco run of "Midsummer Night's Dream" and
has taken an office at Warners. Reinhardt and William Dieterle, the
director, will start testing players for
important roles.

Team Crawford-Powell
Hollywood, Oct. 21.—M-G-M has
lined up its co-stars in a director of Joan
Crawford and William Powell for
the top spots in "Reckless." Franchot Tone
and May Robson will also have important
parts in the forthcoming direct.

Rosenblatt In and Out
Division Administrator Sol A. Ro-
senblatt was in town over the week-
end and left for Washington late last
night. His trip had nothing to do with
business.

future conclaves to crystallize it are
in prospect.

industry surveys

Start Talks
Here on New
Deal in FWC

hearing before a Campi appeal board. During Rhoden's stay here he con-
ferred with Spyros Skouras on the
Midwest situation and also had talks
with John C. Flynn on the clearance
plan.

S. R. Kent, who will play an
important part in the committee with
Chase National Bank and Hugh
Schurman & Dwight on F.W.C.
reorganization, arrives from the south
tomorrow. William T. Powers, F.W.C. attorney in the east, is due
back today from a stumping tour
up state. He is running for attorney
general of New York State on the
Republican ticket.

According to present indications, a
foreclosure sale of F.W.C. properties
is expected within the next six weeks.
Trustees of the circuit have appro-
ved a 10 per cent settlement of claims up to $30,000.

I industry surveys

Fight on Sinclair

of concerted action against the Demo-
crat, according to Sinclair, is more than his
declaration of income tax policy.

Sinclair's program calls for an ap-
proximate tax of $2 to $10 per week
on incomes ranging from $100 per week
to $50,000 per year and of 50 per cent
on incomes over that amount, in addi-
tion to other taxes now imposed.

The film colony is reported to be
contributing liberally to Gov.
Merrill's campaign fund, the list includ-
ing numerous regular as well as
independent Democrats.

World Chamber Asks
Abolition of Quotas

committee of the International Chamber of
Commerce.

The council proposed that the quota
system be modified pending its possible
abolition.

Radio Signs Assistants

Hollywood, Oct. 21.—Pursuant to
the new policy generally adopted by
the distributors, Radio this week
placed three assistant directors under
six months' contract. They are
Jimmy Andrews, Dewey Penney and
Kelly. The old procedure at many of
the major studios was to employ as-
distant directors on a picture to picture
basis.

Flynn Takes K. C. Center
Kansas City, Oct. 21.—Nude
Flynn, one-time major exhibitor
and now in the florist business, has taken
over the New Center, which he will
operate for colored on a policy of stage
shows and pictures at 15 cents. Flynn
at time operated the Globe, large downtown
house, since rased.
FOX FILM PRESENTS

AMERICA'S FIRST ACTOR
IN A
SHOWMAN'S SPECIAL
PRODUCED BY
SHOWMEN
FOR
SHOWMEN
George M. Cohan

The Man Who Knows What The Public Wants

George M. Cohan is America's first actor. And its most successful showman. Because he knows what the public wants.

The public has paid exactly $93,824,762.75 to see his shows and whistle his songs; a staggering tribute to the genius of George M. Cohan, producer, playwright, song writer, director, actor, dancer, showman. But above all, in tribute to the Cohan personality.


This season he goes on the road. With "Ah! Wilderness." And also returns to the radio.

He will also be seen in one big picture for Harold B. Franklin. "Gambling." Based on his great stage success. He will be seen as the public wants to see him. As himself.
Harold B. Franklin

The Man Who Knows What The Exhibitor Wants

The exhibitor knows what the exhibitor wants. Nobody better. And Harold B. Franklin is an exhibitor. He has operated more theatres than any man living. Paramount Circuit, Fox West Coast Circuit, RKO Circuit, Coast to coast, Shooting-galleries to Radio City.

Franklin has also gone into production. Plays, Pictures. On the stage he will present—in association with Arch Selwyn, Charles B. Cochran and Arthur Hopkins—these international stars: Elizabeth Bergner, Yvonne Printemps, Lucienne Boyer, Frances Starr, Eva La Gallienne.

On the screen, his first production through Fox Films, will be George M. Cohan in one of his greatest stage successes, "Gambling."

Cohan on the air, in drama, musical comedy, vaudeville, owes his success mainly to the Cohan personality. It's that personality, pure and unadulterated, that Franklin will present.

Cohan is a showman. Franklin is a showman. They're combining their showmanship to make a showmen's production. For showmen.
Any Box Office in America is Home

"AH! WILDERNESS"

COAST-TO-COAST

"OVER THERE"

"SEVEN KEYS TO BALDPATE"

"GIVE MY REGARDS TO B'WAY"

"GET RICH QUICK WALLINGFORD"
Sweet Home to George M. Cohan

"LITTLE MILLIONAIRE"

"45 MINUTES FROM BROADWAY"

"GAMBLING"

"SO THIS IS LONDON"

"HIT THE TRAIL HOLLIDAY"

"MIRACLE MAN"

"YANKEE PRINCE"
FOX FILM PRESENTS

Cohan Comedy!  Cohan Speed!  Cohan Romance!  Cohan Punch!

★ 8 MONTHS ON BROADWAY
★ 12 MONTHS COAST-TO-COAST

DIRECTED BY
ROWLAND V. LEE
MILE-A-MINUTE MYSTERY MELODRAMA!

BLING

AMERICA'S FIRST ACTOR

GEORGE M. COHAN

WITH

WYNNE GIBSON
DOROTHY BURGESS
AND A SUPERB SUPPORTING CAST

A HAROLD B. FRANKLIN Production
TO MY FELLOW EXHIBITORS

A lifetime of effort in the operation of theatres has gone into the presentation of George M. Cohan in "Gambling."

It’s my belief that exhibitors know plenty about pictures — and I’ve tried to translate that belief into action.

George M. Cohan in "Gambling" is the result. Mr. Cohan is a showman. We’ve tried to make a showmen’s picture for showmen. For you.

It was made to measure up to Sidney Kent’s most exacting standards.

We have made it for the box-office. Because any box-office in America is home sweet home to George M. Cohan.

Yours for the box-office

[Signature]
Polish Gov't To Register Distributors

WASHINGTON, Oct. 21.—All establishments selling or leasing films in Poland must be registered with the Ministry of Commerce before Oct. 28, according to a report to the U. S. Department of Commerce from Warsaw.

In the interests of registration, the name and the exact address of the enterprise must be indicated, turnover during 1930-33, and total remittances abroad for the license authorizing the exhibition of films must be shown.

Czech Houses Still Off

WASHINGTON, Oct. 21.—Attendance in Czech theaters continues to decrease, according to a report to the U. S. Department of Commerce from Commercial Attaché Sam F. Woods in Prague.

The reasons for the drop during the first half of 1934 have been the decreasing purchasing power of the public in general and the shortage of American product in particular.

Using the yield of the entertainment tax as a criterion, and the monthly average for 1929 as 100, attendance dropped from 101 in January, 1934. In the same period, 1933, the decrease was from 110.3 to 83.3.

Dutch Attendance Gains

WASHINGTON, Oct. 21.—Theatre attendance in the Netherlands increased more than five per cent during the first six months of 1934 over the same period of 1933, according to a report to the U. S. Department of Commerce from American Consul F. Van Der Gracht, Amsterdam.

During August the relative position of American films, as registered by American first runs, was again less favorable than the preceding month. The percentage of American films shown ran little, if any, in August in comparison to July, which time the French and British positions improved.

Greek Imports on Rise

WASHINGTON, Oct. 21.—Over 300 features have been purchased by Greek exchanges for release during the 1934-35 season, according to a report from Commercial Attaché K. L. Rankin at Athens to the U. S. Department of Commerce.

Compared with the 248 features during the 1933-34 season, this increase of about 20 per cent is not generally considered as justified by any prospective gain in box-office receipts for the coming season.

Prices were generally rather high, owing to keen competition among importers. American film producers operating in Greece are reported to have closed some satisfactory contracts.

New House for Haiti

WASHINGTON, Oct. 21.—Port-Au-Prince, Haiti, will soon have a new theater, according to a report from American Vice Consul Carl Breuer to the U. S. Department of Commerce.

The new house, to be constructed on the Champ de Mars, will have a seating capacity of 1,200-1,500 and will be air conditioned.

Peru Finishes First

WASHINGTON, Oct. 21.—“Such Is Life” is the public. The first sound picture to be produced in Peru, according to a report to the U. S. Department of Commerce from Commercial Attaché Julian D. Smith in Lima.

Start Guatemala House

WASHINGTON, Oct. 21.—Work was begun about two weeks ago on a new theater in Guatemala City, according to a report from Consul General O. Gaylord Marsh to the U. S. Department of Commerce.

Cleveland Men Hit Free Air Programs

CLEVELAND, Oct. 21.—Cleveland exhibitors have protested to Mayor Harry L. Davis against rental of the Public Auditorium on Saturdays and Sundays to radio station WHK for a 10-week series of broadcasts open to the public. This week, the Higbee Co., department store, is the Higbee Co., department store. The city is to include the stars now appearing on the coast to coast network, starting with Bing Crosby. Admission to view the broadcast will be a sales slip from the Higbee Co.

Local exhibitors contend this is unfair competition. The auditorium seats 15,000, was built with taxpayers’ money—including taxes paid by owners of theatres. The Auditorium, they feel, should not be put into direct competition with them.

Canton Operators Sign

CANTON, O., Oct. 21.—Union operators at the three first run and six second run houses here have been granted a 20 per cent increase under a new contract just signed. This makes the town 100 per cent union. The contract also provides for payment of overtime for longer hours than specified by the code.

All houses here are in operation except the Grand Opera House.

Pioneer Pictures Formed

ALBANY, Oct. 21.—Pioneer Motion Pictures, Inc., Queensbrough, has been chartered with capital of 200 shares no par value to exhibit films Roland Tardiff, Constance Tardiff and Robert O. Smith are directors and subscribers.

New York’s Newest Sensation

THE SPIRITS OF RHYTHM

featuring

GEO. M. COHAN

in

‘GAMBLING’

appearing nightly at

THE ONYX

72 West 52nd St., N. Y. C.
**MOTION PICTURE DAILY**

**HOLLYWOOD PREVIEW**

**"Anne of Green Gables"**

(*Radio*)

Hollywood, Oct. 21.—This is a faithful translation of L. M. Montgomery’s novel, sympathetically revealing each player as a living character of this homespun tale. It mirrors the life and pleasant hardiness of an orphaned girl, happily played by Anne Shirley, who is surrounded by the-talents of Tom Brown, O. P. Heggie, Helen Westley, Sara Haden, Murray Kinnell, Gertrude Messinger, June Preston, Charlie Grapevin and Hilda Vaughn. George Nichols, Jr., in his first solo directorial effort, extracts all possible from the material at hand with the result that the story is rich in romance with humor balancing pathos, all photographed beautifully by Lucien Andriot. Poetically inclined Anne Shirley finds herself adopted by a country family who, through their influence and neighbors, becomes the pivot for a goosperying community. Alike from this talk, she surges through life in an imaginative world of her own. The situations are those designed to tug the heartstrings of the most cynical audience.

Aside from the past and present popularity of the novel, local-office publicity of this primary comic romance, due to its remarkable word-of-mouth advertisement as the film is shy on name values although the performances are good. Kenneth MacGowan produced. Reviewed without production code seal. Running time, 80 minutes.

**"Without Children"**

(*Liberty Prod.*)

Hollywood, Oct. 21.—This is a somewhat spotty interpretation of Gertrude Orr’s story suggested by Mrs. Wilson Woodrow’s novel, “Eyes of Youth,” but it has enough good qualities that, when properly edited, should make fair program entertainment for youths and adults in any community.

The plot contains such seasoned players as Marguerite Churchill, Bruce Cabot, Evelyn Brent, Reginald Denny, Dorothy Lee, William Janney, Dickie Moore, Cora Sue Collins and Lilian Hamer all contributing their best to paint a wonderful picture of modern, American domestic life. The picture at times scrutinizes with touches of smart comedy-drama, of human emotions and then with the other extreme of melodrama that evoked catcalls from the gallery.

The story depicts a happily married couple with two children, with the mother dedicating her life to the children and thus unconsciously neglecting to keep abreast of her husband, Cabot, an ambitious architect. Williams plays the role of a man who, seeing his wife, and with his ambition, Williams. Time lapses until the children are grown up and the father learns they in trouble and returns hastily to America where his ex-wife, still faithful, accepts the reconciliation. The settings and photography are artistic, and William Nigh directed. Previewed without production code seal. Running time, 85 minutes.

**"Elinor Norton"**

(*Fox*)

Hollywood, Oct. 21.—The story, based on Mary Roberts Rinehart’s “The State Versus Elinor Norton,” loses most of its original punch in its transfer to the screen. The picture, as previewed, has much unnecessary footage contributing little to a plot already weak and leaving this one tepid as entertainment.

The story deals with Claire Trevor, whose husband, Hugh Williams, is an eccentric, jealous Englishman. Just as a divorce is imminent Williams goes to Paris where he meets and falls in love with Gilbert Roland. At this point Williams returns very ill mentally.

Miss Trevor sees her duty and leaves with her husband for a ranch in the west where she hopes to nurse him back to health. Roland follows him on the assumption that Claire is his wife, who is in love with Gilbert Roland. The cast seems to be in the throes with too-slicked-factuated stories and stillude dialogue. The direction by Hamilton MacFadden is uneven, but the photography by George Schnieder is okay. Production code seal No. 302. Running time, 70 minutes.

**Finish “Tailspin Tommy”**

Hollywood, Oct. 21.—Universal has completed the “Tailspin Tommy” serial starring Maurice Murphy, and it is said going fine or the studio is talking a deal for a new one.

**“Bum Voyage” New Title**

Hollywood, Oct. 21.—Roach has changed the title of the current Thelma Todd-Patsy Kelley comedy from “The Skin Game” to “Bum Voyage.”

**Short Subjects**

**“Frankie and Johnnie”**

(*DailWorld*)

A short is an interpretation of the famous ballad, with Charles Laughton and his wife, Elsa Lancaster, as the two lovers. It has been successfully produced by Sascha Geneen, who also directed. Added entertainment value derives from the song “I’m So Lonesome I Could Cry” by the Jukebox. Laughton and Miss Lancaster inject a real homely quality into the story, which on occasion warrants it. Running time, 8 mins.

**“Red Republic”**

(*Radio*)

A further insight into the development of a new Russia is here shown through the eyes of the camera of Mediterranean White. The film opens with views of the oil fields of Balu and takes the audience up through the vineyards of Georgia, past the great dam of the Dnieper and into the schools of Moscow. Very personable and amusing; identifies the moment. Production code seal. Running time, 9½ mins.

**“It’s the Cats”**

(*Column*)

Andy Clyde is asked by the boss to speak in his stead at a dinner given by a group of women interested in a “home for homeless cats.” Andy walks into the wrong banquet room. His address is hardly begun when he is shown out. Then he drunkenly stumbles into the right place, but is given the bounce because his identity is misunderstood. Clyde’s antics provide several good chuckles. Inex Courtney and Dorothy Grainger are also in the cast. Code seal No. 240. Running time, 19 mins.

**“If This Isn’t Love”**

(*Radio*)

In this short, Walter Woolf, Dorothy Lee and Hazel Forbes, is almost equal to many features in production value and surpasses many in entertainment. Woolf meets his Forbes, falls in love with her only to be repulsed and becomes entangled with Dorothy Lee. It all works out in the end to the satisfaction of all concerned. Woolf sings several numbers well. Production code seal No. 47. Running time, 2½ mins.

**“Bric-A-Brac”**

(*Radio*)

In his latest, Edgar Kennedy, with the aid of his wife and her family, go to the mountains to build a cabin. Unfortunately the couple is out of work. Their methods of construction should turn many an audience hilarious, particularly when Kennedy starts work on the chimney. The whole enterprise collapses at the end and it is probable that the majority of audiences will move on, but laughter. Production code seal No. 169. Running time, 19 mins.

**Week-End Vaudeville**

BKO’s Richmond Hill goes to a policy of Saturday and Sunday vaudeville in addition to pictures beginning Oct. 27. Direct competition is Loew’s Willard, which operates on a straight film policy.
Seals Given to 19 Films; 14 Shorts

(Continued from page 1)
serial; Fox, three; Principal, one and one serial; Radio, three features and two shorts; M-G-M, one feature and one short; United Artists, one; Invincible, one; Warners, two shorts; First Division, two shorts; Rouch, two shorts, and Educational, one short.

Titles of pictures approved follow:

Columbia

(Features)

"Against the Law," "The Captain Hates the Sea," "Fugitive." "Wolves of Catlaw." (Shorts)


(Shorts)

"Boosting Dad," "Holding His Own." (First Division)

"Hymn in the Sun," "Spangled Cave." (Fox)

(Features)


(Features)

"Port of Lost Dreams." (Liberty)

"Without Children." (M-G-M)

(Features)

"What Every Woman Knows." (Shorts)

"Bosko's Pastor Pranks," "Opened By Mistake," "You Bring the Dock." (Monogram)

"Girl of My Dreams," "Successful Failure." (Principal)

"Chandos of the Daily." (Serials)

"Chandos," episodes 9-10-11-12. (Radio)

(Features)

"Anne of Green Gables," "Gridiron Flash," "Kentucky Kernels." (Serials)

"Tickle or Leave It," "How to Break 90 at Croquet." (United Artists)

"Kid Millions." (Features)

"Great Expectations," "Cheating Cheaters." (Universal)

(Features)

"Tailspin Tommy," episodes 4-5-6-7. (Warners)

(Shorts)

"Rhythm in the Bow," "Those Beautiful Dances." (Educational)

Chicago Legion Puts 132 on Its New List

CHICAGO, Oct. 21.—In another full page advertisement in papers here the newest lineup of pictures by the Chicago Council of the Legion of Decency lists 132 pictures as approved. A second group lists 120 films not approved for children and neither approved nor disapproved for adults. The third classification of banned pictures totals 45.

Hollywood Personals


K. C. Church Group To Make Film Study

KANSAS CITY, Oct. 21.—Cooperating with the Federal Council of Churches in its film campaign, the Kansas City Council of Churches will sponsor a group study over a period of weeks which is designed to mark a "new approach" to the question of the church and films.

The course will be conducted by the Rev. F. E. Deere, executive secretary of the Kansas City Council, and is open to everyone. Meetings will be held one night weekly.

A file of information on films will be available free in the offices of the Council of Churches to those who desire critical estimates of current productions.

Estimates of the various national previewing groups will be on file and a list of the approved and disapproved films issued by Catholic publications will likewise be used by the local Protestant organization.

Local Protestant churches observed today as a day set by the Federal Council of Churches for the consideration of the subject.

BUFFALO, Oct. 21.—Letters have been sent 200 Buffalo Protestant clergymen by the Buffalo General Ministers' Assn., urging their participation in the campaign against indecent films.

Decency Move Stays Active in Virginia

RICHMOND, Oct. 21.—While the censors say films now being examined are better and that only a few objectionable elements are found in any of them, the drive started by the Legion of Decency in behalf of cleaner pictures continues to attract attention in Virginia.

One Presbyterian body, however, refrained from taking action, but the Richmond Ministerial Union adopted a recommendation recently to obtain lists of pictures suitable to be seen by families. Dr. W. F. Burnham acted as chairman of a committee in a request to Richmond newspapers to publish the lists at weekly intervals.

Mench in Akron Portage

AKRON, Oct. 21.—C. J. Mench has been named manager of the Portage here, which is operated by the Summit Theatres, Inc. The house was formerly the Park.

“Divorcee” Omaha Wow; Gets $7,100

OMAHA, Oct. 21.—“The Gay Divorcee” at the Brandeis came near smashing a house record set by “Little Women” a year ago by hitting the cash gong for $7,100, over par by $3,600. It was held over for a second week, the first holdover here in months.

Part of the local response is attributed to the fact that Frank Astaire got his start here.

“Mrs. Wiggs of the Cabbage Patch’ and ‘Have a Heart’ were good at the Orpheum at $9,500.

Total first run business was $30,500. Average is $22,500.

Estimated takings:

Week Ending Oct. 17:

"CHARLIE CHAN IN LONDON" (Fox) $10,500-
"THE LEMON DROP KID" (Para) $8,300-
Total: $18,800.

Week Ending Oct. 18:

"THE GAY DIVORCEE" (Radio) $9,000-
"HAVE A HEART" (M-G-M) $9,000-
Total: $18,000.

Norwalk Moose to Build

NORWALK, O., Oct. 21.—Plans have been drawn for a 1,000-seat theatre to be erected here by the Moose Lodge, which organization now operates the Moose, the only house here.

HOW DO YOU BUNDLE?

— not in a porch swing!
— not in a parked car!
— not on the stair steps!

• You’ll never guess! But see Paramount’s "THE PURSUIT OF HAPPINESS." Starring FRANCIS LEREDER, Joan Bennett, Charlie Ruggles and Mary Boland. Directed by Alexander Hall. Prints now available at all Paramount Exchanges.
Albany

Albany, Oct. 21.—Tent No. 9 has inaugurated a new series of social activities by having "Distributors Night" on Thursdays, solved in the Paramount headed by Barker Eastman. Dancing, entertainment and a series of bridge games provided an interesting evening of local exchange and theater department followed the idea last week, with M-G-M and Fox taking the main features.

The clubrooms were the scene of much activity during the broadcast of the World Series. The radio donated by Barker Halligan worked overtime.

The outcome of the recent golf tournament is not yet settled by local aspirants for the golf crown to Barkers Pielow and Sauber. All challenges have been accepted, and to date the boys who finished one and two in the tournament are still undecided. This week will find Sauber and Pielow matched against Barkers Shea and Dare of KQ and Fox, respectively.

Pittsburgh is taking a considerable interest with Barker Stanley Goldberg of Paramount, club champion, being swamped with challenges. He is taking all he can handle.

The Halloween party will afford the barkers and their guests an evening of enjoyment, entertainment, and this event is being looked forward to with much anticipation. Alex Sayles is in charge of arrangements.

Several barkers, headed by Chief Barker Buckley, attended the Yale-Columbia game in New Haven.

Universal's new salesman, Louis J. Luedke, made application for membership. He will receive consideration at the next meeting. Lieser was recently transferred here from Philadelphia.

Cincinnati

CINCINNATI, Oct. 21.—Chief Barker Allan S. Moritz and Cavanayan Ike Lisbon represented the Cincinnati tent at the Pittsburgh Frisco.

The local club is shy one more member in the person of A. J. Meisinger who has gone with B. & K. at Chicago.

Nat S. Lefon, Cleveland Tent No. 6, was a visitor at the local club quarters last week.

Tent No. 3 is outstanding in the matter of members' families. Stan C. Jacques is the father of twin girls in their early teens, while George Cobert is "double father" to a pair of boys. A. J. Holt has twin grand-daughters.

Constitutions are in order for Barker Mike Spanagel. It's a boy, who, however, has some sisters.

Fischer, Chief Barker of Latest Tent in Milwaukee

MILWAUKEE, Oct. 21.—Officers of the recently organized Milwaukee Tent of the Variety club have named as follows: George Fischer, chief Barker; Dave Wemhner, first assistant chief Barker; Charles Trampe, second assistant chief Barker; Mr. Shuman, third assistant chief Barker; H. J. Fitzgerald, wagon man; Ben Koenig, property man, and E. J. Weisfeld, Ed Maertz, A. C. Gutenberg, J. O. Kent, Al Krool, Art Schmitz, canvas men.

Committee chairmen have been named as follows: Weisfeld, entertainment; Fitzgerald, roads and finances; Wemhner, wagon man; Shuman, house and Gutenberg, constitution and bylaws.

Variety Club Chatter

Chief Barker Allan Moritz is learning the art of balling eggs, while the Mrs. is still keeping busy at the Delhi Free Press; Edgar Guest, poet on the same sheet; Frank A. Picard, candidate for the U. S. Senator, and John H. Harris. The affair was held in the Italian Room of the Book, scene of many of Detroit's swanky affairs.

Cleveland

Cleveland, Oct. 21.—Variety Club has organized a Wednesday "Ladies' Day." Auction and contract bridge tournaments will be held with prizes to be awarded at the end of 10 weeks. There will also be Keeno hearts and rummy games for those who do not play bridge. There will be a "queen" for every five payers, Mrs. Frank Drew, wife of the club's president, was the first "queen," Mrs. Nat Holt and Mrs. Nat Wolf will be "queens" for the next meeting. Following them will be Mrs. I. J. Schmitz and Mrs. M. B. Howett.

In preparation of the first annual ball to be held at the Statler Hotel on Nov. 3, Nat Holt, general chairman of entertainment, has named the following heads of sub-committees: Frank Drew, banquet chairman; Nat Wolf, entertainment chairman; Harry E. Long, music; M. B. Howett, finance. Nat Leffon, greets; Fred Meier, program; Jack Shuman, decorates; Tom Flanagan, special events; George Roberts, dance; I. J. Schmitz, door chairman; Harry Shuman, tickets; and Warren Wade, radio.

Pittsburgh, Oct. 21.—Mike Culen of Loser's Penn, has been elected chief Barker of the Variety Club, for 1933. Cullen succeeded Harry Kalmine.

Other officers elected were: Frank Smith, first assistant chief Barker; Art Levy, second assistant chief Barker; Charles L. Stiefel, secretary; directors: William Gardner, C. J. Latta, George D. Tyson, Joe Blowitz, Steve Conn, A. Barvett.

Harold Lundy and Dr. A. Wise were selected to represent the Pittsburgh tent at the national convention.

John H. Harris, chairman of the banquet committee, announced a complete sellout for the event.

More than 800 shown and tried seen many of local society and celebrities, including Joe J. Brown, The Hugy, Sol, Rosenblatt and Christy Walsh.

Washington

WASHINGTON, Oct. 21.—The weekly luncheon of Tent No. 11 had Joseph M. Morgan and Harlow Archer as king and queen.

Among the entertainment features were Irene Beasley, who got the audience to do the singing instead of doing the working herself; Eleanor Powell, who demonstrated tap dancing without musical accompaniment; and Ed Lowery, noted vaudevillian whose stories were hugely enjoyed.

Local enthusiasm ran high for the annual Variety dinner and ball in Pittsburgh. The men's local barkers traveled to the Smoky City.

But higher yet is the enthusiasm for the first annual dinner and ball in Washington.

Chief Barker John J. Payette heads the committee, with A. Julian Bylawski the chairman of the games committee assisted by J. Louis Rose as vice-chairman and Nat B. Browne as secretary.

The following committees have been appointed to handle the details:


Advertising—Frank Lafaiche, chairman; J. E. Haley, N. Goldstein.


Singing—James B. Fitzgerald, chairman; A. Bachrach, George Gill, D. F. Shyne.


Priming—Charles Schulman, chairman; Robert Snelker, C. O. Clark.

Decorations—Guy Wonders, chairman; Stephen E. Cochran, Harlow Eaves, Charles L. Stiefel, L. A. Shulman, S. Bendheim, Herman A. Blum.


For the selling of tickets the membership has been divided into ten teams, the captains of which are (1) Jack Lare, (2) Louis Beehleheimer, (3) Harold Lundy, (4) Frank Durke, (5) Robert M. Grace, (6) Robert J. Holliard, (7) Sidney B. Loomis, (8) William B. Wolf, (9) Hunter Perry, and (10) George A. Crouch.

End Portland Union Row

PORTLAND, Oct. 21.—After disturbances with both the operators and musicians, and picketing for four days, Portland's "The Diggers" has been restored again. Under the baton of Monty Banks, a five-piece union orchestra has been engaged.

Stuart-Powell Co-Star

HOLLYWOOD, Oct. 21.—Warner's have signed Gloria Stuart to co-star with Dick Powell in "Gold Diggers of 1935." The deal will be completed in a few days. Vacancies also have been noted at Judi Menjou for an important role in the picture. Actual story is said to be under direction of Busby Berkeley.

Para. Picks "Cat 99"

HOLLYWOOD, Oct. 21.—"Cat 99" has been chosen by Paramount as the title for the four Carl Detzel short stories now being condensed into one continuing story for the screen.

Fox Switches a Title

HOLLYWOOD, Oct. 21.—Fox has changed the title of Ladislaus Fodor's story, "A Woman Lies," into "Under the Night." Joe May will direct the story and Erich Pommer will produce it.

Makes American Debut

HOLLYWOOD, Oct. 21.—Carol Coomb, who created the leading role in "Maedchen in Uniform" in the stage version, will make her American screen debut here in Universal's "Straight from the Heart," which will feature Mary Astor and Roger Pryor.

Midwest to Open Depot

OMAHA, Oct. 21.—Officials of the Midwest Film exchange will open a shipping depot in Des Moines to take care of Iowa exhibitors. Booking will still be done from the Omaha office.

To Visit Open at Lake Charles

LACE CHARLES, LA., Oct. 21.—Bob Clemmons will open his new Ritz about Nov. 15. This will give Lake Charles five theatres.

To Open at Date Charles

HOLLYWOOD, Oct. 21.—Warners have signed Gloria Stuart to co-star with Dick Powell in "Gold Diggers of 1935." The deal will be completed in a few days. Vacancies also have been noted at Judi Menjou for an important role in the picture. Actual story is said to be under direction of Busby Berkeley.
PHILADELPHIA, Oct. 21—Second runs and weekends held down the total gross last week, but it still averaged higher. Helping the count was $19,000 reaped at the Earl with “Richest Girl in the World” plus Guy Kibbee, Dennis Price and the Pickford Sisters in the stage.

The Gaumont British invasion got off to a good start with "The Man of Aran" averaging $15,000 at the Fox and "Power" holding up at $7,000 mark at the Locust. "The Love Captive" was "Sparrow's Nest," which mustered only $8,500 at the Stanley.

Total first run business was $77,100. Average was $7,270.

Estimated takings for the week ending Oct. 18:
- "GENTLEMEN" (U. A.): $3,600.
- "CLEOPATRA" (Para.): $2,700.
- "THE BARRIERS OF WIMPole STREET" (M-G-M): $3,400.
- "CHU CHIN CHOW" (Gumotnt-British): $2,200.
- "NOW AND FOREVER" (Para.): $2,200.
- "SILK ROUTE" (Sta): $2,000.
- "LADY FAYRE" (STANFORD): $2,000.
- "TALOS" (M-G-M): $1,800.
- "THE LAST GENTLEMAN" (United Artits): $1,800.
- "THE MERRY WIDOW" (Gumotnt-M-G-M): $1,600.

"MRS. Wiggs" Tops Buffalo

BUFFALO, Oct. 21.—Columbus day holiday helped all scenes, particularly the Buffalo, where "MRS. Wiggs of the Cabbage Patch" drew youngsters. Its take was $18,100, as compared to a normal $14,300. "The Barretts of Wimpole Street" also topped average in its second week.

Weather was fair and warm.

Total first run business was $47,200. Average is $4,800.

Estimated takings for the week ending Oct. 19:
- "MRS. WIGGS OF THE CABBAGE PATCH" (Gumotnt-Buffalo): $3,500.
- "THE LOVE CAPTIVE" (Univ.): $2,900.
- "THE HUMAN SIDE" (Univ.): $2,700.
- "DECEIVE" (Para.): $2,500.
- "THE LOVE CAPTIVE" (Univ.): $2,300.
- "THE MAN OF ARAN" (Gaumont British): $2,100.
- "DEATH BECOMES THE MUSEUM" (M-G-M): $1,900.
- "THE MERRY WIDOW" (Gumont-M-G-M): $1,800.

"Crisco" Gets High $16,000

In Cleveland

CLEVELAND, Oct. 21—Big money here for "Crisco," a Los Angeles big screen play, which took $16,000, over the line by $6,000, at Loew's State.

Two holdovers were also in the big money list. "Aric" and "The Man of Aran," which averaged $8,500 at Warners' Hippodrome and "The Barretts of Wimpole Street," which averaged $6,500 in its second week at Loew's Stillman.

Total first run business was $47,500. Average is $4,100.

Estimated takings for the week ending Oct. 18:
- "ONE MORE RIVER" (Univ.): $5,000.
- "THE DARING SKI TRIP" (Univ.): $4,500.
- "JUDGE PRIGHT" (Fox): $4,000.
- "GREAT SECRETS OF THE BANK-ROBBERS" (Univ.): $3,500.

"Happiness Ahead" (Warner)

American—It is loaded with laughs, fragrant with dewy-eyed romance and gay gaiety. It has its quota of interest, too. ***(Josephine Hutchinson)** emerges from unmanageable Mayhem, possessing personality, a wishful charm, a smile and a high order of hi-fi ability.

"This charming little romance with much gaiety, "One Night" and "Servants' Entrance." She is Miss Hutchinson in "The Merry Widow.""

"Daily News"—***pleasant little comedy

"Happiness Ahead"—***a pleasant little comedy
THE dependability of Eastman Super-Sensitive Panchromatic Negative is not based entirely upon its well-known uniformity. It is the original, inherent quality of the emulsion...its constant ability to help producers and cameramen make the most of every picture...that completes its dependability...that seals the acceptance which this famous film enjoys. Eastman Kodak Company. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)
U. S. Supreme Court Refuses
To Review Clearance Appeal

Washington, Oct. 22.—Denying a petition of Fae Robison of the Seville Theatre, Inglewood, Cal., for review of the case, the U. S. Supreme Court, at its meeting yesterday, reversed a decision of the Ninth Circuit Court of Appeals in a suit brought by the exhibitor against First National, M-G-M, Universal, Fox and the Los Angeles Film Exchange Board of Trade, seeking to recover for damages alleged to have resulted from a rezoning of the house.

The suit charged violation of the Sherman Anti-Trust Act by the defendant in conspiring to refuse to furnish product in "fair competition" with a competitor and in arbitrarily shifting the Seville, but not other houses, out of the Inglewood zone and into Los Angeles.

A verdict in favor of the exhibitor, carrying a judgment of $33,338, was reversed by the Circuit Court of Appeals.

Chrysler Air-Conditioning Ready; F. B. Warren Gets It

Chrysler-made equipment for cooling, heating and ventilating houses will be sold, distributed and installed exclusively in the United States by the Control Corp. of America, formed and operated by F. B. Warren. The company marks a return into business for himself of the veteran distributor who for the past six years has been a sales executive with Erpi.

Advent into the air-conditioning field was made recently by the motor manufacturer whose son, Walter P. Chrysler, Jr., as president heads Airtemp, Inc., the distributing organization which will itself handle all sales.

Michigan Takes in
1933 $14,124,000

Washington, Oct. 22.—Michigan's 406 theatres last year had box-office receipts of $14,124,000 and expended $3,072,000 on payrolls, according to figures made public today by the U. S. Census Bureau.

The bureau's report showed 100 theatres in Detroit, with receipts of $7,143,000 and payrolls of $1,881,000; 17 in Flint with receipts of $656,000 and payrolls of $119,000; 21 in Grand Rapids with receipts of $606,000 and

Actors Move to Ask
An A. F. of L Charter

Hollywood, Oct. 22.—A tentative proposal to obtain a charter in the American Federation of Labor, if it was learned yesterday, is to be submitted to the board of directors of the Screen Actors' Guild. This is the first step toward combating the recent refusal
Sonotone Convention
Told of New Devices

Dr. Hugo Lieber, president of Sonotone, yesterday announced three new developments of the company's electrical sound equipment that were first of a three-day annual convention opened at the Park Central. He stated Sonotone is putting out a new complete sound equipment for the home, a jewel instead of a piece of equipment, a new development in the group equipment field for churches, auditoriums and schools, and a new portable recording equipment whereby the human voice can be recorded and later reproduced for schools and colleges.

Talking before 350 representatives in the Public State, London and Paris, Dr. Lieber said that a new era for the hard-of-hearing is at hand in that for the first time individuals having difficulty with their hearing can have ears fitted to their particular needs just as glasses are fitted to persons having trouble with their eyesight.

An increase of more than double the year before was announced when it was stated that the company now has more than 700 sales representatives for the year, compared with 350 last year. In the foreign field, an increase in dealers also was noted. Whereas the company had only six salesmen abroad last year, it is now represented by 20 salesmen.

It was estimated that sales for 1934 will run around $1,250,000, compared with the $760,000 last year and $422,000 in 1932.

Dean Rabbitt, vice-president and general sales manager of the company, gives the credit and collection manager of the division. R. H. Worn is appointed assistant to Rabbitt and Brown is transferred to northeastern division. He will be responsible for sales in the metropolitan area, New Jersey and the Hudson valley.

"U" Starts 3 on Oct. 29

Hollywood, Oct. 29.—Universal will come out of the temporary production slump on Oct. 29, when three pictures will get under way.

Films slated for the camera on that date are "Straight from the Heart," starring Joan Crawford; "Stranger at the Gate," starring William Haines; and "Rustlers of Red Dog," top spotting Johnny Mack Brown and Raymond Hatton. Lewis Friedlander will direct.

Carl Laemmle, Jr., Sails

Hollywood, Oct. 22.—Carl Laemmle, Jr., is en route to New York on board the S. S. Santa Rosa, which is scheduled to dock there Nov. 5. He calls for Europe a week later on a three months' vacation. He is accompanied by Harry Zehner.

Lewis and Others on Fast Burlington Run

Hollywood, Oct. 22.—Jack Lewis of Radio leaves here tonight for New York on the new Burlington Zephyr, the streamlined train that is set to make the trip in 60 hours.

Aside from newspaper representatives, Anita Louise and Henry Hall will also be aboard the trip. Both players, while in New York, are scheduled to make personal appearances for three later pictures, Mss Louise at the Strand where "Madame DuBarry" opens Wednesday and Hall at the opening of "Great Expectations," which will probably open at the Music Hall in the near future.

Fan Club Federation
Now Getting Started

Fan clubs are forming a federation—an international federation, no less. Eighteen of them are already in the plan, whose leaders have met to be made. They claim to be "constructive force".

We aim to be the champions of the stars, to see that they get a square deal at the hands of the public and the press," says a statement by Green Troughton, president of the federation. "Now is our chance to ascend the throne which has long been without an owner. With your active interest, this can easily be accomplished."

To Meet Sophie Tucker

The American Federation of Actors is holding a special meeting on Oct. 23 to meet Sophie Tucker on her return from England Nov. 1. A tug has been chartered to go down the bay to meet the Manhattan, on which she is returning, and a fleet of 15 cars will meet her at the pier for a parade up Broadway.

Columbia Dividend Set

Columbia Pictures Corp. has declared a regular quarterly dividend of 75 cents on its preferred stock, payable Dec. 1, to stockholders of record Nov. 15.

Kent Back from South

S. R. Kent, president of Fox, is back in New York from a vacation trip at White Sulphur Springs and returns to his desk this morning.

Trading Light on Big Board

Columbia Pictures, etc., $2.10, 25 cents, $1.85; Consolidated Film Industries, pd six, 15 cents, 15 cents; Fox Film "A," 131% cents, 131% cents; Paramount Public, 134% cents, 136% cents, 50 cents, 51% cents; Famous Players "A," 91% cents, 91% cents, 100 cents; Warner Bros., 2% cents, 2% cents, 20 cents, 70 cents.

Technicolor Off 1/2 on Carb

Warner Bonds Drop Half Point

General Theatre Equipment 6%, 6%, 7%, 7%; Paramount F. I. 6%, 6%, 6%, 6%; Warner Bros. 6%, 6%, 6%, 6%; Warner Bros. 6%, 7%, 7%, 7%.
Now another nationally-advertised name can take its place on your theatre’s marquee: Air-Conditioned by Chrysler.

The genius that developed not one, but four great lines of cars and advanced them from 7th place in output in 1924 to 2nd place in world output in 1933, will now effect a revolution in the virtually new industry of air-conditioning.

The Chrysler-made equipment in this field will possess the quality and excellence of this mighty manufacturer’s automotive output.

A special organization has been formed to bring the air-conditioning systems produced by Chrysler and marketed by Airtemp Incorporated into the theatres of the nation. Turn for the Announcement—
Control Corporation of America has been organized to sell, install and maintain the Chrysler-made air-conditioning system in the theatres of the United States. It has been organized and is headed by F. B. Warren, who for twenty years has been known to almost everyone in the field of theatre ownership and management.

Installations will begin in December in a group of the country's outstanding theatres. Between January and May 1, 300 installations will be available. One-half of these have been allotted to those states where summer is at hand by May. Each installation is a tailor-made job designed to meet the requirements of your theatre.

A national sales-engineering staff has been assembled to solve your specific problems. Price quotations of most attractive character will be made after a survey from the New York head office of Mr. Warren's organization.

Control
CORPORATION OF AMERICA

250 West 57th Street
New York City

TELEPHONE CIrcle 7-0077

Authorized by AIRTEMP INCORPORATED, World Distributors of Air Conditioning Products of Chrysler Motors
Six Films Set To Start At Twickenham

Looking 'Em Over

"Pursued" (Sol Wurtzel-Fox)

The old story of lust and villainy in the Near East pops up again in "Pursued," which has sufficient color and capable acting to overcome its tinniness of theme and win for itself a listing as moderate entertainment.

This time the villain is Victor Jory, whose word is law in the East Indian island where he rules the plantation seized by him after slaying Russell Hardie's father. When Hardie, who does not know the true facts of his father's death, arrives in order to take over the plantation, Jory tries to get him out of the way. Temporarily blinded by the beating he receives from Jory's henchmen, Hardie is taken in by Rosemary Ames, a woman of easy virtue who performs in a native hot spot. She nurses Hardie, who idealizes her into something she is not. Both fall passionately in love.

The girl, fearing the youth will despise her when he recovers his sight and discovers the truth about her, makes arrangements to return to the States in the hope of redeeming herself. Her plans are blasted when Jory carries off her lover, but when Hardie regains his sight he is terribly disillusioned. Things are only made worse when he meets her at Jory's place. His enmity against the youth now sharpened by jealousy, Jory goes gunning for him. Hardie is saved when Miss Ames warns him. In the fight that follows Jory is slain. This is the way for the reunion of the lovers.

Pert Kelton lends comedy to the story. Louis King directed.

Code seal No. 109. Running time, 70 minutes.

"Lost in the Stratosphere" (Monogram)

An entertaining melodrama in which two buddies are always after each other's girl friend and clamped with William Cagney winning out over Edward Nugent with June Collyer.

The story has as its background the army air corps with Nugent as first lieutenant and Cagney second lieutenant. Both get a great kick out of playing innocuous pranks on each other when a new girl enters the scene, but split between the pals comes when Cagney innocently falls in love with Miss Collyer, and vice versa. The heroine had come to visit her fiancé, Nugent, who is out-of-town at the time, and is picked up by Cagney. Believing the informal acquaintanceship unimportant, Miss Collyer gives Cagney her maiden's name and after a quick courtship they fall in love.

When Nugent returns from a flying expedition, he learns about the affair and ends his friendship with Cagney. Both are assigned to go up in a balloon bound for the stratosphere. The balloon gets into an electrical storm and Nugent knocks Cagney out cold after the latter has donned a parachute and throws him out. Cagney lands safely, but Nugent is later hurt when the balloon crashes. Nugent admits Cagney has won Miss Collyer and in planning other flights he thinks Cagney should stay at home. Satisfying entertainment.

Running time, 64 minutes. No code seal.

U. S. Films Lead in Finland's Theatres

WASHINGTON, Oct. 22—American pictures hold a dominant position in Finland, according to a report from Consul Cyril L. Thiel, in Helsingfors, made public by the U. S. Department of Commerce. About 75 percent of all the films exhibited there are of American origin.

While the number of theatres has declined, box-office receipts have increased this. It is stated, is due to improved business conditions.

Goldstone Is M-G-M Associate Producer

HOLLYWOOD, Oct. 22—Phil Goldstone, president of Music M-G-M, announced in this city that he has formed a new associate producer. His first release is "Mala" and his second "Bottom of the Sea."
Para. B’way Plan
Opponents Active

(Continued from page 1)

of counsel for Paramount Publix trustees. The adjournment was granted over the objections of Malcolm Sumner, counsel for opposing Paramount Broadway bondholders. The trustees’ counsel reported that conferences aimed at removing features of the reorganization plan which have been objected to are being continued and progress is being made.

Pending acceptance of the reorganization plan, Paramount Broadway’s $44,000,000 claim stands against Paramount Publix.

Paramount-Quittner Deal Going to Joyce

(Continued from page 1)

Joyce directing the Paramount trustees to produce books and records of the company’s foreign subsidiaries for examination by Edwin L. Garvin, counsel for three Paramount bondholders, was put over to Oct. 29 hearing. Garvin’s petition charges that accountants retained by him to study the books had been refused information on salaries paid to executives associated with the foreign subsidiaries.

New Para-Bank Delay

A petition for examination of officials of Paramount Publix creditor banks, sought by trustees of the debtor under Section 21-A of the bankruptcy laws and scheduled for hearing yesterday before Referee John E. Joyce, was postponed to Nov. 12.

Chrysler Air-Conditioning
Ready; F. B. Warren Gets It

Richards Here for Saenger Conference

(Continued from page 1)

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Except to explain that the situation is still in the discussion stage and that he is unable to make public comment on what is the “concern of the trustees,” Richards declined to discuss the current conferences. He will be here another three or four days. It is understood that the Paramount trustees feel that Paramount should have more influential participation in the new Saenger company than is provided in the original plan of reorganization.

Cohen in on Para. Plan

Emmanuel Cohen, Paramount studio head, arrived from the coast yesterday for conferences in connection with the Paramount Publix reorganization. He expects to remain two or three weeks. Henry Hertzberg starts east tomorrow for the same purpose.

Disallow $50,000 Claim

A claim of $50,000 filed against Paramount Publix by Liberty Prod. was disallowed and expunged in an order handed down yesterday by Federal Judge Alfred C. Cooxe.

Michigan Takes in 1933 $14,124,000

(Continued from page 1)

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All Seattle Sunday Shows Told to Stop

SEATTLE, Oct. 22—The Superior Court here has issued a writ of mandamus requiring the closing of all Seattle and King county theatres and all other forms of amusement on Sunday. The writ is also extended to cover all grocery stores and drug stores.

No attempt was made by local officials to enforce the closing law yesterday, but all the defendants were directed to appear in court Friday to show cause why the Sunday closing should not become effective starting next Sunday.

The suit appears to be an attempt to make the old Sunday closing law so onerous that the liquor and beer sales on the Sabbath will be permissible.

Theatre owners are scheduled to organize to-day to form plans to contest the court order.

Actors Move to Ask
An A. F. of L. Charter

(Continued from page 1)

of producers to accept the guild’s new contracts and working hours.

The proposal was drawn up last week at a meeting in the home of Robert Montgomery, who represented the guild along with Kenneth Thompson and Thomas Loane in the Oscar-Wing-Mayer band that has represented the engineers. The proposal is being circulated and will be presented to the guild at a meeting scheduled here tomorrow.

Warren will retire from Erpi Dec. 31. He said yesterday Control Corp. is in no way connected with Erpi.

A.C.
National High Intensity
A. C. Projector Carbons
for the new A. C. High Intensity lamps. Designed for arc currents up to 80 amperes.

D.C.
National SUPREX Carbons
for the new D. C. High Intensity lamps. Designed for arc currents of 40-65 amperes.

Economical High Intensity Illumination for the Smaller Theatres

NATIONAL CARBON COMPANY, INC.
Carbon Sales Division, Cleveland, Ohio
Unit of Union Carbide & Carbon Corporation
Branch Sales Offices:
New York - Pittsburgh - Chicago - San Francisco

Para. B’way Plan
Opponents Active

(Continued from page 1)

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Carbon Sales Division, Cleveland, Ohio
Unit of Union Carbide & Carbon Corporation
Branch Sales Offices:

New York - Pittsburgh - Chicago - San Francisco
They Voted Doubles Out

San Diego, Calif., Oct. 22.—Nearly 15,000 fans, polled by the Fox here, are opposed to double features because they make the program too long.

The questionnaire, sent out by James O'Toole, manager of the house, revealed a number of interesting facts which will be kept in mind by O'Toole in future bookings.

Here are a few of the facts revealed in the poll:

A majority prefer society drama, with comedy running a close second, and musicals third place.

The average family attends pictures about twice a week.

Preferences for male stars: Will Rogers, Clark Gable, William Powell and George Arliss as listed. In the female division: Norma Shearer, Joan Crawford, Mae West and Claudette Colbert.

Asked what actors patrons would like to see in star roles, the answers were: Male—Herbert Mundin, first; Charles Butterworth, second, and Nat Pendleton, third. Female—Kitty Carlisle, first; Toby Wing, second, and Maureen O'Sullivan, third.

Sex pictures were generally condemned.

Austrians suggested selection of best Broadway shows and best novels for production.

Two hours is maximum limit most theatregoers want to sit in theatres.

K.C. Indies Fight Revised Clearance

KANSAS CITY, Oct. 22—Several independent exhibitors are contesting the revised clearance schedule and plan to go to New York for the appeal hearing on Wednesday.

The exhibitors are understood to be setting back of running charging low admissions. First run houses are in favor of this plan, since they want to raise scales to former levels.

Fox Midwest has endorsed the new policy as stabilizing the local situation.

Elmer C. Rhoden, who recently returned from New York where he conferred with John C. Flinn on the plan, feels that it as it stands now it will work advantageously to all.

Similar objections against setting back of running charging low admissions were voiced at the time the Los Angeles plan came up for hearing before Camp. Most of objections were ironed out before the hearing was completed.

Since admissions are the basic guidance for clearance, it is felt by distributors that theatres charging higher prices should benefit. Such a plan, it is held, will help increase admissions throughout the country and stabilize the business.

Cleveland's 20-Week Free Broadcast Off

CLEVELAND, Oct. 22—A 20-week free broadcast by radio stars contracted for by a local department store has been cancelled through the combined efforts of local exhibitors.

The free broadcasts were to have been taken place in the 15,000-seat public auditorium every Saturday afternoon and every Sunday evening from 7 P. M. to 8 P. M.

Drops Larchmont Protest

Complaint of the Larchmont, Larchmont, against Skouras' Capitol, Port Chester, N. Y., on clearance was yesterday withdrawn by the protestant after the defendant had proved that the Capitol had never taken clearance over the Larchmont house.

“Happiness” at $21,500

“Happiness Ahead” took $21,500 at the Strand last week. "Case of the Howling Dog" was good for $14,000 at the Rialto.

Ye Olde Fashioned Gallant

Kissed Ye Lady's Hand—
But, brother, BUNDLING is what was really on his mind!

Reade Loses Films In 2 Jersey Towns

Walter Reade lost a second decision at the New York grievance board yesterday when it was decided Aaron Shusterman will get 138 pictures for his theatres in Red Bank and Perth Amboy, N. J.

Reade was brought before the board by Shusterman charged with over-paying on 1934-35 product. The board charged that Shusterman will get 70 of Reade's allotment for the Strand, Red Bank, and 68 films for the Roky, Perth Amboy.

Leo Justin, who defended the Reade action, will submit two lists of 70 pictures each. One list is for the Strand and two lists of major product for Perth Amboy. When these lists are submitted, Shusterman will select the films he wants.

The first case Reade lost before the local board was the complaint of the Roxie and issuance of cut-rate tickets at the Mayfair. Reade plans to appeal the latest decision.

New Code Cost Plan Unfair, Says Johnston

(Continued from page 1) member of the code finance committee, I cannot believe that the facts on the assessments, following which the plan was approved.

In his letter, Johnston expresses the belief that every independent producer and distributor will protest. He adds:

"When the original figures were announced, I was quite astounded. I am not against a lack of an equitable assessment, but I was shocked to hear that the figures I had received from the code were almost double what I had been led to believe."

"The new figures are based on profits that have already been paid, and in some cases, have been returned to the producers. It is not only unfair, but also an injustice to the producers who have been paying taxes on profits that have not been realized."

Johnston also expresses his concern over the increased costs that the new plan will bring. He feels that it will be difficult for independent producers and distributors to meet these costs, and he believes that many will be forced to discontinue their operations.

Seating Code Goes Over Indefinitely

(Continued from page 1) practice of using a seat on the first floor, and ticket flourish is not allowed.

The NRA is also going ahead with another attempt to develop a code for the theatre industry. The National Exhibitors' Association will be considered at the hearing.

Exhibitor Protests On Cancellation Up

(Continued from page 1) contract, but the demand is for the exchange to charge him $250 for a film in the agreement at $150. Exhibitors claim that in their privilege to cancel without a substitute and that action of distributors in increasing a loan of $75,000 to $25,000, or to the figure of $28,000, will be considered at the hearing.
A TIDAL WAVE

Lewis Milestone who gave the world
“All Quiet On The Western Front”
and “The Front Page” returns with

THE O HATES T

A LEWIS MIL

★ VICTOR MCLAGLEN ★ JOHN GILBER
★ ALISON SKIPWORTH ★ WYNNE GIBSO
★ HELEN VINSO

★ WALTER CONNOLLY ★ FRED KEATING ★ LEON ERRO
★ WALTER CATLETT ★ TALA BIRELL

Story and Screen Play by Wallace Smith

Directed by Lewis Milestone
A terrific best-seller . . . every actor in it is either a star or a featured player . . . laughs trip each other up . . . exploitation possibilities galore . . . a picture that's not only a pleasure to sell, but a sure-thing buy for your audience.

Contains excellent situations.

It hits the bull's-eye.
THE PRESS OF THE NATION ACCLAIMS EDWIN C. HILL

EDWIN C. HILL'S METROTONE COMMENTS WILL PROBABLY REVOLUTIONIZE NEWSREEL TECHNIQ

EDWIN C. HILL MAKES DEBUT GLOBE TROTTER ANNOUNCER
First Flywheel Patent Suits Are Filed By Fox

Tri-Ergon Starts Six More
Double Printer Suits Here

Six more suits on the double printing Tri-Ergon patent were filed in the U. S. District Court for the Southern District of New York yesterday by William Fox, acting through the American Tri-Ergon Corp.

The actions were the same as those filed previously—pleas for injunctions and accounting. Attorneys were Kenyon & Kenyon, who filed at the same time a request that their names be substituted for attorneys of record in the previous suits filed by Hirsh, Newman & Rease.

ITOA to Sign
When Union
Scale Is Set

After the local union situation has been straightened out and a basic operators' scale has been put into effect in Greater New York, the I. T. O. A. will sign the code, Harry Brandt, president, stated yesterday. The unit as a whole and most of its members have delayed signing because of differences over the labor situation.

First move of the J. T. O. A. after it officially goes on record in favor of the code will be for setting up a clearance and zoning schedule for this territory.

Independents have for years protested against clearances given major and powerful independent circuits and are now definitely set to establish a means of protection in this area. The only way this can be done, it was stated, is by calling in exhibitors from all zones and demanding a schedule.

Because of the protection demands (Continued on page 8)

Warner Phila.
Spots to Pick Adults' Films

PHILADELPHIA, Oct. 23.—All Warner theatres in this territory are to designate family and adult pictures in their listings, according to H. M. Warner. This will be done in newspaper ads with a large "F" for family type and "A" for films suited only for adults.

In explanation of the move Warner says: "We have found that parents are not as well informed on pictures as we are, and for this reason we intend to guide them in their selection of screen entertainment for themselves and their families."

Warner added that in his opinion the Production Code Authority is "doing a great job, ably and successfully."

In the course of production, however, many mature themes find their way into pictures, he said. Adults want grownup themes, he said, but they also want to know (Continued on page 8)

Expect Details of FWC
Plan to Be Set in Week

Details for reorganizing Fox West Coast are expected to be worked out within a week between Charles Skouras, trustee, and officials of Chase National Bank. Skouras is in New York conferring with his brother Spyros, R. Kent, president of Fox; bank officials and Hughes, Schuman & Dwight, attorneys.

While downtown meetings are scheduled to last for one week, it is possible the conferences may be extended indefinitely. This is the second (Continued on page 10)

Indictments Close
Memphis on Sunday

MEMPHIS, Oct. 23.—Theatres here were closed Sunday following the indictment of six managers for violation of the Sunday blue laws. Defendants were returned against the Orpheum, Loew's State and Palace, Warners' Strand and the Rosemary.

The indictments came as a bombshell in local film circles and there is some speculation as to whether an effort will be made to continue the Sunday openings.
MANY exhibitors are still speculating on the reasons behind ASCAP's compromise of its new music tax levies. Why the Society should agree to an increase in rates amounting to 50 per cent and 100 per cent over the old rate is not readily understandable when it is remembered that the new schedule laid down by the organization called for increases of 300 to 1,000 per cent which the exhibitor would be required to pay or face suits for infringement of copyright with attendant high penalties as fixed by the copyright laws. 

Through the compromise exhibitors saved themselves, for the time being, at least, a major slice of the three tax increases in any case. But what did ASCAP gain by the compromise? The answer most widely accepted is that the pending federal monopoly suit in which War Finance is going against ASCAP and other music licensing organizations, instituted by the Department of Justice against the Society's original schedule of music tax increases had been announced, influenced the organization to modify its demands.

Exhibitors observe that the Society might have found itself at a distinct disadvantage when it came to court to defend itself against the government's charges if, at that time, it had been compelled to enforce an arbitrarily adopted schedule of music taxes which represented increases as much as twice those at first proposed. Therefore, they view the compromise as desirable. Extending as it does for a one-year period only, the Society gains an immediate increase in collections and is not precluded from demanding new increases next year, by which time the Federal suit probably will have been disposed of one way or another.

If the government suit fails, a new tax structure would be implemented next year. If it succeeds, the Society has its present increase for the time being, anyhow. Meanwhile, or more or less quietly but none the less effectively, the exhibitors are lining up legislative aid, pledged to work for a revision of the copyright laws which would make it impossible for the Society to secure arbitrary increases in the future and, perhaps, modify the penalties for infringement. Exhibitor leaders see this as the only permanent solution of the problem unless the government's suit succeeds in a dissolution of ASCAP.

Over the air studio, contrary to usual policy, has had from two to four pictures working on a single picture. For instance, currently two are being filmed on the same set of "Tobacco Road" and "Two on the Field" and, since it went into production two weeks ago, three and four also on "David Copperfield." Hollywood opinion divides itself on the reason. One group maintains pictures may be made cheaper that way. Another codifies the idea that the plan is a design to meet radio rates, an old something-at-M-G-M and a constant source of grief for Felix Feist and his sales aids. Not too old to tell is the inside yarn that Feist used to feel the company missed out on $300,000 every time the studio failed to meet an announced date. He may still view it that way.

Feels like the old days to have Fred Warren back on his own. There'll be a lot of fellows, with memories long, who will be glad to see the come-back even if it is for the reason of giving the conditioning equipment and not pictures. Film producers are falling this season, as they have in other seasons, for Broadway stage plays. Stage producers, wise to the shortage of adequate material, continue to keep the producers playing games, resting on the knowledge film producers will nibble. An annual custom. The major film interests are four-square behind Miss Hayes because of her pictures'-pay to aid in the defeat of Upton Sinclair. Even if the studios get it, what's to prevent those so politicized from taking Sinclair's way anyway? You tell us.

Helen Hayes Wants To Do Comedy Role
Preference for comedy roles we were yesterday by Helen haye in an interview with a Hollywood Picture Daily representative.

Miss Hayes has appeared in eight pictures and the nearest approach to a comedy role she has yet had is Theatrical "Woman Knows," she said. The star, contract with M-G-M has two more pictures and one picture in six months in the year, during which she appears in two. Her next role will be in "Vanessa," by Hugh Walpole. She leaves for Hollywood next week and plans to return in January when she will go on the road in the leading role in "Mary of Scotland."

"Love" St. Louis Smash
St. Louis, Oct. 25.—After a sensation in Los Angeles, the Fox "Night of Love" is to be transferred Friday to the Ambassador, another F. & M. house. This four-week stay is a record here.

Gordon Mitchell Here
Gordon Mitchell of the M. P. Academy is in town from Hollywood in an effort to effect greater cooperation between the east and west of technical problems.

Hear Engagement Is Off
According to word received by his friends here yesterday, the engagement was made with the Fox "Night of Love" to be transferred Friday to the Ambassador, another F. & M. house. This four-week stay is a record here.

Ricketson Coming Here
Nick Ricketson, operating head of Fox Rocky Mountain, is due in from Denver next week for a few days during which he will confer with Spiro and Charles Skonaras.

Robert Scheck Gaining
Baltimore, Oct. 3.—Robert Scheck, president of the Philip J. Scheck Theatre Enterprises, is recovering rapidly from an operation for appendicitis at Maryland General Hospital.
Presenting A Brand New Accessory—

A MINIATURE 24-SHEET STAND FOR COUNTER DISPLAY, WINDOWS, LOBBY, ETC.

—it measures 13⅜" by 10¼" brightly painted in green, with slots for 24-sheet cards in full colors, the same as the lithographs!

When you see this gay little novelty sitting pretty in your M-G-M Branch Office, you’ll want a flock of ’em for your favorite window locations. It takes your old pal Leo of M-G-M to step out of the beaten track and create something new in showmanship.

CARDS AVAILABLE ON ALL M-G-M ATTRACTIONS!
This year watch Warners match their musical reputation in the mystery field! . . . We've watched the inexhaustible demand for mystery fiction. Now we're going to divert a share of these sure, steady profits to your box-office! . . . The biggest-selling mystery writers in the country have been signed to long-term contracts. And we're giving their stories the kind of productions that won for Warners the "Best Mystery Picture" medal for 1933 . . . Read these brilliant reports on our first new-season mystery and get ready to cash in on elaborate promotion plans for the Warner Mystery Group . . . to be announced soon!
"Thrill film makes hit. 'The Case of the Howling Dog' is lively and ingenious thriller. You will probably add Perry Mason to your list of pet screen policemen." —World Telegram


"Diverting mystery melodrama. Baffles and holds your interest." —Daily Mirror

"Well-knit, swiftly paced, dramatically punctuated. A welcome contribution." —N. Y. Times

"Excellent transcription of a popular mystery tale. The excitement builds steadily." —N. Y. Sun

---

**Warren William as "Perry Mason" in**

**"THE CASE OF THE HOWLING DOG"**

will be followed by

3 more Perry Mason stories by ERLE STANLEY GARDNER

3 sensational stories by famous MIGNON EBERHARDT

'I Am A Thief'

"Murder in the Clouds"

'The Green Cat'

'Invitation to a Murder'

'Murder by an Aristocrat'

'The Case of the Curious Bride'

'The White Cockatoo'

'Patient in Room 18'

'While the Patient Sleeps'

'The Case of the Lucky Legs'

'The Case of the Velvet Claws'

'The Case of the Velvet Claws'
A cyclone has hit the country! Box office pieces! "THE GAY DIVORCEE" maker . . and everybody knows it.

EIGHT RECORDS BROKEN . . EIGHT
Boston . . Held for three weeks .
second week . . Minneapolis . . Held
Milwaukee . . Held for second week .
Held for second week . . Memphis
week . . Fort Worth . . Extended
. . Extended time . . .

★ ★ ★

30 OPENINGS OVER THIS WEEK-END, EAST, WEST, NORTH, SOUTH . . Warner Houses, RKO Houses, Independent Houses . . houses from all circuits and the story is the same . . name the top money picture for any of 'em and you'll find "The Gay Divorcee" has made it past history! . .

LOOKS LIKE 100% HOLDOVER EVERYWHERE!

Chicago . . 4 Star Reviews and the Loop traffic tied-up! . . Cleveland . . Outgrows any show in five years . . St. Louis . . Continuous holdout . . Canton . . Turning away more than can get in . . new five year record . .
Name your own show . . Divorcee beats it! 5 Shows daily and they're still standing! . . Louisville . . First 3 days tops everything . . Indianapolis . . Rave reviews, cheers, applause and a record . . Cincinnati . . Crowds standing at midnight force extra shows. 3 days gross beats "Women" former title holder.
New Orleans, Los Angeles, Hollywood (simultaneous run), New Haven, Rochester, New Bedford, Washington, Providence, Fall River, Columbus, Houston, Atlantic City, Altoona, Seattle, Hartford, Albuquerque, Kenosha, Appleton, Zanesville, Charleston . . ALL DANCING TO NEW RECORDS ON RAINBOW OF RHYTHM!
Office records are being blown to
the year's smash melody money
LAST WEEK... EIGHT OPENINGS...
OLDOVERS!...
maha... Held for
second week...
Kansas City...
ooked for second
me... Galveston

RED ASTAIRE
INGER ROGERS
ERS OF "FLYING DOWN TO RIO" IN THE
SUMPTUOUS ROMANTIC HIT OF ALL SEASONS
THE GAY DIVORCEE

with

ALICE BRADY
WARD EVERETT HORTON.... AND
THE BEAUTIES OF HOLLYWOOD
ETED BY MARK SANDRICH... DANCE EN-
LES STAGED BY DAVE GOULD... A PANDRO
ERMAN PRODUCTION... .

RED-HOT WIRES
FROM COLD-BLOODED
SHOWMEN...

"GAY DIVORCEE is all that you have dreamed
and hoped it would be. Picture is outstanding and
in my opinion undoubtedly will be one of year's
greatest hits. In Fred Astaire your company has
fresh sparkling personality who already can be
classed as one of screen's foremost artists. Cannot
see anything but smash business for this smash hit."
Charles P. Skouras,
Fox West Coast Theatres

"GAY DIVORCEE opening today indicates new
record. Opening ahead of anything theatre has
played yet. Excellent comment from audience.
Thanks for another smash.
I. M. Rappaport, Baltimore, Md.

"GAY DIVORCE doing sensational business, Pal-
ace Theatre, Canton. Finest musical I've seen in
many a moon. Local critics raved. Regards,
George A. Dolis, District Manager,
Conants Ohio Theatres

"GAY DIVORCEE opened day and date, RKO Hill-
street and Warner Bros. Hollywood today in heaviest
rains since flood last New Years day. Despite this
picture opened bigger than big. Deafening applause
at every performance greeted every song number
and at close of picture applause lasted fully several
minutes. Comments marvelous. My opinion pic-
ture destined to be the biggest grosser you have
had including 'Little Women' and 'Flying Down
to Rio.' Best regards and keep them coming."
Jack J. Gross, Manager,
RKO Hillstreet Theatre

VER
SENSATION
n we call it?}

"FLYING DOWN TO RIO" IN THE
SUMPTUOUS ROMANTIC HIT OF ALL SEASONS
THE GAY DIVORCEE"
Business Need
To Guide New
Steps in Para.

(Continued from page 1)

who, however, is still reluctant to name a date on which the plan can be filed.

The Kuhn, Loeb & Co. plan continues to stand as the only one which has been filed among the three reorganization groups, which are the bondholders, stockholders and general creditors. The plan is represented by a majority in number and amount of those holding claims against Paramount Publix. The stockholders' committee, of which Duncan A. Holmes is chairman, and which represents more than 50 per cent of the Paramount claims, has not yet agreed to have wavered in its support for a time, but now stands solidly with the two other essential factors to reorganization in support of the Kuhn, Loeb plan.

Wanted Smaller Assessment

The provision for a $2 per share assessment on stockholders, which will remain a part of the Kuhn, Loeb plan, met with no opposition from the Hayden. For a time, the feeling was having been that a smaller assessment would suffice. The Hayden and Stone & Co. for providing a purchase of 50 per cent of the stock in the new company for $5,500,000, which tempted net to $15,000,000, continued to be ultimately rejected by the Holmes committee with its more than 50 per cent representation. The Hayden and Stone offer did not comprise a plan of reorganization for Paramount Publix, but related merely to the stockholders' representation on the reorganization committee which are regarded as essentially solved for the purposes of submission of the reorganization plan and approval of the reorganization involving a $44,000,000 claim against the debtor; the Allied Owners claim of $23,000,000; the bank group claim of $13,000,000 and the Prudence Co. claims of approximately $1,400,000. The current supposition is that the Erpi claim of approximately $1,900,000 cannot be finally settled until the Tri-Ergon patents situation has been clarified, although a conditional agreement could be made, observers believe, for the purposes of submission of the plan of reorganization.

Cash Position Favorable

Paramount's cash position, last reported at $16,000,000, continues favorable with business improving weekly. This is regarded as an important factor in submission of the plan, as any one submitted is certain to meet with some objections. With the company in a healthy financial state, its principal creditor groups—those supporting the plan—are certain to carry the greatest weight with the court which ultimately passes upon it.

The new Paramount Public board is expected to be limited to about 12 members. While the principal creditor groups—those comprising the banks and general creditors will be represented on the new board, the hope of the reorganization committee is that these groups may be brought together to agree mutually on desirable candi-

First Flywheel Patent
Suits Are Filed by Fox

(Continued from page 1)

Germany, who assigned them to Tri-
Ergon A. G. in 1924, and this com-
pany assigned them to Tri-
Ergon Music A. G. and also to
Fox in 1926. The assignee is owner of 95
per cent of the American Tri-Ergon Corp.
and the Swiss Tri-Ergon company which he formed to exploit the patent.

These suits bring the total to 22,
the previous suits, all on the double
of the double reorganization, and
in American and British courts.

Including of Tri-Ergon Holding
A. G., as one of the plaintiffs in the
suit, is significant in that it is
in the American courts. The suit was
introduced against a number of the New
York companies, including the
New York and Brooklyn Tri-Ergon
Corporation, which was recently
founded.

Significant in the suit is the
inclusion of Tri-Ergon Holding
A. G., as one of the plaintiffs in the
suit, is significant in that it is
in the American courts. The suit was
introduced against a number of the New
York companies, including the
New York and Brooklyn Tri-Ergon
Corporation, which was recently
founded.

The suits are filed against
for Fox having failed to exploit the
commercial possibilities of the patents during the six
years he has controlled them. Diamond
said: "That may very well be."

He refused to discuss further
details of his plans.

Portland Clearances

Attracting Attention

(Continued from page 1)

buyer for the new company was to file
suit against FINCO for having failed to
exploit the commercial possibilities
of the patents during the six
years he has controlled them. Diamond
said: "That may very well be."

He refused to discuss further
details of his plans.

Sales Clearances Set
For Para. Sessions

Future policies, open problems and sales clearances will be discussed at the
three-day meeting of Paramount dis-
trict managers in Hot Springs starting
Friday, Neil Agnew, general sales
manager, stated yesterday.

Home office representatives and
eastern district men leave for the
south tomorrow and return Monday.

The second clearing session was
held at New York on Thursday.

Defer Para. Bank Suit

A hearing scheduled for yesterday
on the action of the Paramount Public
trustees directed at the $13,000,000
bank transaction with Film Produc-
tion Corp. in 1924, was postponed yester-
day to Oct. 30 by Federal Judge
Alfred C. Cote.

Theatres Included

Filing of the first flywheel patent
suit yesterday in Wisconsin, by the
plaintiffs Fox, and to bring together
some questions as to whether William Fox intends to
extend his patent rights to the
field of exhaust engines.

The Loew's, Inc., is named along
with M-G-M Distribut-
ing Corp. and Warner.

The double printer patent suits filed previously in New
York hit producers. Fly-
wheel patents apply directly
to reproducers.

are James H. Hayes of Green Farms,
Conn.; Milton Diamond, New York
attorney; and L. H. Wovish of Long
Island City.

Diamond explained yesterday that
the new company will comprise the 10 per
cent of the American Tri-Ergon stock
which Fox does not own.

When asked specifically if the pur-
pose of the new company was to file
law suit against FINCO for having failed to
exploit the commercial possibili-
ties of the patents during the six
years he has controlled them, Diamond
said: "That may very well be."

He refused to discuss further
details of his plans.

Indications Point
To N.O. for MPTOA

(Continued from page 1)

nearest financial sup-
port of the producers.

Huey Long also has promised to co-
operate, it is stated.

Kinykendall yesterday returned
from a trip to the South to where he attended the Dallas exhibitors con-
nvention and the annual meeting of hotel
owners in New Orleans. He said business is picking up in all towns he
visited.

ITOA to Sign
When Union
Scale Is Set

(Continued from page 1)

of the circuits, a move has been started
by the United States Employment
Service to poison exhibitors to
put their interest into the box
bumping circuit. First indications were
that about 50 houses would be lined up, but the movement has been gathering
ground in the last week and it is now
anticipated the total will come nearer to
100.

However, it is not expected that the
new circuit will be ready to function
until the next buying season.

Another meeting of NRA fact find-
ing committee to set the basic opera-
tors' scale for the New York terri-
tory is expected to be held today. The
members of the committee are still engrossed in the work of classifying theatres, and
not until this task is complete will the committee get together again on the union matter.

Colored First Run
Fixed in St. Louis

St. Louis, Oct. 23.—The Odeon has
been presented as a first run for col-
ered patronage by the clearance and
zoning board and will play product 1-
day after the opening of the downtown Lyric. It gets seven days clearance over the new
circuit run.

The Irma is to get product 14 days
after the Mikado and Tivoli, St. Louis
Amusement Co. houses. The Wells-
at is to get a week longer run. A prior
run over the Irma provided it plays its product within 10 days after it becomes available. An appeal has been
entered in this case and existing contracts are being carried out pending appeal.

Three cut-price complaints have been withdrawn from the grievance board
without hearing. The three houses in
question are here, Grand, Robi-
son, Ill., and Ritz, East Alton, Ill., have voluntarily ended the practice.

Speculators Curbed
In Legitimate Code

Washington, Oct. 23.—Activity of
the long-lamented speculative
choreus girls in road shows are given
a $5-a-week raise and the minimum
for chorus girls is set at $30 a week in the legitimate theatre code signed here.

Other minimum wages were raised
depending upon the scale at the box
office. Limits to rehearsal hours are
provided at the first time at not more than eight consecutive hours, but the
provision is relaxed during the seven
days preceding the opening.

Bank Nights Up Again

KANSAS CITY, Oct. 23.—Code Ar-
thority will again take up the ban
on bank nights today at a meeting
deals on cases decided by the local
grievance board against exhibitors i
St. Joseph and Warrensburg, Mo., and
Fitchburg, Kan.

Morros Back from South

Sam Moros, field representative for
Campl, has returned from Atlanta
and Charlotte where he spent two weeks
Chester B. Bahn of the SYRACUSE HERALD on the KING ALEXANDER MURDER SCENES

"By all means see the Fox Movietone newsreel record of the assassination of King Alexander of Yugoslavia and M. Louis Barthou, French Foreign Minister. For completeness of coverage, and for intelligent editorial handling, the Fox footage undeniably leads the field."

new FOX MOVIE TONE NEWS
Everything new but the trade mark

Produced by Truman Talley

Edited by Laurence Stallings
Expect Details of FWC Plan to Be Set in Week

(Continued from page 1)
trip Skouras has made on the reorganization matter and from all indications he will return to the Coast this time with a realistic if not final" plan. Foreclosure sale in Los Angeles has not yet been set. All of the circuit's unprofitable houses have been warded out of the picture. A new ball game has not yet been formed to take in the five territorial operating subsidiaries.

Last of Major Claims Against FWC Are Filed

LOS ANGELES, Oct. 23.—The last of the major claims standing in the way of the sale of Fox West Coast were filed in the bankruptcy court here to- day, with a hearing set for Nov. 8 for Referee S. W. McNabb. One claim is for the settlement of final compensation for the trustees. Charles Sinclair, William H. Moore and Charles C. Irwin. The trio are now asking for $150,410 jointly as a return of their investment. Adding to this $43,950 previously allotted by McNabb, they are demanding a total of $290,000 for their work to Sept. 20 of this year. The petition states that a private, not a public, sale is contemplated at a figure around $7,350,000 not to creditors, with the appraisal value set by legally appointed appraisers at $12,951,019.

Another claim was filed by the late Mrs. O'Conelly. Tuller and Meyers, which asks for final compensation of $160,500 in addition to $4,000 already allowed by McNabb.

Canton May Get Shows

CASTO, O., Oct. 23.—There is a possibility of stage shows returning here if negotiations between Loew's for the Canton Club, and the Canton House of Bishops of the Protestant Episcopal Church, read today at the closing session of the general convocation of the church here. The letter stated that the industry had suffered degeneration.

Films Hit in Pastoral

ATLANTIC CITY, Oct. 23.—The screen received its share of criticism from the moralist board here. Bishop F. R. Conrath, head of the Atlantic City clergy, who opposed thecinema play that turns a gunman into a god. When crime in drama is clothed with good, it becomes inartistic and immoral."

Says No Force Being Used

NEW ORLEANS, Oct. 23.—The Catholic Church is not compelling anyone to "abstain from motion pictures on the 'black list,' and those who stay away do it of their own free will," declared Rev. Martin Burge, S.J., in the second of a series of discussions on censorship.

Sunday had been set for general discussion of films by Protestant ministers here, but none of them mentioned the subject, so far as can be learned. In the wake of the current discussion of film morals, some playhouse appreciationhave been established in grade schools.

The development of the clean film movement is set for Nov. 14 when Mrs. Robert Gilman, president of the Parents' and Teachers' Association here, holds a meeting of the parents of the district. The object of the meeting is to address the Louisian Parents-Teachers’ Ass’n.

Mrs. Gilman Renews Attacks in Detroit

DETROIT, Oct. 23.—Decrying distortion of facts in pictures, Mrs. Roberts Gilman, motion picture chairman of the National Congress of Parents and Teachers, told an audience of 110 persons at the Hotel Statler that "the United States is fast becoming the land of misinformation in the world."

"Adults lose 37½ per cent of their interest in films with any prints which are historically inaccurate," declared Mrs. Gilman.

She advocated abolition of blind and block booking and establishment of consumers' representation at the source of production.

MOTION PICTURE DAILY

Wednesday, October 24, 1923

Say Czechoslovak Quota Ends Nov. 1

(Continued from page 1)
will be accepted in return for every seven American pictures licensed. It was also reported from Warsaw that a Czechoslovak negotiator, and the Ministry of the interior, are making negative, the positives of which are made in Poland.

Despite rumors that have been prevalent here since early summer, it is not felt by members of the foreign department of the M. P. P. D. A. that the present Czechoslovakian quota will be reduced Nov. 1. A suitable arrangement between American and Czechoslovakian government is looked for in the near future, however.

Equity and Actors’ Guild Talk Terms

(Continued from page 1)
with discussion returning to the Academy fold from which they walked out three years ago. The Academy, within the past three days, has sent out several communications urging a settlement. There will be no serious objection from its general membership to the pre-production unit, if affiliated with the A. F. of L. as long as they can get sufficient autonomy.

Some predict that the real split will come when and if a strike is called to demand recognition for a new form of standard contract because the current contract was signed in securing acceptance of its demands from studios.

Ray Curran Winner In St. Louis Golf

ST. LOUIS, Oct. 23.—Ray Curran off the 18-hole 75 and John Walsh of Progressive Pictures tied for top honors in the first Variety Club golf tournament. Curran won the best net score, Alvin Wolf was third. R. Cor- vin won the net handicap, with Lek Hill second and Joe Garrison third. Emil Courth won the blind bogey contest, with Charles Goldman second. The best over 100 golfers were: George B. Cutten, Am玟e remus Wiegand, 107; Louis Elmas, 110; Tony Metreci, 114; Charles Gregory, 114; Glenn Gregory, 118. Compliment prize went to Clayton Lynch.

Miss Tax Is $217,666

NEW ORLEANS, Oct. 23.—The amounts paid to government by the Motions Port in nine months again $135,000. But everything is used up.

John Graham Joins U.A.

KANSAS CITY, oct. 23.—John Gra- ham, until recently B. P. P. representa- tive here, has joined the United Artists sales staff.
MOTION PICTURE DAILY’S

**HOLLYWOOD PREVIEW**

**“Lightning Strikes Twice”**

*(Radio)*

Hollywood, Oct. 23.—A week story keeps this one uninteresting, although it has able cast portrayals. The direction fails to surmount the story. Typed as a comedy-mystery, laughs are its main assets, while the picture rates only program classification.

The yarn has the mistaken identity theme featuring a murder which has never occurred and the mysterious disappearance of two cops with the usual “buttknapper” report and a lot of people rushing in and out of doors. Ben Lyon and Thelma Todd carry the romance. The plot centers on two vaudeville performers who enter Lyon’s home while he is absent but arriving before the scheduled appearance of Miss Todd’s aunt (Laura Hope Crews) and her father (John Halse). Mysterious gunfire follows and the cops arrive expecting a murderer.

Everybody is put on the spot with Lyon suspected of dirty work at the crossroads, but he is exonerated when the people abet his activities.

Goldfinger’s explosions were Lyon’s butcher shooting at cats while the cops fell into a storm drain.

Good performances are turned in by Lyon, Miss Todd, Pert Kelton, Halse, “Skets” Gallagher and Miss Crews. Ben Holmes’ direction garners some laughs. Production code seal, No. 352. Running time, 66 minutes.

**“The Broken Melody”**

*(Olympic)*

A rambling, disjointed affair is this British production from the Twickenham studios. Even so it might have succeeded in squeezing through this country were it not for the vagaries of the producers in allowing actors to speak with English accents in a picture set in Paris and peopled with French characters. The accents are not marked, but they are enough to shatter all illusion of reality. The players behave more like subjects of King George than like Parisians. What saves the production from mediocrity is its musical score, which is melodious.

The film has a banal story to tell. A youthful composer (John Garrick) is won away from his sweetheart (Merle Oberon) by a stage star (Margot Grahame). When he discovers his wife in the arms of her lover (Austin Trevor) he kills the man. He is sentenced to Devil’s Island. Escaping, he returns to Paris, where under a new name he starts life anew with Miss Oberon, his first wife having died during his imprisonment.

Now a success as a composer, Garrick is recognized at the theatre by the official in charge of the penal colony at the time of his escape. To make a happy ending possible, the official, touched by Garrick’s efforts to straighten out his life, allows him to remain a free man. The acting is no more than adequate. Bernard Vorhaus directed. No code seal. Running time, 68 minutes.

Boston, Oct. 23.—With a holiday and a snowy week-end to keep football crowds indoors grosses in this city are excellent again this week. “Servants’ Entrance” took top percentage honors with a gross of $18,500, over $10,000 more than the prior week’s performance of the Boston. Practically every first run was well over normal. “Mrs. Wiggs of the Cabbage Patch” piled up $30,000 at the Metropolitan, helped by a stage show.

Total first run business was $106,500.

Nineteen productions were played, and estimated takings for the week ending Oct. 18:

<table>
<thead>
<tr>
<th>Production</th>
<th>Box Office</th>
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</thead>
<tbody>
<tr>
<td><em>Servants’ Entrance</em></td>
<td>$30,000</td>
</tr>
<tr>
<td><em>Leonard Dink</em></td>
<td>$18,500</td>
</tr>
<tr>
<td><em>A Lost Lady</em></td>
<td>$106,000</td>
</tr>
<tr>
<td><em>The Lemon Dink</em></td>
<td>$9,200</td>
</tr>
<tr>
<td><em>The Lemon Drop</em></td>
<td>$8,800</td>
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</tbody>
</table>

**Court Action Threat Over K. C. Zoning**

**KANSAS CITY, Oct. 23.—** W. D. Fulton, independent exhibitor representing a group of 12 independents, served notice on the local zoning board tonight he planned to ask the Federal court to enjoin it and Cabbé if the latter proceeds with the scheduled final hearing tomorrow on the Kansas City clearance plan.

Fulton, who has camp in requesting the hearing be postponed so that protesting independents can be adequately represented, claims K. C. Zoning board has closed independents and circuits favoring the schedule wired Campi to go on with the hearing and approve the new schedule.

Widespread objections by local independents to the schedule have been withdrawn after the explanation of Elmer C. Rhodes, Fox Midwest division manager, who conferred last week with John C. Flynn, that it would not apply to 1933-34 product.

Fulton’s group, representing low-priced houses, objects to achieving price schedules in advance and to the provision delaying clearance 14 days if a uniform scale is not maintained. The proponents of these provisions contend they will tend to stabilize the price situation, preventing indiscriminate fare.

The major distributors favor the schedule and will be represented at the Metropolitan, Kansas City, and Publix today wired approval of the schedule to Campi.

**Mrs. Burkey Keeps House**

**KANSAS CITY, Oct. 23—** Mrs. Clas, H. Burkey will continue to operate the neighborhood Summit, which her husband built and operated 22 years until his death last week.
Purely Personal


Jules Levy, Cresson Smith, Ed Finney, Mitchell Klutz, Colvin Brown, Abe Montague, Nate Spingold, Ralph Wilt, Frank Craven and Charles Paine were among those who lunched at The Tavern yesterday.

Harry C. Arthur, en route from the coast, will stop at Chicago and St. Louis, arriving here Saturday, Jack Partington, who had planned to leave for Los Angeles yesterday, may go today or tomorrow.

Richard Walton Tully's and David Belasco's "Rose of the Rencho" has been acquired by Paramount. It will be a musical with Mary Ellis. Joseph D. McGoldrick, Fusion candidate for comptroller, will be at the opening of the Trans-Lux, Brooklyn, tomorrow night.

Sig Herzig, Hans Krahl and Ey Hare's "Broadway Gondolier," an original story, has been bought by Warners.

Clifford Ode's "The Dartmouth Murders," has been purchased by George R. Batcheller for Chesterfield.

Frank Phelan of Warners theatre department left last night for Cleveland. Business is the reason.

James M. Beck, M. P. P. D. A. representative in London, is in town for a visit of two or three weeks.

Mary Ellis, recently signed by Paramount, arrives from London today on the Benvogoria.

Frank and Ferdinand Reed have sold their "Lady with a Badge" to Warners.

James Cagney will be guest star on the Ruby Valee broadcast tonight.

abe levitt has donated a new Holly Ark to the Temple Beth Elohim.

Parker Morelli's "Diamond Jim" has been acquired by Universal.

Donald Novis will be in the stage show at the Capitol next week.

Form Onondaga Theatre
Albany, Oct. 23—Onondaga Civic Theatre, Inc., Syracuse, has been chartered with capital of 100 shares non-par stock to exhibit pictures and plays. Jack Gordon, Coley C. Young and Leavenworth Steele are directors and subscribers.

Rogers Cast Growing

RKO Returns Vaude To K. C. Mainstreet
KANSAS CITY, Oct. 23.—After an absence of two seasons, vaudeville returns to the RKO Mainstreet as a regular policy, beginning Friday. The house has been staging unit shows in conjunction with pictures, but RKO executives believe the local situation is ripe for a permanent vaudeville policy. The weekly bill will include five or six acts or unit productions with name headliners or bands. "Happiness Ahead" is set as the first. The price scale will be 25c-35c-50c, including tax.

The fact the Tower, up to now, the only vaudeville house has had some big grosses may have had something to do with the decision to reinstate the policy at the Mainstreet.

Sonotone to Finish Sales Meet Today
Sonotone dealers today wind up the last of a three-day convention at the Park Central. D. D. Halpin, assistant sales manager, announced yesterday the production of a 100-foot trailer for theatres to acquaint the public with the hard-of-hearing device.

Other speakers yesterday were C. A. Lemkuhl, vice-president and foreign sales manager; F. W. Varin, assistant treasurer and comptroller; Emmanuel Nicholas, chief engineer, research department; Dr. Hugo Lieber, president; Mrs. Angela T. Carroll, T. Swanson, C. F. Pletsch and Dean Babbitt.

St. Louis Proposes Heavy Music Taxes
ST. LOUIS, Oct. 23.—Another angle of the fight on the A. S. C. A. P. has developed here with the introduction of an ordinance to impose a $2,500 annual tax on persons or firms collecting royalties on copyrighted music, books, recorded music.

The aldermen also have under consideration an ordinance to restrict use of the Auditorium to "Society, charitable, educational, and other public or semi-public purposes." This is an aftermath of the fight against leasing of the building for a run of "Ziegfeld's Follies."

Seattle Orpheum to Open
Seattle, Oct. 23.—The Orpheum, dark since last April, will be opened on Oct. 26 by John Hamrick as the fourth house in his local first-run circuit.

Hamrick is the fourth theatre man to operate the house, it having been built and operated first by RKO, later by Skouras affiliates, then Everett State circuit. Vaudeville will be presented with a featured stage band at popular prices. The vaudeville will play one week each at Hamrick's Orpheum in Tacoma, and the local Orpheum.

Form New Pioneer Corp.
Pioneer Development Corp. has been formed under the presidency of Lowell V. Calvert to act as general representatives of independent producers. Pioneer Pictures, Inc., of which John Hay Whitney is president, is the first client.
The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

NEW YORK, THURSDAY, OCTOBER 23, 1934

TEN CENTS

Theatres Fear Heavier Radio Draw in Sight

Revival of Plays With Stars Is a Factor

Increased radio competition for theatres is predicted as a result of spreading of the movement to acquire radio rights to old dramatic rights, according to the current issue of Motion Picture Herald.

Advising agencies are now turning to this field to diversify their program material and are using film names to read the lines of the radio condensations of the plays. The J. Alter Thompson Agency is one of the leaders of this movement. It has just negotiated an option to take over all the Golden plays, club plans for a different revival each week for two years.

Gold, Lazarus Head New U. A. Divisions

United Artists has again returned to division sales heads with Harry Gold in charge of the east and Paul Lazarus supervising the west. Charles Stern will assist Gold while Jack Goldsmith will aid Lazarus. Up to now, the four men have been assistants to Al Lichtman.

Gold's territory will include Atlanta, Boston, Buffalo, Charlotte, Cleveland, Dallas, Cincinnati, Indianapolis, New Haven, New York, Philadelphia, Pittsburgh and Washington. Lazarus will have under his supervision exchanges west of Chicago and Canada.

Fox Met Holders to Confer on New Pact

In an effort to complete a plan of reorganization for Fox Metropolitan Playhouses within the next three weeks, the non-theatrical interests of the company will confer upon a plan of operation for the entire system in an effort to reorganize the company.

Radio, Not Films

Hackensack, Oct. 24.—For once pictures don't get the blame for existence of crime. Dr. Frank Kingdon, president of Dana College, in Newark, told a women's club here that "little blame can be laid on radio for existence of crime."

"The radio, though," he added, "is not a matter to be disregarded."

Actors' Guild Enthusiastic On Equity Affiliation Move

Hollywood, Oct. 24.—Approval of a Screen Actors' Guild affiliation with the A. F. L. through Actors' Equity was agreed upon at a meeting held last night at the guild's offices in Los Angeles by Frank Gilmore, Equity head, and I. B. Kornblum, local legal advisor for Equity.

Gilmore left for New York today by plane and will present the agreement to the Equity council at a meeting next Tuesday.

If the council's action is favorable, Gilmore will return here for a vote of the entire guild membership on the affiliation proposal.

Dedications are that the Screen Guild is in line to obtain local autonomy and for collective bargaining with producers, its two principal objectives.

Capital Sees Acceptance of New Cost Plan

WASHINGTON, Oct. 24.—General acceptance of the new code assessment proposals as fair is indicated by the fact that one week after their announcement, the objection has reached Deputy Administrator William P. Farnsworth of the NRA.

Discussing reports that W. Ray Johnston, president of Monogram, had protested the producer-distributor schedule, Farnsworth disclosed that the only complaint expressed by him was from Sam Flax of the Liberty Film Exchange, Washington Monogram distributor.

In analyzing the schedule the deputy administrator pointed out that while the percentage to be paid by the smaller organizations is larger than that which will be collected.

Furber Hits Rival Move at Trans-Lux

Percy N. Furber, president of Trans-Lux Daylight Picture Screen Corp., has sent a bulletin to company employees in which he makes a public statement of his opposition to the recent announcement by Trans-Lux that it plans to enter the field of film manufacture.

It'll Be a Ball Game

What is described as "the baseball game of the century" is scheduled for Nyack Sunday afternoon between the Nyack Eagles and the 21 Hangovers. Proceeds will go to the Nyack Y. M. C. A. and damaged players will go to the Nyack Hospital.

Survivors and spectators will go to a dance in the Clarkstown Country Club. The game is to be played in the club's stadium.

What the World Series is to America, in general this game will be to Nyack and the show business.

Ben Hecht and Charles MacArthur organized the Eagles early in the summer and recruited plenty of substitutes for the original team.

Stockholders should be notified by Furber that the company will make a public statement of his opposition to the recent announcement by Trans-Lux that it plans to enter the field of film manufacture.

Say Sinclair Trails

Upton Sinclair, Democratic candidate for Governor of California, trailed his leading rival, the Republican candidate Frank F. Merriam, in early returns yesterday in the Literary Digest's straw vote. Only six widely scattered cities had been heard from, however.

Distributors Hit Clearance Set on Prices

Should Be Negotiated In Sales, They Say

Objections to clearance schedules being based on admission prices are being voiced by distributors, despite recent approval by Campi of the method.

Major company sales heads contend that clearance, protection and prices to be charged are a matter of negotiation between distributor and exhibitor and where local code boards set clearances according to local competition.

At yesterday's session, Edward M. Saunders, western division manager for M-G-M, and Sidney Justin, attorney for Paramount, objected to the Kansas City schedule because of a price governing clearance. In addition, both companies protested a clause in the plan whereby subsequent runs will be made without notice.

Code Binds, But Is "Helpful"—Cohen

A restricted but none the less effective entertainment field is imposed upon the industry by the production code, Emanuel Cohen, Paramount production head, said yesterday.

"Application of the production code restricts one type of entertainment," Cohen observed. "However, it must be

FitzPatrick to Do Liszt Film in Color

James A. FitzPatrick's first feature will be "The Love Affairs of Franz Liszt," which he plans to produce independently on the coast. The picture

OL. 36. NO. 98

Alert, Intelligent and Faithful Service to the Industry in All Branches
Cantor Stirs Riot Call in Bridgeport

Bridgewater, Oct. 24.—Two police details answered a riot call to the Police Station here yesterday. Cantor Sam Rabinow, of 1,200 became unruly when unable to gain admission. Eddie Cantor and Rubroff opened a late-night engagement at the New Bridge Theatre, which closed. Cantor was set Monday with 12,000 paid admissions.

Headings for Texas

Joseph Clemmons, president, and Julius Gorden, attorney for Jefferson Annum Co., of Beaumont, Tex., leave for home tomorow after two weeks of conferring with Tallahassee. Annum is a publicity agency.

Remaining as Editor

Kathryn Dougherty will retain her position as editor of Photoplay and Shadowplay, it was announced yesterday. It was also announced that the American Publishing Co., recently of the magazine staff. 

On Vermont Location

Robert C. Bruce is now on location in Vermont shooting scenes for "October Day," one of the future releases of the Artist Moors' series through First Division.

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Trans-Lux Opens Friday

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Among those invited are: Bernard Deutsch, president of the Board of Aldermen; Joseph Goldstein, the feature editor of the Brooklyn Times; B. O. McAnaney, city editor of the World-Almanac; Frank Buck, Polly Moran, Estelle Taylor, Juliette Lowell, and George Givot.

Warner Film at Roxy

Another Warner picture, "Kansas City Princess" has been booked into the Roxy, starting Nov. 2. It's a one-idea picture.

Darmour on Job Again

Hollywood, Oct. 24.—Larry Darmour is back on the job for Majestic after having his tonsils removed.

Paramount F. L. Bonds Drop 9/4

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Summaries of the story:

NOV. 5

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Summaries of the story:
Berthold Viertel, Prof. Einstein, Michael Balcon, and A.P. Waxman

PROFESSOR ALBERT EINSTEIN, PRAISES "POWER", PREVIEW, PRINCETON UNIVERSITY.

DR. STEPHEN S. WISE, CONGRATULATES GB ON "POWER", FROM PULPIT AND OVER RADIO.

PHILA.; FOX LOCUST HOLDS OVER "POWER" ATLANTIC CITY; BOOKS "POWER" FOR 2ND AND 3RD RUN AFTER BOARDWALK 1ST RUN

Physical Distribution—Fox Exchanges—Canada—Regal Film, Ltd.

MEANS GAUMONT BRITISH... AND
GAUMONT BRITISH Means Business
Theatres Fear Heavier Radio Draw in Sight

(Continued from page 1)

two programs, one of which will have Mary Pickford.
In addition, according to the Herald, there will be excerpts from musical comedies on the Paul Whiteman programs Thursday nights.
Other radio advertisers are making contacts with A. H. Woods, Sam H. Harris, Arch Selwyn and the estate of Henry W. Savage for old stage productions.
“A survey of one week's network radio programs,” the Herald says, “indicated that there are more film 'spot' announcements on the air than there were at any time last year.
On Friday night there are 12 programs with film names, among them Tom Mix, Frank Buck, Irene Rich, Grace Hayes, Edmund Lowe, Dick Powell and Katie Smith.
More and more players are said to be demanding contract clauses permitting them to broadcast, and more producers appear to be granting this permission. M-G-M is said to be the only producer definitely barring broadcasts, but an exception is made in favor of Jimmy Durante.
Radio stations, particularly in the event that their own studios, both utilizing the broadcast facilities to exploit players and pictures, in the case of Radio most of the studio broadcasts are from that lot.

Fox Met Holders to Confer on New Pact

(Continued from page 1)

weeks, representatives of the bondholders’ committee will meet tomorrow with Skouras and Randforce to negotiate changes in the operating contracts of the two.
It is understood that the principal consideration of the negotiations, and one upon which completion of a plan may depend, is the approval by Skouras and Randforce of a cancellation clause in their operating contracts, which would permit a sale of the circuit after a specified time following reorganization.
A new Hayden, Stone & Co. offer for the circuit is still regarded as a possibility, particularly in the event that the committee is successful in negotiating a cancellation clause for the operating contracts.

Flash Review

Loyalties—The Galsworthy play has been converted into a generally entertaining film. The British situation of the players is at times difficult to make out.

This film will be reviewed in full in a later issue of Motion Picture Daily.

LeRoy to Do China Story

Hollywood, Oct. 24—Mervyn LeRoy has been assigned by producer C. C. Landi for the Lamp of China, for Warners on his return from New York. The director leaves for China, returning next Monday, having wound up work on “Sweet Adeline.”

“Enter Madame” (Paramount)

Hollywood, Oct. 24—Aside from high class production values, some good troupings by Cary Grant, Lynne Overson, and Misslette Burani, this dramatic exploration into the love life of an operatic star is spotty entertainment, mildly amusing.

While producer Benjamin Glazer and director Elliot Nugent unite efforts for the best effect, somehow this former stage vehicle doesn't hit the emotions as a picture.

The story is of Grant, an American, who, after saving the opera singer, Elisss Landi, from a stage fire, marries her, becoming “Just her gigolo!” He tires of her, and takes her to New York stars divorce proceedings, intent on marrying Sharon Lynne, when Madame Star, on tour, enters and the divorce is forgotten.

Grant shows to good advantage with a light comedy flair and Overson gives a polished performance. Others in the cast are Frank Fu (strictly Chinese), Clementine Cappas and Miss Landi who, as the prima donna, overacts beautifully while her singing is contributed by Nina Kishetz, and is not too well synchronized.

Stirring is the “Cavalleria Rusticana” number, with the photography good throughout. Compared to current operatic films, however, this one evaluates program calibre. Production code seal No. 268. Running Time, 84 minutes.

“Girl of My Dreams” (Monogram)

Hollywood, Oct. 24—This picture clicks as entertainment with plenty of genuine comedy. The story deals with the antics of a gang of college youngsters including Eddie Nugent, campus “big shot,” Creighton Chaney, a star athlete, and Mary Carlisle and “Gig” Parish as their respective girl friends.

Sterling Holloway, editor of the campus paper, and his pal, Artur Lake, tamper with the votes in the college popularity contest to cure Eddie of his conceit. In situations that follow the boys get too excited, athletes neglect their training and everybody is giving his fraternity pin to the wrong girl. All is straightened out following an inter collegiate track meet and each lad turns up with the right girl.

George Waggner wrote the original story and lost none of its humor in adapting it to the screen. Ray McCarey's direction shows plenty of finesse. The entire cast of young people are thoroughly at ease in their roles, especially Holloway whose comedy is outstanding. The photography, by Ira Morgan, is good. It's good program fare and a credit to all concerned. Running time, 65 minutes. Production code seal No. 294.

Looking 'Em Over

“Autumn Crocus” (Associated Talking Pictures-Auton)

Here is the story of a woman’s suppressed emotions on the brink of release in the form of an illicit romance, but suppressed again as she goes back to her English classroom cherishing memories of what might have been.

This is putting baldly the basic elements of a drama told with the delicate touches of an etching. Life where surface emotional shadings never go deeper than the past often has as much poignant drama as in its more vivid manifestations where passion is deep red. This is one of those things.

Modern youngsters, given to self expression, may find it difficult to understand. Those average American audiences which like to see their heroes and heroines do the things they would like to do, but haven't the courage or opportunity to attempt, will not like this. It is entertainment only for those who prefer their emotional stimulants, vitamin product.

Fay Compton, who played the original role on the London stage, is a joy as the wistful school teacher who meets a young dashing innkeeper in the Austrian Tyrol and almost decides to cast her lot with...

(Continued on page 5)

KANSAS CITY, Oct. 24—Gay Divorcee was the week's smash hit, sweeping practically everything else but for take of $15,000 at the Mainstreet. The Tower's $7,800 for Wake Up and Dream and a stag show was $800 above the line. Elsewhere business was nothing to shout about.

Total first run business was $39,600. Average 1,200.

Estimated takings:

Week Ending Oct. 17:

MRS. WIGGS OF THE CABBAGE PATCH (Para.)

NEWMAN—(2,800), 26c-23c, 7 days, plus Saturday midnight show, Gross: $5,600.

Week Ending Oct. 18:

"GAY DIVORCEE" (Radio—Majestic)

DOW—(2,200), 26c-23c, 7 days, plus Saturday late show, Gross: $13,000.

"THE LADY WENT TO VINTAGE" (C.)

PAUL—(2,000), 26c-23c, 7 days, Gross: $7,000.

"WAKE UP AND DREAM" (Univ.)

TOWER—(2,200), 26c-23c, 7 days, plus Saturday midnight show, Gross: $6,500.

CARAVAN" (Fox)

UPTOWN—(2,000), 26c-23c, 6 days, Gross: $5,600.

Form Phila. Variety, Sweigert Made Chief

PHILADELPHIA, Oct. 24—The Philadelphia Variety Club has been converted into a permanent quarters, with Leonard Schlessinger as chief barker. Leonard Schlessinger is first assistant barker; Frank Buehler, second assistant barker; Jack Greenberg, master of property master; while the following are cannymen: James Clark, Edward Korona, Alphonso Rogers, Lewin Pizor, Jerry Crowley, Herbert Elliott, Samuel D. Schwartz, Harry Wintett, John Davis, Edward Sherman, and Al Cohen.

Charles (Buddy) Rogers was present at the initial meeting. Howard Buehler has been invited for the next meeting.

The membership of the club is limited to 100 and new members are being arranged.

Lubitsch Leaves Sunday

Ernst Lubitsch plans to leave for coast Sunday to discuss pictures. Paramount is still undecided, although there is a possibility he may direct a talkie version of the past play. Lubitsch will be decided when he returns to Hollywood.

Lubitsch's deal to make two to four pictures also has to wait until he arrives on the coast. The contract sent from London, are at his western office.

Fox to Build Alice Faye

Hollywood, Oct. 24—Fox is planning a star buildup for Alice Faye who just returned from a fashionable vacation in New York, which will follow up the tear she received at the recent Oppenheim-Cohen Producers and Spencer Truex in “Dante’s Inferno.” Instead, Miss Faye will play the female lead in George White's "Scarecrow," which will be a Wilfred Sheehan production.
Belle" Goes To Cleveland
Top, $14,000

Cleveland, Oct. 24.—Business was
low average, but a drop in the
theater trade was not apparent.
"Caravan" at the Allen went $2,000
above average, grossing $5,000. "The
Point of Monte Cristo" at the Stil
nahn, and its second week downtown,
marked most the usual house aver-
age.
Total first run business was $4,000.
Average is $4,100.
Estimated takings for the week
Oct. 19:
ALLEN—"Caravan" (Fox) Thurs.
Gross: $1,000. (Average, $300)
"MADAME DU BARRY" (Warner) Wine-
crest, 3,400-3,500, 7 days.
Gross: $1,060. (Average, $151)
"KANSAS CITY PRINCESS" (Warners)
Stevens, 3,800-3,800, 7 days.
Gross: $950. (Average, with stage show, $130)
"BELLE OF THE NINETIES" (Para.)
LOVE'S THEATRE—"Belle of the
NINETIES" (Para.) Oct. 20.
LOVE'S THEATRE—"Belle of the
NINETIES" (Para.) Oct. 20.
Gross: $350. (Average, $50)
COUNT OF MONTE CRISTO "(U. A.)
LOVE'S STELLMAN—"Belle of the
NINETIES" (Para.) Oct. 20.
Gross: $700. (Average, $100)

Baltimore to Have
3-Day Film Session
Baltimore, Oct. 24.—A three-day
film conference will be held here by
the Maryland Congress of Parents
and Teachers and the Baltimore dis-
tRICT of the Maryland Federation
of Women's Clubs, starting Monday.
The first day's session will be
opened by the Rt. Rev. Edward T.
Hellenstein, bishop of the Protestant
Episcopal Church of Maryland.
"What Everyone Wants to Know
About Motion Pictures" will be
discussed, and the social, economic
and political aspects will be taken
up.
Archbishop Whelan of Balti-
more will give the invocation the
second day when national and inter-
national plans will be discussed.
A talk on "Control of the Motion
Picture" will close the conference
on Tuesday. The influence of films
on health, conduct and character of
children and government censorship
will be dealt with and Rabbi Morris
A. Lazar of Baltimore will give the
invocation.
The session will be conducted by
Mrs. Robbins Gilman, president of
the Federal M. F. Council and motion
picture chairman of the Baltimore
Council of Parents and Teachers.

Lutherans Request
Boycott for Films
Savannah, Oct. 24.—The United
Lutheran Church in America yester-
day moved to bring its membership to
boycott "Belle." The move "challenged"
church mem-
bers "to consider well that it is in-
sistent with the ethics of Christian
life to patronise motion pictures por-
traying vileness; that to attend such
pictures makes them accomplices in
this crime against the moral well-
being of the individual and social
order," and urged its constituents to

"Norah O'Neale"
(Continued from page 4)

Looking 'Em Over

"Norah O'Neale"
(DuWorld)

Out of Ireland comes "Norah O'Neale," a Clifton-Hurst production
with a simplicity of treatment that is refreshing and a visual beauty
that is compelling. In it the Abbey Players make their first film appearance
as a group. Their work is commendable for its naturalness and
sincerity.

It is the often moving tale of a young doctor (Lester Matthews)
with love and his profession. Puzzled, he is fearful of falling
in love because he knows he is in no position to support a wife.

Surprised kissing a nurse (Molly Lamont) in the hospital, he
announces his troth to her to save the girl's reputation. That unhappiness
is deepened by the fact he is really in love with another nurse (Nancy
Burns).

Sent to help at the fever hospital, Matthews is stricken with typhus
illness. In his delirium he calls for Miss Burns in Miss Lamont's pres-
ence. Aware it is Miss Burns he loves, Miss Lamont does the spinning
thing. She sends for her fellow nurse, realizing that only Miss Burns
can make her own choice to live.

Photographically, the film is a triumph. Filmed entirely in Erin, it
unfolds many lovely views of the Irish countryside. Irish melodies run
through the film and give it added entertainment value.

Brian Desmond Hurst directed. No code seal. Running time, 67
minutes.

"Barrett's" Up
In Chicago on
$25,000 Gross

Chicago, Oct. 24.—"The Loop
recovered surprisingly from the week-
end dip. "The Barretts of Wimpole
Street" was a $25,000 smash at United
Arts, being over par by $8,000.
Total first run business was $158-
800. Average is $131,600.
Estimated takings for the week
Oct. 18:
Week Ending Oct. 18:
"CHAINED" (M-G-M)
ROOSTER—"CHAINED" (M-G-M)
Oct. 18, 1928. (Col.) 1200-Cent, 2nd
week (each October 10), 7 days.
Gross: $11,200. (Average, $1,600)
"HIDEOUT" (M-G-M)
CHICAGO—"HIDEOUT" (M-G-M)
Oct. 18. 25c-35c-40c, 7 days.
Stage: Ina Ray Hutton, Foster Splitter,
Shane, O'Neal, O'Neal, O'Neal. Or-
ange Grove, $18,000. (Average, $2,570)
"WAGON WHEELS" (Para)
GARRICK—000, 25c-35c-40c, 7
days. Stage: Warner Brothers, Wally
(Average, $254)
"YOU BELONG TO ME" (Para)
ORIENTAL—1300, 25c-35c-40c, 7
days. Stage: Girl's Hostel, Miss Paken-
ham House, others. Gross: $2500.
(Average, $357)
"GIFT OF GAB" (Uni)
PALACE—1500, 25c-35c-40c, 7
days. Stage: Velox & Yolanda, Radio Rubes,
Avenue House, others. Gross: $5000.
(Average, $714)
"BARRETT'S UP IN WIMPOLLE STREET" (M-G-M)
UNIVERSAL ARTISTS—1200, 30c-35c-40c, 7
days. Stage: $1500. (Average, $214)
"MADAM DU BARRY" (Warners)
APOLLO—(1,400), 25c-35c-40c, 7
days. Gross: $1000. (Average, $143)
"AMONG THE MISSING" (Col)
STATE—1000, 25c-35c-40c, 7
days. Stage: Guy Nineties revival and vaude-
vile. Gross: $1455. (Average, $208)

Double Bills Spread
Downtown in Frisco
San Francisco, Oct. 24.—Market S.
is an exception during the title of
the double bills. Just when Fox West
Coast thought it had the situation all
to itself at the big Fox Theatre along
came F. & M. and announced double
bills at its Orpheum, following the run of "Back to the Front".
This move has forced F. W. C. to
put double bills into the Paramount
and the policy will start one week
ahead of the Orpheum. This will put a
F. W. C. theatre on each side of the
Orpheum playing double bills of major
product. The Orpheum has Universal
and Columbia. The Paramount double
bill will be "A Last Lady" and "Mrs.
Theodore of the Cayman Islands."
The California and Embassy, also F. W. C.
thresholds on Market St., are using
double bills.

Duals, Triples Gain
In Wisconsin Spots
Milwaukee, Oct. 24.—While local exhibitors are still toying
with the new clearance schedule which they hope will put an
end to present cutthroat practices, double and triple bills
are announced for the Warner, starting Oct. 26, mak-
ing it the first third run on the avenue to play doubles.

With this move general throughout Mil-
waukee county and spreading rapidly
through the state, houses in various
spots are going to triple features, in-
cluding the Elite, local neighborhood
theatre operated by Bernard Lassack.
Distributors Hit Clearance Set on Prices

(Continued from page 3)

charging the same admission shall have the same availability. The ob-
ject is to eliminate competition and to assure that such a plan would create a print short-
gage. Distributors pointed to the Chicago market, where exhibitors have to borrow prints from nearby office to meet demands by subsequent theatres charging the same admission when the same picture is shown.

It is understood that a recommendation will be made to Campi today whereby provisions in the uniform contract give theatres following first runs 30 days in which to date.

The Chicago film committee has clauses governing clearance by admissions and not one has been approved by Campi.

Reports emanating from Kansas City that a number of independents objected to the schedule and would ask for a delay in the hearing on the schedule failed to materialize. Jay Means, president of the I. T. O.; Ed Dubinsky, George S. Baker, J. J. Mc-
Carty, A. Bae and M. Thompson sent in letters to Campi insisting that the hearing be held and that the plan be adopted. The only objectors were M-G-M and Paramount, both of which were, as a result of Campi's action, non-official. No one from Missouri was on hand.

Committee Is Stumped

One of the clauses which had the appeal committee, consisting of Nathan Yamin, Rube Jacker and Wil-

liam Yost in a quandary was that which stated subsequent runs would have to wait from 35 to 42 days after the last day of first runs. Another was the clause whereby some houses would have to wait from 28 to 35 days after preceding runs were through with pictures.

John C. Film called Grace Gannon, code secretary in Kansas City, on the telephone and she interpreted the clause as meaning that exhibitors would have a minimum of 35 days and a maximum of 45 after first runs, or would lose clearance rights. The same applied to other clauses where a seven-day lapse was provided.

Campi today will get the Los An-\ngles and Kansas City schedules for approval. It is hoped that the for-
mer will be approved, so that it can be put into effect immediately. Kan-
sas City exhibitors are not anxious to have the new plan operative until Dec. 1.

Code Binds, But Is “Helpful”—Cohen

(Continued from page 1)

recognized that there are things in life which cannot be put on the screen.

The production code, in Cohen’s opinion, has not resulted in any elimi-
nation of an artistic effort. “Miss West’s personality is greater than an outlawed theme or gag,” Her next picture, “Now I’m a Lady,” will be her best, he predicted.

Cohen observed that the Production

Code Administration in Hollywood has been “very helpful” to producers.

 Asked about his probable status in the production picture after the reor-
ganization of Paramount Publix, Cohen said that it would be decided the day after his new company, ad-

mitted, when he is the same. It is expected that he would prefer to continue there to complete the job that is under way.

Cohen will be here next week or two, looking at stage plays and check-
ing up on film performances. His cur-
rent trip is not occasioned by the im-
mediate maneuvering of the company, he said. “That doesn’t involve me,” he explained. “My job is to make pictures at the lowest pos-
sible cost.”

Dine Advisory Group

LOS ANGELES, Oct. 24.—The Cen-
tral Casting Bureau will celebrate the formal opening of its advisory room to-morrow at a luncheon at which the mayor will be the guest of honor.

The council, instituted by Ollie MacCullough upon his succeeding David Allen as head of Central Cast-
ing, consists of Mary Pickford, Dr.

Buckley, Henry G. Reid, the city’s chief judge; nine clemency and a number of leaders in the city’s social and wel-
fare circles, so that the total membership is not exceeding 20.

At the luncheon, which will be held in the board room of the hotel at 12:30, there will be discussed ways and means of handling the problems confronting the bureau.

Cincy Cases Postponed

CINCINNATI, Oct. 24.—Two over-
buying cases, the Grand, Dayton, vs.

the Wayne, same city, and the New

Arcade, Newark, O., v. the Auditor,

Grand and Midland, same city, docketed for hearing by the local grievance board yesterday, were post-
poned until Nov. 8, at request of the respondents.

It’ll Be a Ball Game

nine. The story of their prowess penetrated into New York and Westchester night club circles and the Hangovers got up to none of the day to issue a challenge to John Carl Krinder.

Herbert Bayard Swope will play the role of Judge Landis for the pur-
pose of settling all disputes that the umpires can’t handle.

The sporters will be picked up at various Manhattan points Sunday morning. Allhands will be under the show in the cheering section. A 29-piece band will parade.

The Eagles will wear blue and white and the Hangovers red and

It’s capital for the sale of the business, and it will be in the cheering section.

The Eagles’ lineup includes: George Antheil, Bugs Baer, George McL. Baynes, John Belgano, Jim Barton, Frank Case, Jack Demp-

sey, Charles Ellis, Paul Gallico, Ben Hecht, Thomas H. Hitch-
cot, John M. O’Brien, Bert Lahr, Gregory McLava, Ernst Lubitsch, Robert Maxwell, Charles MacArthur, Lee Para-

del, Dan Parker, Henry Varnum Poor, Robert Ripley, Billy Rosson, John Shevlin, Nat Salo, Ed Sullivan, Robert E. Sherwood, James Thurbur, Wal-

ter Winchell and Adolph Zukor.

The Hangovers’ talent includes: Buddy Adler, Philip Amidown, Harold Allen, Louis Alphonse, Moore Bagley, Charles Burns, William Collier, Jr., Bill Corum, James Shaw Coslove, Woolworth Donahue, Bradley Dresser, Charles Perry, Bert Kilgore, Erskine Gwynne, Francis T. Hume, Hall-

theimer, John Hemingway, John Randolph Heath, William Ran-

Furber Hits Rival Move at Trans-Lux

(Continued from page 3)

stockholders calling their attention to a circular received by them from a “reorganization committee,” which threat-
sen to forestall calling a stockholders’ annual meeting.

O’Brien points out that “no mem-

ber of this so-called re-organization committee” is a stockholder of record in the company, and we believe all the directors were either directly or indirectly em-
ployed by or associated with Archie M. Andrews.

The Bulletin contends Andrews, a director of the company in 1932, is attempting to gain control by vir-
tue of a subscription to an agreement between Trans-Lux and the New Projection Corp.

Valentine at AMPA

Lewis J. Valentine, police commis-

sioner of the New York City, will be the guest of honor today at the Ampa

luncheon at the Motion Picture Club.

John W. Alcutt, publisher of The

Film Daily, will be guest chairmen.

Other guests will include Ben Ber-

t, Bert Lahr, Harry Hershel, Frank Fay, of the Federal Depart-

ment of Justice; A. J. Kohler, publisher of the Daily Mirror; Helen Hayes, Bert Lahr, Miss Moran, Lillian Gish, Ra-

quel Torres, Lila Lee and “Dizzy” and “Daffy” Dean of the St. Louis Cardinals.

Cohn, Hohman Recover

Hollywood, Oct. 24.—Columbia’s sick list has been shortened by the re-

turn to the studio of Harry Cohn and his assistant William S. Hohman, studio manager. Both were away from their de-

signs several weeks ago with colds. Fred Niblo, Jr., is still taking time off from scripting "Unknown Woman" because of the

same malady.

It will be attractive for the opening week of the renovated Varsity theatre here. The building was the first cinema to be modernized, somewhat of a historic landmark in the city, has been closed for several months for remodeling. It will open Friday.

Capital Sees Acceptance of New Cost Plan

(Continued from page 1)

from the big concerns, all of the lat-
ter will make a greater contribution in real money than the addition, those companies at the top, which will pay $23,000 a year will again be assessed for large sums under the existing schedule.

In this schedule, he explained, was the unanimous recommendation of the finance committee composed of Louis B. Bader, Sidney K. Kent and Edward Golden.

Further, it was pointed out, the com-

panies at the top, because of the fact that they are large enough to meet any contingency which arises, will be less than $3,000, or less than 10 per cent of the total business.

FitzPatrick to Do Litzs Film in Color

(Continued from page 1)

will be all-Technicolor, FitzPatrick using the three-color process.

FitzPatrick, operating eight Technicolor Traveltalks for M-G-M this season in addition to a color bulletin, has just completed, "Old Kentucky Home." He has just returned from the M-G-M studio and there is a possibility that this company will dis-

tribute the feature. Recent Travel-

talks completed in color are "Ireland," the Emerald Isle" and "Zion, the

Tree of Life.

The feature is based on the life of the Hungarian composer and Na-

tive American, Andrew, and is now working on the musical portion. FitzPatrick is working on the adaptation and plans to leave for Hollywood in about a month to start production.

Officials of Para. in Reorganization Talk

(Continued from page 1)

reorganization. Representing the studio were Emanual Cohen, produc-

tion head, and Henry Herzog, studio counsel. From the field were L. N. Nathanson of Famous Players Canadian, E. V. Richards of Saenger, Karl Hohbittel of Texas and others.

Adolph Zukor and George Schaefer headed the home contingent.

Contrary to reports, the session was not a meeting of the Paramount Pub-

lisc board of directors. That body does not function while the company is in bankruptcy.

Pick Lincoln Opener

Lincoln, Neb., Oct. 24—Grace Moore’s “One Night of Love” will be the attraction for the opening week of the remodeled Varsity theatre here. The building was the first cinema to be modernized, somewhat of a historic landmark in the city, has been closed for several months for remodeling. It will open Friday.
Office Memorandum
ROYALTON THEATRE

To: Mr. Hornstein
From: E M F

Call Smith tomorrow and get him to return my Motion Picture Almanac. Got important campaign to lay out for next week and need it right away. Look up biogs. of MacDonald and Chevalier for me when you get it. Think with stars like that I can make that overdue tieup with fashion dept. of Hall & Kimball and be all set on Merry Widow when it gets here. Chevalier is perfect name for that radio tieup. Stiller phoned me about yesterday. Send Almanac to Reed, Evening Standard, on Monday. He wants to look up coming product, titles and casts for feature yarn on Saturday. See that we get a break in it. Tell Goldberg he can have it about Wednesday. Wish these fellows would invest five bucks and get it if they need it so badly. And don't forget to have my file of Motion Picture Herald on my desk early tomorrow morning. Checked off some fine exploitation ideas in Mike Vogel's department particularly that fellow's who got the last Quigley Award. We can use some of his stunts right here.
the best time for LOVE!

Winter was the time for love,
In Ye Happy Olden Days —
For the wind that howled above
Lovers had the highest praise.

Bundling came with winter's cold—
Warm as toast beneath the covers
Of the tester bed of old,
Were the happy olden lovers!

By center board they were divided,
Bundling while their hearts entwined —
Lack of firewood so provided
For true love to seek its kind.

And when Bundling did its duty,
And the parson made them one —
Gallants then embraced their beauty,
Need for center board was done!

There is Bundling today at Radio City Music Hall in Paramount's "The Pursuit of Happiness," starring Francis Lederer, with Joan Bennett, Charlie Ruggles and Mary Boland. Directed by Alexander Hall. Prints now available at all Paramount Exchanges.
MOTION PICTURE DAILY

OL. 26. NO. 99
NEW YORK, FRIDAY, OCTOBER 26, 1934
TEN CENTS

Decide Local Advisors on Code Remains

Main Board Determines Plan Is Helpful

The three advisory clearing and音频 boards in New York have been discussing the advisability of dropping the advisory committees on the grounds that the work done by them was waste of time. The main board will have to hear the cases against the advisory boards to determine and that this constituted lost motion.

However, this theory was disposed of in quick order yesterday when a (Continued on page 7)

MPTOA for Federal Move Against ASCAP

Not satisfied with the compromise offered recently between the exhibitors' emergency committee and A. A. F. A. P., the M. P. T. O. A. will go ahead with plans to support the government in its suit against the music industry. It was learned yesterday that Allied already has gone on record disapproving the compromise.

The M. P. T. O. A. stand is that it is against any tax increase and that if the society can get away with the present increase there is no telling what will come. This agreement, if reached, is regarded as tentative.

Says Sennett Wants Walker in Pictures

LONDON, Oct. 25—That Mack Sennett is interested in a move to put former Mayoral James J. Walker on the screen is indicated by comments "Tatler" of The Daily Film Review.

"Tatler" says Walker isn't "even a name in Great Britain," but says that Sennett thinks Walker is "the biggest draw in the world—that there is no one in the states who hasn't heard of him, and who doesn't realize his humour."

Century and Skouras In 10-Year Compact

Century circuit's pool with Skouras Theatres in Long Island, signed last week, is for 10 years. A. H. Schwartz of Century stated yesterday. Exactly (Continued on page 8)

WASHINGTON, Oct. 25.—Affiliation of the Screen Actors' Guild with the American Federation of Labor would have to be accomplished by forming a local union under Actors' Equity, it was indicated yesterday by A. F. L. officials discussing the California situation.

Although it was the Washington headquarters were not informed of the latest developments and could do nothing until application for affiliation had been received, it was believed the guild could not be given an individual charter in view of the organization's policy of affiliating under one banner all members of a union.

Seattle Is Assured Of Sunday Shows

SEATTLE, Oct. 25.—No Sunday closure of theatres will be attempted here, declared Mayor Charles Smith yesterday in addressing Allied Amusements of the Northwest at the Washington Hotel. About 150 delegates were present from Washington and Idaho.

Counselman James Scavato advocated the use of theatre screens by exhibitors to select candidates friendly to the industry and for protection of theatres against cross-rackets such as tango games and dog races.

The convention closed with a ball under the chairmanship of Robert Murray.

Guamot's Selling Force Totals to 62

The Guanomout British sales staff now totals 62 in various parts of the country, Arthur Lee stated yesterday. More will be put on in territories where G-B is not yet represented with its own selling force. George Weeks, general sales manager, leaves for the coast by plane next week to organize western sales staffs.

In New York G-B product is being sold on a picture-to-picture basis. Recently the Guanomout circuit signed a deal for the entire list. This contract was cancelled last week by G-B and a new one signed yesterday.

Leonard Joins "U", Grimm on Radio Job

Charles A. Leonard will succeed Ben H. Grimm today as advertising assistant to P. D. Cochran at Universal.

Leonard has had a long experience in agency and film advertising. In the (Continued on page 8)

Merviam Ahead 7-1

Film circles are seven to one against Upton Sinclair's candidacy for governorship of California, according to a poll taken by the Daily Date poll. This is the proportion in favor of the Republican candidate, Governor Merriam, in the public's balloting.

The report from Beverly Hills was: Merriam, 718; Sinclair, 110.

"Bank Night" Men Look for Code Change

Proponents of the "Bank Night" see a reopening of the code and elimination of the clause declaring this practice illegal.

According to one promoter of the idea, 200,000 letters have been sent to the executive of the National Association as a result of which Frank Millmore, Equity president, is bringing to New York, "Bank Night," on the Raven, for the first time yesterday, but is expected at his office today.

Explaining that his radio work had kept him in the east and that he had lost touch with developments in the (Continued on page 7)

MPTOA Unit Demands Congress Probe NRA

PITTSBURGH, Oct. 25.—Resolution demanding a Congressional investigation of the NRA and a complete rewriting of the film code before any laws are passed extending the life of the NRA were passed at the convention of the MPTOA of Western Pennsylvania.

Another set of resolutions pleads the unit to seek a revision of the copyright laws for the purpose of forestalling new charges by the A. S. C. A. P.

Air Race Reel Sent By Radio to London

BY BRUCE ALLAN

LONDON, Oct. 25.—Gauinomout British claims to be the first company to send a newsreel film by wireless. The film (Continued on page 8)

Expect Equity Compromise On Guild Rule

Eddie Cantor, as Head, Looking for This

A compromise proposal which will preserve local autonomy for the Screen Actors' Guild but yet avoid an alliance with Actors' Equity Ass'n is seen as a probability by Eddie Cantor, guild president, who, however, admitted yesterday that he is uninformed of the exact nature of the affiliation agreement which will be submitted to the Equity council next Tuesday.

Equity headquarters here, likewise, remained silent yesterday as to the provisions of the agreement which was approved by the guild's board of governors on the Publicola on Monday and which Frank Millmore, Equity president, is bringing to New York, "Bank Night," on the Raven, for the first time yesterday, but is expected at his office today.

Explaining that his radio work had kept him in the east and that he had lost touch with developments in the (Continued on page 7)

Joyce to Continue Para. Board Probe

Examinations of former and present Paramount Publicists are to be conducted before Special Master John E. Joyce in connection with the trustees' action to recover up to $12,700,000 from former directors of the company as a result of stock repurchase agreements from 1928 to 1932.

It was learned yesterday that about a dozen present and former Paramount officials, and William S. Paley of Columbia Broadcasting, George Trendle and John Kunzley of Detroit, are subject to inquiry by the (Continued on page 8)

Agency Hearing Is Put Over to Nov. 1

WASHINGTON, Oct. 25.—Postponement of the hearing on the agency committee proposals from Oct. 31 to Nov. 1 was announced today by Deputy Administrator Sol A. Rosenblatt as he left Washington for Nebraska to take part in behalf of Edward R. Burke, Democratic candidate for the Senate. Rosenblatt will not return to Washington until the beginning of next month.
Hull and Louise on Streamlined Train

Henry Hull and Anita Louise were the film representatives on the Union Pacific's streamlined train that arrived at Grand Central Station yesterday morning.

Truff, who recently finished work in "Great Expectations," will make a personal appearance at the opening of the picture in the Madison Music Hall. Until about Nov. 15, he will spend most of his time at his summer home at Lyme, Conn.

Louise made a personal appearance last night at the Strand and was interviewed by Station Manager Wm. Taylor later. She will be here about a week.

Both players made broadcasts on routes during stops of the train and were on the air over WJZ at the welcoming ceremonies in the terminal.

Teaperson Attorney For ITOA and Union

Hearings in the suit of the Allied M. P. Operators' Union for an injunction to prevent members of Local 26 from working on trains where the Allied union has contracts have been brought an admission that Joseph A. Teaperson was counsel for both the Independent Theatre Owners' Ass'n and the Allied. The testimony was designed to support the contention of Local 26 that Allied was formed at the instigation of the I. T. O. A.

Harry Brandt, one of the witnesses, admitted that the 10-year contract with Allied was the only one of its kind with a union. The case is being heard by Reference Robert McC. Marsh.

Gunmen Rob Malloy's Indiana Residence

CHICAGO, Oct. 25.—Five gunmen, after kidnapping a deputy sheriff who they used to gain entrance into Tom Malloy's home at Long Beach, a suburb of Michigan City, Ind., looted the house of $50,000 in cash and $13,000 in jewels.

Malloy, head of the operators' union, was away at the time. The intruders were dubbed Coup-Gang members, according to Mrs. Malloy. They were especially rough in their treatment of Mrs. Malloy, the police say.

Malloy is under Federal investigation on a charge of income tax evasion. He recently made the headlines when Fred Oser, an operator, was shot in the union headquarters. Ralph O'Hara, a Malloy lieutenant, was acquitted on a charge of murder.

Laughton Withdraws From "Copperfield"

Hollywood, Oct. 25.—After working two days in the role of Macawber in "The Great Gatsby," Charles Laughton, feeling the part isn't suitable for him, asked for and gained his release from David Selznick. This enabled him to move on to a new project other than pay Laughton for the time loaned. He returns to Paramount today, he was understood by the studio, and it is expected that W. C. Fields, from the same studio, will be substituted for him.

"Innocence" Pulls $85,000 in a Week

"Age of Innocence" at the Music Hall tallied approximately $85,000 for the week. "Little Friend" in its first week, while "Chin-Chin-Chow" by $500, grossing $32,500 for the stanza. The Criterions with "Man of the Hall," $1,500 for the first seven days at two-day-a-night, "Now and Forever" in the last seven days of a two-week run at the Paramount took $26,000.

Albany Gets Vaudeville

ALBANY, Oct. 25.—Vaudeville returns to Albany on Nov 2 when the Harmonius Bleecker Hall will run acts four days each week together with pictures, but will hold to films only the last three days.

Oscar Maguire will manage the house, switching from the Palace, where John Garry will take his place. The latter formerly was at the Hall.

Howard Has Tonsilitis

LOWRAX, Oct. 25.—Leaside Howard is ill here with tonsilitis and will be confined to his home for several days. He is here on vacation from the Warner studios in Hollywood.
Audiences can never forget her beauty...nor forgive her enemies...when with appealing eyes she begs to rejoin her people...when her innocence betrays her to the dark schemes of ruthless men. You and your customers will discover for yourselves her amazing personality...in this drama taut with suspense!
WRUBEL SONG HITS—AND FRANK BORZAGE’S BROS.’ MILITARY MUSICAL—“FLIRTATION WALK”—THOUSANDS OF OTHERS—SELECTED BY THE NATION
SHUN! HERE COMES THE ARMY—AND AMERICA'S

SWEETHEARTS—AND THE WHOLE WEST POINT CADET

SPECTACULAR BOBBY CONNOLLY DANCE NUMBER

HUNDREDS OF GIRLS—AND FOUR NEW DIXON AND

BRILLIANT PRODUCTION EFFECTS—IN WARNER

DICK POWELL, RUBY KEELER, PAT O'BRIEN—AND

EY BOOKERS AS AMERICA'S THANKSGIVING SHOW
WASHINGTON, Oct. 25.—"Now and Forever" proved the strongest draw of the week here, knocking down $2,000 over the $4,400 run of the Earl. A vaudeville bill headed by the Kitaro Trio helped.

"The Cat's Paw" came in for second place honors by running over the profit line $2,500 for a total of $23,000 at Loew's Fox. Three houses were busy on second weeks or return engagements, but in spite of this business held up to $79,700.

"The Barronet of Wimpole Street," playing Loew's Columbia after an earlier 14-day run at Loew's Palace, took $8,000. "One Night of Love" grossed $2,500 in two days and a single show the night before. The first part of the week (4½ days) was held by "The Wizard of Oz," which drew $3,200.

The picture is in the Warner No. 2 house for an indefinite run, where it is expected to stretch into four full weeks.

Loew's Palace, in the second week of "Cleopatra," was weak at $5,000.

The Age of Innocence," which was worth $13,000 to RKO-Keith's. Estimated takings, exclusive of tax, for the week ending Oct. 18: "NOW AND FOREVER" (Par.) $4,100, 7 days. Average, $586. Stage: Kitaro Trio; Irene Beasley, Barney Grant & Hilbollis, Virginia Bacot & Co. Gross: $2,500. (Average, $357.)

"THE BARRNETS OF WIMPOLE STREET" (M-G-M) Astor: (1-10), 35c-75c, 7 days. Average, $100. Stage: Kitaro Trio; Irene Beasley, Barney Grant & Hilbollis, Virginia Bacot & Co. Ending on 18th. Gross: $2,000. (Average, $286.)

"THE CLEOPATRA" (Fox) Loew's Fox: (5-30), 35c-50c, 7 days. Average, $100. Stage: Kitaro Trio; Irene Beasley, Barney Grant & Hilbollis, Virginia Bacot & Co. Ending on 18th. Gross: $1,500. (Average, $214.)

"THE CATS PAW" (Fox) Loew's Fox: (5-30), 35c-66c, 7 days. Stage: Ed Loey, George Sidney, Eleanor Powell, Lillian Dawon, Florence & Alverna. Average: $200. (Average, $28.)

"CLEOPATRA" (Par.) Loew's Columbia: (1-10), 25c-65c, 7 days, 2nd week. Gross: $6,000. Average: $857. Stage: Kitaro Trio; Irene Beasley, Barney Grant & Hilbollis, Virginia Bacot & Co. Ending on 18th. Gross: $2,500. (Average, $357.)

"BELLE OF THE NINETIES" (Par.) METROPOLITAN: (4-30), 25c-75c, 4 days. Average: $200. (Average, $50.) Stage: Kitaro Trio; Irene Beasley, Barney Grant & Hilbollis, Virginia Bacot & Co. Gross: $2,000. (Average, full week $300.)

"ONE NIGHT OF LOVE" (Col.) METROPOLITAN—Two days' return engagements. This special play grossed $500 over the complete week of above, Gross: $4,500. (Average, full week: $1,250.)

"THE AGE OF INNOCENCE" (Radio) Oct. 21, 9-15c. 25c-35c, 7 days. Average: $13,000. (Average, $1,860.)

"Wimpole" in Montreal, $12,500

MONTREAL, Oct. 25.—The Palace and Loew's ran neck and neck for popular favor. "The Barrettes of Wimpole Street" commanded the lead, Norma being a Montreal daughter, brought a healthy $12,500 to the box office.

At Loew's, the same gross was registered with "Have a Heart" on the screen and Arthur Tracy on the stage although the "Richest Girl in the World" gave $9,500 to the Capitol. Third week of "One Night of Love" was garnished $4,500.

A road run was $39,000, Average: $37,000.

Estimated takings for the week ending Oct. 18:

"THE RICHEST GIRL IN THE WORLD" (Radio) (Continued on page 8)
MOTION PICTURE DAILY

Decide Local Advisors on Code Remain

(Continued from page 1)

commendation of the New Jersey board came up for decision. The latter board, it was found, held four different sessions before it arrived at an answer.

The main board took about an hour and a half to hand down its opinion and was glad that the advisory board sided to most of the case.

The board in favor of Leon Rosenthal of the Maplewood, Maplewood, who asked for a reduction in the present clearance now enjoyed by Warners' Milburn, Millburn, and Cameo, South Orange. The board ruled 14 days to seven.

New Buying Charge Against Reade Made

Another overbuying complaint against Walter Reade has been filed with the New York grievance board, this time against R. Reade, the Strand, same city, U. A. Columbia, Fox, M-G-M, Vitaphone and Paramount.

This case is slated for hearing next Tuesday in addition to two other important issues, one on the fixing of shorts on complaints against Vitaphone. The newspaper is again involved. On the illegal transfer case, the board ruled that Columbia, Paramount, Radio, Majestic and First Division along with DeLuxe Amusement Co., and Murray's King had violated the DeLuxe, South Orange, N. J.

Today a Camp appeal committee of the Radio Photoplay Corp., filed the complaint. Harry Mopin, vice president, and Warner members involved in the Rialto.

Last week Reade lost an overbuying decision to Aaron Shusterman in Perth Amboy and Red Bank. Shusterman was given 138 pictures for both houses. Reade is appealing.

Radio to Sign Pons

Hollywood, Oct. 25.—Lily Pons will sign a contract with Radio Pictures, according to studio officials.

The French operatic star was recently engaged to give a concert tour because of illness.

L-M Get Bronx Crescent

Left-Meyers circuit yesterday closed for the Crescent with Harry Blumenthal. This makes 10 for the group.

Actors Can Join A.F. of L. Only Via Union Under Equity

"Bank Night" Men Look for Code Change

(Continued from page 1)

legal by the other states "Bank Nights" have been held to be within the law, he said.

In every one of the appeals and certifications on "Bank Nights" or "Race Nights," Campi has decided it a form of lottery and a violation of the code.

Although in most cases it saved admissions illegally through distribution of money or prizes. The fact that there was no evident against the box-office, is nevertheless a fact, Campi holds, in that a man who wins $10 via the "Bank Night" idea is actually getting his admission gratis in addition to the difference between his box-office tariff and the prize money.

Stamford Clearance Is Set at 49 Days

NEW HAVEN, Oct. 25.—Under the terms of an amendment to the clearance schedule just adopted by the theatre or a reopened theatre must notify the clearance board so that a meeting of interested parties can be held for the purpose of deciding in what zone the house will be placed. This will not prevent the exhibitor from buying any run he is able, or which a distributor is willing to sell.

In a clearance brought by the State, Springfield, Conn., against the State, Springfield, Conn., Rialto Theatre of Stamford, the board has decided that Stamford houses are entitled to a 49-day clearance over the Springfield houses.

Four Ad Complaints Settled in Albany

ALBANY, Oct. 25.—Four defendants in premature advertising complaints filed before the local grievance board have been ordered to end the practice.

The cases were: Schine's Colonia, Norwich, N. Y., vs. Smalley's Sidewalk Theatre, Sidney, N. Y.; Schine's Oneonta Theatre, Oneonta, N. Y., vs. Smalley's Coopertown Theatre Coopertown, N. Y.; Schine's Oneonta Theatre vs. Smalley's Delhi, Delhi, N. Y.; Schine's Glove, Gloversville, N. Y., vs. Smith's Johnston Theatre, Johnston, N. Y.

Expect Equity Compromise on Guild Rule

(Continued from page 1)

The guild's leaders, among them an A. F. of L. affiliation, Cantor was unaware, even on his return from Bridgeport.

Comm., yesterday, that the board had approved the amendment to the guild's initial proposal last Tuesday.

"I have always felt," Cantor said, "that we are more interested in a compromise in which people would become an A. F. of L. affiliate. The producers are, and have been, forcing actors to join a union. They are forcing them to make demands, rather than requests.

"As to the present agreement between the guild and Equity, I assume," Cantor said, "that it will represent compromises on the part of the companies. I don't believe we have to meet each other half way before there can be an agreement.

Hold Concessions Necessary

At Equity headquarters it was conceded that the rule would probably have to be made by both sides before a final agreement could be reached. Whether or not, it is conceded, that, while Equity does not and cannot lose its A. F. of L. charter, the guild could not become an A. F. of L. affiliate without Equity's approval, as the latter holds the exclusive charter for the entertainment field. Likewise, it was repeated, Equity must make concessions in order to become Equity members in order to consummate an affiliation.

The rule would be chartered as a local of Equity's, having the authority to act for itself in all local matters but subject to the supervision of Equity on national questions and overlapping screen and stage affairs.

At least seven of the 52 members of Equity are known to be here to be members of the guild. These are Eddie Cantor, George Arliss, Frank Morgan, Ralph Morgan, Otto Kruger, Bebe Neuwirth and Heden Broderick. The Equity council will pass on the guild's affiliation agreement. The next meeting, the agreement may be submitted to a general meeting of Equity members later, this at the council's discretion.

The guild membership will vote on the agreement at its next regular meeting.

Universal Gets Series

Universal has purchased the "Going Places" series of short subjects from Arcutus Pictures Corp. Lowell Thomas is doing the narrating for the series, many of which were shot by E. Herrick Herrick in Europe.

The most brilliant Soviet film since

DOSTOYEVSKI'S

"PETERSBURG NIGHTS"

"Eloquent and stirring," N.Y. HERALD-TRIBUNE

"Magnificent cinematic achievement," N.Y. WORLD-TELEGRAM

"Presented in best Soviet tradition," NEW YORK TIMES

Just ended a six week first run in New York Distributed by AMKINO CORPORATION 727 7th Avenue N. Y. City
Century and Skouras In 10-Year Compact
(Continued from page 1)

17 houses are involved in this arrange-
ment.

In discounting reports distributors
would take action against the pool.
Schwartz said that he has already
signed for Warner-First National, Pan-
ramount and M-G-M product.
Schlitz, Fox and Universal.

Another pooling arrangement
Schwartz has in Long Island is with
Joan Seider of Prudential. Houses
included in this deal do not conflict
with Skouras situations. Eight the-
stories are involved between Seider
has bought M-G-M, Fox and Warner.

First National.

Schwartz on Sunday leaves for Lake
Placid for month's vacation. Yes-
terday, he and George Skouras con-
ferred with Nicholas M. Schenk on
the pooling deals.

Cornish Experiment
To Be in "U" Film
Hollywood, Oct. 25—Dr. Robert
E. Cornish's nationally publicized ex-
periments in returning dead dogs to
life at his laboratory in Oakland have
been filmed secretly for the purpose
of including them in a feature in a
story written by J. Eugene Frank.
husband of Anna Sten. The story
deals with Dr. Cornish's life.

The material is to be incorporated
into a feature which Universal will
finish soon. It is called "Life Re-
turns."

Leonard Joins "U"; Griffin on Radio Job
(Continued from page 1)

latter he has been in both the dis-
tribution and theatre end. He has been
advertising head under Joe Plunkett
at the Strand and also has handled
theatres in B. & K. in Chicago, and
United Artists and RKO on the coast.
Griffin has taken charge of adver-
sing for Radiator, and has worked
with S. Barron McCormick. He has been handling
trade paper advertising for Universal and
Columbia for a number of years and
is well known to the advertising
fraternity in New York film offices

Air Race Reel Sent
By Radio to London
(Continued from page 9)

shows the arrival of Scott and Black
at Melbourne at the end of the Eng-
land-to-Australia air race.

According to the telegrams advan-
ded for the stunt, each frame was enlarged
and transmitted separately by radio at
a cost of $40,000 a foot.

Joyce to Continue
Para. Board Probe
(Continued from page 1)

trustees' counsel for the 21-A exami-
nations being conducted.

The allotted time in which the truc-
tees' counsel have moved to
strike out the answers filed in state
supreme court here by the defend-
ants has expired without that action
having been taken.

"Stake Out" Is Changed
Hollywood, Oct. 25—Columbia has
changed the title of "Stake Out" to
"Men of the Night."

"Broadway Bill"
(Columbia)

Hollywood, Oct. 25.—Frank Capra, director, and Robert Riskin,
writer, responsible for "Lady for a Day" and "It Happened One Night,"
unite their talents again in Mark Hellinger's romance of man, maid and
romance that is "Broadway Bill."

The story centers around Warner Baxter and Myrna Loy, with War-
ner married to Helen Vinson, one of the many daughters of Walter
Connolly, a tycoon with many interests. Myrna is Connolly's youngest
unmarried daughter.

West of the lagoon of Connolly's paper box factory, would rather
horses race. Hence he resigns, returning to his former life. His wife
remains behind. Myrna, somewhat of a nomad herself, follows Baxter
and helps grooms to the Broadway Bill, for the Derby. Bill wins,
but keels over dead.

Fortunately, in the meantime, realizes that Baxter is the only one of
his in-laws who is worthy. He turns all his factories back to his employees,
and when Baxter comes for Myrna, Connolly chuckles and goes with
them on their happy vagabond racetrack life.

Capra's intelligent touches, his imagination and humorous highlights
are evident throughout the film. Riskin's dialogue sparkles, particularly
in comedy. Baxter and Myrna Loy are surrounded with an excellent cast.
Connolly gives his usual fine performance. Ray Walburn, Baxter's race-
track pal, projects comedy for big laughs. The Derby race, with Bill
winning, is perhaps the tensest, most exciting horse race ever screened.

With the Baxter and Myrna Loy marriages tied up with Capra and Riskin, plus Hellinger's name, showmen should have
little difficulty doing business. Production code seal No. 114. Running
time, 114 minutes.

Looking 'Em Over

"Loyalties"
(Associated Talking Pictures-Anchor)

The Galsworthy play has been converted into a generally enter-
ing film. While the picture is not comparable to the play as
a dramatic work, it has been kept reasonably faithful to the
original. The glaring fault the production reveals—in fact, the chief
fault that may hamper its success in America—is the British speech of
the players, which is at times difficult to make out. There are several mem-
bers of the cast who can hardly feel "not guilty" to this charge, notably:Basil
Rathbone and Joan Wyndham.

Rathbone, as Ferdinand de Lesseps, a wealthy young Jew, who is the
pivot of the character of the play, dominates the picture. He plays with
an intensity that gives conviction to the part. Incensed at the theft of
a large sum of money at a house party and that an investigation
be made by the police. He has every reason to suspect Miles Mander,
an ardent captain pressed for cash. Smirking under an insult from
Mander referring to his race, Rathbone refuses to retract his charge.

Mander, who really stole the money, is forced to bring a libel action
against Rathbone against his wishes. When the captain's attorneys,
tracing the serial numbers of some of the stolen bills, discover not only
that their client is guilty of the crime but that he used the money to
mollyfie the father of a girl with whom he was indiscreeet, they ask
the court that the case be dropped. They are afraid that if they go on
with the case the story of the young woman will come to light. Even so,
Mander faces prison for theft. Seeing no way out, he leaps to his death as he is about to be arrested.

The racial angle should no more be a problem in exploiting this pic-
ture than in the case of "The House of Rothschild." The question of
animosities is kept in the background.

The picture has been given a good production and fine settings.
Also in the cast are Heather Thatcher, Philip Strange and Alan
Napier. Basil Dean's direction is commendable.

No code seal. Running time, 74 minutes.

Deans Sign for Short
Hollywood, Oct. 25—Dean and Paul
(“Dizzy”) Dean yesterday signed a
contract to make a Vitaphone short
at the Brooklyn plant. Work is ex-
pected to start Nov. 1 and Roscoe
Ates and Shemp Howard will be in-
cluded in the cast. The picture is
"Dizzy and Daffy."

MOTION PICTURE DAILY'S
HOLLYWOOD PREVIEW

"Wagon Wheels" (Param.)

CABOT, 600-800-1000 foot, days,
dramas, $7.9500. (Average, $5.9950)

"WIMPLE" (M-G-M)

BRELLER'S - (1315), 25c-40c-
been $15,000, but now $2,000,000 in earn-
ings on which no commission is re-
ceived, having paid out in its eight
months of existence more than $200,-
000.

Under the present setup, MacCoul
laments, is continued, extending its activities beyond the ob-
taining of employment by enlisting the assistance of the civic welfare
organizations for needy players.

"Wimpole" Big in
Montreal, $12.50
(Continued from page 6)

"WAGON WHEELS" (Para.)

CABOT, 600-800-1000 foot, days,
dramas, $5.9950. (Average, $7.9500)

"HEARTY" (M-G-M)

BRELLER'S - (1315), 25c-40c-
been $15,000, but now $2,000,000 in earn-
ings on which no commission is re-
ceived, having paid out in its eight
months of existence more than $200,-
000.

Under the present setup, MacCoul
laments, is continued, extending its activities beyond the ob-
taining of employment by enlisting the assistance of the civic welfare
organizations for needy players.

"Wimpole" Big in
Montreal, $12.50
(Continued from page 6)

McLeod Does Survey
Of N. O. for MPTOA

New Orleans, Oct. 25.—Harry S
McLeod has been instructed by E.
Kuykendall to make a survey of New
Orleans, looking toward holding the
M.P.T.O.A. convention here two
weeks before Mardi Gras in the spring
of 1935. Seymour Weiss, manager of
the Roosevelt Hotel, has volunteered
his assistance to McLeod.

Kuykendall is reported to have said
if sufficient inducements are made
the association as accommodation
will cast his vote in favor of New
Orleans.

Louis Hyman on Coast
Hollywood, Oct. 25.—Louis Hy-
man, general manager of Principal
Pictures Distributing Corp., has ar-
rived in New York by plane. It has
been announced to the world by Mr.
Sol Lesser film, "Peck's Bad Boy,
for the past two months.

Flash Review
The Silver Bullet—has little to
excite audiences past the childhood
audience. It is quite routine in every de-
partment.

This film will be reviewed in full in
later issue of Motion Picture Daily.
MOTION PICTURE DAILY

VOL. 36, NO. 100

NEW YORK, SATURDAY, OCTOBER 27, 1934

TEN CENTS

The Leading Daily Newspaper of the Motion Picture Industry

Alert, Intelligent and Faithful Service to the Industry in All Branches

RCA Victor Will Remove All Flywheels

Exhibitors Notified New Parts Now Being Made

RCA Victor is to begin immediately the replacement of flywheels which infringe on the American Tri-Color patents held by William Fox. Notice to this effect has been sent to users by E. T. Cunningham, president.

Some replacement parts are available, the letter states, and additional quantities are being manufactured. The service staff is to be enlarged to speed the work.

Cunningham's letter follows:

"To the flywheel users of RCA Photophone and RCA Victor sound

(Continued on page 4)

Trustees Asked for Art Cinema Windup

WILMINGTON, Oct. 26—A bill for the appointment of trustees in the dissolution of Art Cinema Corp., which filed a certificate of dissolution in Dover last Thursday, was filed today in Chancery Court by Harry Buckley of New York, a stockholder.

The bill recommended that William House, Dennis E. O'Brien, and William H. Phillips, directors of the corporation, be named as trustees. The corporation owns stories, plays and other literary properties as well as finished films. It also has shares in United Artists Corp., and, through a subsidiary, owns property in Culver City.

"Wimpole" Grosses $182,390 in Month

Four weeks of "The Barretts of Wimpole Street" at the Capitol netted the Broadway house a total of $182,390. For the last week, the M-G-M picture took in $46,830.

At the end of the first seven days, the tally was $65,800; for the second stanza, $46,000; and for the third, $43,700.

"Judge Priest" at the Palace garnered a profitable $14,500 on the week's run. Second week of "Happiness Ahead" at the Strand ended with $10,392.

Justice Department Not to Aid Picture

WASHINGTON, Oct. 26.—The Department of Justice today "cracked down" on a suggestion that a film be

(Continued on page 4)

Reorganization of RKO Started, Court Is Told

Heavy by Contract

Hollywood, Oct. 26.—A clause in Harvey Stephens' new contract with M-G-M carries the stipulation that the actor will definitely not be groomed for leading man roles. He wants to be typed as a heavy.

Equity-Guild Deal Provides For Autonomy

Absolute local autonomy for the Screen Actors' Guild, modified only by consent of the board of directors and by-laws of the American Federation of Labor, is provided for in the guild's affiliation agreement with the Actors' Equity Ass'n, said yesterday.

Such major policies as a "closed shop," for screen actors and to restrictions on the engagement of "foreign" players, such as are imposed by Equity, will, therefore, be decided by the guild itself if and when the affiliation with Equity becomes a fact. Equity has a closed, or "Equity shop," and stipulates that there must be a six-month interval between engagements for all foreign stage players.

Gillmore said he would be unable to state whether guild members would be obliged to become members of

(Continued on page 4)

Say Exchanges Push Texas Scale Boosts

DALLAS, Oct. 26—Exchange men, not Interstate Circuit, are the instigators in Texas of a movement to hike prices next season, described by Col. H. A. Cole, Allied leader, in a recent interview to Motion Picture

(Continued on page 3)

Warner's May Extend Film Rating Policy Generally

Segregation of pictures for adults only and for family entertainment may extend to all Warner theatres throughout the United States, dependent upon the early reaction to the step inaugurated in the circuit's Philadelphia zone yesterday.

Warner executives have set aside 10 days, they declared, in which to study the efficacy of the experiment launched in the Quaker City. If they are convinced that the plan is workable, as well as practicable from a straight business view, it will be rolled out of the localized test classification and reach into Warner houses nationally. Presumably, that means the Strand on Broadway as well as in Strand in Brooklyn.

In the meantime, it was stated, announcement of the inception of the scheme for the Philadelphia zone had been met with widespread editorial and civic endorsement in that city.

Progress to Depend on Company's Earnings, Says P. E. Mead

Development of a plan of reorganization for RKO has been begun and its progress is expected to be limited only by the rate of improvement in the company's earnings, Paul E. Mead, head of the Irving Trust Co., told Federal Judge William Bondy yesterday.

Mead's statement was made in reply to Samuel Spring, counsel for RKO creditors, who requested information as to what progress was being made toward a reorganization.

Mead at first declared that the development of a plan of reorganization was the province of creditors and not of the trustee, the Irving Trust Co., but later stated that the trustee had been advised that reorganization con

(Continued on page 3)

Re-argue $800,000 Para. Fees Monday

A re-arguing of the petition for allowances aggregating approximately $800,000 for services in connection with the Paramount Publicity bankruptcy has been scheduled by Special Master John E. Joyce for Monday.

The petition was originally urged on

(Continued on page 4)

Admit ITOA Handled Union Code Affairs

Further hearings yesterday before Referee Robert McC. Marsh in the suit of Local 306 to prove that Allied M. P. Operators' Union is controlled by the I.T.O.A. and comes under the "company union" classification yesterday developed the fact that I.T.O.A. officers represented the Allied union in the code hearings at Washington.

Harry Brandt, on the stand, testified this was done to save the Allied union expense and that the union paid $1,500, one-twentieth of the cost of the hearings, under the terms of a verbal contract.

Interstate Employees Receive 10% Raises

Houstons, Oct. 26.—A salary increase from 10 to 25 per cent has been given to about 90 employees of Interstate

(Continued on page 3)
Motion Picture Daily

Vol. 36  Wednesday, October 27, 1934  No. 106

Theatrical Journal: A Publication Devoted Exclusively to the Motion Picture Industry

Fox Is Speeding Up Production Work

Hollywood, Oct. 26—Production has been speeded up at Fox following a summer season during which the studio averaged only four pictures each week. This week the studio has eight in production, including: "Hellorado," "Lovely Lover," "The County Chairman," starring Will Rogers; "Bright Eyes," starring Shirley Temple; "Insure Our Future," a Spanish production; "Twenty-Four Hours," and "Thunder in the Night," Ercik Pommer's next production.

Scheduled for release during the next two weeks are: "Dante's Inferno," and "One More Spring," starring Jean Gyorzy and Warner Baxter.

Pickets Found Guilty

Eight pickets who were arrested in front of the Globe Theatre on Oct. 17 have been found guilty of disorderly conduct. The pickets were led by Frank McMiniry in West Side Court. They received suspended sentences. Without bond. Mrs. Starkey, accompanied by nine others, blocked the theatre entrance. Magistrate McKinity held that their action was mass picketing.

To Show "Inca-Cuzco"

"Inca-Cuzco," record of the Bingham expedition to Cuzco, Peru, and of the visit of the Prince of Wales, is on view at the H.E.R Laboratories next Wednesday night. It is being distributed by Inter-Continental Film Corp.

War Film Is Revamped

"World's First War," a new edition of the Forlorn City, is being released by Samuel Cummins and Jacques A. Koerperl through First Division.

War Film to Rialto


Kutinsky's Father Dead

William Kutinsky, father of Morris, who operates the Community Cinema, died of a heart attack after a long illness. He was buried yesterday.

Eastman Off 2 1/4% on Big Board

| Columbia Pictures, v/c | 340 | 340 | 340 | 340 | 340 |
| Consolidated Film Industries, p/d | 314 | 314 | 314 | 314 | 314 |
| Eastman Kodak, p/d | 142 | 142 | 142 | 142 | 142 |
| Loew's, Inc. | 295 | 295 | 295 | 295 | 295 |
| Paramount Public | 34 | 34 | 34 | 34 | 34 |
| Pathé Exchange | 13 | 13 | 13 | 13 | 13 |
| Pathé Exchange "A" | 13 | 13 | 13 | 13 | 13 |
| Warner Bros. | 413 | 413 | 413 | 413 | 413 |

Technicolor Drops Half on Curb

| Technicolor | 125 | 125 | 125 | 125 | 125 |

Paramount F. L. Bonds Lose 1 1/4

| General Theatre Equipment 6s '40 | 6% | 6% | 6% | 6% | 6% |
| General Theatre Equipment 6s '46, cfl | 6% | 6% | 6% | 6% | 6% |
| Low's 6s '46, 7w deb rights | 6% | 6% | 6% | 6% | 6% |
| Paramount Public 9 1/4 '60 | 5% | 5% | 5% | 5% | 5% |
| Warner Bros. 6s 19 wd | 5% | 5% | 5% | 5% | 5% |

Toronto Confession Reopens Bomb Case

Toronto, Oct. 26—The stench-bombing case of the Cum-Bac Theatre, on Labor Day, 1933, took a further sensational turn when Albert Gold, chief witness against two accused men, Lew Kendall and Fred Phillips, before Justice Arthur Hamburger, testified that he had committed the crime and not the two who had stood trial.

Kendall, who had been sentenced to one year in prison, and Pitton, both Toronto operatives and members of the union, were immediately acquitted by Judge O'Connell, sitting in County Criminal Court.

If that were not enough, Gold, who had spent four months in jail awaiting the hearing, was ordered re-arrested by the judge, but he was immediately rearrested as he left the courtroom on a charge of perjury. Gold was taken to the Police Court where he was postioned for a later date and he was released on $2,000 bail.

Ben Steerman Married

Pittsburgh, Oct. 26—Ben Steerman, chief auditor for Warners here who, with Miriam Wald, a secretary in the circuit's local booking office, slipped away to Ottawa pre-theater ball several weeks ago, today returned home and told it to a rabbi. The new Mrs. Steerman is a native Pittsburgher whose husband's home is in Philadelphia.

Maurice Harris to RKO

Maurice Harris, formerly of the Columbia exploitation department, has joined RKO as assistant to John Dowd, handling exploitation in RKO theatres.

Feast Back to Coast

Hollywood, Oct. 26—Felix Feist will return to Hollywood Sunday night aboard the Santa Helena following a 10-day business trip to New York.

Purely Personal

WILLIAM FOX, GEORGE and SAM DEMBOU, LOUIS BLUMENTHAL, HERMAN ROBINSON, ARTHUR HAMBERG, JACOB ALCIOAT, HERBERT ERIKSEN, HENRY RASDORF and RALPH WOLF were spotted yesterday among those luncheoning at the M. P. Club.

Walter Journaan of Vienna, composer, appears in "Bron Kaper of Warsaw" and his wife all composers, are at the Edison, pending their departure for the coast to start work for M-G-M.

Jack Lewis, assistant to Joseph I. Breen, heads back for Hollywood tonight. He makes one east on the New Union Pacific speed train, but goes back on the old-fashioned regular limited.

John Boles is on his way to Hollywood with Miss Boles via the Pan American. He will start work soon in Jesse L. Lasky's "Redheads of the Parade."

E. R. Levy leaves Sunday on a tour of Radio exchanges. He will visit the studio where he will confer with production head on new productions. He leaves for New York, arrived on the coast yesterday by plane from New York. Harry C. Artuso gets in today.

Edward Rastey of O'Brien, Dribboll & Rafters returns from Detroit today. He will go back to the studio city on Monday.

Robert Hume, manager of Canadian Guild of Radio directors and Mrs. Sandbach, with their two sons, leave for the coast today on the Santa Paula.

Ginger Rogers left for the coast yesterday on the 20th Century after a week's vacation here.

Robert Hume, Radioman, manager of Canadian Guild of Radio directors and Mrs. Sandbach, with their two sons, leave for the coast today on the Santa Paula.

Anelie Schubler plans to fly to the coast today after several week's visit in Chicago.

Lee Marcus is in town from Hollywood and is stopping at the Essex Hotel.

Eugene Picker has lost 40 pounds and says he's feeling fine.

Walter Reade returns from Florida on Monday.

Kramers Gets New Post

St. Louis, Oct. 26—Al Kramer, former manager and treasurer of the Ambassador, has been made manager of the Tivoli, University City, Mo., a St. Louis Amusement Co. house. He replaces S. W. Setron, who has gone to the Egyptian, Minneapolis.

Leen Marcus in Town

Lee Marcus, short subject production head for Radio, is in town visiting his mother. He will leave for Hollywood from today. He arrived by plane ahead of schedule.

"Are You a Mason?" Set

"Are You a Mason?" an English comedy starring Sonnie Hale and Joan Robertson Harre opens Monday at the Westminster Cinema. It was made by Twickenham.
Revamping of RKO Started, Court Is Told

(Continued from page 1)

ences had been held and would continue.

Judge Bondy said he had been ad-
vised recently that RKO had begun a
reorganization plan if the company
were to present a new financial state-
ment. Long and indicated that he
was in favor of RKO continuing to
make pictures. He said he would con-
side another moratorium if the com-
pany were willing. Judge Bondy was
pleased with the results of the con-
ference.

At the same time, RKO's con-
ference reported that a new man-
agement was in charge of the studio.

MOTION PICTURE DAILY
HOLLYWOOD PREVIEW

"Hell in the Heavens" (Fox)

Hollywood, Oct. 26.—Dealing with the French flying squadron dur-
ing the World War, this one is a good attraction, supplying plenty of
thrilling action and spine tingling air shots. The picture packs enough
en
...
Looking 'Em Over

(Continued from page 3)
sallies forth alone to battle the gang. When his bullets fail to go off, he saves himself from being shot by one of the gang by using a silver bullet that he had been given to him by his sweetheart (Judy). Other players include Lafe McKee, Charles King and Franklyn Furness. Bernard B. Ray directed. No code seal. Running time, 55 minutes.

Shorts

“Flying Pigskins” (Columbia)
One of the World of Sports series that contains shots of football in all its stages. Scenes of teams working on practice fields and actual highlights of many important college games are interspersed between unusual views of football. All scenes are not complete. Recommended after a well-received code seal. Recommended as an entertaining cartoon. Production code seal No. 153. Running time, 7 minutes.

“Krazy’s Waterloo” (Columbia)
In this one Krazy Kat is Napoleon and the artist’s conception of the emperor’s Russian campaign is shown. It should amuse audiences. Recommended as an entertaining cartoon. Production code seal No. 153. Running time, 7 minutes.

“Counsel on De Fence” (Columbia)
With Harry Langdon, Renee Whitney and Earle Fox in the cast, this is a pleasing short. Langdon is a bumbling lawyer who saves the day for Miss Whitney, who is being tried for murdering her husband, by drinking the poison introduced as evidence in the case. The last part of the picture has Langdon struggling with stomach ailments in his efforts to produce code seal No. 324. Running time, 20 minutes.

“Concert Kid” (Columbia)
A Scrappy’s cartoon that has Scrappy’s kid brother a concert violinist. The whole reel concerns itself mostly with the two trying to extricate themselves from a wad of chewing gum. Fairly entertaining. Production code seal No. 319. Running time, 7 minutes.

“Bike Rider” Gets Indianapolis Lead

INDIANAPOLIS, Oct. 26.—“Six-Day Bike Rider” demonstrated strength last week at the Lyric by running $1,500 over par for a gross of $8,500. A Devil’s week helped.

“Judge Priest” was the next best bet. It grabbed $3,500 at the Apollo in its third week.

Total first run business was $24,500. Average is $2,500.

Estimated takings for the week ending Oct. 20:

JUDGE PRIEST” (Fox)

ONE NIGHT OF LOVE” (Col.)
CIRCLE—$2,900. 25¢-40¢. 2nd week. Last at Indiana. Gross $4,000. Average $4,000.

MRS. WIGGS OF THE CABBAGE PATCH” (Par.)
Indiana—$1,133. 25¢-40¢. 7 days. Gross $1,000. Average $142.

SIX-DAY BIKE RIDER” (F. J.)

STUDENT TOUR” (M-G-M)

Equity-Guild Deal Provides For Autonomy

Equity until after the Equity council meeting next Tuesday, when that body is scheduled to vote on the guild affiliation agreement. It is understood that no final decision has been made on the Equity membership. Whether the latter council will approve an affiliation with such a provision is said to be pending.

“The proposal assures the guild of absolute local autonomy without the supervision of any kind and as long as the constitution and by-law of the guild do not conflict with those of the Equity.”

Gillmore said he was optimistic concerning the chances of the affiliation agreement being approved by the Equity council and membership of the guild. The Equity board of governors approved the agreement last Tuesday in Hollywood.

Re-argue $800,000 Para. Fees Monday

(Continued from page 1)
Rearguing $800,000 Para. Fees Monday.

(Continued from page 1)
Seven and a half was under consideration by Joyce since.

Two points of bankruptcy law vital to the sponsors of the Paramount Pictures, Charles D. Hilles, Eugene W. Leake and Charles E. Richardson, are the main points of the $100,000 court which will be argued Monday. The trustees contend that they are not subject to the bankruptcy provision which fixes allowances of the bankrupt and one per cent for services and also contend that they can compute their allowances on the basis of moneys paid out by subsidiaries of the bankrupt.

No moneys, at least in the form of dividends, have been paid to Paramount creditors. Attorneys for creditors of the company also argue that the moneys paid out by the subsidiaries have no bearing on the trustees’ allowances as the subsidiaries are not in bankruptcy.

Jackson, Leyton Agents

HOLLYWOOD, Oct. 26.—Ben Jackson, former New York dealer and manager of New York’s Audubon, has organized a new firm to manage actors, writers and directors who are not devoting special attention to writers. Jackson was Fox studio manager for 10 years while Leyton was an agent with the studio.

Rosenblatt in Omaha

Division Administrator Sol A. Rosenblatt is in Omaha on code matters. Deputy Administrator William P. Farrarowsent him at the last Campi meeting.

Mervyn LeRois Coming

Hollywood, Oct. 26.—The Mervyn LeRois, accompanied by Sam Briscoe, took the train from New York, where they will examine the new plays.

RCA Victor Will Remove All Flywheels

(Continued from page 1)
reproducing equipment, in view of the decisions in the Associated Tri-Ergon suits with respect to the so-called ‘flywheel’ patent we reaffirm that we will not infringe the court accepted measure of responsibility undertaken by us under our contracts.

However, we are preparing to modify all infringing soundheads installed in theaters operated by our customers so that they will not infringe. If requested today to develop an accounting of profits, gains and benefits which have accrued to Wilmer and Vincent and Altona Public Theatres by reason of alleged infringement of the patents of American Tri-Ergon.

Justice Department Not to Aid Picture

(Continued from page 1)
produced starring Melvin Purvis, Fed. nemesis of John Dillinger and "Pretty Boy" Floyd.

No cooperation will be given by the department in the making of such a picture, the attorney general said in response to questions as to whether he had received an offer said to have been made by a major producer.

"No picture will be made under our auspices for that is not in accord with our ideas as to how we should proceed," he declared. "We have not been approached, but if we were, we would not be disposed to indurate in anything approaching sensationalism."

Paramount announced this week that Emanuel Cohen had put the scenario department under the supervision of a man based on Department of Justice activities, but no mention was made of any effort to secure Federal cooperation.

O’Donnell to San Antonio


Ruling Made in Two Trenton Labor Case

WASHINGTON, Oct. 26.—The National Industrial Relations Board today passed upon cases involving employees of the Grand Palace, Symphony and Palace, all in Trenton, owned by the Hildegard-Bishop Co.

In the case of the Victory, two members of the Independent Projectionists’ and Stage Employees’ Union were discharged. "April 15 followed the consummation of a closed shop agreement with the I.A.T.S.E. Board of Directors that found the two men were not employed in the group of employees who had involved and had made efforts to bargain collectively with the Cosmopolitan Theatre and that the company had failed in its obligations by negotiating an agreement with a union representing its employees. The case was then ordered sent to the Commonwealth.

At the Princess, one employee was discharged upon the making of the closed shop agreement, but here it was held that the management was in the right, the alliance representing the bulk of the employees.

Hear Whitestone Appen


Redraft Ohio Clearance

CINCINNATI, Oct. 26.—A redraft of the schedule for Greater Cincinnati, Columbus and Dayton territories is being drawn for presentation at the next meeting. The redraft will be forwarded to Campi for approval.
Charges M.P. Council Aims Hit Theatres

E. G. Levy States Short Fosters Competition

The charge that the “ultimate objective” of the M. P. Research Council’s current efforts to raise a $200,000 campaign fund in furtherance of its programs calling for the main, for abolition of block booking is the promotion of “widespread, non-theatrical exhibitions” in competition with established theatres, is made by Edward G. Levy, M. P. T. O. A. general counsel, in a bulletin distributed to exhibitors on Saturday.

The bulletin contains an address on the subject made by Levy earlier before the Better Films Council of New Haven. It cites criticism of the Research Council’s activities by its own

(Continued on page 6)

Missouri Receipts

In ’33 $8,014,000

WASHINGTON, Oct. 28.—Box-office receipts of $8,014,000 were reported for last year by 278 Missouri film theatres which had a total payroll of $1,285,000, while 44 legitimate and film and vaudeville houses took in $324,000 and had a payroll of $75,000, the U. S. Census Bureau reported yesterday.

Reports on the leading cities showed

(Continued on page 3)

Milwaukee Picketing Ban Ended by Appeal

(MILWAUKEE, Oct. 28.—The U. S. Circuit Court of Appeals at Chicago has reversed a decision by Federal Judge F. A. Geiger granting a preliminary injunction to the Rex Theatre Corp. of Sheboygan, Wis., prohibiting picketing of the house by the I. A. T. S. E. and other unions.

The injunction was dissolved on the ground that Judge Geiger had not permitted William B. Rubin, attorney for the union, to show that the operator of the theatre violated the N.R.A. code.

Friedlander Named 1st Div. Vice-Pres.

Al Friedlander has been named vice-president of First Division. He has been serving as assistant to Harry H. Thomas, head of the company, and as director of advertising and publicity.

Gains Shown By Premiums In N. Y. Area

Estimated 75% of Indies Are Using Practice

Premiums are rapidly gaining head-way in New York theatres. It is now estimated that 75 per cent of Greater New York independent houses have adopted the “Giveaway” policy. Exhibitors are distributing linens, glassware, ebonyware, silver sets and other household articles on an average of three nights a week, is compared with the increased demand for free articles, the number of premium houses has risen to about 15.

One of the chief necessities for giving away articles, exhibitors claim, is because of the slackness of pictures showing at independent theatres. Exhibitors assert that, because of increased protection demands by circuits, it is impossible to get releases until

(Continued on page 7)

SMPE Expects 200 At Sessions Today

Two hundred technicians, engineers and equipment manufacturers will attend the opening of the four-day S. M. P. E. convention today at the Hotel Pennsylvania.

The high-lights of the first day’s session will be addresses at a luncheon by Martin J. Quigley, Hiram Percy Maxim, president of the Amateur Cinema League, who will introduce

(Continued on page 3)

Production Gains Slightly on Coast

HOLLYWOOD, Oct. 28.—Production for the week ending Oct. 27 registers a slight increase in feature pictures and a decrease in short subjects before the cameras.

The chart shows 38 features and seven shorts in work as compared to

(Continued on page 7)

More at Work

Cincinnati, Oct. 28.—Industrial employment in September was 7.1 per cent greater than September of last year, according to a survey completed by the Bureau of Business Research of the Ohio State University. The gain over August was 4 per cent.

The record was only 1.9 per cent below the average September increase since 1929.

Para. Sets Plans On National Drive

Paramount home office sales executives and district and division managers, returning from a three-day session in Hot Springs, have completed plans for a national sales drive which will be announced to the entire sales force this week. According to plans developed, the drive will last three months, starting Jan. 1, with bonuses for leaders.

Among those returning today are: George J. Schaefer, Neil Agnew, J. J. Unger, Charles Reagin, Milt Kibbell, Robert M. Gilliam, Alec Moss.

(Continued on page 3)

Contracts Get Full Approval In Campi Vote

Legal Committee Rules Code Not Violated

Contracts being used by distributors for 1934-35 product are not in violation of the code and conform to all provisions of the optional standard license agreement provided for in the code, Campi’s legal committee has held.

An analysis of the various clauses was recently made by the legal committee after Code Authority had received numerous complaints from exhibitors of alleged violations of the contracts. Nathan Yamin at first was appointed to make a study of all distributors’ parts and reports, after much arguing by the legal committee and Campi members, was finally voted down.

Because it was held that a minimum vote of six, either in the affirmative or negative, is necessary for a majority vote, Campi has decided to hold a re-hearing on the Boston clearance and zoning appeal involving a Brookline,

(Continued on page 7)

Bank Appeals Rule On Allied Owners

Notice of intention to appeal the U. S. District Court decision denying Manufacturers’ Trust Co. the right to vote the $1,200,000 allied Owners bond indenture, for which it is trustee, in Allied’s reorganization proceedings was filed in Brooklyn on Saturday.

Allied Owners, a debtor corporation under Section 77-B of the bankruptcy laws, owns the Brooklyn Paramount, Loew’s Kings, Pitkin and Valencia, and theatres at Birmingham, Ala.

(Continued on page 3)

Consolidated Net on Quarter Is $187,841

Consolidated Film Industries, Inc., reports a consolidated net income of $187,841 for the quarter ending Sept. 30. This is after depreciation and Federal income taxes, and compares with $320,782 for the previous quarter.

For the quarter announced to the public, however, the net income was $324,804, or 43 cents a share on the common, as against $716,475, or 22 cents a share on the common, for the same period in 1933.

It Took Five Seconds

William Fox isn’t talking these days. As owner of 90 per cent of the stock in American Tri-Ergon, which has filed 22 suits against producers, distributors and film laboratories, he is keeping mum on his plans.

Fox appeared jovial enough when a Motion Picture Daily reporter approached him. Where talking was concerned, however, the Sphinx was locked in by comparison.

It was an interview and it wasn’t. No matter in what classification of the mainstream, the episode lasted exactly five seconds.

“What . . .” was as far as the reporter could get when Fox retorted:

“It’s not going to do any talking.”

“And you won’t say anything about reports of a settlement in the patent situation,” the reporter managed to squeeze in.

“Not,” was the reply and a signal for Fox’s exit.

At the time, he was accompanied by his brother-in-law, Jack G. Lee.
LEAP KILLS A. M. ELLIOTT

Detroit, Oct. 28.—Arthur M. Eliott, well-known theatrical manager, was found dead in his room at the Hotel Detroit. The death was certified as a suicide. Elliott and other difficulties were given as the cause of his action. His age is not known, but he was 42 and divorced. The Variety Club here will handle the burial.

Carl Schwarz Passes

DENTON, Md., Oct. 28.—Carl Schwarz, 54, owner of the Denton Theatre, independent first run here, died in the office of Dr. E. Paul Knotts of a heart attack. Schwarz moved to this city about two years ago from Bridgeville, Del.

WARNERS' LAKE OPENED

CLEVELAND, Oct. 28.—Warner's Lake, closed all summer, has reopened with second run policy. John Manuel, formerly manager of the Kenton Theatre, Kenton, is in charge. The house will play full weeks and split weeks depending upon the program.

SCHWARTZ LEAVES HOSPITAL

CLEVELAND, Oct. 28.—Ernest Schwartz, recovering from bullet wound in the head, left the hospital and is now at his home.

INSIDERS' OUTLOOK

INTERESTING, very interesting is the Warner experiment to a lesser way in Philadelphia. That circuit's executives are determining which pictures are suitable for adults only and whether for family entertainment. The "A" symbol is for the latter and the "F" for the former are designed to aid discriminating picture fans in picking their attractions as they go. The idea, provided the judgment exercised in the selection process is impartial, has a very good chance of levelling off one of the tough spots in the road which the business is traveling in these times.

One of the troubles long has been the impression still current in the minds of some producers that every attraction they turn out in Hollywood is suitable for the complete range of human to see. Of course, that is incorrect. There are all kinds of vehicles which are strictly adult entertainment. On the other hand, one of the widespread complaints from outsiders looking in is that the heads of families have difficulty in learning what or what not to send their children to see. A designation such as that in a theater experiment, at least gives the paying public something it is entitled to know.

It does not necessarily follow that too devout attention will be paid the heads of many households who will be too busy or too negligent to follow through. There will be others who may resent the cataloguing of pictures with a slight view of any segregation as an invasion of their prerogatives. Yet there will be, for there must be, untold others who will cheer loud and long for being supplied some sort of an answer to the pressing social and moral problems inherent in films as the popular form of amusement for juveniles.

On the other hand, experience only will furnish the answer to the question if the classification plan will keep you here from flocking to the adult entertainment from which a scheme such as this endeavors to keep them. The old wheedle about hidden fruit is as new as ever it was. But far and away the major benefit, as this column sees it, is that any "A" and "F" system will tend to keep the exhibitor clear of trouble. Reasonably enough, there is little a theatre operator can do beyond stamping types of pictures for certain types of audiences. If those audiences want to attend anyway, they will, accompanied by parents or not, unless the law against minors is strictly invoked. In that case, however, the responsibility will shift itself from exhibitor to parent where the burden of the job belongs in the first instance.

Nobody is talking, but many locally are speculating over the extent of the tieup between Wilentz and Allied. David T. is the attorney-general of New Jersey who tried and lost a code clearance case for the Elfwood in Newark versus Warners. Perpetrating is the yarn he will again attempt to become active in picture matters once the Bruno Hauptmann trial, which he will prosecute, is cleared up. The file from the New Jersey code advisory committee to Campi, the all-highest, were the rulings against Wilentz of Elfwood-JPL theElfwood-JPL, an appeal to Washington which, so far as NRA and the film business goes, means Sol A. Rosenblatt. The deputy administrator advised Wilentz to forget it in view of the three unanimous verdicts against him.

Wilenetz, however, is too open with the statement he has peeped to settle. What form, implied reprisal will take is who the conjecture enters, but so indications are around he will pick up code cudgels for Jerold when Hauptmann is disposed of one way or another, true, this, almost automatically would throw the honorable attorney-general in conflict with Wilentz and这次, once made his sentiments very clear. It was a public utterance and was not complimentary.

The mist and the fog surrounding Fox Met and the volume written around its future do seem to be bothering George Skouras unduly any longer, a thorough time was when Georg was worried. The tip begins to: ends in the 10-year pooling agreement signed between Sko-Ra and A. H. ("Century City") and Warner to move into Long Island theatres. Post exchanges are huddling the days and are visibly excited an exictable.

KAN

PURELY PERSONAL

HERMAN BAHR has sold his semi-classical operetta, "The London Tower," to a future Bing Crosby vehicle.

ALINE MACMILLAN has cut short her vacation here and is on her way to Taos, N. M., for two or three weeks.

SHIRLEY ROSS, M-G-M conty player, is en route here from the east for stage and radio work.

BEAR LUCIERN BURMAN's "Steam Round the Bend" has been purchased by Fox.

TUCKER WELCOME GROWI

The list of guests who will attend the Welcome Home beefsteak dinner to be tendered by Tucker by American Federation of Actors Mecca Temple Nov. 3 is growing. The guests who will sit on the include: Judge Aaron J. Levy, Max Gorsky, Daniel Frohman, Pamela Hurst, Jule Lester, Paterson, Bally Bros, Gene Whalen, William Morris, Joe LaBee Jr., Gene Buck, Harry M. War, and Walter Huston, Rogers and Adolph Zukor.

FILMING GEORGE V REI

LONDON, Oct. 28.—"The Reign of George V" is being prepared for British release through the British Empire at the head of the jubilee which will mark monarch's 25th years as the Windsor Churchill is doing the and Alexander Korda will direct.
MPE Expects 200 At Session Today

(Continued from page 1) Miss Frances Taylor Patterson, di-
or of photo-play appreciation at Lambda Upsilon Lambda, informs us that the morning session will include a business and election of officers of the organization and the reading of the following papers: 'The Aggressors' Reaction to Audible Dialogue' by A. B. Atwater, 'The Biggest Small Talking' by M. L. L. "Current Developments in Pro-
tion Methods in Hollywood" by G. Tasker, 'The Use of Motion Pictures for School Health Education' by F. Mitchell & Howell Co., "Roeing Cine-
tography montage" by R. F. James, West- ham Lamp Co., and "Application of X-Ray Methods in Research and Develop-
ment Work" by J. R. Town-
d, Bell Telephone Lab.

The afternoon session will be followed by the tea in the Rose Garden, at which play, Maxine and Mrs. Patterson will deliver their addresses. The after-
noon session will include following talks: "New Develop-
ments in Micro Motion Picture Tech-
ique" by H. Rosenberg, "Some Tech-
ical Aspects of Wild Animal Photog-
raphy" by Martin Johnson; "X-Ray-
negatographs for Educational Pur-
pose" by G. Tasker, "X-Ray Tech-
nical Aspects of School Health Edu-
action Work" by J. R. Town-
d, Bell Telephone Lab.

Kunzman Here for Meeting

William Kunzman of National Car-
Co., Cleveland, is in town. He
attends the four-day S.M.P.E. con-
tinues up to date in connection with the session.

ank Appeals Rule

On Allied Owners

(Continued from page 1) is
on the New York Times Falls, N. Y., at
$23,000 claim against Para-
th, based on the construc-
and leasing of these theatres for
by the firm, and it will be a part of the Paramount
plan of reorgan-
ization. The event the U. S. Circuit Court
Appeals upholds the manufacturers' plan to appeal the bank will have the
the most important voice in the reorgan-
ization of Allied Owners, as the $12,000 of Allied bonds outstanding, which the bank is trustee, rep-
resents virtually all of the secured in-
terest of the company.

ara. Sets Plans

On National Drive

(Continued from page 1) in New York, Gaynor Lorber, Arthur
Klaus, Harry Fiddler, Fred How-
Roper and G. B. J. Frawley.

The matter was discussed at the south-
ern session was meted out.

Sign Circuit Deal

Paramount has signed the Seider-
sey & Wheeler circuit on Long
Island for its entire output. About 30
pictures are involved in the deal closed
Henry Randel, Broodly and Long
branch manager for Paramount.

What N. Y. Critics Think

"Have a Heart" (M-G-M)

American—-Mr. Roger's outdoing himself in the characterization of the gentle, self- effacing. The story is a heart-warming one, and his portrayal of the character is full of tenderness. The film is a delight to watch. (Continued from page 1) the motion picture, the picture is a delight to watch, as well as a delight to hear. The music is superb, and the acting is faultless. The picture is a pleasure to watch, and the story is well told. The picture is a delight to watch, as well as a delight to hear. The music is superb, and the acting is faultless. The picture is a pleasure to watch, and the story is well told. The picture is a delight to watch, as well as a delight to hear. The music is superb, and the acting is faultless. The picture is a pleasure to watch, and the story is well told. The picture is a delight to watch, as well as a delight to hear. The music is superb, and the acting is faultless. The picture is a pleasure to watch, and the story is well told. The picture is a delight to watch, as well as a delight to hear. The music is superb, and the acting is faultless.

"Judge Priest" (Fox)

American—Mr. Rogers outdoes himself in the characterization of the gentle, self-effacing Father. The story is a heart-warming one, and the acting is faultless. The picture is a delight to watch. The film is a delight to watch, as well as a delight to hear. The music is superb, and the acting is faultless. The picture is a pleasure to watch, and the story is well told. The picture is a delight to watch, as well as a delight to hear. The music is superb, and the acting is faultless. The picture is a pleasure to watch, and the story is well told. The picture is a delight to watch, as well as a delight to hear. The music is superb, and the acting is faultless. The picture is a pleasure to watch, and the story is well told. The picture is a delight to watch, as well as a delight to hear. The music is superb, and the acting is faultless.

"Peck's Bad Boy" (Parade)

American—-One of the best picture of the year, it seems. The acting is faultless, and the story is well told. The picture is a delight to watch, as well as a delight to hear. The music is superb, and the acting is faultless. The picture is a pleasure to watch, and the story is well told. The picture is a delight to watch, as well as a delight to hear. The music is superb, and the acting is faultless. The picture is a pleasure to watch, and the story is well told. The picture is a delight to watch, as well as a delight to hear. The music is superb, and the acting is faultless. The picture is a pleasure to watch, and the story is well told. The picture is a delight to watch, as well as a delight to hear. The music is superb, and the acting is faultless.

Plan Munitions Film

Samuel Cunnings and Jacques A.
Koerper are producing a new film called "War Is a Racket," material for which was gathered by the former on his recent trip abroad. The picture is described as "an exposure of munitions manufacturers."
Another glorious triumph by the man who directed "Back Street"!

IMITATION OF LIFE

Starring CLAUDETTE COLBERT

with

WARREN WILLIAM
ROCHELLE HUDSON

Ned Sparks, Henry Armetta, Baby Jane, Alan Hale

FANNIE HURST'S Novel
made into a great JOHN M. STAHL PRODUCTION

A UNIVERSAL Picture
Presented by CARL LAEMMLE
Cincinnati Editor

Hills Gilman Charge

CINCINNATI, Oct. 28.—The statement that "the movies have exploited our children," made by Mrs. Robbins, prominent member of the Congres of Parent-Teacher Ass'n, before the Ohio congress at Columbus, as reported in Motion Picture Daily, has been followed by an editorial in The Times-Star.

It reads:

... Any such charge about 'exploiting children' is cheap balderdash filled with the exaggeration, the intolerance and unfairness of the mis-directed crusading spirit run wild. It is time to pin the sponsors of some of these gross accusations down to specific instances.

"If Mrs. Gilman or any of her friends, in theSecondary Schools, in this deploring a vocal battle for cleanliness films will furnish the titles of any pictures which they can prove School boys and girls during the last three years, this department will cooperate to the extent of publishing those names in capital letters at the head of the column to serve as a warning to parents.

I do not like to add, however, that neither the producer nor the exhibitor is responsible if films for intelligent adult audiences are attended by the most unwise school parents, unreasonably indifferent to their entertainment.

The last paragraph appeared in bold face type.

Circuit in Buffalo To Aid Legion Plan

BUFFALO, Oct. 28.—Buffalo Council No. 21, C. J. S., has received a promise of cooperation from Buffalo Theaters, Inc., operators of the Buffalo neighborhood theaters in its campaign for family entertainment on Fridays and Saturdays. The legion membership now is 65,936. Dr. S. Schriver, diocector, reports. Of the pledge signers, 18,724 are children and 47,212 are adults.

End Kenton-Schine Suit

KENTON, O., Oct. 28.—Suit brought by the Kenton Amusement Co. against Schine in Common Pleas Court here was settled out of court. The Kenton leased to Schine a 20-year lease on the Kenton, and personal operation of the house, has been terminated, although parties to the action refuse to say on what basis. Suits pending in Common Pleas Court by same plaintiffs against both Schine and Kenton are in the same condition, involving action to the theatre property, have been settled out of court and dismissed. The suit against Kenton will, however, under management of G. H. Foster of Marion, O.

"Night" Hits Big $9,000; Denver High

DENVER, Oct. 28.—"One Night of Love" is the first feature here to go from the Denver to the Aladdin for a second week. The $9,000 take at the Denver theater by $8,600, was due to the cause of the move.

 Usually the switch is to the Paramount, now the street, where admissions are 10 cents lower.

The Orpheum had a disastrous week. "Pegge Up and Away" opened at the end of the third day and "Gift of Gab" was substituted. "The Lemon Drop Kid" was helped at the Denham by a stage show and Irving Aaronson's Commanders orchestra. The take reached $7,500, average was $1,500.

Total first run business was $26,500. Average is $2,050.

Estimated takings for the week ending Oct. 25:

<table>
<thead>
<tr>
<th>Theater</th>
<th>Title</th>
<th>Gross</th>
</tr>
</thead>
<tbody>
<tr>
<td>CARAVAN</td>
<td>(Fox)</td>
<td>$1,100</td>
</tr>
<tr>
<td>ALADDIN</td>
<td>(Fox)</td>
<td>$2,000</td>
</tr>
<tr>
<td>DENHAM</td>
<td>(Param.)</td>
<td>$1,500</td>
</tr>
<tr>
<td>WAKE UP AND DREAM</td>
<td>(Univ.)</td>
<td>$1,900</td>
</tr>
<tr>
<td>ORPHEUM</td>
<td>(Univ.)</td>
<td>$1,400</td>
</tr>
<tr>
<td>MAYAN</td>
<td>(Monogram)</td>
<td>$2,500</td>
</tr>
<tr>
<td>GRANADA</td>
<td>(M-G-M)</td>
<td>$2,500</td>
</tr>
</tbody>
</table>

Priebel Buffalo Smash at $21,000

BUFFALO, Oct. 28.—"Judge Priest" was the week's big news, getting $21,000. "The Divorcee," which was shown in "Caucasian," attracted more attention in the Great Lakes than "Madame Du Barry." It netted $4,700. Average is $4480.

Estimated takings for the week ending Oct. 25:

<table>
<thead>
<tr>
<th>Theater</th>
<th>Title</th>
<th>Gross</th>
</tr>
</thead>
<tbody>
<tr>
<td>BUFLOO</td>
<td>(M-G-M)</td>
<td>$0.90</td>
</tr>
<tr>
<td>ROYAL</td>
<td>(Radio)</td>
<td>$0.50</td>
</tr>
<tr>
<td>ORPHEUM</td>
<td>(Radio)</td>
<td>$0.50</td>
</tr>
<tr>
<td>GRAND</td>
<td>(M-G-M)</td>
<td>$2,050</td>
</tr>
</tbody>
</table>

"I'll" After Peggy Wood

Hollywood, Oct. 28.—Universal is negotiating with Peggy Wood to star in an original operetta titled "Sing Me a Love Song." Stanley Berger will produce, with Paul and Max Mulhauer are working on the screenplay.

Sign Television Star

Hollywood, Oct. 28.—The first star of television for pictures was signed by Universal yesterday. She is Eole Galli, sister of Maria Gambarelli. Miss Galli is in New York at present.

"Divorcee" Is Draw in Two Coast Houses

LOS ANGELES, Oct. 28.—"The Gay Divorcee" demonstrated strong drawing powers both in Hollywood and downtown. At the Warner-Hollywood it topped par by $1,500 for a gross of $15,500 and at the RKO downtown it went to $14,500, over receipts by $1,500.

"Cleopatra," with a stage show run up to $21,605 at the Paramount. This is up by $5,405. "Affair In The Air" went into the Chinese and made a good showing, $12,500 on a scale of 30c to 65c.

Total first run business was $88,805. Average is $9620.

Estimated takings for the week ending Oct. 25:

<table>
<thead>
<tr>
<th>Theater</th>
<th>Title</th>
<th>Gross</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHINATOWN</td>
<td>(Warners)</td>
<td>$15,500</td>
</tr>
<tr>
<td>BARRETT'S WIMPLEE STREET</td>
<td>(Warners)</td>
<td>$14,600</td>
</tr>
<tr>
<td>BANZAI</td>
<td>(Warners)</td>
<td>$15,500</td>
</tr>
<tr>
<td>THE CAY DIVORCIE</td>
<td>(Radio)</td>
<td>$13,200</td>
</tr>
<tr>
<td>COMMODORE</td>
<td>(Radio)</td>
<td>$12,500</td>
</tr>
<tr>
<td>SCHOOL FOR GIRLS</td>
<td>(Liberty)</td>
<td>$9,500</td>
</tr>
</tbody>
</table>

F.W.C. in Profit Contest

DENVER, Oct. 28.—A profit-sharing contest between the operators in the Intermountain division of F. W. C. and will run 14 weeks. It is called the "Employees' Profit Sharing Contest." Sets Four Meetings

Four meetings have been set by Allied of New Jersey. Oct. 30, Nov. 3, 13, 15, 17 and 27 are the dates when members will convene at the Lincoln, the unit's headquarters.

Charges M.P. Council Aims Hit Theatres

(Continued from Page 1)

membership, by recognized scientists and by a group of exhibitors whom it pretends to protect.

"While the M. P. Research Council is pretending to the status of an independent exhibitor," the Levy message states, "it is making every effort to destroy him by encouraging all the various demands non-theatrical competition.

Levy cites efforts made by the council to obtain recognition in the film code of non-theatrical exhibitions on a par with established theaters and quotes from a speech that have been issued by Dr. William H. Short, head of the council, setting forth the same policy.

He also quotes from a article published in Theatre Arts Monthly criticizing the activities, written by Mrs. Tablet, whom Levy identifies as a "Little Theatre executive, a member of Mr. Short's board and said to be a close friend of Mrs. August Belmont, who has since resigned the presidency of the Council."

The article quoted charges that Short was responsible for the introduction in Congress of the Patman bill providing for Federal control of the exhibition business. Short as saying that he (Short) believes Federal regulation of films is important as Federal regulation of public schools.

"Against movements honestly designed to raise the quality of motion picture entertainment there can be no legitimate objection," Levy's message concludes. "But it is necessary to distinguish between the genuine activities of paid professional reformers whose aim is to cram their own notions down the throats of America."

Short could not be reached on Saturday for comment on the Levy bulletin, but the. leaders of the movement had heard of but had not seen Levy's address, so could not comment on it intelligently.

Says Educators Lack Valuation of Films

COLUMBUS, Oct. 28.—That educators haven't realized the power of films as a teaching element was the opinion expressed by Dr. W. R. Charters, director of educational research of Ohio State University, in speaking before the first state convention of the Ohio M. P. Council.

"Often one exposure of a film changes the attitude of children toward certain races or ideals, but this effect has been diminished as the child becomes older," he declared.

The council executive committee, organized for the purpose of promoting cleaner pictures, and having also as an objective the elimination of block and blind booking, formulated plans to conduct a state-wide survey of juvenile delinquency in Ohio. This will include the types of pictures liked by children, how many times they visit theater each week, and their viewpoint of the pictures which they see.

Catholic Legion of the final session of the two-day meeting included Dr. B. O. Skimmer, state director of education, J. Reid Newk and Russell A. Boim, manager of Love's Ohio.
Contracts Get Full Approval In Campi Vote

(Continued from page 1)

Cleveland Cases Up For Campi’s Ruling

CLEVELAND, Oct. 28.—Two cases have been certified to Campi by the grievance board. One is an overbuying complaint of the Alden Set Ser Amusement Co., Sandusky, against the Warner Ohio, that city, and the other is a complaint on the 10 per cent cancellation of Picturegoer, against the Erie, Steel, Apollo Theatre, Oberlin, against RKO Radio.

Three cases have been issued in the complaints against Sam Deutsch, Sun, Cleveland, and Erie, Cleveland, on distribution of passes. A preliminary advertising complaint against C. W. Bickert, Palace, Ashland, has been certified to Campi.

Iowa Stand on Bank Nights Is Modified

Des Moines, Oct. 28.—Modifications of the stringent rules laid down in previous grievance cases against bank nights were noted in the decisions handed down by the local grievance board in a case just passed on.

Bank nights were allowed to continue in three Iowa towns where a non-competitive situation existed, but in

Ontario Government Drops Studio Staff

TORONTO, Oct. 28.—Dismissal of 24 of the staff of the Ontario Government Studios in Trenton, Ont., and at Toronto, has been announced by the new provincial premier, Mitchell Hepburn. Only six employees are being retained and are to be transferred to the Department of Education to handle distribution of releases that may be appropriate for educational purposes.

Among those discharged were Major G. E. Patton, director in charge, who had been on the job since the studio was established 15 years ago. Three cameramen, laboratory specialists, film editors, bookkeepers, secretaries, office clerks and others. The payroll saving will be $37,000 per year. During the past 12 months with film production at a low ebb, the studio spent $75,000 and derived a revenue of $8,000 in rental. The studio and equipment have been put up for sale.

Gains Shown By Premiums In N. Y. Area

(Continued from page 1)

they are too old to have drawing power.

Even two features have failed to draw, some exhibitors contend, who insist the only way to get patrons is to offer features that will interest the customers. In some theatres, exhibitors have been forced to give away premiums on Saturday nights, it is stated.

“It has come to a state of affairs that unless we give away these articles we cannot exist. We have tried to discontinue them, but our box-office proved this was suicide,” one producer said.

According to the code, 75 per cent of exhibitors in a given territory must vote against giveaways before they can be done. That the practice will be banned in New York seems remote. Not one complaint on this issue was received in this office.

While the independent look to giveaways as a business salvation, circuits in general are saying clear of them. It has reported Warners are distributing free articles in some of their New Jersey houses, but this, it is said, is an effort to drum up interest.

Form Rex Premiums

Rex Premium Corp. has been formed with Greater New York as its field of operations.

Production Gains Slightly on Coast

(Continued from page 1)

36 features and 120 cuts scheduled for the preceding week. In the final preparation stages there are 20 features and eight shorts scheduled to get under way in the next week. Of the features, 16 are new and the 20 shorts are in the cutting rooms.

 warners, as in the past four weeks, continues to lead the field for activity with seven features in work, three preparing and eight editing; Paramount is a close second with seven, four and three; Fox has six, two and four; Columbia, five, zero and seven; M-G-M, three, and 18; Radio, two, one and six; Universal, two, three and three; 20th Century, one, zero and zero; Roach, zero, zero and one, while the combined independent studios register a total of five, four and seven.

In the short subject division M-G-M has one before the cameras, one preparing and four editing; Roach has one, one and two; Columbia, one, zero and one; Radio, one, one and six, while the independents aggregate three, five and six.

Charnas Golden Wedding

CLEVELAND, Oct. 28.—Mr. and Mrs. M. Charnas, father and mother of Harry Charnas of New York, Nat of Toledo, Phil of Buffalo and Mrs. Jesse Fishman of Cleveland, celebrated their 50th wedding anniversary today with a dinner and reception at the Jewish Center.
As FULL of COLOR as the LEAVES of AUTUMN!

That's the kind of program you can offer when you play Educational's short subjects. There is color in these big star featurettes; there's infinite variety in them; a quick tempo to pep up your show; the best music and the biggest laughs...and always more and bigger star names to attract the public.

No wonder every week is showing a larger number of theatres playing

Educational Pictures
New Uses for Films Coming, Says Quigley

Problem for Engineers, He Tells S. M. P. E.

One of the aftermaths of the clean drive will be a continuing demand that films, now devoted almost entirely to theatrical entertainment, will project themselves into new fields, declared Martin Quigley, president of the Monday lunch of the S. M. P. E. in the Hotel Pennsylvania yesterday. It is the function of you engineers to supply the answer to this," he said. "It is the belief of many that pictures should be given wider uses than those to which they have been applied."

Col. Roy Winton, secretary of the amateur Cinema League and the next speaker, added to Quigley's thought along this line by saying that amateur films had reached the point where

(Continued on page 4)

Wisconsin's 1933

Gross $6,601,000

WASHINGTON, Oct. 29.—Wisconsin last year had 303 film and vaudeville theatres with box-office receipts of $6,601,000 and payrolls of $1,494,000, it is revealed by the U. S. Census Bureau.

Milwaukee had 72 houses taking in $2,700,000 and payrolls of $541,000. Kenosha had six with receipts of $260,000 and payrolls of $40,000. Racine eight with receipts of $150,000 and payrolls of $49,000.

Look for Equity to Approve Guild Move

The agreement by which the Screen Actors' Guild becomes an affiliate of Actors' Equity Ass'n, and of the American Federation of Labor is expected to be approved by the Equity Council at the meeting of that body today.

Frank Gilmore, Equity president, was optimistic yesterday on the

(Continued on page 2)

Grand Jury Indicts 3 Empire Officers

Arthur Farkish, president; Joseph Batt, business manager, and Joseph Teperson, counsel of Empire State

(Continued on page 3)

Shuffle Impends

Reports were current yesterday of important impending changes in the Warner Philadelphia theatre zone. The changes, it is rumored, will break in about a week, but will not affect Leonard Schlessinger, zone manager. He has about 130 theatres under his wing.

Joseph Bernhard and Mort Blumenstock were in the Warner City yesterday and could not be reached for a statement.

The former returns today.

Oster States BIP Plan Not To Be Revived

By BRUCE ALLAN

LONDON, Oct. 29.—While he was in America, he discussed a possible amalgamation with B. I. P., with his associates, but these talks will never be revived, Mark Oster said at the annual meeting of Gaumont British yesterday. He presided.

G-B declared a final dividend of four per cent, or a total of seven per cent this year. A plan, involving $14,000,000 to consolidate various Gaumont British-owned subsidiaries, such

(Continued on page 3)

Individual Feature Sales Gaumont Plan

Individual sale contracts for each of its 16 pictures will be the policy of Gaumont British, according to Jefrey Bernhard, general manager. Bernard is of the opinion that every exhibitor should see the pictures he is buying before he signs a contract.

"Chu Chin Chow" has been booked over the entire RKO circuit in Greater New York and "Power" is set in all Loew houses in this territory.

Runs, Hits, Mostly Errors

By FRED

NYACK, N. Y., Oct. 29.—The ex-

(Continued on page 2)

GRANTS DAMAGES IN
PA. TRI-ERGON CASE

U. S. Judge Punishes 3
For Infringement; First Action of Its Kind

SCRANTON, Pa., Oct. 29.—Altoona Publix Theatres, Wilmer and Vincent and the Locust Street Real Estate Co. of Harrisburg, Pa., were today ordered by Federal Judge Albert W. Johnson to pay to the American Tri-Ergon Corp. and Tri-Ergon Holding, A. G., a Swiss corporation, profits and damages for patent infringement.

This is the first instance of a court compelling a defendant in a Tri-Ergon suit to reimburse the plaintiff for losses alleged to have been suffered through infringement of its double printing and flywheel patents.

On Friday Judge Johnson appointed Frank H. Stross, former judge of the Northumberland County Common Pleas Court, as a master to report on

(Continued on page 3)

Legal Points Face

Joyce on Para. Fees

Special Master John E. Joyce took under advisement yesterday the arguments of counsel on vital legal points affecting the allowance of fees aggregating more than $100,000 to trustees, their counsel and special aids for services in connection with the Paramount Publix bankruptcy.

The trustees, Charles D. Hilles, Eugene W. Leake and Charles E. Richardson have petitioned the court for interim allowances of $100,000 each, their counsel, Root, Clark, Buckner & Ballantine, ask $350,000. Joyce

(Continued on page 3)

Sinclair Asks Probe Of Film Activities

LOS ANGELES, Oct. 29.—A demand that Congress investigate an alleged campaign of propaganda by film interests to defeat him in his race for the governorship of California has been made by Upton Sinclair. The request was contained in telegrams to Senator David I. Walsh (D.

(Continued on page 3)

Short Silent About

E. G. Levy's Charge

Dr. William H. Short, head of the M. P. Research Council, withheld an answer yesterday to the charge made by Edward G. Levy, M. P. T. O. A.

(Continued on page 2)
Arthur Optimistic After Tour of West

Optimistic over business conditions, Harry C. Arthur of Fanchon & Marco returned yesterday from a three-week trip to St. Louis, Chicago and Los Angeles, declaring that "things are looking up."

"There is a wave of optimism sweeping through the country," he said, "particularly in theatre circles."

"This is an excellent business season," Arthur asserted, "despite rainstorms, snowstorms and blizzards. The apparent efforts by producers to make better pictures is evident and the results are bearing fruit."

Arthur points to "One Night of Love" as one example. He says this picture ran for 31 days in St. Louis theatre seating 5,000, which is an all time record for that city. He also added that "The Gay Divorcee" and "Judge Priest" are correlating grosses three and four times the normal business.

First Division to Get Chicago Branch

Chicago will most likely be the next spot First Division to set up its own exchanges. Harry H. Thomas, president, leaves for the Windy City today to discuss the local situation and from there will tour other cities with a view to establishing the First Division branches.

The last exchange center at which the company set up its own selling force was Atlanta, when a deal was made with M. C. Howard, who is in charge.

Fox's Wife Testifies

Mrs. William Fox was a witness in Podoloff-Films' suit yesterday against Maurice Mannier, a chauffeur, who is on trial charged with demanding $30,000 of her under threat of kidnapping her grandchildren.

Schenck to Coast Soon

Nicholas M. Schenck, president of Loew's and M-G-M, plans to leave shortly for the coast on his annual visit to the studios. No date for his departure has been set.

Albany Gets Vaudeville

ALBANY, Oct. 29.—Vaudeville has been returned to Harmonus Bleeker Hall in an attempt to meet the competition of balalaika and vaudeville at Proctor's Trey week-ends.

"Widow" at $39,219

For First 18 Days

"The Merry Widow" garnered $39,219.25 in the first 18 days of its two-day run at the Astor. For the first four days the gross totaled $64,25; for the next seven, $15,347, and for the last week, ending Sunday night, the picture did $11,508.

"Radio Days" and "One of the Howling Dog" took in $15,500 for nine days.

"Last Gentleman," at the Rivoli, took in about $27,000 for the first week, and the second week, ending tomorrow night, it is expected to wind up with about $17,500. "Have a Heart," at the Mayfair, garnered $11,500.

"Divorcee," "Wiggs" Big in Cincinnati

CINCINNATI, Oct. 29.—"The Gay Divorcee" proved a box-office magnet at the RKO Albee last week, leading the town with an estimated $18,000, which is $2,000 ahead of "Mrs. Wiggs," Carl Laemmle's non-motion picture, which is preceding. The Astaire-Rogers opus moves to the RKO Lyric for its second engagement.

"Mrs. Wiggs," incidentally, which moved to the RKO Grand following its week at the Albee, piled up $4,500 at the RKO Palace, in an identical stand, which is a record high for the Grand.

Korngold Arrives Here

Erich Wolfgang Korngold, Viennese composer, will arrive in New York today on the Majestic en route to Hollywood to arrange the music for "The New Moon." Korngold, the Russian director, is due in this country in a few days to go to the coast to coach the dancers in this production.

RKO Directors Meet

A meeting of the board of directors of RKO Radio Pictures was yesterday. Only "routine business" was transacted, according to a company spokesman.

J. R. McDonough, president of the picture company, who came east for the meeting, plans to return to Hollywood tomorrow.

Schiller at His Desk

Col. E. A. Schiller, vice-president of Loew's, Inc., yesterday returned to his desk from a lengthy recuperation following his recent illness.

Big Board Stocks Show Losses

<table>
<thead>
<tr>
<th>High</th>
<th>Low</th>
<th>Net</th>
<th>Sales</th>
</tr>
</thead>
<tbody>
<tr>
<td>Columbia Pictures, inc.</td>
<td>340</td>
<td>341</td>
<td>575,000</td>
</tr>
<tr>
<td>Consolidated Film Industries, inc.</td>
<td>155</td>
<td>154</td>
<td>150,000</td>
</tr>
<tr>
<td>Hal Roach Co.</td>
<td>110</td>
<td>109</td>
<td>60,000</td>
</tr>
<tr>
<td>Eastman Kodak Co., new</td>
<td>144</td>
<td>144</td>
<td>144</td>
</tr>
<tr>
<td>Film A.</td>
<td>29</td>
<td>29</td>
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<td>Loew's, Inc.</td>
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<td>Paramount Pictures, inc.</td>
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<tr>
<td>Warner Bros.</td>
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Paramount Low. F. Bonds Advance 2

<table>
<thead>
<tr>
<th>High</th>
<th>Low</th>
<th>Net</th>
<th>Sales</th>
</tr>
</thead>
<tbody>
<tr>
<td>Keith B. F., 6s 45%</td>
<td>63</td>
<td>61</td>
<td>61</td>
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<tr>
<td>Loew's 6s 41, wr due May 1941</td>
<td>31</td>
<td>31</td>
<td>31</td>
</tr>
<tr>
<td>Paramount Broadway, 5% 91</td>
<td>16</td>
<td>16</td>
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<tr>
<td>Paramount, 5%, 1955</td>
<td>515</td>
<td>515</td>
<td>515</td>
</tr>
<tr>
<td>Warner Bros. 6s 97, wr due 1959</td>
<td>38</td>
<td>38</td>
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</tbody>
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LeRoy Sees No Early Spread of Color Use

CITRICA, Oct. 29.—Use of color isn't likely to spread in the near future, says Mervyn LeRoy. He personally prefers black and white, he says.

LeRoy and Mrs. LeRoy, the formers, Warner, stopped off here, but were en route to Swann, New York. LeRoy said he would be in the metropolitan area about 10 days and would see many plays, and once in a while he would say, "Oil for the Lamps of China." An "Anthony Adverse" will not be started until next March.

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See Films Changed Little by Campaign

BALTIMORE, Oct. 29.—Speaking here today at the opening session of three-day film conference at the El Monte Hotel, Mrs. Robbins Gilman, manager of the National Congress of Parents-Teachers, Ass'n, declared there has been "no production picture is a money-maker in spite of the concentration of agitation for better films." A committee for scientific film entertainment, which Mrs. Gilman recommended that a recreational program for the young be introduced, would encourage the production of children's plays.

Short Silent About E. G. Levy's Charge

(Continued from page 1)

general management of Short's organization had as its ultimate objective the promotion of "widespread non-theatrical exhibitions" in competition with established theatres.

Explaning that he had not yet seen a copy of Levy's address containing the charge, Dr. Short said: "All I know about it is what I have seen in the papers, and from that I would say that Levy is barking up the wrong tree."

Levy's charges against the recreating company are based in a recent address to the New England Film Council, copies of which were printed and distributed to members.

To Show Sports Film

Frederick W. Rubien, secretary of the American Olympic Committee, and a representative of the German Tourist Information Office, will be hosts at a cocktail reception at the Waldorf-Astoria. The feature of the party will be a preview of "The Olympic Winter Sports Cabin," scenes of winter and sports at Garmisch-Partenkirchen, seniors of the 1936 Olympic Games with sports.
Ostert States BIP Plan Not To Be Revived

(Continued from page 1)
Gainsborough, is expected to be 
stopped stockholders shortly. In the anticipation of which there will be issued privately $100,000 in 4% per cent debentures perhaps 96, which is the current price. Ostert expressed his satisfaction with progress made by Gaumont British 
America and pointed out additional revenue will sweep the company's coffers from America during next year.

Sinclair Asks Probe Of Film Activities

(Continued from page 1)
asked and Representative Wright 
man (D., Tex.)
Sinclair quoted an industry trade 
paper as "openly boasting" that Louis 
Mayer, C. C. Pettiglian, Carey 
and Irving Thalberg "entered 
war against me and are aiding the 
American." Sinclair charged at 
these men disseminated information that this 
was a Spanish catapult used with me or my platform is the "pint," 
Sinclair's message concluded. According to the 
industry is permitted to 
defeat unworthy candidates it 
can be used to influence voters 
very, it can be used to influence voters 
"unjustly." 
Sinclair's demand for an 
investigation following a protest made to 
Mr. says that Pettiglian, M. P. P. D. 
Karnes, was "exploiting the 
candidacy of my opponent."

Look For Equity to Approve Guild Move

(Continued from page 1)
ances of the agreement being 
approved. If the anticipated action is 
by the council, the agreement will be submitted to the entire Equity 
membership at a subsequent meeting, it must also be approved by the 
guild's membership before becoming 
fective. Minor changes in the 
affiliation plan may be made, it was 
reported. It was said that the court's 
disturb the present plan of 
mainstreaming the guild as an independent 
Trade leaving absolute local auton-
omy in all matters not opposed to 
constitutional and bylaws of the 
F. of L.

More Big Pictures Than Ever—Briskin

Cicatzo, Oct. 29.—This season 
ared off with more big pictures 
run in many years, said Sam Briskin, 
ny, New York, who is a two-week 
theit will include business 
ferences. There is a dearth of good 
aiting, he insists.

Briskin will return to the coast by 

Court Grants Damages in Patent Case

(Continued from page 1)
an accounting of profits, gains and 
advantages which have accrued to 
the defendants separately by reason 
of infringement of the Tri-Ergon 
flywheel patent.

The court also directed that a 
permanent injunction be restrained 
the defendants in the use or sale of equip-
ment infringing on the flywheel patent.

Damages in the suit, it is said, 
run into the millions. The case was 
ocked before Judge Johnson here in 
December, 1933. The RCA, acting 
behalf of RCA Photophone, was a 
defending party in the action.

The court's action so far, assured, 
handed down Dec. 16, was taken to 
the Circuit Court of Appeals, which 
affirmed Judge Johnson's findings, and 
on Oct. 8 to the U. S. Supreme Court, which 
sustained the decision of the 
lower tribunals.

Grand Jury Indicts 3 Empire Officers

(Continued from page 1)
M. P. Operators' Union, were 
icted by the Grand 
Jury yesterday on charges of con-
plicity and second degree grand 
jury. One of the grand juries had 
icted for coercion of a theatre owner.
The four entered a plea of not 
guilty before Supreme Court Judge 
J. Fitzgerald, who held them in $3,500 
bail each.

The first three are accused of 
tending to defraud the members of 
the Union of $50,000 by collecting $200 
each from representatives of theaters that would be held 
avant wireless appeals to 
surance that members of the union employed by them would give good service. It is alleged the money is to be used, according to the 
courts on a campaign of coercion against theatre 
 owners.

In bunding up the indictments the 
Grand Jury expressed the opinion that 
gangsters were being used by union 
officials in the industry to "blackmail" theatre owners.

Abelos in Mexico City

MEXICO City, Oct. 29.—Arthur 
Abelos has been detailed as new 
anager of the Warner exchange. 
eeds Felipe Mier, who has taken 
over a projection machine and access-
ories business.

The most brilliant Soviet film since 
"ROAD TO LIFE" DOUSTOYEVSKI'S "PETERSBURG NIGHTS"

"Eloquent and stirring" DAILY HERALD-TRIBUNE

"Magnificent cinematic achievement." WORLDER TELEGRAM

"Presented in best Soviet tradition." NEW YORK TIMES

Just ended a six week first run in New York 

AMKINO CORPORATION
BR. 9-7660 N. Y. City
New Uses for Films Coming, Says Ogilvy

(Continued from page 1)

many of them were worthy of consideration with standard film product and were suited for auditorium projection. He mentioned a science film recently produced by the Massachusetts Institute of Technology, and said sub-standard wide films were now being used extensively in science, physics, medicine, teaching and industry. He agreed with Ogilvy in saying that civic groups and others seeking specialized films should not depend upon the producers of theatrical film for their supply.

He thanked the S. M. P. E. for providing the apparatus that has made amateurs’ work possible.

The luncheon was one of the opening features of the four-day fall convention.

A morning session, H. G. Tastetter of the U. S. Research Laboratories was elected president as successor of Dr. Alfred N. Goldsmith. Other officers named were: Executive vice-president, Emery Huse; editor, Arthur H. Wolf; convention vice-president, W. C. Kunzmann; secretary, J. L. Kurland; treasurer, T. E. Shea; governors, S. M. P. E. officers.

Spring Meet on Coast

Another of the opening day’s developments was a decision of the board of governors to hold the spring convention on the Coast, in connection with the 1934 San Francisco Exposition. Closer relations with the Academy of M. P. A. Arts and Sciences and with engineers in the studio end of the industry were also discussed.

Frances Taylor Patterson, director of photoplay appreciation at Columbia University, spoke on the subject of “The Technological Engineer” by saying that she had always admired the technicians of the business, and had often found in the course of her researches some of them remembered outstanding technical phases of films more often than they were remembered story matters.

Subjects discussed at the morning session were: “Current Developments in Production Methods in Hollywood,” Tasker; “The Use of Motion Pictures for Visual Education,” Miss R. Hochheimer, director of visual education in New York City schools; “The Motion Picture Industry in Russia,” V. I. Verlinsky, Amikos Corp. A picture called “Fundamentals of Acoustics” was shown, and reports were submitted by R. F. Mitchell for the non-theatrical exhibition, and W. E. Theisen for the historical and museum committee.


At the evening session there was one talk—"Some Photographic Aspects of Sound Recording," by C. E. Theisen, followed by the showing of films.

Sound will be the principal topic of the remaining sessions tomorrow, with discussion of projection, architectural acoustic and theatre fronts making up the afternoon program.

Legal Points Face Joyce on Para. Fees

(Continued from page 1)

questioned whether the allowances should be limited to the provisions of the old bankruptcy law which specify that the fees shall be two per cent of the moneys handled by the trustees for the bankrupt estate, which tax receiver and counsel the allowances to less than $50,000.

Arthur A. Ballantine, of counsel for the trustees, said: "The new bankruptcy law does not apply, since Paramount filed for reorganization under the new section 77-B, and pointed out that in the Pennsylvania bankrupt court shall set a "reasonable" allowance. He also argued that the trustees’ allowances, computed on the moneys handled for Paramount Publicx subsidiaries, should be the same as those not were not, themselves, in bankruptcy.

"The management and control of the producing and distributing subsidiaries of Paramount are too much of a very large part of the trustees' work. The budgets for those companies were open for the trustees' inspection and disbur- sion by them are counterinsigned by the trustees.'

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Probe Is Up To Make-Up Of Congress

Sinclair's Political Fate Also Factor

By CLARENCE LINZ

WASHINGTON, Oct. 30.—A Congressional investigation of alleged propaganda efforts in California by major radio interests, sought today by Senator Sinclair of Senator Walsh of Massachusetts and Representative H. G. Johnson of Texas, will depend upon the testimony of the new Congress which convenes in January. It is believed to be a well-informed political circle here.

Owing to the failure of Sinclair, it is pointed out, to do much to minimize the importance of the subject, but his election, on the other hand, would put him in a position to make a strong stand for any such inquiry as he has already asked for.

Whether the California situation is investigat ed or not, observers say (Continued on page 18)

Sinclair Probe Request Follows Reporter Story

"The open boasting" of an "industry trade paper" which cited Louis B. Mayer, Charles C. Pettijohn, Irving Thalberg and Carey Wilson as having entered a war against me and are leading the "Merrian campaign," on which Upton Sinclair based his request to Washington for a Congressional probe of films appeared in Monday's The Hollywood Reporter.

Wilkinson Planning Trade Daily in N. Y.

W. R. Wilkinson, publisher and editor of The Hollywood Reporter, yesterday was reliably reported preparing to invade the New York trade paper field with a daily.

Hollywood, Oct. 30.—Asked to comment on reports he would publish a trade daily in New York, W. R. Wilkinson said "Nothing to it and no such intentions. I had the idea about a year ago, but it was kicked in the pants."

Rumors Gain of Cut At Phila. First Runs

PHILADELPHIA, Oct. 30.—Following admission reductions by Warners at several Philadelphia neighborhood houses, which have suffered most from the depression, rumors are growing (Continued on page 18)

Equity Council for Guild Move And Orders Agreement Drawn Up

Affiliation of the Screen Actors Guild with Actors' Equity Ass'n, was "heartily indorsed in spirit" by the Equity Council yesterday, according to a statement issued following the meeting.

The council, however, directed its executives and legal staff to prepare a draft embodying the affiliation agreement which will be submitted to a second meeting of the council on Friday. This move is regarded as a formality occasioned by the importance of the affiliation and is expected to be ratified without objection. There were no dissenting voices at yesterday's meeting which was attended by more than 25 council members.

Theatre Seat Range Up to 1,000 Urged Of Tri-Ergon

Theatres of 1,000 seats are better than larger types and two smaller theatres in a densely populated neighborhood are better than one large one, declared Ben Schlanger yesterday at the second day's sessions of the S.M.P.A.E. Schlanger, New York theatre architect and a steady contributor to Better Theatres, a Quigley publication, was discussing the general subject of "Proposed Architectural, Acoustic and Optical Standards in Motion Picture Design."

One-sixth of the theatres of the country have half the seating capacity, (Continued on page 6)

Warner Has Narrow Escape from Motor

HOT SPRINGS, W. Va., Oct. 30.—Albert L. Warner, who is here re-cuperating from a tonsil operation, was nearly killed recently by an automobile which almost ran him down during a snowstorm, it was learned today. Warner was backing a heavy (Continued on page 6)

Drama, Music Best In Britain—Balcon

LONDON, Oct. 30.—Michael Balcon, production general for Gaumont British just returned from the States, sees England's forte in the field of serious drama and musicals. "I think British producers have demonstrated their ability already (Continued on page 6)

Rule Transfer Illegal, But Board Aids Theatre

Finding an exhibitor guilty of illegally transferring a theatre from one corporation to another to avoid contracts and at the same time recommending leniency by distributors in adjusting contracts is something new in local circles as far as the New York grievance board is concerned.

After listening to Morris Feldman tell how he transferred the De Luxe Theatre in Newark from the De Luxe Theatre Corp. to Ralph Feldman, son, because some of the distributors would not reduce rentals, thereby making it impossible for him to operate on (Continued on page 16)
Published daily except Sunday and holi-
days by Motion Picture Daily, Inc., sub-
sidiary of the Martin Quigley, President; Colvin Brown, Vice-President and Treasurer.
Publication Office: 770 Broadway, New York. Entered as second-class matter at
the Post Office in New York, N. Y., under Act of March 3, 1879. Subscriptions rate per year: $6 in
the American, except Canada $15 and foreign $12. Single copies: 10 cents.

Eastman Sells Some
Of Silver to Gov't

ROCHESTER, Oct. 30. — Eastman Kodak today sold a portion of its 10,000,000
points of silver essential in the making of film to a government agency. The
amount involved was not disclosed. The purchase was made under the provision of the order that silver with certain exceptions was to be turned over to the government.

Commenting on the sale, a U. S. Treasury spokesman said:

"At the time the order was issued, there was some question as to the
validity of the order only for film manufacturing companies but as to
motion picture concerns as well for the moment th. ¶ is essential in the
conduct of their business. As a matter of fact, these companies are merely
complying with the executive order directing silver to be turned over
to the government just as was done with gold earlier in this adminis-
tration."

A Kodak official pointed out that it
should be remembered that the com-
pany's requirements of silver were not for
speculative purposes but solely as an
dispensable raw material used in its
manufacturing operations. "Therefore," he said, "as all of the
silver used by the government will eventually have to be replaced by the purchase
from available sources of supply at gradu-
ally increased prices."

Warner's Hold Dance

Several hundred Warner home
office and employment exchanges gathered at the Commodore Hotel late last night for their Hal-
lo-Ween dance. The party began at
9 o'clock and lasted until the early morning hours.

Warner on Club Board

Harry M. Warner, head of War-
ners, was elected a director of the M. F. Club yesterday, while Louis
K. Sidney of the Capitol was named chairman of the entertainment com-
mittee.

Discuss Charity Drive

Various leaders in the industry met
to discuss the federation of Jewish
Charities drive.

Columbia Up Quarter on Big Board

Trans Lux Shows Gain on Curb

Morrison Sees Good Season in Prospect

"While there is no tremendous im-
provement noticeable now, all indi-
cations point to a boom in the season ahead," Ernest Morrison, division
manager for Paramount Enterprises, Inc., and Sparks East Coast circuit, stated yesterday.

"All indices point to a good sea-
son but there is nothing in the cur-
rent trend that indicates to refute this," he said. "There is little repairing going on.
Within the last year 220 new resi-
dential houses were built in Miami Beach, which is a good sign for future
business. Real estate is perk-
ing up," he stated. He has 10 houses under its supervision.

Morrison, who is here with Fred
Kent, attorney for Paramount Ent-
prises and Sparks East Coast, leaves
today for his headquarters in the
Olympia Theatre Bldg., in Miami.

Richmond Business Fair

Charles Somma, operating the
Bluebird, Petersburg, Va., and A. Frank
O'Brien, division manager for Wil-
liam V. Rutenberg in Richmond, assured
yesterday business in the territory is fair, but better than last year. All
17 theatres in Richmond are operating except for the Lyric, a legitimate
house.

Giveaways are rare in this terri-
ty but on the whole, he declared, that every once in a while someone
adopts the practice for a day or so.

"U" Buys Flash Gordon

Universal has bought screen rights to the comic strip "Flash Gordon" and will use it for a serial. King Features Syndicate controls the newspaper
rights. It appears every Sunday in all Hearst papers. Alexander Ray-
mond of New Rochelle is the artist.

Take Over the Aurora

Harry Harris and C. Morton, op-
nomers of a number of New York
houses, have taken over the Aurora
in New York. The theatre has installed RCA High Fidelity sound.

Mayfair Books "Galante"

Walter Reade has booked "Marie Galante" into the Mayfair, starting in two
weeks.

Trans Lux Shows Gain on Curb

Warner Bonds Gain One-Quarter

Wednesday, October 31, 1934
It's give and take with no holds barred as this madhouse sextette takes the field for a workout prior to the big game. Reading from right to left, they're Lyda Roberti, the Bench-Warmer, blonde, beautiful and bughouse.... Joe Penner, The Draw-Back, with a Duckskin tucked under his heart.... Mary Brian, who ought to know better than to be seen in this company.... Jack Oakie, the screen writer's ideal of what a football hero should be like and isn't.... Helen Mack, a co-ed what's a co-ed.... and Lanny Ross who once was Yale's 440 Champ but learned better! And they're all in

COLLEGE RHYTHM

JOE PENNER • LANNY ROSS • JACK OAKIE • HELEN MACK
LYDA ROBERTI • MARY BRIAN • GEORGE BARBIER and the All-American Co-Eds

Paramount Picture directed by Norman Taurog with plenty of words and lots of music by Gordon & Revel
GREAT NEWS! YOU SEE IT AT POPULAR PRICES WHILE IT'S THE RAGE OF BROADWAY AT $2

"Gay Paree!

THE MERRY WIDOW

**** THE N.Y. DAILY NEWS GAVE IT 4 STARS — THE BEST IN PICTURES!

Let me dance 'till the restaurant whirls—with the Girls, Girls, Girls!

We fall in love! He did not know she was the rich and desired young widow. Their romance in Morimine is glorious, gay, exciting! East of 485! Alberta Beach balls! The year's supreme spectacle of romance, music, laughter!

Maurice CHEVALIER, Jeanette MACDONALD and EBNEST LUBITSCH

A Metro-Goldwyn-Mayer Picture Starring

The Spectacular "Merry Widow Waltz" to Franz Lehar's immortal love song!

"Vilia, Oh Vilia, I've waited so long, lonely with only a song!"

TYPICAL NEWSPAPER ADS FROM SHOWMANS CAMPAIGN!

$2 WORTH!

Gayly the World's Biggest Musical Film Starts Nationwide on its Sensational Popular Price Career! The industry's One and Only $2 attraction, now in its 3rd merry week at the famed Astor, N.Y. playing twice daily.
THEY KISSED AT GAY MAXIM'S and she thought he wanted only her millions!

Music...haunting and seductive! Gypsy violins sobbing a melody of love! The Girls from Maxim's! Paris! Gay Vienna! Hundreds of ballet beauties! A Symphony Orchestra of 100 pieces! 485 in the cast!

THE MERRY WIDOW

A Metro-Goldwyn-Mayer Picture

DIRECT TO YOU AT POPULAR PRICES

While Broadway packs the famed Astor Theatre at $2 to thrill to the year's glorious spectacle of Youth, Love, Laughter!

LOVE SONGS YOU'LL ADORE:
"Vilia"
"The Merry Widow Waltz"
"Maxims"
"Melody in Maytime"

STARRING

Maurice CHEVALIER
Jeanette MACDONALD
ERNST LUBITSCH

with EDWARD EVERETT HORTON
MINNIE CORNELL.
Para. Delays On New Setup Annoy Court

(Continued from page 1)

creditor and claimant groups joined with Bogs in their protest of the court's order. It was urged by representatives of the bondholders' committee, of which Frank A. Vanderlip is chairman, and a committee, of which Duncan A. Holmes is chairman, that a reorganization of Para- mount would be in order if the trustee was permitted to proceed with their examination of the bank officers at this time.

It was made clear that a settlement of the bank group's claim has been agreed upon by the bankers and the leading holders in the Paramount reorganiza- tion and that the settlement has been a made a part of the Kuhn, Loeb plan. The bankruptcy court, however, cannot be made effective until the Kuhn, Loeb plan has been completed. Thus the trustees' action in not returning the representative until the reorganization plan for Para- mount has been accepted by the court.

Judge Coxe, reflecting some impatience over the delay in submitting a plan for Paramount, stated that he wanted to know "by what time the Kuhn, Loeb plan or other plans could be presented."

"It seems," Judge Coxe said, "that the work has been planned just as near the corner."

Say They Have Plan Ready

Malcolm Sumner, understood to represent holders of 14 Paramount bonds, told the court that he and E. L. Gar- vin, also representing bondholders, had a plan in readiness which they could submit "tomorrow."

"Do you represent them?" Judge Coxe asked.

"I speak for our creditors and all other creditors who have operators in this situation," Sumner replied.

"But without credentials," the court responded.

"I understand the creditors," Judge Coxe advised Sumner that he "could not even submit a plan" without a creditor representation prescribed by law. "But I disagree on this interpretation of the law, whereupon the court declared that even if he were permitted to law to submit a plan, Sumner could expect no consideration for it from the court if it did not have the support of the prescribed creditors or the holders of valid claims. The attorney stated later that he disagreed with this viewpoint, also, and contended that if his plan was more equitable than any other sub- mission, he would be obligated to instruct the creditors to accept it.

Neither the court nor representatives of any of the large creditor groups displayed interest in the Sum- ner-Garvin offer to submit their plan.

Para. Obtains First Stratosphere Films

First films of a stratosphere flight were obtained by Paramount newswail with the help of the Picardas. Mrs. Picardas did the camera work. Paramount says the resulting films are satisfactory in spite of the acciden- tal landing in a treetop in Ohio.

Holdovers

Los Angeles, Oct. 30.—Following in the footsteps of "Winger Bar," "James" and "Here Comes the Navy" are the only pictures that have hung up for three weeks at Warners' Hollywood.

"The Gay Divorcees," one of RKO's big fall nosey up, is now hold- ing for a third week at the Hillstreet.

Drama, Music Best

In Britain—Balco

(Continued from page 1)

insofar as straight drama is concerned and that their progress in this direc- tion will continue to be marked in the future," he told Motion Picture DAILY.

"Where musicals are concerned, the recent musical presentation at the Opera House on Saturday night was a success, but our general leaning here happens to swing in the latter showing, the reason for this is what a musical properly should be—"

Jersey Allied Talks

About Coming Dance

Committee reports on entertainment for an affair to be held in the middle of November, the typical in the form are scenes and the local buying situation were discussed yesterday by members of Allied of New Jersey. The committee of four for the general membership will be appointed shortly.

Omaha Has 3 Weddings

OMAHA, Oct. 30.—Three marriages were recorded in one week on Film Row. Paramount exchange led the list with two when Johnny Harris, a poster clerk, married Edna East, and Gladys Waterhouse of the inspection department married a former Para- mount employ, Clarence Fullam, at M-G-M, Anne Zwieback, secretary to Branch Manager H. J. Shumow, mar- ried Art Grossman.

Hamrick Renovating

TACOMA, Oct. 30.—In line with his policy of modernizing all of his houses in Oregon and Washington, John Hamrick has let a contract for re-modelling his Blue Mouse. B. F. Shearer Equipment Co. will renovate and furnish new equipment at a cost of $5,000.

Passaic Stops Shows

PASSAIC, Oct. 30.—City commis- sioners have put a stop to weekly shows of German pictures here in an unlicensed building. Pictures had been going on for four weeks before the building inspector discovered that the showman did not come up to the- atre standards.

End Milwaukee Dispute

MILWAUKEE, Oct. 30.—A dispute between the operators' union and the Park, operated by Manning Silverman, which came to a head here on May 19, was dropped at the court's order at its first meeting here.

Theatre Seat Range Up to

1,000 Urged

Leo Reported Set for Head Of Tri-Ergo

(Continued from page 1)

he said. Most of the big ones were designed for the purpose of assuring in as many seats as possible, regardless of how well spectators could see the screen and if it is a success, the producers of the old-fashioned overhead charges to support the stage productions these houses require, he asserted, the number of seats poorly adapted for vision requirements were deducted from the sum total of seat- ing," he continued, "it would be found that there is more nearly a condition of lack of seating capacity than that there aren't enough seats.

He advocated a study of theatre standards to determine whether the present width of film is adequate. In this he said he believed that five millimeters in film width would give the picture a better shape and more definition. Wellings, too, had cut to a minimum, he explained.

Further study should be made of tolerable angles of vision, he insisted, and no patron should be forced to watch a picture between the heads of those in front of him.

The discussion of the same subject, S. K. Wolf of Erpi said the ideal shape for a theatre was propor- tions of 3 to 1, received a qualified wave, the shape and length, respectively. Square theatres are acceptable but not desirable, he said, and shooting galleries, or long theatres were avoided. He also made these points:

The Question of Curves

Promounced, unbroken curved sur- faces should be avoided. In theatres with deep stages, there should be as much space between the reproducer as between the reproducer and the front row. On very deep stages a cyclorama should be hung behind the reproducer. Ex- ternal noises should be guarded against and lokins should be far from the screen as possible. Seat as- sorption should also be studied.

Describing the problem of the en- gineer as one of "creating the illusion of reality," Dr. Alfred N. Gold- smith included among problems facing the improvement of film stock, reduction of the number of lenses, improvements in blimp cameras, control board settings, and enhancement of screen illu- mination.

F. R. Richardson, projection spe- cialist of Motion Picture Herald, was discussing the subject "The Need for Uniform Density in Variable Density Sound Film" which would be possible at present for one-man pro- jection booths to adjust sound ap- paratus for compensations in tone due to varying densities of sound track. Proper volume level must be provided so that little or no change of fader position will be needed.

Other subjects discussed under the morning session of the four-day convention at the Pennsylvania lighting as- terday were: "Pieoelectric Loud Speakers," A. L. Williams; "Sound Waves and Their Control," film reproducers by Erpi; "Performance and Use of Wave Filters, and a Mechanical Demonstration of Their

Mississippi Tax Is

Ruinous, Kuykendal

(Continued from page 1)

when it is said that he is willing to assist any organization in cleaning pictures.

The present officers were elected.

New Orleans, Oct. 30.—Exhibi- tion from this city who planned to att- end the convention of the Independ- ent M. P. Theatre Owners at Jacks- mson Oct. 20, have them at the last minute, probably due to the injury of H. S. McLeod, president of the G State Theatre Owners, received will be hurled his leg in his theatre.

Warner Has Narrow

Escape from Moto

(Continued from page 1)

wind and snow flurry, protecting his eyes with his arm as he crossed a road, but fortunately an automobile approaching Warner, called his attention to the situation.

Warner plans to leave for New York in the next few days.

Goldstein Joins Rex

Jack Goldstein has been named sal- manager for Rex Premiums, Inc., a subsidiary of Progressive Poster Service, the company will handle Ebbing & silver ware.


Afternoon topics, in addition to papers on theatre design presented Schlinger and Wolf, were: "Possi- bilities of Engineering Development in the Motion Picture Industry," Goldsmith; report of the projection prac- tice committee, H. Rubin; report projection loan, committee, J. Kurlander; "Possible Improvement in the Changeover System," or- ganization; "The Non-Rotating High I- nensity D.C. Arc for Projection," D. Joy and E. R. Gish; "The Stabile Unitwix Motor Generator for No- Rotation," D. C. A. and L. Sams; "Electronic Tube Con- control for Theatre Lighting," J. R. Mar- sshell; "Luminaires for Screens Fronts for Theatres," C. M. Cuff Pictures were shown at the even-ings.

The convention will continue through today and tomorrow and will close at the morrow night with a banquet.
SIDNEY R. KENT GOES ON RECORD:

"The White Parade" is the finest motion picture ever made by Jesse L. Lasky, surpassing even the greatest hits of his great career. It is a woman's picture that also appeals to men. It has more than tears and heart-throbs and laughter—it has a soul. There is no limit to its profits for the showman who will get behind it.

Signed:

President, Fox Film Corporation
EVERY REVIEWER JOINS

Film Daily:
"One of the best pictures of the year. Rich in sentiment and real human interest."

Motion Picture Daily:
"Showmen should do big opening business and bigger business as the news gets around."

Variety Daily:
"Scores a decided hit. Convincing in tears and laughter."

Motion Picture Herald:
"An outstanding contribution. Introduce it to your patrons as a picture you are proud to present."

Associated Press:
"An extraordinary picture!"

United Press:
"A distinct contribution...gripping, poignant."

Los Angeles Times:
"An achievement...attains genuine heights of emotion."

Photoplay Magazine:
"A picture that will appeal to all."
THE PARADE OF PRAISE!

Boxoffice:
"A smash hit! Inspiring... human... will tug at the heart."

PARADE

JESSE L. LASKY Production
The greatest hit of this great producer's career.

LORETTA YOUNG
JOHN BOLES

Directed by Irving Cummings
Screen play by Sonya Levien and Ernest Pascal
From the novel by Rian James
Adaptation by Rian James and Jesse Lasky, Jr.

Movie Mirror:
"Finest emotional picture of the month."
The Book That Rocks

NIGHT LIFE OF THE GODS

A UNIVERSAL PICTURE
Presented by CARL LAEMMLE
World With Laughter
NOW ON THE SCREEN!

Don't be incredulous; don't be surprised; don't be SHOCKED at ANYTHING you see in this, the screen scream of the century!...IT'S ALL IN FUN!...Statues come to life!...Folks are turned to stone!...Broadway's hot spots are turned upside down by a bunch of sports who really know how to go places and do things!...IT'S A COMEDY CLEANUP!

LOWELL SHERMAN'S
Uproarious Production of
THORNE SMITH'S
Riotous Novel
A Picture made
who loved “

“ANNE OF GI

L. M. MONTGOMERY’S
with ANNE SH
TOM BROWN O. P.

THANKSGIVING

RKO - RADIO PICTURE
Directed by GEORGE NICHOLLS, Jr.
Book published by L. C. Page & Co., Inc.
for the millions of Little Women”

GREEN GABLES”

AN AMERICAN CLASSIC

EY as “ANNE”

HELEN WESTLEY

T K ATTRACTION

(s)
“Cleopatra” $6,650 High, Minneapolis

MINNEAPOLIS, Oct. 30—“Cleopatra” topped Minneapolis grosses last week with a take of $6,650, over par by $3,650. St. Paul's best bet was “The Barretts of Wimpole Street,” also $6,500 and over average by the same amount.

Donald “Peck’s Bad Boy” (Radio)

PHILADELPHIA, Oct. 30—Business took a header last week, hitting the lowest total gross in many weeks. Only the stage show brought them their average, the Earl getting $14,000 with “Six-Day Bike Rider,” a good figure considering the stage game. The Fox hit $15,000 with "Peck's Bad Boy." Disappointment was “One Night of Love.” This $11,000 is a good take, but the film was expected to go two weeks. It will get a second run downtown at the Earlton.

Total first run business was $68,530. Average is $609.

Estimated takings for the week ending Oct. 25:

- MADAME DU BARRY (Warner) Gross: $7,000. (Average, $700)
- DEATH ON THE DIAMOND (M-G-M) Gross: $7,500. (Average, $750)
- THE LAST GENERAL (U. A.) Gross: $7,000. (Average, $700)
- BOYD—420, 40c-55c-65c, 6 days. Gross: $10,000. (Average, $1,666)
- THE GAY DIVORCEE (F. N.) EARLE—400, 4c-55c-65c, 6 days. Gross: $6,200. (Average, $1,033)
- STANLEY—(370), 4c-55c-65c, 6 days. Gross: $8,000. (Average, $1,333)
- WAGON WHEELS (Para) STEUDER—(50), 25c-75c, 2 days. Gross: $1,500. (Average, $750)
- MISTER JONES (Gomount-British) LOCUST—(1,000), 25c-55c-65c, 2 days. Gross: $3,200. (Average, $1,600)

“The Flying Trapeze” Montreal Leader at $9,000

MONTREAL, Oct. 30—“The Count of Monte Cristo” at the Princess, on a dual with “Look for the Silver Liner,” played to $9,000, or 50 cent above average. It was held over for a second week.

There was plenty of fun at Loew’s with “The Lemon Drop Kid” and a stage show headed by Olsen & Johnson. In the result, the take was $12,000. "Outcast Lady" was responsible for $10,000 at the Capitol, while the second week of “The Barretts of Wimpole Street" gave $8,500 to the Palace. Total first run business was $39,000.

Estimated takings for the week ending Oct. 27:

- KANSAS CITY PRINCESS (Warner) CAPITOL—(1,247), 25c-55c-65c-75c, 7 days. Gross: $12,000. (Average, $1,666)
- THE LEMON DROP KID (Para) ALABE—(200), 25c-75c, 7 days. Stage: Jerry Lewis Revue Gross: $9,500. (Average, $1,357)

“Barlow Theatres Merge

BUFFALO, N.Y., Oct. 30—The two Buffalo theatres here have decided to bury the hatchet and combine. The Barlow, owned by W. B. Mark, and the Bartow, owned by B. E. Gore, have been owned by the same company to a corporation, known as the Towner Amusement Co. Stock in the corporation is to be held by the former owners of the property.

"One Night," Washington, Hits $11,400

WASHINGTON, Oct. 30—“One Night of Love” cracked a record at the Metropolitan last week by piling up $11,400 in its first full week. This is $600 over normal.

It was a week of big business. Judge Priest ran up to $18,500 in the Theatre, over par, and "A Lost Lady," at $26,200, was a new high. The "Gay Divorcee" was a mild sensation at RKO Keith's with a take of $16,000, on the profit side of the line.

"Six-Day Bike Rider," helped by the fourth anniversary vaudeville program at the Earl, took $21,300. "Hail a Heart," with the assistance of Amos 'n' Andy, was good for $22,700 at Loew's.

Total first run business was $94,600. Average is $712.

Estimated takings for the week ending Oct. 25:

- SIX-DAY BIKE RIDER (F. N.) EARLE—400, 4c-55c-65c, 6 days. Gross: $6,200. (Average, $1,033)
- THE LAST GENERAL (U. A.) boats in (1,000), 6 days. Gross: $7,000. (Average, $1,166)
- BOYD—420, 40c-55c-65c, 6 days. Gross: $10,000. (Average, $1,666)
- THE GAY DIVORCEE (F. N.) EARLE—400, 4c-55c-65c, 6 days. Gross: $6,200. (Average, $1,033)
- STANLEY—(370), 4c-55c-65c, 6 days. Gross: $8,000. (Average, $1,333)

"Divorcee" Sets Up

NEW MARK IN OMAHA

OMAHA, Oct. 30—"The Gay Di- vorcee" did the best windup of any picture held over here in years, giving the Brandes $5,000 for the second week. This is $3,500 over par for first week, and is a record total for two weeks at this house—13,100. The last time the "Lombard" and "De- siable" profited nicely with $9,400 at the Orpheum, and the World was above average. The "Barrett's" ran $13,100 on "On Wings of a Dove." With "Peck's Bad Boy" and "Gift of Gab," "Cleopatra" slumped heavily. Total first run business was $26,200. Estimated takings:

- GIFT OF CASH (Univ) WORLD—(2,250), 25c-55c, 7 days. Gross: $11,000. (Average, $1,571)
- CLEOPATRA (Para) PARAMOUNT—(2,000), 25c-55c, 7 days. Gross: $9,000. (Average, $1,286)
**MOTION PICTURE DAILY**

**Boston Grosses Prosperous; “Priest” $6,000 Over Par**

BOSTON, Oct. 30.—The eighth consecutive rainy week-end brought joy and dollars to managers hereabouts. Take-ups were up all along the line, with Judge Priest at the Metropolitan garnering a fine $34,000 at the Metropolitian. This is $6,000 over the line.

A good show, however, was forced to yield the insistance of several exceptions demanding playing dates.

The only other real profit was the Alvin, where “Caravan” and a stage show rolled up a fine $11,725. Otherwise, things were "off." When “Young & Beautiful” even with a good show to bolster it, couldn’t better a very ordinary $16,250 at the Penn. “Happiness Ahead” dipped to $7,200 at the Stanley. The Pen shipped again, getting only $5,200 with “Young & Beautiful.”

Total grosses in six first runs were $25,150. Average is $56,500.

Estimated takings for the week ending Oct. 25:

- CARAVAN (Fox)
- ALVIN—6,300, 4c-6c-8c, 6 days, Gross $20,000. (Average, $3,333.)
- JACOBY OF MONTUNE CRISTO” (U. A. M-G-M).—FULTON—(1,350), 3c-5c-7c, 6 days, Gross $4,906. (Average, $817.)
- CLEOPATRA (Para.).—PENN—(2,000), 4c, 4 days, Gross $8,400. (Average, $2,100.)
- GUNSMOKE” (M-G-M).—SOUTH BETHANY—(1,600), 4c-6c, 4 days, Gross $7,055. (Average, $1,764.)
- “HAPPINESS AHEAD” (Walters).—WARREN—(2,600), 6c-8c, 6 days, Gross $4,900. (Average, $817.)
- “DAILY BIBLE” (M-G-M).—BROOKLYN—(1,200), 15c-35c, 3 days, Gross $3,000. (Average, $1,000.)
- “BIG HEARTED HERBERT” (Walters).—WARREN—(3,200), 6c-8c, 6 days, Gross $4,920. (Average, $817.)
- “BICYCLE THIEF” (M-G-M).—ROCKLEDGE—(1,000), 3c-5c-7c, 3 days, Gross $1,800. (Average, $600.)
- “DIVORCEE” (M-G-M).—SOUTH BETHANY—(2,600), 4c-6c, 6 days, Gross $7,055. (Average, $1,764.)
- “DAILY BIBLE” (M-G-M).

**“Priest” Big In K.C.; Gets $9,200 Start**

Kansas City, Oct. 30.—“Judge Priest” brought tremendous business to the Fox Uptown, where it is in a second week, and the first week’s take was $9,200 against $7,900 average.

The gross represented $7,800, above par by $1,700, with “I’ll Fix It” and a stage show, while “Gay Divorcee" in a second week, was held up well at $7,800. “What Every Woman Knows,” the Manhattan’s feature, was considerably off at $8,500. “Wagon Wheels” was below par at the Newman.

Theater attended territory competition in the American Royal Live- stock and Horse Show, which hung up an attendance record of an estimated 200,000 during the week.

Total first run business was $40,300. Average is $34,500.

Estimated takings for the week ending Oct. 24:

- WAGON WHEELS (Para.).—NEWMAN—(1,800), 25c-45c, 7 days, plus Saturday midnight show, Gross $6,000. (Average, $857.)
- WAGON WHEELS (Para.).

**“Divorcee,” Show Big in Providence**

(Continued from page 14)

**“LEMON DROP KID” (Para.)**

- STRAND—(2,300), 15c-45c, 7 days, Gross $4,500. (Average, $643.)
- “KANSAS CITY PRINCESS” (Warner).—MIDWEST—(1,000), 7c-12c, Stage: Paradise Night Club. Revue. Gross $3,800. (Average, $543.)
- “WHAT EVERY WOMAN KNOWS” (M-G-M).

**“Back Page” (Pyramid)**

- MAJESTY—(2,000), 15c-45c, 7 days, Gross $4,500. (Average, $643.)
- “RICHEST GIRL IN THE WORLD” (M-G-M).

- RKO—VICTORY—(1,600), 15c-25c, 4 days, Gross $1,500. (Average, $375.)

**Arlis Film Tops Frisco In Dull Week**

San Francisco, Oct. 30.—The Last Carpen is not, indeed, a new idea, as every town to develop any strength last week, and its showing was nothing to get excited about. The take at the ragtops was $10,000, over par by $2,000.

“Kentucky Kernel” made an average $12,000 at the Golden Gate and a dual, “A Lost Lady” and “Mrs. Wiggins of the Cabbage Patch,” was held up well at the Curran. Paramount, but elsewhere business was off.

Total first run business was $77,500. Average is $83,000.

Estimated takings for the week ending Oct. 22:

- “KENTUCKY KERNELS” (Radio).—THEATER—(4,000), 15c-35c-45c, 7 days, Stage, band. Gross $13,000. (Average, $1,857.)
- “A LOST LADY” (Warner).—“WOMAN OF THE CABBAGE PATCH” (Radio).—PARMOUNT—(2,600), 15c-35c-45c, 7 days, music, Gross $12,000. (Average, $1,714.)
- “BARRETT’S OF WIMPOLLE STREET” (Columbia).—WARFIELD—(2,400), 7c-12c-15c, 7 days, Gross $3,500. (Average, $500.)
- “LEMON DROP KID” (Para.).—ORPHEUM—(3,000), 15c-35c-45c, 7 days, Stage, Gross $6,900. (Average, $986.)
- “THE LAST INFIDEL” (U. A.).—UNITED ARTISTS—(1,500), 15c-35c-45c, 7 days, Gross $5,600. (Average, $800.)

**“Wagon Wheels” at $2,900 in Oklahoma**

Oklahoma, Oct. 30.—The best comparative business of the week was done at the Capitol by “Wagon Wheels” which took $2,900, up by $200.

“The Notorious Sophie Lang,” with Jack Crawford on the stage for four days, was good for $210 at the Liberty, but “Crime Without Passion,” which held the screen for the last three days of the week without the aid of a stage show, took only $400.

Total first run business was $12,600. Average is $15,300.

Estimated takings for the week ending Oct. 27:

- “HIDEOUT” (M-G-M).—CITRUS—(1,200), 15c-35c-45c, 7 days, Gross $6,000. (Average, $857.)
- “HIDEOUT” (M-G-M).—MIDWEST—(1,200), 15c-35c-45c, 7 days, Gross $6,000. (Average, $857.)
- “WAGON WHEELS” (Para).—CAPITOL—(2,000), 7c-12c-15c, 7 days, Gross $5,000. (Average, $714.)
- “HAPPINESS AHEAD” (M-G-M).—LIBERTY—(1,000), 7c-12c-15c, 7 days, Gross $4,500. (Average, $643.)
- “CRIME WITHOUT PASSION” (RKO).—CARIOCA—(1,000), 15c-25c-35c, 7 days, Gross $400. (Average, $57.)

**“St. Louis Kid” Latest**

Hollywood, Oct. 30.—Warner’s have changed the title of “The Perfect Week-End” to “The St. Louis Kid.” James Cagney stars.
Predict K.C. Zoning Will Start Dec. 1

Kansas City's clearance and zoning schedule will in all probability be the first to be adopted by Campi and put into effect. The various problems like the most probable date for the plan to be put into operation.

When the schedule came before an appointment made in New York numerous independent and circuit operators in Kansas City notified Campi that 90 per cent of exhibitors in the territory were in favor of the plan. It was also suggested that it be adopted as of Dec. 1. Other than general protests by M-G-M and Paramount, no complaints against the plan were registered.

Recommendations by the appeal committee will be put before the main Campi body on Nov. 8, when it is expected the schedule will be approved.

KANSAS CITY, Oct. 30.—Protests against Kansas City's proposed clearance and zoning schedule by Paramount and M-G-M at the present session of their executive board proved a bombshell here when the trade learned of the objections through Kansas City radio.

The general impression had been that all distributors, at least the major companies, favored the schedule as submitted by the local exchange managers of major companies, all affiliated circuit houses and a majority of independent exhibitors had approved the plan and wanted Campi's immediate adoption.

Retarding Selling Season

The selling season here is being seriously retarded in the absence of a clearance and zoning schedule. Adoption of the new plan as soon as practicable is as desirable for two reasons: to speed product buys and to stabilize the local price situation.

The protests by M-G-M and Paramount to basing clearance on admission prices and to making product available at the same time to subsequent exchanges charging the same admission are puzzling to local distributors and exhibitors in view of the fact this method has been found workable here for the last five years. Observers fail to understand the position of the companies in the situation out of the fact all provisions of the schedule are in line with the clearance principles recently enunciated by Campi.

Various interpretations are placed on the protest by the two major companies. The version that finds most credence is that it is an attempt made to split the Kansas City clearance situation wide open, in which event "no clearance" would be declared and the buyers would be able to sell to the highest bidder on their own terms.

Another view is that Pollux and Longino's association with the protesting companies, may want to return to the old 25-cent admission here, and, for this reason, want to assure themselves of adequate protection for their local first runs regardless of admission price.

Handle 196 Appeals

Of the 250 appeals filed with Campi, 196 have been disposed of by Code Authority to date.

L. A. Zone Decision Reversed by Campi

LOS ANGELES, Oct. 30.—Reversing a decision of the local clearance and zoning board, Campi has decided in favor of protests against the clearance of the Strand, Red Bank, and 68 for the Red Bank, Perilk, Amboy N.

The local board that operated the Carlton in Red Bank, was willing to give up the 70 pictures in this situation, but in the decision regarding the March 15th in need of pictures. He has three houses operating and has decided that there are many, if he were to give up 36 pictures in Perilk Amboy he would be stuck for product. The decision of the local board was a joint one for both situations, and in order to appeal from the Perilk Amboy verdict he must also take exception to Red Bank. The hearing is set for Monday.

Sustains Philadelphia Ruling

Decision of the Philadelphia clearance and zoning board in the case of the Mammoth Rock, Philadelphia, against Stanley Co., America, operating the Colney and Felton; and Warners, operating the Linwood, Philadelphia, was reversed by Campi. The local board decided that the theatre buying clearances would be set up to a maximum of seven clearance over the three houses and the other three houses should have the same availability on rentals.

Campi dismissed the certification by the Des Moines board of a complaint by Mr. & Mrs. W. V. Krouse, Mason City, and against the board at Mason City and L. L. Kaplan, Waterloo, for, on interference of operation of the Iowa.

K. C. Bank Nights Hit By Move to Stop Film

KANSAS CITY, Oct. 30.—Stopping film service is proving a powerful weapon in the hands of the local board in its fight against bank nights. Rather than rule being deprived of film, exhibitors running clearance films elsewhere find that they are not getting clearance with the board's order, upheld by Campi, to discontinue the practice.

Thus the board, it is understood, that banks will seek to fight the order through a Federal injunction action have failed to materialize. J. R. Nigrey, one of the last holdouts against the order, will discontinue the practice, he said tonight, as his protest probably prevented the success on distributors tomorrow that they immediately stop selling theatres where bank nights are employed. The premium service is the effect last Friday midnight has the premium users in an uproar. Thirty-five independent exhibitors have billed a telegram to Campi protesting the ban, charging irregularity in conducting the exhibitor poll on the practice. Several have announced they will continue the use of premiums until the board actually takes steps to cut off film supply.

Cleveland Goes Home

J. W. Cleveland of the Takoma, Washington, D. C., left for the Capital yesterday after appearing before a Campi appeal committee on a clearance case involving his theatre.

Read to Appeal on Perth Amboy Award

Walter Redle has appealed from a decision of the New York grievance board whereby Aaron Shusterman was granted 70 pictures for the Strand, Red Bank, and 68 for the Popcorn, Perth Amboy, N. J.

The decision of the local board that operated the Carlton in Red Bank, was willing to give up the 70 pictures in this situation, but in the decision regarding the March 15th in need of pictures. He has three houses operating and a fourth to be opened shortly with only 35 pictures, he states. Campi decided that if he were to give up 68 pictures in Perth Amboy he would be stuck for product. The decision of the local board was a joint one for both situations, and in order to appeal from the Perth Amboy verdict he must also take exception to Red Bank. The hearing is set for Monday.

Long Is Ordered to Divide with Frels

DALLAS, Oct. 30.—On the ground that the Jefferson Amusement Co. had no business interest in national malice toward Rubin Frels and not on sound business judgment in building theatres at El Paso, Texas, and Columbus, Ohio. Columbus the grievance board has ordered a 50-50 split of product between Frels and G. H. Long.

Of the theatres, the board states, with full knowledge of the circumstances leading to their construction, which took over the heavy film buys of Jefferson. The decision was unanimous and Long has appealed.

Haines-Rogoff Hear Four Appeal Case

Four appeal cases were heard yesterday by Roy Haines and Edward Rogoff. Because W. C. Michell, first president, is dead and alternates for S. R. Kent, was unexpected called to court, no Campi members heard the cases.

Theatre, Inc., of Miami against Paramount Enterprises, Inc., and Coral Gables, and Paramount an appeal was filed by George Kusell, attorney for the Nebraska, manager of the Empire in that city.

Co., against whom the charges were filed, indicated he would appeal. The hearing was without rancor and General Company has long sought an "equalization" order, both plaintiffs and Campi pleased the hearing room arm in arm.

First Division Expanding

Several exchange deals whereby First Division will establish its own trademark are pending in western cities. The first new branch will be located in Chicago. Harry H. Thomas, present leaves for the Windy City on Friday to close a deal and from there will visit other prospective situations. He will be gone about two weeks.

Will Distribute "Legong"

World distribution rights to "Legong" and "Kany" have been acquired by Paramount International Corp. The film was produced by Marquis Henri de la Falaise de la Coudraye.

No Capitol Holdover

"What Every Woman Knows" will not be held over at the Capitol, it was decided yesterday. Amos 'n Andy will make personal appearances at the house starting Friday.

Freeport Buying Hit

A profitable basis, the board could do anything it wished. Louis L. Kaplan, attorney for distributors, in-30, 1934

Rule Transfer

Is Illegal, But Help Theatre

(Continued from page 1)

freehold, N. J., against Wal- ing overbuying and retailing. Harry Suchman, attorney for the Liberty, and Leo Justin are trying to adjust the production situation.

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(Continued from page 1)
DAVID LOEW spends upward of $12,000,000 annually for film. He reads **MOTION PICTURE DAILY**
PROBE IS UP TO MAKE-UP OF CONGRESS

(The Congressional seven-year campaign is launched in Hollywood and the Senate is making a sequel to the successful "The First World War" which was released last year.)

"THE FIRST WORLD WAR"

"The First World War," as impressive and as unrelated as it is, thus becomes a dubious quantity as straight entertainment goes. Rather, it is a serious, thought-provoking document of how nations and men can so quickly shed their veneer of civilization on the twin altars of political and economic gain.

The picture will require extensive and intensive exploitation to get it by these continued depressed times. Deserving of a break because it rates, "The First World War" becomes a questionable grosser.

Production Code Seal No. 040. Running time, 72 minutes.

MOTION PICTURE DAILY PREVIEW

"Divorcee" $9,000 Indianapolis Lead

"Divorcee" was outstanding in a dull week. It reached $9,000 at the Indianapolis theater, under $2,000. "Judge Priest" finished its fourth week with $2,000, under par by $50 to $600. The Strand at Lyric Princess at the Lyric, pulled a good $7,500.

Total first run business was $26,000, Average is $5,000.

"Judge Priest" Existing bookings for the week ending Oct. 27th.

"LADY PRINCESS" (Warners) CIRCLE—3,000... 25-40c, 6 days. Gross $1,200. (Average, $200)

"THE GAY DIVORCEE" (Radio) Exchange, 14th wk. Gross $9,000. (Average, $900)

"KANSAS CITY PRINCESS" (Warners) LYRIC—1,171... 25-40c, 6 days. Gross $9,000. (Average, $1,500)

"WHAT EVERY WOMAN KNOWS" (M-G-M) PALACE—2,312... 25-40c, 7 days. Gross $4,000. (Average, $575)

MRS. GILMAN ASSISTS FILMS PROMOTE CRIM

BALTIMORE, Oct. 30.—Films we are putting out to advertising crime this week aid Mrs. Robbins Gilman, motion picture chairman of the National Congress of Parent-Teacher Ass'n, in an advertising plan at the three-day film conference at the Emerson Hotel here.

"I have no doubt," she declares, "this will make people realize the many crimes committed in this country are due to the fact that given to feeble minds by the motion picture industry.

Mrs. Gilman also charged that "American films are definitely undermining our American womanhood is a grave war menace and decides lowers the prestige of the white race among the colored races.

In an attack on Will Hays, Mrs. Gilman said he could "no longer hide behind the skirts of the women clubs," which she asserted, had "protected him long enough." She urged support of proposed Federal legislation to require government permission to regulate industry practice and supervise production. Telegrams from abroad asking for help to restrict be placed upon the industry for the sake of America's prestige were 1.50.

Mrs. Gilman said that if the few people of the country failed to take advantage of the recreational opportunity "lurking" open to the future day many would be prohibited from attending film theaters under certain age.

MOTION PICTURE DAILY PREVIEW

"Limehouse Blues"

"Limehouse Blues" (Paramount) LYRIC—2,312... 25-40c, 6 days. Gross $7,500. (Average, $1,250)

"The St. Louis Kid," which opens at the Strand this morning, was reviewed by wire from Hollywood on Oct. 9 under its former title, "Perfect Weekend.

"Transatlantic Merry-Go-Round," this morning's opener at the Rivoli, was covered by Hollywood wire on Oct. 5.

"Limehouse Blues," as impressive and as unrelated as it is, thus becomes a dubious quantity as straight entertainment goes. Rather, it is a serious, thought-provoking document of how nations and men can so quickly shed their veneer of civilization on the twin altars of political and economic gain.

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"Transatlantic Merry-Go-Round," this morning's opener at the Rivoli, was covered by Hollywood wire on Oct. 5.
Ohio Grossed $19,844,000 During 1933

Washington, Oct. 30.—Ohio's 536 movie theatres last year had box-office receipts of $19,844,000 and payrolls of $2,663,000. Another 88 film exhibitions in Ohio made box-office receipts of $19,454,000 and payrolls of $4,470,000, and 104 legitimate and vaudeville houses took in $13,652,000 and had payrolls of $2,035,000. Returns on the larger cities showed large gains to have 189 film theatres with total payrolls of $10,547,000, and 33 legitimate and vaudeville houses with receipts of $3,447,000 and 36 legitimate theatres with receipts of $9,255,000.

Variety Club Chatter

Cincinnati

CINCINNATI, Oct. 30.—William J. Hillias, who admits he is a magician, par excellence, and, therefore, doesn't believe in a big kicker at the end of a Kings, for a Day last week, agreeing to perform the Indian rope trick without a rope. Members added him as a magician than claimed. He, himself, disappeared, as a result of which C. Arthur Fradenburg, co-owner of the program on the road alone, arranging the Barker with paraphrased Mother Goose rhymes applying to many of the names of the members present.

Wednesday afternoons has been set aside for women between 12 o'clock and 3 p.m. given use of the club quarters for card games and similar festivities.

Card night which proved so popular last season, has again been inaugurated on Friday nights.

Next meeting of the Cincinnati tent is set for Nov. 12 when Barker Wilson Truesdene will be the special one for the day. He promises some extra entertainment from his Shubert Theatre.

Father Cletus Miller, club chaplain, made his first appearance of the season last week in the club quarters, the promise to be among those present at every meeting henceforth.

New members welcome to the local roster include William Mack, United Artists, and Frank Cole, Lincoln Theatre.

More Film Men Off Ontario's Payroll

TORONTO, Oct. 30.—Three more heads have fallen in Ontario, resulting from the recently announced consolidation of Premier Mitchell Felpen and the new Liberal Government.

Premier Mitchell has been dismissed from the post of director of the amusement branch, Provincial Department of Public Works, after 10 years, he has had his finger on the theatre taxes, collection of the amusement branch and administrative details. Scott, incidentally, the previous secretary of P. Exhibitors' Protective Ass'n, the first organization for independents in Ontario, prior to his government appointment.

Another official to go is E. Woodburn, Ontario inspector of theatres. The third to be lopped off was James J. Moxley of Ottawa, veteran theatre manager, who has been holding down the job of inspector of theatres for Ontario for the Provincial Government. Moxley is building a new theatre in the capital.

Scott and Woodburn will not be replaced. Their offices have been abolished.

MADISON LICENSES CUT

MADISON, Wisc., Oct. 30.—A reduction in theatre licenses ranging from $50 to $100 has been approved by the Common Council. Under the new schedule a better, maximum of less than 500 must pay an annual license fee of $50, those with 500-1,000 pay $100, and those with more than 1,200 are charged a $100 fee and over 1,200 seating capacity a $200 annual fee. The previous license fee ranged from $150 to $300.

Ask for End of 'Special Privileges'

OMAHA, Oct. 30.—Calling for the election of Edward B. Burke, Omaha to the U. S. Senate, Division Administrator, Sol A. Rosenblatt, in the first of a series of so-called special privilege pleas, pleaded for the elimination of the "special privilege."

Those who challenge President Roosevelt's prime claim to "special privilege" are those who enjoy special privilege at the expense of the public welfare," Rosenblatt said.

In addition, he pointed out that the Roosevelt policies call for war on crime and graft, to build up the moral and spiritual values of national life; likewise a reversal of the trend of the last three generations by swinging now in the direction of a wider distribution of wealth and the opportunities of the nation.

"Ninety per cent of the banks of America were organized in the six months from Dec., 1933, to June, 30, 1934," he said. "That means people are back at work and earning money. The banks are nationwide.

Among showmen present at Rosenblatt's address were William Singer, manager of the Brandess; Sam Epstein, president of Epstein Theatres, and Howard Shortley, representing Harry Goldberg interests.

Rosenblatt was unable to meet with the local board and a lunch arranged for him with board members had to be cancelled. He conferred shortly with Mr. Mohele, code secretary. Most of his spare time was spent in visiting his mother, Mrs. Molie Rosenblatt.

Germany Lists Film Employees at 7,000

WASHINGTON, Oct. 30.—Seven thousand people are engaged in production in Germany, according to E. Aktions Commercial Attache Douglas Miller, in Berlin, to the U. S. Department of Commerce.

Of this personnel 6,000 are located in Berlin and 1,000 in Munich. All are organized in the Film Union and are divided among 17 sections.

The actors' section comprises about 5,000, while the remaining 2,000 are made up of directors, cameramen, and stage hands. A total of the 5,000 actors about 3,500 are listed as solo actors and 1,500 as extras.

At present there is an influx of extras. Some 300 new applicants for membership are accepted daily, the great majority of applicants coming from theatres, music halls, and cabarets in Berlin and other cities.

Educators Ask Ban on Brooklyn House

The Board of Education has petitioned License Commissioner Paul Moss to revoke the theatre permit, issued to the LuX Music Corp. in 1926 by former License Commissioner Sidney S. Levine, to erect a theatre adjacent to Erasmus Hall, High School.

Moss has reserved decision on the case until a later date and, meanwhile, admitted the house, which was only started recently, has been temporarily halted.

Arklemiss Asks $51,919

NEW ORLEANS, Oct. 30.—Claims with E. Victor Theater, Saenger Theatres, Inc., total $51,919, it was learned here today. The claims, which are part of Saenger reorganization plans, apparently, cover a number of outside claims which the company took over as cheaply as possible.

Mexico City Houses To Be Open Sundays

By JAMES LOCKHART

MEXICO CITY, Oct. 30.—Film houses here are to remain open Sundays despite the fact that bakers, butchers, restaurants, saloons and other activities have been put under the Sabbath ban.
We have told you this title again and again; you might as well familiarize yourself with it; you will hear it again and again.

SCREEN PLAY:—Gives it AAAA and says "A great picture, amazingly dramatic and delightful comedy......drama in a logical plot to a happy fadeout."

PHOTOPLAY:—"Better see this film soon and spare yourself the ordeal of having all your friends tell you the story......human......compelling naturalness and humor."

SCREENLAND:—"LADY BY CHOICE" eclipses LADY FOR A DAY—and is THAT an achievement? You had better not miss this."

MOVIE CLASSIC:—"Entertaining from start to finish; a banisher of blues; all kinds of praise can be heaped on the stars for their performances."

SCREEN BOOK:—"May Robson repeats the success of her famous hit: 'A LADY FOR A DAY'; highly dramatic......excellent comedy touches."

with

CAROLE LOMBARD
MAY ROBSON
ROGER PRYOR
WALTER CONNOLLY

Story by Dwight Taylor
Screen play by Jo Swerling
Directed by David Burton

A Columbia Picture
N. Y. Censor Clips 2,195
For 1933-34

Gain Over Previous Year; Revenue $170,670.79

ALBANY, Oct. 31.—During the year ending June 30 the New York Censor board, known officially as the M. P. division of the State Education Department, reviewed 8,932 reels of film with 2,195 eliminations, according to a report just submitted by Irwin Esch.

Fifteen films were rejected completely, but two of these were later re-evaluated and licensed.

Eliminations were for the following reasons: indecent, 838; inhuman, 79; tending to incite to crime, 311; immoral or tending to corrupt morals, 52; sacrilegious, 15.

The number of film subjects viewed was 1,769, practically the same as the previous year when the (Continued on page 6)

Bareford to Talk
On Code Cost Plan

WASHINGTON, Oct. 31.—Harold S. Bareford, chairman of the Camp association, by letter to confer with officials of the amusements division and the budget branch of the State Education Department, was reviewed at the meeting of the Censor board yesterday.

Other than going through the lengthy procedure of a public hearing, it is (Continued on page 6)

Brock Joins Fox as Associate Producer

HOLLYWOOD, Oct. 31.—Following his release from his four-picture contract with Radio, Lou Brock last night signed with Fox, where he starts work Monday as an associate producer.

He has been associated at Radio by Felix Young, whose first production will be an untitled musical, with William Keighley directing, and a "Star at Midnight," to follow.

Warner Meeting to Be Held on Dec. 10

Annual stockholders meeting of Warners will be held in Wilmington Dec. 10. Five directors will be (Continued on page 2)

Hoblitzelle Helps Para., Richards Deal

Agreement on Operation Of Circuit Nearer

Karl Hoblitzelle, Paramount operating partner for Interstate Circuit, Texas, has been named intermediary in the current negotiations between the Paramount Publicity trustees and E. V. Richards in connection with the latter's participation in the reorganized Saenger Theatres picture.

Richards, who has been here for the past week with advisors to the trustees, has accepted a proposal for the elimination of his interest in the Saenger company, if the same is understood as remaining in the hope of concluding the negotiations within the next few days. Progress toward an acceptable under- (Continued on page 6)

Fleischer Claims
New Depth Effect

A camera attachment which, it was claimed, provides an economical third-dimensional film effect has been perfected by Max Fleischer and has been satisfactorily employed in several of his cartoons released through Paramount recently.

Fleischer's development, patents on which have been applied for, is described as being based on the (Continued on page 2)

Garbo Finally Signs New M-G-M Contract

Reports that Greta Garbo planned to retire are definitely set at rest yesterday by official M-G-M announcement that she had signed an agreement which Motion Picture Daily reported on Oct. 8 was awaiting her.

No. California Theatre Owners Rebuff Sinclair

SAN FRANCISCO, Oct. 31.—Northern California exhibitors today rejected efforts ofton Sinclair, EPIC candidate for the governorship, to enroll them in his fight against "criminal influences of the moving picture industry in politics, on the morals and the industry of the country.

Sinclair's proposal was made in the following telegram to Morgan

Walsh, president of the Independent Theatre Owners of Northern California.

"The Hollywood Reporter openly boasted that the moving picture industry dominated by Will H. Hayes, Louis B. Mayer, C. C. Pettitjohn and Irving Thalberg has started a war against me and raised funds for (Continued on page 6)

"Tentative Final"

M-G-M has coined a new term for production purposes. It's a cross between a tentative title and a final one.

In changing "Backfield" to "The Kid from College," the company calls the latest name a "tentative final title."

Roll of 1,000
New Year Aim
For the SMPE

Predictions that the S. M. P. E. membership will pass the 1,000 mark during the coming year were made at the annual fall banquet held last night at the Hotel Pennsylvania as a feature of the four-day convention.

The present membership is 930, highest point in the history of the society, dinners were told last night. During 1934 the roll has been increased by 375 by the membership committee headed by E. R. Gelb.

Four papers were read and one report was made at the morning session yesterday. The papers were: "International Sensitometric Standardization," W. Clark, Eastman Kodak; "Some Factors in Photographic Sensitivity," S. E. Sheppard, Eastman Kodak; "The Reel Projection for Process Photography," G. G. Popovic, Eastern Service Studios, and H. (Continued on page 2)

Rothafel Return as Roxy Head Opposed

Possibility of S. L. Rothafel returning to the Roxy as operating head is definitely off. A committee representing first mortgage bondholders met Tuesday night to discuss the Rothafel situation, but decided against it.

Fox Re-Signs Kent; Rumors Of Shift End

SIDNEY R. KENT continues as president of Fox Film for another three-year period.

The board of directors, in a meeting yesterday, abrogated his existing pact and substituted in its place a blank-new contract tying him to his present association for 36 more months.

Predictions, published principally in Hollywood trade papers, to the effect Kent was considering a new Alma Mater, were thereby officially laid low.

It was disclosed at the same time that W. C. Michele, executive vice-president, and John D. Clark, general manager of distribution, had been signed to new contracts for a similar term of years.

The members of the board joined (Continued on page 2)

Fox 39-Week Net
Is $1,506,212.67

A net profit of $1,506,212.67 after Federal taxes for the 39 weeks ended Sept. 29 was reported yesterday by Fox Film. This compares with a loss of $226,345 for the similar period of 1933. Earnings for the 39-week period of this year are equivalent to 61 cents per share on "A" and "B" stock. The consolidated earnings surplus at Sept. 29 stood at $325,000.

In the third quarter the profit from operations before Federal taxes was $356,671, compared with a profit of $256,061 for the same quarter of 1933. Theatre operations of Wesco Corp. are not consolidated because of the bankruptcies of the principal operating subsidiaries of that company.

Stage Pinning Hope On 1934-35 Season

Legitimate theatres in New York are pinning their hopes on the 1934-35 season. If it is as bad as some of its (Continued on page 2)
Fox Re-Signs Kent; Shift Rumors End

(Continued from page 1)

with the representatives of the Chase National Bank, the largest Fox stockholders, in passing a resolution endorsing the work of the management and expressing pleasure at results of the last two years.

Skouras Set on FWC Pact
Los Angeles, Oct. 31.—Charles Skouras and Edward Zabel, his secretary, and representatives of Zabel's York Friday for the coast after working out details for reorganization of Fox West Coast. It is understood Zabel's role of a new operating contract as a result of his work in realigning the coast setup.

Loew's Tax Refund Details Given Out
WASHINGTON, Oct. 31.—How the income tax refund of $74,200 awarded yesterday to Loew's and its subsidiaries breaks was revealed in a letter to the company by the Bureau of Internal Revenue. Overassessments admitted by the government were as follows:

Loew's, $6,485.63; Brevoort Holding Co., $483.31; Humana Productions Co., $6,924.10; Versailles Building Co., $78,85; Loew's Memphis Theatre Co., $350.81; Marcus Loew Booking Agency, $105.48; Marcus Loew Realty Corp., $383.55; Mascon Amusement Co., $364.86; Monarch Amusement Co., $283.89; New Broad Co., $13,279; Putnam Theatre Co., $834.61; Seventh & Broadway Building Co., $2,606.41; Greeley Square Amusement Co., $715.79.

Skouras Men Meet
Managers of Loew's of Manhattan, Bronx and Westchester houses held their weekly meeting yesterday. William White, division manager, presiding. Bookings and other details were discussed. In the morning the managers saw "Pursuit of Happiness" at the Audubon.

George Rich and Jules Laurent, vice presidents, held a meeting of their forces on Tuesday.

Breen Returns West

Eastman Up 2½% on Big Board

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Technicolor Up Half on Curb

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Fleischer Claims New Depth Effect

(Continued from page 1)

of a color cartoonist's perspective point in the camera. The process employs a machine, said to weigh more than a ton and consisting of 300 working parts, according to Fleischer's estimates, its use would not increase production costs more than 15 per cent. The claims its advantages are even more apparent in feature film photography than in cartoons and as such would not require new or altered projection equipment and is designed for exhibition on standard screen surfaces.

Cammack to Become An Aide to Reisman
St. Louis, Oct. 31.—Ben J. Cammack, manager of the local Warner exchange, has resigned and has joined the Radio as assistant to Warner. In his service to Warner activities, Cammack is now in New York and in a few weeks will leave for South America to take charge of RKO in Argentina and managing his headquarters in Buenos Aires.

James Winn, Warner manager in San Antonio, succeeds Cammack here.

Efforts to reach Phil Reisman and Ned Deplin for further details last night were unavailing.

Many on Ampa Program
Talent lined up for today's Ampa meeting includes Nick Lustig, Constance Collier, Herbert Rawlinson, the Three X Sisters, Dizzy and Daffy Dean, Harry Ellis, Sylvia Simms, Dave Fine, Robert Simmons, and Sophie Tucker, if her boat arrives in time.

Major Edward Bowes will be guest chairman and C. Edward Carrier will introduce six finalists in the Loew-M-G-Daily Mirror contest.

Radio in Trinidad Deal
A deal for the complete Radio lineup for this season and last has been closed by the RKO Export Corp. with the British Colonial Film Exchange Ltd., of Trinidad, British West Indies.

Roll of 1,000 New Year Aim For the SMPI
(Continued from page 1)

Griffith, president of the Director Corp. "The 16mm Sound Film Outlook". W. B. Cook, Kodascope Librarian. The report was from the color committee which had supported the idea for some months it had been working on a glossary of technical and primary terms used in color photography and that the results would be published in the society's journal.

The banquet was held at 7:30 the ballroom of the hotel. Its principal feature was an address by D. B. Jewett, president of A. J. F. Laboratories, Inc. An award for the best paper submitted for the society's journal during the year was given to F. A. Ganel who had passed away. It was received by his widow.

Dancing and other Hallowing festivities preceded the dinner.

The convention will close with morning and afternoon sessions today.

Warners Meeting to Be Held on Dec. 1
(Continued from page 1)
elected for a term of two years. On Monday, Dec. 2,1935, will be permitted to vote.

On Dec. 18, the board of directors meets in New York to elect officers at this time the position of the company's president is expected to be continued without change.

Directors whose terms expire this month are S. S. Friedmann, E. S. Morris, C. W. Wolf, C. S. Guggenheim and A. F. Lebcrer. Resignation of the present executive setup by the new board is certain.

Gets Award Saturday

Formal presentation of the Phonograph gold medal for 1933, awarded Radio's "Little Women," will be made to Miss Mildred Dunn of NBC studios Thursday night.

The ceremony will be broadcast on the NBC network, with WJZ the local outlet. Kathryn Goodnight, editor of the magazine, will present the award and Ned Deplin, head of RKO Di tributing Corp., will accept it for producers.

New House for Shorts
Sam Jax Theatre Corp. has closed a deal with the Ealing interest to take over the Grety on Broadway for shorts and newscasts. Because of temporary deadlock with the unit over the "operators' scale," the date of opening has not been set.

Sees Over Word Process
Trimbly De Roode filed an injunction, accounting and damage suit against Universal over use of an animated word process machine invented by him. A suit to see what will follow, it is understood.

Get Liberty Franchise
Fred Rogers, general sales manager of Liberty Pictures, has closed a franchise deal for his company's current lineup with Metropolitan Film Exchange, Inc., for change, for Seattle and Portland.
"HELLO! IS MISTER THOMAS OF MICHIGAN AMONG OUR READERS TODAY!"

We got that awfully swell letter you wrote.
We're taking the liberty of reproducing it.

"Dear M-G-M:
I played your colored short 'HOLLAND IN TULIP TIME' with . . . . . . The comments on the short exceeded those on the feature, this in spite of the fact that . . . . . . is an outstanding attraction. Your company's shorts have been splendid. Sincerely,
MARTIN THOMAS."

BRAUMART THEATRE COMPANY.
(operating theatres in 4 cities in Michigan.)

Thanks so much, Mr. Thomas! And wait 'till you see the next Fitzpatrick Traveltalks in Technicolor "Zion, the Canyon of Color" and "Ireland, the Emerald Isle." M-G-M's pride.
SWELL FIGURES!

NEW ORLEANS...
"Excellent $12,500! Tow topper!"
—Var

CINCINNATI...
"Whamns down for $15,500! Everybody, happy!" —Variety

INDIANAPOLIS...
Best business of any U. A. release in 1924! And you know what that means!

A Reliance Picture
Produced by EDWARD SMALL
Released thru UNITED ARTISTS
JERRY-GO-ROUND

with

JACK BENNY
NANCY CARROLL
GENE RAYMOND
SYDNEY HOWARD
MITZI GREEN
SID SILVERS
FRANK PARKER
THE BOSWELL SISTERS

- Sidney Blackmer
- Ralph Morgan - Shirley Grey
- Sam Hardy - William Boyd
- Jean Sargent - Patsy Kelly
Bareford to Talk
On Code Cost Plan

(Continued from page 1)

probable tomorrow's conference will result in some concessions to straighten out the complaint of the Monogram group without disturbing the basic monopsony type of 402 in the number of scenes cut in the 1933-34 year.

Net revenue to the state for 1933-34 was $170,679.79. Reels 45 for the year were $231,497.88. Expenses totalled $60,827.09. The net revenue was a gain of $89,373.22 over the previous year. Since the organization of the commission in 1921 the net profit to the state has been $496,043.02.

"The fact the 8,362 reels of film were reviewed during the year, that 15 pictures were rejected outright, and that 2,192 decisions were made on statutory grounds, will give some idea of the amount of work that is done," Emmons said.

"While the number of works on which matters were decided did not amount to the total shown in 1931 and 1932, the fact that the division has been in operation, we have succeeded in keeping off the screen pictures exploiting prostitution, white slavery, narcotic drugs, unnatural love, sterilization, madness and films de- structive to the family, is a good sign of the growing influence of the Censor's work.

"We have also eliminated a very great number of scenes of lust, crime, indecent immorality, as well as scenes that are inhuman and sacrilegious."

ROSENBLATT SPEAKS
Upon Film "Morale"

OMAHA, Oct. 31.—Though un- der attack at a United States Post Office Department hearing last week, the picture industry's national administrator, took a few minutes off from his political campaigning shortly before he departed to address the Omaha Board of Girl Guides on "Women on motion picture morale."

He praised the National Council of Women's service to the Women's activities and said "much can be done to elevate the morale of films if you women as mothers will select the pictures your children shall see."

Wants New Film Setup

Baltimore, Oct. 31.—The suggestion that pictures for the young be taken out of the hands of "Individuals, organizations and companies conducting recreation for personal profits or dividends for stockholders" and placed in those of educators and dramatics of professional standing was made today by Mrs. Robbins Gilman, motion picture vice-chairman of the National Congress of Parent-Teacher Ass'n., at the close of a three-day film conference at the Emerson Hotel here.

She urged the formation of new production and distribution agencies.

Schulberg Completes Paramount Contract

Hollywood, Oct. 31.—B. P. Schulberg has completed his current contract with Paramount. He said he was not sure whether he would renew with Paramount. He leaves for New York around Dec. 1.

Sunneman Recovering

FAYETTEVILLE, Ark., Oct. 31.—W. F. Sunneman of Malco Theatres is recovering at his home here from injuries received when his car turned over three times on a hill.

(Continued from page 1)

SCENE OF CRASH

my defeat. I have openly charged that the moving picture industry has been exhibiting through producer-owned theatres false propaganda by donating free trailers falsely setting up what surmorts to be an impartial survey conducted in California.

"I have begun a campaign asking for a full and complete Congressional investigation of all the activities of the Motion Picture Industry and specifically block booking and blind buying, also toward Federal supervision of the industry.

"Will the independent exhibitor, regardless of the success of my candidacy, join in the fight which I have believed and fought against the nefarious influences of the moving picture industry in politics, on the morals and the industry of the country. A copy of this telegram should be sent to F. S. Harrison, New York City."

Text of Walsh's Reply

Walsh's reply follows:

"In my opinion, the Independent Theater Owners of California have no desire to follow you politically nor have you lead our battle in connection with controversial subjects within our industry. In my personal observation that you have suddenly become the champion of the independents, it makes me suspicious that your motives are political.

"I do not believe that the cause of the independent theater owners anywhere in America would be helped by the injection of yourself into the picture. It is my personal opinion that your interest in our behalf will injure our cause rather than help it. It is my personal opinion to my party to F. S. Harrison so that he may not confuse the real issue out here which is a fight of good California Americans to preserve American ideals.

"Many thanks, but we will fight our own battles."
Thursday, November 1, 1934

MOTION PICTURE DAILY

Staub Contract Renewed
Hollywood, Oct. 31.—Ralph Staub, in charge of shorts at Warners, has renewed his contract with J. L. Warner for another year. The new deal calls for him to direct as well as produce.

Paul Munis to Come East
Hollywood, Oct. 31. — The Paul Munis are slated for a New York vacation as soon as the actor finishes his role in "Black Hell" for Warners.

Kalmine Shifts Managers
Pittsburgh, Oct. 31. — Harry Kalmine, zone manager for Warner Brothers here, has just shifted three managers in the Oakland-East Liberty districts. Lyle Harding, former assistant manager of the Regent, recently made Cameraphone manager, goes to the Regent; Harry Thomas goes from the Regent to the Schenley, and Sam Gould shifts from the Schenley to the Cameraphone.

Girls!

SHOULD YOU STAY AWAY FROM COLLEGE MEN...

When You're Picking a Husband?

Six college-graduate stars say, "College men shouldn't marry—till they can learn how to swap a cap and gown for a pair of overalls and a diploma for a meal ticket!"...See why "just out of college" means "just out of luck" for thousands, in this unforgettable romance of today's youth—and the girls they love—stranded at the cross-roads of life!

"GENTLEMEN ARE BORN"

A First National Picture with

6 College-Graduate Stars—
FRANCHOT TONE
JEAN MUIR
MARGARET LINDSAY
ANN DVORAK
ROSS ALEXANDER
NICK FORAN

AM A THIEF

(...BUT WHO AM I?)

All these Warner Bros. stars—yet we defy you to say which one plays the title role until the final reel!

MARY ASTOR • RICARDO CORTEZ
DUDLEY DIGGES • ROBERT BARRAT
IRVING Pichel • HOBART CAVANAUGH

STARTS FRIDAY, NOV. 23 IN 100's OF THEATRES

"It looks like the best show in town!"

N.Y. STRAND—NOW

Another Cagney kiddie

THE FIREBIRD

With its remarkable ALL-STAR CAST

VENICE TEASDALE
RICARDO CORTEZ
LIONEL ATWILL
ANITA LOUISE
DOROTHY TREE
C. AUDREY SMITH
HELEN TREVELLON
HOBART CAVANAUGH
SPENCER CHARTERS
ROBERT BARRAT

A Drama of Murder and Murder Love

Coming in 100's of Theatres
TOMORROW

—defy the Police of Syracuse!
—will arrive in town tomorrow unarmed and without disguise!
—will steal a million in jewels from under the very eyes of the law!
—will put your wits—your courage—your nerves to a test that only a superman can stand!
Meet the Passengers on the Craziest Ship Afloat!

"It hits the bull's-eye!" — Motion Picture Daily

"Best-seller — a grand picture! What a cast! They will eat it up. Cast certainly can be billed as all-star!"

— Film Curb

The Captain Hates the Sea

A Lewis Milestone Production

Story and Screen Play by Wallace Smut

Directed by Lewis Milestone

A Columbia Picture
Bareford Reaches Agreement
With NRA On Code Cost Plan

Washington, Nov. 1.—Conferences between Harold S. Bareford and officials of the National Recovery Administration today resulted in the agreement to the producer-distributor assessment schedule to meet the protests lodged by independents.

Bareford discussed the situation with Division Administrator Sol H. Rosenblatt, Deputy Administrator A. E. William P. Farnsworth, Leon Henderson of the Planning and Research Division and other officials.

It was said that the agreement, which has yet to receive the approval of Henderson, contemplated some "qualifications or provisos" in the schedule which would meet the complaint that the independents were being too heavily taxed.

Approval of the schedule as amended is expected to be announced tomorrow.

Short Subjects Are "Dogs
Of the Business"—Marcus

"Shorts are the dogs of the business, always have been and always will be," Lee Marcus, short subject production head of Radio, stated yesterday. "There is no incentive on the part of exhibitors to book them as they are booked without any special attention, particularly unusual features," he said.

"Radio this season has increased production costs and the number of shorts from 36 to 42," Marcus declared. "All shorts are produced from
(Continued on page 6)

Sinclair Row
Stirs So. Cal.
Independents

LOS ANGELES, Nov. 1.—Following the refusal of Morgan Walsh, head of the Independent Theatre Owners of Northern California, to aid Upton Sinclair's campaign for the governorship, H. W. Chotiner, president of the Independent Theatre Owners of Southern California, issued a statement endorsing Walsh's stand.

"We have not asked for Sinclair's leadership in our affairs," said Chotiner, "and we certainly will not accept voluntary leadership from a self-seeking man whose aims are foreign to our beliefs.

"The newsreels which Sinclair has branded fake are not fake and the In-
(Continued on page 7)

Harrison Explains
Sinclair Attitude

Insolent as his own thoughts and those of Upton Sinclair are identical on block and blind booking and a Federal probe of the industry, P. S. Harrison, general counsel for the American Society of Composers, Authors & Publishers and the Exhibitors' Emergency Committee, made a part of A. S. C. A. P.'s defense against allegations contained in the bill of complaint filed by the government in connection with its anti-trust suit against the music licensing organization, it was disclosed yesterday with the filing in U. S. District Court here of A. S. C. A. P.'s answer to the Federal action.

The exhibitors' music tax compromise is cited in the society's answer as an example of the amicable system of
(Continued on page 7)

Predict End
Of Cleveland
Zoning Pact

Cleveland's clearance and zoning agreement between independent and major exhibitors, expiring Jan. 1, 1935, will not be renewed, it was indicated yesterday by three exhibitors in New York when queried on the plan. The Cleveland exhibitors are Henry Greenberger, interested in 14 theatres; Meyer Fisher, who operates three; and Paul Guzman, who has six houses.

The trio expressed the opinion that the plan, which has been in operation the last 22 months, has worked out to the advantage of most exhibitors, but it was pointed out there was a feeling among the men who did not approve the pact.

Greenberger claims that the drafting of a clearance and zoning plan for the territory is the reason the plan will not be continued. The attitude of most exhibitors, he says, is that if the NRA lets the present plan alone and does not disturb it by setting up new zones, it will be better
(Continued on page 6)

ASCAP Cites
New Tax Deal
As a Defense

The music tax compromise recently agreed upon between the American Society of Composers, Authors & Publishers and the Exhibitors' Emergency Committee is a part of A. S. C. A. P.'s defense against allegations contained in the bill of complaint filed by the government in connection with its anti-trust suit against the music licensing organization, it was disclosed yesterday with the filing in U. S. District Court here of A. S. C. A. P.'s answer to the Federal action.

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(Continued on page 7)

Indie Circuits May
Reenter ITOA Soon

A number of independent circuits which recently dropped out of the I. T. O. A. are understood to be planning to rejoin the local unit. Among the circuits mentioned are Springer & Cocalis, Rugoff & Becker, Century, Stourton, Randforce, and Meyer & Schneider.

One of the principal purposes behind the return move is said to be the united effort on the part of exhibitors to back up the organization
(Continued on page 7)

17 Bank Night Cases
Heard by Appeal Trio

Marking a new record in appeal hearings, 17 cases were heard yesterday by a committee comprising R. H. Cochrane, Henry Randal and Julius Charnow. Three appeals were from Los Angeles, two from Des Moines, one from St. Louis, two from Omaha, three from Kansas City and four from Minneapolis.

All cases were from Bank Night decisions. Camp, apparently, is anxious to dispose of cases of this
(Continued on page 6)
SAYS Marion Davies: "I feel very happy over my new arrangement with Warner Brothers. I am confident that they will give me every cooperation in the production of the picture, and that I shall have greater individual opportunity.

That, you may regard as the usual publicity statement, which attempts to draw the best out of the breaking between Cosmopolitan and M-G-M and the former's new hook-up with . . .

In this case, however, there seems to be a lot more to it. Miss Davies, it is more or less common gossip, has felt for some time that her talents were not being accorded the fullest of bloom under Leo's agens and that, placed in the same rarefied atmosphere with such stars as Garbo, Napier, and Stewart, she was not as well as she might be. The obvious conclusion to draw—and events bid fair to make it obvious—is that Marion will use the big noise around the Warner lot when the new deal gets going on January 1 next. . . .

The flirtation between William Randolph Hearst and the Warners which now reaches its climax is not new. Not by a long shot. Four, or perhaps as many as five, years ago, a contract was as close to signing as any contract possibly could be. In other words, merely a matter of dipping pens and signatures. This contract had so far eluded the two with exclusive publication on another paper of the impending deal at the time. When the first page blasted the yarn on the particular morning in question much happened. As a matter of record, so much happened the deal never went through. . . .

Thereafter it popped up now and then with a fair degree of regularity were the same overtures hinting it off along the same line. For instance, this, dug up from handy, bound volumes of MOTION PICTURE DAILY:

Hearst to Warner
Rumor Stirs Laugh
Aboard Westbound Santa Fe, Chief, Needles, Cal., April 9, 1933—Hollywood reports that William Randolph Hearst is about to sever his production affiliation with M-G-M to join Warners with whom he talks. Will M. Warner and Nicholas M. Schenck.

Schenck said: "It is perfectly ridiculous."

Several years ago, Jack L. Warner almost had Hearst with Marion Davies slated for top billing on the first spot on the National list and International Newswire on the across the seas, but Hearst renewed the M-G-M contract. Your attention is directed to the date . . . .

The latter day phases of the Cosmopolitan—Warner hook-up go back to or on about the day that Hearst returned from his recent European trip. The whole preceding, made familiar by this time through several and efforts over the same ground, were renewed. There developed a lapse of two weeks, a revival of the dickers and the signatures, finally, to the contract in Hollywood on Wednesday. And so it comes about that the vast publicity and advertising resources of the 26 Hearst papers may, as the United States now will swing from M-G-M to Warner. Those resources, of course, will be brought into play principally on behalf of the Davies vehicle first, and the Cosmopolitan attractions, no matter what they be, secondly. But just as the M-G-M editorial attitude was friendly to M-G-M product aside from Cosmopolitan of its own, so may it be expected to be as cordial where the Warners are concerned. . . .

Shedding light in dark corners: Dr. F. B. Jewett, vice-president of the Bell Telephone Laboratories, told the S.M.P.E. banqueters that if it hadn't been for the war, the experience in telephone sound transmission pictures would not have been possible. "That's how we telephone men got into business, anyway," was the way he expressed it. "After all, there are only three elements involved—pick-up, transmission and adequate loud speakers."

In 1906 or 1907, we were, in fact, transmitting sound over increasing distances. "We told the backers of the San Francisco Exposition then that we would have telephone conversation across the continent when the exposition started in 1915, and we did. Vacuum tubes made this possible. Your radio and your sound picture telephones are the result of these experimental devices," Jewett went on to say. He looked over the commercial landscape completely. As a scientist, he rates forgiveness, but, as a commentator, he rates over slightly important point. KANN

M-G-M, Loew's at Ampa
M-G-M and Loew's yesterday told the feature spots at the Ampa luncheon. The distributor had seven girls who are finalists in the Daily Mirror pageant, and Loew's through WHN, had a number of amateur radio performers on hand Tuesday night, costumed by Max Edward Bowes, was broadcast over WHN. Comptroller Joseph D. McManus, Herbert Rawlinson and Shirley Grey were among the guests.

Sophie Tucker Greeted
Sophie Tucker was greeted by delegating the American Federation of Actors when she arrived yesterday on the Manhattan. She was escorted to the Park Central by a squadron of motorcycles.

She will be guest of honor at a beefsteak dinner tomorrow night at Meets Temple. Among the guests expected are Joe Penner, Jack Benny, Harry Herschfeld, Sam Harris and Jack Lait.

Tellegen Rides Today
Hollywood, Nov. 1. — Private funeral services will be held here tomorrow at the Tellegen, who committed suicide last Monday. Arrangements were made by Mrs. J. P. Telegron. Ema Cohn. Tellegen's father, his fourth wife. Tellegen's ashes will be scattered on the Pacific.

Stir Over Ellison Fight
Film circles here are displaying a lively interest in the candidacy of Millard H. Ellison, brother-in-law of Peter F. Feist, for Supreme Court judge.

Consolidated Stocks Rise on Big Board

Trans Lux Climbs 1/8 on Curb

Trading in Bonds Light

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Trading in Bonds Light

"Limmerlost" to Criterion

"A Girl of the Limmerlost" will go into the Criterion for a run, starting Nov. 8.
WARMER BAXTER in HELL in the HEAVENS

...while a woman waits below!

Warner Baxter in his most powerful dramatic role. Women will sit with bated breath as a black-winged devil pages him in the skies... daring him to fight. Men will stare with nerves drawn taut... as brave men rend the quiet blue with the fury of their combat!

WARNER BAXTER in HELL in the HEAVENS

Conchita MONTENEGRO
RUSSELL HARDIE
Herbert Mundin • Andy Devine
William Stelling • Ralph Morgan

Produced by Al Rockett Directed by John Blystone
YOU'RE IN THE ARMY NOW! FOLLOW THE FLAG FROM FAR-FLUNG OUTPOSTS OF THE PACIFIC TO THE WIND-SWEPT

TO THE MAD, SWEET RHYTHM OF HUNDREDS OF HAWAIIAN DANCING GIRLS!... GET THE

CADET CORPS AS SUPPORTING CAST FOR AMERICA'S SINGING SWEETHEARTS, DICK POWELL

FLIRTATION

FRANK BORZAGE'S MASTER PRODUCTION, WITH SPECTACULAR BOBBY CONNOLLY DANCES... THE MOST

DICK POWELL'S SONGS BY DIXON AND WRUBEL
BATTLEMENTS OF WEST POINT! BLOOD TINGLING TO ROARING GUNS AND SOARING SONGS! HEART POUNDING

THRILL, SHARE THE ROMANCE OF WEST POINT LIFE—SHOT ON THE SPOT WITH UNCLE SAM'S WHOLE

AND RUBY KEELER, AND PAT O'BRIEN, IN WARNER BROS.' MILITARY MELODY-DRAMA—

ON WALK

PERFECT THANKSGIVING ATTRACTION EVER OFFERED TO THE INDUSTRY.
A First National Picture.
Predict End Of Cleveland Zoning Pact

(Continued from page 1)

for Cleveland. A meeting of exhibitors is planned, out to be held Tuesday and Wednesday in Cleveland, but, because of an appeal hearing, the session was delayed until next Wednesday and Tuesday.

Exhibitors, under the two-year agreement, are right to cancel at any time, but this does not seem to be the case, Greenberger stated. It is claimed that Loew's Canada broke a verbal agreement when the admission scale was reduced from 35 to 28 cents and maintained 14 days prior to the expiration of the contract.

Theatres charging 25 cents get pictures 35 days after the first run; houses charging 35 cents and up, 45 days. The Corday has reduced its hams in 35, and 15-cent houses get product in 63 days.

A Wednesday's appeal hearing in New York, with Frank A. McCarthy and Henry Sussman as committee members, Greenberger asked a reversal of the decision of the circuit board in changing the allotment of the Miller into a different zone from the Strand, Standard, and Carter. Fisher has the Miller, while the other three houses are part of the Community circuit, of which Greenberger is an executive partner.

Denies Intent to Deprive Rival

Greenberger stated that he had bought all of Paramount, U. A. and M-G-M for next season with seven days' protection over the Miller and that he did not intend to deprive the Miller of product. Fisher stated he could not buy one new picture from any company and has approached all exchange men in the territory to no avail. Greenberger was quoted as having protection instead of having a local board set it.

Greenwich, who operates the Cameo, adjacent to the Miller, stated the Miller and the other three houses are in the same territory and the schism designated by the Cleveland board should be abandoned.

Other cases heard were W. A. Thimminig, McNair, St. Louis, against the St. Louis Amusement Co., Gravois Theatre, and Fred Wehrenberg, Cinderella Theatre, on clearance and zoning; Mystic, Picher, Okla., against Picher-Plaza and Southwestern theatres, same city; and William C. Smalley, Smalley's Hamilton, Hamilton, N. Y., against Meyer Schine and Glove City Amusement Co. of Gloversville.

To Outline Code Attack

Sidney Samuelson, president of Allied of New Jersey, will outline procedures of the unit in attacking the code to members at the next meeting. Now, the Allied plans to ask for a congressional hearing that the set-up of the code and the line of attack will be explained to all members at the next session.

"Legit" Code in Force

The revised code for the legitimate theatre became effective yesterday at a meeting of the authority at the League of New York Theatres.

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MOTION PICTURE DAILY

Friday, November 2, 1934

Short Subjects Are "Dogs Of the Business," Marcus

17 Bank Night Cases Heard by Appeal Trio

(Continued from page 1)

nature and clear the calendar. The appeals were:

Mrs. Jennie H. Dodge, Mission, Ventura, Cal., against Oxnard, Oxnard.

Mrs. Jennie H. Dodge, Mission, winding against Glen City, Santa Paula, Cal.

C. A. Ferry, Granada, Alhambra, Cal., against O. W. Lewis, Mission, San Gabriel, Cal.

M. E. Baylis, Tivoli, West Los Angeles, Cal., against Wilshire, Santa Monica, Cal.

Rex, Fairfield, IA., against Orpheum, same city.

M. C. Roskopf, Casino, Marshalltown, IA., against Don Thornton, Strand and Family, same city.


L. E. Davidson, Capitol, Sioux City, same city.

Avenue, Omaha, against August Herman, Muse, Omaha.

G. E. Klock, Klov, Modesto, Cal., against Gen. J. Whitten, same city.

W. A. Leucht, Olive, St. Joseph, Mo., against Fran Cassil, Rialto, same city.

Lake, Minneapolis, Minn., against Heights, Columbia Heights, Minn.

Minn., against H. Dickerson, Alhambra, Minneapolis, Minn.

Lake, Minneapolis, Minn., against H. Dickerson, Northtown, Minneapolis, Minn.

Cost Casters Talk Over Extras' Rules

HOLLYWOOD, Nov. 1.—Anticipating an early order from Washington to put the extras’ code into effect, Mrs. Mabel Kinney, chairman of the extras’ committee, called a meeting of some 40 casting representatives and discussed its details. Her idea was to avoid possible misunderstandings.

The order was scheduled to have gone into effect Oct. 11, but has been held up pending official notice from Canteen.

Sten Van Schmus Guest

Anna Sten, star of "We Live Again," and Sergei Soudeikine, art director who designed the sets for the picture, were guests at a dinner given by W. G. Van Schmus, managing director of the Music Hall, last night.

Goldberg Quits G-B

Lou Goldberg has resigned from Goldberg Bros., and the studio is now at the Roxy on a four-week assignment for the opening of "Evening," following which she will bow out of G-B. (Continued from page 1)

G-B Renews with Lee

Gaumont British has renewed for five years Arthur A. Lee’s contract as vice-president and general manager of the company.

Agency Code "Hearing" Is Capital Floup

WASHINGTON, Nov. 1.—Government money spent for the rent of a room in the Justice Department building today for the "hearing" on agency committee recommendations was wasted. Only five persons, however, whom offered remarks, appeared for a 15-minute discussion of the proposed rules on agents.

Entire fight of a letter from Ralph H. Blum, Beverly Hills, were read into the record by Division Administrator Sol A. Rosenblatt, who presided. This letter expressed the protest of west coast agents against holding the hearing in Washington. The decision to hold the hearing here instead of in Los Angeles was declared by Blum to be "most outrageous."

It was pointed out that the hearings affect the livelihood of "many individuals" and the claim was advanced that "all the persons affected thereby are dominated by the demands of their business made it impossible for them to cross the country."

The complaint was answered by Gabriel L. Hess, Hay's office counsel, who declared there are as many agents in Washington as in California and as many as many artists seeking employment.

"In the past two or three years," he pointed out further, "production activity has advanced to the stage that the east is now being recognized as a production center."

The rules themselves were offered by Harold S. Bareford, representing nine of the major producers, who made it out that a large number of the proposals are now in the code and "it is doubtful what the intention of the committee was whether to revise or eliminate out of the code and adopt them in a supplementary code, or to amend and adopt the code as it stands."

The hearing was adjourned for a period of 30 days, within which the Administration will make a decision as to the application of the rules.

Labor Board to Get Union's Loew Claim

NEW ORLEANS, Nov. 1.—A claim for $25,000 filed against Loew's State by the musicians' union alleging breach of contract of employment is present in the National Compliance Board at Washington, it was decided yesterday. Loew's insisted that if it loses it will carry the case to court.

Discharge Monnier Jury

After deliberating for nearly 11 hours the jury in the Brooklyn Federal Court heard the charges that Maurice Monnier, a chauffeur, had sent a threatening letter to Mrs. William Fox. He was discharged yesterday. Judge Chadwick will discharge the Monnier jury; Monnier will face a second trial Nov. 7. He is seeking bail.

Not to Build in Miami

Walter Reade does not intend to build in Miami despite reports to the contrary. The circuit operator recently visited the winter resort on a brief vacation, which started the rumors.
ASCAP Cites New Tax Deal As a Defense

Names Twenty-three Groups

Indie Circuits May Reenter ITOA Soon

ASCAP cites new tax deal as an 'unjust attack' against independent radio stations. The organization names twenty-three groups as having been included in an agreement between ASCAP and broadcasters.

Sinclair Row Stirs Indies of So. Cal.

Harrison Explains Sinclair Attitude

Harrison is on the same side of the fence as the Democratic candidate for the governorship of California, Harrison M. Gray. "I asked Sinclair if he favored the abolition of block and blind booking," Harrison said, "and he replied yes and, if I recall him correctly, said he is in favor of his EPIC plan. There is nothing I can say. I have not studied it."

Tri-Ergon Allowed To Sue Para-Publix

Delaware Tri-Ergon Move Up on Nov. 16

Windsich in New Post

Bersh West Tomorrow

Close Two Radio Deals

Miss Davies. Her statement approving the deal is taken to indicate that she has not been entirely satisfied with the present M-G-M deal. It follows: "I feel very happy about my new arrangement with Warner Bros. I am confident that they will give me every cooperation in the production of my pictures and that I shall have greater individual opportunity."

Under the new arrangement, Jack L. Warner will be in personal charge of Miss Davies' as well as Cosmopolitan productions, it is stated. He issued an enthusiastic statement which read:

Tri-Ergon Allowed To Sue Para-Publix (Continued from page 1)

litigants from continuing old actions or bringing new suits against a bankrupt corporation.

In the event Paramount Publix is reorganized without a new company being formed, Tri-Ergon would be in a position, as a result of the order, to proceed immediately with actions for injunction or accounting, according to responsible legal viewpoints.

Delaware Tri-Ergon Move Up on Nov. 16

WILMINGTON, Nov. 1.—Judge John P. Nields in U. S. District Court has set Nov. 16 as the date for a hearing of a motion by American Tri-Ergon against the movietone. The company is seeking a temporary restraining order against Loew's, Inc., M-G-M Pictures Corp., and Warners to prevent them from using disputed Tri-Ergon equipment until settlement of the patent suit.
"DID YOU EVER HEAR THE STORY about the exhibitor who telephoned Miss Anderson of Omaha?"

(it's a NEW one on us, too!)

Such fun when pretty Miss Anderson, of the M-G-M office in Omaha, answered a telephone call from the Mayfair Theatre, Shenandoah, Iowa.

"I booked 'HOLLAND IN TULIP TIME' for three days," said the Manager of the Mayfair. "I've been getting swell comments and want to hold it over."

"Okay" said Miss Anderson, and imagine her surprise when that holdover developed into an extended run! Originally booked for three days, this marvelous short subject ran ELEVEN DAYS!

Take a look at "HOLLAND IN TULIP TIME." Then watch for "ZION, THE CANYON OF COLOR" and "IRELAND, THE EMERALD ISLE." They're Fitzpatrick Travel-talks, the only reels of their kind in technicolor. M-G-M's pride!
New Operating Deal Is Made On Music Hall

RKO, RCA, Rockefeller Center in Agreement

A new Music Hall operating agreement providing for autonomous operation of the house in the future was completed yesterday and filed with the U.S. District Court here for approval.

The agreement, made jointly by RKO, RCA and Rockefeller Center, will provide for RKO's indebtedness to RCA resulting from the latter's guarantee of rental deficits on the Music Hall. Rockefeller Center was authorized in the past to draw upon funds advanced by RCA whenever Music Hall profits were less than the minimum rental participation agreed upon between RKO and Rockefeller Center.

The agreement appears to indicate that Rockefeller Center's operation of the house, under the direction of W. C. Van Selmus, will be independent one. Indications are, however, that a minimum amount of RKO product will still be presented annually. Neither Van Selmus nor M. H. Aylesworth could be reached for comment on the agreement last night.

Deal on RKO Notes Approved by Court

Approval of the agreement reducing the monthly maturities of $1,800,000 of RKO secured notes held by Consolidated Film Industries was given yesterday in an order signed by Federal Judge William Bondy directng.

"Happiness" Pulls $77,000 for Week

"The Pursuit of Happiness" at the Music Hall held up nicely last week compared to grosses of other houses along Broadway. The intake for the Paramount picture was $77,000. The Roxy on the second week of "Little Women".

Whitney to Produce Technicolor Series

Los Angeles, Nov. 2.—Plans to produce a series of Technicolor features were announced yesterday by producer-director Stanley M. Whitney.

Supreme Court Is Asked To Review Tri-Ergon Case

Equity Council Ratifies Plan For Actors' Guild Affiliation

The council of Actors' Equity Ass'n, formally ratifying the affiliation agreement with Screen Actors' Guild, yesterday voted to create a new affiliate membership class in Equity to include members of the guild.

Coincident with the action, the council authorized the drafting of new bylaws by which persons qualified for the new Equity affiliate membership shall be members of the guild, which now becomes "the motion picture division in California of Actors' Equity Ass'n." The formal affiliation agreement drawn by Equity's legal department is being forwarded to the governing board of the guild "for their favorable action," Frank Gillmore, Equity president, said.

Under the agreement there will be no Equity representation on the guild's board, nor guild representation on Equity's council. Neither will Equity ask any direct dues of the guild, it is understood, although the guild will be expected, of course, to bear its share of dues paid into the A. F. of L.

Assessments For Code Are Finally Set

WASHINGTON, Nov. 2.—Producer-distributor assessment schedules today were finally agreed upon and are now in process of receiving the approval of the various N.R.A. officials whose signatures are necessary to make them effective.

Pointing out that there are some 300 independents and 12 larger concerns, Administration officials declared that it does not appear unfair to expect 56 per cent of the companies to contribute the $18,000 asked.

Film Labeling Is Opposed by Baltimoreans

Baltimore, Nov. 2.—The system of labeling productions "A" and "F," as to their suitability for adults or for the family does not appeal to three exhibitors in this city interviewed on the matter so far.

J. Harry Gruver, proprietor of the Glen, Glenburnie, Md., and manager of the New Theatre, first run here, thinks parents should find out for themselves by calling the theatre and asking the manager for such information because he always tells the truth.

K.C. Is Nettled by Majors' Stand on Clearance Setup

KANSAS CITY, Nov. 2.—Objections by major company sales heads to Kansas City's new clearance schedule are termed "ridiculous" by members of the local clearance and zoning board.

Distributors' chief objection that identical availability to subsequent charges the same admission would create a print shortage is answered by exchange managers with the assertion that this system has been in vogue for the last five years and at no time has it created a shortage.

Local exchange executives are at a

Para. Charges Fox with Attempting to Coerce Entire Industry

By CLARENCE LINZ

WASHINGTON, Nov. 2.—Charging that William Fox is using the recent decision favorable to American Tri-Ergon to "coerce substantially the entire industry," Paramount Publix today asked the U. S. Supreme Court to reconsider its recent action in refusing to review the suit.

"There is no conflict of decision as between different circuits on the question of the validity of this patent," the company admitted in its petition, "but it is clear that this action has occurred since the denial of the writ which clearly take the case outside the general rule requiring a conflict of decisions as a prerequisite to the grant of a writ of certiorari in the ordinary patent cause."

Since the court refused to review the case, it was said, suits have been filed against 18 companies, including M-G-M, Warners, Columbia, First Division, Universal, Consolidated Film Industries, 20th Century, Monogram, Reliance and several laboratories, thus including, it was declared, "large sources of production of motion pictures, including substantially all of the

Tri-Ergon Mandate Argued in Brooklyn

Contending that it would be unduly injured if a mandate putting into effect the original decree of Judge Marcus B. Campbell in favor of American Tri-Ergon were to be issued, Paramount Publix moved in Federal District Court at Brooklyn yesterday to obtain a modification of the decree which enjoined Paramount from using

Changes in Phila. Boards Are Denied

WASHINGTON, Nov. 2.—Reorganization of the Philadelphia clearance and zoning boards was today refused by Division Administrator Sol A. Rosenblatt in answer to complaints from the Independent Exhibitors' Protective Ass'n, Inc., of that city, that because of their tussle with Warner through their membership in the M.
E. M. Loew and Para. Suit Settlement Sett

The settlement of the long-pending $5,000,000 anti-trust suit brought against Paramount Public by E. M. Loew of Boston has been agreed upon and a concession allowing court approval of the settlement will be submitted to Special Master John E. Joyce here within the next few days. The settlement figure, it is understood, exceeds $100,000. A special master assigned by the Federal court at Boston to take care of the case recommended damages in a large amount in favor of Loew some time ago. Final damage awards in anti-trust cases are to be determined by the court. Paramount recently settled the $500,000 anti-trust suit brought by the late Edward Quinlin, Middletown, N. Y., exhibitor, for $10,000. A settlement of the anti-trust suit brought by A. R. Momand of Oklahoma for $4,000,000 damages is not yet in work, although scheduled for negotiation in the near future.

Myke Lewis on Coast

Los Angeles, Nov. 2.—Myke Lewis has arrived by plane from New York to be here for the opening of the meeting in Hot Springs. He conferred with home office executives in New York for three days.

Toronto, Nov. 2.—Maurice Mulligan, Paramount general manager in Canada, has returned from New York and Hot Springs meetings.

Denver, Nov. 2.—Hugh Brailey, Paramount district manager, is back from the east, where he attended sales conferences with home office and field executives.

Loew Opens Boston Road

Formal opening of the Boston Road by Loew's was held last night. The house was last operated by Henry Seigel. Loew's took it over when the circuit dropped the Freeman.

Muni's Mother Passes

Hollywood, Nov. 2.—Mrs. Sallie Nasatir, 67, mother of Paul Muni, is dead at Van Nys. She had been ill a long time with diabetes.

Open 'World War' Nov. 7

The premiere of Fox's "The First World War" at the Rialto has been advanced to next Wednesday evening.

Mundin, Williams For Dickens Story

Hollywood, Nov. 2.—Herbert Mundin has been borrowed by M-G-M for "The Turn of the Screw," by Robert Helpmann entitled "David Copperfield." Hugh Williams has been loaned by the same company for the role of Steerforth in the same picture.

Twentieth Century has leased Sidney Lanfield to M-G-M to direct "Evelyn." Everyone at RKO has joined the M-G-M writing staff and the company has taken an option on his first movie after this one.

Edwin Knopf, writer, and Isabel Jewel, player, have had their options exercised.

Tries New Lithograph

Charles Reed Jones is trying a new lithograph process in film advertising which makes reproductions direct from the original drawings which the artist does on the stones. The drawings are by Howard Simon, well known artist. His first film is Chesterson's "The Curtain Falls."

Weeks Leaves West

George Weeks, general sales manager of the Consolidated Film Co., is leaving for New York this week, to be succeeded by an assistant, who will remain in charge.

Georges Leaves for Tokio

Shanghai Nov. 2.—Arthur W. Kelly, vice-president in charge of foreign sales of the Chicago office, leaves Saturday night for Erpi's "Wide Range" and is staging an extensive advertising campaign to herald the event.

Kelly Heads for Tokio

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Rogers-Ayres Wed Soon

Hollywood, Nov. 2.—Ginger Rogers and Lew Ayres will be married on or about Nov. 18, according to an announcement by the former's mother.

Para. to Show "Rhythm"

Paramount will hold a trade showing of "College Rhythm" at the Astor next Wednesday morning.

Columbia UP One on Big Board

Columbia Pictures, Inc., one of the newer independents, is adding to its list of stars in a big way, and it plays the Gately when it is opened by the new company the evening of Nov. 13 with "The Two Gentlemen of Verona." The English adaptation of the Italian film "Camicia Nera" ("Black Shirt"), authorized by Premier Mussolini of Italy. The film is to be released by Columbia Pictures, Inc.

Horne Going to Coast

Hal Horne flies to the coast Wednesday for conferences with Warner Bros. Horne, who is in charge of the Zanuck-Kennedy-Talbot campaigns for "The Mighty Barnum," the first picture the producer has turned out since his return from Europe.

Technicolor Advances Quarter on Curb

Technicolor

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Warner Bonds in 2-Point Rise

Warner Bros.

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"Flirtation Walk" (Paramount-U.A.)

Hollywood, Nov. 2—All the glamour of West Point thrillingly dimming a romance between Dick Powell and Ruby Keeler sets this military musical in the plus class for showmen.

The production has exceptional exploitation possibilities for patriotic ballyhoo besides the stereotyping entertainment values of youth, comedy, tunes and spine-tingling patriotism.

Powell, an army private in Hawaii, falls in love with a general's daughter, Ruby Keeler. His near court martial and frustrated desertion separate them. They meet again when her dad is appointed superintend at West Point where Powell is a cadet.

The romance is embroiled with humor and charm and makes a well contrast for the blare of bugle and beat of drum. Evident through-out is the sure-handed direction of Frank Borzage.

Powell makes an ideal cadet, this boyish personality tailored to his uniform, his star magnetism enhancing with each succeeding picture. Mary Astor in her lines easily makes a standout as Sergeant Thornhill, Powell's army nemesis.

Ross Alexander again demonstrates his abilities, which point upward. John Arledge, John Eldridge, Henry O'Neill and Guinn Williams contribute neat portraits in support.

The second play by Delmer Daves is from an original by him and Lou Edelman. The photography by Sol Polito and George Barnes is topnotch.

Containing showmanship, entertainment and personality attributes, this production presages good business plus in direct proportion to exploitation.

Production Code Seal No. 350. Running time, 85 minutes.

"The Goddess of Spring" (Paramount-U.A.)

Exceptionally beautiful and eye-filling is the color in this latest Silly Symphony done in Technicolor by Walt Disney. It is the story of Persephone, the Goddess of Spring and her abduction by Pluto, king of the underworld. The musical accompaniment is perfectly synchronized and contributes to the show. Some cleverly-placed spots which every producer could make better use of, and which are charmingly placed. 8 mins.

"Going Places" (United Artists)

The third of this series should maintain audience interest equally as well as the preceding ones. It has Lowell Thomas' comments and very good photography. Scenes of the island of Rhodes open the reel and shots of the old Hospital of the Knights are particularly interesting. From Rhodes the audience is taken to the African veldt and shown animals in their native habitat. Skiing in the Alberg Alps winds things up. No code seal. Running time, 10 mins.

Cosmopolitan Renamed

Dover, Del., Nov. 2—Cosmopolitan Prod., Inc., Ltd., a Delaware corporation, changed its name to Cosmopolitan Corp. of New York City. The Corporation Trust Co. of Wilmington is agent for the company.

No special significance attaches to the name change, it was stated at the Hearst offices here. It was described as an inter-company move.

Campi Did Not Decide

Although coast advisers had it that Code Authority reversed the Los Angeles board in a decision involving the F. W. Woolworth Co. and Campi yesterday stated no action had been taken on this appeal.

Movie Daily Bulletin on Wednesday reported that the two houses were put back in the same zone after the local clearance and zoning board separated them.
Majors’ Stand
On Clearance
Nettles K. C.

(Continued from page 1)

loss to understand why distributors take the position they do toward the Kansas City plan, since there have been many objections to it locally. They maintain that delay in establishing clearances is seriously regretted by many new product deals with subsequent clearances.

Clearance board members, who evolved the schedule after negotiations and meetings starting last spring, are quite nettled and chagrined.

A spokesmen for the board points out that a possible print shortage is largely averted by the schedule’s provision of long sides and days for the perpetual change in the theatres which do not maintain a fixed admission price.

"It may be that some of the provisions are not very clear to anyone not familiar with the local situation," said a board member who is also a distribution manager. "But the schedule is workable and practical, and I am sure that when its provisions are understood it will be accepted by the company and to everyone else in New York.

Stressing that identical availability to subsequent agreements appears to be feasible here, observers regard it as possible that a print shortage could occur under the circumstances in the city like Chicago, it is possible that would remote in Kansas City unless the distributors are bound to curtail the number of prints.

The lapse of seven days between minimum and maximum availability between runs which code committees members are reported unable to understand is explained as a measure of calculation since a lot is printed in a much time which is needed. This permits dating on the day the theatre changes its program and it is possible that the major distributors are out to sell protection," was the reaction of Jay Means, president of the P. T. O. O., to the objections of sales executives to the clearance schedule.

Equipment Men Hit
New Snags on Code

WASHINGTON, Nov. 2 — Internal difficulties of theatre equipment and supply dealers were revived before the National Recovery Administration today when proposals for a code submitted by the Independent Theatre Supply Dealers’ Ass’n. were opposed by the National Theatre Supply Co.

As was the case a year ago when the first effort to secure a code was made, National selected the right of the Code to the code was presented by the industry. The company has 28 branches which, if considered as separate units, have a large proportion of the total number of establishments in the trade, it asserts.

The code, a supplement to the ma-

Assessment
For Code Are
Finally Set

(Continued from page 1)

particularly in view of the fact that it was originally contemplated they would be reprinted up to $600,000 to be raised. Nevertheless, in order that the full interests of the members will be protected, the Board of Directors has declared the schedule, under which the full contribution of the group cannot exceed $18,000 and the $18,000 be credited in the case of the schedule is promised for 1935, when it will be possible to secure accurate figures on the amount contributed.

The order of approval for the producer-distributor schedule on which the contributions of the independents will be limited to a fixed amount. Should members of the group whose contributions are not over $750,000, which includes substantially all the independents, contribute more than any member of the group may not be sold, but must be set aside and credited to members in this group on the basis, according to contributions.

This credit is to be applied to their assessments for the next Mayary, it will be limited to a maximum amount which is anticipated that a substantially revised basis of contribution will be submitted. It is probable that the credits will be more than sufficient to cover assessments for the period and will exceed, will of course, be refunded.

Average Contribution $60

The minimum assessment provided for firms whose sales were less than $12,000 per annum is $120, while the maximum for an establishment of the $10,000,000 group will be required to pay $700. To raise the $18,000 from 300 concerns will require only 18 months, and it is for this reason the Administration has every assurance that the adjustments required by the code can be made small, and that substantially decreasing the net contribution of the independents.

Special safeguards are provided in the order for every small exhibitor whose annual sales do not exceed $12,000 and who find the assessment of $120 provided for their group unduly burdensome. The Code Authority is ordered to adjust any claims for exemption from members in this group subject to approval by the Administration.

Attention is called to the fact that the right to claim exemption is limited to members in this group and that administrative orders specifically denying to producers who are under consideration of the Code industry who considers his assessment unfair may appeal to Code Authority for relief and the Administration, or direct to the Administration.

The exhibitor assessment schedule has been given the approval of the Administration, having been unopposed, except by one organization, which, however, made no serious objections, and which asserted it appeared more desirable of developing the thought that it was, in the case of that group, "taxation without representation."
MOTION PICTURE DAILY

New York, Monday, November 5, 1934

Ten Cents

Alert, Intelligent

and

Faithful

Service to

the Industry

in All

Branches

Vol. 36. No. 107

Studios Watch

Equity Moves,

But Are Quiet

Union Labor Support Is

Believed Unlikely

Hollywood, Nov. 4—Producers are maintaining an attitude of watchful waiting insofar as the proposed Ac-

tors' Guild and Equity merger is concerned. They will not discuss it individually and the Producers' Ass'n has also main-
tained silence, but the impression prevails they are not par-
ticularly disturbed.

Failure of the Producers' Actors' Five-Five Committee to agree on any point in connection with code prac-
tices is held to be the reason the guild has failed to report to Equity in order to strengthen its demands with organ-
ized labor support.

Observers here agree that producers might accede to some of the players' demands, but the impression prevails that resort to a strike would not get acting talent any further than it did the Equity row in 1929.

Production is ahead of schedule, and cameroners and their own organizations. Carpenters, grips and other studio unions are not usually sympathetic toward the problems of the players, because of the prevailing attitude of their membership that actors get more than they are worth.

In the Equity trouble of 1929 leading-

players under contract held to their contracts. Many of these are members of the guild and it is believed they could do the same thing again.

U. A. and Loew Agree

Upon Day, Date Deal

Hollywood, Nov. 4—United Artists has entered into a temporary arrangement with F. C. W. wherein, beginning Nov. 15, the Chinese and Loew's will play day and date, with the "White Parade" starting the new policy.

Lack of U. A. product to keep the Chinese going necessitated the arrange-

ment. Like Loew's, the Chinese will drop prologues. Sd Grauman will remain in charge.

S. & C. Houses Gain

On a Skouras Deal

Failure of Skouras and RKO to get together in a pooling arrangement for the Riverside and 81st St., has worked to the advantage of Springer & Co-

nels.

Herefore operating the Stoddard

(Continued on page 4)

$18,000,000 Offer for

F.W.C. Assets on Way

Memphis Long

User of Film

Ad Lettering

MEMPHIS, Nov. 4.—The audience

suitability classification idea has long

been in use here by M. A. Lightman's Community Theatres, which print in their daily ads the marking designat-
ing adult, adolescent or family pic-

ture. This plan differs from the War-

nerarrangement in that the Light-

man's houses use the designation fixed

by the Better Films Council rather than their own designations.

This is done in addition to the week-

ly classification guide which the coun-
cil prepares and releases each Sunday

through The Commercial Appeal.

Local theatres otherwise have been

more or less set against the idea, al-

though the opposition seems to have

faded within the past few months. The
Orpheum has on several occasions in-

serted in its advertising matter the
words "not for children."

Warner executives here are of

(Continued on page 2)

Warners Proclaim

Lettering Success

PHILADELPHIA, Nov. 4.—Warners

took large newspaper space yesterday

in all the dailies to proclaim the suc-
cess of its audience classification plan.

Under the heading, "The Stanley-

Warner Plan Is a Success!" the

advertisement reproduced editorial

comment which greeted the idea of

tabulating each play with an "A" or an "F." The idea has caused considerable comment both in news-
papers, and at local club meetings, par-

ticularly among the women's clubs.

Mississippi MPTO

To Battle 10% Tax

JACKSON, Miss., Nov. 4.—The

M.P.T.O. of Mississippi has decided to descend en masse on the legislature when it convenes and fight for a repe-

al of the present 10 per cent amuse-

ment tax. It is really a 12 per cent tax, since the sales tax is added. No

(Continued on page 2)

Different Spelling

Kansas City, Nov. 4.—An exhibitor was booking some pictures at a local exchange the other day. Inquir-

ing about a western, he asked: "Is this a Maynard or a Stetson?"

"It's a Maynard," replied the broker, "but at the price you're buying it it's a steal."

Music Hall to

Be Controlled

By a New Unit

A new corporation, understood to be

wholly owned by Rockefeler Center,

has been formed to become lessee of the Music Hall under the new agree-

ment between RKO, RCA and Rocke-

efeller Center covering the经营 oper-

ation of the house, it was learned on

Saturday.

If the agreement is approved by the Federal district court here, following a hearing scheduled for Nov. 9 before Federal Judge William Bony, opera-

tion of the hall is expected to be independent of RKO. W. G. Van Schmus will continue in charge.

(Continued on page 4)

Big Nebraska Suit

May Be Tried Soon

LINCOLN, Neb., Nov. 4.—Federal

Judge T. C. Munger has called a ju-

ary to hear a number of matters here

Nov. 7. No cases have been set down for trial, but it is believed the pending four suits filed by Ne-

braska theatre owners against 13 dis-

tributing agencies will be heard.

The theatre men, C. N. Robinson of

Blair, Eric Wesselman of Pierce,

(Continued on page 2)

Buffalo Board Stops

Non-Theatre Service

BUFFALO, Nov. 4.—Film Classic

Exchange, Inc., has been ordered to

stop servicing a non-theatrical ac-

count, the Casino de Paris restaurant in Okan in the grievance board. P.

(Continued on page 2)

Chase, Fox Film Set on

Plan—Revamping Gets Closer

LOS ANGELES, Nov. 4.—Principal

creditors of Fox West Coast, one of the industry's largest units and the theatre colossus of the Pacific Slope, are understood prepared to bid $18,000,000 for the assets of the company on Nov. 8, following which Referee W. S. McNabb is expected to set a hearing, probably two weeks later when the private sale will take place.

Under reorganization plans under-

stood agreed upon by Chase National Bank and Fox, the two principal creditors, the name of Wesco as the holding company for the some 400 odd theatres will be changed to National Theatre Corp. Plans for incorpora-

tion have been, or will be, filed in the east, probably in Wilmington Del.

S. R. Kent, it is understood, is down for the top spot in the holding corpo-

ration with Charles Skouras as first vice-president and W. G. Michel as second vice-president. Michel is first vice-president of Fox Film.

Fox West Coast Theatres, under the new plan, will be known as Fox-W. C. Coast Theatres Corp, the only dif-

ference being the addition of the word "corporation." Fox-W. and Charles Skouras, who are now holding daily con-

fials with Chase officials and Kent, are understood set to get five-year contracts, with options for five more

(Continued on page 4)

Report Arthur Seeks

The L. A. Paramount

LOS ANGELES, Nov. 4.—Reports are cur-

rent that visits of Harry C. Arthur and Jack Partington here were in connection with a deal for the Para-

mount houses operated by F. C. West. Arthur is back in New York while Partington is still around conferring with Mike Marco of F. & M.

Harry Arthur denied the coast re-

ports, and would not do anyth-

ing to slight S. R. Kent. Arthur also denied rumors that he would join Paramount as a theatre executive.

Fred Meyer Is Made

An Aide to Laemmle

MILWAUKEE, Nov. 4.—Fred Meyer will leave here Nov. 9 to become assistant to Carl Laemmle, Sr., at the Universal studios.
Insiders' Outlook

MORE on the Davies-Hearts-Cosmopolitan-Warner arrangement, this time from Hollywood: There, it has been one of those open secrets that dissatisfaction over the old arrangement was not limited to Miss Davies, but encompassed Metro as well. Each party wanted to have the final word in story selection. Hollywood has heard, and therefore, credits the yarn that Marion wanted to do Elizabeth Barrett in the "Barretts of Wimpole Street," but of course, it was Norma Shearer, wife of Producer Irving Thalberg, who got the part. It is understood the actual Cosmopolitan-Warner deal formalized in June was made in 36 hours, although, as told to you the other day, it has been off and on again at least twice in the last four or five years. Miss Davies, about to get a star dressing room in Burbank when it has been in Culver City for so many years, feels she will have more freedom and independence in the new environment which those who know the situation say she has been seeking for some time...

One, only one, reason for the Production Code: New York State censors cut this and that to the tune of 2,195 eliminations in 1932. Here is a year-by-year tally:

Weeks Starts Tour; More G. B. Additions

George W. Weeks, general sales manager of G. B. left New York Thursday to call on his representatives in key cities and discuss plans for his first eight releases. Buffalo is his first stop, Kansas City, the second and the Other three the third. He returns here Dec. 1.

Prior to his departure, he appointed Jack McCarthy, formerly with U. A. to take charge in Omaha; R. J. Heit, Des Moines, and Fred Abelson, Minneapolis. Eleven new salesmen, also named, follow:

Sid Shuster, Milwaukee; James H. Butts, Atlantic City; Gene Givens, Cincinnati; Joseph Seidman and J. C. Whitlock, At-

lanta; Charles Lundgren, Chicago; David Winship, Los Angeles; Harry D. Noble, New York; J. M. Hendren, San Francisco; Walter Pratt, New York, and Art Hues- man, Chicago.

Estelle Schrott has been placed in charge of fan magazine publicity.

Mississippi MPTO

Tax till 10% Tax

(Continued from page 1)

industry, with the possible exception of the automobile, is so heavily taxed in Mississippi, said Ed Kuykendall, national president.

Officers re-elected were: R. X. Williams, Jr., Oxford; president; J. E. Allford, McComb, vice-president; A. W. West, Ellisville, second vice-presi-

dent; W. E. Elkins, Aberdeen, secre-
tary-treasurer.

Trans Lux Drops 3% on curb

Warner Bonds Lone Issue

(Continued from page 1)
Warner Bros. Win Dizzy Race for Film Services of That Delirious Duo of the Diamond—

DIZZY & DAFFY

Direct from the front pages to you! The $7,000-a-week stage attraction—now yours for the price of a

VITAPHONE SHORT

Grab that 'phone and grab the timeliest attraction of the hour, in a 2-reel "Big V" Comedy—"DIZZY & DAFFY"

READY DEC. 8th

with Shemp Howard and Roscoe Ates added to make it surefire laugh entertainment for every member of the audience.

NO WONDER WE SAY—VITAPHONE LEADS IN STARS!
**MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW**

“**The Painted Veil**”  
(M-G-M)

**Hollywood, Nov. 4—**The eternal love triangle is here mounted on a background of lavish, grotesque settings that move from a quaint Austrian village to Hong Kong, mirroring in minute detail the lives, loves and customs of both countries. It is all photographed with such artistry by William Daniels that those appreciative of art will overlook certain weaknesses of the story.

The story concerns Herbert Marshall, a doctor, who, after holding his love for Greta Garbo a secret for twoscore years, suddenly proposes marriage. In China, he becomes obsessed with his duty in fighting the cholera plague, leaving the opportunity for George Brent to move in and to give the bride the affection she has craved.

Because of the heavy treatment in an attempt to make the audience feel the emotions of these three people, the sudden transition of events is very apt to leave too much for the average audience to grasp. Therefore, whenever story there is will be appreciated largely by the sophisticated possessed of sufficient alertness and intelligence to keep pace with the plot as it unravels.

Garbo fans, because her beauty and charm are revealed by exquisite photography, will marvel at the striking effects obtained. Others, expecting to find a story without exciting their brain, probably will discover this a rather horeshoe plot, but may be compensated by other redeeming features of the startling settings and excellent camera work.

Others in the cast are Warner Oland, Jean Hersholt, Benita Bondi, Katherine Alexander and Cecilia Parker. The film was directed by Richard Boleslawski and produced by Hunt Stromberg. No code seal. Running time, 90 minutes.

**$18,000,000 Bid for FWC Assets on Way**  
(Continued from page 1)  

years. The agreement are said to be all but finally signed by signature by the Skouras Brothers.

Completion of reorganization plans is not expected before Jan. 1, 1936. After Fox West Coast is rehabilitated, subsidiary operating groups like Fox Midwest and Fox Midland and Fox Rocky Mountain will follow the same line of procedure.

Ralph S. Harris, of the law firm of Harris, Schuman & Dwight, attorneys for F. W. C., arrives here from the east within the next few days to work out details. Skouras and his secretary, Edward Zabel, are also expected from New York later in the week. It is understood they are staying until the elections are over, William Powers, F. W. C. attorney, is running for attorney general of New York State.

On Oct. 28, the last of the major claims against F. W. C. was filed. One of the claims is for final settlement of compensation for the three trustees, Skouras, William H. Moore and Charles C. Irwin. The suit asked for $500,000, for services Jan. 1, 1936. Another claim was filed by O'Melveny, Tuller and Meyers, law firm, seeking $218,000.

The greatest obstacle in the path of reorganization is regarded as having been disposed of on Oct. 1, when the Circuit Court of Appeals in New York refused to reopen the hearing on the settlement of Paramount Publicx claims against F. W. C. Samuel Zinn brought the action as representative for a group of Paramount bondholders. Since this action, developments have been moving at a fast clip.

Efforts over the week-end to check with F. W. C. officials on the reorganization resulted in denials from all contacted. No one at the Fox home office seemed to know any of the details of the reorganization outline.

**Skouras Stays as Head**  
**San Francisco, Nov. 4—**Spyros Skouras will remain an operating head for all F. W. C. houses under reorganization plans completed in New York during the last week. He will work directly under S. R. Kent, president of Fox Film and the new holding company, in the east.

**Expect Mid-West Sale Dec. 1**  
**Kansas City, Nov. 4—**Sale of F. W. C. circuit assets in the west is the initial step in the circuit's reorganization plan, which will take place around Dec. 1, according to information from New York.

First indications were that the sale would take place about Nov. 1, but ironing out some details took longer than expected. Following the sale, it will take a month or two for sale approval of claims and distribution of dividends, with January or February tentatively set for complete reorganization.

Foreclosures of assets of Fox Midland and Fox Rocky Mountain, important subsidiaries of F. W. C., is not expected to be among those. Two units filed in bankruptcy in the Federal District Court here. Steps toward their reorganization are awaiting a new setup of the parent company, as the West Coast and subsidiary groups are interlocked and certain problems more or less affect all companies involved.

It is highly probable Elmer C. Robb will be president of the new holding company to replace Fox Midland and Rick Ricketson may head the new Fox Rocky Mountain outfit.

**National Theatre Organized**  
**Dexter, Nov. 4—**Wesco Corp. has changed its name to National Theatre Corp., New York City, increasing its capital stock from 1,000 shares of $100,000. The group is expected to pay a distribution of $100,000 to shareholders. The company will be managed by J. Heisse, president, and W. F. C. C., chairman of the board. The company will be managed by J. Heisse, president, and W. F. C. C., chairman of the board.

S. & C. Houses Gain On a Skouras Deal  
(Continued from page 1)  

as a second run, Springers & Co., combined this house with Skouras' Nemo and Riverside, all three playing Fox, Columbia and Universal first run. The group now has with RKO and the 81st St. Fox product in exchange for Paramount and Warners on a day-and-date policy. RKO turned down the offer and Skouras then made a deal with S. & C. The Studillard is the only S. & C., first run on Broadway.

**May Hit Snap on Name**  
**Albany, Nov. 4—**Little hope is held that National Theatre Corp. will be the new name for Wesco. In 1926, National Theatres, Inc., was formed in Wilmington and invested in the state. Since this name is similar to the new one, there is no likelihood of it being accepted by the Secretary of State here.

**Ricketson Returns Soon**  
**Denver, Nov. 4—**Rick Ricketson, operating head of Fox Rocky Mountain, returns to New York within the next few days after a series of conferences with Spyros and Charles Skouras.

While in New York Ricketson is understood to have gone over details of reorganization for Fox Rocky Mountain, which will be taken out of bankruptcy after F. W. C. is reorganized.

The Fox Rocky Mountain unit is understood to be understood in good shape and on a profitable basis, making reorganization easy.

**Flash Preview**  
**The Bride and the Best Man**—a weak story dressed up with an exciting chase, comedy and good performances.

This film will be reviewed in full in a later issue of Motion Picture Daily.

**Sign for Liberty Films**  
Cooperating Booking Offices in Detroit has signed for the entire Liberty lineup, Budd Rogers, general sales manager, stated Saturday. Sam Sejowin of the Monogram exchange, handling the product in Detroit, closed the deal.
Kent to Head More New Fox Theatre Units

Will Be Made President As They Are Formed

LOS ANGELES, Nov. 5.—S. R. Kent, president of Fox, will be top man in all Fox theatre units. He is president of National Theatre Corp. and Fox West Coast Theatres Corp., new companies formed last week in the east to replace Warner and Fox West Coast Theatres, the former a holding company for around 400 theatres and the latter a profit firm for Fox coast houses. When new companies are formed to replace Fox Rocky Mountain, Fox Midland and Fox Midwest, in addition to other subsidiaries, Kent will be listed as president.

Reorganization of subsidiaries will follow shortly after Fox West Coast (Continued on page 6)

Reade-Fox Split On “White Parade”

Walter Reade yesterday obtained release of his Fox contract for the Mayfair from S. R. Kent following booking of “The White Parade” into the Paramount. Reade-Fox contract with the Music Hall for 22 pictures, “The White Parade” being on the list. Because of a nationwide death in show business the week Nov. 9-16, Fox asked the Music Hall to either book the film for the week or release it. The Music Hall released it and Fox sold it to the Paramount. Under Reade’s contract with Fox (Continued on page 6)

Watson Resigns as Fox Theatres Head

The resignations of Archibald R. Watson as president of Fox Theatres Corp. and of Watson & Wigiss as attorneys for receivers for the company were accepted yesterday by Federal Judge Martin Manton.

Watson, who is a member of the Watson & Wigiss firm, was elected president of Fox Theatres last August, shortly before a petition for reorganization of the company under Section 77-B of the Bankruptcy law was filed by creditors. The petition for reorganization was earlier attacked by other creditors on the ground of bad faith and was withdrawn with leave to refile it after an examination of the claims in question before special master on Nov. 8.

Supreme Court Agrees To Review Patent Case

Chicago Is Cold to Plan for Films Classified by Letters

Chicago, Nov. 5.—No effort has been started here to segregate pictures under the classifications of adult and family entertainment. Circuit executives state that this system would find little enthusiasm among them. For one thing, they claim that such a practice would virtually amount to giving approval to the scheme of the local censor board which “pink tickets” productions it considers suitable for strictly adult trade. There has always been plenty of difference of opinion between local exchanges and the censor board over the matter of “pink” permits.

Milwaukee Is For Lettering Picture Types

MILWAUKEE, Nov. 5.—Although no efforts at segregating films for adult and family entertainment as carried on by Warners in Philadelphia have been attempted in the Milwaukee area, the plan is regarded with favor by other circuit operators here.

Parents’ and teachers’ organizations have been seeking cooperation from exhibitors in establishing family nights on Fridays. Exhibitors pointed out that it is often difficult for exhibitors to book suitable films on a designated night each week and the desiring of entertainment in the Warner style may help to solve the problem.

Another difficulty facing exhibitors in respect to a successful operation of such a plan is the dual feature policy, which is general throughout the city and may make it hard for a circuit to play two films suitable for adult or family audiences on the same bill.

DeMille and Para. Deal Is Approved

A compromise and settlement of all claims against Paramount Publix by Cecil B. DeMille Prod, calling for payment to DeMille of $202,915 by Paramount Prod, was approved yes- (Continued on page 6)

Brooklyn Stay In Tri-Ergon Case Modified

Epri and Paramount Publix won an important point over American Tri-Ergon in Federal Court at Brooklyn yesterday when Judge Marcus B. Campbell ruled that certain provisions in the interlocutory decree submitted by Tri-Ergon to put into effect the court’s original findings of a year ago in the double print patent infringement case would work an undue hardship on Paramount and eliminated the provisions from the decree.

Charles Neave, of counsel for Epri which is defending Paramount, had argued that the interlocutory decree prepared by Tri-Ergon for Judge Campbell’s signature might, if approved, result in an injunction “against the products of the patented process” which, Neave said, would restrain Paramount from distributing films made with the double print process, rather than merely enjoining Para- (Continued on page 2)

Rockefeller Center Will Get $700,000

An initial rent participation for Rockefeller Center of $700,000 per year out of Music Hall operations, with provisions for additional participation, is specified in the new lease agreement submitted to the Federal court here late last week.

The agreement, dated as of Sept. 1, last, is for one year and calls for a first payment of $25,000 per year to (Continued on page 6)

Production Drops; 33 Features Going

Hollywood, Nov. 5.—Production for the past week took a decided drop over the preceding week in both feature and short, subject departments. There were 33 features and five shorts (Continued on page 2)

New Assessment on Code Is in Effect

Producer and distributor assessments in addition to the second half-year levy for exhibitors are now in effect, Harold S. Bareford, member of the code finance committee, stated yes- tured.

Barford stated that he had straightened out with the NRA officials in Washington connections between Monogram franchise holders, and that the Division of Research and Planning had approved the revised plan. Under the revision producers and distributors doing an annual business of $750,000 or less will have credited to next year’s assessment all payments over $18,000. This is what W. Ray Johnston originally wanted, Campi stated yesterday.
**Brooklyn Stay In Tri-Ergon Case Modified**

(Continued from page 1)

from further use of the patented process held by the court.

Judge Campbell also eliminated a part of the decree which, Neave al-

The Supreme Court, on the basis of the Patent Office's decision, which had been pend-

It is understood that the new form of action will be automatically held up until a ruling has been handed down in Washington.

**Production Drops:**

(Continued from page 1)

before the cameras in comparison with 38 and seven for the week previous.

In addition, there are 22 and seven shorts in the final stages of preparation, while 45 features and 21 shorts are in the cutting rooms.

Tri-Ergon had five features in work, five preparing and five editing; Fox had five, two preparing, and two editing; Columbia, three, four and five; Universal, two, zero and zero; and Roach, zero, zero, and one; while the independents had six, five and five.

In the short subject division Roach had one in work, one preparing and two editing; M-G-M reported six; Universal, seven; and Columbia, zero, three, and three; Radio, three, zero and three; and the independents reported six, four and five; and the independents totaled four, three and five.

**Fox Golfers Get Hit**

Golf rivalry between the Fox publicity and advertising departments has now hit home with a Saturday match at Sprain Lake, Tuckahoe, E. W. Wingert and Elliot McManus, both on the 85-70 section, and the rested, Carl and Ross moss and Publix Moon, advertising, rolled up 110 and 91 respectively.

**Death Dealers' for B'way**

"Death Dealers," purported to be an expose of the munitions racket, will be given a Broadway opening by Topics Picture the first week in December.

**Jewish Picture to Open**

"The Youth of Russia," Jewish talking picture dealing with youth in the Soviets, opens at the Clinton tomorrow.

The picture was produced by Sov-Am Film Corp.

**"Lenin" Set at Cameo**

"Three Songs of Lenin," an Aman-ko release, will have its world premiere at the Cameo here today, the day before the film opens in Moscow.

**Big Board Stocks Show Better Tone**

**Technicolor Advances Quarter on Curb**

**Two Para. Bond Issues Rise 2½ Points**

**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

**Vol. 36**

November 6, 1934

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"Lemon Drop" Takes $14,000 First Week

"Lemon Drop Kid" at the Rialto chalked up a neat gross of $14,000 in seven days. First three days of "Six- Day Kid" percentage was $1,400, with an additional $200 the first week, but Election Day today, is expected to brace the week's tally. Third week of "Misty Widow" at the Astor tapered to $8,700.

"Student Tour" bowed out of the Mayfair last night after a bad week. The total for the seven days was $7,800.

**High** Low Class Change Net Sales
--- --- --- --- ---
Columbia Pictures, etc. $345 335 365 +50 800
Consolidated Film Industries, etc. 345 335 365 +50 800
Eskridge Kodak 1074 1045 1074 +30 800
Fox Film "A" 125 125 125 +0 100
Loew's Inc. 105 105 105 +0 100
Loew's, Inc., etc. 98 98 98 +0 100
Paramount Exhibitors, etc. 73 73 73 +0 100
Pathe Exchange 73 73 73 +0 100
Warner Bros. 434 425 434 +9 1,600

**Technicolor**

--- --- --- --- ---
135 125 135 +10 500

**Loew's Is 41, New Rights**

Loew's is 41, new rights.

**Paramount**

--- --- --- --- ---
242 240 240 +2 1,400

**New in Position**

Frank E. Irsh has been placed in charge of research and promotion on the staff of Playdate and will take over the position vacated by D. Carroll Rheinstrom, advertising manager of Macfadden Publications.

Irsh was formerly in charge of research and promotion on Macfadden's women's group.
Indies Protesting
On K. C. Clearance

KANSAS CITY, Nov. 5.—While a come of independent exhibitors are protesting Kansas City's clearance schedule, the understanding in well informed trade circles here is that protest will be disregarded by Camp's main body when it takes up the plan Thursday, as the dissenters represent a minority.

A formal appeal signed by 14 exhibitors is in Camp's hands. The group objects to the proposed setup in various localities, one of which is the provision calling for a uniform price at each theatre will interfere with local price adjustments.

Excessive protection over admissions of 20 cents and under is alleged.

An allowance of minimum and maximum periods of clearance between runs is protested on the score favored circuits or individual exhibitors would be able to obtain preferred dates. In the Woodland-East 55th St. section where a large independent circuit competes with Warners, admissions have been cut to 25 cents straight for all shows, including Tuesday. In the Woodland-East 55th St. section, the Haltinhurst, first run zone house, has cut to 15 cents from the former 20 cent price. What will happen to the theatres following Haltinhurst which charge 15 cents, the minimum contract price, will probably be a matter for the grievance board.

There seems to be a well defined feeling that in order to bolster attendance—said to have dropped off in the neighborhood houses—a drop in admission prices is necessary, especially since double features, premiums and the like are "verboten."

Cleveland Rate Cuts
Stir Neighborhoods

CLEVELAND, Nov. 5.—Cleveland neighborhood houses appear to be breaking out in a mild price war. In the St. Clair Av.-East 10th St. section where a large independent circuit competes with Warners, admissions have been cut to 25 cents straight for all shows, including Tuesday. In the Woodland-East 55th St. section, the Haltinhurst, first run zone house, has cut to 15 cents from the former 20 cent price. What will happen to the theatres following Haltinhurst which charge 15 cents, the minimum contract price, will probably be a matter for the grievance board.

There seems to be a well defined feeling that in order to bolster attendance—said to have dropped off in the neighborhood houses—a drop in admission prices is necessary, especially since double features, premiums and the like are "verboten."

C. E. Hawthorne Dead

Paramount officials were shocked yesterday to learn of the death on Saturday of Charles Evans Hawthorne, company lawyer handling real estate. He died of pneumonia, was 62 and is survived by his sister, Mrs. Adelaide H. Woodin.

Funeral services will be held from his home in New Rochelle tomorrow.

Samuel C. Meyer Passes

PORTLAND, Nov. 5.—Word has been received here of the death in San Francisco of Samuel C. Meyer, veteran showman. He was 72 years old. For years he was associated with William Ely in both the old Hippodrome and Helig theatres here.

"Crespi" Ready in Week

"The Crime of Dr. Crespi," J. H. Auer Production Co.'s initial effort, made at the Biograph studio in the Bronx, will be ready for release within a week. Distribution arrangements are under way with a major company.

Phillips Election Rooter

Louis Phillips, of Phillips and Niter, is praying for the re-election of Supreme Court Justice Isidor Wasservogel, for whom he and his partner have been campaigning.

"Barnum" Set Dec. 25

United Artists has decided on day and date release throughout the country on Dec. 25 for "The Mighty Barnum," now in the cutting rooms.

WOULD YOU
BUY A CAR THAT HAD NO SPRINGS?

- If your seats are hard, lumpy, and uncomfortable, you've just about as much chance of getting and holding patronage as a manufacturer who turns out a springless car. Get the jump on your competition by reseating with comfortable, upholstered chairs.

Ask Us,

"How can I reset and pay for new chairs conveniently?"

American Seating Company

Makers of Dependable Seating for Theatres and Auditoriums

General Offices: Grand Rapids, Michigan

BRANCHES IN ALL PRINCIPAL CITIES

Appeal Board Hears
5 Grievance Cases

Appeals on three New York grievance decisions in addition to one from Charlotte and one from Dallas were heard yesterday by a committee consisting of Harold S. Bareford, A. J. Mertz and Joseph Seiden.

The cases were: Colonial, Winston-Salem, N. C., against Hollywood, same city, on giveaways; Capitol, New Brunswick, Tex., against Opera House, same city, on bank nights; Roosevelt, Beacon, N. Y., against Paramount Distributing Corp. and Beacon, on alleged breach of contract; Strand, Red Bank, against Carlton, same city, on overbuying; Roky, Perh-Amboy, against Crescent, Strand and Majestic, same city, overbuying.
The gifted pen of the writer who gave you one of the screen's big hits traces a new story of blazing human emotions ... of a woman with a past and of men outside the law ... of mystery, thrill, and vivid drama!

Dashiell Hammett's

In the

With Fay Wray
Ralph Bellamy
Melvyn Douglas
Roscoe Ates

Directed by Phil Rosen. Associate producer Burt Kelly. Produced by Select Productions RKO-Radio Picture
AN
DARK

BY THE AUTHOR OF “THE THIN MAN”
Kent to Head More New Fox Companies

(Continued from page 10)

is rehabilitated. A bid of $18,000,000 for the assets by Fox Film and Chase National Bank will be made on Nov. 8 before Referee W. S. McNabb.

Edward J. Kent, president of Fox, will be executive vice-president, and Charles Skouras will be vice-president in charge of operations of National and its subsidiaries.

Skouras and Charles Skouras are being given a joint contract which will be used in all legal transactions and will be in New York and he will have an executive eye on all theatre operations.

Reade-Fox Split On “White Parade”

(Continued from page 10)

he gets all rejections by the 6th Ave. house, in the face of the threat given a chance to book the picture before it was sold to the Paramount. On Saturday, a new agreement was ordered against Fox and yesterday again asked for the picture or a cancellation of contract.

Fox agreed to cancel, despite Reade’s offer to play the picture under the same terms as the Paramount. Reade would play two of the 32 Fox films remaining before the agreement is ended. One of the films he has asked to hear, “B. K. and Stelly Duna, the daughter, and the second mate of Captain Mitchell Lewis’ ship. The general theme features the girl torn between the love for the sea and her father and a romance with Regis Toomey, whose business keeps him in the South Seas. The story unfolds with the ship’s first mate, Raymond Hatton, and his acompañant steering the boat on a reel, hoping to sink the craft to collect the insurance.

Miss Duna and her injured father escape to an island inhabited by savages, where she administers the drug to the Polynesian chief’s son and saves his life. The girl’s father dies and she leaves the island in a boat headed for civilization but is taken aboard a ship hired by Toomey, who is ashore searching for her. The duol finally get together and discover a plot to blow up the ship on a reel to destroy certain evidence. Aided by the chief’s son and the savages and their fleet of native craft the plot is discovered and the crew is saved.

Direction by Wallace Fox and the cast portrayals, aside from Mitchell Lewis, fail to summon the story. John Twist and Fox did the original screen play. Photography by Harold Westrom and Vernon Walker is a high spot. Colorful exploitation of the South Sea locale should aid the film in some spots. No code seal. Running time, 62 minutes.

Rockefeller Center Will Get $700,000

(Continued from page 10)

RKO and RCA jointly, to be paid at the rate of $40,000 per month, Rockefeller Center’s initial rental payment of $700,000 is next deducted after which a second joint payment of $34,000 to RKO and RCA is to be applied to re-tenure of RCA’s advances of working capital for the Music Hall last year. Pending a decision of the question whether Rockefeller Center is entitled to an additional $100,000 as rent. If funds are still outstanding, or any of the $40,000 is derived on the basis of 60 per cent to Rockefeller Center and 40 per cent to RCA and RCA on RKO and RCA on any agreement with which has been worked out by the latter two, and a second $200,000 would be divided 30 per cent to Rockefeller Center and 70 per cent between RKO and RCA.

$900,000 Under Old Pact

Under the old agreement Rockefeller Center received a maximum rent of approximately $900,000 annually for both the Music Hall and Center theatra. The latter house is not involved in the new agreement.

The new corporation which will be organized to lease the Music Hall, if and when the agreement is approved by the Federal District Court, will be governed by Rockefeller Center and RCA, each of whom will subscribe for the stock in the new company to provide working capital for the Music Hall. RKO will have no participation in the new leasing and operating company and in this way is relieved of any obligation in the event of Music Hall losses.

The agreement does not include a clause about the contract between RKO and the Rockefeller interests, which will continue to be negotiated separately.

The whole matter will result in no reduction in the number of Radio pictures bought for the Music Hall. Approximately 20 to 25 Radio pictures have played the Hall annually since its opening.

DeMille and Para. Deal Is Approved

(Continued from page 11)

today by Federal Judge Alfred C. Cox in U. S. District Court.

The new claims arising out of production and distribution agreements between DeMille and Paramount on the recent “Sign of the Cross” and the 1923 production of “The Ten Commandments.” In the latter case the cash payments to DeMille by Paramount, the former is also granted one-half of the net receipts from “Sign of the Cross” to June 1, 1927, and, given a lien on the production itself. Paramount had opposed DeMille’s claims on the ground that his “Sign of the Cross” contract had been transferred by Paramount to Paramount Prod. in connection with what became “365 Nights in Hollywood” and a new agreement constituted a preference, as it made Paramount Prod., a solvent subsidiary, to be a beneficiary at a time before Paramount Publix went into bankruptcy.

Para. Released from 1923 Pact

In return, Paramount is released from all agreements with DeMille under which, he alleges, he was entitled to 25 per cent of the gross over $3,500,000 on “The Ten Commandments.” This rate was increased to 30 per cent later.

The lessee is also released from liabilities in connection with mortgage bond issues on the property. In the amount of approximately $1,600,000 and retains its equity in a $20,500 rent fund established by B. K. & pending the outcome of a current investigation of rent claims made by the landlord, which is the Chicago Board of Education.

Flash Reviews

Green Eyes—passable entertainment for neighborhood houses.

Rocky Rhodes—western that is above the average . . . should please wherever played.

These films will be reviewed in full in a later issue of Motion Picture Daily.

Shift “Marines” Title

Because of other priority on the title MacNeil has been forced to leave of “The Marines Have Landed” to “The Marines Are Coming.”

Sarecky Joins Wanger

Hollywood, Nov. 5.—Louis Sarecky, former Radio associate producer, has joined Walter Wanger Prod. as general manager.

Eagles in Coast G-B Post

Harry A. Eagles has been appointed Gaumont British exploitation representative on the coast.

ITOA Directors to Meet

The I.T.O.A. board of directors will discuss return of independent circuits to the fold at a meeting tomorrow.

Heywood-Wakefield Gain

Net loss after all charges of $46,435 for nine months ended Sept. 30 is reported for the Heywood-Wakefield Co. and subsidiaries. This compares with a profit of $33,625 for the same period of 1933.
BARNEY BALABAN
JOHN BALABAN

Operate
36 theatres,
spend upward
of $2,000,000
annually for film.
They read

MOTION PICTURE
DAILY

The Industry Buying Power Reads
MOTION PICTURE DAILY
Proof of PREEMINENCE

The claims made for Eastman Super-Sensitive “Pan” have been borne out again and again by its contributions to the greatest motion-picture successes. It is actual performance that proves the preëminence of this Eastman film, and that gives it its unrivalled acceptance among cameramen everywhere. Eastman Kodak Company. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super-Sensitive Panchromatic Negative
S. G. Newman, Radio British Head, Dead

By BRUCE ALLAN

LONDON, Nov. 6.—Sol G. Newman, managing director of Radio Pictures, Ltd., here, died this morning at 1:30 A.M.

Newman’s death, from heart failure, following pneumonia, was a great shock to the industry here, as it was thought his illness was not critical. He was in his late fifties.

He will be cremated at Golders Green on Thursday.

The unexpected death of Sol G. Newman gave RKO headquarters

(Continued on page 4)

Sees No Pathie Help Without Refinancing

LOS ANGELES, Nov. 6.—Not until the New York court grant permission for the recapitalization of Pathé will there be any new producer financing. The contracts negotiated, it was said here

(Continued on page 11)

MOTION PICTURE DAILY

NEW YORK, WEDNESDAY, NOVEMBER 7, 1934

TEN CENTS

MPTOA Hits ‘Compromise’ On Music Tax

 Held Defensive Weapon To “Confuse” Issues

The use by the American Society of Composers, Authors and Publishers of the recent music tax “compromise” as a defensive weapon in the organization’s reply to the bill of complaint in the Federal anti-trust suit pending against ASCAP alone, is merely a temporary concession made to the emergency committee and not an enforceable agreement. For ASCAP to contend that this is collective bargaining

(Continued on page 4)

S. G. Newman, Radio British Head, Dead

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(Continued on page 11)

Memphis Waits New Sunday Show Moves

Memphis, Nov. 6.—Memphis theatres have adopted a policy of watchful waiting on the Sunday show proposition since surprise indictments

(Continued on page 4)

National Zoning Seen Hinging on K.C. Case

California’s ‘33 Take Was $35,000,000

WASHINGTON, Nov. 6.—A $35,000,000 theatrical business was reported for California in 1933, preliminary figures issued today by the U. S. Census Bureau disclosed.

There were 455 film theatres in the state last year, reporting box-office receipts of $20,672,990 and payrolls of $3,866,000; 163 vaudeville houses with receipts of $13,929,000 and payrolls of $2,532,000; and 11 legitimate theatres taking in $9,756,000 on a payroll of

(Continued on page 2)

Some K.C. Houses Defy Premium Ban

KANSAS CITY, Nov. 6.—Exhibitors in Kansas City, continuing premiums despite the ban, claim existing contracts with premium distributors do not permit cancellation.

They say the contracts were entered into before the premium ballot was taken, and, also, they must keep faith with their patrons to whom they have promised complete sets of dishes, silverware and other articles.

Many independents in Kansas City are now said to be in favor of

(Continued on page 8)

European Houses Gaining, Declares Henri Klarsfeld

Although European theatres experimented last summer, conditions have improved all over Europe,” he said.

(Continued on page 4)

Code Authority Expected To Make Decision at Meeting Tomorrow

Whether or not any further attempts will be made to put clearance and zoning schedules into effect by code machinery is expected to be decided tomorrow by Code Authority. As to the disposition it makes of the Kansas City schedule, according to an official

The Kansas City plan, according to this authority, will come before tomorrow’s meeting of the Kansas City schedule, according to an official

(Continued on page 8)

“U” May Not Produce Abroad-Laemmle, Jr.

Universal is not set on production plans abroad, Carl Laemmle, Jr., stated yesterday upon his arrival from the coast on the Santa Rosa.

“Nothing is definite,” he said.

(Continued on page 11)

McNamee Signs New Two-Year “U” Pact

Graham McNamee yesterday signed a new two-year contract to continue as Universal’s talking newsreel

(Continued on page 4)
STORIES, presumably emanating from London and having to do with Gaumont British, its upsets and its future plans, appear at this end to be tinged with some exaggeration. Changes at the studios are on the way, but they are not new changes and plans for them have been on tap for some little time. Arthur Locking, Gaumont's representative here and now the company's chief in America for the next five years under a new contract, talked about the situation the other day. "Too much of the promise we had planned was local, or British, product," he said. "We are now in the international market with America and are priming our equipment to fit the needs of this field."

The changes necessary under such an arrangement immediately become obvious. Also does it indicate that the Gaumont British crowd is thinking right, in so far as it is planning to be a transatlantic player. The success of American pictures abroad has been keyed largely on the basis of star values. It works in reverse as well. G.B. has reason to understand this, and therefore, is moving in the direction which will take care of that equation. The conclusion merely is that the English company may be expected to do something on a substantial way by star-studying its roster with names that count in the States.

Now that Walter Reade and Sidney Kent are no longer doing business together and "The White Parade" gets a Paramount Theatre date beginning today, you may see two, and, perhaps, more pictures at the crossroads of the world, instead of the Mayfair. Any idea that Jesse Lasky's pictures were not viewed as up to the Music Hall standard is erroneous. The earliest date offered there by W. C. Van Schmus was early December. Fox is driving nationally on the film and wanted a showing earlier in order to get going on circuit and subsequent runs in the metropolitan areas. That's why a deal was under way for a date at the Rivoli as well.

This fastens attention once more on the box-office situation at the Radio City. There, Van Schmus has bought 83 pictures for the 1934-35 season when his year, like anyone else's, is limited to 52 weeks. In the beginning, he says, 50,000 on the season, Distributors, who have product booked there and have to wait on line for playdates, are in a perpetually feverish condition. Inability to clear the Music Hall on or about release date is costing them plenty locally in playing their films around here. The circuits and subsequents may buy, but there's no money reaching distributors until their pictures are played.

Incidentally, current talk, reaching New York entirely from Hollywood and aided not a bit by the New York publicity forces at Fox, as goes into only half dozen hollovers, it is a cinch to figure out what will happen. Computed as a Music Hall loss on pictures bought but which were not shown is $30,000 on the seasonal year. Distributors, who have product booked there and have to wait on line for playdates, are in a perpetually feverish condition. Inability to clear the Music Hall on or about release date is costing them plenty locally in playing their films around here. The circuits and subsequents may buy, but there's no money reaching distributors until their pictures are played.

MOTION PICTURE DAILY

Insiders’ Outlook

California’s ‘33 Take Was $35,000,000

(Continued from page 1)

$193,000. San Francisco reported 4 film houses taking in $4,421,001 and payrolls of $850,000, nine vaudeville houses taking in $1,982,000 with payrolls of $480,000, and three legitimate theatre houses with receipts of $444,000 and payrolls of $95,000. Other cities were reported as follows: Los Angeles, 68 film houses taking in $335,000 and payrolls of $66,000, and four vaudeville spots with receipts of $239,000 and payrolls of $48,000; Oakland: 23 film houses taking in $995,000 on payrolls of $211,000 and six vaudeville theatres with receipts of $1,114,000 and payrolls of $210,000; Fresno: four film house with receipts of $241,000 and payrolls of $42,000; and six legitimate theatres with receipts of $320,000 and payrolls of $61,000. Locally, five theatres with receipts of $304,000 and payrolls of $85,000, Long Beach: 11 film houses with receipts of $488,000 and payrolls of $99,000, and eight vaudevilles with receipts of $333,000 and payrolls of $58,000, Pasadena: six film houses with receipts of $390,000 and payrolls of $59,000, and four vaudeville houses with receipts of $210,000 and payrolls of $37,000; Sacramento: seven film houses with receipts of $261,000 and payrolls of $63,000, and four vaudeville with a box-office of $554,000 and payrolls of $88,000. San Diego: 14 film houses with receipts of $695,000 and payrolls of $135,000, and nine vaudeville, including legitimate, with receipts of $757,000 and payrolls of $164,000. San Jose: nine theatres with receipts of $612,000 and payrolls of $126,000.

Konigswald in New Job

Gus Konigswald, former exhibitor and theatre owner, has been appointed local manager for Quality Premium Distributors. This makes the 10th branch office established recently by the firm, which is headed by C. E. Goodman and David Barrist, former publishers of a group of regional papers.

Thalbergs Await Child

Hollywood, Nov. 6.—It has been made known here through friends that Nora Shearer, wife of Irving Thalberg, vice-president in charge of production at M-G-M, expects the birth of a child soon. They now have one son, Irving Thalberg, Jr.

Horne Marries Today

Hal Horne, director of advertising and publicity of United Artists, today married Mrs. Jean S. Horn, who was formerly in the army and will be performed at City Hall immediately after which Horne will take a "run out" powder and leave for the coast.

Para. Signs Writers

Hollywood, Nov. 6.—Norman Krasna, whose play, "Small Miracle," is a hit on Broadway, Lawrence Riley and Roy James have been signed by Paramount as additions to the writing staff. They will report Dec. 1.

White and Staff Leave

George White, accompanied by his staff, consisting of Jack Yellen, Sam Hellman, Joseph Myer and Mrs. Myer and Herbert Magidson, left for Hollywood yesterday to sign contracts for "George White’s Scandals of 1935." Cliff Edwards, who will be featured in the picture, left for the coast by car last week.

J. H. Yates Returns

Herbert J. Yates president of Consolidated Film Industries, is back from Hollywood. "The golf was good," he reports.

New Union Calls Session

A massmeeting has been called by the new Theatre & Amusement Employers' Local, 95, for Nov. 14, to discuss new wage demands. They are asking $1.25 for the first hour, 50 cents an hour for the second, 35 cents for the third, 5 cents for the fourth, and 10 cents per hour for the fifth. They are asking for a minimum of $4,000 per month, but $5,000 to be paid monthly. They are also asking that $150 per week be paid to each union member. They are also asking for a minimum of $4,000 per month, but $5,000 to be paid monthly. They are also asking that $150 per week be paid to each union member.

Denies 306 to Meet

Frederick E. Castle, assistant to Harland Holmen, yesterday denied intention of Local 306 to hold a meeting at Palm Garden tonight. This was reported in yesterday's Motion Picture Daily.
HE'S PEEKING AGAIN!
(not what you're thinking, dearie!)

A cheerfull eyefull! You'll soon know! Leo knows already! JOAN CRAWFORD! CLARK GABLE! ROBERT MONTGOMERY! All in one picture! And what a picture is "Forsaking All Others." Directed by W. S. ("Thin Man") Van Dyke. Please, oh please, Mr. Showman get up on your marquee and shout to the world: It's marvelous!
European Houses Gaining, Declares Henri Kralsfeld

(Continued from page 1)

London. He said business is much better this year than last and most of the house's seven screen in France and one in Brussels. No acquisitions or building are planned abroad at this time, he added.

Theatre's CHEMISTRY . Maurice Chevalier returned from a six-week's vacation in France and will start shooting the Thalberg as M-G-M. While abroad Chevalier signed with Alexander Korda for one picture. He will make the two for M-G-M. He said he did not know the name of the English picture or the two he will do for Thalberg.

Hans Wilhelm, who recently completed the adaptation of "The Dicta- tor" for Toepzl Prod, also is a passenger on the same boat. He has been signed by M-G-M for five years and leaves for the studio either today or tomorrow. He said he didn't know what his first assignment will be. Wilhelm held that "One Night of Love," which he directed earlier, and both sensations of England at the moment. The writer was signed by Rus- fus LeMaire when the latter was in England. Robert Liebman, another writer, was signed at the same time and will arrive in about a month.

William Haendler, director of the Little Theatre, who is married by the Rohrs- childs, was another passenger. He stated his trip was for the purpose of arranging production of an operetta, "The Baton of Johann Strauss," which was directed by Max Reinhardt in Berlin.

monsieur, "Shadow of Doubt," has been acquired by M-G-M.

Another deal shortly plans another foray into the field on behalf of Fox sales, as usual.

MARK F. EBY, radio star, has been signed to do Vitaphone shorts at the Brooklyn Academy Hall in London. Hugh Walpole's "Captain Nicholas" has been purchased by M-G-M. Another deal was for "The Peacock," the latter's home production, for Bell Pictures, as usual.

For the record, "The Peacock," the latter's home production, for Bell Pictures, as usual.

The Bunny Rogers has been signed to a long-term contract by M-G-M, except for a leave of absence to appear in "The Peacock," the latter's home production, for Bell Pictures, as usual.

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DANGER and DEATH CANNOT WAIT
—even for a woman!

Maddening nightmares of blazing planes tortured the sleep of this valiant band... whose terrors their comrades never knew. Some sought courage in the warmth of wine... others found comfort in soft, cool arms. But none could forget the horrible dreams... that only too often came true!

And Warner Baxter smashes to the heights in his most compelling dramatic role!

WARNER BAXTER
in
HELL in the HEAVENS

with
Conchita MONTENEGRO
RUSSELL HARDIE
Herbert Mundin • Andy Devine
William Stelling-Ralph Morgan

Produced by Al Rockett    Directed by John Blystone
Screen play by Byron Morgan and Ted Parsons
Based on the play "The Ace" by Herman Rossmann
KID
YOU'RE
CRACKING
MORE
DOUGH
OVER
INDEFINITE
YOU AND O'BRIEN
AND SO ARE
Houses Day and Day
You Are
CAGNEY=KVF
55 N
NEW YORK NY NOV 5 1934
STUDIO BURBANK CAL=

EXCLAMATION STOP STLOUIS KID
Y RECORDS AT NEW YORK STRAND STOP
THAN HERE COMES NAVY AND HOLDING
UP LOOKS LIKE WILL HAVE TO BOOK
'IL DOGS OF AIR IN THREE BROADWAY
UP STLOUIS MUST BE MIGHTY PROUD
PINESS BOYS OF PICTURE BUSINESS=

WARNER BROS

"*****" for
JAMES CAGNEY in
"THE ST. LOUIS KID"
With Patricia Ellis,
Allen Jenkins. Directed
by Ray Enright. Vita
graph, Inc., Distributors
U.S. Clearance Seen Hitting On K. C. Case

(Continued from page 1)
a assumes its decisive role because it is admittedly the nearest to a finished state, both in its own growth stage and in its acceptability to exhibitors and distributors of the territory for which it was created, of any that has come out of the months of laborious attempts by the local boards throughout the country. In Kansas City it is virtually impossible.

For this reason, according to the Campi source, a rejection of the Kansas City schedule by Campi will be equivalent to a rejection of the entire principle of clearance and zoning on a national scale. The objection that this is a point which may be advanced in the event of its rejection by Campi, are viewed by this official source as devices, real reasons for the veto being the rejection of the principle of clearance and zoning itself under the code, in favor of individual large-scale protection.

As seen as a Subterfuge

The principal objection to the Kansas City schedule, namely, that its provisions for basing availability on admissions charged would require so large an increase in price that the cost to the distributor would be prohibitive, is rejected in some exhibitor quarters as a subterfuge. It is pointed out that this price increase has prevailed in Kansas City for some time without becoming a burden to distributors. The Wall Street Journal in Chicago and that the same situation is created and met without inconvenience in New York when large metropolitan circuits, such as Loew's and RKO, take simultaneous bookings on large numbers of their neighborhood houses.

That this objection was raised by M-G-M and Paramount at a recent appeal hearing of the Kansas City plan by Campi, according to Campbell, is known to be in opposition by numerous other objections to the plan are anticipated when it comes before Campi.

Commenting on the objections, Jay Means, president of the I. T. O. at Kansas City, recently stated: "It looks as if the major distributors are out to sell protection.

Decisive action by Campi on any other schedule, prior to Kansas City's, is held by sources close to Campi to be most unlikely.

Some K.C. Houses Defy Premium Ban

(Continued from page 1)

premiums, and several who voted to abolish the practice have since reversed their opinion.

Premium champions claim the vote abolishing the practice, as conducted by Jay Means, I. T. O. president and general manager of Loew's circuit in Kansas City, was similarly inasmuch as it was by petition signed by those opposed to giveaways. It is contended that in Kansas City there have been a secret ballot of all exhibitors in Greater Kansas City only, and not in the six-county area defined by the I. T. O. and signed by Loew's general who signed the petition later asked permission to withdraw their names, but the grievance board refused.

Looking 'Em Over

"Three Songs About Lenin" (Amkino)

(Continued from page 2)

The distributors of this Russian film describe the technique of Vertov, its author, as a "distinct contribution to the cinema." This commentator, with no desire to be contrary, can hardly agree.

Divided into episodes which its title indicates, "Three Songs About Lenin," propagandizes to the hilt the theories and the practices of the Russian proletarian leader, giving him more closeness than any Hollywood director would dare throw to his star and generally builds a great case for Soviet political axioms.

Like virtually all Russian pictures, the purpose is political. Therefore, this is not entertainment in the accustomed sense. Occasionally, the treatment points a warning finger at Japan's desire for territorial aggrandizement. Usually, its photographic direction is dead-centered on social and economic improvement within the Soviet, aided by closeups of children's smiling faces.

The photography is always steady and the camera which registered it not always steady on its pins. Most impressive is the sequence wherein the Soviet and its subjects go silent for five minutes in reverence of Lenin's memory. Weird and strange Asiatic music intrigues, but the sum total places this importation leagues behind the routine Hollywood product in point of technical accomplishment.

No code seal. Running time, 65 minutes.

"Miracles" (Amkino)

A silent Russian picture with English titles, "Miracles," a Lenfilm production, is the best of the recent crop from the Soviet to be exhibited in this country.

The propaganda is present in generous quantities, but it is so well worked into the theme that it is not likely to be resented. The picture is gripping entertainment, sincerely, powerfully and graphically unfolded.

There is an ironic note to this story of a fanatically religious father (Vladimir Gardin) who is the instrument of his son's (N. Simonov's) death. The son, the head of a revolutionary group seeking justice for the Russian workers in days of the Czar, is in the hands of the authorities, wounded. The father prays for a miracle to save the youth. The police, anxious to learn from Simonov the meeting place of the revolutionists, take pains to have his life saved. When they get their information through another source, they order that efforts to save the prisoner cease. The head of the hospital where Simonov is confined defies the order and saves his patient.

The father brings about the death of his son when he unwittingly causes an uprising against the Jews. The mob invades the hospital where the father is under Jewish control and shoots down the son when he tries to hold off the invaders. The father turns against the mob, escaping with his life when his son's fellow revolutionists come to his rescue. The film closes with the father calling in vain for a second miracle to bring his son back to life.

As the father Gardin turns in an impressive performance, Simonov brings conviction to the role of his son. The other parts are well performed, especially by T. Gouretskaya and I. Pevov. P. Petrov-Bytov directed. No code seal. Running time, 74 minutes.

"The Brand of Hate" (Hollywood)

Bob Steele ought to make quite a hit with the youngsters in this western. He succeeds remarkably well in winning sympathy for himself in his fight against the villains of the piece. The ingredients are stale, but they have been stirred into such a fresh of excitement—that is, as far as the young are concerned—that is, as good some fare for those whose tastes are along this line.

Things start humming when a couple of "no good nighthawks" relatives force themselves upon William Farnum. They bully him and his two children, one of whom is one and a half years old, off with Steele. The youth's father is shot when the scoundrels are surprised cattle- rustling. To further their plans one of the trio tries to force Miss Brown to marry him. It is needless to say Steele comes to the rescue in the nick of time and brings the tough hombre to boot. Also in the cast are George Hayes and Charles French. The direction is credited to Lew Collins. Supreme Pictures produced.

No code seal. Running time, 60 minutes.

Expect Patent Case Move in 4 to 6 Weeks

Washington Settles Five Pending Cases

Washington, Nov. 6—Five cases have been decided by the clear and fair order of Herbert Zimmerman, operating the Echo, Baltimore, won his protest against 21 days' clearance, left Walter Pacy's Garden. The board decided 14 days is enough.

The case brought by Joe Fields for the Maryland, protesting against a 21 days' clearance in the case of the Palace, held by Norfolk over its Bayne Theatre. The board cut the Norfolk advantage to 21 days.

The case brought by Harry Sperke, operating the Palace, Seafood, Del., asked the 14 days' clearance of the Arcade Picture, Md., be cut. It was halved to seven days. Lee Insley, operator of the Arcade, was instructed to date pictures as soon as possible.

Due to the distance from Washington, the case brought by H. T. Spraker, operating the Victory, Salt Lake City, U.T., was to have any clearance of any kind in the case of the Dixie, Glade Springs, operated by Sam Hendrick's, was presented by James Lee, a friend of Mr. Draper and L. H. Fitzgerald. The case was dismissed after a short discussion in executive session.

M. P. Unit Revamped

Motion Picture Unit, publisher of Movie Classic and Motion Picture, has been reorganized. Stanley V. Gibson, publisher, remains as president. Those to be associated with the company will be: Samuel J. Campbell, president and treasurer of Kable News Co., magazine distributors; Warren J. Angel, vice-president and general manager of Kable News Co., and A. K. Taylor, an executive of the same outfit.

List Sonotone Stock

Listing of 165,250 additional shares of the common has been approved by the N. Y. Carle Exchange. According to the company 100,000 shares of the $1 par common stock will be sold for cash, $35.25 will be sold to employees, and 50,000 shares will be held for conversion of 2,000 shares of outstanding preferred stock.

Donahue & Coe to Move

Donahue & Coe, advertising agency, has moved its office from the RKO building, Rockefeller Center, and will move from the Paramount Building about Jan. 1.
PERFECT STORY
IN 9 WORDS...

Held over for 2nd Week in World's Largest Theatre

That's the first report on the first engagement of

The Samuel Goldwyn presentation of

Anna Sten and Fredric March in
We Live Again

What the Critics said after seeing We Live Again at the Radio City Music Hall

A motion picture masterpiece! Combines the rare elements of ideal star, story and director! — N.Y. American

The enchanting Miss Sten triumphsandsomely! — N.Y. Times

Her performance proves that she is really the actress her producer has been proclaiming her! — N.Y. Herald-Tribune

Now Anna Sten is definitely established as an outstanding star! — N.Y. Eve. Journal

Fredric March is splendidly cast! — N.Y. Daily Mirror

A real hit! — N.Y. Sun

A Rouben Mamoulian Production

Released thru United Artists
PHILADELPHIA, Nov. 6.—Outstanding excitement in Philly last week was caused by the engagement of "One Night of Love" at the Karlon. After a slow first run start, the picture moved to the $15,000 seater and grossed $8,500, a tremendous figure for the house. It was held a second week. Another good figure was landed at the Earl, where Allen in person boosted the figure.

"Lost Lady" was the film.

"What Every Woman Knows" dispointed, despite rare notices with $10,500 at the Boyd. "Happiness Ahead," with $7,500, died at the Stanley, and "The Frieze With a Purple Hat" at the Locust, came under expectations.

Total receipts down town were $70,200.

Estimated takings for the week ending Nov. 6:

"MADE DUTCH BARRY" (Warners) ALDINE—$2,000, 9c-15c-30c, 1 day. Gross: $2,000. (Average, $2,000)

"MADAME DU Barry" (Fox) LAKEVILLE—$2,000, 2 Ec-4 Ec, 3 days. Gross: $2,000. (Average, $2,000)

"36 NIGHTS IN HOLLYWOOD" (Fox) GENESEE—$2,000, 2 Ec-4 Ec, 3 days. Gross: $2,000. (Average, $2,000)

"LOST LADY" (Warners) EARLE—$2,000, 9c-15c-30c, 1 day. Stage: Cab Calloway and show. Gross: $2,000. (Average, $2,000)

"ONE NIGHT OF LOVE" (Columbia) KARLTON—$2,000, 9c-15c-30c, 2 days, 2nd run. Gross: $3,000. (Average, $3,000)

"HAPPINESS AHEAD" (Warner) COOK—$2,000, 2 Ec-4 Ec, 2 days. Gross: $2,000. (Average, $2,000)

"OUR DAILY BREAD" (U. A.) STANLEY—$2,000, 9c-15c-30c, 6 days. Gross: $3,000. (Average, $600)

"Divorcee" is First to Hold 3rd Loop Week

CHICAGO, Nov. 6.—After breaking attendance records the first week at the Palace, "The Gay Divorcee" pulled $24,500 for the second week and thereby established a precedent by being held for a third week.

"Gay Divorcee" took a hit $4,000 for the second week at the Chicago, and "Cleopatra" gave the RKO "Bicycle Rider" was good at $6,000 in the Carriage.

Total first run business was $134,000. Average is $119,000. Estimated takings:

Week Ending Oct. 30:

ROOSEVELT—$1,950, 2 Ec-3 Ec-5 Ec, 7 days. Gross: $16,000. (Average, $2,285)

Week Ending Nov. 1:

"SIX-DAY BIKE RIDER" (F. N.) GARRICK—$900, 2 Ec-3 Ec-5 Ec, 7 days. Gross: $6,000. (Average, $857)

"ONE NIGHT OF LOVE" (Col.) JACOBS—$900, 2 Ec-3 Ec, 2nd week. 7 days B. & R. stage. Produced by Diamond Brothers, Dick & Edith Barstow (Associated). Gross: $3,000. (Average, $430)

"HAVE A HEART" (M-G-M) ORIENTAL—$1,460, 2 Ec-4 Ec, 7 days. B. & R. stage. Showed "Big Business". Cook & acts. Gross: $18,000. (Average, $2,571)

"THE GAY DIVORCÉ" (Radio) PALLAS—$1,200, 2 Ec-3 Ec-5 Ec, 7 days. Sallie Silsbee Variety, Ben Blue, Funnj, "Happiness." Showed "M-G-M" Walton. Cook & acts. Gross: $12,000. (Average, $1,714)

"BARRETT'S OF WIMPOLE STREET" UNITED ARTISTS—$1,790, 2 Ec-3 Ec-5 Ec. 7 days. $12,000. (Average, $1,714)

"A GREAT LADY" (M-G-M) APOLO—$1,400, 2 Ec-3 Ec-5 Ec, 7 days. Gross: $12,000. (Average, $1,714)

"LET ME FIX IT" (Col.) STATE-LEE—$1,275, 2 Ec-3 Ec-5 Ec, 7 days. Produced by Tallie Rabin. Gross: $9,000. (Average, $1,275)

"Gift of Gab" on Dual Buffalo Top

BUFFALO, Nov. 6.—"Gift of Gab" and "Name the Winner," which was accepted by audiences as hilarious comedy, although intended seriously gave the Lafayette $8,000. $1,600 over normal for its fourth anniversary week. All other first run houses went down, despite an epidemic of double features. First show of the season fell during the week.

Total take was $41,000. Average is $42,500.

Estimated takings for the week ending Nov. 2:

"WHAT EVERY WOMAN KNOWS" (M-G-M) BUFFALO—$2,000, 2 Ec-4 Ec, 7 days. Stage: Lillian Roth, Margaret Revel; Stewart. Ritter Troupe. Gross: $3,400

"THE MAN WITH TWO FACES" (M-G-M) CENTURY—$2,000, 2 Ec, 7 days. Gross: $14,000. (Average, $2,000)

"SIX-DAY BIKE RIDER" (F. N.) GARRICK—$1,200, 2 Ec-3 Ec-5 Ec, 7 days. Great Lakes, "Indianapolis." Showed "M-G-M" Walton. Cook & acts. Gross: $12,000. (Average, $1,714)

"NAME THE WINNER" (M-G-M) GARRICK—$1,200, 2 Ec-3 Ec-5 Ec, 7 days. Gross: $12,000. (Average, $1,714)
**CLEOPATRA**

Seoul, Nov. 6.—"Cleopatra" was opened by a muth-and-at the 3rd Avenue last week. It piled up $12,000, over par by $3,200, in a ninety-six run.

"GAY DIVORCEE" (Radio)
BLUE MOOSE—(200), 25c-6c-5c, 7 days.
BROADWAY—(200), 25c-6c-5c, 7 days. Worked from Music Hall. Gross: $1,900. (Average, $260.)
CROPERA (Para.)
FIFTH AVENUE—$600, 25c-4c-5c, 9 days. Gross: $120,000. (Average, 7 days, $17,000.)
THE LADY IS WILLING" (Col.)
RANDLES AIDONE—(Monogram)
LIBERTY—(200), 15c-25c, 7 days. Gross: $400. (Average, $57.)
YOUNG AND BEAUTIFUL" (Mascot)
SIDE STREETS—(F. N.)
MUSIC HALL—(200), 25c-6c-5c, 7 days. Gross: $300. (Average, $43.)
RICHIE GIRL IN THE WORLD" (Radio)
MUSIC HALL—(200), 25c-6c-5c, 7 days. Gross: $950. (Average, $135.)
GIRL OF THE LIMESTONE" (Moro)
ORPHEUM—(200), 25c-6c-5c, 7 days. Performers headed by Lelia x Caven. Gross: $1,000. (Average, $143.)
WIVES OF THE CABBAGE" (F. N.)
PARAMOUNT—(2000), 25c-6c-5c, 7 days. Gross: $600. (Average, $86.)

**Lady by Choice**

Leads Providence

(Continued from page 10)

through $8,400, booking "Night of the Alarm," "Easy to Remember," and the latter a new. The average take for both of these houses is $7,000.

"Easy to Remember," with a neat comedy bill, "Ready for Love" and "Menace," and the Majestic, with "Sixth-"Day Bicycle Race" and "Heart of Herbert," was a strong at $7,000. Lowe's slipped to $9,000 with "Transatlantic Merry-Go-Round" and "Against the Law," although the well-balanced bill seemed to please.

First run business was $43,400. Average is $4,900.

Estimated takings for the week ending Nov. 1:

1. **READY FOR LOVE** (Para)
   MENACE (Para).
   STRAND—(2000), 15c-6c, 7 days. Gross: $400. (Average, $60.)
2. **LADY BY CHOICE** (Col)
   RKO—(2000), 25c-6c-5c, 7 days. "Carnival Capers." Gross: $600. (Average, $86.)
3. **TRANSLATANTH MERRY- GO ROUND** (F. N.)
   AGAINST THE LAW (Col)
   LOE—(2000), 25c-6c-5c, 8 days. Gross: $1300. (Average, $162.50.)
4. FAY'S—(2000), 15c-6c, 7 days. Stage: "Dancing Moonbeam." Gross: $600. (Average, $86.)
5. **SIX-DAY CYCLE RACE** (Warners)
   **BIG HERBERT** (Warners)
   MAJESTIC—(2000), 15c-6c, 7 days. Gross: $7,200. (Average, $1,028.50.)
6. **GAY DIVORCEE** (Radio)
   BEGAR'S HOLIDAY (Col)
   RKO—(2000), 15c-6c-5c, 4 days. Gross: $1,200. (Average, $300.)

**The Bride and the Best Man**

(M-G-M)

Hollywood, Nov. 6.—Here is a weak story dressed up with rowdy clean comedy and good performances. The yarn deals with Carole Lombard, a gold digger who takes gangster big shots, Nat Pendleton, Sam Hardy and Leo Carillo, for plenty of what it takes to buy pretty things, finally to be reformed by bodyguard Chester Morris, who turns hero and offers her love in a cottage.

The cast all troope in a grand manner. Zasu Pitts provokes hearty laughs. The dialogue is alternately scintillating and dull. Jack Conway's direction wrings the most from the situations, such as they are.

The picture is one of Leo's fairly entertaining ones. No code seal. Running time, 75 minutes.

**MOTION PICTURE DAILY's**

**HOLLYWOOD REVIEW**

"I Am a Thief" (Warners)

Hollywood, Nov. 6.—Combining murder, mystery and melodrama with jewel thievery and the jolly intrigue that surrounds the stealing and protection of diamonds of fabulous price, Robert Florey has directed a smart, interesting film from a coking screen play by Doris Mallory and Ray Russell.

While not pretentious or startling, the film commands attention by its curiosity-arousing suspense, enhanced by limiting the players to the length and breadth of a speeding train going from Paris to Istanbul.

To forces, the audience guessing who is which, combat each other as Ricardo Cortez, Dudley Digges, Frank Reicher, chicken thieves, pit their wits against Mary Astor, Irving Pichel and Hobart Cavanaugh, secret service and insurance agents. Robert Barratt's gang, jewel hijackers, contests with the other thieves and the detectives. A romance between Cortez and Miss Astor weaves in and out of the yarn.

The climax is a neat unity of thrill, gunplay and suspense snatching into a quick denouement.

Production values are okay, with Sid Hickok's photography the same. An example of exploitation, the film is a nice program picture, with better expectancy from subsequent runs.

Code seal No. 358. Running time, 60 minutes.

"The One Night" Denver Draw In 2nd Run

DENVER, Nov. 6.—"One Night of Love" came back for a second run at the Alhambra and won over above-par attraction in town. It took $3,000.

"Happiness Ahead" and "Peck's Bad Boy" figure for $2,000 each at the Denver and Orpheum, respectively.

Total first run business was $20,000. Estimated takings for the week ending Nov. 1. 

**WAGON WHEELS" (Para)
   ALADDIN—(2000), 25c-6c-5c, 2nd run, 7 days. Gross: $3,000. (Average, $428.50.)
   PECK'S BAD BOY—(Para)
   ORPHEUM—(200), 5c-6c-5c, 7 days. Gross: $6,000. (Average, $857.)
   "SIDE STREETS" (F. N.)
   PARAMOUNT—(2000), 25c-6c-5c, 3 days. Gross: $300. (Average, $100.)
   "FRIENDS OF MR. SWEENEY"
   PARAMOUNT—(2000), 25c-6c-5c, 4 days. Gross: $400. (Average for week, $100.)

**Sees No Pathe Help Without Refinancing**

(Continued from page 12)

today by the Companys vice-president of the company, who leaves for the east Saturday, after a 10-day visit on the coast, where he has established an office to represent Pathe interests at the RKO Pathe studio, with John Jasper in charge.

Having an early decision from the courts in this matter, Pathe is seeking to enlarge its eastern laboratorv and is reviewing many propositions submitted by the higher class of independent producers, Poole asserted. He added that these deals go through and necesitate the establishment of a laboratory here or association with one of the independent laboratories for local rush work, this will be done.

Further indication that Pathe is in the field for more Hollywood business is said to be that Stuart Webb, head of the company, plans to alternate with Poole in making quarterly visits to the coast.

**Give Party for Stahl**

HACKENSACK, Nov. 6.—Managers of the Skouras theatres in Jersey turned away "Party" for "The Merry-...Event" for Maurice Stahl, division manager, and Mrs. Stahl, at Ben Mar- den's Riviera the other night. Guests also included George Stouras, Larry Kent, Harry Busbaum, Joe Lee, William Sussman, Managers of all Jer- sey Skouras theatres were there.

**Flash Review**

The Blue Danube—A slight but pleasing production, charming in its musical content and photographic ac- complishment. 5

This film will be reviewed in full in a later issue of **MOTION PICTURE DAILY**.
THANKSGIVING TREAT FOR EVERY THEATRE IN THE COUNTRY

The Outstanding Color Reel of the Year!

Holiday Land

A Columbia One Reel COLOR RHAPSODY
Produced by CHARLES MINTZ

Other Outstanding Columbia Short Features:
THE SPICE OF LIFE
SCREEN SNAPSHOTS
KRAZY KAT
LAUGHING with MEDBURY

These are COLUMBIA PICTURES
Obstacles to
New Plan for
Para. Fading

Divisions Over Stock
Transfers Remain

With agreements expected to be
reached today or tomorrow on Allied
owners' $23,000,000 claim and that of
for $1,800,000, virtually all seri-
ous obstacles to completion of the
plan, Loeb & Co. plan of reorgani-
zation for Paramount-Publix will be
moved, an authoritative source
stated yesterday.

Regarded as virtually the only con-
existencies of a time-consuming nature
which exist in the current negotiations
as to provisions for stock
holders which, it is said, have re-
sulted in a minor division within the
principal stockholders' group, the com-
mittee of which Duncan A. Holmes
chairman and which represents

(Continued on page 4)

Expect Early Deal
With E. V. Richards

Possibilities of an agreement being
reached within the next few days on
the provisions for E. V. Richards' participation in the reorganized Scen-
er Theaters company were voiced
yesterday by those close to the nego-
tiations.

Richards is remaining here for thesten con-
ferences which may occur to-
orrow or Saturday. Karl Hob-
itzlie, Paramount operating partner
in Interstate Circuit, Texas, is acting
intermediary between Richards and

(Continued on page 4)

Fox Midwest
Uses Plan of Rating Films

Kansas City, Nov. 7.—The War-
ner circuit idea of segregating pic-
tures for adult and family audiences and
designating them as such has a
forerunner in a similar plan launched
last August by Fox Midwest for its
theatres in Kansas, Missouri, Illinois
and Iowa.

The Fox Midwest classification plan
became effective with the state of the
new releasing season, and already

(Continued on page 6)

SEEK CLEARANCE
SHOWDOWN TODAY

Court Fight Looms
On K.C. Premiums

Kansas City, Nov. 7.—Premium
proponents have laid plans to go
to the Federal courts to test the
constitutionality of the ban on the
practice if the local grievance board
finds against two exhibitors charg-
ined with violation of the restriction.
A group of independents have organ-
ized to fight the ban. They are rais-
ing funds and have hired counsel. The
manner in which Leonard Ulmann,
attorney for the premium users, con-
ducted the defense at the grievance
hearing this afternoon is seen as an

(Continued on page 6)

Allied Law Moves
Ready, Samuelson

Allied is now ready to go ahead
with its three-point legislative pro-
gram, Sidney Samuelson, president,
Jane yesterday. The national inde-
pendent organization is seeking to re-
move the music tax imposed by

(Continued on page 8)

“G” for General
“A” for Adults

Because it believes classification of films
is on the way along more general lines than now prevails,
Because, despite the attitude of some that every picture
is an attraction for all audiences, it obviously is not,
Because many of the difficulties, originating from out-
side sources, may be traced to a paucity of information
furnished as to a particular picture's entertainment appeal,
Because classification places greater responsibility on
the shoulders of parents, where it properly should rest,
Because many sage and sound observers, who also hap-
pen to be film men, lean on the arrangement as one which
must officially come, sooner or later,

Motion Picture Daily, from this point on, will designate
feature reviews—“G” for general entertainment and “A”
for adult entertainment.

The designation, it is pointed out, will not be applied
rigidly. Neither will it aim to be conclusive. Rather, it will
furnish theatre operators with an additional item of valu-
able information.

K A N N

Campi Indies Say They
Cannot Fathom Delay
By Distributors

Contending distributors are “pro-
crastinating and deliberately stalling”
on clearance and opening of Campi
pictures expected to be asked for a show-
down at today's meeting of Campi.

Certain members of Campi cannot understand distributors' attitude on de-
day in view of the fact that Code Au-
thority some time ago adopted 12 ba-
sic principles for setting up sched-
ules, one of them having admission prices as a keystone on clearances.

At all appeal hearings following adoption of the principles, distributors
have raised objections to clearances based on admissions. In the Detroit
and Kansas City instances exhibitors attending hearings from these terri-
tories stated similar plans have been in force for the past five years with-
out protests. In the case of Kansas
City, exchange men in that zone were

(Continued on page 4)

Sinclair Threatens
Drive for EPIC Plan

San Francisco, Nov. 7.—A threat
to set underway a new drive to make
his EPIC plan a reality was hurled
today by Kelson, who contem-
plated his defeat in his race for the

governorship of California on the
Democratic ticket. Incomplete returns
delayed acting Gov. Frank M. Merriam,
Republican, some 200,000 votes ahead of his Democratic opponent.

Characterizing the results of the bal-
looting as a "blessing for" the

(Continued on page 8)

Gaumont Has 90% of
U. S. Territory Set

With 90 per cent of the country set
as far as sales force is concerned,
Gaumont British expects to line up the
remaining 10 per cent within the next
two weeks, Arthur Lee, general man-
ger, stated yesterday.

George Weeks, general sales man-
ger, was in Dallas yesterday and left
last night for Los Angeles where he

(Continued on page 4)

Report Fox Ready to
Make 12 in Britain

London, Nov. 7.—Fox is reported
set to produce 12 pictures in Eng-
land. The company is understood
looking for studio space and may use the
Gaumont British facilities.
British Films Cut Down

American Takes—Lesser

British producers are making more pictures, spending more money for production and are reaching for an international market. So I. Lee, in a recent statement, said that their films are taking 25 per cent from American companies because of their increased business. The industry is beginning to live up for Europe, too. While in England, Lesser spent five days in shooting exteriors for "Coward Millionaire." He leaves for the coast Sunday.

Eddie Cline, director, who accompanied Lesser, also asserted business in England was good and all studios are humming at top speed. He said it was difficult to rent a theatre for a week showing. "All English studios are full of Americans," he added, and at his visit to some of the plants he met many friends from California. Cline and his wife leave today for Hollywood to complete the George Arliss picture. O'Brien and his wife are now in Russia and sail from France on the Paris on Nov. 14.

Wolf Sets "Civilized"

WOLF Sets "Civilized"

JEROME H. WOLF, sales manager for Rasin Productions, Inc., has returned from a tour of St. Louis, Kansas City, Detroit, Philadelphia and Boston to plan the distribution of "Are We Civilized?"

"Divorcee" to Music Hall

"The Gay Divorcee" opens at the Music Hall Nov. 15.

Eastman to New High on Big Board

Schenck Sailing Off

LONDON, Nov. 7—The return of Joseph M. Schenck, president of United Artists, to New York, which was scheduled for this week, has been again delayed, as he will probably sail in about a week or 10 days.

"Herbert" for Mayfair

"Big Hearted Herbert" opens the Mayfair Monday evening.

Trans Lux Rises 4c on Curb

G. T. E. Bond Issues Advance

"Little Men" to Start

Hollywood, Nov. 7—Mascot’s production of Louise M. Alcott’s "Little Men" has been released. It is directed by Phil Rosen, directing the cast includes Ethel MacCraith, Alphonse Pelletier, Douglas Welbourne, Pauline Lord, sheets and others. It is to be shown Thursday with "Keep Sharp" and back again, making six trips in 48 hours in all.

WILL H. HAYS, E. KHAYM and M. P. Club yesterday, each sitting in different chairs. Hays was with A. M. KITTEL, and V. BERNSTEIN with Louis PHILIPS. Samuel was all by his lonesome.

MILT KUSSEL returned from a busy and Buffalo yesterday. He hopes his special meetings with the Lehigh sales drive which gets under way Jan. 1.

JOE PENNER, who lays top billing "College Rhythm," attended the showing of the picture at the Astor yesterday morning.

LOUIS NIZER is now head of M. P. Division of the Commerce and Industry Committee of the Jewish Citizen Welfare Committee.

URSULA PARKERT’s forthcoming novel, "Goodbye Again," has been bought by University of Chicago Press.

ROBERT ANDREWS’s "Drum Beat" and EDDIE SCOTT’S "Renegade" has been acquired by Paramount.

NORMA L. JOHNSON accompanied by her husband, returned to town from the coast and is at the Warwick.

CONSTANCE CUMMINGS arrives in two months to appear in Cross Gage’s play, "Old Loves."

ROBERT FLAHERTY, G-B director, sails for England tomorrow on his "Agarwalita."

JOHN McDERMOTT, screen writer, arrived in town yesterday for a show stay.

LOU METZGER left for the coast yesterday. Korea will be the scene of his work until March 1, 1934. JOSEPH SANTLEY has sold "Murder in the Chinese Theatre" to M-G-M.

LYNN PARSON is equipping a new apartment in East 79th St.

Rests with Architects

Architects are drawing plans for theatre and office building on the site of the Rafael, 42nd St. and 7th Ave. Dependent upon their suggestions red decision to proceed. Midtown Times Square, Inc., is the name of a new company which has acquired the property from the Gerry Estates. Arch Mayer, present operator of the Rafael has a year to go on his present lease.

"Little Men" to Start

Hollywood, Nov. 7—Mascot’s production of Louise M. Alcott’s "Little Men" has been released. It is directed by Phil Rosen, directing the cast includes Ethel O’Brien-Moore, Ralph Morgan, Frankie Darro, Cora Sue Collins, Albert Ammons, and Trent Durkin. Ted Alexander, Margaret Mann, George Ernst, and Ronsi Crosby.

To Meet on Magazine Bd

Hollywood, Nov. 7—Publicity directors will meet tomorrow to discuss banning magazines tying up Broadway and half-tea Ichinie stories with picture stars.

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(Registered U. S. Patent Office)

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CALCUTTA PICTURE DAILY

Established 1894

M. P. Club
It stood 'em up in ROCHESTER

It was a sensation in CINCINNATI

It bowled 'em over in INDIANAPOLIS

It was colossal in ST. LOUIS

What's the use of being modest?

IT'S JUST A HELL OF A SWELL PICTURE!

CAPTAIN HATES THE SEA

A LEWIS MILESTONE PRODUCTION

Story and screen play by Wallace Smith

Directed by Lewis Milestone

A COLUMBIA PICTURE
Showdown on Clearance Is Sought Today

(Continued from page 1)

astounded by M-G-M and Paramount objections. Exhibitors generally agree there is no other way to set clearances other than by admissions. Distributors, however, want to sell protection. Practically all circuit deals throughout the country are now closed and have special protection clauses in them. It is understood. Whether clearance schedules to be adopted will supersede contract clauses has not yet been determined.

A special hearing was held yesterday on the Port Richmond, S. I. and Leona, all distributor objections handed down recently by Campi. An application for rehearing will be presented today for action. In both cases, the distributors, although given decisions, are dissatisfied.

Loew Case Up Again
Loew's Victory against Forum and Fleetwood, a clearance case which has been on and off the Campi calendar for some years, is again listed for disposition today.

Certain Code Authority members are so riled at the "slow motion" attitude in getting clearance set up that unless something is done today or two may resign, it was reported last night. The attitude of the complainants is that all the appeal hearings have been a waste of time if Campi cannot expedite matters on national issues.

Division Administrator Sol A. Rosenblatt is reported displeased with the constant delays and is ready to take action. One report has it he may increase Campi from 10 to 15 weeks. The attitude of the complainants is that all the appeal hearings have been a waste of time if Campi cannot expedite matters on national issues.

Maximum Dating
Time Asked In K. C.
KANSAS CITY, Nov. 7—A resolution asking the general managers here to fix maximum clearance as a definite dating period was adopted today at a meeting of the E. T. C. (Although given decisions, are dissatisfied.)

No objections were expressed to the minimum and maximum clearances with different types of series included in the schedule up for Campi approval tomorrow. Instead a request for a maximum dating period will be made to the exchanges direct. The idea is to prevent preferred dating by favored exhibitors, according to those at the meeting.

Reingold Back on Job
St. Louis, Nov. 7—B. B. Reingold, local manager for Fox, who had been ill for several weeks with a mild attack of pneumonia, has returned to his desk. He has not yet recovered his full strength, but is expected to be hitting on all 12 cylinders by the early date.

Indianapolis Ohio Open
INDIANAPOLIS, Nov. 7—The Ohio theatre has opened here with a double feature. George Settos, who formerly operated a circuit in Ohio, leased the house from D. A. Couter.

Gaalum Had 90% of U. S. Territory Set
(Continued from page 1)

arrives Saturday. From Los Angeles he will go to San Francisco and then make several other key cities en route east. He will be back in three weeks. Weeks has closed deals with A. C. Hayman for Hayman's first run houses in Buffalo and Niagara Falls and with Ellyte Hoden, Fox Midwest circuit, for first run in Kansas City and 60 other spots.

Weeks has also appointed Marcel Meikleburg of Albany as salesman. "Man of Aran" ended its run at the Criterion last night, grossing approximately $3,500 on the final seven days. This afternoon the picture opens at the Westminster on the same two-a-day policy. Carl Goe is in charge of the Westminster for G. B. Harry Brandt has closed for the entire Gaumont British lineup for his circuit.

Obstacles to New Plan for Para. Fading

Thursday, November 8, 1934

Surprise Party for Horne Actually Proves Surprise

At Hal Horne's surprise party yesterday. Left to right: Monroe Greenthall, Hal Horne, Mrs. Horne, A. J. Kohler, Sally Blane and Abe Lehr.

Hal Horne, arch conspirator in the matter of arranging surprise parties, found himself on the receiving end yesterday and liked it.

It seemed that Lea Sachs, who yesterday became Mrs. Horne, had proven herself a woman of great resolve and, in the last few years, had turned down Horne's offer of marriage with great regularity. The detail of what happened latterly is not clear, but what is clear is that Hal won her eventually and the couple married at City Hall yesterday. That's the why of the surprise party.

About 160 turned up at Leon and Eddie's. There were press agents of other companies, trade and daily newspaper men and virtually the entire array of United Artists executives. Hal arrived first, had a date to meet the bride, drink no drinks because he had promised not to, and held his breath until Mrs. Horne arrived.

Jack Benny is among those who took advantage of the situation and not only kissed the bride, but the groom as well. He was not misunderstood. Harry Brandt, publicity man for U. A., delivered a suggestion that Hal first ascertain whether Lea Sachs was of the 5th Ave., Saks or Goldmans, Sachs and, if the latter, for Horne to wait until Eddie Cantor wins his suit.

Monroe Greenthall was master of ceremonies. He was busy and there were the photographers. A Lichtman described the nuptials not as a "wedding, but as a reconciliation." Horne thought that was funny, but his smile at the crack wasn't all that it might have been.

Kallen, distributor of the Mickey Mouse accessories, wired an offer of $15 for Hal's address book, but the parlour was not broken. There were some around who thought that this augured badly for the future.

Nobody paid much attention to the speeches, but Paul Benjamin, representing the Ampas, delivered his speech in the form of a present: a traveling bag.

On the daies were Dennis E. O'Brien, William P. Phillips, Harry D. Burch, Sam Allen, Harry Goetsa, A. Lichtman, Monroe Greenthall, A. J. Kohler, James Midvey, Abe Lehr and Fred Hinkle.

Horne and Mrs. Horne shook off the well wishes in plenty of time to make their same two-a-day policy. Carl Goe is in charge of the Westminster for G. B. Harry Brandt has closed for the entire Gaumont British lineup for his circuit.

Court Permits Para. Suit Against Warner

Permission to retain counsel to press the long pending Paramount Public patent infringement action against United Artists over the Dunring process of composite picture making was granted the Paramount yesterday by Federal Judge Alfred C. Cote.

The suit, which has been pending in Federal court at Los Angeles since 1930, asks for an injunction and accounting by the Warner companies and subsidiaries. Paramount is a joint complainant with the Universal-Paramount Pictures Co. in the action and, under cross licensing agreements would receive 25 per cent of any judgment won. A Dunning company would also receive 25 per cent and Roy J. Pomeroy, 50 per cent.

Hornidge & Dowd, New York patent attorneys, will be retained by the Paramount trustees to press the action. The firm has advised the trustees that in its opinion, an appreciable sum may be realized if an accounting is obtained.

Expect Early Deal With E. V. Richards
(Continued from page 1)

...
Jack is John W. Alicoate, Editor and Publisher Film Daily. He's just back from Europe... He's always just back... From somewhere... Because wherever news is... Jack is... Exhibitors can depend upon him... Film Daily judges pictures by the box-office... Film Daily said that "Chu Chin Chow" "Power" "Little Friend" and "Man of Aran" were all box-office... Each one of these four has delivered at the Box-office.

Remember these titles:

"CHU CHIN CHOW" "POWER" "LITTLE FRIEND" "MAN OF ARAN"

COMING! EVELYN LAYE in "EVENSONG" ROXY FRI. NOV. 16
ON THE WAY! GEORGE ARLISS in "THE IRON DUKE"
Midwest Uses Plan
Of Rating Pictures

beneficial results are reported by the
theatres, especially in the smaller
cities and towns where the manager
is closer to community contacts.

Part of an elaborate campaign to
counteract current criticisms of pic-
tures and designed to win over the
critics, the “earmarking” idea was
intended to return to the parents the
responsibility of selection for selection of film fare
for children.

“We had to do something to coun-
teract the agitation and to do it in
ways that are wholesome enter-
tainment,” observes E. C. Rhoden,
Fox Midwest division manager.

While the plan originally con-
templated designating pictures with
an A or an F in newspaper and other
advertising, this so far has not been
done. But the same purpose is
achieved by the issuance of leaflets,
one a month, similar in form and con-
tent to the “Selected Motion Pictures”
booklet distributed by the M. P. P.
D. A. These leaflets, condensed to
four pages or less, current.

The releases used by the circuit’s
theatres and appended are the
estimates of the west and east
coast preview committees. The segre-
gation idea is carried out, and each
picture is marked for either adult or
family suitability.

Leaflets Mailed to Parents

The leaflets are placed in the hands
of those directly interested, being
mailed by individual managers to a
selected list of persons, as well as
Parent-Teacher organizations, women’s
clubs and other groups.

Discussing the classification plan,
H. E. Jameson, Fox Midwest
district manager at Wichita, one of the
circuit executives who worked it out,
recently said:

“We are not kidding ourselves about
this plan. We do not expect to see
the families flock out en masse to see
every family picture. Neither do we
expect to see children stay away from
strictly adult pictures. We know from
experience that parents will bring
to see such pictures.

“But we do believe that if this plan is
carried out, it will enable people who
realize we are attempting to do our
part in keeping youngsters away from
pictures they shouldn’t see and we
also believe our efforts in this respect
will win much good will in the com-

Roxy, Rialto May Be
Fox Outlet on B’way

[Continued from page 1]
deal is made it will be on an individual
picture agreement.

The Roxy opened with “The Last
World War,” which was turned down
by Walter Reade and has nothing to
do with the new proposition on tap.
Both the Rialto and the Ben are
open to individual films deals with Fox, but
Harry C. Arthur and Arthur Mayer
will look at them first before doing
business.

Cohen Herzbrun West

Emmanuel Cohen, Paramount produc-
tion head, and Henry Herzbrun, studio
attorney, left for the coast yesterday
after a 15-day visit here. In the same
party were Mrs. Douglas MacLean,
wife of the Paramount producer, and
Lewis Gentzler, song writer.

MOTION PICTURE DAILY
HOLLYWOOD PREVIEW

“Babbitt”
(First National)

Hollywood, Nov. 7.—Flavored with the salty humor of American
home life, blending comedy and pathos, Guy Kibbee delivers a broad-
bushed, engaging portrait of Sinclair Lewis’ main stem hero who goes
adrift, gets involved with local estate pretty little farm and a zebra Rotary club.

The present film version deviates somewhat from Lewis’ satirical
novel and, although it is minus the bars and ridicule, nevertheless
the film stands on its own feet as a human, lonely entity leavened with
laughter and presenting family entertainment to suffice audiences with
a Sonnie Hale’s own-in-law (Maxine Belmore) is a bug on Free Masonry.

The story is of a middle-aged realtor who innocently gets involved
with a girl who tries to shake him down. It shows how his family and
friends stick to him.

Kibbee’s character portrayal is a gem of joy with that sterling trouper,
Aline MacMahon, as his wife, good, as always. Minna Gombell handles

What the Symbols Mean

Reviews classified with a “G” are regarded as suitable for
general entertainment.

Those with an “A” are regarded as suitable for adult enter-
tainment.

Looking ’Em Over

“Are You a Mason?”
(Paramount)

Twickenham studios have turned out in “Are You a Mason?” an
amusing farce comedy. Here is pretty good fun handled with relish
and briskness by a capable cast. The film is fortunate in that it is free
of the clipped English speech that mars so many British productions.

To her a person is good or bad according to whether or not he is a
Mason. She is insistent that Hale join up. To win her favor he deceives
her into believing he has done so. Grand fun results when he finds him-
self in the presence of his father-in-law (J. Robertson Hare), also a fake
Mason, inspired in the deception by the fact it was the only way of being
free of his wife one day in the week.

The two men are wary of each other, each believing the other to be
an honest-to-goodness member of the order. Hale makes a bad move
when he confesses to Hare. He gets even by raking up the ashes of a
past indiscretion. The plot then goes off into some humorous tangents.

Some of the other players are Davy Burnaby, Gwyneth Lloyd, Joyce
Kirkby and Lewis Shaw. Henry Edwards directed well. No code seal.
Running time, 74 minutes. Classification: ‘G.’

“Kid Millions,” Saturday morning’s premiere at the Roxy, was reviewed
by wire from Hollywood Sept. 27.

Court Fight Looms
On K.C. Premiums

[Continued from page 1]
indication that an early court test
will be sought. Ullmann at the outset
decided the board’s authority to conduc-
ting a hearing, alleging no ban exists
as proof of exhibitor sentiment.

Meanwhile, the matter lacked the necessary 75
per cent vote of unaffiliated showmen, since six who voted for the
later requested their vote be reversed.

Following to the board’s alleged re-
fusal to honor this request, Ullmann
attempted to impeach the body’s pro-
cedure in making the ban effective and asked that cases filed by Fox Midwest
against Charles Potter and E. S. Young, involving three the-
ates, be tried.

Ullmann offered no defense, but de-
pinned premiums were given by the
respondents.

It is understood the group mapping
the fight on the premium ban will
waive the right to appeal to Camp in
the event of an adverse decision, pre-
ferring to take the fight to the courts
direct from the local board.

Decision on the hearing will
be given Saturday.

Ohio Tax Comes Up
Sixth Time Nov. 19

COLUMBUS, Nov. 7.—With the
smoke of election clearing, the post-
election session of the General Assem-
blies pressed to a close and Gov-
ernor White on Nov. 19, during which
the sales tax, defeated five times in
previous sessions, is scheduled to come
up for final consideration by the
present incumbents. Some feel the
measure will go over until Jan. 1.
Meanwhile, exhibitors, both indi-
vidually and through their organiza-
tion affiliations, are bringing every
possible pressure to bear on passage
of the sales tax, now tenta-
tively set at three per cent, as it will
mean a deal of the recent admission
impost, ultimately, if not now.

Farnol Resigns His
Post with Goldwyn

[Continued from page 1]
split is amicable and predicated on
Farnol’s desire to enter a new field.
No successor has been named.

Hollywood, Nov. 7.—Samuel Gold-
wyn stated today Lynn Farnol’s resig-
nation was news to him and that
since it has never been discussed until
now, he has nobody in mind as a suc-
cessor.

Seadler, Dob Returning

Si Seadler, assistant to Howard
Dietz, and Oscar Dob, head of ad-
vvertising and publicity for Loew The-
atres, who have been on the coast
looking over M-G-M’s coming prod-
oc, are expected back by plane today.

Harry Thomas on Tour

Harry Thomas, president of First
Division Exchanges, left for Detroit
last night on a tour of various key
cities. From Detroit he plans to visit
Chicago, Atlanta, New Orleans, Con-
lotte and Dallas, returning here in
about three weeks.
Annual Dinner Dance
of the
Universal Club
(Of Universal Pictures Corporation)

SATURDAY, DECEMBER 1, 1934
DINNER AT EIGHT
ENTERTAINMENT AND DANCING
FROM THEN ON
MAKE YOUR RESERVATIONS NOW
CALL UNIVERSAL CLUB
CIRCLE 7-7100

TICKETS . .  $7.50 Per Person
Allied Law Moves
Ready, Samuelson

Taxes to Be Allied Topic at Des Moines

DES MOINES, Nov. 7—Taxes will be the principal subject of discussion at a convention to be held here Nov. 13 by Allied Theatre Owners, Inc.

First among those present will be the new rates of A.S.C.A.P. Another will be the local sales tax. A state official will be present to explain its workings.

A movement is under way to introduce a bill for the next session of the legislature and opposition to it is being lined up.

Para. Suea in Sandusky

Sandusky, O., Nov. 7—Suea has been filed in Common Pleas Court here by Paramount Distributing Co. against Howard Carter, operating the Liberty, at Vermilion, O., seeking $990 for failure to pay or pay for Paramount product according to contract.

The action sets forth that Carter contracted for 35 features, but refused to pay $700 of the delivery of Sol G. "Good Dame." Rental for the two pictures is given as $20.50 and $13.

End Kenton Schine Suit

Kenton, O., Nov. 7—The Kenton Amusement Co. has ended suits to recover an amusement tax and lease given to Schine Chain Theatres, Inc., and personal operation of its modern theatre and office building in Kenton. It was revealed the Kenton will reopen soon under management of G. H. Foster of Marion.

March, Gable to Zanuck

HOLLYWOOD, Nov. 7—Darryl Zanuck has signed Fredric March for the leading role in "Les Misérables." Zanuck has also borrowed Clark Gable from M-G-M for "Call of the Wild," which William Wellman will direct, and both pictures will go into production early next month.

Hawthorne Funeral Held

Funeral services were held yesterday for Charles Evans Hawthorne, Paramount lawyer handling real estate, from his home in New Rochelle. Hawthorne died in Kenisco Cemetery and was private.

Hawthorne died Saturday from pneumonia. He is survived by his sister, Mrs. Adelaide H. Woodin.

Newman Death Shock

Phil Reisman, vice-president and general manager of RKO Distributing Corp., has closed a deal with the Columbia Publix circuit of Minnesota for his company's entire product for 1934-35.

Cancel Two Musicals

Radio will not release two Lou Brock musicals announced for the 1934-35 schedule as Brock has resigned and urged the staff to join another organization.

Campi Takes More Space

Campi has taken an additional 600 feet at the RKO Building in Radio City. Milron Silber and Sam Moross, in addition to a number of fibrin clots, occupy the new space.

Una O'Connor Is Hurt

HOLLYWOOD, Nov. 7—Injuries were suffered by Una O'Connor yesterday when she was thrown by her horse. She will be confined to a hospital three weeks, it was stated.

"College Rhythm" Shown

Paramount held a trade showing of "College Rhythm" at the Astor yesterday morning.

"Dames" Is $9,400 Grosser in Omaha

OMAHA, Nov. 7—"Dames" clicked to the extent of $9,400 at the Paramount last week.

Business was good elsewhere, too. "Six-Day Ride Rider" and "A Girl Known asala" each scored $7,500; "Here Comes the Navy" was an average of $1,500 for a $5,000 gross at the Brades, and "Here Comes the Navy" at the Orpheum, said to be the best of the week, was $2,700.

Estimated takings:

Week Ending Oct. 31:

* STUDENT TOUR (M-G-M) * READY FOR LOVE (Para.)

WORLD ($2,585) (7 days) 

$9,000. Average: $1,280.

NEW YORK (Paramount) (2,295) (7 days) 

$9,400. Average: $1,320.

HOLLYWOOD, Nov. 7: * SIX-DAY RIDE RIDER (F. N.) * A GIRL KNOWN AS ALICE

BRANDEIS—(500) 200-250-25 (7 days) $8,000. Average: $1,140.

HERE COMES THE NAVY (Warners) (2,500) 200-260-29 (7 days)

$10,700. Average: $1,530.

Guild to Keep Talks On Equity Move Quie

HOLLYWOOD, Nov. 7—Decision is due shortly on the proposal for affiliation with Actors Equity unless all problems are thrashed out.

The proposal was reached at a meeting held here. The group, which has thrashed out the problems, expects the proposal will then go to the general membership for a vote.

Radio to Do Grant Yar

HOLLYWOOD, Nov. 7—Radio is pre pared to film a story based on the life of General U. S. Grant and has purchased the Arthur Goodrich play "Mr. Grant." The studio will immediately launch a building campaign on the picture by the various drama directors and critics through the country regarding their choice for the starring role.

Lazarus En Route East

MINNEAPOLIS, Nov. 7—Paul Laza rus, western division manager for United Artists, has arrived here from Hollywood for a short stay. While here he will confer with local film men. He plans to leave for New York at the end of the week.

Real Estate Men Protest

SR. LOUIS, Nov. 7—The Real Estate Exchange has joined the protest against leasing the Municipal Auditorium for "Ziegfield's Follies."
New Seeking Cancellation Of Film Here

By CLARENCE LINZ
WASHINGTON, Nov. 8.—Complaints against the alleged slowness of Campi in setting up national clearance and zoning will receive scant sympathy here, where Code Authority is con-
ing to confine proceedings only to the caut-ion which the situation demands.

Declaring that Campi, as it should, is feeling its way carefully, Division Administrator Sol A. Rosenblatt to-
day pointed out that the adoption of the 12 principles recently by Campi was “one of the most constructive steps” the industry has ever taken and that the compliance organization must be set up in conformity with those principles.

Rosenblatt dismissed as “unimpor-tant” rumors that independent distributors were considering an appeal for expansion of Campi to 15 members, with ex-
hibitors outnumbering distributors. It was pointed out that this would in-
volve an amendment to the code and one of such importance that it could not be adopted only after a public hear-
ing.

It was indicated that the whole question of the clearance and zoning was an outgrowth of the union move and that Washington will, not, for the present, at least, interfere.

NRA Shies from Meddling With Clearance Situation

Deny Any Probe
Washington, Nov. 8.—Officials of the Securities and Exchange Commission today denied that any investigation of a pool in Paramount stock is being made.

Reports from New York that certain aspects of a pool were under scrutiny were said to be without foun-
dation.

Ask Court to Take National Bid for FWC

Offer Is $14,782,722; Hearing Set Nov. 19
LOS ANGELES, Nov. 8.—Trustees of Fox West Coast today petitioned Ref-
eres against McAllister. Several of National Theatres Corp. for a pri-

vate sale of the circuit. The bidder agrees to pay 10 cents on the dollar for all claims totaling $14,782,722.

In addition to this new company will assume the unjudicated claim of Paramount Public aggregating

$11,297,604.45. The latter involves operation of two Paramount houses in San Francisco, two in Portland, one in Oakland and one in Seattle where-

by Paramount gets 37 per cent of the price.

Both Paramount and West Coast have entered into an agreement where-

by the former’s claim against the latter will be permitted to work itself out from future earnings. It is the belief of West Coast trustees that the present total claims will be vol-

untarily reduced to $7,500,000 under the new setup, as rents and leases of all properties have already been pared to two-thirds the amount paid when

No New Fox Theatre Head Expected Soon

No immediate meeting of the board of Fox Theatres to elect a successor to Archibald R. Watson, whose resigna-

tion was announced in a Federal court order signed by Judge Martin Manton earlier in the week, will be held, it was learned yester-

day.

It is understood that election of a successor may await the outcome of hearings which were begun yester-

day before Special Master Courtland Palmer on the provability of claims filed by the Fox Theatres.

Several weeks will be required to conclude the hearings and Palmer will make

39 Weeks’ Loss Cut

By K-A-O and Keith

Keith-Albee-Orpheum and its sub-

sidiaries suffered a net loss of $168,-

$46,35 after all charges in the 39

weeks to Sept. 29. This compares with a loss last year of $552,792.60, which included a net loss of $124,836-

16 of Orpheum Circuit and its sub-

sidiaries (from Jan. 1 to Jan. 27, 1933).
In the open secret category is the pressuring impact in Paramount's executive ranks over delays in completing a reorganization plan. Actual development of any rehabilitation program is not yet in sight, let alone heading the committees representing the company's principal creditors, debenture holders and stockholders. With the result that Paramount officials, despite the fact, are frequently left in the dark as to reasons for bumps in the plan and occasionally as to the actual progress being made toward their solution.

The resultant situation is responsible for desultory friction between company executives and the individual unit heads. Some of this may well be due to personal friction reaching during recent weeks in their restlessness over further delays. One of these reports would have several key figures withdrawing from the organization and taking with them enough units to form the nucleus of a new company.

The report, along with others of its kind, is discounted for the simple reason that those named as the leaders are known to be lacking a financial alliance of the kind required for such a move. The fact remains, however, that several important figures in Paramount are impatient over reorganization delays. The latest example is on the heels of a Press release, which has raised the possibility that more than one major studio is in the position of general counsel of the company. Louis Phillips, of the company's home office legal staff, appears to be taking gradually into Koenig's former niche.

"Jock" Whitney made the first pages with that yarn on Technicolor. He said, or his press release said, that Pioneer Pictures will spend $7,000,000 on nine or more color pictures in the next couple of years. For Whitney, it seems as if he is planning an important bearing on the future of Paramount.

Universal Risers 2 on Big Board

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<th>Consolidated Film Industries</th>
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<td>Eastman Kodak</td>
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<td>Loew's, Inc.</td>
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<td>Paramount Publics, etc.</td>
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<td>Warner Bros.</td>
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Trans Lux Up Eighth on Curb

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<td>264</td>
<td>254</td>
<td>254</td>
<td>+10</td>
<td>330</td>
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</table>

| Warner Bonds Advance Eighth
|----------------------------|High|Low|Close|Change|Sales|
|---------------------------------------------------------------|
| General Theatre Equipment 6s 4% 1940                          | 53| 53| 53| -   | 570 |
| General Theatre Equipment 6s 4% 1940, el.                    | 53| 53| 53| -   | 630 |
| Loew's 6s 4½, wwd deb rights                                 | 1035%| 1035%| 1035%| 1035%| 1450 |
| Paramount Publics 5½s 1940                                   | 58| 58| 58| -   | 580 |
| Paramount F. L. 6s .5%                                        | 58| 58| 58| -   | 584 |
| Warner Bros. 6s 5½, wd.                                       | 59| 59| 59| -   | 595 |

*Insiders' Outlook*

**MOTION PICTURE INSIDERS’ OUTLOOK**

No. 111

November 9, 1934

**MOTION PICTURE DAILY**

(Restricted U. S. Patent Office)

Vol. 36

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**MOTION PICTURE HERALD,
BETTER THEATRES, THE MOTION PICTURE ALMANAC AND THE CINEMAGAZINE**

Hollywood Bureau: Postal Union Life Building, and Yecca Building, 6th and M. Shapiro, Manager; Chicago Bureau: 440 South Dearborn Street, Chicago; Donald D. Sack, Manager; London Bureau: 32 Gower Street, W., P. W. Bruce Atlin, Manager, Cable address: "Cinemedia." New York Bureau: 84 Wall Street, New York.

**Insiders’ Note**

With its favorable financial statement in hand, Roxy has been in a buying mood. Roxy has spent $500,000 for War Time and it's in the market for more pictures. Roxy has been for some time on the lookout for a feature project that can break the $1,000,000 mark at the boxoffice. Roxy has all the money he wants if he can find a property that will appeal to the public. Roxy is interested in a property that can be made into a feature film and that can be made for a low figure. Roxy has been talking to several of the studios about a property that can be made into a feature film and that can be made for a low figure. Roxy has been talking to several of the studios about a property that can be made into a feature film and that can be made for a low figure.

**DICKENS FILM TO GO ON THE AIR NOV. 16**

As a step in the nationwide movement to advance the teaching of film appreciation in educational institutions, scenes from Universal's screen version of Dickens' "Great Expectations" will be broadcast over WEAF and affiliated stations, with the cast made up of students of the Wawenock High School, Newark. The school was the scene of the initial experiment in the teaching of film appreciation as part of a film program last year. The air dramatization of "Great Expectations" will coincide with the release of the Universal film to pupils in 18,000 high schools throughout the country, according to the M.P.I.D.A.

Kurt Neuman Injured

Hollywood, Nov. 8—Kurt Neuman was severely injured here when he fell down a flight of stairs while directing "Straight From the Heart" for Universal. The director suffered a leg injury which will keep him in bed for eight days, forcing the studio to substitute another director.

**FRANK MCCARTHY ON TOUR**

Frank McCarthy, eastern sales manager for Universal, has gone on a tour of exchanges under his supervision, including Toronto and Buffalo branches. He'll be back next week.

G. B. Men Plan Return

London, Nov. 8.—Jeffrey Bernard and Gaumont British may return to New York later this month. Gaumont British has already been in touch with Mark Oster figures on another visit about Jan. 1 as part of a three-visits-a-year schedule.

**To Preview "EVENSONG"**

Gaumont British will preview "Evensong" at the Westminster cinema Tuesday morning. The picture goes into the Roxy Nov. 16.
HERE THEY COME!

AMERICA'S SINGING SWEETHEARTS...
AND HUNDREDS OF HAWAIIAN BEAUTIES
IN SPECTACULAR BOBBY CONNOLLY DANCE NUMBERS
... AND 3 DICK POWELL SONG HITS BY DIXON & WRUBEL
AND FRANK BORZAGE'S

MOST BRILLIANT PRODUCTION EFFECTS
IN THE
PEOPLE'S CHOICE
FOR THANKSGIVING ENTERTAINMENT...

A First National Picture
Vitagraph, Inc., Distributors
Fate of K.C.
Plan Rests in Modification
(Continued from page 1)

original operating agreements were made.

The court counseled to this new pact and will pass on acceptance of the bid on Nov. 19, at which time all creditors will have received notices of the hearing and an opportunity to register protests at a hearing called for on the same day.

While Munt was in the absence of McNab, also authorized first and final service fees of $15,000 to be paid, jointly to Charles F. Skouras and H. H. O'Reilly, for acting as receivers. He also authorized the first and final fees of $25,000 to the firm of R. A. Mentor & Myers for services rendered to the receivers. In addition to this, another $5,000 was authorized to the firm of Bailie, Turner & Lake, which prepared and filed bankruptcy proceedings.

Some of the important parts of the bid includes commissions payable to the trustees and their attorneys as follows: To Karger, continuation of the gate sum to them jointly equivalent to $2,554.10 weekly beginning with the week April 9, 1933, and including the week December 29, 1934, or with the date the sale is made. The fees for O'Melveny, Tuller & Myers and the trustee in bankruptcy of the B. Government of $2,546.10 each week for the same period; also total commission of $7,500 to McNab.

All creditors will receive payment of 100 cents on the dollar upon the day of the sale, the bid states. The trustees are Trennor, acting for H. Moore and Charles C. Irwin.

Skrouras Party in West
Los Angeles, Nov. 8.—Charles Skouras, Edward Zabel, his secretary; James Davidson, statistician for F. W. Fox, and Robert A. Schuman & Dwight, attorneys for F. W. C., and Bert S. Shipman, representing counsel for Chase National Bank, returned today from New York after completing plans for rehabilitat- ing 400 theatres in the circuit. Dave F. Bowles, Westland Theatres, an affiliate of F. W. C., returned yesterday from the east after attending an appeal hearing on a decision against the circuit on bank nights.

Skrouras returned without signing a five-year contract as vice-president for the committee. Inability to hold yesterday's meeting may result in an ad- journment of the Federal court hear- ing for the scheduled for Thursday before Judge Julian W. Mack.

Fox to Sell British
List in the Empire

The 12 pictures Fox plans to make in England are not entirely for quota regulations, but for distribution in the British Empire market. Clayton Shee- ban, head of the company's foreign activities, states. The first, "Borrow a Million," has already been completed at the Wembley studios. Two others are set, tentatively called "Six Dead Men" and "Love Test."
I have never done this seen. It will make a ton of money and makes me look forward to an extended run.

I am going to advertise it like a road show and base my advance campaign on a personal money-back-if-you-don't-agree guarantee. I have never done this with any picture, but I'll stake my reputation as a film man that this will bring home the bacon in huge chunks.

(Signed) Sidney Meyers*

* Fellow-exhibitors know Mr. Meyers, operator of the Mayfair Theatre, Miami, and Wometco Circuit of Florida, as one of the South's outstanding showmen.
THE WHITE PARADE

JESSE L. LASKY
Production
with
LORETTA YOUNG
JOHN BOLES

Seals Given to 18 Features, 9 Shorts

(Continued from page 1)
and Chesterfield each register one feature. M-G-M has received code seals on three shorts. United Artists and Audio have had one approved short subject each.

Titles of pictures approved are listed as follows:

Audio

"Once Upon a Time" (Shorts)

Chesterfield

(Features)

"The World Acquires" (Shorts)

Columbia

(Features)

"Stake-Out," "White Lies," and "Jeas Oozy" (Formerly "Spring 2007") (Shorts)

"The King's Jester," (Features)

"White Parade" and "My Second Wife." M-G-M (Shorts)

"You Said a Hailful and 'Washer Irones' and 'Topland Broadcast' (Harman-Ising)

Monogram

Features

"Lost in the Southwest." (Features)

Paramount

(Features)


(Features)

"Lightning Strikes Twice." United Artists

(Shorts)

"When a Man Sees Red" and "Tres Amores" (Spanish)

(Shorts)

"Sky Larks" and "Rival Romances." (Serials)

"Tailspin Tommy" No. 10 -- "Death at the Controls.

Warners

(Features)

"Babbit," "Firational Walk" and "I Am a Thief."

(Vacation Days.)

39 Weeks' Loss Cut
By K-A-O and Keith

(Continued from page 1)
when Orpheum was adjudicated bankrupt.

Net loss of $173,603.75 after all charges for the 39 weeks ended Sept. 29 is reported for B. K. Keith Corp. and subsidiary companies. In the same period of 1933 a loss of $354,368.32 was sustained.

'33 Maryland Gross
Totaled $6,336,000

(Continued from page 1)
were $4,939,000 and payrolls of $994,000, and 33 theaters with receipts of $159,000 and payrolls of $97,000. The four race tracks in the state reported receipts of $2,127,000.

Rosso Visiting Studios

Hollywood, N. Y., Aug. 8.—Ambassador Rosso of Italy has arrived here to visit the studios and obtain information for Premier Mussolini on the workings of the industry. He said:

"Premier Mussolini is anxious to build up the motion picture industry in Italy."

Seven Are Held as "Bombing" Suspects

After trailing several men for weeks, detectives yesterday rounded up seven on charges of violating the penal code by having in their possession valeric acid, a stench bomb fluid.

It was said by the detectives that some of the prisoners confessed and admitted they were "contractors" who arranged for the bombing of theatres and other places. In the lineup, however, all denied the charges.

The alleged "contractors" were booked as John Boroisky, operator, of 1255 Grand Ave., Brooklyn; Charles Czezak, of Brooklyn. The other prisoners were booked as: Charles Christ, Long Island City; Thomas Strong, Long Island City; Morris Toback, Brooklyn; August Lacaze, Long Island City, and John Reilly, New York.

Urges Non-Profit Films

ATLANTIC CITY, N. J., Aug. 8.—The 34th annual convention of the New Jersey Congress of Parents and Teachers at the Riviera here was urged today by Mrs. Robbins Gillman, motion picture chairman of the National Congress of Parents and Teachers, to fight for the production of educational and recreational films with made with no eye to profit.

Claim New Rialto Mark

"The First World War" established a new opening day record for the year at the Rialto yesterday, according to a statement issued by theatrical management yesterday afternoon. The first week's gross is expected to approximate $25,000 on the basis of yesterday's receipts, according to the statement.

Brandt, Weinheimer III

Harry Brandt, president of the I. T. O. A., and Louis Weinheimer of Progressive Poster Exchange, are down with the grip, Thornton Kelly, New York exhibitor, was in bed with a bad cold for four days and was back on the job yesterday.

Eastman Kodak Dividend

Eastman Kodak Co. has declared a regular quarterly dividend of $1 per share on its common stock and $1.30 per share on its preferred stock, payable Jan. 2 to stockholders of record Dec. 5.

Cramblett to U. A.

MINNEAPOLIS, Aug. 8.—Ralph Cramblett has been appointed branch manager of the local United Artists exchange. He succeeds Max Stahl, who resigned.

Macfadden Ups Carlisle

William S. Carlisle has been switched to eastern advertising manager of his women's group of magazines by the Bernarr Macfadden Publishing Co.

Dave Gould Sails Dec. 1

Dave Gould, head of M-G-M's branch in Puerto Rico, sails on the SS America Dec. 1 for home. He is here for his health.

Meet on Charity Drive

Industry leaders active in the Federation of Jewish Charities yesterday met at the M. P. Club.

Short Subjects

"An Old Spanish Onion" (Radio)

The story takes place in Spanish California in 1842 and has Ruth Etting visiting friends who own a hacienda. To aid her girl friend in marrying her fiance, Miss Etting sings while her friend goes through the maneuver.

"G" for General

"A" for Adults

Motion Picture Daily's films classified by letters. A film launched yesterday on features today is extended to all shorts as well.

The "G" symbol indicates general entertainment. The "A" symbol indicates adult entertainment.

Ray Branch Renamed

BY MICHIGAN ALLIED

FLINT, Mich., Aug. 8.—Ray Branch, Hastings, was re-elected president of the First Day of Allied Michigan at its convention at the Durant Hotel here. Officers of the group: Frank Wetsman, Detroit, vice-president; William Schutenhelm, Detroit, treasurer; Barney Kilbride, Detroit, secretary.


The convention went on record against the A.S.C.A.P. music taxes.

Liberty Closes New Deal

Negotiations for the distribution of the Liberty group of 12 pictures in the Atlanta, Charlotte and New Or- lans territories have been closed with First Division. The deal includes a franchise to Big Fea- ture Rights to distribute the Liberty product for First Division in Ken- tucky and Tennessee.

Coming on Guild Move

Hollywood, N. Y., Aug. 8.—Kenneth Thomson and Lawrence Beilinson, attorney for the Screen Actors' Guild, were on their way to New York by plane tonight for conferences with Hillman, chairman. Plans for the proposed affiliation between the two groups.

"Tragedy" Suit Settled

SYRACUSE, N. Y., Aug. 8.—The libel suit brought against Paramount Pub- lic by Minerva Brown, mother of Grace Brown, whose tragic romance with the last husband of "An American Tragedy," was set- tled.

Fleck Now Sound Head

Hollywood, N. Y., Aug. 8.—Fred Fleck, who has spent the last five years at Radio as an assistant director, budget expert to clarify details of the proposed agreement.

"Big U" Wins in Drive

Leo Abrams and the "Big U" sales force in New York are the winners in the R. Granger three month's sales drive, which ended last month. Boston placed second and Detroit ranked third in the drive which had all the earmarks of stiff competition.

Blumstein to Ist Div.

Abe Blumstein, formerly in charge of short subjects in the Chicago Col- lege, has joined First Division as assistant to Morris Epstein, local branch manager. Blumstein starts Monday.

"Shivers" for Langdon

Hollywood, N. Y., Aug. 8.—"Shivers" is the title of the Harry Langdon comedy that is in a director to C. D. White.

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When you’re the thirteenth ... and the other twelve are an even dozen of
utiful co-eds, blonde ... brunette ... and redhead, just begging for attention!
anny Ross is the boy who has learned that when you’re stumped for words,
song will turn the trick ... and he’s putting theory into practice in this musical
versation with a row of gorgeous gals who are too thrilled to answer back!
hey’re the babies who cheer ... and get cheered with Lanny in Paramount’s

**COLLEGE RHYTHM**

OE PENNER • LANNY ROSS • JACK OAKIE • HELEN MACK
YDA ROBERTI • MARY BRIAN • GEORGE BARBIER and the All-American Co-Eds

Paramount Picture directed by Norman Taurog with plenty of words and lots of music by Gordon & Revel
DOUGH, BOYS!

It's there! ... profit, and plenty of it ... for showmen ... in Educational's Short Feature ... the one line you can always count on for that ideal short subject combination ... big star names, big production value and real entertainment that sends them out smiling and happy ... and that means dough, boys!

And always more great stars ..............

SYLVIA FROOS and FRANK LUTHER
two of radio's most famous singers
See them in the single-reel Song Hit Story
"The House Where I Was Born"
and in the two-reel Musical Comedy
"THE GIRL FROM PARADISE"
with N.T. G. and the Paradise Revue
Produced by Al Christie

"EASY ACES"
Coming soon
Marriage Wears Comedies

"BUSTER KEATON"
Coming soon
Star Personality Comedies

"SECOND HAND HUSBAND"
A Coronet Comedy
with TOM HOWARD

"DOMESTIC BLISS-TERS"
A Marriage Wears Comedy
with Chick YORK and Rose KING

"NIFTY NURSES"
A Musical Comedy
with Sally SWEET and Johnny DOWNS

"RURAL ROMEOs"
A Coronet Comedy
with Harry GRIEBON

Produced by FOX Film Corporation

Distributed in U.S.A.
Australians Quota Moves
Irk Britain

Dear Will They Give An Advantage to U. S.

By BRUCE ALLAN
LONDON, Nov. 9 (By Mail)—Pro-
goals of a quota law in Australia re-
causing some disquiet here, be-
cause they provide for the right on the part of the Australian exhibitor to can-
cel contracts for imported films, to 
slow substitution of Australian pro-
ductions. Australian made films rank
British films in England, under the Films
Act, but British films in Australia
would, under present plans, be on the
level of the Australian exhibitor as
American imports, and owing to the
strength of American distributing com-
Pany's in Australia, it is thought Brit-
ish films would suffer more than
American from the cancellation clause,

The Paramount Theatre, Liverpool, 2,760-seater, was given a specu-
lar opening. Paramount executives, headed by J. C. Graham and Earl St.
john, led a large party of trade and press visitors from London, and the
(Continued on page 2)

Say Czecho-Slovak Quota Is Abolished

By J. K. RUTENBERG
BERLIN, Nov. 9—Minister of Com-
merce Dostalek yesterday signed a de-
ree abolishing the Czecho-Slovakian 
film quota system, according to ad-
veres received here today from Prague.
Under the new regulations there is
established an import license of 20,000
(Continued on page 2)

Oct. Quigley Award
To Robert H. Suits

Manager Robert H. Suits of the
Colonial, Reading, Pa., a Loew house,
has been named winner of an A. Quigley Award for October. His campaign on
(Continued on page 3)

Just a Night Off
Philadelphia, Nov. 9—First
social gathering of the Inde-
pendent Exhibitors' Ass'n,
will be held this Sunday
evening with a private film
showing at the Fox. Later
on the schedule is a dinner-
dance to be held at the
Bellevue-Stratford Nov. 25.

St. Louisans Favor Letters
For Film Ads

Wehrenberg and Others
Long Users of Plan

St. Louis, Nov. 9.—Generally
favorable reactions have been
developed here to the Warner Philadelphia plan of
marketing films for adult and family
audiences. Fred Wehrenberg, presi-
dent of the M.P.T.O. of Eastern
Missouri and Southern Illinois, was
outspoken in his praise of the plan.
He has spoken in favor of the idea
before many organizations for a num-
ber of years past, and his theaters,
the Cinderella, Melba, Michigan and Vir-
ic neighborhood homes here and
throughout St. Louis County. The family
night shows are said to have been
profitable.

Pettijohn Sees Tax
Outlook as Hopeful

KANSAS CITY, Nov. 9.—Asked
about the probable effects of the elec-
tion on the tax situation in the near
future, C. C. Pettijohn, M. P. P. D. Ad-
counsel, passing through here on his
way east from the coast, said today
that “in view of the election of a
Democratic House and Senate every-
thing looks encouraging.” He ex-
pressed elation over the outcome of
the California balloting.
Pettijohn declared “this is the time
for the industry to sit tight and make
good pictures and say nothing.

1st Division-BIP
Deal in the Offing

LONDON, Nov. 9.—The possibility of
a reciprocal deal between First Divi-
sion and British International is re-
ported here following conferences held
recently by William M. L. Fiske, III,
who recently became an official of First
Division, and Arthur Dent of B. I. P.
The conferences, it is said, have re-
volved about arrangements for B. I. P.
distribution of First Division's product
(Continued on page 3)

Says Zukor to Stay
Albuquerque, Nov. 9.—
M. A. Zukor will continue
as president of Paramount
and his own contract still has
some time to run, declared
Emanuel Cohen, in charge of
Paramount production, when
they passed through here to-
night on their return to the
cost. Zukor and Cohen have been
ease for two weeks discuss-
ing reorganization problems.
With them was Henry Herz-
blum, studio lawyer.

No radical changes in the
production are expected as a
result of the reorganization, 

"We Live" $100,000
Hit at Music Hall

The Music Hall did the best busi-
ness last week, selling $100,000 with "We Live Again,"
which has been held for a second
week. The Foxxy with "Kansas City 
Princes" took in $1,250 and the 
Rialto take for the week was
$1,950 on "Six-Day Bike Rider."
"Outcast Lady" combined with
Amos 'n Andy took only $28,500 at
the Capitol. "The Merry Widow" is
dated to go in next week. The next
will be followed by "The Painted
Veil." The Paramount with "Mrs.

Clyde To Do Three
Under Rainbow Deal

And "Clyde" will appear in three
features for distribution via Regal,
Rainbow Pictures, headed by Jed
Gould and Joseph Klein, will produce,
the titles being, "His College Sweet-
heart," "They Go Wild" and "Half
Day Off.

"Gambling" to Reade
On One-Picture Pact

Walter Reade and Fox have closed a 
deal whereby "Gambling" goes into the Mayfair under a new individual 
picture contract arrangement. Reade 
recently canceled a Fox pact which
(Continued on page 3)

Theatre Unions Ask
Hour Cut, Wage Tip

New labor contracts for theatre ser-
vice employees which Local 95 will
attempt to negotiate with circuit and independent exhibitor representatives
(Continued on page 3)

Theatres Not
Hit by Drive,
States Cohen

Sees Good Results from
Clean Film Campaign

ALBUQUERQUE, Nov. 9.—No ad-
verse reaction on theatre grosses has
been noticeable since the Production 
Code, because pictures have been bet-
ter and permanent good results are to be
expected from the Production Code Admin-
istration, declared Emanuel Cohen, Paramount production head,
here tonight during a stop of the west-
bound Santa Fe Chief.
The morality code will bring about
good results, he said, in that it it is 
estreme, it will tend to make produ-
ders good taste conscious. Some-
thing like that had to be done, he con-
tinued, to halt licentiousness and some 
producers were mistaking freedom for
unbridled license.
The demand for moral stories, 
Cohen also said, has brought about
a swing toward the fireside type, and
although, perhaps, this has gone to the
extreme, it will tend to make produ-
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producers were mistaking freedom for
unbridled license.

Authorize Columbia
Fox Theatres Claim

Columbia Pictures was granted 
leave to file a supplemental claim of $2,500 
against Fox Theatres Corp., in an or-
der signed by Federal Judge Martin 
Manton yesterday.
Columbia's original claim of $500
(Continued on page 2)

Distributor-Carrier
Problems Discussed

Representatives of distributors and
film carriers held the third of a series of 
quarterly meetings recently in an
(Continued on page 3)

Harmony Both Ways

Hollywood, Nov. 9—Dis-
satisfied with "A Night at the 
Opera" as a title for their first M-G-M picture, the Marx Brothers are unde-
cided between "Pipes of Pan" and "The Baritones of Wimpole Street."
Aknold Albert has been promoted to exploitation editor a sistering Gilbert Golden, in charge American operations. Albert has succeeded in the Blumberg, who has been a siton promotion manager for the company.

Moe Strelmer will be tendered a Indian Festival by the Monday Night fers next Tuesday evening. Place, 32 Sevle Ave., where fire chief of the Deer Park No. house, will attend uniform.

Leslie Howard, work in London Film, "The Scarlet Pimpernel" completed, is on his way to Americ aboard the Berengaria. Merrie Brown, who appears in the film, will, is expected here shortly after.

Johnny Burke and Harold Spin composers, have delayed their trip to the coast to write music and by for a musical comedy by James Montgomery.

Whitney Bourne, who recent comments on the French-Mexicur production, "Once in a Blue Moon," is convalescing at Doctor Hospital from a general breakdown. Springs, scoots at the story of his narrow escape from an auto crash in snowstorm. However, it was close, his good friend, William Thomas, of the Publicus, is due back Monday from a business trip to the Paramount studio.

The head of the M-G-M foreign department, returns broad on Dec. 24, cutting it short a week. Edward O'Connor, head of the Dutch Eth Indies office of M-G-M is in Boston, his home town. It's his first visit in six years.

Fleet magazine of the Goldwyn office flew to the coast to visit the bedside of his sick mother, Mrs. L. Kennedy.

W. Ray Johnston, president of Monogram, is expected back from the coast sometime late next week.

C. E. Murder of the Fox was arrested by force, leaves for England in a few days.

En Kuykendall is going to New Haven today for the football game He'll be back tomorrow night.

Jean Gaca de Canavag, Parisian producer, sails for home today on the Ile de France.

St. Sebastian and Oscar Do are will not return from their short visit the M-G-M studio until Monday.

Irving Wormser's son, Richard ight his first birthday candle Nov. 25.

Mervyn and Mrs. LeRoy, who have been here for a brief visit, expect to return to the coast Wednesday.

Sylvia Fros, radio singer, has her option taken up by Educational, and will appear in several more shorts.

Dave Palfreman returns from his Mexican trip. He'll be back next month.

C. C. Pettit joins arrives from the coast tomorrow.

Carl E. Milliken left for the coast yesterday to begin a month's tour.

Norman Taurog, Paramount directo arrives from the coast today.
**MOTION PICTURE DAILY**

**HOLLYWOOD PREVIEW**

**"Sequoya"**

(M-G-M)

Hollywood, Nov. 9.—This is an unusual wild animal picture filmed against the beautiful Sierra Mountains with Malibu, a deer, and Gato, a puma, natural enemies, starred. The picture seems destined to be the most outstanding and one of the most talked about. It is a worthy attraction for any theatre.

Essentially, the production maintains the theory that only hereditary instinct causes animal enmity. As exemplified by the pair, adopted in orphaned babied by Jean Parker, the theory is proved. For entertainment it skillfully blends natural drama, comedy, romance, thrills, action, menace and conflict. When, upon maturity, the creatures are released in the forest, they continually befriend each other.

Marked by understandable sympathy-generating humanity, it builds situations so that full value is derived from every element. In the finale, when death from menaces menaces Malibu, the stalking Gato fights the mutual foe to exhaustion and Malibu administers the coup de grace. For an epilogue both gambol in friendly companionship.

Everyone connected with the picture is entitled to plaudits. Chester Franklin's direction, aided by Vance Hoyt, the author, is a triumph of patience and understanding. The screen play by Ann Cunningham, Sam Armstrong and Cary Wilson actually makes the animals human. Chester Lyons' photography is also a feature the patrons will talk about. It may be difficult for some to see this, but once they have seen it, critical praise is sure to come and it will be a great asset. Previewed without a production code seal. Running time, 70 minutes. Classification: "G."

**"Flirting with Danger"**

(Monogram)

Hollywood, Nov. 9.—Handicapped by a slow start and dialogue in keeping, this picture winds up as thoroughly acceptable comedy. Edgar Kennedy and two paste packets to see this, but once they have seen it, critical praise is sure to come and it will be a great asset. Previewed without a production code seal. Running time, 70 minutes. Classification: "G."

**"It's a Gift"**

(Paramount)

Hollywood, Nov. 9.—W. C. Fields wraps this up, juggles it deftly and delivers his laughter package ribonboned with butonnery. Fields, in a broad comedy cartooning the "homo sappo" with his grits of puzzled clowning, rates high up among the screen zanies.

With no story to guide him, Fields gyrates through a series of comic supplement situations of America, embellished with gags riotous with laughter.

Heppeck, sick of running a grocery store, with a dead uncle's legacy he buys an orange ranch in California from a booklet. Arriving by jinny with his family they find only a dilapidated shack. A promoter needing land for a race track purchases it, and Fields sells it at a terrific price. Gags while shaving, gags in the grocery store with Tammyn Young and Baby LeRoy, gags at 4 A.M., trying to sleep, gags on the road.

**What the Symbols Mean**

Reviews classified with a "G" are regarded as suitable for general entertainment.

Those with an "A" are regarded as suitable for adult entertainment.

**Neo Classic Trend Hits Sets—Wilson**

"Eighteenth Century English and Neo Classic styles are now in vogue," according to Albert C. Wilson, in charge of properties and interior decorating at the Warner studios in Burbank.

"Instead of using extremely large sets the trend is for sets with more refinement and intimacy," he said.

Despite the changes, Wilson is here to buy new furniture and oddities for new productions. He said a recent inventory of the stock in the company's property department at Warners have about $500,000 invested. On his way in from the coast, Wilson stopped off at Grand Rapids and Chicago to look over the furniture market. He plans to stay another week in New York looking around before he makes any buys. He has been with Warners 15 years, Wilson stated yesterday.

**Oct. Quigley Award To Robert H. Suits**

(Continued from page 1)

"What Every Woman Knows" did the trick. Suits barely nosed out Sig Soglow of the Methodist-McKee Company for the honors, the latter receiving first mention for his "Riches Girl in the World."" "What Every Woman Knows" did the trick. Suits barely nosed out Sig Soglow of the Methodist-McKee Company for the honors, the latter receiving first mention for his "Riches Girl in the World.""

Honorably mention went to the following:


**Distributor-Carrier Problems Discussed**

(Continued from page 1)

effort to reach an understanding of common problems existing between the two groups.

Problems arising from time to time are discussed between the film carriers and distributors so that a more efficient service can be rendered by members of the National Film Carriers' Assn., Inc., Cooperation between the two groups has been noted at all meetings.

The next meeting will probably be held in three months. At the last meeting James Clarke, president of the carriers group, and representatives of M-G-M, RKO, Fox, Warners, Columbia, M-G-M, Paramount and the Hay office attended.

**Loew Report Delayed**

The annual financial report of Loew's, Inc., is slightly delayed this year. Auditors, however, are working on the report which will be ready by the next couple of weeks.

**Danubia Gets "Rakoczi"**

Danubia Pictures has acquired the American rights to the Hungarian film, "Rakoczi March." The picture will open at the Tobis Nov. 16.
Fight on in Omaha
For Rachman Pardon

OMAHA, Nov. 9—Letters from prominent Omahans, including a former congressman and an ex-police chief, have been filed with the Nebraska Board of Paroles with a request that Fred Rachman, a 58-year-old man who had won his case before the state Board of Paroles, be granted a pardon. Rachman, who is currently serving a 10-year sentence imposed on Jule Rachman, former local theatre manager for the murder of his wife, Sam Goldberg, who had been his business partner.

Rachman shot the brothers in December, 1932, in an argument over business. He pleaded guilty to second degree murder.

Among those asking clemency for Rachman are Eugene Blaser, A. S. C. A. P. attorney; Harry Monks, impartial member of the local grievance board; Rabbi Frederick Cohen; Malcolm Baldridge, former congressman; John Hopkins, recently elected Douglas County sheriff; Harry Travon and Harold Hixen, city commissioners, and George W. Allen, retired Omaha police chief.

It is understood that Mr. Goldberg, manager of the Town and Avenue theatres and brother of the slain man, will oppose clemency. The pardon will be heard on Rachman's case Dec. 12.

Shut Out 2 Magazines

Hollywood, Nov. 9—At a Hays office meeting today publicity directors voted to deny studio cooperation to Movie Humor and Real Screen Fun. The move is allegedly in protest of productions that have semi-nude Broadway chorines. The photographs as they appear in the magazines, it is charged, give the impression that they emanate from the studios. Film Fun was also accused, but, receiving assurances that the publication was being purged of objectionable material, the meeting agreed to place it on probation.

Form 2 Exhibitor Units

ALBANY, Nov. 9—Ajax Pictures Corp. has been chartered to exhibit films. R. M. Savini, J. F. Thomson and John Michelson are directors and subscribers.

Whiteway Enterprises, Inc., also has been chartered to exhibit films, theatricals, etc. J. J. O'Brien, A. A. Ahearn, Leopold Bleich and William Lieber are directors and subscribers.

E. A. McAuliffe Dead

CINCINNATI, Nov. 9—E. A. McAuliffe, widely known exhibitor, died suddenly of a heart attack while in a doctor's office. He formerly was division manager for Fox in the Cleveland territory, and later operated theatres in Dayton, Dayton and Portsmouth, O. His widow and three children survive.

Ivy Lee, 57, Dies Here

Ivy Lee, ace of American publicists, died suddenly yesterday in his 58th year. The end came in St. Luke's Hospital after a long battle with a brain tumor. Surviving are his widow, two sons and a daughter.

Flash Review

I'll Fix It— . . . a well-knit, fast-moving story with both kids and adult appeal . . . Good family entertainment.

This film will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Sharon Gets Excited

SHARON, PA., Nov. 9—Organized at a recent meeting attended by 850 members of the local chapter of the League of Sharon has appealed to the City Council to close theatres on Sundays. Petitions were signed by 1,700 residents are expected to be presented in support of the request.

In the meeting at which the league was formed was called by church leaders when three local theatres which inaugurated Sunday shows two weeks ago refused to heed their plea to close.

Chouinard in U. A. Job

MINNEAPOLIS, Nov. 9—Casper Chouinard, has been appointed office manager of the local United Artists exchange, succeeding Ralph G. LeBlond, who was recently appointed sales manager.

"Band Plays" New Title

HOLLYWOOD, Nov. 9—M-G-M has again changed the title of "The Kid from College" to "The Band Plays On."

Short Subjects

"Laughing with Medbur in Malaysia"

(Columbia)

The latest of the series produced by Walter Futter and written and scripted by John F. Medbury is slightly below the average of this series. The com- ments of Medbury are typical, but the scenes of Malaysia are interesting.

The "A" symbol indicates general entertainment.

What Symbols Mean

The "G" symbol indicates adult entertainment.

"A Little Bird Told Me"

(Radio)

The combination cartoon and straight film with particular appeal to children although the novelty of it might prove wearisome. The reel opens with a shot of a child in the jam jar and his subsequent discovery. When told that little bird told him the rest he is bewildered. Dorothy Appel is this finding out things. The latest of a cartoon, is novel and is likely to be a hit in the trade. Code seal, No. 0164. Running time, 5 mins. Classification: G.

"Path Topics"

(Radio)

The first of a new series, entertaining and up to previous standards of radio of this type. It opens with trip to Canada and the photography here is particularly striking. The audience is the baby elephant captured in the former comedy film by Jay Fassett and scenes of Tuskgee Institute. Highly recommended.

Code seal, No. 0158. Running time, 10 mins. Classification: G.

"Jolly Little Elves"

(Universal)

The failure of the poor cobbler who sold a cold, hungry elf on his last piece of food and was subsequently rewarded with all the elves is told in this Technicolor cartoon. The color work is very good and the musical accompaniment above average. The "dumb song" sung by the elves at the end probably will be hummed at large.

Code seal, No. 265. Running time, 9 mins. Classification: G.

"You Said a Hatful"

(Roach-M-G-M)

One of the funniest of the Charlie Chace series that should please Charlie Chace fans, the gag story is well told and the comedy situations are not overplayed, nor are there any meet meanderings. Dorothy Appel and Oscar Apfel are also in the cast. Code seal, No. 388. Running time, 2 mins. Classification: G.

Para. Holds City Grant

HOLLYWOOD, Nov. 9—Another long term option has been taken by Paramount on the services of Cary Grant

MOTION PICTURE DAILY

Saturday, November 10, 1934

MOTION PICTURE DAILY's

HOLLYWOOD PREVIEW

(Continued from page 3)
Cleveland, Nov. 11.—The Warner Philadelphia plan of designating pictures as adult or family entertainment is being watched locally with only mild interest.

It has long been the practice of Greater Cleveland exhibitors to play "family night" programs on Friday and Saturday. The Cleveland Cinema Club, the P-T-A’s and the picture division of the Federated Women’s Clubs have been in touch with the neighborhood theatre owners for the past five years in establishing family night-weekend programs.

Results have been only fairly satisfactory. While exhibitors gave their fullest cooperation, the neighborhoods, with only a few exceptions, failed to support the shows.

However, exhibitors continue to book their Friday-Saturday pictures with a weather eye on the family trade.

Circuits in Frisco Oppose Film Marks
SAN FRANCISCO, Nov. 11.—Circuits here are not using any symbol method to apprise the public as to whether pictures are suited to families or adults. Several organizations of parents and teachers, however, issue weekly bulletins advising their members on types of pictures and even going so far as to recommend against productions from time to time.

When the symbol method as now used by Warners in Philadelphia was called to the attention of bay region theatre men they all took the position (Continued on page 3).

Freehold Overbuying Case to Be Settled
Walter Reade is setting the overbuying complaint filed against him by the Liberty, Freehold, N. J., Reade operates the Strand in the same city.

Leo Justin of the Reade office tried to straighten the picture situation out at the local grievance meeting last Tuesday, but needed Reade’s official okay before he could give the Liberty the freehold. When Reade has passed on the pictures and when the case is called tomorrow, the litigants will declare the matter settled. Harry Suchman represented the Liberty.

Campi Expenditures Total to $157,019
Operation expense of Campi, its various boards and agencies has totaled $157,019 since the NRA (Continued on page 3).
Insiders' Outlook

THE comparative state of content reigning in exhibition ranks and evidenced by the absence of well-supported crusades and squawks against production and distribution practices of the day is being remarked upon by both distribution executives and officials themselves of those organizations. Not in the memory of any of them, they say, has there been such seeming tranquility among exhibitors as the past season has witnessed. No large group within the industry, they point out, is threatening "to call a cop" to iron out an industry problem, no irate exhibitors are hiring halls in which to raise a national cry against a real or seeming oppression and yell have reduced themselves to peep on the part of those who, rightly or wrongly, are sometimes called the trade's chronic agitators. . .

The reason? Some hold that it is a result of a change in box-office affairs brighter again; that, when the exhibitor's books are balancing in the right direction, the ills of the trade, real or fancied, lose significance. Others will tell you that the code machinery is dispelling many an uprising by removing the cause at the source. Whether this is merely placers or interlude or merely the legendary calm before the storm which may break over what was once called protection but which now has the more gentled name of clearance is something time will determine. Perhaps shortly now. . .

For years, this forum, writing in this space and in other space, has pointed out that protection or clearance if you prefer, is one of the festering sores of the industry; that something had to be done about it; that chiseling on the part of the circuits which act the way they do merely because they are big had to be brought to some sort of a gentle but necessarily gentle; that, if the steps were not taken on the inside, pressure—meaning those Washington "New Dealers"—could be exerted from the outside. The step should be no exclusive with the powerful, granting at once to the comfortably intrenched the fact that they rate more because they own more . . .

Through the ether between London and New York comes the flash, from the inside, that all is not over between Gaumont British and British International. Outwardly, negotiations toward a consolidation have been broken; actually, the line down insist this is not the case at all; that the barrier is under way and that a hitch is the price of $374.50 a share placed by Fox Films and the London office. Sound Consolidated and Bradford Trust, Ltd., controlling company. That would place the Fox end at approximately $8,250,000. Isadore Ostler, on the other hand, thinks to his stock in the same company is worth $625 a share. Denied by the principals, the London trade at large views a deal as inevitable.

How G. B. is working here was detailed to company stockholders at their recent annual meeting when Mr. Kent, con

Eastman Still Soaring on Big Board

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Curb Issues Show Slight Losses

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Pathé Bonds Drop Half Point

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Cleveland Is
Lukewarm on
Film Marking

(Continued from page 1)

so that there are very few kicks even by the most ardent club enthusiasts.

Milton K. Millard, President of the Windamere Theatre, definitely estab-lishes certain days of the week as "type" programs. Familiar pictures were shown over the week-end; sophisticated pictures on definitely established days. The time held true of action pictures.

Patrons of the Windamere knew in advance the type of entertainment they were buying on the specified days. While this was not a 100 per cent policy, due to block booking, it was usually observed.

David Chatkin, head of the circuit in this territory, reports that his Palace, Akron, definitely states in its advertisements what is to be seen is a family picture. He does not, however, indicate when it is an adult picture. Labeling it "adult," Chatkin says, is a "cheap method of exploiting the public for the benefit of the box office."

Nat Wolf, Warner zone manager in Ohio, had no objection to express on the Warner Philadelphia plan as it might affect the Ohio territory.

Circuits in Frisco
Oppose Film Marks

(Continued from page 1)

that such a plan was necessary because theatrical advertisements, publicity and regular critics' reviews gave the necessary information. It is in far more accurate and adequate fashion.

Among the principal organizations here using the symbol method ("A") are: "F" for adults; "F" for families, etc. are the Federation of Women's Clubs of which Mrs. Howard Dixon is the chairman, the theatre department, and the Parent Teachers Ass'n., in which Mrs. Robert Barr is the local chairman. Both organizations issue bulletins at regular intervals.

Campi Expenditures
Total to $157,019

(Continued from page 1)

sanctioned the setup. Disbursements for the month of October were $24,038.01, of which $9,494.79 was for the home office, $2,421.11 for Hollywood, and $12,521.81 for local boards.

According to an official financial breakdown, producers and distributors have paid $100,500 and exhibitors $83,502. New York State income tax collected at source was $189, making the total receipts $184,491. Cash in the bank as of Oct. 31 was $27,171.11.

Ask Campi Advice on Ban
KANSAS CITY, Nov. 1.—Advice of Campi has been asked on the legality of the grievance board's vote banning certain films, and is based on the fact that it was the first city to ban giveaways. Action may be taken by the board tomorrow.

Jersey Allied to Dine

Members of Allied of New Jersey will hold a beefsteak dinner at Henrietta Miller's in Irvington, N. J., on Thursday.

Bay Debenture Issue Blocks
New RKO Loan

(Continued from page 1)

loan with such collateral as that, "Judge Bondy remarked at the time. "Financially, such a procedure may not be possible under the terms of RKO's $1,000,000 debenture issue outstanding. The debentures are second lien on the collateral, securing the gold notes and, in addition, if there is any provision stipulating that RKO can make no loans short of re-securing the debentures in the same or a similar form equal to that posted for the new loan."

This is interpreted in official quarters to mean that a bank would have greater rights than debenture holder if the collateral now securing the gold notes, etc., were treated as the same as the collateral presented practically all of RKO's loans, was to be re-assigned as collateral to take effect little like the method of finding a bank willing to make the new loan on those conditions listed, according to responsible opinion. RKO is under no such obligation. The negotiation for the reduction of interest on the gold notes through Consolidated. However, an agreement recorded by a court provides that RKO may accept retirement of the notes at its own convenience and at the date ending May 1, 1938, being merely the interest. The amount saving emphasized by Judge Bondy, thus may be called a 'Bonds' when his con-undated earnings, to retire the $25,000 obligation in one-half, or as the time provided with collateral with Consolidated.

Skouras Are Sued
On St. Louis Bonds

(Continued from page 1)

he was on trial in various Skouras Brothers theatrical enter-prises here several years ago. In his suit to Heidley sets forth that he was owed six $1,000 second mortgage bonds on the Ambassador, Grand Central and Missouri theatres, and claims he was defrauded by the Skouras brothers and Turkey.

The petition states that the bonds have not been paid in default since January, 1933. He also asks for payment of principal and the accrued interest.

None of the defendants could be reached for a statement. A reorga-nization plan for the theatre properties came effective some months ago.

Premiums Gainin- East States Dealer

(Continued from page 1)

be cast, where the practice is spread-" he told Morroxy Picture Daily. Kansas City, he added, was the only spot in the country where Brown's premium business had dropped off, because of the premium ban which has recently been in effect. Until that development, premiums were gaining everywhere, he said. "The suspension of premiums in Kansas City is only temporary, the situation will correct itself in a few days," he asserted, referring to the efforts of an exhibitor group to declare the ban void.

"Jealousy"

(Columbia)

Columbia has a find in George Murphy, former college athlete and actor, whose only screen experience prior to his role in "Jealousy" has been in a minor part in "Kid Millions." He has some of the dynamic quality of Cagney, and, in addition, is a big, fine-looking fellow who looks as though he could take it—and give it.

Up to the coming sequence, where the director, Roy Neill, begins to extract himself from an impending unhappy ending, the story moves swiftly and has plenty of action and suspense.

Murphy, a boxer, on the eve of an impending fight, finds his sweet- heart, Nancy Carroll, working late in the office of Donald Cook. A mild scene follows. Later during the fight he is knocked out as he glances into the crowd to see Cook and Miss Carroll coming down an aisle.

In the dressing room later, Murphy knocks Cook down.

They marry, though he is broke. Miss Carroll returns to work for Cook. Murphy finds them together and shoots Cook. He is on his way to the electric chair when he suddenly wakes up and finds the referee still counting over him. Then he wins the fight.

The only comedy touches—pretty mild ones at that—are furnished by Raymond Walburn as a lawyer. Arthur Hohl, as Murphy's manager, gives a fine performance. Production Code Seal No. 356. Running time, 591/2 minutes. Classification: "G."

What the Symbols Mean
Reviews classified with a "G" are regarded as suitable for general entertainment.

Those with an "A" are regarded as suitable for adult enter-tainment."

"Green Eyes"

(Chessterfield)

This is passable entertainment for neighborhood houses. Although the film is slavishly fashioned to the formula for mystery pictures, it proves itself a well-crafted and a generally engaging production.

Claude Gillingwater is murdered during a costume party at his home. Being a mean old fellow, it is no mystery that he should be done away with. Finding the guilty one is something else again. In the parade of suspects are Dorothy Revier, Shirley Grey, William Bakwell, Charles Starrett, Alden Chase, Aggie Herring and a few others. Why some of these should have wanted to kill Gillingwater is difficult to fathom.

The police prove slanderheads until Starrett, a writer of mystery fiction, does a little investigating on his own. Through his efforts Dor-othy Revier and Alden Chase, who plays her husband, are uncovered as the guilty ones. Chase, Gillingwater's secretary, was motivated by the need of money to cover up his losses in the stock market with his wife acting as an accessory. Things are made still easier for the police when the two commit suicide. Richard Thorpe directed.

No code real. Running time, 68 minutes. Classification: "G."

"Against the Law"

(Columbia)

In this one John Mack Brown is an ambulance driver who carries self-sacrifice and generosity to the point where he lends his life savings to an intern to get him out of a jam with a crowd of racketeers, despite the fact that the intern is engaged to the girl with whom Brown is in love.

When the intern runs out on a job at a fire, Brown performs an emergency operation. He is disciplined and sent to a receiving hospital for this act, but he still keeps silent. The intern is George Mekker and the girl Sally Blane.

Brown answers three calls in the picture to a gangsters' rendezvous. The film is quite violent throughout. In this one, Brown drives the intern in his own car and pushes him over to make it appear like a motor accident. He wins the girl at the finish.

The story has its moments, and leads up to a good climax when Brown traps the leader of the gang in his ambulance, but audiences given to the droopy type will probably wonder why Brown is not more active in some of the shootings. The story makes Brown a bit too angelic to seem real. Miss Blane is always attractive. Lambert Hillyer has done a good directorial job with story material that is a bit creaky. Production Code Seal No. 291. Running time, 66 minutes. Classification: "G."

(Additional reviews on page 6)
Great Enough for the Music.

HENRY HULL
Phenomenal Broadway stage star of "Grand Hotel" and "Tobacco Road"... Brought to the screen as the memorable "MAGWITCH"!

CHARLES DICKENS'

GREAT EXPECTATIONS

JANE WYATT
Praised by N.Y. stage critics for her current remarkable performance in "Lost Horizons"... Adorable as ESTELLA!

A UNIVERSAL PICTURE • Presented by CARL LAEMMLE • A STANL

OPENS AT THE RADIO CITY A
ALL! Great Enough for you!

PHILLIPS HOLMES

FLORENCE REED

ALAN HALE

VALERIE HOBSON

GERMAN PRODUCTION

STEREIC HALL IN NOVEMBER
London Limit
For Standees
Due on Jan. 1

(Continued from page 1)
be added at the rate of one row for each three feet, six inches of gang-
way.
The actual number of persons permitted to stand must be agreed be-
tween the theatre and the L. C. C. and notices stating the figure promi-
nently displayed.
Dependent upon the Cinematographic Exhibitors' Ass'n, and other theatrical bodies failed to obtain any alteration in the new rule.

* * *
London newsreel theatres will number 10 at the beginning of 1935 and four or five others are planned.
British News Theatres, controlling existing establishments at Waterloo and Victoria, plans further buildings at all London railway termini.
Fifteen provincial newsreel theatres are set for Manchester and Glasgow.

Studios Gain; 35
Features in Work
(Continued from page 1)
a total of 41 features and 19 shorts were reported.
Paramount heads the list with six features in work, four preparing and three editing: Warners have six, two and six; Universal two and three; Fox, four, four and three; Columbia, four, four and two; M-G-M, three, four and two; RKO, two and five; Century, one, zero and one; Roach, zero, zero and one, while the independents have four, three and six. In the short subject field, Fox has one before the cameras, three preparing and two editing; Radio has one, two and five; Universal, one, two and two; Roach, zero and zero, while the independents report two, three and five.
Kuykendall Pleased
By Sinclair Defeat
(Continued from page 1)
observed on Saturday that exhibitors, as such, should interest themselves in politics only in defense of their business against unfair legislation and the incursions of "professional reformers."
"We know," he said, referring to Sinclair's oratory for exhibitor cam-
paign assistance, "that no intelligent aid in industry affairs can be given by profession unless the individual help is just a hint to entice one industry element into a political controversy on their side."

Books Holiday Films
Howard Collman has booked Uni-
vision's "Limited Life" for Christmas; "Bring Back the Ace," at the Roxy and has signed for Radio's "Anne of Green Gables" for Christmas week.

"Babes in Toyland"
(Roach-M-G-M)
Hollywood, Nov. 11.—Hal Roach, with an expert showmanship eye, has produced a smashing box-office feature from Glenn McDonough's stage play interspersed with Victor Herbert's tuneful music. It is highly entertaining and imaginative, assembling all the thrilling characters from the "Mother Goose Rhymes."
There is Stanley Dunn and Oliver Dee (Laurel and Hardy), and Little Bo Peep (Charlotte Henry), and newcomers Felix Knight as Tom Tom the Piper's Son and Barnaby (Henry Kleinbach), from the Hollywood version of "The Little Red Riding Hood and all the others, not forgetting the Three Little Pigs.
Dramatically, with sustained interest and with well-built suspense tuned with hearty laughter, it spins the fairy tale of the love of Tom Tom and Little Bo Peep, a pigment ripened by time. There is Barnaby, the villain, who wants the girl or he will foreclose the mortgage. Separated by said villain the lovers are caught in his clutches but he is foiled by Dunn and Dee.
It's gorgeous fun and those two marvelous dopes Laurel and Hardy are just that. Good, too, is Charlotte Henry with Felix Knight of pleasant voice and person.
High spot of hilarity is the trick marriage between Dunn and Barnaby. The big thrill is the march of the wooden soldiers with the routing of the hay boy men at the finale.
The production is all that can be desired with the cast good throughout.
The photography of Francis Corby and Art Lloyd is fair.
Gus Mein's and Charles Roger's direction has originality paced for laughter and suspense. Frank Butler and Nick Grinde did a swell job of the screenplay.
Youngsters, no matter what age, will get a big boot out of this fantastic tomfoolery. In fact, it looks like a toss up as to who will take who, the children the parents or the parents the children.
"Babes in Toyland" seems set for a cleanup for the holidays or any other day.
Production code seal, No. 401. Running time, 72 minutes. Classification: "G."

"The Silver Streak"
(Radio)
Hollywood, Nov. 11.—This one is the first film dealing with the Bur-
ning of the trolley train and its Am-bas-
sador Missouri in extending matinee prices from 6 P.M. to 7:30 P.M. Members of the M. P. T. O. unit have been given an assimilating, assimilating effect.

Warners Promise No Late Matinee Scale
St. Louis, Nov. 11.—Warners will not follow the lead of the Ambassador and Missouri in extending matinee prices from 6 P.M. to 7:30 P.M. Members of the M. P. T. O. unit have been given an assimilating, assimilating effect.

Bernerd Bringing Eight
When Jeffrey Bemerd, general man-
ager of Gaumont British, returns from England late next month he will bring with him eight new releases, the final half of the company's program for 1934-35.

Hornstein on His Own
Joseph C. Hornstein, who has re-
signed as purchasing head of Warners and president of Continental Theatre Accessories, will reopen the independent theatre equipment field on his own. Herman Maier, head of War-
ers construction and maintenance de-
partment, will add Hornstein's former duties to his own.

New Mexican Film Rules Being Drawn
(Continued from page 1)
it to the National Legislative. The legislators are expected to act on the measure by the end of the year.
It is learned that the measure in-
corporates features of laws in effect in provinces that are objectionable because of their exaggerations, treatment, etc.
It is expected this phase of the mea-
Sure will strengthen the present law which forbids showing of any picture that smuts, belittles or otherwise offends Mexican, Mexicans and their manners and customs or those of any friendly country. Producers in and out of Mexico will be duly advised as to whether this country deems ob-
jectionable.
Film, disc and other imports will be handled through a procedure that the department will have sole supervision and that its approval will allow exhibition in all parts of Mexico.
At present, importing is supervised by various governments, a situation that is making importers both grey-haired and lean, owing to the amount of running around they have to do.

Purely Personal
JOHN RIESENFELD of the Mac-
Fadden women's group has been

assigned to the New England territory in the place vacated by the transfer of WILLIAM CARLISLE to the home office.
BRONISLAVA NIZHELSKA, who has been assigned to "A Midsummer Night's Dream," arrives from Europe Wednesday on the Chandl

CHARLES ROSENZWEIG, general sale manager, and JULIUS CHAPMAN, his assistant, are now in Boston on their tour of First Division exchanges.
FRANK K. SPEIDELL, head of the industrial division of Audio leaves for his second trip to the coast some time this week.
ADOLOF R. AYLES, picture controller, and JULIUS CHAPMAN, his as-

sistants are now in New York on a

trip round the country.
SCHLESINGER, who has joined the company since the sale for home Nov. 13 on the Santa Rosa.
MRS. HENRY RANDEL is recuperat-
ing nicely at the Women's Hospital on the coast.
SOL and MRS. LESER left for the coast yesterday. They plan to be back
again in about four months.
BARRY KENT arrives on the Berengaria.
CHARLES L. O'REILLY is in Boston on business.

THOMAS and MRS. MEIGHAN are en-
tre to Pasadena for a vacation.
JOSEPH BERNHARD

Operates

378 theatres,

spends millions

annually for film,

accessories and

equipment.

He reads

MOTION PICTURE

DAILY

The Industry Buying Power Reads

MOTION PICTURE DAILY
“One Night” Washington’s 2nd Week Hit

WASHINGTON, Nov. 11.—“One Night of Love” was the outstanding attraction here during its second week at the Metropolitan where it again topped the gross by a wide margin. The $7,000 take was over $3,000 higher than during its first week.

“The Last Gentleman,” with a stage show at Loew’s Oxygen garnered $2,100, only slightly below the $2,180 for the debut.

“The Scarlet Empress” took a nose dive, despite fine newspaper reviews. The $15,700 was $1,900 below the profit line. Business was off generally.

Total first run business was $56,400. Average is $7,100.

Estimated takings, exclusive of tax, for the week ending Nov. 1:

- **THE SCARLET EMPRESS** (Para.) 
  Average, $2,948.20. Stage: J. Harold Murray, Sara Milord Strauss, David Manton, Donald MacBride, Virginia Wedell. Gross: $15,250. (Average, $1,155.66.)
- **PURSUED** (Fox) 
- **THE LAST GENTLEMAN** (Warners) 
  Average, $2,702.64. 25c-40c, 7 days. Gross: $18,918.48. (Average, $2,628.35.)

Bottom Drops Out of Takes in Pittsburgh

PITTSBURGH, Nov. 11.—The bottom seemed to drop out of everything可怜的匹茨堡人 to hold the spotlight. With a $10,000 gross, it broke the second week record by $1,300 at $8,700. The Case of the Howling Dog” with $3,800, went $800 over the Allen Theatre average. “Cleopatra” held to the house average of $2,300. And stage show was a handicap to “Lady By Choice” at the KDKA. There was a dead drop in business at the neighborhood house. The weather was very stormy, with first snow of the season.

Total business was $41,800. Average is $4,100.

“Divorcee” 2nd Week Wow in Cleveland; Gets $10,000 Gross

CLEVELAND, Nov. 11.—The Gay Divorcee” in its second week at the Hippodrome continued to hold the spotlight. With a $10,000 gross, it broke the second week record by $2,300 at $7,700. The Case of the Howling Dog” with $3,800, went $800 over the Allen Theatre average. “Cleopatra” held to the house average of $2,300. And stage show was a handicap to “Lady By Choice” at the KDKA. There was a dead drop in business at the neighborhood house. The weather was very stormy, with first snow of the season.

Total business was $41,800. Average is $4,100.

Estimated takings for the week ending Nov. 2:

- **CASE OF THE HOWLING DOG** (Warner) 
  Average, $3,800. (Average, $530.)
- **THE GAY DIVORCEE** (Radio) 
  Average, $3,800. (Average, $530.)
- **WARRIERS** (150th) 
  Average, $3,800. (Average, $530.)
- **SOVAN CHOICE** (Col.) 
  Average, $3,800. (Average, $530.)
- **ROLPA** (150th) 
  Average, $3,800. (Average, $530.)

LOEWE’S STATE—(3,490) 25c, 6, 7 days. Gross: $11,000. (Average, $1,571.)

**CLEOPATRA** (Fox) 
LOEWE’S STILLMA—(1,050) 25c, 6, 8 days. Gross: $4,800. (Average, $600.)

**LEMON DROP KID** (Para) 
LOEWE’S STATE—(346) 25c, 6, 8 days. Gross: $4,800. (Average, $600.)

**DIVORCEE** 
Estimated for the second week $12,300.

**LEMON DROP KID** 
Estimated for the second week $12,000.

**GREAT woman of a tax** 
Estimated for the second week $12,000.

**ONE NIGHT** 
Estimated for the second week $12,000.

“Adventure,” Cantor Lead in Philadelphia

PHILADELPHIA, Nov. 11.—Eddie Cantor’s personal appearance at the Earl, along with Rubino, sent the gross soaring to $31,000. It was the lastest figure of three personal appearances in the last three years, but everybody was satisfied. “One Exciting Adventure” was split to $14,000, and the usual gross for its second week. It held for a third week. The Gay Divorcee” took $13,500 at the Stanley and stayed second week.

Total first run business was $94,300. Average is $8,260.

Estimated takings for the week ending Nov. 8:

- **TRANSATLANTIC MERRY-GO-ROUND** (USA) 
  Average, $7,000. (Average, $7,000.)

**DIVORCEE** 
Estimated for the second week $12,000.

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“Happiness,” Show Gross $11,000, K.C.

KANSAS CITY, Nov. 11.—Return engagement of vaudeville show to the KOKO for the second week above par for combination bill $2,000. The screen feature was “Happiness.”

“Cleopatra” won the honors at both house, with $8,700 in eight days, $1,000 better for average than the previous week.

First total run business was $38,300. Average is $3,700.

Estimated takings:

**ONE NIGHT** 
Estimated for the second week $12,000.

**DIVORCEE** 
Estimated for the second week $12,000.

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Estimated for the second week $12,000.

“Divorcee” Is Frisco Smash; Gets $19,500

SAN FRANCISCO, Nov. 11.—“The Gay Divorcee” was a $19,500 sensation at the Golden Gate last week. We held over and may get a third week. This was the first week. It was just a film, with a dual, “One More River” and “The Human Side,” the only pair at $9,000 at the Orpheum.

First total run business was $93,500. Average is $8,300.

Estimated takings:

**DIVORCEE** 
Estimated for the week ending Oct. 30:

- **DIVORCEE** (Radio) 
  Average, $8,300. (Average, $8,300.)

**DIVORCEE** (Radio) 
Estimated for the week ending Oct. 31:

- **CASE OF THE HOWLING DOG** (Warner) 
  Average, $8,300. (Average, $8,300.)

“Person” for Astaire

HOLLYWOOD, Nov. 11.—The Samuel Hopkins Adams story, “In Person,” has been chosen by Radio as the next vehicle for Fred Astaire. The decision is now working on “Roberta” with Irene Dunne and Ginger Rogers.

Order End of Utica Cuts

ALBANY, Nov. 11.—A reduced admission complaint filed by the Utica Theatre, against Wainers’ Colonial, that city, has been upheld by the grievance board and a stop order issued.
New Tax May Mean U. S. to Quit Berlin

Joyce Slashes Para. Lawyers To $370,000

Calls for $350,000 Cut in Amounts Sought

Recommendations for the payment of allowances aggregating approximately $500,000 for services rendered in the Paramount Publick bankruptcy proceeding are contained in the report of Special Master John E. Joyce, which will be filed in U. S. District Court here this morning.

Joyce's recommendations represent reductions totaling about $350,000 from the original applications for allowances filed by the Paramount trustees, their counsel, Root, Clark, Buckner & Ballantine, additional special counsel and accountants. The total of allowances asked was approximately $720,000.
The Root, Clark, Buckner & Ballantine application for an allowance (Continued on page 4)

Poster Men Discuss Plans for New York

Eastern executive committee of the National Poster Protective, Ass'n., held a secret meeting last week at the New Yorker to discuss plans under way for branching out into other fields. About 12 attended.

While no action was taken, the committee returned to their respective territories to give further study to the ideas in mind. It is understood that another meeting is slated either late this week or next, which will be attended by representatives from all over the country. Strict secrecy is being kept on anticipated moves.

Setznick Replies to Resignation Report

Hollywood, Nov. 12—Reports that he would leave M-G-M upon completion of his contract with the studio to become associated with John Hay (Continued on page 2)

K. C. on Edge About Moves On Clearance

KANSAS CITY, Nov. 12.—If Campi at tomorrow's motion picture order, modification of Kansas City's clearance schedule, as appears likely, the action is expected to cause an upheaval among some exhibitors who have already contracted for new product.

The reason is practically everyone here was so confident the new plan would receive Campi's O.K. that many subsequent, who are directly affected, entered into contracts with the new schedule incorporated. Exhibitors believe that in event the clearance set-up is rejected or changed, this would void their contracts.

Because new season product is beginning to flood the market and last year's pictures will have run (Continued on page 4)

K. C. Giveaway Ban Ends: Plan New Poll

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The decision held the unaffiliated exhibitors' petition asking for the ban to be upheld (Continued on page 2)

Walking Day Moves Setup in Fortnight

Hollywood, Nov. 12—I am happy to find that reorganization of Paramount has reached the final stages with actual plans to be announced within a fortnight," declared Emanuel Cohen upon his arrival from New York. In Albuquerque, he merely told Motion Picture Daily reorganization would bring about no change in

(Continued on page 3)

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What the Symbols Mean

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a strong arm, conspire to make the country enter a war, using a manufactured slogan, “Save Our Country’s Honor.” When the news breaks that the President is kidnapped, the gang is stymied by national attention switching from the international conflict to the hunt for the Chief Executive.

The imposing cast includes Edward Arnold, Arthur Byron, Paul Kelly, Peggy Conklin, Andy Devine, Janet Beecher, Osgood Perkins, Sydney Blackmer, Edward Ellis, Irene Franklin, Charles Grapewin, Roland Russell and others.

William Wellman directed from the screen play by Cary Wilson and Cedric Bar. Bernard McGill’s good photography is aided by fine montage work. Hugo Riesenfeld’s music augments it.

Elmer Clifton, a blend of the romantic and the macabre, in the film, has showmanship values of an exciting central theme and thought-provoking realities.

Bound to stir plenty of talk, the production of this fair, it gives itself a flying start at the box-office. Produced without production code seal. Running time, 85 minutes. Classification: “G.”

Selznick Replies to Resignation Report

(edited from page 2)

White response was made by David O. Selznick today with the statement that he had no idea what course he would follow when the agreement expired on March 1, with whom he would not commit himself on the report mentioning his name with that of Whitney, the two have been known to confer on every one of the latter’s visits to the coast.

At present Selznick is finishing “David Copperfield,” with “Vanessa,” “Reckless,” and “Piccadilly Jim” in work. Following these he is slated to produce “A Tale of Two Cities,” “Hell Afloat,” “The Brave Live On,” and “Anna Karenina.” It is problematic whether he will have completed by the time his contract expires, although he is working to that end.

Columbia to Confer On Capra’s Latest

Columbia is so excited over preview reactions to Frank Capra’s “Broadway Bill” that all eastern branch managers have been summoned to New York for conferences Friday and Saturday. The gathering will be held at the St. Moritz. Abe Montague, general sales manager, will preside and sales, advertising and exploitation will be discussed.


Similar conferences will be held in the middle west and south.

Bishops to Meet

Washington, D.C., Dec. 7—One hundred and three bishops representing all Catholic dioceses in the United States, are assembling here for a four-day conference beginning Tuesday. The conference will be held at the Catholic University.

Change in Locow Meeting

Annual meeting of Locor, Inc., has been changed from Dec. 11 to the second Tuesday in December, effective in 1935. Stockholders of record on Nov. 15 may vote.
onde...brunette...and red heads! One hundred honeys who make up the world's most gorgeous song, dance and cheering section in any college stadium! They're the babies who cheer and get cheered in Paramount's musical romance of fun and football in and out of college!

COLLEGE RHYTHM

DE PENNER • LANNY ROSS • JACK OAKIE • HELEN MACK
YDA ROBERTI • MARY BRIAN • GEORGE BARBIER and the All-American Co-Eds

Paramount Picture directed by Norman Taurog with plenty of words and lots of music by Gordon & Revel
K.C. on Edge
About Moves On Clearance
(Continued from page 1)
been exhausted in six weeks or so, the trade is wondering what is going to happen. The understanding prevails the schedule will hold until the modification operated by Campi become effective.

W. D. Fulton, who heads a group of independent Coty exhibitors setting the proposed schedule, has wired Campi objecting to the action of exchanges in making the new plan effective before any action by the higher body. His wire stated this action automatically denies the exhibitors' right of appeal, that subsequent are out of last year's product and an immediate decision is vitally imperative.

Fulton claims the exchanges' position is that since no clearance has been approved by Campi, they can sell until their own provision until a schedule is definitely set, in which event any plan finally adopted will supersede terms written into pacts. How companies are understanding the new clearance schedule for Kansas City and the clearance territory.

An exchange this plan two plan enforces either, which stipulates that the court may fix fees for trustees which appear reasonable and good. Counsel for Paramount creditor groups opposed this view. Joyce's ruling is reported to be the first to be handed down on this point since enactment of Section 77-B.

Joyce recommended an allowance of $125 for Rosenberg, Goldman, Colson, counsel for Paramount Publics, as compared with the $7,500 asked. This is to advise him of the same objection of the court. Last week, he decided the case by granting to the court and on Cohen, I approached the Paramount trustees and bankers and gave them my opinions on Cohen. That's as far as I will go.

In the meantime, the studio is "burning" over the local publication which radical legislation of clearance. The Paramount production staff staged a real surprise "welcome home" party for Cohen at his home last night and brought their own." (Continued from page 1)

Cohen, Happy, Sees New Para. Setup in Fortnight
Joyce Slashes Para. Lawyers To $370,000
(Continued from page 1)
the production setup and would keep Adolph Zukor as president of the company. He became more definite as he traveled west, however, and named the administration.

On the other hand, Cohen was somewhat perturbed by the local publication statements linking his name with Cecil B. DeMille's in a plan to assume control of production. There have been many stories rumoring in the last few months that, if all were clipped together and read in continuity, we would all be doing some sort of arrangement linking the actual course Paramount is following during its reorganization.

Commented DeMille: "The published story of the decayed, almost blood-curdling plot to get control of Paramount production is a grossly ridiculous rumour. The seemingly reports have made me head of production three times this year which is a job I do not want. Possibly these rumors cropped up when, on hearing other reports that there were some in the office studio and on Cohen, I approached the Paramount trustees and bankers and gave them my opinions on Cohen. That's as far as I will go.

In the meantime, the studio is "burning" over the local publication which radical legislation of clearance. The Paramount production staff staged a real surprise "welcome home" party for Cohen at his home last night and brought their own." (Continued from page 1)

Zukor Stays in New York
& Occasional Trips for New Plans
for Clearance. Zukor also said Paramount to be made under its banner.

Hartnick also dispelled rumors that "Movie Queen and "Marie Antoinette" might be Davies vehicles, saying that they were the property of M-G-M.

Warner Zone Heads
Gather Here Today
Zone managers of Warner Theatres will hold their quarterly meeting today at the home office. Joseph Bernhard, general manager of Warner theatres, will preside.

Among those who will address the session are: I. J. Hoffman, J. Stewart Gallaud, M. H. Pollak, J. W. Bond, Ted Shangler, Mort Blumenstock, Leder Krieger and Frank Phelps, all from the home office.

In addition, it is expected that John C. Rankin, Chicago; Nat Wolff, Cleveland; B. E. Hoffman, New Haven; Don Jacocks, C. W. R. Glenden, Chicago; Edward Schlesinger, Philadelphia; Harry Kalmine, Pittsburgh; J. J. Payette, Washington; David E. Wexner, Milwaukee; Herbert Copeland, Atlantic City, and Howard Waugh, Memphis.

Purely Personal
SI SEALDER and Oscar Deen have a hectic time in Hollywood, but it was all business. They spent most of their time in the projection room looking at new M-G-M product.

IAN HUNTER, English stage and screen actor, is expected to arrive at the coast shortly to report for Warner.

SAM BRISKIN is on the way back to Hollywood via the Canal. The original sailing date was today, but he sailed Saturday.

HOWARD S. CULLMAN leaves for Washington tonight to attend conferences on unemployment insurance legislation.

DAVID LOEW returns from White Sulphur Springs early tomorrow.
Expect Catholic Bishops Will Approve Continued Film Watch

Washington, Nov. 13.—Continual watch to see that films maintain the standards which they have reached as a result of the Legion of Decency drive is one of the topics of a report to be submitted to a conference of 70 Catholic bishops now under way here.

The report will come from a special committee appointed last season. It will be presented tomorrow.

While the conference is executive, it was indicated that the committee has watched the campaign against allegedly indecent pictures and is impressed with the power of its efforts in eliminating undesirable factors. It is anticipated that the report will stress this point and comment favorably upon the results achieved in last summer’s campaign. It is not expected that continuation of the campaign will be recommended, but that, rather, the church organizations will continue to watch pictures to see that the industry’s promises are fulfilled.

Equity Decides to Allow Guild to Get Own Charter

Screen Actors’ Guild will become a chartered unit of the Associated Actors & Artists of America, rather than an affiliate of Actors’ Equity, under plans furthered yesterday at an Equity council meeting attended by Kenneth Thomson, Guild secretary, and Laurence W. Bellonce, counsel of the Screen Writers’ Guild.

The Equity council voted not to oppose the Guild’s application to the A. A. A. C. for a charter covering the film field. The A. A. A. C. is the international actors’ organization which exercises jurisdiction over the entire amusement field for the American Federation of Labor.

Issuance of a charter to the Guild would place it on a par in A. F. of L.

See Further Delay On Para. Bank Suit

Further postponement of the Paramount Public Trustees’ action against the $3,120,000 creditor bank group is anticipated at the hearing scheduled for today before Federal Judge Alfred C. Coxe, due to the still incomplete status of the reorganization plan fostered by the principal Paramount creditor, delinquent and stockholder groups.

Pressing of the trustees’ action for a preliminary examination of officers of the bank failed to produce any details of the $3,120,000 Film Productions.

Harry Shaw to Run Loew’s Poli Group

New Haven, Nov. 13.—Harry Shaw is taking over the supervisory reins of Poli in New Haven and Louis Sagal will have charge of releases and leases under a revised setup of the operatins department. Shaw is the home office executives.

Shaw is Loew’s man and Sagal represents Sylvester Z. Poli. Several changes in the managerial line-ups have been made and are now in effect.

Clearance Is Sent Back to Kansas City

Schaefer, Golden Going To Confer on Changes

After spending an entire day discussing the Kansas City clearance and zoning plan, Campy yesterday returned the plan to the local code board and exhibitors for modification. That this would be the case was indicated by a report in MOTION PICTURE DAILY on Nov. 6.

George J. Schaefer, chairman of the national clearance and zoning committee, and Edward Golden, alternate for W. Ray Johnston, independent Campy member, were appointed yesterday as a committee of two to visit Kansas City and try to straighten out the week’s problems. They leave today and will hold sessions with the K. C. code board and local exhibitors on Friday and Saturday. Schaefer and Golden will report back to Code Authority at its meeting on Nov. 22.

Schaefer presided at yesterday’s session and the fact that he elected himself as one of the two men to go here.

K. C. Hails Mission Of Schaefer, Golden

KANSAS CITY, Nov. 13.—That the dispatching of George J. Schaefer and Edward Golden to this city by Campy is a good move which will probably result in ironing out differences between the local clearance and zoning board was the consensus of opinion of members of the latter group today.

Information received here is understood to be to the effect Campy favors geographical zoning instead of clearances based on admission as championed here. It is believed the plan to be accepted by the Campy board.

The Leading
Daily
Newspaper
of
the
Motion
Picture
Industry

OL. 36. NO. 115
NEW YORK, WEDNESDAY, NOVEMBER 14, 1934
TEN CENTS
Insiders' Outlook

THE merits of the who and what in the next few months have yet to be determined. What worried some of your best known executives until it was determined a few days back was the refusal of the United States Supreme Court beyond which there is no legal redress to review the findings of the lower federal court on the American Tri-Ed decision. The court has frequently in that august, black-robed body of eminent jurists reversed itself, yet it has done exactly that in this instance.

Another way of putting it would be to say that the door, once slammed shut and bolted, is no longer shaky, but stretching a point, slightly ajar. Who owns the double printing and flywheel patents may remain to be seen, but at least, the issue is to be argued again. That shuddering Hill Fox back a peg or two. It also makes the majors breathe easier, hold fewer meetings at the Hays office, and by the same token, permits a more normal conduct of routine business.

Indicative of how the wind has shifted is the understanding, based on something beyond a mere promise, that there will no longer so avid about the flywheel substitute in its re-producing equipment. This is not to say, or to imply that for that subject is not rating and getting serious consideration, for it is. But the dopedest indicates no more substitutions are being installed beyond the several now being tried out in Northern Jersey theatres.

How Erpi feels in the matter is identical with the position of its licensed companies and that, in turn, means some big fellows like Metro, Paramount, Fox, U.A., Columbia, Universal and Warners. All reactions being relative, you will be surprised to know how comparatively light-hearted certain executives in these organizations have turned since November 5 when the Supreme Court wasn't. They weren't decided it would.

Whether or not it actually is in Fox's mind that is laid at his door or whether the remaining majors construe it that way becomes a matter of conjecture. However, one of the most interesting of the paragraphs in the briefs prepared and submitted to the Supreme Court asking for the right of review which subsequent was extended seeks to make a differentiation between a machine and the product of that machine.

It rates attention. From the brief, it trails the sentence from the text:

"Moreover, the respondents are seeking to extend the asserted monopoly of their patent which is for a machine, to cover and control the unpatented product of the machine, specifically asking, in the bills of complaint filed since the denial of the original petitions by this court, for an order compelling, inter alia, the distributing, etc., film sound records produced in infringement of, or in the course of infringement or contributory infringement of, the aforesaid Letters Patent for which is for the machine, not the records and all duplicates or sound records made therefrom and ask that the suit already produced be delivered up 'to the court for destruction.' Such an injunction would result in destroying the valuable library of film which each producer has made, at large expense, in the past."

MOTION PICTURE Daily, (Continued on page 11)

Most On Big Board Take a Loss

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Warner Bonds Drop Half Point

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Wednesday, November 14, 1934

NICHOLAS SINGAEVSKY, who is on his way to report on the Warner studio; FELIX FEYFAL PARRILL, London theatrical manager, and REGINA OPOCKINSKA, arrive here today on the Chaplin. E. H. GOLDBINE, vice-president of Majestic at Cincinnati and plans to visit a few other franchise holders before returning to New York.

FRED QUISEBY returns from coast in about four weeks. He's not at the M-G-M studios confering with short subject producers.

BASIL WOOG'S biography, "The Rev. Sarah Bernhardt," has been purchased by Paramount and will be filmed as "The Divine Sarah."

NICHOLAS M. SCHRECK braved the snow flurry yesterday morning and walked from his home to work on the Grapevine.

SAM COCAIS returned yesterday from his about eight days visiting his daughter, Virginia, student at Wellesley.

TOM Murray left for Lake Placid for a hunting trip, to look after his boss, A. A. Schwartz, He'll be gone a few days.

HARRY EDINGTON and his wife are on vacation at Cape May, New Jersey yesterday, their last trip from the coast yesterday, but has been delayed until Friday.

OURNEY TETTERT, formerly Y. M. C. A. speaker man and now a comic strip writer, is stopping with H. Lombardy.

RENE HUBERT, Fox wardrobe head was out yesterday for some time studying style trends, arrives today route to the coast.


SINDEY SAMUELSON has bought plans for a play called "Reel," the first time in a number of years.

HELIODORA GARCIA, of Havana Teatro Nacional, has left here to take another tour here to home after a four weeks visit.

WILLIAM VINCENT, radio star, has been signed by Educational to play opposite SYLVIA FOX in a two-reel comedy.

WILLIAM J. JOHNSTON and FORREY HALSEY have closed their first original, "The Crossing," to Universal.

WALTER EBERHARDT is torn between Miami, Pinehurst and Bermuda on that vacation of his.

SPYROS KOVAROS will go to the coast sometime next month on F. C. F. reorganization.

QUEENA MARIO'S yacht, "Murder, The Opera House," has been bought by M-G-M.

MAURICE CHEVALIER is on his way to report on the Winter Garden's part in the 19th Century's "Folies Bergere de Paris."

EDWIN CANTOR will sail Dec. 1st, the Ray for a vacation in Europe.

VINCENT STABBETT's "Recipe for Murder" has been sold to Fox.

J. P. McEvoy has sold "One Boy and Happy Family" to Paramount.
ANOTHER BELL RINGER FOR LEO!

it's BILL POWELL-MYRNA LOY in "EVELYN PRENTICE"

that's burning up the wires with news of a new M-G-M box-office smash from coast to coast! Held Over 2nd Week Capitol, N.Y. You're next!

(An M-G-M Cosmopolitan Production with Una Merkel. Wm. K. Howard, Director. Produced by John W. Considine, Jr.)
Clearance Is Sent Back to Kansas City

(Continued from page 1)

Kansas City is an indication that Campi means business. A real effort is being made to get the plan in operation by Dec. 1, it is stated, but whether this will be the case depends largely on how the distributors react to modifications suggested by Code Authority's representatives. Campi is hoping that the Kansas City motion picture managers see the distributors' views and set up a precedent for the country.

K. C. Hails Mission Of Schafer, Golden

(Continued from page 1)

Schafer-Golden mission is to explain Campi's position and determine why the local board is not reconciled to the Authority's views.

The board may call an open meeting of exhibitors and distributors to give the Campi emissaries the benefit of their views. Schafer, of course, does not know for sure whether or not he has the backing of the local directors, but those who have expressed the suspicion that distributors are opposing the new zoning schedule because they want to institute bargaining for protection said he was glad the Campi representatives were coming, as it will give them an opportunity to become familiar with local exhibitor problems, for which a solution is sought in the schedule submitted to Campi.

Defer Fox Met Plan

An extension of 30 days in which to endeavor to complete a plan of reorganization for Fox Metropolitan, it was reported yesterday by Federal Judge Julian W. Mack. The extension came as a result of the petition of counsel for the committee, who reported that, while some progress on the plan had been made, additional time was required for pending details.

To Aid IATSE at Studios

Los Angeles, Nov. 13—President George Browne of the I. A. T. S. E. today revealed the appointment of Steve Newman, member of Local 37, as international representative with re-building of the organization's power at the studios as its first duty. Newman will have complete supervision of all local work until this task is done. Hereafter the various local chapters have operated independently of one another.

Harrison to Coast

P. J. Harrison, editor of Harrison's Reports, leaves for Hollywood Tuesday on a combination business and pleasure trip.

He says the primary purpose is to discover, if he can, why better pictures don't come along more often.

To Show "The Battle"

Leon Garganoff will be host at a showing of "The Battle" in the grand ballroom of the Aladdin-Astoria, Nov. 20.

Just a Stipulation, But It Stirs Up Legal Minds

David M. Loew returned from White Sulphur Springs post haste yesterday to defend a suit brought by Arthur Loew, in the role of attorney, Loew convinced Sam Rhonheim, the complainant, that the Bayside Theatre in New York was not the theatre where the Loew case was reached to withdraw the action. Then the fun started.

Frauinger, member of the plaintiff's bar, was preparing to quip. Nizer insisted on adding a stipulation to the withdrawal, which was objected to by Max Albert, Esq. for the complainant. Nizer wanted to add "without consideration." Albert didn't like the idea. Nizer's counsel, Albert, objected and then Nizer asked Rhonheim if it weren't true that no consideration was to be given. Albert told Rhonheim that if he answered he would resign as attorney. Rhonheim said he wouldn't walk off on a hunch.

It looked as though the case might go on for trial. Nizer wanted to try and get away with a maneuver by submitting his own counsel to answer Nizer's question, without advice of counsel and then Albert following a similar ploy, Nizer didn't know where it stood. Jack Bellman, chairman, suggested that the litigants go out and get together on the terms of withdrawal. In the meantime the board went into executive session to discuss the case. Nizer and Albert then came out with an agreed upon stipulation to the withdrawal, with the terms both attorneys wanted.

In the overbuying case previously to the stipulation argument, the board decided without prejudice to a complaint of the Plaza, Freeport, L. I., against the Grove and Freeport, Freeport, L. I., a temporary restraining order was granted.

Before Loew was aware of the withdrawal of the Electra complaint, he excited to Leon Rosenberg sitting in place of an affiliated exhibitor. Before Max Fellerman of RKO came over, Nizer told the board: "I will John Thorne, He's the conduit of Code Authority."

That got some of the boys and they asked about at a banquet at the hotel, explained as follows: "Films is the pipe through which Code Authority information flows."

It is uncertain as to whether the unbalanced representation could be objected to and called upon to report the deliberation on Kansas City's clear- ance and zoning problems. Campi's associates are presenting a national view and since it required much more time to discuss the matter than the members cared to give it yesterday.

Gaumont Gets K. C. Spot

KANSAS CITY, Nov. 13—Gaumont British is assured the Fox Uptown as its first run outlet in Kansas City, as a result of a deal negotiated by George Weeks, general sales manager, with Fox Midwest. "Chu Chin Chow" is set to open at the Uptown shortly after its opening at the G. B. St. Louis.

The local G. B. sales staff has been increased to three by the addition of Rube Melcher, formerly with Warners.

Weeks Appoints More

George Weeks, general sales manager of Gaumont British on a tour of key cities, has appointed J. L. Frisch, sales manager for Dallas and Jack Groves salesman. In Buffalo Sam Levine has been made booker-salesman; in Pittsburgh George Wheeler has been given a similar post and in Oklahoma City H. Russell Gaus has been appointed salesman.

Weeks Is On Coast

LOS ANGELES, Nov. 13.—George Weeks, general sales manager of Gaumont British is busy working out the details of his sales setup here at the Fox exchange. He also intends to close a deal with F. W. C. for Gaumont British bookings before heading north to San Francisco, Portland and Seattle and east to Salt Lake City and Denver.

Lighten Balcony Duties

LONDON, Nov. 13. (By Cable)—Maurice Osterr will take over the balcony management in all British studios. The move is designed to relieve Michael Balkon from all other duties except those directly concerned with production, which is in complete charge of studio activities.

Equity to Let Guild Obtain Own Charter

(Continued from page 1)

ranks with the Cable Alliance. A recent meeting in the latter organization would have to become an Equity member. Likewise, in the event of strikes by the members of either organization would not be available for replacing members of the other.

The agreement to this proposal, rather than the Guild affiliation with Equity that was first proposed, means that the Hollywood Council of "further and a more careful study of the planning alliance which convinced officers to both organizations that the separate charter procedure would be best for both," according to a joint statement issued yesterday's meeting by Frank Gillmore, Equity president, and Thompson.

"The council, in agreeing to give the Guild autonomy in the management of motion picture work," the statement said, "stressed particularly the refusal of the home office and the film office, the desired for a joint charter to handle common problems; the desire for an exchange of official information and service between the two actors' organization on behalf of their members."

Feist in Honolulu

HONOLULU, Nov. 13.—Felix Fei, M-G-M's general sales manager, vacationing here.

Hollywood, Nov. 13.—Felix Fei returns here from Hawaii on Nov. 14, and will visit a number of exchanges after return early probably early January.

Sharick in New "U" Jol

Andrew J. Sharick has been named manager of the Universal sales office. He is to head the exploitation department both in the home office and in the field. Sharick will retain his other duties in the home office, including editorship of Play-"shun, Universal interchange organ.

Music Hall Operetta

"Outsider's Bride," an operetta legend in four scenes, has been a success especially for the Music Hall by Des- D'Antalffy and will be produced in the theatre starting Nov. 15.

Salesmen Dine Jan. 1

Annual dinner, dance and entertainment of the M. P. Salesmen, Inc., New York, will be held New Year's at the Astor.

Kohn Seeking Rest

Ralph A. Kohn is closing his office in the Paramount Bldg. this week and will journey southward for a rest following a current illness.

Nat Holt Arrives Today

Nat Holt, RKO division manager in Cleveland, arrives today for home office booking conference.
THE HOLD-OVER SENSATION THAT TURNED ONE WEEK STANDS AND THREE DAY TOWNS INTO LONG RUN MIRACLES ALL OVER THE COUNTRY

NOW DANCING ON A RAINBOW OF GOLDEN RECORDS TO THE WORLD'S LARGEST THEATRE

ED ASTAIRE
NGER ROGERS
THE GAY
IVORCEE
WITH
LICE BRADY

OPENING AT
RADIO CITY MUSIC
HALF THURSDAY
NOVEMBER 15TH.
WATCH THE RECORD FALL
Among the new pictures the smash hit is "Kid Millions," which, aided by yesterday's holiday, Armistice Day, is galloping for a big $55,000 first week. This will be the biggest the Rivoli has done in three years.

Goldwyn has another money-maker at the Music Hall, "We Live Again," which ought to handily top $80,000 on its holdover after an initial week's take of $97,000.

Radio City N 60-85-90-$1.10 (Goldwyn-UA show. A mig Sten picture strong $80.00 First seven handsome.

ANNA STEN and FREDRIC EDDIE CANTOR in "KID M
Clips Variety!

Rivoli (2,200; 40-65-75-85-99)—
‘Kid Millions’ (Goldwyn-UA). A
smash of no unmistakable propor-
tions and $55,000 first week will be
the biggest takings of this house
in three years.

ARCH in "WE LIVE AGAIN"
LIONS" with ANN SOTHERN • ETHEL MERMAN
Chicago, Nov. 13—Wrigley's Wags of the Cabbage Patch" was the big top show here last week. It piled up $42,000, above par by $7,400, at the Chicago Board. Sylvester and his band helped on the stage.

"The Gay Divorcee" continued to do business all the way. In its second week at the Palace, getting $25,000 up by $1,000 on the normal take. "Cleopatra" held up to $11,000 in its second week at the Roosevelt and "Barretts of Wimpole Street" took $10,000 in its fourth week at the Capitol.

Total first run business was $133,500. Average is $131,600.

Estimated takings:

**Week Ending Nov. 6:****

"CLEOPATRA" (Para) $4,000, 25c-35c-50c, 7 days. Gross: $11,000. (Average, $1,571.)

"ONE NIGHT OF LOVE" (Col) $5,000, 25c-35c-40c, 7 days. Gross: $18,000. Stage: Pat Kennedy, Joe & Jane Mac. (Average, $2,571.)

"CHARLIE CHAN IN LONDON" (Fox) $1,800, 25c-35c, 7 days. Stage: Borrah M. McKinney. Gross: $12,000. (Average, $1,714.)

"VA I VE" (Radio) $12,600, 25c, 7 days. Stage: Billy Hill, Marion Montgomery, Bert Walton, Adair and Richards. Gross: $23,000. (Average, $3,286.)

**Week Ending Nov. 9:**

"BARRETT'S OF WIMPOLE STREET" (M-G-M) UNITED ARTISTS—(4,000), 25c-35c-50c-75c, 7 days. Stage: Joyce Reynolds, Pat Kelly. (Average, $1,200.)

"MARIE GALANTE" (Para) $2,000, 25c-35c-50c, 7 days. Gross: $23,000. (Average, $3,286.)

**Week Ending Nov. 10:**

"WAKE UP AND DREAM" (Univ) $2,500, 25c-35c-50c, 7 days. Stage: Joyce Reynolds, Pat Kelly. (Average, $2,309.)

"SNOOKER" (Warners) Berlin and other acts. Gross: $15,000. (Average, $2,143.)

"Widow in Omaha Gets $8,900 Omaha, Nov. 13—"The Merry Widow" went to $8,900 at the Paramount last week. This is over par by $900, but doesn't compare with the showing made recently by "Dames." "Lady of Leisure" and "The Big Hearted Herbert" was good for $8,800, over the line by $1,100. Total first run business was $26,050. Average is $2,250.

**Estimated takings:** **

Chicago—(4,000), 25c-35c-50c, 7 days. Gross: $16,700. (Average, $2,386.)

"CLEOPATRA" (Fox) $5,000, 25c-35c-50c, 7 days. Gross: $18,000. (Average, $2,571.)

"BARRETT'S OF WIMPOLE STREET" (M-G-M) $2,000, 25c-35c-50c, 7 days. Gross: $15,000. (Average, $2,143.)

"BARRETT'S OF WIMPOLE STREET" (M-G-M) $3,000, 25c-35c-50c, 7 days. Gross: $15,000. (Average, $2,143.)

"THE MERRY WIDOW" (M-G-M) $1,800, 25c-35c, 7 days. Gross: $9,000. (Average, $1,286.)

"THE WIDOW" (M-G-M) $1,800, 25c-35c, 7 days. Gross: $9,000. (Average, $1,286.)

"THE BARRETTS OF WIMPOLE STREET" (M-G-M) $2,000, 25c-35c-50c, 7 days. Gross: $15,000. (Average, $2,143.)

"THE LADY OF LEISURE" (Warners) $2,500, 25c-35c-50c, 7 days. Gross: $23,000. (Average, $3,286.)

"THE BIG HEARTED HERBERT" (Warners) $2,000, 25c-35c, 7 days. Gross: $3,500. (Average, $500.)
SMASHES RIALTO RECORDS
HELD OVER FOR 2nd WEEK!
Continuous S. R. O. as Broadway reads critics’ unprecedented praise

New York Times:
"Mark 'The First World War' down as a memorable and infinitely important document which should be distributed in every civilized nation. If any motion picture is assured of enduring life, this is the one."

N. Y. Daily News:
"★★½★ An amazing series of pictures. Stallings' work in editing and explaining makes them the most thrilling of their kind."

N. Y. Evening Post:
"Not only a splendid example of dramatic narrative; it is an historical document which deserves immortality. The episodes depict with singular power the bitterness and devastation of the struggle."

N. Y. American:
"Impressive as a miracle, the Great War is waged again, and not a million history books can change the facts that confront us in this breathing, bloody massing of actual events. Laurence Stallings and Truman Talley merit decoration with a new order."

N. Y. Sun:
"Not a picture to be casually seen and lightly forgotten. This is reality. No one who reads the newspapers, who wonders what is coming next should miss 'The First World War'."

N. Y. Daily Mirror:
"The greatest of war films. Don't miss it. War is pictured with all its pitiless horror, pictured with stirring detail."

N. Y. Herald-Tribune:
"The most exciting, vitally dramatic and inescapably powerful war chronicle that the camera eye has yet recorded. The whole thing is little short of overwhelming in its power."

N. Y. Eve. Journal:
"There is much more to this picture than a harrowing camera record of carnage. It is a searing reminder, a pictorial history of a world in which history repeats itself. The picture will leave you emotionally limp. Seeing it is a terrific experience."

THE FIRST WORLD WAR
EDITED BY LAURENCE STALLINGS
Produced by Truman Talley
(In association with Simon & Schuster)

N. Y. World-Telegram:
"Without hesitation, I offer you 'The First World War' as the most important and powerful plea for peace the cinema has yet produced. It is a stark, grim, biting plea.

Smash Showmanship Campaign Thrills Broadway
Looking 'Em Over

“Wednesday’s Child” (Radio)

“Wednesday’s Child” depicts the effects on a young boy of a home disrupted by the divorce of his parents. It is adult fare because of the somewhat clinical nature of its subject, although there is nothing offensive in any of its situations, save for their harshness.

Karen Morley, as the mother, finds herself gradually estranged from her kindly but unromantic husband, Edward Arnold. Frankie Thomas, as their son, suffers the first anguish as a result of the situation when he, with playmates, accidentally witnesses an embrace between the mother and a man whom he is in love. The estrangement of the parents is climaxed during a quarrel, witnessed by the boy, in which Arnold strikes Miss Morley. The mother is granted the divorce when the boy, placed on the witness stand, corroborates the mother’s testimony despite the fact that his sympathies remain with his father.

After the divorce, the child spends an unhappy nine months with the newly married woman, again, anxiously awaiting the three months out of the year which the court has directed he is to spend with his father. At the reunion he learns that his father also plans to marry again. Emotional strain and disappointment cause the boy a physical collapse. On his recovery he is sent to a military school where, during a visit, the boy suddenly learns of the child’s emotional turmoil and abandons his plans for re-marriage in order to establish a home that will provide the stability for the boy’s life that he has learned is necessary.

The work of Frankie Thomas, as the son, is outstanding. Arnold also gives a fine performance as the father. Other roles are capably filled. John Robertson’s direction and Harold Wensstrom’s photography are pleasing.


“The Man of Courage” (Samuel Cummins-Jacques A. Koerpel)

While this film tribute to Mussolini, a product of the Luce studios in Rome, seems heading for a boisterous reception from those of Italian blood, it is hardly likely it will stir the ordinary picture audience more than mildly.

The film, shown in Italy under the title “Camicia Nera” (“Black Shirt”), tells a one-sided story of Fascism. With Il Duce as the author and an Italian studio as the producer, nothing else could be expected. The narration is not needed. While this is shot through with so much enthusiasm that even an American audience can be reasonably certain of showing some response to the fast succession of scenes detailing the birth and material achievements of Fascism.

The film’s primary handicap is that it wastes too much time in preparation for the entrance of Mussolini on the European scene. The first half of it, almost wholly studio-made, relates the events that made the advent of Mussolini and his Black Shirts inevitable. It is not until this part of the film is done with that “The Man of Courage” becomes really exciting and dramatic. The last half, revealing Italy’s progress under the guiding hand of Mussolini and showing the Premier in all his oratorial glory, is by far the best part.

The fictional roles are taken by a cast of players whose names are of no importance here. Forzano directed. Where dubbing has not been resorted to, English speech is employed to make it easy for American audiences to understand the film. No code seal. Running time, 95 minutes. Classification: “G.”

“I’ll Fix It” (Columbia)

This is a well-knit, fast-moving story with both kid and adult appeal penned by a political fixer (Jack Holt), whose affections are centered on a young brother in grammar school. His fixings hits a snag when he tries to get Mona Barrie, a school teacher, to pass the young brother, Jimmy Butler, so he can play baseball.

Intrigued by her defiance, he tries new tactics—flowers, presents, automobile rides—and begins to fall in love without realizing it. The situation reaches a climax when Miss Barrie discovers the boy cheating

What the Symbols Mean

Reviews classified with a “G” are regarded as suitable for general entertainment.

Those with an “A” are regarded as suitable for adult entertainment.

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Looking 'Em Over

"Big Hearted Herbert," Monday night's opener at the Mayfair, was reviewed by wire from Hollywood Aug. 13.

"The Firebird," tonight's opener at the Strand, was covered for the coast Oct. 6.

"The Gay Divorcee," tomorrow's opener at the Music Hall, was reviewed by wire from Hollywood Oct. 3.

"Evensong," Friday's opener at the Roxy, was reviewed from London Sept. 24.

And silver notes
Of mirrored stars
Trill upon a resonant pool.

The distant rhythmic mountain ranges
Symphonise an unknown theme,
Man's destination—
Why and Where
Eternal Truth
The Real; the Dream.

Across the sky
An eagle high
Conducts the silent symphony.

KANN

ITOA Move to Join Allied Is Up Again

(Continued from page 1)

Take a Number with Victoria Page, and 24
different ways to buy. Two men with
two distinct ideas of what makes a
theatre and we have a situation in
downtown Manhattan which I
can't describe.

Samuelson Fails to Discuss Law Plans

(Continued from page 1)

that a two-day eastern regional ses-
don of directors will be held in Balti-
more starting Monday. Walter E.
Littlefield is slated to wield the gavel
and about a handful of New Jersey
men are expected to attend.

Para. May Hold Royal
KANSAS CITY, Nov. 13.—Paramount
may renew the lease on the Royal,
downtown Monday. When it expires in
the next few days. If a new lease is
taken, the circuit will probably reopen
the theatre, closed since last spring, as
plans are indefinite. The expired lease
was for 10 years, it is un-
derstood.

The Royal, seating 800, is one of
the remaining Paramount theatres in
this territory.

MOTION PICTURE DAILY

Four Features, 12 Shorts Given Seals

(Continued from page 1)

M-G-M, three shorts each, and Fox,
short.

Titles of the pictures clearing are:

Celebrity
(Shorts)

"The Vailant Tailor."

Columb a
(Shorts)

"Among the Cocoons," "Perfectly Mis-
understood" and "God's Gondola."

Foxy
(Shorts)

"Two Lame Ducks"

Universal
(Shorts)

"Kara, the Sea Girl."

"Horsehead."

Warner's
(Features)

"Murder in the Clouds," "Maybe It's
Love" and "Candidus.

"Body's Adventures."

Ludington Is Head Of First Div. Prod.

(Continued from page 1)

facilities. In the meantime stories,
casts and directors are to be lined up.
"Headquarters" is to be maintained
in Hollywood and the New York
offices are to be enlarged by taking
additional space on the 23rd floor of
the RKO Building in Rockefeller
Center with the new offices connected
with those of First Division Exchanges.

MPTO in Washington
Reflects Brylawski

(Continued from page 1)

William Cleveland, Nathan Stiefel,
John J. Payette and Louis Bernheimer.
Laust was also RKO organization
representative to national meetings.
The question of labeling films for
age groups was taken up, but was
tabled without action.

Jules Levy on Coast

Los Angeles, Nov. 13.—Jules Levy,
vice-president and general sales man-
ger of RKO Distributing Corp., has
arrived here on his tour of exchanges.
He will be in town 10 days for con-
ferences with J. P. McDonough, B. B.
Kahane and other studio executives.
He will also hold a series of talks
with Harry Cohen, Western district
manager, and N. P. Jacobs, branch
manager.

Boston, Nov. 13.—E. L. McEvoy,
eastern district manager of RKO Dis-
tributing Corp., is here for conferences
with Ross Cropper of the local ex-
change.

"White Parade" Is Held

"White Parade" is being held over
at the Paramount and will be suc-
ceded by "Linemouse Blues."
"College Rhythm" goes in Nov. 24 for
weeks, following which it is ex-
pected vaudeville will be back again.
I don't want to spoil your holiday, Gwendolyn — but I'm afraid we've been double-crossed. Everybody knows we're supposed to be the big show on Thanksgiving Day. And now Warners have gone and dated in "Flirtation Walk" as an opposition attraction. It just isn't quite cricket, if you ask me.

I must say I think you're taking the wrong attitude, old girl. Personally I consider it a real pleasure to share the billing with Dick Powell, Ruby Keeler, Pat O'Brien, and the West Point Cadet Corps. In fact I think we picked just the right year to muscle in on this Thanksgiving racket. With a show like that breaking the same day it looks like we're going to be in on the biggest celebration since one of those Pilgrim Papas took a pot shot at my dear old great-great-great-granddaddy!
Details Set For “Time’s” Dramatic Reel

First Division to Act As the Distributor

Practically all of the details have been settled for production and distribution of a new “dramatized” newspaper to be issued in two reel form every other week with the backing of the magazine and distributed through First Division Exchanges. Formal announcement of the completion of the deal probably will be made this week. The bi-monthly release will be for the 1934-35 season and the intention to make it a weekly release next year with two weekly issues later.

It is understood that the deal between Time and First Division was worked out through suggestions of the Curtis-Flake-Ludington group which (Continued on page 12)

Indies Here Object To Late Conventions

Local independents are squawking very delays in releasing new product, which they claim is due to late conventions of distributors.

Exhibitors declare that major companies should hold annual sales talks in May or June so that circuit deals can be closed earlier in the year. Independent deals follow the circuits and the same procedure is applicable to playdates.

Because of the tardiness in sales convention, exhibitors hold that in (Continued on page 2)

Comerford Looms in New Administration

Scranton, Nov. 14—M. E. Comerford is likely to figure prominently as a dispenser of state patronage in Lackawanna County when George Earle becomes governor in Pennsylvania next January.

“Mr. Comerford, if he so desires,” The Scranton Republican reports, “can have a whole lot to say on who gets the jobs in Lackawanna County.”

Warner, Sears and Smith Go to Coast

Albert L. Warner, accompanied by Goodsell Sears and A. W. Smith, Jr., leaves for the coast today for production conferences with Jack L. Warner and other production heads.

Arrangements will be made for the release of the six features which the (Continued on page 2)

Kansas City’s Premium Move Starts Appeal

McCarthy Seeking Campi Ruling on Shift

Kansas City, Nov. 14—Insisting that the local premium ban is in effect regardless of the grievance board’s action in lifting it, L. J. McCarthy, Fox Midwest district manager, late this week will file a brief with Campi appealing the board’s dismissal of three premium complaints.

At the same time, Fox Midwest is proceeding with a fourth complaint, which the State Theatre, alleging violation of the premium ban. This will be heard Nov. 21.

Members of the grievance board which imposed the ban last July are disturbed over the action of the new (Continued on page 12)

Authority Envoy

Hold No Set Views

Although they attended Campi discussions on the Kansas City clearance and zoning schedule, George J. Schaefer and Edward Golden left last night for Kansas City with “an open mind” to discuss the plan with the local board and exhibitors. The code men were accompanied by Tyree Dillard, Jr., of Campi’s legal staff, who (Continued on page 12)

ITOA Men Critical Of Code’s Effects

Members of the I.T.O.A. yesterday discussed the code and its effects on independent exhibitors. Several men (Continued on page 12)

Ramsaye Finds N.Y. Press Aiding Soviet Propaganda

Soviet propaganda in the United States is being aided and abetted by New York press acclaim of “Three Songs About Lenin,” latest Russian picture to reach these shores and now running at the Cameo, Terry Ramsaye, editor of Motion Picture Herald, will declare in the current issue of his paper, out today.

He points out that the American screen “already burdened quite with its own sins and faced with endless problems of political regulation, taxation and general bedeviling by axe-grinders of all sorts, now unwittingly adds entanglement in the web of propaganda from Moscow in the issue of chaos and the Third International.”

Ramsaye centers his attack on the picture and two of its staunch critical supporters, Andre Sennwald of the (Continued on page 9)

Tri-Ergon in New Move for Para. Action

Seeks Judge Coxe’s Help In Swing Trustees

American Tri-Ergon moved yesterday to obtain authorization to sue the Paramount Publix trustees in the U. S. District Court here following the refusal last week of Judge Marcus B. Campbell in Brooklyn Federal Court to permit that procedure.

Tri-Ergon’s petition for leave to make the Paramount trustees, Charles D. Hills, Eugene W. Leake and Charles E. Richardson, defendants in actions for injunctions and accounting on the patent infringement litigation brought before Federal Judge William Bondy here yesterday and referred by him to Federal Judge Alfred C. Coxe, who has jurisdiction (Continued on page 9)

Price Fixing Issue Up in Texas Court

Dallas, Nov. 14—Suits to end price fixing by contract have been filed by R. Z. Glass, neighborhood exhibitor, against the Hobistelle-Paramount circuit in 14th District Court here. An injunction is sought. Judge W. N. Taylor has set Dec. 1 for a hearing.

Glass says he is suing for the benefit of himself and all other Texas exhibitors similarly situated.

Pat Russell, Glass’ attorney, says (Continued on page 12)

Roxy Completes Deal To Manage Mastbaum

Philadelphia, Nov. 14—S. L. (Roxy) Rothfeld has closed his deal with Warners to handle the operational management of the Mastbaum on Christmas day. The deal is between the Roxy Philadelphia Corp. and the Warner circuit.

Philadelphia, Nov. 14—Local papers tomorrow will release the story on Roxy’s deal with Warners to operate the Mastbaum. Details of the deal are being arranged in New York.

Bernerd Will Make Headquarters Here

By BRUCE ALLAN

London, Nov. 14 (By Cable)—When Jeffrey Bernerd takes again for New York on Nov. 21, he will leave (Continued on page 9)
South Is Improving,
Says Howard Waugh

"Conditions are pretty good in the South," Howard Waugh, Warner zone manager in Memphis, stated yesterday prior to his departure for home after attending Warner home office conferences. South is always the first to pick up because of the cotton and tobacco needs added.

Waugh is in charge of 14 theatres in Kentucky and Tennessee. He said there is no move by exhibitors in his area to cut ticket prices, but the Commercial Appeal has been classifying them for the last four years.

Warner, Sears, and Smith Go to Coast

(Continued from page 2)

company has already completed or will have by this week. These pictures are: "Bordertown," "Sweet Adeline," "South of the Border," "Devil Dog, the Air," "Gold Diggers of 1935" and "The Right to Live."

Exhibitors will also be held with Cosmopolitan heads on the first Martin Davies vehicle to be made under the new Warner-Cosmopolitan affiliation which goes into effect Jan. 1.

Warner's Managers Close Two-Day Meet

Winding up a two-day meeting of zone managers, Joseph Bernhard and home office executives held individual meetings with the district men for discussions of local problems.

All zone heads left for their territories yesterday. During the session, general policies were discussed.

Blumenthal on Fox Met.

Harold Blumenthal is now advisor to N. David Thompson, Irving Trust representative at Fox Metropolitan Playhouses. Irving Trust is responsible for the circuit. Blumenthal is doing the work formerly handled by Simon Fabian, who resigned several months ago when he took over the Fox, Brooklyn.

Canadians to Hold Dance

Toronto, Nov. 14.—The annual ball of the distributors and exhibitors at the Royal York Hotel will be held Feb. 2, 1934. The committee headed by Oscar R. Hanson.

Ohio ITO Contacting All New Legislators

COLUMBUS, Nov. 14.—Anticipating the Valley of the Wraith tax not being definitely settled during the special session of the General Assembly which Governor White is expected to call for, Sam L. O. is beginning to contact the 89 out of 135 new representatives, and 16 out of 29 senators, who will be inducted into the Ohio legislature Jan. 1. Congratulations letters have been written the new representatives of the exhibitor unit, and the organization is urging its members personally to congratulate the incoming senators, and other candidates for their acquaintance.

Although the special legislative session is scheduled for Nov. 19, no official announcement has yet been made that this will be called.

Sales Tax Urged by Wisconsin Chamber

MILWAUKEE, Nov. 14.—The Wisconsin State Chamber of Commerce, in its final report to the interim committee on taxation of the Wisconsin legislature, recommends a retail sales tax of three per cent as a substitute for the state income tax, stating that a sales tax bill will be introduced into the 1935 Wisconsin legislature, but the organization will not pass judgment at this time.

Indies Here Object

(Continued from page 1)

September, October and November, the Cables are forced to play reissues and lose a lot of business which goes to the circuits. The contention is that independent cannot get product during these months because they have not completed new product deals and thus have to resort to reissues. Circuits, meanwhile, have closed their deals and are playing new releases which follow over the smaller houses several months later.

Brown Leaves Tomorrow

Clarence Brown, who recently signed a one-year, $513 directorial contract, leaves for the coast tomorrow. His original plans were to fly yesterday by plane since his contract becomes effective today.

Consolidated Pd. Up Half on Big Board

High Low Close Net

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Consolidated Film Industries, pd., 15 15 15 15 150
Fox Film, 14 14 14 14 150
Fox Film, "A," 13 13 13 13 100
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For its courage, its timely theme, its vivid drama of today's youth, the palm for outstanding quality among this week's releases goes to Warner Bros.' "fine achievement"—

"GENTLEMEN ARE BORN"

with Franchot Tone, Jean Muir, Margaret Lindsay, Ann Dvorak, Ross Alexander, Nick Foran. Directed by Alfred E. Green. A First National picture released November 17th.
This is the new GARBO DANCE!

Joyfully posed by Manager Hall Baetz of Fox Wilshire Theatre in Los Angeles!

He played "THE PAINTED VEIL" in advance preview at his neighborhood theatre. He's got good news for you:

"Exhibitors are in for a real thrill. Garbo's in the kind of modern role that made her America's idol. Gorgeous, seductive, exciting. What a picture for the palpitating fans who yearn for a big heart thrill. 'The Painted Veil' is a sure hit!"

(signed) HALL BAETZ
"A new Garbo on the screen in 'THE PAINTED VEIL'. More human, more sensitive, more depth."

—EDWIN SCHALLERT in LOS ANGELES TIMES

GARBO in "THE PAINTED VEIL"
with HERBERT MARSHALL, GEORGE BRENT, Warner Oland, Jean Hersholt, Katharine Alexander
Directed by Richard Boleslawski • Based on the novel by W. Somerset Maugham
Produced by Hunt Stromberg • A Metro-Goldwyn-Mayer Picture
WORLD PREMIERE
*(Pre-Release)
RADIO CITY MUSIC HALL
THANKSGIVING DAY
*General Release—December 27th

WARNER BAXTER

In FRANK CAPRA’S

by Robert Riskin
Based on the Story by Mark Hellinger
In a year which has been outstanding for noteworthy pictures, the nation's finest theatre has selected this COLUMBIA picture for its most important playdate . . .

MYRNA LOY

PRODUCTION

WAVY BILL

with WALTER CONNOLLY—HELEN VINSON
A COLUMBIA PICTURE
What the Symbols Mean

Reviews classified with a "G" are regarded as suitable for general entertainment.

Those with an "A" are regarded as suitable for adult entertainment.

Albertson, starts Brown off on the wrong track and he has a hard job keeping to his studies. Even Miss Louise, with whom Brown falls in love, fails to make Brown attend to business.

Walthall and Mae Marsh do the trick. Walthall is an English professor, and Miss Marsh his alluring wife. Brown becomes attached to the couple and he even goes out of the way to secure money to send them to Arizona for Miss Marsh's health.

Brown's romance with Miss Louise straightens itself out with the help of Meeker, himself in love with the heroine, but hopelessly outclassed by his younger rival.

Production Code Seal No. 336. Running time, 74 minutes. Classification: "G."

Looking 'Em Over

“Rocky Rhodes” (Universal)

Here is a western that is above the average. It has a plausible theme, fast action, good character portrayals and, above all, a story that holds audience interest because its action and suspense are continuous.

The yarn has Buck Jones working in the Chicago stockyards with his pal, Walter Miller, a former gangster with ambitions to be a cowboy, until he is called home where his father is on the verge of losing the family ranch to scheming Stanley Fields. Jones assists Shirley Grey in keeping her homestead, which is adjacent to his, and, while aiding her, discovers that his father has been murdered and a friend of his, who had been accused of causing his father's death, killed while escaping from jail.

Fields, to rid himself of the menace of Jones' presence, frames him on a charge of robbing the bank and Jones is forced to flee only to return and clear himself and his dead friend. The finish is a fight in Miss Grey's ranch, under which Fields had planted dynamite and the death of the villain. The fade-out finds Jones and Miss Grey in each other's arms.

The picture should please wherever played, particularly because of the comedy performance of Miller and the convincing characterization by Jones. Al Roboch's direction leaves nothing to be desired and the photography of Ted McCord is good. Production code seal, No. 182. Running time, 60 minutes. Classification: "G."

“Frontier Days” (Spectrum)

Many of the story elements here are much like other westerns—a mysterious stranger rides in from nowhere, is suspected of murder and cattle rustling, but turns out in the end to be an officer running down the stage coach robbers and cattle stealers.

The ingredients, however, are mixed better than in some of the formulas, and there are some fine scenic backgrounds made at the foot of the magnificent Sierras near Lone Pine, Cal.

Bill Cody is the stranger who saves the ranch of Ada Ince's father, Franklyn Farnum, and eventually wins the girl after Wheeler Oakman.

(Continued on page 9)
says Press in N.Y. Aids Red Propaganda

Looking 'Em Over

(Continued from page 8)

Tri-Ergon in New Move for Para. Action

(Continued from page 1)

Over Paramount's reorganization proceedings.

Judge Cox for two weeks ago granted leave to Tri-Ergon to continue its patent infringement litigation against Paramount. He made the order in a general injunction which restrains creditors from continuing or bringing new suits against a debtor corporation. Successful prosecution by Tri-Ergon of litigation against Paramount would, however, would not have the effect of binding the Paramount trustees, whose jurisdiction extends over active Paramount subsidiaries.

In the event Judge Cox authorizes Tri-Ergon to proceed against the trustees it is considered unlikely that any action along these lines would be taken pending the final hearing. The Supreme Court review of the validity of the Tri-Ergon patents. The patents company is in a much better position where it could institute immediate actions against the trustees if the appeal is not sustained.

The editor comments that Judge Cox properly gave to the latter the right to rule on this point. Judge Cox is expected to render a decision within the next few days.

Bernard Will Make Headquarters Here

(Continued from page 1)

British shores for a year. Instead of visiting the States he will go into reverse and visit London under the arrangement which transplants his activities to America on behalf of Gaumont British. The company continues to express its satisfaction over the Press reports to date on American activities. Its executives already have seen "The Iron Duke" and admire readily it's a picture. The Music Hall in New York will get it first run, it is declared here.

MPTO to Open Rooms

PHILADELPHIA, Nov. 14.—The M. P. T. O. of Eastern Pennsylvania, Southern New Jersey and Delaware will dedicate its new headquarters rooms on the second floor of the northeast corner of 18th and Vine Sts, on Nov. 23. The newly opened offices will provide space for board meetings and small gatherings. The large open meetings will probably still be held at the Church of the Advocate. The dedicatory luncheon will be at the Hotel Adelphia.

Sunday Vaude Stopped

ALBANY, Nov. 14.—Sunday vaudeville has been stopped at Har- manus Bleeker Hall after a warning from the police that it is against the law.
AS ONE OF THE

Proudly

NED

SPARKS

TOLL

BABY

JANE

FANNIE

HURST

CLAUDETTE

COBERT

MORE

NAMES!

POWER" TO

"BACK STREET"

He's pen has dipped again into the tears and laughter of life! She has written an even greater story than her 'Back Street'!

Alluring, talented—a tremendous woman's star with a huge masculine following!
WARREN WILLIAM
A strong draw from any marquee— and a great star in his own right!

ROCHELLE HUDSON

JOHN M. STAHL
The man who directed "Back Street"— and now he scores another and greater triumph!

HENRY ARMETTA

ON OF LIFE

Presented by
AEMMLE
WORLD'S FINEST!
Kansas City’s Premium Move Starts Appeal

(Continued from page 1)

personnel which ruled the declaration under which the ban was made effective carried less than the required 75 per cent vote of unaffiliated exhibitors. The first board accepted the declaration as containing more than the required number of signatures. The reason for the difference of opinion is ascribed to the fact that each board had an entirely different personnel.

Members of the original grievance board declare the body which heard the cases exceeded its authority in reversing the first decision, that it thus set itself up as an appeal board and further Campi could reverse the original action.

They also impeach the procedure in conducting the hearing, charging the cases were not heard completely and the respondent exhibitors were not given an opportunity to say whether or not they were guilty of or representing a group of exhibitors using premiums and premium distributors did all the talking for the respondents.

Authority Envoy Hold No Set Views

(Continued from page 1)

will advise on the legality of recommendations made.

For a meeting of a two-day meeting in Kansas City will be held tomorrow. Both code board members are sanguine that they will return with something that they can present to the Campi, Nov. 22 as the first clearance and zoning plan that should be adopted. It is regarded certain that if the code men and Kansas City exhibitors and distributors agree on principles of the plan it will be passed upon favorably by the board.

Principal obstacle to the schedule is the setting of clearances based on advertising. The format of the type of house, seating capacity, distance between runs and policies which are regarded as vital issues, it is said.

To Be Open to Suggestions

However, the Campi men are leaning with a cooperative spirit, they say, and will be open to suggestions as well as ready to give them when they meet Kansas City’s code board. Schaefer, Golden and Dillard, Jr., will return Monday and will present their findings to Code Authority the following Thursday.

As soon as Campi disposes of the Kansas City clearance and zoning, appeal hearings on the following schedule will be held in: Hollywood, Birmingham, New Haven (revised), Hartford, Bridgeport, Memphis, New Orleans and Dallas.

It is expected that Code Authority will adopt the Kansas City code plan, following the return of Schaefer and Golden, who tomorrow start two-day conferences with the local exhibitor groups. When this schedule is set, the basic idea to be followed will be continued of new schedules to be heard on appeal.

Already appealed are the Los Angeles, Cincinnati, Columbus, Dayton, Buffalo, Indianapolis, San Francisco, San Jose, Detroit, Portland, Seattle and Fargo, Utah, schedules.

Campi Group Eagerly Awaited

Kansas City, Mo., Nov. 14.—The industry is eagerly awaiting the arrival of Mr. J. Schaefer, Edward Golden and Tyree Dillard, Jr., of Campi, whose instructions the local code secretary has mapped out a program including a meeting with the clearance board at 10 A.M. Friday at the local Variety Club in the Muehlheb Hotel, followed by a mass meeting of all exhibitors of this city Kansas City, Kan., at 2:30 in the afternoon.

Bolognino Loses to Loew on Clearance

Laurence Bolognino has lost his complaint against Loew’s Victory, suit of which was decided upon in the Local Court. Campi did not decide unanimously in favor of Loew’s.

This is the case which has been on the local court docket since the decision was handed down some months ago whereby it was declared that Loew’s was to have protection over only one house. Loew’s asked for a retrial, but during the interim work was done to standardize the matter.

This didn’t materialize as the case was heard again with independent members of Code Authority lighting. It was understood that the clearance code finally coming out the victor. As a result, the clearance situation stays as it was before the complaint was filed.

ITOA Men Critical Of Code’s Effects

(Continued from page 1)

attending the session urged an organization of local an agreement of local indicators all over the country to attack the code and the setups of local boards, it was stated that the distributors in the case of a balance of power at Campi is running the independent and some action must be taken.

The question of affiliating with Allied came up for discussion. Leon Rosenblatt was informed yesterday he was chairman of the committee to study the proposed affiliation, but since it was news to him he could not report on the matter. There are 80 members of the membership, one of whom is Dr. Leon Greenfield of the Boro Hall, Parsons-Court and Gloria in Brooklyn.

Strass of NRA in Omaha for Confabs

Omaha, Nov. 14.—Robert K. Strass, of the NRA is here today to meet with 12 members and the second secretaries of the different state organization meetings has for its purpose “to obtain a much more efficient and economic organization of the territory indorsed by the code authorities,” H. T. Williams, acting Nebraska NRA director, informed Miss Regina Molseed, local secretary. Omaha is one of 16 cities in which similar meetings are being held.

Richards and Para. Agree on Circuit

(Continued from page 1)

may require a week or 10 days, despite the fact that both parties have a great interest in the matter. The original saenger reorganization plan provided that Richards was to acquire all of the Class A stock of the company for $23,000, and Para- mount all of the Class B. This and other provisions of the original plan, it is understood, are modified in several important respects as a result of the new agreement.

Karl Hoblitzele, Paramount operating officer in Kansas City, has, as representatives in the negotiations with the trustees. Richards, who has a man here during the negotiations without participating in them directly, returns to New Or- leans this week-end.

Para. Trustee Bank Suit Delayed Again

(Continued from page 1)

reached with Paramount reorganization factors but cannot be made effective until the reorganization plan is completed. Trustees, in the meantime, retain their cause of action against the banks as long as the trustees allege, are based on an invalid credit transaction of 1932.

Chicago Voting on Ban on Giveaways

Chicago, Nov. 14.—Whether or not premiums and gifts shall come under the ban will be voted upon by exhibitors in the local and metro- politan areas and the ballots are being counted in the mail.

Three Appeals Are Heard

Three code cases were heard by a Campi appeal committee yesterday consisting of Gradow Sears, Ed Kuykendall and William Yoest. The cases were: George Fischer, Voge, Kenosha, Wis., against Hugo Vogel and Sam Levinson, Butterf, same, on giveaway; Atanasso Broth- ers, World, Milwaukee, against Warn- ers, U. A., M-G-M, Radio, Fox and Golden, on giveaway; New Fun- dment Co., Ritz, Lindsay, Okla., against Harry G. and Mrs. Waldron, Blue Moon, Oklahoma City, on lease interference.

Philip C. Moore Dead

Scranton, Nov. 14.—Philip C. Moore, manager of the Riviera The- atre, offices and the Homer. He was taken home here after a brief illness. Moore had been in the employ of Comerford and brothers for a number of years. His widow and four children survive.

Sparks Bids in Tampa

Tampa, Nov. 14.—Sparks is building a new neighborhood house at Nebraska and Forest Aves., the Tam- pa Heights section.

Price Fixing Issue

Up in Texas Court

(Continued from page 1)

diction of examination scales by distributors is hurting independents. Hoblitzele is said to demand that sub- sequent following his first runs at 40 cents shall charge 25 cents.

R. J. O’Donnell and his attorney, John Gebur, who in the case have not served upon them as yet.

Madeleine Carroll Signes

Hollywood, Nov. 14.—Darryl F. Zanuck has signed Madeleine Carroll to the feminine lead in the Rank picture, "Gable in the "Call of the Wild," Miss Carroll is in London at present but will leave for America shortly.
Asserts Never
Sought a Man
For Hays’ Job

Directors Deny Rumors,
Including Flynn’s

Taking official cognizance for the first time of constantly recurring rumors that movies were about to replace Will H. Hays, as head of the M. P. P. D. A., the presidents or ranking executives of seven of his member companies yesterday denied that Hays’ post had ever been offered to anyone else.

The statement took the form of a telegram to the managing editor of the Los Angeles Times hitting at the report published in that newspaper that Hays was to be succeeded by Edward J. Flynn, prominent in Democratic

(Continued on page 6)

Cite Film Ads as
Model for Cleanup

The industry’s Advertising Advisory Committee, headed by J. J. McCarthy, has accomplished the first successful, large-scale regulation of its advertising, from within by any large industry. Printers’ Ink says in an article headed “Movie Advertising Is Clean,” appearing in the current issue.

The Advisory Council’s “reformation

(Continued on page 6)

Kutisker Is Winner
In Clearance Case

Morris Kutisker won his clearance case against A. H. Schwartz yesterday when the main New York clearance and zoning board affirmed a recommendation of the advisory committee.

With Louis Nizer as his attorney, Kutisker last week complained that Schwartz’s Floral Park, Floral Park, L. I., was taking clearance over the community, Queens Village, for the first time. The protection clause was in a Paramount contract.

The decision sets a precedent for other contracts Schwartz may negotiate.

Transfer Five Ohio
Spots to Para. Unit

CINCINNATI, Nov. 15—Official transfer was completed yesterday to South Ohio Theatres, Inc., new Paramount subsidiary, of the Paramount, (Continued on page 16)

In the Black

New Haven, Nov. 15—Today marks one year since Loew’s took over operation of the Poli circuit. Previously all houses are showing a profit under the new management.

Pennsylvania
1933 Grosses
$30,891,000

WASHINGTON, Nov. 15—Total receipts of $30,891,000 were reported today for 1933 by 245 Pennsylvania theatres. Payrolls aggregated $5,872,000, it was reported.

Admittedly incomplete figures for cities, particularly Allentown, Altoona and Johnstown, where they do not compete favorably with other cities of like size, were reported by the bureau as follows:

Philadelphia, 143 houses with receipts of $10,578,000 and payrolls of $2,082,000; Pittsburgh, 46 houses with receipts of $3,652,000 and payrolls of $681,000; Scranton, 16 houses with receipts of $1,062,000 and payrolls of $777,000; Wilkes- Barre, 12 houses with receipts of $890,000 and payrolls

(Continued on page 4)

Objections Made to
Allied Owners Plan

Unexplained objections to the reorganization plan for Allied Theatre Owners, Inc., were presented yesterday at hearing before Special Master Oscar Lewis, who is hearing the plan for the U.S. District Court in Brooklyn. The hearing was adjourned to Nov. 23.

Jacob Schulman, an attorney, who said he represented bondholders with (Continued on page 16)

November Opening Grosses
Show Drop from September

November got off to a bad start for national theatre grosses. The total of $1,288,992 for 22 key cities was a new low for the six-week period starting the last week in September. The decline has been steady since that time, in spite of the fact that the number of theatres operating in the keys mentioned has increased from 132 to 135.

November’s first-week losses are due to a falling off of business in 22 cities from which reports are received by Motion Picture Daily. The drops came from Boston, Buffalo,

(Continued on page 4)

ERPI TO FIGURE
IN A.T. & T. Probe

K.C. Theatre
Men Are Cool
To Ad Marking

KANSAS CITY, Nov. 15—The plan to advertise films segregated as "adult" or "family" fare, as adopted by the Warner circuit at Philadelphia, finds little favor among exhibitors and managers here.

Fox Midwest Theatres, as reported, are opposing Hearst’s and other interested persons with its designations of product according to "adult" and "family" suitability. C. A. Schulte, president of the Commonwealth circuit, believes this is a splendid idea, and before long intends to adopt it for his theatres in Kansas City and in out-state Missouri, Kansas and Iowa.

Others, however, differ. Neighborhood exhibitors say the parents know Friday night is "family night" and do

(Continued on page 4)

Richards Remains
As Saenger’s Head

E. V. Richards’ status as president and general manager of the reorganized Saenger circuit, provided for in the original Saenger reorganization plan, is not disturbed by the agreement concluded on Wednesday under which Richards’ stock participation in the new company was revised in Paramount’s favor, it was learned yesterday.

The Paramount Publicity trustees gave their approval to the Richards agreement at a meeting yesterday and this

(Continued on page 16)

Communication Board Is
To Study All Angles
Of Activities

WASHINGTON, Nov. 15—Erpi and film affiliates of A. T. & T. are to come under the general probe of the telephone company and its affiliates to be conducted by the Federal Communications Commission.

Actual operations of the telephone company will be there fore organized, it is expected, as the commission regards this as the major subject of interest. The groundwork for the investigation will be laid during the remainder of the year and public hearings will get under way some time after Jan. 1.

Before it gets through, it was indicated today, the commission will have dragged into the light every sort of activity in which the company engages and in which it is interested through

(Continued on page 4)

Production Code Is
Reporting on Plays

A service through which producers’ story departments are assured promptly of the conformity of stage plays to the production code has been placed into operation here by the eastern office of the Production Code Administration, it was learned yesterday.

Representatives of the eastern office under Vincent G. Hart, assistant to Joseph J. Brenn, attend all opening

(Continued on page 6)

Bernerd Set Back
By Kent’s Arrival

By BRUCE ALLAN

LONDON, Nov. 15 (By Cable)—Jeffrey Bernard has postponed his departure for New York on Nov. 21. The reason is attributed to the arrival here on Friday of S. R. Kent in connection with what is persistently reported as the impending sale of Fox Film Corporation to R. Brittain in Guern-

(Continued on page 6)

Laemmle, Sr., Picks
Production Cabinet

Hollywood, Nov. 15—In a move to relieve himself of excess duties occasioned by the absence of Carl Laemmle,

(Continued on page 6)
Insiders’ Outlook

FUNNY are the ways of go-
government. Or, this government at any rate. It was a few months back when the Treasury Depart-
ment, by strange and devious analysis, ruled Paris greens may be advertised in the press or on the
description, and from them copies struck off for ultimate sale, also
without duty. The one restrictive condition, the hole in which stip-
ulated the original must be shipped away from these very friendly
shores at the end of six months. Somehow, somebody, wondered
if the decision might not be applied to foreign pictures and dis-
covered it might. And so it does...

You, therefore, have before you
for consideration or convulsions,
as you like, a situation wherein
Washington permits, in fact, well-
tempered, taming, and killing aside the customary tariff
barrier. You also have before you, if you are up on your facts as
they concern the difficulties of American pictures abroad, a fine
kettle of affairs that boiled over in Berlin earlier in the week.
There, Herr Hitler’s satellites, displaying their usual brand of
assute statesmanship, have seen to it that any film disembarked at
Bremerhaven or Hamburg must first pay an import tax approxi-
mating $8,000, American...

That’s for the privilege of al-
lowing the print to be dropped off
the ship’s side. Whatever erratic
censorship upshot may deter-
mine thereafter has nothing at all
to do with the case. The
American exporter will pay his
$8,000 one day and the next
day perhaps find the German censor,
full of wiener schnitzel, bock beer
and a new hypo of Nazi philo-
sophy, has decreed nix. And there
you have what might be called
as a striking exchange of inter-
national courtesy and goodwill....

Not only to Germany is this
sort of comedy of errors con-
fronted. The American industry has had a load of similar worry
and annoyance from its friendly international neighbor center-
in and around Paris while the list of those cities and lands where
this country’s product has been thrown about leaves few holes in the
gallery of nations. It is to wonder and plenty, for why, the “New Dealers” along the
Potosi, recognizing the political in-
fluence demonstrated in the past and presumably available in the
future, have attempted little or nothing to make the sweet travels
of American celluloid around the world lessoring. While you are wondering at this, the
question if the industry, by and of its own actions, has penetrated
all of the devious channels of approach to this end.

Several of the well-informed
at RKO describe the reports linking
Edward J. Flynn, Democratic
power in the party, and the
consideration of this wise: “Never heard of it. Forget it...”
By that they mean something between a mere membership on the direc-
torship of the box office of K-A-Q.
He has that now... The Hearst-
Warner hookup is developing
amusing slants as the days slip
by. International News Service
considered it a piece of good re-
porting to check the Flynn-in-
Hays’job on yard at the coast.
Hays was not turned to for a statement by the Jack Warner of
I. N. S. seized upon Jack’s vice-
presidency of the Producers’ Ass’n as the reason...

But weared by irresponsible
newspaper practice of throwing
Hays out of office at regular in-
tervals and putting in Al Smith,
Jim Farley, Flynn or what have you, as the import executives, repre-
sentatives of as many companies, did some telephoning
Wednesday and finished their palaver yesterday with the first
oficial M.P.P.D.A. statement hit-
ing left and right at rumors of
Hays’ dismissal. This click line in that statement, which emerged in the form of a wire to the Los
Angeles Times denouncing the Flynn, or latest, report was this: “Nothing of truth in the statement
that the position occupied by Mr. Hays has ever been offered to anyone else.”
Hays asked for no such evidence of approval and nothing about the statement itself until it was
drawn, approved by the signa-
tories and released to the press...

The flurry between Sidney
Kent and Walter Reade over the
inability of the Music Hall to spot
in “The White Parade,” its sub-
sequent sale to the Paramount and the de-
mise of the Music-Hall film in
Paris, has angle enough to put the
Fox $60,000 for pictures rejected or
unused by the Music Hall.
Now he stands a pretty good
chance of getting them cheaper
by a couple thousand dollars as Rogers still producing pictures?
He’s been away from the cameras for months...

Ed Kuykendall won’t cheer.
Neither will Sidney Samuelson
over Harry Brandt’s crack. He
said: “There is no national ex-
hibition organization and that
holds for both the M. P. T. O. A.
and Allied. After having intimate
contacts with both groups, I can
frankly say this.” Agree or not
as you will, but you’ve got to ad-
mit Brandt is what he says he is,
which is frank... Blood is still
in the eyes of those poster ex-
change fellows out there, and
true personnel of the board of reor-
ganized Paramount is mounting and
mounting....

North Dakota Tax Void
FARGO, N. D., Nov. 15.—The
Federal District Court here held that
the North Dakota gross earnings tax
is unconstitutional in a case brought the
Fruit Growers Co-op. A, a Dela-
ware corporation.
The tax was imposed a six per-
cents gross earnings levy on concerns
outside but operating within the
state.

D. E. Griffiths Sailing
LONDON, Nov. 15.—D. E.
Griffiths, managing director of First National
School here, for the next
week or 10 days for conferences with company executives in
New York.

Borozg on Davies Film
HOLLYWOOD, Nov. 15.—Frank
Borozg has been assigned to direct
Dorothy Davies in her first picture for Warner... Since the picture itself is expected
shortly.

Apie-Rogers Marry
HACLIWORK, Nov. 15.—Ginger
Rogers and Lew Ayres were married
last night at the Little Church of
the Flowers. Janet Gaynor and Mary
Bibliatic attended the bride.
"TREMENDOUS!" "Great!" "Knock-out!" "Sensational!" exclaimed exhibitors privileged to see "The White Parade" at private screenings arranged by FOX in key cities of the U.S. last week. Did you ever see a theatre operator sobbing? Well, we did! Stifling tears. Letting loose loud gusts of laughter. Held motionless by suspense. Right now, they're planning extra weeks... extended time... and counting on extra profits. And so will you... when you see Jesse L. Lasky's greatest box office production!

NEW YORK PARAMOUNT HOLDS IT FOR 2nd WEEK
as milling thousands join critics in ever-swelling Parade of Praise!

Picture-wise showmen hail "White Parade" as Jesse L. Lasky's outstanding box office hit

THE WHITE PARADE

A JESSE L. LASKY Production
The greatest hit of this great showman's career!

LORETTA YOUNG
JOHN BOLES

K.C. Theatre Men Are Cool To Ad Marking

(Continued from page 1)

not expect programs specifically for children at other times. One objection is exhibitors would not agree on designations, and confusion would result. It is also pointed out that class distinctions, religious affiliations and other factors would have to be taken into consideration, and therefore no standard designation would apply to all cities and neighborhoods.

Reported follows:

Ed Dubinsky, head of Dubinsky Bros. Theatres, "The plan would reach family types, at least. An opinion, the designations are not necessary. Film standards are getting better. Let the producers give us decent pictures and we would like them."

George S. Baker, manager, Publix Newman (downtown first run). "With the Jazz in full swing, the plan would be feasible. I do not believe, however, that a designation of a picture as a poor film would have a harmful effect on the box-office. My experience has been that parents appreciate a line of cautious advertising that children would not be interested in heavy stories or something they cannot grasp."

S. Bernard Joffe, manager, Tower (downtown first run). "The plan would add fuel to the fire of reformers and censorship advocates. It would point the way to making a system of segregation compulsory. Selection should rest with the home, and the home should control children to appreciate and discriminate for themselves."

Mrs. A. Baier, Lindbergh Theatre (suburban). "If they want to take the trouble, most parents can find out for themselves whether pictures are suitable. The designation could alter the existing situation very little, as many parents send their children to a family type picture, while the parents go to some other theatre. However, differentiating pictures in advertising might prove beneficial if pictures are advertised as 'adult'"

W. D. Fulton, operator of four neighborhood theatres: "There are many drawbacks to the system. Exhibitors would differ as to the designations, and since their advertising would appear in the same paper, the plan would be confused. In the final analysis, responsibility for selection rests with the home. There are enough appraisals available, in newspapers, magazines and other media for any one interested to find out whether a picture is suitable. By the time the releases reach the neighborhood, parents are pretty well informed."

November Opening Grosses Show Drop from September

(Continued from page 1)

Chicago, Cleveland, Denver, Detroit, Indianapolis, Kansas City, Los Angeles, Minneapolis, New York, Pittsburgh, St. Paul and Washington. Off-

setting these were slight gains in Montreal, Oklahoma City, Omaha, Philadelphia, Portland, Providence, San Francisco and Seattle.

Comparative grosses for the latest available periods:

<table>
<thead>
<tr>
<th>Week Ending</th>
<th>Theatres</th>
<th>Gross</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sept. 27-28</td>
<td>132</td>
<td>$1,419,815</td>
</tr>
<tr>
<td>Oct. 4-13</td>
<td>132</td>
<td>$1,344,137</td>
</tr>
<tr>
<td>Oct. 18-26</td>
<td>131</td>
<td>$1,385,533</td>
</tr>
<tr>
<td>Oct. 25-26</td>
<td>133</td>
<td>$1,380,692</td>
</tr>
</tbody>
</table>

Comparative weekly totals:

<table>
<thead>
<tr>
<th>Week Ending</th>
<th>Gross</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nov. 1-2</td>
<td>$1,288,992</td>
</tr>
<tr>
<td>Nov. 15-26</td>
<td>$1,288,992</td>
</tr>
<tr>
<td>Nov. 1-12</td>
<td>$1,288,992</td>
</tr>
<tr>
<td>Nov. 13-19</td>
<td>$1,288,992</td>
</tr>
</tbody>
</table>

Pennsylvania 1933 Grosses

$30,891,000

(Continued from page 1)

of $224,000; Reading, four houses with receipts of $265,000 and payrolls of $85,000.

Berkeley, 14 theatres with receipts of $487,800 and payrolls of $85,000; Long Island, five theatres with receipts of $384,000 and payrolls of $85,000.

Chester, six houses with receipts of $342,000 and payrolls of $33,000; Allentown, three theatres with receipts of $307,000 and payrolls of $56,000.

Trenton, eight houses with receipts of $326,000 and payrolls of $30,000; Harrisonburg, four theatres with receipts of $300,000 and payrolls of $33,000; Allentown, three houses with receipts of $385,000 and payrolls of $12,000.

Erpi Will Figure

In A.T. & T. Probe

(Continued from page 1)

stock ownership, control, license agreement or otherwise.

It is anticipated the investigation will cost well over $200,000, and will develop thousands of pages of testimony and hundreds of briefs and exhibits.

In all probability, if the commission's inquiry indicates a need for reform in any direction, Congress will be asked to enact appropriate legislation.

New Musical Ideas Stirring—Taurog

New ideas in producing and staging musicals seem to be the mark of picture the most competitive production venture in Hollywood, according to Norman Taurog, Paramount director, in New York last week.

"The number of musicals which have been released, or are planned," Taurog said, "are possible only for those with new story or production ideas. The public isn't tired of musicals, but either is it paying to see just any musical."

Taurog returns to the coast Nov. 29 to begin work on "Target" for Paramount, a picture with an Annapolis background. His last assignment was "College Rhythm."

Polish Actress Held

Regina Opoczyńska, Polish actress recently signed by Fox, was detained by immigration inspectors at Ellis Island over $100,000. She was released, however, and allowed to proceed to Hollywood when representatives of Warner Bros. gave assurance of sending her departure at the end of her contract term.

Warner Club Sets Dance

The second annual reception and dance of the Brooklyn unit of the Warner Club will be held Thanksgiving Day at the offices of the Vitaphone plant in Brooklyn.
The Merry Widow" Waltzes Into Extended Runs!

She's the darling of America's Box-Offices! Gayly, brilliantly, she vamps your house records! It's fun to be vamped! And the list of extended runs is just beginning!

Cite Film Ads as Model for Cleanup

The publication cites a 35 percent increase in theatre attendance since the council’s inception a year ago, suggesting that some part of the increase was due to the advertising improvements which have been brought about. Success of the movement is credited in the article to the broad policies adopted for the council by McCarthy, the authority vested in him by the M. P. P. D. C.; the cooperation received from company advertising executives and the incorporation in the N.R.A. code for the industry of the advertising code of ethics. The latter adds an instrument of enforcement, seldom invoked but potentially useful, according to the article.

Production Code Is Reporting on Plays

night performances here and file immediate reports on the acceptability or the extent of changes required in the play material for production code compliance. The reports are sent to the proper representatives of the membership to be Breen in Hollywood. No effort is made to advise on the plays from box-office angles or to influence purchases of stage material in any way. To date, 43 stage productions have been caught and reported on here.

What the Symbols Mean

Reviews classified with a "G" are regarded as suitable for general entertainment.

Those with an "A" are regarded as suitable for adult entertainment.

boss' son, Phillip Reed, making innocent advances, with Ross jealous. At Reed's instigation, Joseph Cawthorn, the boss, decides to send Ross to Cuba, but on the sailing night Ross and Gloria marry. Fired, Ross struggles with Gloria between love and the budget and her family and Reed, but all ends well. On stage, Reed turns in a highly joyous portrait for big laughs. Others in the good cast include Frank McHugh, Ruth Donnelly, Henry Travers and Helen Howell.

The film is based on an original by Maxwell Anderson. The production and the photography are all right.

As commercial entertainment for the family trade it is an acceptable show.

Code seal No. 381. Running time, 68 minutes. Classification: "G."

“Fugitive Lady” (Columbia)

Hollywood, Nov. 15.—Good entertainment for average audiences.

Florence Rice, falsely convicted of theft, is wrongly identified as Rita LeRoy, estranged wife of wealthy Neil Hamilton, following a train wreck on the way to San Quentin in which Miss LeRoy is killed. Miss Rice tells Hamilton her story. They fall in love and attempt to fool pictures for two pictures on previous commitments to live in Hamilton's home and his friends, who have never met the first Mrs. Hamilton.

On the eve of their departure for Europe a gang of thieves who betrayed the girl attempt to rob Hamilton's safe. Rather than involve Hamilton and his family in a scandal, Miss Rice consents to leave with the gang, making it appear she had planned the entire move. Hamilton's snooping aunt, Clara Blandick, saves the day by acting after overhearing the thieves' conversation.

Al Rogell's direction is finely tuned for suspense. Hamilton and Miss Blandick are outstanding in a capable cast, including Miss Rice, Matt McHugh, Donald Cook, Miss LeRoy and Nella Walker, who plays Hamilton's mother.

The scenes of the wreck are realistic. Al Seigler's photography is good.

Code seal No. 330. Running time, 65 minutes. Classification: "G."

Allied’s Directors and Md. MPTO to Gather

Baltimore, Nov. 15.—Eastern regional directors of Allied from New England, New York, New Jersey and Maryland will meet at the Hotel Em-"
THE MAGNET THAT LURES THE BRIGHTEST STARS

now draws one of the greatest of all great names to the Warner list...
THE GLAMOUR OF ACHIEVEMENT....THE AURA OF SUCCESS....THE MAGNETISM OF LEADERSHIP....INEVITABLY UNITE THE HIGHEST TALENTS OF THE SHOW WORLD....AND SO-

MARION DAVIES

and

COSMOPOLITAN PRODUCTIONS

join

WARNER BROS.
Famed Film Goes into Effect

The Nation’s Press Hails Deal as the Most Important

Marion Davies and Cosmopolitan Pictures Sign with Warner

Joining Pictures

Contract Goes Into Effect

History in Headline

Famed Film Goes to

Booth Evening Journal: The Most Important

Warring With

Agreement

Warner

Union

Gale

Jr.

STAR WHO JOINS NEW STUDIO

Marion Davies, Cosmopolitan Pictures Join

Warner Returns to

Star

Waging

Jr.
MARION DAVIES, POPULAR MOVIE ACTRESS, NOW WILL TAKE EFFECT JANUARY 1, 1935; INCLUDES PATHE CINEMA PARADES
NOTED FILM STAR NOW WITH WARNER BROS. // WARNER BROTHERS SIGN CONTRACT TO STAR MARION DAVIES

S! READ BY MILLIONS!

Warner-Cosmopolitan Film Alliance in a Decade!

MARION DAVIES AND COSMOPOLITAN JOIN WARNER BROS.

Long-Term Contract to Go in Effect on January 1

Sister of William Randolph Hearst, Popular Movie Actress, Signs with Warners

The contract, signed by Jack L. Warner, head of the film company, and Miss Davies, 38 years old, is to begin on January 1, 1935. It is the most important contract the studio has signed for the coming year or more, and those who have been associated with Miss Davies for a series of star productions over the years and her ambition has been to produce pictures with Miss Davies that will create even greater box-office appeal than those that have been undertaken in the past. In addition, Miss Davies will also produce a series of Cosmopolitan productions.

The contract, made by Jack L. Warner, Warner, President of Cosmopolitan Productions, and Miss Davies, 38 years old, will begin on January 1, 1935. It is the most important contract the studio has signed for the coming year or more, and those who have been associated with Miss Davies for a series of star productions over the years and her ambition has been to produce pictures with Miss Davies that will create even greater box-office appeal than those that have been undertaken in the past. In addition, Miss Davies will also produce a series of Cosmopolitan productions.

Warners will make Davies pictures.
Starting January 1st
All Cosmopolitan Productions
including the starring vehicles of Marion Davies
will be added to the other great properties already announced by Warner Bros.
**We Live Is $100,000 Hit At Music Hall**

“**We Live Again**” turned out to be the big hit of the week, or at least the noise of the week, going to $100,000, one of those grosses that make the Music Hall ushers expand their chests until the buttons pop. That is the way the business was at the Music Hall.

In spite of the crowds headed toward 5th Ave. and 50th St. and the nearby Atlantic-Gypsy-Good Round-up rolled up $50,000 in 10 days at the Rivoli and “Kansas City Princess” did very well at the Bowery.

The Capitol had a quiet week with “Outcast Lady,” getting only $28,500. Aroma “n’ Andy” were on the stage.

“Mrs. Wiggs of the Cabbage Patch” failed to strain the seating capacity of the Paramount. The take was $3,250.

Estimated takings:

- **Week Ending Nov. 7:**
  - **MOTION PICTURE DAILY**
    - Radio City Music Hall—$5,945.
    - Stage show: Gross—$400.

- **Week Ending Nov. 8:**
  - **OUTCAST LADY** (U, A.)
    - Capitol—$4,265
  - **MAN OF ARAN** (Gaumont-British)
    - Orpheum—$3,050
    - Stage show: Gross—$3,500.
  - **NOW AND FOREVER** (Paras)
    - Paramount—$2,950
    - Stage show: Gross—$3,750.
  - **WIVES OF THE CABBAGE PATCH** (Para)
    - Radio City Music Hall—$3,000
    - Stage show: Gross—$3,750.
  - **MAYFAIR—INDIANA—**
    - Indiana—$2,300.
  - **6 NIGHTS IN HOLLYWOOD** (Fox)
    - RKO—$2,300.
  - **PICK’S BAD BOY** (Western)
    - RKO—$2,300.

- **Week Ending Nov. 12:**
  - **THE MERRY WIDOW** (M-G-M)
    - Astor—$1,005.
  - **THE MERRY WIDOW** (M-G-M)
    - RKO—$2,350.

“**Widow**” at $6,500 Indianapolis High

**INDIANAPOLIS**, Nov. 15.—“The Merry Widow” stood out in a dull week here, going to $6,500, over normal by $2,000, at the Palace. The “Count of Monte Cristo” took $2,250 in a return engagement at the Apollo.

The total first run business was $23,250. Average is $2,575.

Estimated takings for the week ending Nov. 10:

- **THE COUNTER OF MONTE CRISTO** (Col)
  - Circle—$365.
  - Stage show: Gross—$300.

- **THE CAPTAIN HATES THE SEA** (Col)
  - Circle—$365.
  - Stage show: Gross—$300.

- **MADAME MARIE** (Fox)
  - Lyric—$365.
  - Stage show: Gross—$300.

- **MERRY WIDOW** (M-G-M)
  - Roxy—$365.
  - Stage show: Gross—$300.

“**Widow**” Hits Washington’s Top, $20,000

**WASHINGTON**, Nov. 15.—Most of the activity in this section was stirred by “The Merry Widow” last week. It ran up to $20,000 over normal as $1,500 in the department stores.

“The One Night of Love” was still in the big money in the third week of a return engagement, going over par by $1,500 in the metropolitan business, elsewhere was weak.

Total first run business was $7,120. Average is $7,120.

Estimated takings, exclusive of tax, for the week ending Nov. 8:

- **HAPPINESS AHEAD** (Warners)
  - Earle—$2,210
  - Stage: “Sun Walk Cafe” Keres by Denny Riss, c/o, Charon, Warner Bros.
  - Jimmy Savo, Maxine Stone, Harold Boyd & Bournes, Gross: $10,500. (Average, $7,000)

- **THE LOVE TIME** (Fox)
  - Loew’s Columbia—$1,520
  - Stage: “Go West” by B. A. Dyer, Gross: $3,000. (Average, $1,500)

- **TRANSATLANTIC MERRY-GO-ROUND**
  - RKO—$570

- **THE MERRY WIDOW** (M-G-M)
  - Loew’s Palace—$2,070
  - Stage: “Once Upon a Time,” Gross: $3,090. (Average, $2,060)

- **ONE NIGHT OF LOVE** (Col)
  - Metropolis—$1,400
  - Stage: “The Other Side” by B. A. Dyer, Gross: $2,100. (Average, $1,400)

- **GIFT OF GAB** (Univ)
  - RKO-Pathéscope—$1,300
  - Stage: “A La Cucaracha” added, Gross: $1,550.

**Buffalo to Depend On Legislation Risings**

**BUFFALO**, Nov. 15.—No intention to follow the lead of Warners in Phila. as a family or adult audiences, is contemplated by Buffalo Theatres, that, due to the absence of courts houses here. Schine and the Bash Bros. have only second run houses and do not figure much in the advertising of pictures.

The attitude here seems to be that such selectivity would be a constant basis upon which to build any business as for family or adult audiences.

Because of the cooperative attitude of Dr. Edward S. Schw格尔, diocesan director of the Legion of Decency, each week issues a list of approved first run pictures, classified as for adults or family audiences.

Expect New Ohio Censor

**COLUMBUS**, Nov. 15.—Few official announcements have been made by Governor-elect Davey as to the new State censor, but it is believed that Joseph Ginter, assistant to the new director of education, will be promoted to state director, to succeed Dr. Beverly O. Hildreth, the late ex-officio head of the censor board.

Start Family Shows

**SALT LAKE CITY**, Nov. 15.—Weekly family shows, some with some color, have been held at the Capitol. The Salt Lake City Parent-Teachers’ Council is sponsoring the programs and Perry Rockwood, state chairman, is supervising the children each week.

**“Widow” Tops Detroit with $13,900 Take**

**DETROIT**, Nov. 15.—Practically the only important money here last week went to “The Merry Widow” in the United Artists. The gross was $13,900, over normal by $3,500.

Every other first run was away off except the Fox, where “Stage: ‘Age of Innocence’” only took $5,200, under average by $9,800. Two of the big houses, the Fisher and State, had second run dual bills and the Broadway-Capitol had its first week of duals.

The total first run business was $54,250. Average is $7,500.

Estimated takings for the week ending Nov. 8:

- **ONE NIGHT OF LOVE** (Col)
  - Adams—$1,770
  - Stage: “Go West” by B. A. Dyer, Gross: $3,200. (Average, $1,770)

- **LEMON DROP KID** (Para)
  - Broadway-Capitol—$1,000
  - Stage: “The Other Side” by B. A. Dyer, Gross: $1,500. (Average, $1,000)

- **GIRL OF LIMBERLOST** (Monogram)
  - Stage: “The Ninfitals” (Second Run)

- **FISHER** (Fox)
  - Fox—$1,000
  - Stage: “The Other Side” by B. A. Dyer, Gross: $1,500. (Average, $1,000)

- **AGE OF INNOCENCE** (Radio)
  - Loew’s—$1,000
  - Stage: “The Other Side” by B. A. Dyer, Gross: $1,500. (Average, $1,000)

Ohio’s Legislature Called on Sales Tax

**COLUMBUS**, Nov. 15.—Governor White has called the General Assembly in special session Nov. 19, to act on a sales tax, since the state requires approximately $3,000,000 more than it balances municipal budgets, and care for poor relief and school budgets. If the measure is passed now, it is expected the new General Assembly which convenes Jan. 3 will enact it, because schools in many districts have closed for lack of funds, and the OhioMerchants’ Ass’n, heretofore opposed to the tax, now favors it with changes.

**“Widow” Versatile**

**Hollywood**, Nov. 15.—Irvin Cobb, now writing an original M-G-M, is personally designed for Will Rogers, is so flexible that in the event Rogers does not like it, the casting could be assigned to Lionel Barrymore.

So pleased are the M-G-M executives at the protean talent now taking long term contract with him as a writer. Shelly Berman, a young promising man, will be called upon to act with an organizer as a writer-actor.

**“Widow”**
"Widow" Gets Big $19,000, Kansas City

Kansas City, Nov. 15.—The "Widow" was the picture of the week, ringing up $19,000, $3000 over Warners, which was second. Assisted by "Big Hearted Herbert," with Guy Kibbee exploiting as a former local stock star, the club is to bow with "Tower" a good seven days with $7,500.

"Judge Priest" box-office activity at the Warners, which was second, is a good seven days, $4,600.

Attendance of several thousand visi tors at a state teachers' convention helped downtown showshops. Total first run business was $43,300.

Attorneys: Joe Atwood, Mr. J. W. Simp son, Mr. Wm. L. Reed.

"Widow" shows.


"Big Hearted Herbert" (Warners) New Era—2800, 25c-30c-40c, 7 days, plus Saturday late show. Stage: Greer, Miss Carol Busby, Rona Moulton, Red Brox. Gross: $9,000. (Average, $1,286.)

"Jude Priest" (Fox) Uptown—2800, 25c-40c, 7 days, 3rd week. Gross: $4,400. (Average, $630.)

"Chu Chin" Pulls $9,000, Montreal

Montreal, Nov. 15.—Theatres had it pretty much their own way last week, sport competition being at its worst. The "Chu Chin Chow" at the Palace, which came in at $9,000, was the highest gage. A girl show on the stage brought $1,000 to Loew's while "British Agent" hit $1,500 at the Palace, both being above average at the box-office.

Total business was $41,000. Average, $5,857.

Estimated takings for the week ending Nov. 10:

"Mrs. Wrong of the Cabbage Patch" (Para.) Capitol—(2800), 25c-30c-40c-45c, 7 days. Gross: $8,000. (Average, $1,143.)

"The Dragnet" (M-G-M) F. N. Loews—(3,115), 30c-40c-45c-50c-75c, 7 days, plus Saturday late show. Stage: Joe Morris, Louis McDonald was with Harry Rose. Gross: $12,000. (Average, $1,714.)

"British Agent" (F. N.) Palace—(2800), 30c-40c-45c-50c-75c, 7 days. Gross: $7,500. (Average, $1,071.)

"Chu Chin Chow" (British) "Okay the Nest" (British) "Pringlet"—(2,275), 30c-40c-45c-50c-75-95c, 7 days. Gross: $9,000. (Average, $1,286.)

variety club chatter

Cincinnati

CINCINNATI, Nov. 15.—Fifty-five bands and 850 guests at the local Variety Club drew 700 guests. President Frank Drew and the directors met the guests attired in their official "barber" costumes of red coats and top hats.


"The Merry Widow" (Gross) Palace—(2800), 25c-30c-40c, 7 days, plus Saturday late show. Stage: Du Barry, Miss Carol Busby, Rona Moulton, Red Brox. Gross: $9,000. (Average, $1,286.)

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Brent Opposite Franks

Brent Opposite Franks

Brent, Nov. 15.—George Brent annexes the chief role opposite Kay Francis in "Living on Velvet," which Warners is producing. The film has started, Frank Borzage directing.
May Timee "discovers"

KETTI GALLIAN

for the Chicago Tribune's 771,190 circulation:

"Slim Ketti is an electric, lovable personality. She is clever, spontaneous, intuitive, and mighty pretty. Emotionally facile, she slips from gayety to fear, to sadness believably and appealingly. She has the faculty of expressing much with hands and eyes. A real find, this newcomer."

"Time" magazine, too, alert to new important personalities, sings her praises: "Ketti Gallian has a quick charm and an informal blonde beauty."
Richard's Remains

As Saenger's Head

(Continued from page 1)

was followed with approval by the reorganization committees at a later meeting.

As also designated in the original Saenger reorganization plan, which was published exclusively in Motion Picture Daily of June 7, Richards will acquire 50 per cent of the outstanding stock of the new Saenger company. However, it was stipulated that Richards was to receive all of the Class A and Paramount all of the remainder of the stock. The transfer of the shuffles the voting and income stock in Paramount's favor but still gives Richards a 50 per cent interest, it is understood.

The agreement completes the Saenger reorganization plan which will now be referred to the court for the objective of effecting the reorganization prior to Jan. 1, as contemplated in the original plan which stipulated that if the plan were not accepted by the court, it would be considered to have been abandoned.

Objections Made to Allied Owners Plan

(Continued from page 1)

securities aggregating $400,000, presented the protest and asked for a delay. He was warned that a series of adjournments and incompletion of the plan back beyond Dec. 31.

Most of the hearing was devoted to questioning of William N. Greve, president. The plan was inter- rupted and declared that the questioning was covering ground previously examined and that the attorneys could find their information in a transcript of the testimony.

The proposed reorganization is under Section 77B of the new bankruptcy laws, and it is understood that Loew's, Inc., will not extend its offer for some houses involved beyond the end of the year.

Allied was formed as a financing organization and has interests in the Brooklyn Paramount, Loew's Kings, Loew's Pidkin, Loew's Valencia, and other houses in Birmingham, Fremont, O., and Glenn Falls, N. Y.

Transfer Five Ohio Spots to Para. Unit

(Continued from page 1)

Palace and Rialto at Hamilton, and the Paramount and Strand at Middletown, by the Taft estate, owners.

Harry L. Royster was elected vice-president and general manager of the new operating company for the five houses. B. Fields, of counsel for the Paramount Publicx trustees, represented the lessor in the conclusive transactions, and the transfer is in accordance with the plan of settlement of the Taft estate's claims against Paramount Publicx arising from its guarantee leases. The settlement plan was approved by the Federal court in New York some time ago.

Smith Goes to Frisco

CINCINNATI, Nov. 15.—George Smith, manager of the Paramount branch, has been transferred to the San Francisco office. Joseph Oukahan comes here from Washington, D.C., as Smith's successor.

Brisbane Pays High Honor to Pickford

Arthur Brisbane yesterday paid tribute to Mary Pickford at the Ampe. Miss Pickford has been named president of the women's division of the association. Brisbane stated "Miss Pickford typifies American womanhood and is a credit to the industry."

The famous editorial writer struck a humorous note when he revealed that upon his arrival at the M. P. Club he was given a speech written by one of the publicity men. He said: "This is the way some of the bosses in the film industry make speeches, but I dictated mine to a dictagraph, which I have in my car, on my way down to business this morning."

Brisbane presented Miss Pickford with a scroll of life membership to the Ampe. In accepting the scroll, Miss Pickford said: "It's a happy day and a joyous occasion when I find myself among my own people. Today is no exception. I find my words sticking in my throat so I'll try to wipe it out. I am moved by this happy occasion. Radio and the stage can never take the pictures held here."

Other guests at the meeting included Eddie Rickenbacker, Clarence Larkin, Frank Buck, Benita Hume, Nick Low, Patric Knows, Uncle Don and Harry Hershfield Charles C. Pettjohn was guest chairman.

BIP Has 12 on Its Lineup; 5 in Work

LONDON, Nov. 15.—Twelve features are being announced by B. I. for the coming season, according to John Maxwell, company head. Production supervision will be handled by Walter Mycroft.

Five pictures are already in work. These are "Abul Hamid," "The Old Man and the Sea," "Daughter of Cameron, Glusky, the Sea Rover" and "Radio Parade of 1935," part of which will be done in Paris.

The other seven proposed are "Trale of England," "La Boheme," "Auburn," "Dance Band," "Blackbirds of 1935," a picture united but starring Henry Hall and his B. C. Dance Orchestra, and "Invitation to the Dance."

Grant to Run M. P. Office

HOLLYWOOD, Nov. 15.—Jack Grant has moved in as head of the Hollywood office of Motion Picture Publication, it was announced yesterday, and is to remain as western editor under the supervision of Grant, who is also president of the company, of which Stanley V. Gibson is publisher.

Grant's first move was to call a meeting with producers to iron out the difficulties which have arisen since the company's "Picture and Motion Picture Classic" was started.

Lisbon Giveaways Hit

CLEVELAND, Nov. 15.—The grievance and exclusion board of the Screen Guild, in order to George Manos, Lisbon, upon complaint of Robert Madigan, Opera House, Lisbon, against "Farm Nights." The board dismissed a complaint of Manos against Madigan, charging reduced admissions.

Settlements End 4 Neb. Theatre Suits

LINCOLN, Neb., Nov. 15.—Settlements have been made in four suits against 13 distributing agencies in Nebraska. The suits, filed in Federal district court here, took damaged aggregating $217,500.

The plaintiffs were Clarence J. Kruppa, of Sidney, who sought $67,500; C. N. Robinson, Blair, $32,500; Eric Wesserman, Pierce, $61,500; and G. G. Maloney, Papio, $50,000. Defendants were Omaha Film Board of Trade, Paramount Publicx Corp., First National Pictures Distributing Corp., M. G. M. Distributing Corp., Universal Film Exchanges, Inc., Fox Film Corp., United Artists, Warner Bros., and RKO-Pathe Distributing Corp.

Paul F. Good, attorney for the plaintiffs, revealed the settlement was $20,000, Wesserman and Robinson each receiving $5,000 and Griffin and Kremer $5,000 each.

The actions were brought on grounds similar to those involved in the Youngclaus case—allegations being made that small theatres were forced to purchase and show pictures to give protection to larger theatres. This protection, it was charged, forced the small theatre owners to show second run pictures at a loss in revenue.

Appeals Committee Hears K. C. Charges

While George J. Schaefer and Edward Golden were on their way to Kansas City yesterday to straighten out the clearance and zoning schedule, a special committee comprising Charles L. O'Reilly, Joseph Seider and Harry H. Buxbaum, in charge of complaints against exhibitors in that territory involving reduced admissions.

The committee, comprising A. Bailey, Lindeberg, Kansas City, against J. F. Rigney, Westport, same city; Ritz, Chillicothe, O., against Glen Dickin, Emporia, same city; McAleer, Osceola, Parsons, Kan., against Dickinson's Uptown, same city; B. Schatz, Strider, Creston, Ia., against Glen Dickinson, Dickinson, same city.

Johnston to Confer

KANSAS CITY, Nov. 15.—W. Ray Johnston arrived here from the coast today and tomorrow will meet Edward Golden, who arrives from New York with George J. Schaefer on local clearance and zoning matters. Johnston and Golden will confer on Monogram sales and production plans and leave here Saturday for New York.

G. C. today was given the go-ahead con- ferring with Irving Mandel of Security Pictures, Monogram franchise director.

New Buying Charge Made Against Reade

Another overbuying complaint has been filed against Walter Reade in New Jersey. This time Sidney Sam- mon, 173 Warren St., Newark, filed a protest for Joseph Sec- abard of the Liberty, Plainfield, claim- ing that Reade overbought for his Strand, Oxford and Paramount in the same city.

Hearing is set for next Tuesday.

Short Subjects

"Rhapsody in Steel" (All-Body)

This short subject, produced by Audio Prod., is a distinct novelty and should create comment no matter where played. It's a commercial film, one that takes the audience through every step in the manufacture of an automobile, but the photography is so unique and striking that it's hard to avoid creating comment.

What Symbols Mean

The "G" symbol indicates general entertainment.

The "P" symbol indicates adult entertainment.

this phase of the picture alone is enough to make it stand out.

Every process in the manufacturing of the car is covered in detail from the forging of the steel, the stamping of the body panels, the assembly of the parts and down to the final polishing of the finished product. The adult entertainment this picture gives is highly recommended. No code seal. Running time, 15 mins. Classification: "G."

"Done in Oil" (Roach-M-G-M)

Thelma Todd and Patcy Kelly, aided by Arthur Houseman, Eddie Conrad and Leo White, here combine to produce an amusing short. Miss Todd and particularly Miss Kelly resort less slapstick here than in any of their previous comedies and the results are much more favorable. The shorts are based upon personalities, situations and entire story novel. Code seal, No. 218. Running time, 20 mins. Classification: "G."

"The Big Mouthpiece" (Radio)

The title fully explains this one. It is a short subject with a very engaging tone, starring. Chick Chandler, as a fledgling lawyer that loves the sound of spoken words and that magnolizes the pictures and fails to click here as a comedian. Tom Kenny and Jeanie Roberts are also in the cast. Code seal, No. 218. Running time, 20 mins. Classification: "G."

"Rugby" (M-G-M)

With off-screen comments by Pete Smith, this short explains the game of rugby. It should interest those auditors who are unfamiliar with it, but its appeal to the general type of the spectator is doubtful. Its subject matter and the present code seal, No. 175. Running time, 10 mins. Classification: "G."

Charter March of Time

ALBANY, Nov. 15.—March of Time, Inc., New York City, has been chartered with capital of 200 shares non-voting, no-par. Directors are Henry C. Walter, Jr., Gilbert W. Oswald and Keith T. Middleton and the number of subscribers, Cravath De Gersdorff, Swain & Wood, are attorneys for the corporation.

"Waltz Time" to Open

"Waltz Time in Vienna," musical produced in Austria by Ludwig Berger, will open tomorrow for a run at the 55th St. Playhouse.
N. L. NATHANSON

Operates
153 theatres,
spends upward
of $3,000,000
annually for film.

He reads
MOTION PICTURE
DAILY
THE INSIDE STORY OF THE LOVES AND LOVERS OF THE MOST FAMOUS SONG BIRD IN THE WORLD!

gloriously sung and played by the glorious new personality

EVELYN LAYE "Evensong"

OPENING TODAY • ROXY

COMING . . . GEORGE ARLISS in "THE IRON DUKE"
Agreement on Eight of Para. Directors Set

Names Will Be in Plan To Go Before Court

Agreement on candidates for the first board of directors of reorganized Paramount which, at the outset, willumber eight or nine of a projected complete membership of 12 or 14, virtually has been agreed upon in organization circles.

Those involved in the candidacy there now remain but little doubt are: Joseph Zukor and George J. Schaefer, Paramount; Frank A. Vanderlip and Dr. Julius Klein, of the Paramount bondholders' protective committee; Samuel A. Holmes and Maurice Newlin of the Paramount stockholders' protective committee, and Percy Johnson and George W. Davison, of the Paramount bank creditors' group. Lawton is associated with Hallgren.

(Continued on page 6)

Erpi Para. Claim

Set at $1,200,000

Settlement of Erpi's $1,884,000 claim against Paramount Publix, agreed to recently by the Paramount trustees and scheduled for immediate filing in the Federal district court, provides for a $1,200,000 consideration to the Corporation of the.

(Continued on page 6)

No Rialto Change Is Expected for a Year

Although new interests have bought to the Rialto Theatre, and building, a new structure, if any, will be erected to replace the present playhouse until Nov. 1935, Arthur Mayer, operating for Paramount for the last year and a half, (Continued on page 4)

Now Up to Members

Hollywood, Nov. 18—Directors of the Screen Actors' Guild yesterday approved the agreement under which the organization will receive a charter from the Associated Actors and Artists of America giving it full union jurisdiction over the picture field. Ballots are now being mailed to the approximately 500000 members for ratification.

10,263 Houses Grossed

$414,468,000

in 1933

$93,907,000 N. Y. Theatres' Take in '33, Bureau Says

WASHINGTON, Nov. 18.—Nearly 25 per cent of the nation's theatre business is centered in the State of New York, where 879 theatres last year had total box-office receipts of $93,907,000, it was announced today by the U. S. Census Bureau.

The bureau's study showed 820 picture houses with receipts of $85,150,000 and payrolls of $17,866,000; 29 picture and vaudeville theatres with receipts of $4,850,000 and payrolls of $1,640,000, and 30 legitimate theatres and opera with receipts of $3,907,000 and payrolls of $1,454,000.

Nearly half of all the houses in the state are located in the City of New York, where 424 houses took in $70,360,000 on payrolls of $16,113,000. The borough council of New York, with receipts of $63,882,000 and payrolls of $13,959,000; 13 picture and vaudeville with receipts of $2,578,000 and payrolls of $1,069,000, and 29 legitimate houses with receipts of $3,900,000 and payrolls of $1,449,000.

A breakdown of the city figures shows that Manhattan had 144 picture

(Continued on page 5)

Loew's 1934

Profit Up to

$7,479,897

Sale of FWC

Up Today for

McNabb O. K.

Net profits of Loew's, Inc., and wholly owned subsidiaries for the fiscal year ending Aug. 31 were nearly double those for the previous year. The total, after interest, depreciation and Federal taxes, was $7,479,897.41. For the previous year they were $4,034,289.

This year's figure, an increase of $3,445,608.41, brings net profit back to the 1932 level of $7,961,314 and is more than half of the five-year record of $14,600,332 set in 1930.

Earned surplus for the year ending in August is given as $3,667,063.66, a gain of $3,966,740.66 over the previous year.

Gross income for the current year,

(Continued on page 5)

Path 39-Week Net Totals $78,165.13

Pathé Exchange, Inc., made a net profit of $78,165.13 during the 39 weeks ending Sept. 29 and cut its deficit by that amount, according to

(Continued on page 5)

Rosenblatt May Get NRA Compliance Job

WASHINGTON, Nov. 18.—The elevation of Division Administrator Sol A. Rosenblatt to director of compliance for the NRA is reported in

(Continued on page 5)

9,499 Straight Picture Theatres Did Bulk of $356,316,000

The business chart of the nation's theatres in 1933 appears in full detail on page 4.

By CLARENCE LINZ

WASHINGTON, Nov. 18.—A total of 10,263 theatres with box-office receipts last year of $414,468,000 have been counted throughout the United States by the U. S. Census Bureau, it made public tonight.

Of the total 9,499 were motion picture houses with receipts of $356,316,000 and 642 were picture and vaudeville houses with receipts of $49,541,000. Legitimate theatres numbered but 122 and their receipts were but $8,611,000, or slightly more than two per cent of the total national box-office parade.

Nearly 80 cents out of every dollar spent for amusement goes into the box-office of theatres showing motion picture, analysis of the bureau's figures disclosed. Total expenditures last year for all amusements, including theatres, races, bowling, vaudeville, etc., were placed at $519,497,000.

Slightly more than one-fourth of all theatre receipts are taken by the houses in the seven largest cities, it

(Continued on page 4)

Cleveland 10-Cent Rate to Be Argued

CLEVELAND, Nov. 18.—To discuss the growing prevalence of slashing admission prices as a result of recent court cases, the Cleveland M. P. Exhibitors' Ass'n has called a general meeting for Wednesday. Non-members in the Greater Cleveland area have been invited.

First run and first run neighbor

(Continued on page 5)

Organizing

Checkers of the various Broadway houses are planning to hold daily meetings along the Main Stem to exchange information.

As it stands, the spotters know each other by sight and do their talking informally.

(Continued on page 5)
MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Editor-in-Chief and Publisher

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JAMES A. CRON
Advertising Manager


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Columbia Lines Up Exploitation Staff

Columbia has decided to put on additional exploiters to work on “Broadway Bill” key center opening dates, following a follow-up exploiters’ session at the St. Moritz. Among the exploiters are John Curran, M. Shapiro, Fred Marshall, Philadelphia; Harold Harris, Cincinnati; Jack Thoma, Chicago; Ted Todd, Atlantic; Mike Roth, Kansas City; Mike Newman, Los Angeles; Jean Finley, Dallas; Eddie Meek, Los Angeles.

Cohn Back Wednesday

Jack Cohn, vice-president of Columbia, arrives Wednesday aboard the Conte de Savoie.

INSIDERS’ OUTLOOK

MUCH of significance in the attitude of the Catholic Church toward films is embodied in the two statements issued by the general conference of its bishops in Washington late Friday night. In fact, the failure of that conference to agree on the boycott question, with Cardinal Dougherty, whose purple wields an influence of force in the Philadelphia diocese, stands out in several respects. The bishops, you understand, did not in so many words declare they disagreed with the Philadelphia ban which has created serious theatre disturbance in that section, yet their conclusions inevitably point out that they did, . . .

Little comfort for the industry is offered in the text of the published statements of warning and indicated action. The bishops made it very clear that the Catholic boycott, duration one week at least, impedes if the industry’s pledge to the Legion of Decency to “maintain decent standards in motion pictures” is not carried out. Yet comfort of a sort there is in their attitude. The hierarchy warned it is true, but it also left the road open, predicated on the small, but big, word “if.” The industry, once again, therefore, cannot plead ignorance. It has been told where it stands and this it is; if it does standards, appraised through Catholic eyes, are not maintained, the penalty will be theatre absence by church members, . . .

From the statements, republished because of their clarity, intent and scope:

No group of men are less inclined than the Catholic bishops to interfere with legitimate amusements, or, in these times of trial and uncertainty, to deprive people of any pleasure that may bring joy into their lives. . . . The campaign against the crimes and transgressions of the make-up and production of pictures has been undertaken with no other purpose than to show that a clear line must be drawn between what is elevating and instructive and what is degrading and degrading. . . . If every community continues to insist that only clean pictures be shown, the producers will not fail to prove them in return to their old ways of exploiting the weakness of human nature.

Casting all doubts to the wind, if there were any, about a reorganized Paramount as it has to do with one Adolph Zukor comes the sweeping, late-last-week statement from Trustees Richardon, Hills and Leake. Listen to part of what they had to say:

“At no time has there been any clash or difference, either in purpose or method, between Mr. Zukor and the trustees. The business of the corporation found themselves in full and harmonious accord with him in . . . policies. . . . The trustees recognize that great value and importance to Paramount and they are confident that all who are interested in the welfare of Paramount are and familiar with its affairs also know Mr. Zukor’s record and recognize the great value to the enterprise.” . . .

To contemplate Paramount, as it stands or as it may be reorganized, without Zukor’s participation would be to walk out on much of the tradition of the industry. To many in many quarters, Zukor continues to be Paramount, and Paramount, Zukor. The available record on attempted operation of any large film company by simonpure bankers alone could be tinged with far more accomplishment. The peculiar complexities of this business, its frequent importance, apparently inherent—to treatment applied to other enterprises in other fields by this time should be so familiar a story that efforts at wide-changing the routine would seem most effective by not trying at all. Zukor played a monumental part in building up Paramount over a long period of years. No reason exists why he should not further; that he has no intention “at present” of financing Selznick. For February 1, however, it may be a different story. One of those nine Technicolors Whitney has in mind is “Dark Victory,” the new Talkie Bankhead play. . . . Joe Kennedy, one-time picture thief and now chairman of the Securities and Exchange Commission, has gone down right noble in explaining how business will be done giving the chance to live, make profits and grow” provide it “does the right thing.” Press interviews you understand.

Manny Cohen, who, for this reason and that, has been making the public prints with a bang of late, is back he his original Paramount job as editor of its newsreel long enough on Saturday day toock and rock an untimmed adversary or adversaries whose names are not difficult to fill in.

“The film industry need not fear that it will ever be without a Exhilarating.” Paramount News right now makes the pledg to exhibitors that it will always adhere to a straight all the time. It wants—news not propaganda or commentary. . . . It isn’t featuring incrustations just because they favor a certain city. Neither will Paramount News strive to show ‘Scoop!’ bytrickly up locking material with a new sound track thus bringing an old story up to date.

Fox Movietone, Hearst Metro, Universal, Pathe, not to overlook the “March of Time,” please note. It’s meant for several or all of you. . . .

LEON ROSENBLATT MOVING

Leon Rosenblatt is moving his head quarters to the Paramount Building Jan. 1. Joseph Leider also is shifting his quarters to the same building about the same time.

BUES CLEVELAND REX

CLEVELAND, Nov. 18.—M. C. Jacob, who operates the Rex from Mr. and Mrs. Dominic Grillo, I opened today under the new owner.

MISS MARION TO M-G-M

Hollywood, Nov. 18.—France Marion has been signed to a new long term contract with M-G-M.
"THE PRESIDENT VANISHES" WALTER WANGER'S FIRST PICTURE FOR PARAMOUNT RELEASE PREVIEWED IN HOLLYWOOD TO AMAZING PUBLIC REACTION. TRADE PAPERS RAVE. "WANGER DELIVERS HIT. IT CAN'T MISS"... HOLLYWOOD REPORTER. "WILL GIVE ITSELF FLYING STAR AT BOX OFFICE"... MOTION PICTURE DAILY. "DISTINGUISHED, DARING, PROVOCATIVE. SHOULD GROSS HEAVILY IN KEY SPOTS". HOLLYWOOD VARIETY, STOP WATCH FOR THIS PICTURE.
1933 Grosses: Where and What They Were

WASHINGTON, Nov. 18.—The following table, prepared by the Washington Bureau of Motion Picture Daily, shows, in detail, the classification of theatres in each state, both as to number and as to box-office receipts in 1933. The figures are preliminary and subject to correction when the Census Bureau completes its analysis.

<table>
<thead>
<tr>
<th>Number of Houses</th>
<th>Receipts</th>
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<td>M.P. &amp; Let.</td>
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<tr>
<td>M.P. &amp; Let.</td>
<td>Total</td>
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**Alabama** | 117 | 9 | 126 | $1,673,000 |
**Arizona** | 25 | 7 | 33 | 637,000 |
**Arkansas** | 38 | 13 | 112 | 1,320,000 |
**California** | 555 | 15 | 129 | 20,367,000 |
**Colorado** | 101 | 21 | 123 | 1,997,000 |
**Connecticut** | 125 | 15 | 141 | 5,812,000 |
**Delaware** | 22 | 21 | 33 | 906,000 |
**Dist. of Col.** | 22 | 1 | 23 | 727,000 |
**Florida** | 92 | 42 | 134 | 1,572,000 |
**Georgia** | 147 | 9 | 156 | 3,912,000 |
**Hawaii** | 61 | 1 | 62 | 709,000 |
**Iowa** | 447 | 10 | 357 | 19,454,000 |
**Indiana** | 235 | 56 | 291 | 2,232,000 |
**Kentucky** | 149 | 2 | 151 | 3,463,000 |
**Louisiana** | 148 | 2 | 150 | 34,000 |
**Maine** | 147 | 1 | 148 | 1,115,000 |
**Maryland** | 144 | 13 | 157 | 6,330,000 |
**Massachusetts** | 222 | 10 | 232 | 21,980,000 |
**Michigan** | 399 | 4 | 403 | 13,238,000 |
**Minnesota** | 314 | 3 | 317 | 7,523,000 |
**Mississippi** | 32 | 2 | 34 | 67,500 |
**Missouri** | 278 | 7 | 325 | 8,014,000 |
**Montana** | 72 | 12 | 84 | 780,000 |
**Nebraska** | 261 | 8 | 269 | 2,580,000 |
**Nevada** | 19 | 19 | 44 | 474,000 |
**New Hampshire** | 47 | 47 | 94 | 780,000 |
**New Jersey** | 235 | 2 | 237 | 19,149,000 |
**New Mexico** | 367 | 4 | 371 | 497,000 |
**New York** | 820 | 29 | 849 | 85,150,000 |
**North Carolina** | 182 | 1 | 183 | 4,071,000 |
**Ohio** | 535 | 18 | 553 | 19,846,000 |
**Oklahoma** | 252 | 2 | 254 | 4,363,000 |
**Oregon** | 2,901 | 3 | 2,904 | 2,446,000 |
**Pennsylvania** | 722 | 12 | 734 | 26,980,000 |
**Rhode Island** | 35 | 2 | 37 | 3,171,000 |
**South Carolina** | 70 | 7 | 77 | 1,306,000 |
**South Dakota** | 122 | 1 | 123 | 1,083,000 |
**Tennessee** | 122 | 2 | 124 | 2,711,000 |
**Texas** | 508 | 4 | 512 | 12,099,000 |
**Utah** | 31 | 1 | 32 | 533,000 |
**Virginia** | 157 | 2 | 159 | 4,099,000 |
**Washington** | 149 | 6 | 155 | 2,711,000 |
**West Virginia** | 297 | 6 | 303 | 6,532,000 |
**Wyoming** | 28 | 9 | 37 | 470,000 |
**Total** | 9,499 | 642 | 122 | 10,263 | $356,316,000 |

*Figures withheld by Census Bureau to avoid disclosing individual transactions.
Legend: M.P.—Motion Picture. M. & P.——Motion Picture and Vaudeville. Leg.—Legitimate stage and opera.

**Rename F. & M. Unit**

Dover, Del., Nov. 18.—Stagehands, Inc., a Delaware corporation, has changed its name to Fanchon & Marco Agency, New York.

The company has been chartered to deal in television, radio, phonograph and wireless sets, listing a capital of $100,000. The incorporators are J. M. Frere, J. A. Frere and C. R. Murphy of Wilmington.

**Arcadia, Phila., Cuts**

PHILADELPHIA, Nov. 18.—The Arcadia, down-town second-run, has followed the Stanley-Warner lead with a change in scale. The house drops from a 25c-40c-50c scale to 25c-35c-40c.

Rumor around town is that the Earl, presentation house, will drop when the Mastbaum reopening on Dec. 24 under Roxy’s direction.

**No Rialto Change is Expected for a Year**

(Continued from page 1)

has another year to go before the lease expires. Until that time, nothing can be done.

It is reported that the new interests want to add a number of stores and make the theatre smaller. Whether this plan will go through at this time next year is in doubt.

number of theatre men close to the Rialto situation.

**Landi Opposite Brisson**

Hollywood, Nov. 18.—Paramount has defined that Elissa Landi is the lead opposite Carl Brisson in “All the King’s Horses,” which Frank Tuttle will direct. The cast includes Edward Everett Horton, Jack Oakie, Katherine DeMille and Marina Schubert.

**Theatre Loans Held Up in K. C. Section**

KANSAS CITY, Nov. 18.—Several exhibitors in small towns in this territory have made application for financing to modernize their theatres under the Federal Housing Act, but have not been successful in obtaining financing.

In all instances, the loans have to come through local town bankers, and they are generally cautious about lending the money, is said on good authority, exhibitors have not been able to get the loans from contractors or material companies.

The Kansas City Better Housing office at the Chamber of Commerce, cooperating with the Federal Housing Administration, reports no financing applications for modernization have been made by theatres in Kansas City.
Rosenblatt May Get N.R.A. Compliance Job

*Continued from page 1*

Cleveland 10-Cent Rate To Be Argued

*Continued from page 1*

houses with receipts of $28,309,000 and payrolls of $7,093,000; Brooklyn had 130 picture houses with receipts of $18,197,000 and payrolls of $7,371,000; New York, 111, with receipts of $8,532,000 and payrolls of $1,461,000; Queens, 48, with receipts of $7,981,000 and payrolls of $1,445,000, and Richmond, nine, with receipts of $863,000 and payrolls of $196,000.

Outside of New York, the leading theatrical cities were Buffalo, 39 picture houses with receipts of $1,401,000 and payrolls of $331,000; and Cleveland, vaudeville with receipts of $1,935,000 and payrolls of $820,000; Rochester, 23 picture houses with receipts of $1,912,000 and payrolls of $436,000; Albany, 15 with receipts of $1,447,000 and payrolls of $310,000, and Syracuse, 14 with receipts of $1,268,000 and payrolls of $331,000.

Other important cities were Binghamton, 12 picture and combination picture and vaudeville houses with receipts of $725,000 and payrolls of $113,000; Utica, five picture houses with receipts of $694,000 and payrolls of $134,000; Mt. Vernon, four with receipts of $687,000 and payrolls of $106,000; Troy, nine with receipts of $618,000 and payrolls of $150,000; Schenectady, 10 with receipts of $613,000 and payrolls of $105,000; Utica, eight with receipts of $551,000 and payrolls of $124,000, and Niagara Falls, five with receipts of $435,000 and payrolls of $78,000.

Rosenblatt's selection for one of the most important positions in the N.R.A. is said to have resulted from his handling of the film code, practically the only involved agreement which is working to the satisfaction of both the greater part of the industry and the public.

Living with the job from the day he took it, Rosenblatt developed the only vertical code secured by the Administration, promulgating an agreement which may be the model for future vertical mergers which the Administration is now working on. Since adoption of the code, also, compliance has been at a higher level than has been secured probably with any other pact.

In his new job, Rosenblatt will be responsible for getting the business establishments of the country to give a greater degree of cooperation than they have heretofore offered.

While the change could not be announced until the N.R.A., it is expected that official announcement will be made early next week.

Cleveland Men Hit Clearancce Seccrity

*Continued from page 1*

There is no discussion at the present time regarding the present protection agreement. Local exhibitor attitude will depend upon the result of the clearance and zoning schedule now in the making.

Coast Opposes Jump In Operator Scales

Los Angeles, Nov. 18.—A petition against the order certifying individual wage scales comparable to the union wage for projectionists will be forwarded by the I. T. O. of Southern California to Sol A. Rosenblatt in Washington, it was learned yesterday. The petition was set underway at a mass meeting of the exhibitor association Friday. Notice of the order has been served upon the operators by exhibitors by Charles H. Cunningham, local NRA compliance chief. Many exhibitors assert they cannot meet advanced non-union scales.

Hear Harding May Quit

Hollywood, Nov. 18.—Ann Harding is reported here to be seriously contemplating retirement from pictures upon the completion of her present radio contract.
Agreement on Eight of Para. Directors Set

What the Symbols Mean

Reviews classified with a "G" are regarded as suitable for general entertainment.

Those with an "A" are regarded as suitable for adult entertainment.

poverty, although not as accentuated as in "7th Heaven," is made beautiful by the thoughts and actions of those involved.

The story concerns Francis Lederer, visioning a paradise in America, migrating here to find himself deported through lack of friends and insufficient capital to enter the country, but all develops into a humorous climax at the police court where Lederer and Miss Rogers are married, thus saving the younger brother, Jimmy Butler, from an orphan asylum.

The board will designate from among the National Board and finance committee which will be empowered to authorize the issuance, by the new company, of any securities in addition to those provided for in the plan; its consent will be necessary for the making of any capital expenditure in excess of $100,000, or any employment contract involving more than $100,000, to the making of any loans or financing of production in excess of $10,000 and to the sale of any property or business of a subsidiary.

Change May Be Effectuated

Although all of the original claims against Paramount Publix, the settlement of which were essential to completion of the plan, were disposed of, the recent agreement on the Erpi claim, there are other major phases of it which may undergo change before a final plan is put into effect.

New leases on both the Paramount Theatre and office space are incorporated in the plan, Rental for the theatre is on a graduated percentage scale beginning at 15 per cent of gross receipts. The office space, minimum of 25 per cent of receipts over $32,000 annually. Office rental will be $188,474 annually for the first 10 years.

Erpi Para. Claim Set at $1,200,000

Says Para. Reel to Use "Straight News"

"Romance in Manhattan"

Hollywood, Nov. 18.—Here is a romantic comedy drama designed for any type audience in city, town or hamlet. In plot and theme it resembles "7th Heaven," but is confined to New York for locale where the actions and situations revolve around two present day, youthful lovers caught in the malstrom of compromising circumstances common to many people of moderate means in any metropolitan city.

The cast, particularly the stories and sympathy and provokes laughs for and from the characters who unrestrainedly express the emotions and moods as though living their parts. Near-

Erpi Para. Claim Set at $1,200,000

(Continued from page 1)

New leases on both the Paramount Theatre and office space are incorporated in the plan, Rental for the theatre is on a graduated percentage scale beginning at 15 per cent of gross receipts. The office space, minimum of 25 per cent of receipts over $32,000 annually. Office rental will be $188,474 annually for the first 10 years.

The agreement cleared the Paramount creditor groups which have been made a part of the Paramount reorganization plan.

The Broadway plan provides for issuance of new bonds in place of the
HARRY E. HUFFMAN

Operates
8 theatres,
spends upward
of $200,000
annually for film.

He reads

MOTION PICTURE DAILY

The Industry Buying Power Reads
MOTION PICTURE DAILY
BEHIND THE LIGHTS
ON BROADWAY
DU PONT NEGATIVE

Du Pont Film Manufacturing Corporation
35 WEST 45TH STREET
NEW YORK CITY
SMITH & ALLER LTD.
6656 • SANTA MONICA BLVD.
HOLLYWOOD, CAL.

THE \textit{DUPONT} TRADE MARK HAS NEVER BEEN PLACED ON AN INFERIOR PRODUCT
**Court Permits Leasing Deal On Music Hall**

**Formal Move Sanctions Start from Sept. 1**

The new lease agreement on the Music Hall, under which Rockefeller Center has an initial realty interest covering $700,000 from the new leasing company to be owned by Rockefeller Center and RCA, has been approved by Federal Judge Wilkerson. No public hearing on the new lease agreement was necessary, prior to the court's action, as the only company involved which is under the jurisdiction of the court, has no participation in the new leasing and operating corporation so none of its assets are involved, nor will RKO have any obligation even in the event of Music Hall failure. The new leasing company will be known as the Radio City (Continued on page 4).

**House Committee to Take Up Tax Dec. 3**

WASHINGTON, Nov. 19.—The special committee on internal revenue taxation of the House Ways and Means Committee will meet beginning Dec. 3 to consider the tax question.

The first studies of the committee to be expected to cover the administrative provisions of the present law, allowing which any new leveis which might be desired by the President will be considered.

President Roosevelt thus far has given no indication of what he may (Continued on page 4).

**Weshner Gets First Runs Only in Phila.**

David E. ("Skip") Weshner will take charge of Warner first runs in Philadelphia, not the entire area, de-ferred Joseph Berend, general manager of the circuit, yesterday. His assignment came by way of denial of the story published in Motion Picture Daily last Saturday which (Continued on page 9).

**Ohio Sales Tax Up Again in Assembly**

COLUMBUS, Nov. 19.—With the pro-posed session of the General Assembly going on its initial session today, legislators observers predict that the sales tax, defeated six times during the past 15 months, will be enacted as (Continued on page 4).

**Rosenblatt Officially Named**

**Compliance Director for NRA**

Washington, Nov. 19.—Advancement of Division Administrator Sol A. Rosenblatt to be director of compliance of the NRA was officially confirmed today by S. Clay Williams, chairman of the National Industrial Recovery Board.

Under official orders issued late today, Rosenblatt will continue as division administrator in charge of amusements. Deputy Administrator William F. Farsworth will continue as his assistant, it was announced.

Rosenblatt's new position will place him in charge of compliance work throughout the entire country. A staff of some 1,000 persons is engaged in this work.

Rosenblatt will also be the man in closest touch with the Department of Justice and the Federal Trade Commission, which two agencies will have charge of all formal proceedings against those who fail to comply with code requirements under the NRA.

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**Court Gives Approval of F. W. C. Sale**

**Suing Objectors Brushed Aside by Court**

LOS ANGELES, Nov. 19.—Sale of Fox West Coast Theatres to National Theatre Co., organized with the backing of Film and Chase National Bank, was authorized today by Judge Earl E. Moss. Ten days were granted for appeals before a final decision is signed.

The hearing on the sale was pre-sided over by Judge Moss. Referee S. W. McNabb was absent. Protests were filed by a legal battery representing the Motion Picture Thea-tre Co. and Harry L. Hartman, opera-tors of the Orpheum Theatres, San Francisco and San Diego, respectively. Judge Moss declared the protests were based on flimsy grounds.

The protests have filed an anti-trust suit against the F. W. C. trus-tees under the Sherman and Clayton (Continued on page 4).

**Mono-gram May Tip Next List to 52**

Expectations of increasing Mon-o-gram's 1935-36 production schedule to 52 pictures were voiced yesterday by W. Ray Johnston, president, on his return from studio conferences with Trenn Carr, production head, and visits with branch managers en route.

Proposals for the increased schedule will be submitted to Monogram's next annual convention, to be held in Holly-wood in April, Johnston said. If ap-proved, the schedule of 52 would in-clude two sets of reissues of eight pictures each. The company's current (Continued on page 12).

**Poster Men Renewing Talk About Printing**

Again the poster service renters are talking about printing their own posters. The talk was prevalent about six months ago when distributors attempted to ban the renters from (Continued on page 4).

**170A Names Six to Study Organization**

With Leon Rosenblatt as chairman, the I. T. O. A. has appointed a na-tional organization committee of six to study national conditions. The committee will also look into Allied's (Continued on page 4).
**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

**MOTION PICTURE DAILY**

Vol. 36 November 20, 1934 No. 120

**JAMES A. CRON**

**Advertising Manager**

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LEGION EXTENDS FILM CAMPAIGN TO CANADA

Toronto Nov. 19.—The Legion of Decency has extended its activities to Canada, it was revealed today when an appeal was made to all religious groups to join in the Dominion-wide boycott against objectionable films. Support for the movement was urged yesterday by Father W. D. Mackie of St. Michael's Cathedral here.

Due from Europe Today

Joseph M. Schenck and George Ar- liss arrive from Europe on the Majes-tic today.

Al Lichtman returned from Florida yesterday and is expected to be down at the pier greeting Schenck today.

Willard Mack Passes

Hollywood Nov. 19.—Willard Mack, author and producer, died suddenly last night of a heart attack at his home. He had been ill two weeks.

Mack is survived by his fourth wife.

**Carl Crawford Dies**

Boston, Nov. 19.—Carl Crawford, manager of the First Division exchange, died suddenly last this afternoon.

**U. S. INTERESTS IN DICKER WITH MEXICO**

By James Lockhart

MEXICO CITY, Nov. 19.—The possi-
blility of another American film enter-
ing the Mexican market is a large topic in Hollywood, cen-
tral Mexico, to the Ministry of Foreign Relations that it is gathering information required by the Mexican & Latin Prod. of Hollywood regarding the facilities the town and the state will grant it to do business there. The Ministry has written the Coa-
bulia government to grant the picture company a liberal concession and to assist it in its work. The chamber expects that A. & L. will start build-
ing a studio by Christmas. It is understood that the company will make Spanish language pictures and produce Mexican players.

A building in Tijuana has been leased by the American interests headed by Robert Tarpen, former Mack Sennett production man-
ger, for making Spanish talks.

**Non-Middle Level on Grosses—Hamrick**

"Box-office grosses have no more middle level," states J. Hamrick, operator of 12 theaters in the midwest. He adds that pictures either "hit the top or close figures and there are no "middlebeats."

"This condition seems to prevail all over the country," Hamrick declares.

Conditions are a shade better today than last year, the western showman feels. A recently got a good picture will wake up the public, he asserts, while the poor ones just don't make the grade.

He points to "The Gay Di-vorcee," which is running for four weeks in Seattle and three in Portland, both Hamrick houses. "The Count of Monte Cristo" has run four weeks in one of his Seattle theaters, he says. These are the kind of pictures that get the business.

Hamrick operates four theaters in Seattle, five in Portland and three in Tacoma. He has just completed re-

**20th Century to Do 10 of 22 from U. A.**

Of the 22 pictures to be distributed by United Artists this season, 20th Century will produce 10, Louis B. Mayer, President of Ass'n, Industry & Domini-

**Ten Technicolor Trading Light on Curt**

**WARNER BONDS Gain a Half**

Columbia Pictuer, etc., 37s 37 37 37 300

Consolidated Film Industries, etc. 37s 37 37 37 300

Eastman Kodak, etc. 37s 37 37 37 300

Fox Film "A" 37s 37 37 37 300

Paramount Publich 45s 45 45 45 300

Pathé Exchange "A" 45s 45 45 45 300

Warner Bros. 54s 45 45 45 300

**Eastman Pfd. Jumps Three on Big Board**

**Daughter to Downeys**

A daughter was born to the Morton Downeys on Sunday at the Harbor Hospital. The baby will be christened Loretta Ann and both she and her mother, the former Barbara Bennett, are reported doing nicely.

**Mrs. Barnett Very Ill**

Hollywood, Nov. 19.—Mrs. Vincent Barnett, wife of the comedian, was re-

**WARNERS GET ENGLISHMAN**

Hollywood, Nov. 19.—Warners have signed Errol Flynn, English stage star, to a long term. The actor is expected at the studio shortly after the first of the year.

FAY WRAY arrives in town today and sails tomorrow on the Wash-ington for London to make one picture.
WANNA BUY A DUCK?

Four little words that have made a lot of bucks for the "quack" salesman. No wonder Joe is simply gaga over Goo-goo . . . and no wonder a million fans are gaga over both of 'em. Joe and his uncontrollable, flat-footed sweetheart are now getting the laughs—and the romancing of the singing and prancing dames—in "COLLEGE RHYTHM".

JOE PENNER · LANNY ROSS · JACK OAKIE · HELEN MACK
LYDA ROBERTI · MARY BRIAN · GEORGE BARBIER and the All-American Co-Eds

A Paramount Picture directed by Norman Taurog with plenty of words and lots of music by Gordon & Revel
Court Permits Leasing Deal On Music Hall

(Continued from page 1)

Music Hall Corp. and its stock will be subscribed for by the Nickelodeon Chain and RCA to provide capital.

The agreement is retroactive to Sept. 1. It provides for a first payment out of income of $26,000 per year to RKO and RCA jointly; then for Rockefeller Center of Hackensack, N. J., which is not to exceed $700,000; next, a second joint payment to RKO and RCA of $24,000, to be applied to retirement of R.C.A.'s advances for working capital for the Music Hall last year. Thereafter, additional provisions are made for participation in block mis- sales amounts for all three companies, RKO's interest will be largely through RKO Service Corp., which will handle purchasing, insurance and other matters.

Court Allows Appeal For Fox Met. Quiz

The U. S. Circuit Court of Appeals has granted Archand Palmer, attorney for bondholders in Fox Metropolitan Playhouses, leave to appeal from an order of Federal Judge Julian W. Mack denying his motion for an examination of officers of the circuit's bondholders' committee.

Palmer contends the committee is dominated by interests allied with insiders and seeks to examine the officers to determine their affiliation and interests, he said. The court will hear his appeal Dec. 3.

Poster Men Renewing Talk About Printing

(Continued from page 1)

buying posters and stills for rental purposes.

The poster service men contend distributors are again in a move to stop accessories which might fall into the hands of renters. To ward off the possibility of being completely shut off from getting accessories and subsequently put out of business, the poster men are taking precautions to avoid such an alleged freezeout.

ITOA Names Six to Study Organization

(Continued from page 1)

affairs with a view to affiliating. In addition to Rosenblatt, the committee comprises Hyman Rachlin, Morris Nelson, Dr. Leon Greenfield, A1 Cooper and Louis Schiffman. A report on the Allied situation will be made by the committee for next Wednesday's meeting.

Picquet to Withdraw From His MPTO Post

CHARLOTTE, N. C., Nov. 19.—Charles W. Picquet, for 10 years president of the M. P. T. O. of North and South Carolina, has retired from that post this year. The organization will hold its annual meeting here Dec. 9-10.

Looking Em Over

"Imitation of Life"

(Universal)

Universal has a grand woman's picture here and one that looks like a winner.

Based on a yarn by Fannie Hurst, "Imitation of Life" tells the life story of two women, both mothers, one white and the other black. As the outset, this sounds like troublesome material. In hands other than John M. Stahl's, it might have been, but so skillfully, so sympathetically and so adroitly does he develop his characterization that there is never any real issue confronting the results. Miss Colbert in Miss Hays' hands, endeavors to maintain her husband's business of selling maple syrup. Into her life one day walks Louise Beaver, colored cook and mammy, willing to work for a roof and a room for herself and daughter. Never departing from the relationship, strictly maintained, of mistress and maid, Stahl takes both women through their lives.

He shows how Ned Sparks, wandering knight of the road, gives Miss Colbert the idea of marketing the pancake flour for which Louise holds the secret; the germ of that idea makes both of them wealthy; how Miss Colbert's daughter, white and sheltered, reaps the advantages denied Louise's girl and how, in their respective stations and in their individual social classes, the maternal instinct always dominates.

Miss Beaver's daughter, played effectively by Freda Washington, seeks to hurdle the color line, and, of course, meets with failure, but not before her detection results in her mother's death. Other threads of this interesting and extremely well-done story bring romance into the life of Miss Colbert via Warren William and a conflicting love thread involving her daughter with the same man. Implied tying of the knot between Miss Colbert and William concludes the picture.

Stahl's firm direction is evident throughout. He exalted from his leads very competent performances. His method of drawing on the maternal instincts of the two women is telling as well as convincing. The patrician Miss Colbert does a fine job, but the story construction, in some sequences, results in virtually taking the picture away from her and putting it in Miss Hays' hands.

Production values are good, as is photography by Merritt Gerstad. Production Code Seal No. 412. Running time, 110 minutes. "G." K A N N

"Waltz Time in Vienna"

(Ufa)

Very much worthwhile. The music is gay, varied, and beautifully played. The story is sprightly, the settings on a scale that gives the film pleasing effect.

The story, being about the rivalry of two musicians, Joseph Lanner and Johann Strauss, furnishes a plausible background for the musical interludes.

Strauss, played by Adolph Wohlbrueck, is first violinist in an orchestra conducted by Lanner, played by Paul Hoebrger. The English violinist, Wili Fritsch, is in love with Lanner's daughter, Renate Miller.

Lanner is the habit of writing Lanner's compositions on handkerchiefs, cuffs, or shirtsleeves. They are in the midst of a composition when Queen Victoria's court ballet master arrives with a dancer to learn the Viennese waltz. She hopes it will encourage the Prince of Saxony-Coburg Gothia to propose.

Strauss quits in a huff. While he is playing in a rival cafe he is engaged to go to England. He is kidnapped in England by Lanner's daughter. The drummer substitutes for him as leader at court and plays one of Lanner's waltzes. Back in Vienna the story ends in court with Lanner suing Strauss. The trial ends with the two composing a new march.

It has plenty of love interest to go with the music and some good looking girls to make its appeal general.

Viewed without production code seal at the 55th St. Playhouse. Running time, 75 minutes. "G."

"Madame Bovary"

(John S. Towernt)

This adaptation of "Madame Bovary," produced in France by Nouvelle Societe de Films, does justice to Gustave Flaubert's masterpiece. Intense, sincere, moving, it is entertainment that intelligent minds should go for. Even without a command of French or without the aid of the English superimposed titles, the film would not be difficult to understand, thanks to the simplicity with which the story is told.

Perhaps the most impressive thing about the picture is its amazing

Court Gives Approval of F. W. C. Sale

(Continued from page 1)

acts, claiming F. W. C. has conspired against them in getting first runs. Though they are not adjudicated claimants and not direct creditors, the suit cannot be completed until their claims for damages have been settled, as a judgment would take priority over the creditors' claims.

Damasque sold total $1,500,000 on the San Francisco house and $2,225,000 on the San Diego house. They say they intend to appeal to the U. S. Circuit Court of Appeals.

Judge Moss said that after many months of litigation the records of the trustees will prove they have not acted improperly. He expressed the opinion that the entire deal is procedurally well done, in that they have pulled the organization up to the point where it can be sold to the satisfaction of all creditors.

Charles Skouras left on the Chill tonight for New York.

Ohio Sales Tax Up Again in Assembly

(Continued from page 1)

a final gesture of the present administration. Sixty-eight House and 17 Senate members are scheduled for re-election.

Governor White, to whom Governor elect Davey has pledged support to a recommendation for a new sales tax, or re-imposition of the retreating solons, tomorrow will recommend a bracket tax, with exemptions on sales of less than 10 cents; a one-cent tax from 10 to 40 cents; two cents from 40 to 70 cents, and three per cent (from 70 cents to $1) with the lower bracket applications on fractional amounts over $1. An increase of one cent in the utility excise tax and a personal earned income allowance and reenactment of the liquid fuel impost will be urged.

Alternatively, the Governor's message will carry recommendation for repeal of that part of the nuisance tax which includes admissions, soft drinks, etc, and liquor will remain.

House Committee to Take Up Tax Dec. 3

(Continued from page 1)

house committee will review to taxes. A number of the temporary levies, however, expire on Jan. 1, and it is anticipated the Administration will have a tax program for submission at the opening of Congress to make up the revenue which will be thus lost.

Fox Holds Miss Allwyn

Hollywood, Nov. 19.—Fox have re- newed an option on the contract of Astrid Allwyn. The actress' next assign will be in "One More Spring."

Sign Parker, Campbell

Hollywood, Nov. 19—Dorothy Parker and her husband Allan Camp bell, who have just wound up work on "Sailor Beware," have both been handed new contracts with options.
CONTROL CORPORATION OF AMERICA ANNOUNCES:

A contract for the air-conditioning with Chrysler equipment and the heating and ventilation of Charles Segall’s new 1000-seat Bromley Theatre, Philadelphia, has been signed by F. B. Warren’s Control Corporation of America. Installation begins at once, concurrently with the erection of this handsome structure.

The Chrysler conditioning equipment is automatic in operation, maintaining economically the year around, ideal temperatures and regulated humidity so necessary for the comfort and enjoyment of patrons.

Mr. Segall, president of the Eastern Pennsylvania M. P. T. O. A. and one of the earliest participants in the development of the original Stanley Company of America, has dealt with F. B. Warren for twenty-five years, as did all of the Stanley founders then, and all of the survivors now. This contract represents a mature business choice, but we are glad to read into it a note of sentiment, as well.

The design and plans of the Bromley are by Thalheimer & Weitz, R. A., of Philadelphia and the construction by United Building Construction Corporation, Nicholas J. Brandolini, president; Control’s planning and engineering by Andre Merle.

We invite theatre owners contemplating air-conditioning in all its phases to send us blueprints of their theatres for computation and estimates.

Control CORPORATION OF AMERICA
250 West 57th Street
New York City
TELEPHONE Circle 7-0077

Authorized by AIRTEMP INCORPORATED, World Distributors of Air Conditioning Products of Chrysler Motors
The world shared its love with four girls in "Little Women"... but will give it all to one... in
RED HEAD ANNE
brings again the golden
days of innocent, believ-
ing love... to a world
that hungers for a great
heart throb!

Produced by
KENNETH MACGOWAN
who made “Little Women”

Presented with pride by
RKO - RADIO

Anne
of
Green
Gables

L. M. MONTGOMERY’S BEST
SELLING NOVEL FOR OVER
A QUARTER OF A CENTURY

with ANNE SHIRLEY
as “ANNE”

TOM BROWN   O. P. HEGGIE   HELEN WESTLEY

Directed by George Nicholls, Jr.
Book published by
L. C. Page & Co., Inc.
“One Night” Is Cleveland Wow, $13,500

Cleveland, Nov. 19.—“One Night of Love” at the Hippodrome was the smash hit of the week. It built up from $2,000 on opening night, with $13,500 gross as against a $6,000 house average. It was held. The $0,000 figure was the highest ever recorded at the 6,000-seat, $2,000,000 Palace, which opened in 1928. Faye’s opening featured the new闈n, Genevieve, who has a swell hold-over at the stillman at advanced prices, following the State engagement. Weather was clear. Both Faye’s and the races were the heavy competition. Total was $34,400. Average, with two stage shows, is $4,900.

Estimated takings for the week ending Nov. 16:
- "KENTUCKY KERNELS" (Radio) RKO Palace—$7,500, 30c-40c, 7 days. Gross: $2,100. (Average, $300.)
- "ONE NIGHT OF LOVE" (Warner) WARNERS’ HEDIPHODROME — (3,000), 30c-40c, 7 days. Gross: $1,500. (Average, $214.)
- "STRAIGHT SHOT OF CAB" (Univ.) RKO Palace—$3,000, 30c-40c, 7 days. Gross: $1,500. (Average, $214.)
- "MRS. WIGS OF THE CABBAGE" (Radio) LOEY’S STATE—(3,000) 30c-40c, 7 days. Gross: $1,500. (Average, $214.)
- "MERRY WIDOW" (M-G-M) LOEY’S STATE—(3,000), 30c-35c-40c, 7 days, 2nd week downtown. Gross: $6,000. (Average, $857.)

“Limehouse,” Dual Leads Providence

Providence, Nov. 19.—Top money for the week was garnered by the Strand, which caught $9,500 with a dual, “Limehouse Blues” and “Tomorrow’s Youth.” Not considered especially strong on paper, the bill, nevertheless, brought more money to the house than in any of the past two months. The average take is $6,500.

Next in line was the RKO Albee, which drew $2,900. “Wednesday’s Child” on the screen and “Now and Then,” a revue. Fays was exceptionally strong at $8,500, but Loew’s was under its usual par with “Ev’rything, Ev’rything,” the take being only $9,500 as against the usual $12,000.

First run business was $46,100. Average is $6,500.

Estimated takings for the week ending Nov. 15:
- "WEDNESDAY’S CHILD" (Radio) RKO Albee—(2,300), 15c-40c, 7 days. Stage engagement. Gross: $2,900. (Average, $414.)
- "ONE NIGHT OF LOVE" (Warner) "THE SCARLET LETTER" (Monogram) MAJOR Theatres—(7,300). Gross: $7,000. (Average, $959.)
- "TOMORROW’S YOUTH" (Paramount) STRAND—(2,500), 15c-40c, 7 days. Gross: $9,200. (Average, $1,314.)
- "20 NIGHTS IN HOLLYWOOD" (Fox) PAYS AULAY—(1,600), 15c-40c. Gross: $4,900. (Average, $783.)
- "JERRY AND HER BABY GRANDS" (Col.) "EV’LYN PRENTICE" (M-G-M) ORPHEUM—(1,000), 15c-40c, 7 days. Gross: $9,500. (Average, $1,357.)
- "ONE TO EVERY BACHELOR" (Levittone) RKO VICTORY—(1,000), 15c-25c, 4 days. Gross: $1,100. (Average, $275.)

Miss Tobin Improved

MONTECITO, CAL., Nov. 19.—The condition of Genevieve Tobin, who was injured in an automobile accident here Saturday, was reported better today. The actress and her mother, who was riding with her, are both suffering from fractured collar bones.

Moore Film Did $9,600

The first week’s engagement of “Kid Millions” at the Chicago, resulted in a gross of $9,600, and not $5,500 as published.

Cantor Grosses $51,000

“Kid Millions” was grossing $51,000, a whopping gross for the Rivoli, in its first week.

San Francisco, Nov. 19.—“We Live Again” was our outstanding draw of last week. It went to $12,000 at the United Artists, over average by $4,000.

The Gay Divorcee was still strong in its third week at the Golden Gate, getting $12,500. “We’re Rich” and “Sisters of the Cherry” had a par $9,000 at the Orpheum. Total first run business was $77,200. Average is $10,700.

Estimated takings:
- Week ending Nov. 13: "THE GAY DIVORCEE" (Radio) $8,000 at the Golden Gate; $4,000 at the Orpheum. Total first run business was $12,000.
- Week ending Nov. 14: "KANSAS CITY PRINCESS" (Warner) "EVERYONE’S LOVING” (U.A.) Total first run business was $10,000.
- Week ending Nov. 15: "THE SCARLET LETTER" (Majestic) "LIFE OF THE LEAVES" (Col.) Total first run business was $9,000.
- Week ending Nov. 16: "GIRL OF THE LIMELIGHT" (Monogram) "WE’RE RICH" (Radio) ORPHEUM—(3,000), 15c-30c-40c, 7 days. Gross: $6,500. (Average, $929.)
- "SIX-DAY BIKE RIDER" (F.N.) ORPHEUM—(1,200), 25c-30c-40c, 7 days. Five acts. avandale. Gross: $2,500. (Average, $357.)
- "A LOST LADY" (F.N.) ORPHEUM—(1,200), 3 days. Gross: $1,500. (Average, $500.)
- "WHAT EVERY WOMAN KNOWS" (Radio) ORPHEUM—(1,000), 15c-30c-40c, 7 days. Gross: $4,500. (Average, $643.)
- "ST. FRANCIS" (4,000), 15c-30c-40c, 7 days. Gross: $5,000. (Average, $714.)
- "THE GAY DIVORCEE" (Radio) STANTON—(2,000), 15c-30c-40c, 7 days. Gross: $8,000. (Average, $1,143.)
- "WE LIVE AGAIN" (U.A.) STANTON—(2,000), 15c-30c-40c, 7 days. Gross: $8,000. (Average, $1,143.)
“One Night” Tops Seattle Second Week

Seattle, Nov. 19.—“One Night of Love” ran away with the big business in the city this week. The Liberty, getting $6,800, over normal by $2,800.

Every other first run in town was a weakling. “The Gay Divorcee” slipped to $3,300 in its third week at the Blue Mouse and “The Merry Widow” was down to $5,200 in its second week at the Fifth Avenue. Total first run business was $34,050. Average is $36,500.

Estimated takings for the week ending Nov. 13:

**THE MERRY WIDOW** (M-G-M)

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**ONE NIGHT OF LOVE** (Col.)

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**DANGEROUS CORNER** (Radio)

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**HAPPINESS AHEAD** (Warner)

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**BAYOU** (Par.)

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**STUDENT TOUR** (M-G-M)

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New Seattle Sunday Closing Move Balled

Seattle, Nov. 19.—Again the local courts have ruled that Seattle theatres and amusement parks may remain open on Sundays, despite an obsolete closing law that has not been enforced, in many years.

The latest showdown came this week when Superior Judge James Kinne denied a writ of mandate sought by Attorney A. D. Rosellini on behalf of two popular local parks who have been forced to remain closed on Sundays. It was his contention that the Sunday closing should apply to all interests.

In denying the writ, Judge Kinne said that the petitioners would have to cite specific instances of violation of the closing law. In reply, the beer vendors stated that they would probably single out an individual theatre and make such a complaint next week.

**Court Upholds Ban On Cleveland Duals**

Cleveland, Nov. 19.—Common Pleas Judge Albert Corlett today upheld the permanent injunction against double features here by overruling a motion for a new trial in the case of the Erie Theatre v. Cleveland Amusement Co., operated by the Henry Kaplan, against the Center Woodland Amusement Co., operated by Mr. Weshner. Judge Corbett, who handled the case was asked by Lawrence Rich, attorney for Morris Israel of the Erie Theatre, an interested party.

Martin Frintz, manager of the Alhambra, reports first run duals are playing to capacity at his house.

**“Empress” and Waring Smash In Pittsburgh**

Pittsburgh, Nov. 19.—It was an even break here last week, with three houses closing down, two others skidding. The big noise was the Staley where Waring’s Pennsylvanians and “The Scarlet Empress,” gave the house a great $27,000 for its best business since last March.

At the Alvin, “Hell in the Heavens” and a stage repertory. Weshner par at $12,500, while another winner was Judge Priest,” which in its second week was selling $950. Total grosses in all first runs were $64,800. Average is $55,000.

Estimated takings for the week ending Nov. 13:

**HELL IN THE HEAVENS** (Fox)

<table>
<thead>
<tr>
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<tbody>
<tr>
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<tr>
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**OVER NIGHT** (English)

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**SCARLET EMPRESS** (Param.)

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<tr>
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<tr>
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**LADIES SHOULD LISTEN** (Par.)

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<tbody>
<tr>
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<td>$1,000</td>
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<tr>
<td>Totals</td>
<td></td>
<td>$3,000</td>
</tr>
</tbody>
</table>

**Weshner Gets First Runs Only in Phila.**

(Continued from page 1)

Milwaukee’s first run repertory would handle the Eastern Pennsylvania zone.

“We have great plans for the Philadelphia zone,” declared Bernard, “Our system of classification of pictures for family and adult audiences recently inaugurated in this zone is ready for a test. Our recent act of reducing admission prices for our theatres has reduced our costs has met with wide acclaim of the public.

“Realizing that Philadelphia is one of our most important theatre zones, we are constantly trying to strengthen the organization there. And bringing Weshner from Milwaukee to Philadelphia is in line with our plan of setting up the best theatres we can find in this territory. All activities in this theatre are headed by the manager of Leonard Schlesinger, who continues as zone manager.”

**Sprague to Paramount**

Hollywood, Nov. 19.—Chandler Sprague has joined the Paramount writing staff and will adapt “Sacrifice.”

“Wicked Woman” (M-G-M)

Hollywood, Nov. 19.—Mady Christians, in her American film debut, visualizes the virtues, sacrifices and heartaches of a mother of four. The title must refer to her righteous action in murdering her husband, who carried on an unlawful trade, as otherwise she is a model woman.

Moving away from the scene of this crime with her brood, determined her children will grow up clean and honest, in a 15-year period she succeeds as a business woman with her children respected. In order to clear her name of the stigma, with remarriage in the offering, she returns to the bayou country and expiates her crime with the sudden appearance and dramatic testimony of the children acquitting her.

The production contains a mixture of genuine feeling and sentimentalism. Miss Christians evidences histronic ability. Jean Parker and Betty Furness play her daughters, William Henry plays the son with the same roles played by children by Marilyn Harris, Betty Jane Graham and Jackie Earl. Charles Bickford does a secondary role well.

The screen play is by Florence Ryerson and Zelda Sears is from Ann Austin’s book. Charlie Brabin directed well.

The picture will satisfy family neighborhood trade, being a good average picture. Previewed without code seal. Running time, 70 minutes. “G”.

“Gentlemen Are Born,” tomorrow night’s opener at the Strand, was covered by wire from the coast Oct. 13.

“Marie Galante," last night’s preview at the Mayfair, was reviewed by wire from Hollywood on Nov. 10.

“Menace," tomorrow night’s preview at the Rialto, was reviewed by wire from Hollywood on Oct. 3.
THE COLOSSUS

THE GIANT OF LAUGHING SPECTACLES!
OF COMEDIES!

Carl Laemmle presents
THORNE SMITH'S
NIGHT LIFE
of the GODS

A Universal Picture with
ALAN MOWBRAY, FLORINE MCKINNEY
PEGGY SHANNON, RICHARD CARLE
WESLEY BARRY, HENRY ARMETTA
FERDINAND GOTTCHALK, WM. BOYD
A. LOWELL SHERMAN
PRODUCTION

Presented by CARL LAEMMLE
Para. Claims
Set; Hearing
Off to Dec. 3

(Continued from page 1)

completion of the Paramount reorganiza-

tion plan which will make the settle-

ment effective. The company on the trustees' motion in relation to the $13,000,000 Par-

amount creditor banks' claim was ad-

jour nied by the order of Nov. 26. This

too, probably will be stricken off as a

result of the settlement of the claim

with the creditor groups who now em-

bodied in the Paramount reorganiza-

tion plan. Under it, the banks receive

$15,735.74 in cash and an adjustment of

the $98,000,000 balance in new se-

curities on the same terms as provided

for general creditors. This settlement

is also dependent for effectiveness on a

final plan of reorganization for Para-

mount and upon action on the banks' motion to dismiss the proceedings be-

fore Joyce, which is now pending be-

fore Federal Judge Alfred C. Cox and

scheduled for hearing tomorrow.

This week's Supreme Brook-

way claim was postponed to Dec. 3

by Joyce. The settlement of this

$58,000,000 claim, described in the

Morris Field column on page 1, is also a

part of the tentative plan of reorganiz-

ation for Paramount and will be au-

tomatically eliminated when the plan is

made operative.

A scheduled hearing on a claim of the trustees of the S.C. Clark Co. in the

amount of $1,518,004 was also ad-

jour ned by Joyce to Dec. 3. It was

revealed, however, that the claimant has

agreed to a reduction of the claim to

$32,500. Counsel for the Paramount

Publicis trustees, however, asserted that

they believe the claim to be "without

merit" and will file objections to it even

in the reduced amount.

Monogram May Tip
Next List to 52

(Continued from page 1)

schedule calls for 20 features and eight

westerns.

Stating that Monogram has added

1,000 theatre accounts during the cur-

rent exhibition year, Johnston cited the

gain as a major reason for an increase in

the schedule next year and as a vindi-

cation in the initial year of the production

trend to family-type entertainment, such as "Girl of the Limberlost" and "Keep-

ner of the Bee." In line with a decision of the policy the company's

Monogram had just acquired production

rights to Richard Henry Dana's "Two

Years Before the Mast," James

Fenimore Cooper's "The Spy," and

"Five Little Peppers." Johnston visited

exchanges at Seattle, Kansas City, Cleveland and Cincinnati en route east.

Code Changes Talked
By Allied Directors

Baltimore, Nov. 19.—Revision of

the code in the interests of indepen-

dent exhibitors and enactment of legis-

lation to protect theatre owners

against taxes on copyrighted music

distributed at a meeting of regional directors at the Hotel Emer-

son here today.

Members of the M. P. T. O. of

Maryland and a group of independents from Baltimore and other parts of the

county gathered at the Maryland Hotel

at which Frank A. Hornig, presi-

dent of the Maryland exhibitor or-

ganization, presided. Among the

guests were Mayor Howard Jackson

of Baltimore and Herbert O'Connor,

state attorney and state attorney

general-elect.

Walsh Will Appeal
San Francisco Ruling

San Francisco, Nov. 19.—Morgan

Walsh, leader in the formation of the

code, will appeal a reduced admission

charge against him in a complaint

filed by Joe Blumenfeld, operator of

the American, Oakland.

This reduced charge was made at the

T. & D. Theatre in Oakland. Blumen-

feld contended Walsh's contracts with RKO, Paramount and Columbia speci-

fied that the T. & D. charged 20

cents admission. The house is now

charging 15 cents for all seats except

loge.

The grievance board ordered film

service stopped.

Miss Molseed Helps
Nebraska Code Study

Omaha, Nov. 19.—Miss Regina

Molseed, secretary of the local code

boards, has been selected as one of

eight members of an executive com-

mittee representing all the existing

boards in Nebraska, who will examine the

present code setup and make recom-

mendations for state laws to the new

legislature for a self-governing or-

ganization.

Robert K. Strauss, representing the

N.R.A. board at Washington, recom-

mended to all local code officials that

they group their executive functions in

a single office.

Death Halts Action
On K. C. Clearance

(Continued from page 1)

and Tyree Dillard was today deferred

until Wednesday by the death in

Omaha of the mother of Elmer C.

Rhoden, Fox Midwest division man-

ager, who is a member of the zoning

body. It is expected a definite vote

on the recommended plan will be

taken Wednesday, in time to complete

Thursday's meeting of Campi in New

York.

While board members refused to
divulge the recommendations left by

the Campi emissaries on the ground

they are only tentative, it is under-

stood the triad instructed the board to

include the protection bargaining prin-

ciple in the clearance schedule. Wheth-

er this will be an out-and-out protec-

tion system or a modified form will

be decided Wednesday, but it is

learned on excellent authority the plan

will include the inherent right of the

exhibitor to ask for and the dis-

trict to grant protection over an

equally priced house.

It is also understood that, while the

recommendations did not contemplate

disturbing clearance periods, as fa-

vored by the board, certain revisions

were instructed, including scrapping

of the variable admission test and the

class whereby a fixed admission or be

delayed in clearance. This provision was

attempts by independents as illegal price

fixing.

W. D. Fulton, acting for an inde-

pendent group, today drafted a pro-

test against protection to be forwarded

to Campi.

Schafer spent the week-end with

Say Hamm, Brewer,
Dominates Circuit

(Continued from page 1)

old Publics circuit. This interest

amounts to control, say some.

The impression also prevails that

the new setup will acquire more

houses rather than relinquishing any

wherever it is felt acquisitions are

necessary to protect the company's

buying power.

Hold Film Symposium
Los Angeles, Nov. 19.—The Mod-

era Los Angeles educational.

civic, political and scientific

leaders, tonight devoted its semi-

monthly meeting to the Philharmonic

Auditorium to a symposium on film pro-

blems. Among those who took part

in the discussions were Alice Brady,

Irvng Pichel and Gus McCarthy.

To Build at Norwalk, O.

Norwalk, O., Nov. 19.—Jerry Steel,

of the Alamo in Oberlin and William

Selman film salesman formerly with

U. A., are planning to build a de luxe

house at Norwalk. Charles, formerly

assistant manager of the Public

Auditorium in Cleveland, and prior to that

with Loew's, is slated to be manager.

Code Bills Go
Out Under New
Payment Plan

(Continued from page 1)

production and distribution companies.

Major producers and distributors have

advanced against their assessments a

total of $100,500 to Campi, to date.

No advances have been received from

any independent company.

A provision of the producer-dis-

tribution assessment schedule makes it

possible for a company which feels

that the $120 minimum assessment

would be unfair to it, to obtain an in-

dividual adjustment subject to N.R.A.

approval.

Portland Wage Row
Gets NRA Hearing

Portland, Nov. 19.—Exhibitors

and operators today submitted data in

the wage dispute here to Robert A.

Govan, deputy N.R.A. administrator.

Operators claim $1 per hour under

the code. Suburbs protest this is too

high. A decision is expected by

Dec. 1.

John Balaban in Excelsior Springs

Mo., delaying his departure until to-

day. He left by plane.

Edward Golden, George Schafer

and Tyree Dillard returned to New

York last night.
Purity Drive
Justifiable, States Kent

Says Films Became Too Strong and Sexy

By BRUCE ALLAN

London, Nov. 20.—The purity campaign in the United States was justifiable because films had gotten too strong and too sexy, S. R. Kent declared in a press interview here today.

He leaves for New York Nov. 28 on the Bernaria, and, while ostensibly he came over in connection with the sale of Fox Film's 49 per cent interest in Gaumont British, he had nothing to say on that score today.

In touching on the patent problem in the States, Kent gave it as his view (Continued on page 5)

Fight Won by ITOA
On 306 Injunction

ALBANY, Nov. 20.—In a decision handed down today the New York Court of Appeals ruled the temporary injunction issued to Harry Sherman, during his presidency of Local 306, I.A.T.S.E., ordering 14 members of the Local to re-employ 56 union members dismissed in August, 1933, was improperly granted.

The court reversed the order with costs.

The theatre owners in their court (Continued on page 5)

North Dakota Wins
Sunday Film Shows

FARGO, N. D., Nov. 20.—The state-wide referendum on Sunday films for North Dakota has apparently been won by theatre interests, although the voting was so close that a recount was necessary.

With only three precincts uncounted, the tally shows a plurality of 1,050 votes for legalizing Sunday shows. Theaters will open on Sunday beginning Dec. 9 when the official count is completed. The issue lost by 372 votes at the last referendum two years ago.

Price Stabilization
In K. C. Is Jolted

KANSAS CITY, Nov. 20.—Moves to stabilize prices here, which seemed successful several weeks ago, were seemed headed for the rocks today with the announcement of a reduction in

Bernard May Obtain
Radio Appointment

London, Nov. 20.—Jeffrey Bernard, now one of the top rank executives with Gaumont British, may join Radio Pictures here as managing director. Sol G. Newman held the post until his death recently.

If Jeffrey Bernard joins Radio in England, the move would mean abrogation of his long contract with G. B. Originally, a seven and a half year deal, Bernard still has six to go under the arrangement.

No word of such a switch was known at G. B. of America yesterday.

Ned E. Depinet, speaking for Radio, denied there was "anything to the report."

He added it went to company's intention of filling the Newman post from the ranks of the British distributing company.

Moves Impend
On Clearance
In N. Y., N. J.

New York and New Jersey will have clearance and zoning schedules within the next few months, according to a recent announcement by local exhibitors who are preparing to move on Campi for a reopening of the territories. Philadelphia, which has had parts of the territory zoned, may have a complete shifting of areas, provided a contemplated petition is approved by Campi. All three moves are contingent on adoption of the Kansas City clearance and zoning plan. George J. Schaefer and Edward Golden are back from a two-day visit to the middle key center and the expectations are that they will bring back a plan which Campi is likely to accept. At least, (Continued on page 5)

Plunkett Advising
Upon G. B. Scripts

LONDON, Nov. 20.—Joseph Plunkett is on the Gaumont British payroll as a special advisor in the script depart- ment where he is riding on six pictures. Plunkett's job is to give the American perspective to the half dozen stories which are being made up on an eye to an international market.

Kansas City's
Clearance May
Furnish Model

Compromise on Theatre Scales Vital Issue

A tentative compromise agreement reached between George Schaefer and Edward Golden, Campi clearance and zoning committee members, Tuesday, would serve as a guiding factor in national zoning, provided the K. C. factors approve the plan at a meeting today and it is also approved by Campi tomorrow.

The compromise embodies both protection and admission prices as dominating factors. The agreement provides that second and subsequent runs with identical prints carry features simultaneously, but distributors retain the right to sell priority dates, if desired.

At the last Campi meeting, members of the board wanted to adopt the K. C. schedule on a geographical zoning basis, but, one of the three members of the clearance and zoning committee (Continued on page 5)

Kuykendall Bangs
Clearance Delays

England Now Out of Depression—Schenck

Clearance and zoning, if left entirely by exhibitors to local boards, Code Authority, would "collapse from lack of interest," Ed Kuykendall, M.P.T. O.A. president and Campi member, said at states in a current bulletin released to M.P.T.O.A. members yesterday.

Kuykendall takes Code Authority to task for its inaction on clearance (Continued on page 5)

"Black Ivory" Second
FitzPatrick Feature

James A. FitzPatrick yesterday decided on "Black Ivory" as his second independent feature. It will be made all in three-process Technicolor and based on the life of H. M. Stanley, African explorer. FitzPatrick and his
N. Y. Trade Shocked By Clark's Passing

New York exhibitor circles were shocked to hear of the unexpected death of R. M. Clark, for many years past the general manager of Griffith Amusement Co., Oklahoma City, and one of the best known exhibitors in the Southwest.

Clark, who was secretary of the Midwest, Oklahoma and an M. P. T. O. a director, was 44 years old. He died Saturday of complications following operation for appendicitis. Burial was at Oklahoma City on Monday.

Willard Mack Rites Set

Hollywood, Nov. 20.—Funeral services for William J. Willard Mack today at the Oceana today. Willard Mack. Burial will be in Salt Lake City to comply with one of the death sentences of the weeks for a few days ago he was requested he be buried in that city, the scene of his first stage success.

Red Charles Callahan Buried

Red Oak, Ia., Nov. 20.—Funeral services were held today at the Red Oak, Ia., for Charles Callahan who died Tuesday following a heart attack. For many years he was partner with Frank Good in the Iowana Theatre here.

"Herbert" Gets $8,700

"Big Hearted Herbert" at the Mayfair garnered $8,700 on the week.

THE lawyers in the case, and that means hordes of them, have been tussling with the November 14 reorganization plan for Paramount. Yesterday, however, they were reported to have finished their job of crossing additional letters and erasing superfluous commas in anticipation that, finally and conclusively, the plan will be ordered by Judge Walls of the Federal court here by Friday or Saturday of this week. These matters being what they are, this outpost urges against taking any odds that events will match the anticipation. . . .

However, this is what is looked like the list of the factors of the situation who, if any, do know what they are talking about. Indicative of how the Paramount picture is changing its spots and pointing up as well the difficulty of following unexpected shifts in the balance are changes in the skeleton line-up of the new directorate. For instance, on Saturday those regarded as set for posts were Adolph Zukor and George Schaefer, representing knowledge of the motion picture industry; Frank A. Vanderlip and Dr. Julius Klein, the departure holders; Percy Johnston and George W. Davidson, the banks, and Duncan A. Holmes and Maurice Newton, the common stockholders. . . .

Last night the front had realigned itself along a slightly different tack with strong indications that the following seven men will have definite place among the either signing up or the 13 to 15 directors governing the reorganized company, if and when: Johnston of the Chemical and Davison of the Central Hanover for the banks; Vanderlip and Klein for the departure holders; Zukor on operation and what so far is known as Mr. X. It appears that a man does own, identified with E. F. Hutton and Co. and is destined for the board as a representative of a group of British financial companies, including Royal, which owns a sizable chunk of the Paramount common and a formidable array of bonds.

Mr. X., or the man yet to be named, is expected to rate through the suggestion—powerful—of Ralph Grieve of Prudence Bonds which figures in All, according to original claimant to the tune of $23,644,000 and now whittled to $20,000,000 in new debentures, $18,000,000 in cash, the purchase of the A. Z. and B. the leashing of Paramount theatres in Brooklyn, Fremont, O., and Gless Falls, N. Y. To put it another way, if the holder of the largest single claim, feels it is entitled to a director and undoubtedly will get it.

That covers eight of the 12 to 14 or the 15 to 10. Who will the others be? That's the question and a big one it is. Aside from Zukor, who has more, with a single claim, feels it is entitled to a director and undoubtedly will get it.

(Continued on page 11)

Eastman Pfd. Up 5 on Big Board

<table>
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<tr>
<th>Stock Name</th>
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<th>Close</th>
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<td>29½</td>
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<td>52</td>
<td>52</td>
<td>52</td>
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<tr>
<td>Warners Bros., Inc.</td>
<td>74 ó 94</td>
<td>74 ó 94</td>
<td>74 ó 94</td>
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Technicolor Advances 3/8 on Curb

Bond Market Has a Bad Day

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<tr>
<td>General Theatre Equipment 6s 40, etc.</td>
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<td>85 4</td>
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</tr>
<tr>
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<td>101</td>
<td>101</td>
<td>101</td>
</tr>
<tr>
<td>Paramount Broadway 5 1/4s 31</td>
<td>42</td>
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<td>42</td>
</tr>
<tr>
<td>Paramount 4 3/4s 47</td>
<td>57 4</td>
<td>57 4</td>
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<tr>
<td>Paramount Public 5 1/4s 49</td>
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<td>57 4</td>
</tr>
<tr>
<td>Warners Bros. 6s 29,</td>
<td>59</td>
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(Continued on page 11)
THE DICTIONARY THAT CAME RUNNING OUT OF A PROJECTION ROOM!

—and rushed to the telegraph office so that 60 of the World’s Foremost Critics could blanket the globe with the good news—

(next page is JOYFUL!)
The telegraph wires are flashing it to every corner of the waiting world—

GARBO's GREATEST!

(Quick! Put these reviews into your lobby!)

"‘PAINTED VEIL’ is a truly fine picture. GARBO is more beautiful and more sincere than ever before . . ."
—Dan Thomas, NEA (Syndicated to 700 daily newspapers)

“A most striking picture that will be popular everywhere. GARBO is at her best . . .”
—Rosalind Shaffer, Chicago Tribune Syndicate (Syndicated to 500 daily newspapers)

“GARBO retains her magic. GARBO as lovely as she looked in ‘The Torrent.’ In ‘PAINTED VEIL’ GARBO has life, charm and unforgettable beauty . . .”
—Mollie Merrick, No. American Newspaper Alliance (Syndicated column in 50 metropolitan dailies)

"‘PAINTED VEIL’ is fine as a production and affords GARBO full sway of her emotional talents of which she takes full advantage. It presents a greater, more beautiful and sympathetic GARBO . . .”
—Warren Stokes, Associated Publications

“GARBO’s performance is truly magnificent . . .”—Jerry Hoffman, Los Angeles Examiner

“‘PAINTED VEIL’ is great. GARBO is more vitally human, more fascinating than ever before. MARSHALL is superb . . .”
—William Mooring, Daily Express Film Weekly, England

“‘PAINTED VEIL’ presents tense drama with human appeal. From beginning to end the performances of GARBO and MARSHALL superb in emotional delicacy . . .”
—Colonel Duckworth-Ford, Reuters (all papers throughout British Empire)

“GARBO surpasses GARBO in ‘PAINTED VEIL . . .’”—Paula Walling, L’Intransigeant, Paris

“GARBO is more beautiful than ever before. ‘PAINTED VEIL’ as a picture is superb . . .”
—Ruth Waterbury, Editor Movie Mirror

“GARBO at her best. MARSHALL fine . . .”—Dorothy Donnel Calhoun, Western Editor Motion Picture Pub.

“GARBO again proves her great superiority . . .”
—Leonard Clarmont, Film Jurnalein Sweden

“Blessed by GARBO’s magic presence ‘The PAINTED VEIL’ is distinguished and powerful. You will enjoy it . . .”
—Katherine Dougherty, Editor Photoplay

“‘PAINTED VEIL’ presents first lady of the screen in all that is first in fine entertainment . . .”
—Regina Cannon, Western Editor Modern Screen

“Never before has GARBO been more appealing than in ‘PAINTED VEIL . . .’”
—Toto Davidson Ecron of Chile Sintonia Argentina

“In ‘PAINTED VEIL’ GARBO gives convincing flawless performance. There is a new quality in her voice and acting and most appealing mellowness with a tinge of the mysteriousness of the land which is the locale of the story. ‘PAINTED VEIL’ is undoubtedly her greatest achievement . . .”
—Dr. Albin Peterson, Swedish Tribune News

“GARBO more human than ever before in a really interesting story. MARSHALL and BRENT fine in support . . .”
—J. D. Spiro, Cleveland Plain Dealer

“GARBO’s work finer than ever before. Her performance offers greater versatility . . .”
—Edwin Schallert, Los Angeles Times

“GARBO more alluring and fascinating than ever before . . .”
—Elizabeth Wilson, Western Editor Silver Screen

“This picture brings to screen a different GARBO. She is more human, more fascinating than ever before . . .”
—John Mitchell, Western Editor, New Movie

“A greater GARBO and a truly great picture. It should do a great deal to enhance her popularity the world over . . .”
—Eugene Chrisman, Western Editor, Fawcett Publications

“A new and more human GARBO. ‘PAINTED VEIL’ is her most entertaining picture . . .”
—James Fidler, Western Editor, Screenland

Get ready for the GARBO SMILE!
Kansas City's

Clearance May

Furnish Model

(Continued from page 1)

MOTION PICTURE

DAILY

Kansas City's Clearance May Furnish Model

suggested conferring with Kansas City and some other court since the plan. At the same time admissions were ruled out. Schaefer and Golden were elected to visit Kansas City in an effort to clear the plan for immediate approval.

With the compromise, exhibitors are victorious in their fight to retain admissions as guiding factors in clearance to a certain degree. That is, if one exhibitor outbids the next for

Distributors also gained a point

when the clause was inserted in the tentative compromise that an exhibitor can be a sale prior run despite admission.

Campi has consistently refused to adopt any of the many schedules which have come before it for approval because admission price clauses have automatically put its official say on the modifications tomorrow.

Attention in the Kansas City hearing last week were W. Ray Johnston, Harry H. Thomas, Charles Reagan, western division sales manager for Paramount; John Balahan and R. C. LiBeau in addition to Schaefer, Golden and Tyree Dillard, Jr., code legal aide.

Objections Creep In

KANSAS CITY, Nov. 20.—With exhibitors prepared to meet Wednesday to discuss the compromise agreement on the local schedule, it is understood that objections have been raised to the tentative price where distributors can sell property runs to theaters charging similar admissions.

If the local board and Campi veto the compromise, little hope is held that Code Authority will adopt a clearance plan. According to some, the belief is that distributors do not want new clearance and zoning schedules and desire to continue selling as they are presently.

Cases Against Reade

Ruled on Tomorrow

Two overbuying cases against Walter Reade were heard by the New York grievance board yesterday. Deliberation and decision was postponed until tomorrow. The first case was that of Miss Liberty, Freehold, N. J., against the Strand, same city. The second was the Liberty, Plainfield, against the New Oxford and Pramount, same city.

Leo Justin acted for Reade in both instances and contended that both cases as they were presented yesterday. He didn't seem much concerned about them.

Motions Impend

On Clearance

In N. Y., N. J.

(Continued from page 1)

fight against the injunction submitted nine questions, but only that as to whether or not the object was answered. In its ruling the appeals tribunal held the other questions remained unanswered because they were unnecessary to the decision.

An opinion written by Judge Leonard Crouth accompanied the decision, which nullified the court concurred.

Rigney Stops Last

Bank Night in K. C.

KANSAS CITY, Nov. 20.—Using cessation of film service as its weapon, U. P. Gregory, board has won its fight to persuade J. F. Rigney to discontinue bank nights at his Westport Theatre, Rigney has filed a certificate of appeal.

The board's final desist order, upheld by Campi on appeal, was served on Rigney, Oct. 18, but he continued to defy the board until he found he would soon be without product.

At midnight, last night, bank night was abolished entirely in Kansas City. Two city exhibitors who had contracted for the service canceled their contracts when it was made clear the board was determined not to permit the practice here. Another theatre quit when stoppage was threatened.

The practice, however, is going strong in the territory, the Dickinson circuit having just signed contracts with Universal distributor, for its entire string of 19 theatres.

The unique twist to the situation is that Dickinson had filed four bank night complaints against competitors. Up to the signing of the service, he asked the board to hold the list of cases and let the company dispose of them.

The bulletin closes by urging exhibitors to demand of local boards, Code Authority and distributors "an honest, practical solution" of the clearance and zoning problem.

Campi Appeal Body

Gets Four Plaints

Four grievances were heard by Campi's appeal committee yesterday consisting of A. E. Reis, chairman, William Sussman, and Joseph Selder. The cases were:

Demilham Theatre, Inc. and International Amusement Co., against General Theatres, Inc., Aladdin Theatre Corp. and Centennial Theatres, Inc., on distribution of automobiles; Roy Film Co., against Roosevelt, same city, on country store nights; Batman R. McLeod, State, Clarksville, Tex., and O. A. Englebrecht, Colonial, same city, on overbuying; R. E. Martin, Boren and Mrs. Max L. McClure, Palace and Ritz, same city, on overbuying.

Purity Drive

Justifiable

States Kent

(Continued from page 1)

that is. Again, hope with which the men left New York last week.

In asking for schedules for New Jersey and Philadelphia, the move is designed to break up the situation in New York, which voted the local clearance and clearances against independents in zones where the circuit is heavily entrenched.

Nathan Yamin makes the proposal for the New Jersey plan, since a petition by Allied of New Jersey legal counsel before Campi and tabled. The New York schedule will most likely be breached by Charles L. O'Neill, president of the T.O.C. and Harry Brandt, head of the T.O.A., recently stated that as soon as the local union situation and zoning is straightened out that the code and the first demand would be a clearance schedule.

Kukendall Bans

Clearance Delays

(Continued from page 1)

and zoning, the sole subject to which the current five-page bulletin is devoted.

"The code provision for establishing openly negotiated and published clearance and zoning schedules," he writes, "was hailed as the principal benefit of the individual subsequent run exhibitor would receive from the code. More legal expense was incurred probably in drafting this clause than any other in the code. But what has happened? The code has been discredited. In behalf of its last, nor has it resulted in establishing a single maximum clearance and zoning schedule. Nor has any minor, individual complaints have been disposed of, but no general plan has been approved for any city or territory."

The bulletin closes by urging exhibitors to demand of local boards, Code Authority and distributors "an honest, practical solution" of the clearance and zoning problem.

Poll on Gifts Planned

MILWAUKEE, Nov. 20.—That the question of give-ins is to be put to a vote in Milwaukee County was learned today when the local clearance board defined that territory as the area within which the Hollywood Theatre here stands. The request to define the proper area under the code was made to the board by the theatre.

Thomas Reaches Dallas

DALLAS, Nov. 20.—Seeking new distribution territory, Harry Thomas, head of First Division Exchanges, has arrived here after spending Saturday and Sunday in Kansas City. Thomas said he may open new exchanges and was in contact with prospective distributors for the new March of Time newsreel.

Bromberg to Celebrate

Arthur C. Bromberg, head of distribution for Monogram in the south, celebrated his 25th anniversary in the industry this month. He has always been president of the company and for the past 20 years has been associated with W. Ray Johnston, president of Monogram.

"Black Ivory" Second

FitzPatrick Feature

(Continued from page 1)

Technicolor unit leave for Africa after following the year of native background material.

Following "Black Ivory," FitzPatrick will go to Hollywood and make a feature based on "The Loves of Franz Liszt," M-G-M in all probability will release the feature as well as the Technicolor-"Traveltalks" next season.

Fox Signs Dinehart

HOLLYWOOD, Nov. 20.—Alan Dinehart, currently appearing in Fox's "Lottery Lover," has been signed to a long term acting-writing-directing contract by the company.

England Now Out of Depression—Schenck

(Continued from page 1)

own interests, either London Films, British or Dominions. He said he would make four this season and Alexander Korda, production executive for the company, will be here in three weeks.

Schenck stated no arrangements had been made to release here the Winston Churchill feature on the London Films schedule. He said it may be broken up into shorts for American distribution.

The A. U. M. also stated the company does not contemplate adding theatres abroad at this time. He added that a number of the French cast of "Folies Bergere" were on the Paris enrout to the coast to appear in the French version of the film Darryl Zanuck will make with Maurice Chevalier and Merle Oberon.

George Arliss, on the Majestic with Schenck, declared that he had no plans set after he completes "Cardinal Richelieu" for Zanuck and two Gaumont British films. Arliss plans to leave for the coast in two weeks. He said business conditions, particularly in the picture industry, are extraordinarily good in England.
TOMORROW NIGHT!
Polls Open From Coast to Coast at 8 P.M. (Eastern Standard Time)
ELECTION NIGHT!

VOTE for your choice of theme songs for RUDY VALLEE'S "SWEET MUSIC"

Warner Bros. can't decide which of two swell theme songs to use as the title number of "Sweet Music." So Rudy Vallee will play them both on his Fleischmann program tomorrow night, November 22nd, and ask his millions of followers to vote for the one they want used on the screen!

Just one of dozens of national advance plugs for "Sweet Music." Just a hint of the high-pressure ballyhoo we're lining up for "THE BIG SHOTS" from WARNER BROS.

DICK POWELL & RUBY KEELER in "FLIRTATION WALK"
IRENE DUNNE in "SWEET ADELINE"
MUNI in "BORDERTOWN"
JAMES CAGNEY & PAT O'BRIEN in "DEVIL DOGS OF THE AIR"
"GOLD DIGGERS OF 1935"

VALLEE in "SWEET MUSIC"
AL JOLSON & RUBY KEELER in "GO INTO YOUR DANCE"
PAUL MUNI in "BLACK HELL"
MAX REINHARDT'S "MID-SUMMER NIGHT'S DREAM"
"ANTHONY ADVERSE" with ALL-STAR CAST

*A Warner Bros. Picture  °A First National Picture  Viagraph, Inc., Distributors
Pennsylvania Hopeful Over Sunday Shows

(Motion Picture Daily, November 21, 1914)

its ardent champions. The huge gains of the Democrats in the election that brought membership up 66 in the old lower house to a majority membership of 119. Total membership is 208. In the new Senate, the total membership of which is 50, the Democrats will have 17 seats to 33 for the Republicans, whereas in the old Senate the party alignment was only seven Democrats to 43 Republicans. Already there are intimations that some of the Democratic senators will not line up with the Democrats, on a compromise basis, to assure the success of measures that are to be introduced with the backing of Democratic Governor-elect George H. Earle. It is said that seven Republicans, who are in favor of more liberal Sunday laws. This was made evident in the action of the Legislature in adopting, with Democratic sponsorship, the present law which legalizes Sunday baseball in communities which vote for it on the local option basis.

In the same issue was announced the recent adoption of the Sunday baseball law, which repealed some features of the 1794 blue laws against Sunday amusement, was viewed as an opening wedge likely to be followed by the removal of the Sunday film ban in the Senate, while even the most ardent Democrats did not make their impressive gains.

Loew Boston Net $93,185

Boston, Nov. 20.—Loew's Boston Theatres Co. had a net income after deduction of war taxes and other charges of $93,185, equal to 60 cents per share of 155,249 shares for the year ending Aug. 31. Last year the company reported a net loss of $14,970.

Watts Editing Reviews

The new Literary Digest review department is being edited by Richard Watts, Jr., of the Herald-Tribune, under the pen name of "Argus."

M-G-M Takes Over Trailers Shortly

distribution has continued to be through National Screen Service, under the contract with that company which runs until next month. Linking of M-G-M's trailer production and distribution service for the production is expected to be made by Mill Feist, general sales manager on his return from the city the service of National Screen Service, with M-G-M's trailer activities being handled by the same office.

Penn MPTO for 15% Trailer Price Cut

Philadelphia, Nov. 20,—A 15 cent reduction in the booking rate of National Screen Service is urged in the current issue of "Contact," the weekly publication of the M-G-M and other companies.

Weeks Appoints More Salesmen

George V. Weeks, general sales manager of Gaumont British, has appointed four more to his sales staff. They are L. C. Montgomery, new salesman in Denver; Lee Scamahorn, added to the staff in Los Angeles as salesman, Harry Goodwin as booker and Paul De Ooto is the new sales manager there.

Plan Livingstone Film

Loew's, Nov. 20.—Gaumont British plans a film based on the life of David Livingstone and has offered the part to George Arliss. Voters in the balloting have given him as best fitted for the part.

Preview for Charity

"Jack Aho," Gaumont British musical, will be shown at a special preview for the benefit of the Traveler's Aid Society at the Ritz-Carlton Dec. 3 at 10 a.m.

Wray Opposite Hurlburt

Loew's, Nov. 20,—Ray Wray's contract with Gaumont British is out for the lead opposite Jack Hurlburt in "Alias Bulldog Drummond."
142 out of 150 Western Electric Sound Systems—installed seven years ago—operate today in the same theatres, with unmatched quality.

Unit design—highest possible standards of manufacture — ERPI Service — have made this possible.
Hollywood Personalities
Hollywood, Nov. 20.—Pat O'Brien's parents visiting him from the East. . . . Tom Buckingham's widow, Jane Buckingham, gets a role in "Ray," with Ray James. . . . Jean Hampton has returned from Africa to study music with her husband, Dr. Carl Hampton. . . . Helen Hoke has been appointed to head the music department of Hollywood's new school for kindergartens. . . . Max Baer's brother, Buddy, is here. . . . Andy Bohnen has a new cottage in a palm springs. . . . Jean Healy's party to the cast of "Passport to Fame" at Columbia with her winnings on the Stanford U.S.C. game. . . . Earle Kenton's father, "Pop" Kenton, is playing a role at "Waltz of the Angels." Valerie Hobson gets her first film lead in "Rendezvous at Midnight" at Universal. . . . Albert DeMond has been assigned to write an original for "The Mysterious Stranger." William's pa is in town from England. . . . Thelma Todd is building an annex to her beach restaurant where she will serve grilled and partridge cooked in wine and stuff like that. She calls it the "Joya." . . . Lewis Stone spotted in "West of the Wind" at M-G-M . . . .

“Every Woman” “Prentice” Is Head Ellington's Capital's Top $11,000 High

WASHINGTON, Nov. 20.—What Every Woman Knows, starring Washington's own Helen Hayes, together with Duke Ellington and his orchestra on the stage, brought Loew's Fox to the top of the Capital's pile last week with $23,100 gross, or $2,600 over average.

A return engagement of “Judge Priest” played over the third showplay week—took Loew's Columbia over par by $2,400 with a gross of $5,500.

Buddy Rogers and his band, in combination with “Gentlemen Are Born,” was worth only $18,400 to the Earle. $800 over par.

Last night of Love,” playing its fourth and final week at the Metropolitan—and its fifth downtown week—played a total of $5,850, beating the 36-day run of "It Happened One Night" by $3,100.

“Gentlemen Are Born” (Warner)—Loew's, $4,400.

“TWO LEAVE” (Radio)—BOSTON—(2,000), 25c-35c. Gross, $2,500. Average, $1,250.

“ST. LOUIS KID” (Warner)—LOEW'S—(1,500), 25c-35c. Tuesday, Gross, $1,600. Average, $1,066.

“THE AGE OF INNOCENCE” (Radio)—KENTON—(1,500), 25c-35c. Tuesday, Gross, $1,250. Average, $833.

“ONE NIGHT OF LOVE” (Radio)—BOSTON—(2,000), 25c-35c. Wednesday, Gross, $2,000. Average, $999.

“ST. LOUIS KID” (Warner)—ELINOR NORTON (Fox)—(1,000), 25c. Thursday, Gross, $9,000. Average, $900.

“ONE NIGHT OF LOVE” (Radio)—LOUIS—(2,000), 25c-35c. Thursday, Gross, $7,000. Average, $3,500.


“Crime” and Show Lead in Oklahoma
OKLAHOMA CITY, Nov. 20.—Helped by a stage show, “Crime Without Passion” ran up to $2,400 in four days at the Liberty. This is $400 over a normal take for a week. "Evelyn Prentice" reached a par $5,000 at Warners, but business elsewhere was away off. Total first run take was $12,300. Average is $1,300.

Estimated takings for the week ending Nov. 12:

“MERRY WIDOW” (M-G-M) $.7000.

“THE MERRY WIDOW” (M-G-M) $.7000.

“PECK'S BAD BOY” (Fox) $.1290.

“ONE NIGHT OF LOVE” (Radio) $.8000.

“ONE NIGHT OF LOVE” (Radio) $.8000.

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Insiders’ Outlook

(Continued from page 2) which figure so importantly in Paramount’s rapidly-forming, new framework . . . .

There are those who fail to cheer over the record of the earlier Paramount management. They argue the board might better be comprised of outside men and not managerial appointees who, by their presence on the board, might find it more or less simple to approve deals of their own making. There are others who recall some of the eventually disastrous theatre deals with which Paramount had to grapple subsequent to that memorable fall of ’29. They are believed to incline away from appointments drawn too closely from the management, bearing a recurrence of the near debacle of several years ago . . . .

On the other hand, substantial factors in the maze fail utterly to see how the company can successfully proceed without a substantial representation on any board of men who know as ins and outs of the business. These interests, when they unburden themselves in conversation, recognize that the bankers have built up not insubstantial forces for themselves in this field and that the harm they have done has far outweighed the good. Designating the first eight in order to move the reorganization closer to its consummation may be necessary, since it is the new board, or part of it, which must present the plan which may be required by the court’s direction, but the aftermath is important, too. Any film man, of course, knows what the bankers have failed to do in the past. Those who have paid the best may well hope and hope hard, therefore, that this time downtown won’t dominate too completely . . . .

February 1, incidentally, looms stronger and stronger as the date on which the newly-born company will begin to function. Several partial plans may be required by Judge Cox to study the plan, the anticipation being that he will view it as satisfactory, less a few minutes’ work. The procedure calls for a hearing, the lodging of complaints of which there may be some, perhaps many, and finally approval by individual stockholders and bondholders themselves. This latter step will prove lengthiest in point of time, but the machinery is moving in whole through the creditor, stockholder and debenture holding groups which have been working for months through their organized committees.

Some of the skeptics now want to know how Fox Theatres, whose principal assets in receiv- ership are a common stock ownership in Fox Metropolitan, itself in bankruptcy, is going to carry on to a conclusion that anti-trust action filed against Ergo in Federal court here. The litigation, if pressed, would take years to conclude, and money. Fox Theatres, a defunct holding company, was the named defendant in an action by the Philadelphia Mortgage Guaranty Co. last week to recover $389,436 for alleged property and tax defaults. K A N N

Allied Eyes Three

Convention Cities

Allied is touting three key centers for its national convention in January. The spots in mind are New York, Washington and Chicago.

Decision will be made on the city after the two-day national directors’ meeting in Orlando Dec. 12. Abram F. Myers in all probability will be chairman of the New Orleans session.

For several indications Washington may be the focal point of Allied’s annual tattletale because of legis- lative plans in view.

Allied Is Checking

On Selling Policies

(Continued from page 1)

Baltimore on Monday, reported that this unit was making a comparison of sales policies. M-G-M and Para- mount were the two companies discussed.

It was revealed that most compa- nies’ policies are not as stringent out of town as in New York. One of the companies which had been insisting on weekly payments for shorts whether used or not was said to be relenting on this plan.

Garbo Going Abroad

Hollywood, Nov. 20.—It is re- ported here that Greta Garbo is sail- ing for Sweden for the Christmas holidays, but the exact date of her de- parture is not known.

New Marquee for Savoy

Walter Reade will put up a new $14,000 marquee at the Savoy within the next few days.

To Organize Fight

Against Censorship

(Continued from page 1)

a policy of opposition to proposals for federal censorship, either through the code or by creation of a new authority, or state censorship, with a demand that control be left exclusively to the industry, to agencies representing the audience and, in extreme cases, crim- inals.

The organization also plans to go on record as opposed to radio censorship or any censorship of the press or mail. There will be no special meetings, but a letter to be signed by those who wish to be represented in that manner. There is no intention that everything in censorship, will be "to unite all available forces in support of measures in Congress and by the Administra-
tion directed against repressive prac-
tices relating to the radio, motion pic-
tures and the press."
REGINA'S BUSINESS IS REVIEWING MOVIES . . . . AND SHE KNOWS HER BUSINESS LIKE NOBODY'S BUSINESS!

From the American . . . To All America . . . Regina Crewe speaks—Here's what she says about "EVENSONG" NOW AT THE ROXY:

"Exquisite entertainment, romance, comedy, drama and tragedy are knit together with threads of golden song . . . Evelyn Laye has a voice to charm the birds from the trees, princes from their thrones, and audiences from their seats . . . You'll leave the theatre after an exhilarating evening of delightful music, moonlit romance and touching, poignant drama. It is a first rate film . . . 'Evensong' rivals 'One Night of Love.'"

—Regina Crewe, N. Y. American

COMING . . . GEORGE ARLISS in THE IRON DUKE
A GAUMONT BRITISH PRODUCTION • PHYSICAL DISTRIBUTION • FOX EXCHANGES • CANADA, REGAL FILMS, LTD.
Fox Interests in G. B. May Pass to Lord Beaverbrook

LONDON, Nov. 21.—Sale of Fox Film’s 49 per cent in Gaumont British is being discussed by S. R. Kent with Lord Beaverbrook and no longer with John Maxwell of British International, Motion Picture Daily heard today on reliable authority.

Beaverbrook was a factor of importance in the original holding company. It was he who sold the Provincial Cinematograph Theatres, Ltd., big English circuit, to Gaumont British, thereby furnishing the latter with the hub of its subsequently developed theatre chain throughout Britain.

If the negotiations with Beaverbrook are closed, he would become virtually a 50 per cent partner and remove from G. B. interests foreign office. Beaverbrook definitely is interested in Great Britain as partners.

The question of price can be arranged. Lord Lee of Fareham, who for long presumably held the two per cent of G. B. stock controlled neither by Fox nor Gaumont, and so the balance of power, is interested in keeping the company all-British.

Conferences Here to Ider

British Will Censor Parts Of Newsreels

By BRUCE ALLEN

LONDON, Nov. 21.—Under the arrangement by which all films shown in British theatres must be certificated by the British censors, an ex- heretofore been made in favor of "photographs of current events.

This immunity has now been modi- fied by new "model conditions" issued by the Home Office to apply only to scenes showing "actual events recorded in the press at or about the time of the exhibition."

The aim of the new rule is to control composite films showing past events and to subject to censorship (Continued on page 6)

Columbia to Make Films on New Basis

HOLLYWOOD, Nov. 21.—His contract with Paramount nearing its expiration, B. P. Schulberg, it was learned today, will produce independently, releasing through as many distributors as he wants his product.

Schulberg’s plan is to offer eight pictures yearly, each made independently of the others and presented upon completion to major distributors for examination. The one offering the best terms will receive that individual film with no advance arrangement for succeeding releases. On the other hand...

K. C. Approves Campi Zoning Modifications

See Acceptance of New Plan by Campi Today

KANSAS CITY, Nov. 21.—Protectionarium, coming as it does, among other measures, during the week, by George J. Schaefer and Edward Golden on their visit to Kansas City last week as official representatives of Code Authority have been incorporated in a new draft of the local clearance and zoning schedule completed by the board here tonight. The new plan returns this area to the protection system for the first time in four years.

The draft is being rushed to New York by air mail in time for the Campi meeting there tomorrow. The schedule now in Campi law.

While the board is keeping the provisions of the schedule secret until...

Thirty Appeals Set For Campi Hearings

Thirty appeal decisions are on tap for Campi approval today. These include clearance and zoning and grievances of every nature. In addition, Code Authority will act on its amendments to the vaudeville section of the code. These involve actor labor relations, and several other matters. Deputy Administrator William P. Farnsworth will substitute for Division Administrator and Code Compliance Head Sol A. Rosenblatt, Ed Kynkendall, who yesterday blasted...

Industry Measures Seen in 43 States

Introduction of numerous state and national measures affecting the industry is anticipated with the scheduled opening in January of 43 state legislative sessions and that of the national Congress. Virtually all state governments are...

Bernard Denies

London, Nov. 21—Jeffrey Bernard today entered a definite denial of reports that he would resign from Gaumont British to become managing director of Radio Pictures.

Para. Plan in Few Days Now Is Indicated

Adjudgment of Hearing On Suit Significant

Completion of the Paramount Pub- lic reorganization plan and the prospect of its being submitted to the Federal court here for hearings within a matter of days was reflected yester- day in the consent of counsel for Paramount Publix trustees to an ad- journment to Dec. 3 of their action against the $13,300,000 Paramount creditor bank group.

Counsel for the trustees has consistently opposed adjournments of the action before Federal Judge Alfred C. Cove in the past on the ground that the Paramount reorganization plan, embodying a settlement of the Hanover claims, was too remote to rec- eive the trustees of their duty of (Continued on page 6)

Seek License Bans On Free Broadcasts

Restrictions in broadcasting licenses to end free shows to large crowds are to be sought by the legitimate the- atre code authority. This is a new angle of a move started several months ago, following which committees were named both by the film and theatre code bodies to study the prob- lem.

No report has been made as yet and the theatre authority contends the unfair competition of both the NBC and CBS networks is retarding the the-atre recovery.

George Dawes Made Farnol’s Successor

George Dawes yesterday was ap- pointed as counsel Goldwyn’s publicity representative in New York, succeed-...
Washington Allied Opposes Dog Races

SPOKANE, Nov. 21.—A definite stand against dog racing has been taken by Allied of Washington. Arthur H. Bishell, president of Allied, was presiding at a meeting here at which action was taken.

It was also decided to oppose continuation of the occupational tax on theatres which amounts to one and one half per cent of the gross. A petition will be presented to the legislature to have the tax reduced to one half of one per cent to conform with that in effect in other states.

Unfair competition being given by colleges and schools and double billing were discussed. It was also decided that the picture companies in the territory are showing a profit.

Baer Accepts Offer to Do Mexican Film

By JAMES LOCKHART

MEXICO CITY, Nov. 21.—Max Baer has accepted the offer of the film company of James N. Croton, ex-proprietor of a Tijuana resort who is now running the Roxy in Hollywood, to produce a feature classic near here, to play a role in his proposed picture, according to Ancil Hoffman.

The picture will be based on Carlton Beat's novel, "Black River," which deals with the oil fields of Tampico.

Croton has also made offers to Dolores Del Rio, Mona Maris and Don Alvarado and hopes to start production here in the near future.

Lease Eucryus House

EUCYRUS, O., Nov. 21.—William P. Newman and Cliff A. Scalfife, RKO theatre men, have leased the Eucryus House for musical shows this winter, the first to be presented on Nov. 22 by the Hollywood Players.

It is planned to wire the house and later include pictures.

Hornstein Closes Deal

First deal of Joe Hornstein, Inc., since Hornstein's return to the independent circuit, is a lease with Max Cohen for reestablishing the Stadium, 110th St. and Third Ave., seating 1,202.

Roxy Incorporates For Phila. Venture

DOWER, Nov. 21.—Roxy-Philadelphia Corp. has been chartered here, listing capital stock of 1,000 shares, par value. The incorporators are L. H. Herman, D. O. Newman and Walter Lenz of Wilmington.

March of Time, Inc., has been incorporated to deal in all kinds of films, records, upon which voices, music or other sound are recorded, listing capital of $200,000. The incorporators are Russell A. Smith, Jackson Heights, L. I.; Henry Walter, Elmhurst, L. I.

The first named is the organization through which S. L. Roth will control the Mascha, Philadelphia, and the second is the new newsletter to be sponsored by Time.

Philae, Police Out For Roxy Job Rush

PHILADELPHIA, Nov. 21.—Police report that 7,000 applications for jobs as ushers for the Roxy at the Mascha today.

Roxy advertised for inexperienced young men for a nonunion branch, which is now being formed at 8 A.M. Roxy is refusing boys with previous experience, hoping he says to train his own crew.

W. H. Carrier Wins Medal

The medal of the American Society of Mechanical Engineers for 1946 has been awarded to W. H. Carrier of New York for research in air conditioning. It has been announced by the society's president.

Carrier is past president of the American Society of Refrigerating Engineers and of the American Society of Heating and Ventilating Engineers.

The award will be presented during the annual meeting of the society, beginning Dec. 2, in the Engineering Societies Building.

Louw in London Soon

LONDON, Nov. 21.—Arthur M. Loew is due here from South America on Nov. 26. He may determine M-G-M's future policy in German while here.

Columbia up 2 on Big Board

Columbia Pictures, etc. | High | Low | Close | Net | Sales
--- | --- | --- | --- | --- | ---
Columbia Pictures, etc. | 39 | 36 | 37 $ .50 | + $ 1200
Consolidated Film Industries | 30 | 24 | 25 $ .50 | + $ 500
Eastman Kodak | 114 | 110 | 112 $ .50 | + $ 1200
Essanay-Kodak, ptd. | 26 | 24 | 24 $ .50 | + $ 300
Fox Film - "A" | 20 | 16 | 17 $ .50 | + $ 500
Loew's, Inc. | 30 | 26 | 24 $ .50 | + $ 1200
Majestic, Inc. | 30 | 28 | 28 $ .50 | + $ 600
Paramount Publs, etc. | 20 | 16 | 20 $ .50 | + $ 1000
Pathé Exchange "A" | 7 $ | 5 | 7 $ .50 | + $ 300
Warners Bros. | 53 | 49 | 49 $ .50 | + $ 1000

Trans Lux Advances 1/4 on Curv

Technicolor | High | Low | Close | Net | Sales
--- | --- | --- | --- | --- | ---
Trans Lux | 7 $ | 11 | 11 $ .50 | + | + $ 600

Para. Bond Issues Make Heavy Gains

General Theatre Equipment 6s 40c, 36 $ 40c | 41 | 39 | 50 | + 14 $ | + 14 $ 1200
Keith B. F. 6s 40c, 50 $ 40c | 84 | 70 | 70 $ .50 | + 12 | + 12 $ 500
Loew's 6s 40c, 145 $ 40c | 147 | 135 | 135 $ .50 | + 3 | + 3 $ 300
Paramount Broadway 5% 21/2 | 36 | 32 | 32 $ .50 | + 3 | + 3 $ 300
Paramount F 6s 594 | 60 | 57 | 57 $ .50 | + 4 | + 4 $ 300
Warners 6s 40c, 149, 38 | 38 | 36 | 36 $ .50 | + 2 | + 2 $ 100

Clark Represents Union

Members of Local 95, Theatre & Amusement Employees Union, early yesterday elected Robert Clark to represent employes of Harlem theatres as the union's negotiators for a new contract embodying provisions for a closed shop, minimum wages and maximum hours. A strike vote in the affected theatres in the event of a failure of the negotiations by Friday was carried.
THE PICTURE OF THE MONTH

For the Christmas Stockings of a Hundred Million Film Fans, We Give You Warner Bros.' Magnificent Picturization of the Stage Triumph That Made America Young Again—

IRENE DUNNE in

"SWEET ADELINE"

Brought to the Screen After 63 Weeks — Count 'em, 63 — on Broadway, With Its Immortal Melodies and Romance That Take Us Happily Down Memory Lane, Dashingly Guided by Director MERVYN LE ROY

We'd like to take up the merric side custom of slipper-drinking ourselves—just to toast that grand trio of fun-makers—Hugh Herbert, Ned Sparks, Joe Cowan — and all the delicious dancing girls who are too numerous to name—but too sweet not to mention.

Ever whiste "Why Was I Born?, "Here Am I!," and "Don't Ever Leave Me?"? Well, this is the show that made them famous! Now you'll hear these and other great Jerome Kern hits sung and danced as never before—all because Warner Bros. finally hired dance-director Bobby Connolly of "Ziegfeld Follies" fame to Hollywood.

And while the orchestra last, let's toss a load of them to irresistible Irene Dunne, and Donald Woods and Luise Calhern for their brilliant telling of a great love story; to Mervyn LeRoy for his superb direction; to Phil Regan for his delightful scenery; and to Jerome Kern and Oscar Hammerstein II for authoring December's grandest show!

Starting today—this advertisement will appear in 11 national magazines, opening Warner Bros.' 6-week campaign in advance of the Christmas Week release of "Sweet Adeline!"
K. C. Approves Campi Zoning Modifications

(Continued from page 1) Campi Pictures, according to Motion Picture Daily, has heard learned that some provisions in the earlier plan attached by the independent have been left out or revised in line with the recommendations of the Campi emissaries. It was said that, while each clearances between run remains the same in the plan previously proposed.

It is understood the new plan eliminates the clause requiring subsequent to maintain a fixed admission or be withdrawn in any difficulty.

The clause preventing subsequent making price changes sooner than any day is understood eliminated, while the minimum and maximum availability periods between runs have been diminished.

The Loew's Midland price reduction effective Friday caused some board members to demand lower protection than the stipulated 85 days in the event run fails to maintain a 40-cent night price. While the board made no provisions to this effect in the schedule, it adopted a supplementary resolution recommending that Campi modify first run protection in the event of price revisions.

Approval of the modifications in the Kansas City clearance schedule by factors in that territory indicates Campi will put its stamp of approval on a plan it is to consider the schedule before today, it today, it is understood.

Campi's action is said to depend largely on the attitude of the Kansas City exhibitors toward the plan. For a while it seemed the theatremen would go it alone, but that they have accepted the schedule Campi's approval is considered a matter of course.

George J. Schaefer and Edward Golden, who went to Kansas City on the plan as Campi's representatives, was asked for its acceptance at today's meeting of the authority.

See Schenck Taking Up Producer Lineup

Hollywood, Nov. 21.—Nicholas M. Schenck, here for conferences on forthcoming M-G-M product, was reported today to be taking up production assignments and producer personal involving 15 executive and associate producers.

He is said to have conferred yesterday with David O. Selznick regarding the latter's attitude on remaining with the company, but those closely associated with Schenck believe he is determined on carrying out his independent project.

Seeks Drama for Young

HAYDEE DE GRACE, Md., Nov. 21.—Development of community and school dramatics to save children from the influence of the movies, was advocated here today by Mrs. A. H. Reeve of Philadelphia in an address at the 19th annual convention of the Maryland Congress of Parents and Teachers.

Columbia Up 70% In Europe—Cohn

(Continued from page 1) Hollywood Personal

Hollywood, Nov. 21.—Sam Goldwyn and Mrs. Goldwyn are at Palm Springs for a short vacation... Charles LeMaire has arrived from New York to design the costumes for George White's "Melodramas" for Frank Gaumont Theatres. The pictures, which have arrived in town to begin writer's contracts at M-G-M... Edmund Lowe is limping after dropping a 30-pound diver's shoe on his foot during scenes for "The Depths Below" at Columbia. Fred Keathley has dismissed the screen manager rat dog. Fred found the poodle himself... Preston Foster will play the lead in "Behind the Green Lights" for Mascot.

Schulberg to Make Films on New Basis

(Continued from page 1) hand, only one or some all of the product on a competitive bidding basis.

Included in the plan is said to be a possible trump for exclusive first choice of New York publishers' complete output of novels. A strong possibility also lies in a trump with a New York playwright, with Schulberg sharing part of the responsibility of a show and the producer assuming an interest in the picture production.

All proposed pictures, it is reported, will be based on subjects having positive exploitation values, with the dramatic content of each hinging on some phase of national or international drama, current either as news or fiction.

Thirty Appeals Set For Campi Hearings

(Continued from page 1) Campi's inaction on clearance and zoning will be absent at today's session. Walter Vincent will alternate for him.

The report of George J. Schaefer and Edward Golden on the Kansas City clearance and zoning schedule will be presented, but action depends on the result of a rehearing held by local exhibitors yesterday.

Coast Board Again Bans a Bank Night

LOS ANGELES, Nov. 21.—Despite the return of four appeals on bank night cases by Campi the local grievance board has ruled against another bank night. The complaint was by the Olympic Theatre against the Esconvido. A rehearing of the four cases returned from New York is scheduled for next Tuesday.

Dismiss Lease Charge

ALBANY, Nov. 21.—Sitting as an Industrial Adjustment Agency, the grievance board has dismissed the appeal for a bank night by the Olympic Theatre against Kallet Theatres, Inc., Oneida, in which it was alleged the latter company interfered with negotiation of a lease.

Gardel to Make 2 More

Carlos Gardel has been engaged to make two more Spanish musicals for release by Paramount International Corp. Both will be made by the Exito Corp. at Eastern Service Studios, Astoria. Production will start shortly after the turn of the year.

British Will Censor Parts Of Newsreels

(Continued from page 1) commentaries on shorts films, which may be of "mendacious" character. It follows recommendations to this effect in the recent report of the B.I.C.

The H.O. letter, obviously referring to scenes of the Marseilles assassinations, was quoted as a news story in the letter, also includes a warning that the prohibition of films "likely to be offensive to public feeling" applies to newsreels, which are thus effectively brought under censorship.

Eddie Cantor is negotiating with George Black of the Palladium for a stage engagement at that house early in 1935. The Palladium is a General Theatres property, controlled by Gaumont British.

J. B. Priestly, author of "The Good Companions," will probably write an original story for George Arliss in a picture of the latter's second for Gaumont British.

A strike of electricians held up production on three pictures at the British and Dominions studio for a day before differences arising out of the interpretation of a working agreement were settled.

Charles ("Buddy") Rogers, has been signed by British International to star in "Dance Band" at Elstree. This is a musical in which it is proposed to return instrumental music as a "biggest ever" scale. Marcel Varloti, who recently completed "Girl Will Be Boys," for B.I.P., is direct.

Pope Bans Own Picture

VATICAN CITY, Nov. 21.—It was reported here last night that Pope Pius XI has refused to permit pictures in which he appears either himself or his sacred functions to appear on theatre screens.

He was reported saying: "It is unthinkable that pictures of Christ or his sacred functions should appear on the very screens on which films offending the fundamental principles of Christian morals and common decency are projected."

Drive Hard on Writers

The drive against objectional films is putting scenario writers to the test by necessitating a great display of ingenuity in getting around risky situations, said Joseph L. Mankiewicz, scenario writer, upon his arrival in town from the craft yesterday accompanied by his wife. The result, he added, is better pictures.

Radio Assigns Corrigan

Hollywood, Nov. 21.—Lloyd Corrigan has been assigned to direct "Buzzle of the Pepper Tree," as The Guild will top spot Edna Mae Oliver and James Gleason.

Warners Sign McCrea

Hollywood, Nov. 21.—Warners have signed Joel McCrea for two pictures, starting Jan. 1.
Crowds are flocking to "The White Parade."

- **Paramount**
  - **St. Paul:** "Talk of the Town!"

- **State**
  - **Minneapolis:** "Box Office Winner!"

- **Buffalo**
  - **Buffalo:** "A Natural with the Women."

- **Denver**
  - **Denver:** "Humdinger! Doubled Average!"

- **Ambassador**
  - **St. Louis:** "Grand! Double Previous Week!"

- **Alvin**
  - **Pittsburgh:** "Set for a Record Week!"

- **Saenger**
  - **New Orleans:** "Outstanding Draw!"

- **Century**
  - **Rochester:** "Ropes Up for Every Show!"

- **Fox**
  - **Philadelphia:** "Biggest Business of an Picture in 2 Years!"

**The White Parade**

Para. Plan in Few Days Now Is Indicated

(Continued from page 1)
contesting the claims. Yesterday, Arthur A. Ballantine, of trustees' counsel, consented to the further ad-
mission of counsel of the creditor bank group, without objection.
"There was no representation that the filing of a reorganization plan is imminent is satisfactory to us," Ballantine said, "if the plan is ready we don't want to press our action. It is not forth-
coming, as represented, in the very near future, we can consult on new position against the defendant banks.'"

An original agreement to adjourn only until Nov. 28, preliminarily the expiration of the reorganization plan being filed prior to that date, was changed to Dec. 3 because of the announcement of the Thanksgiving holiday. There was some indication that the plan might be filed with Judge Forsyth on Sat-
urday, as expected yesterday in Motion Picture Daily.

In the meantime, in preparation for the anticipated withdrawal of the trustees' action, counsel for the bank group will prepare a stipulation agree-
ing to the withdrawal of their dis-
junction, without prejudice for renew-
al, to examination of officers of the
defendant banks by trustees' counsel. This will merely place the trustees in a position where their motion asking the examination may also be with-
drawn later.

Federal Judge Henry W. Goddard today will hear creditors' attorneys and counsel for the trustees on the recent report and recommendation of Special Master John E. Joyce which reduced the applications for fees ag-
gregated to more than $270,000 to ap-
proximately $370,000. The report was refer-
ed to Judge Goddard yesterday by Fed-
eral Judge Robert P. Patter-
son. It involves the allowances to the trustees, their counsel, special council and accounting for services rendered during the Paramount bank-
rupcy.

Zirn Move Defeated

ALBANY, Nov. 21.—The Court of Appeals here affirmed without opinion today the ruling of the Appellate di-
vision in New York denying to peti-
tioning Paramount Publicity bondholder
represented by Samuel Zirn au-
thority to institute actions against di-
rectors and officers of the company for recovery of assets independent of ac-
tions brought by trustees of the com-
pnny.

Zirn, asked to comment yesterday on the Court of Appeals ruling, de-
scribed it as "inconclusive" except on the point that the rule of law gives the right to sue former Paramount directors if they first obtain a judgment. In oth-
er respects, he maintained, his case is un-
changed by the higher court's rul-

Feist Lands Today

SAN FRANCISCO, Nov. 21.—Felix F. Feist arrives from Honolulu tomorrow and will repair to the M-G-M studio for a couple of weeks.

Looking 'Em Over

"The Battle"

(Leon Garganoff)

This film leaves the reviewer with a series of mixed impressions. Viewed as a straight piece of entertainment, it is exceptional. The drama of the story is built up with cold logic, the tempo shifting and gaining speed until it reaches a climax in a stirring naval battle and tamer-
ning off to an end which finds both the principal characters—an English and Japanese naval officer—dead. One is killed in battle, the other a suicide.

The story is concentrated on the sinister fatalism of a Japanese officer who is ready to sacrifice his wife's honor to gain secrets from a British naval attaché. At the height of the battle the Japanese officer is wounded, the Englishman takes command and is killed, and the Oriental commander ceremoniously kneels andGertrude Michael, an act which was directed in France by Nicholas Farkas with the dialogue in English.

But some angles that stir this reviewer's curiosity are: Was it timed to fit with the inistent Japanese demand for naval parity at the London conference? Was the fact that the Englishman took command tinged with any deeper meaning? Was there any purpose in making the targets of the Japanese guns American warships with the familiar basket masts?

This picture, intentionally or not, seems to get into the field of inter-
national relations at their most sensitive point.

Every big natty man and armament maker will think it's a film master-
prise: others with no interest in the

MOTION PICTURE DAILY'S

Hollywood Preview

"Father Brown, Detective"

(Paramount)

Hollywood, Nov. 21.—"Father Brown, Detective," is a story of a small town parish priest whose knowledge of human nature arouses his un

churchy detective instinct in regenerating a shrewd jewel thief, a novel twist that should command attention.

The picture gets away from the formula of ordinary detective dramas, adding down-to-earth human interest which is made impressive by the fine characterizations of the principals.

Walter Connolly, as the priest, arouses sympathy and feeling as Paul

Lukas, the crook, is an interesting study of a priest in a detective role.

Connolly's formal conclusion of the crook does not clear Lukas from the law, but it leaves a pleasant impression that through his regenera-
tion Lukas' sentence might be reduced, enabling him to return to his wait-
ing sweetheart.

The production is artistically mounted, contrasting modern Paris en-
vironment with lavish settings photographed well by Theodore Sparkuhl under the able direction of Edward Sedwick from Gardner Sullivan's treatment of Gilbert K., Chesterton's original. Production Code Seal No.

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

"College Rhythm" tonight's preview at the Paramount, was covered from Hollywood by wire on Oct. 29.

"Immortal Life," being previewed tonight at the Roxy, was previewed on Nov. 20.

Conferences Here to Iron FWC Details

(Continued from page 1)
contract with his brother Spyros on the other side, will also play a part in the meetings. S. R. Kent, president of National Theatre Committee, who is general manager of Fox West Coast, will also return from England for another three weeks and attend the district-
town meetings. Charles is vice-presi-
dent and general manager of Fox West Coast.

Bert Shipman, attorney for Chase, who accompanied Skouras when the latter left for Los Angeles two weeks ago, returns in about three days. He is cleaning up several incidental mat-
ters in connection with the reorgani-

zation.

Wisconsin Amusement Co., which is the name for the reorganized Fox Midwesco of which H. J. Fitzgerald is head, was taken out of receivership about a year ago. Fox West Coast will be all set to go about Jan. 1 from present indications.

National Receives No Word from MPTO

National Screen has not as yet re-
ceived word from the M.P.T.O. of the Eastern Pennsylvania, Southern New Jersey and Delaware, which is ex-
pected to be in a move to urge a re-
duction of 15 per cent in the blanket rate for advertising.

The denial came from Morton Van Praag, general sales manager, when queried by Motion Picture Daily yesterday on the story. Van Praag said that this was the first he had heard of it.

George Dawes Made Farnol's Successor

(Continued from page 1)
ning Lynn Farnol, who resigned re-
cently to become associated with the adver-
tisement department at the Fox

Financing its Music Hall account

Dawes will work in association with Hal Horne, United Artists publica-

tion and advertising chieff the exploita-

tion of Eddie Cantor and Anna Ste-

productions.

Dawes comes from the newspaper field. For the last four years he has been connected with the World-Telegram and with others with Scrip-

Howard papers.

Industry Measures

(Continued from page 1)
needing new tax laws to finance re-
cief programs and recoup deplet-
tories, indicating that the intro-
duction of new indirect tax measure-

may be expected from many quarter.

Regulatory measures are also be-
lieved likely to be introduced with the op-
portunity of the deficit result, the widespread publicity ac-

corded the church decency campaign
during the past year.

Reissuing Arliss Films

London, Nov. 21.—Warners are re-
issuing all of the Arliss pictures her-
The story of $496,240,000 at the box office—where it comes from in 12,500 theatres, by state and by city—and where it goes in operation of the show business—the first real, official, authentic box office statistics of the industry—now presented in complete and analytical form exclusively in

MOTION PICTURE HERALD
Lend me YOUR EAR!

To tell you about

TOYLAND BROADCAST

1 — A Single Reel (filmed in magnificent color) that makes screen history!

2 — Cleverly presenting in holiday fantasy many radio stars (Bing Crosby, Kate Smith, Four Mills Brothers, Paul Whiteman, etc.) charmingly caricatured at a toyland broadcast.

3 — One of M-G-M's brilliant series of Happy Harmonies produced by Harmon-Issing, one reel each, blending gorgeous color and music.

4 — Film Daily says: "A swell holiday special." Motion Picture Daily says "Exceptionally fine cartoon. Tremendous appeal."

5 — It's so good, M-G-M has prepared a Special Campaign Book, available free at your branch.

6 — "TOYLAND BROADCAST" on your Christmas program is the happiest holiday gift you can give your patrons. Act now and thank M-G-M later.
Hearing Begun On Phila. Dual Contract Suit

Monopoly Angle Figures In First Testimony

Philadelphia, Nov. 22.—As the hearing in the Harry Perlman dual bill case began here today before Judge Walter Walsh in Federal court, the sentiment of local exhibitors was that monopoly charges against the major distributors would feature the dual bill testimony. The suit is for an injunction against dual bans in contracts.

The presence of Edward Golden, I. E. Chadwick, Jack Bellman and Irving Mendel, independent exchange men, who conferred frequently with Benjamin M. Golder, attorney for the plaintiff, lent color to the theory.

The theory was also strengthened by a hypothetical question put to Charles Steffel, South Philadelphia exhibitor, by Golder, who wanted to (Continued on page 6)

Court Permits Pathe Stockholder Session

An order authorizing an extraordinary meeting of stockholders of Pathe Exchange, Inc., for the purpose of voting upon a plan of reorganization has been issued by the N. Y. Supreme Court. The meeting will be held at 2:30 P. M., March 4, 1935.

Lack of quorums at regular and special meetings called for this purpose forced company officials to apply to the court for permission to hold an extraordinary meeting in accordance with Section 52 of the N. Y. Stock Corporation Law.

H. S. Brown in New Code Budgets Post

WASHINGTON, Nov. 22.—Appointment of Hiram S. Brown as special assistant to the administrative officer to act on all matters pertaining to code authority budgets was announced today by the National Recovery Administration.

Brown was for three years president of RKO. He is an honorary life member of the I. A. T. S. E.

Warner Nirdlinger Bid Is $1,645,000

Philadelphia, Nov. 22.—A total bid of $1,645,000, with a maximum cash settlement of $240,000, was the

Continued on page 14

K. C. Clearance Is Delayed; Campi Adjourns Until Tuesday

Failing to receive the modified Kansas City clearance and zoning schedule by airmail yesterday, Campi recessed until next Tuesday when another session will be held to pass on the plan. Delay in sending the schedule is responsible for the adjourned hearing, inasmuch as K. C. interests were working on the plan until late Wednesday night.

Ten of the 30 pending appeals were disposed of yesterday in addition to adoption of six vaudeville actor-labor amendments. No mention was made of the recent Ed Kuykendall blast at Campi's prepublication on clearance.

A petition signed by 30 studio employees asking amendment to the clause dealing with relatives being employed as extras was turned over to the presentation committee consisting of K. Kent, Harold S. Bareford, W. Ray Johnston and J. Robert Rubin.

Attending the session were Deputy Administrator William P. Farnsworth, Walter Vincent, Charles L. O'Reilly, Nathan Yamin, George J. Schaefer, Johnston, Bareford, Joe Vogel and Willard McKay.

Say Operator Ruling Clears Up Section 7A

Unions having no direct connection with a particular controversy cannot claim any rights under Section 7A of the National Industrial Recovery Act in New York under the terms of the ruling of the Court of Appeals in the Local 306-I.T.O.A. suit just decided in Albany.

Unions not "directly affected" are "outside unions" by the terms of the decision. Only employs "directly affected" have standing under this portion of the act.

According to Milton C. Weisman of Weisman, Quinlan, Allan & Spett, who (Continued on page 10)

New Hurdle Risers Over Price Cuts

Kansas City, Nov. 22.—First run in admission here today created a new hurdle for the proposed Kansas City clearance schedule to meet.

While the schedule, as drafted by the local code board, probably will be approved by Campi, the question of what to do about Loew's Midland and the Tower, which the other day cut prices, is troublesome. Some board members now believe Campi should impose clearance penalties on first runs not maintaining price scales.

The latest local view is that (Continued on page 10)

Warning Is Issued On Admission Tax

WASHINGTON, Nov. 22.—Sharp warning that the Government expects admission taxes to be paid on the basis of "established price" rather than any (Continued on page 14)

National Theatres Chartered in N. Y.

ALBANY, Nov. 22.—Hughes, Scharman & Dwight, attorneys for Fox West Coast, have filed papers with the secretary of state incorporating (Continued on page 14)

Grosses Maintain Levels Lower Than in September

November grosses seem to have struck a level somewhat lower than those prevailing early in September and to be staying there. For the second week of the month the take in 133 houses in 22 key cities was $1,891,743. This was only $3,067 higher than the previous week.

Eleven of the 22 cities reporting (Continued on page 6)

New Plan for Para. Ready; Speed Sought

Expected to Go to Court Early Next Week

Urging the desirability of an immediate reorganization of Paramount Publix and stating that prolongation of the bankruptcy court proceedings would affect the operation of the company's subsidiaries, a new and nearly complete draft of the Knox-Leeb plan of reorganization, dated as of Nov. 21, made its appearance in reorganization circles yesterday.

The latest draft embodies a number of important revisions in and additions to the Nov. 14 printing, the most important of which provides for making the plan effective with the reduction of claims to $65,000,000, instead of $75,000,000 as formerly. It also eliminates completely the provisions for the effectiveness of the plan contingent upon the issuance to creditors of a maximum of $32,500,000 of new debentures and stock, which

Continued on page 6

Counsel Ask Boost In Paramount Fees

Describing the approximately $570,000 of fees recorded by Special Master John E. Joyce for payment to the Paramount Publix trustees, their counsel, special counsel and accountants as "injust" and "inadequate," counsel for Paramount Publix bondholders and stockholders' protective committees urged more liberal allotments at a hearing on the special master's report before Federal Judge Henry W. Goddard yesterday. Judge Goddard reserved final decision on the awards to be made.

Samuel Zara, attorney for a small group of bondholders, raised the only (Continued on page 6)

Paramount Expects To Release Full 64

Paramount expects to release all of the 64 features being sold during the 1934-35 season, despite the fact that during 1933-34 the company turned out only 58 of the 64 promised.

For the present season outside producers will contribute about 12 of the 64 scheduled. Hecht-MacArthur are slated to do from four to six, while Walter Wanger is listed for two. This leaves 52 to be turned out under supervision of Emanuel Cohen.
SALES managers around the town are studying the statistical fabric woven into a nicety for them by the Census Bureau on where and what theatre grosses of 1933 were. It was common knowledge, of course, that New York State nurtured a little over 1% of all the states, but a surprise to many at that to learn the bracket was nearly 25 per cent. Through the state, 2,800 houses grossed $85,150,000 and 29 picture and vaudeville houses, $4,850,000. Since the picture, not the show's thing, the completed total, or the correct total for practical calculation becomes $90,000,000. The bureau also stresses that 424 of these picture houses are in New York City; that 382 ran straight films and grossed $63,882,000 and 13 "combo" houses bulked $2,578,000, or a total in the metropolitan area of $60,460,000.

Diligent search into the box-office records maintained by Motion Picture Daily went a bit further yesterday and discovered that $83,185, much more than one-fifth of the New York City total, sprang from seven Broadway houses. The Music Hall, naturally, led the field with $3,973,661, The Capitol, a poor runner-up but ahead of the occupant in third place, ended at $2,130,901. The Paramount, filled third with $1,880,435; the Roxy, fourth with $1,108,188; the Strand, fifth with $1,081,341; the Rialto, closed five weeks as it was in the winter of 33, sixth with $543,200, and the Mayfair, seventh with $481,306. Because this business has been notorious in reducing fancy to figures, the government figures take on the air of authoritative value. But don't let them fool you. They tip the grosses, not the losses.

Intrigued by his supervision of the dramatically exciting, if not the box-office exciting "Gabriel Over the White House" of the past day, the President's second foray into more or less the same field makes swell, melodramatic entertainment. What this tabulation thought "The President Vanishes" was covered by some days back from the coast. Yesterday, this forum had a chance to see it with some of the higher upper of the Hays office and Paramount, interspersed with a sprinkling of press association reporters, and found itself mightily entertained for 85 minutes.

In his latest, which happens to be his first independently-made attraction for Paramount, War ner has a new screen look. The black and other kinds of shirts and a lusty slap at munitions makers, and patriots who stay that way long as it makes even half their bank holdings. It also includes social and economic implications which linger his picture with vitality and a generous sprinkling of gags. In other words, "The President Vanishes" has considerably more real substance than the average Hollywood concoction, all tied together with a fantastic, but always interesting, story of the White House and a scenario writer's idea of that which may happen inside those portals some day.

How coast agents work and producers continue to swab themselves is evidenced, complete unto itself, by a new Paramount contract handed out to Claudette Colbert. That handsome young woman of the beautiful and slender type has signed for six pictures over a period of two years with a return to her of approximately $450,000. Less than a year ago, when Hollywood, or Paris for that matter, considered Miss Colbert's per-picture stipend was $60,000, whereupon some hopefuls had an idea the end of each one reached. For confirmed Gold Coast natives, they entirely overlooked the truth that Hollywood knows no limits.

Joe Bernhard enters the record with the statement that the Warner film classification plan, now in vogue in Philadelphia, has been a great success. Yet, hesitancy still marks the circuit's decision about extending the identical idea into other territories where it operates houses. The topographic basis of its pictures suitable for families, it is feared, may keep away adults, those grown-ups figuring families picture are near-at-hand and not worth their time.

Ed Kukendall's earlier blast at Campi for dilly-dallying on clearance and zoning was his first uttered publically. Off the record, however, has been complaining to friends and exhibitors. Moreover, he is not the only member of Campi who holds the same point of view. Any failure of the C.A. personnel will supply the additional names. The difference between them and Kukendall has been the sotto voice method of the other, resulting in a point of view clear. His proverbial luck serves Carl Laemmle in good stead. "Imitation of Life, real boxoffice, comes along when Universal needs it and needs it plenty."

Peculiar that the Allied directors, meeting in Baltimore the other day should assert Paramount's probability of its national sales policy on percentages and particularly as that policy has to do with weekly payments for shorts, used or not. There is no indication of any such change in front in Greater New York, at least. Sidney Samuelson, Allied's president, can testify that he holds a contract with the distributor for shorts on that very basis. Pete Harrison, in Hollywood by this time, expects to find parties with clothes that look west, haberdashery circles report. Which would indicate it is not the lowdown on pictures alone that Pete is after.
SMASH!

Rialto

Laurence Stallings reveals grim horrors of "The First World War"

Fox
Melody to keep your audiences singing gayly for a year

Magnificence to keep a

A tempestuous prima donna who calls her temper "temperament"...a dashing tenor who calls his escapades "escape"...

Happy, Haunting Song Hits: "I'VE TOLD EVERY LITTLE STAR"..."I AM SO EAGER"..."THERE'S A HILL BEYOND A HILL"..."ONE MORE DANCE"..."WE BELONG TOGETHER"
Merriment to keep them smiling happily for months...

Backle in their eyes for days!

quarrelling, laughing, kissing... while music fills the air. A grand show... from the record-breaking Broadway stage hit!

Music by Jerome Kern.
Lyrics and libretto by Oscar Hammerstein, 2nd

GLORIA SWANSON
and JOHN BOLES
DOUGLASS MONTGOMERY
JUNE LANG

Al Shean • Reginald Owen
Joseph Cawthorn • Hobart Bosworth

An Erich Pommer Production. Directed by Joe May.
Continuity by Robert Liebmann, Screen play by Howard I. Young and Billie Wilder. Dances by Jack Donahue.
New Plan for Para. Ready;
Speed Sought

Grosses Maintain Levels
Lower Than in September
(Continued from page 1)

showed slight decreases from the previous week, but these were offset by gains from other spots.

Comparative grosses for the latest available periods:

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Comparative weekly totals:

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Hearing Begun
On Phila. Dual Contract Suit

(Continued from page 1)

know if the theatre man would build the case on the testimony of Mr. Stieffel he said he would not because he could not get product.

This was one of the many complaints the defendants, major distributors who have inserted clauses against dual in new contracts. It was stated that the ending double features, objected to the nature of the question, but the court overruled him, indicating that if monopoly was involved, it was a question of deep public interest.

The case was opened with Golder's petition for a permanent injunction invalidating the double feature clause in the majors' contracts. Perelman appealed to the court to refuse the corporation's request.

On May 28, holding that the clause was a weapon being used to monopolize both product and exhibition in this territory. Judge Walsh refused the request at the time, stating the questions involved so important that testimony should be taken.

Says Major Product Stable

Samuel Waldman, an official of the Garden Amusement Co., outlined the independents' case, explaining it was necessary for exhibitors to use product of the major companies even though the features were stolen by the independents. He said he asserted that when features are not attractive the independents try to bolster their bills with independent product, adding that the majors have threatened to cut off or hold up delivery of the product unless the theatre men agree to discontinue showing films made by independent producers.

Irving Phillips, Gernertown exhibitor, described the features of the pictures that was referred to as the "trust" reached them, they were seventh or eighth in getting them before all other theatres.

It was brought out in the testimony that the double feature had been used two years ago. Golder told the court the ultimate purpose was to drive independent producers and exhibitors out of this city and New Jersey.

At an earlier hearing Golder had charged the majors with violating the Sherman and Clayton anti-trust statutes and threatened to demand that the Department of Justice investigate his charges.

Judge Walsh is allowing two days for the trial. A recess was called after the morning sitting. The hearing will be continued tomorrow.

Reade Takes 2nd Fox

"Hell in the Heavens" is the second Fox picture purchased by Walter Reade, who has previously known the mutual of the Fox contract at this house. No date has been set. "Gambler," another individual deal, goes into the Mayfair on Monday.

Switch Picture's Title

The British and Dominions production previously known as "Queen's Affair," will be released in America by United Artists Dec. 21 as "The Runaway Queen."
Most baffling, exciting, and universally saleable of the week's cinema product is, in our estimation, Warner Bros.'

"I AM A THIEF"

which maintains this company's consistent superiority in the mystery field, with an expert cast including Mary Astor and Ricardo Cortez, directed by Robert Florey. Released November 24.
This year Xmas comes on DECEMBER 27th

because that's the day exhibitors will celebrate the national release date of

World Premiere (PRE-RELEASE) RADIO C
Say Operator Ruling Clears Up Section 7A

(Continued from page 1)

handed the case in behalf of the L.T.O. The prevailing effect of the rule laid down by the decision in this case is (1) that in the absence of contractual obligations Section 7A of the National Industrial Recovery Act was not aimed at the immemorial rights to hire and discharge at will, and (2) that the statute is not aimed at this right of employers, but at the interference with the rights of employees to have their earnings "clawed." However, that right, a direct result of this decision, cannot be invoked by those who are only indirectly affected by this violation. It cannot be invoked by an "outside union" which is not only unrelated to work, and which does not have direct interest in its enforcement against a particular employer.

We predict that the ruling will have "a beneficial and stabilizing effect upon all industries" because it will remove uncertainty from the meaning of the section.

Before the suit, houses employing Local 306 men were picketed by Allied operators, and houses employing Allied operators were picketed by Local 306. The latter sought an injunction against the "banning" of Allied men on the ground that it was a company union and its members had been discharged for making war on the former. Judge Collins granted an injunction to Local 306, which was represented by Charles H. Tuttle, assistant U.S. district attorney.

It was the appeal from this ruling which reached the Court of Appeals.

New Hurdle Risks Over Price Cuts

(Continued from page 1)

Campi must decide whether first runs on the mainland only shall get 25 days' protection over second runs as the schedule provides or whether first run protection should be graduated according to price.

First runs contend their rentals are the sole determinant factor in Leow's and RKO, therefore, are expected to resist any attempt by Campi to curtail their protection or base it on admission prices.

The availability periods remain unchanged from the previous plan submitted to Campi with the exception that any priced house can be a prior run over its competitor if it obtains protection.

Word from New York late today had it that the plan had not arrived. The reason was found traceable to the grounding of planes between here and the East because of bad weather.

Rockefeller Charter Hit

BUFFALO, Nov. 22.—The alleged transfer by Morris Zimmerman in favor of Rose Zimmerman, his wife, as revealed in Evidence to the Rockefeller Char- ter is not valid so far as the operation of existing contracts is concerned, the Buffalo grievance board has ruled on a complaint brought by M-G-M here.

"Bright Eyes" (Warzel-Fox)

Hollywood, Nov. 22.—"Bright Eyes" hits the nail on the head as a type of film for which Shirley Temple is not cut out. The story and supporting cast are subordinated for the younger, with David Butler's skillful direction playing to the emotions of every tear and laugh-jerk at Shirley's command.

This sure-fire box-office attraction will draw in any locale and affords timely exploitation possibilities surrounding Shirley's Christmas party sequence.

The central theme of the story features the befriending influences of James Dunn, flyer, and Charles Selmon, uncle of Theodora Von Eltz and Dorothy Christy, who want to provide a happy home for orphaned Shirley.

Von Eltz and Miss Christy want to rid themselves of the child to protect the social uplift of their own daughter, Jane Withers. This provokes the menace in the plot. A romance of Dunn and Judith Allen figures on the solution by the court grants them the custody of Shirley as carefully planned by Selmon.

The original story by Butler and Edwin Burke is excellent for Shirley, with William Conselman's screen play shrewdly knitted for laughs and pathos situations. Butler's direction keynotes the human values and laughter potential.

Shirley's song number on the good ship "Lollypop" is delightful. Arthur Miller's photography is excellent. The cast is good; it is perhaps the best Shirley Temple has made to date, which tells everything.

Production Code Seal 427. Running time, 85 minutes. "G."

"The Mighty Barnum" (20th-Century-Fox)

Hollywood, Nov. 22.—Produced by Showman Darryl Zanuck for showmen, Barnum's saga, conveyed by Wallace Beery, is a fine showman's show. Juicy bits, spun around the Barnum personality, are chronicled in hollywood fashion, with the film forgivingly deviating from truth occasionally.

Portrayed by Beery as a big-hearted roisterer, a trait to his wife (Janet Beecher), the production traces America's amusement pioneer through adversity and luck, from the beginnings with freaks to the peaks with Jenny Lind, aided en route by the besotted Mr. Walsh, later H. L. Mencken and presiding General Tom Thumb, the Cardinal giant, the bearded lady and Junno, the world's greatest elephant, which have amazed and amused these many generations.

Beery's Barnum, though a bit sappy, is a human, laughable zany. Adolph Menjou's Bailey is etched with confidence, revealing again what this reviewer has before recorded. Virginia Bruce, as Jenny Lind, gives evidence of a voice and a personality portending stardom. The large cast also includes Rochelle Hudson, Tammany Young, Charles Judels, Christian Rub and others, all competent.

Gene Fowler is tops in penning American scenes and people and has injected varied values in the screen pictures which he collaborated with Rex Meredyth. Walter Lang directed, stressing factual content more than imaginative flambouyance. Peverell Marley's photography is all right.

The production gives showmen ample opportunity to display their talents in circling the discoverer of circuses, playing up Beery's name and title.

Production Code Seal 392. Running time, 105 minutes.

"Behold My Wife" (Schulberg-Paramount)

Hollywood, Nov. 22.—In a fast mixture of comedy and pathos, Sidney Sidley is here revealed as an Indian girl who marries a white man. He takes her home for the purpose of embarrassing his family, allegedly responsible for the death of his former sweetheart. He ends, however, loving his wife, Despite Miss Sidley's fine acting, Gene Fowler, as the husband, gives the picture its heft.

A preview audience, while evidencing its reaction in comedy and dramatic sequences indicated no spontaneous enthusiasm although it appeared satisfied.

Direction of Mitchell Leisen spans Sir Gilbert Parker's story handles neatly with the picture flowing smoothly through a succession of well-conceived scenes having obvious sincerity. Raymond's performance

(Continued on page 34)

MOTION PICTURE DAILY's
HOLLYWOOD PREVIEW

"Bright Eyes"

"The Mighty Barnum"

"Behold My Wife"

MOTION PICTURE DAILY
Friday, November 23, 1934

Purely Personal

AL CORMIER, former trade paper man, has been made vice-president in charge of sales of the American Binding Co., whose old outlet is WMCA.

E. LEPOLD SPITZEL, Chicago motion picture reviewer for the Chicago Daily News, is opening an orchestra for a week starting today.

H. WILLIAM FITTELSON, attorney for Amy Pictures, and FRED BELLIN left for Detroit yesterday.

CHARLES SKORUPA and his party arrive in New York today.

J. J. UANGER is in Boston on Paramount business.

Report No Complaint On Weekly Payments

No complaints have been registered by exhibitors to local exchange heads on this date for any lack in weekly payments. Allied directors returning from an eastern regional in Baltimore on Monday will make a comprehensive checkup to determine whether or not that in a checkup of various companies' sales policies, some of the distributors were retailing on the weekly payment idea.

According to local sales heads, the plan has been found to work out favorably. It is stated that checks to showmen are regularly paid out, with checks sent out regularly every week and at the end of the week exhibitors have no bills to settle. However, they may have a number of checks out to the point at the end of the selling period, and in many cases the undated checks are picked up. Some of the companies have been considering the scheme for features but have found it impracticable. Two two-reelers which have to play during the week, however, will probably prove a burden in the near-releaseweek.

Samuelson Presents Code Case and Win

Sidney Samuelson, not a lawyer by profession, yesterday won his first case when the New York grievance board awarded the Liberty Plainfield, N. J., 70 pictures of Walter Reade's allotment for the Paramount, Oxford and Strand, same circuits.

The Allied president represents Joseph Sicardi, a member of the New Jersey unit, who complained that it could not get one major release from 1934-35, while Reade has purchased 355 for his three houses. Samuelson's case was heard more than last year. Leo Justin, who acted for Reade, stated yesterday was an open case.

In another overdue case against Reade, the board dismissed the complaint by M. Smider of the Liberty in Newark, Harry Suchman, who acted for Smider, during the last few weeks had been trying to settle the action amicably, but could not come to an understanding with Reade.
"A LITTLE OF BOTH, Please"

A little light meat and a little dark, pleases everybody at the Thanksgiving feast. Some drama and some comedy, pleases everybody at your screen feast. And when the laughs are served up by one of Educational's big-star-name comedies, it's a banquet.

Laughs, Thrills, Good Music, Big Stars in These New Featurettes for Year-end Programs:

**TWO-REEL COMEDIES**

- **"THE GIRL FROM PARADISE"**
  Musical Comedy
  with SYLVIA FROOS
  Frank Luther, George Shelton
  N.T.G. and the Paradise Revue

- **"THE CAMPUS HOOFER"**
  Frolics of Youth
  with Junior Coghlan, Dorothea Kent

- **"RURAL ROMEOs"**
  Coronet Comedy
  with Harry Gribbon, George Shelton

- **"THREE CHEERS FOR LOVE"**
  Young Romance
  with SYLVIA FROOS
  Warren Hull

- **ERNEST TRUEX in "GENTLEMEN OF THE BAR"**

- **"TWO LAME DUCKS"**
  Coronet Comedy
  with Billy Gilbert, Vince Barnett

**ONE-REEL ATTRACTIONS**

- **TREASURE CHEST PRODUCTIONS**

- **"YOUR STARS FOR 1935"**
  with WYNN, Famous Astrologer

- **"HOLLYWOOD MOVIE PARADE"**

- **SONG HIT STORIES**

- **"THE HOUSE WHERE I WAS BORN"**
  with Sylvia Froos, Frank Luther

- **"THE BOUNDING MAIN"**
  with Norman Cordon, the Singing Mariners

- **"WAY DOWN YONDER"**
  with The Cabin Kids, Mabel Horsey Singers

- **TERRY-TOONS**

- **"HOT SANDS"**

- **"TOM, TOM, THE PIPER'S SON"**

- **"JACK'S SHACK"**

- **"SOUTH POLE OR BUST"**

Presented by
E. W. HAMMONS

Distributed in U.S.A. by Fox Film Corporation
**“Rhythm” Is $27,000 Wow On the Coast**

Los Angeles, Nov. 22.—Practically all of the first run excitement here last week centered at the Paramount where “College Rhythm” topped par by $9,000 for a total gross of $22,000.

This was especially noteworthy because most of the other first runs were in a bad way. “Fugitive Lady” and “College Rhythm” were the only other strong attractions. The take there was $4,100. “The White Parade” grossed $12,000 for $10,500, but this was $2,000 under normal.

Total first run business was $80,450. Average was $81,700.

Estimated takings for the week ending Nov. 15:

- **THE WHITE PARADE** (Fox)
  - CHINSEKE—(2,000), 30c-65c, 7 days. Stage: S. C. Roberts. Gross: $5,000, (Average, $714).
- **HELL IN THE HEAVENS** (Fox)
  - INDIANAPOLIS—(1,600), 25c-35c-40c, 7 days. Stage: John Ford and his orchestra. Gross: $2,000, (Average, $286).
- **THE WHITE PARADE** (Fox)
  - LOWE'S—(2,413), 30c-55c, 7 days. Stage: Louis Wolf and his orchestra. F. & P. revue. Gross: $2,000, (Average, $286).
- **COLLEGE RHYTHM** (Para.)
  - ST. LOUIS—(2,000), 30c-65c, 7 days. Stage: Louis Wolf and his orchestra. F. & P. revue. Gross: $2,000, (Average, $286).
- **THE AGE OF INNOCENCE** (Radio)
  - RUBIN’S—(2,000), 35c-55c, 7 days. Stage: John Ford. Gross: $2,000, (Average, $286).
- **THE FIREBIRD** (Warner’s)
  - WARNER Bros.—(2,400), 30c-65c, 7 days. Stage: R. B. N. Gross: $2,000, (Average, $286).
- **DIVORCEE** (Farmer & Bliss)
  - DOWNTOWN—(2,000), 35c-55c, 7 days. Stage: John Ford. Gross: $2,000, (Average, $286).
- **GAY DIVORCEE** (Radio)
  - FERRY—(2,000), 30c-55c, 7 days. Stage: Seven acts vaudeville. Gross: $2,000, (Average, $286).
- **FUGITIVE LADY** (Col.)
  - WITHERS—(1,900), 25c-35c, 7 days. Stage: Stu-Tun Gross: $2,000, (Average, $286).
- **HEROINE WITH GREEN Hair** (Pantages—(3,000), 25c-35c, 7 days. Gross: $4,100, (Average, $3,333).

**“Divorcee” Is Detroit Smash With $27,400**

Detroit, Nov. 22.—“The Gay Divorcee” piled up a whopping $27,400 for its opening week. This is nearly double normal for the house.

Evelyn Prentice was also strong, although her average by gross was $22,600 at the Michigan. “We Live Again” grabbed a good $11,000 gross at the United Artists, but other first runs took over.

Total first run business was $68,700. Average is $75,000.

Estimated takings for the week ending Nov. 15:

- **CARAVAN** (Fox)
  - THAT’S GRAVITUDE (Col.)
  - ADAMS—(1,250), 25c-50c-60c, 7 days. Gross: $5,000, (Average, $714).
- **MERRY WIDOW** (M-G-M) (Second Run)
  - BROADWAY—(1,448), 15c-40c, 7 days. Gross: $4,000, (Average, $571).
- **BAREFOOTS OF WIMPVILLE STREET** (M-G-M)
  - BIG HEARTED HEBERT” (Warners)
  - Books Both Runs Gross: $5,000, (Average, $714).
- **EVELYN PRENTICE** (M-G-M)
  - MIANAH—(2,000), 35c-65c, including tax. 7 days. Stage: Bob Murphy, Ray Huf- ford and Neil. Gross: $3,000, (Average, $714).
- **FUGITIVE LADY** (Col.)
  - REED—(3,000), 25c-40c, 7 days. Stage: John Ford. Gross: $1,700, (Average, $243).

**Sam Wood Is Signed By Reliance for One**

Sam Wood, who has been signed by Edward Small of Reliance to direct one picture, is now working on a script, “The Melody Lingers On” by Lowell Benton. If the script works out, this will be Wood’s next assignment. He has been away from six other books he has in mind.

The director is anxious to return to the coast as soon as possible. He has been fitted out with a small house in Hollywood where he can go out in the yard and work when he tires of indoors. Wood plans to leave sometime next week. He may be accompanied by Small.

While here the director is looking over a number of plays and personalities he may sign. He says it’s a hard thing to decide on New York every once in a while. “You are in the heart of things and don’t have to go far for the things you would not ordi-

Czechoslovak Radio Fees Go to Theatres

Washington, Nov. 22.—Because radio broadcasts have hit film theatres in the smaller towns of Czechoslovakia, the government has ordered that a one-half of the license fees be turned over to the theatres, according to a report to the U. S. Department of Commerce from Commercial Attaché Sam E. Woods in Prague.

Broadcasting in Czechoslovakia is a monopoly, operated by a company in which the government holds a major-

The monthly fee for each receiving set in use in Czechoslovakia is 10 crowns (40 cents) and the receipts from this source are divided between the broadcasting company and the Czechoslovak Posts and Telegraphs.

The amount of the subsidy to be distributed under the recent order was approximately (agreed upon) 20,000,000 crowns, or approximately $80,000, states the report.

**British Films Get Few Code Cashes**

Few deletions are necessary in British pictures submitted here for production code inspection. Vincent G. Hart, eastern assistant to Joseph Breen, production code ad

**Add to Breen Cuts**

Columbus, O., Nov. 22.—Although some states are according to Joseph Breen as final, it is not sufficient protection for the public morals of Ohioans, declared Dr. Bever-

“Eventong” and “Evergreen,” two of the most recently submitted British produc-
tions, were passed with only minor code corrections. The former has been the case with other British-made pictures approved earlier, despite the fact that British production is not consciously guided by the production code in effect here, Hart said.

Independent producers operating in the United States also submit copies of the local production code in advance of production. The script of the Selvon picture, tentatively titled “The Bad Penny,” which went into pro-
duction at Biograph a few days ago, was presented to the code board to be approved by an independent here. Marie Johnson, the new picture, “Wings Over Africa,” now being used in silent production, has also been submitted for code approval.

The total number of code certifi-
cates issued by the eastern office since it began operating July 15, is now

**Color Shorts to Be Filmed in San Mateo**

San Francisco, Nov. 22.—Eighteen historical short subject films are being planned for production at the San Mateo studios of All-American Pictures by S. A. Hedding, former Minnesota banker, is treasurer of San Mateo Pictures, Inc., a $500,000 company just formed to take over the old plant operated 10 years ago by Graf Brothers, Walter Irving, former Hollywood New York newspaper man, will be production manager.

**To Seek Federal Action**

Hayre de Grace, Md., Nov. 22.—The Maryland Congress of Parents and Teachers pledged itself at its clos-
ing session here today to work for Federal legislation for better protection to furnish “more desirable entertainment.”

The resolution said: “We are alarmed by the present motion pictures. We protest blind buying and other trade practices which prevent local censorship. The federal government has the public demand for more desirable entertainment.” Mrs. Ralph J. Cop-
gage, president of the congress, pre-

**Ill. Passes Sales Tax**

Springfield, Ill., Nov. 22.—Gov-

Engels-Lebedeff Teamed

Hollywood, Nov. 22.—M. H. Hoff-

Form Bil-Art Studios

Albany, Nov. 22.—Bil-Art Stu-

CBS Increases Capital
GARBO FLASH!

Ohio Theatre calling from Columbus—

"PAINTED VEIL" opens to terrific business!

Bad weather—but who cares!

Second best opening in 15 months!

But the best GARBO of all time!

That's what the audience said!

That's what you'll say!

And your box-office ditto!

(P.S. To the Editor. Thanks for holding your presses so that we could get this great news to your readers overnight.)
Warning Is Issued
On Admission Tax

(Continued from page 1)
cut price which may be offered has been issued by the Internal Revenue Bureau, and it is applicable to admissions being sold in New York and Philadelphia publications in which it is stated the law has ruled that only in certain cases are tickets subject to tax only on the amount actually paid.

It is pointed out that the revenue law expressly provides for the collection of taxes on the basis of established price from any person, other than employees, municipal officers or children under 12 admitted at reduced rates at a time when other patrons are charged the established price.

“It has been consistently held that where tickets of admission are sold for an amount less than the established price shown on the tickets, the tax of one cent for each 10 cents or fraction thereof of the established price of such tickets may be assessed and declared.

“Furthermore, since the tax in the case of reduced rate admissions is based on the established price of admission to other persons for the same or similar accommodations, the tax of one cent for each 10 cents or fraction thereof attaches to the established price of admission as fixed by the theatre. That is, if any ticket is sold for less than the established price, the tax should be collected on the established price, regardless of sale price printed or stamped on the ticket.”

Broadcast Gums Up
Washington Program

WASHINGTON, Nov. 22.—A broadcast tossed a monkey wrench into the schedule at the Earle this week when it was discovered that the weekly presentation of Waring's Pennsylvanians over the air for Ford came at a time when the orchestra would normally be on stage.

To overcome the difficulty, the Earle, for the first time in theatrical history, booked the Washington Theatre and utilized the stage to close the date.

Normally running five features and four stage shows, the schedule for tonight was five and five, with the last feature at 9:11, the last stage show at 10:19, and the "Good Nite" at 11:02.

Hearing Is Ordered
For Trans-Lux Row

WILLIAMSBURG, Nov. 22.—Chancellor Josiah V. Wolcott today issued a rule returnable next Wednesday on the Trans-Lux Daylight Picture Screen Corp., directing its officers to show cause why a stockholders' petition for the dissolution of a master to hold a meeting of stockholders for an election of directors should not be granted. The Attorney representing a group of stockholders contends the corporation has failed to hold a stockholders' meeting this year. They ask the court to order the corporation to the court the management be enjoined from spending corporation funds in a contest for proxies to retain control.

Lillian Harvey Will
Make 3 in England

Harry Edington has closed a deal with British International Pictures that will make three pictures for the English company next year. The former Fox star will be in London Feb. 1, when she is scheduled to work on the first.

Edington and his wife, Barbara Kent, leave for the coast tomorrow by train. They originally planned to fly, but changed their reservations because of snowstorms.

Sam Morris to Europe

Sam E. Morris, vice-president of Warners, sails for Europe tomorrow on the Parisi on a business trip that will take them to London and then on to the continent. He will be accompanied by his son, Edwin Morris, who is making the trip in the interests of the various music publishing subsidiaries of Warners. They will be gone about two months.
Proof of PREEMINENCE

The claims made for Eastman Super-Sensitive "Pan" have been borne out again and again by its contributions to the greatest motion-picture successes. It is actual performance that proves the preëminence of this Eastman film, and that gives it its unrivalled acceptance among cameramen everywhere. Eastman Kodak Company. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super-Sensitive Panchromatic Negative
WHEN A SHORT MAN GROWS LONG!

Congratulations Hal Roach! “BABES IN TOYLAND” is sensational. Your biggest and most ambitious full-length feature is everything you dreamed it would be when you selected Victor Herbert’s greatest musical stage success.

“A money-maker,” says Coast Variety
“Grand entertainment,” says Hollywood Reporter
“Something new under the sun,” says L. A. Times

—and Leo says:

HOORAY FOR LAUREL-HARDY IN “BABES IN TOYLAND”!
Broadway Sees Rosy Holiday Week Looming

Rosenblatt to Rush West To Avert Code Breakdown

WASHINGTON, Nov. 23.—Fear of a code breakdown in the relations between actors and writers with the studios is behind Compliance Director Sol A. Rosenblatt's decision to hurry to the coast next week.

In a letter to members of the five-five studio relations committee, Rosenblatt warned that the current committee had been deadlock for some time as a result of the rejection by producers of the actors' proposals. Now the writers find themselves in the same situation. They appealed jointly for Rosenblatt's help through officers of the Actors' and Writers' Guilds.

Rosenblatt will leave by plane on Tuesday and will arrive in Los Angeles on the morning of Nov. 28. He is prepared to head the remainder of the week in an effort to straighten out the situation.

The two guilds were advised to do this effect today, and the producers (Continued on page 3)

Operator Wage Scale Awaits Confabs Here

WASHINGTON, Nov. 23.—Members of the exhibitor labor committee appointed by Compliance Director Sol A. Rosenblatt in September to investigate operators' wage scales in metropolitan New York with a view of developing a standard pay and hour schedule today advised him that they had gone as far as they could and were anxious that he meet with them to discuss the situation.

Rosenblatt advised the committee that he would go to New York as soon as possible after his return from Los Angeles, probably the latter part of the week of Dec. 3, prepared to spend an entire day in consideration of the problem.

He will give the matter the earliest possible attention in view of a statement by the committee in its telegram that certain conditions have arisen which might make the problem more difficult if delayed.

In order that the matter might be expedited, Rosenblatt today asked the committee to have all proposals reduced to writing before the meeting.

Monopoly in Forein Suit Over Doubles

PHILADELPHIA, Nov. 23.—Resumption of testimony in the Harry Perelman double feature suit against major distributors today added indication that monopoly and restraint of trade testimony would dominate the dual angle in the interest of the local industry. The action is for an injunction against restrictions on duals in contracts for the new season and is being heard before Judge George A. Walsh in Federal court here.

Charles Steifel, South Philadelphia exhibitor, and Samuel Waldman, an official of the Garden Amusement Co., both of whom testified at the opening of the hearing yesterday, were on the stand again today as witnesses for the plaintiff. Steifel continued his recital of his asserted difficulty in getting product. Waldman testified he had to close the Walnut because of the lack of first-run major product.

Another witness was Columbus Stamper, who said he was unable to get a film for his house.

Morris Wolf, attorney for the defendants, (Continued on page 3)

More 1st Division Offices Open Soon

Al Friedlander, vice-president of First Division, leaves for Detroit tomorrow to open a branch office in the city. This will make 14 for the company.

Within the next two weeks Friedlander will go to the coast and open offices in the west. Before Jan. 1 it is expected First Division will be represented in 20 key centers.

Harry H. Thomas returns from Atlanta on Monday.

Actor-Writer Rift Goes Up To Code Heads

Groups Now Demanding Deadlock Be Ended

HOLLYWOOD, Nov. 23.—Compliance Director Sol A. Rosenblatt and Executive Secretary C. F. Cline arrive here by plane early next week to settle the rift between producers, writers and actors in connection with the code. Film leaves New York by plane Monday, Rosenblatt from Washington on Tuesday.

A wire, signed by Robert Montgomery, vice-president of the Actors' Guild, and Ralph Block, head of the Writers' Guild, was sent Rosenblatt late Thursday night following a meeting of the actors' and writers' five-five representatives on the code.

Five-five, appointed by Campi, to sit in five representatives of both actors and writers groups, refused to accept a set of resolutions prepared by the two groups. When this developed, Rosenblatt was notified, but nothing was done.

Actors and writers now demand action and have thrown the entire matter in the lap of Rosenblatt, who has (Continued on page 3)

Hearing Likely for Vaude Code Changes

WASHINGTON, Nov. 23.—A public hearing on amendments to the vaudeville provisions of the code is expected to be approved by the NRA early next week. The date will probably be in about three weeks.

Deputy Administrator William P. Farnsworth tonight returned to Washington from New York for bearing proposals for amendments to deal with rehearsal pay, waiting time and similar questions.

While Compliance Director Sol A. Rosenblatt has not yet had time to (Continued on page 3)

Standard Oil's Show Plan Hit by Warner

WASHINGTON, Nov. 23.—Plans of Standard Oil to send a two and one-half hour stage show on a tour of all the eastern cities at a cost of $15,000 a week, the public admitted to performances free, were today protested by Harry Warner in a telegram to Compliance Director Sol A. Rosenblatt.

Warner pointed out that the show would constitute unfair competition (Continued on page 3)
**Hollywood Personal**


**Mirisch New Warner Head in Wisconsin**

MILWAUKEE, Nov. 23.—Under the new setup for the Warner circuit in Wisconsin, Harold Mirisch, originally slated to go to Cleveland Jan. 1 as head broker, becomes district manager of the Wisconsin offices, with Jack Keegan, former Rockford district manager, as his assistant.

The accounting department is being moved from Chicago to Milwaukee. Mirisch will operate under the direction of James Cotton, Warner zone manager in the state, who remains in charge of advertising and publicity for the Wisconsin district.

**Wagner Reports Few Cuts in His Picture**

HOLLYWOOD, Nov. 23.—Not more than 50 feet of film has been ordered eliminated from “The President Vanishes,” according to Walter Wagner.

Joseph L. Breen, head of the Production Code Administration, saw the film and decided it needed a small amount of dialogue cut. Wagner says Breen has assured him that a seal will be issued when the changes have been made.

**Rothenberger in New Job**

W. L. Rothenberger has been appointed manager of the central sound department of the RCA Victor and Associated Recording Corporation.

Rothenberger has been identified with the communications and television entertainment phases of radio for the past 14 years and was formerly director of sales for the central sound department in Atlanta.

**Select Themes Title**

Select Productions, Inc., has changed the title of “Bad Penny” to “The Blind Road.”

Edward Dean Storer, author, has sold the title to Select Productions, which is scheduled to get under way shortly at the Biograph studios with the cast announced.

Leonard Praskin, director; Douglas, Buscher Collier, Jr., Lila Lee, Shirley Gray and Roscoe Attes. Crane Wilbur will direct.

**Eastman Up 1 1/4 on Big Board**

COLUMBUS, Nov. 23.—The House here last night passed the sales tax bill by a vote of 133 to 33. The bill provided that the Senate will also pass the bill some time before Nov. 29 and thus repeal the admission and amusement tax on tobacco and tobacco, liquor and fuel taxes also passed the House.

A Liberty Prod.

Distributor credit on “Once to Every Woman.” Donald MacBride was awarded a special credit for “Mascot and Not Liberty” in the Providence box-office report which appeared in Monroe Pictures Daily on Tuesday. The picture played the RKO Victory for four days and grossed $1,300, or $800 over the normal $1,000.

**Purely Personal**

HOWARD A. CULMANN has introduced a large group of clergyman of all faiths to see “Wednesday’s Child” at the Roxy, Nov. 27. The picture was released at the house Dec. 1.

FAITH BOLDWIN’s story, “War Versus Secretary,” which will appear serially in Cosmopolitan beginning next January, has been purchased by M-G-M.

HYMAN J. GLICK, controller of Mascot for the last three years, resigned that post yesterday. His future plans are not yet set.

ARTHUR BEXLINE, production assistant to HAROLD B. FRANKLIN and Victor Salva, went to the lid of Kentucky colonels yesterday.

WHITNEY BOUNO has been discharged from the Doctors’ Hospital and is at home, well on her way to recovery.

PAT PATTJORSON is on her way here from Hollywood to meet her husband Carl in New York.

Dwight Taylor has sold his musical, “Two on a Tower,” to Paramount.

**Clevelander Talk Neighborhood Cuts**

CLEVELAND, Nov. 23.—An effort is being made to solve the neighborhood price cut problem in some of the poorer sections by permitting exhibitors to get together and seek an agreement in each locality.

The idea is to help those who say that the cut in prices was added to the price at the same time a general spread of lower scales.

“Becky Sharp” First Feature for Pioneer

HOLLYWOOD, Nov. 23.—Kenneth Macgowan will produce “Becky Sharp” as the first Pioneer feature for Radio release. He will move into office and production unit from Radio studio to the RKO Pathé plant.

Set 6 “Charlie Channs”

HOLLYWOOD, Nov. 23.—Because of the success of the current series mysteries starring Warner Odam, Fox has announced an addition series of six “Charlie Chan” pictures.

Simultaneously Fox has signed Odam to a long term contract calling for two pictures a year in which he will portray the famous Chinese detective. The first two will be titled “Charlie Chan in Buenos Aires” and “Charlie Chan in Morocco.”

**Show Hungarian Film**

A group of consular representatives and cinema experts watching a preview showing of “Hungaria,” an official film produced in Hungary, in the Columbia projection room yesterday, Thursday, were the Hungarian-American Society.

**Lasky Sings Ceballos**

HOLLYWOOD, Nov. 23.—Larry Ceballos, who just arrived here from New York, has been signed to do the dance numbers in “Red Heads On Parade” for Jesse L. Lasky at Fox.
Actor-Writer Ritt Goes Up To Code Heads

Texas Allied Sends Protest to Capital

Dallas, Nov. 21.—Resolutions protest- ing against the code in its present form were adopted by the Allied Texas Theatres Co., which forwarded the resolution to the President.

As was expected, Col. H. A. Cole was re-elected as president.


Overbuying Charged By Fox, Ashtabula

Cleveland, Nov. 22.—D. Fox, operating the Harbor Theatre at Ashtabula, has lodged an overbuying complaint with the local grievance board against the Shubert Co., Inc., operating the Palace and Castro, same town.

Fox charged that, since the opening of this house last August, he has been unable to purchase product for subsequent runs from any of the major distributors since contracts have already been signed for the Palace and Castro.

Fill Three Board Spots

Three replacements have been made on grievance boards in Cincinnati, Minneapolis and Kansas City by Cam- pu. Burton J. Feinberg, who replaces George Smith, who is being transferred to Paramount’s San Francisco office, Yoric and leaves for the coast next week. Ralph Grollbrot, who replaced Max Ziegler, succeeds Ziegler as manager, also supplants him on the grievance board. Fred Wolfsen, attorney, has been named to replace Dr. Paul Lux as impartial member of the Kansas City board.

Rosenblatt to Rush West To Avert Code Breakdown

Allied Owners Case Set Back to Dec. 3

A scheduled hearing of creditors on the Allied Owners plan of reorganization was adjourned to Dec. 3 by the United States District Court of Brooklyn yesterday after a ruling from the U. S. Circuit Court of Appeals on the action of Manufacturers Hanover Trust, which is seeking the right to vote the Allied Owners debentures for which it is trustee.

If the appeals court upholds the contentions of Manufacturers Trust, the latter would have one of the most powerful voices in acceptance or rejection of the plan. Other Allied bondholders yesterday appeared to favor the proposed reorganization.

The Allied Owners claim of $23,000,000 against Paramount Publix has been made subject to Paramount’s pending plan of reorganization and is a vital part of Allied’s own plan. Provisions for the issuance to Allied of new Paramount securities to satisfy $5,500,000 of the claim, the payment of $150,000 in cash, as well as the transfer from Allied of $10,000,000 of the Alabama, at Birmingham, and long term leases by Paramount of the Brooklyn Paramount and the Glen Falls, N. Y., and Fremont, O., Paramount theatres.

Lewis set Nov. 30 as the final date for objections to the Allied plan by creditors.

Para. B’way Stock Unchanged in Plan

(Continued from page 1)

mount theatre after the first 10-year period shall be for a rental to be based on an appraisal of the property for a term ending at the date of maturity of the new Broadway bonds, in 1955. As security for the new lease, the new Broadway company is to deposit six months’ rent or its equivalent in bonds. Paramount Broadway is the holder of the lease, for the Paramount Bing, and theatre.

Para. Foreign Net In 3 Mos. $538,000

(Continued from page 1)

half of 1934 were $3,474,000, and for the entire year of 1933 they were $5,852,000.

Third quarter earnings for the theatre and other companies are not yet available. Net operating earnings of these companies for the first six months of 1934 were $44,000, as compared with $160,000 for the entire year of 1933.

Standard Oil’s Show Plan Hit by Warner

(Continued from page 1)

will be abolished and the action of the code and urged that action be taken to stop the oil company from carrying out its plans.

The question of free admissions has been pending before the Recovery Ad- ministration in connection with radio broadcasts but has not before been raised with respect to a “legit” show.

Film Code Is Praised

At a meeting of all Code Authori- ties held Thursday, one of the speak- ers stated that the film code was the most efficiently operated of any code in effect. John C. Flinn attended.

Campi Arranges Audit

Price, Waterhouse & Co. has been engaged by Campi to make a second audit of expenses, this time for the period from July 1 to Dec. 31, 1934.

Broadway Sees Rosy Holiday Week

Looming

Monopoly in Fore in Doubles Action

(Continued from page 1)

Randall in a long series of objections to the testimony of witnesses for the plaintiffs by announcing to the court a blanket objections to the proceedings as a whole, indicating a prompt appeal will be taken if the case went to Perelman.

Amended plea for trial taking in the next hearing was Stanley Friedman and I. Leven- son of the Warner home office legal department.

Testimony will be resumed Monday, although Judge Walsh yesterday said it would be impracticable. "Imitation of Life" may hold up for a week.

The Paramount is hopeful of getting around $55,000 on "College Rhythm." Two weeks are certain and a third is likely if the gross holds up on the second stanza.

"Firebird," grossed $10,150, and was replaced with "Gentlemen Are Born."" Was the only house to cheer about its business. With Eddie Cantor on the RCA and Rockefeller Center, each Round on the screen, the house went up about 75 percent over average with both films.

The Fox with "There's Always To- morrow" hit about $18,000, while the Paramount with "St. Louis Kaj" got $15,000. The Seven with a dual bill, "I'll Fix It" and "Six-Day Bike Rider," hit a weak $9,000.

Rockefeller Gets 3 On Music Hall Board

(Continued from page 1)

Music Hall; Francis T. Christie, a Rockefeller attorney and executive vice-president of Rockefeller Center, and Webster B. Todd of Todd & Rob- erts, who is a member of the board of managers of Rockefeller Center and a vice-president of the new company, each have a 50 per cent stock interest in the new Music Hall company.

Offered $650,000, the new company in addition to Van Schmus and Todd in- clude three representatives of the management. They are Leo Leon- doff, Music Hall stage show producer, who becomes a vice-president; G. S. Eysell, assistant to Van Schmus, who becomes secretary, and Russell V. Downing, former comptroller, who becomes treasurer.

RKO Sets Publix-Wilby

RKO has just sold its 1934.35 prod- uct, features and shorts, to the Publix- Wilby circuit of southern theater.

Cresson E. Smith, Herbert Macin- tyre and Hubert Lyons handled the deal for RKO.

Movie Daily

Saturday, November 24, 1934
Kennedy to Appear For Pathé Hearing

J. P. Kennedy, former Pathé executive and head of the Federal Securities and Exchange Commission, has consented, through counsel, to appear in a Pathé stockholders' suit growing out of the 1931 sale of the company's assets to RKO on the condition that he be not required to be present in person before the trial on the allegations in the complaint.

Charges that the RKO deal resulted from "high pressure salesmanship" and that more than half of the $3,000,000 RKO notes given in payment of the price were manipulated were made in a suit filed by Harry L. Kreeger, counsel for a Pathé stockholders' group, at the hearing before Supreme Court Justice Codillo on Pathé's application for its extraordinary meeting of stockholders, approved by the court for March 4, to vote on the proposed recapitalization. Walter Vincent, one of the stockholder plaintiffs, told the court that had it been possible to serve Kennedy in the suit up to now but that his counsel had recently disclosed Kennedy's willingness to appear on the advice of his attorney.

Stuart W. Webb, Pathé president, stated that the RKO transaction had nothing to do with the company's need for financial reorganization and declared that the indifference of stockholders to the special meeting, called earlier to consider the reorganization plan made it necessary to ask the extraordinary meeting.

Slight Gain Shown By Coast Studios

Hollywood, Nov. 23—Studios are becoming more active. There were two more features and four more shorts before the cameras last week than during the preceding week. Total subjects in work for the past week were 37 features and eight shorts. Two of the feature subjects and all of the shorts were in the final stages of preparation with 41 features and 18 shorts starting in the cutting rooms.

Paramount headed the field with seven features before the cameras, three preparing and four editing. Warners had six, one and five; Universal, six, zero and four; M-G-M, four, four and nine; Columbia, four and five; Fox, three, three and five; 20th Century, one, zero and one; Radio, one, two and five; and while the independent group had a total of five, three and three.

In the short subject division Roach had two before the cameras, two preparing and three editing. Columbia, one, two and two; Radio, zero, two and five; M-G-M, zero, four and four; independents, five, three and four.

Levy Completes Trip

Jules Levy, vice-president and general manager of the RKO Distri- buting Corp., returns to the home office today, having flown from the coast after a visit to the studios.

Before leaving the coast, Levy toured the RKO branches.

Will Film Bride Play

Louvrev, Nov. 23,—Alexander Korda, London Films production executive, reveals his company will film "Mary Read," James Bridge's new play.

"The Perfect Clue"

(Majestic) Los Angeles, Nov. 23—Better than ordinary in story, acting and presentation, this rates as more than satisfactory audience entertainment.

Dramatic romance in the characters of the picture makes good use of the action and dialogue in a series of interest-holding situations building to a unique crime solution climax.

Dorothy L. Lilaire, presenting his father's proposed re-marriage, elopes with "Skeets" Gallagher. A chance of heart causes her to desert him to meet Ex-Convict David Manners for a series of romantic situations. Manners succumbs to Miss Lilaire's charms, but the pair is arrested on a murder suspicion. The father bails out the girl. She, with Jittery Gallagher, returns to the scene of the crime to discover a clue hidden in a bowling pin and to prove the identity of the killers to the authorities thereby. The expected happy ending ensues.

Mild thrills and excitement prevail and are climaxed by a sensational auto chase scene. The Perfect Clue is clean and wholesome through, Lilia Lili Westman's original adapted by Albert DeMond, with Ralph Ceder and Don Brown furnishing the dialogue. Robert Vignola's direction is intelligent and geared to action for thrill fans.

Mr. and Mrs. Lilaire and Manners are convincing and real in the lead roles with Miss Lilaire now playing a comedy that is sure to please in the subsequent run field. The picture affords an opportunity for clever showmanship in creating interest. Previewed without Production Code Seal. Running time, 63 minutes. "G."

Mrs. Rhoden Is Buried

KANSAS CITY, Nov. 23—Funeral services for Mrs. C. A. Rhoden, mother of E. C. Rhoden, Fox Mid- west division manager, took place in Kansas City Wednesday, and Mrs. Rhoden, her surviving two sons and two daughters.

Attending the funeral from Kansas City were, in addition to Rhoden, L. J. McCarthy, Fox Midwest manager, and C. A. Schultz, head of Commonwealth Theatres.

G-B Signs Song Writers

Gaumont British has signed three American song writers, Maurice Sigler, Al Hoffman and Albert Goodheart, who have left for England.

Sailing Today on Paris

Henry Kansfield, of the Paramount Paris office; Sam Morris, vice-pres- ident of Warners and his son, Edwin; Val Parrell, London theatre operator; and Mr. and Mrs. Hene Sano, assistant supervis- or with Irving Thalberg; Richard de Rochemont, European correspond- ent for March of Time Newsreel and Pierre Sandrini, French and South American theatre operator, all sail today for Europe on the Paris.

Collins Starts New Pact

Hollywood, Nov. 23—Gina Sue Collins starts her seven-year M-G-M contract Monday, Nov. 30. In the first six months the company has six months' option which is followed by six one-year options.

Monday's option expires Dec. 3, will not be exercised. He's a writer.

Barcelona a Father

Baton Rouge, La., Nov. 23—Joe Barcelona, owner of the Tivoli, and member of the clearance and zoning board, is the father of a baby girl.

Garbo and Her Latest

The hinterland, sometimes known as Hollywood, has been re- porting difficulties over "The Painted Veil" as shown above in preview form. The first couple of reels, it appears, met with the disfavor of M-G-M studio executives. So back for retakes, a la the well-known Metro system, went those reels under the direc- tion of W. S. Van Dyke.

Yesterday and in its release form, the Garbo picture was screened locally. Whatever the trouble may have been over the opening sequences, it is gone now. The picture is a lot of the Garbo, her beauty, her close-ups, her emotional range and the ingenious quality of her work. A good plastic picture on this time probably more effective than this reviewer, at least, can recall him. George Brent, as a pleasant heavy, is generally good.

"The Painted Veil" is a warmer Garbo than the woman in "Queen Christina" and, in point of what it takes to make sub- stantial box-office, considerably ahead of it.

What Subjects Mean

The "G" symbol indicates general entertainment.

What Does It Mean

The "A" symbol indicates adult entertainment.

"Spice of Life, No. 4" (Spice of Life-Columbia)

Fourth in this series with a pro- logue and epilogue by Dr. Rockwell especially written, like its predecessors, carrying jokes and som- what deftly made political comments in titles and prepared by conference of the editors of The Digest in the style of the one-time Topics of the Day. Of average entertain- ment value which might easily be compensated for by through-the- national backing accorded this series in the columns of The Digest. No production code seal. Running time 8 mins. "G."

"Dartmouth Days" (M-G-M)

Here is a short subject with real audience appeal. It is made up wholly of Dartmouth football, Dartmouth College, particularly during the Win- ter Carnival. Student activities from football, ski club and town and particularly interesting and thrilling at the skiing races and jumps, all per- formed by members of the student body. The red meal up with the college song. Code seal, No. 97. Running time, 10 mins. "G."

"Crossroads of the World" (Fox-Educational)

A Magic Carpet of Movietone with the scenes laid in Singapore. The photography is splendid and is done so well that it is a scene of Oriental life to another. The narrative is breezy. Very well done. Running time, 84 mins. "G."

Warner Group Returning

Hollywood, Nov. 23.—Albert J. Warner, Gradwell Sears and A. W. Smith started east by plane tonight, after a week's pilgrimage of Herbert Wilcox. They have decided that this time probably more effective than this reviewer, at least, can recall him. George Brent, as a pleasant heavy, is generally good.

"The Painted Veil" is a warmer Garbo than the woman in "Queen Christina" and, in point of what it takes to make sub- stantial box-office, considerably ahead of it.

Horne Is Heading Back

Hollywood, Nov. 23.—Hal Horne- United Artists publicity head, was o- his way back east tonight with h-
Selling of Protection Is Demanded by Schaefer

Kansas City's Price War May Set Back Clearance

Kansas City's price war indicates another setback for the local clearance and zoning plan. The modified schedule, receive by Code Authority Fri- day and due to come up for discussion and being approved, will not be approved until the Tower and Lowe's Midland in Kansas City definitely determine what price scale will prevail. While admissions are an important

factor in setting up clearances, it is conceded by all Campi men that the rental paid for film and its accompanying protection are to be taken into consideration before the price scale is given weight. All clearances will be based on protection after first runs. Whether K. C. subsequently charging 40 cents will get

(Continued on page 7)

Vaude Changes Call for Six to Hear Charges

Establishment of a vaudeville complaints' committee of six, one representing actors, two theatre men, one vaudeville producer, one agent and an impartial member to be representative of the public by Campi highlights the nine amendments, additions and modifications to the vaudeville section of the code adopted by Code Authority at its last meeting, was disclosed on Saturday.

The amendments were unanimously approved by both the vaudeville committee and Campi and sent to Compliance Director Sol A. Rosenblatt for approval. Rosenblatt, before leaving for the coast tomorrow, will set a date for public hearing, which is expected

(Continued on page 7)

Move to Zone Eastern Penn. Territory On

Philadelphia, Nov. 25.—Drafting of a proposed clearance and zoning schedule for the Eastern Pennsylvania, Southern New Jersey and Delaware territory will be undertaken by the Independent Exhibitors Protective Association's here following a meeting to be held Tuesday at which all independent exhibitors in the territory have been urged by the organization to submit "fair and reasonable" clearance and zoning recommendations for their own houses.

The individual exhibitor recommendations will be utilized by a committee of the I.E.P.A. in drafting a master schedule for the territory which, it is planned, will be submitted direct

(Continued on page 7)

Religious Themes Face Mexican Ban

By JAMES LOCKHART

MEXICO CITY, Nov. 25.—A sweeping ban on the exhibition in Mexico of films embodying religious themes or practices is reported here to be under consideration by the Federal legislature.

The scope of the law, according to reports, would encompass pictures which refer directly or indirectly in any form to any religious or religious practice or which include roles portraying clergy- men or holy people of any denomination. It is also reported that the law does not demand an immediate ban of Fox's "The World Moves On" because of its reference to religious themes and sequences which include picturizations of saints, churches, holy images and vessels.

Flinn in Hollywood To Patch Code Rift

Hollywood, Nov. 25.—John C. Flinn, executive secretary of Campi, arrived here by plane today from New York for a 10-day stay to confer on
GROSSES are not what they ought to be. This is the word of the distributor and the exhibitor. In practically all cases, the gains as of this day is no gain when numerically matched up alongside of the figures for the identical period of 1933. Yet the net is better. Sounds like no sense at all, but the answer finds itself in the type of operation to which you are up-and-going today. The exhibitor thinks it is more sane, more economical and he has gone places in wringing the water from his bond and debenture issues. While grosses, therefore, may be disappointing, the charger is not as keen as some would have you believe. The take is less, but so is the "aut" and black ink more generally prevails.

For what was apparently no reason, Manny Cohen put himself between quotes on the coast the other day. It was all about his diary. According to Cohen, there is a decision of filing a salary claim against Paramount. Listen to heights to which his loftiness soared:

"Many times during the last few years I have requested people in my department to take salary cuts in order to help cut expenses. This shows how wrong their view of what was entirely successful. Most of these had no contracts, and I always mentioned to these that I was taking proportionate cuts, even though I was not under contract."

"Many of these people are still working at these reduced salaries and I do not feel, under these circumstances, that I have any moral right to file a claim for these reductions or for the uncompleted term of my contract while these people cannot do the same."

The question is, which is not much of a question at all, is whether or not Cohen was taking a back-handed slap at George Schaefer who has a claim of his own—which he had before 1930—and has filed it. Cohen's face ought to be red when he learns Schaefer's petition so far has not been allowed. So churn the churnings.

Considerably more smoke than fire permeates the Hollywood yarn narrating in excited fashion the difficulties between Warner, Yanger, producer, and Will Hays, adjuster, over "The President Vanishes." For the none too subtle hand of publicity played its part. Undoubtedly it did it well enough to make the United Press and certain newspapers fall.

There is a difference of opinion among several of the sequences, but this sort of thing is routine now under Production Code Administration. The picture will be released virtually extant: Jay Paley, the broadcasting man who is in charge of Wanger's in this and other pictures to come for Paramount, will hardly find it necessary to hire his own attorneys and Wagner himself denies the attraction is steeped in Fascist propaganda. In other words, a build-up.

From out of the wide open spaces served by the Dallas exchanges comes the story of a new fly-by-nighters "racket" seemingly made possible by the overbuying provisions of the code.

"Mickey Balcon (production chief) remains and, while his title changed from one to another—recognizes that he is in a secondary position and not the head of the studio, as he was proclaiming his departure for America.

"C. M. Woolf (joint managing) it's a fact that contacting a large number of contracts and there is talk G. B. must have a pipeline from the Bank of England to Shepherd's Bush. This has been stopped and the comment is Woolf has been removed from most of his former authority and has bow to now to the dictates of the Ostrows.

"In spite of all the denials and protestations, it is a well known fact that negotiations are still continuing, regularly with Max, but well, with other interests as well for the purchase of the majority holdings jointly by Frank and Fielder Oslin. The feeling over here is that at some time or other in the near future, the control of Gaumont British will change hands."

Sol Rosenberg came close to quitting the NRA before his appointment as compliance director was cloaked with official approval. It is understood he was offered two other posts in the NRA structure, but Rosenberg turned down both offers.

(Continued on page 8)
Tune in
tomorrow night, Tuesday* and hear
BING CROSBY
and
KITTY CARLISLE
sing three hit tunes from
PARAMOUNT'S
"Here Is My Heart"
You will know then what to buy your customers for Christmas

* Columbia Broadcasting System  9 P. M.—Eastern Standard Time  8 P. M.—Central Standard Time  7 P. M.—Mountain Time  6 P. M.—Pacific Coast Time

"Here Is My Heart"
with BING CROSBY  KITTY CARLISLE
Alison Skipworth  Roland Young
Reginald Owen  Directed by
Frank Tuttle  A Paramount Picture
To give the world heart-throb since "Women"

So much stuff to help you sell this show that it takes 3 press books to tell it!

48 Display ads... every size and every shape to suit every campaign need!... 20,000 words of publicity written so that newspapers will print it!... Special illustrated newspaper features! Special 6 day illustrated story strip!... All kinds of merchandising tie-ups, contests, stunts... and school promotions... All kinds of novel accessories. Tabloids, Lobby and Box Office trims, blotters, school bulletins, cut-outs, banners, hangers, everything you need to sell a great big show!

You've got 'another Little Women' on your hands.
A DAY IN

its biggest
‘Little

Anne

of

Green

Gables

with ANNE SHIRLEY

as “ANNE”

TOM BROWN  O. P. HEGGIE  HELEN WESTLEY

Produced by

KENNETH MACGOWAN

The Best-Loved Girl
that ever stepped from
a book! The golden girl whom
millions have loved... from the glor-
ious romance that millions have read...
now in a picture that millions have
waited to see!... Girl with her red
head in the stars... her soft heart in a
world of dreams... her happy feet on the
good green earth that calls her
home, sweet home! Girl who wanted to
be a beautiful lady and was a beautiful
soul... A picture of life through
youth's shining eyes... of love when
the world is young.

L. M. MONTGOMERY'S BEST
SELLING NOVEL FOR OVER
A QUARTER OF A CENTURY

Presented with pride by

KO-RADIO

Directed by George Nicholls, Jr.
Book published by
L. C. Page & Co., Inc.
DENVER, Nov. 25.—A combination of "Ready for Love" and a stage show, Texas Guinan’s "World Fair Revue," was the Denver’s hit for the weekend, with the total $3,000, more than three times the normal take for the house.

"The White Parade" at the Denver was the other big draw, taking $5,700 over par by $1,500, but other houses couldn’t stand the competition.

Total first run business was $29,900.
Average was $2,050.

Estimated takings for the week ending Nov. 25:

LOEWS—(2,275), 25c-40c, 7 days, Gross: $6,725. (Average, $950.)

"READY FOR LOVE" (Para.)

DENVER—(2,500), 25c-35c, 7 days, Gross: $6,350. (Average, $914.)

"THE WHITE PARADE" (Fox)

DENVER—(2,500), 25c-35c, 7 days, Gross: $6,350. (Average, $914.)

"HELIUM IN THE HEAVENS" (Fox)

ORESHPE—(2,500), 25c-40c, 7 days, Gross: $6,000. (Average, $857.)

"MERRY WIDOW" (M-G-M)

PARM—(1,600), 25c-40c, 4 days, Gross: $1,600. (Average, $400.)

"OUTCAST LADY" (M-G-M)

PARM—(1,600), 25c-40c, 4 days, Gross: $1,600. (Average, $400.)

Providence Holds On; Business Brisk

PROVIDENCE, Nov. 25.—Despite the fact that exhibitors are preparing to take it on the chin for the holidays, grosses last week held up well with pars being shatered in several instances. The RKO Albee had another good week, spotting "Great Expectations" on the screen and a smart stage revue, most of the draw going to the show. The house netted $8,800, which is $1,800 over average.

Fays, too, pulled in some smart money, taking $8,300 with the film, "I Sell Anything" and the stage offering, "Hurt by the Fall"; a full-length revue. The Strand gathered $7,100, with the usual take $6,500.

First run business, $41,200. Average business, $4,600.

Estimated take for the week ending Nov. 22:

"JEALOUSY" (Col.)

"GIRL OF MY DREAMS" (Mon.)

STANDARD—(2,100), 25c-40c, 7 days, Gross: $7,600. (Average, $1,086.)

"I SELL ANYTHING" (F.N.)

FAY—(1,600), 25c-40c, 7 days, "Let’s Set the Stage" and a stage offering, "Hurt by the Fall"; a full-length revue. The Strand gathered $7,100, with the usual take $6,500.

Cleveland Up; Moore a Film Standout in Second Week

CLEVELAND, Nov. 25.—A couple of conventions poured some 25,000 people into town last week and the theatre benefited although "Ziegfeld Folies" offered stiff competition.

The second week of "One Night of Love" at the Hippodrome was outstanding, with grosses doubled over the first week, $12,500, or $2,500 over average at the State. "Gentlemen Are Born" was a pleasant surprise grossing $4,400, the best business at the Allen since "Six Day Ride." Total business for the week was $31,400. Average was $6,250 for same run.

Estimated takings for the week ending Nov. 23:

"GENTLEMEN ARE BORN" (F.N.)

ALLEN—(1,800), 25c-40c, 7 days, Gross: $6,000. (Average, $857.)

"ONE NIGHT OF LOVE" (Col.)

HOBSPER—(1,800), 25c-40c, 2nd week, 5 days, Gross: $8,000. (Average, $1,600.)

"MAGNIFICENT NIGHTS IN HOLLYWOOD" (Fox)

PARM—(1,100), 25c-40c, 7 days, Gross: $5,000. (Average, $714.)
Protection
Selling Asked
By Schaefer

(Continued from page 1)
pictures 28 days after prior runs and 35-cent houses 35 days after first runs has not been settled. Campi is also unable to agree with the producers that runs vaudeville against all-picture policy competition. Whether inclusion of vaudeville classes will be allowed is another question on pictures is another issue to be decided.

It is highly likely that another general hearing will be called by Campi to go over all the clauses again before the K. C. schedule is finally signed.

No other schedule will be considered until Kansas City's plan is disposed off. If no agreement can be reached on this plan, the same will apply for others, if held.

A suggestion may be made to table the Kansas City schedule when it comes up for discussion tomorrow until the price war is settled. Campi, however, does not see any way out of the problem, since vaudeville complaints to dispose of and keep it busy tomorrow.

California I. T. O. A. 
Bucks Operator Pay

(Continued from page 1)
the territory be complied with, the I. T. O. issued appeals for cooperation and funds to carry an appeal to Wash-ington. Since recently, several exhibitors were cited by the board for failing to comply with the new schedules, which closely parallel the unions' own scales and which, according to the I. T. O., many small houses are unable to pay.

Garbo May Do Two
For M-G-M This Year

(Continued from page 1)
Edington stated, prior to his departure, that Miss Garbo had not definitely decided whether she would return to her active-county musical.

The said star had several matters to clean up before she could go and if she did decide to vacation abroad, the trip would take her away from the studios for three months.

Only 6.7% of Wired
Canada Houses Dark

(Continued from page 1)
in the Midwest territory there are 120 theatres, of which 19 are not considered present. The Maritime Provinces have 93 listed theatres and 11 are closed.

Kohlman Seeks Talent

Hollywood, Nov. 25.—Fred Kohl-
man, production assistant to Sam Goldwyn, is in New York where he is continuing his two months searching for new talent.

College-Mystery Musical

Hollywood, Nov. 25.—Paramount is planning a college-mystery musical, "Terror by Night." Joe Morrison, Jack Oakie and Helen Mack will head the cast.

Kansas City's Price War
May Set Back Clearance

(Continued from page 1)
the "merchandise appeal" angle as exemplified by modern treatment of the theatre in Colorado.

It is all very well to be a "con-
formist," says Buchanan but you can't afford to be one. There is plenty to be said for the fine tradition of architectural styles, but as a revenue producing unit I feel theatres must employ more modern methods of treatment. The theatre should be the brightest spot on the thoroughfare. This necessarily involves the use of many modern building materials of a colorful and distinctive character.

Omaha Operators Raised

OMAHA, Nov. 25.—The three first run A. H. Blank houses here have
signed an agreement with the opera-
tors' union calling for increases of $15 per booth for one year, and an ad-
tional increase of $10 for the year fol-
lowing. For a four-man booth, two-
men shifts working 42 hours, the cir-
cuit has been paying $275 per booth. This has been hiked to $290 for next year and to $300 the year following.

Sheehan to Groom 5

Hollywood, Nov. 25. — Winfield
Sheehan plans to groom five person-
ALITIES on the Fox lot this season. The quintet are Siegfried Runnunn, whose latest for the company is "Marie Ga-
lante"; Alice Fay; John Quillen of "Servants' Entrance"; Jane Darwell of "The White Parade" and Walter Woolf, who appears in "The Lottery Lover.

Vaude Changes
Call for Six to Hear Charges

(Continued from page 1)
in to be about three weeks, in Wash-
ington.

Babitz will approve the personal-
nel of the committee recommended by Campi. This committee will function on the coast and will pass on all actor-labor complaints and grievances. The vaude-
ville group will relieve the local NRA compliance of vaudeville problems as a result.

Other amendments approved are:
II. That Article IV, Part 2, Section 1 (a) of the code be amended by the deletion of "try shows, tab shows, tent shows, wagon shows, truck shows, medicine shows, show boat or burlesque, as these terms are un-
derstood by the parties," and the addition of "other vaudeville shows, as these terms are understood by the parties."
III. That Article IV, Part 2, Section 1 (b) of the code be amended by the deletion of "try shows, tab shows, wagon shows, truck shows, medicine shows, show boat or burlesque, as these terms are un-
derstood by the parties," and the addition of "other vaudeville shows, as these terms are understood by the parties."
IV. That Article IV, Part 2, Section 4 (c) of the code be amended by the deletion of "other vaudeville shows, as these terms are un-
derstood by the parties," and the addition of "other vaudeville shows, as these terms are understood by the parties."
V. That Article IV, Part 2, Section 4 (d) of the code be amended by the deletion of "other vaudeville shows, as these terms are un-
derstood by the parties," and the addition of "other vaudeville shows, as these terms are understood by the parties."
VI. That Article IV, Part 2, Section 4 (e) of the code be amended by the deletion of "other vaudeville shows, as these terms are un-
understood by the parties," and the addition of "other vaudeville shows, as these terms are understood by the parties."
VII. That Article IV, Part 2, Section 4 (f) of the code be amended by the deletion of "other vaudeville shows, as these terms are un-
understood by the parties," and the addition of "other vaudeville shows, as these terms are understood by the parties."
VIII. That the Vaudeville Committee recommends to the Code Authority that in certain classes of theatres an exception from the provisions of Article IV, Part 2, Section 4 (b) (workingmen's shows) be made in regard to opera-
house presentation shows, whenever the programme exceeds $2.00 and the orchestra exceeds $1.00 per week, in which case the weekly cost of the orchestra shall be limited to $2.00 per week, and the maximum cost of the orchestra per week shall be $2.00 per week, in which case the weekly cost of the orchestra shall be limited to $2.00 per week, and the maximum cost of the orchestra per week shall be $2.00 per week, in which case the weekly cost of the orchestra shall be limited to $2.00 per week, and the maximum cost of the orchestra per week shall be $2.00 per week, in which case the weekly cost of the orchestra shall be limited to $2.00 per week, and the maximum cost of the orchestra per week shall be $2.00 per week, in which case the weekly cost of the orchestra shall be limited to $2.00 per week, and the maximum cost of the orchestra per week shall be $2.00 per week.
Pathe Plan Is New Financing Of Production

(Continued from page 1)

March 4 meeting, earlier stockholders' meetings at which the plan was presented failed to constitute a quorum and, as no effort was made in Buffalo too late to attend the first Fall meeting of the Buffalo tent after the summer hiatus, the necessary number of votes were not cast.

Approximately 65 members of the Buffalo tent attended the luncheon, held at the Chief restaurant, under the chairmanship of its president Barker. Dave Miller announced signing of the lease for the quarters, which will be ready in November. Mrs. Wolfson, of the committee in charge of the reorganization, and other officers of the Buffalo tent.

Weekly luncheons will be held on Mondays, with an occasional guest speaker, until the quarters are ready for occupancy late in December.

Once in the new quarters, regular organized weekly luncheons will be held, with entertainment at each session.

Variety Club Chatter

Buffalo, Nov. 25.—Failing to make plane connections, John H. Harris of Pittsburgh, National Variety Club director, who was to arrive in Buffalo too late to attend the 1st Fall meeting of the Buffalo tent after the summer hiatus.

About 65 members of the Buffalo tent attended the luncheon, held at the Chief restaurant, under the chairmanship of the president. Barker. Dave Miller announced signing of the lease for quarters, which will be ready in November. Harris also was present.

New York City, Nov. 25.—All barker's, from Chief Barker Frank Hensler down, are the attorneys of the Variety Club Annual M. P. Relief Ball, to be given at the Plaza Ballroom Dec. 10.

Another big event in the offing is the New Year's Eve party at the Million Dollar Hotel, which will begin at eight bells with a cocktail hour, followed by dinner and a floor show, and winding up with dancing until time for breakfast. Attendance will be limited to 100 couples.

"Ladies' Day" was one of those unusual get-togethers the barker's talk about long after it is held. Harry Tailor, chairman, with Ed Shanberg and Charles Shaper as kings presented an enjoyable program. The turnout numbered about 100 members who added to the roster: George W. Fuller, Fox manager; Lawrence Leiman, RKO manager; Fred J. Winters, Variety Club board member; Roscoe Thompson, Universal; E. C. Ely, Erpi, and Homer Blackwell, Independent Picture Exchange.

Institutional nights have caught on big fashion and are proving a swell way to popularize the club rooms. Bill Warner worked out the schedule for each company. Office managers are in charge of individual parties.

An unusual plan of the Erpi kings for a day, Morris Moor, manager of the Fox Club, supplied the entertainment.

Hollywood Personalities

Kansas City's Clearance Is Again Delayed

Disturbed Price Scales Given as Reason

Because of the unsettled price situation in that city, the Kansas City clearance and zoning schedule will not be discussed by Campi today at the adjourned session from last Thursday. Instead Campi members will busy themselves disposing of about 20 appeal decisions which were not brought up last week.

It is probable that the K. C. plan will come up Dec. 6. That depends in the business on the docket for the day.

A number of code members are not anxious to hurry on the Kaycee schedule. They figure that pictures are being sold the way they have been for the past number of years and no one is squawking.

K. C. Unit Considering M-G-M, U.A. Boycott

Kansas City, Nov. 26.—The I.T.O. is seriously considering a boycott of M-G-M and United Artists. H. Loew's Midland, which plays both companies' product, continues its low price scale inaugurated Friday with "Kid Millions."

The association already has named a committee to confer with representatives.

Chicago Clearance Goes Into Eclipse

Chicago, Nov. 26.—The local clearance and zoning board tonight officially disposed of the Chicago schedule which it had previously approved and which was subsequently rejected by Campi. The plan was withdrawn.

A second resolution adopted by the board declared that the board does not intend to write any schedule for.

Theatres Hired 63,473, Paid $85,416,000 in '33

Home Television by Jan. 1

Is Sarnoff's Prediction

Home television sets will be ready for installation beginning Jan. 1, according to David Sarnoff, president of RCA, who advised radio dealers to this effect at a recent meeting at the Pennsylvania Hotel.

Sarnoff did not go into detail about price or size of images to be transmitted through the first sets but, according to dealers, television equipment cannot be placed into present radio sets, a complete new set being required for the new see and hear ether broadcasts.

Columbia Net On Quarter Is $235,712.19

Philad. Duals Case Widened To an Inquiry

Columbia Pictures' net for the quarter ending Sept. 29 was $235,712.19 after deducting Federal income tax and other charges. This is equivalent to $1.29 a share on 172,973 shares of common outstanding after deducting the preferred dividend.

In addition, the company has declared a semi-annual two and one-half per cent dividend payable in stock. This makes five per cent in stock dividends for the year and $1 in cash.

Add New Impetus To Jewish Drive

In an effort to raise $2,000,000 in the theatrical field, leaders in the Federation of Jewish Charities yesterday met with top-line executives and art-

Para. Plan May Go To Court Tomorrow

The Kuhn, Loeb & Co. plan of reorganization for Paramount Publix has an excellent chance of being completed today for filing in Federal court.

Agents' Rules Proposed Under Code Are Rejected

Washington, Nov. 26.—Rules and regulations proposed by the agency committee in September were rejected today by NRA as exceeding the authority of the committee.

The rejection, however, was "without prejudice," leaving the way open for submission by the committee of recommendations not subject to attack as were its original ones, at the hearing before the then Division Administrator Sol A. Rosenblatt on Nov. 1, when Harold Bareford charged the
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Theatrical News

Hollywood Bureau: Postal Union Life Building, Vine and Yucca Streets, Victor Leeming, Manager; Chicago Bureau: 407 South Dearborn Street, Edwin S. Cliford, Manager; London Bureau: 100 Eaton's Terrace, London, W. 1, Bruce Bercow, Manager, Cable address "Quigpub, London." Berlin Bureau: Theaterstrasse 4A, Berthold Rechl, Manager; Moscow Bureau: Viale Karnovski, Victor Masteroff, Manager; Paris Bureau: 26, Joachim K. Ronet, Representative; Paris, Rue Saint Honoré, Louis Theilade, Manager, Cable address "Parisscan, Paris." Rome Bureau: Viale Gorizia, Vittorio Malaguti, Representative; Rome, Via dei Leschi, Nino, Pierre Ast, Representative, Rome office: Viale Gorizia, Manager; Glasgow Bureau: 86 Dumbarton Road, G. Holmes, Representative; Budapest Bureau: 3, Kálmán, Budapest, L. Ferencz, Representative; Tokyo Bureau: 12, Aoyama, Mitsubishi Trust Building, Representative; Moscow Bureau: Cittave Vrashoe, 23, Part 146, Moscow, S. & K. Bulle Kazue, Representative, Cable address "Samrod, Moscow." Exchanges. Rates in effect, last monthly, January 4, 1934. 50 per cent on rates per year, 60¢ in the American, except Canada at $1.55 and foreign $1.20. Subscription copies: 10 cents.

Wood-Reliance Talk Deal

A Wood-Sas, now working on the adaptation of "The Melody Lingers On" in conjunction with Lorraine Nobel for Reliance, may make one or two more Wood-Reliance deals in addition to the Lowell Brentano novel. A deal is on, but will likely be for only a Wood and Small plan to leave in about a week or 10 days for Hollywood.

Levy Back; Optimistic

Jules Levy, general sales manager of Radio Pictures, returned to his desk yesterday following a trip to the studios. All was fine, he reported.

"I saw several of our forthcoming pictures, particularly 'The Little Minister.' As a preview of the adaptation of whether it's a $5,000,000 or a $2,000,000 picture," he said without blinking an eyelash.

Laemmle Sailing Dec. 1

Carl Laemmle, Jr., anticipates sailing for Europe on the Rex Dec. 1. He has recovered from his attack of the flu and jaundice and is also in an excellent condition as Universal office yesterday for the first time in a week.

Gorilla Film for Acme

Kinematone, Inc., has booked the Ben Burttidge adventure film, "Kidnapping Gorillas," into the Acme for the week beginning Thursday.

MOTION PICTURE DAILY

Milwaukee First Run Scales Stashed

MILWAUKEE, Nov. 26—First run admission prices have again hit the skids here. Dropping the stage shows at both the Wisconsin and the Palace, Fox has established a 25¢ single and a 50¢ double charge, playing a straight single feature policy at both houses. Fox has extended its 25¢ policy to 1 P.M. admission of all the features from 1 P.M. to 6 P.M. except Sundays with the same price policy at its Alhambra and Garden, both of which are playing double features. The Warner has also adopted the new policy of 25 cents until 6 P.M.

Approximately half a dozen theaters here are now featuring gilt gifts and it is believed the practice will extend to other houses.

Shakespeare Picture Is Cast by Warners

Hollywood, Nov. 26.—All but one of the principal roles in the screen version of "Hamlet," "A Midsummer Night's Dream," which Max Reinhardt will direct for Warners, have been cast.

The players will include James Cagney, Dick Powell, Joe E. Brown, Jean Muir, Mickey Rooney, Hugh Herbert, Ian Hunter, Donald Woods, Frank McHugh, Oris Harlan, Grant Mitchell, Anita Louise, Hobart Cavanaugh, Ross Alexander, Eugene Pallete, Arthur Treacher, Olivia de Havilland and Nina Tellechea.

Renew with Woods

Hollywood, Nov. 26.—W. S. Van Dyke has been re-engaged by his options with Goldwood's contract for another year.

Mady Christian's second picture under her M-G-M contract will be the starring role in the Edmund Goulding picture, "The Flame Within." Mary Ellis' first picture for Paramount will be the co-starring role opposite Carl Brisson in "Be Careful, Young Lady."" 

Van Dyke, Turf Man

Hollywood, Nov. 26.—W. S. Van Dyke has been made a member of the board of the Turf Club which has been largely capitalized by motion picture capital.

Columbia Off 1/2 on Big Board

COLUMBUS, Nov. 26.—Although immediate legislation by the Senate was expected following passage last week by the House of the bill on sales, income and public utility excise taxes, present indications point to considerable delay on the part of the Senate to strenuous legislative and public opposition to the income tax, which runs as high as 6½ per cent on earned income. The income tax was 1934—1935. The second run houses and cut to one picture went by without a squawk, though the total was generally healthier. On the average prices are 15 per cent higher and grosses 25 per cent better.

G. B. Opening 1 in Jan.

Four Gaumont British productions will have their premieres here the first of the new year. "Evergreen" will open at the Music Hall Jan. 3. "The Iron Duke," with George Arliss star of the show, will open in the month. The Roxy will get "The Unfinished Symphony" early in January, with "Jack and the Bean Stalk" opening there the latter part of the month.

Hodkinson in G. B. Post

Gaumont British has appointed Ken Hodkinson, recently resigned from the San Francisco branch. He has been associated with Universal and U. A.

Delay on Ohio Sale Tax Stirs in Senate

COLUMBUS, Nov. 26.—Although immediate legislation by the Senate was expected following passage last week by the House of the bill on sales, income and public utility excise taxes, present indications point to considerable delay on the part of the Senate to strenuous legislative and public opposition to the income tax, which runs as high as 6½ per cent on earned income. The second run houses and cut to one picture went by without a squawk, though the total was generally healthier. On the average prices are 15 per cent higher and grosses 25 per cent better.

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MOTION PICTURE DAILY

PURELY PERSONAL

BUDDY MORRIS, son of Sam E. and general manager and vice-president of Music Publishers Co., holding unit for Whitmark, Harm and Remick, is enroute to Europe for a four day tour of foreign branches. He is aboard the Ile de France with his father.

HOWARD DIZTY's latest activities in the music world will be displayed in the New Amsterdam tomorrow night. The show is "Revenger with Music" with HAROLD B. FRANKLIN and ARCH NELSONS are sponsoring.


WILLIAM E. HARKNESS, special consultant, and ANDRE MELE, director of the Control Corp. of America, are back at the home office as from Chrysanthe Mills factories in Detroit.

PEGGY SHANNON returns to the States after a long sojourn in darkest Africa. Peggy is the role of "Page Miss Glory" which opens at the Mansfield tonight.

HARRY KIRKLAND, well known in Hollywood as one of the leads in "Gold Eagle Guy." It makes its bow at the Morosco Wed.

Boris Moros goes to the coast as associate producer for Paramount after the first of the year.

HARRY EBERHARD and BARBARA KENT left Sunday night for Hollywood.

SULLIVAN, Wyler Wed

YUMA, Ariz., Nov. 26.—Margaret Sullivan and William Wyler, director, will leave for Hollywood over the week end and be married by Judge Earl A. Freeman.

Actors Ask More Relief

Ralph Whitehead, executive secretary of the American Federation of Actors, a delegation of unemployed members of the organization will call on Mayor LaGuardia tomorrow noon to ask for more adequate relief for the city's idle vaudeville, cafe and outdoor performers.

Robert's Passes Crisis

CLEVELAND, Nov. 26—George Roberts, Fox district manager, today passed his crisis and is now expected to recover from his pneumonia siege.
WARNER BROS. BOOK "CHU CHIN CHOW". HELD OVER 4th WEEK BALTIMORE..MINNEAPOLIS

LOEWS OPEN "POWER" BROOKLYN NEXT WEEK...HELd OVER 5th WEEK...BOSTON.

"JACKAHOY". $10 PREVIEW..RITZ-CARLTON DEC. 3rd, PRIOR TO ROXY OPENING.

MCVICKER'S THEATRE GETS FIRST RUN..ALL PRODUCT..CHICAGO

BOOKED EARLY JANUARY - RADIO CITY MUSIC HALL

JESSIE MATTHEWS in "EVERGREEN"

GEORGE ARLISS in "THE IRON DUKE"

Aumont British Productions • Physical Distribution • Fox Exchanges • Canada, Regal Films, Ltd
HURLS THE FIRES OF HER TEMPESTUOUS SOUL INTO TRANSCENDENT DRAMA THAT THUNDERS AT THE GATES OF TIMELESS GLORY!

SIR JAMES M. BARRIE'S
THE LITTLE MINISTER

WITH JOHN BEAL ★ ALAN HALE
DIRECTED BY RICHARD WALLACE
A PANDRO S. BERMAN PRODUCTION
RKO-RADIO'S CHRISTMAS GIFT TO ALL THE WORLD!
*Dec. 27, 1934*

An Eventful Day On Which Exhibitors Will Celebrate The National Release Of Another Columbia Hit... A Frank Capra Classic... Probably The Grandest Romantic and Most Thrillingly Exciting Comedy Of All Time
THE WORLD’S FINEST THEATRE GAVE IT THE MOST IMPORTANT PLAY DATE OF THE YEAR*

WARNER BAXTER MYRNA LOY

FRANK CAPRA’S greatest production
"Broadway Bill"

by Robert Riskin
Based on the story by Mark Hellinger
with Walter Connolly — Helen Vinson

ITY MUSIC HALL * Thanksgiving Day
**63,473 Hired, $85,416,000 Paid in 1933**

### Where the Payroll Went

Abe Gonzalez the 207 days.

<table>
<thead>
<tr>
<th>State</th>
<th>Full Time Employees</th>
<th>Total Payroll*</th>
<th>Total Theatres</th>
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<tr>
<td>Wyoming</td>
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<tr>
<td>Totals</td>
<td>63,473</td>
<td>885,416,000</td>
<td>10,260</td>
</tr>
</tbody>
</table>

* Includes compensation paid part-time employees.

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**Friedlander Goes to Detroit and Chicago**

Al Friedlander, vice-president of First Division, left last night for Detroit. He originally intended to leave Sunday but waited for Harry H. Thomas, who returned from a swing of exchange centers. Thomas got back Sunday night. After getting set on location and personnel for the new Detroit exchange, Friedlander will go to Chicago for a look at the territory and an office planned there within the next few weeks.

Charles Rosenweig, general sales manager, and Jules K. Chapman are in Philadelphia and will return in a few days.

**Special Service Quits**

Special Service Screen Corp. of N.Y. N.Y. Pittsfield business, Sid Blumenstock headed the company.

**Roxy Visiting Mother**

Hollywood, Nov. 26—Hal Roach is flying to Culver, Ind., to spend the holiday with his mother.

**Jersey Premium Ban Before Camp Group**

An appeal from the premium ban recently voted by 75 per cent of the theatres in southern New Jersey was heard yesterday by a Camp District committee of Leslie P. Thompson, Laurence Bolognino and Roy L. Haines.

Ralph Cohen of the Park, Merchandise, and Harold F. Eldridge of a premium company of the same name, appeared yesterday before the committee as the complainants. Dave Segal represented Eldridge.

Sam Parker, who operates nine houses in Camden, Gloucester, Burlington, Salem and Cumberland counties, conducted the original vote on the premium issue the latter part of August and August. He appeared as defendant. About a dozen exhibitors were premium men from the territory attended.

Other cases heard were C. A. Perry, Grandad, Albamra, Cal., against O. W. Lewis, Mission, San Gabriel, Cal., on bank nights; G. P. Knudson, State, Watertown, S. D., against Colonial and Lyric, same city, on tying up of product; Gonzalez Bengallina and Arthur Gomez, Palace, Atlanta, against Juan Carbonell, Monroe, Key West, Fla., on overbuying.

**IEPA to Dine, Dance**

PHILADELPHIA, Nov. 26—The Independent Exhibitors' Protective Assn. will hold its first dinner-dance on the Bellevue-Stratford Hotel Sunday night.

Heading the various arranging committees are Columbus Stamper, Geo. Gravenstein, Oregon Lewis, Max Wax, David Barrist, G. C. Hexter, H. Fried, Charles Stiefel, G. Goldring, C. Becker, D. Wilgram and S. Schwartz.

**M. P. Publications Sold**

Hollywood, Nov. 26.—Official sale of Motion Picture Publications, publishers of Motion Picture and Classic, to the Fawcett outfit was consummated today.

**Roxy Headed For $45,000 With "Life"**

With a three-day week-end take of more than $25,000 already in the till, the $45,000 for the Roxy for a week on the first seven days of "Imitation of Life." The gross might be larger if the running time of 110 minutes were extended. Irving Lesser, managing director, wanted to put on five shows a day, but because of the length of the comedy he finally let it go at four. On Sunday evening the sale of tickets was ordered stopped by the fire department for 50 minutes. The house hasn't seen a $45,000 figure since Roxy Theatres Corp. went into receivership.

Because of the swell business over the week-end, Walter Reade has decided to hold "Marie Galante" at the Roxy. The $15,000 week for "Gambling" to wait until next Monday night for its debut. At the Rivoli, "Five Million" hit $29,700, which was good for the second week. The first stanza tallied $31,900.

Estimated takings:

- **Week Ending Nov. 22:**
  - "GAY DIVORCEES" (RKO)
  - RADIO CITY MUSIC HALL—(5,945), 35c-$1.65, 7th day. Gross: $99,000.
  - "THE FIRST WORLD WAR" (Fox)
  - PARAMOUNT—(2,300), 35c-$1.65, 2nd week. Gross: $7,000.
  - "SLEEPING BEAUTY" (RKO)
  - STRAND—(1,200), 35c-$1.65, 2nd week. Stage show. Gross: $89,000.
  - "ALLAN QUINN" (Cah)
  - PALACE—(2,000), 35c-$1.75, 7th day. Vaudeville.
  - "WHITE PARADE" (Para)
  - PARAMOUNT—(3,000), 35c-$1.95, 2nd week. Gross: $20,000.

- **Week Ending Nov. 21:**
  - "KID MILLIONS" (U. A.)
  - RIVOLI—(6,000), 50c-$2.50, 7th day. Gross: $45,000.
  - "MAYORS" (Fox)
  - STRAND—(500), 25c-$.50, 7th day. Gross: $15,000.

**ITOA Affiliation With Allied Talker**

(Continued from page 1)

...latter of which incidentally Ro- sembl is also a member of Allied of New Jersey, which meets today with the Lincoln Motion Picture Assn.

On Wednesday, he will report back to the I.T.O.A. on the results of yesterday's session with Samuelson.

**Goodwin Fails to Appear**

SCRANTON, Nov. 26.—Jack Goodwin, former manager of the Ritz in this city, failed to put in an appearance when his case against the Comerford Publix Theatres was called up before Judge John C. Lesniewski. Goodwin had filed a claim for hospital and doctor expenses incurred during the time he was ill with pneumonia.

**Installs Sunlite Arcs**

Joe Hornstein, Inc., has installed Sunlite Arcs in the Oxford Cinema, New Market, operated by Mr. Schwartz.
Agents’ Rules Proposed
Under Code Are Rejected

Chaplin Working

Chicago, Nov. 26.—Charles Chaplin is shooting his new comedy, which probably will be ready for release in Feb-
uary, declared Hal Hurn, director of advertising and publicity for U. A., as he stepped on his last leg of his
route from Hollywood to New
York.
The picture will include
some dialogue in the manner of “City Lights.”

Chicago Clearance
Goes Into Eclipse

the local area this season and is now
ready to hear all individual protests on
existing clearance.

The Chicago schedule was returned
by Campi when it was found that no provisions was made for the new
areas. The clearance provisions
stopped at the 15 cent mark. In re-
ducting a similar plan last year, the
committee recommended that the fact all contracts provide for 15 cents mini-
um admissions, the schedule must
not exclude dine houses.

K. C. Unit Considering
M-G-M, U. A. Boycott

(Continued from page 1)
thieves on the possi-
bility of restoring former prices.

While at the committee a meeting
today failed to produce a definite boy-
cott plan against M-G-M and United
Artists, many independents were re-
ported already not dating pictures re-
quiring distribution for former product
or other terms, while others claimed they
will not buy.
The boycott idea has been approved
by many exhibitors, who feel the move is justified on the ground
they bought product with the under-
standing the Midland would maintain
prices established early this season.

Alleging the implied promise violated,
the T. O. men feel they are not
obligated to play pictures first run
at the Midland 15 cent matinee price,
threatening similar action against
their product, and declaring the product
to first runs cutting too deeply.

Practically everyone here expects
other first runs to slash before long
unless Loc’s returns to the former
scale. Campi’s delay on the local
necessary is involved, is a move to
force New York circuit heads opportu-
nity to straighten out the price sit-
uation.

Century Kicks on Ads

Century circuit has brought two
premature advertising campaigns against
the major studios. These
will be held today by the New York
(newspaper) on the complaint
brought by the Marine and the Glen-
wood on the protest filed by the Frazz-
art. The action was in response to a request from the court for information as to what industry thought about the
point raised.

O’Reilly in Capital

WASHINGTON, Nov. 26.—Charles L.
O’Reilly, member of Campi, is here
on the currency and budget committee
Chairman Frank E. Kellogg of the
Senate Banking Committee.

Columbia Net
On Quarter Is
$235,712.19

on a quarterly basis of 25 cents. The
common sold yesterday at $38.50.
For the current quarter the net was $241,778.63, or $1.36 for the
162,885 shares of common outstanding at that time.
The net shows a slight falling off,
but the company’s financial state has
been strengthened by increasing the
earned surplus to $3,159,852.25 and
working capital to $5,078,733.82.
The consolidated balance sheet shows cur-
rent protective committee, headed by
Frank Goodwin, Paul M. Mazur
and Herbert Bayard Swope, and the de-
but stockholders committee headed by
George Blau, J. A. Smalley, and
Arthur Lehman of Lehman Bros.,
former RKO bankers.

Skouras Unit Here
To Keep Its Name

Skouras Theatres Corp. does not in-
tend to change its name to National
Theatres Corp., it was stated yester-
day by Louis Weber, attorney for the
former of which George Skouras is
president.

National Theatres Corp., with 1,000
stockholders, was formed in Albany
last week. On Nov. 1, a company of
the same name was incorporated in
New York. At the time of New York
incorporation, it was stated that the
company will operate in New York.
This is explained by Weber as mean-
ing that, in order to sign valid con-
tracts in New York for a “foreign”
corporation, a local unit must be or-
organized.

Charles Skouras, vice-president of
National, is in New York on operating
business under sub-consents, is in
West Coast Theatres Corp.
Add New Impetus To Jewish Drive

ists in the film, theatre and radio world, familiarized them with the work being done by the 91 affiliated institutions supported by the Federation.

Among the speakers were David Sarnoff, who pinch hit for Adolph Zukor, President of Paramount, Eddie Cantor, Ed Wynn, Arthur Lehman and David Bernstein. Pledged at the meeting was $3,100,000. Prokauer revealed that the Federation budgets 80 per cent of all Jewish relief in the city and that the organization is in the midst of a crisis. He added that, although the need is 40 per cent greater than last year, the $5,000,000 budget of 1929 has been cut to $3,600,000 this year.

Cantor, who is vitally interested in Surprise Lake Camp for boys, one of the institutions supported by the Federation, pictured the actors as falling down on the job last year. He said he is "optimistically" see that every actor and actress is advised of the work going on. He added: "If you are not on the receiving end you should be on the giving end."

Pledges from Al Jolson, Phil Baker, Jack Benny, Cantor, A.S.C.A.P., and a few others were made. Among those gathered at the M. P. Club were:


Sam Harris Passes

In Frisco Hospital

SAN FRANCISCO, Nov. 26.—Sam Harris, prominent western showman, died at 8 o'clock this morning at Mt. Zion Hospital. He had been in failing health for months.

The end came on the eve of launching revised plans for a testimonial benefit show which was to have been given for him at the Golden Gate Theatre on Dec. 8. Nearly 100 theatre people of the city were represented in the benefit plans. A publicity committee of 25 was set to call on all newspapers and radio stations to see the show have been temporarily canceled.

Harris had been a senior member of the Ackerman and Harris syndicate, which operated the Grand and operated nearly 100 houses, including circuits extending from Portland to Los Angeles. An early life plan was Emerson in Chicago. Harris helped Al Jolson, Paul Ash and others to prominence.

Harris' passing recalled the death of Ferris Hartman a year ago. Hartman died on the eve of a benefit show planned for him.

MOTION PICTURE DAILY

HOLLYWOOD PREVIEW

"Forsaking All Others"
(M-G-M)

HOLLYWOOD, Nov. 26.—In an unusual combination of marquee names and production values dovetailing personalities and talent with material and vice versa, this seems ordained for big grosses and satisfied customers.

Clark Gable, Joan Crawford and Robert Montgomery add richness and depth to the story idea of two boys in love with one girl and with the girl loving one but marrying the other. New vitality is given this plot by a buoyant flow of lines merging with the action while the heart-felt drama unfolds from a casual gesture or a flip remark.

Played in the action takes place through the eyes of the Thoroughbred, "singing truth hides behind comic antics and belly laughs to follow with stabs of poignancy. Much of the zest and sparkle of the production seems to spring from 'Woodzy' Van Dyle's superior direction, which deftly extracts the most from the personalities, situations and dialogue.

On the whole, it is a very strong romantic trio, having Claude Butterworth, Billie Burke, Rosalind Russell and Frances Drake for splendid support. Miss Drake again evidences star potentialities.

Joseph Mankiewicz wrote the screen play from the stage play of the same name. Gregg Toland and George Folsey photographed well.

The union of star names with sterling entertainment gives Leo an added right to roar for this one. No production code seal. Running time, 84 minutes. "G."

Looking 'Em Over

"Sing Sing Nights" (Monogram)

An intriguing murder mystery which holds the interest throughout. Most of the action takes place via the flashback method, which in this case, comes in handy.

Three men confess killing a war correspondent. The three are found guilty, but when the day of execution arrives the governor finds himself in a tight spot. He cannot send the trio to the chair, for actually one of the three is innocent.

Ferdinand Gottschalk, a scientist with a blood pressure machine he contends can tell who is the guilty party, interviews the three prisoners and from their stories singles out the murderer.

Conway Tearle is the newspaper correspondent who could have been killed three years ago by any of the three prisoners whom he has double-crossed. Hardie Albright is a competing journalist with a good motive, as are Jameson Thomas, the coffee bean victim, and Henry Kolker, the real killer.

Boots Mallory, Mary Doran, Berton Churchill, Richard Tucker, George Baxter and Lotus Long are other names that add value to the lineup. All performances are generally good. The photography by Archie Stout is fair. Taken as a whole, it's good hour's entertainment. Production Code Seal No. 422. "G."

Milton Singer Buried

Funeral services were held yesterday for Milton Singer, 21, assistant casting director for Warners Vitaphone studio, Brooklyn, at the Park Memorial Chapel, Brooklyn. The services were attended by members of the studio staff. Interment was private.

Singer was killed Sunday, along with his father, Samuel Singer, when an automobile he was driving crashed into a traffic stanchion on Ocean Parkway, Brooklyn. Mrs. Ida Singer, his mother, was also in the car and was severely injured.

Singer had been an employe of the Vitaphone plant for the past six years.

Roden Services Today

Funeral services will be held at the Stafford Funeral Parlors today for Robert F. Roden, scenario writer variously identified with Universal, Fox, Reliance and Monogram. He died at the Metropolitan Hospital late last week at the age of 62, according to the Jay Packard Agency.

Oppenheimer Resigning

HOLLYWOOD, Nov. 26.—George Oppenheimer, associated with Samuel Goldwyn in an executive position, is resigning, effective Jan. 1. He plans to resume his writing career. Oppenheimer had a hand in fashioning the script of Eddie Cantor's "Roman Scandals."
HELP YOURSELF
to the biggest entertainment treat on Broadway!
HELP OTHERS
to health and happiness!

They’re Calling On YOU for a stellar performance in ATTENDANCE at the
SPECIAL BENEFIT PERFORMANCE
of Lew Brown’s Smashing New Revue
“CALLING ALL STARS”
FOR THE
MILK and EGG LEAGUE
FOR NEW YORK TUBERCULAR POOR OF LOS ANGELES SANITORIUM

HOLLYWOOD THEATRE
51st & Broadway
SUNDAY, DEC. 16—8:30 P.M.

These stars will give you the show of the century . . . and the thrill of a lifetime in helping hundreds of New York’s unfortunates!
LOU HOLTZ
JACK WHITING
MITZI MAYFAIR
PATSY FLICK
PEGGY TAYLOR

PHIL BAKER
EVERETT MARSHALL
GERTRUDE NIESEN
PATRICIA BOWMAN
ANNE JUDY ZEKE
MARTHA RAY

A percentage of the proceeds will be donated to the Actors’ Fund of America

Make Your Reservations NOW!

TICKETS ON SALE AT STRAND THEATRE—or ’Phone Circle 7-5900

[This space donated by Motion Picture Daily]
WILL PLEASE ALL AUDIENCES 100%
—SHOWMEN'S ROUND TABLE

MONOGRAM'S SUCCESSOR TO THE "SWEETHEART OF SIGMA CHI" GIVEN HIGH PRAISE BY TRADE PRESS

"Chock full of good clean fun ... A swell show ... Will please audiences 100% ... A thorough search of Hollywood couldn't reveal players more suited to their roles or with greater drawing power."
—Showmen's Round Table

"Lively activity of a big track meet entertaining ... Picture's appeal is to the younger patrons in particular."
—Motion Picture Herald

"Lively co-ed campus frolics ... Made for the youth of both sexes ... Lively cheery fare."
—Film Daily

"Clicks as entertainment with plenty of genuine comedy ... A credit to all concerned."
—Motion Picture Daily

IT'S A HIGH CLASS ENTERTAINMENT and IDEALLY SUITED for HOLIDAY AUDIENCES

Mary Carlisle in "GIRL OF MY DREAMS"

Directed by RAYMOND McCAREY
Music by EDWARD WARD
Lyrics, Story and Screen Play by GEORGE WAGGNER
A W. T. LACKEY PRODUCTION

STERLING HOLLOWAY — EDDIE NUGENT
ARTHUR LAKE — CREIGHTON CHANEY
GIGI PARRISH
No Wide Code Revision
In Prospect—Farnsworth

Present French Film Quotas
Extended Another Six Months
By PIERRE AUTRE

Paris, Nov. 27.—The present French quota which was to expire Dec. 31 was extended an additional six months today. Under the present quota, 94 foreign films may be imported but all dubbing must be done in France. This does not affect American product, but is aimed at other quota countries. American films, however, will still be restricted to 15 houses in the entire country as they have been in the past.

Stage Gains; Sales Tax for
Hits at 75%, New York City Survey Shows

That more stage productions are in sight than at any time in the past five years and that 75 per cent of these are classified as hits or potential hits is stated in a survey of the legitimate theatre situation in the current issue of Motion Picture Herald.

Theatre employment is up by 50 per cent over last year, the article goes on.

It is also stated that four dramatic productions from the 1933-34 season are still running, and that a Gilbert and Sullivan repertoire has been running since Sept. 3—a record for several years.

"New York is making a real effort to capitalize on film players' popularity by engaging them for stage plays—and the film folk are responding," the Herald states.

It is also added that 32 plays are in rehearsal, with at least a dozen more scheduled to get under way in a few days.

Among definite hits cited are: "The Distaff Side," "Merrily We Roll"

Coast Production
In Slight Decline

Hollywood, Nov. 27.—Activity at the studios dropped off slightly for last week as compared with the preceding week with the chart registering 32 features and seven short subjects being made.

Allied Says M-G-M
Leads Percentages

M-G-M leads on percentage contracts in the local territory, according to a survey made yesterday of Allied New Jersey members at the regular meeting at the Lincoln. Fox is

Three Amendments Pending for Hearing Between Dec. 15 and 20

By BILL ORNSTEIN
Expressing satisfaction with the code, and its administration, Deputy Administrator William P. Sullivan yesterday told Motion Picture Daily there will be no general reopening or revision of the code before Dec. 15. While three amendments will be made at the same time, the date will be set following a report from John C. Finn, now on the coast, Farnsworth stated.

Changes involve the vaudeville section of the code, the recommendation to eliminate the leasing clause and the petition to permit relatives in one

Loew's Blames K.C.
Theatres for Cuts

Loew's yesterday attributed the price war in Kansas City to neighborhood houses in that city. A Loew executive stated that Loew's Midland was forced to cut its prices after neighborhood theatres adopted dual billing and give-away policies.

The Loew official declared that the recently adopted policies in the neighborhood hurt business at the downtown

Fox Met Plan Calls
For Sale May 1, '36

One of the provisions of the pending reorganization plans for Fox Metropolitan Playhouses being drawn up by the bondholders' protective committee will provide for sale of the circuit after May 1, '36. Motion Picture Daily learns. The entire revamped

No Paper Tomorrow
Motion Picture Daily will not publish tomorrow, which is Thanksgiving Day and a legal holiday.
COLLUSION, friendly pre-holiday style, lurked among the typewriters yesterday with this column coming with it once a timer-me, at least, with "Asides and Interludes," weekly department conducted by James F. Cunningham in the neighborhood Motion Picture Herald. The collaborative effort, emerging as "What They Are Thankful for on Thanksgiving," takes up something like this:

SAM GOLDWYN—Eddie Cantor.
URNEROY—Eddie Cantor.
ANNA STEN—Sam Goldwyn.
BUSBY BERKELEY—Dito.
AL BEITMAN—Dito.
AL KAUFMAN—Mae West.
Mae West—Boris Petroff.
WILL HAYS—
ED KUTYKENDALL—Dave Palfreyman.
AMES ZUKOR—End of the Paramount bankruptcy.
LESLIE THOMPSON—Nate Blumberg.
NATE BLUMBERG—Vera, Lewis and Dodd.
MERRIL OBERON—Joe Schenck.
JOE SCHENCK—Darryl Zanuck.
DARREY ZANUCK—"The House of Rothschild."
FRANK REICHSTEIN—Louis B. Mayer.
LOUIS B. MAYER—Irving Thalberg.
SAM MARK—Dito.
IRVING THALBERG—"The Barretts."
TALULAH BANKHEAD—"Jock" Whitney.

JAMES B. GRAINGER—Mrs. G's recovery.
ED SCHILLER—Abram F. Myers.
ARCH SELWYN—Harold B. Franklin.
HAROLD B. FRANKLIN—Erpi.
BEN HECHT, CHARLES MACARTHY—Emile W. Hammons—Erpi.
BILL FOX—Tri-Again.
JOE BREN—Legion of Decency.
CHARLES B. WUSS—Service charges.
CHARLES L. O'Reilly—Candy maids.
JOE PENNER—Ducks.
SIDNEY SAMUELSON—Allied.
FRANK SCHAEFER—Elise; C. S. Johnson.
ARTHUR UNGAR—Billy Wilkerson.

BILLY WILKERSON—Trocardero and Vendome.
LYNN FARNOl—Donahue and Coe.
EDDIE CHURCHILL—The Music of Hatrick.

JACK COHN—Harry.
HARRY COHN—"One Night of Jean Harlow—Legion of Decency."
MERID COOPER—Katharine Hepburn.
RAY JOHNSTON—Double features.
EDDIE GOLDEN—Dito.
BON KANE—Sidney Kent.
SIDNEY KENT—Ohio National.
JACK BERNARD—That 7/5 year contract.
ARTHUR LEW—The Ostrers.
S. CHARLES EISENFELD—Shahk Stuyvesant.
ED FRATRICK—Edwin C. Hill.
LAFE STALLINGS—Truman Talley.
TALULAH BANKHEAD—"The First World War."
DOCTORS—Carl Laemmle, Jr.
CARL LEAMMLE, SR.—Carl Laemmle, Sr.—Imitation of Life.
HOWARD CUMMINS—"The Roxy.
RALPH CHURCH—Fanchon and Marco.
DAVE SARKOFF—J. R. McDonough.
"The Invisible Man."

ROXY—The Madison, Philadelphia.
UPON SINCLAIR—Charlie Pettijohn.
CHARLIE PETTJOH—The Democratic Administration.
JOHN OTTerson—The U. S. Supreme Court.
H. G. Knox—Dito.

Eastman Shows Loss on Big Board

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Technicolor Lone Curb Issue

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RKO Bonds Show Point Rise

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Hays Office Men to Attend Crime Talks

Washington, Nov. 27.—With acceptances of invitations to attend the Attorney General's conference on crime in Washington in large numbers, indications are that the largest auditorium in Washington will be required for the sessions to be held Dec. 10 to 13.

Names of those who have thus far signed up, invitation to attend, who were made public today by the Department of Justice. The list includes Carl E. Milliken, Charles C. Pettijohn and Gabriel L. Hess of the Hays office.

Among the organizations which will be represented are the three broadcasting chains, the National Congress of Parents and Teachers, National Education Asso., a number of religious groups and newspapers and press associations.

D. E. Griffith Arrives

D. E. Griffith, managing director of First National Film Distributors, Ltd., Warners British distributing subsidiary, arrived yesterday at the Olympic with Mrs. Griffith. While here he will confer with J. S. Hummel, general sales manager. He will be here two or three weeks.

Ampa Meeting for Today

There will be a meeting of the Ampa at the M. P. Club at 12:45 o'clock.

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HERBERT MARSHALL—Gloria Swanson.
JOHN WEISMULLER—Edward Rice Burroughs.
MILTON C. WEISMAN—The I. O. G.
GEORGE M. BAYNES—Broadway plays.
HOWARD DIETZ—Sj Sjaller.
STUART RICHARDS—Charles L. Eggleston.
HORSTEN SCHROEDER—"The Captain Hates the Sea."
MARVIN STARR—Abe Reizig.
DAVE BLUM—Arthur M. Loew.
HERBY YATES—"Frankie and Johnnie."

WALTER READS—That Sid Kent took up the Mayfair contract.
HARRY GORZ—"The Count of Monte Cristo."
FRED JONES—Loco pictures that meet release dates.
HARRY M. WARNER—William Randolph Hearst.
ALTON M. COOK—Grad Sears and Andy Smith.
JACK MARVIN—Marion Davies.
LOU LASSO—Dito.
CHARLIE MOSKOWITZ—Gardenia.
DAVID LOW—Marcus Loew.
LEOPOLD FREEMAN—Bachelortown.
J. L. ROYER—John Hicks.
JOE SEDILMAN—Clay Sheehan.
ARTHUR KELLY—Mort Sanger.
JOE KLEIN—Foreign exchange.
J. D. CLARK—Paramount stock.
TONY MUTO—Sol Rosenberg.
SOL ROSENBERG—Herb Barkan.
BILL JAFFE—Dito.

J. J. McCARTHY—High-necked gowns.
CARL E. MILLIKEN—Women's clubs.
BREND SCHOLBERG—"Beloved My Wife."
SYLVIA SLOAN—Sidney Kingsley.
JIMMY DURANTE—Noergey.
JOHN FEUGER—"The King of Beasts.
PAUL GILK—Walter.
FRANK WALTER—Warren Chrysler.
J. W. VAN SCHMIDT—Dito.
SKIPP WESNER—Joe Bernhard.
JOE BERNHARD—Higher goss.
SPYROS SOKRAS—That, impending merger,.
CHARLES SOKRAS—Reverie McNabb.
CHARLES SOKRAS—Fox Metropolitan.
GEORGE BEENT—Garbo.
GARBO—"Woody" Van Dyke.

MILTON DIAMOND—American Tri-Ergon.
HUGH NEWMAN—Reass.Beckman—Dito.
CHARLES NEAVE—Dito again.
WARD, CROSBY AND NEAL—Dito once more.
KENYON AND KENYON—Still another ditto.
HUGO SCHURMAN AND DWIGHT—A.T.E.; also Fox West Coast.
RUTH CHATTERTON—"Lux Prog. Co."
MIKE SIMMONS—"The Bowery."
CHARLES RICHARDSON, EUGENE LEAR, CHARLES D. HILLIS—The Paramount bankruptcy.

(Continued on page 3)
Coast Production In Slight Decline

For the cameras. Eighteen features and 10 shorts have been completed in two weeks and 29 features and 20 shorts are ensconced in the cutting room.

Paramount leads on features with seven shooting, three preparing and none in the cutting room. Warner have six, two and six; Universal five, zero and three; Columbia four, two and three; Fox three, four and five; 20th Century two and zero; and Skouras Radio zero, three and four. The independent division has six, four and seven.

Fawcett to Continue Latest Acquisitions

Colonel Roscoe Fawcett, head of Fawcett Publications, who recently purchased Motion Picture and Classic to add to his list of fan magazines, said yesterday that he had no definite publication plans other than to carry on in line with his present policies. He said that six fan titles are being published. No merger of any of the books is planned, Fawcett also said.

Fox Met Plan Calls For Sale May 1, '36

Fox's production schedule for May, 1936, which plan will be submitted to the court on Dec. 12 for approval.

Contracts between the bondholders' committee and RKO and Skouras, which provide for operation until May 1, 1936, are now being drawn and will be presented to George Skouras and Louis Frisch and Sam Rinzer within the next few days for signatures. If the independent operators agree to the terms of the one and one-half year pact, the court will be asked to approve them.

Flash Reviews

The Marines Are Coming — lack of story originality keeps this one in the average column.

Men of the Night — fast-moving, suspenseful crook melodrama which ought to do nicely at neighborhoods.

These slugs will be reviewed in full in a later issue of Motion Picture Daily.

Many Executives on Road or About to Go

Some of the industry executives either traveling or expected to hit the road and book passage on steamship lines are:

Jack Cohn, vice-president of Columbia, for the coast yesterday for a short trip. Last week he returned from a month's tour of foreign exchanges.

George Weeks, general sales manager for Paramount British, was in Chicago yesterday and returns to New York Monday.

The United Artists branch manager at Toronto, is in town conferring with home office executives. He expects to leave for home on Saturday.

A. H. Schwartz returned yesterday from Lake Placid after a month's vacation.

E. M. Saunders of M-G-M is in Kansas City.

Harry Gold, eastern division manager for U. A., was in New Orleans yesterday and is in Charlotte today.

Joseph Seidelman, Columbia foreign head, sails for Europe some time in January.

Joseph M. Schenck left for the coast Monday morning. Nicholas M. Schenck doesn't intend to return from his trip to the studios until after the first of the year on a trip to Europe.

Arthur W. Kelly, in charge of foreign activities, arrives in Los Angeles from Tokyo on Dec. 7.

Charles L. O'Reilly returned from a two-day visit to Washington last night. J. Arthur Hirsch arrived from Toronto yesterday. He operates the Consolidated theatre chain in Canada.

Stage Gains; Hits at 75%, Survey Reveals

(Continued from page 1)


Sales Tax for N. Y. Is Seen As Certain

(Continued from page 1)

receipts to be enormous. There were predictions that this would cause rates of rate in gas and electricity, but this is something for the future to develop.

ITOA Fails to Act On Joining Allied

The ITOA will not take any action today. A telegram was received from Allied yesterday. At the regular meeting of the New York independent unit, Leon Rosenblatt, prominent western showman who died yesterday, will draw theatre men from all over California and the west to this city tomorrow. Hundreds of floral pieces and messages of sympathy are being received by the family.

Tarbell Confers Here

Edward Tarbell, executive secretary of Allied of New York, yesterday attended a special meeting of several leading men. He conferred with Samuelson, president of the national organization. He leaves for Albany today.

Harris Burial Today

San Francisco, Nov. 27.—Funeral services for Sam Harris, prominent western showman who died yesterday, will draw theatre men from all over California and the west to this city tomorrow. Hundreds of floral pieces and messages of sympathy are being received by the family.

Rites for J. L. Shannon

St. Louis, Nov. 27.—Funeral services will be held tomorrow for James L. Shannon, 66, one of the founders of the theatre industry. He died last Sunday after having been ill for about 10 years.

Special Retains H. O.

C. J. Hirliman states that Special Screen Service has given up its branch office here. He retains its home office at 120 W. 41st St.
The Harriest Theatres!
Famous 114
Issued by History in Prada.

TOMORROW!
AMERICA!

THE SCREEN'S FIRST WALTER BROS. GIGANTIC SPECTACLE-COMBINING "DIGGERS" AND THE THRILLS HEAR DICK SING "No Bones-No Wife" by Mott Dixon and Alle Wizel
ny in thrilling battle maneuvers on land, sea and air — filmed special cooperation of the War Department!

and the scenes of cadet life at West Point — shot on the spot Cadet Corps as supporting cast!

and Ruby’s 3 new song hits. — Roar at Pat’s wisecracks.

YOUR SENSES to the spell of hundreds of exotic dancing Hawaiian love rites!

YOUR HEART to the most exciting love story ever told by singing Sweethearts! ... The Vast Cast Headed by

WELL * RUBY KEELER * PAT O’BRIEN

bers staged by the “Ziegfeld Follies” director, BOBBY CONNOLLY

A FRANK BORZAGE PRODUCTION

A First National Picture
WHO WILL BE WHO AT THE BOX OFFICE IN 1935?

Out today
The Ten Biggest Money-Making Stars of 1933-34

The independent exhibitors have voted in the annual poll of the biggest box office stars of the show year of 1933-34. The returns and analysis of the poll will be the exhibitors' best indication of who will be who at the box office of 1935.

in

MOTION PICTURE HERALD
Para. Board Quits Today For New Deal

(Continued from page 1)
plan will be undertaken following today's board meeting and actual filing of the plan. The court will be through the new board on Friday with that body's recommendation for its acceptance by the court.

A speedy reorganization of Paramount thereafter is indicated, as every important bondholder, stockholder and creditor group is now in support of the plan, thus eliminating all sources of objection and delay of any moment. Several of the independent bondholder groups, notably those represented by Samuel Zirn and Robert Szold, have not yet subscribed to the plan but those who have, have agreed to reduce the number and amount of qualified claims. The great majority of Paramount's obligations and their approval is expected to carry the deciding weight with the court.

May Be Approved Before Jan. 1

If the plan lacked the support of any of the essential creditor groups, delays in putting it into effect might run into months. According to the present creditor lineup, however, a possibility is given to its final approval by the court before Jan. 1.

Of the initial members of the new board, the most important agents of the bondholders' protective committee. Vanderlip is a banker and director of numerous corporations. Klein, a business consultant, was assistant secretary of commerce in the Hoover administration and held many other executive positions with the Department of Commerce. Johnston and Davison represent the Paramount creditor bank group. Johnston is president of the Chemical Bank & Trust Co., and Davison is chairman of the board of the Central Hanover Bank & Trust Co. Myers and Brooks are representatives of stockholders' protective committee. Newton is an executive of Hallagan & Co., and Brooks is an executive of E. F. Hutton & Co.

Additions to the board to be made in the near future may include Charles A. McCulloch of Chicago, a director of Balaban & Katz, First National Bank of Chicago and numerous other large corporations, McCulloch, a business associate of D. Hertz, would represent the First National and the Continental Illinois Bank & Trust Co. Two of the Paramount creditor banks with an equity of approximately $2,000,000 in the new company are Duncan Harris, realtor, of Brown, Wheelock, Harris & Co., may be another addition as a representative of the bondholders' committee. His real estate experience is regarded in reorganization circles as of special value to the levy. Harry Green, vice chairman of Realty Associates, is insisting on representation on the board for Allied Owners, a subsidiary of Realty, and indications are that Louis J. Horowitz, who served as trustee in bankruptcy for Paramount for a brief time, will be approved for this representation.

The Paramount plan authorizes a full meeting of the board of directors and a call for a working membership of about 12. Deficiency on the board of men with actual film experience may be overcome, it is said, by the appointment of an executive advisory council, probably headed by Schaefer and Cohen, which would work in close harmony with the board.

**Levy Gives Family Type 6 Months More**

(Continued from page 1)

with audiences in the hinterlands, but of doubtful appeal in the east, according to the levy. Radio general sales manager, just back from a studio visit and a tour of the company's exchanges. Radio has two new merchandising adaptations to the cycle in "Angel of Greenbriars" and "Little Minister." From observations of early performances of the film, and the same type of production from other companies, Levy predicts a minimum of another six months' box-office life for the film. Musicals rank with the new type of family entertainment in audience interest today. Levy found.

**Philadelphia IEPA Acts on Clearance**

(Continued from page 1)

by appointing a committee to study the situation.

An advance story indicating that the independents would take this action was published in Morrovia Picture Daily Monday.

**Feel Effect of Strike**

Los Angeles, Nov. 27.—Loew's State business suffered last night when street car strikers staged a riot near it. Other downtown houses reported slight drops due to the walkout, with neighborhoods profiting.

Roach Stops in K. C.

KANSAS CITY, NOV. 27.—Hall Roach is an overnight visitor here. He is on route to New York.
Denies Loew
Started K. C.
Price Slash

Joe Vogel Asserts RKO
Launched the Cuts

Charging that RKO walked out on a price agreement when it cut ad
placements at the Mainstreet from $5 and
35 cents to 40 and 25 cents with a<br>Guardian and picture policy, Joe<br>Vogel states Loew's is not responsible for the price war for which it is<br>blamed by Kansas City exhibitors.

Vogel explains that some time ago<br>Sam Denbow, representing the New-<br>man; Nate Blumberg, acting for the<br>Mainstreet's Sporos Skouras, acting for<br>the Uptown, and himself for the<br>Midland agreed that prices should be<br>increased so that straight picture<br>houses would charge 40 cents even-<br>ings and 25 cents matinees while<br>(Continued on page 6)

Allied Warned Not
To Get “Panicky”

WASHINGTON, Nov. 29.—Allied<br>members are urged “against getting<br>panicky” over the Tri-Ergon situa-<br>tion, to await development of the forthcoming<br>directors' meeting slated for New<br>Orleans Dec. 11-12 and not to take<br>title to their sound equipment pending<br>further developments, in an organiza-<br>tion bulletin released here Wednesday.<br>Included in the program of the di-<br>(Continued on page 6)

New Buying Combine
Reported in South

NEW ORLEANS, Nov. 29.—Reports<br>arise that a new buying and booking<br>combine consisting of independent thea-<brtres in three southern states will be<br>formed shortly in spite of the asser-<br>tion of theatre executives that they<br>have no knowledge of such a move.<br>It is understood the combine, should<br>it materialize, will probably be head-<br>ed by a prominent independent theatre<br>man and will go into competitive com-<br>petition with existing circuits and co-<br>operatives.

Report Favors Offer
For Phila. Theatres

PHILADELPHIA, Nov. 29.—A favor-<br>able report on Warner's offer of $1,845,000 for the four William Frie-<br>derer and Fred Nixon-Nillinger<br>houses given by William E. Sloan, execu-<br>tor of the Frielhofer estate and<br>(Continued on page 6)

Earnings Jump
Predicted for
Big Companies

Intake Up 10%, Savings
Help, Writer States

Larger earnings than at any time in<br>theatre business this season are expected for major<br>companies. Trending is higher than any previous period is<br>(Continued on page 11)

“U” Net for Nine
Months Is $77,077

Universal Pictures and subsidiary<br>companies report a net profit for nine<br>months ending July 28 of $77,077.01.<br>This is after providing for a non-re-<br>curring loss of $195,808.43, the result of<br>notes receivable from a theatre company in receivership, and $11,000<br>for estimated loss on funds in closed<br>banks. The net compares with a loss of<br>$728,316.66 for the same period last<br>year.

Suit Filed to Stop
Cleveland Dual Bill

CLEVELAND, Nov. 29.—An injunc-<br>tion suit seeking to restrain the Alhambra<br>from showing duals has been filed in<br>(Continued on page 14)

Vote Rogers Heaviest Draw
In Herald's "Ten Biggest"

Will Rogers was the biggest draw-<br>ing card in America in the 1933-34<br>season, according to 9,000 indepen-<br>dent exhibitors voting in Motion<br>Picture Herald's "Ten Biggest Money-<br>Taking Stars" feature, an annual poll<br>conducted by that publication.<br>Others in the order determined by<br>percentages follow: 2—Clark Gable.<br>3.—Janet Gaynor.<br>4.—Wallace Beery.<br>5.—Mae West.<br>6.—Joan Crawford.<br>7.—Bing Crosby.<br>8.—Shirley Temple.<br>9.—Marie Dressler.<br>10.—Norma Shearer.<br>The basis of the poll, as explained by the<br>Herald was this: "It is a story of tickets sold, not<br>opinions ventured, a story of the<br>players writing most of the black ink<br>(Continued on page 6)

Just Ducky
Louisville, Nov. 29.—Shirley<br>Temple has been named a<br>Kentucky colonel on the<br>staff of Gov. Ruby Ford.<br>She's the youngest on record.<br>Joe Penner has been like-<br>wise honored.

Options Delay
SKOURAS Deal
For FWC Pact

"Nigger-in-the-woodpile" holding up signatures to the 10-year joint oper-<br>ating contracts offered to Sporos and<br>Skouras on National Theatres Corp.<br>is the annual option arrangement<br>provided in the impending agree-<br>ment. The Skourases are objecting to the<br>proposed year-to-year arrangement,<br>which is slated to start Jan. 1, 1935.<br>They will not go into advance where they stand in operating<br>the 400-odd theatres for the<br>holding company. The 10-year pact is<br>due to expire Jan. 1.

Prior to Charles' return to the coast<br>about a month ago, the deal was prac-<br>tically set, except for the option clause.<br>Negotiations between the brothers and<br>(Continued on page 6)

Schwartz Opposing
RKO-Skouras Setup

Because of an agreement entered in-<br>to between RKO and Skouras where-<br>by the giant company agreed to buy<br>all product for Skouras theatres in Hemp-<br>stead and Rockville Center, L. I., A. H.<br>Schwartz has filed a protest with<br>the FPC, asking that the deal be<br>(Continued on page 6)

Para. Changes
Put Plan Over To Next Week

Old Directors Quit and
New Board Starts

New revisions in the Paramount<br>Publix reorganization plan undertaken<br>following Wednesday's board's meet-<br>ing at which most of the old board<br>was replaced in their resignations to<br>the board of the new company, will again<br>set back formal presentation of the<br>plan to the Federal court until early<br>next week.

Estimates made in reorganization<br>quarters late Wednesday that the<br>necessary changes in and additions to<br>the plan will, largely because of the<br>Thanksgiving holiday, delay its sub-<br>mission to the court to Monday or<br>Tuesday.

As exclusively stated in Motion<br>Picture Daily of Wednesday, members<br>of the old board of directors<br>(Continued on page 14)

Vincent for Fewer
And Better Films

PHILADELPHIA, Nov. 29.—That the<br>industry would be better if double<br>featuring were eliminated and fewer<br>but better pictures made was asserted<br>by Walter Vincent of the Wilmer<br>and Vincent circuit at the first hear-<br>ing by defense witnesses in the<br>Harry Perelman action for a Federal<br>court injunction against double baux<br>contracts. "Double features and the 10-cent<br>theatre are a menace to the industry,"<br>(Continued on page 14)

Estimate Roxy Net
Will Top $100,000

Net operating profit for the Roxy<br>for the six months from July 1, 1934,<br>to Jan. 1, 1935, will be between $100,-<br>000 to $10,000, according to theatre<br>executives. This is after interest on<br>receivers' certificates, taxes, lobby<br>rent and physical improvements, but<br>before fixed charges on outstanding<br>(Continued on page 11)

Jersey to Plan New
Fight on Dog Races

Another meeting of Allied and cir-<br>cuit heads in New Jersey will be held<br>shortly to discuss the move to end dog<br>races in the state. Necessary funds<br>for retaining an attorney have been<br>(Continued on page 6)
EXACTLY what do the names you read about every day mean at the nation’s box-offices? A horde of exhibitors, independent of producer ownership or affiliation, are running answer in the current issue of *Motion Picture Herald* with results surprising and deflating alike. In Hollywood, on a basis of the competition being the names of the ten performers whose pictures drew the greatest number of patrons from September 1, 1933, to September 1, 1934, and the number of times a specific player was mentioned. It’s well worth consideration for the industry, which The Ten Biggest Money-Makers of 1933-34* inevitably will let loose and for the wonderment its conclusions will create. . . .

What price beauty now sounds like a pretty good and unanswerable question where the winner—Will Rogers—is concerned. He is as head man, topping the sweet, the curvacious and the sexy as represented by Janet Gaynor, Mae West and Joan Crawford, as well as the decorative and competent Norma Shearer and the late, lamented Marie Dressler. He ran up the manly, as symbolized by Gary Cooper and Wally Beery and sent the national crooning menace, typified by Bing Crosby, down to defeat along with the others. That leaves Shirley Temple, the remaining member of the victorious ten, the only one from whom Will probably will escape professional darts of envy. . . .

Interestingly as all this is and complimentary as it is to the publishing ingenuity of Big Brother Herald, this outpost finds itself particularly intrigued by what happened to all the others from the eleventh rating down to the 192d which marked fins to the poll. For instance, to pick some highlights only with the exception of Jimmy Cagney. Lionel Barrymore, Marion Davies, Buck Jones, Freddie March, Kay Francis, Brian Donlevy, Jack Powell, and Lee Tracy are the eight names immediately ahead of Garbo, who ended at seventy-three per cent. Immediately ahead of them, in turn, are Katharine Hepburn, Joe E. Brown, Claudette Colbert, Jean Harlow, Eddie Cantor, Dick Powell, George Arliss, Walter Baxter and Wheeler and Woolery. . . .

Keith Maynor, at two per cent up on Eddie Robinson, who necks and necks it with Myrna Loy at fifty-one per cent, while, in the grouping from forty-nine per cent to nineteen per cent, twenty appeared fifty players, including eight co-starring combinations and these names:

- Spencer Tracy, Ruby Keeler, Four Marx, Fredric March, and Hattie McDaniel, Alice White, Will Rogers, Dick Powell, Lucile Watson, Marie Dressler, Dorothy Mackaill, Louis Calhern, stars of the studio, produced an string of hits.
- James Dunn, Al Jolson, Richard Dix, Jack Holt, Loretta Young, Douglas Fairbanks, Jr., Joan Blondell, hardened his substance. Irene Dunne, Zasu Pitts, Gary Cooper, Alice Terry, and Roscoe Arbuckle, another ten who are also in our co-starring list.
- Josephine Dunn, Zasu Pitts, Walter Pidgeon, and Jean Hagen.
- George Arliss, Walter Baxter and Wheeler and Woolery. . . .

From ten per cent sliding to three, but prudently in salary bulk regardless, are thirty-one men and women, many of them stars whose features are regularly by producing judgment which now may find it wise to readjust values. Note, but also get some of these:

- Wings Karloff, Guy Kibbee, Milicent Mann, Ann Sothern, Tom Dorian, Richard Dix, May McAvoy, Louis Calhern, Erich von Stroheim, and Jimmy Cagney. Lionel Barrymore, Marion Davies, Buck Jones, Freddie March, Kay Francis, Brian Donlevy, Jack Powell, and Lee Tracy are the eight names immediately ahead of Garbo, who ended at seventy-three per cent. Immediately ahead of them, in turn, are Katharine Hepburn, Joe E. Brown, Claudette Colbert, Jean Harlow, Eddie Cantor, Dick Powell, George Arliss, Walter Baxter and Wheeler and Woolery. . . .

The story goes that Orbs may pretend and no wonder over the monickers—alphabetical, this time—which make up the three per centers:


Carrying the unmasking to fullness and completely debunking. forty-three others earned the dubious honor of one per cent, no more, no less. Here goes:


That’s all there is, except to point out that Hollywood and its employers might do worse than forgetting each other and each other’s empire sufficiently long to heed what the theatre industry now tells them. The social implications herein and their bearing on the coast’s elite are something else again. You can’t tell where all this might go. If right, supported by the might of these periods, we would mean Constance Bennett at nineteen per cent giving up her sceptre to the Four Marx Men at forty-nine per cent. Hollywood has been cannonaded on filmier excise. . . .

KANN

Korda Signs Directors

London, Nov. 29—Alexander Korda Productions and London Films, has just signed two more directors—René Clair to direct “Sir Tristram Goes West” and Anthony Asquith to direct “The Reign of King George V.”
You've been waiting to play

SHIRLEY TEMPLE BRIGHT

JAMES DUNN

Produced by Sol M. Wurtzel

Directed by David Butler. Screen play by William Conselman. Story by David Butler and Edwin Burke

RELEASED DECEMBER 28th—YOUR YEAR'S
By far Shirley Temple's most appealing picture. . . brimming with happiness, excitement, romance, tenderness.

Showing America's darling as the tiny mascot of a big airport . . . the pal of every flier . . . and the particular buddy of one pilot who becomes her Daddy when her parents go to Heaven.

An exploitation title with an exploitation star . . . and perfect entertainment for every family in the land!
Vote Rogers Heaviest Draw
In Herald’s “Ten Biggest”

(Continued from page 1)

...into the theatre owner’s books, not of the screen personalities appearing to the exhibitor personally, though the results doubtless boast that majority preference also.”

The Y.W.C.A. is essentially an independent exhibitor verdict of player drawing power among audiences at independent theatres. The Herald explains that the ballots were limited to showmen without producer or distributor affiliations, direct or indirect.

Rogers, now No. 1 man, stood sixth in the final vote for the 1931-32 season and second among the men for that year. In 1932-33, he ranked second to the winner and first among the men. This time, he leads all in both categories.

Final standings were determined by the total number of times a player was mentioned, regardless of that player’s relative specific points among 10 nominations. The determining question included in each ballot was: “Please list the pictures that drew the greatest number of patrons to your theatre from Sept. 1, 1933, to Sept. 1, 1934.”

More Receive Mention

A wider diversionism of player representation in the current poll also made itself apparent in that 206 rated mention as against 163 in 1932-33. A feature of this alignment, M-G-M emerged first with five: Joan Crawford, Norma Shearer, Clark Gable, and Place Bonnie. Marie Dressler. Paramount had two: Mae West and Bing Crosby. Fox had Will Rogers and Janet Gaynor. Shirley Temple, cross-cutting between Paramount and Fox, properly may be claimed by both.

Product involved is all of Radio and Universal and 50 per cent of Paramount and Warners.

RKO-Skouras About

Set on Two Houses

Negotiations between RKO and Skouras for the latter to take over the Downtown, Port Chester, and the Strand, Rockville Centre, are in the final stages with signatures expected in a week or so.

Management of the two RKO houses will change on Jan. 1, provided the deal goes through without any hitchs.

Jersey to Plan New Fight on Dog Races

(Continued from page 1)

pledged and counsel will be engaged within the next week or so. Pari-mutuel betting in New Jersey has been declared unconstitutional and now exhibitors are going to the Supreme Court for affirmation of the lower court’s decision.

Journal Adds Previews

Hollywood, Nov. 29.—The Wall Street Journal has established a picture service, which will be engaged in the next week or so. The service will be launched by the Herald Express, to the reviewing post.

Mike Marco on Coast

Hollywood, Nov. 29.—Mike Marco arrived by plane from New York and Chicago today. He was in New York for a few days confering with Harry Arthur and Jack Partington.

Denies Loew

Started K. C. Price Slash

(Continued from page 1)

vaudeville-film theatres with charge 55 cents even and 35 cents matinees.

Last week, Vogel says, Blumberg called him up and asked that the agreement be called off because the Mainstreet was losing money and office club room Dec. 22. It is something agreed upon. The house, with the same vaudeville-picture policy, dropped its admission to those scheduled for straight film theatres.

Loew’s then found that the Mainstreet’s new scale was hurting the Midland and as a result reduced the matinee admission from 25 to 15 cents, leaving the 40 cents admission stand. The Midland is an all-picture house.

“That Kansas City exhibitors should charge us with price cutting is unfair. We didn’t start it. RKO did, and you can quote me to that effect,” Vogel said.

When asked about the Kansas City situation, Blumberg said he knew nothing about it.

Allied Warned Not

To Get “Panicky”

(Continued from page 1)

By Abram F. Myers, these points:

1. Report on steps taken in furtherance of the legislative campaign and formulation of plans for intensifying the campaign.

2. Formulation of demands in behalf of independent exhibitors in case a new code is proposed to succeed the present one which expires next June.

3. Consideration of proposed new constitution to modernize Allied’s board of directors.


5. Consideration of plans for expanding and strengthening the national association.

6. Plans for the annual meeting in January.

Report Favors Offer

For Phila. Theatres

(Continued from page 1)

supervisor of the theatres, at the second hearing yesterday on the advisability of the sale.

Giving figures on the mortgage indemnities of the houses involved, the town manager, Frank Van Dornford, Sloan declared that “considering conditions,” the Warner offer was a good one. James Williams, a real estate expert who reports to the special master, testified in the same vein. The hearing is to be resumed later.

Warner Party Dec. 22

The Warner Club annual Christmas kiddie party will be held at the North Shore Country Club, which is limited to children, grandchildren and brothers and sisters, not over 12 years of age, of members.

FRED QUNBY IS DUE

from New York Daily News for Warner Bros.' All-American Hit at Triumphant B'way Premiere!

'FLIRTATION WALK''

Starring

DICK POWELL
RUBY KEELER
PAT O'BRIEN

THE WEST POINT CADETS
FRANK BORZAGE PRODUCTION

A First National Picture
BRIDGEPORT SMILES!
COLUMBUS SMILES!
NEW HAVEN SMILES!
NORFOLK SMILES!
READING SMILES!
RICHMOND SMILES!
SPRINGFIELD SMILES!
WORCESTER SMILES!
NASHVILLE SMILES!
INDIANAPOLIS SMILES!
WASHINGTON SMILES!
ROCHESTER SMILES!
LOUISVILLE SMILES!

Get ready to join the GARBO SMILE that's spreading from Coast to Coast!
NATIONWIDE REVIEWS ON GARBO IN
"PAINTED VEIL" SPELL HAPPINESS IN
EVERY BOX-OFFICE! READ 'EM AND LEAP!

COLUMBUS Citizen—"Garbo again triumphant... 'Painted Veil' an awe-inspiring and fascinating experience"...
DAYTON Daily News—"Garbo such as you have never seen... Most emotionally stirring scenes yet seen in pictures..."
INDIANAPOLIS Times—"Garbo reaches heights in 'Painted Veil'... a really great sensitive artist...
WASHINGTON Post—"Garbo in 'Painted Veil' lays new claim to greatness among cinema stars..."
CANTON Repository—"Garbo at her best in glamorous role... shows a new side to her personality and there is more charm in her manner than in any of her pictures..."
WASHINGTON Sunday Star—"Garbo still the most important person in Hollywood... plays rings around many of her cinema sisters..."
WASHINGTON Daily News—"Garbo more human than in years... A grand movie..."
CLEVELAND Plain Dealer—"Unusually good..."
PITTSBURGH Post-Gazette—"'Painted Veil' definitely one of the year's superior films... Star is still Garbo the Great..."
DAYTON Journal—"New fire in Garbo's acting... most entertaining picture..."
OHIO Staite Journal—"One of the few productions in which one may lose one's self completely... a beautiful picture..."
PITTSBURGH Press—"An unusually interesting picture... a picture of dignity, dramatic suspense, and excellent acting..."
CLEVELAND News—"Rises to intensely dramatic moments... Garbo-Brent a winning combination..."
COLUMBUS Dispatch—"Star rises to new heights in exceptional film..."
WASHINGTON Evening Star—"Garbo at her best... She is all that she has ever been..."
RICHMOND News Leader—"Garbo is beautiful in an absorbing story..."
WASHINGTON Times—"This is GARBO WEEK in the Nation's Capital..."
PITTSBURGH Sun-Telegraph—"This is real drama..."
READING Times—"Garbo greatest film star of them all... rises to greatest heights in 'Painted Veil'..."
**Motion Picture Daily**

Friday, November 30, 1934

**“Love” Leads Minneapolis’ Six 1st Runs**

**“Parade” Hits $15,000 Mark In Pittsburgh**

**Asks Opening Ban**

Omaha, Nov. 29.—The newest move by the Legion of Decency here stimulated a take of men recently. The True Voice, Catholic weekly newspaper, which appeared on Friday, asked its readers not to attend openings days at the Paramount and World theaters which were opening on a Thursday, until they have seen the newspaper and scanned the suitable and unsuitable list of pictures.

**“Widow” Good Chicago Draw Despite Slump**

**“Lost Lady,” Show $21,100 Capital Lead**

Washington, Nov. 29.—Only a “Lost Lady” and “Evelyn Prentice” created a stir last week. The Earl, with an average of $5,000, has been told by Warner’s Pennsylvanians, went $3,500 over par with a $2,100 take and the latter at the Loew’s Children’s drew in $4,500 and some $3,000 over average.

With the exception of the “Greenfield Hop Kid” at the Metropolitan, which did $4,000 over par, there were no pictures which did not make $4,000 over par, other pictures were weak.

Mrs. Wigg’s of the Cabbage Patch, RKO-Keith’s, slipped, $4,200, or down to a gross of $10,100. At Loew’s Columbia, “365 Nights in the Life of a Bandit” made the grade at $3,000, just $100 under.

“Great Expectations” did not materialize at RKO-Keith’s, $4,400 coming in, and at the Paramount, where the Dickens opus was pulled for “Caravan,” which, in the following week, got $4,200. Bringing the week’s take to $9,200 or $2,200 under a full run first week, Davis’ “Caravan” closed at 7-30 P.M. Nov. 24, when “Wednesday’s Child” was set in to run until Thanksgiving. Re开幕s, exclusive of tax, for the week ending Nov. 22:

- **LOST LADY** (Warn.)
  - EARL.—4,133, $28,776, 7 days.
  - Staging: Warner’s Pennsylvanians, with Polley,McClure, White, Biddle, Johnny Davis, Stuart Churchill, Scotty Beckett, and Bert Lytell, grossed $17,000.

- **EVELYN PRENTICE** (M-G-M)
  - LOEW’S—4,265, $24,660, 5 days.

- **RIVIERA—6,000, $1,000, 3 days**.

**“College Rhythm” Tops Indianapolis**

Indianapolis, Nov. 29.—“College Rhythm” ran away with top box-office honors here last week by getting $8,500 at the Indiana. This was $1,500 over average.

“Three on a String” made a good showing at the Lyric, going up to $7,750 on the week.

Total run first business was $24,250. Average $4,200.

Estimated takings for the week ending Nov. 24:

- **“GAMBLING” (Fox)**
  - APOLO—(1,037), 25c-60c, 4 days. Gross: $2,750, (Average, $687).

- **“GREAT EXPECTATIONS” (Univ.)**
  - RKO-KEITH’S—(1,880), 25c-50c, 4 days. Gross: $2,000, (Average, $500).

- **“HILL IN THE HEAVENS” (Fox)**
  - INDIANA—(1,313), 25c-60c, 7 days. Gross: $2,200, (Average, $314).

- **“WE LIVE AGAIN” (G. A.)**
  - PAL-ALPINE—(1,000), 25c-60c, 7 days. Gross: $1,400, (Average, $200).
“Lady,” Show Lead Detroit With $18,200

Dennison, Nov. 22.—"Lady by Choice," with a stage bill headed by Polly Moran, helped brighten the theatre outlook hereabouts last week. The take for the week was $18,200, over the line by $2,300.

Total first run business was $60,700. Average is $7,500.

Estimated takings for the week ending Nov. 22:

"GAY DIVORCEE" (Radio) ADAMS (1,170), 30c-35c, 7 days. Gross: $1,400. Average: $200.

"A LOST LADY" (Warners) "WMS. WIGGINS OF THE CABBAGE PATCH" (Para) FISHER (2,907), 30c-35c, 7 days. Gross: $3,500. Average: $500.

"LADY BY CHOICE" (Col) HANNON (900), 25c-30c, incl. 7 days. Stage: Polly Moran in person. Gross: $1,800. Average: $250.

"GENTLEMEN ARE BORN" (Warners) MICHIGAN (4,105), 30c to 65c, incl. 7 days, in New England. (Average incl. $1,500.) Gross: $2,100. Average: $300.

"ST. LOUIS LADY" (Warner) PATCH" (1,770), 30c-40c-50c, 6 days. Gross: $3,200. Average: $533.

"CRIME WITHOUT PASSION" (Para) MUSKETEERS (695), 30c-35c, 7 days. Stage: Ed Lowery in person. Gross: $1,100. Average: $157.

"LIMEHOUSE BLUES" (Para) RUSHWORTH (1,905), 30c-35c, 7 days. Gross: $9,500. Average: $1,357.

"Capitan," Revue, High in Portland

"WEDNESDAY'S CHILD" (Radio) STANTON (1,700), 30c-40c-45c, 6 days. Gross: $4,100. Average: $683.

Secrecy Veils CBS Increase in Stock

Secrecy veils the reason behind Columbia Broadcasting System's increase in capital from $3,750,000 to $7,500,000 on Wednesday is the occasion of the company's 50th anniversary. It refused to make any comment on the move.

At a meeting of the board of directors of the company Wednesday, the question of a stock dividend, however, a 50 per cent stock dividend on the A and B shares, payable Dec. 27, to stockholders of record Dec. 13, was declared.

There are 111,244 shares outstanding, consisting of 49,194 A and 62,050 B shares.

Son to John Wayne

Hollywood, Nov. 29.—A son has been born at St. Vincent's Hospital to the John Waynes. Mrs. Wayne is the former Josephine Saenz. Mother and son are reported doing fine.

Earnings Jump Predicted for Big Companies

(Continued from page 1)

of $7,479,897, or $4.50 a share on 1,465,265 shares of common after preferred dividends is cited as making this the second year in a row the 10-cent dividend will be increased by 10 cents. Up to last week the net was approximately $7,500, and it is expected that the dividend will be added to this figure after the two-week run of "Imitation of Life," which ended the first week with a $44,000 gross. The house being operated by Fanchon & Marco for Trustee Howard S. Cullman, has not had a red week since June 15. At least two reorganization plans are being considered by the bondholders' committee, but because at least $7,450 is cash is required before any reorganization can be advanced, it is unlikely that one of the plans will be accepted. In fact reorganization of Roxy Theatres Corp. will not take place for at least another year, according to insiders.

"Firebird" Opens Big

Playing to capacity crowds, "Flirtation" grossed $4,883 for its first two performances at the Strand Wednesday night, according to Warners.

"New House for Augusta

AVENUE, Kan., Nov. 29.—Construction of a theatre costing $80,000 will shortly be started here by D. A. Bisnagro.

Biederman Plans Visit

Louisville, Nov. 29.—Joe Biederman, general representative for Columbia here, sails for New York Dec. 11.
MY CONGRATULATIONS TO UNIVERSAL ON IMITATION OF LIFE STOP
IT IS THE BIGGEST BOX OFFICE ATTRACTION ROXY THEATRE HAS
HAD IN ALMOST FIVE YEARS STOP IN ITS FIRST THREE DAYS THIS
EXTRAORDINARY PICTURE BROKE ALL ATTENDANCE RECORDS AND ON
SUNDAY AT OUR PEAK HOUR BETWEEN SEVEN AND EIGHT O'CLOCK
POLICE AND FIRE DEPARTMENT QUITE PROPERLY FORCED US TO STOP
SELLING TICKETS FOR ONE FULL HOUR BECAUSE OF EXTRA CAPACITY
CROWDS INSIDE STOP IF YOU CONTINUE TO PRODUCE PICTURES OF
THIS QUALITY AND MASS APPEAL WE WILL NEED A FIFTEEN
THOUSAND SEAT HOUSE INSTEAD OF A SIXTY TWO HUNDRED SEAT
HOUSE=

HOWARD S CULLMAN.

1108A
Claudette Colbert
in Fannie Hurst's
IMITATION OF LIFE

with Warren William
Rachelle Hudson • Henry Armetta
Ned Sparks • Baby Jane • Alan Hale

A JOHN M. STAHL PRODUCTION
PRESENTED BY CARL LAEMMLE

'IMITATION OF LIFE' SETS NEW RECORDS AT ROXY BOX OFFICE

BY REGINA CREWE,
Motion Picture Editor N. Y. American.

Looks as though records are falling at the Roxy Theatre this week, where "Imitation of Life," the Claudette Colbert, Warren William, Louise Beavers, Freddi Washington, Fannie Hurst—Universal Picture has lined up a column of fours at its doors in a lengthier queue than the town has seen in some time.

It was almost as exciting as election night to see the "returns" come in. And what an imposing list of figures the checkers compiled! Nearly 5,000 patrons for the first show, more for the second, close to 10,000 another. That's the way the film is selling, and more than once the doors of the world's largest motion picture theatre have been closed by the police with every nook and cranny crowded with paying guests and a sidewalk full awaiting their turn.

On Friday the deluge began, and with one exception, the day's receipts topped any in the past two years. Up to date the crowds have kept coming.
Para. Changes Delay Plan to Next Week

(Continued from page 1)
presented their resignations to the new Paramount Publix board. The new board, still incomplete, is comprised of the Frank Vandal, Dr. Julius Klein, Perce H. Johnston, George D. Davison, Gerald Brooks, Maurice Newton and Adolph Zukor. The old board consisted of the following: Jules E. Brutiatour, Ensam; John J. Colin Graham, Felix E. Kahn, Gilbert W. Kahn, Austin Keough, Maurice Newton, Sir William and Eugene Zukor, Walter B. Colek and George J. Schafer. The new board at a session immediately, following acceptance of the old board’s resignations, approved and adopted the so-called Kahn, Loeb & Co. plan of reorganization, which now has the support of all essential creditor groups in addition to that of the bondholders and stockholders’ protective committees.

Every effort will be made, it was said, to present this plan to the court on Monday.

The new board issued the following terse statement at the close of the meeting:

“At a meeting held this afternoon (Wed.) the Paramount Publix Corp. adopted a plan of reorganization which it will present to the court on Monday, Dec. 3.

“The new board’s identification of itself as “the Paramount Publix Corp.” was intended to imply that no change of corporate name will result from the reorganization.”

Para. Reel Claims Only 40% of “Beats”

Paramount’s publicity department heralded on Wednesday the modest triumphs of the company’s newspaper department during 1934, including a claim to nationals “beats” on 40 per cent of the most important screen news of the year.

On the remaining 60 per cent of the news, the publicity account states, Paramount gives all reels an even break. The “beats” release also claims for the reel 132 exclusive items of lesser importance. Tom Wailer was the blushing author.

IEPA Against MPTO If Warners Are In

PHILADELPHIA, Nov. 29.—The Independent Exhibitors Protective Ass’n, will oppose a local merger with the M. P. T. O. of Pennsylvania, Southern New Jersey and Delaware if Warner Theatres have membership in the so-called unrepresented exhibitor organization which would result, according to an article appearing in the current issue of Film Bulletin, the I. E. P. A. organ.

The article states that overtures for a merger of the local exhibitor groups have been made by representatives of the M. P. T. O.

Film Trio Reach Coast

Hollywood, Nov. 29.—Jack Cohn, Bobbe Bank and Ricardo Gomez arrive Saturday from New York. They are all on the same train.

MOTION PICTURE DAILY

“Here Is My Heart”

(Paramount)

Hollywood, Nov. 29.—A lavishly mounted hokum comedy romance with music, Bing Crosby and Kitty Carlisle are teamed again for another typical Crosby offering.

In comparison with his predecessors, this succeeds to a point where Crosby followers should enthuse, while others looking for a logical straight narrative plot and suspense may be disappointed. A series of smart situations provoking laughs and admiration for the make-believe characters and the ridiculous ramifications of a foursquare royal family boggles the picture to a point.

The story depicts a millionaire crooner, Crosby, setting a fast pace for any millionaire playboy. He becomes involved in a search for an ancient pistol and reaches Monte Carlo, where, meeting a Russian princess, Kitty Carlisle, who is living with her family, Reginald Owen, Alison Skipworth and Roland Young, he forces his attentions upon her by impersonating a hotel waiter.

The situations involved thereafter become hilarious, with laughs and romance interpolated. When the family faces eviction from a hotel the acid Crosby saves the day. As the owner has learned, Young and Miss Skipworth to manage the place, while he vanishes with the princess for a honeymoon.

Crosby introduces four new songs. Karl Strauss’ photography embodies the exquisite backgrounds. Frank Tuttle’s direction is commendable, and the story, from the story, frank production. Production Code Seal No. 337. Running time, 80 minutes. “G.”

“The Marines Are Coming”

(Mascot)

Hollywood, Nov. 29.—Essaying two marines and their sweetheart in the familiar formula, a lack of story originality keeps this one in the average column.

The yarn concerns a lady-killer lieutenant of the Marine Corps, Bill Haines, who had been previously involved with the firebrand, Armida, in an imaginary country near the Canal Zone. Camped at San Diego, Haines crosses swords with a brother officer, Conrad Nagel, over the affections of Esther Rahting, trying, meanwhile, to be rid of the firecracker, Armida. On the eve of his wedding to Miss Rahting, he gets into a fight over unpaid bills in a cabaret in Tia Juana, is forced to resign from the corps, re-entils as a private, goes to the tropics with a dance stamp but getting a notorious hon in Torch, is wounded and wears Nagel for Miss Rahting as Armida snams him.

The production, while pleasing to the eye, is tawdry in spots, and, although containing humorous interludes with some situations slightly far-fetched, the slamming with the plot action will appeal to chapter play fans.

David Howard directed nicely from James Gruen’s screen play with good photography by Ernie Miller and William Nobles.

The names of Haines, Miss Rahting, Edgar Kennedy and Hale Hamilton should aid the draw which, with Marine exploitation, should be predominatingly neighborhoods and duls. Previewed without production code seal. Running time, 68 minutes. “G.”

“Fratition Walk,” Wednesday night’s opener at the Strand, was previewed by wire from Hollywood, Nov. 3.

“Captain Hates the Sea,” another Wednesday premiere but at the Billeto, was reviewed by coast wire Oct. 15.

“Broadway Bill,” yesterday’s opener at the Music Hall, was also covered by the Hollywood previewing service on Oct. 26.

Suit Filed to Stop Cleveland Dual Bill

(Continued from page 1)
Common Pleas Court by Max Lefko- wich, operator of the University The- atre. He claims it is a violation of the single feature agreement that a house on Nov. 1 and he was warned to discontinue advance advertising on pictures slated to run at the Century house.

With Herbert S. Keller of the Weis- man, Quim, Allan & Spett office as attorney, the Glenwood lost the de- cision, although Keller tried to inter- pret the agreement of Norton & S. & E. in the code for the benefit of the board.

Century Circuit Is Winner in Ad Cases

Century circuit has won complaints against the Quentin and Glenwood circuits for alleged damage to the circuit. In the first case, it was pointed out that a new operator took the house on Nov. 1 and the efforts to discontinue advance adver- tising on pictures slated to run at the Century house.

MOTION PICTURE DAILY

Vincent for Fewer
And Better Films

(Continued from page 1)
Vincent said: “The industry is tend- ing toward disintegration because too many films and too many poor films are being made. We as producers of films, and we are also directors, are the ones who own the film. We are the ones who are responsible for it. We are the ones who are responsible for the talent that we use. We are the ones who are responsible for the story that we tell.”

Vincent, who is treasurer of MPTOA, said that while he had se- lective contracts with major com- panies of different areas, he had wanted some feature of any independent company.

B. M. Goldner, attorney for Perel- muth and Paul, who had charged that the MPTOA was not subsid- ized by the alleged film trust, “I don’t think we made the case presented by anyone,” Vincent replied heatedly.

Edward Jeffries, a Roxborough ex- hibitor, testified that his patrons had voted against double features and that school authorities had urged him to follow a single feature policy to per- mit the showing of educational shorts on the program. Fred Leopold, an- other exhibitor, stated that dates tended to the same point. “I wish to say,” he said, “that if double features were taken from the following witnesses in opposition to doubles: I. Hirschfeld, W. T. Wilson, Williams- son, Edward Long, Marcus Benn, Al Fisher, Luke Grin, Samuel Somerson, C. Sites, Abe Sal- mon, I. M. Williams, Leopold, City, and George Kline and Benjamin Fertel, Philadelphia.

A cross-examination centered on several points whether double features would mean more production and whether each theatre and neighborhood did not have its own problem. Witnesses answered in the affirmative, although the danger in the double feature, it became general, exhibitors would be hard put for product.

Defense Attorney Morris Wolf said he would call all local exchange men and home office sales executives for Monday’s hearing to refute charges that objections to a session was adjourned to Monday.

Rosenblatt on Coast On Harmony Mission

LOS ANGELES, Nov. 29.—Compliance Department of the Motion Pictures柔和o- ers, in letters written to Washington yesterday with the assertion his mission was to effect a meeting between the actors’ agents and writers’ five-firm group of producers to end the deadlock in negotiations between players and studios. He said he would also ask for the producers to complete a draft of a code of fair practice that would meet with the approval of both agents and producers.

Rosenblatt declared the agents’ press was not in accord with the NRA as it affects the film code, adding that nothing can be done until the draft is re- vised to conform with NRA require- ments.

Meanwhile Rosenblatt will confer behind closed doors with all commit-tees concerned, beginning Saturday.

Flynn Denies He’ll Succeed Will Hay

Hollywood, Nov. 29.—Edward Flynn, secretary of state of New York, yesterday publicly denied rumors that he might succeed Will Hay. Flynn reported for radio that he might join the legal staff of Radio Assailing both stories as “ridiculous.”

Edward Flynn said he was here chiefly on vaca- tion with his wife.
VINCENT R. McFAUL

Operates 11 theatres, spends upward of $850,000 annually for film. He reads MOTION PICTURE DAILY
WHY GET EXCITED ABOUT ONE REEL?

All right, Mr. Exhibitor, you try to be calm after seeing TOYLAND BROADCAST.

Gosh, it's a honey! Just a single reel but one of those things that steals the show! Filmed in gorgeous color. A cute story of a Toyland Broadcast, caricaturing the Top Stars of radioland. Perfect for the Holidays and great for any time. It's one of M-G-M's HAPPY HARMONIES SERIES (produced by Harmon-Ising) of color cartoons with music that exhibitors are talking about. Betcha you'll get excited too!
Circuits Move To Fight Free Socony Shows

Will Open in New Haven And Go on Air

Circuit theatre representatives yesterday started plans for combating the free entertainments being sponsored by Standard Oil Co. which open at New Haven tonight and contemplate a two and one-half months' tour of the country.

Meeting at M. P. D. A. headquarters, representatives of the national circuits were agreed that Standard Oil's exploitation shows are of high enough caliber to completely kill theatre patronage on the nights they are staged in many cities of small and medium size and to seriously curtail patronage in others. Guy Lombaro and his orchestra head the Standard Oil free show troupe, with Cross & Dunn, Jane Roberts and others billed as feature acts.

The performances will be staged in theatres, hotel ballrooms or auditoriums of large seating capacity and will be put on individually from local stations. Tonight's opening performance at New Haven will be in the

Free Radio Theatre Planned in Chicago

CHICAGO, Nov. 30. — Competition will be furnished local houses with the completion of a free radio theatre just announced by the Chicago Tribune. The structure, adjoining the Tribune building, will be a deluxe theatre to which the public will be invited. It will have a seating capacity of 600. Ernest A. Grunfeld, jr., of Chicago is announced as the winner of $2,500 in a nationwide contest for the theatre's design.

First Run Product Scarce in Paterson

PATERSON, Nov. 30. — Inability to secure first run independent pictures has been giving A. Louis Ginsberg, manager of the local Majestic, several worries. He switched recently from second run to running vaudeville. Before the switch took place, he spent heavily to give the theatre repertory needed.

"Just another three or four months like the last two, and I won't be worri- ing so much," he said.

Business along Broadway sniffs of the old days.

Second week of "Gay Divorcee" tallied a handsome $85,000 at the Music Hall. This figure is $2,000 less than the first stanza. The Roxy with "Imitation of Life" garnered its best gross since Fanchon &Marco have been operating the house for Howard S. Cullman. The tally here was $44,000 and the second week looks big.

After a month's tenancy at the Astor at two-a-day, "The Merry Widow" garnered $42,000 at the Capital in its first week at popular prices. The Rivoli, winding up the third and last week of "Kid Millions," got $37,000. "Imitation of Life and Don Juan" opens there today.

The Palace with "St. Louis Kid" took in $11,500 for the week and

Selling Tickets on Commission Stopped

CINCINNATI, Nov. 30. — The Roosevelt, local colored house, has been ordered by the local grievance board to stop employing boys from the colored Y. M. C. A. to sell tickets for which they were paid a commission. Complainant was the Lincoln, this city.

The board dismissed an overbuying complaint of C. F. Pfeister, Mayflower, Troy, O., against Schine, operating.

Production Project Begun in Charlotte

CHARLOTTE, Nov. 30. — Willis Fellows is behind a movement to start production here. A 10-acre site about five miles from this city has been acquired as a studio site.

The plans announced call for a studio building 300 ft. x 150 ft. The company is called Southern M. P. Studios. According to Fellows, W. F. Nurst will be brought from the coast to direct the first picture.

Move for Abolition Of Double Features

WASHINGTON, Nov. 30. — The abolition of double features and a better planning of programs today was urged by a special committee of the National Council of Teachers of English, seeking improvement of pictures for children.

The criticism of double features is based upon an assertion that frequent exhibitors carry "undeclared and

Have 388 Houses

Ward's annual financial statement discloses that the company and its subsidiaries operate 388 theatres located in 25 states.

During the past year, the report states (meaning the fiscal year ending Aug. 25), the company released 56 features and 126 one and two-reel shorts. This year, it is stated, it plans to release 60 features and 130 shorts.

Group of Four To Run RKO's British Sales

By BRUCE ALLAN

LONDON, Nov. 30. — A committee of management, composed of E. D. Leishman, Ralph Hanbury, Frank Tilley and C. Dawson, will operate Radio Pictures, Ltd., thereby abolishing the former post of managing director held by Sol G. Newman until his death recently.

The arrangement emphasizes the statement made in New York a few days ago by Ned E. Depinet that it was the company's intention of filling Newman's post by promotions from the ranks.

Leishman becomes chairman of the board and Hanbury, general manager.

E. D. Leishman is a British subject and was born in Grangemouth, Scotland, on Nov. 9, 1899, according to Motion Picture Almanac. He was employed by the Bank of Scotland for three years and by the Bank of Montreal for six, was a flyer and office.

British Lion Signs Perry, Tennis Star

LONDON, Nov. 30. — Sam Smith of British Lion Pictures has signed Fred Perry, top ranking tennis player of the world and English Davis Cup star, for a series of shorts titled "How to Play Tennis."

Dan Maskell, British professional champion and coach of the English Davis Cup team, has been signed as

Warners Cut '34 Loss to $2,530,513

Under Previous Year's Deficit $3,761,234

WARNER BROS., Pictures, Inc., yesterday reported a new record loss for the year ending Aug. 25 of $2,530,513. Last year for the same period the loss was $3,761,748.

For the year ending Aug. 7, 1932, the loss was $14,095,045.06. All these losses are after interest, amortization, depreciation and other charges.

The company's financial position was strengthened by cutting the accumulated deficit from $13,547,005.06 to $16,346,562.77. The net loss from operations was $2,530,513.68, but the company realized a profit of $13,132,597.78 from various sources. This was due in some measure to receipt of $5,099,789.48 from several sources, including $3,095,706.06 from Emp, after deducting Federal income and state taxes; profit on redemption of six per cent convertible debentures and preferred stock and bonds of subsidiary companies, adjustment of income tax reserves of prior years, adjustment of other reserves and profit on sale of an investment in an affiliated company.

The company has been given as a loss of $683,432.31 were due to loss on sale of capital assets and appropriations by

Particulars Sought In Tri-Ergon Suits

Six motions to require American Tri-Ergon to furnish particulars of particulars on its patent infringement allegations were filed yesterday by Colum- bia, M-G-M, RKO, 20th Century, Universal and Warners in Federal district court here.

The motions, which will be set for argument before a judge, Robert P. Patterson next week, ask for particular from Tri-Ergon as to the basis of their infringement charges and the claims it relies upon in bringing the actions.

Canada Legion Move Spreads to the West

TORONTO, Nov. 30. — The Legion of Decency movement, recently begun in Ontario, has spread to the Canadian west.

At Edmonton, Alberta, Archbishop O'Leary has requested members of the

Alert, Intelligent
And Faithful
Service to the Industry
In All Branches
SoundEquipmentMen
To Ponder Tax Today

A meeting of the independent sound equipment manufacturers and distributors will be held today at the offices of S. O. S. Corp, to consider filing a joint petition with the Treasury to the effect that the use of the Internal Revenue against the five per cent excise tax on sound equipment and reproducing equipment, the session will be held jointly with the Entertainment Apparatus Manufacturers

Liberty Set in England

Wardour Films, Ltd, subsidiary of British International Pictures, will distribute Liberty pictures in the United Kingdom under the terms of a deal just signed by Arthur Dent, general sales manager of Liberty.

Reich for Finer Films

BERLIN, Nov. 30.—In banning two German films yesterday on the ground they were deemed "cheeky," Joseph Goebbels, Minister of Propaganda and Public Enlightenment of Germany, told the industry he would have to turn out better grade pictures as the Reich was disgusted with the present product. The produced films were "Love Conquers" and "A Child, a Dog and a Tramp."

Cantor Europe-Bound

Eddie Cantor sails today for Europe. His wife, Ida, and his three eldest daughters, Marjorie, Natalie and Edna accompanying him, manager expects to return some time in February and will report to Hollywood in April to begin work on his next Goldwyn picture.

"Copperfield" for Capitol

Although originally slated for the Astor at two-a-day, "David Copperfield" has been booked into the Capitol for Christmas Week.

Pons-Radio Deal Set

Lily Pons yesterday completed negotiations with Radio to appear in one picture.

“U’s” Dinner-Dance To Be Held Tonight

Universal Club will hold its annual dinner-dance at the Astor tonight with an attendance of 550 and the ballroom will be converted into a ship’s interior and the general idea behind the function will be tied up with an imaginary trip to Bermuda. Jack Berger, manager of the assets, will furnish the music and much of the talent will be by Montego Procter, who is making a series of shorts for Universal release.

Laemmle Sailing Off

Carl Laemmle, Jr., will not sail for Europe today as scheduled, since he suffered a relapse in an attack of grippe that has laid him low for the past week. He now plans to get away on the Conte di Savoia in two weeks.

Comedians Portland Hit

PORTLAND, Nov. 30.—A combination of Wheeler and Woolsey on the stage and their picture, “Kentucky Kernels,” on the screen knocked at the box office for the well known loop at Hiramck’s Orpheum. The Thanksgiving Day gross was $2,000.

Start “Custer’s Stand”

Hollywood, Nov. 30.—Stage and screen do battle for the first time on a serial reel, “Custer’s Last Stand.” Rex Bell, Buzz Barton and William Farnum are in the cast.

Korda Signs Laughton

LONDON, Nov. 30.—Alexander Korda, production head of London Films, signed a contract today to head the "Sir Tristan Goes West." U. A. will handle the release in America.

Selander Succeeds Brod

Hollywood, Nov. 30.—Lester Selander has been named chairman of the directors’ section of the Academy executive committee. He succeeds Sidney S. Brod, resigned, who is no longer an assistant director.

Goetz Off for London

Harry H. Goetz, head of Reliance Pictures, sailed last night on the Olympic for London in search of stories and talent for next season’s lineup. He expects to return Dec. 18.

New Loew Highs Set On Big Board

<table>
<thead>
<tr>
<th>Stock</th>
<th>High</th>
<th>Low</th>
<th>Change</th>
<th>Sales</th>
</tr>
</thead>
<tbody>
<tr>
<td>Columbia Pictures</td>
<td>39</td>
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<td>+4</td>
<td>600</td>
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<tr>
<td>Eastman Kodak</td>
<td>117</td>
<td>115</td>
<td>+2</td>
<td>1,760</td>
</tr>
<tr>
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<td>145</td>
<td>141</td>
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<tr>
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<td>304</td>
<td>+1</td>
<td>4,050</td>
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<tr>
<td>RKO</td>
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<td>115</td>
<td>+3</td>
<td>1,100</td>
</tr>
<tr>
<td>Warner Bros.</td>
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<td>454</td>
<td>+1</td>
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Technicolor Lone Curb Issue

<table>
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<th>High</th>
<th>Low</th>
<th>Change</th>
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<tbody>
<tr>
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<td>884</td>
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</tr>
<tr>
<td>General Theatre Eqipment &amp; Allied</td>
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<td>1,000</td>
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<td>500</td>
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<tr>
<td>Paramount P. L.</td>
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<td>34</td>
<td>+1</td>
<td>500</td>
</tr>
<tr>
<td>Warner Bros.</td>
<td>58</td>
<td>58</td>
<td>0</td>
<td>1,000</td>
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All Bond Issues Show Gains

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<th>Low</th>
<th>Change</th>
<th>Net Sales</th>
</tr>
</thead>
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<tr>
<td>Harris</td>
<td>137</td>
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<tr>
<td>Northern</td>
<td>154</td>
<td>150</td>
<td>+4</td>
<td>1,800</td>
</tr>
<tr>
<td>Boston</td>
<td>170</td>
<td>166</td>
<td>+4</td>
<td>1,900</td>
</tr>
<tr>
<td>.miniature License:</td>
<td>1,000</td>
<td>1,000</td>
<td>0</td>
<td>1,000</td>
</tr>
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A. A. Love Enroute Here

A. A. Love, treasurer of U. S. A. in India, is en route here aboard the Britannic and is due Dec. 9.

San Francisco, Nov. 30.—Arthur W. Kelly, vice-president in charge of foreign distribution for U. S. A, who is scheduled to return here, will leave immediately for Los Angeles and New York, arriving in the east Dec. 10.

Add to Gaumont Staff

New appointments to the Gaumont British staff include: Jack Erickson, salesman, San Francisco; Tony Harford, salesman, Seattle; Gene Sparer, booker-salesman, Seattle; David McElhenny, salesman, Salt Lake City; E. E. Andreasen, salesman, Denver.

Boston, Nov. 30.—Milton J. Hill has been appointed sales director for Gaumont British here. He was formerly with M-G-M and United Artists.

Weeks Back Monday

George W. Weeks, Gaumont British general sales manager, returns to New York Monday having completed a coast-to-coast tour to build up a national sales organization.

“Civilized” to Hofberg

J. H. Hofberg Co., Inc, has acquired from Raspin Prod, the foreign distribution rights to "Are We Civilized?"
Shubert, a 2,000-seat legitimate theatre, and was sold to WCC. From New Haven the troupe goes to Concord, N. H. Details of the itinerary are being closely guarded by Warner. Oil in charge of the exploitation project and by the representatives of the participating companies.

Music Corp. of America, the Gershwin representative, declined to reveal the itinerary, stating that no publicity for it was desired except locally, and that only a few days in advance of engagements is under consideration. It is understood, however, that the troupe plays in all 40 cities throughout the country.

Just what line of opposition to the Stanford plan free shows in the West to theatres was not determined by the circuit representatives at their meeting in the Hays office yesterday. Warner representatives have already registered a protest with Compliance Director Sol A. Rosenblatt on the grounds of unfair competition. Other theatre companies are expected to add their protests to that of Warners. Other methods of protest and retaliation suggested yesterday will be held in abeyance, it is understood, until attempts have been made by industry leaders to arrive at an understanding with high standard Oil officials. This procedure may involve a request that admissions comparable to those of a first run theatre be charged for the performances.

Theatre representatives will probably meet again next week on the same subject.

**British Lion Signs Perry, Tennis Star**

(Continued from page 1)

his playing partner. William T. Til- dens, 2nd, will do the commentary in all the lion features. Perry's amateur standing will not be jeopardized, since the series has the approval of the Lawn Tennis Assn.

It is understood here that Fred Perry will turn professional and join the Tilden Tennis Tours, Inc., some time in March. The troupe includes Elsworthy Vines, George Lott and New- ton Stoffen. Whether or not Warners' offer to Perry, made last summer, to make a series similar to British Lion still holds is problematic.

**New Schine Dividend**

GLOVERSVILLE, N. Y., Nov. 30.—Mrs. Schine, Inc., has declared a dividend of 75 cents a share on account of accumulations on the no par $3 preferred stock, payable Dec. 1, to the holders of record Nov. 20.

After this payment overdue dividends will be $525 a share.

**Jack Stebbins Better**

Hollywood, Nov. 30.—Jack Steb- bins, who was recently removed from the Theatrical at Albuquerque because of a sudden illness, is making steady progress toward recovery.

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**Circuits Move To Fight Free Socony Shows**

(Continued from page 1)

**London Flash Review**

By BRUCE ALLAN

London, Nov. 30.—The Iron Duke," Garson Armstrong's production, which opened at the Tivoli tonight, is an un- doubted box-office and an enormous critical success. It presents Wellington (George Arliss) as a man and states- man, the highest pitch in the scene picturing his speech in the House of Lords for tolerance toward the beaten enemy. This is magnificently acted and produced.

The big scenes are brilliant, with the charge of Scots Gyps and Highlanders the highlight. Other big scenes are the ball at Brussels on the eve of the battle and peace conference at the Paris Opera.

The story shows Wellington in a battle of wits with his niece, Prince Louis XVIII, who secures Ney's execution in the Duke's absence, but is sent into exile on his return. The war parallel with Europe to- day is emphasized in the dia- logue.

Running time, 90 min- utes."G."

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**Move for Abolition Of Double Features**

(Continued from page 1)

inappropriate pictures on the same bill with recommended features, ham- pering efforts to improve the public taste.

With the elimination of double fea- tures, the committee recommended that programs be unified so that each will consist of a single feature and one double feature. Discouraging and mis- furrowing advertising trailers be elimi- nated, that more informational and less sensational trailers be shown, and the neighborhood theatre week-end programs be planned to meet the needs of the family groups.

**Santell Goes West**

At Santell left New York for Holly- wood by rail yesterday but will be back early this week. A tour of the circuit will take him to London again where he has pend- ing a lawsuit against Toeplich Prod. The action developed out of direction of "The Dictator" for which Santell was employed. Claiming unreasonable demands were made out of line with his understanding he last dealt day to finish the picture but resort to law.

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**Buy Terre Haute Site**

TERRE HAUTE, Nov. 30.—The Scher- her Theatre Co., with houses at Linton and Clinton, has purchased the property of the Strothok family, a site on Wabash Ave. The company refuses to disclose its plans.

(Continued from page 1)

opened big with "Gay Divorcee" yes- terday. The Strand has reopened with "Gentlemen Are Born" and the Rialto with "Menance" fared badly with $9,000. "The Captain Hates the Sea" opened big at the Rialto on Thank- giving Eve and hit the second highest opening day gross since Arthur Mayer took over. The Strand day's record holds the first-day record. "College Rhythm" at the Paramount ended the first day.

Broadway operators are excited over the week-end school holiday, following Thanksgiving. The school lay-off is expected to perk up intakes today and tomorrow.

Flirtation Waltz" at the Strand is holding to capacity and is set for its opening Thanksgiving Eve. Accord- ing to Warners the picture hit a new record for Thanksgiving Day business.

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**Set Up New Clearance**

NEW ORLEANS, Nov. 30.—Jeaner- ette, Franklin and New Iberia have been mended together by the clearance and zoning board as a result of a complaint of Laurence Lampo of Accra. Lampo complained that Affiliated Theatres, which book for the houses in Franklin and New Iberia, were demanding 30 days' clearance over his house, which had not been granted in the past and that Fox, which has sold him "Judge Priest" and "Peck's Bad Boy," took the film away to give it to Affiliated. Under the new arrangement first run 15 days' clearance and second runs get priority over third. This cuts down the Affiliated demand for clearance, but also puts Lampo on a third run basis for the bulk of major product.

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**Dismiss Cleveland Case**

CLEVELAND, Nov. 30.—The Stein- berg vs. Shea overbuying case was dismissed upon evidence today by a unanimous vote of the court.

The plaintiff charged in abil- ity to obtain product of this or any other year for any designation of the board. The board ruled no proof had been produced that the respondent was guilty of the charges.

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**Stage Show Return Set for St. Louis**

ST. LOUIS, Nov. 30.—F. H. & M. will set the show, "Fruit of the Loom," for Dec. 7, according to Charles Kurtz- man. A 20-piece orchestra will be directed by instructor of the Conservatory.

Negotiations with the union have been going on for the past six weeks. The St. Louis may be re- opened, it is said, for roadshows and traveling musicals.

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**Warners Cut '34 Loss to $2,530,513**

(Continued from page 1)

The report disclosed that the company has $4,664,137.62 in cash on hand. Under the fund, it was agreed not to exceed $20,000 is expected from Erpi. The exact total will not be known until Dec. 26.

The company has speeded its amortization of films by cutting the total amortization from 52 weeks to 36. Under the new schedule film is devaulved 74 per cent at the end of 13 weeks; 96 per cent at the end of 30 weeks; 100 per cent at the end of 30 weeks.

The consolidated balance sheet reports a fund totaling $86,387,734. Last year it was $90,627,956.37, and on Aug. 23, 1931, it was $101,637,633.59. There is a re- duction of $18,411,972.87 in the funded debt in three years.

Total current and working assets are listed as $16,342,109.33.

"Flirtation" Start Makes Warners Grin

Warner executives went into a smile yesterday when tele- graphed reports on opening day en- courage for "Flirtation," convinced them the new Powell-Keeley musical is in the big money division.

New house records were set over the theatre company and the following highlights reported by the home office on Thanksgiving Day engagements in scattered spots:

Albany—Opening day's take was $2,658, topped by "World Changes," "Footlight Par- ade" and "Wonder Bar."

Bridgeport, Conn.—Caneo reports busi- ness second in line to "Footlight Parade" and "Wonder Bar."

Pittsburgh, Pa.—Cochrane broke 42-year house record for opening day (Thursday).

Chicago, Ill.—Cochrane broke first full day at Hippodrome and grossed $4,500, which is big and day above "Foot- light Parade" and "Wonder Bar."

New Haven—Roger Sherrod topped gross of previous Thanksgiving Day by 50 cents per for a smash at "Footlight Parade.""

Philadelphia — Stanley had biggest Thanksgiving Day in his history. Grossed $5,095 opening days (Thanksgiving) topping first day of "Footlight Parade" and "Won- der Bar."""


Looking 'Em Over

“The Secret Bride” (Warners)

This is a mystery story with a political background. It moves rapidly, with a nicely balanced cast and some fine photography.

Barbara Stanwyck is the secret bride. She is the daughter of the governor (Arthur Byron) and is given over to the attorney general of the state (Warren William). They return after a justice of the peace wedding to find the governor facing impeachment because it has been learned that he has pardoned a committed suicide after his secretary has deposited $10,000 to the governor’s private account.

Miss Stanwyck is convinced her father has been framed. Acting on this theory, she gets her husband to retain an inquiring letter found in the dead man’s files. The plot complications develop rapidly as William’s confidential investigator (Douglas Dumbrille) is murdered in front of William’s house as he greets William’s secretary (Glenda Farrell).

At the trial of Miss Farrell, who is accused of murder, the secret marriage is barred by Miss Stanwyck, who comes to the girl’s defense. As the governor is about to be impeached, Grant Mitchell, secretary to the dead man, who had been pardoned, confesses he is the killer of Dumbrille and is in on a plot to ruin the governor.

The situations are developed for all the suspense there is in them. Besides being an entertainment. Production Code No. 384. Running time, 65 minutes. “G.”

“Life in the Congo” (Kinetonatrade)

Another of the African adventure films. This one furnishes little that is new.

For the most part it is the record of a safari into the gorilla country of the Kivu Mountains of darkest Africa. The climax of the picture, which was made by the Ben Burbridge expedition, is a gorilla hunt in which several young specimens are captured alive and another of huge proportions is slain.

The production of the film contains the only really exciting scenes to be found in the entire picture.

What precedes is simply a collection of routine shots of wild beasts, native life and customs and the long, arduous trek through the jungle, with a couple of animal hunts thrown in for good measure. The gorilla scenes come too near the close of the picture to retrieve “Life in the Congo” from mediocrity.

The picture further suffers from poor photography and recording that is equally bad. The production has been provided with a running commentary that might have been better.

No code seal. Running time, 60 minutes. “G.”

Canada Legion Move Spreads to the West

(Continued from page 1)

diose to sign pledges and to act accordingly. Churchmen of other denominations have also become agitated and have taken up a slightly different form of pledge.

In the Maritime Provinces, however, the statement has been issued from a church source that the Legion of Decency will not be organized there “because there is no need for it.”

Premier M. F. Hephburn of Ontario showed distinct signs of wrath when lists of films were published for the guidance of the faithful, one group being tagged “not appropriate.”

“If the Legion of Decency wants to adopt a picture, let them advise people not to see it,” the Provincial premier exclaimed hotly. “That’s the best way to get people to go and see it.”

Hephburn declared he had had no communication from the legion regarding the action, adding: “I have no idea what is in it. I have no idea what I have in the papers.”

Regarding censorship in Ontario, he stated the board had given complete satisfaction. “So far, we have had no call whatever to interfere with the judgment of the board itself,” he added.

Chicago Publicity Men Join an Ass’n

CHICAGO, Nov. 30.—Publicity representatives from various branches of the amusement field have virtually completed formation of a new organization, the Chicago Amusement Publicists’ Ass’n., or CAPA as it hopes to become known.

The need for such an organization resulted from the recent Film Relief Dinner Dance when the film folk received exceptional cooperation from newspapers and other agencies.

Among the purposes set forth in a proposed charter are the following: To establish a higher standard of conception and subsequent publication of publicity material; to exchange ideas for the betterment of the amusement field; to foster publicity of legitimate and meritorious events; to foster closer contact between allied organizations; to cooperate in every way to publicize the City of Chicago as the leading amusement center.

Members so far include Duke Hickey, Universal; Herb Elsiburg, Essaness Theatres; Lou Abraham, New York; Ben Cohen, Medinah Club; Harry Stein, Warner Theatres; Fritz Bohnen, Jones, Limlich & Schaefer; Fred Barrow, M-G-M; Ted Weber, Daily

“Happiness” At $33,000, Boston High

BOSTON, Nov. 30. — “Pursuit of Happiness” at the Metropolitan was high for the week, taking in $33,000 or $3,000 above average. Keith’s went to $9,500, or $3,500 above its usual take, with “Great Expectations.” “Monsieur Beaucaire” took in $3,000 above par. In addition, “We Live Again,” $16,000, with “We Live Again,” $14,000. The total first run business was $108,500. Average is $94,000.

Admitted to Federal Bar in Philadelphia

PHILADELPHIA, Nov. 30.—An interested audience of the Philadelphia Federal Bar Ass’n, of the Federal community, and the admittance of Mrs. Jeanette Cohen to practice law in the Federal court here.

The ceremony was a complete surprise to Mrs. Cohen, who practices law under her maiden name of Jeanette Willsken. As private counsel for the Federal Bar Ass’n, Mrs. Cohen has been interested in the Federal case of Benjamin M. Goldsmith, of the Pennsylvania Railroad, for the plaintiffs in the case, suddenly moved that the court permit her to be enrolled as an attorney in the Federal court.

Judge Welsh acquiesced and administered the oath. She was formerly Gorin’s secretary when he was a member of Congress.

Mrs. Cohen, or Miss Willsken, as she is known in legal circles, is the wife of Dr. David J. Cohen, of Overbrook, and is the mother of a three and a half year old daughter.

Pathe Gets Refund

WASHINGTON, Nov. 30.—A refund to Pathe Exchange, Inc., of New York, of $89,945 on its 1924 tax return has been ordered by the Internal Revenue Bureau.

Times: Sam Clark, Warners; Al Sabel, Medinah Michigan Ave, Club; Jack Fuller, Palomar; Chicago American; Al Pahle, Palace; John T. Behrman, Variety; Nat Green, Billboard; John Joseph, RKO; Joe McKeown, Schoenhals; New York; Harry Hickey, Washington, D.C. Office; William K. Hollander, B. & K.; Harry Holmquist; Morroco Picture Daily, and others.

Headquarters have been established at the Congress Hotel.
**Work on Plan For Para. Is In Final Rush**

**Expect to Have It Ready For Court Today**

Final work on the Paramount Publix reorganization plan will be through the week-end with attorneys working all day Saturday and Sunday in an effort to have the plan ready for filing with the Federal court some time today.

Week-end indications were that the work would be completed and copies of the plan off the presses by late today. A slight hitch in the routine however could delay filing of the plan until tomorrow, it was stated.

The week-end work on the plan was largely that of copy reading and the correct return of people, the actual content of the plan having being set late last week.

Regardless of the actual filing of the plan, the Paramount Public trustees, (Continued on page 4)

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**Para. Bonus Suit Move Coming Soon**

A Federal court procedure by the Paramount Public trustees to recover more than $200,000 paid in cash bonuses in 1929 to Adolph Zukor, Jesse Lasky, Sidney Kent, Sam Katz, Ralph Wagenheim and P. D. Schubberg will be inaugurated this week.

The bonus agreements on which the action will be based provided for payment to Zukor and Lasky of a seven per cent dividend after payment to common stockholders of a 4% dividend. Five per cent to Kent and Katz (Continued on page 4)

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**Sunday Opening Up Again in Hartford**

HARTFORD, Dec. 2—Another public hearing on whether theaters shall be allowed to open at 2 P.M. Sundays will be held this week by the Board of Aldermen. The Abbe and Templeton expect to act on the proposal on Dec. 10.

A proposal for Sunday opening was talked at the meeting Nov. 12.

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**ITOA-Allied Tieup Prospect Held Dim**

There is very little hope that the I.T.O.A. will affiliate with Allied. According to Allied leaders, the I.T.O.A. must come within certain specifications before it will be considered for membership in the national (Continued on page 7)

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**Louisiana Two-Year Debt Law Has Many Limitations**

NEW ORLEANS, Dec. 2.—Huey Long’s two-year debt moratorium law doesn’t mean that anybody can refuse to pay bills for two years, it develops, and film executives are breathing easier.

In fact, the law doesn’t even apply to debts contracted since the passage of the act. Anybody who wants to take advantage of the act for old debts has to prove he can’t pay.

Administration of the law will be in the hands of State Bank Examiners Jasper S. Brock. He is a big business man and has held his post under five governors. Both debtors and creditors must appear before him. (Continued on page 4)

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**Confab Nears To Designate Union Scales**

Compliance Director Sol A. Rosenblatt is expect to call meeting in New York Friday of union, independent and circuit theatre heads for conference to set up a basic wage scale for this territory.

Now on the coast straightening out studio problems, Rosenblatt is due to return to Washington on Wednesday. On Thursday he is expected in New York to attend the regular Campi session. After the Code Authority meeting, Rosenblatt is expected to stay over a day for the union confabs.

About two weeks ago, the fact-finding committee, appointed by Rosenblatt some time ago to make a survey of local conditions, reported to Washington its findings. It is now up to the compliance head to set up the basic scale.

From some reports, it is held that small houses will have to pay about (Continued on page 7)

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**Rosenblatt Fights to End Coast Deadlock**

HOLLYWOOD, Dec. 2—Compliance Director Sol A. Rosenblatt is continuing his conferences with key men on both sides in the tussle between producers and actors over a code of fair practice, with nothing thus far taking sufficient form to warrant a statement.

General opinion here is that unless writers and actors modify their demands the deadlock will continue.

(Continued on page 7)

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**Signal Corps Worries Over War Negative**

WASHINGTON, Dec. 2.—Loss of invaluable negatives made during the World War unless action is taken to duplicate them is seen in the rapidly aging stock now in possession of the U. S. Signal Corps.

Nearly 1,500,000 feet of negative and positive, not all of which has yet been classified, is in the fireproof, temperature-controlled vaults of the corps’ laboratory. Some of the material has been shown to the public as part of the features made by many producers, but some of it has never seen the light since it was developed.

Need for an appropriation of about $35,000 for protection of these films has been laid before the Budget Bureau. The hope that funds would be provided in the next War Department appropriation bill. Several attempts have been made in the past to secure money, but the picture situation (Continued on page 7)

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**Five-Cent Sales Tax Levy**

BUFFALO, Dec. 2.—A move to wipe out five-cent admissions here has been temporarily lost by a decision of the grievance board dismissing the complaint of Nicholas J. Basil, head of Basil Bros., against the Senate, Allen, Delaware, Jubilee, Circle, Marlboro, Unity, Orchard, Plaza and Theatre theatres. The board ruled the complaint was improperly set up and presented. (Continued on page 7)

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**New National Theatre Group Being Talked**

Progress Depends Upon Exhibitor Attitude

Plans for a new national exhibitor organization are being talked about by a number of independents here. Crystallization depends on cooperation from theatre men throughout the country.

According to exhibitors working on the latest idea to establish a new country-wide independent organization, the country will be divided into Congressional districts with an exhibitor leader in each state for every congressman. Support for the “little man” will be sought.

Leaders in each state will contact their congressman and also form organizations to operate within their own states. Both Allied, M. P. T. O. A. and independent units will be approached.

(Continued on page 4)

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**Metzger Quits BIP; In Theatres, Liquor**

Los Angeles, Dec. 2—Lou B. Metzger has severed his connections with John Maxwell as American representative for Bleeker International. The arrangement is entirely amicable. Metzger having determined the step because of acquisition of another theatre property to run in conjunction with the Sprechkels, San Diego. He is now also active in the liquor business here.

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**Tax Rule Given on Sound Installation**

WASHINGTON, Dec. 2—Expenditures for the transportation or installation of sound equipment in theatres may be capitalized as part of the cost of the equipment itself, it is held by the U. S. Board of Tax Appeals in a decision upholding the action of the Century Circuit, Inc., of Delaware.

It is also ruled that such equipment may be amortized over a period of five (Continued on page 4)

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**Equipment Firms to Test U.S. Sales Levy**

A test suit to determine the right of the Department of Internal Revenue to collect a five per cent sales tax on sound reproducing equipment (Continued on page 4)
MOTION PICTURE DAILY
(Registered U. S. Patent Office)
Vol. 36 December 3, 1934 No. 130
MARTIN QUIGLEY
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Published daily except Sunday and holidays by Motion Picture Publications, Inc., Martin Quigley, President; Colin Brown, Vice President; Martin Quigley, Treasurer; and published at RKO Building, 540 South Dearborn Street, Chicago, Illinois...

INSIDERS' OUTLOOK

SIGNALS OF THE TIMES: The Wall Street Journal predicting better financial statements, meaning profits, are well up on the horizon for 1934; there's a paper that usually knows what it's talking, and writing, about. Earlier: Loew's statement, same comment with the figures provided, false nevertheless, with a loan from the theatre at the year before the story. The company has no comment when asked what the Palatiers in the theatre deal there on a new basis. The theatre has no comment,

POLE COPS INTO THE RECEIVERSHIP OF THE DEPARTMENT YEAR IN THE LUNCHEON... 60.

PURITY PERSONAL

JOE HORNSTEIN will hold a house warming tomorrow morning in the opening of his own theatre on the Film Center Building. The free meal ticket starts at 12 noon.

JACK LYON, former secretary of RKO, will open the doors of his new home in the west. The film and stage fraternity knows him as "RKO's Jack." BOOTH TARKINGTON "Rennie Pedigree" and HERBERT GORMAN'S "Sury" have been purchased by M-G-M.

FREDA WOLMAR AND SIDNEY SROGIS have arrived in town from the coast.

SAUL BORNSTEIN is due in from Hollywood on the Santa Paula morning.

DUALS BAD BUSINESS, Declares Brylawski
WASHINGTON, Dec. 2—Double featur...g. Dec. 2, 1934...pay the penalty for double features, for with twin..."Seventy-five," the company now issues daily, stated. With the advent of sound, the practice was not so bad, Brylawski stated, but with the advent of sound feature production has fallen off to such an extent that to double feature is bad business.

Meyer's An Associate
Hollywood, Dec. 2—Zion Meyers, who left Columbia recently to become assistant to Pandro Berman at RKO, moves up to associate producer following completion of "Robertetta," which Berman is supervising.

"AHY" SHOWING TONIGHT
"Jack Ahoy," the G. B. musical starring Jack Hulbert, will be shown tonight for charity at the Ritz-Carlton with tickets selling for $10 each. The proceeds will go to the Travellers Aid Society.

PERT KELTON TO TOUR
HOLLYWOOD, Dec. 2—Perk Kelton will take a leave of absence from RKO on Dec. 15 to make a series of personal appearances in various key cities.

For a bee to have a chance at a flower...
The delightful story and the magic melodies that made "Music in the Air" the marvel of Broadway stage hits. Plus the singing of John Boles...the glamour of Gloria Swanson. A show with lift and swing...lilt and spectacle. Sweet box office music, to you!
a
natural
BOX OFFICE
ATTRACTION
puts your programs across
brings your patrons back

RCA VICTOR
PHOTOPHONE: OFFERS:
• Unfailing Sound Satisfaction
• A Sound Box Office Attraction
• Complete Ownership
• A Self-Liquidating Investment

PHOTOPHONE DIVISION
RCA VICTOR COMPANY, Inc.
Camden, N. J.
A Radio Corporation of America Subsidiary

Variety Club Chatter

Cincinnati
CINCINNATI, Dec. 2.—ELMER DRESSMAN and A. M. THOMPSON, connected with local radio station WCKY, which is owned and operated by Peter J. B. Wilson, were the kings for a day last week, providing outstanding talent of the other lanes.

LEVY BUGE has joined the local Fox office as sales representative.

GEORGE SMITH is planning to throw the Cincinnati dust off his new assignment as Paramount manager at San Francisco, taking with him the well wishes of his friends here.

Cleveland
CLEVELAND, Dec. 2.—The local Variety Club has discontinued its weekly king for a day luncheon. Instead, there will be a business meeting luncheon the first Monday of the month. And also once a month, the date to be designated by the president, there will be a king luncheon with special entertainment.

Louisiana Two-Year Debt Law Has Many Limitations

(Continued from page 1)

organization for administering it has not been fully developed.

"Little sympathy will go to the man who is able to pay," says Brock. "Every petitioner who seeks to use the act is required to furnish a full financial statement of his incomes, assets and liabilities, and, in addition, to be thoroughly investigated. Ten regional offices centrally located throughout the state will be set up and veteran headed men in each will be placed in charge of them."

After hearing both sides of the case Brock will attempt to secure an amicable adjustment between creditors and debtors. Courts are still open to dissatisfied creditors, but if they lose they have to pay court costs.

A prominent credit man here says debtors will hesitate to use the act because it might injure credit standing. Its provisions do not apply to debts owed to the state or the Federal Government.

Allied Men to Hold Des Moines Meeting

DES MOINES, Dec. 2.—An estimated attendance of 1,800 midwest exhibitors is expected at a meeting called here during the second week of January by Allied Theatre Owners of Iowa and Nebraska.

General problems will be the principal topic of discussion, according to Lester F. Martin. A dinner and screening of new pictures will be part of the program.

Nassers, Marcus Here

George and James Nasser, San Francisco neighborhood theatre operators, are in New York. At the St. Moritz, Louis Marcus, former Publicity partner in Salt Lake, is also visiting. At the Waldorf.

Detroit
DETROIT, Dec. 2.—The Detroit Variety Club was entertained at its weekly luncheon by WILLIE and EUGENE HOWARD.

Kings for the day were: MAN- NIE GOTTLEIB, DAVID IDEL, FRANK DOWNEY, CARL SHALTY and H. M. RICHEN.

Election of officers will take place Dec. 3 in the club rooms.

In addition, an amendment to the club's constitution, creating a board of trustees, composed of all past presidents and the current president, for the purpose of supervising expenditures will be voted upon.

Washington
WASHINGTON, Dec. 2.—Variety Club will hold its first smoker on the evening of Dec. 3 with Barkers Wolf and MAKOVIE in charge of the festivities as kings for a day. There will be no noon luncheon on that day.

New National Theatre Group Being Talked

(Continued from page 1)
done, but it is generally felt it is in favor of it. Allied for some time has been advising members to contact congressmen on legislative matters.

Washington and Pennsylvania units are next to be contacted. No name has been set for the proposed organization. At the present, the sponsors are calling it "League of Forgotten Men."

Tax Rule Given on Sound Installation

(Continued from page 1)
years, even though the Commissioner of Internal Revenue has determined that it has a useful life of 10 years. The company entered into contracts in 1928 and 1929 with Erja and RCA Photophone for the installation and use of sound equipment in theatres operated by three of its subsidiaries, under which the company was required to pay the cost of transportation and installation. Deductions for those charges were disallowed by the commissioner.

But the board held that "considering the contracts in their entirety it appears that under them petitioner acquired a license, the cost of which may be said to be the amount expended in the installation of the equipment it was licensed to use."

Equipment Firms to Test U. S. Sales Levy

(Continued from page 1)
will be inaugurated by a group of 15 manufacturers who met Saturday to devise a program of opposition to the levy. J. A. Tanney, head of the S. O. Corp., who opens the meeting was held, stated.

SAMUEL EDELSTEIN was retained as counsel by the manufacturers. Mr. EDELSTEIN is a member of Simonoff, Peyer and Citron, as accountant. Assessments will be levied against the 15 manufacturers of sound equipment and public address systems associated between the meeting to finance the Federal court action and these will probably be passed on to the exhibitors using their equipment, it was stated. Names of the manufacturers were withheld. The meeting also voted to forward a protest against the tax to the Internal Revenue Department.

W. A. Johnston Now On Monogram Staff

Hollywood, Dec. 2.—William A. Johnston, pioneering producer and founder of Motion Picture News has joined the Monogram writing staff to work on "The Man with the Moustache." Ray McCarey will direct.

Another Monogram assignment has Jefferson Parker assigned to direct "Great Gilding," which Arthur Lubin will direct.

See Mayer-Breen Truce

Hollywood, Dec. 2.—An amicable settlement of the dispute between Louis B. Mayer and Joseph L. Breen over cuts sought in M-G-M's "For All Others" was expected over the week-end.
The
TRADE PAPERS HAIL
DOUG FAIRBANKS’
TRIUMPHANT RETURN!

"SHOWMANSHIP ANGLES ABOUND
IN THIS PICTURE! Doug is admirable, as
agile and as virile as ever! Ladies will love the romance
and the spectacle!"
— Motion Picture Herald

"PRODUCED ON A GRAND SCALE
with subtlety, exquisite imagery and breadth of imag-
ination! Doug amply justifies Don Juan’s reputation
for glamorous sex appeal and charm of presence!"
— Hollywood Reporter

"A BIG ATTRACTION FOR SHOW-
MEN! It has immense possibilities!"
— Jay Emanuel Publications

LONDON FILMS
present
Douglas
FAIRBANKS
in
ALEXANDER KORDA’S
production of
The Private Life of
DON JUAN

with MERLE OBERON
BENITA HUME - BINNIE BARNES
and the beautiful leading ladies
of "HENRY VIII"

Released thru
UNITED ARTISTS
Contab Nears To Designate Union Scales

(Continued from page 1)

(Continued from page 1)

Signal Corps Worries Over War Negative

(Continued from page 1)

K. C. Board Refuses Bank Night Appeal

Kansas City, Dec. 2.—Ruling the J. F. Rigney bank night case is a closed chapter, the local grievance board has refused to reopen it at the request of R. W. McEwan, bank night distributor, who claims Camp's ruling that the complainant's and respondent's theatres must be in direct competition applies in this instance. Rigney recently filed a certificate of compliance after his film service was ordered stopped. The board will, however, hear further evidence to establish the element of direct competition in two cases remanded by Camp.

Seek to End Iola Row

Kansas City, Dec. 2.—The local grievance board is attempting to settle a competitors' dog fight in Iola, Kan., by mutual agreement on price and policy between the three theatres involved. If the operators file a written agreement with the board, complaints filed by the Dickinson against the Iola and Kelley will be dismissed. Otherwise the board will sit as a Local Industrial Adjustment Board and try to eliminate the differences. The theatres are accusing each other of dually at a dime, two-for-one and similar practices.

Order 5c. Shows Stopped

Detroit, Dec. 2.—The grievance board has issued an order directing Washington and Grand Rapids and several Detroit exchanges to observe during the minimum price stipulation in contracts so far as they prohibit five-cent admissions for matinees. The complaint was brought by Allen Johnson of the Royal and Our Theatres of Grand Rapids.

M-G-M Signs Webb

Hollywood, Dec. 2.—M-G-M has signed Clifton Webb, New York musical comedy star, to a long term contract. He was featured in "Three's a Crowd" and "As Thousands Cheer." His first vehicle will probably be "Life of Johann Strauss."

Roy Turk Dead on Coast

Hollywood, Dec. 2.—Roy Turk, writer with Warners and M-G-M the past three years, is dead here from pneumonia following an operation two weeks ago. His widow, Gladys, survives.

Gill Contract Expires

Hollywood, Dec. 2.—Gwenillan Gill's contract with Paramount has expired. She is en route to her home in Scotland.

ITOA-Allied Tieup Prospect Held Dim

(Continued from page 1)

organization has never been brought separately before the bureau as it has this year.

About 1,100,000 feet of this film consists of pictures taken by the Signal Corps during the war, about 650,000 feet with the American Expeditionary force and the rest of it in the common unclassified film, and some 70,000 feet of foreign films, mostly British including four priceless relics taken by the Germans and secured by the Government with a captured submarine.

For several years officials of the Signal Corps have been alert to the danger of loss through the aging of the films. Some film has already deteriorated, and it is to be feared that it may be useless, although, fortunately, none of any importance.

May Make New Negatives

It will be the duty of the Signal Corps plans to make new negatives and also master positives of the pictures it has, after classifying them and rejecting the least interesting material and duplications.

The classification of the films would be so conducted as to reach in the development of a picture library of World War activities—a history superior to any which could be written in words and of vast possibilities of value to future generations.

These films would be stored in fireproof vaults at the lowest temperature desirable. Also, if desired, copies would be made for storage in the new Archives Building now nearing completion, in which will be kept all the permanent records of the Government.

The submission to Congress of the budget by the President in January will disclose whether the plea of the Department for funds for the protection of these films has been granted.

Moore to Coast Soon

Hollywood, Dec. 2.—Grace Moore will complete her concert tour and return to Hollywood for the holidays. Her next starring picture for Columbia is slated to start early in January. The story is an untold original being prepared by Sidney Buchman.
**Insiders’ Outlook**

(Continued from page 2)

of improving the tastes and standards of the public. It is the same problem which is met in questions relating to the improvement of the stage, books, civic standards and ideals and all other improvements for better living.

An easy-to-make observation, but what's to be done about it? Roberts fails to point out that extremely important something.

"The public has the remedy in its own hands. If it likes good pictures it will refuse to patronize the poor ones. If poor pictures are not patronized, they will not be produced."

The question of good taste can and should be subscribed to by the producing end of the industry. The measure of improvement on that end is almost considerable. The job—thankless and profitless—of educating the public to better standards is a task best advanced by endowments, not profit-sharing corporations in business to return a net which will keep stockholders and some others happy. Or, at this late juncture in the crossroads, is it necessary to again go into the song and dance, plus titles and grosses, of those meritorious pictures which practically all producers have turned out at one time or another to find the public simply refused to be elevated? ▼

While neither Skouras nor Randforce has signed the revised operating contracts for Fox Metropolitan Playhouses which permit a sale of the circuit after May 1, 1936, this provision has been included in the plan of reorganization. If approved by the court at the Dec. 12 hearing, the two operators would be obliged to accept it or withdraw from the Fox Met picture. Prior to the court’s approval of this provision, however, neither operator will give voluntary approval to it. This provision for a sale of the circuit at a future date, together with cancellation of the Skouras and Randforce contracts, is the only change which has been made in the original Fox Met plan of reorganization which was published exclusively in Motion Picture Daily of May 22.

Changes in the critics’ battery along Broadway are rifting the air, in a casual sort of manner. Entangled in the rumors are one tabloid, one standard-sized newspaper and their respective purveyors of the cinema, pure and not-so-pure. ▼ The Music Hall’s standard of daily newspaper advertising continues high, dignified and constantly refreshing. If Eddie Churchill, on behalf of his Donahue and Comedians, views this as a compli-

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**“Lady” with Calloway Is Hit in K.C.**

**KANNN**

**Kansas City, Dec. 2.—With Cab Calloway on the stage and "Lady by Choice" on the screen, the Mainstreet’s $19,000 was the only outstanding take of one of the big ones of the year. Whether from this competition or not, business at other first runs was down. Stormy weather two days during the week hurt grosses. Total first run business was $43,100. Average is $38,300.**

**Estimated takings:**

**Week Ending Nov. 25:**

"Pursuit of Happiness" [Para.]

NEWMAN—1,000, 25c-40c, 7 days, plus Saturday midnight show. Gross: $5,800. (Average, $800.)

**Week Ending Nov. 22:**

"Lady by Choice" [Col.]

MAINSTREET—2,000, planned 25c-40c, 7 days, plus Saturday late show. Stage: Cab Calloway and his orchestra, with Ada Ward, Nipacios, Five Percolators, Elma Turner. Gross: $19,000. (Average, $2,714.)

"We Live Again" [U.A.]

MIDLAND—4,000, 25c-40c, 7 days, plus Saturday midnight show. Gross: $4,300. (Average, $614.)

"Cheating Cheaters" [Univ.]

TOWER—7,230, 25c-40c, 7 days, plus Saturday midnight show. Stage: "Candyland" revue with Ren Yost, 5 Emerald Sisters and others. Gross: $6,000. (Average, $857.)

**Week Ending Nov. 23:**

"White Parade" [Fox]

UPTOWN—2,000, 25c-40c, 9 days, Gross: $4,300. (Average, 9 days, $478.)

**May Open Phila. Keith**

PHILADELPHIA, Dec. 2.—Keith’s, at 11th and Chestnut Sts., under lease to Warners, is rumored for a reopening around the first of the year. It is understood it will be a second run, taking films from the Maasbaum, which gets under way Dec. 24 under Roxy’s direction. Opening film for the Maasbaum will probably be “Sweet Adeline.”

**FIGURE IT FROM ANY ANGLE,**

**GENEVA MITCHELL IS AMONG THE BEAUTIES WHO CAN FORM THOSE BOX-OFFICE LINES FOR “NIGHT LIFE OF THE GODS”...**

Lowell Sherman’s Universal hysteric of hilarity!
Out today

The Box Office Check-Up of 1934, defining values and personalities that have gone into the making of this year's outstanding motion pictures as infallibly proven at the nation's box offices; comprising a tabulation of the Box Office Champions from August 1933 to June 1934, naming the players, directors and others who contributed to the production of these notable pictures, and including Box Office ratings for the year of 192 stars and players compiled from the Motion Picture Herald's recent poll of independent exhibitors.

The Box Office CHECK-UP of 1934
Announcing the Opening of New York's Modern Supply Store

Exhibiting the Newest in MODERN MOVIE MERCHANDISE

For THEATRE MAINTENANCE
Carpets • Chairs • Fabrics • Sound Accessories
Projection Apparatus • Cleansing Materials • Stage Equipment • Lighting Effects • Lobby Furniture

Everything from the Street to the Sheet

Grand Opening Tuesday, December 4

JOE HORNSTEIN, INC.
630 NINTH AVENUE
NEW YORK

FILM CENTRE BUILDING
GROUND FLOOR
Supreme Court To Rule Upon Uniform Pact

Grants Fox Appeal from Thacker Decision

WASHINGTON, Dec. 3.—Legality of thousands of contracts between exhibitors and distributors will be determined by the U. S. Supreme Court, which today granted an appeal of Fox Film Corp. for review of a decision of the Minnesota Supreme Court holding the uniform contract illegal.

Specifically, the court will rule whether the inclusion prior to the Thacker decree in the Paramount case of the compulsory arbitration provisions of the contract that its entire contents were illegal after the elimination of the provision.

The Minnesota court held the contract to be null and void because the legality attaching to the arbitration provision permeated the entire document.

In the case before the court, A. B. (Continued on page 2)

FWC Sale Held Up For Court Hearing

LOS ANGELES, Dec. 3.—Although referee Samuel McNabb has approved the sale of Fox West Coast to National Theatres Corp., the sale cannot become effective until the U. S. District Court rules on a petition on behalf of Marshall Square Theatres, operating the Orpheum, San Francisco, and Harry L. Hartman, operating the Orpheum, San Diego.

This petition, filed Saturday, asks the court to reverse the decision on the ground that the present sale petition does not provide for a settlement of the suit now pending in which the claimants are seeking $3,750,000 damages for asserted monopoly of first runs in both cities.

A hearing will take place within 10 days.

Palmer Gets Right To Fox Met Appeal

Leave to appeal from an order of Federal Judge Julian W. Mack denying Archibald Palmer, counsel, the right to examine the members of the bondholders' committee of Fox Metropolitan Playhouses under Section (Continued on page 2)

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In the case before the court, A. B. (Continued on page 2)

FWC Sale Held Up For Court Hearing

LOS ANGELES, Dec. 3.—Although referee Samuel McNabb has approved the sale of Fox West Coast to National Theatres Corp., the sale cannot become effective until the U. S. District Court rules on a petition on behalf of Marshall Square Theatres, operating the Orpheum, San Francisco, and Harry L. Hartman, operating the Orpheum, San Diego.

This petition, filed Saturday, asks the court to reverse the decision on the ground that the present sale petition does not provide for a settlement of the suit now pending in which the claimants are seeking $3,750,000 damages for asserted monopoly of first runs in both cities.

A hearing will take place within 10 days.

Palmer Gets Right To Fox Met Appeal

Leave to appeal from an order of Federal Judge Julian W. Mack denying Archibald Palmer, counsel, the right to examine the members of the bondholders' committee of Fox Metropolitan Playhouses under Section (Continued on page 2)
Palmer Gets Right To Fox Met Appeal

(Continued from page 1)

21-A of the Bankruptcy Law was granted yesterday by Circuit Court Judge Martin Manton.
Palmer will seek a preference on the Circuit Court calendar tomorrow for the argument of his appeal. As a result of the Fox Met bondholders who have not deposed with the committee, he is seeking the right to examine the committee members, he determined. Currently, the commercial banking group dominates the committee and to bring out the business affiliations of the members.

Roach Opens Office Here

Hal Roach has opened his own office in the Loew Building on the ninth floor. He was slated to arrive last week from Culver, Ind., where he visited his family, but when he reached Chicago, Roach decided to fly back to the studio.

D. A. Ross Is Married

Densmore A. Ross, vice-president of the Federal Service, Inc., was married on Saturday to Miss Mildred Earl, daughter of Mr. and Mrs. R. D. Earl, at the Roland of Jackson Heights at St. Paul's Church, New Rochelle.

Royster to New Post

Harry L. Royster, formerly in charge of Paramount's Southhio Theatres Corp., is due here in about a week to be reassigned to a new theatre post by Y. Frank Freeman, vice-president of Famous Theatres Corp.

Elsie Ferguson Returns

Hollywood, Dec. 3.—Elsie Ferguson will return to pictures as a member of the cast of "Texas Sherry," which John Hay Whitney is producing in the new-process Technicolor.

"Don Juan" Set Back

"The Private Life of Don Juan" will open at the Rivoli on Saturday instead of Wednesday.

"Babooana" in January

Fox will release "Babooana," the latest Martin Johnson jungle film, sometime in January.

London Films to Do "Lawrence" in Color

LONDON, Dec. 3.—"Lawrence of Arabia" will be the first picture which London Films will make in Colourgravure. Production gets going in June.

Terms of the deal between the two companies are now available. London Films acquire 100,000 shares of Colourgravure to the value of $25 cents a share and an option to buy 25,000 additionally at $25 a share, in case the group, grossing six per cent cumulative income debentures of London, these shares carrying rights to be converted into deferred ordinary. London agrees to pay Garra a quarterly royalty on films made in the color process.

Fashion shots in the current issue of Pathetone Weekly are latest examples of Colourgravure which B.P. used in "Radio Pardig." The results are viewed as promising, but uneven.

Vocalfilm Motion Argued

Motion to prevent A. T. & T. Western Corp. from filing an amended answer in the $65,000 anti-trust suit of Vocalfilm Corp. of America was argued yesterday before Federal Judge John C. Knox. The matter is being held under advisement by the court.

May Increase Dividend

Wall Street reports are that directors of Loew's at tomorrow's meeting may increase the annual dividend rate. If it is raised to $2 a share by the declaration of a quarterly dividend of 50 cents or else pay $1 a share extra.

"Galante" Gets $10,500

Second week of "Marie Galante" at the Mayfair garnered $10,500. Grossing $20,000 Friday, Saturday and Sunday of the second week, the Roxy is holding "Imitation of Life" for another stanza.

Signs Jan Kiepura

Paramount has signed Jan Kiepura, star of the company, to an option deal having been closed in Berlin on Saturday, it was learned yesterday. He comes over in May.

Warner Trading Heavy on Big Board

COLUMBIA PICTURES, Consolidated Film Industries, Eastman Kodak, Loew's, Pathe Exchange, Patent Publix, Universal Pictures, Inc., Warner Bros., and Warner pictures, Inc., were among the leading issues that changed hands at a heavy pace yesterday. The New York Stock Exchange reported a total value of $1,805,482,600, or $10,500,000, as a decline from the session previous.

High Court to Rule Upon Uniform Pact

Mueller, Minnesota publisher, contracted for 46 pictures at a cost of $1,857 and refused either to accept the resulting contracts or to tender the contracts the result of the combination and conspiracy in violation of the anti-trust law and in restraint of trade.

Suit was brought by Fox for collection, and both the trial court and the Federal Circuit Court held the contracts illegal and void.

In bringing the case to the highest tribunal, Fox asked the court to pass on the effect of the Paramount case and render a new opinion on the legality of the arbitration provision of the uniform pact. It asked whether the arbitration provision was in effect "tainted or infected" the entire document, and whether it tended to save other rights under the contract, and whether it intended to give arbitrators the power of a further rights and obligations.

Cites Original Decision

In its decision, the Fox brief contended, the Minnesota Supreme Court admitted that only the arbitration provisions were void, but subsequently held that the "illegal arbitration clause taints the whole contract," thereby depriving a defendant of a protecting arbitration which, it claimed, is not in accordance with the original decision.

Other decisions, some by the highest state courts and others by Federal Courts, held that the illegal arbitration provision, did not make the entire contract void, but had held the contract in abeyance and that the provision for arbitration had been deleted therefrom.

Whatever the interpretation of the Paramount case is that there were nothing illegal in the standard exhibition contract except arbitration and that it did not permeate and taint and make illegal the remainder of the contract, it was pointed out, "would seem to be true that such departure would extend to and so effect every other identical standard exhibition contract containing such illegal arbitration clauses, that such arbitra- tion as a remedy would be abolished in all such contracts. An illegal arbitration is not considered illegal without the entire contract." No court could thereafter legally admit in evidence the illegal arbitration clause in a standard exhibition contract.

If there is any misunderstanding about this, it was declared, "the fourth largest industry and over 22,000 theatre owners will be swamped with litigation and loss for years ahead.

Schulberg Due Dec. 10

B. P. Schulberg is due from the coast Dec. 10 to discuss his new production plans. Yesterday he formally severed his connection with Paramount.
Every exhibitor in America was asked by Motion Picture Herald to name his biggest money-making stars...and they voted FOX stars top ranking in all divisions...with Will Rogers named grand champion...the country's greatest box office attraction!

WILL ROGERS
first
among MEN STARS

JANET GAYNOR
first
among FEMININE STARS

SHIRLEY TEMPLE
first
CHILD STAR EVER IN THE "FIRST TEN"

THEY SHINE IN
10 more
THIS SEASON:

more from WILL ROGERS
"The County Chairman" and three other extended-run hits.

more from JANET GAYNOR
Including "One More Spring" (co-starring with Warner Baxter)

more from SHIRLEY TEMPLE
"Bright Eyes" (released Dec. 28th) and 3 other all-family sell-outs.

WATCH THAT Fox STAR LIST!
A demand that Allied Owners, as the largest single creditor of Paramount, have an interest on the new board of that company was made yesterday by Archibald Palmer, attorney for bondholders, at a hearing on a settlement suit for $1,000 of such claims. Holders of common stock outstanding in the amount of $2,280,902 will receive $127,091.27 of new cumulative, convertible, 6 per cent preferred stock, each holding 1/4 share of new common and 1/5 share of new cumulative, convertible 6 per cent preferred stock, each at $5,175,131.

The bank debt of $13,368,932 is to be settled with the payment in cash of $2,175,131, including interest, due to Jan. 1, and for the $9,813,095 balance, the banks will receive for each $1,000 of their claims, 60 per cent, principal amount, new 20-year, 6 per cent, sinking fund debentures and five shares of new cumulative, convertible, 6 per cent preferred stock, each at $5,175,131.

Para. Broadway Plan Included Included in the plan is the plan of reorganization for Paramount Broadway Corp., with its $8,875,000 principal amount of old bonds outstanding, secured by a mortgage on the Paramount Bldg. The plan provides for an issue of new bonds in the same amount, to be the obligation of the new Broadway company and remaining the Paramount Bldg., as security. Until one-half of the new bonds have been retired the issue will be entitled to fixed interest of three per cent annually and to an additional two and one-half per cent but payable only out of income remaining in any year after meeting all fixed charges, sinking fund and certain other restrictions. Interest for the remaining half of the issue will be at a fixed 5 1/2 per cent annually on the original amount, to which the new issue will be entitled will be payable out of income of the new Broadway company, and will have the benefit of the new leases on both the Paramount Theatre and office space in the building. These leases provide for 117,921 square feet of office space at a fixed rent of $188,147 annually for an initial term of 10 years and two additional terms of five years each, but terminating when the principal amount of new bonds outstanding has been reduced to $4,847,100. The theatre lease calls for a fixed rent of $250,000 annually for a similar period, subject to a percentage of gross receipts and the retirement of the new bonds.

To Guarantee B'way Interest Until one-half of the new Broadway company's payment of the fixed interest of three per cent and the application of $100,000 annually to the payment of principal amount of the new bonds will be guaranteed by the new Paramount Publix. This is $1,255,425.25 Allied Owners' claim, brought into existence for Paramount of seven theatres, the Brooklyn Paramount, Alabama at Birmingham, the Screenland in Mobile, O., Paramount at Glenn Falls, N. Y., Pitkin and Kings, Brooklyn, and Va.

lencia, Jamaica, is settled in the plan. The last three houses were assigned to Loew's under a lease agreement of February 1, 1927, to the settlement suits, for the issuance of new securities in the same amount as would be issued to holders of the $2,175,000 of new 20-year, 6 per cent, sinking fund debentures of Paramount; payment of $150,000 in cash; purchase of the Alabama for $1,000,000; and leasing of the Paramount theatres at Brooklyn, Glenn Falls and Fremont for 20 year terms at fixed rentals. The claims remaining against Paramount at the time of the filing of the plan aggregated $83,622,852. The plan contemplates that after the settlements and eliminations, only $55,000,000 of that amount will require the issuance of new securities. Settlement is made for leaving an additional $10,000,000 of claims, but stipulation is made that the plan shall not become effective unless the amount of claims exceeds $65,000,000.

On this basis, capitalization of the new company is expected to be more than $27,500,000. 6 per cent, sinking fund debentures $27,500,000 of cumulative, convertible 6 per cent preferred stock of first preferred stock of 100 per value; $6,441,806 of cumulative, convertible 6 per cent preferred stock.

Who's Who on the New Board

Last-minute shifts in the initial board of directors of Paramount Publix resulted in the suppressing of George W. Davison, chairman of the board of Central Hanover Bank & Trust Co., and originally nominated as one of the representatives of the creditor bond group, by Charles A. Mcculloch of Chicago, as a bank group representative, and the addition of Duncan G. Harris as a bondholders' representative and Henry R. Luce as a stockholders' representative.

The initial board, thus, is comprised of the following nine members:

Duncan G. Harris, realtor, member of Brown, Wheelock, Harris & Co., a representative of stockholders.

Henry R. Luce, one of the founders, editor and publisher of Time and Fortune magazines, a representative of stockholders and youngest member of the board, 36 years old. Will be a board consultant on production material.

Charles A. McCulloch, a director of many corporations, including the First National Bank of Chicago, one of the creditor banks; former business associate of John D. Hertz; co-receiver for Insull utility companies, and representative of the First National and the Continental Illinois banks on the board.

Maurice Loew, president of New York-based Loew's Inc., associated with Hallden & Co., and a former member of Paramount boards; a representative of stockholders.

Adolph Zukor, president of Paramount Publix.

A warning against a board composed of too many haters, and no practical men with industry in Palm, attorney, who said he represented creditors, when the plan was presented to court yesterday. Palmer indicated he would make inquiries into the background of any director when the plan goes to Federal Judge Alfred C. Cox hearing, Dec. 27.
IT'S READY . . . BOOK IT NOW . . . FOR XMAS WEEK! . . . FOR NEW YEAR'S WEEK!

O S W A L D
THE LUCKY RABBIT
IN UNIVERSAL'S CARTUNE CLASSIC
"TOYLAND PREMIER"
(Entirely in Technicolor!)
Feist Favors Quick Move in K.C. Rate War

(Continued from page 1)

succeed because exhibitors who have contracted for pictures are obligated to play them.

"5-M-G is a washout. It is a too-stupid business. If product buys were not precluded at the price at any prior lun, it would have been worthwhile to do it."

He said the price cuts at the Mid-
land, M-G's affiliate first run here, were for the obvious reason that con-
ditions existing locally, partly by the
fact that there had been a slash at a com-
peting first run in contravention of an
agreement entered into early in the
year. While he did not mention the
theatre by name, it was inferred he meant the RKO chain and that the price at which similar charges are made by Loew's.

"If the Midland could sell balcony seats at 25 cents matinee, it certainly would not reduce the price to 10 cents," he added. However, he did not defend the lower scale. Good business practice, pointing out the effect of sub-normal admissions at any price, first run proves detri-
mental over a wide area.

"Patrons naturally ask the local manager why he charges a higher price for his pictures when the same product is shown in a nearby big city at a lower admission," Feist declared.

"Of course it is too simple to explain that conditions differ with each locality, even as in some towns where there is a large number of metropolitan companies you can buy gasoline for a few cents a gallon less than the stand-
ard price." 

See Advantage to Suburbs

Feist entered the suburban theatres received the advantage from a distribution standpoint, as against first runs, he said.

"This is not said in a derogatory sense, and I am not minimizing the importance of neighborhoods and sub-
sequent business, but in the nature of this business," he said. "But it's the first runs furnishing the rentals of $1,000 and up that keep the industry going.

"Feist agreed with other distribution executives that the present system in Kansas City of basing clearance on admission prices resulting in identical availability to similar priced houses is impractical and that rentals should be based in the guide in setting prices.

He said he did not believe the Mid-
land's balcony price of 15 cents until six o'clock and 25 cents thereafter was hurting the neighborhoods, because the latter had the advantage over the first runs in the matter of location, con-
venience, accessibility and other fac-
tors, including which he mentioned that the suburban offers the same kind of entertainment as the first run and some in as good or better sur-
roundings.

Reports Business Up

CHICAGO, Dec. 3—On the basis of reports he has received, New York and Philadelphia are the only large central cities which generally has not shown improvement, said Felix Feist here today.

"I am not too optimistic, but I will dig into that when I return to New

MOTION PICTURE DAILY

Tuesday, December 4, 1934

New Paramount Plan Is Put Before Court

(Continued from page 4)

furred of $10 par, and 1,610,452 shares of new common stock.

On this basis, the estimated con-
solidated balance sheet, giving effect to consummation of the plan, would show total assets of $148,769,919. Of this amount, $12,000,000 were working assets of $35,245,599, including cash of $15,456,976.

The distribution of the new se-
ticl stock will be as follows: Banks, $4,900,548 of new debentures and the same amount of new first preferred stock; bondholders, $14,310,500 of new debentures and the same amount of new first preferred; stockholders, $6,441,906 of new second preferred stock and 1,610,452 shares of new common; general creditors, $5,392,797 of new debentures and the same amount of new first preferred stock, and Paramount Land Corp., $390,000 of new debentures and the same amount of new first preferred stock.

The estimated consolidated balance sheet, prior to reorganization, and based on financial statements as of Sept. 30, shows cash and cash items of $17,072,446. Of this amount, $13,101,200 was held by solvent subsidiary and $3,960,000 by the trustees of Paramount Publics. The plan esti-
mates that cash requirements of the reorganization will be about $10,409,000 to pay for the discharge of the bank debt settlement, expenses of administration and of reorganization of both the parent company and the subsidiary and for corporate purposes of the new company. This amount will be made up of the approximately $4,000,000 held by the trustees and the balance, approximately $6,500,000, is expected to be derived from the stock issue under preliminary warrant.

Urging the desirability of an early reorganization, the plan points out earnings of the Paramount picture subsidiaries are showing a continuing decline, with net earnings for the third quarter of this year of approxi-
mately $4,000,000, compared with $918,000 for the same quarter last year. It adds that preliminary figures for the fourth quarter of this year indicate a "substantial continuing de-
ecline as compared with the same per-
iod last year." It states that consoli-
dated net earnings for the third quarter of this year are 690,000 and adds that "it is estimated that earnings for 1934 on the same basis will be not less than $3,000,000." It is "believed," the plan concludes, "that an early reorganization and the resultant removal from the handicap of bankruptcy should increase the ef-

Charges Duals Cut Quality, Kill Shuffles

Continued from page 1

Warners, which Fox and Ed Kuykendall, M. P. T. O. A. presi-
dent, were among those film execu-
tives and attorneys here in formidable array for the junior hearing, were
included Robert Lynch, Earl Sweigert, Sam Gross, Frank McNamara, Wil-
son, A. Troy Dodkin, Herbert S. Green, and S. E. Applegate. The drift of the defense testimony had it that double features cause cheaper pictures and cheaper pictures caused trouble with the public. In rebuttal, Benjamin M. Golder for Paramount, told the plaintiff forth the fact that major pictures in some cases raised objections as well. In this connection, the defense declared before Special Master John E. Joyce on motions resulting from the claims against Paramount of Alliance Owners, that the bank creditors group were ad-
judged by consent to Dec. 18. "Settle-
ments of the creditors above included in the Paramount reorganiza-
tion plan and the actions pending be-
fore the court will be dealt with off the plan is accepted by the court and made effective.

Flinn in Tomorrow; Rosenblatt Delayed

John C. Flinn is due to arrive from Hollywood tomorrow. Compliance Di-
rector Sol A. Rosenblatt, who was due to

rate for the territory with Tyree Dill-
lard, Jr. It is likely that the plan may be passed because of the price

A motion for a change of date of the

Field Reviews

Illustrative—average entertainment

Flash Reviews

Architecture—overflows with pica-
torial beauty... acting is commend-
elable.

These films will be reviewed in full in a later issue of Motion Picture Daily.
Last year at this time it was "Little Women" that set record breaking crowds storming the doors of America's theatres...now, those scenes are being duplicated by "Anne of Green Gables"! From Boston to Seattle...from Minneapolis to New Orleans the box-office says "You've Got Another Little Women On Your Hands".

SEATTLE...terrible! Press raves equal to "Little Women" and expected to hold over till Christmas.

CLEVELAND...Broke all records for straight picture policy at Palace in five years.

SALT LAKE...Opened to double "Little Women" business breaking an all time record including Thanksgiving Day at higher admission prices. In for indefinite run.

RICHMOND...Opening to the biggest day in house history.

SALEM, VA...Bernard Depkin, Jr., wires "I think it will outgross 'Little Women' and expect to get three weeks out of it."

ALBANY...C. H. Buckley wires; "Biggest Gross in 3 years look for record week".

Washington, Syracuse, Rochester, Columbus, Kansas City, Providence, Chicago, St. Paul, San Francisco, Baltimore in more than ONE HUNDRED key cities the crowds are proving that the millions who loved "Little Women" are hungry for another great heart throb!
Colonel Alicoate discovers **SHORTS!**

During our social visits to the loges along the big stem during the past few weeks we have found nothing of abbreviated cinema nature quite so entertaining as the Pete Smith series of "Oddity" shorts he is doing for M-G-M. Here is something that is delightfully different, behind which is the voice of Pete Smith, a foremost disciple of the most modern school of screen narration. "Dartmouth Days," "Rugby" and "Strikes and Spares" are big enough for any house and any type of audience. —Editorial in Film Daily

Hey Colonel! Wait 'till you see
"TOYLAND BROADCAST" M-G-M's Holiday Delight!
One amazing reel of color and music that's terrific—nay, colossal!
No Offer for Fox Gaumont Shares—Kent

Denies Trip to Europe Was for Their Sale

“We have never had an offer to sell our 49 per cent interest in Gaumont British and there won’t be one,” S. K. Kents, president of Fox, told MOTION PICTURE DAILY yesterday as he debunked the Berezouquia after a four weeks’ trip to England. “I did not go over to negotiate a deal for the sale of the stock and reports that Fox would sell are a lot of publicity inspired by someone,” he added. “My trip to England was to hold a sales convention and handle some other routine business. The reports that a deal was pending with John Maxwell of B. P., were over before I reached England,” the Fox head stated.

“Business in England is very good,” Kent added, “but the rest of the countries are spotty.” The Fox chief added he neither signed any talent nor made

Texas Price-Fixing Suit Comes Up Today

DALLAS, Dec. 4.—The major part of Texas show business will be either involved or interested in the price-fixing suit filed by R. Z. Glass, independent neighborhood exhibitor here, against Karl Holzbrittel, Interstate Circuit, Inc., R. J. O’Donnell, Southern Enterprises, Inc., Pas-chall Theatres Inc., and Dent

Bank Payoff Starts Spending in Detroit

DETROIT, Dec. 4.—Crowds such as have not been seen since pre-depression, or back in the heydays of 1929, jammed Detroit’s main stem over the week-end as the citizen started

Exhibitor Relief

KANSAS CITY, Dec. 4.—“Relief for the starving exhibitor” has been the meeting of the L. T. O. here when a representative of a baking company with which the association has a screen advertising tieup gave each member a loaf of bread.

No Solution Reached

Rosenblatt

HOLLYWOOD, Dec. 4.—Efforts of compliance Director Sol A. Rosenblatt to straighten out the producers’ dispute with the Actors’ and Writers’ Guilds on one side and the producers on the other seem to have hit a stone wall.

There is some loose talk of an appeal to Washington, but whom the appeal will be directed at in view of the fact that one of the principal figures of the N.R.A. has been here to arrange the problem is not clear.

Rosenblatt left today without a solution of the dispute. The guilds have taken a definite stand against the producers’ suggestions that a new arbitration council be set up.

Chicagoresident M. G. M. to Make All Changes Breen Asks

HOLLYWOOD, Dec. 4.—M. G. M. will make all cuts suggested by Joseph L. Breen, head of the Production Code Administration, for “Forsaking All Others,” it is understood. He will view it a second time.

Word from the studio is to the effect that the script was approved after shooting started and was followed, but Breen thought certain scenes were on the borderline of code requirements. Retakes are being made on these.

Cut in Extras

Seek a Fixed Code Gain on Coast—Flinn

CHICAGO, Dec. 4.—Improvement in the extra situation is the outstanding development under the code administration in Hollywood, said John Flinn, today during a stopover en route to New York.

Under the direction of Mabel Kinney, west coast code executive, the extra list has been pared from 17 or 18 thousand registered extras to 5 thousand, he said. Beginning early in January, these will be given the bulk of the work by studios. Others will be on the reserve list for calls when needed.

Under the system formerly prevailing, Flinn pointed out, there has been

K. C. Cuts Danger

Downtown—Finney

KANSAS CITY, Dec. 4.—Further price cuts will lead to the ruin of downtown first runners, asserts William A. Finney, Loew’s western division manager with headquarters in Columbus.

Finney said that the cut to 15 cents and 25 cents in the balcony at Loew’s

Infringement Suit

Is Filed by Disney

Walt Disney and his various corporate enterprises yesterday filed a suit in Federal court alleging infringement and violation of copyrights against J. Schein & Co. In the complaint, Disney charged the defendant had infringed by either printing or lithographing on cards the various Disney cartoon characters and those used in the Silly Symphonies, and seeks an injunction and an accounting.

Efforts to locate J. Schein & Co. for comment yesterday proved unavailing.

Production Gains

By Four Features

HOLLYWOOD, Dec. 4.—Production for the week ending Dec. 1 shows an increase of four features over the preceding week. A drop of four shorts was registered for the same period.

The survey shows a total of 36 features in work, 17 preparing and 44 editing, while in the short subject

Warner Proxies Set

For Annual Meeting

Warners’ annual stockholders’ meeting in Wilmington will take place Dec. 10 as scheduled. The necessary number of proxies is on hand.

New directors to replace the five whose terms expire have not been selected for voting, it was stated yesterday by the company’s legal department. Up to yesterday, it was not definitely whether Harry M. Warner, president, will wield the gavel at the Delaware gathering. Elections will be held in New York on Dec. 18. No changes in the executive setup are expected.

Supreme Court Hearing About

Jan. 14 Seen for Tri-Ergon

Washington, Dec. 4.—At the speed which the United States Supreme Court is making in disposing of the cases before it, it was anticipated today that an oral argument on the Paramount Publicity Trust suit would be reached about Jan. 14.

The case has not yet been placed on the calendar, but will probably be scheduled when the court reconvenes from the Christmas recess which it will probably announce Dec. 17.

China in Jersey

After a survey of the biggest box-office attraction of the week, Allied of New Jersey, yesterday reported that dishes—11-inch ones—rated highest.

Exhibitors held there was no preferred playing time involved and business was up 300 per cent above average.

Vol. 36. No. 132

New York, Wednesday, December 5, 1934

TEN CENTS

The Leading Daily Newspaper of the Motion Picture Industry

Alert, Intelligent and Faithful Service to the Industry in All Branches
Behind the actions which the Paramount Publix trustees contemplate bringing against the Kuhn, Loeb & Co., outfit, and present and former officers and directors of Paramount in relation to their alleged participation in the company employees’ stock purchase plan and the payment of salaries and bonuses “in excess of a reasonable amount” from 1927 to 1930, are certain difficulties and responsibilities which rest with trustees in bankruptcy.

When remembered, they tend to remove much of the sensitive character which attaches to the actions at hand.

One of the first duties fixed upon trustees, who are appointed by the court, makes it mandatory for them to examine all possible means of recovering assets for the estate in their charge. Failing to do so, they may be held remiss in their duty by the court. In pursuing this obligation, the Paramount trustees were advised by their counsel that a “probable” cause of action against the Kuhn, Loeb associates and the Paramount officers and directors existed as a result of the stock purchase plan to authorize the payment of salaries and bonuses of prosperity year’s proportions. That probability of a cause of action was sufficient for asking leave of the court to require accountings of the 24 individuals named.

The same factors guided the trustees in the filing of their action last spring against former Paramount directors who pur- chased repurchase of the company’s stock at guaranteed redemption prices, which had been issued in the acquisition of theaters. By inaugurating the action the trustees performed a vital duty of their office, although only a “probability” of a cause of action existed.

With the reorganization of Paramount at hand, the new company will inherit the charges from the trustees. Whether or not they are ever prosecuted will depend almost entirely upon the attitude of the court in jurisdiction in the light of the costs of the prosecution as compared with the probability of any recovery at all, and if so, the probable size of recovery. The principal item of significance about the actions at this juncture appears to be that the trustees have discharged their duty in respect to the matters involved.

William Randolph Hearst again, or, at least, his reflection mirrored through the typewriter of an editorial writer on the Chicago Herald and Examiner:

“The general character of the films produced in recent months has been immeasurably improved and business has improved with that improvement.

[Immediately prior to which editorial ego attempts to credit the Hearst executives with having been first, or among the first, to strike out for clean entertainment, admitting in virtually the same breath that the industry failed to take his hint.]

“In fact, there is little or no objection to be made nowadays as to the moral character of the films.”

However, a new and an equally serious fault is developing and the Hearst papers warn the producers against it: that if this fault is persisted in, they may expect even more serious difficulties.

(Continued on page 10)

Loew’s Pfd. Off One on Big Board

| Columbia Pictures, vte.       | $3.06  | 0.92%  | + 28%  | $27.00       |
| Consolidated Film Industries, | 3.71   | 1.56%  | + 38%  | 25.00        |
| Paramount Bros., Inc.         | 2.62   | 1.14%  | + 40%  | 20.00        |
| Eastman Kodak                | 1.23   | 0.75%  | + 45%  | 14.40        |
| Fox Bros.                    | 1.44   | 1.56%  | + 1.00%| 16.00        |
| Loew’s, Inc.                  | 3.85   | 1.35%  | + 5%   | 35.35        |
| Loew’s, Inc., inc.            | 1.71   | 0.45%  | + 3.50%| 16.50        |
| Paramount Publix              | 3.65   | 1.75%  | + 5%   | 35.25        |
| Pathe Exchange               | 1.17   | 1.30%  | + 1.50%| 15.00        |
| Universal Pictures, fbd.      | 0.51   | 0.14%  | + 50%  | 5.00         |
| Warner Bros.                  | 0.52   | 0.14%  | + 50%  | 5.00         |

Technicolor Down Eightieth on Curb

| Technicolor                    | 14     | 13.50% | + 50%  | 150.00       |
| Technicolor                    | 3.50   | 1.95%  | + 30%  | 35.00        |

Paramount Broadway Bonds Drop Half

| General Theatre Equipment 6s 40 | 104.50 | 0.00%  | + 40%  | 10.45        |
| Loew’s 6s 41, wd deb rights    | 104.50 | 0.00%  | + 40%  | 10.45        |
| Paramount Broadway 6s 47      | 60     | 60.00% | + 0%   | 6.00         |
| Paramount Publix 5s 49        | 60     | 60.00% | + 0%   | 6.00         |
| Warner Bros. 6s 39, wd         | 60     | 60.00% | + 0%   | 6.00         |
Holiday Sweet Music!

JOAN CLARK ROBERT CRAWFORD ★ GABLE ★ MONTGOMERY

"FORSAKING ALL OTHERS"
Previewed to the biggest Coast raves you ever heard:

Says the Hollywood Reporter:
"Forsaking All Others’ wallop for any box office. Excellent cast in great production. It’s a honey. There’s no other word for it. It’s got all varieties of comedy played by an all star cast giving four star performances."

Says Coast Variety:
"In the performances of Crawford, Gable and Montgomery there is scarcely a shade of preference. All three are superb. Lavish mounting, purposeful and pleasing musical treatment add to picture’s class in every department. It should register solid audience satisfaction."

with CHARLES BUTTERWORTH, BILLIE BURKE, FRANCES DRAKE, ROSALIND RUSSELL
AN M-G-M PRIZE PACKAGE • Directed by W. S. VAN DYKE • Produced by BERNARD H. HYMAN
Penn Democrats in Sunday Show Moves

SCRANTON, Dec. 4.—Lackawanna county's six representatives of the House of Representatives, when they convene in February, are expected to discuss plans for the introduction of a bill legalizing Sunday showmanship.

With the House in control of the Democrats, Representatives Munley, Gafney and Komey of Scranton, are said to feel that a Sunday measure would have little if any difficulty in passing the House.

The Republicans continue in control of the Senate, but observers say that enough liberal sentiment prevails there to warrant the passage of a bill should one come up in the lower house.

The legislature convenes early in January.

MPTOA Convention
Poll About Ready

Polling of M.P.T.O.A. directors on the meeting place for the organization's annual convention will be concluded this week with New Orleans indicated in advance as the choice. The convention would be held just prior to Mardi Gras, next February.

Ed Kuykendall, M.P.T.O.A. president, who arrived in town yesterday to conclude the poll and begin convention arrangements starts a new tour of the theatrical centers later this week. His trip will include stopovers in Washington, the Carolinas, Missouri and Kansas. He has just completed a jaunt in the interests of theatre owners in Arizona, Oklahoma, Arkansas, New Louisiana, Mississippi, Tennessee and Georgia.

Comerford Back North

SCRAMANT, Dec. 4.—M. E. Comerford returned today from Warm Springs, Ga., where he was a weekend guest of President Roosevelt.

Champ Clark, Frank C. Walker, were introduced on Saturday night to the audience at the Community Playhouse by President Roosevelt as "the men who made this theatre possible."

When it was decided about a year ago to build a playhouse, at the settlement for infantile paralysis victims at Warm Springs, President Roosevelt turned over the job to Comerford. The latter protested, saying he was not an engineer. The President, however, insisted and Comerford, with the help of Walker, went through with the assignment.

Korda Acquires "Road"

LONDON, Dec. 4.—Alexander Korda, production head of London Films, has acquired the screen rights to "The Broken Road," A. E. W. Mason's novel, and will start production in the spring. United Artists will handle the American release.

Milestone to Para

Hollywood, Dec. 4.—Lewis Milestone has been signed by Paramount to do "Tarnished Lady," a musical starring Mary Ellis.

Mrs. Boyer Ill

NEW ORLEANS, Dec. 4.—Mrs. Louis Boyer, manager of the office for the National Screen Service here, is ill in the hospital.

Looking 'Em Over

"Gambling"
(Harold B. Franklin-Fox)

George M. Cohan, that "Yankee Doodle" boy, deserves a far better break than the dispensers of celluloid have dished out to him to date. Having had one rather indifferent experience with Paramount, the veteran of many seasons on the legitimate stage is handicapped in his second effort in what is only average entertainment, retailed by a routine story that fails to be lifted by routine direction.

He is a gambler, his life wrapped up in an adopted daughter who is never seen in the picture. Found murdered presumably, suspicion shifts and divides itself among three people; the boy the girl was supposed to marry; Dorothy Burgess, already his wife, and Wynne Gibson. The trial results in an acquittal for the boy, whereupon Cohan turns detective until he discovers who committed the deed, which, eventually, turns out to be an accident.

Suspense, presaged by the drift of the story in its earlier sequences, never develops in sizable enough quantity. Then, too, there is little of the imaginative in the direction. While performances, led off by Cohan's, are adequate, the entire mood of "Gambling" somehow or other remains of another and earlier production.

Rowland V. Lee, who has many good pictures to his credit, fumbled on this one.

Production code seal No. 0181. Running time, 90 minutes. "G." K.

"Cheating Cheaters"
(Universal)

When one group of jewel thieves tries to outsmart another, each believing the other to be honest, there are likely to be some interesting complications. That is just what happens in "Cheating Cheaters," which, however, is scarcely more than fair entertainment because the plot is pretty old and many of its developments are not very difficult to surmise.

Among the prominent names in the cast are Fay Wray, Henry Armetta and Minna Gombell. Not so well known, but no less capable, are Cesar Romero, Francis L. Sullivan and Anne Shoemaker.

Each of the two gangs thinks the other a wealthy and respectable family group possessing a fortune in jewels. Each goes to work on the other. When the truth is revealed there is surprise all around. Miss Wray is the nexus in the case. A detective, she joins one of the gangs so that she may get the goods on it. But her work makes it possible to kill two birds with a single stone.

Romance creeps into the plot when Miss Wray falls in love with Romero, one of the thieves. In the end she sees the fellow off to jail with a promise she will do all in her power to let him off with a light punishment as possible.

Richard Thorpe directed. Code seal No. 333. Running time, 66 minutes. "G."

Committees Chosen To Help Samuelson

Two new committees were appointed yesterday at the regular Allied of New Jersey meeting in line with the request of President Sidney Samuelson of detailed organization work. They are the supply committee, composed of Harry Hertz, and Dave Mote, and finance and dues committee, consisting of David Snapper, Louis Levin and Louis Gottlieb.

The code, product and internal problems also were discussed. Levin was re-elected president and Snapper will be chairman next week.

Following the meeting, Samuelson told the "Motion Picture Daily" that the New Jersey unit is a "downstairs" type organization, now for down-to-earth pictures." He added that criticism from members every week in helping solve the problems of exhibitors and a daily job is being done for everyone.

"We are developing manpower and that's what counts," he added. In three months Samuelson will celebrate 15 years as an active member of the New Jersey association. He and George Brennan were the two organizers in 1919. M. Co., National, New Jersey announces it is taking a show off and attended the board of directors meeting Dec. 11-12 at the Roosevelt. Abram Myers will be chairman of the southern session.

M-G-M Still Leader In Percentage Sales

M-G-M sells more contracts or percentage in Greater New York than any other concerns. A recent institute of an outside weekly analysis of sales policies by Allied of New Jersey shows.

Within the last few weeks, the New York unit has been making a recapitulation of sales policies of a major and independent companies. The purpose is to watch from week to week the selling policies for possible changes. Paramount, it was noted, is an active member in the percentages where the theatre could not afford to continue operation on the cast of M-G-M, so adherence is noted.

At yesterday’s meeting, Paramount was praised by the unit for diverging from its original percentage edict.

Showmen's Pictures Put in Bankruptcy

An involuntary petition in bankruptcy was filed against Showmen's Pictures, Inc., independent producer and exhibitor in the Southern District yesterday. The three petitioners, represented by Edward P. Mote & Co. with a claim of over $1,000, George Schmitt & Co., upwards of $1,000 and Howard S. Hummel, over $100.

The company against which the petition was filed had no comment to make yesterday.

Adeline Barthold Buried

PAULCIA, Jan. 4.—Funeral services for Adeline Barthold, early this week for Miss Adeline Barthold, shop cashier at the New Montauk Theater since the present theater was erected, were held yesterday. The news of her death came as a shock to the management of the New Montauk, said "she would be hard to replace" in a glowing tribute.
New York Roxy, broke a five year attendance record at that house, making it necessary at one time to close the box office for an hour. The Roxy was headed for a $45,000 week on the first seven days of "Imitation of Life," with the sale of tickets was ordered stopped by the fire department for 50 minutes.

"IMITATION OF LIFE" with Claudette Colbert, Warren William, Rochelle Hudson, Ned Sparks, Baby Jane

Universal 106 mins.

OUTSTANDING HUMAN INTEREST STORY EXPERTLY DIRECTED AND ADMIRABLY ACTED.

Put this down as one of the best pictures of the year.

Identification points:
- Between $50,000 and $50,000 for the week's business.
- Put this down as one of best pictures of the year.
Personal Advice from New York Critics!

"One of those drop everything films ... you've got to see it." — World-Telegram

"You will like BROADWAY BILL ... gay, humorous, exciting and vastly human." — Herald Tribune

"For a sure winner play BROADWAY BILL." — American

"Recommended without reservation." — Times

"Among the things to be specially thankful for." — Daily News

"You're recommended ... exciting, genuinely moving ... and highly amusing ..." — Journal

"Supreme entertainment for you ... exhilarating, touching, hilarious." — Daily Mirror

"You should be grateful for a picture like BROADWAY BILL." — Sun

• RELEASED NATIONALLY

WARNER BAXTER

F R A N K   C A P R A

Broadway

by Robert Riskin
Based on the story by Mark Hellinger
SECOND WEEK
MUSIC HALL
it's a smash hit!

...and a word from Columbia Pictures

We suggest that you set aside extended playing time for this grand new Frank Capra hit which has bettered the record for the first four days for all Columbia Pictures that have played the Radio City Music Hall by over $10,000.00. In the words of the Hollywood Reporter we tell you "It can't miss...it's a sure-fire hit"

...and its first engagement proves it!

ON DECEMBER 27th

MYRNA LOY
PRODUCTION

Play Bill

with
WALTER CONNOLLY • HELEN VINSON
Seek a Fixed Policy to Bar Free Programs

(Continued from page 1) attendance, has a restraining effect on production quality. The resolution stated that the touring show placed Standard Oil in direct competition with established theatres.

Industry opposition, it is made clear, is not being directed solely against the Standard Oil. The resolution will present two-hour free shows in more than 25 cities during the next 10 weeks, according to the present plans. The opposition seeks permanent protection for theatres against the recurrence in the future of such large scale, free entertainment which, it is said, is becoming increasingly prevalent throughout the country. It was pointed out that Golf Refining Co. presented a similar traveling show on the Pacific Coast last summer and that large cities are being continually treated to this form of competition. In Boston, early this week, Scott Furrer staged an amateur talent contest at the Boston Opera House which played to 4,000 free admissions and turned away another 1,000. The performance ran from 7:30 to 9:00 with the final hour of the show being broadcast over the Yankee network.

Probable Course of Action

The form of the opposition, not yet set, may include efforts to have enforceable restrictions added to vaudeville and carnival NRA codes which provide exceptions except at a fair admission price.

Ed Kuykendall, M. P. T. O. A. president and chairman of the Code Authority committee on unfair competition, stated yesterday that his committee was handicapped in opposing such enterprises because of the absence of enforceable code provisions covering that type of entertainment and that it would like to see its sponsors cooperate with theatre owners.

"Either these offenders must be made to comply with provisions similar to the code of the film code," Kuykendall said, "or the restrictions on theatres must be removed from the code," he asserted. "Both of these alternatives must be made to comply with rules of fair competition when co-related enterprises are not. This includes baseball parks, carnivals, theatre radio broadcasts and free advertising programs as well as the Standard Oil shows."

The Standard Oil troupe features Guy Lombardo and orchestra. Cross & Dunn, Jane Abbott, among others. It played Concord, N. H., last night, opens at Providence tomorrow night and Boston, Saturday night.

Love Is Moved Up

WASHINGTON, Dec. 4—Ray Lowe, for three years and a half manager of the Warner Bros. has been named city manager for the district here. The appointment was made by Harry Kalmie, division head.

To Co-star Garbo, March

HOLLYWOOD, Dec. 4—Greta Garbo and Fredric March will be co-starred by M-G-M in Tolstoi's "Anna Kar-

"ena." David O. Selznick will produce and George Cukor direct.

Paramount's Future Picture

What follows is the estimated consolidated pro rata balance sheet of Paramount Publix giving effect to the consummation of the proposed reorganization plan. It is based on financial statements as of Sept. 29, 1934, and reflects suggested new reserves:

**Assets**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Assets</td>
<td>$15,456,292.43</td>
</tr>
<tr>
<td>Cash on hand and in banks</td>
<td>90,533.59</td>
</tr>
<tr>
<td>Marketable Securities at cost (market value—$282,035.56)</td>
<td></td>
</tr>
<tr>
<td>Notes and Accounts Receivable (film customers and sundry) less Reserves on books</td>
<td>$1,826,273.16  $20,176,566.09</td>
</tr>
<tr>
<td>Other Working Assets (largely convertible into cash at the time this statement is made)</td>
<td>$14,612,579.22</td>
</tr>
<tr>
<td>Investments in and Advances of companies (including companies in receivership or bankruptcy, the common stock of which is substantially wholly owned by Paramount Public Corporation)</td>
<td>$15,069,033.56</td>
</tr>
<tr>
<td>(a) Total by Paramount Public Corp. Less; Reserves (in respect of companies for which financial reports as of September 29, 1934, are available equal to excess of such investments and advances over net worth thereof on books of such affiliated companies not in receivership or bankruptcy and over estimated value thereof in receivership or bankruptcy and in companies in receivership or bankruptcy)</td>
<td>$17,536,311.90</td>
</tr>
<tr>
<td>(b) Total by Consolidated Subsidiaries of Paramount Public Corporation</td>
<td>$7,838,764.00</td>
</tr>
<tr>
<td>Add: Excess (in respect of companies for which financial reports as of September 29, 1934, are available) of net tangible value of such investments and advances on books of such affiliated companies over net worth thereof as carried on books of companies</td>
<td>$18,711,449.49</td>
</tr>
<tr>
<td>Fixed Assets</td>
<td>$13,514,908.23</td>
</tr>
<tr>
<td>Land, buildings, leases and equipment—book depreciated value</td>
<td>$3,604,508.15</td>
</tr>
<tr>
<td>Land, buildings, leases and equipment—book value</td>
<td>$64,048,067.55</td>
</tr>
<tr>
<td>Equipment (including equipment not in use and which are in process of reorganization—book depreciated value)</td>
<td>$24,326,234.90</td>
</tr>
<tr>
<td>Deposits to secure contracts and in connection with litigation</td>
<td>$12,222,991.05</td>
</tr>
<tr>
<td>Prepaid Expenses</td>
<td>$1,136,036.37</td>
</tr>
<tr>
<td>Bond Discount and other Deferred Charges</td>
<td>$1,365,905.38</td>
</tr>
<tr>
<td>Liabilities</td>
<td>$14,809,909.56</td>
</tr>
</tbody>
</table>

**Liabilities**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Liabilities</td>
<td>$5,305,286.56</td>
</tr>
<tr>
<td>Liabilities of Subsidiaries, per books (excluding contingent claims of indeterminable amount)</td>
<td>$3,172,322.32</td>
</tr>
<tr>
<td>Capital Liabilities</td>
<td>$23,246,244.74</td>
</tr>
<tr>
<td>Capital Liabilities (and net accruals in connection therewith) which are in process of reorganization which will be due after one year</td>
<td>$18,829,526.56</td>
</tr>
<tr>
<td>Estimated proportion of capital liabilities which are in process of reorganization which will be due after one year when reorganized</td>
<td>$1,410,393.38</td>
</tr>
<tr>
<td>摊还保证金 (self liquidating and no reserve)</td>
<td>$4,188,110.57</td>
</tr>
<tr>
<td>Twenty-Year 6% Sinking Fund Debentures, approximately</td>
<td>$17,110,000.00</td>
</tr>
<tr>
<td>Total Liabilities</td>
<td>$30,936,724.63</td>
</tr>
<tr>
<td>Minority Stockholders' interests in Consolidated Subsidiaries</td>
<td>$3,900,243.43</td>
</tr>
<tr>
<td>Suggested New Reserves probably to be applied to reduce certain items of investment to affiliated companies, as reserve against book value of certain fixed and other new general re-serve</td>
<td>$14,000,000.00</td>
</tr>
<tr>
<td>Cumulative Convertible 6% Second Preferred Stock (par value $100 per share), approximately</td>
<td>$27,110,000.00</td>
</tr>
<tr>
<td>Common Stock (1,003,036.48 shares)</td>
<td>$44,383,075.00</td>
</tr>
</tbody>
</table>
| *This item includes amounts which may become due and payable in an amount of $18,709,956.00, although, in respect of such amount is now available, is reflected in the above balance sheet.*

The above balance sheet utilizes the information main furnished by the accounting staff of the Debtor and its subsidiaries, and is without audit. Assets are reflected as being worth more than they actually are, and certain good will will have been excluded from the above balance sheet. The above balance sheet has been prepared on a reorganization basis, and is not an indication of the present status of the company. The inability of the Company to comply with the provisions of the proposal of the Plan in the Reorganization Proceeding and is not binding upon the Board of Directors in establishing the balance sheet of the New Company. However, as stated in the Plan, the question of abandonment or other disposition of certain assets

(Continued on page 9)
No Offer for Fox Gaumont Shares—Kent

(Continued from page 3)

any changes while in England. He did not go out of that country, he declared.

Asked about reorganization of Fox West Coast, Kent asserted that the plans are now in the final stages. Queried as to whether Symington and Scoures would sign 10-year contracts, Kent stated he did not know there were any involved. He added, however, that the Scoureses will continue to operate under the reorganized plan.

Discussing production abroad, Kent held that there is nothing new and the company is continuing along usual lines.

Comments on Para, Trustee Suit

Shown Motion Picture Daily which yesterday listed him as one of the 24 defendants in a suit for recovery of bonuses filed by Paramount trustees on Monday and asked for comment, Kent merely replied: "I knew about it."

It is accompanied by his wife and daughter. The Fox head will go to the coast early next month, he said.

On the same boat were Andre Daven, formerly with Fox in Europe and now on his own; Johnny Weissmuller, Lamps Velez, William Brown, Blanche Yorka and Carlyle Blackwell.

Weissmuller and his wife were visiting the London Paramount office, who had several stage offers for Miss Velez, one including a three-week tour of England for £200. Since the film is playing in Paris, the tour will take the actress to Ceylon and India.

England the Biggest

LONDON, Nov. 30—European film business for American companies, out of the money, is potentially world's greatest at present and prospects are not good, declared S. R. Kent, president of Fox, in an interview with a correspondent of the Daily Film Reporter. England, said Kent, is yielding 25 per cent or more of the export revenue for the country. The German decision to impo- se a tax of approximately £10,000 per feature on imported films virtually rendered the Foxes Germany out of the field, and consequently, he said, they hit "unex- pected reasons for banning pictures.

The troubles are "abnormally high bar- ren of production facilities," Kent was quoted as saying and until recently, as a result, got into difficulties with its import charges. He described the Spanish situation as "uncertain in the face of recent disturbances," and pointed out that the desire to nurse the home industry had led to difficulties for the im- porters.

"South America, too, has its domes- tic troubles as a bar to development of motion pictures," he maintained.

"In brief," he continued, "the whole foreign field bristles with these problems, and it is a relief to turn to Great Britain, which continues to progress and yield to a satisfactory return."

Kent said it was unlikely that there would be any development of Fox production in England.

He reviewed the American situation by saying that the year has been helpful to the film industry. The recent movement, he said, had hit the industry hard, but had been a good thing because it had raised the standards of the audience. It had not been launched, he said, but when it was ready."We have made every effort to maintain the standard of our films and we feel that our pictures will be as good as any produced in the industry," he said.

In any case, Kent was quoted as saying, "we have met with the difficulties that have been encountered in the past, and we are proceeding in the courts to establish our claim to them."

New Preferred Unit

Preferred Pictures, Inc., has been formed under Pennsylvania laws to do business in Philadelphia and Washington. It is headed by Murray E. E. S. Waters and H. J. Taylor.

Preferred has just closed a deal with the Edison Corporation for 37% of distribution for "Frontier Days," first of a series of eight westerns.

Hornstein Opens Office

Joe Hornstein officially opened his own independent supply house in the Film Centre Building yesterday and at the same time announced taking over of Independent Theatre Supply Co., of which Louis Marks is head.

K. C. Cuts Danger

Downtown—Finney

(Continued from page 1)

Midland here, which the neighborhoods and other theatres are bitterly protest- ing, is in line with price so far elsewhere. In response to a direct question, he said Loew's might resist the Morten Plan up to 40 cents, as at present, 25 cents.

The situation here is unique, he says, in that there is only a com- petition between one downtown first run and downtown first runs. But in the neighborhoods there is competition between downtown and circuit theatres, namely Fox Mid- west. These factors, he says, make the clearance and general competitive position of the theaters in the downtown neighborhoods is making the situation of the downtown first runs precarious, he declares.

For this reason the first runs will never consent to a clearance schedule based entirely on economics, he said.

In fact, he said, the downtown first runs have no repre- sentation on the clearance and zoning board.

E. C. Rhoden, Fox Midwest divi- sion manager, is the board member representing the downtown first runs.

"Rhoden is an able executive and I have nothing but praise for him," Finney says, but the fact remains that these theaters are in the Kansas City life in suburban operations."

Hattrick Called West

E. B. Hattrick, general manager of the Hearst film interests, left suddenly for the coast by air yesterday. He plans to return for Christmas. If he does, he will return again to Holly- wood immediately thereafter.

purely personal

Peter Profil and Sam Cohn of the American, Vestablur, Pa., and Attorney J. Rich- ardson, yesterday were in New York for appearance at the clearance decision in Pittsburgh. Alexander Bently of the Grand, Frederickport, Pa., was also here.

Harry Buxbaum, New York Fox exchange head; Harold Freedman, Youker exhibitor, and Leo Justin of the Walter Reade office, are back from Philadelphia where they attended the Army Navy game.

Harry H. Thomas and Charles Rosenweig officially returned to their offices at First Division yesterday.

Both were on trips, returned Thanksgiv- ing Day, but didn't check into the par time until yesterday.

Lily Pons, who will soon make a picture for Radio; Jacques Charles, French producer, and Dave Apollos and Goldie arrive this morning on the Champa.

Don Hancock, with Film Daily for the past four years, has rejoined Vai Studios, as the producer manager on "Dumb Bell Letters," "Vagabond Adventure" and other shorts.

Vincent Cordo's original etchings for the settings of "The Private Life of Don Juan" go on exhibition at the Tudor City Art Galleries, 5 Prospect Place, today.

William F. Rodgers of M-G-M returned yesterday from Philadelphia. Felix F. Feiss gets in from Chicago the end of the week.

J. Robert Rubin lies to Philadelphia to-day to testify in that double feature trial.

Walter Eberhardt sails south on the Princess Bernada tomorrow, Mrs. E. accompanies him.

Isadore Rappaport, Baltimore ex- hibitor, was in town yesterday confer- ring with Herschel Sturg.

George Schaefer and Milt Kessel are back from a week-end on Chesapeake Bay.

John Sawas, Samuel Goldwyn representive, is in Chicago to handle exploitation there.

James Ross Grainger spent his day yesterday in Boston. Back today. His wife and her mother are at the Ritz Tower.

Harry Gold is back from Charl- otte and other southern cities.

Tune Wees, new husband, Paul S. Ames, are in town.

James Cagny is in town for a two-week vacation.

Ed Hurley is in from the coast.
What is this new menace? Holbrook to yourself and continue:

"The objectionable feature of some recent films is the Communist
character. In fact, most of the pictures are to be used for Communist
propaganda, it will not be long before the American government
will have to step in to censor and suppress such propaganda
and such companies responsible for it see that they are conducted
on a patriotic American basis.

Periodically, Hearst editorially strikes out for Federal censur-
ship. He seems committed to furthering the idea and the excuse
seems to make little difference. Why? ...

Homepun philosophy about theatre operation, furnished from the fount of common sense which
is the brain of Mrs. A. Baier's. She runs the suburban Lindbergh in Kaysee and is sec-
retary of the I. T. O. of that city. The kernel of her analysis is as true as it is simple. She
holds to the thought exhibitors would be far better off if they
tended to their own business and worried less about other theatres
and what they do.

"The reason that so many exhibitors think the doors will be
forced to close their doors if some
downtown theatre goes on a price rampage or a suburban
completes an unfair trade practice is because they are
obessed with a 'fear complex.'
A suburban ex-
hibitor would devote the time to
go after business that he
spends worrying about the
petty or trying to meddle in
his affairs, he would have less
to worry about."

What convinced Mrs. Baier was last week-end. Apprehen-
sive over the way Loew's Mid-
land was plugging its cut rates
in large newspaper space, she de-
cided to do some exploitation of
her own. She sent 5,000 folders
to her mailing list, advertising
this week's shows.

"Business picked up considerably, and I found I didn't have to worry about anything
for one day," Mrs. Baier con-
cluded. "I am going to do some
more advertising."

And now to other matters. ...

Metropolitan area operators are
tuning, useless so far, over the
recently enacted half-of-one-
percent drug tax. It runs into
money, much money and
what is creating the excitement is
the claim the levy is discrimi-
natory. No tax on profits, this
they say, but a tax on receipts,
win, draw or lose. The latter
seems to have it, by unanimous
squawks. . . . Garbo continues to
make swell copy. Witness the
Universal Service cable—special,
mind you—from Berlin of her
quitting Hollywood next year to
do a legit play in Stockholm.
Maud Adams, for years, was
mysterious as to her movements, but
recent interviews and a phase of her
work and worked well, as any-
one who knows his stage history
at all appreciates. . . . K A N N

Tucker Made Manager
ATLANTA, Dec. 4.—Ed Tucker, for-
er assistant ad sales manager at the
Theatres, has been advanced to
manager.

LONDON, Dec. 4.—Charles Munroe,
who accompanied S. K. Kent from
New York, is en route to Sydney,
Australia.

Mayer Is Conferring
Charles Mayer, former salesman in
the Boston exchange and recently
appointed assistant to Manager
Prince Knox at the Fox branch in
Bombay, India, is in New York con-
bracting with Clayton Sheehan before
leaving to take over his new duties
some time next month. He sails

Ford Buys "Farmer"
Fox has purchased "The Farmer
Takes a Wife," current New York
stage hit.

Hollywood, Dec. 4.—Winfield
Sheehan will produce "The Farmer
Takes a Wife" with Janet Gaynor
and Spencer Tracy.

Carr is good in the stereotyped role as lady friend number one. Clifford
Healy trying out the role of the elderly playboy. Monty
Banks, who plays a comedy role, also competently
acted.

The film measures up to the average American product, having been
made before by Warners with Warren William and Marion Marsh.
Running time, 65 minutes. Production code seal No. 934. "A."

"Sweet Adeline" (Warner)
HOLLYWOOD, Dec. 4.—Being a lavish musical spanning the
Spanish American War era, the plot outlines the rise of a beer garden singer
(Irene Dunne) to stage influence with love tribulations along the way.
Reflecting the tempo of the hansom cab days, the film's feeling and
mood blend with the charm and leisure of the period.
Miss Dunne's beauty and refinement harmonize with the story.
Hugh Herbert stands out as one at the screen's funniest comies with his rare
drolleries rounded by pathos always uncorning laughter. Ned Sparks,
too, contributes his exclusive, dry, wry humor for good measure. Louis
Calhern is the romantic heavy and Winnie Shaw the vamp heavy.
Phil Regan sings well. Nydia Westman's comedy, Noah Beery's bass pro-
tundo and Joseph Cawthorn's antics round out the cast. Dorothy Dare
warbles while looking okay.
Mervyn Le Roy's unusual dancy direction in this keeps to the deliberate
screen play adapted from Jerome Kern's and Oscar Hammerstein's
book with the music by Kern. Sol Polito photographed well.
The swing ensemble number with Miss Dunne trilling and Bobby
Connolly's girls spinning in the thrills.
The take in the key spots should be an indicator for the subsequent
run results. Running time, 90 minutes. Production code seal No.
416. "G."

Bank Payoff Starts Spending in Detroit
(Continued from page 3)
spending part of the $65,000,000 First National Bank of Detroit pay-
off which is being distributed to over
56,000 depositors.

In theatres for the past week, and promising to continue for some weeks
ago, thousands upon thousands of
people have gone through the ticket
windows with capacity houses the
rule for all sorts of shows.

The "Follies" at the Cass Theatre
had capacity houses the nine
performances it played here. Prices for
the attraction were $3 top. For "Tri-
umph and Isolde" at the Masonic Audi-
torium there were more than enough customers to fill the 4,700 seats.

The past week-end found most of
the film houses doing a landoffice
business.

Employment in the motor car plants
has picked up the past few weeks and
is on a steady upgrade. Neighborhood
house managers are very enthusiastic
about the winter outlook.

Col. Signs Carimnati
HOLLYWOOD, Dec. 4.—Tullio
Carimnati, who arrived here last week,
has been signed by Columbia for one
picture through the Joyce-Selznick
office. Preliminary negotiations were
more than a month or two ago, and
Carimnati will make one for Fox
after the Columbia deal, provided ne-
cessary papers are now pending. The
Fox deal is for a part in "Adio,
Argentine."

Daniel M. Winkler, handling ra-
dio, vaudeville and personal appear-
ces for Joyce-Selznick, plans to
be here for the month in two weeks. He
arrived last week.

Sam Wood Has Plans For His Own Films
(Continued from page 1)
coast for New York several weeks ago and he is now engaged in negoti-
ation when he returns next week.

Wood is working on an adaptation of "Oz" for 
which he intends to fly to Hollywood Friday with Edward Small for the U.S.C.
Our Dame game on Saturday.

In between he intends to line up
write for his future productions. He
has a number of stories in mind, on
one of which he has options, to take
back with him. A deal with Charles
MacArthur and Ben Hecht for one
picture fell through last week because
of what I think the producers are working on in addition to another picture they
will put into work at the Eastern
Service Studios shortly.

If the deal materializes with Erpi
Wood intends to develop his own
entertainment. He is dickering for a number
of players here and may take them
to the coast with him for picture build-up.

Texas Price-Fixing
Suit Comes Up Today
(Continued from page 1)
Theatres, Inc. Glass征集 an injunc-
tion to stop alleged unreasonable price fix-
ing through a conspiracy of the de-
independents and major producing com-
panies.

At the first hearing, Dec. 1, in the
Forty-sixth District Court before
Judge W. M. Taylor, defendants ar-
gued that the acts complained of con-
stituted a conspiracy commerce,
which local courts have no juris-
diction. The taking of depositions
occupied the session Dec. 1, and
the hearing was postponed to tomorrow.

Action, Little Talk
Wanted, Says Kelly
SAN FRANCISCO, Dec. 4.—"Foreign
movie audiences want pictures that
are less class but not high bar-
tures that tell a down-to-earth story
with a maximum of action and a
maximum of a spirit that is the most
popular," said Arthur W. Kelly, vice-
president of United Artists in charge
of foreign distribution on his arrival
here. "We have been enjoying an eight-month tour of the world.
He will leave here for New York by
way of Hollywood, arriving in the
east Dec. 10."
JOHN J. FRIEDL

Operates 63 theatres, spends upward of $1,500,000 annually for film.

He reads MOTION PICTURE DAILY.

The Industry Buying Power Reads MOTION PICTURE DAILY.
There's a BRIGHT SPOT for a Holiday Program IN EACH OF THESE SHORT FEATURES FROM EDUCATIONAL PICTURES

Three new two-reel comedies with music that are full of mirth and melody:

"THE GIRL FROM PARADISE"
With Sylvia Froos, Frank Luther, George Shelton, and N.T.G. and the Paradise Revue.

"THREE CHEERS FOR LOVE"
With Sylvia Froos and Warren Hull. A Young Romance Comedy.

"NIFTY NURSES"
With Johnny Downs and Sally Sweet. A comedy with as many big laughs as you've heard in a year.

"DAY DREAMS"
A child's dream of Santa Claus. A beautiful Christmas fantasy. 1 reel.

"SONG OF VIENNA"
The beauty of old Vienna caught in picture and song. 1 reel.

"THE HOUSE WHERE I WAS BORN"
A Song Hit Story with Sylvia Froos and Frank Luther singing a song of home that is full of sentiment and appeal. 1 reel.

"YOUR STARS FOR 1935"
A timely subject, with WYNN, famous astrologer, forecasting the outlook for the New Year. 1 reel.

"THE OWL AND THE PUSSY CAT"
by Frank Moser and Paul Terry
Wherever there are children, or adults with merry hearts, in an audience, a Terry-Toon is an ideal Holiday booking.
Clearance Is Exhibitors’ Big Problem—Kuy Kendall

The biggest problem confronting exhibitors today is the fact that clearance and zoning schedules have not been established, Ed Kuykendall, president of the M.P.T.O.A., stated yesterday.

He said he had made a tour of Phoenix, Ariz.; Dallas and Texarkana, Tex.; Hot Springs, Ark.; Nashville and Baton Rouge, where he met exhibitors and discussed conditions and the code. Kuykendall said the code has fixed up things in some places and hurt in others and reaction to the code in general is mixed. He said clearance and zoning is the main source of complaint.

"Exhibitors feel that Code Authority should officially establish clearance and zoning schedules, since theatre owners do not want to make individual costs and make enemies with exchange men and circuit buyers."

Kuykendall will leave Saturday for Charlotte to attend the two-day annual convention on Dec. 9-10 of the Theatres Owners of North and South Carolina. His daughter, Jerry, is in New York.

There Was a Day—

In presenting his overbuying case to an appeal committee consisting of Ed Kuykendall, E. T. Gomersall and William Yoest, Sidney Samuelson, acting for the Liberty, Plainfield, yesterday read the section of the code dealing with this subject and then added:

"I presume you gentlemen are familiar with the code."

Kuykendall retorted: "We used to think so.”

Fox and Paramount Are After "Battle"—

Competitive bidding for national distribution rights to "The Battle" has Paramount and Fox angling with Leon Garganoff for the French-made picture now current at the Criterion.

Although scheduled to make its exit at the Criterion yesterday, "The Battle" is being held over until Dec. 14 because of unusual business in the last few days. "Dealers in Death" goes on after "The Battle.”

Palmer Plea to Be Presented Dec. 14—

The U. S. Circuit Court of Appeals yesterday set Dec. 14 as the date for hearing of an appeal by Archibald Palmer, counsel, from an order by Federal Judge Julian W. Mack denying him leave to examine members of the bondholders' protective committee of Fox Metropolitan Playhouses. (Continued on page 4)

Ohio Senate Passes New Type Sales Tax—

COLUMBUS, Dec. 5.—With an unexpected shift, the Senate has passed a bracketed sales tax which carries in it repeal of the present 10 per cent admission tax. The measure now goes back to the House for a compromise, as the bill passed there last (Continued on page 4)

1st Division Will Release "Time" Series

First Issue Is Set to Appear in January

First Division will handle the distribution of "The March of Time," series being the news events of the day, it was revealed yesterday by Harry H. Thomas, president of the company. The first release is expected to be out in January. The films will be issued at the rate of one a month, each running about 20 minutes.

The series is being produced by a new company, The March of Time Inc., the officers of which are Roy E. Larsen, general manager and producer of "The March of Time" radio broadcasts, president; John S. Martin, managing editor (Continued on page 4)

Seek 3 Para. Directors by December 27

Want Board of 12 Ready For Court Hearing

Selection of three additional directors of Paramount Publix to comply with a provision that the board shall consist of a minimum of 12 members is under consideration here, and is expected to be completed before Dec. 27, the date on which a new hearing on the company's reorganization plan will be held before Federal Judge Alfred C. Coxe.

Indications are that the three posts remaining at this time will go to a representative of the bank creditors, one of Allied Owners and the third to a general creditors' representative who will probably be a man with industry or allied experience. The three new candidates will replace Austin Keough, Paramount secretary; Walter B. Cokell, treasurer, and Max D. (Continued on page 4)

Revised Comerford Deal Before Joyce—

A revised agreement providing for the retirement of Paramount's outstanding obligations remaining from acquisition of the 61 Penncom theatres from M. E. and M. B. Comerford and Frank C. Walker in 1930 was taken under advisement yesterday by Special Master John E. Joyce, following a hearing on the new agreement submitted by counsel for Paramount Publix trustees.

Under the agreement, net receipts of Penncom, after operating expenses and provisions for reserve and current obligations, are to be applied to the (Continued on page 4)

Rosenblatt Hopeful On Coast Situation—

WASHINGTON, Dec. 5.—Still hopeful that an amicable settlement of the controversy between producers and actors over a code of fair practice may yet be reached, Compliance Director Sol A. Rosenblatt today returned to Washington after a week (Continued on page 7)

RKO Cut to Widen Price War in K. C.—

KANSAS CITY, Dec. 5.—The local price war will be extended Friday when the RKO Mainstreet's balcony.
### Use of Technicolor in New Films

**Hollywood**, Dec. 5.—A checkup among the major studios indicates an increasing use of the Technicolor color-three-color process for features. Radio's production, "Becky Sharp," was produced recently by Technicolor, and new productions, "Gold Diggers of 1935," and "In Caliente," will have color sequences and Jesse L. Lasky's text for Fox, "Redheads on Parade," will have one reel in color.

### Jack Cohn Outlines Foreign Situation

**Hollywood**, Dec. 5.—Jack Cohn is here to talk over foreign production angles with Columbia studio heads from data picked up during his recent sojourn in Europe, the executive told Motion Picture Daily today. Cohn expects to return to New York with a print of the Edward G. Robinson picture, "A Passport to Fame."

### Screen Drivers' Faults

Driving faults which cause most of the accidents are shown in a cartoon comedy called "Once Upon a Time." Produced recently by Mack Sennett and now sponsored by the Massachusetts Department of Public Safety, Massachusetts houses will find, with Lieut. Colonel Paul G. Kirk, commissioner, in showing the film.

### Extra Columbia Dividend

Columbia Broadcasting System, Inc., parent company of the quarter cash dividend of fifty cents a share, plus a special cash dividend of $1 a share, on the Class A and Class B stock of the corporation. The dividends do not apply to the fifty per cent stock dividend previously declared.

### Millet Heads Empire

Jack Millet has been elected president of the Empire State M. P. Operators Union to succeed Arthur Farbacher, another new officer in James Addessa, former vice-president, who replaces Joseph Blatt as business agent.

### Schine Circuit Signed

Jack Schlaifer, special sales representative of Gaumont British, has closed a deal with the Schine Theatrical Exchange, a subsidiary of the company, Schlaifer left last night on a tour of mid-west key cities.

### Most on Big Board Advance

- **Columbia Pictures, etc.**
  - High: 605
  - Low: 595
  - Close: 595
  - Net Change: $10
  - Sales: 20,000

- **Consolidated Film Industries, etc.**
  - High: 674
  - Low: 671
  - Close: 671
  - Net Change: $3
  - Sales: 17,500

- **Eastman Kodak**
  - High: 1135
  - Low: 1130
  - Close: 1135
  - Net Change: $5
  - Sales: 7,500

- **Fox Film**
  - High: 1135
  - Low: 1135
  - Close: 1135
  - Net Change: $0
  - Sales: 5,000

- **Loew's, Inc., etc.**
  - High: 1045
  - Low: 1040
  - Close: 1040
  - Net Change: $5
  - Sales: 4,000

- **Pathe Exchange**
  - High: 1050
  - Low: 1045
  - Close: 1045
  - Net Change: $5
  - Sales: 2,000

- **RKO**
  - High: 1435
  - Low: 1430
  - Close: 1430
  - Net Change: $5
  - Sales: 3,000

- **Walter Bros.**
  - High: 216
  - Low: 216
  - Close: 216
  - Net Change: $0
  - Sales: 1,000

- **Warner Bros.**
  - High: 223
  - Low: 223
  - Close: 223
  - Net Change: $0
  - Sales: 3,000

### RKO Bonds Jump 3½ Points

- **General Television Equipment 6% 40.**
  - High: 81
  - Low: 80
  - Close: 80
  - Net Change: -1

- **General Television Equipment 6% 40.**
  - High: 81
  - Low: 80
  - Close: 80
  - Net Change: -1

- **Paramount Bond 5% 39.**
  - High: 611
  - Low: 610
  - Close: 610
  - Net Change: -1

- **Paramount Bond 5% 38.**
  - High: 41
  - Low: 40
  - Close: 40
  - Net Change: -1

- **Paramount Bond 5% 37.**
  - High: 360
  - Low: 359
  - Close: 359
  - Net Change: -1

- **Walter Bros. 6% 29, w.**
  - High: 60
  - Low: 59
  - Close: 59
  - Net Change: -1

### Sees Foreign Gains From Film Cleanup

Hollywood's response to the clear picture demand crystallized in the League of Decency movement is helping to drive American films better international merchandise in the opinion of J. B. Bamberger, president of the Western Electric Co. Australia, Ltd., in New York from Sydney, where he is in charge of the international picture industry and other territories which has been most favorable," remarks Mr. Bamberger. "It is perhaps realized here that the motion picture industry is to the government in Australia and how readily, if we are commercialized, and our progress, the like can get hearing in important places. Material not to adjusted to the standards of conduct and viewpoint of the whole public can all too afford talk about policies, which are no longer commercially acceptable and which will conduct to a vastly better business."

### Plan Wis, Indie Group

**Milwaukee**, Dec. 5.—Plans for strictly independent state-wide exhibitors' association without national affiliation will be laid by a committee of the Wisconsin M. P. T. A. and Allied members at a meeting here to-morrow.

### New Press Book Policy

Under a new policy Warner-Fit Navin, and the Wis. Press Club, will be the first to "Captain Hook." T. D. G. News from England about April 1.

### Sells Product in Cuba

R. K. Hawkins, Latin-American Division Manager for RKO, closed a deal with the Cuban-American Film Co. for Cuban distribution of the entire Radio lineup for 1934.

### Bamberger Now Manage

Leon J. Bamberger, who has been chief of sales promotion at RKO Distributing Corp., has been given the title of promotional sales manager by Ed E. Depinet, president of the company.

### Drive Nets $212,035

**Hollywood**, Dec. 5.—The first four weeks of the Christmas Charge had netted $212,925 in one week, over quota, from the film division, according to the Producers' Ass'n.
THE PICTURE OF THE WEEK

The book that made a hundred million Americans laugh at themselves—and love it! . . . . That helped make its author the only American writer to win the priceless Nobel Prize—

Sinclair Lewis' "BABBITT"

becomes the outstanding screen entertainment of the week thanks to the expert craftsmanship of Aline MacMahon, Guy Kibbee, director William Keighley, and Warner Bros. Released Dec. 8th.

(A First National Picture)
Hollywood Personalities

Hollywood, Dec. 5.—Max Reinhardt interviewing 500 ballet dancers for atmosphere in "Midsummer Night’s Dream" at Warners ... George Bricker and Joe Sayer collaborating on the script for "Sport Page" at Warners ... Ann Sothern hires two bodyguards ... Mayfair will open the season with a formal party Dec. 8 following the Notre Dame-U. S. C. game ... Gene Markey busy working on a new novel ... Morrison Chapman, Paramount writer, off for a vacation in East ... Maurice Chevalier said in French in the "Merry Widow" to the king in the queen's boudoir.

Warner Fire Fails To HalT Producing

(Continued from page 1)

Walters, Ohio, Dec. 5.—After returning three big pictures returned to it from Campi the fire in Hollywood has been caused to determine the theatre involved are competitive and has sent the cases back to Campi again for determination.

The cases are: Mrs. Jennie H. Dodge, Mission, Ventura, against Glen City, Santa Paula; C. A. Perry, Granada, Alhambra, against O. W. Lewis, Mission, San Gabriel, and M. E. Bayly, Tivoli, West Los Angeles, against Wilshire, Santa Monica.

Palmer Plea to Be Presented Dec. 14

(Continued from page 1)

under Section 21-A of the Bankruptcy Law.

Palmer, who also represents Allied Owners' bondholders, a large group amounting to $75,000, testified that the circuit court's ruling on his Fox Met appeal would establish a precedent which would determine whether or not he would also seek a 21-A examination of the proposed directorate of reorganized Paramount.

Flash Previews

Lottery Lover—Individual cast performances and tuneful melodies keep this one interesting, despite a sketchy plot. Written with forced humor which holds it to only average entertainment.

Helldorado—Fantastic drama, building to a topical thrill climax. Mild general entertainment ... covers much irrelevant ground.

These films will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Club Leads in Hit Doubles at Trial

(Continued from page 1)

the same bill. She also said a radio delivery handled by herself brought out a large number of records to the tune of 2,000 persons, with only 2,000 favoring the practice.

Judge J. Zehrung, chairman of the film activities of the National Council of the Y.M.C.A., testified similarly to3.


double bills cater to two elements in an audience and spoil the good features of the lesser.

A. W. Smith, eastern and southern sales manager for Warners, said that in his opinion his company is making better shorts than many companies making second grade features.

C. G. Grainger, eastern sales manager for Monogram, said his company has 425 independent accounts in this territory against 75 in circuits.

He told Judge Welsh that the company was about $6,000 from circuit against $20,000 from independents. He contended that there was no question but that the discretion of the local exchange manager, he said. He also stated the Philadelphia pays more for one feature than any other city.

George J. Schaefer, Paramount general manager, testified that since September, the preview revenue derived from independents was less than 50 cents per cent of feature returns. He also said duals caused Paramount to discontinue many lines because it tended to reduce quality of product.

J. Robert Rubin, general counsel of Monogram, told the court he believed his company has done very well in independent duals and that his company is not as much of a factor for their product, claiming exhibitors may be gaining for Fox films. He agreed that duals make to lower standards of production.

Sam Gross, local exchange manager for Monogram, in testimony before Edward Max, offered corroborative testimony.

First Division Will Release "Time" Ree

(Continued from page 1)

Time, editorial director, and Louis de Rochemont, former Fox Movietone production executive, technical direc-

tor. That a deal for distribution of the dramatized "Time" through First Division was under way was published in MOTION PICTURE DAILY on No. 15.

The understanding is that the tieup between First Division and "Time" which is backing the venture, was suggested by Dean Bradshaw of the Curtis-Fiske-Ludington group which recently acquired a half interest in "Time" productions.

It is understood that at the start sales will be limited, the country being divided into 3,000 areas, in each of which one exhibitor will get the entire run of films. The theory of this arrangement will give each exhibitor full benefit of the production and a demand limited to its territory for the films. It is understood that exhibitors will be allowed to terminate their contracts should they feel the terms were unsatisfactory.
“I NOMINATE THIS CAMPAIGN FOR FIRST PRIZE in the Quigley Awards for Showmanship in the M. P. Herald”

“BABES IN TOYLAND”

(LAUREL-HARDY FULL LENGTH M-G-M FEATURE)

At the Stillman, Cleveland. Harry Long, Manager

1. President Roosevelt in person responded by telephone to an offer to give proceeds of Midnight Show to Warm Springs Fund. Result: front page publicity!

2. Staged arrival of print from Hollywood via United Airlines... airport picture used by Press.

3. World premiere midnite Wednesday preceded by band parade... including persons wearing paper mache heads... red flares... banners... are lights in front of theatre... broadcast on sidewalk thru WGAR by invited guests such as the Governor-Elect Davey... Mayor Davis and others... Radio Station providing local talent entertaining between introductions.

4. All celebrities and invited guests received Jumbo telegrams of invitation delivered by Postal Telegraph messengers in tie-up with that company.

5. Distribution of 8,000 advertising toys to pupils as they left various public schools.

6. Tie-up with Old Gold for placing of theatre and playdate stickers on colorful Laurel and Hardy posters in all important cigar stores and counters in city.

7. Tie-up with leading stores in city for toyland window displays... using attractive signs on easels giving name of attraction... theatre and playdate.


9. Posters on both sides of 35 Superior Transfer trucks floating target day and night... delivering local newspapers from plants to railroads also merchandise from leading stores.

10. "BABES in Toyland" float... two scenes from the picture on attractive flat truck... illuminated at night will parade thru downtown thoroughfares as an advance ballyhoo, prior and during engagement and then entered in monster Pre-Christmas parade sponsored by Cleveland Press similar to that of Macy's in New York on Thanksgiving Day.

11. Lead stories in Plain Dealer and News of Nov. 26th with art... special story in Press of same date part of Toyland Parade announcement.

12. Cleveland Press dated Nov. 27th using art and story on "BABES in Toyland" as picture presentation at Stillman and reproduction of scenes on float for Parade, on December 7th.

13. 10,000 Teaser football heralds distributed at Cleveland News Skippies game at League Park, November 25th, for Christmas Fund... also at Reserve-Carroll game on Thanksgiving Day closing local football season.

14. Increased newspaper advertising Space.

15. 1,000 stickers on morning newspapers delivered to guests at hotels Carter, Hollenden and Fenway Hall.

16. One sheet colorful poster on cards exhibited in lobbies of hotels Statler... Cleveland... and Allerton.

17. Advance lobby displays... screen trailers.

18. 1,000 Gummed stickers on Mullaire Cleaning bags to homes.

19. Laurel and Hardy "reserved" cards for tables in leading restaurants and hotels.


P.S. And the business was sensational. You're next!

Hal Roach's BIGGEST FEATURE LENGTH SUCCESS!

BABES IN TOYLAND featuring LAUREL-HARDY
and Great Cast in Victor Herbert's spectacular Musical Stage Hit!
William Haines in "THE MARINES ARE COMING"
with Esther Ralston, Conrad Nagel, Armida,
Edgar Kennedy, George Regas

(HOLLYWOOD PREVIEW)

68 mins.

Mascot

GOOD ENTERTAINMENT OF THE ACTION AND COMEDY VARIETY WITH HAINES DOING A SWELL JOB.

A very entertaining Marine yarn that should do well wherever they go for pictures loaded with action and comedy. William Haines is swell in the type of wise guy role which made him a favorite. Armida, as the fiery Spanish dancer, helps things to move at a furious pace. Her comedy and Edgar Kennedy's amusing antics furnish plenty of laughs. David Howard's direction gets everything out of the well written situations. Haines, a marine who has a way with women, falls for Esther Ralston, who is engaged to Conrad Nagel. Armida is in love with Haines and follows him everywhere. Esther Ralston gives up Nagel to marry Haines, but the latter gets into a brawl and is forced to resign his commission. He reenlists, saves Nagel's life, and in a surprise ending, instead of taking Esther Ralston, he marries Armida.


Director, David Howard; Authors, John Rahnmeill, Colbert Clark; Screenplay, James Guen; Cameramen, Ernie Miller, William Nobles; Recording Engineer, Terry Kellum; Editor, Thomas Scott; Photography, Fine.

NAVY, ARMY and MARINE PICTURES take the Box-Office and the Public by storm . . . . Bill Haines and his gang of lusty Leathernecks in this S.R.O. MARINE SPECIAL will take your Box-Office situation well in hand. Contact Your Mascot Distributor . . . Quick
Three clearances up to Campi today

Three clearance and zoning schedules, Kansas City, Buffalo and New Haven, will be discussed and Council at its meeting which will be held over by Charles L. O'Reilly, John C. Film, who returned late last night from Chicago, and will make a report on the coast situation due to lack of time for preparation. Deputy Administrator William P. Parsons, who attended a session of the Lenten Theatre Code Authority here yesterday, will represent Compliance Director Sol A. Rosenblatt.

Action on the Kansas City plan will be held up because of the price war which has not yet been settled; the Buffalo schedule will be returned as not being in conformance with the 12 articles of principles of clearance and zoning, while it is good in shape, it will have to be returned to the local board and a public hearing held before it can be put into effect.

Flinn Returns With Favorable Reports

Returning from a short trip to the coast where he sat with the studio labor, standing and registration committees for four days, John C. Film last night reported “everything is in splendid condition.” He returned by plane from Chicago where he spent two days.

The Code Authority executive secretary stated that while in Los Angeles and Chicago, he acquainted himself with the records of the local boards and found everything going along smoothly. He did not sit with any exhibitor.

While the Los Angeles schedule is in pretty good shape, Flinn added it is still before Campi. He could not tell when it would be put into effect. He expects Campi to clarify the Kansas City clearance zoning schedule today, which may, in turn, expedite zoning throughout the country.

Overbuying Charged by Morris Kutinsky

Morris Kutinsky has filed an overbuying complaint against A. H. Schwartz, contending that the defendant has purchased all major products, leaving him without a picture for the Community, Queens Village. Schwartz operates the Queens, same community.

Louis Nizer will defend Schwartz when the case comes up next Tuesday before the New York grievance board. Kutinsky contends that last season he had all of Loew, Paramount and Fox and half of Radio, Columbia, U. A., and Universal outputs. This season, Kutinsky holds, he cannot get anything, but the “stuff” rejected by Schwartz.

Mickey's Brows Rise

A statue for Walt Disney was suggested by Sir Harry Brittain at the annual dinner of the Institute of Amateur Cinematographers in London the other night.

This comes on the heels of a university lecture on "The Flying Mouse" under the auspices of the Three Arts Institute sponsored by the Carnegie Foundation at Brown University.

This keeps up, Mickey will have to use his Latin name—Michele Mus.

Chicago Pair Here to Argue Over Releases

(Continued from page 1)

designated first runs in all of the various zones as the date from which pictures become available for the neighborhoods involved. The exhibitors contend that there is no unity in releasing systems and this is causing much confusion when it comes to sending in cancellations 14 days after first run.

Theatre men in Chicago declare that downtown first runs are the determining factor for release dates and not the neighborhoods.

Rosenblatt Hopeful on Coast Situation

(Continued from page 1)

spent on the coast in an attempt to break the deadlock between the two.

During his stay in Hollywood, Rosenblatt held a number of conferences with representatives of both sides. The deadlock was caused by the refusal of the producers to accept the hearing on the issue from Campi on the five-five committee and the objection of the players to any modification. The principal stumbling block is the demand of the actors for what the producers consider practically a closed shop.

Loew Meeting Delayed

A meeting of Loew's, Inc., directors scheduled for yesterday was postponed until Dec. 11, following a special stockholders' meeting, because of lack of a quorum.

RELEASED THRU—The New Major FIRST DIVISION

HARRY H. THOMAS, president
PARAMOUNT Wishes you
a Merry Christmas and
a Prosperous New Year
with "Here is My Heart"

"HERE IS MY HEART" with BING CROSBY, KITTY CARLISLE,
Alison Skipworth, Roland Young, Reginald Owen. Music and Lyrics by Ralph
Rainger, Leo Robin and Lewis Gensler. A Paramount Picture directed by Frank Tuttle
NRA Men Say Year Proves Code’s Worth

By CLARENCE LINZ

WASHINGTON, Dec. 6.—One year of operation under the code has amply demonstrated the advantages of the agreement, it was said today by NRA officials upon the first anniversary of the document.

"Reluctant to evaluate the advantages of the code in the framing and administration of which he took a prominent part, Compliance Director Sol A. Rosenblatt contented himself with commenting "we got away to a very late start, but I think in the short time we have had it the code has proved its value and worth."

In other quarters of the administration, however, the code was more frankly discussed, it being pointed out that it is the only agreement in which all the branches of an entire industry are covered, one of the few which is satisfactory to both the government...

(Continued on page 7)

Rosenblatt Denies He Intends to Quit

WASHINGTON, Dec. 6.—A flat denial of reports emanating from California that he was about to sever his administrative connection with the NRA was made today by Compliance Director Sol A. Rosenblatt, who declared he had no intention of leaving the organization at this time, particularly in view of the important matters which are pending.

Rosenblatt denounced rumors that he would become assistant to Harry M. Warner, president of Warners, asserting that the matter had never been broached to him.

(Continued on page 6)

Opposition to Para. Plan Is Slight So Far

Very little opposition to the Paramount plan has developed since submission of the plan to the court early this week. General satisfaction among creditor groups is marked and leads to the belief in reorganization circles that Paramount may be out of court jurisdiction by Feb. 1. Essentially all of the large creditor committees together with the stockholders' committee, which represents more than 50 per cent of the Paramount shares outstanding, are supporting the plan.

The only open opposition, to date, has been voiced by Samuel Zinn, said to represent holders of less than $50,000 of debentures, and by Archibald...

(Continued on page 6)

Order Ready to End Lease on Criterion

A report which will approve the decision of the Paramount Public relations committee to terminate the Criterion and Loew's New York property by defaulting on the mortgages was...

(Continued on page 6)

Chicagos Complaints To Go Before Campi

No action was taken by John C. Flinn yesterday at a brief conference with Jack Miller and Aaron Saperstein on the Chicago releasing situation. The executive secretary of Campi could not act on the matter and will refer it to Code Authority for action at its next meeting, Dec. 13.

Representing independent groups, Saperstein and Miller complained that distributors were holding up releases, setting dates after first runs in the neighborhoods instead of downtown houses. This system, it was stated, confuses the exhibitor who wants to take advantage of the 10 per cent cancellation, in addition to holding up dates.

(Continued on page 7)

New Haven Schedule May Be First Ready

New Haven's clearance and zoning schedule may be the first to get the official nod of Campi, discussed...

(Continued on page 7)

Botsford Picked as Para. Scenario Head

HOLLYWOOD, Dec. 6.—Paramount's scenario department has been shuffled as a result of the resignation of...
Insiders' Outlook

In case you have forgotten it, or because it has slipped its moorings in your mind, as it has with many others, this is the day which marks the first anniversary of the effective enactment of the code. Signed in Warm Springs on November 27 by the President, the document, born of travail, weariness and the propaganda of specific and selfish interests, rested in its N.R.A. files until one minute past midnight on December 7 a year ago. Then and there, it became part of the law for this industry to conform with objections and misgivings and hopes notwithstanding.

What about this first year of code? Have we learned anything new or anything different about the industry since the code was brought into existence? This scott has been trying to influence a manner as he knows how to get a line on reactions lurking in different sectors. Quickly and to make himself and his research perfectly clear, he tells you without delay that the pickings were pretty slim, that the imitation and fiddling razzberries than cheers.

Perhaps code experience in this industry merely reflects the attitude of all private business. It is a fact, however, that the groups which make up the production and distribution phases of this industry would much prefer to have the government or its agencies attend strictly to the business of government. Exhibition bows to an identical direction. The code was not written to please the code men and its creation came about only because of the mandate of the NIRA. It was supposed that, under the theory of the Recovery Act, the commercial domicile in which the business, like others, is registered would be a more pleasant place in which to work. Yet that family squabbles would be fewer and marked with less intensity...

An enigmatical theory, of course, and worthyly idealistic. But what about it? There is this about it. In exhibition the independents are wailing loud and long over their denied penchant for bank nights, what they term the injustice of restrictions in the matter of premature advertising. That's merely to make theopération favorable to the code and runs more, more and more sacrosanct, they say. They complain, too, about the tightening grip of the circuits and their mass buying. Is it constant and endless and unostentatious solve of clearance, once known as protection. The circuits, swollen and impressed by their own position, are refusing to relinquish that which they have now and are prone to demand more, as who is not?

Distributors, being sellers, prefer to string along with their more powerful customers, or, in other words, the circuits numerically impressive in buying content and in numbers of theatres. Their attractions, expensive to make and star-studded with merchandisable names who are expensive to Key and keep to protect, must be safeguarded, argue the distributors. Clearverse, therefore, is, or should be, determined by price. They want it made as a way to insist upon the quality of the theatre, to leave the answer in little doubt, if any at all. A pretty impassable on all counts in the direct consequence.

Some theatre operators, because they are always jealous of direct and indirect competitors, are using the overbuying provisions of the code in an attempt to chisel pictures which they know but do not necessarily deserve. Others continue to sweat over the delights, as they see them, of a broad right-to-buy-in -the-open-market setup. Exhibitors and all others don't like the labor provisions which make their operations more costly while the returns, theorized for them through a reduction in the horde of the unemployed are something so far not reflected on the balance sheets.

Producers and distributors heartily dislike the added payroll burdens which have faced them in the first year under the code. Their line of reasoning is very simple to understand and, therefore, very simple for this outpouring to comprehend. Conditions are still not good. Grosses are not what they ought to be, yet it costs us more to operate each of these days, and we get off?" they inquire. Well, where do they get off? This is one of the questions this column has been trying to have answered, but no kindly volunteer has appeared on the scene...

Code Authority meetings, for some time now, have been giving this one and that one a pain, a good stiff pain and that one that one would rather not have it. They resent the time it takes to do the normal conduct of their jobs. They do not relish the arguments, the constant creeping to the fore of the special privileges registered by all to be sundry and, or at least, sundry. They want to know why they cannot be permitted to proceed in their usual way in the usual search of thevacant spaces of a profitable dollar.

On the coast, the cat-and-dog fight between the creative workers and their employers, the producers, steadily has been growing worse. Compliance Director, Mr. L. M. Mack, just returned to Washington, ran into that thing called deadlock and even his presence, backed by the full majesty of the N.R.A., did not change the trend. Strike talk is in the air there and, while the manner in which it is being so loosely bandied about, may not come to grips in a pinch of propaganda for a cause, the strained relations between actor and producer and writer and producer do no good to that in which the industry is primarily interested.

(Continued on page 19)
from New York Daily News for

FLIRTATION WALK

First of The Big Shots from Warner Bros.

MORE NEWS ON PAGE 4
NATION'S PRESS ROARS
DEAFENING 21-GUN SALUTE
TO THE ALL-AMERICAN HIT

"Warners have scored again... Worth a multi-gun salute."
—Newark Star Eagle

"Had a packed house howling with patriotic fervor."
—N. Y. Times

"Warner Bros.' latest screen musical is assured of success."
—N. Y. Evening Journal

"A great Thanksgiv- ing gift from the Warner Bros. studio."
—Journal of Commerce

"Spectacular entertainment on every count."
—N. Y. Evening Journal

"Unusually good... highly recommended entertainment."
—Cleveland Plain Dealer

"New Warner hit. Patriotic music stirs thrills."
—N. Y. American

"West Point has gone into the movies in a big way."
—Knickerbocker Press, Albany

"Gala and colorful event."
—N. Y. Daily News
'Flirtation Walk' is making the ticket machines sing a gay prosperity tune."
—Cleveland News

"Flirtation Walk' scores success. Will be long remembered by Newark theatregoers."
—Newark Sunday Call

"Stirring combination of talent, youth, music. Corking entertainment."
—Newark Star Eagle

"I rate 'Flirtation Walk' as the finest musical in many months."
—Cleveland News

"Glorious romance set in the most glorious of all romantic spots—West Point."
—Pittsburgh Sun Telegraph

"Assured of a large and enthusiastic clientele."
—N. Y. Times

"Your musical bet of the moment."
—N. Y. World-Telegram

"New Deal in musical films."
—Albany Times-Union

"Gloriously sparkling with virtues in every department."
—N. Y. World-Telegram

"The picture is a honey."
—N. Y. Daily News

"A perfect peach of a musical."
—N. Y. World-Telegram

"Star-spangled era of first rate fun awaiting in grand new musical."
—N. Y. American

FLIRTATION WALK

First of The Big Shots from Warner Bros.

MORE NEWS ON PAGE 8
Philip. Duals Trials Close;
Decision After the Holidays

Various times between 1930 and 1932 as result of complaints made against the Venice Theater.

In announcing for the plaintiff Benjamin M. Goldner quoted from a California decision restraining collusion.

In rebuttal Morris Wolf, defense attorney, denied the existence of collusion, he testified to featuring instead cut down attendances and reduce interest in films on the part of patrons.

A claim among unofficial observers is that Perlman will win his fight for an injunction. If the court should accept, they believe an appeal will be taken.

Trans-Lux Charges Dangerous—Furber

With full aperception that stockholders are entitled to complete and de
cisions of the conduct of their companies, Furber said, reck
ellelegations made against corpora
tions of stockholders disturb share owners, injuring the company’s busi
ess and destroying confidence in general

In our own case we have frankly and willingly acquainted our stock
holders, inasmuch as we are convinced that the company’s operations, but due to the widespread discontent among the company’s shareholders, it is most probable that the court may be misled, especially where technical or legal questions are in
doing the solicitation committee seeking proxies from Trans
-Lux stockholders cannot sub
tin two ways. First, the company has no right to its own letters to our stock
holders. Our published financial state
ters for the month end to show

Spelman on Way East

Hollywood, Dec. 6.—Howard Spelman, former assistant district attorney for Los Angeles, who has resigned from his post at Radio, has completed an original story in collaboration with Joe Con

Color Short at Capitol

M-G-M’s “Toyland Broadcast,” a short subject produced in color by Harman-Lang and aimed for holiday programs, has its first New York showing beginning today at the Capitol.

Song Stories in Work

Two subjects in Educational’s Song Hit series were placed in work yester
day under Al Christie. They were “The Song Pluggers,” starring Sylvia Fros,
and another as yet untitled but starring Frank Luther.

Phila. Duals Trials Close;
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day under Al Christie. They were “The Song Pluggers,” starring Sylvia Fros,
and another as yet untitled but starring Frank Luther.
Fight on Free Shows Sets for Campi

Vaud Hearing Soon

Washington, Dec. 6.—The date for the public hearing on the Vaud and Roses petition to amend the Act of Congress that created the Vaud & Roses Amusement Act is expected to be set after the return from the New York studio of Administrator William P. Farnsworth. The hearing will probably be held sometime around Dec. 19, it is indicated.

Studio phases and the question of elimination of the code of the leasing clause also are expected to be heard.

Captains Named in Federation's Drive

With the appointment of captains to handle detail work, unprecedented support to the Federation of Jewish Charities was noted yesterday at an informal meeting of the executives with Albert L. Warner, chairman. A list of contributors and correspondence concerning donations within the next week, it was stated. The executive committee consists of David Bernstein, 129th St., Jack Cohn and Louis Nizer.

Team captains are: Sam Morris, Wellesley; Jere Gottlieb, M-G-M; Leo Friedman, Loew's and M-G-M; Lichten, U. A.; Cohn and Sidney Bachel, Columbia; Eugene Zukor, Paramount; Phil Reisman and Jules Levy, Radio; E. A. Alperon and Harry Ruxbaum, Fox; Harry Thomas, First Division; Sam Rieder and Louis Frisch, independent theatres; Harry Brandt and Leo Grossman, Columbia; R. H. Spitzer, Louis Bernstein, Irving Caesar; Robert Crawford, Si Adam, Edward Wexler, Modern; Leonard and Edward Morris, Columbia and Edward Grossman of the Standard Oil Company of New Jersey, which will be composed of the large theatre companies.

The business of the captains will be the distribution of motion pictures and the handling of such business in their territories. Their captains will be appointed by the various companies and will serve until the end of the war.

New Haven Schedule May Be First Ready

Harris and Ewing, one of the largest law firms in New York, has been assigned by the Secretary of War to draft the legal papers for the new Nat. Guard unit to be formed in New Haven.

Order Consolidated To Re-hire Printers

Washington, Dec. 6.—Re-statement in form, regulations who went out on strike April 5 was ordered today by the National Labor Relations Board. The men were employed by Consolidated Film Industries at Fort Lee. It was stated that if this is not done the case will be referred to the compliance division of the NRA.

The board held that the company has failed to comply with the requirements of the National Industrial Recovery Act as to collective bargaining.

War Picture Opening

"War Is a Racket," Samuel Cummins' and Jacques Koeppl's munitions picture, opens at the Gaiety tonight. The release will be through Eureka Productions.

NRA Men Say Year Proves Code's Worth

(Continued from page 1)

and a greater degree of control by the industry, and one to which a greater degree of cooperation has been given by the exhibitors, is hoped for by many of them.

That the code is highly regarded throughout the business is shown by the reaction of an official who pointed out that the man who developed it and has superintended its administration is now director of compliance for the NRA, one of the most important positions in the entire organization.

Hollywood, Dec. 6.—Opinion is divided here on the results of the NRA year. Many are of the viewpoint that they will not be able to commit themselves. Those willing to talk adopt either an indifferent attitude or else speak well of the code's work.

Open New Ottawa House

OTTAWA, Dec. 6.—A second new theatre here within a year, the Canadian Capital, has been opened. It is called the Victoria and it is in the West End. James T. Moxley is the proprietor. Until recently Moxley was local registrar of deeds for the Onta- rio Government. Originally he was a member of the executive committee of Famous Players Canadian Corp., and the Russell, owned by Arthur J. Schick.

The Victoria has 800 seats and is equipped with RCA Photophones.

Form Perfect Theatres

Dover, Del., Dec. 6.—Perfect Theatres, Inc., has been chartered here to operate theatres, opera houses, etc., and to purchase land or other properties of par value. The incorporators were Edward S. Williams, David H. Jackman and C. N. Caldwell, Jr., New York City.

Southern Attractions, Inc., has been organized to carry on the business of a theatre chain of 10 houses, no par value. The incorporators were Walter Lenz, W. T. Hobson and B. R. Jones, Wilmington.

Exhibitors Re-elected

TORONTO, Dec. 6.—Two Ontario theatre-men were re-elected at an annual meeting of the December municipal elections. H. E. Wilton, manager of the Strand, Hamilton, received 27,000 votes, or 20,000 more than the second candidate. P. J. Nolan, owner of the Avalon, Rexx and Columbia in Ottawa, was an easy winner in the contest for a second term there.

Columbia Has Two Hits

Columbia's picture hits the high spots along Broadway last week. "Broadway Bill" at the Music Hall and "Captain of the Air" at the Roxy are being hit for $31,000 in its second week and is being held a third.

ITOA to Dance Jan. 12

The I. T. O. A. will hold its annual ball at the Astor on Jan. 12.
BLAZING BALLYHOO LURES BIGGEST PREVIEW AND OPENING-DAY GROSS OF ENTIRE YEAR TO N. Y. STRAND—TOPPING "DAMES", "NAVY", "GOLD DIGGERS" —WINNING INDEFINITE HOLD-OVER FOR WARNERS' STAR-SPANGLED SPECTACLE!!
FLIRTATION WALK

First of The Big Shots from Warner Bros.

MORE NEWS ON PAGE 11
Roach Bolsters His Production Forces

As a challenge to dual features, Hal Roach is lining up feature comedy writers and directors to bolster short subjects. Fred Quimby, short subject head of M-G-M, stated yesterday after a trip to the studios, "Roach appreciates the need for better writers and players for his productions and is making every effort to meet the demand," Quimby said.

"We are up to schedule on all shorts, including Harman-Ising, Roach and our own subjects," Quimby announced. The 13 'Babes in Toyland,' Roach is now busy on the balance of his lineup for this season.

"Harman-Ising has added two new animators to the staff and one animator director. The two animator producers are now working on a third dimension short tentatively titled 'Bosco's Mother Goose,' the M-G-M executives stated. The 11 fixed three-dimensional short cartoons and 13 one-dimensional shorts are scheduled before completion of the July 4th season.

"We are on schedule for three-dimensional shorts which are coming out every month and are on target for the July 4th season.

"Roach plans to be in New York around the first of the year.

Loew's Toronto Net $96,633 for 20 Mos.

TORONTO, Dec. 6.—According to a financial statement just issued for the 20 months' period ending August 30 last, net profits of Marcus Loew's Theatres (Toronto), Ltd., amounted to $96,633.63 after charges including depreciation, taxes and interest had been paid.

Gross operating earnings totaled $264,811.50, which was made up of $218,993.20 for the previous total of $18,184. Fixed dimension short tentatively titled 'Bosco's Mother Goose,' the M-G-M executive stated. The 11 fixed three-dimensional short cartoons and 13 one-dimensional shorts are scheduled before completion of the July 4th season.

"Yet, the numbers are not an indication of what will happen in the future, as the company is scheduled to produce its own short cartoons for July 4th and is on schedule for three-dimensional shorts which are coming out every month and are on target for the July 4th season.

"Loew's Toronto Net $96,633 for 20 Mos.

Hollywood Preview

"Heldorado"

(Lasky-Fox)

HOLLYWOOD, Dec. 6.—Fantastic drama, building to a topical thrill climax. This three-segment yarn stacks up as mild general entertainment. It covers much irrelevant ground, developing its points without outstanding performances, save Henry B. Walthall's. A thin continuity binds the incidents.

Essentially, the yarn is a story of a self-confident, smart guy missing disgrace by a lucky break. Saving a tourist party from the dangers of a cloudburst, Richard Arlen lands its members in Heldorado, a ghost town. Mistaken for an old partner by the lone inhabitant (Walthall) Arlen, dreaming of romance with Madge Evans, beloved by Tycoon Ralph Bellamy, believes he has discovered a lost mine.

Leaving the party to return to civilization, Arlen's chatter causes a modern gold rush. Disillusioned prospectors are ready to mob the hero, but are prevented by Miss Evans' discovery of an old registered claim which leads to a new bonanza and simultaneously reveals to her than Arlen's eccentric exterior is a heart of gold.

Neither Arlen, Miss Evans or Bellamy convince. Comedy relief by Stepin Fetchit and James Gleason lack spontaneity. Acting honors belong to Walthall. The original is by Frank Daze with the screen play by Frances Hylan. Direction is by James Cruze. The gold rush background suggests showmanship angles that should create audience interest. Production Code No. 364. Running time, 75 minutes. "G."

"Lottery Lover"

(Fox)

HOLLYWOOD, Dec. 6.—Individual cast performances and tuneful melodies keep this one interesting despite a sketchy story laden with forced humor which holds it to only average entertainment, although it may prove entertaining to audiences.

The story starts out in musical comedy fashion featuring Reginald Denny giving final instructions to a naval crew before it leaves on a Paris shore leave. On land, the crew chips in to promote a farcical romance between Peggy Fears and Loy Ayres, who is selected through a lottery draw following a plan concocted by an American guide (Alan Dinehart). Pat Patterson, a chorus girl in the musical comedy starring Miss Fears, is picked to rehearse the romantic lines with Ayres and the duo becomes enamored.

From here to the finish the story is highlighted by melody and comedy, with the latter consisting of the romantic triangle of Miss Fears, Ayres and Miss Patterson. Dinehart and Walter King, a romantic singer as a Russian prince, and Sterling Holloway are good comedy high spots. William Thiele directed satisfactorily. Music and lyrics by Jay Gorney and Don Hartman are refreshing. The dances by Jack Donahue are diverting.

Serving to introduce Miss Fears to the screen, the film essays average in entertainment values. Production code no No. 459. Running time, 88 minutes. "G."

"Enchanted April"

(Radio)

HOLLYWOOD, Dec. 6.—Two English wives, Ann Harding and Katherine Alexander, whose husbands, Frank Morgan and Reginald Owen, in a way take them for granted, try a holiday together in Southern Italy. During a campaign of romance, Ann is shown the beauties of the outdoors and Reginald is shown the beauties of the indoors. The results is a happy ending.

It seems the plot when in strumo pompado dignity he takes a hot tub bath. Jane Baxter, Ralph Forbes, Jessie Ralph, Charlie Judels, and Rafaela Ottiano give life to characters hanging on the slim plot. The production has the mood of whimsical charm with inclinations toward so-called highbrow.

Harry Beaumont directed from Samuel Hohenstein's and Ray Harris' screenplay.

While hardly fare for the beef and bean masses it might appeal to the champagne and caviar sophisticates. Previewed without production code seal. Running time, 78 minutes. "A."
WARNER BROS NY

FLIRTATION WALK OPENED YESTERDAY IN THE STANLEY PHILADELPHIA
ASTOR READING AND ALDINE WILMINGTON STOP IN PHILADELPHIA IT
BEAT THE OPENING OF FOOTLIGHT PARADE BY $100 STOP ESTABLISHED
NEW ALL TIME RECORD AT ASTOR READING STOP IN WILMINGTON IT DREW
THE BIGGEST BUSINESS THE THEATRE HAS EVER SEEN IN A SINGLE DAY
STOP ALL THIS IN SPITE OF TERRIFIC DOWNPOUR AT SEVEN THIRTY
LAST NIGHT IN ALL THESE SPOTS STOP THIS WAS TRULY A WONDERFUL
THANKSGIVING GIFT TO ALL OF US

LEONARD SCHLESINGER
MILWAUKEE WIS NOV 29

WARNER BROS NY

KNOW YOU WILL BE GLAD TO HEAR FLIRTATION WALK OPENED WARNER THEATRE TO BIGGEST SINGLE DAYS BUSINESS IN ONE YEAR AND PLAYED TO GREATEST ATTENDANCE IN THREE YEARS STOP AUDIENCE REACTION PROVES PICTURE TERRIFIC ENTERTAINMENT STOP LOOK FOR RECORD BREAKING WEEK REGARDS

HAROLD J MIRISCH
MEMPHIS TENN NOV 29

WARNER BROS NY
AGAINST BLINDING RAIN AND SEASONS ACE OPPOSITION FLIRTATION
WALK STOOD THEM IN STEADY LINE ALL DAY DOUBLING ANY PREVIOUS
THANKSGIVING GROSS STOP THIS IS A REAL RECORD
HOWARD WAUGH
ALBANY NY NOV 3rd

WARNER BROS NY

FLIRTATION WALK GAVE US HIGHEST SINGLE DAYS GROSS ON RECORD

AT STRAND ALBANY AGAINST UNUSUALLY STRONG OPPOSITION STOP

CONSSENSUS OF PUBLIC OPINION FLIRTATION WALK QUOTE MOST COMPLETE-
LY SATISFYING PICTURE EVER PRODUCED UNQUOTE REGARDS

LOUIS LAZAR
IS FLIRTATION WALK "THE GREATEST HIT SINCE THE SPANISH-AMERICAN WAR".

BIGGEST IN 36 YEARS

says Walter Reade

I cannot resist the opportunity to send you a wire calling your attention to the gross at the Strand Theatre, Plainfield, New Jersey, of Flirtation Walk. It opened to . . . . . dollars on Thursday and we have not done . . . . . . . . dollars in this theatre in one day since Spanish War. I hope that Sweet Adeline is just as good. Kindest personal regards.

(Signed) Walter Reade
BIGGEST IN 42 YEARS
says R. S. Coyle

Flirtation Walk broke all house records in attendance in the forty-two years of business of the Coyle Theatre. Flirtation Walk is the best of all Warner Bros. pictures, is the opinion of everyone.

(Signed) R. S. Coyle, Charleroi, Penn.

How far back will your record go on FLIRTATION WALK
Fiest of the Big Shots from Warner Bros.

MORE NEWS ON PAGE 21
New Russian Film Breaks All Records

By BELLA KASHIN

Moscow, Nov. 20.—Breaking all records for Soviet films, the new picture "Chapaev," which is an authentic account of an episode in the career of the Red partisan fighter of the same name, has been seen by a million and a half people in Lenin-grad and Moscow for the first 10 days of its run.

Eighteen theatres in Moscow are now showing the film; two major houses having added an early morning and a midnight show that ends at 2 A. M. The only other time Russian pictures have been open at such a late hour was six years ago when it was the practice during the Easter holidays to offer movies as a counter-attraction to religious people, who might otherwise have gone to church.

Chapaev, who has become an almost legendary Soviet hero, was an illiterate carpenter, who went over to the Bolsheviks when Russia was in the throes of civil war. Possessed of many military honors, he became a Red Army commander in 1918 and a little more than a year later ended his meteoric career when he was killed in a surprise raid by a White Guard detachment.

Moscowites have noticeably steered clear of all politically-tinted films in the past two years, including such pictures as Pudovkin's "Deserter," "The Songs About Lenin," the Soviet press recognizing that no greater proof of the artistic merits of "Chapaev" exists than the phenomenal attendance which is piling up.

The film is the work of the hitherto unknown Vassili brothers, each of whom has received an award of 10,000 rubles. In addition to their regular monthly salary, they also collect the usual one and one-half per cent royalty on every admission ticket sold.

Germans Test a New 270-Foot Projector

WASHINGTON, Dec. 6.—At the Nuremberg (Germany) National Socialist Party convention a new Zeiss-Ikon projector was successfully used, reports the U. S. Department of Commerce.

The set is equipped with 4,300-foot reels and enables an enlargement of 450 times the size of the original.

The size of the picture on the screen is 27 by 34 feet, with individual actors appearing up to 20 feet tall.

A Magnosol lamp is used and enables a projection set to be located 270 feet from the screen.

Drop Bank Night Cases

KANSAS CITY, Dec. 6.—The Dickinson circuit has withdrawn bank night complaints filed several weeks ago against competitors in Lawrence, Leavenworth, Independence, Kansas City, Mo. Since filing these cases, which have been held in abeyance at Dickinson's request, the circuit has con-

MOTION PICTURE DAILY

New Warner Projects

WARNERS Shift 2 Titles

Hollywood, Dec. 6.—Warners have changed the title of the next Al Jolson picture, "Casino de Paree," to "Go Into Your Dance," which is the title of an original story by Bradford Ropes.

The studio also has changed the current Paul Muni picture from "Black Hill" to "Black Fury."—

"Broken Soil" to Start

Hollywood, Dec. 6.—"Broken Soil," Samuel Goldwyn's third production starring Anna Sten, will start shooting tomorrow. The cast includes Ralph Bellamy, Helen Vinson and Sigfried Rumann. King Vidor will direct.

Para. Borrows Romero

Hollywood, Dec. 6.—Paramount has borrowed Cesar Romero from Universal to play Marlene Dietrich's leading man in "Caprice Espagnol." In addition Romero is appearing in "Civie in India" at 20th Century.

Dickson Joins Warners

Gregory Dickson, for the last year and a half with Columbia, has joined Warners, assisting Stanley Sichel in handling trade paper advertising copy.

Gault at Bonneville

Bonneville, Ore., Dec. 6.—Jack Gault, well known publicity man and theatre manager, has been named as manager of Parker's new Roosevelt Theatre.

Tampa Gang Sentenced

Tampa, Dec. 6.—Five years at hard labor in the state prison at Raiford, was the penalty handed out by Judge Petteway to the five men who totaled the two-ton safe from the office of the First National Bank on the night of Sept. 4 to a lonely spot in the country where they broke the safe open and departed with the $2,000 cash and $3,500 in jewelry.

"Up" to Star Edmund Lowe

Hollywood, Dec. 6.—Universal has spotted Edmund Lowe in the starring role of the E. Phillips Oppenheimer story, "The Great Imperator." The film is slated to go before cameras in February. No director has been set.

Krug Replacement

Hollywood, Dec. 6.—Due to previous assignments William Powell has been taken out of the top spot of "The Casino Murder Case," scheduled for early production at M-G-M. Otto Kruger gets the role.

Sedgewick to Do "Yale"

Hollywood, Dec. 6.—Edward Sedgewick has been handed the directorial job on the Damon Runyon story, "Hold 'em Yale," which Charles Rogers will produce for Paramount.

Ross Nelson Married

INDEPENDENCE, Ore., Dec. 6.—Ross Nelson, who operates the Lais Theatre here, has just been married to Mrs. Myrtle Cummings of Corvallis.
British CEA Overbuilding Fight Starts

By BRUCE ALLAN

London, Nov. 30.—Cinematograph Exhibitors' Action Committees have called a meeting to discuss the problems involved in the current overbuilding situation.

The issue involves the threat of a strike by exhibitors and the potential for a backlash against cinema operators. The action committees are calling on exhibitors to refuse to show films produced by companies that are overbuilding.

The organizer of the meeting, Joseph H. Black, said, "We cannot allow the industry to fall into the hands of the manipulators."

The meeting is scheduled to take place at the Savoy Hotel on December 1st.

Vibrations

Hollywood, Dec. 6.—Take it from Jack Lewis of the Producers Assn., it's a genuine thrill to travel the world at your own pace. The 52-year-old attorney was on hand when traveling 120 miles an hour.

Wallis Lewis garnered a full house on his recent trip East on the Union Pacific Streamliner, whose wheels have already passed the train shaking, or just a case of poker nerves. A little later he was told they had put over two miles in one minute.

Four New Concerns Chartered at Dover

DOVER, Dec. 6.—Eaves Sound Producers, Inc., Show Van, Inc., General Electric Specialities Corp., and Radio Club of America-Poland have been chartered here.

Eaves Sound Producers was incorporated by D. A. L. Raughley and J. M. Townsend of London.

Show Van filed to engage in the theatrical and general amusement business, listing a capital stock of $500,000 in 200 shares, to be issued to Wayne D. Phillips, J. Jack Stanley and Ed. Greenland of Blackpool, England.

General Electric Specialities filed to obtain a license to engage in the manufacture of radios, listing a capital stock of $500,000 in 200 shares, to be issued to B. W. H. Brown and L. S. Dorsey of Wilmington, N.C. The company was authorized to do a broadcasting business, listing no capital stock.

The incorporators are C. M. Cook, A. L. Raughley and J. M. Townsend of Dover.

Atkinson Made Head Of Canada's Legion

TORONTO, Dec. 6.—Dr. Sam Atkinson has been named President of the Legion of Decency in Canada. The head of the movement is described as "formerly co-chaired with the motion picture industry in Chicago."

Dr. Atkinson asserted that "if any film company produces a picture that is on the blacklist, then the people may be advised not to attend that theatre at all," pointing out that the blacklist is not confined to Catholics alone.

The Legion of Decency has been established to prevent the screening of motion pictures by virtue of the Government's orders that all peopole throughout Canada will be notified of the ploy, he advised.

Salvador Official Seeks Mexican Film

By JAMES LOCKHART

MEXICO CITY, Dec. 6.—Dagoberto Galváldo, sub-secretary of state for Social Security in Salvador, has been inspecting the motion picture industry of Mexico. He called on the filmmakers and the distributors to improve the quality of their products and to avoid scenes that are considered obscene.

Fulton to Des Moines

DE SIOUX CITY, Dec. 6.—Robert K. Fulton is to be the new manager of the new Fulton, a small suburban theatre scheduled to open Christmas Day as a member of the A. H. Blank group. Building and decorating are being completed and equipment is now being moved in. Fulton comes from the Strand at Waterloo, where he is being replaced by Joe Stewart of the Garden in Des Moines.

Reveys Going Along Nicely

Providence, Dec. 6.—Reveys as an adjunct to first run films are getting a great play and a big hand at Fay's, where they have been staged for the past month.

Realizing that audiences were more or less fed up with the old-time five acts of vaudeville, producers and the idea of the minute revue and its success has proved the soundness of his plan. Which this key would be the dancers and torch wailers with a crowd of girls prancing through smart routines. It looks as though the policy is in for the winter.

Omaha Again Hears Bank Night Charge

OMAHA, Dec. 6.—The grievance board established the fact that there was and is competition between the Capitol and Rialto theatres in Sioux City, Iowa, in a rehearing of a banking history case ordered by Bank Authority, 6th. The owner of the Rialto bank house was the complainant against the Rialto, managed by E. E. Seff. The local board has found Seff guilty of bank night operation previously and he had appeal. The authority declined to accept a second decision.

Kansas Eying Move For Consumers' Tax

TOPEKA, Dec. 6.—Exhibitors in Kansas are watching the interest the Kansas State Tax Commission is taking in the discussion of the Governor's legislative advisory council meeting here this week. Additional revenue may be obtained, said Lieutenant Governor Charles W. Thompson, who is presiding, is expected to submit his consumers' bill. The General Assembly is considering the advisability of substituting for the general property tax on real estate. A consumers' bill, which is another of the sales tax, would be applied to admission charges along with other services. The advisory council will make recommendations regarding legislation to be taken up at the full legislative session convening in January.

Picketing Ban Upheld

PORTLAND, Dec. 6.—The Rivoli Theatre Co. has won the first round in its legal battle to prevent the M. F. Machine Operators' Protective Union from picketing its theatre. This has been going on for three years. Judge Paul R. McCallum held that various picketing orders filed by the attorneys for the union.

Sachs Back to Dallas

DALLAS, Dec. 6.—Harry Sachs has turned back before a judge as the booker for Interstate Circuit, handling the larger Texas cities. Sachs was re-engaged by Wamers' theatres at Cleveland.
Insiders’ Outlook

(Part of a longer piece)

Drift has been the chief role. Dave Gould, Puerto Rico manager for M-G-M, has returned after an extended trip here for his health. Paul Lukas has been signed by M-G-M to star in a long Deal. C. Reiner has been directed to resign. Anita Kurin has been given an M-G-M pact and Chester Murray has been signed by Hal Roach.

Robert Ellis and Helen Logan have sold their original, “Happiness C. O. D.,” to Chesterfield. Curtin Western has completed his report on the M-G-M lot under his one-picture contract until June. Booth Tarkington’s new story, “Rennie Prodigies,” has been acquired by M-G-M.

Edward Childs Carpenter, playwright, has been signed by M-G-M.

Hal Horne attended his first AFA meeting since his marriage. Herbert Gorman’s “Suzy” has been purchased by M-G-M.

A. L. Alperson returned yesterday from Milwaukee to a short stay. He was in the Beer City several weeks ago.

Solly Kahn has joined Artemis, printers and lithographers for a number of independent companies around town.

Sidney Skolny, columnist on the Daily News, is mourning the death of his father, Louis. He was 80.

Harry Shipman will be tendered a birthday banquet by his friends today at the Paramount Chop House.

Dr. Kuykendall leaves for Washington and points south and west on Friday, accompanied by his daughter.

Sam Jacobson leaves within the next few days for a boat trip to Havana and Jamaica for a vacation.

Frank C. Walker is due back shortly. The fastener was not for whatever the reason and results, therefore, are what they are. . . .

J. A. Curtis Goes West

John A. Curtis, vice-president of First Division, has left for the coast.

Purely Personal

LOUIS KORN and HATTIE REIN- stein of the M-G-M home office are in Atlanta; Foster Gauker, Indianapolis; Thelma White, Oklahoma City, and Harold A. Weir, Washington, celebrate birthdays Monday.

Buddy Cantor will interview Frank Thomas, 12-year-old boy reporter and his pal, former Dan Station WMCA tomorrow night at 6:30 o’clock.

Dana Burnet’s novel, “The Shining Hour,” has been acquired by Fox as a vehicle for Shirley Temple. The author has signed to do the adaptation.

Ezekiel Wright, publicity head of the Poli Circuit, left for New Haven last night after a few days in the city.

E. Phillips Oppenheim’s “The Great Impersonation” has been bought by Universal. Edmund Lowe and Jane Darwell have been given the chief roles.

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Canadians Protest Music Fee Scales

Ottawa, Dec. 6.—A deputation of exhibitors and hotel owners waited upon C. H. Cahan, Secretary of State in the Dominion Federal Government at Ottawa this week, to petition for the appointment of a government commission to investigate fees claimed by the Performing Rights Society of Canada.

The theatre men argued that the annual seat tax levied by the society is excessive and that the Canadian Government had the right under the statutes to order an inquiry into the various rates charged by the society.

The hotels have been drawn into the situation because of the imposition of fees by the society for radio services for guests in the hotels, the organization having claimed the right to collect such fees under a recent judgment in England.

Cahan asked for additional information from the theatre and hotel owners.

from Warm Springs, Ga., and Washington any minute now.

Huddy Walpole has arrived in town from the coast. He sails for England tonight on the Berengaria.

LIVING SAMUELs of the Automatic Devices Co. of Allentown, Pa., in and out one day.

Johnny Weissmuller and Lupe Velez left for the coast on Friday.

Tuley Levy returned from Philadelphia yesterday after a sleepless night.

Saul E. Rogers will be in Boston on legal business until the week end.

Al Lichtman leaves for Holly- wood either Sunday or Monday.

Harry Asher, Boston independent, is in town for a few days.

Harry Brandt leaves for Florida Dec. 15 for a vacation.

Gonzalez Airitus will leave for the coast on Saturday.

Al Friedlander is back from Detroit and Chicago.

Felix F. Feist is due from Philadel- phia today.

DeH Amsterdam of Philadelphia is around.

Exceptionally Fine For Holiday Bookings

“JACK AND THE BEANSTALK”

“ALL LEON AND WONDERFUL LAMP”

“THE QUEEN OF HEARTS”

“THE HEADLESS HORSEMAN”

“DON QUIXOTE”

“THE BRAVE TIN SOLDIER”

“THE LITTLE RED Hen”

“PUSS IN BOOTS”

“VALIANT TAILOR”

“JACK FROST”
BRAZIL PICKUP FOUND GAINING BY MACDONALD

With the clearing up of the political situation and improvement in the coffee business, theatres in Brazil like Wise's, where Frank MacDonald is assistant to Sam Morris, foreign head of Warners, states following a seven-week trip to Brazil, Trinidad, Venezuela, and Cuba.

“There is a tremendous improvement in both these situations and the outlook for the theatre business is also good,” he said. “Theatres are operated too cheaply and the price of admission is low.” MacDonald declares. However, the theatre business is headed for better days and real admission prices, he says.

Quite a bit of building is going on, the Warner foreign executive says. Recently a new 2,100-seat house was opened in Recife and a third in Janeiro. Another neighborhood theatre is being built by Adhemar Riberio, who owns four downtown first-run houses. Ribe- río’s new theatre will seat 1,500 to 2,000.

Jose B. Andrade of Santos, where he operates a six-screen theatre, is building a new 3,500-seat theatre in the Brazy section of San Paulo. There are already five theatres in this district, MacDonald asserts.

Things in general are going along nicely in Brazil but the War, the Warner official states. This was his second trip to Brazil and the West Indies since July. On his first trip, Mac- donald went to Havana, Cuba, jointly with Paramount, as general manager of the Buenos Aires office. On his last trip, he took Nat Liebskind to Rio de Janeiro where Liebskind replaced William Fait as manager of the Warner branch.

NEW TRANSFORMERS FOR WARNER STUDIO

Hollywood, Dec. 6—Warners are installing six new 33,000-volt transformers, which will give the Burbank studio facilities for generating more electricity for use in their new Wisconsin studio. Frank Murphy, head of the electrical department, is in charge of the installation, which is being rushed to be used on major Warner productions of the year which are “Midsummer Night’s Dream,” “Go Into Your Dance,” “Gold Diggers of 1933” and “Black Fury.”

The new transformers weigh 15,000 pounds each and are capable of generating power for the four new studio stages now under construction. This new equipment doubles the amount of electrical apparatus formerly used at Warners.

WATT JOINS SMALL

Hollywood, Dec. 6—Nate Watt, associated with Lewis Milestone for several years as assistant, has signed a one-month contract with Edward Small to act in a similar capacity. Watt’s contract allows him to do outside pictures provided Small doesn’t need him. He recently completed writing, directing and editing of “A Week-End in Aqua Caliente,” a Spanish musical which United Artists produced for the Mexican Government.

FINISH “BENGAL LANCER”

Hollywood, Dec. 6—After three years of consideration with the story started and abandoned at frequent intervals, “Bengal Lancer” is at last in the cutting rooms following 88 days of shooting. The picture is going to be filmed with all of the best “jinx pictures” on the Paramount lot. More than 40 persons were injured slightly and seriously during the filming of the battle scenes.

ADLER JOINS ROACH

Hollywood, Dec. 6—Felix Adler, former editor for Harold Lloyd, has joined Hal Roach to edit on an untitled feature which Sam Taylor will direct.

The picture will be released by Jack Jackson and Harold Lenton office set the deal.

PREPARING RADIO SERIES

Hollywood, Dec. 6—Helen Hayes is preparing a series of dramatic sketches which she will deliver over the radio early in the spring. She will repeat in a week a national broadcast from New York.

USING NEW RCA “MIKE”

Hollywood, Dec. 6—RKO has installed the new RCA ribbon velocity microphones on the “Roberta” sets.

HOLLYWOOD PERSONALS


Edmund Goulding is back in Palm Springs every day by plane to visit Mrs. G., now almost recovered from her illness. Marion Marsh up again after an attack of ptomaine poisoning. Harry Cohn and Edgar Willis in San Francisco signing contracts in Palm Springs for a vacation. Roland Young to New York December 28. George MacDonald, has the delightful task of taking Allen to present Christmas in New York. Having finished her role in “David Copperfield” at M-G-M, Jean de Casel is back in the Reliance en route to London via the Canal. Sam Cohen has another cold.

Ginger Rogers a blonde again. Dorothy Parker the sensation of the Screen Actors Ball—at least to all those within earshot. George Brent gets the male lead in Warners’ “Oil for the Lamps of Hope.” He will head a party and a party to Arrowhead over the week-end. Errol Flynn in romantic lead opposite Kay Francis in “A Present from Margate” at Warners. He will follow the sequel of Marion Davies’ bungalow has been delivered to the Warners lot. Kent Taylor has changed the shape of his mustache. Joseph Schenck in Hollywood from England. Patricia Roc now arrives from Brazil. Bergere de Paree” for 20th Century. Jeanne Waid surprised friends by eloping with Lawrence Tarver two weeks ago. The newlyweds are now in San Francisco. Ed Flynn of “Preparing Schooner on the Fox lot. Charlie Butterworth back from the east.

PICTURE STORY

Hollywood, Dec. 6—Sol Lesser has decided to rush “When a Man’s a Man,” Harold Bell Wright story facing production. George O’Brien, into production before completing “The Cowboy Millionaire,” which still has two weeks to go.

The new schedule will probably affect the release dates on the two films, the latter of which was partially filmed in England.

“CRIMSON ICE” BASED ON PRODUCTION

Hollywood, Dec. 6—Paramount has purchased screen rights for “Crimson Ice” now being produced in Mexico by Rex Deane and Courtland Fitzsimmons. It is a mystery story murder in a beach game. Cary Grant will be featured. “Crimson Ice” is coming from New York to prepare the screenplay. Charles R. Rogers will produce.

“TYPEE” IN PREPARATION

Hollywood, Dec. 6—M-G-M is reading a production unit for a trip to the South Seas in two weeks to first film “Typee,” Phil Goldstone’s first effort for the studio.

“M-G-M黄金”

Hollywood, Dec. 6—M-G-M is “Ambulance Call” before the cameras. The cast features Chester Morris and has Robert Taylor, William Henry, Richard Arlen, Regis Toomey, William Smithers, Billie Burke and Mary Jo Mathews in supporting roles.

JOEY TRUPO

Hollywood, Dec. 6—Irene Biller and Irene Ware have joined Universal as members of the stock company. Miss Biller’s first role will be in “The Great Gatsby.” Miss Ware’s first will be in “Rendezvous at Midnight.”

NEW YORK

Hollywood, Dec. 6—With increased production, caused principally by the labor dispute with Cosmopolitan, Jack L. Warner is reapporportioning production assignments so that the whole burden may not fall upon his or Hal Wallis’ shoulders. Future coming productions will be distributed to Robert Fresnell, Harry Joe Brown, Sam Bischoff, James Seymour and Robert Lord, who will have complete charge of one group of pictures under the general supervision of J. L. Warner.

“BEAU BRUMMEL” SET

Hollywood, Dec. 6—Reliance Pictures has definitely decided to produce “Beau Brummel.” Other companies have announced the picture, but Edward Small, vice-president, has decided to start and has a deal on for the services of Robert Donat.

HARDWICK ROLL FIXED

Hollywood, Dec. 6—Cedric hardwick, English actor, is here from New York on a one-picture deal with the studio. The actor goes to the Pathe lot immediately for a lead in production, “Becik Sharp.”

ROACH SIGNS DUNCAN

Hollywood, Dec. 6—Arletta Duncan has been handed a long-term contract by the Roach studio. The deal will be signed by the O’Reilly and Mann office.

BOASBERG ON SCENE

Hollywood, Dec. 6—Al Boasberg has gone over to Radio to join the script Wheeler and Woolsey, “Murder in Tin Pan Alley.” The deal was negotiated by Ben Jackson and Harold Lenton, Inc.

WITH LOVE-MCLAGLEN

Hollywood, Dec. 6—Florence Rice has been set for the romantic lead in “East River” with Edmund Lowe and Victor McLaglen.

OAKIE IN “MILKY WAY”

Hollywood, Dec. 6—Jack Oakie has been definitely set for the male lead in “The Milky Way” at Paramount. Roscoe Karns will also have a feature part.

STUDIO AIDES SEEKING WORK BY SERA PLAN

Hollywood, Dec. 6—Underemployed technicians will be given an opportunity for employment under a producing plan sponsored by the SERA. The employees will be paid by the state and will aid in the filming of various industrial projects and historical happenings for Government files, much in the order of the films taken during the World War.

The A. H. C. has had delegates in Washington for the past two months promoting the scheme in order to place their idle cameramen and assistants.

WARNER REARRANGING STUDIOS

Hollywood, Dec. 6—With increased production, caused principally by the labor dispute with Cosmopolitan, Jack L. Warner is reapporportioning production assignments so that the whole burden may not fall upon his or Hal Wallis’ shoulders. Future coming productions will be distributed to Robert Fresnell, Harry Joe Brown, Sam Bischoff, James Seymour and Robert Lord, who will have complete charge of one group of pictures under the general supervision of J. L. Warner.
In the East—

IN BOSTON—“Gala week; ‘Flirtation’ wham . . . leading the town by big margin at the Metropolitan,” says Variety.

IN NEWARK—Variety says—“nothing like this in years at the Branford.” Held over.

IN PITTSBURGH—Stand-out business—best week the Stanley has had in year!

IN WASHINGTON—Standees and turnaways every performance at the Earle.

IN BALTIMORE—Biggest business in months at the Stanley.

IN WORCESTER—Topped records of “Footlight Parade” and “Wonder Bar” at the Warner.

IN SPRINGFIELD—Beat “Footlight Parade” and “Wonder Bar” by tremendous margins.
In the Midwest—

IN CLEVELAND—Tremendous at Hippodrome, topping "Wonder Bar" gross by almost $2000.

IN AKRON—More than double opening days of "Footlight Parade" and "Wonder Bar" at the Strand.

IN YOUNGSTOWN—Biggest musical gross of the year at the Warner.

IN ST. LOUIS—Stand-out business—held over 2nd week—at the Shubert-Rialto.

IN MILWAUKEE—Greatest attendance in three years at the Warner.

IN INDIANAPOLIS—"Out-grossing any picture to play this house or town this year—Variety.

IN CHICAGO—Capacity at the Roosevelt. Well on its way to a top gross.

IN CINCINNATI—Packing 'em in at Keith's. "Theatre's best take in months."—Variety
In the South—

IN DALLAS—Topped opening day business of “Wonder Bar” and “Footlight Parade” at the Palace.

IN BIRMINGHAM—“'Flirtation Walk' topping Birmingham at the Alabama”.—Variety

IN HOUSTON—Grand opening day business topped “Dames” and “Footlight Parade” at the Majestic.

IN SAN ANTONIO—Greatest single day's business in months — topping “Dames”, “Wonder Bar” and “Footlight Parade” at the Aztec.

IN FORT WORTH — Another smash opening day, leading “Dames”, “Footlight Parade” and “Wonder Bar” by heavy margin at the Worth.

IN MEMPHIS—Doubled any previous Thanksgiving gross at Warner.
In the West

IN HOLLYWOOD—Opened the Hollywood at $2. to smash opening day’s business, topping “Wonder Bar” and “Dames’ by $800.

IN SAN FRANCISCO—Warfield leading all other theatres with terrific gross and capacity crowds.

IN DENVER—With wintry weather blasting the town, the Denver walked away with highest gross and grand business.

IN PORTLAND—Held second week and doing smashing business at the Broadway.

FLIRTATION WALK
First of The Big Shots from Warner Bros.

MORE NEWS ON PAGE
**“Veil” Pulls $13,250 Take In Pittsburgh**

Pittsburgh, Dec. 6.—The sole standout here last week was “The Painted Veil,” which collected $12,250 in 12 houses. That’s quite handsome, consider-ably better than average, but not much compared to the grosses Garbo usually used to roll up a couple of years ago.

At the Alvin, there were no kicks over “The White Parade,” which was good for $9,000 in five days of its second week. The Pitt, returning to unit shows, picked up $6,400 with “The Merry Widow.”

**“Rhythm” Gets Lead in Heavy Boston Pickup**

BOSTON, Dec. 6.—Grosses took another bound last week for one of the best records here in years. First runs piled up $113,000. Midnight shows, plus holi-day business, helped, along with the $7,200 first run at the Bijou, of “Kid Millions” at Loew’s State went up to $4,000 above par. The Boston, with “Lady by Choice,” was good for $3,000 and $3,000.

Total first run business was $113,000. Average is $94,000.

**“Parade” Hit in Cleveland; Tops Par 100%**

Cleveland, Dec. 6.—“The White Parade” was the big show of the week. It registered with the Hippodrome with a $12,000 gross.

“The St. Louis Kid,” with a $25,000 take against a $3,000 average, went up to $4,000. Garbo was in disappoointment with $11,000 at Loew’s State. “Wagon Wheels” went 50 per cent over par at the Lake, which is its second run. The weather was fine.

Three houses advanced their openings one day for Thanksgiving.

Total first run business was $41,000. Average is $49,000.

Estimated takings for the week end ing Nov. 29:

- **LADY BY CHOICE** (Col.): F. St. Louis—$5,000. Di-5th, 25c-40c, 7 days, Gross: $1,500. (Average, $6,000.)
- **CHINA WOMAN** (Parc.): F. St. Louis—$2,000. Di-5th, 25c-40c, 7 days, Gross: $1,000. (Average, $6,000.)
- **THE WHITE PARADE** (Fox): N. Y.—$3,000. Di-5th, 35c-50c, 7 days, Gross: $2,500. (Average, $6,000.)
- **THE WHITE PARADE** (U. A.): N. Y. —$5,000. Di-5th, 35c-50c, 7 days, Gross: $2,000. (Average, $6,000.)
- **MARIE GALANTE** (Fox): RKO—$1,000. Di-5th, 25c-40c, 6 days, Gross: $600. (Average, $6,000.)
- **EVERY WOMAN KNOWS** (Paramount)—$5,000. Di-5th, 35c-50c, 7 days, Gross: $3,000. (Average, $6,000.)
- **THE PARADE** (M-G-M): N. Y.—$2,000. Di-5th, 25c-40c, 6 days. Gross: $1,000. (Average, $6,000.)
- **WAGON WHEELS** (Parc.): F. St. Louis—$2,000. Di-5th, 25c-40c, 6 days, Gross: $500. (Average, $6,000.)
- **WIDOW** (Paramount)—$1,000. Di-5th, 25c-40c, 6 days. Gross: $600. (Average, $6,000.)

**“White Parade” Is Top Draw in Omaha**

OMAHA, Dec. 6.—“The White Para-ade,” heading a dual bill with “The Curtain Falls,” was good for $9,000, over the line-up $1,500.

“Happiness Is You” and “By Your Leave” took a nice $4,000 at the长安, and “What Every Woman Knows” and “The Painted Veil” made the dual, was good for $3,800 at the World.

Total first run business was $22,800. Average is $2,200.

Estimated takings:

- **Week Ending Nov. 28:**
  - **EVERY WOMAN KNOWS**
  - **THE PARADE**
  - **THE CURTAIN FALLS** (Chesfield)

**“Lemon” and Show Lead in Oklahoma**

OKLAHOMA CITY, Dec. 6.—A combi nation of “The Lemon Drop Kid” on the screen and “Variety Flashes” on the stage at the Liberty grabbed a big $2,487 in four days. Average for a week is $5,000. Death on the Dia mond,” with the same stage show, was good for $1,500 for the last three days. Show stages are giving the Liberty the lion’s share of the business here these days.

“The Painted Veil” took a par $4,800 at the Elks, for the week.

Total first run business was $14,087. Average is $3,500.

Estimated takings for the week ending Dec. 1:
- **IMITATION OF LIFE** (Univ.)
- **RADIUM DAYS** (RKO)
- **THE PAINTED VEIL** (M-G-M)
- **DEATH OF THE DIAMOND** (M-G-M)

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- **DEATH OF THE DIAMOND** (M-G-M)
“Kid Millions” at $6,000 Over Par ‘Frisco’s Best

San Francisco, Dec. 6.—“Kid Millions” got off to a flying start at the United Artists by piling up $14,000, over par by $9,000.

Douglas Chapin, its producer, is also strong, getting $14,000 at the Golden Gate, and “Imitation of Life” was in the money at the Orpheum with an $11,000 total.

Total first run business was $87,000. Average is $83,000.

Estimated takings for the week ending Nov. 29:

- “KID MILLIONS” (U.A.)
  - ALDINE—(1,250), 35c-40c-50c, 6 days.
  - RAINEY—(1,250), 35c-40c-50c, 6 days.
  - WHAT EVERY WOMAN KNOWS—(F.N.)
  - BOYD—(4,250), 35c-40c-50c, 6 days.

- “LADY BY CHOICE” (Col.)
  - EARLE—(4,000), 40c-45c-60c, 6 days.
  - AMOS ‘n’ ANDY—(7,000), 40c-45c-60c, 6 days.

- “WHITE PARADE” (Fox)
  - FOX—(5,000), 35c-40c-50c, 6 days. 2nd week.
  - COLUMBIA—(6,500), 35c-40c-50c, 6 days. 2nd week.

- “DAG APRIC ot” (Radio)
  - KARLTON—(6,200), 35c-40c-50c, 6 days.

“Rhythm” and Savo Smash Buffalo Hit

BUFFALO, Dec. 6.—“College Rhythm” took this town by storm last week, piling up $18,700 at the Buffalo, with Jimmy Savo heading the stage bill. The gross was $4,400 over average.

At the Hippodrome, “Flirtation Walk” was also in the money, grossing $14,000, while “Great Expectations” and “Cheating Cheaters,” on a dual bill, made a good showing with $6,800 at the Lafayette. Total first run business was $51,700. Average is $42,800.

Estimated takings for the week ending Nov. 29:

- “COLLEGE RHYTHM” (Para.)
  - BUFFALO—(2,500), 35c-40c-50c, 7 days. Stage: Jimmy Savo; Ann Greenway; Dick Morden; T. D. Davenport. Gross: $18,700. (Average, $2,670.)

- “THE DRAGON MURDER CASE” (F.M.)
  - LEWIS—(2,500), 35c-40c-50c, 7 days.

- “THE PAINTED VEIL” (M-G-M)
  - GREAT LAKES—(1,000), 25c-40c, 7 days.

- “FLIRTATION WALK” (F.N.)
  - BUFFALO—(2,500), 25c-40c, 7 days. Stage: “Revere International.”

- “CHEATING CHEATERS” (Univ.)
  - BURG—(1,000), 25c-40c, 7 days. Stage: "Revere International." Gross: $6,800. (Average, $960.)

Shields to Lincoln

LINCOLN, Dec. 6.—M. W. Shields, long identified with Publix in Texas, has joined the staff of Westland Theatres. He replaces Harry Laptok, artist.

Buffalo Quadrants Leased

BUFFALO, Dec. 6.—The local Variety is reported to have leased three-fourths of its space on the upper floor at Pfeiffer’s restaurant. The rooms will be remodeled and a bar and restaurant service be installed. A party is planned soon.

Denver First Runs Are Hit By Bad Slump

DENVER, Dec. 6.—Every first run was below average last week for the first time and the takings running from $90 to $1,500. The best comparative showing was made by “Always Tomorrow” with $2,000 at the Aladdin.

“College Rhythm” played to a record crowd at a Saturday night preview and it looks like a big week at the Denham.

Total first run business was $16,000. Average is $15,700.

Estimated takings for the week ending Nov. 29:

- “THERE’S ALWAYS TOMORROW” (Univ.)
  - ALADDIN—(1,500), 25c-35c-50c, 7 days.

- “THE RICHEST GIRL IN THE WORLD” (Fox)
  - DENHAM—(1,200), 25c-35c-50c, 7 days.

- “THE CASE OF THE HOWLING DOG” (M-G-M)
  - DEAN—(2,500), 25c-40c, 7 days.

- “STUDENT TOUR” (M-G-M)
  - THOMPSON—(2,500), 24c-40c, 4 days.

German Censors See 43 in Three Months

WASHINGTON, Dec. 6.—During the first three months (July, August, September) of the current season, 43 feature films were approved by the German Censors, says Acting Commercial Attache Douglas Miller, in Berlin, in a report to the U. S. Department of Commerce. The passed films included 30 German, six American, three Austrian, two Czechoslovakian, and one each French and Hungarian.

These figures, the report continues, reveal an increase in German production compared with the previous year when 25 German, 32 American, and five other European films were admitted.

The feature September 16 features were screened first run in Berlin, as against 19 the previous month and 15 in September, 1933, Attache Douglas continues.

Matinee Time Stirs St. Louis Argument

St. Louis, Dec. 6.—There’s quite some agitation here as to when matinees should end. F. & M. has extended matinee scales from 6 P. M. to 7:30 P. M. at the Ambassador and Missouri and the protest is general.

Fred Wehrenberg, M.P.T.O. head, this afternoon with a committee to meet with something about it and was told it was a matter of contract between exhibitor and distributor. A meeting attended by local managers and others in the Fox projection room early this week failed to reach an understanding.

Most exhibitors think 6 P. M. should be the matinee limit; others favor 5 P. M.

Ben Steerman Returns

PITTSBURGH, Dec. 6.—Ben Steerman, Warners’ auditor here, and his family, have returned from their honeymoon in Bermuda and are now living at the Coronado Apartments. Before her marriage, Mrs. Steerman was a secretary in Warners’ booking department.

Kamp Succeeds Martin

CHICAGO, Dec. 6.—Charles Kamp, who has been appointed manager of the local United Artists exchange.

Schorgl on Bank Nights

KANSAS CITY, Dec. 6.—James Schorgl, resigned as Dickinson circuit booker, has been appointed bank night representative for Kansas by R. W. McEvhan, territorial distributor.
MOTION PICTURE DAILY
Friday, December 7, 1934

"One Night" Twin Cities’ High Roller

MINNEAPOLIS, Dec. 6.—"One Night of Love," the twin comedy, has the power of a winter in its second week at the Orpheum. It led the town with a take of $8,300, over par by $1,450, with a 10c increase. At the St. Paul Orpheum it reached $5,000, up by $1,000.

"College Rhythm" was also in the money. It took $6,000 at the State here and the same amount at the Paramount across the river.

Frank to a new height with a good start with $3,000 at the Minneapolis World and another Gaumont British Sam "Chu Chin Chow" took $2,500 at the 300-seat St. Paul World.

Total first run business in Minneapolis was $22,400. Average is $21,000. Total first run business in St. Paul was $21,500. Average is $18,000.

Estimated takings:
- Minneapolis: $22,400 per week
- St. Paul: $21,500 per week

Trolley Row Hits Grosses On the Coast

Los Angeles, Dec. 6.—Grosses stand at strong totals at: when the car strike set in many customers decided to stay home. "The St. Louis Kid" at the RKO was the only par fave. "We Live Again" took $11,400 at the Chinese and $11,250 at Loew’s as usual, a regular playhouse. "Outcast Lady" took $15,000 in its second week at the Paramount.

Total first run business was $68,950. Average is $8,170 without the United Artists and 4 Star.

Estimated takings for the week ending Nov. 28:
- "WE LIVE AGAIN" (U. A.) 
- $5,000, 4 days
- "CHU CHIN CHOW" (Para.) 
- $2,500, 7 days
- "STUDENT TOUR" (M-G-M) 
- $500, 7 days
- "COLLEGE RHYTHM" (Para.) 
- $4,000, 5 days
- "OUTCAST LADY" (M-G-M) 
- $3,000, 4 days
- "CHU CHIN CHOW" (Para.) 
- $2,000, 5 days
- "OUTCAST LADY" (M-G-M) 
- $1,500, 4 days
- "COOPER'S MOUNTAIN" (Pr., M-G-M) 
- $850, 6 days
- "GRINDOR FLASH" (Radio) 
- $750, 4 days
- "STUDENT TOUR" (M-G-M) 
- $500, 5 days
- "COLLEGE RHYTHM" (Para.) 
- $500, 5 days
- "PANTAGES" (U. A.) 
- $4,000, 6 days

St. Paul: Week Endng Nov. 29:
- "YOUNG AND BEAUTIFUL" (Mascot) 
- $2,000, 3 days
- "METROPOLITAN" (M-G-M) 
- $1,500, 3 days
- "HAPPY NIGHTS" (M-G-M) 
- $1,500, 3 days
- "THREE TO CALL" (U. A.) 
- $1,250, 3 days
- "CHU CHIN CHOW" (Gaumont British) 
- $1,000, 3 days
- "GIRL OF THE HILLS" (F. N.) 
- $1,000, 3 days
- "THE PICTURE" (M-G-M) 
- $750, 3 days

"Painted Veil" Is Indianapolis Draw

INDIANAPOLIS, Dec. 6.—The "Painted Veil" was the big noise among the first runs. It went over the top with $15,500 for a total of $6,000 at the Palace.

"College Rhythm," moved from the Indiana for a second downtown week at the Circle, grabbed $2,000. "Girl of the Limberlost" reached $3,750 in 10 days at the Apollo.

Total first run business was $23,250. Average without the Apollo is $2,200.

Estimated takings for the week ending Nov. 29:
- "GIRL OF LIMBERLOST" (M-G-M) 
- $3,750, 7 days
- "COLLEGE RHYTHM" (Para.) 
- $2,000, 5 days
- "THREE TO CALL" (U. A.) 
- $1,250, 3 days
- "IMITATION OF LIFE" (Univ.) 
- $1,000, 3 days
- "GENTLEMEN ARE BORN" (F. N.) 
- $2,000, 3 days
- "GIRL OF LIMBERLOST" (M-G-M) 
- $3,750, 7 days
- "PAULINE" (Para.) 
- $2,000, 5 days
- "GIRL OF LIMBERLOST" (M-G-M) 
- $3,750, 7 days
- "DEE SNELL" (Univ.) 
- $2,000, 3 days

Shamrock Takes Studio

DETROIT, Nov. 6.—Bert C. Fassio and his Shamrock Film Enterprises of Chicago, this city, has taken over the studio building formerly occupied by Wilding Pictures Co. The Shamrock Co. is averaging in this week.

A Long Summer

KANSAS CITY, Dec. 6.—Though the frost is on the pumpkins, it’s only a matter of many days to Christmas, the Public Newman, closed several months ago, still holds its marquee announcing that it’s "closed for the summer."

"Kernels" and Its Stars Are Seattle Smash

SEATTLE, Dec. 6.—"Kentucky Kernels" on the screen and Wheeler and Woolsey on the stage were a sensation here this week. They piled up $8,400, over par by $2,900.

The only other attraction in town to stand up under the competition was "One Night of Love," which grabbed $4,200 in its fourth week at the Capitol.

Total first run business was $37,450. Average is $3,600.

Estimated takings for the week ending Nov. 30:
- "PRIVATE LIFE OF DON JUAN" (U. A.) 
- $250, 4 days
- "THE MERRY WIDOW" (M-G-M) 
- $200, 4 days
- "THE MERRY WIDOW" (M-G-M) 
- $150, 4 days
- "METROPOLITAN" (M-G-M) 
- $100, 4 days

Stage Shows Boost Oklahoma City Spot

OKLAHOMA CITY, Dec. 6.—Increasing attendance at the Liberty with each succeeding change of program indicates the definite popularity of the current policy of stage attractions in conjunction with first run films at popular prices.

Proof of this increasing popularity is a check of box-office receipts. The Liberty’s $2,500 average business of $2,000 with two changes a week. Since inaugurating this policy of shows the last four days of the week, the average has been boosted to $2,500, $2,000 of this figure being grossed the first four days. The first-day picture that the last of the week averages $900.

Form Majestic in Ohio

CINCINNATI, Dec. 6.—Majestic Film Exhibitions of Ohio, Inc., has been incorporated by Alvin H. Rowe, Martha T. Sherritt and Clare Rowe, as an Ohio subsidiary to distribute product of Majestic Picture Corp.

"Flirtation" Washington’s Top, $22,600

WASHINGTON, Dec. 6.—"Flirtation," led the firsts at the Earle with a take of $22,600, over par by $5,000.

The "Painted Veil" was runner-up with $16,800, which topped average by $4,300.

A return engagement of "The Merry Widow" at Loew’s Columbus and a six-day first run of "Madame DuBarry" at the Metropolitan pulled well, the former getting $4,100 and the latter $4,600. "Madame DuBarry" was taken off to make way for a Thanksgiving Day opening of "Wagon Wheels."

"Marie Galante" and George Jessel, the latter heading a stage show, were at Loew’s Fox, taking only $19,500.

"Wednesday’s Child" was pretty weak, with only $2,400 at the end of the third week. A "Chinese" drama was shoved in Thanksgiving day and took $5,500 in four and two-thirds days.

Total first run business was $77,600. Average is $6,400.

Estimated takings:
- Washington, D.C.: $22,600
- "WEDNESDAY’S CHILD" (Radio) 
- $2,400, 3 days
- "CARAVAN" (Fox) 
- $6,000, 3 days
- "THE MERRY WIDOW" (M-G-M) 
- $5,000, 3 days
- "THE PAINTED VEIL" (M-G-M) 
- $4,000, 3 days
- "THE WIDOW" (M-G-M) 
- $3,000, 3 days
- "MADAME DUBARRY" (Warner) 
- $2,500, 3 days
- "METROPOLITAN" (M-G-M) 
- $1,500, 3 days

Feature Cincy Orchestra

CINCINNATI, Dec. 6.—The Orchestra, 2,100-seat subsequent run neighborhood, recently reopened as an independent house, is featuring concerts by a 50-piece orchestra for one hour, before opening the picture program on Sundays. No extra admission is charged.

The house recently installed a 15-piece orchestra under leadership of Theodore Hahn, Jr., prominent local conductor, which plays overtures at all performances.

Phila. Locust Scale Cut

PHILADELPHIA, Dec. 6.—The Locust St. Theatre, operated by A. R. Jopp, in 65 minutes were corrected to call for action at any meeting.

Shows have been operating the past Sundays. Theatre interests are seeking approval of the Sunday ordinance and the Civic League of Sharon is demanding enforcement. Each side in this it has the signature of several thousand persons on petitions.
**Short Subjects**

**“Pilgrim Days”**
( Warners )

If this, the first of the new “See America First” series, may be taken as a criterion of what is to follow then here is a series of shorts that should create very favorable audience reaction for they are interesting, instructive and amusing all at once.

The first opens with scenes of Pilgrim New England and traces early American life through the periods of such leaders as Roger Williams, Roger Conant and Peter Stuyvesant to the present where views of Harvard and New York City are intermixed in the mood of the scenes. Reviewed without production code seal. Running time, 11 mins. “G.”

**“The Boston Tea Party”**
( Warners )

The second of the “See America First” series carries the standard of entertainment value set by the first. The reel takes one through historic Boston as the scenes shift to the forts through upper New York that figured prominently in the Revolution and then down through Jersey and Maryland, covering historic spots en route. Reviewed without production code seal. Running time, 11 mins. “G.”

**“Hail Columbia”**
( Warners )

Number three of the “See America First” series carries on in the spirit of the first two. Highlights in the life of George Washington and Alexander Hamilton feature this one. The Louisiana Terri- tory and particularly old Creole New Orleans are also covered. The reel winds up with views of the old Baltimore forts particularly the one that inspired “The Star Spangled Banner,” and old Spanish Florida. Reviewed without production code seal. Running time, 11 mins. “G.”

**“Medbury at a County Fair”**
( Columbia )

This short takes the audience on an interesting tour of what appears to be the Pomona, Cal., County Fair. Every- thing from prize cattle exhibits to horse racing is covered, all to the tune of Medbury's humorous com- ments. Medbury appears to be better than usual here, and his racy chatter is good. A short to be recommended for any house. Production Code Seal, No. 426. Running time, 10 mins. “G.”

**“Spice of Life”**
( Vitaphone )

Featuring George Price and Sylvia Fros, this is an amusing and quite entertaining short. It has fair comedy and excellent singing and dancing, including a delightful performance by the bath girls. It is all woven around the attempts of Price to win recognition as a song writer and his final success, only for him to discover that his wife, a new arrival, was all a dream. Price’s imitations of Ed Wynn, Al Jolson, Eddie Cantor and Harry Richman are particularly good. Production Code Seal, No. 0139. Running time, 20 mins. “G.”

**“Girl from Paradise”**
( Educational )

First rate musical in two reels. Nils T. Granlund puts on his Paradise floor and blends a cast of characters with a couple of off-stage acts. The comedy is first rate, the singing is excellent and the dance numbers are pleasing to the eye. Sylvia Fros, Frank Luther and George Shelley are featured and Granlund does his stuff in front of a microphone. A gang has it in for Cabot. Production Code Seal, 0195. Running time, 21½ mins. “G.”

**“Your Stars for 1935”**
( Educational )

It's hot stuff for the astrological en-thusiasts, but most people will not take too kindly to a heavy slice of Cabot.该片的作者在甲板上被新闻报纸的采访和制作一个预测未来的新年回答和请求的提问。多数人对他们太热情了，是说他将毫无意义地在码头上。Production Code Seal, No. 0166. Running time, 11½ mins. “G.”

**“Snapshots”**
( Columbia )

The third of the series described as “seeing Hollywood with Harriet Parsons,” should go over big with those who still enjoy seeing them at a discount, the stars, are here shown in their homes and at play. Practically every- one in Hollywood is in this. Production Code Seal, No. 403. Running time, 10 mins. “G.”

**“Men of the Night”**
( Columbia )

Out of familiar material, Lambert Hillyer has created a fast-moving, suspenseful crook melodrama in “Men of the Night,” which ought to do nicely at the neighborhoods. The story has many humorous moments, for which Ward Bond, as a thick detective, is primarily responsible. Bond too has his day in the film, with Bruce Cabot and Gardner Allen handling this angle of the yarn extremely well. Cabot, a detective of detectives, is assigned to run down a gang of jewel robbers, of which Charles Sabin is the brains. Working with his buddy, Bond, he gets his men all right but not before some pretty close brushes with the law. John McCall for the arrest of one of their number on a murder charge, the safety of the whole mob being at stake.

First Cabot is forced to turn the murder free while he is taking the man to a hospital so that his victim may be able to identify him. Next Cabot is taken for a ride, but manages to escape. Miss Allen gets herself involved in the ugly business when Cabot enlists her help in trying to nab the gang. Their friendship hits a snag when Cabot unjustly suspects her of being connected with the gang, but later, when the thieves are arrested, everything is patched up.

Among the players are also John Kelly, Arthur Rankin, Matthew Betz and Walter McGrail. Hillyer directed as well. Production Code Seal No. 354. Running time, 58 minutes. “G.”

**“Maryjka”**
( Regal )

While Polish fans will find more than enough to entertain them in “Maryjka,” made by Musafilm of Warsaw, American audiences should also find some measure of amusement in the picture, particularly from a visual point of view. Set in the Carpathians, the production overflows with pictorial beauty and provides an interesting insight into the life and customs of this remote country.

The simple tacts in which the story is told, plus the liberal use of English subtitles make the action easy to follow.

The film tells a tale of superstition and passion among the folk of a Carpathian village. Maryjka (Iza Benita) is the Magdalene of the villagers damn her and seek to drive her from the community. In a fight of which jealousy is indirectly an accomplice a murderer is killed and another badly stabbed. It is a case of self-defense, but the villagers are bent on capturing the murderer because they know Maryjka is sheltering him.

At the close of the film the hunted man, played by Zbigniew Staniew-icz, wins the forgiveness of the villagers by saving a child from drown- ing when the dam waters are turned. As a reward he is given the village half-wit.

A acting is commendable and the direction of Jan Nowina-Przybylki creditable. No code seal. Running time, 60 minutes. “A.”

**“The Magic Fish”**
( Educational )

One of the Terry-Toon series, this is a pop rackling a cradle with triplets and stopping to tell them a bedtime story about the magic fish that he put back in the water when he was a kid and which saved him from Davy Jones, sharks and an octopus when his rowboat was wrecked by a bolt of lighting. It's good kid entertainment. Production Code Seal, No. 0162. Running time, 6 mins. “G.”

**“Hollywood Trouble”**
( Universal )

Hollywood, Dec. 6—This, the second of a series of six comedies produced by the Thalians, is a good laugh-getter that should please both adults and kids.

The comedy starts from the first shot which shows a picture set and all the equipment. Our hero supplies most of the laughs with a lighted birthday cake, which he drags into dramatic scenes with much every-day laughter. The scene then switches to those of those dramatic scenes where the pupils playing from chanceller in Tarzan fashion with accompanying sound. The villain shuts up the place trying to get back his wife who has gone the way of all screen gold diggers.

Director Jack Townley keeps the laughs flowing fast and cast performances are all good. No code certificate. Running time, 20 mins. “G.”

**“Hollywood Gad-About”**
( Educational )

This is a smartly cut film with a flock of names showing the Actors’ Guild Frolic in Los Angeles. Walter Winchell does the announcing in the grandstand in front of a microphone, Mary Astor is “queen”; William S. Hart appears; Eddie Cantor drives a chauffeur. The deserted sit in the crowd, and there are at least a dozen others, with some comic antics by one of the stars from “Riddle Of The Ganges.” Very good. Production Code Seal, 217. Running time, 9½ mins. “G.”

**“Three Cheers for Love”**
( Educational )

A very pleasant, amusing light com-edy interspersed with songs by Sylvia Fros and Warren Hall to the accom-paniment of Johnny Johnson’s Orchestra. This one goes for this, since it has a plausible story, good comedy and unstrained situations, all under the direction of the director. The story concerns the attempt to prevent Miss Fros and Hall from becoming inter-married in each others’ and their ultimate wedding. Reviewed without production code seal. Running time, 15 mins. “G.”

**“Tom, Tom, the Piper’s Son”**
( Educational )

A very Terry-Toon that should have particular appeal to children. Adults also should find amusement in it. It tells the tale, in a novel way, of Tom, the Piper’s Son, and traces his career, from the rescue of the kitten from the well to the restoring of the farmer by Mary. Production Code Seal, No. 0194. Running time, 5 mins. “G.”
THEY CAME! THEY SANG! THEY CONQUERED!

Proudly We Hail

DICK POWELL  RUBY KEELER  PAT O’BRIEN

FRANK BORZAGE  THE WEST POINT CADETS  BOBBY CONNOLLY

and MORT DIXON • ALLIE WRUBEL

for Their Glorious Contributions to the Industry’s Proudest Achievement

FLIRTATION WALK

First of The Big Shots from Warner Bros.

MORE NEWS ON PAGE 31
Cooper Interests in Construction Drive

KANSAS CITY, Dec. 6.—J. H. Cooper Enterprises has embarked on plans for theatre reconstruction and modernization, says Robert O. Boller, architect.

The company has a house under construction in Pueblo, Col., seating 1,000 and costing $75,000. Opening is scheduled around Jan. 1. Standard Theatres and Cooper are building with Cooper Enterprises, is building an 850-seat house at 16th and Gatewood, Okla- homa City, costing $60,000, to be completed in April.

The Criterion, Standard Theatres house in Oklahoma City, is being remodeled completely, with new furnishings and equipment, at a cost of $75,000.

Ted Cooper, head of New Year, head of Cooper Enterprises, and Patrick Mc- Gee, general manager of the Standard circuit, were here recently to confer with Boller, who is handling the projects.

Transfers, Openings Gain Near St. Louis

St. Louis, Dec. 6.—Transfers of theatres near St. Louis are becoming more numerous in this territory. Eight houses have changed ownership lately and three more are being sold.

The Southern Amusement Co. has taken over the Peerless from Oscar Lehr and the New Shenandoah from Davis Kimm here. A nearby Lincoln at Bunker Hill has been transferred by Critchlow & Ballard to S. Hallaway; in Rollton, Ross Dewey has shifted the Bijou to T. K. Dick- son, Missouri transfers include the Academy at Ironwood from W. T. Sumpter to R. Mathews; the Harlem at Kinloch from J. H. Wilson to R. B. Sexton; the Ritzy at Montgomery City to Fred Golterman; the Norty at Appleton City from S. H. Yoffie to T. D. Peal.

The Neve at Bethany, Mo., the Rex at Charleston, Ill., and the Deluxe at East St. Louis have been reopened.

Form Shelley Theatre Co.

Louisville, Ky., Dec. 6.—The Shelley Theatre Co., Louisville, has been incorporated with a capital stock of $50,000 by Richard A. Pierson and Kolman Hirschman, all of Louisville. The same interests own the Metro and Territorial theatres here.

The Capital Amusement, Ashland, Ky., has been incorporated with a capital stock of $5,000 by Dick Martin, Mellee Martin and Geneva Samon.

Form 2 Theatre Firms

ABADY, Dec. 6.—Penn Amuse- ment Co., Inc., New York City, has been chartered to operate film theatres, engage in the general amusement business, and operate radio stations and movie theatres. Max Goldman and Mildred Freeman are directors and subscribers.

Paging Theatres, Inc., New York City, has been chartered, Joseph Kohn, Harry Shuffman and Y. F. Freeman are directors and subscribers.

Cut Arkansas Capital

DOVER, Del., Dec. 6.—Arkansas Amusement Corp., operating theatres in the South Carolina line, has reduced its capital by $181,347.62 from $201,347.62 to $20,000. Arkansas Amusement is affiliated with Public and operates the Pulaski, Little Rock, Cap-itol and Royal. Ed Rowley is president.

Spokane Majestic Sold

SPOKANE, Dec. 6.—Will Starkey has sold his Majestic to Dillingham, former owner of the Dipper in this city.

The house will be remodeled and equipped with new seats, sound equip-ment and screen. A new ventilating system will be installed. The theatre will be started on the front and interior redecorated.

Krier Gets Omaha State

CECIL RAYMON, 1a., Dec. 6.—Jack Krier has arrived here to reopen the State, an A. H. Blank house, which has been dark for several weeks. Whereas the house closed, he was sent by Blank to Omaha to assist Ted Emerson in the reopening of the Para- mount there.

Drop Des Moines Vaude

DES MOINES, Dec. 6.—The RKO Orpheum has discontinued vaudeville and is giving week-end programs for the last few months in connection with film showings. The house capacity was not large enough to pay out at current prices, according to H. Cavanagh, manager.

Charter New Utah Firm

SALT LAKE CITY, Dec. 6.—Projection Products, Inc., has been chartered here. Equipment will be re-manufactured as necessary. Officers are: Presi- dent, W. P. Nelson; vice-president, E. R. Hinz, and secretary-treasurer, J. D. Gabbit.

Dissolve P. & B. Theatres

DOVER, Del., Dec. 6.—P. and B. Theatres, which are owned by Aubudon, 1a., a Delaware corporation, has been di- solved. A certificate of voluntary dis- solves was filed. The agreement of the shareholders was issued by Charles E. Granfield, secretary of state.

Fox Midwest Drops House

TOPEKA, Dec. 6.—Fox Midwest has transferred its lease on the Best to M. G. McKimmy, operating the House, 1a., a colored house. This reduces the circuit's holdings in Topeka to five, one of which is closed. The Best was a Class B house.

Plan New Denver House

DENVER, Dec. 6.—The Roxy Thea- tre Corp., just formed, will build a six-story, costing $25,000, this winter at 26th and Welton. It will be opened about Dec. 1. Able Davis, Charles Ernst and C. U. Vaeger are the in- corporators.

Plan 2nd Detroit Spot

DETROIT, Dec. 6.—Ben and Lou Cohen, operators of the Hollywood, Roxy and a number of neighborhood houses, will build a new 1,500-seat first class theatre at 3467 Gratiot. The house is to be named the Rio.

This is the second house to be plans in the neighborhood. George Schrieber and William London also have plans under way.

Ben Bros., who acquired the Mayfair last spring and closed it for the summer, plan on reopening this spot on Thanksgiving Day. It will operate an all-night grind policy with duals.

New Detroit Spot to Open

DETROIT, Dec. 6.—With the opening of the new Tower northwest Detroit has what is said to be one of the most modern theatres in the country.

The interior is decorated in bright colors and gold and silver and is il- lumined by ceiling light panels. The auditorium is designed to prevent visual distortion for the occupants of the side seats. All seats have am- plification. The film house is to be operated by Lou Wiser and Frank Wetsman, owners of seven neighborhood spots.

Sparks Buys Two More

TAMPA, Dec. 6.—The Garden, a neighborhood house in the Tampa Heights section, and the Nebraska, in Seminole Springs, a suburb owned by Butter E. Gore, have been sold to the Sparks circuit. This pur- chase gives Sparks control of all the theatres in the Tampa area. The Garden is to be operated by Lou Wiser and Frank Wetsman, owners of seven neighborhood spots.

Southern Theatres Open

NEW ORLEANS, Dec. 6.—Theatres which are re-equipping and reopening this month are: The Ritz, Lake Charles, La., reopened by C. and E. Enterprises; the drops, a new sound equipment; the Yazzoo, Yazoo, Miss., new sound equipment; the Lee, Memphis, Tenn., reopened.

Iowa Theatres Spruce Up

DES MOINES, Dec. 6.—Improvements are being made in several theatres in this section. The Rex at Nonoma has received new equipment.

The Capitol at Sioux City, la., has completed a new front with chromium finish and indirect lighting. The new box was opened with I. W. Maple as manager.

Plan Baltimore House

BALTIMORE, Dec. 6.—The Franklin Amusement Co., headed now by Louis Kaplan as president, it pro- poses to convert into a theatre the buildings at 504-6 North Fremont Ave. The cost is estimated at about $3,500, according to the application for the permit and the plans filed with the Bureau of Buildings.

Norwalk House Planned

NORWALK, O., Dec. 6.—Jerry Steel, owner of the Apollo, Oberlin, in asso- ciation with William Sellman, former manager of the former Grandview, will build a de- luxe house here in Main St., according to reports. It is further stated that Clark Hurley, former manager of the Grand, will manage the house.

Phone to Patrons

MANSFIELD, O., Dec. 6.—When the local theatre circuit is render-

ing a new service to patrons, cards, headed "To Our Patrons," with name, address and telephone number, are distributed in the lobby. They read: "To keep our promise of rendering every possible service, we urge you to fill out this card. Our plan is to 'phone you each week and acquaint you with the cur- rent and future productions. The management trusts that this service will aid you in arranging your entertain- ment program."

Ouimet, Veteran of Canada, Opens House

MONTREAL, Dec. 6.—A time-hon- ored theatre received a new lease of life and the father of the film business in Canada returned to activity when L. Ernest Ouimet, first exhibitor in Montreal and first film distributor in the Dominion, reopened the Imperial with a screen and stage policy, price ranging up to 35 cents.

The image, titled "Ouimet, Veteran of Canada, Opens House," contains text regarding the reopening of the Imperial Theatre in Montreal. The text notes that L. Ernest Ouimet, a veteran in the Canadian film industry, has reopened the Imperial Theatre with a screen and stage policy. Prices range up to 35 cents. The text mentions that the theatre has undergone renovations and improvements. It also highlights Ouimet's long-standing role in the film business in Canada. The text is informative and descriptive, providing details about the reopening of the theatre and the changes made to accommodate the modern film experience.
FLIRTATION WALK

IS THE FIRST OF
THE BIG SHOTS" FROM WARNER BROS.

DICK POWELL & RUBY KEELER in "FLIRTATION WALK"
IRENE DUNNE in "SWEET ADELINE"
PAUL MUNI in "BORDERTOWN"
JAMES CAGNEY & PAT O'BRIEN
in "DEVIL DOGS OF THE AIR"
"GOLD DIGGERS OF 1935"
RUDY VALLEE in "SWEET MUSIC"
AL JOLSON & RUBY KEELER in "GO INTO YOUR DANCE"
PAUL MUNI in "BLACK FURY"
MAX REINHARDT'S
"MIDSUMMER NIGHT'S DREAM"
"ANTHONY ADVERSE" with ALL-STAR CAST

*A Warner Bros. Picture  *A First National Picture Vitagraph, Inc., Distributors
Cleric Urges Clean Films, No Censoring

Omaha, Dec. 6.—Censorship is not wanted, but cleaner, better pictures with stronger and more dramatic themes are desirable, Dr. Fred Eastman of Chicago Theological Seminary told members of the Better Films council here.

More people in the world will see the next Mae West release than have seen Hamlet since it was written, he said, lauding the amusement and educational potentialities of pictures.

"Motion pictures are better than last year," he asserted. "This is due to the 10 million dollar 'slap' administered to the industry by the Legion of Decency. Producers were frightened into shelving some excellent productions."

Dr. Eastman advocated something "more than just clean pictures."

"American people do not want wishy-washy pictures. They want strong dramas with humor, imagination and some touch of grandeur. We can even stand a little dirt. The dirt itself is an obvious feature in any picture where it is found. It's the subtle establishment of false standards that is objectionable. Decency adherents want freedom for the motion pictures and honest, sincere and great pictures—so that America's name won't be detamed abroad."

This best can be accomplished, he said, by: 1, continue to patronize the best pictures; 2, boycott unwholesome pictures; 3, educate the public to discriminate and acquaint them with the social issues involved; 4, outlaw, by legislation, block booking and blind selling and give the public some form of liberal social control without censorship.

Auditorium Ruling
Irks St. Louis Men

St. Louis, Dec. 6.—Local theatre owners have won a dubious victory in their fight to prevent the Municipal Auditorium from being used for theatrical purposes with a decision by the Municipal Auditorium Commission that the structure shall not be used for commercial entertainment except for such productions as cannot or will not use privately-owned theatres.

This policy, it is believed, will leave the door wide open for any show that the management of the Auditorium wants to take in, and was adopted over the protests of local theatrical interests, including the M. P. T. O. of St. Louis, Eastern Missouri and Southern Illinois, headed by Fred Wehrenberg.

It is understood the theatre men will carry their case to the Board of Aldermen. Should this recourse fail, they are expected to appeal to the voters of the city.

Mischa Got Sore

Hollywood, Dec. 6.—Mischa Barkovitch has walked out as stand-in for the Marx Brothers.

Reason: He said he understood he was to be billed as Barko, or the fourth Marxman.

Sunday Fines Barred In Washington, Pa.

Washington, Pa., Dec. 6.—The City Council has voted down three to one, an ordinance to fine theatres for operating on Sunday.

The ordinance, practically a duplicate of the one in effect in York, Pa., was prepared and presented by the Council of Protestant Churches with David B. Morris, as spokesman.

Mayor Robert E. Griffiths expressed the belief the question should be put to a vote of citizens.

Louis Landau Injured

St. Louis, Dec. 6.—Louis Landau, owner-manager of the Maryland Theatre, suffered three broken teeth and other injuries when attacked by a man who had previously annoyed two women patrons. The attack on Landau took place before the arrival of police who had been called. The man fled down an alley. Landau was given emergency treatment at the City Hospital.

"Parade" Is Detroit Wow; Gets $26,000

Detroit, Dec. 6.—"The White Parade" packed 'em in at the Fox. The take, $20,000, is $11,000 over par, was practically capacity business for the whole week.

Total downtown business was $74,900. Average is $65,000.

Estimated takings for the week ending Nov. 29:

"GAMBLING" (Fox)
"WEDNESDAY'S CHILD" (Radio)
"ADAMS" (1,270), 10c-40c, 6 days; Gross: $2,700. (Average, $500.)

"THE WHITE PARADE" (Fox)
"FOX" (3,000), 15c-65c, 7 days. Stage: 7 sets. Vaude. Gross: $26.000. (Average, $5,000.)

"SIX-DAY BIKE RIDER" (Warners)
"HAPPINESS AHEAD" (Warners)
"BABY'S DAY" (Warners)
"FISHER" (2,000), 10c-40c, 7 days. Gross: $4,000. (Average, $500.)

"KANSAS CITY PRINCESS" (Warners)
"HAPPINESS AHEAD" (Warners)
"STATE" (3,000), 15c-65c, 7 days. Stage: Three X Sisters, Fox Family and other acts. Gross: $3,000. (Average, $500.)

"PAINTED VEIL" (M-G-M)
"UNITED ARTISTS" (2,000), 10c-30c, 7 days. Gross: $26,000. (Average, $3,000.)
THE BELOVED MUSICAL HIT OF BROADWAY IMMORTALIZED ON THE SCREEN BY WARNER BROS.!

Only the makers of "42nd Street" and "Gold Diggers" would attempt it! Only the producers of "Dames" and "Flirtation Walk" could accomplish it! This triumphant picturization of the stage sensation which Broadway acclaimed for 63 capacity weeks!

The show that made "Here Am I" — "Why Was I Born"— and "Don't Ever Leave Me" famous!
Hear these and 9 other great hits including ... "Lonely Feet" and "We Were So Young"

Travel the romantic road to yesterday in this glorious love story with all the comedy and color of the glamorous, amorous Nineties!

MERVYN LEROY'S first musical production since "Gold Diggers",

DONALD WOODS · HUGH HERBERT · NED SPARKS · JOSEPH CAWTHERN 
. . . hundreds of others . . .

IRENE DUNNE in "SWEET ADELINE"
By Jerome Kern and Oscar Hammerstein II

Coming Xmas Week from WARNER BROS.
Three Open in West
KANAB, Utah, Dec. 6—The new Kanab Theatre has been opened by Elmer Jackson.

Butte, Mont., Dec. 6—After being dark for two years, the Broadway, formerly run by Merle Davison, will be reopened in January under new management.

Caldwell, Idaho, Dec. 6.—The Roxy, completely remodeled, has been reopened by G. C. Knight.

Patonburg House Burns
PATONBURG, Mo., Dec. 4.—The Main Street Theatre here, owned by Bimmy Bros, was destroyed by an early morning fire with a loss estimated at $9,000.

Central Gets York House
YORK, Neb., Dec. 6.—The Central States Theatre Corp. has acquired the Rialto here from Ross Labart, giving the Harry Weenick circuit control of the three houses here.

Variety Club Chatter
CINCINNATI, Dec. 6—Members are rejoicing with Barker Harry J. Wessell over the rapid recovery of his son, who suffered the amputation of a leg as the result of a recent auto accident.

Census, Dec. 6.—Members are rejoicing with Barker Harry J. Wessell over the rapid recovery of his son, who suffered the amputation of a leg as the result of a recent auto accident.

KANSAS CITY, Dec. 6.—All signs indicate the Variety Club Annual M. P. Relief Dance and Show at the Kansas City, Dec. 10, will be a complete success staged by the local industry to date. The number of advance reservations received by Chief Barker Frank Hensler promises a record attendance.

In as past years, proceeds will be used for charitable activities and to furnish Christmas baskets to the needy. Art Hotel, general chairman, has solicited one of the largest floor shows seen hereabouts. Some of the talent, it is expected, will come from the downtown theatre.

Hensler, who is co-chairman, has announced these committees:

Ticket sales — Hensler, chairman.

George Fuller, Sam Azen, Gus Diamond, C. R. Byam, Fiston Jones, Frank Thomas, Tom Baldwin, Leland Allen, Jimmy Lewis, Charles Shafer, Bill Truesdell, Ben Reiser, Don Davis.

To Rebuild at Duesenque
DUESENQUE, Fla., Dec. 6—Plans have been proposed for remodeling the old Liberty here, according to Glen Good and J. F. Hazeltine, and actual work will be started immediately. The house was damaged by fire about six years ago and the property has not recovered. John E. Wain is managing the theatre.

Cincy Critic Hits Federal Sensor Moves
CINCINNATI, Dec. 6—Commenting on the admission of Federal supervision of films, Max Sien, film editor of the Cincinnati Post, says in a current column:

"The ghost of Federal censorship after a layoff of more than two months, has returned to haunt Hollywood. And what is more—it has returned with a comrade wrath who answers to the name of Federal control.

"Hollywood, with its accustomed show of savoir-faire in the face of criticism, is resuming its nail-gnawing before it goes off to August, at approximately the first of the month."

"A few weeks ago the National Council of Parent-Teachers resumed its old struggle by the production of educational films under theegis of the U. S. government and early this week the Better Films Department of W. C. T. U. urged Federal censorship.

"Of course this is very disappointing to those who have their hands full already, what with the rewards of virtue, chastisement for sinners and a fellow named Upton Sinclair to contend with.

"Unless the bottom suddenly drops out of Joseph J. Breen's sense of propriety and the peace of the country suffers some renewal crusade will receive the mass support which drove the Legion of Decency program to a successful consummation.

"It has been our impression that Breen's cleansing has been very thorough. If anything, he has swung too far to the right and rectitude. In place of the once-revealing costumes, we are now subjected to the entertainment of women who are hardly less than second cousins to the overall, while the code of morals would not have been more narrowly formulated by a Cotton Mather.

"Yet the pleadings persist. And a lot of speeded observers are wondering why.

In the light of Mr. Breen's energetic whitewashing, the attack launched recently in Cleveland at the present state of film affairs is astonishing.

"After quoting the statement of Maud M. Aldrich, Portland, Ore., chairman of the Better Film Department, in her address before the W. C. T. U., Sien continues:

"This sort of thing is hardly fair to the industry which has voluntarily tossed overboard lurid sex themes and led its public an emasculated 'Of Human Bondage,' a harmless version of 'Miss addle,' a most proper adaptation of 'The Green Hat' under the title of 'The Outcast Lady,' and tried with such success as 'Mrs. Wiggs,' 'Girl of the Limberlost,' 'Treasure Island,' 'Peck's Bad Boy and others too numerous to mention."

Gets Ellicott City Spot
BALTIMORE, Dec. 6—R. G. Everett, son-in-law of M. Silverberg, proprietor of the Park, has taken over the former Ellicott City, Md., from Paul Caplan.
for PHILADELPHIA

Fox Theatre, Philadelphia, premiere run, reports sensational morning, noon, night crowds...every reviewer in town shouting his praises...word-of-mouth advertising electrifying city.

Music by Jerome Kern. Lyrics and Libretto by Oscar Hammerstein, 2nd

Music in the Air

GLORIA SWANSON
and JOHN BOLES
DOUGLASS MONTGOMERY
JUNE LANG

Al Shean • Reginald Owen
Joseph Cawthorn • Hobart Bosworth
An Erich Pommer Production. Directed by Joe May.

Continuity by Robert Liebmann, Screen play by Howard I. Young and Billie Wilder. Dances by Jack Donahue.

Next week RADIO CITY MUSIC HALL will be filled with "Music in the Air"
"The next speaker is Mr. Kann, Editor of Motion Picture Daily..."

LET HIM TELL YOU ABOUT

THE 10 BIGGEST
MONEY-MAKING
STARS!

(Reprinted from Motion Picture Daily)

"9,000 independent exhibitors voting in Motion Picture Herald's 'Ten Biggest Money-Making Stars', an annual poll conducted by that publication. The basis of the poll...a story of tickets sold, not opinions ventured. The ballots were limited to showmen without producer or distributor affiliation, direct or indirect. The question in each ballot was: 'Please list 10 players whose pictures drew the greatest number of patrons to your theatre from Sept. 1st, 1933 to Sept. 1st, 1934.' IN POINT OF COMPANY ALIGNMENT M-G-M EMERGED FIRST WITH FIVE. Next had two. Next had two. One may be claimed by both."

—Kann, M. P. Daily

PIN AN M-G-M MEDAL ON YOUR BOX-OFFICE!
Yamins Lauds Some Changes

Fall River, Dec. 7.—Another year’s experience with the code and its enforcement under Code Authority as well as under local boards have proved that a self-regulating body within the industry can be of inestimable value in solving industry problems, and that such a body should continue to function,” says Nathan Yamins, Campi member.

“The year’s experience also convinces me that the time has now arrived for amendment of the code both as to substantive and administrative provisions, in order that the small enterprise—the little exhibitor—may get that measure of justice and protection to which he is entitled.

“The code and the NRA were never intended to injure the little fellow, but the code and the manner in which it is being administered, are doing just that and must be changed.”

NRA Names Dec. 19 For Vaude Hearing

Washington, Dec. 7.—Amendments to the vaudeville sections of the film code will be discussed at a public hearing set today by the NRA for (Continued on page 3)

McConnell, Gary on Sales

For “March of Time” Series

Fred J. McConnell has been named eastern sales manager and Walter P. (“Pat”) Gary western sales manager of “The March of Time” series which First Division will handle.

Both men are among the better known distribution executives. McConnell, for years was with Universal in charge of short subject sales and latterly has been with the Van Buren Corp. Gary, an old hand at theatre operation with the original Keith circuit, was once assistant to Winfield Sheehan when the latter was Fox sales manager, later was a sales executive with M-G-M and for several years was general sales manager of National Screen Service and subsequently executive assistant to Herman Robbins, its president.

Amusements Join Against Free Programs

Films, Theatres, Radio Are Represented

Three forms of amusements, films, radio and legitimate theatres, yesterday joined forces in a move to combat unfair competition arising from time to time, such as the free shows sponsored by Standard Oil Co. of N. J. Amalgamation of entertainment industries followed a protest meeting at Campi, which was directed at the free oil company shows in New England within the last week.

Reports were current late last night that efforts were being made to induce Standard Oil to cancel the free show tour. Representatives of various companies complained about Standard Oil, met yesterday afternoon at the Hays office to discuss the matter and it is understood sessions will continue over the week-end. Officials of Music Corp. of America, agents for the artists playing in the tree shows, refused to comment, referring all queries to Standard Oil executives.

However, several code members contacted believed that the company gratis entertainment was a thing of the past.

Labor officials, musicians and actors joined the Campi move to drive out the new type of entertainment. On a committee was Charles L. O’Reilly, chairman of the session, all interests are represented. The committee consists (Continued on page 3)

Wisconsin Forming New Theatre Group

Milwaukee, Dec. 7.—A committee of 10 exhibitors, including four M. P. T. O., four Allied and two unaffiliated members, met here yesterday to lay the groundwork for an independent statewide exhibitors’ association. Present plans call for dissolving M.P.T.O. of Wisconsin as well as Allied and the (Continued on page 2)

F. J. Godsol Passes Away in Switzerland

Frank J. Godsol, one time president of Goldwyn Pictures Corp., died in Lausanne, Switzerland, a few days ago. According to word received in New York yesterday by Ben Blumenthal, who himself was once active in (Continued on page 4)
MOTION PICTURE DAILY
(Restricted U. S. Patent Office)
Vol. 36 December 8, 1924 No. 135
MARTIN QUIGLEY
Editor-in-Chief and Publisher
MAURICE KANIN
Editor
JAMES BKEENY
Advertising Manager

Wisconsin Forming New Theatre Group

(Wisconsin forming an association without much formalities. It is felt that such an organization is needed to handle problems which have been besetting the industry here in its many double features and premiums. It is hoped to have the new organization functioning by Jan. 1. There is an indication that such an association will be formed with the state legislature convening in January, it is felt.

The committee working on the new setup consists of E. F. Maertz, Charles Wachshcke, James J. Roden and John Honthaner, representing All; George Fischer, A. C. Gutenberg, A. D. Kvoed, Ernst Langemak, representing M. P. A, of Wisconsin, and Ross Baldwin and B. K. Fischer, not present.

Flint Agrees to Ban Duals After Jan. 1

FLINT, Dec. 7.—Duals will be banned here after Jan. 1. An agreement to this effect has been reached by all exhibitors. Present efforts to accomplish this have failed.

A move to establish the same ban is also under way in Grand Rapids, but has not made much headway as yet.

MOTION PICTURE DAILY'S
HOLLYWOOD PREVIEW

"Night Life of the Gods"
(Universal)

HOLLYWOOD, Dec. 7.—A picture that is completely but pleasantly goody, with cast and director seemingly purposely insane, but with no one caring as fun polecatizes from their antics.

The screen play is based on Thorne Smith's widely read novel of the same name. If audiences like to forget their cares and will take comedy reminiscent of slapstick days, this picture will be their meat.

The yarn concerns an invention by Alan Mowbray by which he turns humans into stone and vice versa at will. Visiting a museum, he experiments with ancient gods and goddesses, whom he revives for a flight at night life on Broadway, with hilarious results.

Lowell Sherman's direction scores, keeping the audience laughing with the picture. His fine hand shows to particular advantage in the most ludicrous situations.

Mowbray gives a knockout performance as the eccentric inventor. Florine McKinney, as his self-appointed love, is as bewitching a minx as has appeared on the screen. Gilbert Emery's comedy as Mowbray's resigned butler will convulse the sphinx. George Hassell and Robert Beatty do grand work on the sound track, the result being a fine, fast-moving picture.

Convincing support is given by Peggy Shannon as Mowbray's niece, Ferdinand Gottschalk as Miss McKinney's father, William Boyd as a detective and Henry Armetta as a fish vendor. John Mascoll's photography is outstanding.

Production Code Seal No. 470. Running time, 80 minutes. "G."

"Mystery Woman"

(Fox)

HOLLYWOOD, Dec. 7.—What "Mystery Woman" lacks in marquee names is counterbalanced by cast performances and planned direction. Intelligent timing and suspense keeps this drama entertaining. It is entirely devoid of action, but a story is told.

The story revolves around an espionage plot and subsequent partial murder by Rod La Rocque, an officer in the French army. His wife, Mona Barrie, in endeavor to vindicate the officer of charges, plays a lone hand against John Halliday and Gilbert Roland, who, in turn, are aided by John Loder and Miss Barrie, while Roland and Emery's Sphinx, as a force to be reckoned with, are not to be overlooked.

Miss Barrie is the centrifugal force of the action, which takes place aboard a transatlantic liner and climaxes in New York. Romantic suspense enters around the lovable crooks, Roland and Miss Barrie, which all turns out in the usual manner.

Eugene Ford's direction achieves dramatic suspense. The cast

(Continued on page 4)

RKO Trading Heavy on Big Board

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Paramount Broadway Bonds Off Half

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Delay Coast Code Meet

HOLLYWOOD, Dec. 7.—Because of impending meetings and the directors of the Writers' and Actors' Guilds called for last night to discuss action on a nation-wide code of fair practice, was postponed until Tuesday.

**Purely Personal**

HAROLD HENDEE, research director of Radio, spoke to the other tonight before the C. C. N. Y. alumni chapter of Tau Delta Phi on "The Authentication of Motion Pictures."

JANE BATES, who arrived from the coast Thursday after completing work with ANN HARDING in "Enchanted," sailed yesterday on the Bremen.

JUNE KNIGHT and her husband, PAUL AMES, have gone back to the west for a week-end of duck hunting in Montana.

FRANK W. LOVEjoy, president to Eastman Kodak, and Mrs. Lovejoy sail for Bermuda today on the Queen of Bermuda.

GEORGE SCHAFFER left last night for a week-end of duck hunting in Maryland.

FRANKIE THOMAS, 22-year-old actor under Radio contract, departs for the coast tomorrow.

GRAND CELESTES leaves town for the coast today to complete the title role of 20th Century's "Cardinal Richelieu."

CLINT WEVER was in Philadelphia yesterday.

Walters Will Stage Party for Orphans

Walters today will stage an all Chamakool party for the 135-4 Orphan Asylum. The affair will be held in the Warner memorial gymnasium.

The children will put on their annual play, "Life Begins at 8:35," at this time. Preceding the show, there will be a supper attended by Harry M. and Albert L. Warner and other home office executives.

Curtis to Form a Unit

HOLLYWOOD, Dec. 7—John A. Curtis, vice-president and treasurer of First Division, arrived here by plane from New York today to look over various production facilities, prepare for the coming of the company's own production unit. He has put out plans to establish exchanges in the western areas.

Al Friedlander is expected here around Jan. 10 to assist Curtis in the exchange development.

1st Div. to Open More

First Division is expected to announce today new exchanges in D. C. T. V., Washington, and one in the South. Arrangements for a Chicago office have not yet been completed but details are expected to be set some time next week.

1st Div. Gets Bout Film

First Division concluded arrangements yesterday for distribution of films of the Londo-Shipton wrestling feature at Madison Square Garden. The match is sponsored by the N. Y. American Athletic Fund.

Delay Coast Code Meet
Amusements Join Against Free Programs

(Continued from page 1)

Harold S. Baresford, films; M. R. uyon, radio; Dr. Henry Moskowitz, legitimate theatres; Frank Gillmore, Actors' Equity; Joseph N. Cher, American Federation of Musicians; George Tyne, I.A.T. E. John C. Flinn was named executive secretary of the committee and meeting will be held early next week to further the discussion of the situation. The committee will be a permanent organization and will meet from time to time to discuss the problems arising within the amusement industries.

Attending the session at Campi were O'Reilly, Flinn, Pendrall, Marcus Heiman, Gillmore, Bimbach, Merlin St., Aylesworth, J. Robert Rubin, Martin Beck, Hendrickson, Edward S. Kline, Charles C. Hynes, Walter Ince, William F. Farquar, Equity, Tyne, Branigan, T. J. Smith, Rowl, Edo Brown, Louis Krouse, Rodgers Kennedy, R. A. Cooke and Sidney Austin.

Pendrall and Baldwin represented the radio code authority while Hynes headed for the hotel code authority.

Rosenblatt to Come Here on Pay Scales

WASHINGTON, Dec. 7—Compliance Director Sol A. Rosenblatt will go to New York Dec. 12 to meet with the committee which has been investigating pay scales in the metropolitan area. The commission asked his participation in its next meeting in order to attempt to develop conclusions for recommendations. Originally, Rosenblatt had planned to go this week, but could not because of the delay in getting his travel arrangements. Rosenblatt has had the findings of the NRA fact-finding committee before him for the past few weeks and is prepared to give basic wage scales for theatres without further delay. It is understood that smaller houses will pay a minimum of about $80 a week for a booth, while in larger houses the booth cost will be graduated.

Code Attack Due at New Orleans Conflict

NEW ORLEANS, Dec. 7—Directors of both Allied and the G. F. T. A. (Georgia) will meet singly and later jointly Monday and Tuesday to take up the code and will advise the government for its reopening, claiming that it is unfair to independents and that boards are "controlled by major circuits and exchanges."

Recently a letter was mailed from this city to code authorities, charging malfeasance in office by the local board.

Col. H. A. Cole of Texas Allied makes the assertion that Code Authority is operating "under the influence of monopoly."

Consolidated Closing One

Consolidated is closing the U. S. in the Bronx tomorrow night.

Campi Orders Ending Of Five Bank Nights

Campi has handed down cease and desist orders on five appeals from "bank night" decisions of local grievance boards. In each instance, Campi Authority affirmed verdicts of the lower boards. The "stop" orders were on the following cases: G. E. Klock, Needham, Mass., against J. E. Whitten, Gem, same city; Tower, Miami, against Coral Gables, Paramount and Roxy, same city; Rialto, Iowa, against Orpheum, same city; Casino, Marshalltown, Ia., against Strand and Family, same city; and Capitol, New Braunsfeld, Tex., against Opera House, same city.

In the complaint of Harry C. Swan of the Washington, Great Neck, N. Y., against Gaylord W. Jones, Rialto, same city, charging that the "Carpenter Food Show," put on by the respondent was a means to reduce admissions, Campi upheld the Louis Boyd board and considered in favor of Swan. Two open air non-theatrical free shows were also ordered to quit the practice. They were being put on by R. E. Ryan, James Edward A. Karsney of Miami, Fla., and on complaint of T. J. Fowles of the Idol, Lodl, O., and Madison Opera House, N. Y., the Campi grievance body declared the practice a violation of the code, this being affirmed by Campi.

Flinn Gets Salary Boosted to $20,000

(Continued from page 1)

made a lengthy and favorable report on the extra situation as a result of his recent trip to the coast.

Since last July, Flinn has kept operating expenses below the budget every month. For July, the budget was under by $1,362.09; for August, by $1,792.28; for September, by $2,273.10; for October, by $928.49; for November, by $488.09. June was the only month when the expense ran over the allowance. The average figure then was $153.51.

NRA Names Dec. 19 For Vaude Hearing

(Continued from page 1)

Dec. 19 at the Willard Hotel, as predicted in Motion Picture Daily yesterday. A number of amendments have been submitted, but it is possible that the schedule may be changed to permit inclusion of others not yet received, which were considered yesterday by Campi.

A. W. Kelly in Hollywood

Hollywood, Dec. 7—Arthur W. Kelly, vice-president of U. A. in charge of foreign distribution, has arrived here on his way back to New York from the eight-month tour around the world.

Plan New Theatre Here

The Van Dyke Amusement Corp., the operator, has leased the southeast corner of Broadway and Dyckman St. and proposes to build a theatre on the site.

Open at Walla Walla

WASHINGTON, Dec. 7.—Fred Merry and his son, pioneer Washington exhibitors, tonight opened the new Roxy at Walla Walla.

Boycott Idea Fizzles Among K.C. Theatres

(Continued from page 1)

has been showing M-G-M pictures at his Oak Park Theatre.

While the association adopted Meinas' resolution to stand 100 per cent for a boycott, it later developed the move largely depended on support from Fox Midwest and exhibitors within a radius of 100 miles around Kansas City. Cooperation also was sought from the Kansas-Missouri Theatre Ass'n. With the exception of independents in Kansas City, no exhibitors seem inclined to join the boycott. A faction of independents not affiliated with I. T. O. ridicules the idea.

Several independents are reported to have cancelled film contracts in protest against the low scales at downtown first runs, and others threaten that regardless of contracts they will not play pictures first run at the 13-cent balcony price prevailing at Loew's Midland.

The situation has become more involved since RKO today cut the Mainstreet's scale to a par with the Midland's.

MOTION PICTURE DAILY

PICTURE, LISTENERS

TIME MARCHES ON

32,000,000 LISTENERS

TIME
Catholic Churches
Here to Post Films

Lists of approved and disapproved pictures will be posted in the vestibules of all Catholic churches of the archdiocese of New York beginning Dec. 16.

The order has been issued by Cardinal Hayes in conjunction with a plea to the Legion of Decency to keep misleading pictures from its audiences. The pledges will be for one year and will be given to both adults and children.

In a letter to the Archdiocese of New York, Bishop Michael J. Gallagher, the letters have been mailed to every parish in the Detroit area to be read at all masses in their churches Sunday.

F. J. Godsol Passes
Away in Switzerland

(Continued from page 1)
the industry as president of Export and Import Film Co.

Goldsol had his origin in Cleveland, became associated with Pathe of France a number of years ago, later with the Shuberts, and, during the war, was purchasing agent in America for the French Government. He also founded Tecla Pearls. From a member of the board of directors of the former Goldwyn Co., he eventually obtained control and became its president, as Samuel Goldwyn, one of the founders of the enterprise, retired. It was Goldsol who acted for the Goldwyn organization in the merger by which that company became part of Metro-Goldwyn-Mayer.

He was believed to have been 61 at the time of his death and had been living in Switzerland for his health for the past seven or eight years. He died of a lingering illness, reported to be a lung condition.

"Bob" Long Is Dead

Robert Edgar Long, for years associated with David Wark Griffiths in charge of the latter's publicity, is dead, following a brief illness at the Ruppert Hospital. His experience in the publicity end of the business included posts with William A. Brady, the Aborn Opera Co., Earl Carroll and United Artists.

Horne Services Today

Funeral services for Edward A. Horne, who was manager of Radio's print department for the past 15 years, will be held at two o'clock this afternoon at the Open 400th Street. Manhattan. Burial will be at Gate of Heaven Cemetery, Valhalla, N. Y.

Plan Monte Carlo Night

The M. P. Club will stage a Monte Carlo Night on Dec. 12 for the benefit of the Federation of Jewish Charities. The evening will feature music and dance and other forms of diversion with a free buffet supper during the evening.

Signs for New Sound

Philadelphia, Dec. 7—Samuel L. Rothachel has closed a deal with RCA Victor for installation of High Fidelity Phonophones in the Roxy-Mastbaum scheduled to open the day before Christmas.

MOTION PICTURE DAILY'S
HOLLYWOOD PREVIEW

(Continued from page 2)
portrayals are intelligent. Ernest Palmer's photography is flawless. Philip MacDonald penned an interesting screen play from Dudley Nichols' story. Box-office results may depend upon the exploitation value of "G."

Production code seal No. 456. Running time, 72 minutes. "G."

Looking 'Em Over

"War Is a Racket"

(Eureka Prod.)

Entirely lacking in continuity and composed of stock shots of a familiar hue, this picture has little that is impressive. Its preachment against war wavers occasionally and tends to become socialistic in nature. Toward the end it varies once more and becomes purely patriotic in its flag-waving presentation of American troops in action.

The film concludes by naming and picturing some of the best known international munitions plants and, through the medium of an interrogatory written into the script, places on the screen the opinion of anonymous persons interviewed that "war is a racket." The composition is lacking in conviction and its effectiveness as anti-war propaganda is correspondingly weak.

No code seal. Running time. 68 minutes. "G."

"The Private Life of Don Juan," opening this morning at the Rivoli, was reviewed on Sept. 8.

"The Painted Veil," yesterday's opener at the Capitol, was reviewed on Nov. 24.

"The President Vanishes," which opened at the Paramount yesterday morning, was reviewed by wire from Hollywood on Nov. 13.

Gears Liberty Pictures

-Hollywood Film Exchanges, distri- bution arm of Samuel Goldwyn, have sold its complete list of pictures to the Rosenblatt Circuit, operating houses in New York and New Jersey.

"Clive" Ready Jan. 25

National release of 20th Century's "Clive of India" by United Artists has been set for Jan. 25. The film is in an advanced stage of production.

M-G-M Signs Bennett

Hollywood, Dec. 7—M-G-M has signed Constance Bennett to a three-year contract. The pact provides for a 40-week guarantee the first year, with two one-year options providing for the same amount of work.

M-G-M Auditors to Meet

M-G-M auditors in the field and home office will hold their annual meeting at the Astor about Christmas Week.

"Divorcee" $16,000 Hit at the Palace

"Gay Divorcee" at the Palace is one of the best grosses in months for this Broadway house. The intake was $18,000, which will hold as result. In Brooklyn the Astor also netted a neat $18,000, which is above $3,000 above normal business. Start Dec. 7, the RKO picture opens in 26 RKO neighborhood houses for full week's run.

Second week of "The Metz Widow," at the Capitol fell to $21,000. At the Paramount, "College Rhythm" took in $19,500 for the second week. The Toddle take for the July week preceding last Wednesday night was $16,500.

Quigley Award Goes
To Solomon, Newark

Sig Solomon, Regent, Newark, winner of the Quigley Award of the Managers' Round Table Club of the Motion Picture Herald for November. He took the award for his campaign on "Jude Priests" by unanimous decision of the judges.

To Fred Weimar, Pickford, S. D., for his work on "Little Miss Marker." The judges considered Weimar's campaign as favorable. The judges were: Don Nichols, Charlotte Lo Henderson, Twin Falls, Idaho; Matt Saums, Bridgeport; Harri Charnes, New York, and Rosco Dusrell, Wilmington.

Say Sales Tax Hits
Accessories Solely

(Continued from page 1)
the line, the retailers of record sales tax in applying only to tangibles.

Under the terms of a schedule worked out by Mayor LaGuardia, Comptroller McGoldrick and other city officials the tax will not be levied on sales of one to 12 cents. The schedule from 12 cents on is: 13 to 62 cents, tax one cent; 63 cents; $1.12, tax one cent; $1.13 to $1.62, three cents; $1.63 to $2.62, five cents; $2.63 to $3.12, six cents; $3.13 to $3.62, seven cents; $3.63 to $4.12, eight cents; $4.13 to $4.62, nine cents; $4.63 to $5.12, 10 cents.

Tax Fight Planned
By Washington Me

Seattle, Dec. 7—Washington tax operators, through Allied Amusements of the Northwest, are mapping their campaign against addition tax, a burden thrown when the state legislature meets in Olympia next month. Through Hugh Bruce, the state tax commissioner and secretary, respectively, the amendment are represented on the newly-formed Washington State Retail Legislative Council which will campaign against higher taxes.

Eastman Plans Bonus

Receivables, Dec. 7—The Eastman Kodak Co. today announced that was would pay a wage dividend to employees in the first such payment three years.

Fox Music Unit to Move

Movietone Music Corp., Fox subsidiary, moves to Radio City Jan., taking over an entire floor for its new headquarters.
Schulberg May Return
As Para. Studio Head

Schulberg May Return
As Para. Studio Head

Carolina MPTO Meet
Begun at Charlotte

Carolina MPTO Meet
Begun at Charlotte

Early Ending
Of Oil Shows
Is Predicted

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Stalemate On
Zoning May Be
Ended Shortly

Stalemate On
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Warners Deny Plan
To Make Equipment

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To Make Equipment

J. L. & S. to Sue on
McVickers Product

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November Grosses Show
Only Light Fluctuations

November Grosses Show
Only Light Fluctuations

New RKO Plan
Awaits Court
Claims Action

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Reorganization Outline
Discussed in Interim

Reorganization Outline
Discussed in Interim

Further progress on a plan of
reorganization for RKO is awaiting
court action on the creditors' claims
filed against the company and a re-
organization of the Empire Circuit, bank-
ing RKO theatre holding subsidiary.

Reorganization Outline
Discussed in Interim

Further progress on a plan of
reorganization for RKO is awaiting
court action on the creditors' claims
filed against the company and a re-
organization of the Empire Circuit, bank-
ing RKO theatre holding subsidiary.

To the basis of a reorganization plan
for RKO has been discussed from time
to time during recent weeks, but the
final formation of a plan has been
impossible because of the absence of a
court determination of the claims
which will be allowed against the com-
pany and their amounts. Once this
has been established, reorganization
provisions will be enabled to proceed
with the drafting of provisions for
the reorganization of the claims in a re-
organization plan. The working out
of

(Continued on page 7)

Expect Skouras-FWC
Contract This Week

Expect Skouras-FWC
Contract This Week

Charles and Spyros Skouras are
expected to sign a joint 10-year operat-
ing contract with National Theatres
this week, prior to the former's de-
parture for the coast with his secre-
tary, Charles Zabel.

Reorganization is slated to become
effective on Jan. 1. Spyros will leave
for the coast the latter part of

(Continued on page 6)

Sound Parts to Be
Used in Tax Ruling

Sound Parts to Be
Used in Tax Ruling

Submission of samples of component
parts of sound equipment to the In-
ternal Revenue Dept. for a ruling on
whether or not the equipment is taxa-
table will be undertaken by the Enter-
tainment Apparatus Mfrs. Ass'n., it

(Continued on page 6)

November Grosses Show
Only Light Fluctuations

November Grosses Show
Only Light Fluctuations

Late November grosses continued
along the first week of the month in the 22
key cities from which Motion Pic-
ture Daily tabulates weekly reports.

For the week ending Nov. 29-30 the

(Continued on page 6)
Insiders' Outlook

INCLUSION of several Paramount executives on the board of the reorganized company in addition to Adolph Zukor appears to be in the cards for a later date. By-laws of the new company specify that the board membership is to consist of a minimum of 12 and a maximum of 16. If so, it would appear that representing the reorganization plan to the court and inauguring the new company at such time as the plan may be confirmed by the judge, the minimum board of 12 is being set, of which nine have already been named.

The initial 12, it appears fairly certain, will not include any other company executive in addition to Zukor, although one of the three directors remaining to be chosen may be a man with film experience. In selecting the initial membership, the objective of the reorganization factors has been to dispose of the question of creditors' representation on the board. This is offered as the explanation why not more than two film men stand to be included among the initial 12.

However, there will be four vacancies on the board remaining when the plan is confirmed by the court. At that time the board will be able to meet and elect officers of the new company and from among those elected at that time, it now appears likely, several undoubtedly will also be named to the board. These, in addition to four board members of the new company, would probably include a vice-president, treasurer and secretary, all of whom will be film men, according to present indications. The purpose of this board, place four or five industry men on a board of 15 or 16 members.

W HILE it may be none of their business, in companies other than Paramount the direction in which the board has so far leaned has received the criticism of the Paramount reorganization factors. Dyed-in-the-wool film men at large fail to see how that organization will be able to move swiftly, if at all, especially as the field unless its controlling board includes enough personalities who know the ins and outs of the industry and so can move in or out of any given situation quickly and dependent upon the dominating circumstances. This column, at the risk of tiring you, this morning again points back on ground several times covered and takes upon itself the repetition of well meant and, it is convinced, sound advice: More than a smattering of expertise film men on that board, Paramount, or the opposition, well-school and well-steel in matters filmic, will bow you down.

The production situation there now finally comes to a head of some sort of another in the fluctuations between the new directors, the Anne Mayes, and Ben Schulberg, quondam studio chief. That's what brings him cast for discussions which, no doubt, will not even be officially admitted. If Schulberg goes by, Manny Cohen will go out. The relations between both men are not and have not been cordial for some time, leading to all and argument to the conclusion that Schulberg, everything else being equal, will not consent to the firing of any of the shots if Cohen returns the same privilege.

Note to the opponents of double features, meaning distributors principally: In England, distributors who are members of the Kinematography Society rule off those exhibitors who permit their shows to run more than three hours and a quarter. That's another way of saying their service is eliminated. The decision developed after a deputation of theatre men, representing the Cinematograph Exhibitors' Association, had finished their conferring with the K. R. S. Here, all you get is a mixture of talk, threats, hot air and inaction. A point that bears beyond a suggestion of shortening competition taping off into the double cross.

Impressions often are influenced in the approach. Thus, while David Sarnoff denies having told radio dealers television would be on the market by the end of the year and been daunted by his early statements which foretold the invention, but no date for it, read what he had to say before the New York University College of Fine Arts the other evening.

"Listeners will be able to watch the performance of the opera they are hearing. A play on Broadway will be seen by an audience in Arizona."

Sounds as if the promised land is around the corner, the Sarnoff enthusiasm being further heightened.

"If we let our imagination plunge ahead we may also dream of television in faithful colors. I believe that dream will come true one day, and when it does, every home equipped for reception can cost a few dollars become an art gallery."

That if that isn't danting the ball, what is?

An idle couple of hours the other night while going through several hours through a drop-in visit at the Criterion to catch "The Battle" belatedly. Powerful entertainment is this French picture produced by Leon Garganoff and highlighted by the performance of Charles Boyer as the fanatically and fatalistically Japanese naval officer. Nicolas Farkas' direction is excellent, his sense of the dramatic accurate and convincing and Merle Oberon, lovely and competent, outgrowth of the times. Which is something. There's a pretty good name credited for the dialogue, too. It's Robert Stevenson.
THE BOAT HASN'T SAILED YET

There's still time to book this Lewis Milestone ★★★ ½★ hit for the holiday season and bring a tidal wave of business to your box-office!

Held over for 2nd week

The CAPTAIN HATES the SEA

LEWIS MILESTONE Production — with VICTOR McLAGLEN JOHN GILBERT
WINNIE GIBSON HELEN VISION WALTER CONNOLLY
ED KEATING LEON ERROL TALA BIRELL

**½ Dripping with wisecracks... boasting the best characterizations seen in many a day... succeeded in packing the house.
—Daily News

Comedy of low and high order along with intrigue, mystery, romance and melodrama... rates as good entertainment... incisive direction.
—The Post

Fun from start to finish... never a dull moment... like the "Thin Man" a melodrama which kids melodrama... superlatively fine cast.
—Daily Mirror

Has that priceless commodity called originality... refreshing in its treatment, interesting in its characterizations... and amusing.
—Brooklyn Eagle

Vees from wild comedy to sheer tragedy and takes all with some deliberate nonchalance... enough wise cracks to keep it going.
—The Sun

Brisk and humming melodrama... its drama and characterization is sure and good... actors play it well. —World Telegram

"Captain Hates the Sea" opened to second highest opening day gross since Arthur Mayer took over the Rialto.
—M. P. Daily

Takes you for a joy ride... several exceptional performances.
—Bklyn. Times-Union

Grand entertainment... delightful yarn... expertly directed... dialogue is hilarious... expertly played by a large and amusing cast.
—The Journal

Cash customers will love the punch-packed entertainment in latest Columbia gem... by all means take the cruise aboard Connolly's good ship.
—The American

—N. Y. RIALTO
War makers

World drama of today!...Millions are reading and hearing about its vital story!...Here it is on the screen at last, in all its power!

CARL LAEMMLE PRESENTS

CLAUDE RAINS
("The Invisible Man")

JOAN BENNETT

THE MAN WHO
exposed!

RECLAIMED HIS HEAD

in a universal picture with

LIONELL ATWILL
Baby Jane • Henry O'Neill
Henry Armetta
Lloyd Hughes

Bessie Barriscale
Carol Coombe

Directed by Edward Ludwig from the play by Jean Bart
Produced by Carl Laemmle, Jr.
Stalemate On Zoning May Be Ended Shortly

(Continued from page 1 )

to settle the pegging of prices. Penalties, in the form of setting releases back seven days for each five cents cut, would be imposed on downtown first runs as well as in the neighborhoods. The plan, broached at the last session, was put over for discussion until Thursday, when S. R. Kent will act as chairman. It is believed the only solutions the Federal City schedule will be to include penalties for all theaters not pegging prices.

The New Haven plan, discussed in brief last week, was referred to the appeal committee which originally heard it and recommended revisions. The revisions have been made and now the committee, presided over by George J. Schaefer, will render a report to the city council when the executive council meets next Thursday. It is expected that Campi will approve the report.

In the schedule released to the press, the nightly shows are retained, the only change being that the downtown and neighborhood theaters are to be allowed to open as early as 10 p.m. instead of 10:30 p.m. as had been planned.

Also released is a schedule for the tourist season which will be made available to the public by the Chamber of Commerce next week.

J. L. & S. to Sue on MeVickers Product

(Continued from page 1)

comprised two Shakespearean perform-

ances, was photographed with the feature picture by the Globe Theater, who held the stage at the “Merrie England” village at the World’s Fair. The feature was “Jane Eyre.”

The MeVickers is owned by J. L. & S., but in recent years it has been managed by C. F. F. P., who feels that the thought being that complete local autonomy might prove beneficial. However, the house was dark the last week in July and has remained closed until revision to J. L. & S. last week.

Work Is Started on Mexico City House

By JAMES LOCKHART

MEXICO CITY, Dec. 9—Construction has been started on the $3,000-seat deluxe house which is, estimated, will cost $500,000. It will have modern equipment, including air conditioning, and probably will be ready in eight months. It will be the 62nd film house in the Federal District.

November Grosses Show Only Light Fluctuations

(Continued from page 1 )

what behind those recorded in the first two weeks of the month.

Comparative grosses for the latest available periods:

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<tr>
<th>Week Ending</th>
<th>Theatres</th>
<th>Grosses</th>
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</thead>
<tbody>
<tr>
<td>Sept. 27-28</td>
<td>132</td>
<td>$4,191,815</td>
</tr>
<tr>
<td>Oct. 11-17</td>
<td>132</td>
<td>4,144,019</td>
</tr>
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<td>Oct. 18-24</td>
<td>132</td>
<td>3,856,735</td>
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<tr>
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<tr>
<td>Nov. 22-28</td>
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<td>3,969,736</td>
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Comparative weekly totals:

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<th>Week Ending</th>
<th>Theatres</th>
<th>Grosses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nov. 29-30</td>
<td>132</td>
<td>$1,305,576</td>
</tr>
</tbody>
</table>

Early Ending Of Oil Shows Is Predicted

(Continued from page 1)

ago and played to capacity houses at New Haven, Concord, N. H.; Providence and Boston, with a driver’s report that each week has been filled to capacity. The only admission requisite is the current eastern tour was to have continued for another week and then resume in the south and the west. In early meetings between industry representatives and Standard Oil officials in protest against the free show tour Warners volunteered to assume the oil company’s tutor contracts when those commitments were advanced by Stan- dard as a reason for its inability to call off the exploitation stunt.

PROVIDENCE, Dec. 9.—Standard Oil’s free-touring show with Guy Lombardo and the Hollywoodlight Orchestra in the Metropolitan area despite absence of local newspaper cooperation and local advertising by radio.

The troupe goes from here to Boston.

Walters Deny Plan To Make Equipment

(Continued from page 1 )

including the Los Angeles Grand Opera House, Wilmington, for test purposes.

The theatre producer is far from ready for practical installation, it is asserted, but the experiments are being carried out by a skeleton force of about seven people working in the Long Island City plant.

Expect Skowras-FWC Contract This Week

(Continued from page 1)

the month or the first week in January. He will be on the scene during the first week of the adoption of the reorganized plans.

Los Angeles on the appeal of Harry L. Hartman and Marshall Square Theatres on a claim of not, $3,750,000 alleged damages for asserted monopoly.

San Francisco and will not hold up reor- ganization, it is stated. Date for the hearing will be set within the next few days.

S. R. Kent, who returned from Eng- land last Tuesday, stated the show- cases will continue operation of Fox West Coast. He said he did not know of a 10-year contract. Kent also leaves for the coast the early part of Janu- ary to confer with Winfield Sheehan on production. In addition, he will give the National Theatre setup an examination.

Los Angeles, Dec. 9.—Fox West Coast reorganization developments are dormant until Wednesday.

Gillham to Coast

Robert Gillham, Paramount advertising and publicity head, left for Hollywood by air Saturday night. He planned to limit his stay on the coast to 10 days.

Get Buffalo Franchise

The World Wide franchise for Buf- falo has been awarded to Hollywood Pictures. This also includes Albany.
RKO Plan Awaits Court Claims Action

Plan for removing Orpheum from bankruptcy will also speed completion of an RKO plan.

Former Judge Thomas D. Thacher, who was appointed special counsel by RKO, concluded the hearings months ago, but has not yet made a report to the court. There is no word on the exact date of the reports' issuance, but it is expected that Thacher's report will be submitted within the next few weeks and will be a complete report on all claims filed.

About $13,000,000 in claims were filed against RKO, including a Rockeller Center claim for $15,000,000 for default on Radio City theatres and office space and a lease provision specifying that RKO would pay con-

uction costs of the theatre in the event of a rent default. It is expected that this claim will be drastically reduced by other claims. Other claims for rent and lease guarantees aggregated $7,400,000 and many of these are also expected to undergo appreciable reductions and eliminations.

General claims against the company aggregated $3,585,143. Orpheum's unsecured claims were set at $13,714,707 while the company's largest claim, $49,451,000, was listed by the company's trustees, Georgeuzzer, Alport, Mark, and George J. Cohn, to be $4,442,000.

Of the $17,400,000 at stake, $11,100,000 were listed as being secured

by liens and lease guarantees, mainly by the bank creditors. Orpheum was a holding company for about 27 subsidiary theatre operating companies, many of which have now been abandoned. It is expected that Orpheum reorganization plan will further reduce the theatre holdings involved.

Zirn to Call Para. Committee Members

In line with his announced intention to oppose the Paramount plan of re-

organization Samuel Zirn, counsel for the small group of creditors, said Sat-

urday that he would subpoena members of the various protective committees, their counsel and members of the board of the new company for the creditors' hearings on the plan, Dec. 7, before Federal Judge Alfred C. Coudert.

Among those for whom Zirn said he would seek subpoenas are Percy H. Johnson and H. P. Howell of the two largest creditors' committee, and their associates, Morton G. Bogue; Frank A. Laderip, Dr. Julius Klein, Duncan G. Harris and Lawrence Stern of the debenture holders' committee, and their counsel, Willard, Wardwell, Gendar & Reid; Duncan A. Holmes; Gerald Brooks and Maurice Newton of the stockholders' committee, and their counsel, Alfred Cook.

Cheese Club Gets Talent

Guests at the weekly Cheese Club luncheon at the Driar's Club today will be: Dr. Henry Moskowitz, executive director of the N. Y. League of Theatres; C. W. Fred, Police Commissioner Louis J. Valentine, Arthur Brisbane, George Jesse and James Nagy.

Neilan on U. K. Deal

London, Dec. 9.—Marshall Neilan is here from New York discussing a production deal.

Schulberg May Return As Para. Studio Head

While probably nothing of an official character can be consummated with Schulberg until Paramount is cleared of the bankruptcy courts and so turned over to its partially formed directorate to manage, there appears to be no reason why arrangements looking toward discussion of his return to the production helm, in place of Emanuel Cohen, cannot proceed in the meantime.

KANSAS CITY, Dec. 9.—Howard Spellman, former story editor for Radio, said he will be B. F. Schulberg's assistant if the latter takes over Paramount production. He made this statement as he passed through here, bound for New York.

"You may say it is significant that I am going east with Schulberg and very likely will be with him in his future activities," Spellman told a Motion Picture Daily reporter.

Bishop Hits Adult Listings for Films

SCRANTON, Dec. 9.—Opposition to a White list or any list of pictures that are classed as dangerous to children, but not for their experienced parents, is voiced in a letter which Bishop Thomas C. O'Reilly sent to the priests of the Scranton Roman Catholic diocese.

The diocese covers an area of approximately 8,000 square miles in northeastern Pennsylvania and includes the cities of Scranton, Carbon-
daile, Wilkes-Barre, Hazleton, Pittson and Williamsport. The Catholic population in the diocese is estimated conservatively at 300,000.

Two Ties in Election

Two tie votes marked the election of officers for International Photographers' Local 44. Lawrence Williams and William Miller tied for president and E. Hyland and Jack Elia tied for members of the executive board. Spellman says he will be settled at a special election Jan. 8.

Officers named were: Vice-presi-
dent, U. K. Whipple; treasurer, Frank G. Kirby; secretary, John Geisel; business representative, O. B. John-

ston; trustee, Frank Land; trustee, Tom Hogan; executive board, William Miller, Charles Downs, Charles Gilson, Frank Zieker, Fred Fordham, J. T. Balzell, Jeff Kirzis, Herman Lutz, Dan Caveli and Walter Nase.

Add Two Vaudefilm Houses to Census

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(Continued from page 1)

with the tabulation made by the Motion Picture Daily of 9,499 film houses with receipts of $356,316,000, and 122 legitimate theatres with receipts of $8,611,000. The report on film and vaudeville houses shows 642 theatres with receipts of $49,451,000.

Fifteen cents out of every dollar spent by the public for services, in which category more than 200 kinds of business are grouped, went into box-office tickets, the bureau showed. By classes, the film houses received 12.91 cents, the film and vaudeville houses 1.82 cents and the legitimate theatres 0.31 cent.

The 9,499 film theatres were operated by 8,824 proprietors, and had an aggregate payroll for 1933 of $71,451,000, of which $67,009,000 went to full-time employees, who averaged $4,030, and $4,442,000 to part-time workers, averaging $11,698.

The 644 film and vaudeville theatres were run by 191 proprietors, and had an average of 7,924 full-time employees receiving $10,083,000 and 711 part-
time receiving $252,000, the total pay-
roll for this branch being $10,305,000.

The 122 legitimate theatres had 69 proprietors and a payroll of $3,666,000, of which $3,457,000 went to 1,182 full-
time and $209,000 to 448 part-time.

Stebbins Sues on Pact

Los Angeles, Dec. 9.—Arthur Stebbins has filed suit in Superior Court here against Berg, Stebbins, Allenberg and Blum, Inc., over a branch employment contract said to aggregate $175,000, prorated at $50 weekly. Stebbins charges the agree-

ment was unduly dismissed. He is understood another suit over his stock in the corporation, of which he was a member, will follow.

Stebbins says he does not plan to re-enter the agency business as re-
portedly, but will return to the insurance field.

Film Players Elope

Hollywood, Dec. 9.—Evelyn Laye

and Evelyn Venable have returned from Yuma, Ariz., the brides of Frank Lawton and Hal Mohr, respectively, after eloping.

3,000,000 Visited Time and Fortune at the Century of Progress

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(Continued from page 1)

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FWC Parleys End; Skouras Pact Closer

Expect Operating Deal Signed Shortly

Conferees relating to the operation of Fox West Coast under reorganization plans ended late yesterday when Speros and Charles Skouras met with Chase National and Fox officials at the Fox home office. Details of the joint 10-year contract between the Skouras brothers and National Theatres were straightened out and contracts are slated to be signed within the next few days. The operating pact provides for a flat salary and a percentage of the profits. Charles Skouras and Edward Zabel are scheduled to leave on the coast the end of the week and

(Continued on page 7)

Reade Will Reopen Aster with "Babes"

Walter Reade will reopen the Astor tomorrow night with "Babes in Toyland" at popular prices, making the second first run for Read on Broadway. He also has the Mayfair. Read and Nicholas M. Schenck agreed late last week to cancel the 18-year lease M-M held the under.

(Continued on page 6)

Texas Lose Protection Suit by Dallas Decision

Dallas, Dec. 10.—R. Z. Glass today lost his suit for an injunction to prevent price-fixing and alleged monopoly against Karl Hohltzelle, Interstate Circuit, Inc.; R. J. O'Donnell, Southern Enterprises, Inc.; Paschall-Texas Theatres, Inc., and Dent Theatres, Inc., Judge W. M. Taylor in the 14th District Court ruled that protection on Class A product for major first

(Continued on page 8)

"Improved Position on All Fronts" Is Foreseen by Hays for 1935; Kent Finds "Misgivings" Fewer

By WILL H. HAYS
President, M. P. P. D. A.

From all signs the industry advances into the new year with an improved position on all fronts. Theatre attendance has been on an upward curve. Product has held up to early expectations. The public response to better pictures, organized through many sources, has been gratifying. Business progress and good management brings near the

(Continued on page 2)
Hays, Kent, Johnston and Zanuck Cheery Over ’35

By WILL H. HAY

(Continued from page 1)

The film-and-theater business of today is in a better position than ever before. The steady growth of the industry is in no small part due to the permanent reorganization of marketing factors now operating under the umbrella of Consolidated Film Industries. The steady growth of self-regulation in the industry is attested by the popular reaction to pictures that meet the strictest provisions of our Production Code.

The trade relations of the industry have been improved by the machinery set up for the orderly solution of trade problems and trade relationships. Higher standards of public acceptance have made possible the success of pictures based on themes and treatments litoletterato outside the field of popular entertainment.

Early production plans for the new year indicate a progressively higher standard of entertainment appeal.

I have faith in the progressively higher public appreciation of the finest products of the American film industry.

By SIDNEY R. KENT

(Continued from page 1)

the point of view and loss of sight of the rightful demands of the public for high-grade entertaining pictures. The grosses suffered, which in turn affected production. If general conditions improve we still must proceed forward and 1935 should be a good year.

Al Suchman Returns

Al Suchman, booker for Consolidated, returned to his desk yesterday after an attack of the flu which kept him in bed for 10 days. He is still weak, but much improved.

Skouras Managers Meet

Long Island managers of the new Technicolor drama will have a regular meeting at the home office and discussed bookings for the holidays.

By DARRYL F. ZANUCK

(Continued from page 1)

to realize that pictures must be "made" rather than merely "turned out.

The coming year will see the trend carried toward its logical conclusion. The mass system will bog down further, individual production will be carried farther across perfection. At the beginning of the year we have completely converted our organization to this production system, and in the coming year we will be in a better position than ever toward building individual productions. When bigger pictures are made box-office returns naturally rise. In predicting more big pictures, therefore, I am justified in foreseeing bigger grosses for the coming year.

I am confident that economic conditions for the industry as a whole will improve in 1935, which will also make for better returns from films.

For those reasons the industry can have no better opening. Look forward to 1935 as a year of progress along a path that is definitely marked.

Issues Fairly Steady on Big Board

The American Seating Co. report for the nine months ended Sept. 30 showed a consolidated profit of $9,579 after depreciation, interest, and other charges, but before Federal 1% tax. Corresponding period last year showed a loss of $16,413.

M'Naughtons Found Dead

Circuit men yesterday were shock by news of the death of Willard MacNaughton and his wife, who were found dead at their home in Hemstead, L.I. MacNaughton was manager of Skouras' Hemstead theater. Both bodies were found with the bodies of the police suicide. Mrs. MacNaughton had been ill for some time.

No Estimate Given Upon Film Pledge

No accurate number of Catholics in Greater New York who took the Legion of Decency pledge at mass Sunday could be given yesterday by the cardinal's office. It was said that it would be several days before it was possible to give final figures.

At St. Patrick's Cathedral, however, it was estimated that some 12,000 people attended services Sunday and signed themselves to the pledge.

At many churches, on the other hand, people who were given written pledges and asked to sign the pledge during the week, returning them the church the following Sunday.

Throughout the country a similar program was launched from pulpits in an effort to band together 2,000,000 Catholics in a permanent organization to campaign for clean film.
BABBITT

By The Author of MAIN STREET

SINCLAIR LEWIS

is a masterpiece of American literature

N. Y. POST

there never before was really a book like

CHICAGO DAILY NEWS

should spell hit at any box-office—VARIETY DAILY

I wish that I could have written

H. G. WELLS

now comes to you from WARNER BROS...

Starring ALINE MACMAHON•GUY KIBBEE

THE TREASURED CHRISTMAS GIFT
TO MILLIONS OF PATRONS OF
HUNDREDS OF KEY CITY THEATRES

SIR JAMES M. BARRIE'S
THE LITTLE MINISTER

JOHN BEAL WITH ALAN HALE

DIRECTED BY RICHARD WALLACE ★ A PANDRO S. BERMAN PRODUCTION
with the same billing that the usual stage attractions receive. The Standard Oil bookings taken over by the circuits run for about 12 weeks, beginning the December engagement tonight which is being taken over by the RKO Proctor. The subsequent bookings for which dates had already been set by Standard Oil will be assumed by the following theatres: Dec. 12: Altoona, RKO Palace; Dec. 13: Syracuse, Loew's. Nov. Dec. 14: Rochester, Loew's Palace; Dec. 15, Buffalo, Paramount's Hippodrome and Great Lakes; Dec. 17: Erie, Warners' Warner; Dec. 18 and 19: Pittsburgh, Warner's Stanley and Loew's Penn; Dec. 20: Wheeling, Capitol (Warner Paramount); Dec. 21: Parkersburg, W. Va., Warners' Virginias; Dec. 25, White Plains' booking, to be assumed jointly by Loew's and RKO.

The as yet undated bookings and the circuits which will assume them are: Philadelphia, two nights; Warners Baltimore, Warners and Loew's jointly; Washington, Warners, Loew's and RKO; Richmond, Loew's and Loew's; Wilmington, Warners and Loew's; Trenton, RKO; Raleigh, Paramount; Charlotte, Paramount and Warner's; Columbus, Paramount; Memphis, Loew's and Warner's; Chattanooga, Paramount; Little Rock, Paramount; Shreveport, Paramount; New Orleans, two nights, Paramount, Loew's and RKO; Harrisburg, Pa., Loew's; Nashville, Paramount and Loew's; Newark, three nights, Loew's, RKO, Warners and Paramount.

Playing to Capacity

The Standard Oil troupe opened Dec. 1 in New Haven and subsequent bookings, as previously announced for New York, Chicago, Cleveland, Providence and Springfield. With the bearer of a driver's license or automobile membership certificate admitted free, the show played to capacity at each appearance despite the fact that local managers ignored the guarantee of the stunt. The tour was regarded by exhibitors as unfair competition, injurious to the established theatre and established a dangerous precedent. J. C. Donan, advertising manager of Standard Oil of N. J., and W. H. Smith, a member of the same company in the meetings with representatives of Loew's, Warner, RKO and Paramount at the Hays office where the arrangements were concluded, joint committees named last week by Charles L. O'Reilly, chairman of the Code Authority's committee on unfair competition, will continue their work in the interests of discouraging a reoccurrence of the free show stunt despite the agreement with Standard Oil.

Music Tax Up in Buffalo

BUFFALO, Dec. 10.—Legislation to regulate collection of the music tax will be considered by the Buffalo zone, unit of M.P.T.O. tomorrow afternoon, the commission to establish fair and reasonable rates probably will be sought, Jules H. Michael, chairman, said.

Michael charged that under the present arrangement, A.S.C.A.P. asks individual exhibitors to sign contracts agreeing to abide by rates to be established later, virtually constituting a blind contract.

“Little Minister”

(Radio)

Hollywood, Dec. 10.—This is a beautiful translation of James Barrie's novel and play, artistically photographed by Henry Gerrard and depicting the lives of the followers of a small Scotland village during the period of 1840 when religion dominated.

Good judgment was exercised in surrounding Katharine Hepburn with a capable cast such as John Beal, a newcomer; Alan Hale, Donald Crisp, Lumsden Hare, Andy Clyde, Beryl Mercer, Reginald Denny and others, bringing forth splendid characterizations without losing the thread of the story forcefully telling the trials of the young minister (Beal) who comes to the small, religiously bigoted town with his loving mother (Miss Mercer) and is caught in the web of romance with Miss Hepburn, notoriously suspected because of her gypsy lineage. The conflict between love and the church is well handled until the final clinch, when, to the satisfaction of the community, it is found that Miss Hepburn has been misjudged and all is forgiven.

There is sincerity in which Beal and Miss Hepburn, as well as the balance of the cast, command the appreciation of the audience because of the delicate, tense, dramatic tempo carried throughout. There are times when much dialogue is misunderstood because of the forced Scotch accent, but this is overbalanced by forceful acting. Strength in the cast names, with Beal matching Miss Hepburn's stride, plus the sock quality of the well-known story, make available exceptional interest-creating popularity, popularizing the yarn's conflict between love and duty. Production Code Seal No. 480. Running time, 110 minutes. "G."

“Limehouse Blues,” last night's preview at the Rialto, was covered by wire from Hollywood on Oct. 31.

Reade Will Reopen Astor With "Babes"

(Continued from page 1)

standing being M-G-M can again lease the theatre for individual attractions when they come along. The negotiations were closed over long distance telephone, Schenck being in Hollywood.

Definite scale of admissions was not set up by late last night. Neither was the next attraction, but it is understood that some of the pictures bought for the Mayfair will be booked into the Astor.

Having already bought “Gambling” and “Hell in the Heavens” from Fox on individual contracts since cancellation of a previous deal, Reade added a third picture from this company to the list yesterday with the dating of “Hollywood” for the Mayfair. He also has bought “I Sell Anything” and “I Am a Thief” from Warners.

With the debut of the Astor, this makes 10 popular-priced film houses along the Main St., not including the Palace, which occasionally departs from the usual pattern. Most of the other nine houses are the Capitol, Strand, Roxy, Mayfair, Paramount, Rialto, Music Hall, Criterion and Casino.

Reade may give up the Astor for legitimate shows, proved to be a suitable leasing deal can be made.

Exceptionally Fine For Holiday Bookings

"JACK AND THE BEANSTALK"  "ALADDIN AND WONDERFUL LAMP"  "THE QUEEN OF HEARTS"  "THE HEADLESS HORSEMAN"  "DON QUIXOTE"

CELEBRITY PRODUCTIONS, Inc., 723 7th Ave., New York City

Californian's Solos Worry For Industry

(Continued from page 1)

officials who sought and accepted EPIC subsidies, Professor Sinclair.

Outstanding in the preliminary moves are the efforts of the EPIC forces which have been referring to the legislature demanding that 25 per cent of the $24,000,000 relief bond issue be set aside for production, distribution and exhibition, and utilized in a program of "production for use," which was the main principle in Sinclair's EPIC program. If their plan succeeds, many thousands of unemployed Californians will be put to work in the present unused factories, plants and theatres and thus produce, distribute and exhibit entertainment for themselves, arguing that few of the unemployed, if they have the money to buy theatre tickets.

Fears Taxes Against Industry

But what particularly concerns the industry here is the fear that the Sinclair forces here, who have won control of the legislature to control the new session may start a program of taxation against the industry. There is no question but that the block will strenuously attempt to have enacted a steep state income tax. There will also be attempts made, it is believed, to tax corporations on their net profits, the tax to be paid in gross and sales. This also is embodied in the EPIC plan. This would also affect the industry.

A few days before the general election suddenly started a campaign against block booking and "blind booking." Sinclair and offered his services to the industry heads, but was turned down with a smash. Theatrical wise acrs here therefore believe that block booking and "blind buying" will be an issue before the coming legislature.

It is recalled that Sinclair is the author of "Upton Sinclair Presents William Fox" and has come into possession of many trade secrets and has aligned himself with certain elements in and recently outside of the industry.

That Sinclair forces, even in defeat, will carry on as if the Democratic party standard bearer had been elected, is taken for granted by those close to the situation.

Hilda McGregor, this city, secretary-manager of the California Theatre Ass'n., will represent the industry at the session.

Flash Reviews

"South Arizona Skies"—should satisfy audiences that go for western thrillers.

"The Car Wants To Sleep"—moderately diverting production, one of the few Soviet films pictured received primarily for entertainment.

These films will be reviewed in full in a later issue of Motion Picture Daily.
**Motion Picture Daily**

**FWC Parleys End; Skouras Pact Closer**

(Continued from page 1)

Spry plans to leave the end of the month.

Furthering the plan to reorganize its subsidiaries, National Theatres has formed new corporations for Fox Rocky Mountain and Fox Midwest. They will be taken out of bankruptcy after the first of the year. Associated Amusements, Inc., has been formed in Dover, to replace Fox Rocky Mountain, and it is likely that many of the former employees will be employed there. 

Riddleware, new company president, and the former president, Robert Shelden, have been named vice presidents.

**Operators’ Basic Scale to Be Fixed**

(Continued from page 1)

The basic wage scale for operators in this territory will be definitely set. It is estimated that $90,000 a week is spent for booth operation of 516 independent and circuit houses now open in this city. Approximately 2,500 men are employed in the theatres.

**Delaware-Maryland Zoning Up for Talk**

HARRINGTON, Del., Dec. 10.—The zoning situation will be discussed at a meeting of the I.M.P.O.A. of Delaware and the Eastern Shore of Maryland here next Thursday. A. Joseph DeFiore, manager of the Park, Wilmington, and president of the organization, will preside.

Exhibitors in lower Delaware and sections of the Eastern Shore of Maryland believe the 10-day clearance held by Wilmington and Washington is unjust. They base their claim on the fact that their sections are not in competition with these two cities. Legislative action at Dover, Del., and Annapolis, Md., also will be discussed.

**Conspiracy Charge Going Up to Campi Committee**

Conspiracy complaints of Frank Somarelli of the Royal, Fort Jervis, N. Y., against Vitagraph, M-G-M, Paramount, United Artists and Fox, scheduled for hearing today before the New York grievance board, will be certified to Campi for action.

Conspiracy cases are not within the province of local boards and are either dismissed or referred to Code Authority.

Two overbuying cases, however, will be heard. They are: Community, Queens Village, against Queens, Queens Village, and the Roosevelt, Beacon, N. Y., against the Beacon, same city.

**Four Appeals Heard By Campi Committee**

Four appeals were heard yesterday by a Campi committee consisting of J. M. Unger of Paramount and Henry Sussman, independent exhibitor. They were:

- Dicksbury Theatre, Walden, N. Y., against Broadway, Newburgh, N. Y., on clearance and zoning;
- Hardy, Hardy's Fresno, Fresno, Cal., against Fox West Coast's State Cinema and Wilson, same city, on overbuying;
- New Frolic, Jackson ville, and Universal Exchange, against Ritz, Jacksonville, on re- duced admissions; Allied Theatres of Oregon, Robert White, against John Hamrick and Oriental, Portland, on giveaways.

**Samuelson Attacks Code in New Orleans**

NEW ORLEANS, Dec. 10.—Sidney Samuelson opened the Allied directors' session here with a new attack on the code. He predicted affiliated theatres would make an attempt to force 25-cent admissions on independents.

Independents can make money on 10 and 20-cent admissions, he said.

NOW LOOK AT THAT FACE! HER NAME IS MARDRA DEERING, AND SHE'S ONLY ONE OF THE HEAVENLY GALS IN "NIGHT LIFE OF THE GODS" . . .

Lowell Sherman's Universal Lusty Laughing Spectacle!


**Purely Personal**

The Tavern around lunch time yesterday:

Arthur Lee, Phil Meyer and Geoffrey Tyler, a threesome; Dick Roundlow, a solo turned into a dyed by addition of Ben Blumenthal; Gladney Patrick, his own, but later stopping to converse with Jack Olin and Lou Golder.

Secretary M. Purely of the Telegram, Charlie Payne, Harry Thomas. Jack Lyons' chop house will go into its grand opening tonight with many notables, including Ex-Governor Smith, among those scheduled to attend.

Arthur W. Kelly, vice-president in charge of foreign distribution for United Artists, arrives in New York tomorrow after an eight-month world tour.

Cresson W. Smith, Radio midwest sales manager, left for Chicago yesterday to confer with Walter Pearson, vice-president for operations.

Robert Hurel, French producer, arrives today on the Paris, Charles Christie, vice-president of Mitchell Camera Corp., is also on the boat.

**Booking Changes Are Asked at Car. Meet**

Charlotte, Dec. 10.—A resolution calling for an amendment of the standard exhibition contract to increase the cancellation privilege from 20 per cent and urging an "immediate and thoroughgoing investigation" of the A. S. C. A. P. music taxes was adopted here today at the closing session of the convention of the M. P. T. O. of North and South Carolina. The convention also went on record against tying in of shorts and features and free radio shows and ordered steps taken to clarify the copyright clause under the code.

Ed Kuykendall, M. P. T. O. president, urged a fight to the finish on the present block booking system and said the drive for clean films had helped attendance. Saying the industry was behind and "insecure" effort to improve pictures, Kuykendall made a plea for tolerance toward the screen. Kuykendall announced the next meeting of the organization would be held the latter part of February in New Orleans.

Edward Levy, general counsel of the M. P. T. O. A., said what interest exhibitors most at present are giveaways, compulsory buying of shorts with features, premature advertising and non-theatrical competition.

M. A. Schlesinger, South African exhibitor, described methods adopted in South Africa to protect the theatre trade, including the recent act that is effectively penalizing exhibitors who show movies that have been refused ratings in South Africa. Levy also spoke of what he termed "the larceny" of the motion picture business, charging that motion picture companies are using their power to control the exhibition market to the detriment of the consumer, and urged the formation of a body to prevent this.

Charles W. Picquet was re-elected president; H. R. Berry, first vice-president; and F. P. Stevenson, second vice-president. The following were named directors: H. F. Kingey, W. H. Hendrix, H. E. Buchanan, J. H. Miller, W. T. Gilpper, J. M. Gregg, M. E. Schrniben, Mrs. Kenneth Richardson and Albert Sotille.

**Texans Lose Protection Suit by Dallas Decision**

Carlisle Elected

To Warners Board

WILMINGTON, Dec. 10.—Samuel Carlisle, controller of Warners Brothers Pictures, Inc., was elected a new member of the board of directors at the annual meeting here today. He succeeds former Judge John F. Laffey. Four members, Samuel E. Morris, Morris Wolf, Stanley F. Corrigan, and Bryan, Warner, were re-elected. The new directors will serve two-year terms.

Regret because of the inability of Laffey to continue on the board was expressed by Abel Cary Thomas, secretary, and general counsel, and Dan Culherson, Wilmington attorney, who was honored in the absence of former Federal Judge Hugh M. Morris. Laffey had asked that he be relieved because of ill health.

Abel Klaw and John F. Krauss, Wilmington vice-presidents of election, announced 2,812,000 shares had been voted for the new directors.

The meeting, called to be held this evening to get new information on the possibility of reorganization of the company affecting its common stock.

A round table discussion of the company's affairs took place during the coming of proxies. Thomas said the company hopes to put on the market a miniature sound projector for home and school use.

Speaking of the church campaign for clean pictures, Thomas said the company had encountered difficulties in the midwest and midwest because of the presence of Cardinal Dougherty. Other cardinals, he said, had taken a helpful attitude, but Cardinal Dougherty had refused to assume the burden of censorship of any pictures.

**Reliance Signs 3 Additional Writers**

Reliance has signed three new writers. Two of them are Lillian Hell- man, author of the play, "Children's Hour," now current on Broadway, and David Freedman, former Zigfeld publicity man and collaborator with Eddie Cantor on several radio scripts and articles.

Miss Hellman is working with Sam Wood on "The Melody Lingers On" and leaves with the director for the coast tomorrow. Freedman is doing an original. The third writer will not be announced until contracts have been signed. Negotiations are on with three other writers.

Edward Small, who has been in bed with the flu, was able to walk around yesterday. He plans to leave for Hollywood Thursday.

**Bettencourt Named Frisco Para. Head**

M. Bettencourt becomes sales manager of the Paramount exchange in San Francisco, with the transfer of George Smith from Cincinnati to management of the coast branch. J. O. Ollahan, Washington salesman, succeeds Smith in Cincinnati.

Vincent Daugherty, accountant in the Washington branch, is now a salesman at that office while Fred Schrader of the home office takes over Daugherty's former duties at the capital office.

**Roosevelt Calls for Aid in Crime Drive**

WASHINGTON, Dec. 10.—Calling upon all the forces of the nation to cooperate in a campaign against crime, which is taking a great toll of lives and property annually, President Franklin D. Roosevelt tonight opened the Attorney General's Conference on Crime.

Included among the representatives of the bar, law enforcement agencies, educational and religious organizations and industries which are in a position to aid in the campaign are: Carl E. Miliken, secretary, and Gabriel L. Hess, counsel, of the M.P.P.D.A. Miliken, tomorrow, will address the conference, placing it the responsibility of his office to see how the industry can cooperate, not only in the prevention of crime and apprehension of criminals but also in educational efforts to improve the character of the coming generation.

**Temple Prints by Air**

A team with American Airlines for the use of special planes in distributing 'Bright Eyes' went into effect yesterday when prints of the Fox picture which stars Shirley Temple were dispatched by air to 16 key centers.
WAY PAVED TO ABANDON CODE VIA REVISED NRA

Loew, M-G-M Pay Five Men $1,464,009

Five officials of Loew's, Inc., and M-G-M received $1,464,009 in salaries and bonus payments during the past 12 months, it was revealed yesterday at the annual meeting of Loew's Inc., stockholders.

Campi Hearing On Conspiracy Case Delayed

Campi charges by George Gehring of the Rosewood, Chicago, against all major distributors will be heard by a Campi code committee on Dec. 18, it was decided yesterday.

Gehring, in his complaint against Paramount, M-G-M, Fox, U. S. Radio, Columbia, Universal and Warners, charges that the distributors in conjunction with the Essex circuit are trying to put him out of business. The complainant adds that the distributors are restricting dealings and that the Rosewood will be forced to close if he cannot double feature.

The complaint was scheduled to be heard before a committee comprising Edward Golden, Roy L. Haines and Nathan Vingrad. On recommendation of Gehring, the session was postponed, but not until after a little unexpected excitement between Golden and attorneys for Warners, Fox, M-G-M and U. A.

I. Levinson, counsel for Warners, agreed to let Golden sit as chairman.

Delay Hearing Upon U. A. Buying Appeal

United Artists refuses to abide by a decision of the Chicago grievance board on 10 per cent cancellations and has appealed a decision of the local board which ordered the company to cancel “Catherine the Great” at the Egyptian, De Kalb, Ill.

The local board, after being ordered to rehear the case by Campi, found.

Indies at N. O. May Join an Allied Unit

New Orleans, Dec. 11.—Whether Sidney Samuelson will be able to start a new Allied unit here probably will be decided after he addresses a meeting of exhibitors tomorrow. He will speak upon invitation.

The non-Allied men are here in connection with a meeting of Allied.

Retention Would Be Optional Under the Proposed Reorganization Plan for The Recovery Administration

By CLARENCE LINZ

WASHINGTON, Dec. 11.—Abandonment of the film code was today seen possible under legislation which will be submitted to Congress during the coming session for reorganization of the National Recovery Administration.

Now in the final stages of drafting, the measure is understood to provide only for the retention of Section 7-A, guaranteeing the right for labor to bargain collectively, and the child labor provision with a further stipulation that any code industry desiring to retain its code may do so and have it enforced by the government as now.

Under such a measure, it is held, industries which are dissatisfied with their codes could abandon them, probably by majority vote, while those which desire to have the agreements continued would have the government support in their administration. Few industries, however, it has been predicted, would vote to continue the pacts.

While legislation along the lines (Continued on page 7)

Agreement Reached On Laboratory Code

WASHINGTON, Dec. 11.—Agreement on the provisions of the laboratory code was reached today after conferences between Deputy Administrator William P. Farnsworth of the NRA and laboratory representatives. Hearings on the code were held several months ago.

The main feature of the changes made in the agreement, it was said, are the provisions of a maximum working week of 38 hours for night forces, which are to receive the same pay as the 40-hour day workers. This gives the night crews an hourly rate five per cent higher than the day workers.

The code is now being prepared for approval.

Exchanges Shy Off Protection Dispute

Local exchanges are keeping clear of the protection dispute between RKO, Skouras and A. H. Schwartz. Fred Schwartz, son of A. H., has been
**Insiders' Outlook**

**MOTION PICTURE DAILY**

**Tuesday, December 13, 1934**

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**Para. Fees Halved**

By Judge Goddard

Federal Judge Henry W. Goddard had his unusual fee for arbitrations and fee for Paramount from April 1933, to June 16, 1934. On this latter date a reorganization petition in bankruptcy was filed.

The law firm had requested $350,000 and the allowance represents a reduction of 50 per cent. The trustees, Charles D. Hilles, Eugene W. Leake and Charles Richardson, were allowed $32,500 each after requesting $100,000.

**MacNaughtons Buried**

Funeral services were held yesterday for Willard C. MacNaughton and his special lines, which ended Wednesday night with the closing of the Hempstead and Rivoli in Hempstead from 2 to 6 P.M., with the court official 2 o'clock to 4 P.M. in deference to the late manager of the Hempstead.

**Morris, Pracht Depart**

L. I. Morris, owner, and W. I. Pracht, manager of the Arcada, St. Charles, Ill., left for home yesterday after attending a meeting here involving the theatre. Laurence Rich of Cleveland, representative of the State, Sandusky, arrived yesterday to attend committee hearing today.

**Lightman Acquires Orpheum at Memphis**

**MEMPHIS, Dec. 11—M. A. Light- man has purchased the Orpheum here, effective immediately, on a tentative partnership arrangement with the Goldsmith Theatre Owners of Chicago, but is expected to take over exclusive control shortly.

The deal created a furor here and is troubling the film row as presaging a new alignment along Main St.

M. A. Lightman currently is in New York.

**Gaumont's Eastern Staff to Meet Here**

Arthur A. Lee, vice-president of Gaumont British, and George O. Weeks, general sales manager, will act as hosts to the members of the eastern staff and a representative from the west Sunday at a screening of "The Iron Duke." The territories that will be represented include Boston, New York, Philadelphia, Washington, Cleveland, Buffalo and Albany. The picture is set for the Music Hall 1, January.

**Cochrane to Return Soon**


**Loew Will Sail Dec. 18**


**Technicolor Off 3/8 on Curb**

**Columbia Pictures, etc.**

**Consolidated Film Industries.**

**Fox Film Corp.**

**Loew's, Inc.**

**Paramount Publix**

**Pathé Exchange "A."**

**RKO**

**Warner Bros.**

**Warner Bros.**

**Paramount Publix Bonds Off 1/2**

**General Theatre Equipment 6s '40.**

**Loew's 6s '34, 11% deb. rights.**

**Paramount 6s '34, 6%.**

**Paramount 5s '36, 6%.**

**Warner Bros. 5s '39, wd.**

**High**

**Low**

**Close**

**Change**

**Sales**

**High**

**Low**

**Close**

**Change**

**Sales**

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**Why?**

Coast reports, last sharpened by Sid Rosenblatt, that he was to join part company with the NRA and was to be offered a post as executive assistant to Harry Warner, are not new reports. They were going around the hearth and lobby of the Mayflower in Washington during code formulation sessions months back. Herb Yates is apt to be an extremely important factor in Universal again. Very apt and very important...
MIGHTY!

WALLACE BEERY in

"The MIGHTY BARNUM should do one of the great grosses of all time!" — HOLLYWOOD REPORTER

"The MIGHTY BARNUM is a boxoffice triumph! Zanuck hits the bullseye again!" — SHOWMEN'S ROUND TABLE

"The MIGHTY BARNUM is an ace hit! Should be immense!" — JAY EMANUEL PUBLICATIONS

"The MIGHTY BARNUM is a showmen's paradise! Unlike anything heretofore shown on the screen!" — MOTION PICTURE HERALD

"The MIGHTY BARNUM is a hit! 20th Century inaugurates its new season with a flourish, as it did last year!" — LOS ANGELES TIMES

"The MIGHTY BARNUM is the greatest show on earth! The grandest entertainment in ages!" — NEW MOVIE MAGAZINE

IT'S DARRYL F. ZANUCK'S MIGHTY PRODUCTION presented by JOSEPH M. SCHENCK with ADOLPHE MENJOU
Virginia Bruce • Rochelle Hudson • Janet Beecher

20th CENTURY PICTURE

Released thru UNITED ARTISTS
THE BELOVED MUSICAL HIT OF BROADWAY IMMORTALIZED ON THE SCREEN BY WARNER BROS.!

Only the makers of "42nd Street" and "Gold Diggers" would attempt it! Only the producers of "Dames" and "Flirtation Walk" could accomplish it! This triumphant picturization of the stage sensation which Broadway acclaimed for 63 capacity weeks!

The show that made "Here Am I" — "Why Was I Born" — and "Don't Ever Leave Me" famous!

Hear these and 9 other great hits including . . . "Lonely Feet" and "We Were So Young"

Travel the romantic road to yesterday in this glorious love story with all the comedy and color of the glamorous, amorous Nineties!

Mervyn LeRoy's first musical production since "Gold Diggers",

Donald Woods · Hugh Herbert · Ned Sparks · Joseph Cawthorn ... hundreds of others . . .

And Vitaphone's Great Xmas Shorts—
"SHOW KIDS" — 2-Reel Technicolor B'way Brevity with All-Juvenile Dancing Cast.
"BEAUTIFUL DAMES" — A Merrie elodie in Full Color with a Perfect Xmas Story.

IRENE DUNNE
in "SWEET ADELINE"

By Jerome Kern and Oscar Hammerstein II

Girls Galore in gorgeous dance numbers staged by Bobby Connolly
Merry Christmas from Warner Bros.
What Are You Doing with Your Life?
Are You Getting Ahead?
Have You Learned to Speak French Yet?
Well, the Hell with that
TO-NIGHT IS YOUR TURNING POINT
IT'S GALA NIGHT OF THE MOTION PICTURE CLUB
SUPPER MUSIC DANCING CONVERSATION
To Miss It Is To Miss It—But DON'T YOU AND YOUR FRIENDS ARE OUR GUESTS HARRY BRANDT CHAIRMAN

Indies at N.O. May Join an Allied Unit

(Continued from page 1)
and are said to be sympathetic with its aims. They total about 100.

Speaking at the directors' meeting Abram P. Myers, Allied counsel, urged a firm stand on the Tri-Ergon patent situation. He added all units were united against monopoly, block booking and code administration, inviting suggestions for a new pact. He said A.S.C.A.P. would be fought and Allied's basic laws modernized. Myers suggested formation of a national independent booking agency, supplying Allied with deposits in each state to meet the competition of big circuits. No state convention may be held this year, he added.

Back to clean films, the directors blamed block booking for objectionable product.

These committees were named: Nathan Yaminis, Ray Branch, Harry Cole, code; Arthur Price, Walter E. Littlefield, Aaron Saperstein, constitution; Ike Katz, H. A. Blue, H. M. Richey, convention; Henry Lazarus, Littlefield, price, legislative.

A. T. & T. Probe Is Delayed for Funds

(Continued from page 1)
provides funds, it was learned today at the Federal Communications Commission.

Officials of the commission said that an appropriation of $75,000 would be necessary if any complete and comprehensive investigation is to be undertaken. A small force is already in the field assembling data for use of the commission, but no hearings can be scheduled until the question of financing the probe has been settled.

A. T. & T. Net Down

Net operating income for A. T. & T. showed a drop in October as compared with last year, according to a report to the Federal Communications Commission. The net this year was $141,025. Last year it was $1,466,587.

Gross for the 10 months ending Oct. 31 was $74,659,423. Last year it was $71,977,623.

Van Runkel Rejoins "U"

Hollywood, Dec. 11.—Sam Van Runkel, former producer of shorts for Universal, has signed a deal with Carl Laemmle to produce 24 shorts for the current program, starting Jan. 1. Twelve will feature Henry Armetta and the balance will have Sterling Holloway.

Sheehan, Yorke Coming

Hollywood, Dec. 11.—Winfield Sheehan is on his way to New York to testify in a Supreme Court action against Chase National. He would not say which suit. Gabe Yorke, studio publicity executive, is with him.

Stahl Contract Renewed

Hollywood, Dec. 11.—Universal has renewed its contract with John M. Stahl and he will begin directing his next picture Feb. 1. In the meantime, Stahl will leave for New York Friday to search for a suitable story.

Col. Signs Sullivan

Hollywood, Dec. 11.—C. Gardner Sullivan, writer, has been signed by Columbia as an associate producer.

Industry Aid In Crime War
Is Proffered

WASHINGTON, Dec. 11.—A five-point program for use of films in a campaign against criminal lawlessness was today submitted to the Attorney General's Conference on Crime by Carl E. Milliken, secretary of the M. P. A., in behalf of the organized film industry.

Suggesting the establishment of a National Crime Research Institute, vice president, representatives of the Federal Communications Commission, the National Film Board, and the state law enforcement agencies in the following five points:

1. The use of laboratory available as a source of scientific information to the end that the content of motion picture entertainment and particularly the method of presenting dramatic material on the screen shall not contribute to the making of crime or criminals; or to the undermining of character.

2. The continuation of definite and specific efforts to present within the proper scope of artistic creation, the best and most scientific methods of crime suppression by police and other law enforcement agencies.

3. Cooperation in any national program that may be undertaken to arouse public opinion to the needs of law enforcement and crime prevention.

4. Cooperation with law enforcement authorities in the detection of crime and the apprehension of criminals through the use of motion picture technique.

5. Character education; it has already begun and is prepared to carry on energetically, a program by which may be presented on the screen specific educational pictures intended to develop character and deep in the minds of the public a sense of personal responsibility, with the expectation that the same type of pictures specially pointed will serve also the cause of crime prevention.

Half of M-G-M List Ready, States Feist

Half of M-G-M's product for this season has been completed. Felix P. Feist, general sales manager, stated following his return from a visit at the studio, Feist, who vacationed in Hawaii, visited the studios for a few days in Kansas City, Chicago and New York.

Form Radio City Corp.

DOWNTOWN, Dec. 11.—Radio City Amusement Corp., has been incorporated here to operate theatres and other places of amusement listing a capital of $250,000. Incorporators are H. L. Lacey, H. I. Brown and L. S. Dorsey of Winngnton.

Even Dishes Fall Off

Although Allied of N. J. held a routine meeting yesterday, a survey of the membership on business last week revealed that the takes were so bad dishes fell off about 30 per cent.
MOTION PICTURE DAILY

Wednesday, December 12, 1934

Campi Hearing
On Conspiracy Case Delayed
(Continued from page 1)
of the committee at the beginning of the hearing, but after the complaint was read, it was found that a misprint for Geering and several distributors' representatives were absent. A mix-up having taken place in the morning and a postponement having been announced to Bertram Mayer, attorney for Geering, and other distrib-
uty. The decision of the grievance board in the case was dismissed by the question of legality: a Majestic Theatre in the war which lawyer Max Levinson, attorney for Campi, kindly agreed to take the case and the court ruled that it was 1st District Court in Chicago.

Campi's hearing is expected to clear up the situation, which has been in suspense for some time. The case involves a $245,000 suit, brought by William O'Brien, who is claiming that Campi has violated the M.P.T.O. in the sale of pictures to local exhibitors.

Delay Hearing Upon U.A. Buying Appeal
(Continued from page 3)
that the exhibitor bought the 21 pictures at an average of $250 a picture, the deal for all films being consummated at one time, and that the complaint has complied with the code in all respects.
Because Edward Raftery, attorney representing U.A., was in Manchester, N. H., and could not attend the session, the Campi committee set to hear the appeal by U.A., yesterday postponed it until Raftery could attend. Raftery has been working on this case for some time. Paul O'Brien, another attorney for the distributor, submitted a brief in which the company states that the Egyptian did not buy all the pictures and hence was not entitled to the cancellation.

Thirty Appeals Pending
Campi has about 30 appeals to be disposed of before it can clear up its calendar. Cases are being heard every day, including Thursday when Campi meets, in an effort to clear up the slate by the first of the year. A report on the number of cases, board by board, is being tabulated by John C. Flinn and disposition noted in each instance.

Carolina MPTO for Cancellation Pact
CULBROOK, Dec. 17.—Efforts to end disagreements over cancellation privileges will be made by a committee appointed at yesterday's session of the M.P.T.O. of North and South Carolina.

Exhibitors now find it difficult to take advantage of cancellation privileges, according to producers' rulings and resulting discrepancies. The group named to attempt to straighten out the problem includes the organization's officers.

Raising the cancellation privilege to 1 per cent will eliminate the demand for end of block booking, it was indicated.

The association went on record as opposed to the removal of Mrs. Robina Gilman, head of the national organization of Parent-Teacher Groups, for showing commercial films in schools and for non-cooperation with exhibitors.

Richardson Is Made 1st Div. Executive
(Continued from page 1)
Cohen was placed in charge of the Detroit exchange.

Business is picking up generally in the south, southwest and even in the northern part of New York state. Charles Rosenzweig, general sales manager of First Division, states upon his return from a tour of all company exchanges. Theatres are not doing big business, he holds, but the grosses are much better than last year.

First Division to Use Sennett Studio
HOLLYWOOD, Dec. 11.—John Curtis, vice-president of First Division, has leased the Sennett Studios for his production program. Production will start Jan. 15 on the first of a series of four Hoot Gibson pictures, with four dramas to follow.

S. C. Operating 44
Springer & Cocalis operate 44 theatres in the local area. Sam Cocalis revealed yesterday at the New York lever board. Cocalis testified on his own behalf in the complaint by the Roosevelt, Beacon, against the Beacon, same city, charging over billing. Cocalis stated that of the $345,000 the house cost, he has $110,000 in cash invested.

Holding “Painted Veil”
“Painted Veil” will be held a second week at the Capitol.

“Walk” Grosses $35,389
First week's take at the Strand for “Filtration Walk” was $35,389.

Left on Broadway
The Main Stem may be the happy hunting ground for George M. Cohan as a legitimate stage personality, but as a film star numerous patrons at the Mayfair where “Gushing” was current kept asking the cashier:

“Who is this man George M. Cohan?”

“Is he a new Hollywood star?”

Exchanges Shy Off Protection Dispute
(Continued from page 1)
asking local branch heads to intervene, but managers are referring the situation back to RKO.

RKO's Far Rockaway house has protection on all Nassau county and recently waived its clearance on Skouras' Hempstead house because of an earlier product agreement. Schwartz now asks that RKO lift the protection over his Rockville Center unit. This the exchanges refuse to do, claiming that RKO can do what it wants to do with protection it has bought.

Charity Party Tonight
The Motion Picture Club is holding its first “Monte Carlo Night” tonight as part of its campaign to raise the club’s quota for the Federation of Jewish Charities.

Games of chance, but all for sweet charity, will be in abundance. Dancing is scheduled to start at 8 o'clock and continue indefinitely. A special supper will be served at midnight.

Little Theatre Through
The Little Theatre, East 50th St., is to be converted into a restaurant. The theatre closed recently. It was opened Christmas Eve, 1929.

To Remake “Felix” Films
Jack Koppstein plans to remake 10 Felix, the Cat, cartoons in Kromochrome within the next few weeks.

Way Paved to Abandon Code Via New NRA
(Continued from page 1)
said to be followed in the near future would be to gratifying to industry at large, labor is bitterly opposed to any lessening of the advantages it has secured under the code. However, arguments before the Supreme Court yesterday in the first case to come before it involving a recovery code indicate that the tribunal will be highly critical of administration of the Recovery Act and may hold unconstitutional executive orders which have had the effect of creating offenses, which is not intended is done by Presiden-

Rosenblatt Here Today
Compliance Director Sol. A. Rosenblatt arrives today from Washington to set the basic wage scale for operators in New York.

D. O. Selznick Better
Hollywood, Dec. 11—David O. Selznick, who has been ill with the grippe for several days, has recovered enough to return to his office.
The old man with the whiskers is going to put his arms around you

This year let Frank Capra be your Santa Claus . . . and the cycle-making miracle man of the screen will fill your stocking with the greatest box-office takings you have ever experienced. “Broadway Bill,” Capra’s latest, drew unanimous raves from the New York critics, made Radio City Music Hall ring with excited cheers and won a holdover at the world’s finest theatre. To smart showmen this means two things . . . book “Broadway Bill” December 27th, and set aside extended playing time for it! In the words of Variety Daily, “Capra has done it again” . . . and that means a “Merry Xmas” for you!

WARNER BAXTER
MYRNA LOY

in

Broadway Bill

A FRANK CAPRA Production

by Robert Riskin — Based on the story by Mark Hellinger

with WALTER CONNOLLY—HELEN VINSON

RELEASED NATIONALLY—DECEMBER 27TH
Wanger Also
Up for Para.
Studio Post
s Being Considered by
Reorganization Group

Walter Wanger is being considered as the new head of Paramount production along with B. F. Schulberg, MOTION PICTURE DAILY learned authoritatively yesterday.

Now producing six pictures independently for Paramount distribution with finances supplied by Erpi, Wanger met a number of important Paramount reorganization factors at lunch on Monday at which it is understood, preliminary discussions calling with the production post were touched upon.

The factors in Paramount and, by what is meant important men active in the reorganization plan as well as members of the directorate which

(Continued on page 4)

Fox Met. Plan Put
Over for 30 Days
An extension of 30 days on the time originally allotted for the filing of a reorganization plan was granted yesterday by Judge Julian W. Mack in the U. S. District Court yesterday to the bondholders' committee of Fox Met. yesterday had been previously set the final day for filing of a

(Continued on page 6)

Loew's Demand May
Delay N. H. Action

Insistence by Loew's that the College, New Haven, shall have protection over the entire city may hold up adoption of that clearance and zoning schedule when it comes before Campi what yesterday had been previously set for the end of a

(Continued on page 6)

Voluntary Codes Seen
As Administration Aim

1st Div. and "Bunk, Fake," Wardour Deal on
Is Confirmed

By BRUCE ALLAN
London, Nov. 30.—Statements in the MOTION PICTURE DAILY that first division and Wardour Films, the sale end of B. J. F., were discussing a reciprocal release agreement were confirmed in London by Arthur Dent of Wardour's, who said, however, that they were still some distance from arriving at a definite agreement.

Following on her success in "Mary Read," the second London Films stage production at His Majesty's Theatre, Flora Robson has been cast as Queen Elizabeth in the forthcoming London film. Opposite her will be Robert Donat, who made a hit in "The Count of Monte Cristo" in Hollywood, after earlier London Films appearances.

Miss Robson, who is also to star

(Continued on page 4)

Good Music, Clean Comedy,
Better Times Seen On Way

By WINFIELD SHEEHAN
Production Chief, Fox
Hollywood, Dec. 12—Chief characteritics of talking picture entertainment in 1935 will be good music, clean comedy, and drama of modern life, all built on strong, simple stories of present-day times.

The group of new artists, introduced in moving pictures last year, will continue to establish themselves more strongly in the public favor in productions in the coming year. These new players, recruited

(Continued on page 4)

Revision Being Rushed; Supreme Court Ruling To Be a Factor

By CLARENCE LINZ
Washington, Dec. 12.—Laying aside everything but the most pressing importance, the National Recovery Board is devoting its attention to consideration of suggestions to be submitted to the President before the end of the month relating to the revision of the Industrial Recovery Act. It is generally considered that the new legislation will make acceptance of codes by industry voluntary, but it is understood that efforts will be made to hold codified industries in line by so phrasing the wage and hour provisions of the new act as to make it to the interest of employers to accept codes.

The board's recommendations will be of a general nature. Actual decision as to the changes to be made in the law will be reached by President Roosevelt after consideration of suggestions from business interests,

(Continued on page 5)

New Code Setup Is
Outlined by Allied

New Orleans, Dec. 12—Suggestions for a new Campi and revised board setup were contained in a resolution adopted yesterday at the meeting of Allied directors here. The resolution came on the heels of appearances given yesterday by Abram F. Myers, that the present code would be scrapped, the Allied general counsel being so sure of his predictions that he asked

(Continued on page 5)

Rosenblatt Drops
Dispute on Coast

Having made one attempt to settle the actors-producers dispute in Hollywood, Compliance Director Sol A. Rosenblatt will not go to the coast

(Continued on page 5)

Temporary Relief in
Operator Pay Made

Temporary relief to independent exhibitors was granted yesterday by Local 306 at a meeting of exhibitors and union officials at Code Authority

(Continued on page 7)


MOTION PICTURE DAILY

Vol. 36 December 13, 1934 No. 139

Four Mass. Houses, One R. I. Damaged

BOSTON, Dec. 12.—Damage was suffered by four theaters early today when bombs were exploded simultaneously in the Tremont and Majestic here, the Capitol, Lynn, and the Capitol, Pawtucket, R. I. The Boston houses are operated by Fred Leiberman; the others, by Loew’s. The only casualties were at the Majestic, where two scrubwomen were slightly bruised. Labor trouble was given as possible cause of the bombing.

The Tremont and Majestic held their regular shows today. The damage was confined mostly to the lobby and exterior. The Majestic opened less than a week ago as a picture house. The other two houses also gave shows tonight.

Four Massachusetts theatres, the Olympia, Somerville, also operated by Loew’s, sustained $6,000 loss in a fire at noon today. An investigation by state and local authorities traced the cause of the blaze to an electric lamp. The Majestic opened less than a week ago as a picture house. The other two houses also gave shows tonight. A fourth Massachusetts theatre, the Olympia, Somerville, also operated by Loew’s, sustained $6,000 loss in a fire at noon today. An investigation by state and local authorities traced the cause of the blaze to an electric lamp.

Skouras Deal So Far Without Signatures

The joint operating contract between Sproles and Charles Skouras and National Theatres was not signed at a late hour last night. Although Charles planned to leave for the coast on Saturday he may now be delayed. Yesterday the brothers discussed the production of (Sproles) and one of the major organizations of Fox West Coast.

Majors Win Tax Ruling

Olympia, Wash., Dec. 12.—Paramount and five other majors won a court victory today when Superior Judge Wilson ruled that taxes applied to gross revenues were a burden upon interstate commerce and the federal constitution. Taxes totaling $3,000 were involved.

Ampa Meeting Closed

Completion of arrangements for the Christmas party to be held at Astor Dec. 20 will be the principal business before a closed meeting of the Ampa at the Motion Picture Club today.

New Producing Plan Denied by Griffin

PORTAGE, Wis., Dec. 12—T. H. Cochrane of this city and Harry E. Aitken, former Milwaukee, partners with John Freuler in the former Mutual Film Co., say they are planning to return to producing with a new company, "The Birth of a Nation" under the direction of D. W. Griffith.

After the dissolution of the Mutual company, Aitken stayed in pictures and started the Triangle Co., but he has not been active in recent years.

When asked by Morton Picture Daily to comment on the new company, Aitken said, "I believe that this was the first he had heard of such a project and that he was in no way connected with it.""z

Ezell Will Succeed Richardson with "U"

John Ezell, Universal manager in Atlanta, will succeed Will D. Snider, who will leave as soon as he is ready to return to Universal. Ezell will be manager of that city, New Orleans, Chicago and Memphis.

C. T. Jordan, for eight years a salesman for "U" in Atlanta, succeeds Ezell as manager of that exchange. Three promotions becoming effective Dec. 17.

Richardson, as noted, has joined First Division as southeastern district manager after almost 20 years with Universal.

J. T. O. A. Meets Today

Because Harry Brandt, president, was not able to attend yesterday in Chicago, the annual meeting of the J. T. O. A. regular meeting, scheduled for yesterday, was put over until today.

"Copperfield" Set Back

"Forsaking All Others" will go into the Capitol Christmas week in place of "David Copperfield," although it was learned yesterday, will not be ready for release at that time.

Now "Okay Argentina"

Hollywood, Dec. 12.—Fox has chosen the title of "Adios Argentina," to "Okay Argentina." Lou Brock will produce.

Trading Light on Big Board

Columbia Pictures, etc., 94. 64. 64. 64. 800
Consolidated Film Industries, 74. 4. 4. 64. 800
Consolidated Film Industries, ltd., 74. 4. 4. 64. 800
Paramount Publicity, 73. 3. 3. 4. 5,000
Paramount Publicity, ltd., 73. 3. 3. 4. 5,000
RKO, 7. 15. 15. 15. 6,000
Warner Bros., 7. 15. 15. 15. 6,000

Trans Lux Up Eighth on Curb

Technicolor, 13. 13. 13. 13. 800
Tennis League, 13. 13. 13. 13. 800

Paramount F. L. Bonds Jump Two

General Theatre Equipment 6%, 40. 40. 40. 40. 1
General Theatre Equipment 6%, etc., 43. 65. 43. 65. 1
Loew’s 6%, 40, 40. 40. 40. 1
Paramount Broadway 5%, 51. 51. 51. 51. 1
Paramount Publicity 6%, 50. 50. 50. 50. 1
Warner Bros. 6%, 58, 58. 58. 58.
Admittedly preeminent in the production of mysteries, Warner Bros. now take to the air for the fastest action effects they have ever delivered in this type of show. We're inclined to agree with their advertising which recommends that you "keep your eyes on the skies for the greatest thrill on earth"—

"MURDER IN THE CLOUDS"

Good Music, Clean Comedy, Better Times Seen On Way Up

By WINFIELD SHEEHAN

(Continued from page 1)

in the film version of "Mary Read," played the Empress Elizabeth in "Catherine the Great." * * *

Fred Bernard’s British circuit, Union Cinema Ltd., is to raise $1-250,000 extra capital by the issue of 50,000 ordinary shares of $5 and 200,000 seven per cent preference shares. * * *

Theatres in the West End of London remained open until 1 A.M. on occasion of the wedding of the Duke of Kent and Princess Marina of Greece.

Special editions of news reels showing the wedding festivities were shown at all of them, and aeroplane delivery services were organized by the newsreel companies in order that leading provincial theatres should also be able to show the films the same evening.

G. E. not only provided the wedding film as an extra to all subscribers, but offered a free copy to all exhibitors contracting for Gaumont British News in the future.

Frisco Police Probe Production Project

SAN FRANCISCO, Dec. 12—San Francisco police and the Better Business Bureau and the State Labor Commissioner’s office have investigated the plans of S. A. Hedding and Walter Irving to reopen the old Gaft studios in San Mateo, it is revealed by Arthur Johnson, attorney for the labor commission. The two men had opened offices in a downtown hotel and announced plans for the launching of a $1,500,000 film production program a few weeks ago.

Johnson says the men have disappeared.

The Better Business Bureau, the police and the labor commissioner’s office were drawn into the case when Bert Russell filed a complaint with the labor commission alleging that he had been offered his pick of jobs if he would invest $1,000 in the venture.

Blank Payment Ordered

Des Moines, Dec. 12—Payment of a dividend of 15 per cent to creditors has been ordered by the referee in bankruptcy for A. H. Blank Theatres Corp. The final report of the trustee, for the corporation has just been approved, showing $311,150.24 left for distribution to creditors and court costs after payment of preferential claims.

Small Party Off Saturday

Edward Small, Sam Wood, Lillian Hellman and Louis Weitzenkorn leave for the coast Saturday. Miss Hellman and Weitzenkorn are writers recently signed while Wood will direct two for the company. David Friedman, who will write an original, will remain here.

Putnam on the Coast


Wanger Also Up for Para.

Study Post

(Continued from page 1)

would become operative if and when the rehabilitation plan is approved in Federal court here, are described as of an "open mind" on the question.

There is a possibility that one of the candidates may enter the lists, but, whatever this decision may be, the opening meeting will be made between Wanger, one-time general manager of Paramount, and Mr. W. Howard Harris, who has held that identical post and title.

Wanger Non-Committal

Hollywood, Dec. 12—Commenting on reports that he was being considered as a possible production head for Paramount, Walter Wanger said today that at present he is interested only in making six pictures for Paramount and also interested in seeing Paramount’s reorganization successfully carried out to the best interest of his setup and all others concerned.

No overtures have been made to Mr. Wanger, but unless he relents and renews the lease and has turned his theatre back to the owner.

Once Kansas City’s ace first run the Royal has been opened and closed several times in the last few years, it is hoped that the Royal and Paramount’s one-time string of theatres in this territory to one, the Newman, Kansas City first run.

Omaha Men Worry Over a Censor Bit

Omaha, Dec. 12—First of feared censorship bills has been concocted by an Omaha state representative for the coming legislative session at Lincoln, film men forecast.

Circuit managers and exhibitor groups are scheduled to meet here within two weeks to complete a great anti-censorship legislative move toward censorship, measures at sales taxes.

Warner Men Departing

D. E. Griffith, managing director for First National in Great Britain, departs for London tomorrow aboard the Peace, Ralph Clark, manager, and Charles Boyer, starts within two weeks.

New Coast Agency

Hollywood, Dec. 12—Mary Barth for the past few months in charge of public relations contacts at Columbia, has resigned and was appointed an agent’s office with her husband, X. Martin Smith, who was formerly in the public relations field.

Christmas Party Set

The 11th annual Board of Child Welfare Christmas Party will be held Monday evening, Dec. 28, under the auspices of the Board of Child Welfare. Louis K. Sidney, production head of the theatre, is super-vising the stage show.

1st Div. and Wardour Deal Is Confirmed

(Continued from page 1)

ment, whether great or small, rapid or slow-growing, must inevitably be felt by the industry and its products throughout the entire industry.

As nearly as can be determined at this time, the immediate response of production for the year will fall into three definite channels:

First, the better class of musicals.

Second, a type of picture that may be best described as down-to-earth drama, dealing with the affairs of some of the lesser lights of the white and gray cautionary tales, taking the same small and frequently little fine quality dialogue in their pictures.

I believe new theatre attendance records will be obtained during the week, as a result of improvement in quality and moral character of moving picture entertainment.

Sheehan’s Trip Here

To Testify in Suit

Winifred Sheehan’s current trip east is occasioned by his impending entrance into the witness box in a suit filed by James N. Cleary, Fanny Lucie and Gustave Oppenheimer against Fox Film Corporation, at Chase National Bank.

The trial is now under way before Judge Rosenam in the N. Y. Supreme Court, and a recent decision deals several years old and embracing Fox Film. Most of the defendants are, however, were identified with Chase National Bank, counsel for which is defending the action.

Fox to Make “Ramona”

HOLLYWOOD, Dec. 12—A talking version of Helen Hunt Jackson’s “Ramona” has been set at Fox for production early in the spring. John Stone will produce. This will be the third time the picture has been filmed. Mary Pickford made it in 1910 and United Artists produced it in a silent in 1927 with Dolores Del Rio and Warner Baxter.

Silverberg Hurt in Fire

DETROIT, Dec. 12—Harris Silverberg, local representative of National Screen Service, suffered a broken leg and other serious injuries when fire destroyed the Kerns Hotel, Lansing, with a heavy death toll. Silverberg escaped from a third-story window.

To Set Film Board Slate

Final nominations and elections of the New York Film Board of Trade will be held next Wednesday evening at the organization’s headquarters in the Paramount Bldg. All branch managers will attend.

Ann Harding to Rest

HOLLYWOOD, Dec. 12—Ann Harding will not make another picture for Radio for another six months, having decided to rest up from a run joned physical condition. No definite vehicle has been lined up.

Putnam on the Coast

HOLLYWOOD, Dec. 12—George Palmer Putnam, New York story head for Paramount, has arrived here for conferences with studio executives.

Christmas Party Set

The 11th annual Board of Child Welfare Christmas Party will be held Monday evening, Dec. 28, under the auspices of the Board of Child Welfare. Louis K. Sidney, production head of the theatre, is super-vising the stage show.

MOTION PICTURE DAILY

Thursday, December 13, 1934
See Voluntary Codes Aim of Government

(Continued from page 1)

The opinion of the court will not be rendered until some time in January, it is anticipated, so that while the President may be expected to refer to the situation in his message to Congress next month the actual legislation will not be submitted until later.

Several tentative drafts of the measure have already been prepared by economists, one or more of which will be the basis for the law. In general, these drafts provide for the retention of the present labor provisions of Section 7A, possibly clarified for purposes of easier administration, and the child labor prohibition, but vary in their treatment of trade practice provisions.

A belated realization that the U. S. Supreme Court is likely to frowned upon the use of compulsory agreements to secure adoption of agreements designed to be voluntary has led high officials of the administration to a decision to have the codes of fair competition passed cooperatively and to abandon "mail-atwill" tactics such as are now said to be followed with respect to the tobacco industry, which has been told to get under a code without further delay.

Say Some Want Codes Kept

That there are a number of industries which would be glad to have the codes abandoned is admitted, but it is declared elsewhere are equally anxious that they be continued, although in practically every latter instance it is admitted that changes could be made with direct benefit.

Further, it is said, officials fear that the freedom to abandon a code without formalities will lead to an epidemic of unrestrained competition, which would nullify whatever gains have been made in the past year. A two-hour week law; passage of an industrial disputes act outlawing company unions and continuing the National Labor Relations Board; old-age pension and unemployment insurance legislation, and extension of the Recovery Act.

In connection with the code law, labor will propose retention of Section 7A providing for collective bargaining, abolition of child labor, elimination of unfair trade practices and equal representation of labor with industries upon code authorities, and in the administration of the act.

"Labor will oppose any relinquishment of governmental supervision and control over the development, preparation, application and administration of industrial codes of fair practice," it was declared.

New Code Setup Is Outlined by Allied

(Continued from page 1)

hishearers to submit ideas for a substitute pact.

The resolution outlined a Code Author- ity, under which buyers and sellers would be equally represented, with the former all independents with no affiliation and the latter all association of directors, three government representatives, to be included in the membership. Under the plan Code Author- ity would investigate unfair charges and make a report on necessary changes within 90 days.

Grievance boards of five—two sellers, two buyers and a government representative—are called for in the resolution, while the clearance zoning boards would consist of seven—three sellers, three buyers and one government man.

Sidney Samuelson told the directors the annual feature product had been cut down in 12 years from 800 to 350 with a resulting contraction of distribution companies from 25 to eight. He commended the Legion of Decency campaign.

Henry Lazarus delivered an attack on the treatment of New Orleans independents by code boards here and said that John C. F. Flinn, Allied Code Author- ity secretary, should remove the members.

There was proposed a new constitution calling for a president, a board of directors and all other officers as at present, with all directors to be elected. The proposal also provides for the appointment of an executive committee of three to seven members which would be invested with broad powers.

Under the revised constitution the president would appoint the vice-president and a single meeting a year would be held, with the next one in Washington in January. The new document must be ratified by each unit.

It was revealed it the session a seal would be designed to be placed on the houses of all Allied members, standing as a means of letting patrons know they are attending independent firms.

Fifteen out-of-town exhibitors answered the call today for the organization of a new booking combine, an announcement on which will be made later.

Rosenblatt Drops Dispute on Coast

(Continued from page 1)

again on the matter, he stated yesterday, prior to his departure to Washing- ton after confering with local cir- cuit and independent leaders and labor officials.

I have never read so many wild stories coming from Hollywood as I did about my trip there," he said. "All sorts of stories have been printed in the coast papers and practically all of them are wet."

Rosenblatt plans to be in New York again next week for additional confer- ences on the labor situation.

Commenting on John C. Flinn's in- crease in salary last week, Rosenblatt stated that "it is a meritorious and will deservedly increase. I think he de- serves it."

Asked about reports which had him- self for a raise, Rosenblatt stated he hadn't heard of a hike in his pay and that salary meant nothing to him while he was working for the NRA.

Mier on Own in Mexico

MEXICO CITY, Dec. 12—Felipe Mier, former Warner manager here, has en- tered the distribution field on his own releasing Mexican-made pictures throughout Mexico. If's initial re- sources will be the productions made by Josef Bohr, Argentine actor, not unknown to Hollywood, who has turned producer in Mexico City.

"Bunk, Fake," Is Comment on Ending Code

(Continued from page 1)

I quote as saying that and nothing else.

Apparently upset over the story, he then stated that he should have been queried on the story before it was printed. After his nerves had settled to the point where he could give serious thought to the request for a statement, the compliance director added:

"While I do not attempt to predict what Congress will do, it will pro- vide for a permanent form of NRA. Certainly a safe conclusion to make is that workable codes will not be disturbed and particularly those relating to industries in or affecting interstate commerce, such as the motion picture industry."

Executive Secretary John C. Flinn was considerably annoyed over the yarn and refused to give it much credence. He declared it a "lot of bunk" and "a fake."

Ann Sothern Re-Signed

Hollywood, Dec. 12, — Columbia has written a new long term contract for Ann Sothern calling for a tilt in salary.

Rosenblatt Is Praised

In a resolution sent to both President Roosevelt and Compliance Direc- tor Sol A. Rosenblatt, Campi expresses gratification and appreciation of the former division administrator.
Looking ‘Em Over

"The Iron Duke" (Gaumont British)

LONDON, Nov. 30.—The first Gaumont British-Arliss vehicle registers another step up for British production. It is a series of fine spectacles linked by a story which ingeniously exploits the human side of a world figure whose humanity has heretofore had to be taken on trust.

The story has very little "iron" in it. Arliss's duke and students of history are unlikely to be thrilled by the spectacle of Arliss as Wellington battling bears with the children, while the battle wars. There is, however, compensation for this and other spots to the sentimental in the many realistic scenes of the Battle of Waterloo, of the Brussels ball on the eve of the battle, one of the many conferences of diplomats and crown heads and of Wellington's historic speech in the House of Lords in which he warned his countrymen that they would "plunge a knife into the heart of Europe" in insisting on heavy indemnities from France.

This scene, on which the picture most effectively takes out, is as good as anything which has come from a British studio: Arliss, as in every scene in which speech rather than action is demanded, is magnificent, and the director, Victor Saville, also reaches his peak.

Arliss scores heavily in the other scenes mentioned. That famous ball is shot out of the story, and the court of the emperor is portrayed one by one to rejoin their regiments; the scene at the Paris Opera after the peace, with one national anthem after another bringing the audience to its feet as the kings arrive; Wellington's pleas for a magnanimous peace in the Scottish gatherings where everyone else is out for spoils—in these and other historic scenes his command and personal magnetism and battle scenes—without Napoleon—are notable for the reproduction of the charges of the Scots Greys, with Highlanders hanging to their stirrup leathers.

There is a two-fold story interest. Wellington is shown as susceptible to feminine worship. His relations with the youthful Lady Frances Webster are exploited by the Duchess of Angouleme, niece of the restored Louis XVIII, and the real power behind the throne. She wants to get Wellington out of the way in order that Marshal Ney shall be exalted and the British company is looted to publish a book about his story and, while Wellington is in London clearing matters up, Ney is shot. The resultant public outbreaks place the Duchess in Wellington's hands and he compels her retirement and the selection of a new government.

Arliss, once his conception of Wellington is accepted, will please all his admirers. He presents the duke as a rather easy-going, humorously disdained and deservedly casual figure. The casualness—and the sentimentality—could have been toned down with advantage, but as it stands the Arliss-Wells vehicle is lunar to publish. He is at his best in the great historical and legendary moments. There is excellent support from Gladys Cooper as the Duchess of Angouleme, Allan Aynesworth as Louis XVIII, Edmund Willard as Ney, Franklyn Dyall as Blucher and many others. Photography and sound are both brilliant.

"The Iron Duke" is too cheaply made to show off or advertise. From the Arliss appeal it has a spectacular value which sets a new standard in British films, it moves quickly and it has an outstanding climax.

Shown at the Tivoli, London. Running time, 90 minutes. Classification: "G." (British Censor's Certificate: "U.")

ALLAN

"The Czar Wants to Sleep" (Amkino)

A satire on czarism, "The Czar Wants to Sleep" is a moderately diverting production from the Belgeskiino studios of Russia. It is one of the few Dovie pictures devised primarily for entertainment.

The film deals with Paul I. The producers have had a grand time poking fun at the mad Russian monarch. The story revolves around an imaginary character represented by the czar as a flesh-and-blood member of the human species. The final stroke of irony comes when the czar makes Garin a general.

Paul is played by M. Yashnin. The cast is competent. Alexander Feinzipner directed. Plenty of English titles. No code seal. Running time, 88 minutes. "G."
**Dickinson Ordered To End Price Cuts**

Charged with reducing admissions below stipulated contract provisions, the entire cast of the Orpheum, Parsons, Kansas City, Dickinson Uptown, same city, was found violating the code and ordered to stop. Dickinson appealed on the grounds that it was giving away library cards for the same price, and that it was not as practical as the price-cutting at Loew’s Midland.

The other two cases which Dickinson lost with the same defense are C. A. Schultz, of the Strand, Creston, Iowa, against the Dickinson, same city; Ritz, Chillicothe, Mo., against Dickinson, same city.

Case and desist orders were handed down in seven other appeals which involved the same method of doing business; namely, giving away library cards to patrons.

**Amendment for New Workers Up Dec. 21**

Dec. 21 has been set for a public hearing on an amendment to the code relating to solicitation of new employees. The amendment, in full:

> "No exhibitor shall enter into any agreement, direct or indirect, for the soliciting of any kind usually and customarily performed by theatre employees directly compensated by exhibitors unless such agreement provides that no person actually engaged in rendering such service shall be employed under a lower standard than that prescribed in the Code, provided, however, that this provision shall not apply if the agreement for services was entered into before the effective date of this amendment."

**Temporary Relief in Operator Pay Made**

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The President Vanishes

A Walter Wanger Production
Directed by William A. Wellman
A Paramount Release

FULL OF DYNAMITE!

WALTER WINCHELL
...America's Ace Newscaster reports:—"The President Vanishes'...if you ask me...should have been printed on asbestos...so full of dynamite is it."

ED SULLIVAN...N.Y. DAILY NEWS commentator says:—"The President Vanishes' is one of the most absorbing pictures I have ever seen...It's one of the sweller films."

KATHERINE DOUGHERTY...
Publisher of Photoplay reports:—"The President Vanishes' deserves the term sensational."

SIDNEY SKOLSKY...Famous N.Y. DAILY NEWS Columnist says:—"The President Vanishes'...is a dicker that should be seen. Abold...honest attempt to make a talking picture say something!"

J. EUGENE CHRISMANN, Screen Play Magazine, says—"The only reason we rated this one four stars is we have no five star ranking. This should prove one of the great smash hits of the year as it has everything of entertainment value a picture should have."

CHARLES MacARTHUR, noted author and producer says:—"The President Vanishes' has everything that makes for a bang-up movie...laughs, thrills, suspense...with a timely and daring theme!"

MOLLIE MERRICK...Famed Hollywood Correspondent says:—"The President Vanishes' is an assured success...Put this picture on the list of films you just can't afford to miss!"

"The President Vanishes' remains the most violent, exciting...fearful film of this or any other season. For a truly thrilling and intelligent evening of rough-riding action, we give it our unqualified recommendation!"

—Liberty Magazine
Stable Wages Predicted As New NRA Aim

**By HARRY M. WARNER**

President, Warner Bros.

The outlook of Warner Bros. and its affiliated companies for 1935 is
optimistic with what qualification. The proof of this lies in the fact that we are going to produce more pictures than we had planned for the present production season and that we expect to expand our activities still further in 1935-36.

The chief reason why we have weathered

(Continued on page 7)

New Exhibitor Setup Pushed In Talks Here

**By IRVING THALBERG**

Vice-President, M-G-M Studios

Hollywood, Dec. 13.—My prediction is that the difference in the gross between good and bad pictures is—and has been—for the past four or five years—an ever-widening line. It will continue so to the point where the profits of the industry, and particularly of the exhibitor, will be gauged by the number of good pictures made. I think that the time has now

(Continued on page 7)

**“Greatest Period” Warner; Thalberg Says Films Tell**

**Comerford, Saenger Near To New Setup**

Two of Paramount’s most important theatre affiliations, the Saenger circuit of 47 houses and the Comerford circuit of 61, moved closer to final adjustment yesterday with the submission of a plan of reorganization for the former and Federal court approval for a revised financial agreement for the latter.

The plan of reorganization for Saenger Theatres and Saenger Realties, which includes a five-year operating contract for the circuit with E. V. Richards, was taken under advisement by Special Master John E. Joyce following a hearing yesterday.

The plan provides for the organization of a new Saenger company which will issue a like amount of new bonds to the holders of approximately $1-

(Continued on page 7)

**Pre-Holiday Slump Hits Broadway Hard**

Box-office grosses along Broadway last week took a nosedive as the pre-holiday slump hit attendance at all theatres.

Second week of “Broadway Bill” at the Music Hall was able to get only $69,800, while the third week of “Imitation of Life” at the Roxy garnered $22,000.

(Continued on page 10)

**Ohio Sales Tax to End Ticket Impost**

COLUMBUS, Dec. 13.—Governor George White today signed the three cent general sales tax bill as a substitute for the three cent state admission tax, which is thus suspended for one year. The sales tax became effective Jan. 1.


**Stable Wages Predicted As New NRA Aim**

Williams Says This Will End Price-Fixing Need

Stabilization of wage levels will eliminate the need for price-fixing in the forthcoming revision of the NRA, declared S. Clay Williams, chairman of the National Industrial Recovery Board, here yesterday in a talk before the American Arbitrators Assn. Williams is successor to Gen. Hugh S. Johnson.

Compliance with wage provisions, which will be retained in the new NRA, he said, with the guarantee of collective bargaining, the ban on child labor and the regulation of hours of labor will prevent unfair trade practices.

Prevention of the driving of wages below a fixed level, Williams said, justified both the creation of the

(Continued on page 10)

**Again Delay K. C., New Haven Action**

Kansas City and New Haven clearances and zoning schedules were again over yesterday by Camp for further study, this time until Dec. 27, when Code Authority reconvenes.

The new situation in New Haven and the price war distance in Kansas City held up official action on the two plans.

Mrs. Claire Booth Brokaw, second (Continued on page 10)

**Ohio Sales Tax to End Ticket Impost**

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In Chicago, Dec. 13.—Joan Crawford’s contract with M-G-M has been renewed for a long period. She is scheduled to star weekly in*

**Joan Crawford Gets New Term Contract**

Hollywood, Dec. 13.—Joan Crawford’s contract with M-G-M has been renewed for a long period. She is scheduled to work shortly in*

**I TOA and Allied Heads Approach Plan**

Leaders of the I. T. O. A., Allied of New Jersey and national Allied were yesterday in New York to confer with the long-suspected plan to form a new national independent exhibitor association, divided into Congressional districts, with a leader for every congressman. Exhibitor leaders, according to the proposed plan, are to form units within their states, it was learned yesterday.

Two local organizations are understood in favor of the new exhibitor plan, which also provides for the use of screens to disseminate propaganda. Allied States discussed the plan at the eastern directors’ meeting in Atlantic City last summer.

Sidney Samuelson at the time would not comment on it, but indicated that the third legislative program would be pushed via the Congressional route. Allied, at the convention,

(Continued on page 7)

**Ask Allied Owners To Hit Para. Plan**

A motion that the trustees of Allied Owners Corp., K. C. Comerford, Percival Jackson and William Greve, be instructed to appear in opposition to the Paramount Public plan reorganization at the hearing before Federal Judge Alfred C. Coxe, Dec. 27, was made by Archibald Palmer, counsel for Allied bondholders, at a hearing of objections to Allied’s own

(Continued on page 7)

**Bank Nights Placed Under Ban in Iowa**

DES MOINES, Dec. 13.—Bank nights and hot box nights have been declared illegal by the state attorney general’s office.

Declaring bank nights have the three essential elements of consideration, chance and prize, Walter Malley, first assistant attorney general,

(Continued on page 10)

**Total N. E. Bombing Damage Is $15,000**

BOSTON, Dec. 13.—Total damage by bombing to four New England theatres between four and five o’clock yesterday morning will not exceed $15,000, managers state. By far the

(Continued on page 10)
Insiders' Outlook

INTERESTING, very interesting, as a prospect to consider in connection with the William Fox Tri-Ergon developments is the possibility, mentioned recently, of recording and reproducing which may result from the more or less feverish, behind-the-scenes activities in the Bell and RCA laboratories at the moment. No longer is it a secret that both have been under orders for some months past to have substitute devices for the Audion and double print patents in readiness—just in case.

Ideas for filling the orders have been invited and are being received by the two laboratories from all over the world. They filter through two or three key men in each laboratory. Most of them are worthless and go into the discard. Yet out of the great volume of ideas received and out of the pressure under which the inventors are working, something may come not only as the usable substitute devices which the labs are under orders to deliver by Feb. 1, but also the technical basis of radically new sound equipment.

The electric’s contracts stipulate only that the first supplier to their licensees in the event of an unfavorable Supreme Court ruling substitute equipment “as good as” that which would have to be replaced. Sound engineers do not regard this as a difficult assignment, either in the case of the flywheel or the double printing. If the first supplier’s decision is unfavorable, substitute devices will be ready. There is great confidence on this score.

What is intriguing about the current effort, however, is the possibility, not viewed as visionary, that from the present research and experiment may come something considerably more significant and valuable—to industry as well as to the electric—that would be to substitute devices which are only “as good as” those they replace. A single idea driven into the fast lane by the Fox which would then roll on the outside could revolutionize both in the studio and the theatre for the entire industry. The equipment companies are aware of the opportunity facing them. Their policies are shaping themselves accordingly. 

Why do you do the things you sometimes do? You make your living in this industry and, you, therefore, should defend it, guard it from criticism. These are some of the queries which confront us from time to time in order to confound us, the confronting and the confounding being advanced by those who pretend the perpetual Pollyannas and because, we suppose, they can’t take it. What we are really talking about, that rising young editorialist, had a birthday on Wednesday. It was a fitting occasion for a lunch at which the veteran newspaperman found himself discussing on what is a newspaper.

Because, firstly, he makes our stink in this area easier and because he supplied an answer to questions as per above, we quote: “What is a newspaper? A newspaper is a mirror in which are reflected events and human beings. Don’t break the mirror. If you don’t like what you see in it, change the face of those in the beauty parlor.”

It’s that job of “changing the face” which gets us into frequent hot water. For instance, for instance, this space took a three-time crack at the Paramount reorganizers for shaping a banking and investment house directorate, it was charged for failing to mind its own business. We assert it is very much our business to keep Paramount or any other factor—and that doesn’t necessarily mean only the large ones—out of pittfalls if by constructive criticism we can, or think we can.

When the front page bannered the Washington flash of the Administration’s plan to make the codes voluntary under the impending, revised NRA, the yarn in two quarters was booted, described as a lie and as honey. We were tearing down, always belittling and destructive. That’s so much pop and waste of time. Motion Picture Daily does not make news; it reports it. Events, actual and forecast, are not always what certain individuals or interests may want to make. It’s disturbing to fail to placate their well-being and, indeed, their jobs. Too bad, but unavoidable nevertheless.

Jones Again Says He Will Sue B. & K.

Aaron Jones, Sr., of Jones, Linick & Schaefer, Chicago theatre operators, reiterated here yesterday his intention of instituting an anti-trust action in that city against B. & K. and major companies. It is reported that what he says is his inability to obtain product for the McVeckers.

A journey from the west coast New York trip was only “to look around” and had nothing to do with his contemplated lawsuit, said that the action would be filed in Federal court in Chicago next week.

Buy for New England

Boston, Dec. 13.—Harry Asher, president of American Film Exchange, reports the acquisition in New England of the Sunset westerns.

“Are We Civilized?” has been acquired by Roadshow Pictures, headed by Jack Meyers. Publicity is being handled by John Luce and Leo Young.

G. B. Plans Sales Drive

Mark Ostrer, chairman of the board of Gaumont Britannia, is scheduled to make a five-day sales drive throughout the month. In his honor George W. Weeks, general sales manager, has planned a dinner which will be called, “The Big Push.” The drive will begin on Dec. 15 and end April 15.

To Fete Johnston

Boston, Dec. 13.—W. Ray Johnston is scheduled to be in the Hub Friday and Saturday when a luncheon will be tendered in his honor at the Statler by Herman Rifken, president of Hollywood Films, Monogram distributor.

Mr. Johnston is recovering from a recent operation, incidentally.

Lederer Joins R. & R.

Otto Lederer, for many years with Harry Thomas and First Division, has purchased an interest in the Rapi & Rado and now operates seven houses in Brooklyn. Latest acquisition is the Dorset, which Lederer is handing. Negotiations are on for adding three other houses.

Editing 28 Vitaphones

Twenty-eight Vitaphone shorts, consisting of 12 two-reelers and 17 one-reelers, are being edited at the Brooklyn plant for early release.
Get yours

Shirley Temple in "BRIGHT EYES"

with James Dunn

SPECIAL ADVANCE EXPLOITATION

- The profit opportunities in the child star's newest picture are so great that this book is issued well in advance of the regular deluxe press book so that you may start your campaign early.

DE LUXE PRESS BOOK

BRIGHT EYES

and get busy!
Get behind it... PUSH YOUR

SHIRLEY BRIGH

Released
DECEMBER 28th

JAMES DUNN
PROFITS TO RECORD HIGHS!

A STAR of stars in her show of shows...released on your year's most profitable week! There's no limit to its grosses...if you back it with showmanship. And no limit to the showmanship angles of this picture. Get both campaign books from your FOX Exchange. And prepare to start the New Year with a new record!

TEMPLE EYES

Produced by Sol M. Wurtzel
Directed by David Butler. Screen Play by William Conselman. Stills by David Butler and Edwin Burke.
Purely Personal

RICHARD BOLESLAWSKI will take a vacation in Poland during the Christmas vacation of India for 20th Century. When he returns early next year he will direct "Les Misérables" for the same company.

J. W. Piper, manager of Paramount's Toronto office, is in New York for his first home office visit since 1930. He will be here for several weeks.

Maraella Burke, fan magazine writer, has sold an original, "Morning, Noon and Night" to Paramount. SYLVIA SIDNEY probably will be starred.

Moore Blumenstock flies to Buffalo for contract work with the Guy Lombardo Revue in Warner houses in Erie, Wheeling, Charleston, Allentown and Newark.

Max Cohen has taken over the Prospect, Bronx, and plans to reopen it shortly.

J. Robert Rusk hurrying down 7th Ave., feeling very nippy and bowler to the breeze.

LYNN FARNSE sailed yesterday afternoon aboard the Petén for a three-day Mexican cruise.

WARD WING, director of "Samu-rang," arrived in town yesterday from London.

MARGARET WALLMAN, Viennese dancer, arrives in town next week on her way to the M-G-M studios.

ERNE CHURCHILL visiting National City, polo coat and all.

PHIL REISSMAN, foreign sales head for Radio, is due back in two weeks.

Lenox Opens Today As Kid Lab Theatre

The Lenox Picture House, 52 E. 78th St., will open today as a young people's film laboratory theatre with the co-operation of Warners. The idea, it is stated, is to put on week-end and holiday matinee programs for children and be used for "the trying out and testing of the young artists and the help of support in connection with the production of films for juvenile audiences," according to Warners.

Mrs. Franklin D. Roosevelt is a sponsor for the theatre, which will be directed by Helen Wagner. Among the other sponsors are Harry M. Al- bert and Jack L. Warner and Stan-leigh P. Friedman, associate counsel for Warners.

The initial attraction will be Warners' "The Man from Monterey," which will play next week-end by Paramount's "King of the Jungle."

Sheehan Denies Talk Of Joining M-G-M

KANSAS CITY, Dec. 13.—Recently published reports that he might leave Fox to join M-G-M were denied here today by Winfield Sheehan, eastbound with Gable and Fox publicity executive. He refused to discuss the purpose of his trip other than to say he had conferences scheduled with Sidney Kent, adding that he would remain in New York a week.

Looking Em Over

"Music in the Air" (For)

Some very pleasant ingredients have been mixed to form a lightly romantic story with music in the talker version of "Music in the Air." Jeremy Kern's theme song, "Ever" is already a hit, is taken up and developed as the story unfolds. It is first sung by Douglas Mont- gomery and June Lang.

Gloria Swanson's return to the screen may furnish a selling point for exhibitors. She has lost none of her talent for wearing striking clothes and has an excellent singing voice. John Boles, of course, also has his reputation as a singer which he upholds in this film, but Montgomery and Miss Lang, the two young lovers of the story, are the magnets which will hold the youngsters in their seats and help the word-of-mouth advertising. As a young Bavarian school teacher and the daughter of a country village composer, they practically steal the picture without seem- ing to try.

Some fine mountain backgrounds have been introduced to make the atmosphere seem authentic, and Al Shean is charming as the old gentle- man who takes his new song to Munich to present it to Reginald Owen, an old friend, who is a producer. After that the complications center around Miss Swanson's infatuation for Montgomery and Boles' flirtation with the striking little blonde, Miss Lang. Miss Swanson works hard throughout—a little too hard, perhaps. Boles and Montgomery's use of excessive gesturing, but audiences, probably will overlook this as they go out humming "Every Little Star."

Production code seal No. 149. Running time, 81 minutes. "G."

"Wednesday's Child," last night's preview at the Roxy, was reviewed on Nov. 14.

"Hell in the Heavens," now current at the Mayfair, was reviewed by wire from Chicago on Oct. 27.

"Babes in Touland," current at the Astor, was reviewed by wire from Holly- wood on Nov. 12.

"Dealers in Death," last night's opener at the Criterion, was reviewed on Nov. 28.

Duals Out of First Runs in Milwaukee

MILWAUKEE, Dec. 13.—Local first runs, for the first time in many weeks, have returned to a single feature policy. Whether the practice will continue will hinge upon the policy of the outlying theatres which continue playing double bills.

The Strand, first run, has been leased by Warners to Standard Gate-way Theatre Management, Inc., and will reopen Christmas Day with, according to present reports, a double feature policy. Operators of the house have been using the extra shows for the purposes of local business.

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Sue on Lincoln Contract

LINCOLN, Dec. 13.—Suit for $31,090, allegedly due for breach of contract has been filed here by Augusta Paper, heir apparent to claims of Nick Paper, against the Lincoln Theatre Corp. It is claimed that Lincoln Theatre took the Sun in 1925 and the Capitol in 1928, both owned by Nick Paper, for 10 years at $300 monthly rental on the Sun and $278.75 for the entire Capitol agreement. Paper was to control oper- ations of the Kaitlo and Capitol, get a percentage of the profits and $25 weekly salary, states the petition, but the contract was not adhered to by the defendants.

Steffes-Berger to Run Arty Theatres

MINNEAPOLIS, Dec. 13.—Benny Ber- ger and Al Steffes have joined forces in a new company called Berger-Steffes, Inc., to operate a string of theatres on the policy of the Minne- apolis and St. Paul Worlds.

The Minneapolis World has been signally successful with a small house liberally furnished with big chairs in which smoking is permitted.

Para, Bowlers Leading

Taking three games from Consol- idated, Paramount now leads the M. P. Bowling League. RKO is second and the Columbia transit, from the Fox team. United Artists registered two victories over M-G- M at the last rolling at the Radio City alleys, the latter winning the third game. Columbia won two games against Warners and lost one.

"Evensong" Banned

LONDON, Dec. 13.—Gummo Brit- ish's "Evensong" was banned by the censor at Sydney, Australia, without reason given.
“Greatest Period”- Warner; Thalberg Says Films Tell

By HARRY M. WARNER

(Continued from page 2)

the storm of the great depression and fought its way through to our present position that we had faith in the industry. We believed in its personality, in their courage and initiative and vision. We stood by the exhibitor, regarding him as our business partner with interests were our interests. I believe that our faith in him has evoked on his side a faith in us which is an invaluable asset for our industry and distributors.

We are going to produce not merely more pictures, but better pictures, sparing no time, trouble or expense to furnish attractions that will meet the most exacting demands of the public. The screen today is coming into its own, financially. A faith in the recognition it does deserve from the leaders of the nation’s thought as the most powerful and far-reaching of art forms. I think, however, in view of the high average quality now attained in production, that the screen can be entitled to more complete freedom for individual pictures than it now receives from these educational, social and ideological controls that have been excessive. We will come. We stand at the beginning of the greatest period in motion picture history.

NEW EXHIBITOR SETUP PUSHED

In Talks Here

By IRVING THALBERG

(Continued from page 2)

asked for a Congressional investigation into the setup of the code, increased music levies of A.S.C.A.P., and block booking. Allied already has adopted the contact idea in several states, New Jersey being one of them. The Congressional idea is nothing new. Charles L. O’Reilly, now president of the T. O. C. C., thought of it 12 years ago and every one scoffed at it. Now, however, the plan has been adopted seriously by Allied and several other independent associations are understood to support it.

At a recent meeting of the I. T. O. A. board of directors and committee of national matters, support to the contact plan was promised.

Leon Rosenblatt, local circuit operator, is responsible for revising the O’Reilly thesis. After getting results from local units, Rosenblatt intends to further the idea among New England and Philadelphia independents.

At the last session of Allied of New Jersey a motion was made and carried that congressional district be immediately organized by independents in New Jersey. As soon as this is done, various congressmen will be contacted.
"AND PLEASE, SANTA, SEND
FRESH PRINT OF 'SWEET
FRESH PRINT OF 'SWEET
OUR THEATRE MAN A NICE "SWEET ADELINE' FOR CHRISTMAS"


PICKED BY "ROXY"

To Open Philadelphia's Glorified ROXY-MASTBAUM
Christmas Eve, Under Personal Direction of S. L. Rothafel
Producer Acts Illegal Under Code—Myers

(Hollywood Personal)

Hollywood, Dec. 13.—Merle Oberon over the flu ... Bob Montgomery at home with a case of ... Ned Marion's little daughter ... what was expected to be an ... able to sit up in a wheel chair. ... Clarence Brown buys another ... Woody van Dyke directs in breeches, a ... Ceil B. Deering... B. D. Bayless original for ... “Give Me Liberty.” ... Gertrude Michael gets the leading feminine ... in “The Milky Way” at Paramount. ... Mae West's maid ... Libby Tyler, gets away to Paramount. ... Bili Thomas signed as “still man” for “Broken Soil” at United Artis ... . Henry Meyers back to Paramount to revise the script ... of The Big Broadcast of 1935.

Albany Board's Rule On 8 Pending Cases

Albany, Dec. 13.—Eight code cases have been disposed of here, four by the clearance board and four by the grievance board.

In the complaint of Kallet Theatres, Inc., Madison, Oneida, against W. I. Tyler, Delphla, Cheshire, the clearance board held that 30 days is reasonable clearance between the two spots, depending upon which a picture is released, and which is within the time specified by contract to clearance will be allowed.

Distribution of cut rate coupons by Peter C. Vournakis, Strand and Liberty, Watertown, was ordered stopped. The complaint was filed by Graham & Ludlow, Palace, same town.

A counter complaint by Vournakis against Graham & Ludlow, charging rebates in the form of lotteries and prizes also resulted in a stop order.

Clearances seven days over Ode Fellows Hall, Voorheesville, has been granted to Delmar at Delmar. Odd Fellows Hall will appeal it, said it operates one night a week, while the Delmar is open six nights.

An appeal has been filed against the clearance board's 30 days' clearance order made against reduced admission issues against the Strand, Liberty, Watertown, on complaint of the Palace, Watertown.

Actors Waiting for Hearing by the NRA

Hollywood, Dec. 13.—The Actors Guild is awaiting a hearing and a decision of the NRA on their code proposals, already filed in Washington. Producers are in accord.

Writers have not completed their final draft, but one is expected shortly.

Should producers disagree with their proposals, they will, like the actors, go direct to the NRA for a decision, they say.

The guild believes that the NRA heads are waiting for the writers' code before setting a date for the actors' code, which will be completed in a short time.

Actors, in the meantime, are holding small group meetings of Class A and Class B to discuss the selling of the American and the A. F. of L. affiliation. Results thus far have been kept secret.

It is reported that many representative actors are reluctant to vote for the affiliation, preferring to wait for a Washington decision on the code proposals. Should they not get what they want in Washington, they say, the obvious move will be to turn to the A. F. of L.

Total N.E. Bombing Damage Is $15,000

The greatest damage was at the E. M. Loew Capitol in Providence.

Damage at the Tremont and Majestic here will be about $2,000 each and at the E. M. Loew Capitol in Lynn about $2,000.

Frederick E. Leiberman of Lowell, Mass., is owner of the Tremont and Majestic. He also owns the Cambridge and police have a heavy guard over that theatre. Police in Portland, Maine, also have guards in front of the theatre.

Leiberman also filed on the complaint of Kallet Theatres against Antonio C. Balducci, Avon, Cambridge, but Balance was stayed.

“Give Me Liberty!” and “Broken Soil” are not to be released until December 31.

Start Second Report On Operator Scales

Film circuit operators, exhibitor leaders and I.A.T.S.E. officials at Campi and discussed several plans, all of which were approved. Rosenberg will meet again with exhibitor and union leaders, probably next week, when the second report is completed. Rosenberg hopes to give temporary relief by Local 306, terms of the agreement being held secret. The report is based on the idea that the basic scale for operators is set up.

Bank Night Appeals Up

Three appeals on bank night cases were heard by the hearing committee comprising Leslie E. Thompson, A. Montague and Julian Charnow. The cases were: W. W. Watson, Casino, Sac City, Ia., against George Norman and Jack Keuch, Chieftain, same city; Almeda, Almeda, against Central, Webster, Neptune and Palace, same city; Nasser Bros., Alhambra, San Francisco, against Harding, Metropolitan, Lincoln and Ed Ray, same city.

Del.-Md. Meet Postponed

WILMINGTON, Del., Dec. 13.—The meeting of the M. P. O. of Delaware and Eastern Maryland, which was to have been held at Harrington, Del., today for the purpose of discussing clearance and zoning, has been postponed to after the holidays.

Col. Lists More Stock

Additional common stock totaling 5,023 shares has been listed on the stock exchange by Columbia. The distribution to holders of the stock will be done in two and one-half per cent dividend recently declared by the company.

Stable Wages Predicted As New NRA Aim

(Continued from page 1)

NRA and the expenditure of energy upon it. Of course, he said, “the security of compliance with code provisions particularly as to wages and hours, has always been the biggest task of the NRA and finally the final and final solution of which there is the greatest importance. If you go back to it if it may be more likely that when full compliance with wage and hour provisions of codes is established it may not then appear that provisions for giving floor prices under prices may not in most industries and businesses be found to be of exactly the same importance as in other cases. The exact form of the new act is not important,” he continued. “The important thing is that public opinion is against it. If the government takes a stand forward to where it is demanding of business that it accept a greater uniformity of floor prices than it has ever borne before.”

Schenck on Way East

Hollywood, Dec. 13.—Nicholas M. Schenck and his wife left for New York today.
RING OUT THE OLD!
RING IN THE NEW!

TRAILERS
conceived, produced, distributed by
METRO-GOLDWYN-MAYER

Starting the New Year right!
**“St. Louis”**

**Gets Capital Top, $19,500**

WASHINGTON, Dec. 13. — Despite the Thanksgiving holiday grosses fell off last week, with Best showing being made by "The St. Louis Kid" at the Earle. The $19,500 take was over par by $4,000.

Leo's Coy Fox noted out by $400 with a take of $20,000 for "We Live Again.

Although both pictures were unable to round out seven days, Leo's Columbia did fair $3,500 for three days of "Our Daily Bread" ($1,300), plus four days of "Student Tour" ($2,200). This was the first split week at that house.

"The Painted Veil" did a good $7,300 for a second week at Leo's Palace. At RKO-Keith's "Anne of Green Gables" rounded out a full week with $12,300. "Imitation of Life" opened big. The Metropolitan did a smash $6,500 on 4 2/3 days of "Wagon Wheels," but the picture was taken off for a return engagement of "Fright Walk," which was put in for an indefinite run.

Estimated takings, exclusive of tax:

**Weekly Endings Dec. 3:**

- **GABLES** (M-G-M) METROPOLITAN—(1,991), 25c-40c, 4 1/2 days. Gross: $6,300. (Average, seven days, $1,400.)

**Weekend Ending Dec. 6:**

- **ANNEX** (Radio) RKO-KPITTS—(1,830), 25c-35c, 7 days. Gross: $4,800. (Average, $700.)

- **THE SAINT LOUIS KID** (Warners) EARLE—(2,000), 25c-40c, 7 days, Stage: Eddie Pesody, Harry Twins & Loisetta, Harry Kalone, Harry Zorn & Co. Gross: $19,500. (Average, $2,700.)

- **OUR DAILY BREAD** (U. A.) LOEWS'S COLUMBIA—(1,364), 25c-30c, 3 days, Stage: Edna Hankin & Co. Gross: $1,500. (Average, $500.)

- **STUDENT TOUR** (M-G-M) LOEWS'S COLUMBIA—Four days to complete. Gross: $2,200. (Average, 7 days, $314.)

- **ANNEX** (Radio) RKO-KPITTS—(1,830), 25c-35c, 7 days. Gross: $4,800. (Average, $700.)

- **LEELA** (Radio) DENVER—(2,600), 25c-30c, 7 days, 2nd week. Gross: $7,700. (Average, first week, $14,500.)

**Lincoln Takes Hit By Snow, Shopping**

LINCOLN, Dec. 13. — Grosses which held steady to good figures throughout out the fall season are falling a bit following the Thanksgiving holiday. Christmas shoppers are taking the patron pocket conscious too. A blanket of snow and a cold wave are no help.

Estimated takings:

**Weekly Endings Dec. 2:**

- **WAGONS WEST** (Radio) RKO—(2,600), 25c-30c, 7 days, Stage: Ferde Grobe & Orchestra, Grace Duval, June Dupuy, John McEwen, Helen Kilien. Gross: $20,000. (Average, $3,000.)

- **THE PAINTED VEIL** (M-G-M) LINCOLN—(1,110), 25c-30c, 2 days, 7th week. Gross: $1,100. (Average, first week, $2,000.)

**"Rhythm" and "Rhythm" Big K. C. Grosser With $9,000**

DENVER, Dec. 13.—Two films broke house records for single days. "College Rhythm" broke the house record of the Denver "Fright Walk" for the time Harry Huffman has had the Denver. Both opened on Thanksgiving. The box-office at the Denver was closed 3:30 P.M., when it was apparent no more tickets could be sold. There was a holdout within an hour and a half after the Denver opened that day.

Crowds at the Denver were strong all day, with holdouts twice.

Total first run business was $28,000. Average $4,000.

Estimated takings for the week ending Dec. 6:

- **GREAT EXPECTATIONS** (Univ.) ALBERT—(2,700), 25c-35c-Sx. 5 days, Stage: Daphne Pollard, Dorothy Rivers, Herschel Howard, Jack Peck, Frank Dugan. Gross: $1,050. (Average, $210.)

- **FIREBIRDS** (Walters) ALADDIN—(1,500), 25c-35c-Sx. 2 days, Stage: Daphne Pollard, Dorothy Rivers, Helen Rittenhouse. Gross: $800. (Average, $400.)

- **COLLEGE ROMANCE** (Para.) DENHAM—(2,000), 25c-35c-Sx. 5 days, Stage: Daphne Pollard, Dorothy Rivers, Helen Rittenhouse. Gross: $800. (Average, $400.)

- **CHU CHAN** (M-G-M) LINCOLN—(2,300), 25c-35c-Sx. 7 days, Stage: Chun-Chi Chan. Gross: $600. (Average, $85.70.)

- **EVELYN PREJENTCE** (M-G-M) LINCOLN—(2,300), 25c-35c-Sx. 7 days, Stage: Evelyn Prezentce. Gross: $600. (Average, $85.70.)

- **BIG HEARTED HERBERT** (Walters) ALADDIN—(1,500), 25c-35c-Sx. 2 days, Stage: Chemicals. Gross: $90. (Average, $45.)

- **ONE EXCITING ADVENTURE** (Radio) TOWER—(2,000), 25c, 7 days, Stage: Chemicals. Gross: $1,000. (Average, $143.)

**Kansas City, Dec. 13.—"College Rhythm" was the chief business-getting from the regular attraction in the downtown theater. It gave the Newman $9,000 in eight days, upping normal by $1,200. Other first runs were down.

For the ten grosses totaled $56,500. Average is $5,670.**
A MUSICAL COMEDY THAT

“Demonstrates what the short feature field really can achieve” .............

G.W. Hammons presents

SYLVIA FROOS in

The GIRL from PARADISE

with FRANK LUTHER
GEORGE SHELTON
N.T.G. and the Paradise Revue
Produced by Al Christie

Excellent Entertainment.

Here is entertainment in its fullest sense, with good singing, brisk comedy, and likable folks of girl dancing groups. Elements for all types of audience have been compiled in a production which demonstrates what the short feature field really can achieve.

...Miss Froos' singing is good, with the Maurice Knuell duets routine piquant and colorful.

Motion Picture Herald

Five Musical Flash.

A very pretentious musical comedy ... The ensemble numbers are given just the way they appear at the Broadway night spot and are very elaborate, while the girls are unusually good looking, ... Here is a smart and colorful musical that moves fast and has plenty of gayety and beauty.

Distributed in U.S.A. by FOX Film Corporation
"Flirtation" Opens at the Imperial

Chesapeake, Dec. 13.—First performance of the new season was held for the benefit of the Imperial Theatre. The audience was large and the show was well received.

The play, "Flirtation," was directed by Charles L. Dyer, and was produced by the Imperial Theatre Company. It was well received by the audience and was highly praised by the critics.

The cast included: John B. Thompson, as the spoilt young man; Marie d'Orleans, as the rich old lady; and James W. Brown, as the old professor.

The play was well received by the audience and was highly praised by the critics.

"Flirtation" opens tonight at the Imperial Theatre with a gala premiere. The audience was large and the show was well received.

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AMP A will not be found wanting in her heritage. Those irrepressible, indispensable men and women of the craft are sacred to their trust . . .

AMP A's fine membership body is marshalling every force to help those unfortunate people of the picture business who are still swirling in that relentless vortex of adversity . . .

Ironically enough, after five long heart-breaking years, there are many who yet find themselves buffeted about in the economic holocaust. Their need, their privations, their human suffering are our moral concern . . .

These few nights before Christmas, a poignant aura of sentiment and sympathy transcends everything we do. It is the twilight period of philosophical retrospection. Man ponders the thought as he looks upon his stricken brethren, "— there but for the grace of God, am I."

Hearts soften. Pocketbooks open. A whole industry becomes charity conscious. Humanity is marching towards that brotherhood of mankind. It is no longer a question, "Will you give?" — but rather, "How much."

AMP A is diverting her charitable efforts this year to the needs of the MOTION PICTURE CHARITIES' FUND. All the proceeds will go towards that agency of relief and sustenance . . .

There is a strong, united front to stem the tide of distress. Everybody is dedicating a few financial sacrifices to that sympathetic task which lies before us all. The intensive drive is gathering force . . .

The dramatic climax to this humanitarian effort will be reached the afternoon of December 20th, at AMP A's annual Christmas Dinner, Hotel Astor. It'll be the Yuletide occasion when sympathy, service and intra-industrial good-fellowship will be blended together in spiritual happiness . . .

Powerful production and distribution personalities, great box-office names and executives at the helm of the industry's destinies will attend, for "all mankind's concern is charity."

In the meantime, make your donation today however small it might be. Mail check to Paul Benjamin, AMP A Treasurer, 630 Ninth Avenue. A thousand thanks for your generosity . . .

—and God bless you!
Is there Another SHIRLEY TEMPLE?

You'll find the answer in MONOGRAM'S COMEDY SMASH MILLION DOLLAR BABY.

STARRING
RAY WALKER
ARLINE JUDGE
with
JIMMY FAY
GEORGE E. STONE

Directed by JOSEPH SANTLEY
A BEN VERSCHLEISER Production
Story and Screen Play by Joseph Santley

'A MONOGRAM PRESENTATION
Clearance Goes Back to Boards as Campi Ponders

M-G Pictures '34 Net About Triples 1933

By BRUCE ALLAN
London, Dec. 14—Stormy scenes today at a meeting of stockholders of General Theatres when severe criticism of Gaumont British management came to light resulted in consent of Mark Ostrer to appointment of a committee to probe the management. The General Theatres has fallen in arrears on dividend payments, control of the company has passed to holders of preference shares, this circumstance at the same time blocking all discussions of Gaumont's scheme of reconstruction for the company. Personnel of the campi which the preference stockholders demanded will be comprised of members of investment trusts and insurance companies.

G. B. Regime Of U. K. Chain Under Probe

By M. H. AYLESWORTH
President, RKO Corp.
I think that the industry is making better pictures and we should have better grosses for 1935. I believe that the movement for cleaner pictures has been and will be of great benefit to the industry. While I am fully aware that these movements are always carried to excess, nevertheless, a general movement of this character has compelled us to use our ingenuity to build finer pictures which we know can be clean and still interesting.

Local Problems Will Be Met While Schedules Are Debated

With Campi members admittedly agreed that none of the schedules submitted can be approved and adopted for some time, the only immediate solution to clearance and zoning problems is for exhibitors to continue filling in individual protests against competitors with local boards, it is stated officially. By this method, local problems on clearances will be given immediate hearings, following which appeals may be taken if so desired.

Code Authority members point to the record of local boards and appeals' committees as indicating that for the time being this is the quickest method of relief. In cities where schedules have been submitted, boards have refused to listen to protests on clearances on the ground that decisions would conflict with final schedules, if and when, passed by Campi.

But, since it is agreed that no schedule submitted (Continued on page 4)

Aylesworth Envisions Color; Public Relations Idea, Latest

By FRED WEHRENBERG
President, M. P. T. O., St. Louis, Eastern Missouri and Southern Illinois

St. Louis, Dec. 14—Exhibitors throughout the country will welcome the New Year with pom and pageantry in celebration for the return of good old days when it was more or less a pleasure to be in the show business.

With pictures and stars in- 
(Continued on page 2)

Huffman Will Defy Ban on Giveaways

DENVER, Dec. 14—Harry Huffman is determined to test the power of Code Authority to ban giveaways. He says he will carry the case to the U. S. Supreme Court on constitutional grounds if any attempt is made to cut off his film service here as a result of defiance of Campi's orders. Several days ago Code Authority ruled in favor of upholding an order.

(Continued on page 4)

Consolidated Sets Deal for "U" Work

HOLLYWOOD, Dec. 14—Following a three-day meeting between Carl Laemmle, Sr., R. H. Cochrane and William S. McKay, representing Universal, and Herbert P. Gates, Ben (Continued on page 2)

Asserts Invention Ends Flywheel Use

TOPEKA, KAN., Dec. 14—Elimination of the flywheel and improvement of equipment now in use is claimed by John F. Meek, operator at the
Aylesworth Envisions Color; Public Relations Idea, Latest

By FRED WERNERBURG
(Continued from page 1)

honest effort on the part of every exhibitor to select balanced programs, grosses will mount to the higher brackets.

Steps should be taken early in 1935, it strikes me, for every exhibitor to develop closer relations between their employees and patrons.

Public relations as practiced by big industries, have, in my opinion, played a most characterist part in pushing the depression around the proverbial corner.

If this public relations plan is adopted and practiced by exhibitors there will be much rejoicing when turkey day rolls around in 1935.

Gulick Loses Mother

Death yesterday claimed the mother of Paul Gulick, director of publicity for United. Mrs. Gulick lived with her daughter, Mrs. Frost, at Pittsford, Vt., had been ill for a few days and finally succumbed to pneumonia. She was 81.

Gulick is on his way to the Vermont town where the funeral will be held tomorrow afternoon.

Powers May Make 26

P. A. Powers plans to produce a minimum of 13 and possibly as many as 26 C.O. Shorts during 1934-35. He made this season, an increase of seven from 1933-34.

Powers planned to leave today for Mexico City on a month's business and vacation trip, but has postponed the trip until later.

Prudential Circuit Moves

Prudential theatre circuit yesterday moved from 60 Ninth Ave. to 20 West 44th St., Rosenblatt circuit moves Tuesday.

Book Wrestling Short

Publix Great States circuit in Illinois has booked First Division's short on the London-Shikat wrestling match.

By M. H. AYLESWORTH
(Continued from page 1)

esting. The machinery at the coast, with the seal of the industry on each picture before release, is a guarantee of good product which will be acceptable to the people as a whole.

I think it is the duty of the Motion Picture Bureau — and only the Motion Picture Bureau — to issue trade papers to help us maintain the high level we have reached in the last six months. I believe the next step forward to retain audience interest, along with the necessary progress in a progressive field like the motion picture industry, will be the development of "natural" or real color to motion pictures. I am of the opinion that in 1935 we will see rapid progress in this direction and now that the "bugs" are being eliminated in the color process, we will see a rapid development in the direction of color.

Surely it will be the most progressive step taken in motion pictures since the change from silent to sound motion pictures.

M-G Pictures Net

About Triples 1933

(Continued from page 1)

Mississippi income reached $234,732,27. Amorization of negative and positive totalled $25,765,662.73, and prosperous conditions in France necessitated further expansion.

Federal taxes were $437,403.51, leaving the net at the figure stated above.

U. A. Theatres Cut Loss

The United Artists Theatre Circuit, Inc., and subsidiaries, for the year ending Aug. 31, showed a net loss of $126,703, after depreciation, amortization, readjustments, expenses and other charges.

Last year's corresponding report showed a loss of $358,902.

"U" Gets Marthe Eggert

HOLLYWOOD, Dec. 14—Universal has signed Marthe Eggert, Hungarian operatic and musical comedy star, who will come to America in the spring.

Better Tone on Big Board

Columbia Pictures, etc., 3281; 305, 250; 35, 250; Consolidated Film Industries, Inc., 602; 254, 250; Cinematograph, Inc., 235; 40, 40; General Film, 250; 250; Fox, 250; 250; Loew's, Inc., 300; 300; Paramount, 200; 200; Warner Bros., 200; 200.

Color Technicolor Slumps 1/5 on Curb

Bara, Publix Bonds Up 1 7/8 Points

Feldstein to St. Louis

Detrolic, Dec. 14—William Feldstein, for several years state sales manager for the United States, has been appointed to manager of the St. Louis branch and leaves Monday to assume his new duties. He is succeeded here by L. Weinarten.
The Most TRUSTWORTHY

STELLAR acting...inspired direction...superb camera technique...should these elements of a hit ever be jeopardized by use of any but the most dependable film? Unmatched scientific research, manufacturing experience, and distributing facilities...brilliant performance every day, all over the world...these factors all point to Eastman Super-Sensitive “Pan” as the most trustworthy negative for any picture. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super-Sensitive Panchromatic Negative
Ohio Tax Program Set After 2 Years

(Continued from page 1)

signed, inspect taxes on income-producing intangibles from five to six per cent. The bill previously had been passed by both houses. And it is stated that this one per cent increase will yield approximately $1,500,000 which is the estimated equivalent of the war tax that would have been derived from the income tax. It will be in effect for one year, the same period allotted to the new tax on business property.

Passage of the Herren bill was a compromise on the defeat of the income tax by the Senate if the state legislature would agree to the removal of the sales tax on those of moderate means. Governor White had issued an ultimatum that he would veto the sales tax (passed by both the House and Senate) unless the income tax or its equivalent was passed by the upper chamber.

Under the new setup, exhibitors will pay the state approximately $4,000,000 a year, instead of $3,000,000 as heretofore. Exhibitors have agreed to absorb the three per cent tax, it is stated.

The sales tax, normally would be effective Jan. 1, but will not be placed in operation until Feb. 1, the length of time necessary to place the collection machinery in motion.

MPTOA Meet Is Set For N.O. Feb. 25-27

(Continued from page 1)

in view of reports of an impending bill for elimination of the state tax, the Cong just has been in session nearly two months by the time the convention is held, it is stated, and its attitude toward the industry will be evident at the end of February.

Kuykendall leaves on Monday for Washington where he expects to participate in block booking. On Dec. 19, he will attend public hearings on amendments to the code of the Motion Picture Directors and Producers Association. The open hearings will be on vaudeville amendments, elimination of the lease clause and extension of the state's control of theatre employees. After the capital sessions, Kuykendall will go to Columbus, Miss., to spend Christmas at home.

Fire Causes Damage To Strand on B'way

The Strand was forced to close early last night when the roof of the theatre caught fire. A man was injured. Besides the roof, the balcony and projection booth suffered damage. It was said late last night that the house was not expected to open today.

Bombs in Boston Hold Work of Union

(Continued from page 1)

Boston, Dec. 14—E. M. Loew told Motion Picture Daily today that he might be quoted as directly and definitely blaming the M. P. Operators Union for the bombing here Wednesday of the Strand and Majestic, because the circuit bearing his name. It is the answer of the district manager to the operators' plans to stop crime," he said.

Morton Lieberman, executive of the Lieberman circuit, which operates the two bombed houses, also told Morton Picture Daily when asked whether or not he had talked to any employees belonging to the Knights of Labor, a nonaffiliate of the A. F. of L. "You right we are, we won't be fooled into anything. Both circuits declare they will not be intimidated.

Lieberman claims business at the bombed Strand has been above normal since the outrage.

Detroit's Downtown Houses Cut Scales

Detroit, Dec. 14—First runs are cutting scales this week. The new scale is as follows: opening 2 P. M.; 25 cents; 2 P. M. to 6:30 P. M., 35 cents.

This is a cut of 10 cities in the opening and evening prices and of five cities in the advance prices in Detroit, Chicago, Cleveland and Michigan, with the same afternoon cut at the United Artists, which maintains its night price of 35 cents.

The prediction that the cut would bring about a price war, especially the second and key run theatres, whose operators said they probably would go from 25 cents to 20 or 15 cents.

Clearance Goes Back to Boards as Campi Ponders

(Continued from page 1)

Bunrise faces immediate approval, local boards will now accept complaints covering protection so that exhibitors with clearance grievances can be heard without delay.

According to official records, 1,689 clearance and zoning and grievance cases have been heard by the 64 boards to date. This total represents 67 involved clearance and zoning. With 329 appeals filed to date, of which 280 have been disposed, it is figured that at least a number of more clearance and grievance cases have been up for hearing, in situations for a decade or more—signs and license, job.

Code Authority members take the stand that no schedule will be approved unless it is fair to all concerned. So far none of the various plans has come up to expectations.

The job of writing schedules is easy, according to executives of the boards, depending on the size and legal is another matter. All outlines submitted have had price-fixing scales, with the aim of setting back protection where admissions are reduced or by automatically eliminating moderate houses.

In other situations, exhibitors have been setting clearance problems before local boards. In several instances, audiences have been taken, especially in New York and New Jersey, with quick disposition resulting.

Better Film Trade In Japan Predicted

Better times for the industry in Japan next year were predicted yesterday by Lipton Astrachan, managing director there for Universal, who based his belief not only on the upward trend in the country's business but on the fact that the quality of American product is improving. Grosses the past year have been as much as 20 per cent in Japan, according to Astrachan.

Japanese fans demand action above and beyond the 350 in categories like New York, New Jersey, Cleveland and Philadelphia where no schedules have been drawn. In these selling centers, exhibitors are being asked to settle clearance problems before local boards.

In many of the other territories, however, censors have been set up, especially in New York and New Jersey, with quick disposition resulting.

Smith Calls Session Of Catholic Council

A meeting will be called next week by Alfred E. Smith, chairman of the new Legion of Decency Council of the Catholic archdiocese of New York, according to the Universal Picture Company, which is to advise the local clergy in their drive on objectionable films and to devise some method of clearing away from uncivil films which have been distributed among Catholic congregations.

The new committee, of which Smith is chairman, was appointed by Cardinal Hayes. All counties in the archdiocese will be represented on the council.

Fire at Jersey House

The Monticello, Jersey City, yesterday suffered $5,000 damage from a fire believed started by thieves.

G.B. Regime of U.K. Chain under Probe

(Continued from page 1)

ties who will investigate General's financial condition, its accounts and financial transactions. Today's meeting, therefore, adjourned until the committee reports.

Prior to the meeting, however, the air was made charged with public charges of General Theatres associating either with John Maxwell of B.P.L. or the General enterprise business through Provincial Cinematograph Theatres, Ltd., which says it is in close connection with B.P.L. Both men were reported to be angling for the entire issue of preference shares, but confirmation or any admission that a deal was on has not been forthcoming.

Outstanding are 1,250,000 shares of seven and one-half per cent cumulative preference stock.

Huffman Will Defy Ban on Giveaways

(Continued from page 1)

of the local grievance board for stoppage of the practice, but Huffman says he will continue if his court if and when the board orders his film stopped. The usual procedure is for the board to summon all parties to a case to prove non-compliance with an order.

Flinn to Buffalo on Clearance Problems

Executive Secretary John C. Flinn leaves for Buffalo tonight to meet with local exhibitors and code board members on the clearance and zoning schedule. Campi recently sent back the plan when it was found that all of the 12 basic principles had been disregarded. Flinn will return Monday night and on Tuesday evening will leave for Washington where he expects to participate in block booking hearing on code amendments on Wednesdays and Thursday.

Chicago Clearances Cases Being Heard

Chicago, Dec. 14—The local clearance and zoning board has begun hearing individual protests following withdrawal of the clearance schedule originally trammed. At the first hearing in the case of the Lexington against the Lawdale board the rule was made that the hearing be held by the Lawdale over the Lexington on certain company products was unfair.

Assets Invention Ends Flywheel Use

(Continued from page 1)

Princess, for a long time he projector he has patented. An eastern projector manufac-
Films Skidded In 1930, Tax Figures Prove

Other Industries' Peaks Were in '27 and '28

By CLARENCE LINZ
Washington, Dec. 16—Effects of the depression upon the film industry are graphically depicted in statistics of income for 1932 made public tonight by the Internal Revenue Bureau.

Comparison of the bureau's figures with those for previous years shows that the industry was at a peak in 1930, whereas manufacturing industries generally reached their highest levels in 1927 and 1928.

While the tax figures accurately portray conditions in industry, they are not complete surveys since they cover only the operations of corporations. No breakdown by industries is made of the individual returns.

The records show that 291 producing corporations filed income returns

Warners to Rename Officers Tomorrow

No changes in the executive personnel will be made at the Warners' board of directors meeting which will be held tomorrow at the company's home office. Albert Warner is reported to be in the Atlantic States, whereas Harry M. Warner, who left for the coast Friday, accompanied by Jacob Wilk, S. Charles Einfeld and A. W. Smith. Officers to be reelected are: Harry Warner, president; Albert and Jack Warner, vice-presidents.

Wisconsin Men Act Soon on New Setup

MILWAUKEE, Dec. 16—Exhibitors of the state are to act on proposed by-laws and a constitution for new Independent Theatres Protective Ass'n. for Wisconsin and Upper Michigan at a meeting to be held at the Hotel Plankinton Dec. 19.

Coast Production Gains; 41 in Work

Hollywood, Dec. 16—Production for the week just closed showed a decided increase with 41 features and four shorts before the cameras as against 36 and three for the week previous. Added to this upward trend

SELECTIVE BUY

Ruling Stirs Interest Here

Confusion Results from Kutinsky Situation

Although some confusion exists in local exhibitor circles as a result of a decision handed down last week by the New York grievance board, exhibitors have the right to buy selective contracts, it is stated at Camp headquarters.

The dispute arose when Morris Kutinsky, operating the Community, Queens Village, L. I., argued his overbuying complaint against A. H. Schwartz's Queens, Queens Village. According to his selective contracts, Schwartz bought 218 films, his requirements calling for 208, which,

New Film Council To Meet Thursday

The New York Council of the Legion of Decency will hold its first meeting Thursday at a luncheon at the Empire State Building, Alfred E. Smith, chairman, will preside.

The former governor has been silent on proposed plans of the council and

Goldwyn and Lichtman Are For Sending Up Admissions

By AL LICHTMAN

By SAMUEL GOLDWYN

Vice-President, General Manager, United Artists

United Artists Producer

Hollywood, Dec. 16—What about 1935 for the industry?

As I see the trend now, we are generally heading back where we started from, 22 years ago—right back to the nickelodeon! You have only to read the daily newspapers to see that my argument is not far-fetched. I read in one of the Los Angeles papers that the criterion here is going to

Tough Problem

Lincoln, Dec. 16—The Better Films Council here has a problem. Three months ago it was suggested that the name be changed to M. P. Research Council. The proposition has been debated at each monthly meeting since. The latest meeting voted for postponement of the vote another month. All other business, except the reading of the minutes, has been shelved for this important move.

FWC Hearing Comes Up in Court Today

Los Angeles, Dec. 16—Recommenda-

Para. Groups Desire Naming Of Full Board

Delay Approval of Plan Pending Selections

Declaring that the success of the Paramount Public reorganization plan is so largely dependent upon the management of the company, leading creditors' groups in the reorganization have advised Paramount that they will not give formal approval to the plan until the remaining members of the new board of directors have been definitely selected, it was learned shortly.

The stockholders' protective committee of which Duncan A. Holmes is chairman, has advised the holders of certificates of deposit late last week. In addition, various denture and merchandise creditors' committees are understood to have taken similar positions. These committees, it is stated, while in agreement on the contents of the plan in so far as provisions for claims settlements are concerned, have not given their formal approval yet.

The Paramount plan provides for the selection of a board having a minimum membership of 12 and a maximum of 20. Only those directors have been definitely selected to date. Emphasizing the importance of the board's

Reisenfeld Has Plan For an Arty Circuit

Hollywood, Dec. 16—Dr. Hugo Reisenfeld, the man associated with him in the reopening of the Filmarte on Christmas day are planning a circuit of arty houses if this ones goes over.

With Abe Mayer and Ira Simmons, Dr. Reisenfeld has formed the Filmarte Distributing Co., for the purpose of expanding in San Francisco, Portland and Seattle.

Radio's Free Shows Up at Meeting Soon

Campi's committee on unfair competition, appointed recently, is expected to hold a meeting shortly with

Strand Dark a Week For Fire Repairing

The Strand, closed by fire early Friday night, will not be reopened for another week or ten days, it was stated
Goetz Arrives Tomorrow

Harry Goetz of Reliance returns from England tomorrow, having lined up Robert Donat for one picture while abroad. RKO also picked up another star, whom he will make public on his arrival.

Edward Small, Sam Wood, Lillian Hellman and Louis Weiszokorn left for the coast Saturday. Wood, who has been working on an original story, will compile a package on the coast in a few weeks when production will start at Pathé Studios.

After the original of Reliance Wood will return cast for additional talent Reliance has been negotiating for several weeks. "Melody Lingers On" will be Wood's second for Reliance.

Empire Plans Full List

Empire Film Distributors, Inc., recently formed with Roman Reblin at its head, has plans to develop full year's program for affiliated exchanges. Fifteen pictures for two production units with United Artists, Jesse L. Lasky Corp. and Kinematone, Inc.—are on the schedule now, it is stated.

CURRENT activity of the reorganizers of Paramount is concentrating largely, but not entirely, on getting the company's plan over the federal court hurdle, which means December 27. The day of trial may not come, but shot through with signs of trouble from several sources, one of them that active champion of minori-
ties named Seimel Krause. But while the effort and the hope begin and end with that red-letter day not far off now, other matters are not being permitted to slide into therapy. Not by a long shot.

This explains why whatever con-

versations, which are really flira-
tions, are going on with Ben Schulberg and Walter Wan-
ger are unofficial, off-the-record and a couple of other things, all designed to impress with their section. Judicially, the Par-

amount board, so far as it has gone, can do nothing about new alignments in various branches of the Paramount structure. The directorate becomes a working group only when the reorganiza-
tion plan is clear of the bank-

ruptcy court. In the meantime, future sessions will be against the day when something will have to be done about them. You may have been wondering where and how Manny Cohen fits into the picture production. Simple enough. The present drift merely fails to include him.

Difficult about the situation is the effect considered changes at the studio will have on production. Learning what courses through the reorganizers' minds hasn't been tough to run down; it's all been a matter of talking to the right individuals. It might be a question, too, of exactly how advisable is a procedure which allows word of such deliberations to filter into print, production at large being as sensitive an equa-
tion as it is. A lead pipe cinch is it that Cohen knows what is going on. As a matter of fact and record as well, if you like, the span of minori-
ties' approval of appearance of Motion Picture Daily last Monday with a flash on the conferencing with Schulberg and a telephone call to Cohen in Hol-

wyood was approximately thirty. Is Manny at the minute busy in production or figuring out his own situation? You can answer that yourself. It may help from this de-

partment.

"Clearance Goes Back to Boards as Campi Ponders," head-

lines the column in this week's issue as Campi ponders over what? Over the attitude of distributors who are insisting that protection is to be sold as a consideration alongside of the Paramount plan. It is the objections they are hearing about their stubborn heads over this question. The first anniversary of the code has come and passed. The docu-

ment provides for clearance schedules, as anyone can tell you in the event your knowledge is shy on this point. The 1934-35 season is well on, but clearance most emphatically are not. Now comes this last week-end to stress the amusing statement Campi members agree none of the schedu-

les can be approved or adopted "for some time.".

The job of writing schedules is easy, but making them legal is another matter for the code.

ists. Agreed that the job is not like falling off a log. Agreed, it must be further, that the task might simplify itself if all were not just as being enough to relinquish part of what they term their inalienable rights. By special interests reference is made not merely to distributors


Eastman Drops Two on Big Board

Columbia Pictures, v.c.,............. 331 309 309 309
Consolidated Film Industries, v.c.,.. 331 309 309 309
Eastman Kodak,...................... 309 309 309 309
Loew's, Inc.,......................... 310 310 310 310
M-G-M, v.c.,......................... 310 310 310 310
Paramount Pictures, v.c.,........... 310 310 310 310
Warner Bros., v.c.,................... 310 310 310 310

Technicolor Only Listed Curb Issue

Technicolor only

High Low Close Change Sales

Keith B. Bonds Jump 1 1/2 Points

Keith B. F. 6s 46 46 46 46

Loew's 6s 41 41 41 41

Paramount Publix 8% 90

Warner Bros. 6s 59 59 59 59
Films Skidded
In 1930, Tax Figures Prove

(Continued from page 1)

For 1929, 101 of which had taxable income, their total gross receipts being $390,303,000 and their net $59,238,000. After deduction of $2,202,000 for prior year loss, they had a tax liability of $3,330,000. There were also 142 returns showing no tax, the gross income being $631,420,000 and the deficit $9,838,000; and 48 returns from inactive corporations.

The following year the total number of returns dropped to 246 and taxable returns to 64, but the gross income of the taxable companies rose to $357,137,000. Expenses, however, were far heavier in proportion, and the net income was but $31,083,000 and, after deduction of $871 for prior year loss, the tax liability was $3,690,000. Returns of 124 in the taxable companies showed gross income of $515,563,000 and a deficit of $8,447,000. Inactive returns were filed by 38 corporations.

The 1931 record shows 234 returns, of which 54 were taxable with gross income of $29,095,000 and net of $1,698,000. After prior year loss deductions of $44,000, the tax liability was $18,000. Returns of 145 corporations showed gross income of $412,252,000 and a deficit of $11,372,000, while 35 concerns filed inactive reports.

Only 218 Returns for 1932

For 1932, only 218 returns were filed, but 44 of which were taxable, the gross income having been reduced to $14,349,000 and net to $1,145,000. Prior year losses were $181,000, leaving a tax liability of but $135,000. Returns of 131 corporations showed gross income of $176,446,000 and a deficit of $31,344,000, while 23 inactive corporations were reported.

Among the film theatre corporations, 1929 returns were filed by 2,407, 1,293 of which were taxable, their gross income being $378,663,000, net $41,044,000, prior year loss $1,972,000 and tax $4,105,000; non-taxable returns were filed by 1,046 corporations with gross income of $20,775,000 and deficit of $18,650,000, while 68 inactive returns were filed.

In 1930, the number of returns filed dropped to 2,387 but 1,295 were taxable, having gross income of $394,681,000, net of $43,133,000, prior year loss of $2,218,000 and tax of $6,613,000; 1,025 non-taxable returns were filed, showing gross income of $183,423,000 and deficit of $13,390,000, and 67 inactive returns were received. The total number of returns filed remained unchanged for 1931 at 2,387, but the taxable returns dropped to 1,167, showing gross income of $276,519,000 and net of $26,005,000, with prior year losses of $2,365,000 and tax of $5,638,000; a drop of nearly $2,000,000 from 1930. Non-taxable returns increased to 1,148, with gross income of $208,133,000 and deficit of $21,582,000, and inactive corporations increased to 72.

For 1935, reflecting the efforts of the circuits to boost themselves of houses, the total number of returns jumped to 2,652, but only 878 were taxable, about half as many as in 1931. Gross income was $180,374,000 and the net $13,683,000. Prior year losses were $257,000, and the tax declined to $1,614,000. The number of non-taxable returns jumped to 1,993, showing gross income of $325,116,000 and a deficit of $73,109,000, while 80 concerns were reported inactive.

A steady decline in the number of theatres other than straight film houses is shown by the bureau's records. The high point for the legitimate and vaudeville stage was in 1928, when 1,073 returns were filed, 433 of which were taxable, having gross income of $137,914,000, net of $9,595,000, prior year losses of $591,000 and tax liability of $1,022,000. Non-taxable returns were filed by 503 corporations, showing gross income of $67,742,000 and deficit of $11,443,000, and 17 inactive returns were received. For 1929, 882 returns were filed, 323 of which were taxable, with gross income of $63,007,000, net of $7,980,000, prior year loss of $1,402,000 and tax of $694,000; 443 non-taxable returns showed gross income of $49,882,000 and deficit of $8,855,000, and 116 returns were filed by inactive corporations.

Returns Down to 778 by 1930

By 1930, the number of returns had dropped to 778 and taxable returns to 239 showing gross income of $28,898,-000, net of $3,679,000, prior year loss of $485,000 and tax of $330,000; 403 non-taxable returns were filed, showing gross income of $38,693,000 and deficit of $8,236,000; inactive returns numbered 135.

A further decline in 1931 brought the total returns to 669 and taxable returns to 182 with gross income of $18,664,000, net of $1,398,000, prior year loss of $112,000 and tax of $130,000, while 343 non-taxable returns showed gross income of $33,147,000 and deficit of $7,532,000; inactive returns jumped to 144. The 1932 report showed but 536 returns only 76 of which were taxable. Gross income had declined to $9,740,000 and net to $1,307,000, while prior year loss jumped to $230,000 and tax increased to $470,000. Inactive returns filed by 341 corporations showed gross income of $27,604,000 and deficit of $22,000,000, while 117 inactive returns were filed.

Warners to Rename Officers Tomorrow

(Continued from page 1)

Warner, Sam E. Morris and Herman Starr, vice-presidents; Albert Warner, treasurer; Samuel Carlisle, W. Stewart McDonald and Cyril H. Wilder, assistant treasurers; Abel Cary Thomas, secretary and general counsel; Harold S. Barelord, Paul A. Chase and Edward K. Hessberg, assistant secretaries; Samuel Carlisle, comptroller, and Thomas J. Martin, auditor.

While Warners, through United Research Corp., wholly owned subsidiary, have developed and completed a new theatre-talking machine, there is no indication when the company will start manufacturing, Thomas stated Saturday, verifying “Motion Picture Daily’s” story of Dec. 10.

Resume B.&K. Dividends

CHICAGO, Dec. 16.—For the first time almost two years Balaban & Katz will resume dividend payments on the seven per cent preferred stock. Three quarterly payments of $1.73 each have been authorized covering the first three quarters of 1934.

IT TAKES A GAL LIKE THIS TO MAKE “NIGHT LIFE OF THE GODS” A GAL-A EVENT! . . . You’ll see IRENE WARE and plenty of others in Lowell Sherman’s Universal Colossus of Comedies!
Goldwyn and Lichtman Are For Sending Up Admissions

By AL LICHTMAN
(Continued from page 1)

change its policy. Not only will they show two features on one bill if they are going to cut their prices as well.

The Criterion is only one example, for we have read that the giving cut in an effort to stimulate business at the box-office, a business that has been dropping off with alarming inconsistency.

This means, of course, that the pictures produced are also being patronized according to the lower prices charged. On the face of it, this may look good business but the truth of the matter is that it is the beginning of the most vicious circle we have ever encountered in the industry. We have been trying to bring into the theatre a better and more intelligent element of people. But with policy of double billing—pictures produced purposely for double bill showings and even labelled "B" pictures—we have been driving this same group away from the shows.

So far as the industry is not alone. Not only have we lost by inferior product back into the theatre, but they go to the pictures now to be entertained by good pictures and bargaining with them, by cutting prices, is definitely not the answer.

The answer is good films again. These people have lost the picture-going habit that took up so long to build up in the theatre, and so often by worthless and de- liberately mediocre films that they are wary and canny and, like the man from Missouri, want to be shown before they believe any more.

If the producers would realize that 50 per cent of the pictures made really belong in the as-lost and not on the screen, and if they go in for quality instead of quantity, the expenditure of time and money throughout the country will then also see what I mean by the possibility of increased returns at the box-office—that the present procedure is gradually killing the entire business.

Of course, such a change might temporarily hurt the receipts, for a two or three, but unless they are willing to sacrifice something today in preparation for tomorrow—unless they are willing to give a thought to the future—I see dark days ahead for our industry.

Hollywood Personalities


Para. Groups Desire Naming Of Full Board

New Film Council To Meet Thursday

(Continued from page 1)

it is thought that the meeting will be merely for the purpose of organization, leaving plans to be formulated at later dates.

The new council was appointed last Thursday at the suggestion of advising the local clergy in their drive on objectionable films and to devise some method of gathering the large number of pious to stay away from unclean pictures which have been distributed among Catholic churchgoers in the archdiocese.

All counties in the archdiocese are represented on the council, whose membership includes:

Manhattan—James A. Farrell, former president of the U. S. Steel Corp.; George MacDonald, former Mayor John P. O'Brien; Martin Quigley, publisher of Motion Picture Herald and Motion Picture Daily; John J. Raskob, former chairman of the National Democratic Committee, and Alfred Talley, former judge of the Court of General Sessions.

Bronx—James Donnelly.

Richmond—William T. Fetherston, former justice of the Court of Special Sessions.

Westchester—Supreme Court Justice William F. Bleakly.

Orange and Rockland—Arthur O'Leary.

Sullivan—George Cook

Ulster—James Dwyer.

Strand Dark a Week For Fire Repairing

(Continued from page 3)

at the Warner home office Saturday. Alterations now being made will de- lay the opening until that time. New equipment is being installed in the booth and the ventilating system. Hund- reds of balancing seats are to be re- placed, the chandelier is being re- paired and the roof of the theatre is receiving a new coat of paint.

Acquitted in Fox Case

Maurice Monnier has been acquitted in Federal Court here on a charge of having sought $30,000 of Mrs. William C. Fox on threat of kidnapping her grandchildren.
THE MOST EAGERLY AWAITED PRODUCTION IN YEARS COMES THIS HOLIDAY SEASON TO GLORIFY THE SCREEN AND GLADDEN THE HEARTS OF MILLIONS!
More thrilling, more disturbing, more fascinating than ever... the screen’s supreme star brings you the story that made Sir James M. Barrie great... the stage play that made Maude Adams famous... the romance that has touched the hearts of millions...

NOW THE PICTURE THAT CROWNS THE CAREER OF THE IDOL OF ALL AMERICA

SIR JAMES M. BARRIE'S
THE LITTLE MINISTER
JOHN BEAL WITH ALAN HALE
DIRECTED BY RICHARD WALLACE  ★  A PANDRO S. BERMAN PRODUCTION
—as Barrie’s dark-eyed gypsy “Babbie” in one of the great love stories of the ages... painted on a burning background of turbulence and conflict!

"THE LITTLE MINISTER"

NATIONWIDE HOLIDAY WEEK PRESENTATION IN KEY CITIES BACKED BY NATIONAL CAMPAIGN OF FULL AND HALF-PAGE ADVERTISEMENTS IN LOCAL NEWSPAPERS

RKO-RADIO PICTURE
Philadelphia Top Is Grofe And "Heavens"

PHILADELPHIA, Dec. 16.—Business slipped into the pre-Christmas slump about a week ahead of time with no outstanding films. The Fox, with "Heavens" on the screen and Ferde Grofe on the stage, was the only house to do much better than the average.

Several holdovers were on the list, not so much as the result of top-notch business as a desire of several theatre owners to slip into a Tuesday opening policy for the Christmas and New Year season.

Evelyn Prentice, with a fair $1,150 at the Boyd, was held over until Tuesday on the same basis. Total first-run business in Minnie was $55,800. Average is $8,550.

Estimated takings for the week ending Dec. 13:

"KID MILLIONS" (U.A.)
ALDINE—(1,200), 25c-35c-55c, 6 days. Gross: $2,500. Average: $417. (Aladdin Theatre) (Coventry St., 7)

"LITTLE FRIEND" (Gaumont British)
(arcade) (2nd run)
GROS—(1,200), 50c-60c-90c, 4 days. Gross: $1,800. Average: $450.

"EVERYBODY'S LOVER"
BOYD — (2,400), 35c-45c-65c. 6 days.

"IT'S A GIFT" (Para.)
EAGLE—(1,500), 5c-5c-50c, 4 days. Gross: $400. Average: $100.

SHELLY ASHLEY—(1,200), 35c-45c-55c. 3 days. Gross: $150. Average: $50.

"FIRST WORLD WAR" (Fox)
STATION—(1,400), 25c-35c-50c, 2 days. Gross: $1,600. Average: $800. (Aladdin Theatre) (St. Mary's; 12)

"FLIRTATION WALK" (Warners)

"THE HELL CAT" (Col.)
GREEN—(1,000), 25c-35c-50c. 2 days.

"A NIGHT OF LOVE" (Radio)
ST. PAUL
Week ending Dec. 12:
"TRANSATLANTIC MERRY-GO-ROUND" (U.A.)

"WHAT EVERY WOMAN KNOWS"
RIVERSA—(1,300), 25c-40c-55c. 7 days.
Gros: $1,050. Average: $150.

"FLIRTATION WALK" (F.N.)
TOWER—(1,000), 25c-35c-55c, 3 days. Gross: $800. Average: $267.

"GAMBLING" (Fox)
POWER—(900), 25c-40c, 2 days.

"A NIGHT OF LOVE" (Col.)

"FLIRTATION WALK" (F.N.)
TOWER—(1,000), 25c-35c-55c, 4 days. Gross: $1,000. Average: $250.

"GAMBLING" (Fox)
POWER—(900), 25c-40c, 2 days.

"A NIGHT OF LOVE" (Col.)

End Lowo Landmark

Cincinnati, Dec. 16.—When the Star, 300-seat house, was remodelled shortly after Jan. 1, to be occupied by a retail establishment, it will remove from the grand old landmark with a sentimental background.

It was on this Fountain Square landmark that Marcus Loew received his start many years ago, having operated a nickelodeon and museum in the building.

"Veil" Leads Seattle with Heavy $8,400

SEATTLE, Dec. 16.—Most of the box-office excitement here last week centered around "The Painted Veil" at the Admiral. Gross: $8,400. Take over normal by $1,400.

One Night of Love was still a firm favorite, and business at the Liberty with a take of $4,100, Christmas shopping hit the rest of the houses.

Total first-run business was $35,150. Average is $3,560. Estimated takings for the week ending Dec. 11.

"ANNE OF GREEN GABLES" (Radio)
"THE OLD FASHIONED GATEWAY"

"THE PAINTED VEIL" (M-G-M)
FIFTH AVENUE—(2,000), 25c-35c-55c, 7 days.
Gros: $5,500. Average: $786. (Radio) (Col.)

"ONE NIGHT OF LOVE" (Col.)
LIBERTY—(1,000), 25c-45c-55c, 7 days, 6th week.

"THE FIRE BIRD" (Warners)
MUSIC BOX—(900), 25c-35c-55c, 7 days.
Gros: $1,200. Average: $150.

"IMITATION OF LIFE" (Univ.)
MUSIC BOX—(1,000), 25c-35c-55c, 7 days.
Gros: $1,000. Average: $143.

ORPHEUM—(1,400), 25c-35c-55c, 7 days.

"KID MILLIONS" (U. A.)
UNITED ARTISTS—(1,300), 25c-35c-55c, 7 days.
Gros: $1,000. Average: $143.

"THUNDER" (Warners)

"THE OLD FASHIONED GATEWAY"

"JUXTAPOSITION" (M-G-M)
FIFTH AVENUE—(2,000), 25c-35c-55c, 7 days.
Gros: $5,500. Average: $786.

"COLUMBIA" (Col.)

"WHAT EVERY WOMAN KNOWS"
RIVERSA—(1,300), 25c-40c-55c. 7 days.
Gros: $1,050. Average: $150.

"FLIRTATION WALK" (F.N.)
TOWER—(1,000), 25c-35c-55c, 3 days. Gross: $800. Average: $267.

"GAMBLING" (Fox)
POWER—(900), 25c-40c, 2 days.

"A NIGHT OF LOVE" (Col.)

"FLIRTATION WALK" (F.N.)
TOWER—(1,000), 25c-35c-55c, 4 days. Gross: $1,000. Average: $250.

"GAMBLING" (Fox)
POWER—(900), 25c-40c, 2 days.
“Behold” Is Boston Smash With $33,000

Boston, Dec. 16.—“Behold My Wife” continued its run in Boston for the third week last night, and with the playing of the opening show of the week here, going to $33,000 at the Metropolitan, with Mal Hallett and his orchestra on the stage. This leaves our act $3,000 after expenses.

“Imitation of Life” was one of the big attractions of the period, garnering $11,000, up by $3,000, at Keith’s. A dual, “Evelyn Prentice” and “The Gay Bride,” pulled a fine $20,000 at Loew’s State, and “Kentucky Kernels” was $2,000 up on an $18,500 take at the Boston. Total first run business was $110,500. Average is $94,000.

Estimated takings for the week ending Dec. 15: “KENTUCKY KERNSELS” (Radio) BOSTON—$2,000, 25c-50c, 7 days, Vaudew.

“HELL IN THE HEAVENS” ( Freeman) GENTLEMEN ARE BORN” (F. N.) PENNY, 25c-50c, 7 days, Gross: $10,500. (Average: $9,900.)

“BEHOLD MY WIFE” (Univ) KEITH’S—$5,000, 25c-65c, 7 days, Gross: $9,900. (Average: $6,500. )

“EVELYN PRENTICE” (N.G.M) LOEW’S STATE—$3,000, 25c-50c, 7 days, Gross: $7,600. (Average: $3,200.)

“BEHOLD MY WIFE” (Para) METRO—$3,200, 25c-50c, 7 days, Stage: Mal Hallett and orchestra. Gross: $7,000. (Average: $1,000.)

Looking ’Em Over

“Roadhouse” (Gaumont British)

LONDON, Dec. 4.—Chiefly designed as a vehicle for the talents of Violet Lorraine, star of the British vaudeville and revue stage in war and pre-war days, “The Roadhouse” offers also some good comedy by the chief interpreter of “Cockey” roles, Gordon Harker, and amusingly reminiscent scenes of the crueller forms of flesh and blood entertainment which went out after the war. The flavor of past times is deepened by very realistic scenes of a London music hall entertainment bravely carrying on the tradition of the crash of bombs from German aircraft overhead.

The plot, not to be taken too seriously, concerns a barmaid who becomes a variety singer after she realizes that her employer, whom she loves, does not want to marry her. Later, as an officer on leave from the front, he meets her as a stage star, and they are married. In love with the girl all the time is the potman of the inn, who becomes its proprietor and turns it into a roadhouse, with swimming pool, dance floor, etc., with the aid of associates who, unknown to him, are crooks.

The girl’s voice gives out and she learns at the same time of her husband’s death on his way back to England. She leaves her young daughter with her husband’s family and goes abroad. Years pass and her old lover finally goes in search of her, finds that she is penniless and working as a hotel maid, and brings her back to sing again at his roadhouse.

His associates, who have been using the roadhouse as a cover for criminal activities, fall out and one is shot. The singer’s daughter is accused, but cleared by the ingenuity of the ex-potman.

The rendition of favorite song numbers and the realism with which the atmosphere of the pre-war music hall is reproduced are chief assets. Production values are good, with a final swimming pool sequence which shows that London has not gone to seed. Running time, 75 minutes. “G.” British Censor’s Certificate: “A.” ALLAN

“Neath Arizona Skies” (Monogram)

This, the latest of the Lone Star series, starring John Wayne, should satisfy audiences that go for western thrillers. It is up to the usual production standards by previous releases in this series and has the customary fights, shooting and hard riding over the landscape. Wayne plays his usual role, that of the lone cowboy fighting the cause of a friend and for universal justice at the same time.

The plot centers around young Shirley Ricketts, who has inherited oil lands from her Indian mother. Her white father must be found before she can claim her money and this is the job Wayne takes on himself. A gang of renegades led by Yakima Canutt try to abduct the child and take the money for themselves. Foiled time and again by Wayne, they finally corral the hero and award at the ranch of a dead pal. Here they discover the child’s father, only to have him killed in a gun fight. This paves the way for Wayne to take complete charge of the little girl. When the sheriff has finally arrived near the end of the last reel, as is the usual case, and has arrested the outlaws, everything ends satisfactorily.

Sheila Terry supplies the romantic interest in attractive manner. Harry Fraser’s direction is all right, but he allowed the action to drag in several spots. The photography by Archie Stout is particularly good on the outdoor shots. Reviewed without production code seal. Running time, 51 minutes. “G.”

“Divorcee” $7,000

Up; Denver’s Lead

DENVER, Dec. 16.—“The Gay Divorcee” came near to bowling over a few records at the Denver last night. The take went up to $11,000, over average by $7,000.

“The St. Louis Kid” was also in the lead, making the line by $1,000 for a total of $7,000. Total first run business was $28,000.

Estimated takings for the week ending Dec. 13:

“THE MOUNTAIN” (Para) LAADDIN—$3,000, 25c-35c, 7 days. Gross: $7,000. (Average: $1,400.)

“THE GAY DIVORCEE” (Radio) DENTEN—$1,000, 25c-35c, 7 days. Gross: $5,000. (Average: $900.)

“The St. Louis Kid” (Warner) ORPHEUM—$1,000, 25c-35c, 7 days. Gross: $1,000. (Average: 100.)

“This is the West” (Radi) PARAMOUNT—$1,000, 25c-35c, 7 days. Moved after a $11,000 week at the Denver. Gross: $2,000.

Move To Open in Sharon

Sharon, Pa., Dec. 16.—Coincident with the playing of the first showing on opening Sunday, City Council has approved on first reading a new ordinance providing for opening of the Sunday box. Final approval of the measure is assured in two weeks. The managers arrested are Thomas Whyte, Columbia; Harry Stahl, Nutana, and John Muller, Gable.

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“This is the West” (Radi) PARAMOUNT—$1,000, 25c-35c, 7 days. Moved after a $11,000 week at the Denver. Gross: $2,000.

Shirt Seattle Openings

SEATTLE, Dec. 16.—In the tightly-drawn battle for first run supremacy downtown, John Hamrick’s four houses and Evergreen State’s two are now playing a game of switching of opening days.

During the past three weeks, Evergreen’s Fifth Avenue has changed hands three times, opening three times for the Sunday box. This was followed by a similar change by Hamrick’s Music Hall. Following this, John Hamrick’s Fourth Avenue Box has adopted Wednesday as a change day, with more or less regularity. And now comes Evergreen’s Paramount with Tuesday as the regular weekly change day.
Operates 20 theatres, spends upward of $500,000 annually for film.
He reads MOTION PICTURE DAILY.
Selective Buy Ruling Stirs Interest Here

(Continued from page 1)

Cochrane, Grainger Hold Chicago Meet

CHICAGO, Dec. 16.—R. H. Cochrane, eastbound from the coast, met James Grainger, westbound from Hollywood, for several hours here today and dis-
cussed the arrangement made in
Hollywood late last week whereby
the company’s laboratory work will
be Consolidated for the next two years.
Later in the day, Cochrane, together
with Willard McKay, Universal’s at-
torney, resumed his trip to New
York. Grainger, who arrived Satur-
day, leaves for Kansas City Monday
night.

Also eastbound are Herbert J. Yates
and Ralph Poucher of Consolidated.

Golden Favors Bank Nights as Stimulus

Because he feels the practice in most
institutes helps exhibitors make money,
Edward Golden, chairman of the
Johnston on Camp, is in favor of
bank nights.

In several cases where he has sat
on appeal committees, Golden has
voted in favor of the bank night idea
with the proviso that if it helps exhib-
itors it should not be abolished.

Rosenblatt Cancels Trip

Although he was expected to come
in over the week-end, Compliance
Director Sol A. Rosenblatt remained
in Washington preparing for the pub-
lic hearings on code amendments next
Wednesday and Thursday.

As the fact-finding committee on the local operators’
basic wage scale completes its second
report, Rosenblatt will again confer
with the men at Camp. The meeting
was planned for the latter part of the
week, but will probably be postponed
until early next week.

Radio’s Free Shows Up at Meeting Soon

(Continued from page 1)

radio Code Authority members on
free radio shows.

About three months ago, Ed Kuy-
kendall and several other film men
met with the radio committee on the
free admissions to radio shows. The
radio committee was to have drawn
a report for Camp, analyzing the
free shows and the effect.

Since there has been no word from the
broadcasters.

With free practice spreading, some
code members figure it is high time
for another meeting between the two
groups.

Dent Not Coming Here

LONDON, Dec. 16.—Arthur Dent of
B. I. P. plans no trip to America at
this time, despite reports to the con-
trary.

Petrie Shines By BRUCE ALLAN

London, Dec. 16.—A sensa-
tional performance by Hay
Petrie in Great Britain’s Irish
International’s “The Old
Curiosity Shop” interest
for America. His makeup and
characterization equal the
best of the Lon Chaney
and Hollywood probably
will have a chance for him as a result.
The picture is a faithful
interpretation of Charles Dick-
ens and is good entertain-
ment despite uneven acting
and some staginess in the
treatment.

Coast Production Gains: 41 in Work

(Continued from page 1)

there are 15 features and nine shorts
in the cutting rooms there are 41 fea-
tures and 30 shorts in the process of
editing.

M-G-M, Fox and Warners are the
most active, M-G-M has seven fea-
tures before the cameras, one prepar-
ing for release, four editing: Fox has seven
and four: Warners, seven, one and
six; Paramount, six, two and
two; Universal, three, one and four.

Columbia, three, zero and eight;
Cen-
tury, two, zero and one; Radio, one,
five and three; Goldwyn, one, zero and
zero, while the independents show:
four, three and four.

In the short subject division all
together, producing organizations report
none before the cameras. The inde-
pendents’ four have in work, three
preparing and four editing. M-G-M has
zero, two and four; Roach, zero,
three and three; Columbia, zero, zero
and four; Radio, zero, one and five.

FWC Hearing Comes Up in Court Today

(Continued from page 1)

which alleges conspiracy and breach
of contract for a claim for
$1,500,000 triple damages. The theatre
involved here is the Orpheum, San
Francisco, operated by Harry Levine.
San Diego exhibitor, also has a claim for
damages pending.

Charles Skouras and Edward Zil-
berg are the coast by plane yesterday
they will arrive in Los Angeles
this morning in time for the hearing.

K. C. Uncertain on New Midwest Setup

KANSAS CITY, Dec. 16.—Since re-
organization details are being worked
out in New York, no verification can be
obtained here of the report that
Fox Midwest Corp. will supersed
Fox Midwest Theatres Corp.

Fox Midwest has organized some
time ago to purchase certain Fox
Midland assets involved in the Woolf-
Shanghai speculations, on which a com-
promise was reached.

It is believed here that National
Theatres Corporation will remain the
Midcontinent stock, but in the present re-
organization status it is said to be
possible that Midcontinent Midwest will be the parent company.

While Elmer C. Rhoden is non-com-
mittal on the reports that he will be
president of the new company, it can
be stated that Spyros Skouras is most
likely to head the new company with
Rhoden as vice-president.

Lightman Dominant In Memphis Section

MEMPHIS, Dec. 16.—M. A. Light-
man moved into a dominant position
in the urban as well as territory
field with acquisition of the
Orpheum, of the Sur-
plus, organized in the Mem-
polis district, erected in
1928 by local bond-
holders for KRO operation.

Lightman’s recent deal when Light-
man and the Goldberg Crouson
Solomon interests of Chicago are still
expected to consummate Lightman in
New York, but it is understood that
eventually Lightman will take com-
plete control. For the present, he and
the Chicago company are acting as
partners.

Acquisition of the Orpheum puts
Lightman in the same position
as Loew in this territory. Light-
man now has three downtown theatres,
all of them being either new
or recently remodeled.

Strand which shows Universal
first runs and second runs from other
companies; the grind Princess fea-
turing westerns and adventure sub-
sequent runs, and the Orpheum.

In addition, he has six suburban spots.

Chicago Operators’ Contracts End Soon

CHICAGO, Dec. 16.—Current con-
tacts for both M-G-M and
Allied Theatres cir-
cuit exhibitors with the operators’ union
expire Jan. 11. The present set up ap-
pears to be satisfactory to both
sides and indications are that there will be
no issues of moment brought up when
conferences begin shortly on a new deal for 1935.
Schenck Long on Optimism; Grainger Sees Cheer Ahead

By JAMES R. GRAINGER
General Manager, Distribution, Universal

KANSAS CITY, Dec. 17.—In view of the fact that all companies have released a very fine quality of pictures the last few months, which is reflected in increased box office receipts, every indication points to a healthy increase in business for distributors and theatres in 1935.

I feel the producing companies, because of the close contact they maintain with their sales organizations, are able to give careful thought to the type of pictures

(Continued on page 5)

M-G-M Studio Setup Stays Sans Change

By NICHOLAS M. SChENCK
President, Loew's, M-G-M

CHICAGO, Dec. 17.—The outlook for 1935 is “very cheerful,” Nicholas M. Schenck told Motion Picture Daily today as he passed through on route from Hollywood to New York.

“Business is now on the upgrade all over the country with the exception of France and Germany,” he declared.

The Loew circuit business currently is about 15 per cent over last year. Schenck is returning east after spending a short visit to the M-G-M studios where he

(Continued on page 5)

“U” Is Seen Seeking Services of Breen

HOLLYWOOD, Dec. 17.—Universal is understood to be seeking the services of Joseph L. Breen, story chief, Carl Laemmle, Sr., weighing the possibility of having him serve at the same time as a sort of overlord of the company’s coast activities who would help to harmonize the various studio interests. No decision is understood to have been arrived at.

(Continued on page 6)
G. B. Selling Staff To Meet in Chicago

Mid-western and western sales representatives of Gaumont British will meet in Chicago in about 10 days to discuss sales plans for "Unfinished Symphony," "My Heart Is Calling," and "The Iron Duke." The meeting will follow along the lines of a similar conference held in New York over the week-end at which Arthur Lee and George Weeks spoke to the gathering.

The G. B. executives plan to be present at the forthcoming session as well.

Those who attended the New York meeting were: Arthur A. Lee, vice-president; Patrick T. Martin, general sales manager; Clinton W. White, assistant sales manager; Paul S. Davis, assistant sales manager; Hugo Scully, Ben Rogers, and Milton J. Hill, Boston; Howard F. Bring and Brasi Bradley, Buffalo; Harry Skirball and Manning J. Clow, Cleveland; Irving Gomberg, Harold J. Carlock, Charles Penner, Walter Pratt and Sol Kravitz, New York; Harry Nolen, New Haven; Herbert Hvid, Joseph Singer, Ella Gerson and Joseph Toner, Philadelphia; Oscar Chertoff, George Wheeler, Pittsburgh; Joseph Kakish and George Dillon, Washington.

W. A. Ryan Quits G. B.

BUFFALO, Dec. 17.—W. A. ("Tony") Ryan has resigned as selling post here with Gaumont British.

Howard F. Brink is Ryan's successor.

Molly O'Day Married

Hollywood, Dec. 17.—Molly O'Day, silent screen star, and Sally Durante, who revealed here today that she and Jack Durante, of the stage, were married four months ago in Tun Jinn.

State Will Pay $2

BOSTON, Dec. 17.—The State Theatre Co. has declared a quarterly dividend of $.25 per share. January 1 to stockholders of record Dec. 21.

Son Born to Clara Bow

SANTA MONICA, Dec. 17.—A boy was born here yesterday to Clara Bow, wife of Rex Bell.

Loew Sails for Home


Report Chesterfield Merger; Is Denied

LONDON, Dec. 14.—Chesterfield Pictures is reported to be involved in a proposed formation of a new production distributing and exhibiting organization for Great Britain which would also include Julius Hagan and Twickenham Prod., the Sound City Producing unit of Shepperton, and Oscar Deutch, theatre builder and operator.

Capitalization of the combined companies would approximate $18,000,000, it is estimated. Deutch has operated approximately $900,000 in England during the past year and, while none of them are of large seating capacity, it is believed the circuit would be used to form the nucleus of a larger one if the project under discussion should be realized.

George Batcheller, Jr., Chesterfield sales manager, said yesterday that the London report was unfounded insofar as his company was concerned.

"Chesterfield is not involved in any merger move in England or elsewhere at this time. I have no knowledge of where or how the story originated."

Feldstein to St. Louis

ST. LOUIS, Dec. 17.—William Feldstein, has succeeded Harry Scott as sales manager of the local United Artists exchange.


Piazza With Paramount

Hollywood, Dec. 17.—Ben Piazza, former master at M-G-M, has joined Paramount as an assistant to Emmanucl Cohen. He succeeds Mel Shauer, who will become an advisor for sales factors on pictures for the foreign market.

Raynor Joins Warners

William E. Raynor, formerly with RKO and Publicis, has joined Warners as manager of the Memorial, McKeesport, Pa.

Curtis Due Friday

John Curtis, First Division president, arrives from the coast Friday.
A prediction 'DAVID COPPERFIELD' will be the best-loved picture of 1935 AND THE BEST ADVERTISED! Watch for details of the greatest national magazine campaign in film history!
MEET David Copperfield

An introductory to the proudest offering in the history of Metro-Goldwyn-Mayer

If Charles Dickens could look down at his favorite child's rebirth and know of the reverence and love with which it is being attended, we believe that David Copperfield's creator himself could hardly withhold his blessing.

"David Copperfield"—a name which spells magic to millions...a story that has cast a haze of enchantment over all who read it...now becomes a motion picture that will live long in your heart. Produced by Metro-Goldwyn-Mayer, it is but natural that one of its most interesting features is the authenticity of its background.

When David O. Selznick and his associates decided to make a picture of "David Copperfield" their first step was to go to England where, with Mr. Walter Dexter, internationally known Dickens' authority, they visited the scenes made famous by the original story. They photographed the house where David lived, the Hungerford Stairs leading down to the Thames near where the Micawbers lodged—Highgate, where Dora and David had their cottage—and Windsor Terrace where David lived with the Micawbers after his mother's death.

Then they went down to Putney where David and Dora were married—and out to Gravesend where David saw old Mr. Peggotty off to Australia. Then to Yarmouth, the scene of little Em'ly's tragedy. They photographed Blandford Rookery—the little country lane—Mrs. Copperfield's room and David's little room next to it. Then to Dover where Aunt Betsey Trotwood lived and where poor Mr. Dick flew his kite.

Throughout the past century one great romance has lived to fascinate each new generation..."David Copperfield". An immortal among books, it comes to the screen vivid with life and romance. What love is...what lovers feel...that is the story of "David Copperfield."

Here indeed is a motion picture which justifies the prediction that it will rank among the Great and certainly will be the best loved picture of 1935—a moving and faithful adaptation of one of the great stories of all time.

Produced after two years of the most pains-taking research work from an adaptation supervised by Hugh Walpole, the noted English novelist. Directed by George Cukor, who transferred "Little Women" from the pages of Louisa M. Alcott's novel, this sincere and moving dramatization is given life and beautiful realism by a notable cast of 65 including:

W. C. Fields
MADGE EVANS
EDNA MAY OLIVER
FRANK LAWTON
ELIZABETH ALLAN

LIONEL BARRYMORE
MAUREEN O'SULLIVAN
LEWIS STONE
FREDDIE BARTHOLOMEW
ROLAND YOUNG

M-G-M Production Staff in England inspects Aunt Betsey Trotwood's cottage, faithfully reproduced in every detail on the screen.
Schenck Long on Optimism; Grainger Sees Cheer Ahead

By JAMES R. GRAINGER (Continued from page 1)

that will please the theatre-going public.

The proof of the pudding is in the eating. The results obtained so far this season on the first fine quality of pictures released indicate we are on the right path toward improvement.

By NICHOLAS M. SCHENCK (Continued from page 1)

discussed production. His visit west that the name of an annual trek to confer with production executives.

Two More Drawings Are Ended by Campi

Lucy Buck's Bank Night have been ordered discontinued by Campi at the Granada, Bakersfield, Calif., and the Palace, San Jose, Calif., respectively. Dick Lemenchi of the Rialto, Bakersfield, Calif., filed the first complaint in the case, and R. McLaren, president of the Ada registered the second. In both instances it was found that the tendency was to reduce admissions.

Brandt Hits Sets

Objecting to the local code board setup and protection granted Warners and Loew's over independents, Harry Brandt, president of the I. T. O. A., yesterday declared that the code had done nothing after a year and one week except set up machinery to regulate the filing and hearing of complaints.

Brandt recently took over the Broad, Newark, and when he learned Warners' Regents had 38 days protection over the house, he filed a complaint with the local board. Warners tried to postpone the hearing scheduled for yesterday, but Brandt refused because of the situation on bookings. When the case was called yesterday, a distributor's representative on the New Jersey advisory board could not be located and as a result the hearing was adjourned. Brandt stated that the postponement means it will take from three to four months before the case will be finally adjudicated, since it must go to the main board after the local committee gets through with it and from there to a Campi appeal committee and finally to Code Authority.

Brandt said he was cooperating with the N.R.A., having opened 17 theatres in the last three years. The Broad has an attendance of more than $700 a week and he said he will keep it open regardless of Warners or any other circuit.

Loew's protection in New York has been opposed by independents for some time. Unaffiliates claim that the spread of Loew's motion pictures is such that the pictures are dry by the time they are ready for the small house.

Boettiger, Tribune Man, on Hays Staff (Continued from page 1)

in a public relation capacity at M. P. D. A. headquarters here. Boettiger was mentioned in a United Press dispatch from Washington yesterday as the subject of rumors about the Capitol that he would marry Anna Dall, daughter of President and Mrs. Roosevelt. The dispatch added that Boettiger declined to comment on the rumors before leaving for New York Sunday.

Boettiger has covered political assignments for the Chicago Tribune for the past 10 years, including President Roosevelt's 1932 campaign. He had the White House assignment for that paper at the time of his resignation.

Discuss Codes at Topeka

KANSAS CITY, Dec. 17.—Grace Gannon, local code boards secretary, will attend a meeting of code representatives at Topeka tomorrow. An N.R.A. representative from Washington will attend the meeting.

Economical High Intensity Illumination for the Smaller Theatres

A.C. National High Intensity A. C. Projector Lamps for the new A. C. High Intensity lamps. Designed for arc currents up to 80 amperes.


ATTACK NEW PATRONAGE WITH SNOW WHITE, HIGH INTENSITY SCREEN ILLUMINATION.
M-G-M Studio Setup
Stays Sans Change

(Continued from page 1)

Pioneer Pictures, is now believed ready to re-sign.

Irving Thalberg denies reports he planned to take a nine months’ vacation in Europe.

"Selnick Stays"—Schenck
CHICAGO, Dec. 17.—Nicholas M. Schenck today expressed his confidence that David O. Selznick will continue with M-G-M. Reports have had him joining John Hay Whitney. "Continuing anarchists are an ever present threat to me, as far as I have been president. That record speaks for itself. Selnick definitely will remain with us. We like him and he likes us. He can be with us as long as the association is mutually satisfactory," added Schenck.

The M-G-M president also took occasion to deny reports Irving Thalberg planned a trip to Europe in February, indicating that the studio is working on several pictures in preparation which would prevent making any extended trips for some time.

Blames Fuss on RKO
KANSAS CITY, Dec. 17.—The local free-for-all which was started by RKO, Nicholas M. Schenck stated here Sunday night as he passed through New York.

He charged RKO with failing to maintain the price schedule agreed upon for a combination picture and vaudeville program and stated Loew’s Midland cut its scale in retaliation. While he gave it as his opinion that distributor RKO was taking advantage of the situation upon whether or not RKO will raise rates by its Mainsfreet, Schenck, at the same time, expressed confidence that the situation will adjust itself shortly.

He said he viewed it as unfair for suburbs to protest the Midland’s 15-25 cent balcony because they held many advantages over downtown picture houses.

Schenck spent much of his time on the train playing backgammon.

Stebbins in Party
Arthur W. Stebbins arrives in New York from Hollywood. He is in the same party with Nicholas M. and Joseph M. Schenck.

Cleveland Dividend
Fails to End Slump

CLEVELAND, Dec. 17.—Although approximately $14,000,000 has been released locally within the past two weeks by a 10 per cent payment on deposits, a closed Union Trust Co., and rebates from the East Ohio Gas Co. in compliance with state regulations, theatres, especially those in the suburban area, report they are experiencing a heavy pre-holiday slump.

Downtown theatre business has held up to about normal.

It is figured that the recently released money is being poured into department and gift stores.

Brandt, O’Reilly to Tour for New Setup

(Continued from page 1)

plan to join a national organization is out. The move on the new country-wide association gets under way after the first of the year.

Penn-Federal Shows
1934 Net of $7,700

PITTSBURGH, Dec. 17.—For the fiscal year ending Aug. 31, the Penn-Federal Corp., which operates the Penn, showed earnings of $7,700 after all charges, including 87 cents a share on 8,900 shares of preferred stock. This contrasts with a net loss of $11,977 a year ago.

Gross income was $809,021, or a gain of roughly $100,000. The net before interest and depreciation, items which were practically the same both years, was $1,570,012, or $134,931 in 1933. The management also secured a $10,000 annual reduction in rent. Funded debt was reduced from $24,000 to $93,700 and 200 shares of preferred stock were retired.

The cash available from depreciation permitted the repayment of a $50,000 loan to Loew’s and United Artists.

Exceptionally Fine For Holiday Bookings


CELEBRITY PRODUCTIONS, Inc., 723 7th Ave., New York City

Tuesday, December 18, 1934
Sarnoff and Laemmle Join
Optimism Ranks for 1935

By DAVID SARNOFF
Chairman of Board, RKO

Improvements in program material, methods of production and reproduction, and in audience taste came hand-in-hand in the last year in the industry. They gave definite promise of better business in 1935. This motion picture development was paralleled in the related art of broadcasting, where advances in programs, technique of transmission, and in receiving set design added greatly to the

Amalgamation
Of G. B. Units
Now Expected

By BRUCE ALLAN

London, Dec. 18—Amalgamation of all Gaumont British interests, including absorption of Gainsborough Pictures, a subsidiary, is expected by many observers of industry developments. It is felt that increased revenue would result from Gaumont's American distribution outlet. This impression was strengthened at the annual meeting of Gainsborough shareholders when C. M. Wooff, replying to a shareholder's question, admitted that a Gainsborough-Gaumont British amalgamation was being considered.

Developments are also looked for

Smalley-Schine Row
Goes to Washington

Hearing before the NRA Compliance Board in Washington on the leasing argument between William C. Smalley and Meyer Schine, upstate New York circuit operators, is slated for tomorrow with principals involved on hand as well as Tyree Dillard, Jr., Campi legal head.

The leasing complaint first went before the Albany board. It was referred to Campi, which has certified it

Kansas City's Price Battle Outlook Hazy

BY CARL LAEMMLE, SR.
President of Universal

HOLLYWOOD, Dec. 18—What about 1935? Personally, I think it is going to be a splendid year for all of us. We have learned so much during the past three years, and the prospects for returning prosperity are so bright, that I feel confident the business will benefit doubly. More people like spending money. We have learned how to economize and we have learned how to

Louisiana Bills to Affect Film Firms

NEW ORLEANS, Dec. 18—Three corporation bills affecting the industry were being rushed through the third special session of the Louisiana Legislature.

One increases the corporation franchise tax from $1.50 per $1,000 of capitalization to $2 per thousand and provides that the tax shall go to Louisiana State University.

Another makes it mandatory for

Predict New Court Fights On Dual Bans

Actions Hinge on Ruling In Philadelphia Case

Court attacks on contractual restrictions against double featuring wherever they are in force will be launched by independent producers and distributors in the event of a Federal court decision in Philadelphia declaring such restrictions to be illegal minor changes for the independents said yesterday.

Chicage, Cleveland and Los Angeles, all committed to single feature programs at present, will probably be the next centers for court tests of the validity of double feature bans, it was stated. Different situations are presented in these cities, which adopted single feature programs through exhibitor agreement, whereas in Philadelphia the restrictive measures were initiated by distributors. Some question exists, as a result, as whether

Chicago Scoffs at Invasion by Loew's

CHICAGO, Dec. 18—Reports that Loew's would invade the neighborhood field here are denied by Aaron Jones and scoffed at by exhibitor organizations. Certain circuits are bitter over M-G-M's insistence upon percentage and similar Sunday playing time, but Jones says he negotiated no Loew tieup while in New York.

This statement was made as a denial to a report that he had closed a deal to operate houses for Loew here.

The opinion here is that Loew would find it difficult to break into the field unless it should build new houses.

WARNERS HOLD ALL PRINCIPAL OFFICERS

All officers of Warners were continued in their present posts at the company board of directors' meeting yesterday, and a four-day extension of change that resulted in an exchange of positions between Cyril H. Wilder, who

Ohio Showmen Look For Pickup in 1935

COLUMBUS, Dec. 18—Although first run exhibitors, as well as subsequent, in practically every Ohio situation, report decreased pre-holiday attendance, they are hopeful for a decided pickup

FIGHT ON FWC
SALE DELAYS CASE 2 DAYS

BRIEFS ARE ORDERED ON ANTI-TRUST SUITS

LOS ANGELES, Dec. 18—Opposition to approval of the proposed Fox West Coast Theatres Corp. on still several hours yesterday and finally resulted in a two-day postponement to allow bids. U. S. District Judge George Cosgrove is then expected to render an early decision upon the plan of reorganization approved by Referee Earl Moss.

The only two applicants are Marquis Square Theatre Corp., operator of the Orpheum, San Francisco, and Larry H. Hartman, operator of the Orpheum, San Diego. They have anti-trust suits pending in which they seek

(Continued on page 8)

(Continued on page 8)

(Continued on page 8)

(Continued on page 8)
Behind Ben Schulberg's plan to crash into the independent market with both feet and a greater measure of independence than has marked many, if not all, of similar and earlier plans, lurks considerable courage. Only Schulberg doesn't view it that way. He thinks the scheme is practical, definitely of potential profit and so he is mentally poised a decision. He makes it a moderate cost, but of enough cost to make them good, a series of eight pictures with no commitment as to distribution. That will come through the highest bid from the best distributor when the studio job is completed.

It runs like this, Schulberg talking:

"A question of a producer's mettle. No assurance of success would have a distributor will turn me more constructive, thinking to it that I do a better job. Isn't it obvious that this would be a prerequisite? What I am considering is production of three pictures at the same time and the application of straight merchandising tactics in their sale. It is common practice for all distributors, at some time through the season, either to show pictures or sly of a particular type of picture. That sort of practice always crops up. If I think I can turn out packages and sell it at a better price than I might get, were I to make a deal prior to production."

Whether or not he goes ahead ties in directly with several other matters. There is rumored pending--it looks like fifty-fifty change--a scalp dancing, either way shortly, by which he would again head Paramount production. There is in the offer, and not nearly so far removed from fact as the geographical distance between New York and London, a desire to make five big pictures a year in England. In the meantime, Ben placidly smokes his long, black and reddish-cigars, up on his leg, goes to the theatre and enjoys his liberty for the first time in years. 'Behold My Wife' was his last for Paramount. He actually doesn't know which studio will house his back next and moreover doesn't give much a hoot anymore.

Episode something or other in the Paramount serial; Reorganization groups, although in agreement on provisions of the plan, are splitting time over the inclusion of company and independent men on the board. One camp, apparently headed by the stockholders' committee, is advocating a directorate which would include four or five men of wide industry experience in addition to Adolph Zukor, already named. This latter looks with favor on Norman Schneider, Austin Keough and Walter B. Cokell. ...

A heavy representation of company men, they contend, would make it of a "rubber stamp" body, inclined to give unquestioning approval to anything bearing an executive recommendation. They add that men of film experience from outside the company, carrying the desired qualifications, will be welcomed--if they could be found. Meanwhile, the reorganization groups move no nearer to an agreement on selection of new board members.

In the opposing trench or in the opposite camp, which

seems to include the bondholders' committee and the creditor bank group, the viewpoint prevails that the advice of company executives will be available, always to the board and, therefore, that body might just as well be composed of with experience in financial, corporate and, even, of literary exercise. These groups contend that such a board would be best fitted by individual qualification of company executives, augmented by an advisory committee of company executives, to serve the new company."

Candidates in plentiful number were mentioned during the past few weeks, but none has succeeded in attracting sufficient support to be considered a probability. And the hope remains in reorganization circles that three to five additional directors named in advance of the Federal court hearing, now a mere eight days away, might mean that the stockholders' committee and other creditors' committees, are withholding their final approval of the plan until the directorate has been indicated with a certain amount of finality. Lackings this by Dec. 27, indications now are that the plan may go before Federal Judge Coke on that day without the support of some creditors' groups which may be essential to its acceptance by the court. ...

Added to this division within the ranks of the creditors who are really agreed upon the plan's provisions but not on the directorate, are objections of minority creditor groups who oppose not only the corporation and the provisions of the plan itself. Insiders say these objections could be overcome only by a solid front of the large creditor groups in support of the plan's provisions before the court. Which would indicate that an agreement on the make-up of the new board will play a leading part in Paramount developments during the next week. And so it goes. On and on. ...

Will Loew invade the Chicago neighborhoods? Off hand are based on general knowledge, you understand, completely unfounded by facts to support the contention that this was Loew's plan; he would describe the reports as a lot of noise. It seems that Metro is insisting that Windy City suburban play a number of Loew's features without and preferred playing time as well; that some of the exhibitors there have informed Metro to fly a kite or something perhaps less polite."

It also seems Metro is circulating the yarn it proposes invading the city by acquisition of theatres more or less in the wholesale manner. This cynical
An unusual tribute to an unusual hit!

important theatres are playing it day and date on the most important date of the show season

DEC. 27th

WARNER MYRNA

BAXTER • LOY

in FRANK CAPRA’S production

BROADWAY BILL

By Robert Riskin—Based on the story by Mark Hellinger

A COLUMBIA PICTURE

Direct from two successful weeks at Radio City Music Hall
"My dear, you must see Irene Dunne in 'Sweet Adeline'."

"I hear Bette Davis gives a simply marvelous performance with Paul Muni in 'Bordertown'."

"Have you seen Irene Dunne in 'Sweet Adeline'?"

"I can hardly wait to see Rudy Vallee's new picture, 'Sweet Music'!"

"See — what a grand direction job Mervyn LeRoy's done in 'Sweet Adeline'!"
Have you heard that Warners are going to film ‘A Midsummer Night’s Dream’?

Let’s get together next Tuesday and see ‘Sweet Adeline’.

If you call that a thrill, mister, just wait till you see Jimmy Cagney and Pat O’Brien in ‘Devil Dogs of the Air’.

They say ‘Bordertown’s’ the best thing Paul Muni has ever done.

Don’t miss ‘Sweet Adeline’. It’s the swellest musical yet.
THE BEST ARE YET TO COME!

Margaret Sullavan in "THE GOOD FAIRY"

Lowell Sherman's "NIGHT LIFE OF THE GODS"

Claude Rains, Joan Bennett in "THE MAN WHO REFCLAIMED HIS HEIR"

Claude Rains, Douglass Montgomery, Heather Angel in "THE MYSTERY OF EDWIN DROOD"

Howard Hawks' "SUTTER'S GOLD"

Damon Runyon's "PRINCESS O'HARA"
"IMITATION OF LIFE" is doing everywhere... Now watch UNIVERSAL step out again, and again, and again with these smashing money-coiners!

James Whale's "THE RETURN OF RANKENSTEIN"

Dashiell Hammett's "MR. DYNAMITE"

Edna Ferber's "SHOWBOAT"

William Powell in "THE GREAT ZIEGFELD"

John M. Stahl's "THE MAGNIFICENT OBSESSION"
Sarnoff and Laemmle Join
Optimism Ranks for 1935

By DAVID SARNOFF
(Continued from page 1)

Branch-Roth Near Fight at Hearing

Harry Brandt, part owner of the Rialto, Newark, N. J., and Morgan Roth, manager of Warners' Goodwin, same city, almost came to blows yester-
day during proceedings before the board when the former became in-
censed at Roth because he called evi-
dence produced amateurish. When Roth made the
remark, Brandt jumped up and rushed
over to the table where the plaintiff's
defense attorney was seated and charged
him with overacting. The board later
ruled in favor of the defendant.

Louisiana Bills to Affect Film Firms

(Continued from page 1)

foreign corporations to keep in this state their stock transfers. A third makes it mandatory for for-
gn corporations to keep in their prin-
cipal offices in this state a full set of
books and other records. This will open
details of exchange business here to
the State Tax Commission.

"U" Agency Is Bombed

The Midtown Agency, Universal's
representative in Cuba, was bombed
Monday night, according to word re-
ceived yesterday by N. L. Manheim,
foreign sales manager for the com-
pany. Forty establishments, covering
in order of business, were subjected
to terroristic tactics that night.

Para. to Open Friday

The Paramount will open its next
week's program Friday, instead of on
Christmas day as planned. Stage
shows will be resumed with Fred
Waring and his Pennsylvanians as the
attraction. "Here Is My Heart"
will be on the screen.

Wing to Make Color Film

Director Ward Wing, recently here
from London, will make "The Great
Wronged RA" for CineColor, the
British organization. This film will be
shot in Borneo, he says.

Grace Moore to Coast

Hollywood, Dec. 18.—Grace Moore
is expected back here for the holidays.
She has been on a concert tour. She
will stay here next year on a new musical for Columbia.
Tough on the Santa Fe

Kansas City, Dec. 15.—The Santa Fe dining service was deprived of its orange juice by the enterprise and foresight of Jake Wilk, Warners eastern story editor, who acted as quartermaster of the Warners party traveling to the coast.

Before boarding the Chief at Chicago, Wilk went on a foraging expedition and accumulated a stock of favorites known in some places but not obtainable on the train. As the train thundered toward Kansas City, the Warner legion, seven in numbers and their guests at Harold and Mrs. Walter's, of the family, Andy Smith, Charlie Einfeld and Wilk, filed into the dining car and awaited service.

“Now to make a punchbasket for all,” was Wilk’s order when the steward came around. “You’ll find them both in my compartment.”

The steward’s eyes popped, but he fetched the pungent delicacy and the party

“Next course is corn beef, peppered,” announced Quartermaster Wilk when the herring had been finished, and the steward made another trip to the private commissary.

The corn beef annihilated, Wilk, still acting as master of ceremonies, pronounced: “Now we’ll buy some coffee.”

And that’s probably the reason the railroads are in the red.

Variety Club Chatter

Albany

Albany, Dec. 18.—For a Kings for a day, Jack Bullwinkle and Bernie Mills played host to a large gathering of invited guests for the day luncheon held under the big top.

Assistant District Attorney J. H. Casey of Albany County was guest speaker and dealt with the present rounding up of public enemies in the Empire State. Casey’s name was added to the list of associate members.

A. M. C. MAMUZ, newly appointed manager of the Albany ball club, was introduced and was welcomed a hand and a splendid reception.

Detroit

Detroit, Dec. 18.—New officers have been elected by Variety Club as follows: President, E. W. Kincher; first vice-president, A. H. Caplan; second vice-president, J. O. Brooks; treasurer (re-elected), C. H. Shalit; secretary (re-elected), David T. Miller; director, Otto Bolle, Max Smith, Ray Moon, H. M. Richsey, Harold C. Robinson, J. D. Irex.

The annual ball will be held Feb. 23.

Columbus

COLUMBUS, Dec. 18.—Mamabule R. Clark was re-elected director of Columbus Tent No. 2 of the Variety Club for his fourth term. Clark, who is in business in his Dewey Wallack quarters, is Paramount manager.

William W. James and Robert S. Freeman were re-elected secretary and H. E. Chewing and Thomas W. Lawson were re-elected secretary and treasurer, respectively.

These six directors compose Clark’s cabinet: Max Strayn, Leo Haeflins, James V. Pette, Kline L. Roberts, F. G. Wood and J. W. Scott. William S. Cunningham is the new house committee chairman. All officers assume their posts Jan. 1. A testimonial dinner was tendered Sheriff Ross Anderson preceding the meeting. Anderson is a Variety Club member.

The annual convention of the district is to be held at the beginning of the year.

Mrs. Klitzsch Dies

Burlington, Dec. 18.—Mrs. Ludwig Klitzsch, wife and general manager of the Burlington, died suddenly here today.

$175,356 in Chest Drive

Hollywood, Dec. 18.—Of its $225,000 quota the industry has subscribed $356 to the Community Chest, it is reported today.

Insiders’ Outlook

(Continued from page 2)

outpost, for perhaps peculiar reasons, reminds itself of the time, not long since, when Metro couldn’t see it eye to eye with Bob McNeill of Golden State Theatres and threatened to build in Bob’s exclusive Northern California territory. Whereupon McNeill made a deal and Ed Schiller, forgetting theatres for the pleasures of Waikiki, proceeded to Honolulu. Or do we make ourselves clear? ...

K A N N

Dance Floors Spread In Down East Houses

Boston, Dec. 18.—The Strand, recently an M. & P.-Publix house and now occupied by the goodfield family, who ran the house for seven years before it was taken over by Publix five years ago, is being remodeled to conform with the system's policy in the building a dance hall which, when completed, will be available to audiences of both houses after final evening performances.

WOOSOCKER, Dec. 17.—A new project by C. M. Williams to attract fans to the Laurier is installation of a dance floor. At the close of the show, two hours of dancing follows. An Old-Timer's Night is a weekly feature.

Work on Bombing Clue

Boston, Dec. 18.—The Boston police are working on what is said to be the most promising clue to date in the bombing Wednesday morning of the Tremont and Majestic here. A New Yorker, known as a professional bomber, is believed to be responsible for the bomb, which was placed in a building at a hotel.

Also regarded as important is the belief that fuse bombs, not time bombs, were employed.

Small Back on Coast

Hollywood, Dec. 18.—Edward Small arrived today after the three months east, prepared to start Reliance's group of six films for United Artists. The first will be "The Melody Lingers On"; the second, a LouisWeinzerkorn original tentatively called "Washington Correspondent".

The True Story of the Munitions Racket Brought to the Screen

TW0 BIG WEEKS ON BROADWAY

EUREKA PRODUCTIONS, INC., 723 7th Avenue, N. Y. City
“Millions” Is Chicago’s Hit With $25,000

CHICAGO, Dec. 18.—Despite a two-day blizzard, Loop spots grossed heavily. “Kid Millions” packed ’em in at the United Artists and grabbed $25,000 on the week. This is $8,000 over average.

“Wednesday’s Child,” with the Folies Bergere Revue as a big help, ran extremely close at $9,000 over the line for a take of $31,000.

Total first run business was $131,000, with $111,000.

Estimated takings:

**Week Ending Dec. 12:**

**“FLIRTATION WALK” (F.N.)**
ROOSEVELT—(Fri.), 28c-35c-50c, 2nd week, 7 days. Gross: $11,000. (Average, $1,571.)

**“WICKED WOMAN” (M-G-M)**
CLEVELAND—(Fri.), 26c-30c-50c, 4th week, 4 days. Gross: $3,300. (Average, $825.)

**“FLIRTATION WALK” (Paras)**
ORIENT—(3,300), 25c-40c, 7 days. Stage: Platinum Blonde Revue &ep; Stage. Gross: $10,500. (Average, $1,500.)

**“WEDNESDAY’S CHILD” (Radio)**
FALCON—(Fri.), 20c-25c, 5 days. Stage: Folies Bergere Revue. Gross: $4,100. (Average, $820.)

**“BEHOLD MY WIFE” (Para)**
GABRIEL—(9,000). 28c-35c-50c, 7 days. Gross: $5,000. (Average, $714.)

**Week Ending Dec. 11:**

**“WICKED WOMAN” (M-G-M)**
UNITED ARTISTS—(1,750), 30c-40c-50c. 4th week, 4 days. Gross: $2,500. (Average, $625.)

**“WHAT EVERY WOMAN KNOWS” (Fox)**
APOLLO—(4,400), 25c-35c-50c, 3rd week. Gross: $5,000. (Average, $1,625.)

**“RED HEAD” (Monogram)**
STATE-LAKE—(2,750), 25c-35c-50c, 3 days. Gross: $5,000. (Average, $5,000.)

**“BACHELOR AND WIFE” (Col.)**
TOWER—(2,000), 25c, 7 days. Stage: “The Bachelor & Wife” (Col.) with Three Freselles, Kenee Twins, Vie LaMarr, Gene Stump, Fanning Mothers. Gross: $6,500. (Average, $928.)

**“Happiness” with Show Montmoral Top**

MONTREAL, Dec. 18.—Observance of the Feast of Conception as a bank holiday in the Province of Quebec had theaters in the heart of the Princess shopping. Bebe Daniels and Ben Lyon on the stage with “The Pursuit of Happiness” gave Loew’s a good showing.

The second week of “We Live Again” at the Princess was accorded a boost, with the additions of the pictures of the Royal wedding in London and the take was $7,500, as against $8,500 for the first week without the Princess Martinas show.

Total business was $41,500. Average is $44,500.

Estimated takings for the week ending Dec. 15:

**“THE WHITE PARADE” (Fox)**
BROOKLYNLYN—CAPITOL—(6,147), 25c-35c-40c-50c, 7 days. Gross: $3,950. (Average, $564.)

**“CHEATING CHEATS” (Univ.)**
IMPERIAL—(1,914), 25c-35c-40c, 7 days. Stage: Six-Cylinder unit show. Gross: $3,000. (Average, $430.)

**“THE PURSUIT OF HAPPINESS” (Para.)**
LOEWS—(6,112), 25c-35c-40c-50c-75c, 7 days. Stage: Bebe Daniels and Ben Lyon. Connors Bros.; Hunter & Percival; Alesse Hatcher. Gross: $4,300. (Average, $614.)

**“EVELYN PRENTICE” (M-G-M)**
GABLES—(2,050), 30c-40c, 7 days. Gross: $1,000. (Average, $143.)

**“WE LIVE AGAIN” (U. A.)**
BROOKLYNLYN—CAPITOL—(5,681), 25c-40c-50c-75c, 7 days. Stage: “That’s Gratitude” (Col.); Constance Frank. Gross: $3,500. (Average, $493.)

Gables Will Come East

Hollywood, Dec. 18.—Clark Gable will make a trip to New York to work with his wife for the Christmas holidays, following completion of “Town Talk” for M-G-M.
Looking 'Em Over

"Bella Donna"
(Twickenham-Gaumont British)

This adaptation of the James Bernard Fagan play, from the equally well-known novel by Robert Hitchins, is a product of the independent Twickenham studio, which has a good reputation in England for box-office material. Over and above the fact that it uses established plot material, "Bella Donna" has a very strong cast including Conrad Veidt, Mary Ellis, Cedric Hardwicke and John Stuart. These names and the title values are distinct assets.

The story is that of an adventuress, Mona Chepstow ("Bella Donna") who tricks into marriage Nigel Armine, a young engineer, and goes with him to Egypt. There she is fascinated by, and surrender herself to, a seductive Egyptian, Babouli. After Veidt to administer slow poison to her husband. Dr. Isaacson, a friend of Armine's, comes from England, saves him, and reveals Bella Donna's guilt. She goes to Barouli, but he turns her away.

There is a flavor of the theatre about the central idea; the degenerate woman's infatuation for a slightly more polished "sheik," which is proof against the discovery that she is only one of many houris. So far as one can, nowadays, take this plot seriously there is definite interest in the clash of wills between the infatuated woman and the cool medicos. The acting of Mary Ellis and Hardwicke in these roles is admirable, but Veidt is worthy of better material than the somewhat highly colored Eastern debauchee Barouli.

It is a picture that will appeal most to women patrons. They may not like the belly dances which Barouli performs or some of the erotic background, but still an audience asset and the finale, with Bella Donna shut out of her own home and rejected by her lover, is theatrically effective.

Running time, 85 minutes. Classification, "A." (British Censor's Certificate, "A.")

"Babbit," now playing at the Palace, was reviewed by Beverly from Hollywood on Nov. 8.

Short Subjects

"Going Places with Lowell Thomas, No. 5"
(Universal)

A diverting short that takes the audience to Algiers and Nassau. The West Indies scenes have been captured by the camera in beautiful fashion. The rest of the hand and adequate, a burgher-proof showcase for jewels and strange ships that serve as other than sea-going crouches to the code seal. Running time, 9 1/4 minutes. "G."

"Stronger Than Fiction, No. 5"
(Universal)

There is plenty of entertainment in this short. Among the amazing items and personalities are a sling-shot expert, an American diamond mine, a fire company that answers the call on a skit, a machine that dissipates fog, a tame humming bird, an armless ball player, and a fellow who makes a specialty of catering to dogs. No code number. Running time, 9 minutes. "G."

"In the Dog House"
(Columbia)

Here is a two-reeler, with Andy Clyde, Vivian Oakland and Delmar Watson, that should prove satisfactory f any place. It has a story through which is woven comedy on the part of Clyde and Oakland and the big value part of Watson, an orphan continually threatened with return to the orphanage. The performers are all the more diverting characters, so the natural, code seal, No. 404. Running time, 20 minutes. "G."

"The House Where I Was Born"
( Educational)

A light, fairly entertaining short, the picture serves as a medium for several pleasant songs by Sylvia Fros and Frank Luther. The two, sweethearts, are trying to sell some songs they have written, but with little success. They are both homesick for home, from whence they came to New York, and the final scenes show them on their way back home. The vocal numbers are especially good. Production code seal, No. 0180. Running time, 8 minutes. "G."

"The Hollywood Movie Parade"
( Educational)

This one takes the audience behind the scenes of what is obviously the biggest Hollywood of the moment. Jackie Cooper, George O'Brien, Irene Hervey, Director Eddie Cline and Guy Kibbee are all shown in Informal shots. Production code seal, No. 243. Running time, 7 minutes. "G."

Kansas City's Price Battle Outlook Hazy

(Continued from page 1)

pictures at the Mainstreet. The Midland lowered its balcony prices after the Mainstreet cut to a top of 40 cents.

While he declared Loew's dropped the Midland's scale to "punish" RKO for scrapping the agreement subscribed to by the circuits and establishing their price, the five first runs, he added that Loew's was meeting a demand for low-priced entertainment when it cut the Midland's balcony to 15 cents matinees and 25 cents nights. The Midland is maintaining its 40-cent price for lower floor seats at the same time.

Despite present indications that the price war will be extended, it is considered not likely that Loew's and RKO will fight on to the bitter end. Some time after the first of the year, Protests by Fox Midwest and Paramount, as well as independent exhibitors, may have a bearing. In the meantime, reports that Loew's and RKO will restore former scales by Jan. 1 are denied by the local managers.

Mainstreet Resumes Show Soon

What makes those reports, widely circulated, possibly true is the fact that it is known the Midland's price cuts are not seen as being improbable is that the Mainstreet resumes stage shows New Year's eve and no price hike has been scheduled.

The problem is made difficult to straighten out because the third factor, the new regulations, is in effect. The picture men, each insisting that the opposition makes the first move to raise admissions. They blame one another for the necessity of cutting. While Loew's claims RKO started the fight, RKO answers it dropped the Mainstreet's balcony price to 40 cents because the Midland's level only because the latter took the initiative.

The Tower, independent first run, in turn explains its 10-cent cut by the slashed at the other two. The agreement was the Tower would keep a 35-cent top if the circuits would charge 40 cents top for pictures only and 50 cents for combination bills. Barney Joffe, Tower manager, says he will raise if the others restore former scales, but makes no secret of the fact the present 25-cent scale price for all seats at the Tower is better for business than 35 cents.

Public and Fox Midwest are hopeful the situation will soon adjust itself, and for this reason are maintaining regular prices despite the advantage this gives to the cut-rate theatres.

Hall in Radio Series

Mordaunt Hall, until recently film reviewer for the New York Daily News, has been engaged as a writer for a series of NBC broadcasts, with WEA (Weaf) the local outlet. He will speak every Monday night at 7:30 P.M. on "Screen Players and Plays."

Harry Goetz Delayed

Storms delayed arrival of the Paris and Harry Goetz from Europe. The boat is scheduled to dock tonight.
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HOLLYWOOD, CAL.
New Fox Met Plan Selects Board of Five

Kent on List; Goes to Court in Few Days

An initial board of directors of five members for Fox Metropolitan Playhouses is proposed in the plan of reorganization for the company just completed by the bondholders' committee and scheduled to be presented Federal Judge Julian W. Mack within the next few days.

Members of the initial board are: A. Kent, president of Fox Film; Frederick M. Peiser of Hallgarten & Co.; Harry O. King, managing director of the copper industry code authority; Richard C. Hunt, attorney, of Hunt, Jaeckel & Brown, and Ivo B. Clark, head of the real estate firm of that name, and a trustee of the Union Dime Savings Bank. Provision is made in the plan for the

(Continued on page 2)

B. & K. Franchise Is Held Blocking Loew

CHICAGO, Dec. 19.—The improbability of an invasion of the neighborhood field here by Loew's is emphasized by the fact that B. & K. has the M-G-M first run franchise here for several years to come, it is held by those familiar with the local situation. This leaves only last run product for any Loew houses.

B. & K. officials scoff at the idea of a Loew invasion here.

J. L. & S. in Court On Paramount Case

Jones, Linick & Schaefer, operators of the McVickers, Chicago, initiated anti-trust litigation against Paramount yesterday with the filing of an order in U. S. District court here to show cause why Paramount and the trustees of the company should not be joined as defendants in a contemplated action for alleged violations of the

(Continued on page 2)

Attendance Holding Gains, Taxes Prove

WASHINGTON, Dec. 19.—Theatrical attendance is continuing well ahead of last year, the Internal Revenue Bureau indicated today in its monthly report.

November collections on admissions were $4,442,214, against $3,250,691 in the same month last year, a drop of $1,191,523. Ship film by National Film Carriers, Inc., and be certain of on time delivery.—Adv.

Protest End of Lease Clause; May Retain It

British Move To Tip Quota Picture Cost

By BRUCE ALLAN

LONDON, Dec. 19.—A revision of the British quota act to avoid the problem of "pound-a-foot quickies" either through addition of a minimum cost clause or the establishment, by law, of a quality standard now appears certain.

G. R. Hall Caine, M.P., and chairman of the Board of Trade advisory committee under the act, in a speech before the City Conservative Ass'n last night, said his group had examined the act and thought certain provisions of the law now were out of date. He also revealed his report had been completed for Walter Run- ciman, president of the Board of Trade, who is expected to introduce amendments in the House of Com-

(Continued on page 2)

Smith Wants End of Duals; Pettijohn for Tight Lips

By CHARLES C. PETTIJOHN

General Counsel, M.P.P.D.A.

This year instead of "hazarding a guess" or "taking a peep" or "looking around the corner," may I make a wish instead of a prophecy. My wish is that 1935 may be recalled in the history of the business, as the year of "fewer and shorter interviews." If we could all get on or off trains and boats and go through Kansas City without being interviewed, what a wonderful business this would be! It would be only a question of time until "our public" could understand us.

By A. W. SMITH, JR.

Eastern Sales Manager, Warners

It is my belief that more pictures of box-office merit will be placed in distribution during 1935 than ever before. This is due to the fact that production has become more cognizant of box-office values because of its closer contact with distribution and exhibition.

Most of the dirty linen in the laundry has been washed clean. Progress is sure to follow.

It is my prediction that during 1935 the industry as a unit will eliminate the showing of two feature pictures on the same bill at one admission price.

May Extend Act

London, Dec. 19.—The British quota law, into which will be injected more and sharper teeth, jumps to 20 per cent next year.

The present act, which is to remain in effect 10 years, terminates in 1938 but its extension now seems likely.

Golden Says 7,000 Houses Have Duals

More than 7,000 theatres are double billing throughout the country, Edward A. Golden, general sales manager of Monogram, stated yesterday. The figure, compared with the 12,000 houses now operating, is conservative, he said.

In key centers like New York, Los Angeles, St. Louis, New Haven, Detroit, Boston, Kansas City, and Milwaukee practically all of the houses are twin billing, Golden holds.

Farnsworth, Samuelson, Kuykendall Declare It Is Helpful

By CLARENCE LINZ

WASHINGTON, Dec. 19.—Determined opposition to the elimination of code provisions prohibiting interference with leases was offered today before Deputy Administrator William P. Farnsworth during argument on amendments proposed by Campi with indications that the provisions will be retained, probably with an amendment providing that, after an administrative finding, relief is to be sought through court action.

The fight against deletion of the clause was led by Norman Samuelson of New York, attorney for William C. Smalley, whose complaint against the Schite circuit over Hamilton, (N.Y.) theatre will be heard tomorrow by the NRA Compliance Board.

Samuelson's position was supported

(Continued on page 4)

Conspiracy Charge Is Dismissed Here

After listening to conspiracy charges by Frank Samerrell of the Royal, Port Jervis, N. Y., against Fox, M-G-M, RKO, U. A., Warners and Paramount for two days, the New York grievance board, by a vote of three to one, yesterday dismissed the complaint.

Louis Geller, independent exhibitor, was the only dissenting voter. George Thompson, impartial representative,

(Continued on page 4)

Strand Fire Shifts Warners' Bookings

Enforced closing of the Strand because of fire damage finds the Warner's shuffling bookings in order to maintain their representation on Broadway. First deal is for "Sweet Adeline" which goes into the Para-

mount Jan. 4.

The company will not reopen the now darkened Warner, although the plan is understood to have been under consideration. Repairs at the Strand probably will take about three weeks.

Court Sets Date on Tri-Ergon's Action

Federal Judge Marcus B. Campbell yesterday gave American Tri-Ergon until 20 days after the Supreme

(Continued on page 2)
MOTION PICTURE DAILY
(Registered U. S. Patent Office)

Vol. 36 December 20, 1934 No. 145

MOTION PICTURE DAILY

New Fox Met Plan Selects Board of 5

(Continued from page 1)

addition of other members in the future when deemed advisable. The condition of the stock differs in few respects from the original plan of reorganization for Fox Met developed by the creditors, a plan published in Motion Picture Daily May 22. The most important changes are those which have been made in the directorate and in the operating agreements with Skouras and Rand- force. The contract with the former company is cancellable after May 1, 1936, as reported in Motion Picture Daily of Nov. 28.

The original board named only Kent, Hunt and Herbert P. Howell, president of the Commercial National Bank & Trust Co., who also were to comprise a voting trust for the common stock for a period of three years. In the completed plan, Howell is not on the board, while Peyer, King and Clark have been added. The voting trust has been abandoned.

Terms of Reorganization

The reorganized Skouras and Randforce operating agreements provide for operation of 44 New York, Long Island, Spook pictures, produced in Chicago, and 36 Brooklyn houses by Randforce. Skouras Bros. will receive $750 per week per screen and Samuel Rinzler and Louis Frisch, $440, total. If a satisfactory offer for the circuit, approved by two-thirds in amount of the bondholders, is received prior to May 1, 1936, and a sale consummated which vests operation of the circuit in the purchaser, Skouras and Randforce are to receive 75 per cent of all net profits from that date held and 15 per cent of all undistributed net profits up to Nov. 1, 1934, and 25 per cent of all undistributed profits from that date to May 1, 1936. If Fox Met is not sold by May 1, 1936, Skouras Bros. thereupon will assume operation of the circuit. The total cost of operation now is $3,840,000 annually.

New Group Set to Start

MILWAUKEE, Dec. 19.—Articles of incorporation of the Independent Theatre Protective Ass'n, of Wisconsin and Upper Michigan were approved today. The initial meeting of the board of directors, Jan. 3-4, when officers will be named.

Majestic Closes Deal

Majestic has just closed deal with Celebrity Prod., for distribution of the second series of Comicol color cartoons in greater New York and New Jersey.

Many on Big Board Drop

Columbia, Tops List of B. O. "Champions"

End of Code Lease Clause Is Dismissed

Colonel and Author
Mailbag contribution from Philip Seletzky of Brighton.
"Philip Seletzky, well known local theatrical man, is associated with the Nathan H. Gordon Olympia Theatre, with the Paramount - Farnsworth organization, and now executive film buyer for the Quality and P Publicity. On receiving congratulations from his band of friends on being an aide-de-camp on the staff of Governor Ruby LaFount, he has a "relatively big job," with the rank and grade of colonel."

Colonel Seletzky in joining the ranks of the many illustrious Kents, has as fellow officers, the well known, Mr. LaFount, Al Smith, Rudy Valle, Mae West and Colonel Lindbergh.

FLASH: A Miles for chairman of the Managers Round Table department in Motion Picture Herald, and Gertrude Merriam, his assistant, are now colonels—Kentucky type.
A Christmas gift from Governor Ruby LaFount.

Conspiracy Charge
Is Dismissed Here

(Continued from Page 1)

Okla. Sale About Ends "U" Circuit
Sales of the 50 per cent interest in the ...condensed in the Park Central Saturday afternoon.

After the Saturday session a Chris- tmas party will be given at the end. On Sunday afternoon the new reels will be screened.

Ray Larsen, vice-president of The management, who will give the party Sunday, will have Fred McConnell at Path Garry.
Those who will attend will be Ray managers—J. L. Ross, Albany; Meyer Gruber, Boston; ...said, "... was a trip to Florida. He intended to leave for the south tomorrow."
Ed Finney's mother also is laid up with a bad case of the grippe. Edward Schultze has just gotten over a cold.

First Division Men To Discuss New Reel
Salesmen and branch managers will be given last talks on handling of the March of Time newsreel at a two-day session scheduled for First Division on the Park Central Saturday morning.

In the Sick Bay
Dave Levy, New Jersey branch manager for M-G-M, is home ill with a bad attack of the flu and has cancelled his vacation trip to Florida. He intended to leave for the south tomorrow.
Ed Finney's mother also is laid up with a bad case of the grippe. Edward Schultze has just gotten over a cold.

May Build Near School
Trans-Lux yesterday was granted permission by Supreme Court Justice Henry G. Wenzel to build a theatre near Erasmus High School in Brooklyn. A permit had been revoked by License Commissioner Mosse after protests by neighbors.

Fait Here for Product
William Fait, former Mexican branch manager for Warners, is in New York negotiating for independent producer for his own exchange in Brazil. He sails Jan. 29 for Rio de Janeiro.

ITOA Discusses Ball
Protection failed to come up yes- terday at the meeting of the ITOA. The major topic was the Movie Ball to be held Jan. 12 at the Astor. Two committees were appointed to handle tickets and the program.

Dowling Gravely Ill
LONDON, Dec. 19—Ambrose J. ("Bo") Dowling, former foreign sales manager of RKO, is seriously ill here. Little hope is held for his recovery.

"Music" Gets $52,000
Pre-holiday effects on theatre business this week in New York are pronounced. The Music Hall with "Music in the Air" tallied a gross of $52,000 for seven days. The picture is doing well with good reviews. The public was in a theatre-going frame of mind as "Limehouse Blues" at the Rialto gathered $14,000.

Offices Close Monday
From advance reports most of the home offices and exchanges will close Monday because of Christmas. Columbia and Paramount have already notified their employees that Christmas Eve will be a holiday for them as well, and will close early, maybe for a full day.

Kent, Marks Injured
East Liverpool, O., Dec. 19—Wills Kent, independent producer, and James Marks, Paramount employee, were injured here today in a collision between Kent's car and a truck. They were the only two objects on the road.

Exceptionally Fine Fo...
For ‘Better Understanding’ League; Better Days Seen

By B. B. KAHANE
President, RKO Studios

HOLLYWOOD, Dec. 20. — It is my opinion that in the coming year the pictures will be better. Pictures have been showing a steady improvement in quality year by year since production started and there is no reason to believe that this forward progress and improvement will be halted. Moreover, the experience of the past year has taught us that in the outstanding product that does exceptional business and accordingly producers.

(Continued on page 13)

Treasury to Study Overlapping Taxes

WASHINGTON, Dec. 20. — Treasury experts immediately will undertake a broad study of the tax situation, the first move toward a policy which will prevent duplication of taxation, ordered today by President Roosevelt. The inquiry will cover the three fields of Federal, state and municipal taxation, and will determine the extent to which the taxing agencies of each group encroach upon the others.

Tax experts have long held that

(Continued on page 7)

British May Bolster Block Booking Rule

LONDON, Dec. 20. — The block booking clauses of the quota act may be strengthened under the proposed revision of the measure, it was learned today.

(Continued on page 7)

Council Is Behind Clean Films Drive

The New York Council of the Legion of Decency, in the first meeting since its organization yesterday at the Empire State Club, declared

(Continued on page 7)

Some Talks, Some Ribbing, Some Crowd at Ampa Lunch

The dollar parade in exhibition and production, as revealed by tax returns filed with the Internal Revenue Bureau from 1928 to 1932 inclusive, is displayed on page 10 today.

1928-1932

The dollar parade in exhibition and production, as revealed by tax returns filed with the Internal Revenue Bureau from 1928 to 1932 inclusive, is displayed on page 10 today.

Kuykendall Is For Zoning to Preserve Code

Will Bring Order Out of Chaos, He Insists

Asserting that the establishment of clearance and zoning schedules is needed "to preserve the code," Ed Kuykendall, Code Authority member and M.P.T.O.A. president, yesterday renewed his demand for a fair and equitable method of clearance and zoning" and for retention in the code of the leasing clause with provisions for its enforcement added.

Kuykendall's declaration for retention of the leasing clause was a reiteration of his testimony given in Washington on Wednesday at a hearing before Deputy Administrator William P. Farnsworth on amendments proposed by Campeau, one of which would eliminate the provisions prohibiting interference with leases.

"A fair and equitable method of clearance and zoning must be secured for the theatre owners of this country to bring some semblance of orderly procedure out of the present chaotic

(Continued on page 10)

Smallley Lease Case Is Heard in Capital

WASHINGTON, Dec. 20. — Details of the controversy between William C. Smallley of Hamilton, N. Y., and the Meyer Studio over the possession of the Hamilton theatre were laid before the National Compliance Council today.

The case was brought to Washington.

(Continued on page 10)

Predicts a Buying Strike for Oregon

PORTLAND, Dec. 20. — Robert White, president of Allied of Oregon, in a signed statement, predicts independent theatres in this state will stop buying product before the July period because of increased percentage demands and discrimination in selling policies.

More Awards

Hollywood, Dec. 20. — The Academy will extend its annual awards this year to embrace short subjects. Composers and film editors also will be accorded recognition, form not yet determined.

For No Provision Made for Common Stock Issue

Complete disavowal of any obligation to Fox Theatres Corp. is made in the plan of reorganization for Fox Metropolitan Playhouse, filed by the holders of the debentures.

"The corporation is the owner of all of the stock of Fox Met and has filed a claim against the debtor for $4,536,427, but the claim was provided for in the original Fox Met plan prepared last month and was to be satisfied by payment of $100,000 to Fox Theatres, together with provisions for adjustments in theatre leases in which Fox Theatres has an interest. The completion of the

(Continued on page 10)

New RKO Sales Unit For the Continent

LONDON, Dec. 20. — Radio Pictures International, Ltd., was formed here prior to the departure for New York F. C. Philips Reissner, chairman and president for RKO, to handle sales on the continent and in the Near East.

D. Leishman, who heads the board of management of Radio Pictures, Ltd., here, is managing director of the new company, Ned E.

(Continued on page 7)

Manny Cohen—Utter confusion to Ben Schulberg and Walter Wanger.

Harsol B. Franklin—Better luck next time.


Evelyn White—A new plot.

M-G-M—Another Heast.

Winifred Skeehan—An alarm clock.

Al Jolson—To direct Walter Winchell.

Lyle Talbot—Fistichio ice cream.

Jeff McCarthy—Less back ache.

Lynn Farnie—A lime orchard.

Nick Schenck—More like "Copperfield."

M. H. Aylesworth—Another Dave Sarnoff.

Dave Sarnoff—Another Al Reoch.

Pam Berman—Less Low Brocks.

Low Brock—Less Pam Bermans.

Irena Mikel—A Swedish accent.

Marlene Dietrich—A two-pants suit.

Col. Varela—Another Frank Capra.

S. A. Lynch—To come out of the alley.

Lou Thoren—The answer to one perplexing question: Why.

Carl Milllin—Still more women's clubs.

Julie Lutich—The impossible in important film executives.

Mark Brothers—Zeppo.

Pete Smith—Colored shorts.

Max Baer—New powder puff.

Ben Bernie—Piccolo.

Louis Nizer—An emergency rep. kit for after dinner speeches.

Edward Bowes—a new microphone.

Ed Kev Krendall—Seven-legate boots.

Will Hays—A President's son-in-law, perhaps.

George Schaefer, Neil Agnew, Joe Unger, Milt Kusel—That...
"AND WHAT SHALL WE GIVE MR. AND MRS. EXHIBITOR for Christmas!"

(Oh boy! Turn over to the next page FAST!)
LEO SAYS—

40 BIG NATIONAL MAGAZINES REACHING 34,048,736 FAMILIES!

Pick up any important magazine and you'll find Leo's full-page ads on "DAVID COPPERFIELD."

Saturday Evening Post  
Woman's Home Companion  
Ladies' Home Journal  
McCall's Magazine  
Collier's  
Liberty  
Delineator  
Pictorial Review  
American Magazine  
True Story  
Cosmopolitan  
Woman's World  
Literary Digest  
Red Book  
News Week  
American Boy  
Open Road For Boys  
Boys' Life  
Film Fun  
Screen Romances  
Modern Romances  
Modern Screen  
Radio Stars  
Motion Picture  
Movie Classics  
Movie Mirror  
Photoplay  
Shadoplay  
Picture Play  
Hollywood  
Screen Book  
Screen Play  
Screenland  
Silver Screen  
Home  
Mystery  
Serenade  
New Movie  
Tower Radio  
Parents' Magazine

Because M-G-M's national magazine campaign on "Barretts of Wimpole Street" was so successful, Leo now gives exhibitors an even bigger campaign on "DAVID COPPERFIELD."
"MERRY CHRISTMAS"

with the Biggest National Magazine Campaign in Motion Picture history—

"There's a holiday gift that will be appreciated—papa, you're the Santa Claus of the motion picture business...now what do I get?"

"A full page in each of those magazines will let every family in America know about David Copperfield!"

**LEFT:**
One of the seven different styles of ads used.

(And there's a very timely suggestion on THE NEXT PAGE—)
Let's call him DAVID COPPERFIELD because 1935 will be best known for that!

The entire organization of M-G-M from its Studio to its Home Office and its Branches wishes you a Merry Christmas and Happy New Year!
Council Is Behind Clean Films Drive

(Continued from page 1)

through its chairman, ex-Governor Alfred E. Smith, that it would lend its fullest support to the efforts of the industry in providing clean pictures.

Smith also stated that the council would use every possible endeavor to assist Patro Cardinal Hayes in his demand for the maintenance of proper standards in public entertainment.

Here is the text of Smith's statement:

"We agree to marshal public support for motion picture industries carrying out the code for clean, wholesome, decent pictures. We stand firmly behind Cardinal Hayes in his endeavor to see that only clean pictures are shown."

The complete personnel of the council attended the meeting. Its membership follows:

Manhattan—James A. Farrell, former president of the U. S. C. and George M. Baldwin, former Mayor of P. O'Brien; Martin McGuire, John J. Dykman, and Alfred Tally, former judges of the Court of General Sessions.

Manoom—James McQuarrie.

Richmond—William T. Fetherston, former justice of the Court of Special Sessions.

Rochester—Supreme Court Justice William F. Bleakly.

Young and Putnam—John E. Mace of Poughkeepsie, former Supreme Court justice.

Syracuse and Rochester—Alfred O. Lucey. President—George Cook. 

James Dwyer.

New RKO Sales Unit For the Continent

(Continued from page 1)

Depinet, Reisman and R. W. G. Mackay are directors.

Phil Reisman is abroad the Empire of Britain, which is due here Saturday.

Deplore Dowie's Death

RKO executives yesterday wired condolences to London on the death of Sir Ambrose J. Dowie, former general manager of RKO Export Corp., and general European manager of that company.

Dowie had been ill for some time, the immediate cause of his death being attributed to pneumonia and complications.

London, Dec. 20—Death came to Ambrose J. Dowie on Tuesday night at the Rochester Hotel.

Treasury to Study Overlapping Taxes

(Continued from page 1)

Some consideration must be given to the increasing tendency to add to the burden of commodities and services already heavily burdened.

The study may result in a national conference on taxation to be called by President Roosevelt next summer to consider the development of a national system of taxation which would minimize overlapping. Film interests are deeply interested in the movement in view of the recent tendency of state agencies to impose admission taxes on top of the 10 cent Federal levy.

Meriden Polka to Open

Meriden, Dec. 20.—The Polka, which closed a short time ago, is set to re-open Dec. 24 on a straight film policy for the time being.

Walter Reade—A bidder—with cash—for the Mayfair.

Dick Powell—Flying trapeze.

Pat O'Brien—Reduction machine.

Drew Del Rio—enchanted, tortillas, maillot.

Stanley Bergerman—Orchids for his business—screwed, tortilla, maillot.

B. F. Zeidman—A megaphone.

W. M. A. McGurp—Ziegfeld's mirror.

Margaret Sullivan—Lorngettes.

Hortense Schor—The lowdown on what makes a good Martini.

George F. Kidd—A bush of spaghetti. Or a hot dog.

Helen Twileve—Another ace.

Irving Thalberg—Free-wheeling hour glass.

Lucile Hubbard—Stop watch.

Duke Ellington—Sneakers of silk.

Hunt Stromberg—Unbreakable film.

Bernie Hyman—Revised code.

Herb Robbins—Took away.

Sam Dembo—That deal.

Harry Arthur—To win the March.

Howard Hume—A suit in Kahalaboro.

Katharine Hepburn—Overalls.

Howard Diez—Revenge with or without.

Charlie Laughton—A vassarette.

George Raft—Another bodyguard.

Sylvia Sidney—Avocados.

Eddie Buzwell—Hitler's biography.

Vic Schertzinger—Another pink jade.

Howard S. Curnow—Roxo to stay in Philly.

First Division—Time and still under that.

Sidney Samuelson—A unit on Ely Kendall's home ground.

Lloyd Panporte—Pipes of Pan.

Dak Thomas—Dancing lessons.

Louise Mack—Romper.

Edwin Schallert—Better Times.

Jimmy Stark—Hair restorer.

Sidney Skolsky—Electric razors.

Ada Menju—Hat, coat and gloves.

Archie Mayo—Essicare.

James McDonald—Frigidaire.

Carole Lombard—Rhumba.

George Grauman—Fright wig.

Joe Schenck—Man o' War.

Will Rogers—Bankers' banquet.

Roxo Colman—Hermit's lodge.

George Ables—Tea and crumpets.

Jim Cagney—Doctor's degree.

John Blondell—Twins next time.

Bobby Burns—A bathing song.

Al Feinlander—No more titles.

John C. Flynn—One clearance and zoning schedule approved, just one.

Jimmy Durante—Nose guard and neckpiece.

Branch Tom—Emily Post's latest.

Lupita Velez—Mexican jumping beans.

Grady Swanson—Marital music.

Kitty Gallian—Slave bracelet.

Harry Cohn—Loudspeaker.

Sam Skewin—Velvet gloves.

Vera Moore—Men's suits.

Gene Raymond—Wave set.

Fred Keating—Canary Islands.

Fred MacMurray—Beans in the basket.

George Burns—Gracie's brother.

Claudette Colbert—Leopard skin.

Ginger—Another "chump.

W. C. Fields—Four Roses.

Bing Crosby—A Scotch phync.

Harry Suckian—To win a gold bracelet.

Local Exhibitors—More relief from Local 306.

Jimmy Greanger—Grosses, bigger and bigger.

Ed Greanger—Daddy's long legs.

Frank Mastro—The latest.

Tammany Young—Couple of gates.

Charlie Chaplin—Voice in the dark.

Dr. A. H. Gennini—A few kind words.

Al Kaufman—Mannie's nanny.

Francis Lederer—World peace.

Ginger Rogers—Doll's house.

Walter and Woolsey—Cigars and apples.

Al Roekert—History books.

Roy DeSylva—Hardy-gurdy.

John Stone—Trip to Zanzibar.

A. M. Bottsford—Toastsman's Guide.

Jeff Lazarus—Shuffleboard.

Ruby Valley—Web of love.

Monroe Shaff—Buddy Kessel and John Colombo—Another "Dealers in Death."

Doolie Fairbanks—Seven league boots.

Doolans, Jr.—Six league boots.

Mary Pickford—Just boots.

O. O. "Socks"—Twins for Mickey and Minnie.

Tom Mix—Big top.

Bob Berkeley—Gyroscope—teleoscope—Cody's scope.

Pat Casey—Palms Springs.

Anna May Wong—The right cue.

George White—Earl Carroll's chorus.

Sol Wurtzel—Rolette table.

Jean Joyce—Ruby Laffoon's red book.

Janet Gaynor—Prezels and ice cream.

Joyce and Slezick—Non-collapsible fountain pen.

Connie Bennett—Stratosphere.

Catherine Brown—A bluff.

Lionel Barrymore—Wood-cut set.

Wally Beery—Parachute.

Madame Chivalier—A Brown Derby.

Jean Harlow—Toy balloons.

Jack Lewis—Streamline.

Stockholders—Dividends.

Gene Pewlow—Tricycle.

Fred H. Harris—A flatboat.

Lowell Sherman—Vogue.

Mack Sennett—Golden egg for Fred.

Lew Henry—Chicken sandwich.

Lew Ayres—More ginger.

James Dunn—Shirley Temple.

Stephan Fertich—Molasses and sulphur.

Edward Lowe—Westphalian morse.

“One Night” Heads Review Board List

“One Night of Love” has been selected by the National Board of Review as the most entertaining picture of the year. Next is “The House of Rothschild” followed by the line by “The Barretts of Wimpole Street,” “The Thin Man,” “It Happened One Night,” “Night Must Fall,” “Mr. Smith Goes to Washington,” “Of Human Bondage,” “Queen Christina,” “Treasure Island” and “What Every Woman Knows.

The board has also the following as the 10 most artistic American pictures of the year: “The Coast of Portugal,” “Cradle Without Passion,” “Eskimo,” “The First World War,” “It Happened One Night,” “True Godfathers,” “The Great Gatsby.”

His Hour Is 4:30

Mandat Street Hall, former film critic of The New York Times and now a broadcaster of reviews over station WEFB, has decided to start his program at 4:30 P. M., Monday, not 1:30 P. M., as reported earlier.

MacKenzie Studies Sound

Malcolm MacKenzie, sound technician for Monogram Studios, is making a study of the eastern laboratories in connection with sound printing. He arrived last Sunday and leaves today.

Victor McLaglen—Beauty sleep.

Frank Lloyd—Orchards to you.

Roy Kelton—Volume of Rabelais.

Jamon Runyon—Horsefeathers.

Warner Baxter—Moose gun.

Helen Dryden—Tie savages.

Alice Faye—Valleys with mountains.

Kathy Fears—Big Bad Wolf.

B. B. Kahane—One-man top.

Merian Cooper—Hungo-peng-pong.

Kenneth MacGowen—Little art guy.

Edie Mannix—A new paradise.

George Cukor—Harry Revel's waistline.

Sam Katz—Kittens on the keys.

Ford Wilson—Boy栽are.

Mark Sandrich—Broccoli.

E. B. Schderschak—Atlas.

Fred Astaire—Neckties and socks.

Helen Dryden—Tie savages.

Bob Montgomery—Two-goal polo handicap.

Bill Powell—Best cellars.

Norma Shearer—Basinette.

Hal Roach—Transcontinental.

Tay Garnett—Starting date for “China Seas.”

Woody Van Dyke—Spectrometer.

Anna Steen—Shashlik.

Darryl Zanuck—Eddie Canto's chest.

Langdon Riebe—Tie savages.

Boleslawski—Gary's skis.

William K. Howard—Coca-cola.

Adie Taylor—Laughter un-a-loud.

Henry Ginsberg—Bagatelle.

Nat Levine—Cup pistol.

Joe Levine—Little composition.

Trem Carr—Kidde Carr.

Sol Lesser—Something greater.

Eddie Canto—Just a long place.
THE MOST SENSATIONAL

First Joe Cook comedy for January release
Produced by Al Christie
Presented by E. W. Hammons
SHORT SUBJECT NEWS IN YEARS

COOK

America's one-man circus, and No. 1 Clown of the stage, now making big laugh features in two reels for Educational Pictures.

You get star values such as this in short subjects only from Educational Pictures.
A 5-Year Financial Picture

WASHINGTON, Dec. 20.—The following table, prepared by the Washington bureau of Motion Picture Daily, traces and gives details of corporate returns of theatres and producers from 1928 to 1932 inclusive as filed with the Internal Revenue Bureau:

Film Houses Reporting Net Income

<table>
<thead>
<tr>
<th>YEAR</th>
<th>NUMBER</th>
<th>GROSS</th>
<th>NET</th>
<th>LOSS</th>
<th>TAX</th>
</tr>
</thead>
<tbody>
<tr>
<td>1928</td>
<td>1,219</td>
<td>$293,079,000</td>
<td>$34,009,000</td>
<td>$1,728,000</td>
<td>$3,627,000</td>
</tr>
<tr>
<td>1929</td>
<td>1,203</td>
<td>378,063,000</td>
<td>41,044,000</td>
<td>1,972,000</td>
<td>4,105,000</td>
</tr>
<tr>
<td>1930</td>
<td>1,295</td>
<td>394,681,000</td>
<td>43,135,000</td>
<td>2,218,000</td>
<td>4,613,000</td>
</tr>
<tr>
<td>1931</td>
<td>1,385</td>
<td>265,919,000</td>
<td>26,005,000</td>
<td>2,352,000</td>
<td>4,650,000</td>
</tr>
<tr>
<td>1932</td>
<td>587</td>
<td>180,374,000</td>
<td>13,683,000</td>
<td>257,000</td>
<td>1,814,000</td>
</tr>
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</table>

Film Houses Reporting No Net Income

<table>
<thead>
<tr>
<th>YEAR</th>
<th>NUMBER</th>
<th>GROSS</th>
<th>DEFICIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1928</td>
<td>94</td>
<td>$114,703,000</td>
<td>$12,346,000</td>
</tr>
<tr>
<td>1929</td>
<td>1,046</td>
<td>127,775,000</td>
<td>18,650,000</td>
</tr>
<tr>
<td>1930</td>
<td>1,025</td>
<td>118,423,000</td>
<td>13,390,000</td>
</tr>
<tr>
<td>1931</td>
<td>1,148</td>
<td>281,133,000</td>
<td>21,582,000</td>
</tr>
<tr>
<td>1932</td>
<td>1,995</td>
<td>325,116,000</td>
<td>73,019,000</td>
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</table>

Other Theatres Reporting Net Income

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<tr>
<th>YEAR</th>
<th>NUMBER</th>
<th>GROSS</th>
<th>NET</th>
<th>LOSS</th>
<th>TAX</th>
</tr>
</thead>
<tbody>
<tr>
<td>1928</td>
<td>433</td>
<td>$137,014,000</td>
<td>$9,555,000</td>
<td>$596,000</td>
<td>$1,022,000</td>
</tr>
<tr>
<td>1929</td>
<td>323</td>
<td>63,007,000</td>
<td>5,196,000</td>
<td>472,000</td>
<td>870,000</td>
</tr>
<tr>
<td>1930</td>
<td>239</td>
<td>28,898,000</td>
<td>6,759,000</td>
<td>477,000</td>
<td>1,086,000</td>
</tr>
<tr>
<td>1931</td>
<td>182</td>
<td>28,574,000</td>
<td>12,366,000</td>
<td>112,000</td>
<td>2,130,000</td>
</tr>
<tr>
<td>1932</td>
<td>78</td>
<td>97,400,000</td>
<td>1,307,000</td>
<td>230,000</td>
<td>147,000</td>
</tr>
</tbody>
</table>

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<tbody>
<tr>
<td>1928</td>
<td>503</td>
<td>$67,742,000</td>
<td>$11,443,000</td>
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<tr>
<td>1929</td>
<td>443</td>
<td>60,602,000</td>
<td>30,305,000</td>
</tr>
<tr>
<td>1930</td>
<td>403</td>
<td>31,393,000</td>
<td>14,347,000</td>
</tr>
<tr>
<td>1931</td>
<td>372</td>
<td>31,142,000</td>
<td>7,312,000</td>
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<tr>
<td>1932</td>
<td>341</td>
<td>27,064,000</td>
<td>2,009,000</td>
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Producers Reporting Net Income

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<tbody>
<tr>
<td>1928</td>
<td>106</td>
<td>$219,254,000</td>
<td>$19,246,000</td>
<td>$2,639,000</td>
<td>$1,938,000</td>
</tr>
<tr>
<td>1929</td>
<td>101</td>
<td>280,303,000</td>
<td>50,238,000</td>
<td>2,202,000</td>
<td>5,330,000</td>
</tr>
<tr>
<td>1930</td>
<td>84</td>
<td>357,137,000</td>
<td>31,835,000</td>
<td>871,000</td>
<td>1,690,000</td>
</tr>
<tr>
<td>1931</td>
<td>54</td>
<td>29,066,000</td>
<td>6,969,000</td>
<td>445,000</td>
<td>818,000</td>
</tr>
<tr>
<td>1932</td>
<td>54</td>
<td>14,649,000</td>
<td>1,145,000</td>
<td>181,000</td>
<td>135,000</td>
</tr>
</tbody>
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Producers Reporting No Net Income

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<td>100</td>
<td>$11,012,000</td>
<td>$2,256,000</td>
</tr>
<tr>
<td>1929</td>
<td>142</td>
<td>53,422,000</td>
<td>8,588,000</td>
</tr>
<tr>
<td>1930</td>
<td>124</td>
<td>53,503,000</td>
<td>8,447,000</td>
</tr>
<tr>
<td>1931</td>
<td>145</td>
<td>412,252,000</td>
<td>11,372,000</td>
</tr>
<tr>
<td>1932</td>
<td>151</td>
<td>176,446,000</td>
<td>13,344,000</td>
</tr>
</tbody>
</table>

Huge Poster Drive Is Set by Industry

(Continued from page 1)

Hays organization. The posters, which will be mailed out at monthly intervals, will be in the regulation one-sheet size, 28 by 42, and each will carry "a message dramatizing vividly the service of the screen to all types of audiences." The poster series is in charge of a committee composed of Howard Dietz, S. Charles Elkins, Paul Gable, William Wyler, Elia Kazan, Charles E. McCarthy, Hal Horne, S. Barrett McCormick, Herschel Stuart, P. L. Thompson, and Gordon S. White. M. Leonce Brucker is the artist.

Kuykendall Is For Zoning to Preserve Code

(Continued from page 1)

The case is one of two out of 15 involving the interference clause with the Smile Authority has been decided.

The decision will be awaited with interest in view of the recommendation of Campi for elimination of the provision from the code on the ground that it is unenforceable.

Thompson Reporting On Grievance Board

(Continued from page 1)

Thompson's criticism of the board will touch on the second and third string substitutions for original appointments, it is understood, which will be added or be eliminated by the board since it is decided by the courts for injunction.

Brandt Case Up Today

Harry Brandt's clearance claim against Warners for reduction of the 30 days' protection of the Regent, Newark, over the Rialto, same city, will be heard today by the New Jersey grievance board, is making a return of the board's activities during the year for submission to Compliance Director Sol. A. Rosenberg.

Columbians to Dine

The Columbians, made up of Columbia employees, will hold their annual Christmas luncheon at the Edison on Monday.
THE LARGEST NUMBER OF THEATRES EVER TO PRESENT AN ATTRACTION SIMULTANEOUSLY WILL HONOR THEIR SCREENS THIS HOLIDAY SEASON WITH

HEPBURN

IN SIR JAMES M. BARRIE'S

"THE LITTLE MINISTER"
SIR JAMES M. BARRIE'S

"THE LITTLE MINISTER"

JOHN BEAL with ALAN HALE

DIRECTED BY RICHARD WALLACE • A PANDRO S. BERMAN PRODUCTION
For ‘Better Understanding’ League; Better Days Seen

By B. B. KAHANE
(Continued from page 1)

will strive for the “bigger” productions and avoid the mediocre type.

Grosses should increase, first, because better productions usually bring better grosses and awareness of films and there are unmistakable evidences that the country is out of its mental doldrums or, at least, is on the way out, and this psychological improvement in the viewpoint of the people of the nation will have a favorable effect on box- offices.

It is up to the industry to help the up-swing in business and sentiment by making outstanding pictures that will provide varied and worthwhile entertainment to theatre-goers. We will participate in the return of prosperity in every way that we can if we do our share to promote that prosperity.

By A. MONTAGUE
(Continued from page 1)

Its premise—better understanding between producer and exhibitor, who something fundamentally sound and highly desirable. With perfection of this relation automatic cooperation between producer and exhibitor is natural and inevitable. And this condition, in turn, will create increased revenues.

In its strongest manifestation, confidence is translatable to differentiation between the great picture and the “sleeper” and to exploit the former in a manner enabling him to extract from it all available revenue to the advantage of producer himself. The production is sold to the exhibitor on the basis of confidence. This means, it sells to the public on the same premise. Every one is satisfied and every one benefits, whereas in the absence of this confidence a tremendous amount of playing time would be sacrificed in proving to the public the worth of the attraction. The gross loss of time always is against the producer and exhibitor alike and adversely affects the business of both.

One’s assets in the industry cannot be regarded solely upon a computation of realty holdings, or of the value of leaseholds. The greatest equity lies in a richer value—the relation he has to others. He can manage with those with whom he does business.

Some Talks, Some Ribbing, Some Crowd at Ampa Lunch

(Continued from page 1)

managed to keep everybody but Arthur Tracy and Nick Lucas interested for the duration of the two and one-half hour luncheon. Tracy and Lucas were preoccupied with thinking up Bing Crosby songs which they crowed over with a dedication to their absent comrade. They caused C. C. Pettijohn, who trailed them on the program, to lament that he, too, didn’t know any of Crosby’s songs, old or new, to sing.

The charitable notes were struck by Mrs. Nixie and Alphonse, who called attention to the need for aiding the industry’s unfortunates and cited, anonymously, deserving cases known to the administrators of A.M.P.A.’s charities.

“Not all of these cases,” Alicate reassured the gathering, “are like Nicer. We sent him a Christmas basket last year and he called his butcher to carry it. He must have been designated to return the oranges because they weren’t Sun- kist.”

Pettijohn called the charity appeals of these two the “best act of the day,” despite the fact that “too many sweet things were said.”

Harry Herschfield, Cheese Club president, augmented the appeal for remembrance of those down on their luck by pointing out that many in the industry minimize the plight of others because all around are people who still have some money. “Why are we apathetic?” Hershfield said, “to be like the little Pavlovish woman who was approached by a panhandler, ‘Please, murn, please, I’m hungry, and I can’t eat.’ The woman said, ‘I won’t eat for four days.’ Responded the woman, ‘You should force yourself to eat.’ This, apparently so conveyed to Billy Ginsburg, presiding at the time, that he followed up by introducing Red Kann as editor of Motion Picture Herald and Jack Cohen as president of Columbia.

Thereafter, Sally Rand, who dis- dains dancing rainier than other than feathers or transparent halos, was introduced and launched a dissertation on her art and the relation to it of merch. adsing and window underdressing.
Frenzied Impatience

Sirs:

Am enormously interested in TIME's brilliant new venture. THE MARCH OF TIME, INC. As a resident of a small Indiana city I'm hoping that its showing will not be confined to metropolitan areas. A large group of TIME-readers and MARCH OF TIME enthusiasts are awaiting the debut of your first reel in our area. We will petition the manager of THE MARCH OF TIME, INC., knowing that there is no appeal for an extension.

Yours truly,

P. K.

620 Second St. 
Brooklyn, N. Y.

Sirs:

The Warner Theatre in Ridgewood, the Hawthorne Theatre in Hackensack, and the Pascack Theatre in West Milford are the ones I patronize most often. I would like to see THE MARCH OF TIME, at any or all of them.

Yours very truly,

E. H.

224 Richards Rd.
Ridgewood, N. J.

Sirs:

I would like to see the MARCH OF TIME shown at Madison Theatre, New York.

Yours truly,

E. A.

Wampsville, N. Y.

Sirs:

Interested in your new venture. I, local theatre for showing in The Centennial Theatre.

N. L. T.

2312 E. Federal St.
Baltimore, Maryland

Sirs:

Have been enjoying THE MARCH OF TIME over the radio and will be very pleased to hear same in the movies.

Yours truly,

W. H.

33 Mildred Terracotta Ave.
New York, N. Y.

Sirs:

I would like to have THE MARCH OF TIME exhibited at the Bronx Theatre.

G. C. V DEG.

650 Fifth Ave.
New York, N. Y.

Endt

The New Major

HARRY A. THOMAS, Pres.

THE MARCH OF TIME

1936

THE MARCH OF TIME

HARRY A. THOMAS, Pres.

THE MARCH OF TIME

HARRY A. THOMAS, Pres.

THE MARCH OF TIME

HARRY A. THOMAS, Pres.
Ruling Brings Ascap-Federal Trial Nearer

Judge Mack Rules Upon Broadcast Queries

Trial of the monopoly suit against Ascap by six radio stations and the Associated Authors & Publishers brought the Pennsylvania Broadcasting Co. in federal court here two years ago with a single aim — to bring a step closer yesterday with雏 ruling by Judge Julian W. Mack — he being the only plaintiff in the plaintiffs' interrogatory which Ascap will be required to answer.

Indications are that the action, which is backed by the principal national broadcasting companies and seeks dissolution of Ascap as a monopoly, will be speeded through its preliminary stages and held in readiness (Continued on page 3).

Mich. Beano Game Is Ruled a Lottery

GRAND RAPIDS, Dec. 21 — Exhbitors, who have been fighting for more than a year to rid the city of a two-step nearer success this week when the state Supreme Court justices handed down a decision that the game is a lottery. As this was the only aspect of the case which the high court agreed to consider, the matter was referred back to the Kent County courts, where a beano game operator is charged with operating a lottery. The ruling is expected to put an immediate end to all the games here. (Continued on page 4)

Seattle First Runs Drop Double Bills

SEATTLE, Dec. 21 — Dual features will be a thing of the past among first runs by Jan. 1.

First to abandon the policy was the Newbery, where Lewis Von Doner, manager, assumed single last month as a way to avoid Columbia.

This week Harwick's Music Box reverted to single features, after (Continued on page 2)

Fines Imposed for Use of Three Films

Fines of $250 for authorized distribution of "Movie Crazy" and $50 for similar sale of "Spashing Thru" and "Bugville Romance" were imposed this week by the Federal Communications Board. The fines were imposed for violation of the Radio Act of 1927, which makes it unlawful to distribute films without first obtaining a license from the Federal Communications Board. (Continued on page 3)

Breen Declares He Will Stay In Production Job Until 1936

Hollywood, Dec. 21 — In reply to rumors current here that he would leave his present position to join Universal, Joseph 1. Breen, production code administrator, last night issued a formal statement denying he had contemplated any change.

Breen stated that he has a definite commitment to carry on as administrator of the code until March, 1936. He admitted, however, that "one of the major producing companies" had offered him an important executive position, but that he had declined because of responsibilities he had to the companies employing him and to the public at large to remain as code head.

No Change in Code Authority Planned

WASHINGTON, Dec. 21 — Orders issued by the National Industrial Recovery Board to place a full time code representative on code authorities of national industries in order that the public interest may be adequately represented will have no effect on the film code, it was made known today.

Under the terms of the order, "under some circumstances per diem (Continued on page 3)

Report Middle West For Scrapping NRA

KANSAS CITY, Dec. 21 — In a poll of the middle west, the Kansas City Chamber of Commerce have determined that three-fourths of the producers there do not support the NRA.

First Division Set To Start on Jan. 15

HOLLYWOOD, Dec. 21 — First Division Pictures, located at Mack Sennett Studios, will get under way about (Continued on page 2)

Lasky Sees Bigger Profits; Golden Waxes Philosophical

By EDWARD GOLDEN
Sales Manager, Monogram

The best way of looking into tomorrow is to look back on yesterday.

Success is assured for those who have their feet on the ground and are not fantastic in their imagination. Constancy to the belief that an idea is creative of tomorrow.

Yesterday is gone, only as a step for tomorrow. In (Continued on page 2)

M-G-M and Loew's Restore Pay Cuts

M-G-M and Loew's yesterday restored to all employees on both coasts all salary reductions made since 1932. The order will result in increases of from 10 to 30 per cent for employees who receive pay reductions in those amounts during the past two years. The restorations are effective with today's pay checks. Both companies are also understood to be distributing bonus checks to employees today as Christmas gifts.

Trans-Lux Officers Hold Their Control

The fight for control of the Trans-Lux Daylight Pictures Screen Corp. terminated yesterday in a victory for the acting management.

According to Percy N. Furbur, president, there are 4,127 stockholders in the company and 2,551 of these voted at the meeting, with 2,441 voting for the casting of their ballots in favor of the acting management. The vote in favor of the present management was 399,471; against, 232,005.

Stuart Webb, president of Pathé; Edward W. Marshall, a Boston banker, and Edwin G. Lauder, executor (Continued on page 4)

Providence Hit by Free Radio Program

PROVIDENCE, Dec. 21 — Pack another cracked ice bag for exhibitors. Right on the heels of the free Standard Oil show last week came announcement of (Continued on page 4)

No Paper Tuesday

Motion Picture Daily will not publish on Christmas Day, Tuesday, Dec. 25.
Lasky Sees Bigger Profits; Golden Waxes Philosophical

By JESSE L. LASKY

(Continued from page 1)

producers can be trusted to turn out showmanship attractions.

The process of new personalities has been an outstanding development in the industry's progress during 1934 and 1935. Another striking turn-over of talent.

The interest of subjects to be filmed, there will be marked departures from the past. Routine plots will give way to themes. Sex and bedroom stories will disappear from the screen. And sombre subjects will give way to those which are cheerful and optimistic.

Musicals, I predict, will become a permanent part of the industry's program. The tendency, however, is toward filmic production of this type. Class musicals and light operas will be favored.

Technical improvements will be noted also in next year's product, particularly in color photography. Audiences are now evidencing real interest in color on the screen, and the 1935 pictures will contain more of it than ever before.

The much-publicized drive for film reform brought splendid results and played an important part in dignifying the screen and raising the level of entertainment. It proved a real factor with the public, and will continue to be effective in 1935, contributing to bigger grosses at the box-office.

The ordinary program picture has lost command success with the public. Consequently, the producers will aim, more than ever, for pictures which combine distinction with popular appeal.

By EDWARD GOLDEN

(Continued from page 1)

looking into the future, one is safe to say that the right thing today is the right thing tomorrow and will take care of itself.

We feel that the business of showmanship and those of us who are fortunate enough to be showmen have nothing to fear in tomorrow's show business.

Tomorrow is only tomorrow—and today is beautitul!

Consolidated Film Industries

**| High | Low | Close | Change | Sales |
---|------|-----|-------|--------|-------|
Eastman Kodak, pfd... | 120 | 108 | 112 | +4 | 3600 |
New York Life... | 85 | 75 | 81 | +2 | 1500 |
Lowis, Inc. | 85 | 75 | 81 | +2 | 1500 |
Paramount Film Publs... | 50 | 40 | 54 | +4 | 2000 |
Path Exchange... | 15 | 13 | 14 | +1 | 2000 |
RKO... | 30 | 25 | 30 | +5 | 2000 |
Warner Bros... | 30 | 25 | 30 | +5 | 2000 |

Trans Lux Gains Eighty on Curb

**| High | Low | Close | Change | Sales |
---|------|-----|-------|--------|-------|
Technicolor... | 125 | 125 | 125 | 0 | 2000 |
Trans Lux... | 10 | 5 | 15 | +10 | 2000 |

Warner Bonds Drop Half

**| High | Low | Close | Change | Sales |
---|------|-----|-------|--------|-------|
General Theatre Equipment 6% 50's... | 105 | 95 | 95 | +5 | 2000 |
Paramount Broadway 5% 14's... | 450 | 450 | 450 | 0 | 2000 |
Paramount F. 6% 13's... | 50 | 50 | 50 | 0 | 2000 |
Paramount Publs 5% 15's... | 65 | 65 | 65 | 0 | 2000 |
Pathe 7% 30's... | 65 | 65 | 65 | 0 | 2000 |
Warner Bros. 6% 19's... | 59 | 59 | 59 | 0 | 2000 |

First Division Set To Start on Jan. 15

(Continued from page 1)

Jan. 15, when the unit starts work on a Hoot Gibson western, the first of four. No directional assignment has been made.

The company has four untitled features also lined up for spring release. The film is made by a local producer, who also will direct, and will be released by the studio, has returned to New York.

Detroit Opening Dec. 24

Detroit, Dec. 21—First Division will open its new exchange here ahead of Christmas, with an informal housewarming. Harry H. Dowling, manager of the First Division Exchanges, will not be able to be here because of a meeting in New York. He will make a trip by Wednesday to work out the final details. Milton E. Cohen, for six years a salesman for Columbia here, is in charge.

Doubling Ill Long Time

London, Dec. 21—Ambrose C. Palmer, who has been in London three weeks for the last two days before his death. He suffered a stroke in New York 18 months ago, and another just before leaving London last October. Ten days ago fever and pneumonia set in. The body will be shipped to America, where Columbia general services will be held. The boat has not been selected.

Putnam to Honolulu

Hollywood, Dec. 21—George Palmer Putnam, chairman of Paramount's New York executive board, and his wife, Amelia E. Hart, sail for Honolulu Saturday on the Lurline. The couple will spend three weeks vacationing in the islands.

Verne Porter on Own

Verne Porter, former story executive of a number of major film companies and at one time editor of New York, has opened offices as a literary agent. He passed away. He has been in a partnership. The new venture is solo.

Books Again in St. Louis

St. Louis, Dec. 21—Stage shows return to the Missouri, F. & M. house, on Saturday. After the first week it is planned to put on 10 acts of vaudeville in conjunction with the usual program. The mission will continue 25 cents for adults and 15 cents for children at all times.

Lowe Gets Promotion

Hollywood, Dec. 21—Edward T. Lowe, who has been a member of the fox writing staff, has been made an associate producer working with the Wolcott unit.

Smith, Wilk Start East


Signs Frances Langford


Laemmle on Coast Dec. 24

Hollywood, Dec. 21—Carl Laemmle, Jr. is due here Monday for conferences with his father and James R. Granger.
Operator Pay Comes Up at Talks Today

(Continued from page 1)

reached recently under unions and exhibitor heads. Where relief from both costs is sought, each case has been handled individually.

In some instances the relief given is as much as 15 per cent under the scales invoked at the time Sam Kapp was head of Local Co. That was then settled by independents that when the basis scale is set the percentage will be increased.

Today’s session, a second report of the NRA fact finding committee will be discussed. At the meeting last week two proposals were aired. One was for setting up a scale based on seating capacity and admission charges of all local operators’ unions under the I.A.T. S. E. for a term of years with Local 365 men preferred for jobs.

This plan sought arbitration at least every one or two years for revision of the local scales.

Independent film owners object to the allocation of scales according to ability of the exhibitor to pay.

No Change in Code Authority Planned

(Continued from page 1)

administration members may be authorized by the directors to act for or to serve instead of full time administration members,” and this clause has been availed of to continue the present setup of the film code.

It was explained that the film code representative would have to be in touch with the industry and that it was considered advisable that Compliance Director Sol C. Siegel, Jr., and Administration Adviser William P. Farnsworth should continue in charge.

Report Middle West For Scrapping NRA

(Continued from page 1)

that prevailing sentiment among business leaders is that the NRA should be allowed to die June 16 next and no new legislation should take its place.

A brief supporting that position will be submitted to the U. S. Chamber of Commerce. The end to avarice and speculation by speculators in 14 central western states.

“It is the consensus of much good that has accrued through the operation of the NRA,” said Mr. Dean.

“However, it is felt that adverse provisions of codes and unfair rulings of administrators have operated to the detriment of business and decreased employment to a greater degree than the good otherwise accomplished. These drastic rulings have made it difficult for many industries to survive, much less prosper.”

Against RCA Revision

Adoption of any plan for revising the capital structure of RCA was advocated against for the time being in a report to the board of directors yesterday.

Hollywood Personals

Hollywood, Dec. 21—Constance Collier gets her first big role in "The Shadow of Doubt" at M-G-M. . . . Francis Lister gets a role in "Canary," Friday, Wellesley with Regis C. He is assistant director, resigns at United Artists to join his former boss, Sam Taylor, at Roach. . . . Mr. and Mrs. Frank Lawton will spend Christmas week in New York. . . . Sam Neely. . . . "Spinning Mice," the first all color "Toddy Tale" novelty to be released by Radio, in production. . . . Dudley Nichols completes work on the script of "Crusaders" and leaves Paramount.

Mixed Bill Pulls Heavily, Lincoln

Lincoln, Dec. 21.—The Orpheum tops the list in the downtown theater this week. In spite of the Christmas slump, the opening three days of "Love Time" and the Mamie Smith and Andy Kirk colored stage show, followed by "Silver Streak" for four, which features the Burlington Zephyr, a demoralized cow-choo, the average gross is $3,700.

"Peck’s Bad Boy" was all right for $1,200, but the "Painted Veil" was a real hit with $2,900.

Estimated takings for the week ending Dec. 19:

"LOVE TIME" (Fox).
ORPHEUM—1,200, 11-25-26c. 3 days with Mamie Smith stage show. "Silver Streak" (Roadshow) for our house. Gross: $3,700. (Average, $2,300.)

"PECK’S BAD BOY" (Fox).
LINCOLN—1,600, 10-25-26c. 7 days. Gross: $2,100. (Average, $300.)

"POWER" (Gaumont British).
VARSITY—1,100, 11-26c. 7 days. Gross: $2,800. (Average, $400.)

"PAINTED VEIL" (M-G-M).
STUART—1,900, 11-26c. 4 days. Gross: $3,500. (Average, $875.)

Philadelphia Tent Will Meet Dec. 30

Philadelphia, Dec. 21.—All members of the Variety Club, recently formed here with Earl Sweeney of the Netherlanders as president, will have a special get together at the Warwick Hotel on Dec. 30. Induction of officers and granting of a charter took place recently at an informal dinner given by John H. Harris of Pittsburgh attending.

Headquarters of the club have been opened in the Netherlanders building and it’s a four-story building exclusively for the organization.

Expect Big Cine Party

Cincinnati, Dec. 21.—Eight hundred children, wards of local orphanages, are expected to attend Variety Club’s Christmas party Sunday at the Plaza Hall of Mirrors, where a 20-foot tree will be erected.

In addition to singing Christmas carols to be entertained by local exchanges, will be shown, and other entertainment provided. Each child will receive an appropriate present.

Transportation for the children and their chaperons will be furnished by the club.

Variety Takes in Baer

Cleveland, Dec. 21.—Max Baer, heavy champ, was made an associate member of the Cleveland Variety Club at its last luncheon meeting, when he and his young brother, Buddy, were guests of honor. Buddy entertained with a song, while his famous brother told stories of the ring.

"Painted Veil" at $9,000, Portland

Portland, Dec. 21.—Pre-Christmas show marked a good opening in spite of a continued wealth of quality product. "The Painted Veil" was held over at United Artists and its 16-day run had a take of $9,000, or $400 over a normal week.

"Anne of Green Gables" in its second week at the Music Box secured a take of $2,600 or $500 over the usual.

"Hell in the Heavens," supplemented by a stage show at the Paramount, made a continuation of $9,700 or $2,000 over normal.

Total first run business was $34,000. Average gross was $2,400.

Estimated takings for the week ending Dec. 15:

"STUDENT FOUR" (M-G-M).
BROADWAY—(1,100), 25-30c. 7 days. Gross: $3,500. (Average, $500.)

"TOWN CRIER" (Paramount).
FOUNTAIN (All). Portland.
CHEATING CHEATERS (Universal).
ORIENTAL—(2,400), 25c. 7 days. Gross: $4,300. (Average, $600.)

"AGITATION OF INNOCENCE" (Radium).
HAMMERSLEY’S ORPHEUM—(1,000), 25c. 3-5c. 6 days. Gross: $2,000. (Average, $333.)

"ANNE OF GREEN GABLES" (M-G-M).
VALENTINE (Radio). 25c. 6 days. Gross: $1,000. (Average, $166.)

"HILL IN THE HEAVENS" (Fox).
PARAMOUNT—(1,000), 25c. 3-5c. 7 days. Gross: $2,100. (Average, $300.)

"PAINTED VEIL" (M-G-M).
UNITED ARTISTS—(945), 25c-30c. 10 days. Gross: $2,000. (Average, $200.)

Writt Won’t Halt ‘Dream’

Hollywood, Dec. 21.—The tempo of shooting 'A Midsummer Night’s Dream' has not affected the project on the picture, it was learned at Warners today, although the imprompto is forced by the wish to remain intact until Dec. 27. Haen德尔 charges Haen德尔 was growing tired of "The Dietl Domini." London several months ago.

Frank Beal Dies on Coast

Hollywood, Dec. 21.—Frank Beal, 53, assistant director, lately active in character acting, died last night after several months illness. He is survived by his wife and parents. Beal was assistan director to director at Universal, and two daughters. Burial will be tomorrow at Hollywood Cemetery.

J. J. McGuinness Dead

Boston, Dec. 21.—J. J. McGuin-ness, former manager of the Variety Clubs of Massachusetts, died unexpectedly this afternoon. He had been absent from the office due to a severe cold. Heart failure is believed to have been the immediate cause of death.

Ruling Brings Ascap Federal Trial Nearer

(Continued from page 1)

for an immediate trial in the event delays are encountered in prosecution of the Government’s anti-trust action against Ascap, the broadcasting companies and other music publishing groups which would defer trial of the Federal action to any length. If, however, a speedy trial of the Government case is impossible, the judges are that the broadcasters’ suit may be permitted to rest and re-commence, in light of the Government losing its action.

Ascap apparently gained a point by the opinion handed down yesterday by Joe Mack, who held that E. C. Mills, Ascap’s general manager, could file personal objections to answering certain questions contained in the broadcasters’ interrogatory. Judge Mack’s ruling was made on the grounds that if the questions objected to were not to present a monopoly against Ascap, it would be innoculating itself by answering them. Mack’s objections in this respect the privilege of any witness, "which is not to answer questions which are relevant and material, and which should be extended to Mills.

Objects to Divulging Receipts

The questions objected to by Ascap relate to the number of licenses it has issued and the gross receipts from them from 1932 to 1933. 

"If these are relevant to proof of a monopoly," Judge Mack’s opinion states, "they are also relevant as tending to show a crime and, therefore, are incriminating."

His ruling also applies to questions seeking testimony of all licensees, holding "operators’ broadcasting licenses" and the income received from them, including the R.A.D.A. and/or Ascap to its members from 1932 to 1933; the number of U. S. and foreign publishers of musical compositions the judicial proceedings are based on, and whether such copyrights are held by Ascap, and the American copyrights acquired by Ascap during the period in question.

Ascap’s objections to answering plaintiff’s questions relating to salaries or compensation is paid to its president, secretary and general manager from 1932 to 1933, and to questions as to its operating expenses and attorney’s fees paid during the same period, on the grounds that the questions were "personal and confidential." 

G. S. Beck, president of Ascap; Louis Bernstein and Jerome Kern are defendants in the action in addition to Mills.

Awarded $75,000 in Fox Leasehold Suit

Boston, Dec. 21.—A jury in Middlesex County Superior Court returned a judgment of $75,000 in the suit brought by David Stoneeman, Boston, against the RKO Film Corp. over commissions alleged due on leaseholds he secured for two Fox playhouses, subsidiaries of the picture company, which bills itself as the "place to complete the deals because of bankruptcy."

Stoneeman was out of town today. At the Fox exchange the only comment was: "The suit is settled as far as we here are concerned."
Fines Imposed for Use of Three Films

(Motion Picture Daily, December 22, 1934)

**Short Subjects**

**“Pathes News”**

The Pathes News editors have here compiled an interesting record of exciting events during 1934. The fields of sports, politics, time, aviation and industry are covered.

The reel opens dramatically with flashes, which have been used by the cold, droughts, floods and fire. It then reviews with brief scenes, but the excitement continues, Dillinger, the major factor, appears.

The story continues with training for his fight with Carnera, the streamlined train and so on into the new developments of the NRA. Running time, 10 mins.

**“Don Quizote”**

(California)

This is a burlesque of Cervantes’ immortal story. Audiences anywhere should find a great deal of entertainment in the film. It is funny, the musical accompaniment good and the color extremely striking.

It tells the story of a new asylum which reads the story of a knight of olden times and imagines that he himself is Don Quizote. He escapes from his cell and goes forth to battle a windmill, to come out second in the encounter. He then strives to rescue what he holds dear, an distorts only to have her turn out to be an ugly old maid. As a result of this encounter and defeat, he is sent to an asylum. Reviewed without Production Code Seal. Running time, 8 mins.

**“Henry’s Social Splash”**

(Universal)

Henry Armetta makes this short, a Warren Doane production, one of the funniest comedies Universal has released in a long time. When his wife and daughter wheelied him to going out, he found he had no society life. As a result, Henry finds himself in strange waters.

The formalities of society irk him, in the end he bursts and vents his indignation with great effect. Other players are Elaine Baker, Sylvie Pickle, Franklyn Pangborn, Lucien Pérish and Fred Kellin. Code seal No. 368. Running time, 214 mins.

**“The Whole Show”**

(James Barton has an opportunity to display his various talents in this short, which is nothing more than vaudeville. The performer gives a two and a half million of himself. The film is a mélange of song, dance and humor.

On the program with Barton are Gladys Wakefield, Will Ahearn, the Arkansas Travelers, Kathry McNamara, John Barton and the dance team of Beverly & Ezel. This has much to recommend it. Code seal No. 0220. Running time, 20 mins.

**Court Weighs Photo Suit**

(Boston, Dec. 21.—Municipal Court Judge Charles L. Garr has taken advisory the $50,000 suit brought against the Park Entertainment Corp. by Fofa Lush of New York. The suit charges the use of her photograph in a lobby display at the Park, operated by the company.

**MOTION PICTURE DAILY’s HOLLYWOOD PREVIEW**

**“The Night Is Young”**

(M-G-M)

Hollywood, Dec. 21.—Laid in a mythical locale, perhaps near Vienna or Berlin. With a familiar plot with the framework of an archdeuke (Ramon Novarro) that-away about a ballet dancer (Evelyn Laye) but prohibited from marrying her by the previous selection of his nate by his royal uncle, who looks like the late Franz Joseph, an operaettas has been evolved under Dudley Murphy’s direction that conveys a Continental flavor.

 Una Merkéd, Edward Everett Horton, Charles Butterworth, Charles Judels and Herman Bing are humorous delights in their respective comedy roles, but the script takes meager advantage of their splendid talents.

Vicki Baum wrote the story with the screen play by Edgar Allan Woolf and Oscar Hammerstein. 2nd, wrote the libretto and Sigmund Romberg the music.

The production team, with so-called pomp, clank and uniforms, larded over with Teutonic chicanes of yesteryear. Novarro and Miss Laye sing together while romancing. The music is technically good, but the tunes for the mass to whistle are missing. Murphy, known for unusual direction, has used mechanical technique. James Wong Howe, one of Hollywood’s ace cameramen, photographed well.

Where Novarro draws this may attract, but it will require energetic resourcefulness to lift it above the average.

No code seal. Running time, 83 minutes. “G.”

**“White Lies”**

(Columbia)

Hollywood, Dec. 21.—Dealing with a newspaper editor whose nose for the truth is finer than his own, this proves sufficiently entertaining. The story rambles in spots. However, good cast performances lift the film perceptibly.

Walter Connolly is excellent as the hard-boiled editor who makes Victor Jory a police chief to please Fay Wray, his daughter.

At the same time Connolly publicizes the thievish of Leslie Fenton, who is doing his best to make good his former mistakes. The climax features the murder of Miss Wray’s friend by the accused Fenton and the subsequent arrest of Miss Wray as the murderer.

Jory, in his role as police chief, feels obligated to prosecute Fay. He wins, however, by musical technique.

Harold Shumate has turned in a creditable script. Leo Bulagkov displayed keen intelligence in the direction. Fenton, Connolly, Fay Wray, and Irene Hervey, as Fenton’s girl friend, turn in top notch performances. Good box office results.

This is average entertainment, but will need shrewd exploitation for box-office results. Production Code Seal No. 555. Running time, 74 minutes. “G.”

**“Million Dollar Baby”**

(Monogram)

Hollywood, Dec. 21.—Based on a clever idea, this comedy affords much opportunity for smart showmanship. Given a popular, topical premise, the yarn tells of the discovery of another Shirley Temple, Ham and Egg Trooper Ray Walker and Airline Judge, disguising their son as a girl much to the kid’s embarrassment, win the contest. Sneaking off the train during his triumphant trip to Hollywood, the youngster falls in with a tramp, later to become involved with a bunch of gangsters. Believed kidnapped, the yarn builds flamboyant excitement to be climaxed by a thrill chase and denouement revealing the pseudo Shirley as a boy.

Performances are uniformly good with Walker, as the father, and George Stone, a publicity accelerator, outstanding. Concentrating on one comic episode last in the closing sequences makes for unusual suspense. The triangle of romantic conflict between Miss Judge, Walker and Jeanette Loff is secondary.

Joseph Stanley is credited with the original story and direction with cooperation on the screen play by John Kraft. The picture apparently has a hokum quality that should click in neighborhoods and smaller houses and prove more than satisfactory to youngsters. Previewed without cut production code seal. Running time, 65 minutes. “G.”

**Flash Review**

The Prescott Kid—...as rip-roaring a western as the star (Tim McCoy) has ever appeared in.

This film will be reviewed in full in a later issue of Motion Picture Daily.

**Fines Imposed for Use of Three Films**

(Continued from page 1)

U. S. District Judge Murray Hubert, according to the Herald, was defendant was Hoffarth of Honolulu.

The plaintiffs on the Harold Lloyd picture were the Harold Lloyd Corp. and Paramount Picture Distributing Corp. The plaintiffs on the two Van Beuren Shorts were Pathe Exchange Inc., the Van Beuren Corp. and RKO Pathe Distributing Corp. Gabriel V. Hess was attorney for the plaintiffs.

The testimony showed that the Copyright Protection Bureau discovered the Lloyd film being shown in Maine under the title “Hollywood Bound.”

**Providence Hit by Free Radio Program**

(Continued from page 1)

a free radio “amateur night” each Saturday at the Metropolitan, sponsored by the radio station. The Saturday’s show drew around 2,000 patrons.

These “amateur nights” are real menace to the theatre men, contend. The radio sponsors pay cast in for the air, and then offer small cash prizes for the appearance of between 20 and 40 “entertainers.”

**Seattle First Runs Drop Double Bills**

(Continued from page 1)

several months of duals. This house will play extended runs from Hammer’s. It also books first runs when extended runs are not available.

Last to abandon duals will be the Paramount, which started them six weeks ago with vaudeville in addition. Christmas week will see the end of double features there.

**Trans-Lux Officers Hold Their Control**

(Continued from page 1)

of the Albee estate, were elected to the company’s board of directors at the meeting.

It had been previously revealed at the first half of the meeting, which was held Wednesday, that the company earned a net profit of $168,985 for the 10 months ended Oct. 31, sufficient to warrant another 10 cents dividend, bringing total payments for this year to 20 cents.

**Arthur C. Melvin Hurt**

Baltimore, Dec. 21.—Arthur C. Melvin, Fox salesman for any years here, is in a hospital suffering from a fracture of the left arm, broken ribs, and possible internal injuries which he received when he was struck by an automobile while crossing North Avenue near Druid Hill Avenue last night. He is in a serious condition.

**Hawth E. Mau Injured**

Cincinnati, Dec. 21.—Hawth E. Mau, Fox salesman for the Shubert and Cox here, under whose supervision the houses are operating, suffered a broken collar bone and other injuries when his automobile struck a telephone pole. His condition is not serious.
SEC Calls for Bonus, Salary Payment Facts

All Sums Over $20,000 To Be Required

WASHINGTON, Dec. 21.—Under the terms of the new regulations requiring the filing of corporation data with the Securities Exchange Commission, salaries, bonuses and security holdings of officers and directors must be made available for the commission's study.

Officers and directors receiving $20,000 in the last fiscal year will come under this regulation. Profit-sharing plans are included in the reports. In addition, all officers and directors receiving $20,000 or over must be identified in the reports.

In addition, the same information will be required for all persons receiving more than $20,000, paid directly or indirectly, whether or not they are officers or directors of a corporation, excluding those acting (Continued on page 4).

Production Cut Predicted; Films' Appeal Seen Wider

By NED E. DEPINE President, RKO Dist. Corp.

In 1934, for the first time in years, producers made a thorough inventory of the industry. The stock-taking showed them remarkable things.

They found a truly remarkable advance in the public taste. They saw motion pictures winning thousands of new friends with intelligent, entertaining screen versions of literary treasures and of stories and (Continued on page 4).

England Gets Restive Over Free Showings

By BRUCE ALLAN

LONDON, Dec. 23.—Exhibitors throughout Great Britain have been asked to send the general secretary of the C. E. A. details of the "free show" evil as it affects their districts. The intention is to accumulate evidence for presentation to the Board of Trade with a request for special regulation of these shows.

Assertion is made that safety regulations are disregarded at exhibitions held for advertising and other purposes, and also that the obligation to show a percentage of British films does not apply to "free" shows. Exhibitions of this type are frequently held in halls not licensed under the Cinematograph Act.

The fall in the profits of the Associated Provincial Picture Houses was ascribed to the competition of new (Continued on page 4).

Custom Rebates on Film Set in Canada

Toronto, Dec. 23.—The Canadian Department of Customs has made a ruling with regard to the importation of film subjects from British studios whereby the Canadian importer is now (Continued on page 2).

New Tax Hits Funds Sent Out of Mexico

By JAMES LOCKHART

Mexico City, Dec. 23.—Distributors and others who are obliged to send money abroad for the payment of anything but merchandise are now saddled (Continued on page 2).

Make Further Moves to Join Local Unions

Revised Pay Scales Also Discussed at Confabs

The Greater New York projectionists' unions will come under an organization having a new name if current efforts to consolidate Local 306, Allied and the Empire State unit are successful. It was learned after conferences of union officials, theatrical representatives and Compliance Director of Code Authority headquarters.

Conferees on merging the unions and thus bringing about a cessation of picketing, as well as to agree on a revised wage scale for Greater New York, closed over the weekend. Suggestions were considered for basing the wage scale on a point system to be determined by capacity, and running admission price.

Attending the meeting in addition to Rosenblatt were Charles L. O'Kelly, Harry Brandt, C. C. Moskowitz, Marvin Schenck, George Brown and Leslie E. Thompson.

Omaha Houses Stop Ads in Rate Fight

OMAHA, Dec. 23.—Twenty suburban houses and downtown split first and second run house, the Town, have withdrawn their advertising from the Omaha Bee-Neue, Hearst newspaper. It is understood a squabble over failure to secure reduced ad rates brought the suburban managers to the decision to withdraw.

The Muse, managed by August Herrmann, is the lone suburban to stick with the Bee-Neue and as a consequence it is getting unprecedented publicity play from the newspaper. The boycott started quietly over two weeks ago.

Joseph Engel Joins Fox as a Producer

HOLLYWOOD, Dec. 23.—Joseph Engel, a veteran in production and for years with the old Metro company, has been made an associate producer at Fox. His first will be "Ten Dollar Raise," which Lew Selle will direct.

No Paper Tomorrow

Motion Picture Daily will not publish on Christmas Day, Tuesday, Dec. 25.
INSIDERS' OUTLOOK

A NY time Dave Selznick ticked off production, a discriminating employer could do worse than take him as a producer, a gener- 
gangst, sometimes known as a 
public relations counsel. For 
Dave, facing expiration of his 
M-G-M contract in February, has 
turned in a swell job for himself 
and his cause. Those stories, 
planted around, about (1) a tie- 
up with "Jock" Whitney and 
(Tiffany) Pictures and (2) a 
memorial company perpetuating 
the name of Lewis J. Selznick, 
have worked out emi-
nently well. Which is another 
way of saying Leo will renew 
with Dave at the same, or a big-
gger, fancy weekly stipend. It’s 
$4,000 now, you know.

A fact or so about John Boett-
tiger, a new assistant to Will 
Hays. Long a Chicago Tribu-

tace and for the last two years, 
he was this brash young man’s 

paper’s editorial excitement 
against the New Deal into lead-
ing questions for the President 

to answer or no at those famous 

White House press conferences 
twice a week. Yet by way of noting 
how these matters often do and 
according to Westbrook Pegler, 
the fellow and the brethren and 
their close friends out of the political 
area. Boettiger also is the chap 
whose name has been linked ro-
mantically with Anna Dall, 

Roscoe’s. Some 

Washington correspondents have 
written their papers the engage-
ment leading to a wedding is 
approaching. A President’s son-

in-law in the Hays offices would be something new.

Perhaps getting ready for 
his Christmas trip, a man who 
succeeded in misappropriating a para-

graph in this department last 

Wednesday with results mislead-


ing and somewhat embarrassing.

The inadvertent prank made it 
appear that the Paramount stock-
holders’ committee, which is 
charged with the task of 
more company and industry men 
to the board of the new 
company, is taking that position 

and that it might become from the 

wandering paragraph: "A heavy rep-

resentation of company men (on 
the board), they contend, would 

make it of a ‘rubber stamp’ body, 
inclined, to give unquestioning 
approval to anything bearing an 
executive recommendation."

Had that paragraph appeared 
in its correct place in line, it 

would have explained, as was 

intended, the objections of the 
creditor factions opposed to 
the election of company men to 
the board. These factions hold that 
the specialized advice of company 
executives will be available to the 
new board, whether or not those 
executives are members of that 
body. It is those groups frown-
ing on the election of company 
men who entertain the apprehen-
sion that a board of company 
executives might become a "rub-


ber stamp" group, which they 

feel, thus might give approval to 
policies which led Paramount into 

financial difficulties in the past.

The view of the stockholders’ 
committee, like that of most 

others within the industry, is that 

a board top-heavy with bankers 
and economists strange to the 

ways of filmland, is more likely 
to stumble into pitfalls which ordi-

narily would be sidestepped by 
the board of industry executives, 

familiar with the paths that must 
be traveled. The danger from 

the execution of this change is 

more immediate than that from 
company “cliques.” In the mean-
time, as is its habit, time moves on 
and December 27, as important as 
day as any in Paramount’s his-

tory, nears. It’s worth keeping 
an eye on.

William Randolph Hearst 

continues to wave the editorial 
baton at the propaganda which alleg-

edly crimsons part of the Holly-

wood; and in the latest effusion, to 

wit: "People do not want propaganda of any 

kind thrust into their entertain-

ments" is true enough, however, 

might well be given to the 

film colony bosoms. Beyond that, 

poor [clipping]. Charles E. Richardson, 

now a Paramount trustee, may 

be there, too, but his vice-presi-

dent. Some talk Eugene Leder 

also a trustee, will figure in 

the new management.

ARIE BERNBAUM has taken 

over the New York office of In-

terprise. J. George Feinberg, in charge of sales, 

will be transferred to the factory at 

Union City, Ind., after the first of the 

year. Peter Masucci, installation 

engineer, will go with him.

JAMES O’BRIEN New England 

representative of Metro-Golden- 

Corp., has also been appointed 

New England representative for the U. S. 

Airs.

Irving Browning addressed the 

Film & Photo League on "The Came-

r and Its Present Possibilities" last 

night. George Friedman, Columbia’s gen-

eral representative in England, is in New 

York for talks with Foreign Sales 

Manager Joseph Selznick.

Paul Sloane has delayed his 

departure west and now will be in tow 

for Christmas.

Bill Lasker is in New York for a 

week. Then back he goes to his Para-

mount post in Boston.

E. T. Dawson has taken charge of 

sales promotion for Cosmopolitan 

Studios.

New Tax Hits Funds 

Sent Out of Mexico

(Carried over from page 1) 

(Continued from page 1) 

although the amount is not 

as large as one would expect 

in the case of large Mexican 

distribution companies which 

are not able to send funds 

abroad, but the fact that 

the tax will affect all funds 

sent out of the country does 

mean that it is not a minor 

matter. However, no specific 

data on this subject was 

available at the time of 

writing.

Roxy Premiere Set

PHILADELPHIA, Dec. 23.—Premiere 

of "The Poor Men among Them,” 

who attended the national 

premiere at the Mammoth 

theatre formally opens its 

Christams Eve with a stage show 

conceived by Roxy and "Sweet Adeline 

on the screen.

MOTION PICTURE DAILY

Vol. 36 No. 148

Monday, December 24, 1934

MARTIN QUIGLEY

Editor-in-Chief and Publisher

A. RAMOS

Advertising Manager

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American, except Canada $15 and foreign 

$32. Single copies: 10 cents.

Custom Rebates on 

Film Set in Canada

(Carried on page 1)

able to secure a rebate on 

duty on re-

leases which are not retained for 
distribution in the Dominion. The 

Govern-

ment allows rebates onSound pro-
cessing of 

new pictures previewed by re-

presentatives in London, and those 

considered unsu-

itable for Canadian con-

sumption have been on the 

spot. Even under this plan, some 

features have been sent back after 

inspection, and the distributor 

has been out the amount of the duty, 

plus shipping charges.

Ohio Tax Starts Jan. 1

COLUMBUS, Dec. 23.—Although 

collection of the retail sales tax 

will not start until Jan. 1, the 

percent on gross admission 

ti-
The Most TRUSTWORTHY

STELLAR acting...inspired direction...superb camera technique...should these elements of a hit ever be jeopardized by use of any but the most dependable film? Unmatched scientific research, manufacturing experience, and distributing facilities...brilliant performance every day, all over the world...these factors all point to Eastman Super-Sensitive "Pan" as the most trustworthy negative for any picture. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super-Sensitive Panchromatic Negative
SEC Calls for Bonus, Salary Payment Facts

(Motion Picture Daily)

Production Cut Predicted; Films’ Appeal Seen Wider

By JOSEPH M. SCHENCK

(Continued from page 1)

England Gets Restive Over Free Showings

(Continued from page 1)

SUIT IMPENDS IN ST. LOUIS ON F.N. FILM

(Continued from page 1)

MOTION PICTURE DAILY

Monday, December 24, 1934

SEC Calls for Bonus, Salary Payment Facts

(Continued from page 1)

as transfer agents, registrars, trustees under corporate mortgages or in like capacity.

In the reports, data must be furnished after the announcement by any director, officer or underwriter during the three years preceding enactment of the renewal, and of any other corporate.

involving more than 10 per cent of any class of equity must be named.

Corporations must report their gross sales unless the commission decides, after application, that disclosure of this information would be harmful to the corporation.

Joseph F. Kennedy, chairman of the commission, anticipates little opposition to the bill. They were framed, he states, after consulting with accountants and industry representatives and were aimed "as reasonable as possible." He also indicated that the commission hopes to make the reports "less cumbersome and less expensive."

A primer of instructions is being issued with the reports. One of the important conditions, with the detailed reports on securities outstanding, or to be issued, is that earned surplus must be reported separately from other surplus, and, where other companies are controlled, individual reports for the subsidiaries and consolidated reports will be required.

Many Film Concerns Dissolved in Albany

ALBANY, Dec. 23.—Among the 15,000 New York corporations recently dissolved were Columbia Pictures, Edward J. Flynn for failure to file an annual franchise tax return during the past five years are found 41 film companies.

Those companies dissolved were: Astor Pictures Corp.; Astromate Film Sales Co., Inc.; Bellwsy Motion Pictures Corp.; Boston Motion Pictures Corp.; Consolidated Motion Pictures Corp.; Concordia Sound Film Corp, of America; Dependable Film Corp.; Dreyfus Film Corporation; Florida Pictures Corp.; Fosssee's Film Facts, Inc.; Forrest Films, Inc.; Gold- Hawk Pictures Inc.; Gold Talking Pictures Corp.; Goodart Pictures; Harmony Pictures Corp.; Hodew Motion Picture Laboratories, Inc.; Hollywood Industrial Film Corp.; Hollywood Screen Gems, Inc.; Homestead Pictures, Inc.; Imperial Pictures, Inc.; Manhattan Film and Sound Studios, Inc.; Minstrel Records, Inc.; Motion Ex- hibitor Publishing Co., Inc.; Neslo Picture Corp.; New American Film Exchange; Oxford Film Exchange, Inc.; "Paddocks" Produce- ing Co.; Paris Picture Film Corp.; Paramount Motion Picture Corp.; Public Safety Pictures, Inc.; Radiotele Pictures Corp.; Republic Motion Picture Produc- tion Film Co., Inc.; St. Regis Pictures Corp.; T. P. Enterprises, Inc.; Twentieth Century-Fox Prod., Inc.; Sowbelz Films Distributing Corp.; Solshin Films, Inc.; Stober & Steinberg, Inc.; Studio of the World Talking Picture Corp.

Wilmington Local Elects

WILMINGTON, Dec. 23.—Philip Jones of Wilmington has been elected president and Donald E. McCarus is vice-president; Albert B. Williams, secretary; Edward T. Veasey, treasurer; A. G. Goddard, general agent; Charles A. Joseph, additional members executive board.

Dick Powell Re-signed

Hollywood, Dec. 23.—Dick Powell has been signed by Warners to a new seven-year contract.
MPTOA Urges Need of Code Overhauling

Bulletin to Membership Points Out Faults

The necessity of entirely revising the code when and if Congress enacts new NRA legislation next June is suggested as a possibility in a current bulletin issued by M. P. T. O. A. exhibitor members on Monday. Reviewing the yearning operation of the code, the bulletin states that "perhaps it will be necessary to revise the entire motion picture code, simplify and clarify its provisions in the light of experience, remove the dead wood left out the jokers, put in the important unfair practice provisions and present place more responsibility and authority on the local boards, provide for fewer appeals to..."

Seek Missouri Aid For Enforcing NRA

KANSAS CITY, Dec. 25.—Incorporation of NRA provisions in the Missouri laws is urged by the Greater Kansas City NRA Code Council, a newly formed group consisting of representatives of code boards. Fred J. Willson, attorney and impartial member of the grievance board.

Miller Wins Ruling In Maywood Dispute

CHICAGO, Dec. 25.—Jack Miller, head of the Chicago Exhibitors' Ass'n, and a partner in the theatre firm of Lamsky & Miller, won a break for his house from the local clearance and zoning board. The Miller house claim involved a protest filed by K. K. Theatres in the matter of a..."

Brandt and Warners End Clearance Row

After raising considerable fuss over previous unexpected postponement of his case, Harry Brandt amicably settled his clearance protest against..."

National Stand Up To Wisconsin Group

MILWAUKEE, Dec. 25.—One of the attitudes to be considered by the new independent Theatres Protective..."

Must Lower Negative Costs, Says Zukor; Feist Confident

By FELIX F. FEIST
Gen'l Sales Mgr., M-G-M

The material betterment in economic conditions throughout the world, the steadily improving volume of domestic trade, the perhaps even more optimistic and confident attitude in industry and commerce, and especially the healthy and substantial progress in restoration of public confidence promise an accelerated pick-up in general business during the coming year. These important external factors seem to me, give assurance of con..."

By ADOLPH ZUKOR
President, Paramount Public

The most important factor facing the industry in 1935 is not that of increasing gross but rather that of lowering negative costs. During the past year negative costs have climbed at a rate of speed equal to all proportion of any parallel increase in grosses, thereby reducing the margin of possible profit and seriously jeopardizing the future of the industry. Unless the studios can decrease negative costs without affecting the..."

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Near Solution Of Basic Wage For Operators

Solution to the problem of setting up a basic wage scale for New York theatres Monday as I. A. T. S. E., circuit and independent heads met for the third time in succession to iron out the union situation. A fourth session is scheduled for today at Campi headquarters.

Mills Ruling In Maywood Dispute

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Labor Board to Act On Operators' Pact

KANSAS CITY, Dec. 25.—The local regional labor board is to get a contract dispute involving the Independent..."

Report Richardson Quits as a Trustee

Charles E. Richardson is reliably reported to have tendered his resignation as a trustee of Paramount Public..."
Insiders' Outlook

ELSWHERE this morning and by way of a post-Christmas cold shower. Adolph Zukor has something to say. It's important, if not new. We let him talk a bit:

"The most important matter facing the industry in 1935 is not that of increasing grosses, but rather of lowering negative costs. I view this rise in negative costs as a potential threat to the business. Under his belt who insists on making pictures regardless of budget, he will argue that it is the entertainment glow caught on celluloid which tells the story and, of course, he is correct. But when that glow is achieved through color, like the Bank of England, or a good, old American institution like Chase National, quiver, then what? There is the producer who insists on printing a color picture is only a good picture when made at a price, said price almost guaranteeing or at least indicating that a profit is a reasonable outcome of his effort."

For, today, and yesterday, the spectacular ridiculous continues of Hollywood-ites who should know better making pictures for themselves or for others—others, not in the ranks of theatre or the public, but others who, by their position, make or break the status of the film colony's Four Hundred. An old Hollywood custom: exalted and editorialized about while flourishing nevertheless and notwithstanding. In other words, a very cute idea, the cost of which has to be borne somewhere, is the line and ultimately by Hollywood itself, although relatively few there comprehend it.

It goes beyond. Coast tycoons are of two ilk, for better or for worse. There is the type of producer, the man with a couple of successes, the accidental millionaire, under his belt who insists on making pictures regardless of budget. He will argue that it is the entertainment glow caught on celluloid which tells the story and, of course, he is correct. But when that glow is achieved through color, like the Bank of England, or a good, old American institution like Chase National, quiver, then what? There is the producer who insists on printing a color picture is only a good picture when made at a price, said price almost guaranteeing or at least indicating that a profit is a reasonable outcome of his effort."

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Moreover, there is little reason to suspect that the patient stockholder may be expected to continue to take it at the wrong end simply because New York has such a year-long drought in making the bad boys of Hollywood give up the candy stick. However and as that may be, this is written in full knowledge of the Yeulette situation and so no answer is here being volunteered. One reason for that is this column is not at all certain it knows. Second, that maybe there is a type of stock whose business it more directly is, seems to be cracking minds and backs about it so why turn ponderous here when gayety and good cheer presumably are to prevail? . . .

Nick Schemel, an unexpected surprise these days. First he breaks his standing rule which rules off forecasts on pictures, to bespeak his praise on behalf of "Irish," Nick Schemel, sees the year's first movie to flip the few remaining pages on 1934's calendar to say a thing or two about 1935 which everyone is hoping, as usual, will be a lusty infant. Hearken: "The business in 1935 should be good, even better than in 1934, which has been most satisfactory. I do not see the industry as a company alone but for the industry in general. Having had an opportunity to study the program of most organizations and to discuss general plans with the executives in charge, I am convinced that the quality of the pictures themselves is steadily improving. Producers, directors and players are ambitious not only to succeed but to stamp their work as worthwhile. The industry each year grows more capable of intelligent activity. At one time it used to be said too often that motion pictures were in their infancy. To-day we are one up and they are acting grown-up. Therefore I am most optimistic."

And here the hope is echoed.

K A N N

First Division Men Hear Selling Talks

Speeches by principal executives in First Division highlighted the one-day sales meeting of all branch managers throughout the length and breadth of the country. Those who spoke were Harry H. Thomas, president; John Curtis, Roy D. Quigley, Charles Rosenweig and Henry R. Lace, vice-presidents.

Instructions on sales were given to the branch managers, the initial screening of the first March of Time release. About 40 attended.

Korda After Barrymore

LONDON, Dec. 25—John Barrymore is negotiating for the Korda monopoly of the British film, according to G. A. Atkinson in The New Era. This, the report continues, may be "Hamlet," although Barrymore has been telling newspapers in India he may make a picture there.
STEP OUT IN 1935 WITH THE BIG SHOES
Sirs:

I am very much interested in your announcement of having "The March of Time" appear in the moving picture houses. I think this is a wonderful opment and something that you should be justly congratulated for.

Please advise me when the first one will get so far out as the State of Washington and Tacoma.

E. L.

Duluth, Minn.

March 11, 1935

Sirs:

I have read your magazine for a number of weeks. I notice an article which will be shown at the York, Ypsilanti, Mich.

J. D.

Raleigh, N. C.

March 3, 1935

Sirs:

We hope the new movie feature THE MARCH OF TIME will be shown at the First Theatre, Niagara Falls, N. Y.

J. S. M.

Niagara Falls.

March 8, 1935

Sirs:

Having had the pleasure of seeing the March of Time and Fortune Building at Fair late this summer, I am glad to hear that you are going to make them available to the public. I would suggest the Cinema Theatre at 131 East Chicago Ave as a good spot to show them to a great number of TIME readers. All the more welcome the opportunity to have them so close to home as you are to the greatest success story, I am.

C. H. M.

58 East Washington St.
Chicago, Ill.

March 11, 1935

Sirs:

I have just finished listening to my best radio program, THE MARCH OF TIME and am writing immediately regarding the new movie. I am looking forward to seeing the same and hope to enjoy it for a long, long time.

Long live to TIME

M. G.

284 Union Avenue
Irvington, N. J.

March 12, 1935

Sirs:

I would appreciate seeing it on the screen, I say that it would enhance our good program on the radio as it is projected through larger fields that we are able to do now.

According to your request as to when it would be shown, I have been informed that the March of Time series will be exhibited in one of the following places:

P. B. S.

Union Trust Building
Pittsburgh, Pa.

March 10, 1935

Sirs:

Your family would be interested in being the first to see THE MARCH OF TIME on the screen. I say that it would enhance our good program on the radio as it is projected through larger fields.

A. E. B.

State College, Pa.

March 10, 1935

Sirs:

I have read with interest the announcement in the current issue of TIME of the inauguration of The March of Time news series. Being a cover-to-cover reader of TIME and an eager listener of the radio March of Time, I do want to be "in on" the first joining of eye and ear appreciation of the efforts of TIME'S staff.

Acting on the suggestion made by your advertisement, I suggest that in Duluth, the March of Time series be presented at the Lincoln Theatre for the following reasons:

First, it is the largest theatre, showing always first run pictures, and

Second (more important) the advertisements in the local papers and features shown at the theatre include the name of the town and shorts that go with them.

F. K.

1312 E.

Duluth, Minn.

March 11, 1935

Sirs:

I am very much interested in THE MARCH OF TIME at St. Mary's College, Fort Wayne, Ind.

M. L. S.

6 St. Mary's College
Muncie, Ind.

March 11, 1935

THey are eye-witnesses...
IT'S WHAT THE PUBLIC WANTS

THE public has definitely approved of Time's announcement of a new kind of a motion picture.

Read these letters from all over the country. All talking about THE MARCH OF TIME and its coming debut on the screen. Cash customers of thousands of theaters asking that this new series of pictures be shown in their favorite theater. It's never happened before in the history of the motion picture industry.

But it's no accident. The producers of the March of Time (twenty minutes long and released once a month) are not guessing at public appeal. Into the MARCH OF TIME on the screen goes the same ideas, resources and successful presentation that have made Time & Fortune Magazines and the March of Time on the radio, the greatest box office successes in their fields.

By the time this advertisement appears hundreds of exhibitors will have heard directly from patrons of their houses. Positive proof that the public wants the MARCH OF TIME on the screen. Bring this ready made audience to YOUR theater.

Released Through FIRST DIVISION

The New Major

HARRY A. THOMAS, PRES.

CO PLAY

Montgomery Hill
City

Dear Gum:

Last night in listening to MARCH OF TIME on radio, they announced that they would have for distribution in January, MARCH OF TIME pictures. As their magazine and radio broadcasts have been so interesting, I hope you will secure these pictures for Greensboro.

J. R. O.
Greensboro, N. C.

Sirs:

Regarding your new "Venture" as announced in this week's TIME, I am pleased to recommend the "Paramount" at this point as the leading motion picture theatre and the place selected to exhibit the "New March of Time."

G. G.
Idaho Falls, Idaho

---

F. J. C.
17 Huntington Avenue

Copy of the following letter attached:

Poli's
Franklin Square

Attention of the Manager Gentlemen:

As fairly regular patrons of your theatre, my wife and I are hopeful that the news reel, THE MARCH OF TIME, which is to be released by TIME, Incorporated, for showing during January, can be obtained and shown at your house.

TIME's radio program has appealed to us and to our friends as one of the best on the air, and it seems to us that they would turn out a very interesting picture. We are going to see this new release wherever it is shown in this vicinity, and we sincerely hope it will be possible to view it at your theatre.

J. L. T.
Tucson, Ariz.

Sirs:

I would like to have the MARCH OF TIME shown at the Fox Theatre or the Opera House in Tucson, Arizona. I am looking forward to seeing your intelligent and interesting presentation.

EVEN BEFORE RELEASE
THOUSANDS ARE DEMANDING IT
THIS IS A GOOD TIME TO CHECK UP ON HEARST METROTONIC NEWSREEL!

ON October 2nd
M-G-M gave you the
FIRST issue of the
NEW Hearst-Metrotonic
NEWSREEL with
EDWIN C. Hill as
THE Globe Trotter . . .
WEEK after week
WITH a consistency
THAT amazed
ALL competitors
WE presented the
MOST complete
NEWSREEL entertainment
ON the market
OUR promise has been kept—
WE go on to the New Year
HAPPY in your praise and confidence.
CAN we keep it up?
SEE next page!

Edwin C. Hill. He made good!
AND THE CLIMAX OF A YEAR OF ACHIEVEMENT!
23 HISTORY-MAKING NEWS EVENTS IN ONE ISSUE!

Read the synopsis below of the most amazing issue of any newsreel in film history!

EDWIN C. HILL Reviews
THE NEWS PARADE OF 1934!

Special edition of Hearst Metrotone News presents a spectacular panorama of the history-making events, outstanding thrills and highlights of the year!

EUROPE'S TRAGIC YEAR
Albert of Belgium heads 1934's toll of rulers called by death—His son takes the throne.
Chancellor Dollfuss victim of assassins amid tumultuous scenes in Austria.
Turmoil in Paris arouses populace and upsets Cabinet ministers.
President Von Hindenburg passes.
King Alexander, of Jugoslavia, assassinated as mob battles in memorable films.
Pope Pius, undismayed by world unrest, spreads gospel of peace; proclaims New Holy Year.

HISTORY-MAKING FLIGHTS
Scott and Black win 12,000-mile London to Melbourne race—New records mark progress of aviation.

OUTSTANDING DISASTERS
Record drought turns Mid-west into a Sahara—10,000,000 cattle suffer.
Chicago stockyards destroyed in worst fire since 1871.
India earthquake kills 15,000 and does $40,000,000 damage.
Fire and storm wreck Japan's industrial centres—Thousands die.
Tower Morro Castle burns in 1934's most appalling sea horror.

THE WAR ON CRIME
Lindbergh baby kidnapping sensation! Arrest of Bruno Hauptmann is startling climax to two-year hunt.
June Robbins abduction has happy ending. Child is returned after 19 days in desert tomb.
John Dillinger, Public Enemy No. 1, trapped at last and killed by Federal agents.
Al Capone, Machine Gun Kelly and forty others go to Alcatraz, America's Devil's Island.
Baby Face Nelson, Dillinger aide, killed in Government's relentless hunt.

STRIKE EPIDEMIC PASSES
General strike paralyzes San Francisco. Rioters bombed with tear gas by police.

A YEAR OF SPEED AND THRILLS
New streamlined express makes coast-to-coast in 57 hours.
Sea and land planes set new records. Fatal crashes mark speed attempts.
Russia thrills world with biggest mass parachute jump ever made.
Cavalcade's great victory in the Kentucky Derby.
The thrilling Indianapolis auto race.

AMERICA MARCHES ON!
Franklin Roosevelt first President to visit Hawaii.
Reviews mightiest navy spectacle since war time.
New Deal spurs industry. Nation marches on with President!
Allied Owners Taking Stand on Para. Plan

(Continued from page 1) factions to make the decision on opposing the Paramount plan. A stand in opposition to the plan was urged by Archibald Palmer, attorney for Allied bondholders, at the hearing before Lever on the grounds that it is detrimental to Allied in three respects. These, according to Palmer, are the general provisions of the Paramount reorganization of 1935, its $13,200,000 bond debt, and the makeup of the board of directors of the new Paramount company. Palmer said, is dominated by banking interests and lacks necessary representation of men with industry experience.

Palmer declared that, regardless of the decision of Allied Owners' trustees on appealing in opposition to the Paramount plan, he, himself, would oppose it tomorrow as a representative of Allied Owners.

Allied filed a claim of $23,000,000 against Paramount in the reorganization proceedings for claims arising out of Paramount's ownership of theatres for Paramount. A settlement of the claim was agreed upon with the Allied Paramount Reorganization. The Paramount reorganization plan.

The settlement provides for the issuance to Allied of new Paramount securities for a claim of $5,000,000; the payment of $15,000 in cash; purchase of the Alabama at Birmingham, Ala., and lease of the Paramount theatres at Brooklyn, Fremont, O., and Glen Falls, N. Y.

Report Richardson Quits as a Trustee

(Continued from page 1) effective Saturday, Richardson, out of town for the holidays, could not be reached for comment on the report. Richardson, 65, was asked recently, however, in reorganization circles with a post on the directorate of the new company. Richardson labored as past president of the board of directors. He was one of the largest shareholders of hugs. He was one of the largest shareholders of Paramount in the early days of the great studio, but of the industry itself.

Here is flavorful, human entertainment gallantly and gloriously told, fashioned of British frontier courage and spanning the elements of laughter, spectacle, melodrama, beauty and tender heart interest. The story is that of a romantic adventure of Captain Gary Cooper, come Franchot Tone, experienced lieutenant, and Richard Cromwell, fresh from Sandhurst, England's West Point. The situation of Cromwell as the son of Sir Guy Standing, in command, but with no favors asked, flings Cooper, Tone and Cromwell together in a solidarically companionatel, a relationship fraught with rare feeling and high comedy.

Resentful of his father's sternness, Cromwell, after a period of drinking, at a reception to the Empire and Mahomed Khan, gets enmeshed in a kidnapping. Taken prisoner with Cooper and Tone disguised as merchants hanging into the jaws of Khvber.

Held captive in a dungeon with the colonel's ammunition train hijacked and the native garrison ready to attack the oncoming lancers, Cooper, Tone and Cromwell perform feats of valor mounting in their sheer excitement and collision. Cooper has had few roles to equal this for sympathy and historic opportunity. Tone is versatile and combines acting prowess with vitality. Cromwell maintains his footing in fast company. Sir Guy Standing is superb as the commanding colonel. Hugh Herbert again and third time to external supports, including Monte Blue, Kathleen Burke, Douglas Dumbrille, Lumsden Hare and others. Henry Hathaway's outstanding direction is evident all the way in the tempo of human moods and the handling of the people. The photography by George J. Hoyt is Langston especially fine, with Cooper's draw, the production's entertainment power and exploitation possibilities, it's a big attraction destined for big money in America, and in the British Empire it should be sensational. Production Code Seal, No. 474. Running time, 100 minutes. "G."

Para. Studio Lease Plan Before Joyce

A proposal for leasing of the Astoria studio, laboratory and film depot to Paramount News for a term of years ending July 1, 1941, at an annual rental of $15,000, was submitted to Special Master John E. Joyce by counsel for the Paramount Public trust. The proposed lease included a plan of reorganization for a $930,000 mortgage bond issue, default on which was submitted to Master Cunliff of the bankruptcy Tennessee Enterprises, Paramount subsidiary, by

the Tivoli, Chattanooga, another Paramount subsidiary. Both proposals were taken under advisement by Joyce and he made his recommendations on them to the Federal district court here later.

M. P. Club Employees Get Christmas Bonus

Employees of the M. P. Club were given an extra Christmas box as a Christmas gift. There were 28 in all to benefit by the bonus. Parties were the order of the day Monday with many of the home offices closing about 4 o'clock Paramount and First Division were not open, giving employees an extended weekend.

About 90 attended the Gaumont British party at the home offices, and those being Arthur Lee and George Weeks. Robert Wofford dined his personal friends at the M. P. Club and A. H. Schwartzssen tendered a buffet lunch to Century Circuit workers at the Radio City offices. Columbus staged a party for its own office and exchange employees which lasted all afternoon.

Flash Reviews

The Gilded Lily—Entertaining and interesting from start to finish, this seems destined for certain popularity. Don Quixote—Interesting film fare.

These films will be reviewed in full in a later issue of Motion Picture Daily.

MOTION PICTURE DAILY'S
HOLLYWOOD PREVIEW

"Lives of a Bengal Lancer"

Hollywood, Dec. 25.—Today, after a week for its filming and after repeated wonderful and showings, the Paramount Mountain Laboratory in carrying and giving forth a production not only worthy of the studio, but of the industry itself.

Second U. A. Session In Chicago Saturday

Second mid-season meeting of U. A. branch managers will be held in Chicago on Saturday at the home office at tending. At the first of three sessions, Arne and Harry Gold of the home office will appear. The latter is the home of the sales force. There will be held in the extended sales force from the home office. A review of the first six months of sales was made by both executives with reports on the 21 pictures scheduled this season indicating a good year. Various sales problems were also gone into.

No discussion was held concerning next season's product. This is being left for the annual convention which will be held sometime in June. The third and last sales conference will be held in San Francisco on Jan. 5, with Lichtman and Paul Lazarus in attendance.

Levine Takes Lease On Sennett Studios

Hollywood, Dec. 25.—Nat Levine, president of Mascot Prod., has taken a long term lease on the entire Mack Sennett Studios, 25 miles north Hollywood and beginning Jan. 10. This deal will remodel the buildings and add a sound stage.

In commenting on the acquisition, Levine said he expected an unprecedented expansion of the industry during the next five years.

BROADWAY TAKE OFF THE WEEK-END

(Continued from page 1) are headed toward normal and above average grosses again. Probably the best intake is the Astor with $8,300 in the till for the first four days of the second week of "Babes in Toyland." The Roxy with "Wednesday's Child" garnered $2,450 and the second week of "The President Vanishes" correlated $15,000.

Second week of "Painted Veil" at the Capitol was weak at $20,000. "Babbit" at the Palace grossed $1,500. The Rialto, with "The Merry Widow," which played its second week of "Hell in the Heavens" at the Mayfair tallied $8,000. At the Rivoli the second week of "The Private Life of Don Juan" hit $12,000.

Referee Refuses to Act in Skorras Case

(Continued from page 1) compel Nelson Cunliff, trustee for Skorras Enterprises, Inc. to intervene in a suit pending in the Circuit Court which seeks an accounting from Warner.

At the same time Referee Hope also denied a petition asking that Cunliff be directed to join in an effort to seek a Federal court injunction to stay the Circuit Court suit that was stated. Misses he doubted whether the latter request came within his jurisdiction. The petitioners had alleged that the Federal court injunction was sought to give Trustee Cunliff time to complete negotiations now in progress in New York in regard to the operations of Skorras Brothers Enterprises and affiliated concerns.

FWC Sale Approved By Federal Court

(Continued from page 1) Diego, who have anti-trust suits pending against F. W. C.

The recent legal confirmation of the plan worked out by Referee Earl E. Moss after many months of negotiations between creditors, trust, probably would spur competition and result in a lowering of prices, it is held by observers of the situation.

Say Ford Will Take Up Air Conditioning

Rumors are current that Henry Ford will follow Walter P. Chrysler into the field of air conditioning. Ford is expected to enter the field lately through its control of Airtemp Control Corp.

Entrance of Ford into this business would be a blow to the industry and could result in a lowering of prices, it is held by observers of the situation.

Wednesday, December 26, 1934
MPTOA Urges Need of Code Overhauling

(Continued from page 1)

Seek Missouri Aid For Enforcing NRA

(Continued from page 1)

National Stand Up To Wisconsin Group

(Continued from page 1)

Arthur Byron to M-G-M

(Continued from page 1)

MOTION PICTURE DAILY
Wednesday, December 26, 1934

600 and to be known as the Yale, asserted the Lido was entitled to only two weeks’ protection.

The local board denied the request for clearance, stating on the board were Lou Reineimer, Alex Halperin, Aaron Saperstein, Jack Rose, Henry Helbel and Felix Mendelson.

The board is continuing to hear individual protests following the recent shelving of the clearance plan drawn up in cases board involved Local Liberty, operated by Elmer Benesch against the Eassens Embassy, Bennett’s request for clearance reduction was denied.

The board also denied a request for reduction of clearance filed by Joseph Foreman III against the Genesse & Waukegan in Waukegan, the Lavilla in Libertyville and a request for clearance for the World which operates in that city.

In a complaint by Sol Best, Amo, Chicago, against the Michigan, Eassens house, the request for reduction of clearance was denied.

Hits Clearance Delay

Failure of the code’s administrators to establish clearance and zoning schedules is presented in the bulletin with Code Authority charged with responsibility for the provision for establishing clearance and zoning schedules “has been completely nullified,” the bulletin declares. The local exhibitors and local governing boards seem to be able to work out a plan that meets with general approval and continues with enforced arbitration provisions.

“Selfish interests with powerful lobbies,” the bulletin states, “‘blocked many of these provisions.”

AFA to Send Vaudeville Units Out on Tours

(Continued from page 1)

Near Solution Of Basic Wage For Operators

(Continued from page 1)

of run and admissions with the result that the parties failed to get together Monday.

Compliance Director Sol A. Rosenblatt attended the three conferences and will be present again today. Circuit officials Monday studied various plans offered by the I. A. T. S. E. and are expected to come to a decision today. Independents, however, are so anxious to enter into a long term contract to end the five-year dispute, the issue is concerned over increasing employment in Local 306 and affiliated locals.

Rosenblatt, after tomorrow’s Campi session, will leave on his first vacation since joining the NRA. He’ll take a southern cruise and will be gone 10 days.

Recently, Local 306 entered into temporary relief agreements with a number of independents, the reductions based on individual requirements rather than a blanket cut.

Labor Board to Act On Operators’ Pact

(Continued from page 1)

Operators’ Scale Up At Conference Today

(Continued from page 1)

of the Central Theater here in which an operator formerly employed by Young charges breach of contract.

The complaint originally was filed with the NRA compliance board.

The complaint alleges that the independent union contracted with Young for the services of an operator last May, but that he was dismissed Sept. 1 without the customary two weeks’ notice when Young switched to Local 170, I.A.T.S.E. Salary and overtime is claimed for a period of 15 weeks after Sept. 1 to the date of the complaint.

Members of the I. T. O. A. will discuss today negotiations between circuit and independent heads with local operators’ unions in setting up a basic wage sale. Harry Brandt, who has been attending the hearings, will be the principal speaker.

Allied of New Jersey did not meet yesterday, because of the holiday. The next session is Jan. 8.
Bringing a Merry
This week 300 leading theatres*
will be playing America's darling
in her brightest picture.

*A new record for day-
and-date showings!

Shirley Temple
in
BRIGHT EYES
with
JAMES DUNN
Produced by Sol M. Wurtzel
Directed by David Butler. Screen play by William
Conselman. Story by David Butler and Edwin Burke
They Peer Into '35's Crystal
Predicts New Peak in 1935 Film Quality
By JACK L. WARNER

Hollywood, December 25—We look forward to 1935 with great optimism and expectation of better business for both exhibitor and ourselves. Our optimism is based upon a great deal of confidence here and improved economic conditions abroad. The comeback will naturally radiate for better conditions the world over.

Pictures during coming year will be bigger with a definitely higher standard of entertainment than ever before. Screen productions will have to be made that appeal not only to family audiences here, but to all classes and people abroad. Audiences have begun to look for better acting on the screen. The standard is definitely on the up.

Highly sophisticated stories, old-time triangles that depended upon a handsome leading man and a sensuously gowned leading lady, are out. In their places will be demanded strong stories with performances by competent actors.

More initiative is needed among producers and exhibitors. Initiative on the part of producers to get off the beaten path in search of ideas and stories instead of trying to follow in the footsteps of other companies. Initiative on the part of exhibitors in more aggressive showmanship.

Probably the most forward step that can be taken during 1935 for all concerned would be the elimination of double features. I honestly believe that if that were accomplished, better pictures would be made and exhibitors would profit.

Other industries report definite improvement in business with signs for continued improvement. In this improvement, the motion picture industry will share.

Feist Confident '35 Will Be Better Year

(Continued from page 1)

continued increases in motion picture patronage, particularly for the Better Pictures and Star Spangled productions. It is with such impending developments as these that the public is looking forward to a year with temporary but debilitating and sometimes ruinous internal competition, that the industry's leaders are now concerned.

'35 a hundred and thirty-five holds great promise for industry prosperity.

International Year Is Seen
By ARTHUR A. LEE

I am looking forward to 1935 as the most interesting year of my business career, due to being fully convinced that the people are making outstanding pictures of international appeal.

I believe 1935 is going to be one of the best years the industry has seen for some time owing to the fact that production here and abroad are turning out pictures of real merit which will bring the public back once more into the picture-going habit.

Taking into consideration the tremendous amount of money which our government is putting into circulation, there is no doubt that it will play its part in contributing to that deal of it supporting the industry.

I believe that the industry would be much better off if some way could be devised whereby the national distributors did not have to force exhibitors to play their poorer pictures, but could absorb the cost of spreading it over their entire program.

Film People Figure In New Shows Here

Players, some prominent and some not longer prominent in pictures, are figuring more importantly in the New York stage plays this winter. In the flood opened and opening this week, the Schenley, where I was at Fox, bowed in at the Golden Monday night as another one of "Heavens." The Theatre Guild produced "Stella," a play by Mencken, Portunus, and Sert. Sarah B. Smith of "Piper Padd," which opened at the Rialto last night, is Tops in the principals. Miss Shore. Is also part author of "Tools Rush In," also one of last night's contenders for popularity.

Constance Cummings, essay the lead in "Cry of Youth," another week's openings, this one at the Plymouth. Irene Purcell is in the case.

Peggy Wood and Louis Calhern are two of the principals in "Sunny," due to open at the 49th Street Theatre. Eddie Dowling is producer and player of "Chums Up," the evening's calling at the Rialto, James and morning's coming at the Plymouth.

"Sigfried," the latest in "Baby Pompadour" which comes to an undetermined theatre Friday evening.

Fox Met Plan to Court

The plan of reorganization for Fox Metropolitan Playhouses developed by Charles E. Purcell of the late Herbert Rawlinson, has been presented to Federal Judge Julian W. Mack in U. S. District Court here tomorrow.

Costs a Factor

"General quality of the motion picture is steadily improving," declares Herbert J. Yates, president of Consolidated Film Industries, Inc.

"Public interest is increasing. If costs can be reasonably controlled, the industry should make satisfactory progress the coming year," he believes.

Yates recently returned from his second trip to Hollywood in the last couple of months.

Optimism for Future Rules With Thomas

By HARRY THOMAS

Exhibitors have struggled to keep their heads above water for the past five years. The turning point has already been passed; business is peaking everywhere; money is going into pictures, people have lost their fear; a rainbow's ascending rays of sunshine are penetrating through the black clouds of the past. The exhibitors who have operated their business as business should be operated, will be rewarded for their honest efforts. Nineteen hundred and thirty-five looks like it will be the best season in show business since 1929. I hope that all branches of the industry share in the harvest.

President Roosevelt's recovery plans should put a great deal of money into circulation and this additional money in the hands of the potential theatre-goers will be life blood to resuscitate show business and put it back to the enviable pitch it held at the time of its greatest advances.

More Springfield Shows

SPRINGFIELD, O., Dec. 25—The city with its picture programs on Saturdays and Sundays, has been followed by the Fairbanks, which features unit revivals of 10 days each of week. Both are Chas. W. Warner first run spots.

This is the first time in Springfield's history that two houses have played stage shows and pictures simultaneously.

Character" Stressed in Coming Film

By CARL LAEMMLE, JR.

Prosperity returning, business conditions getting better, film conditions getting better. This is a sure indication that production of unusual type will grab even bigger pictures a year instead of grosses for the picture business next year. Pictures of the more important type are planned for next year. This will be good for the industry both from the production standpoint and the theatre standpoint.

It is my feeling that the more of these historical, biographical, outstanding novel type of pictures and musical comedies that are made in the super class, the better off the industry will be. There is no doubt in my mind that individual productions of finished character will be the thing for next year. More time will have to be put into them, more thought, more showmanship. But that is what this industry is coming to and that is where the big money lies.

With the important producers in the industry making from six to eight pictures a year instead of from 40 to 50 the quality of pictures is certain to improve vastly and the industry from every standpoint will be greatly benefited. These producers can concentrate on important production matters and put their energies and abilities into the necessary work of production instead of delegating important production matters to others. They should get their hands in and delegate them in the past because of the time element. I feel that the industry will get a new mark for itself in 1935.

Must Cut Negative Costs, Says Zukor

(Continued from page 1)

quality of the product, the hoped-for gross increases of the new season will be meaningless.

I view this rise in negative costs as one of the most serious matters ever faced by the industry. I believe that it is out of all proportion to the corresponding rise in commodity prices and, unless it is remedied at once, I believe we shall find ourselves making pictures costing more than we can take in at our box-offices. I hope that 1935 will see a satisfactory adjustment of this problem and a consequent black ink balance for the industry.
Outlook Good on Para. Plan; Few Opposed

Oil Poured on "U's" Ruffled Studio Waters

Hearing Set for Today Before Judge Coxe

A minimum of creditor opposition to the Paramount Publich reorganization plan is in evidence for the Federal court hearing before Judge Alfred C. Coxe this morning, indicating the possibility of the plan being accepted with little delay.

No additional names have been added to the list of directors of the new company beyond the nine agreed upon and the three temporary members of the board, Austin Keough, Walter E. Cokell and Max D. Howell. Creditors’ committee decided to discontinue the present board to the 12 members until such time as a plan has been accepted and the Paramount trustees have been relieved of their posts.

At that time the new board will take over administration of the company.

(Continued on page 7)

Para. Studies Plan To Telephoto News

News reel shots by telephoto so that they can be shown in territories surrounding 24 key spots approximately two hours after they appear may develop from experiments now being conducted by Paramount News.

A private engineering firm is reported to have been working on the experiments for Paramount for the

(Continued on page 7)

Action, Music Big Overseas: Reisman

Action pictures and musicals are most in demand abroad, Phil Reisman, head of RKO-Radio's foreign department, stated yesterday, having returned last week from a four-week's trip to England and France.

Audiences in foreign countries do not care for pictures in which the

(Continued on page 7)

N. E. Allied Men to Meet in Boston Soon

Boston, Dec. 26.—Independent Exhibitors of Mass., Inc., will be hosts to other Allied units in New England at a joint meeting to be held here.

(Continued on page 11)

Departed film delivery by members of National Film Carriers, Inc.—Adv.

Fitzgerald to Sing

Boston, Dec. 26.—A smart local tieup for the opening of "Saw is Higher than the Moon" here is the securing of former Mayor John F. Fitzgerald to sing the same name at the Paramount Wednesday night. He is as well known for the piece here as Al Smith is for "East Side, West Side" in New York.

Campi Ruling Is Due Today

On Clearance

Decision, formally ruled and noted, on whether clearance and zoning schedules are to be discarded in favor of individual protests is expected to be made by Campi today at its regular meeting, which will be attended by Compliance Director Sol A. Rosenblatt.

Official records of Code Authority show that, within the past seven months, 637 clearance and zoning

(Continued on page 7)

Showmanship and Product Count, Say Warner, Clark

By JOHN D. CLARK
General Manager, Distribution, Fox

Theatre grosses throughout the country have been showing steady increases lately and there is every reason to suppose that they will continue to do so in 1935, provided, of course, that wise, progressive showmanship cannot surmount." Legitimate competition is necessary and desirable, but there are problems that can only be solved by cooperation. One of these is the problem of the double feature. The team spirit, applied to the interest of all of us, is the only way in which this evil will ever be done away with. The average quality of motion pictures today is far higher than ever before.

(Continued on page 2)

Deal Reached On Operators' Basic Scales

Said to Call for Cuts; Hearing on Jan. 10

After four successive meetings at Campi headquarters, Compliance Director Sol A. Rosenblatt, fact finding committee yesterday reached a temporary agreement for setting up a basic wage scale for operators in New York. It is understood reductions are provided all along the line.

Rosenblatt, who has been attending the meetings of the committee, has set Jan. 10 for a public hearing in Washington, when objections to the agreement will be heard. If none are voiced, it is likely the temporary schedule will be made permanent.

Film Lettering in Kansas City Starts

Kansas City, Dec. 26.—Classification of films in advertising, adopted by Fox Midwest at its managers' convention last summer, has made its appearance here.

"The Affairs of Cellini," this week's attraction at the Fox Apollo, a suburban house, is given an "adult" label in newspaper ads. The idea is conveyed in the form of a seal informing the reader the picture is "a selected movie," approved by Better Films Council for adults. Original plans

(Continued on page 7)

Chicago Suit Ends; Product Split Seen

Indicating a product split-up among Chicago's Loop theatres which would make first run pictures for major companies available to McCiverts, that theatre yesterday withdrew its anti-trust suit preliminary motion at a
Maloy Income Probe Resumed in Chicago

CHICAGO, Dec. 26—Investigation of the income tax of Tom Maloy, head of the Maloy union, has been resumed and Maloy, Ralph O'Hara, his assistant, and Tom Reynolds, president of the union, have been summoned to Federal court.

The Maloy summons promises to reopen the investigation into union affairs which may involve Jack Miller, head of the Chicago Exhibitors' Ass'n. Miller figures as a party to a witness in connection with his testimony before a grand jury and subsequently before Federal Judge John S. Henry. Miller's trial was continued several months ago.

Both the cases against Maloy and Miller have been dormant six months.

Chicago Suit Ends; Product Split Seen

(Continued from page 1)

hearing before Judge Murray Hulme, U. S. District Court here.

McVickers had asked for leave to make Paramount and the trustees of the showmen defendants in the suit to act as a witness in connection with his testimony before a grand jury and subsequently before Federal Judge John S. Henry. Miller's trial was continued several months ago.

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Albert Warner Says Showmanship Counts

For there is an ever-growing public waiting for every good picture and the problem of the theatres is to bring together the picture and the public. That is where showmanship comes in.

Every exhibitor should study not only his own theatre, but the different sections of that public that will respond to the appeal of different kinds of pictures.

I look forward to an excellent year for motion pictures. Intelligence and courage are the golden keys that will open the doors of prosperity.

Northwest Indies Unite

MINNEAPOLIS, Dec. 26.—Twenty Minnesota and South Dakota exhibitors have started a new organization called the Independent Theatre Owners' Ass'n. J. B. Clinton of Duluth was made president of the group, which is one of the leaders in the movement, and has been named president.

Other officers are: Secretary-treasurer, L. E. Lockhart, Sayre, Minn.; directors, H. J. Ludcke, St. Peter, Minn.; Bert Parson, Springfield, Minn.; J. Martin, Bemidji; D. Roy, McRae, Superior, Wis., and George Ryan, Hector, Minn.

Arthur C. Melvin Killed

Baltimore, Dec. 26.—Arthur C. Melvin, 52, a Motion Picture man, was killed Thursday by an auto accident in West Baltimore.

The body was identified today by the coroner's jury and will be brought to the Baltimore county morgue for an autopsy.

Melvin was a well-known figure in the Motion Picture industry and was active in the Motion Picture Relief Fund of America.

F. E. Johnson Buried

AKRON, Dec. 26—Funeral services were held Monday morning for F. E. Johnson, 55, widely-known exhibitor who died suddenly at St. Paul, Minn., of a heart attack while spending the holidays with his sister.

He was born at Kent, O., and at different times managed houses at Lorain, Cleveland, Cambridge, Cardington, Oil City and Wheeling.

Big Board Trading Has Off Day

Trans Lux Advances 3½% on Curb

G. T. E. Bond in Decline

(Continued from page 1)

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FOUR YEARS AGO

the shot that will be seen around the world was taken—and Paramount's "The Lives of a Bengal Lancer" went into production.

FOUR YEARS LATER

...after many months of untiring effort, Paramount proudly presents "The Lives of a Bengal Lancer", a thrill-packed story of courage.
"The Living Bengal"

Gary Cooper
Richard Cromwell
C. Aubrey Smith • Mont...

A Paramount Picture •...
HEROISM • FASCINATION • INTRIGUE

T'S THE BEST SHOW IN TOWN...

Tales of a LANCER

RANCHOT TONE
MR GUY STANDING

Kathleen Burke

Directed by Henry Hathaway
THE LIVES OF A BENGAL LANCER

GARY COOPER
as "Captain MacGregor"—sabre-slaeihing, devil-may-care fighter who would rather die with honor than live without it! It's Cooper of "Morocco"—"Farewell to Arms"—"The Virginian"—in another big picture of the stamp that made him box-office!

FRANCHOT TONE
as "Lieutenant Forsythe"—a raw recruit under India's burning skies who becomes a seasoned campaigner... contemptuous of love and smiling at death. Franchot Tone steps out of a dress suit and into a uniform that will win him more plaudits than any role he's played!

RICHARD CROMWELL
as "Lieutenant Stone"—inexperienced in battle, a novice at love... his kiss seals the doom of 2000 men and made heroes of a gallant band!

KATHLEEN BURKE
as "Tania"—the Russian adventuress who plays the Lancers false, betrays them to the Afridif.

SIR GUY STANDING
as "Colonel Stone"—Soldier, martinet, sly as a fox, but a fool when it comes to handling his own son. The best role yet for this player.

C. AUBREY SMITH
Gruff warrior of "Queen Christina" and "Cleopatra" makes another old war-dog believable and lovable on the screen.

IF IT'S A PARAMOUNT PICTURE IT'S THE BEST SHOW IN TOWN
Hollywood Personalists

Hollywood, Dec. 26.—Mrs. Harry Carey signed for "Naughty Mary" pictures. Miss Mary Nolan, former child star, gets a role in "The Wedding Night" for Goldwyn. — Helen Hayes and Charles MacArthur postpone their trip to Russia. — Cotton Warburton and Julie Buesco, football stars, playing bits in "M-G-M's Christmas Song," directed by M-G-M's Frank Reiner, who was his prop boy when O'Hara was a matinee idol. — Aileen Pringle is making a screen return in M-G-M's "Vanessa." — Frank Morgan shaves off his mustache for the first time in 17 years. — Alfie Santell opens his Idylwild home for the first time since his return from England. — Sidney Blackmer signed for "The Little Colonel" at Fox. — Helen Barney of the Radio publicity department doing nicely following an appendicitis operation.

Action, Music Big

Overseas: Reisman

Greater percentages consist of dialogue. They want action, he said. These type of films usually gross more abroad than in this country, Reisman said. Music pictures, however, are in demand in all countries. He added English producers have shown a definite interest in producing pictures in England.

Paramount's private estimate of the added expense of telephoto is understood to be $10,000 additional on the weekly.

_virtually all important newspapers use telephoto pictures of headlining events. The only exceptions depend on specially chartered airplanes first to fly the negatives from the scene of action to the laboratory and then to the newsprint to the larger key city accounts.

Shapiro Deals Denied

_Boston, Dec. 26.—Both Gene Gross and Celia Shapiro, executives of the Franklin Prod., Inc., a subsidiary of the I. P. Co., has been denied by Judge J. N. Rice in the State Supreme Court of Massachusetts, New York, to be the sole owner and operator of a motion picture production company, "Shapiro Pictures," which will operate in the New York vicinity. The judges ruled in favor of the petition of a group of motion picture producers and financiers who have been declared owners of a similar company, "Bluebird Pictures." The judges have also ruled that the Shapiro company cannot use the name "Shapiro Pictures" in New York City.

Ask New Award Rules

_Hollywood, Dec. 26.—Recommendation for changes in the rules for nominations for the annual Academy awards is being made by the cinematographers, representing the American Society of Cinematographers, a branch of the Academy. The camera men are in preference of having each member of the profession submit the name of the two preferred films and the cameramen representative of his best work.

Two Firms Chartered

_ALBANY, Dec. 26.—Noah Productions, Inc., has been chartered to deal with the sale of motion pictures. Harry S. Taylor and James S. Lin- burn are directors and subscribers. —_in Hartford, Conn., has been chartered to exhibit. Morris Talbot, Lena Doroshkin and Harry Talbot are directors and subscribers.

"U" Signs Harburg

_Hollywood, Dec. 26.—Universal has signed B. Y. Harburg, New York musical producer, as head of the music department. This will be the first time such a post has been listed at Universal since "King of Jazz."

Campi Ruling

Is Due Today

On Clearance

cases have been heard by the 64 local boards, of which only 20 per cent have been appealed. It is concluded from the statistics that the new method of handling clearance cannot be superseded beneficially by schedules, according to codists. It is pointed out that if a clearance and zoning plan for a territory is adopted, exhibitors can still file individual complaints if they have been grieved.

The major obstacle confronting Campi on schedules is price-fixing, which is contained in all plans where releases are set, according to admissions. Price-fixing will not be tolerated by Code Authority and until this barrier can be removed no schedule will be adopted.

Meanwhile Kansas City, New Haven and Buffalo schedules are on the calendar today for discussion. It is expected they will be returned and local boards advised to revert back to the now latest procedure, which has been held up in all territories where schedules have been promulgated. It is feared that the clearance and zoning plan will be held up by local boards, with the result that the new schedules will not be adopted.

Film Lettering in

Kansas City Starts

(Continued from page 1)

contemplated the use also of a "family" seal. The Apollo is committed to a policy of selected pictures, both first and subsequent run, of a type appealing to discriminating patrons. An all-time record for length of run in Kansas City was marked by "One Night of Love," which has completed nine weeks at the Apollo. This was a subsequent showing. Contrary to the Chamber of Commerce, saw the picture 12 times, and Mrs. Mann attended 16 performances. It is estimated by film managers of the Apollo, that 30 per cent of the audiences saw "One Night of Love" two or more times.

Film Plea to Governor

Governor Lehman has been urged by the film committee of the Social Service Board of the Protestant Episcopal Church of the diocese of New York to make suggestions in a "One Night of Love," which has completed nine weeks at the Apollo. This was a subsequent showing. Contrary to the Chamber of Commerce, saw the picture 12 times, and Mrs. Mann attended 16 performances. It is estimated by film managers of the Apollo, that 30 per cent of the audiences saw "One Night of Love" two or more times.

Votion Sheldon’s Aide

_Hollywood, Dec. 26.—Jack Votion, former member of the legislature, has been appointed assistant to E. Lloyd Sheldon at Paramount.
**Some Outlook**

Providence, Dec. 26.—Films in the future will be considered as seriously as the Elizabethan drama is today, in the opinion of Prof. S. Poster Damon of the English department of Brown University.

As time goes on, pictures will become more exact, he told a large audience at the Ashton School of Design.

**“Adventure,” Show $13,000 in Pittsburgh**

Pittsburgh, Dec. 26.—The pre-Christmas slump here was just as severe as ever, with only two houses managing to withstand it. In both of these instances, there was strong stage support.

At the Alvin, the Mills Brothers bolstered “One Excellent Adventure” perceptibly, and gave it an excellent $13,000, while at the Penn, Gubert Loyd’s Standard Oil show came in for $7,000. In five days, Gubert Loyd’s “Evelyn Prentice” to gather $14,000 in its eight-day stay. One of the biggest flops of the season was “Student Tour” (M-G-M) at the Fulton, where it was yanked after four days to $7,000, while “Anne of Green Gables” was hardly much better at the Stanley, collecting only $7,500 in five days.

Total grosses in six first runs were $41,000. Estimated takings for the week ending Dec. 20:

- **ONE EXCITING ADVENTURE** (Univ.)—FULTON—(7,700), 4 days, Gross: $1,200. Average, $300.
- **STUDENT TOUR** (M-G-M)—PENN—(3,300), 5 days, Stage: Johnny Perkins, Mills Brothers, Gregory, Gross: $1,800. Average, $450.
- **GIRL IN WORLD** (RKO)—STANLEY—(1,800), 5 days, Stage: Joel Myerson, Mahay’s band. Gross: $13,000. Average, $2,600.
- **LIGHTNING STRIKES TWICE** (Radio)—FULTON—(2,000), 5 days, Stage: Bette Davis, George Murphy, Bolo, Ruth, Harry. Gross: $1,000. Average, $200.

**“Girl,” Show $18,600 in Detroit**

Detroit, Dec. 26.—“The Richest Girl in the World” made an excellent showing in a week distinguished by uniformly low grosses elsewhere. The average gross in the largest houses was $18,600, over par by $3,600.

Every other first run was below average, but “The President Vanishes” was better than fair with a take of $9,300 at the United Artists.

Total first run business was $51,700. Average, $6,500. Estimated takings for the week ending Dec. 20:
- **BACHELOR OF ARTS** (Fox) — FULTON—(2,700), 3 days, Stage: Eliza and Rona. Gross: $1,900. Average, $633.
- **READY FOR LOVE** (Para) — ALVINGTON—(1,600), 3 days, Stage: $1,500. Average, $500.
- **GREAT RICHES** (M-G-M) — STANLEY—(2,500), 3 days, Stage: $1,500. Average, $500.
- **ANNIE GABLES** (M-G-M) — STANLEY—(2,500), 3 days, Stage: $1,000. Average, $333.
- **GREAT RICHES** (M-G-M) — STANLEY—(2,500), 3 days, Stage: $1,500. Average, $500.
- **GREAT RICHES** (M-G-M) — STANLEY—(2,500), 3 days, Stage: $1,000. Average, $333.
- **GREAT RICHES** (M-G-M) — STANLEY—(2,500), 3 days, Stage: $1,000. Average, $333.

“**Imitation**” High, 2nd Buffalo Week

Buffalo, Dec. 26.—“Imitation” of Life was still well over average in its second week, with a total of $36,500, down from $59,300. Normal $6,500 in the Lafayette. Everything else was off. Snow, ice, slush and Christmas shopping were factors.

Total take was $36,700. Normal is $42,800.

Estimated takings for the week ending Dec. 21:
- **TRANSATLANTIC MERRY-GO-ROUND** (RKO)—BUFFALO—(3,500), 5 days, Stage: Benny Davis and His “36 Days” revue, with Jimmy Shad & Guy Raymond, Rollo Cari, Radio Minstrels. Gross: $6,100. Average, $1,200.
- **TUG OF LOVE** (Para) — WAGON WHEELS—(2,000), 5 days, Stage: $3,500. Average, $700.
- **TRANSATLANTIC MERRY-GO-ROUND** (RKO)—BUFFALO—(3,500), 5 days, Stage: Benny Davis and His “36 Days” revue, with Jimmy Shad & Guy Raymond, Rollo Cari, Radio Minstrels. Gross: $6,100. Average, $1,200.
- **TUG OF LOVE** (Para) — WAGON WHEELS—(2,000), 5 days, Stage: $3,500. Average, $700.
- **GREAT RICHES** (M-G-M) — STANLEY—(2,500), 3 days, Stage: $1,500. Average, $500.
- **GREAT RICHES** (M-G-M) — STANLEY—(2,500), 3 days, Stage: $1,500. Average, $500.
- **GREAT RICHES** (M-G-M) — STANLEY—(2,500), 3 days, Stage: $1,500. Average, $500.
- **GREAT RICHES** (M-G-M) — STANLEY—(2,500), 3 days, Stage: $1,500. Average, $500.
MOTION PICTURE DAILY

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Gilded Lily"
(Paramount)

Hollywood, Dec. 26.—Entertaining and interesting from start to finish, this seems destined for certain popularity. The modern story, with light, dramatic romance sparkling with comedy, is lively, with colorful action and dialogue intelligently directed for mass as well as sophisticated appeal. The entertainment quality is made punchy by several class performances. The film is packed to the hilt with unique potent selling angles.

The picture is intriguing. Claudette Colbert, a New York office girl, falls in love with a nobleman incognito (Ray Milland) amid sequences reflecting the hectic excitement of metropolitan life, and the recreation of romance is catchy. Jilted, however, Miss Colbert is built into a glamorous creature by Newspaper Man Fred MacMurray. Visiting England as the star of a show, the Milland affair is on again, only to have the swain's timidity force Miss Colbert into MacMurray's arms.

Ably assisted by Wesley Ruggles' clever direction, the Colbert-MacMurray--Milland trio does a grand job in capitalizing on all the hectic fun of Claude Binyon's screen play of the Melville Baker-Jack Kirkland story. C. Aubrey Smith, Luis Alberni, Ferdynand Munnier and Edward Gargan are outstanding in support.

No code seal. Running time, 80 minutes. "G."

"Charlie Chan in Paris"
(Fox)

Hollywood, Dec. 26.—Well-timed for suspense, Charlie Chan again solves a mystery tangle in the philosophical formulae typical of the original Dashiell Bigger character. The setting of this time is in Paris, running from the social register to the sewers.

This one ranks high in the Chan category, supplying interest throughout. Warner Oland turns in a topnotch performance as the leading character, providing the solution to bond forgeries and a dual murder. Mary Brian and Thomas Beckett supply the romantic theme which is subordinated for the mystery plot. The climax features Oland's show up of the bank head and a drunken artist as the murderers and embezzlers, proving they worked in cahoots, posing alternately in the fictitious characterization of a cripple. The usual Chan solution shows the cops as a bunch of dumb flatfoots at the fadeout.

Erik Rhodes' cast portrayal as the drunken artist is a standout with Oland's performance measuring to par. Excellent suspense buildup is managed by Director Lew Seiler from an interesting original by Philip MacDonald. This one should set well with Chan followers.

Previewed without production code seal. Running time, 70 minutes. "G."

Looking 'Em Over

"The Man Who Knew Too Much"
(Gaumont British)

London, Dec. 4.—This is the British equivalent to gangster stuff—with a difference. Its big scene stages what amounts to a reproduction of the "Sidney Street siege" of pre-war days, when the London police and military shot up an anarchist gang in an East End house. Of equal importance is the high level of the characterization and the strong vein of humor, which is much more than the conventional relief.

It is a workmanlike production in all details and a lot of the credit is due to Alfred Hitchcock's direction. Hitchcock made good films in England when every good British film was a miracle, and this one shows that he still knows how to get the sort of acting from British players that they often only deliver when they get to Hollywood.

There is a good plot value. Holiday making in Switzerland a Londoner becomes possessed of information which would enable the British police to stamp on an assassination plot. His child is kidnapped and he is warned that she will die if he divulges the secret. So he decides to play a lone hand, back in London.

The chase leads him to Wapping, where he falls into the gang's clutches, but gets a warning through to his wife that the murderer is to take place at a concert in the Albert Hall. She spoils the murderer's

(Continued on page 10)
Looking 'Em Over

"The Man Who Knew Too Much"

(Continued from page 9) aim and the celebrity is only wounded. The police besiege the Wapping retreat and there is a battle, ending the right way.

Production and box office values are both high. Using the 8,000-seat Albert Hall itself as his studio, Hitchcock has put over a really big scene in the depiction of the attempted assassination and all through maintains suspense at a high level. There is real laughter in secondary scenes, notably in the hero's encounter with a crook dentist, whom he gamely pretends to be in which his friend and enemy find themselves at a 'Church' service which is part of the gang's camouflage.

Acting, in the hands of Leslie Banks, Edna Best, Peter Lorre, Frank Vosper, Nova Pilbeam and Hugh Wakefield chiefly, is worthy of the imaginative direction, and even the most minor characters are carefully studied. An all-round good picture of its type.

Running time, 80 minutes. "G."

“Lady in Danger”

(Garnett British)

LONDON, Dec. 6.—This British effort is a farce-comedy made according to the well recognized Aldwych Theatre tradition. That means good situations, peppy dialogue from Ben Travers and good direction and good acting as well from Tom Walls. How it will go over depends entirely on an audience's reaction to Walls.

The story is that of a British business man trading in armaments who smuggles a valuable gadget out of the country and then takes to revolution. There are the to be expected misunderstandings regarding his relations with the lady, whose identity has to be concealed. Fiancee, business partners and respectable servants all think the worst, until the king turns up from Paris.

There are lots of good laughs. Yvonne Arnaud as the queen makes the most of the possibilities in the way of innuendo presented by the fact that her English is always capable of being taken two ways. It is a strong company, all through, with Leon M. Lion, Hugh Wakefield, O. B. Clarence and Anne Grey among others. If the American public likes the Walls touch it will enjoy all of it.

Running time, 63 minutes. "G." British Censor Certificate: "A." A L L A N

“Ticket to a Crime”

(Reagan)

Thanks to its humorous content, “Ticket to a Crime” manages to be a fairly entertaining film. Although the production is a mystery melodrama, it has the virtues arising out of the friendly rivalry between two rival detectives, Ralph Graves and James Burke, for its chief appeal.

Neither the plot nor its method of development has much worth praising, and in its attempt to get laughs the picture seems to lose sight of the fact that its primary purpose should be to mystify. The acting does not always help matters, although there are in the cast a number of names that ought to prove an aid in exploiting the production, such as Graves, Lois Wilson and Lola Lane. Charles Ray is seen in a minor role.

Among the other players are Edward Earle, Hy Hoover and John Elliott. Mystery rears its head when Miss Wilson's father is murdered at a swanky party. There is no lack of suspects. A parcel of valuable pearls in the possession of the old man is the inspiration for the murder. Graves and Burke, the former as a private detective, work on the case. After a lot of hocus-pocus, some of it within the bounds of belief and some of it not, Miss Wilson’s second husband is revealed as the culprit. Graves and Miss Lane provide the film with a measure of romance. Lewis D. Collins directed. No seal. Running time, 67 minutes. "G."

“Don Quixote”

(Paladar D. Bell)

Those who have read the Cervantes classic will be somewhat disappointed in the film transcription. There is so much richness of incident in the book that perhaps no screen treatment could do full justice to it. Even as it is, the version under discussion, turned out in Great Britain by Nelson Film, Ltd., in conjunction with Vardon Film, is attractive film fare that makes Quixote more of a tragic figure than Cervantes intended him to be.

Feodor Chaliapin plays the Don to good effect. The one serious fault is that he is not always intelligible. Many others in the cast are guilty of the same fault. The script gives the famous basso plenty of opportunity to exercise his singing voice. The high quality of the settings and the beauty of the photography, (Continued on page 11)

Signs 29th Pact

Buffalo, Dec. 25—Frank Nowak, manager of the Lincoln and Universal's oldest contract, has just signed the theater's 29th annual contract with the Buffalo Universal branch, headed by Mr. Mihell. They wish for the good old days before clearance, when he used to book films ahead of them all simultaneously with the downtown houses.

“We Live” Is Fair in Lull At Cleveland

CLEVELAND, Dec. 26.—"We Live Again" was the best drama of the period week. Christmas shopping and icy streets combined to keep people away from the boxoffice. Robert Siddle, a local boy, was a good draw at the Palace. Other first runs were much lower than recent weeks and neighborhood business in general was not too great. Total gross was $30,050. Average is $38.00.

Estimated takings:

Week Ending Dec. 17:

"FIRST WORLD WAR" (Fox) ALLEN—1,500, 25c-50c; 7 days. Gross: $2,450. Average: $300.00.

Week Ending Dec. 21:

"MUSIC IN THE AIR" (Fox) WARNERS' HIT (3,000), 30c-40c-60c, 7 days. Gross: $4,000. (Average: $600.00).

BY YOUR LEAVE" (Radio) KKO—1,500, 25c-40c-60c, 7 days. Gross: $5,600. (Average: $800.00).

"WE LIVE AGAIN" (U. A.) LOEW'S STATE—1,500, 25c-35c-40c, 7 days. Gross: $3,600. (Average: $514.28).

LOEW'S STILLMAN—1,500, 25c-35c-40c, 7 days. Gross: $3,000. (Average: $428.57).

Reinhardt Suit Denied

LOS ANGELES, Dec. 26.—The breach of contract action brought by A. W. Hamilton, head of a Pacific theatre agency, against Max Reinhardt was denied today by Superior Court Judge Wilson. The charge against the impresario was that he had failed to discharge a contract to produce "Die Fledermusen" in London.

Take Baltimore House

Baltimore, Dec. 26.—The Preston, residential house, has been taken over by the Associated Theatres, Inc., from C. H. Lighauser. This makes 12 theatres now operated by Associated here.

Will Hays on the Coast

Hollywood, Dec. 26.—Will Hays, accompanied by his son, arrived here today for a visit. He will stay until the boy returns to Washabul College Sunday.

Borzage Cracks Shoulder

Hollywood, Dec. 26.—Frank Borzage is recovering at Queen of Angels Hospital from a broken shoulder, suffered in a polo match Monday.

Furrer Gets Clyde Job

Clyde, Dec. 25—J. C. Furrer has been named manager of the Harkness, recently acquired by the Theatre Operating Corp.

“Reclaimed,” Show Chicago Hit, $30,000

CHICAGO, Dec. 26.—Big money in a mid-week performance went to “The Man Who Reclaimed His Head,” with “Follies Beegre” on the stage, at the Palace. The $4,000 gross was over normal by $8,000.

Babes in Toytown” did well at the Roosevelt, going $5,000 over the line on a tale of $10,500. “One Night of Love” was still good for a par $5,300 in its seventh Loop week at the Garland, "Forest," helped by a vaudeville bill at the Oriental, took $17,000. Total first run business was $136,500. Average is $139,600.

Estimated takings:

Week Ending Dec. 18:

BABES IN TOYTOWN" (M-G-M) ROOSEVELT—1,500, 25c-35c-50c, 7 days. Gross: $10,000. (Average: $1,428.57).

"FOLLIES BEGRE" (Famous) McVICKERS—2,250, 35c-50c-65c, 7 days. Gross: $17,000. (Average: $2,428.57).

"ONE NIGHT OF LOVE" (Col.) GARRICK—900, 25c-35c-40c, 7 days, 7th Loop week. Gross: $5,000. (Average: $714.28).

EWLYN PRENTICE" (M-G-M) CHICAGO—4,500, 35c-50c-65c, 7 days, 5th Loop week. Gross: $5,000. (Average: $714.28).

"CHIN CHOW" (Warner Bros) ORIENTAL—2,500, 35c-40c-50c, 7 days. Stage: Diane Faner and Family. Gross: $3,000. (Average: $428.57).

Week Ending Dec. 21:

"FLIRTATION WALK" (F.N.) APOLLO—1,400, 25c-35c-40c, 7 days. 3rd Loop week. Gross: $8,000. (Average: $1,142.86).

"KID MILLIONS" (U.A.) UNITED ARTISTS—1,700, 30c-40c-50c. 2nd Loop week. Gross: $2,800. (Average: $700.00).

Week Ending Dec. 22:

"FUGITIVE LAD" (Col.) STATE-LEE—2,750. 25c-35c-40c, 7 days. Stage: Dorothy Croser and Myrabei. Gross: $7,000. (Average: $1,000.00).

"Toytown” Lincoln Hit Despite Slump

LINCOLN, Dec. 26.—“Babes in Toytown” caused a pre-Christmas jump at the Lincoln box-office and on the first days near $3,000, which is good business.

The Stuart’s five days with “Music in the Air” and Orville Rennie’s appearance was not a bit hot with $2,000 even. "Munrosy" at the Variety was bad and “Gamboling” with the Orpheum stage show was just so-so. There were no full weeks on the row, since everything was broken to permit a Christmas day opening with new attractions.

Estimated takings for the week ending Dec. 24:

"MUSIC IN THE AIR" (Fox) STUART—1,250, 35c-40c-50c, 3 days. Gross: $3,000. (Average: $1,000.00).

"TOYTOWN" (M-G-M) LINCOLN—1,600, 25c-35c-40c, 6 days. Gross: $2,400. (Average: $400.00).

"JEALOUSY" (Col.) VARSITY—11,000, 25c-35c-40c, 9 days. Gross: $9,000. (Average: $1,000.00).

"GAMBOLING" (Para.) ORPHEUM—1,500, 25c-35c-40c, 4 days. Gross: $1,700. (Average: $425.00).
Oil Poured on "U's" Ruffled Studio Waters

(Continued from page 1)

recently formed production cabinet, will keep a closer eye on production than has been wont for several years, if not longer, and will maintain his control over studio activities. Laemmle and Laemmle fils have had some differences of opinion over production policy and management. That, however, is understood to have been entirely straightened out, largely because they are beginning to make pictures. Irene Dunne has been signed for the romantic lead in "Show Boat," which producer Samuel Goldwyn plans to make. "The Return of Frankenstein" is scheduled to go before the cameras in two weeks and the same applies to "The Great Ziegfeld".

Coast Production

Drops for Holiday

(Continued from page 1)

week. In addition, there are 19 features and 27 shorts in the final stages of preparation, while 356 features and 13 shorts are in the cutting room. Paramount tops the list for activity with seven features in work, two preparing titles for editing. MGM has four, one and ninth; Radio, four, three and two; Fox, six, three and three; Warners, three, two and eight; Central, two, two, one and half; Universal, two, two and three; Goldwyn, one, zero and zero; Columbia, one, one and two; Warners, one, zero and zero; Radio, zero, three and five.

N. E. Allied Men to Meet in Boston Soon

(Continued from page 1)

Jan. 8, according to Business Manager Arthur King Howard. It is believed that one day will be sufficient for all business including election of officers for coming year.

Nathan Yamin heads the divisional activities which, in the past few months, have made the establishment and rejuvenation of units in all New England states but Connecticut and the founding of membership to nearly two and one-half times its former figure. The spot for the meeting has not yet been picked.

Short Subjects

"Mexican Idyll" (First Division)

Produced by Audio Prod. in Technicolor, panoramic beauty sweeps the various sights of Mexico in a series of intriguing and picturesque short. Robert C. Bruce guided the camera which caught all the beauty of the hills and mountains, sheep browsing in pastures and goats in quiet fields. There are the rugged hills of Southern California which serve as a background of the Mexican highway, snuggled away by its lonesome to the contentment of its sparse dwellers.

Two musical interpolations, "A Beautiful Sky" and "The Swallow," add to the color and interest. It is a truly work of art and a pleasure to see. Production Code Seal, No. 274. Running time, 65 mins. "G.*

"Sunshine Makers"

(Val Bernren-Radio)

This, the latest of the Rainbow Parade series of cartoons done in Cinecolor and produced by Van Lichten, is grand entertainment. It shows the story of two girls, a color queen and a color colorer. The story is laid in a mythical corner of Heaven where two groups of primitive people live. One is content with sunshine and happiness and the other with shadows and gloom. A war breaks out between the two factions and the happiness of the two wins by bombing the other with bottles of sunshine to completely destroy their old mode of living. Production Code Seal, No. 0242. Running time, 8 mins. "G.*

"Perfectly Mismated"

(Columbia)

Leon Errol's performance in this one is all that permits it to be classed as entertainment. With Dorothy Grainger, Vivian Oakland and Fred Malatesta also in the cast the picture is fairly well balanced. Everyone but Errol seems to do nothing but run about screaming, falling off chairs and breaking furniture. Where old-fashioned slapstick is appreciated this one should please. Production Code seal, No. 371. Running time, 20 mins. "G.*

"Buried Loot"

(M-G-M/M-G-M) Honolulu, Dec. 26. — "Buried Loot," the first of a new series titled "Crime Shorts," should be an asset to any program. The story unfolds a perfect crime that failed, the moral being: crime does not pay. Suspense elements in this one will prove the test of intelligence most than most program features.

Screen play and direction by George Seitz, with the screen play produced. Production Code Seal No. 376. Running time, 16 mins. "G.*

"Spring in the Park"

(Universal)

Oswald is a copper in this one. A man has been arrested by him, but he is released from incarceration. The man then tellsbud the story of his life and the cop is then able to catch him again and return him to prison. Production Code seal No. 383. Running time, 74 mins. "G.*

"I Sell Anything"

(First National)

Here is a picture that probably inspired great hopes in story form, but the finished product fails short. It, nevertheless, has swell exploitation possibilities and is good entertainment, the kind that goes over well in neighborhoods and small towns. Gus Shy's comedy is grand.

The picture is well cast, with Pat O'Brien giving a nice performance in a role that is suited to his particular ability. Ann Dvorak, Russell Hopton, Claire Dodd and Roscoe Karns all turn in good performances.

"The Prescott Kid"

(Columbia)

Tim McCoy finds himself back in the saddle in "The Prescott Kid," as rip-roaring a western as the star has ever appeared in. Once he rides into the picture there is no doubt right will triumph over wrong. The story details McCoy's efforts to bring law and order to a desert town ruled by ruffians. A sweeter mission he hardly could have taken upon himself. Things are made hotter for him when he is mistaken for the new sheriff, a mistake which is not discovered by the citizenry until the closing moments. By the time the sheriff turns up, Tim has put an end to the wild and disorderly.

The big moment for McCoy is when he unmasks as the villain-in-chief the man who holds Sheila Mannors' trust to the point that she is ready to marry him. By this master stroke Tim also succeeds in clearing himself of the suspicion of having robbed the girl's father in a stage holdup. The fadeout has Jim and Miss Mannors beaming upon each other.

Alden Chase is the public enemy No. 1 of the piece. David Selman directed. No code seal. Running time, 56 minutes. "G.*
WE'RE AT THE ASTOR NOW!

Doff your hat to the greatest comedy team in pictures! Toss a salute to happy Hal Roach! Broadway packs the celebrated Astor Theatre. And what lovely notices:

"★★★½★—Entertainment pretty hard to beat." —Daily News

"Delightful, joy to young and old." —World Telegram

"The merriest of its kind." —N. Y. Times

"Delightful, enchanting, refreshing." —Daily Mirror

"Recommended as bright and amusing entertainment." —Herald-Tribune

"Should appeal to grown ups as well as children." —Telegraph

"Genuine delight. Worthy of your attention." —Telegraph

2nd WEEK! AND BIGGER THAN EVER!
RKO Gaining; 6-Month Net Is $2,31,348

Receiver Reports Details 18 Months' Progress

RKO had made substantial progress in the road to recovery by the end of June, this year, according to the recent report of Irving Trust Co., the receiver. At that time the gross income of the company and its subsidiaries from Jan. 1, 1933, to June 30, 1934, approximately the period of the receivership, had reached $68,873,884, a profit above all charges, except Federal income tax, of $2,31,348.45. This profit was the fourth month of income from the end of the year. For the 12 months of 1933 the company had a net loss of $4,384,046.09 on a gross income of $45,040,791.85. During 1932 the loss was $10,695,903.20 in a gross income of $61,078,722.94. On Dec. 31, 1932, RKO and its subsidiaries had $2,796,000 in cash, exclusive of approximately $414,000 held in Treasury bills.

Opposition Looms On Operator Scale

Although details of the temporary agreement reached by the finding committee for setting box-office scales for operators in New York have not been made public, opposition looms when the public hearing is held in Washington on Jan. 30. Members of the committee are not openly discussing the agreement, but a number of exhibitors who have been informed.

Music Hall Pulls $82,500 on "Eyes"

"Bright Eyes" at the Music Hall pulled $82,500 for the week ending Wednesday night. Opening at the start, it earned up the last few days with some of the biggest hits, the house has had in some time. "Little Minister" succeeded "Bright Eyes" in the second place (Continued on page 12).

Bogue in Court, So Met Plan Goes Over

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RKO Gaining, 6-Month Net Is $231,348

(Continued from page 1)

by subsidiaries which subsequently went into bankruptcy or receivership. At the end of the receivership on June 30 the cash on hand was approximately $4,977,000, an increase of about $2,170,000. During this period the fixed charges were reduced to 233.84 and interest on indebtedness was paid in the amount of $2,759,573.

Report Covers Up to June 30

The report on the receivership covers the period only up to June 30. Consolidated Film Industries, company went into bankruptcy under Section 77B of the new bankruptcy law for purposes of reorganization. Since that time Irving Trust Co. has been acting as trustee in bankruptcy and shortly after the first of the year will be discharged for the company's operations. It was stated yesterday that a loss probably would be shown for the 12 months just ended, although it will be greatly reduced in comparison with last year's figures.

No petition for allowances has been filed yet by the trust company, although one is likely to be in the near future. Income taxes were not included in the consolidated statements under the present law these cannot be consolidated with subsidiaries and the total income for the year is not known yet. Furthermore, progress has been made on the settlement of claims against the company and no reorganization plan is in sight as yet. Whether the company will be taken out of bankruptcy during 1935 is uncertain.

Claims Filed Total $35,766,416

During the receivership claims filed totaled $35,766,416.00. Hearings on claims totaling $25,866,454.71 have been held by Special Master Thomas E. Thacher, Jr., and may have been rendered. Others have been dismissed, some have been allowed and hearings on others are pending. Some additional claims have been filed since the bankruptcy status of the company began. In discussing operations on subsidiaries the report says:

"During the year 1932 RKO Radio Pictures, Inc., and RKO Pictures, Inc., and subsidiaries showed a combined loss of $5,881,651. During 1933 operations resulted in a loss of $1,250,685.48, an improvement of over $4,000,000. Substantially all this loss was incurred during the first six months wherein a loss of $1,212,947.67 was sustained. During the same six-month period of 1934 company operations resulted in a profit of $275,783.74, before Federal income tax. The combined cash balances of these companies at December 31, 1932, amounted to approximately $2,085,000 on June 30, 1934."

"The 1932 operations of Parthe News, Inc., resulted in a net loss of $134,820.78. During 1933 this loss increased slightly to $141,233.64. However, considerable improvement is indicated by the results of operations for the first six months of 1934, which resulted in a net profit of $33,793.55, compared to a net loss of $82,192.29 for the same period in 1933."

Dreher Again on Board

Hollywood, Dec. 27—Carl Dreher, who has been chairman of the board for the scientific and technical awards of the Academy for the past three years, has again been appointed to that post by Nathan Levinson, chairman of the Technicians' Branch. Each studio, equipment company and technician will be represented by a qualified official on this board. Final decisions will be announced at the Academy banquet Feb. 27.

Ready Theatre Directory

Annual directory of Greater New York theatres being compiled by the New York Film Board of Trade will be ready on Jan. 10. It will show more houses in operation than last year as well as an increase in the number of sound theatres.

"Bar Mitzvah" Started

Henry Lynn, director for Sov-Am Pictures, has taken his son "Bar Mitzvah," second of the Yiddish talkers on its schedule. It will have a musical background and explanatory titles in English.

Warner Pfd. Drops Point on Big Board

Columbia Pictures, etc.,

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With pride and pleasure

FOX FILM

presents

THE BIGGEST FIRST QUARTER LINE-UP

THIS INDUSTRY HAS EVER SEEN
For the month of JANUARY

SHIRLEY TEMPLE in BRIGHT EYES

WILL ROGERS in THE COUNTY CHAIRMAN

MYSTERY WOMAN

EAST RIVER (Tentative Title)
with EDMUND LOWE VICTOR McLAGLEN

LOTTERY LOVER
For the month of FEBRUARY

CHARLIE CHAN IN PARIS

JANET GAYNOR
WARNER BAXTER in
ONE MORE SPRING

SHIRLEY TEMPLE and
LIONEL BARRYMORE in
THE LITTLE COLONEL
With Evelyn Venable, Bill Robinson. From the novel by Annie Fellows Johnston. Produced by B. G. DeSylva. Directed by David Butler,

HAROLD BELL WRIGHT'S
WHEN A MAN'S A MAN
starring GEORGE O'BRIEN
For the month of MARCH

WILL ROGERS in
LIFE BEGINS AT 40

GEORGE WHITE’S SCANDALS

WARNER BAXTER in
THUNDER IN THE NIGHT
with KETTI GALLIAN
Herbert Mundin, John Qualen, Astrid Allwyn. Produced by Erich Pommer.

REDHEADS ON PARADE

RECIPE FOR MURDER (Tentative Title)
with EDMUND LOWE and VICTOR McLAGLEN
MOTION PICTURE DAILY

Short Subjects

“Dizzy and Daffy” (Vitaphone)

Here is a short that might create more comment than the feature on whose bill it plays. Jerome (Dizzy) Dean and Paul (Daffy) Dean, Cardinal World Series heroes, are the names featured in a cleverly written and peculiar dialogue delivery which should net considerable business. Review without production code seal. Running time, 20 mins. “G.”

“Jack Frost” (Celebrity)

This Comi-Color cartoon is grand entertainment. It should have particular appeal to children, and adults will probably find themselves chuckling as they see the cartoon. Done in color, it tells the tale of a bear cub that refuses to heed his parents’ warning to hibernate before the winter. When Jack Frost comes around and paints the leaves to change them into the various autumn colors the cub runs away from home. He is overtaken by old man Winter and sealed in a hollow log but is rescued by the winter spirit. Appropriate music accompanies the action and dialogue. Reviewed without Production Code Seal. Running time, 8 mins. “G.”

“Pop Goes My Heart” (Vitaphone)

A pleasant “Merrie Melody” color cartoon that features the song “Pop Goes Your Heart.” It has little woodland creatures going through their musical antics and dancing to the theme of the song and should have particular appeal to children. Production Code Seal, No. 398. Running time, 7 mins. “G.”

“Two Lane Ducks” (Educational)

Vince Barnett and Billy Gilbert fans may be disappointed in this one, though it is fairly amusing. It concerns a duck shooting trip taken by the two comedians after their wives have removed their licenses to punish them for their leisurely ways. A Production Code Seal is not available. Running time, 14 mins. “G.”

“Knickerbocker Knights” (Universal)

Fair Montage production consisting of a number of vaudeville turns, with Roy Atwell as master of ceremonies. Among the entertainers are Gypsy Nina, the Pearl Twins, Haye.

MOTION PICTURE DAILY’S
HOLLYWOOD PREVIEW

“I’ve Been Around” (Universal)

Hollywood, Dec. 27.—This features Chester Morris and Rochelle Hudson. Mounted artistically by John Meehan photography and depicting a love triangle between Morris, Miss Hudson and G. F. Huntley with Isabel Jewell and Gene Lockhart furnishing sufficient comedy to prevent a somewhat morose story. From dragging, this shows the conflict of love in the upper strata of society, affording ample opportunity for lavish settings and beautiful photography. The offering in its present form shows possibilities for fair entertainment when properly edited.

A story concerns an ambitious suitor, Morris, building up dreams for Miss Hudson, whom he finally manages only to have her regret it momentarily for love of Huntley, who marries another for convenience. It all works out well after tense dramatic situations capably handled by Phil Cahn, the director, who, with the aid of good acting of the entire cast, makes the best of weak story material from an original by John Allyn Aldaye. Produced and directed by B. F. Zeidman. Production Code Seal, No. 361. Running time, 75 minutes. “G.”

Looking ‘Em Over

“Radio Parade of 1935” (Associated British Pictures)

LONDON, Dec. 13.—A concluding reel in Dufaycolor, the new British system, is a point of special interest in this comedy musical. It is used in big spectacular scenes, featuring Alberta Hunter and a skilful dance-orchestra. The paintings and sets are well handled. There are shortcomings, the color being variable, with uneven flesh tints, ultra vivid greens and an imperfect white.

General entertainment values are good in this picture presenting an array of British radio artists with a few Americans doing their stuff. The story link is strong and ingenious. A program director, deprived of all his artists by a vaudeville bar, recruits a new bunch from the staff of the broadcasting station and, with the aid of a handy inventor, puts over a sensational hit by presenting the show, on scenes erected in main streets, by television in color.

The comedy angle is emphasized, and the material is good and put over pleasantly. Though the big point of the skit on the methods of the official B. B. C. British station will miss in America, such incidents as the arrival of the staff in military formation are funny in themselves, the individual performances are good and the sidelights of the background of broadcasting full of interest.

There is a big array of names, some of which mean something in America, while the owners of the others all deliver their special line of goods. Helen Chandler is the secretary and fiancée of the young director, Clifford Mollison, and the others include Will Hay, Billy Bennett, the Western Brothers, Alfred Drayton, the Three Sailors, Alberta Hunter, Ted Ray, Clapham and Dwyer, Haver and Lee, Gerry Fitzgerald and Arthur Young, Ronald Frankau, Teddie Joyce and his band and the Buddy Bradly Girls.

It is live entertainment for any audience if that audience can take good stuff even if it is mainly expressed in the idiom of another country. Running time, 85 minutes. “G.”

ALLAN

“Forsaking All Others,” which opened at the Capitol Tuesday, was covered by Hollywood wire on Nov. 27.

“Little Minister,” yesterday’s opener at the Radio City Music Hall, was reviewed by wire from Hollywood on Dec. 11.

“West of the Pecos,” which opened this morning at the Criterion, was reviewed by wire from Hollywood on Nov. 23.

Attack Fox Claims
In Tri-Ergon Case

(Continued from page 1)

his ownership of basic patents affecting the talking film.

The briefs were filed in the names of all of the companies associated in the case and contended that the development of talking pictures was the result of the separate efforts of many American scientists and that the German inventors were unable to develop their product in Germany with the aid of American scientists.

Taking up the points on which Fox depends, the briefs take the attitude that the advanced claims do not constitute invention, pointing out that Thomas A. Edison sought to secure a similar patent in connection with the Kinetoscope in 1887.

With respect to printing, it is claimed the specimen was not incorporated in the patent until 1929, after talking pictures had been developed and found commercially practicable.

New Ohio Tax Start
Put Back to Feb. 1

COLUMBUS, Dec. 27.—Collection of the recently-enacted three percent sales tax will not start until Feb. 1, according to Carlton S. Dargusch, vice-chairman of the State Board of Tax Commissioners. It had been planned to make it effective Jan. 1. The tax is to be collected by the State treasurer and is indicated as the reason for the postponement.

Exhibitors, compelled to put the tax into effect Jan. 1, will not hereafter be required to detail the breakdown of their gross, as between established admissions and state tax, as was the case with the ten percent imposed on box-office receipts and other advertising media need only show the gross admissions, followed by the words, “Including Ohio State Tax.” Tickets will now be made up by exhibitors until the supply is exhausted, or until advised to the contrary by the State treasurer. No statements after, special tickets which specify inclusion of the tax must be used.

Name St. Louis Trustee

ST. LOUIS, Dec. 27.—J. Porter Henry, an attorney, has been appointed special trustee for the fund of $20,962 deposited in the First National Bank under the designation of “The Shouras’ Employees’ Mutual Aid Ass’n” by Circuit Judge Green. Under the court’s order Henry will determine to whom the fund shall be paid. Some weeks ago Thornton W. Sargant, Jr., a former employee of the Shouras Brothers Super Theater Corp., brought suit seeking a distribution of the fund. The fund was established for the benefit of the Shouras Bros. when they operated the grandioses Grand Central and Missouri for the benefit of their employees.

Omaha to Have Shows

OMAHA, Dec. 27.—First stage show to be held here since June of the New Year’s eve midnight at A. H. Blank’s Orpheum featuring Harriet Calloy’s Cotton Club revue. The attraction has been booked for three days.
Only Two Hit Para. Plan at Court Hearing

(Continued from page 1)

was appearing for stockholders of the company.

Saul E. Rogers and Szold & Branden- wen, counsel for independent bondholders, whose opposition to the plan makes it seem that the court would not have come as a surprise to leading reor- ganization factors, interposed no objec- tions throughout the hearing. Rogers told Motion Picture Daily that he favored a "speedy reorganization of the company." In response to queries during a court recess, Zirn, one of the two objectors to the plan, told Moti- on Picture Daily that he believed the plan is "fair in practically all respects," adding that if it provided for a "slightly smaller" cash payment to the creditors, the bank group it would have his approval.

Zirn First to Object

Zirn made the first objection of the day with the opening of the hearing. He moved that Judge Coke overrule the decision of Federal Judge Murray W. Hallert, who is presiding over current bankruptcy term in the district court hearing that Judge Coke, who is presently as- signed to the motions term, lacked authority to act. Judge Coke overruled the motion and Zirn took an exception.

Alfred A. Cook, counsel for the debtor, Paramount Pictures Corp, who is also counsel for the stockholders' protective committee, gave a history of the development of the plan in which he detailed the prominent part played by Kuhn, Loeb & Co. in its formation. He stated that Paramount's bank creditors, including the National City Bank, bondholders', stockholders' and bank group committees; recommended the committee action, and asked those com- mittees and their counsel.

Traces Plan Drafting

Cook said that the bank committee then called upon Kuhn, Loeb & Co. to draw up a plan of reorganization, which the former Paramount management, including C. A. Castro, were given. "Present plans of reorganization were then developed by Kuhn, Loeb & Co. and its counsel for the committees, but when Kuhn, Loeb were named to receive an application of the Paramount trustees for leave to bring suits for recovery and accounting as a result of activities in connection with operations a a Par-amountm ent employees' stock purchase plan from 1929 to 1932, the banking house withdrew from activities in connection with the final plan of reorganization, its representatives resigned from the board of directors of Paramount, and it disavowed representation on the board of the new company until such time as the trustees' actions have been disposed."

Cook then proceeded to defend such outstanding provisions of the plan as the settlement of the $13,200,000 bank debt, the new Paramount, the Broadway reorganization plan and the $250,000 on stockholders. In discussing these subjects, Cook antic- ipated the principal points which

Lease Negotiations End J. L. & S. Suit

Legal tenure in droves was attracted to the first day's hearing on the Paramount reorganization case yesterday in the Federal Judge Cote yesterday, jamming a spacious courtroom until even the Cafeteria was at 4 a.m. At one time a tall talked 62 men of the bar.

The day's session was uneventful except for occasional verbal clashes and ex- citement over the exhibits. There was no action, according to Alfred A. Cook, counsel for Paramount Public, and Archibald testified that 33 lawyers appeared in opposition to the plan.

Palmer was to advance in opposition to the plan. Palmer had indicated in advance of yesterday's hearing that he was going to endeavor to obtain an ex- amination of all persons who had participated in drawing up the plan and would propose to attack the Broadway and bank group provisions.

Cook stated that the $5,000,000 cash payment to the banks provided by the plan was "an offset to the unau- thorized loan of a repayment of a loan which financed production and thereby kept Paramount in the reorganization in 1929." He extended the stock assessment which is intended to raise $5,000,000 because, he said, new bank money would not be available to the reorganized company.

Kough First Witness

Austin Rouch, Paramount secre- tary to the committee, was called. He described the corporate structure of Paramount, George Schaefer, Paramount general manager, testified as to the operations of the company. His testimony brought out, among other things, that Paramount has $6,800,000 of potential $13,000,000 in the company; that 25 per cent of the company's distribution revenue is from its own the- aters and that uncertainty of non-contact means their future, because of the company's bank group participation in a premium through Paramount that made a speedy reorganization essential. He also stated that the company had taken advantage of the situation to arrange dissatisfaction in the ranks of players and directors that was proving costly to the company.

Freeman Also Gives Testimony

Y. Frank Freeman, vice-president of Famous Theatres, Paramount sub- sidiary, testified in relation to theatre operations, discussing the operation of the company's circuits and the new man- agement and partnership operating agreements now in effect. Fred Mor- hard, general auditor, identified and explained balance sheets attached to the plan, as did R. P. Storey, of Price, Waterhouse & Co., who has been engaged for Paramount auditing for the past 14 years.

The plan of reorganization has been completed the court will take the plan under advisement. If it is then accepted by the court creditors will be given 30 days in which to ap- prove or reject the plan. The amount of creditors of all classifications must approve the plan to make it effective.
comes in like a LION!
Metro-Goldwyn-Mayer's Greatest Motion Picture

DAVID COPPERFIELD

NATIONALLY ADVERTISED in 40 MAGAZINES!

STAR CAST of 65 PLAYERS including:

W. C. FIELDS
MAUREEN O'SULLIVAN
EDNA MAY OLIVER
FRANK LAWTON
ELIZABETH ALLAN

LIONEL BARRYMORE
MADGE EVANS
LEWIS STONE
FREDDIE BARTHOLOMEW
ROLAND YOUNG

Produced by David O. Selznick
Directed by George Cukor
Adapted by Hugh Walpole from Howard Estabrook's screen play

Prepare your screens for the event long awaited by your public. More than 40 million families have been pre-sold on this soul-stirring entertainment. The biggest national magazine campaign in film history. Because Charles Dickens' "David Copperfield" will be the best-loved picture of 1935!
Sinclair Men Row; Film Leaders Relax

(Continued from page 1) of Sinclair’s radical economic program, the election of 27 Epic assemblymen has been a source of worry to the industry. This has been eased by Sinclair’s own widely circulated weekly newspaper for workers, definitely announcing Sinclair’s re-pudiation of Colbert Olson, lone Sinclair seeker elected, and the chairman of the Democratic State Central Committee, who, next to Sinclair and Richard Otto (Sinclair’s campaign manager) and John K. (Sinclair’s election chairman) in California during the campaign, Sinclair urged Epic forces to remain open. The schism all about when Olson independently circulated a petition providing that of the State’s $24,000,000 bond issue $6,000,000 should be expended on production-for-use colonies. While this apparently is what Sinclair’s Epic plans are, John K. was reported by Otto claim that Olson’s initiative bill is nothing but a political move, de-signed to win publicity and power under a few individuals who will employ people and purchase supplies with which to launch the plan. Another claim the Anthony Olson insisted that the word Epic, which was the catchy name of Sinclair’s farm cooperative EPIC, was in California) be dropped. Sinclair contends that his original Epic plan was to be operated on a co-operative, self-governing basis without dictators or patronage dispensers.

How much strength Olson, as chief of the Epic group, will attract, will have, and how much Sinclair will retain all will come out in the wash. Anyway, film men feel a little easier, and hope the Sinclairites keep on fighting among themselves.

To Renovate in Toronto

TORONTO, Dec. 27.—Along with the fresh new, modern, and up-to-the-minute opening of the new Family Theatre on Spadina Avenue, the management has announced that the Theatre will be given a new coat of paint and will be ready for the opening of the new family. The new family is expected to be ready for the opening of the new family and will be ready for the opening of the new family and will be ready for the opening of the new family and will be ready for the opening of the new family and will be ready for the opening of the new family.

Cincy Sky to Be Club

CINCINNATI, Dec. 27.—The 1,000-seat Sky, located on the roof of the Orpheum, surburban, is being converted into a night club to be known as the Club Orpheum. It will open around Jan. 1, with attendance limited to patrons of the theatre. M. Chester Martin, owner and operator of the Orpheum, is sponsoring the enterprise.

Contracts Are Singed

OMAHA, Dec. 27.—Twelve contract approvals, mailed out of the New York office and which went through an air mail route, reached D. V. McLacae, United Artists branch manager here, with the corners burned off and slightly toasted just before it was opened.

Brockton House Reopens

BROCKTON, Dec. 27.—In the Campbell section, Keith’s, named for a factor and not for the circuit, has been reopened for twin features. L. Task is the operator.

Tests Boxing Draw

PROVIDENCE, Dec. 27.—It’s a question of how much boxing will aid the box-office at the Modern where Tony Romano is boxing. Ringing bouts for Monday evenings. Instead of giving patrons an opportunity to dance, a fast-spreadin’ sad, Romano is attempting to boost patronage by giving the customers an opportunity to watch others dance around a ring.

Openings and Shifts

On N. E. Theatre Map

MARLBORO, Mass., Dec. 27.—The same name he’s been in the business for years, has acquired the Princess. It is also connected with the Marlboro along with Publicist.

SANFORD, Me., Dec. 27.—The E. M. Loew chain, which now operates over 150 houses in New England, has closed the State house here and reopened the Capitol.

HUDSON, Mass., Dec. 27.—The Hudson, formerly a part of the Phil Smith independent circuit, has been acquired by George Marks, who is operating it on a double-feature policy.

RICHFORD, Vt., Dec. 27.—The Park, formerly operated by L. V. Hart on a six-day-a-week schedule with three changes, has changed to a policy of a four-day operation week with two changes.

BOSTON, Dec. 27.—The Modern, operated by Mallon and Pinskis, is the test spot for a new plan of high-brightness lighting, which it is claimed, gives a third-dimension effect to flappers. The system was devised by Joseph Rosen and T. J. Lottus of the theatre operating company.

WILL ALPERIN, formerly cashier at the local Warner exchange, has gone with the rapidly expanding Fred E. Lieberman circuit. J. P. Jerome, formerly with Loew’s, has also gone with the chain to manage the recently acquired Columbia.

K. C. Bowlers Raise $802 for Milk Fund

KANSAS CITY, Dec. 27.—A milk fund for undernourished children in the poorer districts of Kansas City will be established with proceeds from a bowling tournament sponsored by the local Variety Club in conjunction with the Kansas City Star. Net proceeds were $802, obtained in two days of competition.

Conceived and engineered by Frank C. Henler, X-G-M branch manager and president of the club, the stunt was one of the biggest ever put over for charity by any local organization. So successful was it that it probably will be an annual event.

There were 750 entries, obtained in less than a week. The proceeds represent tickets sold the bowlers at $1 each and, in addition, $50 given by the Phil-Mor alleys.

The prizes, which were given awards, ranging from tons of coal and turkeys to six-month passes to major theatres. The Star awarded plaques to the leading bowlers in the men’s and women’s divisions. Other prizes were contributed by theatre and film men and in a make-up, Variety Club’s contribution was 25 neckties.

Hensler has turned the receipts over to the school committee, which will administer the fund with the cooperation of the school authorities. About 250 undernourished children will receive daily a half-pint of milk and crackers from now until the end of the present school year.

Seek Receiver at Kent

RAVENNA, O., Dec. 27.—Appointment of a receiver for the Kent Opera House Co. at Kent is asked in a suit filed in Common Pleas Court by John Paul and his wife, Susan. Plaintiffs charge they leased the old Kent Opera House to the company at a rental of $250 a month on August 27, 1927, and that $5,000 is now due them. They ask that the court rule the lease null and void, and appoint a receiver to take charge of the property.

Schaefer Coming Here

Gus Schaefer, general manager of Central Europe for Paramount, is due in six weeks on his annual business vacation trip.

Sproules in Ft. Scott

Ft. Scott, Kan., Dec. 27.—Sproule Bros., exhibitors at Newton and Hutchinson, Kan., have taken over the new Yale here.

Three Open in the West

OMAHA, Dec. 27.—Three theatres with new equipment have opened in this territory. They are: Dodge, at Dodge, Neb.; Grand at Norfolk, Neb.; Sacred at Sanborn, Minn., to be named.

Radio Signs Walter Lang

HOLLYWOOD, Dec. 27.—Radio has signed Walter Lang to serve as its technical director, as yet untitled, to be produced by Felix Young. Jenie LeGuin is the only one assigned to the cast.

“Bordertown” to Strand

“Bordertown” will reopen the Strand about the middle of January.

Stuart Webb Heads First Div. Board

(Continued from page 1) assistant secretary and assistant treasur-er of Pathe News since 1931, Nicholas S. Ludington, president of First Division Prod., left last night for the coast to supervise production for the next few months. John Cur-tis, vice-president, will leave by plane Jan. 6 to attend Ludington.

Al Friedlander, vice-president of First Division Exchanges, and direc-tor of publicity and advertising, will go to the coast about the middle of January to take charge of distribution and to handle the March of Time reel and other features. He will be out there for about six months.

Move on for Boost

In All Admissions

(Continued from page 1) scheduled to be held yesterday, but was put off until a later date. It, and when, the plan goes through every theatre from the Music Hall down to the smallest house, will hike ticket prices to an all-time major circuit and a few independents object to boosting admissions evenings because that means that low mame admissions bring in more than their familiar scales. Unless all theatres adopt increases simultaneously, the plan will be dropped, it is said.

Schlafer Closes Deals

L. J. Schlafer, B. G. special sales representative, has closed two deals, one with the Publicist Tri-State Theatre Circuit of Iowa and Nebraska, and the other with the Robb & Rowley Circuit of Texas for the first eight of the 16 set for release this season by his company.

McCollister to Wichita

WICHITA, Dec. 27.—C. C. McCollister, at one time associated with the Joe Cooper enterprises here and in Oklahoma, is appointed to Wichita to manage the Nomar, the lease to which was recently relinquished by Roy and Howard Campbell. Re-modeling will begin immediately.

Skourases Inspect Houses

Syrac and George Skourases are making a round of all theatres oper-ated by the latter in this territory in connection with a drive now on for the best holiday lobby.
**Hollywood Personalities**

Hollywood, Dec. 27.—George Brent and Kay Francis teamed in "Goose and Gander" at Warners. ... Edward Everett Horton cast in "The Play of St. Paul" at Paramount by Leonard Schrader back at work after a nervous breakdown. ... James R. Grainger arrived in town. ... Roger Pryor has postponed his trip to Broadway for a role with Billie Burke in "Her Master's Voice" at the El Capitan in Hollywood. ... Warners have 7,012 light bulbs on the set for "Midsummer Night's Dream." ... Jack LaRue gets a role in "Now I'm a Lady" at Paramount. ... Amelia Earhart took off from Myrna Loy and Cary Grant for a plane ride over Los Angeles. ...”

**“Veil” Only**

Draw in Dull Frisco Week

**Music Hall Pulls $85,000 on “Eyes”**

*Continued from page 1*

Eyes" yesterday with a smash opening day.

The Roxy with "Anne of Green Gables" garnered an unusual $30,000 for the first seven days. Indications are that the house for the next two weeks will net around $20,000. "It's a Gift" goes in Jan. 4.

Following two weeks of "Here is My Heart" at the Paramount, "Sweet Adeline" is slated for two weeks. If the gross holds on the first seven days, the Warner film will be continued and followed by "Lives of a Bengal Lancer," if the picture is pulled after the first seven days. Following would be "The Painted Veil." If it is slated for four weeks, it will go on third. Indications are that if "Sweet Adeline" goes two weeks, "Behold My Wife" will go into the Roxy.

**Shoppers Give Boston Takes Heavy Wallop**

Bostron, Dec. 27.—Christmas shoppers filled the streets with a terrific wallop with the total take down to $54,450. Average is $94,000. Even the big Metropolis with a normal face was doing $29,000 down to $21,000 with "Music in the Air" and a stage show, "Color Rhapsodies." Estimated takings for the week ending Dec. 26:

**CHEATING CHEATERS** (Univ.)

RKO: $14,900. (1,260), 25c-65c, 7 days: Gross: $1,140. 

**PRIVATE LIFE OF DON JUAN** (U. A.)

L--B-- $10,500. (1,000), 15c-25c, 7 days: Gross: $1,400. 

**MUSIC IN THE AIR** (Fox)

METROPOLITAN: (4,100), 30c-65c, 7 days: Gross: $17,000. 

**ONE HOUR LATE** (Para. FEN: $1,180. (1,200), 25c-50c, 7 days: Gross: $6,750. 

**THE MAN WHO RECLAIMED HIS HEAD** (Univ.)

KEITH'S MEMORIAL: (5,500), 30c-65c, 7 days: Gross: $16,750. 

**PHANTOM OF THE PARADISE** (Warner)

LOEW'S STATE: (3,700), 35c-65c, 7 days: Gross: $12,000. 

**MUSIC IN THE AIR** (Fox)

METROPOLITAN: (4,100), 30c-65c, 7 days: Gross: $17,000. 

**ONE HOUR LATE** (Para. FEN: $1,180. (1,200), 25c-50c, 7 days: Gross: $6,750. 

"Limehouse," Show, $12,000, Montreal

Montreal, Dec. 27.—"Limehouse" has survived the Christmas shopping ordeal, coming out on top with $12,000 with "Limehouse Blues" and Cab Calloway on the ATLAS THEATRE. Calloway changed pictures after four days, the new bill being featured by "Babes in Toyland" which brought in $4,500.

The Palace take on "Behold My Wife" and "It's a Gift" was $8,000, while the Princess didn't do badly at 63c and 7c. Average was $15,500. Total business was $35,500. Average is $4,050.

Estimated takings for the week ending Dec. 22:

**GREAT EXPECTATIONS** (Univ.)

"WAKE UP AND DREAM" (Univ.)

"BABES IN TOYLAND" (M-G-M)

"THE CASE OF THE HOWLING DOG" (Warners) 3 Days

CAPITOL: $12,100, 25c-40c-65c. Gross: $4,000. (First 4 days.) Average: $1,000. (Average for 7 days, $9,500)

"ALL QUIET ON THE WESTERN FRONT" (Univ.)

IMPERIAL: (1,910), 15c-25c-40c, 7 days: Gross: $2,250. (Average 7 days, $300."

"LIMEHOUSE BLUES" (Col.)

LOEWS: (1,005), 30c-65c-85c-75c, 7 days: Gross: $1,050. Stage show $630.

"BEHOLD MY WIFE" (Para.)

PALACE: (1,200), 30c-65c-75c. Gross: $6,500. "OUR DAILY BREAD" (U. A.)

PRINCESS: (2,275), 30c-65c-75c, 7 days: Gross: $6,000. (Average, $600.)

Shirley Portland Hit

Portland, Dec. 27.—"Bright Eyes" broke all Christmas day records at the Paramount with a take of $2,930. It is expected to set a new 1934 record for the week.
EDDIE CANTOR
in SAMUEL GOLDWYN’S production of
KID MILLIONS

with ANN SOTHERN • ETHEL MERMAN
BLOCK & SULLY and the GOLDWYN GIRLS

Released thru
UNITED ARTISTS
“Jealousy,” Show,$7,500, Kansas City

KANSAS CITY, Dec. 27—The seasonal slump produced another dull week. “Jealousy,” with the only stage show in town, the Toasty, drew $7,500 up $500. “Frightful Walk” also withstood the holiday shopping spree and did $5,000 at the Mainstreet and four downtown houses. It’s a gift hit par, and other grosses slipped.

Total first run business, including two weeks’ grosses at the Midland, was $33,000. Average is $9,000.

Estimated takings:

**Week Ending Dec. 17:**

- **FLIRTATION WALK** (F. N.)
  - MIDLAND—$4,000, 16c-25c-50c, 6 days, $1,300.
- **THE COWS BAY BRIDES** (MG-M)
  - MIDLAND—$4,000, 16c-25c-50c, 7 days. Gross: $9,000. (Average, $1,286.)

**Week Ending Dec. 20:**

- **IT’S A GIFT** (Para.)
  - NEWB.——$11,000, 25c-40c-75c, 6 days, $3,500. Gross: $6,000. (Average, $1,000.)
- **JEALOUSY** (Col.)

- **HELL IN THE HEAVENS** (Fox)
  - UPTOWN—$1,000, 7 days. Gross: $3,500. (Average, 8 days, $375.)

**Week Ending Dec. 23:**

- **THE PRIVATE EYES OF DON JUAN** (U. A.)
  - MIDLAND—$1,500, 7 days, 35c-40c-50c, 5 days. Gross: $4,000. (Average, 3 days, $750.)

“Divorcee” Is Denver’s High
For 2nd Week

DENVER, Dec. 27—“The Gay Divorcee” was a second week sensation despite the handicap of snow and Christmas shopping. The $3,500 take at the Denham was $1,500 over par for a first week. “The Painted Veil” was also strong at the Denver, going $1,000 over the line on a $7,000 take, and “The Captain Hates the Sea” was $3,500 up on a $7,000 take at the Orpheum.

Total first run business was $22,500. Average is $2,500.

Estimated takings for the week ending Dec. 20.

- **GENTLEMEN ARE BORN** (F. N.)
  - ALADDIN—$1,000, 25c-35c-50c, 5 days. Gross: $3,500. (Average, $2,500.)

- **THE GAY DIVORCEE** (Radio)
  - DENHAM—$1,000, 25c-35c-50c, 7 days, 2nd week. Gross: $5,000. (Average, $714.)
- **THE PAINTED VEIL** (M-G-M)
  - DENVER—$2,000, 25c-35c-50c. Gross: $7,000. (Average, $1,000.)
- **THE CAPTAIN HATES THE SEA** (Col.)
  - ORPHEUM—$1,000, 25c-35c-50c, 5 days. Gross: $1,500. (Average, $300.)

- **CHEATING CHEATERS** (Univ.)
  - PARAMOUNT—$2,000, 25c-35c-50c. Gross: $1,500. (Average, $375.)
- **DOWN TO THEIR LAST YACHT** (Col.)
  - STRANGE WIVES ( Univ.)
  - PARAMOUNT—$2,000, 25c-35c-50c, 4 days. Gross: $900. (Average for week, $225.)

Variety Club Chatter

**Albany**

ALBANY, Dec. 27.—HERMAN RIFF, M-G-M salesman, has been accepted as a new Barker, and even at this early date is achieving all challenges over the pinupping table. The names of AL. MARCHETTI and Jim FAUGHERY were added to the house committee.

At the ladies’ night last Saturday, the club’s new portable dance floor was appropriately dedicated the “pre-censored” picture also was screened.

A new Barker, LIPP, dough boy, is confined to a local hospital with a serious ailment.

The week’s box office: 
- **THE IMITATION OF LIFE** (Para.)
  - GROSS: $7,000. (Average, $1,400.)

- **HELLO DOLLY** (Para.)
  - GROSS: $7,500.

- **THE BICYCLE PEOPLE** (Fox)
  - GROSS: $1,500.

- **THE LETTER** (Col.)
  - GROSS: $2,000.

- **WYoming** (Gaumont-British)
  - GROSS: $1,000.

- **THE THREE MUSKETEERS** (Para.)
  - GROSS: $1,500.

- **THE SHANGRI-LA** (Para.)
  - GROSS: $1,000.

**Kansas City**

KANSAS CITY, Dec. 27.—Barkers are now turning their attention to the last of December’s major attractions. No. 8 will put on at the Muehlebach, Ed SHANNING and Col. Harry DROLET are in charge; every solicitation reservation presages a capacity attendance.

Shaneberg has shaken the dust of these parts and is basking near Florida skies, the guest of his brother, M. B.

FRANK H. CASSIDY, St. Joe ex-club member, is the newest member welcomed into the tent.

Hal Roach, comedy producer, was introduced to the clubmen recently at Loew’s Colon. H. M. Wilcox, vice-president of Erpi, held a get-together with the local Erpi crew at the club.

**Pittsburgh**

PITTSBURG, Dec. 27.—Members of the local committee, defeated by the fact that they have raised about $3,500 for their charitable undertakings by means of three bookings, is over the desire to have the last booking of the season to be Kiddies Day for members’ children and any poor children any member might care to bring in. Entertainment, prices, and food featured the party.

Sol Edwards of Educational has been made an associate member.

The new chief Barker, M. J. CULLEN, on the other side, has taken over the reins of the club from Chief Barker Harry KALMINE of Warners on the 30th. The officers to serve for 1935 beginning Jan. 1 are: Chief Barker CULLEN; assistant chief Barker, ART LEVY, and FRANK SMITH; property master, JAMES G. BALMER; dough boy, L. G. RENHART; canaries, WILLIAM GARDNER, C. J. LATTE, JOE BOWITZ, J. F. TYSON and A. BARNETT; clowns to national convention, H. C. LUND, DRS. A. I. WISE and M. R. GOLMAN and J. B. CLARK.

**Washington**

WASHINGTON, Dec. 27.—Variety Club will hold a precedent on Feb. 4 when Mrs. CARTER T. BARRON, wife of Loew’s eastern division manager, and Mrs. Gene Ford, wife of the president of Loew’s Fox, will act as “queens for a day.”

**Seattle Dull, But “Streak” Pulls $5,100**

SEATTLE, Dec. 27.—With all but two houses shifting programs for Christmas openings after five day runs, the Seattle theater business for the week, “The Silver Streak” at the Orpheum came nearest to par by taking $5,100. “Kid Millions,” in its second week at the Music Hall, slipped to $4,100. Total first run business was $27,250. Average is $6,000.

Estimated takings for the week ending Dec. 24.

- **ANNE OF GREEN GABLES** (Radio)
  - MIANZA—$1,500, 25c-40c-50c, 3 days, 4th week, extended run from Music Hall. Gross: $2,600. (Average, 7 days, $371.)

- **FIFTH AVENUE** (Para.)
  - GROSS: $2,000, 25c-40c-50c, 5 days, Gross: $4,900. (Average, 7 days, $700.)

- **ONE NIGHT OF LOVE** (Col.)
  - LIBERTY—$1,000, 25c-35c-50c, 5 days. Gross: $2,500. (Average, 7 days, $357.)

- **IMITATION OF LIFE** (Uni)
  - MUSICAL—$1,500, 25c-35c-50c, 5 days, 2nd week, extended run from Music Hall. Gross: $3,400. (Average, 7 days, $486.)

- **KID MILLIONS** (U. A.)
  - MUSICAL—$1,500, 25c-35c-50c, 5 days, 2nd week, Gross: $3,400. (Average, 7 days, $486.)

- **SILVER STREAK** (Radio)
  - ORPHEUM—$1,500, 25c-35c-50c, 5 days. Yassville headed by Kitty Donner. Gross: $5,200. (Average, 7 days, $743.)

- **LIMEHOUSE BLUES** (Para.)
  - BACHELOR OF ARTS (Para.)
  - PARAMOUNT—$1,500, 25c-35c-50c, 5 days. Yassville headed by Kitty Donner. Gross: $5,200. (Average, 7 days, $743.)
“Intelligent, serious drama ... gripping entertainment ... to be one of the season's most talked-about productions!”
—Motion Picture Herald

“A dramatic offering of highest merit ... absorbing intensity...suspense which will grip any audience...this offering hits the bullseye!”
—Daily Variety

“Highly dramatic... splendidly acted... superbly directed... in this finely written story the acting stands with brilliance!”
Showmen's Round Table

“Fine and important picture ... Universal deserves great credit...a picture that 6 months from now will be far ahead of the pack...give it everything!”
—Hollywood Reporter

CARL LAEMMLE PRESENTS
CLAUDE RAINE
JOAN BENNETT
in
THE MAN WHO RECLAIMED HIS HEAD

POWERFUL DRAMA ... VIVIDLY HUMAN ... SPLENDID CHARACTERIZATION ... PROMISES TO TAKE RANK OF SEASON'S MOST DISCUSSED PICTURES”!
—Motion Picture Daily
Levy Basing optimism on recent gains

By JULES LEVY

Vice-President, RKO Dist. Corp.

While I do not believe in the conventional rose-colored view of the industry's New Year prospects which is customarily issued at this time each season, I do believe that we have a basis of sound fact on which we can base an optimistic view of 1935.

Reports reaching me from all over the country indicate that Thanksgiving Week grosses were far ahead of last year's, showing that great box-office vitality exists and that the business is there for us to get. I feel that there is a marked improvement in the quality of pictures, both from a box office and an artistic point of view. Every major company has really big pictures to offer shownmen.

Finally, it is my conviction that, with the quality of pictures now displayed, the public is placed squarely before the country's exhibitors. By their efforts they can bring increased prosperity to the industry in the coming years.

Forest Work Shown In 6 Federal Films

WASHINGTON, Dec. 27—Completion of six features was announced here today by the Department of Agriculture.

Dealing with the activities of the department, the pictures, designed for use by farm and other interested officials, are distributed by the Federal Civilian Conservation Corps on erosion control, show the beaver, elk and porcupine "at home" and deal with the needs of forest protection and development. Lectures on the subject dealt with have been dubbed into several of the pictures.


DOVER, Dec. 27—RCA Manufacturing Co., Inc., has been incorporated here to deal in sound devices of all kinds, listing a capital of $100,000.

The incorporators are Robert D. O'Callaghan, New York City; William Hurt Jackson Heights, and Frank T. Zinn, Bronxville.

The new company is to take over the activities of RCA Victor Co. and RCA Radiotron Co. which have been consolidated under the new firm name and will begin operations Jan. 1. Officers of the two present corporations will be continued in the new organization and shares of each will remain undisturbed.

E. T. Cunningham is president of the new company and David Sarnoff is chairman of the board.

Schaefer Decrees Strife;

Hammons Hits Twin Bills

By W. E. HAMMONS

(Continued from page 1)

there is this in our industry that organized efforts are continually being made by a small minority to sway public and legislative opinion to one end—namely, to break the industry as a whole will eventually suffer.

It is also a well-known fact that the first run theatres in the first 400 cities of the United States paid 30 per cent of the gross film rental income. This percentage is rapidly decreasing and has now dropped to 40 per cent. Unless this condition is rectified one of two things must happen: Either the small fellow will have to absorb the difference, or quality will suffer.

Cost of operation continues to go up.

The first run theatres which have a burden of heavy carrying charges must be permitted to charge a reasonable admission price and not be forced into unfair competition of having the same pictures shown immediately thereafter at an unfair differential and admission price. If that practice continues the entire structure will be undermined. The smaller fellow will suffer to the same proportion if quality is affected. In fact, the first run theatres must be kept in a healthy condition if the subsequent run theatres and the theatres in the small towns are to exist and if the industry is to prosper.

Trend Better In '35, Says George Weeks

By GEORGE WEEKS

General Sales Mgr., Gaumont British

Material indications are that during 1935 the industry will definitely progress further along the road towards recovery. The forward box-office grosses substantially in excess of those of the past year. National improvement of economic conditions, coupled with an increasing good grade of product, both foreign and domestic, will assure this, I am optimistic.

That business is better than a year ago is a statement which, I believe, no one will dispute. Reports show that grosses are from 10 to 30 per cent improved with some exceptions, of course, with the top pictures and the box-office displaying an improved morale, due to new stability, general business conditions are bound to further right themselves during the new year. This improvement is certain to be reflected at the box-Offices of the nation.

As far as this industry's prediction goes, only one thing will give impetus to bigger grosses. That is—good audience entertainment.

Briefly, it's up to the studios, both here and abroad, to put out pictures which possess those elements which satisfy picturegoers. Good taste must be exercised in the making of this product. Public insistence that high standards be adopted by the industry in itself in recent reform moves. Apart from this demand, the industry must make the public tilt its appeal of its natural attractions by using material which satisfies the entire family.

Famous Canadian to Give 5% Pay Raises

TORONTO, Dec. 27—Employees of Famous Players Canadian receiving $85 per week or less will have their salaries raised five per cent, effective Jan. 2. This restores their last five per cent cut.

Theatre managers will receive four per cent of any increase in gross profits for the season, to be paid at the annual convention here next August.

Lincoln Sees Vaude Gain

Lincoln, Dec. 27—It is believed vaudeville will gain a second spot here after the first of the year at the Valentino Theatre. The top contender for this stand is at the Orpheum, a J. H. Cooper house. The two factions are warring in four states. Cooper has been on the right side of this situation. When the move is made both spots probably will run two full weeks. Westland is trying to operate two houses, one a split week spot, on the output of Columbia and Gaumont British and a few independents.

Akon Theatres Gaining

AKRON, Dec. 27—The theatres are showing definite signs of an upward surge, resulting increased employment and wages in the rubber factories.

Reports Show General Gain, Asserts Sears

BY GRADWELL L. SEARS

Western Sales Mgr., Warners

While I can't claim to be a psychic, I feel moved to prognosticate that 1935 will be even more prosperous for the makers, distributors and exhibitors of first-class pictures.

There is a time for hard work and concentration on the part of the improved condition in this industry, from the writer's viewpoint. Hollywood at one end of the line to the salesmen in the field and the theatre men at the other. Things all over the country are getting better.

We can and will take advantage of the improved conditions on the part of the industry as a whole and open up to us new possibilities of achievement.

The entertainment business—and especially the motion picture business—is a human necessity. The entire public is our field, and with the public as a whole in a position to demand and voluntarily pay a fair price, the answer is obvious.

I believe we are going to have a Happy New Year.
FIRST FIVE HOURS ON OPENING DAY

11,694 ADMISSIONS
as wind-swept, shivering crowds storm doors of RADIO CITY MUSIC HALL to see Hepburn

SIR JAMES M. BARRIE'S "THE LITTLE MINISTER" RKO-RADIO PICTURE
Leo Stole the Show!

Gee whiz, that Lion always steals my stuff!

Best Business in more than a year at the Capitol Theatre, N.Y.

Joan Crawford
Clark Gable
Rob't Montgomery

"Forsaking All Others"


"Crowded house screaming with pleasure" — N.Y. Times

"A triumph"

"Merry, gay, carefree. Will keep 'em happy" — Herald-Tribune

"First rate among really important pictures of popular approval" — Daily News

— American
Para. Hearing Off for Study Of Court Data

Creditors' Counsel Get Delay to Jan. 10

After a second day of testimony involving formal proofs of claims contained in the Paramount Public plan of reorganization, Federal Judge Alfred C. Coox yesterday adjourned the hearing Jan. 10 to provide creditors' attorneys an opportunity to examine a number of voluminous reports filed with the court during the day by the Paramount trustees. The reports filed include one on the status of pending litigation begun by the trustees; one on the status of the claims filed against Paramount and a report on executory contracts of the debtor, Paramount Public. So pertinent to the reorganization proceedings were they held to be by Archibald (Continued on page 4)

Majority Served in Para. Trustee Suit

More than half of the defendants named in suits being brought by the Paramount Public trustees for accountings in connection with operations of the Paramount employees' stock purchase plan of 1929 to 1932 have been served and will be required to file answers within the next few weeks, it was learned yesterday.

Among defendants who have been served are Jules E. Brulatour, Harold (Continued on page 4)

Tri-Ergon Wants to Widen Para. Claim

A motion by American Tri-Ergon for leave to amend its claim against Paramount Public for alleged infringement of the Tri-Ergon patent also will be heard by Federal Judge Alfred C. Coox, Jan. 4. The claim involving the double patent point is for an indeterminate amount, as will be theuffy patent claim in the event the amendment is allowed.

Omaha Men Protest Newspaper's Shows

OMAHA, Dec. 28.—A committee representing local exhibitors plans to call upon Henry Doorly, publisher of the Omaha World-Herald, in protest (Continued on page 2)

Para. Hearing Off for Study Of Court Data

Creditors' Counsel Get Delay to Jan. 10

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Lewen Pizag Again Heads Penn. MPTO

(Continued from page 1)

films seven years in a row. A committee to secure the seeds is headed by Lessy.

Another committee was appointed to confer with the L.E.P.A. on the pos-

sibility of a merger. All previous moves along this line have failed. The com-

mittee includes Jim Clark, Gring, Handle, Martin Ellis and Joe Conway.

Segall reported an agreement with Operators' Local 30 who, through Lew

Krause whereby service charges will be cut.

The grievance committee on rentals was retained. It is decided to ask

Ed Kuykendall for a clarification of the cancellation clause and an increase of

the cancellation privilege from 10 to 20 per cent.

Lowell Sherman, 46, Dead of Pneumonia

Hollywood, Dec. 28.—Lowell Sherm-

an, 46, died of a lung congestion to-

day at Lebanon Hospital to which he had been taken three days ago suffering from pneumonia. His

mother survives. He had half finished directing "Becky Sharp" for Pioneer

when stricken.

Vincent Lynch Passes

Chicago, Dec. 28.—Vincent Lynch, well

known theatre owner and operator of the Tiffany, Alamo and York, died today following a lingering illness. Lynch had been at a sanitarium for some time.

Fox Moves in Boston

Boston, Dec. 28.—Fox's new exchange

building here was formally opened to-

night. Tom Dailly was present along with Edward Callahan and John Scully, local managers for Fox and Gaumont British respectively.

Sales Talmadge Series

Ajax Pictures Corp., has sold the Dick Talmadge series of six to be released with Hollloman, the Exhibitors' Corp. for greater New York distribu-

tion.

Monday Office Closings

The Columbia, First Division, Par-

amount and Warner home offices will be closed Monday and indications are that the other studios will also close. All employees will be on week's

Missed.

this year looking over exchange quarters.

Eastman Leads Rise on Big Board

(Quotations at the close of Dec. 28)

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Issuu Shows Slight Gains

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Keith Bonds Climb One Point

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23,495 Admissions the opening day, topping by over 400 the “Little Women” opening day record that staggered show business! In the first five hours of the second day (as this ad is being written), 11,944 additional admissions have been sold, beating the opening day record at the same hour and indicating a new all time week-end high in the history of the Largest Theatre on Earth.
Para. Hearing Off For Study of Data

(Continued from page 1)

Palmer, counsel for undisclosed interests, a and Nathaniel Roth, counsel for the merchantile creditors' committee, that these two requested an adjournment of 30 days on the consequent reports. Samuel Zinn, counsel for a small group of Paramount bondholders, who, with Palmer, submitted the only opposition to the plan to date, advocated a two-weeks' adjournment, while committees favorable to the plan offered no opposition.

Walter B. Cokell, Paramount treasurer, the only witness called yesterday. He identified and explained numerous items contained in the balance sheets appended to the reorganization plan. He was cross-examined at great length by Palmer, who attempted to show that Paramount's cash position on reorganization would be such that the proposed assessment on stockholders would be unnecessary. The $2 stock assessment is calculated to raise $6,500,000. Cokell stated that he believed it was necessary because of the plan's provisions for a $3,500,000 cash bond issue and the proposed bank credit line, which would be used to meet the expenses of reorganization and to provide operating revenue, since new bank credits would not be available.

 Hits Lack of Warrants

Palmer criticized the lack of warrants listed by the creditors' committee for the financial statements contained in the plan and sought to show that the various statements were no more than unofficial estimates. Some of the statements concerning assets, Cokell admitted in reply to questioning, were estimates based on probable receipts from companies such as Sanger and Olympia, as a result of their impending reorganization.

Palmer asked authorization to call the treasurer of the Swedish Opera, Eugene W. Leake and Charles E. Richardson; Percy Johnston of the creditor bank group; Duncan Harris of the creditors' committee, and Robert Goelet or Robert Dowling of the Paramount Broadway bond committee, and Duncan Harris, president of the creditors' committee, for questioning as to why they believed the plan to be a good one for the company. Judge Cockey denied the application, stating that "argument would show whether or not the plan was a good one" and that it didn't make any difference whether bankers, lawyers or trustees were on the stand.

A closed-door session was held for the divorcing of the Paramount Broadway reorganization plan from the Paramount Publicity plan, of which Leake and Harris were counsel, and Goldwater, counsel for trustees of Allied Owners, one of the largest Paramount creditors, stated that his interests were not involved if the plan were accepted in the Broadway plan, but added that they were making no objections to it now that they are separate. Paramount bondholders, stated that he believed the Paramount reorganization would go through without opposition from that of Paramount Broadway, but was agreeable to leaving the decision on a separation to the court. As the Broadway plan as it stands and as a part of the Paramount plan, he said, adding that his principal objections to the latter were centered on the amount of the cash payment which the plan provides shall be made to the bank group. Burkan reminded that his committee has not yet approved of the Paramount plan, but is awaiting the possibility of objecting later to some of its phases.

Majority Served in Para. Trustee Suit

(Continued from page 1)

B. Franklin, Sir William Wiseman, Sir John R. Kent and Eugene Zukor. Associates of Kuhn, Loeb & Co., in addition to Williamis, filed a suit in connection with the action which was an accounting of actual or potential profits in connection with the stock purchase plan and any resultant loss which may have been incurred by Paramount as a result of it.

Separate actions for recovery of salaries or bonuses in excess of a reasonable amount are also being pressed by counsel for the trustees, Ganzfeld, a member of the Paramount committee, and Sam Katz, Ta'ghir Koh and Kent. A trustees' report on the status of all pending litigation insti- tutions by them was filed by First Judge Alfred C. Coke yesterday in connection with hearings on a plan for the reorganization.

The name of Maurice Newton of Hallgarten & Co., a former Paramount director, has been added to the list of defendants in the contemplated stock actions after having been included earlier through an error on the part of the trustees, counsel, Root, Clark, Buckner & Bal- lantine.

Para. May Do Three Pictures in Sweden

Paramount is considering production of two to three pictures in Sweden, in addition to eight planned productions in Italy and France. The Swedish films are planned for this season's schedule with a native author to be making them for the company.

Whether Paramount will engage an English author for the Swedish films has not yet been decided, but in any event they will be made at the Join- ville plant under supervision of Ike Blumenthal, in charge of overseas production. The company does all its French "dubbing" at the Paris studio and actual production by the French branch has been at a standstill for the last few years. "Dubbing" of German, Spanish and Italian versions is done in those countries by outside companies.

European Theatres Dull, Says Lange

(Continued from page 1)

as long as 16 weeks in one theatre. Second-run and other buildings had hardly fared better. Theatres in France, Italy and Spain are not doing well, he said.

Believing that political uncertainty is helping themselves out, Lange sees a turn for the better during the 1935-36 season. He said all indications are that there will be more pictures than ever before. Paramount releases a maximum of 45 on the home market, but the current number is less because of difficulty in "dubbing." About 30 films will be released in Italy, 26 in France and 25 in Spain.

Censorship problems also enter into the Continental situation and in some countries the censors have such weird angles for condemning pictures that it works a hardship on the distributor. The foreign market, however, is getting more important every day," Lange declared.

Here with his daughter for home, the Lange plans to sail for home on Jan. 12.

Four Features Set For Day's Program

(Continued from page 1)

Gay Divorcee" and "Captain Hates the Sea" go on.

While this is unusual for the Queen Morris, the Lange family can't get a single feature for the Community, a block away, Louis Nizer, attorney for Kun- tinsky, stated yesterday that he would appeal hearing on overcharging charges against Schwartz. Shorts and news- reeves are also included.

Operator Scales Up For Further Talks

(Continued from page 1)

senblatt aboard the "Empress of Brit- ain on a West Indies cruise and be- fore the word from Jones that "Power" opened strong, middle west sales rep- resentatives of Gaumont and Allies held an enthusiastic sales meet- ing at the Blackstone hotel.

Arthur A. Lee declared that the talks with the operators had con- stituted a better message than any he might venture and aside from his predictions on the outlook for 1936, he already given Morton Picture Daily, he said only that he felt G. B. Schwart was "off the wall organization.

In addition to Lee, George Weeks and L. J. Schlaifer are here from New York. Schlaifer will proceed to At- lanta for the next sales conference.

Campi Again Passes Up Clearance Issue

Convinced the present method of handling clearance and zoning problems by individual protest does not necessitate immediate action, Campi Thursday tabled the subject until the next meeting, devoting the remainder of the day to problems, amendments to the code and decisions on numerous appeals.

Roy Hunter in New Post

Hollywood, Dec. 28.—Roy Hunt- er, head of Universal's laboratory, scheduled to close on Jan. 1 under the new lease, has been designated to do all of the company's proc- essing, goes to Consolidated's Santa Barbara East Film Laboratory as assistant. Coincidentally Darryl Zan- nuck is transferring his print work to the M-G-M laboratories and Wal- ter Wangler to the Paramount plan.
Sauger Loses 122 Theatres To 4 Circuits

**Paramount's Splitup in South Is Detailed**

Four Paramount theatre subsidiaries in the south and southwest have their operations increased by 122 theatres which are withdrawn from the Sauger circuit under the decentralization program carried out in the Sauger plan of reorganization, it was learned Saturday.

The Willy-Kinkle circuit has added to it 42 houses in North Carolina and Virginia which were formerly a part of the Sauger interests; Jeffer-son Amusement Co., operated by Sol Gordon and Joseph Clemonns of Beaumont, Tex., receives 43 former Sauger theatres in Texas; Central Florida, operated by E. J. Sparks, receives 23 theatres, and Publix-Saenger-Sparks Corp., also

(Continued on page 2)

**Hope for New FWC Setup Next Month**

Progress on absorption of other Wesco subsidiaries is expected now that the Federal Court in Los Angeles has approved sale of assets to National Theatres Corp. Unless an appeal by Marshall Square Theatres of San Francisco and Harry L. Hart, of San Diego is approved by the sale order by U. S. District Judge George Congrove holds up reorganization plans of the circuit, the Fox West Coast group will be operating under the new setup by the end of

(Continued on page 2)

**Yamins Slated for Allied Reelection**

Nathan Yamins is slated to be re-elected president of the Independent Exhibitors of Mass. at the annual meeting of the unit on Jan. 8 at the Statler in Boston.

Members of the organization are in favor of continuing Yamins in his post and highly compliment his work in connection with the code. More than 100 are expected to be on hand for the one-day meet.

Free Shows Stopped In Boston Theatres

Free shows in Boston are virtually at an end, Max Levinson, alternate for Nathan Yamins on Campi, stated Saturday prior to his departure for

(Continued on page 6)

**KMTA Closely Watching Two Legislatures**

**Kansas City, Dec. 30.—Legislative representatives of the Kansas-Missouri Theatre Ass'n are keeping a vigilant eye on the capital's of the two states with a view to protecting the industry against adverse legislation when the general assemblies swing into action. The Missouri legislature convenes Jan. 2 and the Kansas body Jan. 8. John C. Stapel, K.M.T.A. president and prominent in state Democratic

(Continued on page 6)

**Business Revival Forecast; One Exhibitor Body Urged**

**By EMMETT THURMONT SEC'y, Counsel, Rocky Mountain Theatre Owners Ass'n DENVER, Dec. 30.—The participants, as a whole, in the theatre industry are to be con-gratulated upon the wonderful stride that has been made within the last year. There have been produced and exhibited more and better pictures that appeal to the general public than have ever been produced in any one year. The production of cleaner family pictures has been the trend. It seems to have been recognized that it is essential, for the future

(Continued on page 6)

**Mexican Law Places Industry Under Exclusive Federal Rule**

Mexico City, Dec. 30.—All phases of the film industry will be placed under federal supervision under the terms of a bill just passed by Congress. The sponsor of the measure contends this will be a benefit to the industry, as Federal jurisdiction will assure uniformity of regulations, taxes, etc., throughout the country. At present, there are innumerable Federal, state and municipal regulations.

**Propose 75¢ As Hourly Low In Booth Wage**

**30-Hour Week Part of Plan for N. Y.**

By CLARENCE LINZ

WASHINGTON, Dec. 30.—A minimum booth cost of 75 cents an hour for theatres seating from 400 to 600 where admissions are 25 cents or less is a major proposal in the tentative agreement designed to bring solution to the troublesome operator situation in the New York area.

This and other scales were made public Saturday by Deputy Administrator William J. Farsworth and will be discussed at a public hearing, originally set for Jan, 10, but now set back another additional day because of the Czolgosz lynching in New York on the first named date.

The rate increases 25 cents an hour with each increase of 200 seats until a rate of $5 an hour is provided in houses of 5,800 to 4,000 capacity. The scale is 10 cents an hour higher than the base for houses with 30 cent admissions, 15 cents higher for theatres charging 35 cents and 25 cents higher for houses charging 40 cents or more.

(Continued on page 3)

**No Code Breach Is Found at Hamilton**

WASHINGTON, Dec. 30.—Decision that no violation of the code was involved in the acquisition by the Glove City Amusement Co. of the Hamilton, Hamilton, N. Y., operated for a number of years by W. C. Smalley, was yesterday rendered by the National Compliance Council.

The case, brought under the "interference with lease" provisions of the code, reached Washington after the

(Continued on page 3)

**Report British Busy On Stereoscope Film**

Experiments being carried out by Gaumont British and Imperial Chemical Industries may result in the showing of stereoscopic films within two years, according to Joan Littlefield,

(Continued on page 6)

**No Paper Tomorrow**

Motion Picture Daily will not publish tomorrow, which is New Year's Day.
Hope for New FWC Setup Next Month

_January. As yet Spyros and George Skouras have not signed the 10-year joint operating contract_.

In addition to taking over assets of Fox West Coast, National will acquire Fox's seven subsidiary units, including Fox Rocky Mountain and Fox Midwest. These two units are expected to be taken over at the end of bankruptcy by the end of March. New companies have already been formed to replace them. Associated Theatres will operate Fox Rocky Mountain and Fox Midcontinent will replace Fox Midwest.

Skouras leaves for the coast the latter part of January, while S. R. Kent, president of National, departs either today or tomorrow.

_Sichelman Heading New Fox Sales Unit_

With the creation of a new foreign division to handle distribution of all pictures made outside of the Hollywood studios, Clayton E. Sheehan, Foreign Sales manager, has been appointed Jack Sichelman head of the new department. Sichelman for the past five years has been chief of Fox Movietone News bureau. He has taken over his new duties.

The newly created branch of the foreign department will handle Spanish, French, German and British films acquired by the company in addition to all English-language pictures.

Irvine Maas continues as assistant foreign manager. Harry Marsey, who assisted Sichelman in his former post, has been promoted to head of the Fox Movietone News statistics bureau.

_Disney Plans Expansion_

_Hollywood, Dec. 30.—Walt Disney has made an application for a permit to erect an additional building to house artists and other studio help at his studio on Hyperion Ave._

_Japan Plans Reel Action_

_Doc. 30.—Plans to prevent newsreels from depicting the Japanese war period were made in connection with the film bureau of the Foreign Office._

*Para. to Start Drive*  
Para. tomorrow starts a three months' sales drive.

**Consolidated Off Half on Big Board**

(Instructions at the close of Dec. 29)

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**Technicolor Has Quarter Rise on Curv**

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**Greenblatt in New Job**

Arthur Greenblatt today assumes operation of General Pictures Exchange, moving Greenblatt Exchange into General's quarters in the Film Center Building. This move is expected to free the Fox exchange to assume management of Gaumont British sales in the local territory.
CHICAGO, Dec. 30.—Cold weather and snow put more than the usual dent in Christmas business, but in spite of this “The Painted Veil” ran up to its $18,000 mark at the Roosevelt in 11 days. This is $7,000 over par for a week.

“Bright Eyes” did well with a stage show at the Chicago, getting $35,000. The only other attraction to do better than fair, however, was "Chu Chin Chow," with $10,000 at the McVickers in its second week.

Total first run business was $99,000.

Estimated takings:

**Week Ending Dec. 24:**
- T. C. New South Side (M-G-M) Roosevelt—(1,591), 26c-35c-50c, 11 days, Gross: $10,000. (Average, $911.00)

**Week Ending Dec. 27:**
- PURSUIT OF HAPPINESS (Para.) ORIENTAL—(1,740), 26c-40c, 7 days, Stage: Gus Van, Ted Cook hands. Akron Gross: $2,000. (Average, $285.71)
- BRIGHT EYES (Fox) CHICAGO—(1,701), 25c-35c-60c, 10 days, Stage: B. & K. Christmas Festival, Gross: $6,000, (Average, $600.00)
- THE GAY BRIDE (M-G-M) GARRICK—(500), 26c-35c-40c, 7 days, Gross: $2,000. (Average, $285.71)
- CARAVAN (Fox) PALACE—(265), 26c-35c-50c, 7 days, Stage: Milton Nelson, Rose-Halle Pat Rooney. Gross: $200. (Average, $28.57)

**Week Ending Dec. 28:**
- UNITED ARTISTS—(1,793), 35c-40c-50c, 7 days, Gross: $3,000, (Average, $428.57)
- THEATRE WALK (P.N.) APOLLO—(1,400), 26c-35c-40c, 7 days, Gross: $3,000. (Average, $428.57)

**Week Ending Dec. 25:**
- CHU CHIN CHOW (Gaumont British) McVickers—(2,381), 26c-35c-50c, 7 days, 2nd week, Stage: Shakespearean Plays. Gross: $10,000. (Average, $1,428.57)

**One Week Ending Dec. 29:**
- STATE-LAKE (2,726), 25c-2c-35c, 7 days, Gross: $1,500. (Average, $214.29)

**“Toyland” on Dual $5,000 Omaha Lead**

OMAHA, Dec. 30.—Most of the Christmas week business was centered at the Orpheum. A combination of Bobs in Toyland and “Home on the Range” ran $500 over normal for a total of $5,000. Total Omaha business was $10,400. Average is $9,500.

Estimated takings for the week ending Dec. 28:

“MARIE GALANTE” (Fox) “REDHEAD” (Monogram)
- WORLD—(2,200), 26c-60c, 5 days, Gross: $2,000. (Average, $400.00)
- JANET (U.A.)—(1,304), 26c-35c-50c, 5 days, Gross: $2,000. (Average, $400.00)
- "WEDNESDAY’S CHILD" (Radio) "HOME TOYO" (D-G) "HOME ON THE RANGE" (Para.)
- w. B. & L. (Fox) 
- $5,000. (Average, $4,500)

**“Veil” Beats Bad Chicago Holiday Drop**

HOLLYWOOD, Dec. 30.—The extras standing committee has recommended a new rate of $10 a day be set for hiring actors, a minimum of $10 a day a set for hiring actors, a minimum of $10 a day for hiring actors, that this high point transcend all else.

The story is by Frenke and James Hogan and the screen play by Arthur Hornman and John Woodridge, with dialogue by Mary McCarthy and Wolfe Gilh. Range effects and startling camera angles, the film moves from a mild start to a breath-taking finish, revealing an amazing discovery so powerful and truthful that this high point transcend all else.

No Code Breach Is Found at Hamilton

(Continued from page 1)

Regional board at Albany and Code Authority had found themselves unable to deal with it. The matter was heard Dec. 20, when the complaint proposed a 72 cents per hour code minimum. Many of the boards are now being operated at costs considerably less than those contained in the proposed agreement and efforts to increase operators' wages was contested vigorously, it is reported.

Looking 'Em Over

“Beast of Borneo” (On World)

Set this down as a mediocre film, which, aside from a synthetic thrill or two, has little to offer in the way of real entertainment. Its appeal seems to be directed primarily at the juveniles. There is not one cast name that might be used as a selling argument. The story is routine, with small regard for plausibility. Photography and settings are no better than adequate, while the actors struggle valiantly but to little avail with the material at hand.

A doctor (Eugene Sigaloff) goes to Borneo with his assistant (Mae Stuart) to search for a certain orang-outang on which he wishes to try certain of his experiments. He becomes jealous of his guide (John Foster), an American engaged in capturing animals for zoo. Foster barely escapes death when he is carried off by a giant orang-outang after being unconscious by the doctor. Miss Stuart comes to his rescue and the doctor dies in the embrace of the beast.

There is a measure of fun provided by the antics of a trained chimp. The jungle scenes may hold some interest, regardless of whether they are authentic or not.

Harry Garson directed. No code seal. Running time, 64 minutes. “G”

Hollywood Personalities

HOLLYWOOD, Dec. 30.—Gene Raymond’s beautiful red and white Christmas cards a sensation... also Jean Harlow’s pure white ones... Charles MacArthur off for New York... Madge Evans on her way to Broadway via train... Jack Conway posing for passport pictures prior to sailing for England... E. B. De Groot, executive of the Bay Scouts of America, sends a personal letter of congratulations to John Considine, Jr., for his production, “Sequoia”... The dancing team of Veloz and Yolanda doing roles in the musical comedy “Shangri-La.” George Raft and Carole Lombard in the rushes... William Faversham spotted in “Bucky Sharp” by Pioneer Prod...
BARNUM, YOU
"COLOSSAL!"
"STUPENDOUS!"
"GIGANTIC!"

WALLACE
BEERY
in
THE MIGHTY
BARNUM

A DARRYL F. ZANUCK Production
PRESENTED BY JOSEPH M. SCHENCK
"Biggest opening in Cleveland in four months!"
Smash in Akron as 2nd day triples first day...which was BIG!
Great first day in St. Louis...BIGGER the second day! Even BIGGER the third day!
"A Real smash in Providence!" — VARIETY
"Hitting fancy $50,000 at RIVOLI, New York!" — VARIETY
Strong gross in Kansas City!" — VARIETY
And just as big in Baltimore, Boston, Columbus, Dayton, Pittsburgh, Rochester etc., etc.!

20th CENTURY PICTURE
Released thru
UNITED ARTISTS
**Mexico Is Hit By the Start Of Free Show**

(Continued from page 1)

Bank's depositors and exhibitors are worrying about a spread of the idea.

Cinematland, devoted exclusively to shorts from noon to midnight, has been opened in a business building. This is the first house of the kind in Mex-

*ic, French and German two-reelers have made up the programs so far. An Arky, Boyle Dr., French actor and di-

rector, heads a group of Mexican men behind the venture.

Mexican producers are continuing to show a fancy for 10 and 12-reel his-

torical. The latest to be an-

nounced is a drama based on the life and deeds of Netzahualcoyotl, poet and king of the Texcans.

Shock pictures are going over big here. An outstanding example is the presentation of "Men's Life in a Mens" at the Cinematland. Principal, who is the day and night at 28 cents. A heavy exploitation cam-

paign preceded the showing.

**Free Shows Stopped In Boston Theatres**

(Continued from page 1)

home after three days in New York. He said it had been reached with Scott's Puritans to switch tryouts for other shows from the Boston Opera House to other local theatres with the completed air program staged in a radio broad-

casting station.

New England independent objected to Scott's free admissions to the opera house during the tryouts, claiming that this type of program has lowered theatre attendance. The fur concern has agreed to put on the tryouts at one of the local theatres, where ad-

missions are charged for the regular show. The tryouts will be an added attraction for which produce. The admission will be charged, Levinson said. Whether the test performances will be put on at one theatre or routed has not been determined.

**Stanley Returns to Shows in Pittsburgh**

PITTSBURGH, Dec. 30.—After two months of straight pictures, the Stan-

ley will return to stage shows, tempo-

rarily at least, the week of Jan. 11 when Jack Benny comes here at the head of his own unit. His wife and air partner, Mary Livingston, will be with him.

**Marcus Takes House**

INDIANAPOLIS, Dec. 30.—Manly Marcus has taken over management of the Capitol. The house is operated by the Amusement Co., which Carl Niess is a general man-

ager.

**Oscar Bradley to Coast**

HOLLYWOOD, Dec. 30.—Oscar Bradley, recently signed as music super-

visor by Fox, arrives here within the next two weeks to assume his new duties.

**MOTION PICTURE DAILY**

Monday, December 31, 1934

**Business Revival Forecast; One Exhibitor Body Urged**

By EMMETT THRUMON

(Continued from page 1)

I feel, however, that the industry will experience a real revival in business dur-

ing the coming year. Every indica-

tion now points that way. The apre-

ciation of the public for the new line of better handling the situations. The various boards set up under the code and co-operate among them for a fair administration of the various things that come within their jurisdic-

tion as was anticipated. It is felt that the new codes and laws will bring the exhibition to a position higher than the industry.

It is evident that the various re-

presentatives of the producers, distrib-

utors and exhibitors are beginning to show a more thorough understanding and ap-

proaching the situation of a close and mutual interest of each other than ever before. Yet, there is much to be desired and a lot of work yet to be done. And, let me live is still a fundamental necessity in the industry.

Urges One Exhibitor Body

One of the greatest necessities, in-

sofar as the exhibitors are concerned, is one national organization that will represent the exhibitors honestly, fairly and voluntarily. It is quite difficult to accomplish any great good when the exhibitors fuss, fight and quarrel among themselves. Under a national policy, a united front with all guns directed on a strategic position can be accomplished.

The Federal laws pertaining to copyrighted music should be changed in order that the exhibitors and producers should not be penalized by unreasonable, unjust and detri-

mental fees, licenses and taxes. This can be accomplished when our sen-

ators and congressmen thoroughly un-

derstand the situation and they can be made to understand if the exhibitors cooperate in a body to present their case.

Fundamentally, there isn't anything wrong with the industry. It is a wonderful enterprise and essential to the welfare and contentment of the public. It affords the cheapest and best entertainment. The industry does not lack a market, but a legitimate industry, worthy of the most serious consider-

ation of our best minds. Many of the exhibitors are showing the valuable work, effort and good judgment which they have used in the past. And we are not nearly as far. If we profit by the mistakes of yesterday, tomorrow will be filled with more success. With the industry worthy can be eliminated and quality substituted therefor, the industry will survive and build on to greater heights.

KMTA Closely Watching Two Legislatures

(Continued from page 1)

In the present decrease in the present levy of one-half of one per cent to at least one per cent.

The sales, or occupation tax is at present absorbed by the exhibitor as an assessment on theatre tickets. Staple favors a levy that can be passed on to the ticket buyer.

The Missouri and schedule which has been approved has not been an emergency measures, have not pro-

duced the expected or required revenue. The sales tax, which was enacted. Merchants throughout the state have been too organized to resist extension or increase of the sales tax, but it is pointed out that opponents must present some taxation that is fairer than the present sales tax, to defeat the sales tax levy increase.

**Report British Busy On Stereoscope Film**

(Continued from page 1)

correspondence of the American Newspaper Alliance, in an article called to this country.

Austen, the article states, has equipped a special research laboratory for the experiments and hopes for definite results within the next year. The film, which will be produced in 25 parts, will have a separate lenses and will have a complete set of lenses. Details are to be revealed after close ac-

cesses of filming and projection are inv-

olved, the writer states.

It is the belief of the writer of the article continues, "involves the printing of two views of the same scene on the same negative with the difference of the angle of the two views to the nearest hundredth of a degree. By projection of the film then (Continued from page 1)

in projection the film would have to travel behind ten lenses, and the screen assumed to be fitted with lines or bars to pre-

vent the right eye from seeing the left-

eye picture and vice versa.

"Up to the present, most film pro-

ducers here have been afraid of the introduction of stereoscope and color films. Their advent would involve revolutionizing their methods of photography and new projection in-

stallations. The frontier man would have once a stereoscopic film had been suc-

cessfully launched would turn away the present shadow pictures as they did from silent films when the first talkie appeared."

**More Delay for “Sharp”**

HOLLYWOOD, Dec. 30.—The produc-

tion of Pioneer's first picture, "Becky Sharp," which was temporarily halted when his wife, who was directing it, will be further hind-

ered, it is thought, by a cold and a few illness that has confined Miriam Hopkins to her home.
WILL YOU BE THERE WHEN THE FEDERATION ROLL IS CALLED?

Come—On—Boys! Keep up the good work!
We of the Amusement Industry must make GOOD our promise.
A complete list of all contributors to the Federation Emergency Campaign will be published in this publication soon. Will your name be among the missing?
You don’t want this to happen—Neither do we.
So come through, boys—You’ve never failed a good cause yet.

FEDERATION
And Its 91 Charitable Institutions
NEEDS
YOU
NOW

Federation for the Support of Jewish Philanthropic Societies of New York City, the efficient 'community chest' for 91 leading welfare agencies, including seven nationally known hospitals.

- MOUNT SINAI
- BETH ISRAEL
- MONTEFIORE
- BEDFORD HILLS SANITORIUM
- LEBANON
- HOSPITAL FOR JOINT DISEASES
- JEWISH MATERNITY HOSPITAL

whose services are given without regard to race, color, or creed, must wipe out a $2,071,000 deficit by December 31, in order to balance its $3,655,000 budget. Federation helps more than a quarter of a million people every year. These unfortunate need Federation NOW more than ever before.

ALBERT WARNER, Chairman
321 West 44th Street, New York
I hereby make a special donation of $ .................. payable before December 31, 1934.
1934
NAME ...........................................
ADDRESS .......................................

Please make checks payable to WALTER E. BEER, Treasurer of Federation.
Urges Swing To Intern'l Film Slant

By J. H. SEIDELMAN
Foreign Manager, Columbia

There have been many changes in the past 12 months in the foreign market, and these changes have very forcibly divided the world into two major classifications: (a) speaking territories, including those which permit and accept American pictures with or without superimposed titles; (b) Non-Eng.-speaking countries.

The American motion picture has held its own in the world (a) and in fact can boast of considerable progress in those countries. England and its colonies are, of course, the major market of this hemisphere, and represent a very substantial percentage of the foreign income. Fortunately, there has been no serious legislation in this group to impede the progress of American pictures. While it is true that a few-1934 pictures have improved and increased in demand, they have only replaced the poorer American pictures and not the better class of independent productions.

Laws Hurting U. S. Films

The group of territories represented in (b) presents the most difficult problems and returns the least revenue. The serious economic conditions of the various countries have forced the passing of legislation which has very definitely made it unprofitable for American companies to do business, but, in many instances, wholly impossible. Fortunately, this group of territories contributes only a small portion of foreign income.

A producer who wants to do a 100 per cent job must be “international-minded” and must definitely plan to include in his program a few of the international type pictures. Local pictures can never compete with the important pictures of Hollywood as long as they are confined to the limitations of a particular language or country. The formula for making suitable pictures for the foreign market has really only made it unprofitable for American companies to do business, but, in many instances, wholly impossible. Fortunately, this group of territories contributes only a small portion of foreign income.

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Entirely Up To Hollywood Perspective

By ARTHUR W. KELLY
V. P. in Charge Foreign Sales, United Artists

American pictures will continue to dominate the foreign market in 1935 as in previous years, provided Hollywood realizes that we are doing a worldwide business, and keeps turning out product that appeals internationally.

Every producer in Hollywood should have a map of the world tacked up on his wall, or a globe decorating his desk to remind him constantly that he is making pictures not only for Bridgeport and Broadway, but Bombay and Buenos Aires, London and Shanghai—in fact, every corner of the earth.

What moviemakers do want are pictures that tell a down-to-earth story with a minimum of location and a minimum of dialogue. Variety, of course, is essential, lavish musical films, while desirable, should never predominate. Sophisticated society films are unacceptable and should be eliminated in non-English speaking countries.

On the whole, the average fan abroad would rather see a Hollywood-made product with its own location and production values (either dubbed or with superimposed titles) than a home-made picture in his own language.

If the present trend toward action pictures is adhered to, the industry will do a far greater foreign business in 1935 than at any time in its history.